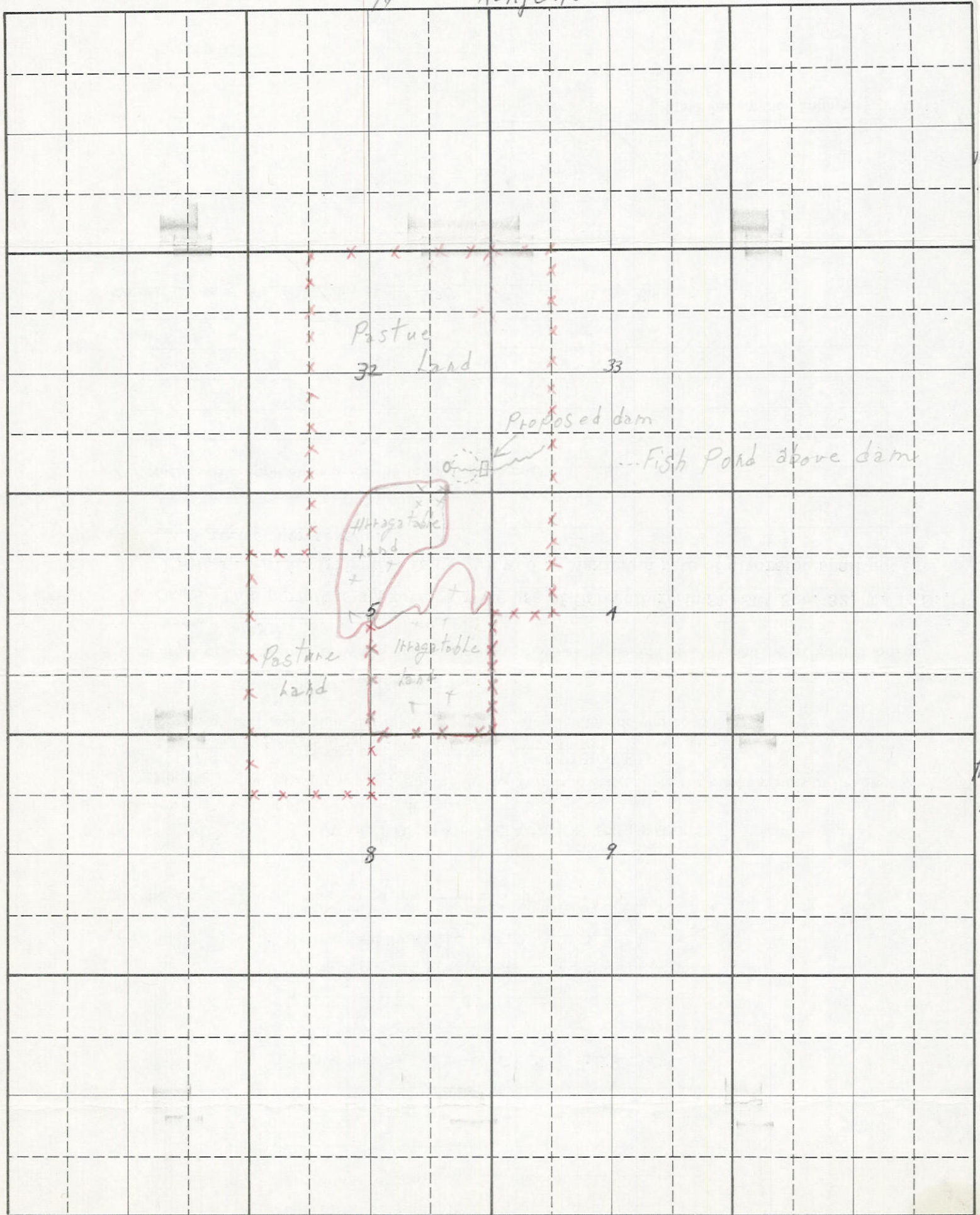




3768 III NE (DINGLE) 4670 4669 10' 4698 T. 14 S. T. 15 S. 4667 4666

11. Map of proposed project:

N Range 45



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.

Lee C. Beaman
(Applicant)

11-7006

State of Idaho
Department of Water Resources
WATER RIGHT LICENSE

License of Water Right No. 11-7006 Priority June 12, 1968 Amount 10 acrefeet

THIS IS TO CERTIFY, that LEE C. REAM
of Dingle, Idaho, has complied with the terms and conditions of Permit
No. 11-7006 issued pursuant to Application for Permit dated June 12, 1968,
and has submitted proof to the Department of Water Resources on April 15, 1974,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the storage of 10 acre feet of water from a spring,
tributary to _____, 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>Storage for:</u>	from <u>Jan. 1</u> to <u>Dec. 31</u>	at <u>n/a</u> cfs and	<u>10 acre feet</u>
<u>Fish Culture</u>	from <u>Jan. 1</u> to <u>Dec. 31</u>	at <u>n/a</u> cfs and	<u>n/a</u>
	from _____ to _____	at _____ cfs and	
(both dates inclusive)			

Subject, however, to the condition that no more than 10 acrefeet of water be stored at any one time, and
that the amount of water so stored 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
n/a acre feet per year, said waters to be diverted within the SE¹₄SE¹₄ of Sec. 32,
Twp. 14 S, Rge. 45 E, B.M. in the County of Bear Lake

Description and location of 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	
14 S	45 E	32																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 2 day of
August, 19 76.

Director

Identification No. 11-7006

Application No. 42577

LICENSE ISSUED FOR 10 ACRE

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

APPROVED

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant Lee C. Ream
post office address Dingle Idaho
2. Source of water supply Spring which is a tributary of _____
3. a. Location of point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 32 Township 14 S
Range 45 E B.M. Boat Lake County; additional points of diversion if any: _____

- b. If water is not consumed, it will be discharged into _____ at a point in SE $\frac{1}{4}$
of SE $\frac{1}{4}$ of Section 32 Township 14 Range 45 E B.M.

4. Quantity to be appropriated:

- a. _____ cubic feet per second and/or
b. 8 or 10 (allow 10 acrefeet)
acre feet per annum will be stored.

5. Water will be used for the following purposes:

- (fish culture) Private Fish Pond purpose from Jan 1 to Dec 31 (both dates inclusive)
Sprinkler Irrigation purpose from June 1 to Sept 30 (both dates inclusive)
_____ purpose from _____ to _____ (both dates inclusive)

6. Proposed diverting works:

- a. Description of ditches, flumes, pumps, headgates, etc. A Screened Head gate
For draining & cleaning Fish pond, A
constructed spillway to let over flow of water
Back into original channel
- b. Height of storage dam 10 feet; active reservoir capacity 8-10 acre feet; total reservoir
capacity 8-10 acre feet; materials used in storage dam: available fill
dirt & natural clays
- 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. For Fish Pond .5 Year For Sprinkler System

b. Estimated construction cost is \$ 300⁰⁰ - 400⁰⁰

8. Description of proposed uses:

a. If water is **not** for irrigation:

- (1) Give the place of use of water: SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 32 Township 14 S
Range 45 E 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 75 Cows & calves From
may 1 - Dec 31 (right already established)
- (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: Private Fish Pond

11-7006

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	
14S	45E	32															2	3	
15S	45E	5	5	40	15	20	10			10	5				30	30	20	40	
15S	45E	8																	

Total number of acres to be irrigated 230

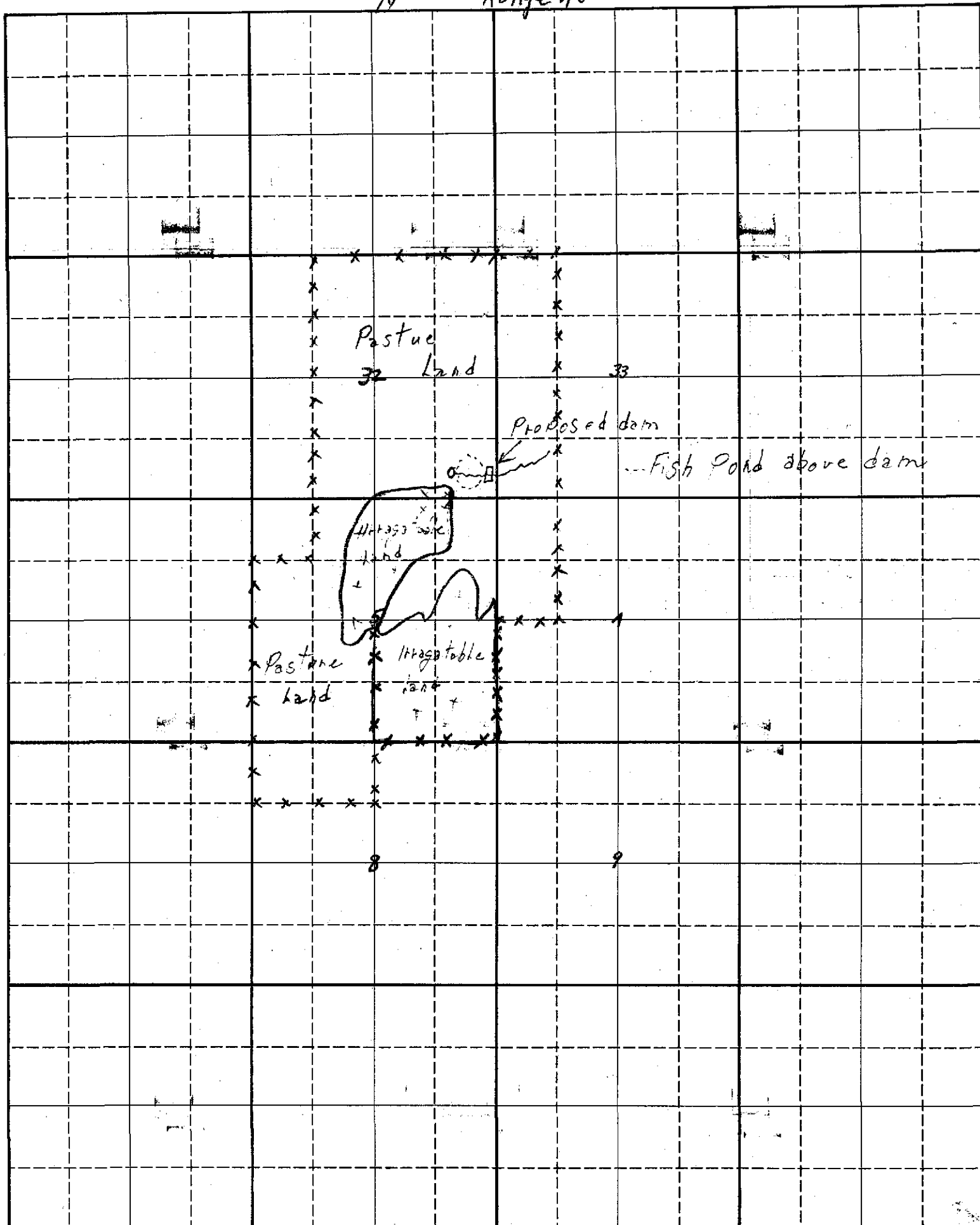
c. Describe any other water rights used for the same purposes none

9. a. Who owns the property at the point of diversion Self owned Lee C Ream
 b. Who owns the land to be irrigated or place of use Lee C Ream
 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:

N Range 45



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.

Lee C. Beaman
(Applicant)

11-2006

Received by ef Date 6-12-68 Time 2:00 pm
- Preliminary check by Delet Fee \$ 10.00
Receipted by ef Date 6-13-68
Publication prepared by K.S. Date 6-27-68
Published in montpelier news - Examiner
Publication dates July 1 and July 11, 1968
Publication approved _____ Date _____
Priority reduced to _____ Reason _____

Protests filed by: Alfred & Lorraine
Dayton

Copies of protests forwarded by K.S.
Hearing held by SA Date 11-19-68
Recommended for approval denial by SA R.H.R.

ACTION OF STATE RECLAMATION ENGINEER

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 11-7006, 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 May 1, 19 74.
- c. Other: This permit is approved for the use of fish culture in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 32, T. 14 S., R. 45 E., B.M. Irrigation is not allowed. Maximum rate of diversion shall not exceed 10 acre feet per season.

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

Witness my hand this 28th day of May, 19 69.

L. Kirk Higin
State Reclamation Engineer

LEONARD O. KINGSFORD

ATTORNEY AT LAW

Box 915

Soda Springs, Idaho 83276

July 9, 1968

RKA
RECEIVED
JUL 11 1968
Department of Reclamation

State of Idaho
Department of Reclamation
107 State House
Boise, Idaho 83701

Gentlemen:

Enclosed herewith is a Protest sent on behalf of two of my clients
in connection with Application No. 11-7006 as indicated in said Protest.

Very truly yours,

Leonard O. Kingsford

LEONARD O. KINGSFORD

LOK/mm

Enclosure

11-7006

BEFORE THE STATE RECLAMATION ENGINEER

RECEIVED

JUL 11 1968

Department of Reclamation

IN THE MATTER OF THE
APPLICATION OF LEE C. REAM
DINGLE, IDAHO, FOR PERMIT
TO STORE 10 ACRE FEET OF
WATER.

PROTEST

Come now Alfred Dayton and Floraine Dayton, owners of certain waters arising in the SE¹/₄SE¹/₄, Section 32, Township 14 South, Range 45 East of the Boise Meridian, in Bear Lake County, Idaho, and protest the application of said Lee C. Ream of Dingle, Idaho, for a permit to store 10 acre feet of water under Application No. 11-7006, on the ground and for the reason that protestants believe the only water arising in said SE¹/₄SE¹/₄, Section 32, aforesaid, is that which arises from Pine Springs, which water is covered by a Certificate of Completion of Works under Permit No. 4668, dated April 20, 1931, and recorded in Book 12 of Miscellaneous Records, at page 382, in the records of the State Reclamation Engineer.

The protestants and their predecessors in interest have used the full flow of said spring for irrigation and stock watering purposes since the year 1909, and there is no water now available for appropriation.

DATED this 9th day of July, 1968.

Alfred Dayton
ALFRED DAYTON

Floraine Dayton
FLORAINE DAYTON

STATE OF IDAHO)
 : ss.
County of Caribou)

On this 9th day of July, 1968, before me, Marcy Kay Merrill, a Notary Public in and for said County and State, personally appeared Alfred Dayton and Floraine Dayton, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Marcy Kay Merrill
NOTARY PUBLIC for Idaho, residing at Soda
Springs, Idaho. My commission expires:
May 9, 1970.

11-7006

permit 4668 /11-2031

Filed MAY 7, 1909 to George A. Sparks
Proof c/w Due MAY 18, 1912
B/u May 18, 1913

c/w issued for 0.8 cfs for irrigation and
domestic use on 40 acres in the NW 1/4 SE 21, T14S R45E
from a spring in the SE 1/4 SE 1/4 sec 32 T14S, R45E
Last correspondence in 1931.

11-2006

THE NEWS-EXAMINER

MONTPELIER, IDAHO

RECEIVED

AUG 16 1968

Department of Reclamation

AFFIDAVIT OF PUBLICATION

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

W. Jerome Taylor

being first duly sworn, deposes and says
he is Publisher and Foreman of the
News-Examiner; that the said News-Examiner
is a weekly newspaper published at Montpelier,
County of Bear Lake, State of Idaho, of general
circulation in said County and State.

That the notice attached was published in
the said News-Examiner, and not in a
supplement, for two

successive weeks, commencing with the issue
dated July 4, 1968

and ending with the issue
dated July 11, 1968

W. Jerome Taylor
Publisher and Foreman.

Subscribed and sworn to before me this 15th day of August, 1968

Kathryn E. Barrett
Notary Public.

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that Lee C. Beam, Dingle, Idaho, has on June 12, 1968 applied for permit to store 10 acre feet of water from an unnamed spring under application No. 11-7006. Water will be diverted by a screened headgate, and a spillway within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, sec. 32, T. 14 S, R. 45 E, B. M., Bear Lake County and is to be used from January 1 to December 31 for fish pond and from June 1 to September 30 for irrigation in the S $\frac{1}{2}$ SE $\frac{1}{4}$, sec. 32, T. 14 S, R. 45 E; E $\frac{1}{2}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, sec. 5, T. 15 S, R. 45 E, B. M.

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer
Published in the Montpelier News-Examiner, Montpelier, Idaho, on July 4 and July 11.

(j11)

11-7006

THE NEWS+EXAMINER

MONTPELIER, IDAHO

Advertising & Commercial Printers

Statement: Account of Department of Reclamation

Application No. 11-7006

Date Aug., 1968

July 4

28 Line Notice of Application
published 2 issues

\$ 6.44

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of same has been paid.

The News-Examiner

By R. Taylor

11-7006

THE NEWS-EXAMINER

MONTPELIER, IDAHO

Advertising & Commercial Printers

Statement: Account of Department of Reclamation

Application No. 11-7006

Date Aug., 1968

July 4

28 Line Notice of Application
published 2 issues

\$ 6.44

I hereby certify that the foregoing
account is just and correct, that the
amount claimed is legally due, after
allowing all just credits, and that no
part of same has been paid.

The News-Examiner

By R. Taylor

11-7006

August 2, 1976

Re: Permit No. 11-7006

Lee C. Ream
Dingle, ID 83233

Dear Mr. Ream:

Enclosed herewith is a copy of the water right license issued on the above referenced permit.

Sincerely,

D. DARLENE REICH
Water Rights Supervisor

DDR:mef

Enc.

FIELD REPORT

Phone

~~APR 26 1974~~

Tributary to _____

Other uses: _____

Other Points of Diversions: _____

[illegible]**TOTAL ACREAGE**

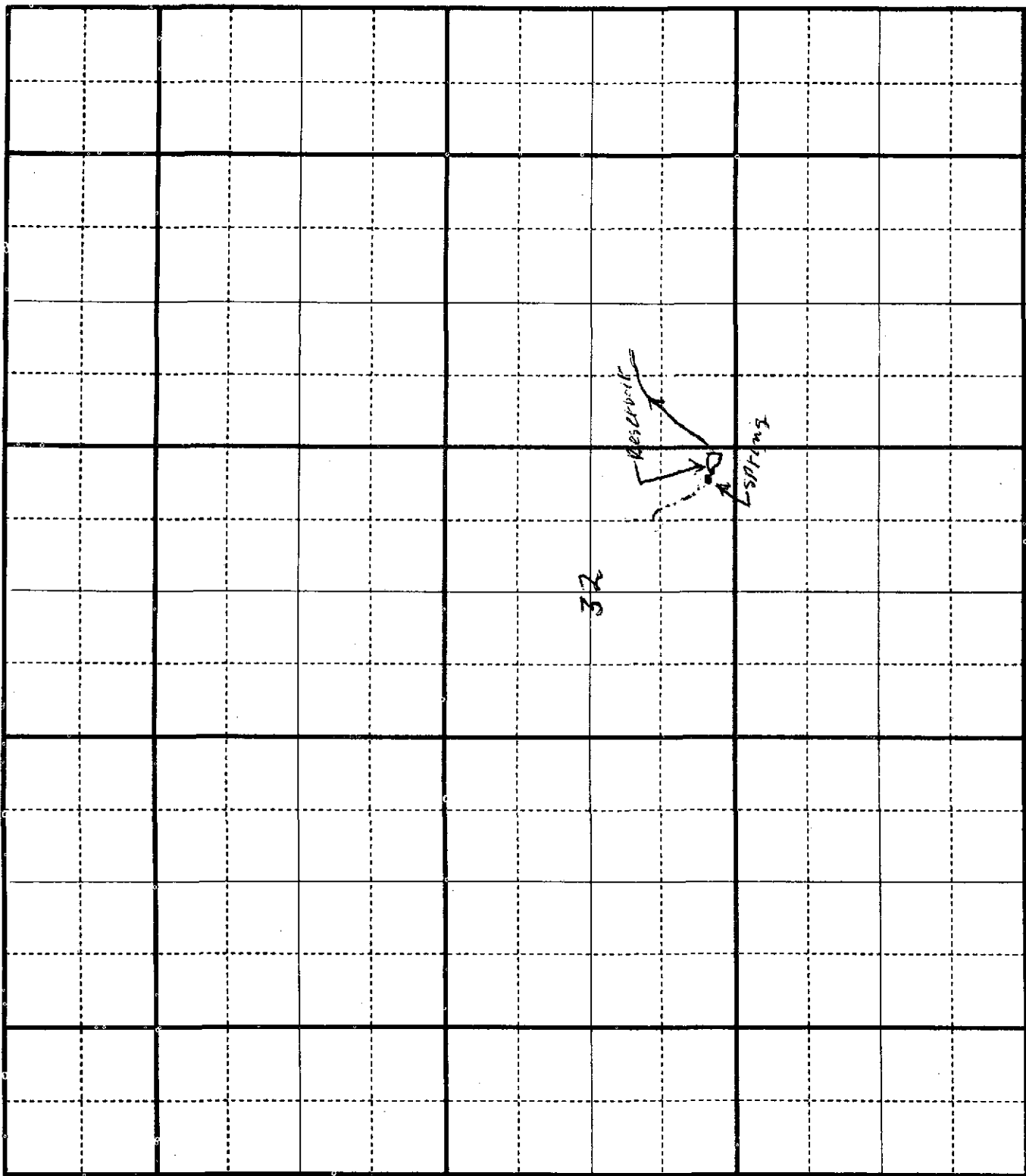
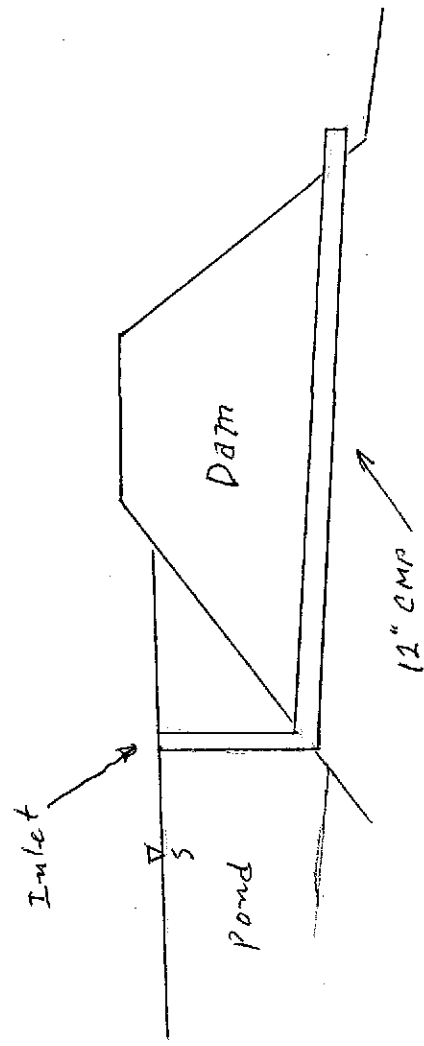
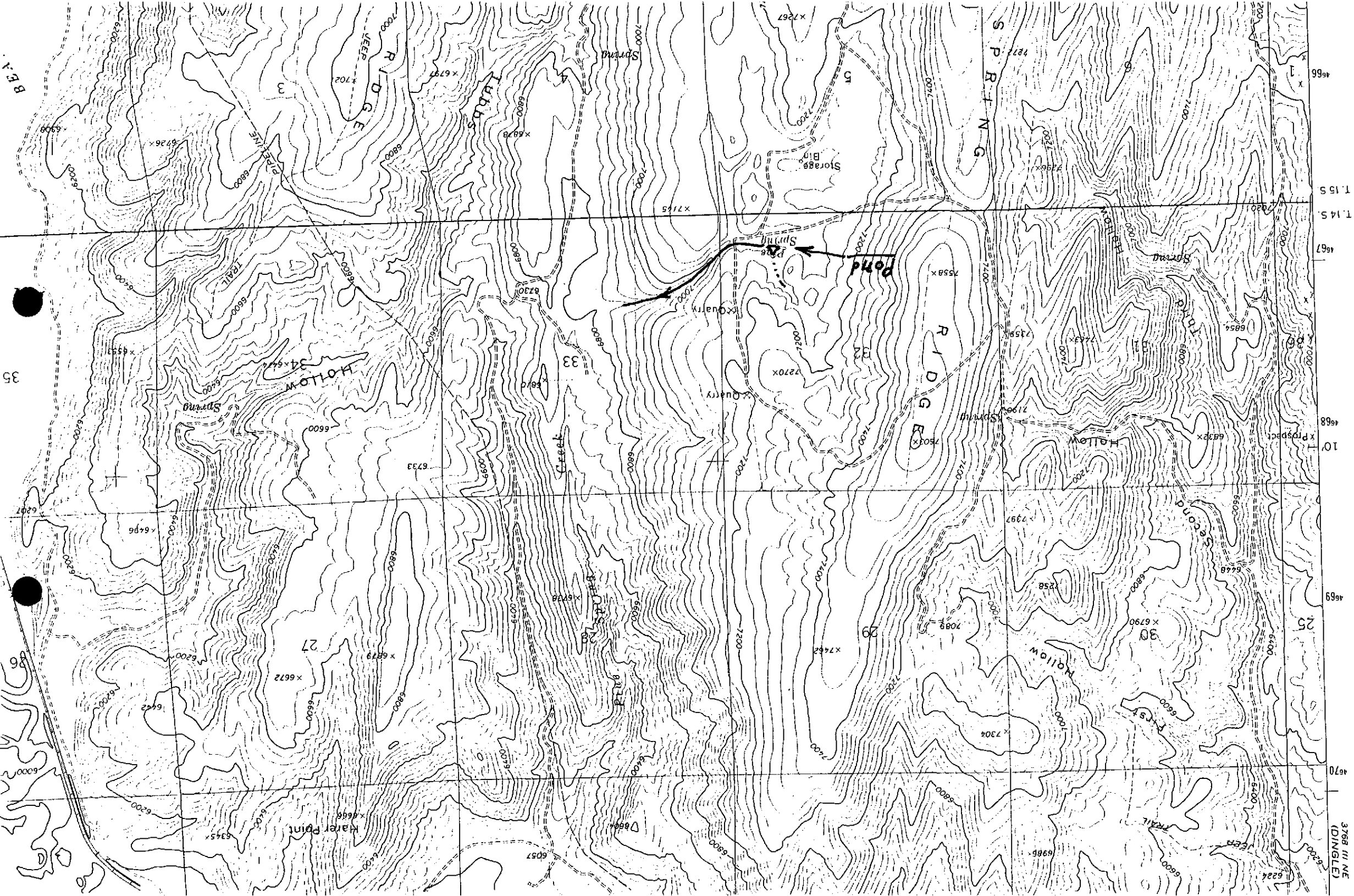


Diagram of System





DATE OF EXAM May 28, 1975

ACREAGE
Found _____
Recommended _____

Irrigation Requirement _____ Ac Ft/Ac

USE
Irrigation Q=_____ c.f.s. V= 10 AF/Ann. from Jan 1 to Dec 31
Domestic Q=_____ c.f.s. V=_____ AF/Ann. from _____ to _____
Livestock Q=_____ c.f.s. V=_____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no —

Name source: Pine Spring (Name on USGS Map)
tpw. 14S N/S, Rge 45E E/W, B.M., Sec. 32, Sub. SE 1/4 SE 1/4 Beat Lake
County

Exchange? yes _____ no —

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

Point of injection:
tpw. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4
County

Point of exchange:
tpw. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4
County

Total Q measured Not Measured Method of measurement _____

Total Q recommended _____ Meter No. _____ Type _____ Condition _____

Total V recommended 10 AF/Ann

Recommended Amendments: None

P.D. _____
Place of Use _____
Other _____
None _____

MEASUREMENT CALCULATION:

SYSTEM DESCRIPTION:

4' high dam 150' long at crest. Reservoir
Surface area approx 2 Acres - Outlet consists of 12" CMP
with gate hole inlet. No outlet headgate is installed.

REMARKS:

Permit holder not present during exam.

Examiner's Signature Loren O. Palmer Date May 28, 1975

Checked by Bill Rhoads Date MAY 26, 1976

Approved by _____ Date _____

April 25, 1974

Re: Permit No. 11-7006

Lee C. Ream
Dingle,
Idaho 83233

Dear Mr. Ream:

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 concerning the field exam, please contact our Eastern District Office at 1515 Lincoln Road, Idaho Falls, Idaho.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JG

11-7006

Identification No. 11-7006

Permit No. 42577

Permit 11-7006

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

RECEIVED
APR 15 1974
Department of Water Administration

1. a) Name of Permit Holder Lee C. Rea
b) Post Office Address Dingle Idaho
2. Permit Number 11-7006
3. Date of Priority that you are prepared to establish 6-12-68
4. a) Source from which water was appropriated _____
b) Location of the point of diversion: SE 1/4 SE 1/4 Section 32 T 14 S R 45 E
Township T 14 S, Range R 45 E Boise Meridian, Other points of diversion: None
5. a) The amount of water and use to which the water has been applied:
amount 8-10 Ac Ft for Fish Culture purposes from Jan 1 to Dec 31 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for Stock Watering purposes from May 1 to Dec 30 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) Total amount appropriated 8.5 Ac Ft 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: Calculated from area x depth measurements by an Soil Conservation Service Technician
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: None
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) None
b) Describe the type and size of measuring device which you have installed at your point of diversion: _____
c) Give well drillers name and address and date the well was completed _____

Exam typed 4/25/74 by jjg

11-7006

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use A Pond of water deep enough To sustain Fish life year around
A pond to water cattle pasturing in surrounding fields

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: None

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 $\frac{1}{4}$	

Total number of acres irrigated _____

10. Remarks: The project is very worthwhile. It holds water for live stock + wild life.
It is very appealing to have a Fish Pond on the property

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

3-12-74 (Date) Lee G. Beards (Signature)

State of Idaho ss.
 County of Bear Lake

On this 12 day of March, 19 74, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Ronald O. Stinson
 Notary Public residing at Montpelier, Idaho

My commission expires 8/23/77

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)

(Additional charges required for these services)

☐ Show address
where delivered

☐ Deliver ONLY
to addressee

RECEIPT

Received the numbered article described below

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE *(Must always be filled in)*

CERTIFIED NO.

1

Lee C. Ream

25122

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

Jayce Ream

DATE DELIVERED

SHOW WHERE DELIVERED *(Only if requested, and include ZIP Code)*

8

3-4-74

11-7006

U.S. POSTAL SERVICE
OFFICIAL BUSINESS

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300



LE
P M
1974

Postmark of Delivering Office

SENDER INSTRUCTIONS

Print in the space below your name, address, including ZIP Code.



- If special services are desired, check block(s) on other side.
- Moisten gummed ends and attach to back of article.

**RETURN
TO**



DEPARTMENT OF WATER ADMINISTRATION
STATEHOUSE - ANNEX #2
BOISE, IDAHO 83707

11-7006

March 1, 1974

CERTIFIED MAIL

25177

Re: Permit No. 11-7006

Lee C. Ream
Dingle,
Idaho 83233

Dear Mr. Ream:

One of the conditions of approval of your water Permit No. 11-7006 (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 May 1, 1974. 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.



R. KEITH HIGGINSON
Director

Enc: Proof affidavit

11-7006

May 29, 1969

Re: Permit No. 11-7006

Mr. Lee C. Ream
Dingle,
Idaho 83233

Dear Mr. Ream:

Pursuant to your agreement to waive a formal hearing and to submit to a decision by the department, enclosed you will find a copy of your approved application for permit. You should be aware of the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA:kh

Enclosures: Copy of application
Receipt No. 992 in the amount of \$10.

11-7006

May 29, 1969

Re: Permit No. 11-7006

Mr. Lee C. Ream
Dingle,
Idaho 83233

Dear Mr. Ream:

You have submitted an application to appropriate and store waters of the State of Idaho. As a reminder, I wish to bring to your attention the requirements of Idaho Code 42-1707 concerning the submission of plans and specifications to the Department of Reclamation for approval.

The Code requires that any person, association, or corporation, excepting the U. S. Bureau of Reclamation, who shall desire to construct any dam or dike, for the purpose of storing or appropriating or diverting any of the waters of this state, when the same is to be more than ten feet in height or have a storage capacity of more than one hundred acre-feet, shall submit duplicate plans, drawings, and specifications of the proposed work to the Department of Reclamation for approval. If approval is granted one approved copy of such plan, drawing, or specification will be returned to you.

Also provided in the Code is an inspection clause which requires the Department of Reclamation to inspect or cause to be inspected as often as it deems advisable, any such dam or dike, to be more than twenty feet in height during construction.

The plans and specifications should provide as a minimum the following information:

A. Drawings

1. Dam profile
2. Spillway profile
3. Outlet work profile
4. General plan view
5. Section of dam or dike
6. Section of spillway
7. Location map

B. Dimensions and Elevations

1. Conduits and gates, dimensions and elevations
2. Water surface elevations

11-7006

3. Slopes of embankment surface
4. Provide dimensions sufficient to determine if the design is adequate

C. Specifications

Specifications should provide standards of control to assure that construction is accomplished in such a manner as to provide a structure which will perform as designed. Spillway capacities and capacities of all water control structures shall be provided.

The Department of Reclamation purposely does not attempt to prescribe definite criteria for design and construction of dams or dikes. Codes cannot be made uniformly applicable to the widely varying conditions encountered at different dam sites, and such a code could inhibit advancement in the science of dam design and construction. Instead, the Department conducts an independent review of individual plans and specifications for each project, as submitted by the applicant's engineer to insure the use of sound engineering and construction principles.

Though it is not required by law, the Department of Reclamation suggests that you obtain the services of a licensed Professional Engineer to design the required structures and prepare plans and specifications. This will not only protect the public from an unsafe structure, but will also protect your investment by reducing the possibility of failure or damage to other parties.

Sincerely,

A. Kenneth Dunn
Assistant State Reclamation Engineer

AKD/jmb

11-7006

for Staff Review

Approve for fish culture in the SE SE $\frac{1}{4}$ sec 32
T14S, R45E.

Note for irrigation

10 acre. feet per season.

Special transmittal letter stating that
he must assume prior rights if they
call for water.

Clarence Hedrick SCS.
T.C. Office

733-5380

Blaine 481

MEMO

Re: Permit Application 11-7006
Lee C. Ream

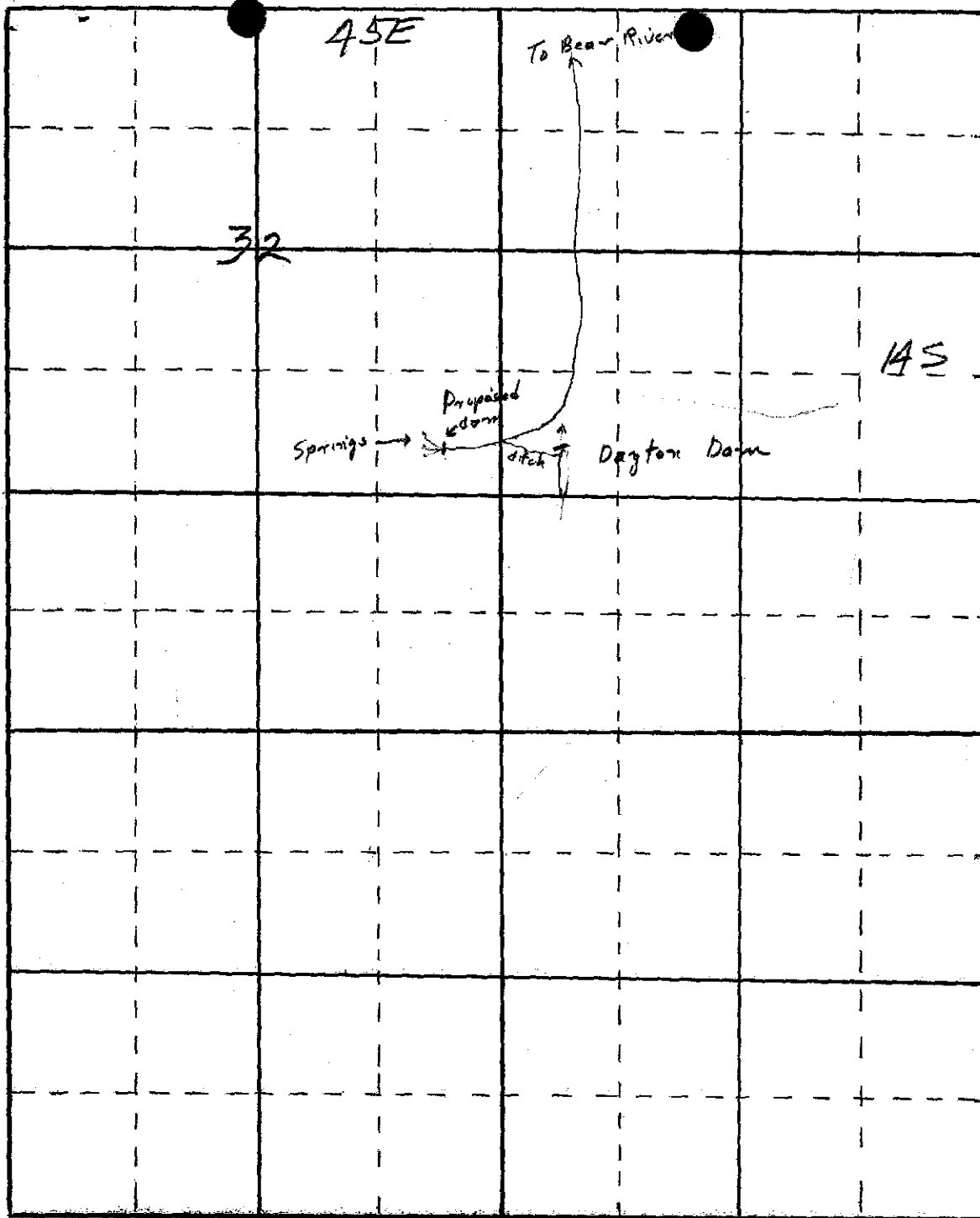
On May 14, 1969, Robert Hamilton conducted a field examination of the location of the proposed use of water under permit application 11-7006. The inspection was a result of a conference held by the department, at which time, the applicant and protestant agreed to submit the question to the department without formal hearing. Letters verifying their request are included in the file. Mr. Hamilton found that water was being passed by the Dayton's point of diversion and it was his conclusion that there would be sufficient water to allow 10 acre feet for a fish pond. However, the permit is issued subject to all prior rights, if and when the use or other evidence of water, interferes with an established right as determined by a court of law, the use of water under this permit would need to be discontinued in so far as it interferes. I recommend that the permit be approved for fish culture in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 32, T. 14 S., R. 45 E., B.M., with a maximum limit of 10 acre feet per annum.

C. STEPHEN ALLRED

11-7006

Special • means
for Book 41.

11-7006



SPECIAL EXAMINATION REPORT

Permit No. 11-7006
 Name of Applicant Lee C. Ream, Dingle, Idaho
 Source of Water Spring
 a tributary of _____
 Location of P.D. SE¹/₄SE¹/₄, sec. 32, T. 14 S, R. 45 E, B.M.
Bear Lake County

Water is used for private fish pond and sprinkler irrigation
 Quantity of water claimed: Permit 10 acre feet Depositions _____
 Type of measuring device installed or method of measurement and general description
 of diversion works a screened headgate for draining and cleaning
fish pond, a constructed spillway to let overflow of water back
into original channel

Land to be irrigated or place of use:			
TWP.	RGE.	SEC.	Description
14 S	45 E	32	S ¹ / ₂ SE ¹ / ₄
15 S	45 E	5	NE ¹ / ₄ , E ¹ / ₂ NW ¹ / ₄ , NE ¹ / ₄ SW ¹ / ₄ , SE ¹ / ₄
15 S	45 E	8	? - sup. none

Total acreage 230 acres

This application has not been approved - it is now protested
 Check to see what source is and what is the tributary.

Other rights and acreage covered: (Indicate amounts, source, licensed or decreed, and
 acreage covered by subdivision; also show land covered on the map.

Source of supply Springs
a tributary of Bear River
Location of P.D.(s) SESE 32-145-4SE

Water is used for Proposed Fish Pond
Quantity of water found 0.26 measured thru V notch weir
How was the measurement made? _____
Measurement calculations _____

Diversion works description and diagram

Dam would be built
to store water.

Indicate area irrigated in each subdivision on the map.

Total acreage irrigated No irrigation planned

If water is used for purpose other than irrigation, fully describe how the water is used and what is done with it after the use.

Create Pond used for fish.

The Dantons were diverting approx. 0.04 cfs.
to pond. Pond nearly dry. Balance of water may
have been going to other uses. Stock use
creek for water.

Who represented the permit holder at the examination?

Mr. Ream

Recommended allowance for licensing _____

Description of required amendments. Comments. At present rate of flow
springs possibly would maintain fish pond and
still furnish stock water. Mr. Ream thought
the springs were lower than normal but
indicated they generally decreased their flow
later in the year.

Report checked? _____

Examination date 5-14-69

Signature

Robert W. Hamilton

11-7006

11-7006

[illegible]

Dingle, Idaho
April 14, 1969

RECEIVED

Department of Reclamation
State House Annex
Boise, Idaho

Department of Information

Dear Mr. Stephen Allred:

In the matter of application for Permit No. 11-7006
(11-2031).

This letter is in regards to a conference held in Paris, Idaho on Nov. 19, 1968, between myself and Mr. Alfred Dayton and Floraine Dayton. At the conference I agreed to waive the right of a law-suit and agreed to let the Bureau of Reclamation make a final decision of the water in question. I am doing this, in writing this letter.

I feel that the number of years between now and when the Dayton Bros. last used the water, in question, for irrigation, are many more than Mr. Dayton realized, and that the statements he made were false.

It has been 12-15 years since the water has been controlled for irrigation. If your department would care to inquire, anyone in this immediate area could validate this statement. I am sure this information would be helpful in making your decision.

As I stated at the conference my only objective is a fish pond and I have abandoned the idea of sprinkling crop land from the reservoir. If the pond is successful it will bring in additional income to my ranching operation.

On Nov. 23, 1968, I installed a simple measuring device on the down stream flow. It was giving 0.240 cu. ft.. On Jan. 10, 1969 the flow was 0.289 cu. ft..

My feeling still is that the water would not be changed with a reservoir and that the spring run-off would be more than enough to fill the reservoir initially. I am referring here to the down stream flow of water.

Thank you Gentlemen.

Sincerely,

Lee C. Ream.
2006

Lee C. Ream.

11-7006

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

On this 15 day of April, 1969, before me, a Notary Public in and for said State, personally appeared Lee C. Ream, known to me to be the person whose names is subscribed to the foregoing, and acknowledged to me that he executed the same.

WITNESS My hand and official seal.

(SEAL)

Wm. H. Mearns
NOTARY PUBLIC for Idaho
Residing at Montpelier, Idaho
My Comm. expires 9-12-69

LEONARD O. KINGSFORD
ATTORNEY AT LAW
SODA SPRINGS, IDAHO

March 28, 1969

RECEIVED
APR 1 1969
Department of Reclamation

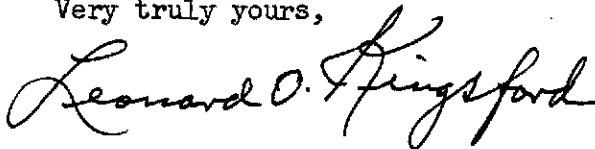
Department of Reclamation
Statehouse - Annex 2
Boise,
Idaho, 83707

Gentlemen:

Re: Application of Lee C. Ream.

Following the conference on the above cited matter held November 19, 1968, at 9:00 o'clock A.M., in the Commissioners Room, Bear Lake County Courthouse, Paris, Idaho, my clients, Alfred Dayton and Floraine Dayton, agreed, in view of Mr. Ream's admission that the water in question was that which has always been used by the Daytons, that this matter may be determined by the Department, upon the basis of the testimony received at the conference, together with such inspections of the spring and premises as may be made by the Department for the purpose of determining the availability of water.

Very truly yours,



LEONARD O. KINGSFORD

LOK/ec

11-7006

INSTRUCTIONS TO DELIVERING EMPLOYEE



Show to whom, date, and
address where delivered



Deliver ONLY
to addressee

(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

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SIGNATURE OR NAME OF ADDRESSEE *(Must always be filled in)*

CERTIFIED NO.

1

Leonard O. Kingsford

INSURED NO.

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED

SHOW WHERE DELIVERED *(only if requested)*

3

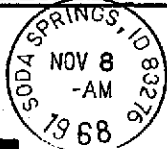
Helen B. Kingsford

11-8-68

11-7006

**POST OFFICE DEPARTMENT
OFFICIAL BUSINESS**

PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE, \$300



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Department of Reclamation

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Annex #2 Statehouse

Boise, Idaho 83707

POST OFFICE, STATE, AND ZIP CODE

11-2006

655-18-71548-10

POD Form 3811 Apr. 1967

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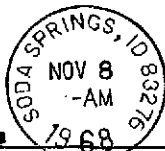
11-8-68

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11-7006

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OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE, \$300



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11-7006

NAME AND ADDRESS OF SENDER

Dept of Reclamation

Indicate type of mail

☐ INSURED

☐ C. O. D.

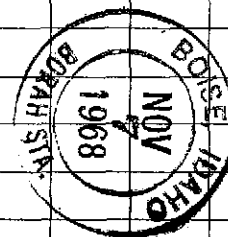
☒ CERTIFIED

Affix stamp here if issued as certificate of mailing or for additional copies of this bill.

POSTMARK AND DATE OF RECEIPT

20462
209

NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST-OFFICE ADDRESS	POSTAGE	FEE	DUE SENDER IF C. O. D.	ENDORSEMENT ¹	R. R. FEE	S. D. FEE	S. H. FEE ²	RESTRICTED DELIVERY FEE	REMARKS
1	20506 Alfred DAYTON & FLORAINE DAYTON c/o Leonard O. Kingsford Attorney, Idaho Springs, Colo.		10			30				11-7006
2										
3										
4	20507 Leonard O. Kingsford Attorney, Idaho Springs, Colo.									11-7006
5										
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TOTAL NUMBER OF PIECES LISTED BY SENDER		TOTAL NUMBER OF PIECES RECEIVED AT POST OFFICE		POSTMASTER PER (Name of receiving employee)		¹ Mark "F" if "Fragile," "P" if "Perishable," "E" if "Eggs," "BH" if "Eggs for Hatching," "B" if "Butter," "FL" if "Fragile-Liquid," and "FLU" if "Fragile-Liquid-This Side Up." ² Special-handling charges apply only to fourth-class parcels. Special-delivery service also includes special-handling service.				



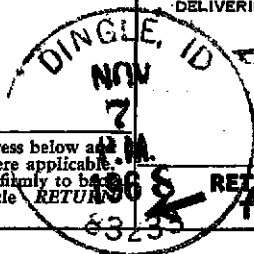
POD Form 3877-A—July 1958

11-7006

**POST OFFICE DEPARTMENT
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PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE, \$300

POSTMARK OF
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Department of Reclamation

STREET AND NO. OR P.O. BOX **Annex # 2 Statehouse**

Boise, Idaho 83707

POST OFFICE, STATE, AND ZIP CODE

c85-16-71648-10

POD Form 3811 Apr. 1967

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CERTIFIED NO.

20477

1

Mr. Lee C. Dean

INSURED NO.

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

Mrs. Lee C. Dean

DATE DELIVERED

SHOW WHERE DELIVERED *(only if requested)*

11-7-68

3

11-7006

NAME AND ADDRESS OF SENDER  Dept. of Reclamation

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

POSTMARK AND DATE OF RECEIPT

BOISE, IDAHO
NOV 3 1961
BOISE, IDAHO

Eight

8

MASTER, PER (Name of recipient)

(Surcharges are not required on international registered mail)

APPLICATION FOR REGISTRATION OR CERTIFICATION

c48-16-8792-14 U. S. GOVERNMENT PRINTING OFFICE

11-2006

MEMORANDUM

To: C. Stephen Allred
From: Dean Schnaible
Subject: Summary of findings at Paris and Lava Hot Springs hearings

Paris - 11-7006

The applicant, Ream, requests 10 acre feet from spring flow for the irrigation of 230 acres and for a fish pond. The protest by Dayton was based on a prior right of all natural flow. The applicant thereby indicated a willingness to withdraw his request for irrigation but would like to maintain a pond for fish with an uncontrolled spillway to allow natural flow.

The main point of question appears to be whether or not the proposed use might (a) reduce the quantity of water under existing rights, and, (b) if there is sufficient water for the proposed use.

Under point (a), the location of the fish pond itself situated so as to overlies the spring would in fact reduce the flow due to a reduction in head producing flow. Other losses would be evaporation and seepage, although seepage might return to the stream bed downstream.

Under point (b), an investigation should be made at the time of maximum flow to determine whether or not there is more than sufficient water for the present rights and whether storage water is available.

Determination - I would withhold application pending field investigation of the area to determine the quantity of water available and if the location of the reservoir could be moved downstream. Although the latter is out of our jurisdiction, the applicant should be made aware that any reduction in flow could be considered as a cause for denial.

Given only the data at hand I would recommend denial of the application.

Lava Hot Springs - Transfer No. 1572, I D No. 29-0004, 29-0005, 29-0006, and 29-0007

The applicant, Arkansas Ranches, applied for a transfer of several small water rights (totalling .94 cubic feet per second) to new point of diversion approximately 3/4 of a mile upstream to the Wilmore ditch diversion. The protestant, Wilmore, protested the application on the grounds that it would injure his water right, although more specifically the use of his ditch concerned him. The applicant, thereupon, agreed to build and maintain his own ditch.

Points of Consideration - Does the applicant injure the water right of the protestant by moving the point of diversion? It would appear that by moving upstream, the applicant would lose flow from small springs and seepage emerging from the creek banks between the old and new point of diversion. As there

11-7006

may be a smaller flow upstream at the new point of diversion, the rights of Wilmore could be injured as the rate of diversion at the original point was based on stream flow including flow from springs and seepage above that point. All parties agreed that seepage is small (10% or less) and does exist.

Determination - Withhold the application until a field investigation determines whether seepage and spring flow is appreciable. All parties agree to waive to the decision of the department.

11-7006

1

BOTH PARTIES HAVE Agreed to view formal hearing and submit the matter to the department. Schedule inspection for middle of april.

a) determine uses of water

b) amount of water

c) whether any water is being wasted to the River

CONFERENCE ON Appl. for Permit 11-7006
NOV 19, 1968, BEAR LAKE COUNTY COURTHOUSE
PARIS, IDAHO

Name

Address

Representing

Alfred Dayton

who Alfred Dayton

359 S. 9th St. Montpelier

359 S. 9th St. Montpelier

protector

359 - 9th St. Montpelier

359 - 9th St. Montpelier

protector

Lee C. Cream
Leonard O. Hengsford

Single Idaho

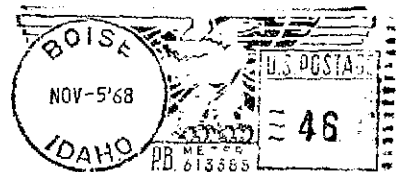
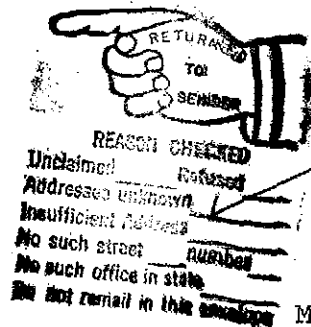
Soda Springs, Idaho.

Applicant

Alfred Blomaine Dayton

11-7006

AFTER FIVE DAYS RETURN TO
DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707



Mr. Leonard O. Kingsford

Attorney at Law

Weiser, Idaho

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NOV 7 1968

Department of Reclamation

Certified
20478

68-18-71b48-10

3
2
1

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SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

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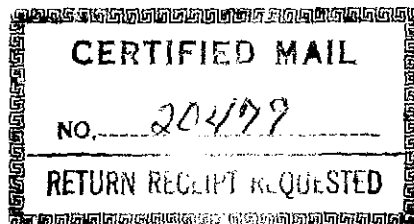
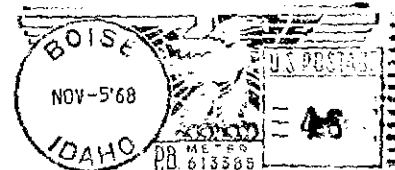
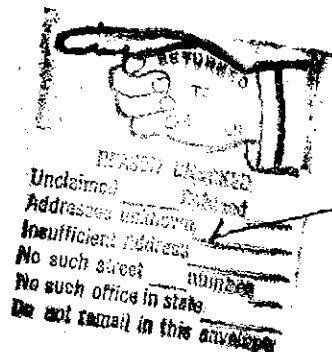
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AFTER FIVE DAYS RETURN TO
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STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707



Alfred Dayton and Floraine Dayton
c/o Leonard O. Kingsford, Attorney
Weiser, Idaho

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NOV 7 1968

Department of Reclamation

450-18-71548-10 450

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2	CERTIFIED NO.	SIGNATURE OF ADDRESSEE'S AGENT, IF ANY
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11-7000

BEFORE THE STATE RECLAMATION ENGINEER

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR PERMIT NO.)
11-7006 in the name of LEE C. REAM)

NOTICE OF CONFERENCE
AND/OR HEARING FOR PROTEST

On June 12, 1968, Lee C. Ream filed with the Department of Reclamation application to appropriate the public waters of the State of Idaho. On July 11, 1968, the Department of Reclamation received a protest filed by Mr. Leonard O. Kingsford, Attorney at Law in behalf of Mr. Alfred Dayton and Mrs. Floraine Dayton.

The Department of Reclamation has set the matter of protest for conference and possibly a hearing on November 19, 1968 at 9:00 a.m. in the Commissioners Room, Bear Lake County Court House, Paris, Idaho.

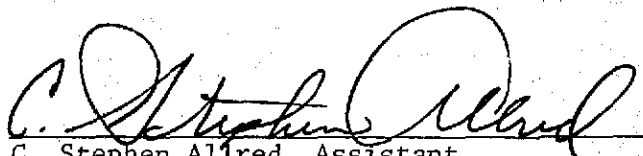
Any hearing will be held in accordance with the rules and regulations of the Idaho Code and Adopted Rules of Practice and Procedure of the Department of Reclamation.

Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved. The burden of proof is with the protestant.

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 protestant may allow the Department of Reclamation without prejudice to dismiss the protest or the application. Any and all cost incurred by reason of such non-appearance may be assessed against such non-appearing parties.

Dated this 4 day of November, 19 68.


C. Stephen Alfred, Assistant
State Reclamation Engineer

Mailed this 4th day of November, 19 68 to Lee C. Ream, Dingle,
Idaho-cert. no. 20477; Leonard O. Kingsford, -certified no. 20478; Alfred Dayton
and Floraine Dayton c/o Leonard O. Kingsford, Attorney-cert. no. 20479

Alfred Dayton & Floraine Dayton - cert no. 20506 -
Leonard O. Kingsford - cert no 20507
Nov. 7 - 68
To

CNS-7A-135 11-7006
112

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

August 13, 1968

Re: Application No. 11-7006
Lee C. Ream

Montpelier News Examiner
Montpelier,
Idaho 83254

Gentlemen:

As of this date we have not received the affidavit or the bill of publication for the above referenced application. This application was advertised in your newspaper on July 4 and July 11 of this year. The application is now protested and it is important that we receive the requested items as soon as possible.

Your prompt attention to this matter is appreciated.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Donald W. McEldowney". The signature is fluid and cursive, with a large loop at the end.

Donald W. McEldowney
Appropriation Examiner

DWM:ks

Enclosure: none

11-7006

August 13, 1968

Re: Application No. 11-7006
Lee C. Ream

Montpelier News Examiner
Montpelier,
Idaho 83254

Gentlemen:

As of this date we have not received the affidavit or the bill of publication for the above referenced application. This application was advertised in your newspaper on July 4 and July 11 of this year. The application is now protested and it is important that we receive the requested items as soon as possible.

Your prompt attention to this matter is appreciated.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

Enclosure: none

11-7006

July 11, 1968

Re: Application No. 11-7006
Lee C. Ream

Leonard O. Kingsford
Attorney at Law
P. O. Box 915
Soda Springs, Idaho 83286

Dear Mr. Kingsford:

The Department of Reclamation has received the protest filed by you in behalf of Alfred Dayton and Floraine Dayton. A copy of the protest has been forwarded to Mr. Ream.

The Department of Reclamation will advise you at a later date as to the time, place, and date of a conference and/or hearing to be held to review the matters of protest.

Please contact us if we may be of further assistance.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

Enclosure: none

cc: Alfred Dayton and Floraine Dayton
c/o Leonard O. Kingsford, Attorney

11-7006

July 11, 1968

Re: Application No. 11-7006

Lee C. Ream
Dingle,
Idaho

Dear Mr. Ream:

Please be advised that the Department of Reclamation is in receipt of a protest filed in connection with the above referenced application. The protest was filed by Alfred Dayton and Floraine Dayton. Please find a copy enclosed.

The Department of Reclamation will advise you at a later date as to the time, place, and date of a conference and/or hearing to be held to review the matters of protest.

Please contact us if we may be of further assistance.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

Enclosure: Copy of protest

C
O
P
Y

11-7006

from The News-Examiner
Montpelier, Idaho

**NOTICE OF APPLICATION
FOR WATER**

Notice is hereby given that ~~Lee C. Ream, Dingle, Idaho, has on~~
~~June 12, 1968~~ applied for permit to
store 10-acre feet of water from an
unnamed spring under application
No. 11-7006. Water will be diverted
by a screened headgate, and a
spillway within the ~~SE 1/4 SE 1/4, sec.~~
~~32, T. 14 S, R. 45 E, B. M., Bear~~
Lake County and is to be used
from ~~January 1 to December 31~~ for
fish pond and from ~~June 1 to Sep-~~
~~tember 30~~ for irrigation in the
~~S 1/2 SE 1/4, sec. 32, T. 14 S, R. 45 E,~~
~~E 1/2, E 1/2 NW 1/4, NE 1/4 SW 1/4, sec. 5,~~
~~T. 15 S, R. 45 E, B. M.~~

Any protest against this applica-
tion must be filed with the Depart-
ment of Reclamation within ten
days from the last date of publica-
tion of this notice.

R. KEITH HIGGINSON

State Reclamation Engineer

Published in the Montpelier News-
Examiner, Montpelier, Idaho, on
July 4 and July 11

(j11)

RECEIVED
JUL 8 1968

Department of Reclamation

11-7006

June 27, 1968

Re: Application No. 11-7006
Lee C. Ream

Montpelier News-Examiner¹
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 ample 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 date. If you can not publish the notice on the proposed dates please contact us immediately.

An affidavit of publication must be submitted to the Department of Reclamation, along with the publication bill. In order to receive payment, the following certification must appear on the bill:

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of same has been paid.

Signature of claimant

Very truly yours,

Donald W. McElDowney
Appropriation Examiner

DWM:ks

Enclosure: Legal notice

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that Lee C. Ream, Dingle, Idaho

has on June 12, 1968

applied for permit to ~~divert~~/store 10 ~~cubic feet per second~~ acre feet
of water from an unnamed spring

under application No. 11-7006. Water will be diverted by a screened headgate,
and a spillway within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, sec. 32, T. 14 S, R. 45 E,
B.M., Bear Lake County

and is to be used from January 1 to December 31 for fish pond and from June
1 to September 30 for irrigation

in the S $\frac{1}{2}$ SE $\frac{1}{4}$, sec. 32, T. 14 S, R. 45 E; E $\frac{1}{2}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, sec. 5; T.
15 S, R. 45 E, B.M.

Any protest against this application must be filed with the Department of
Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON

State Reclamation Engineer

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on July 4 and July 11.

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