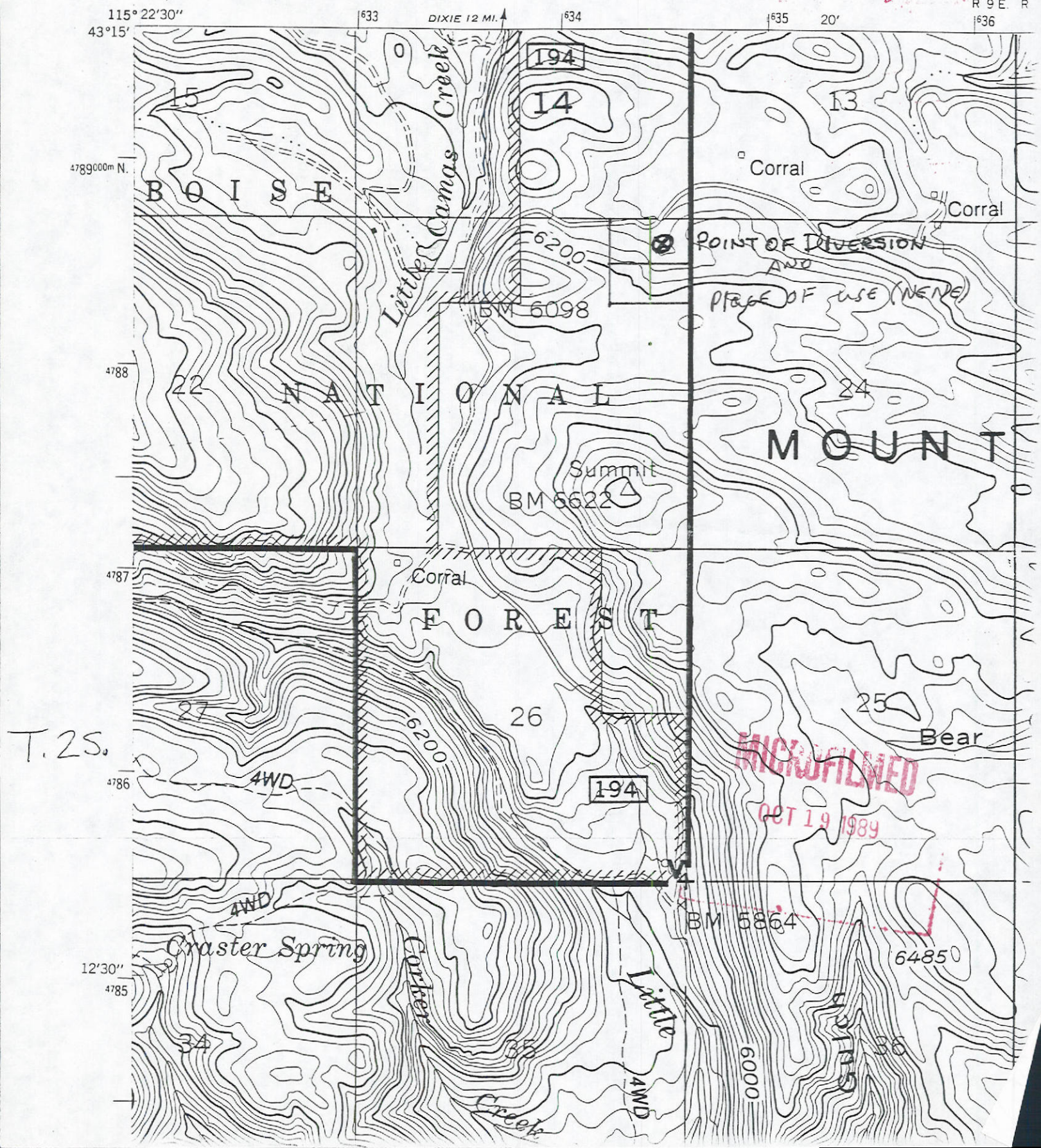
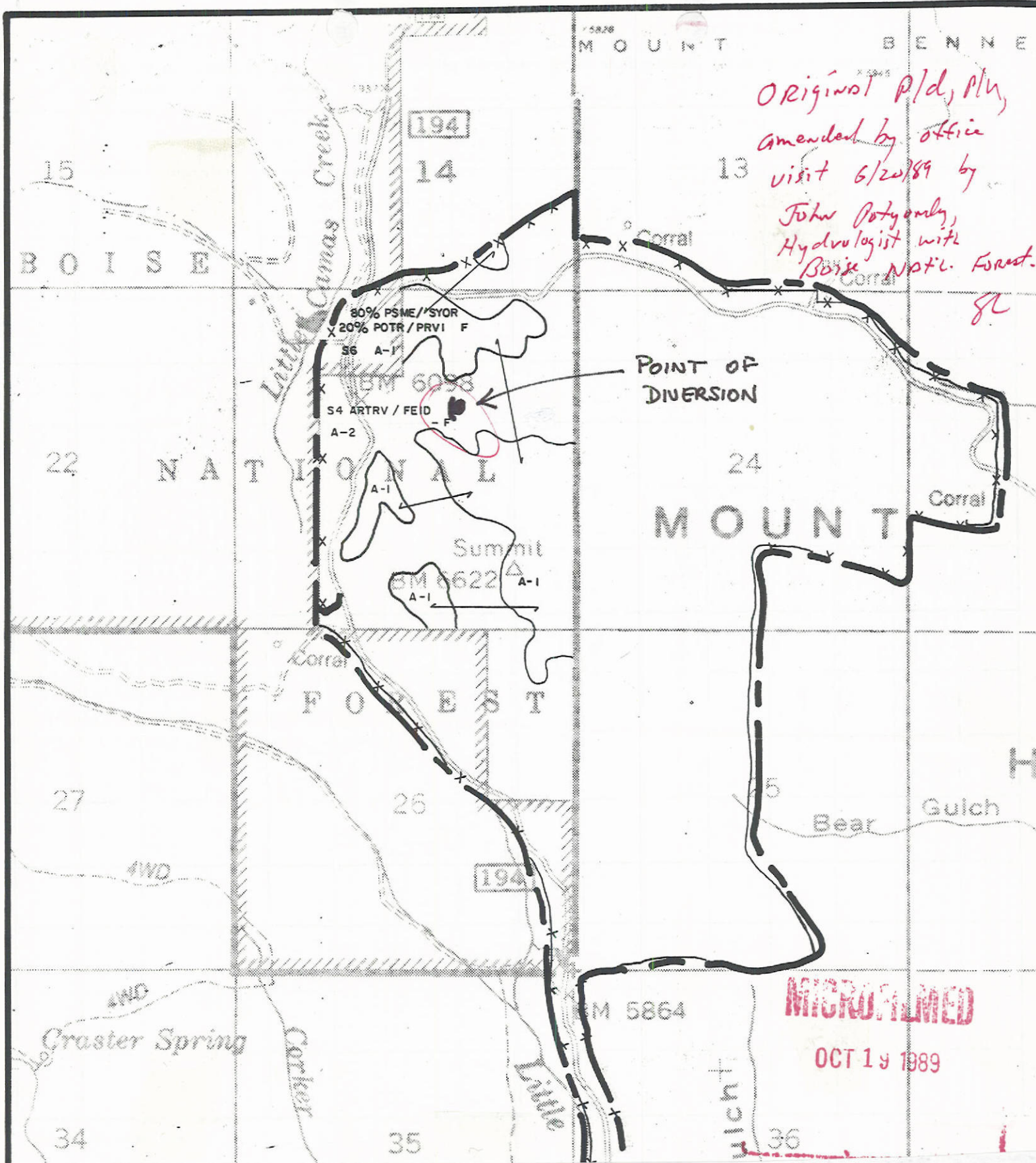


(FS NO 158-31)
PERSON RANCH DAM

UNITED STATES
DEPARTMENT OF AGRICULTURE
FOREST SERVICE
INTERMOUNTAIN REGION

Revised pld 5 p/n
See attached original
BOISE N
MTN HC
R. 9 E map for
explanation
SL 6/20/89
R 9 E. R





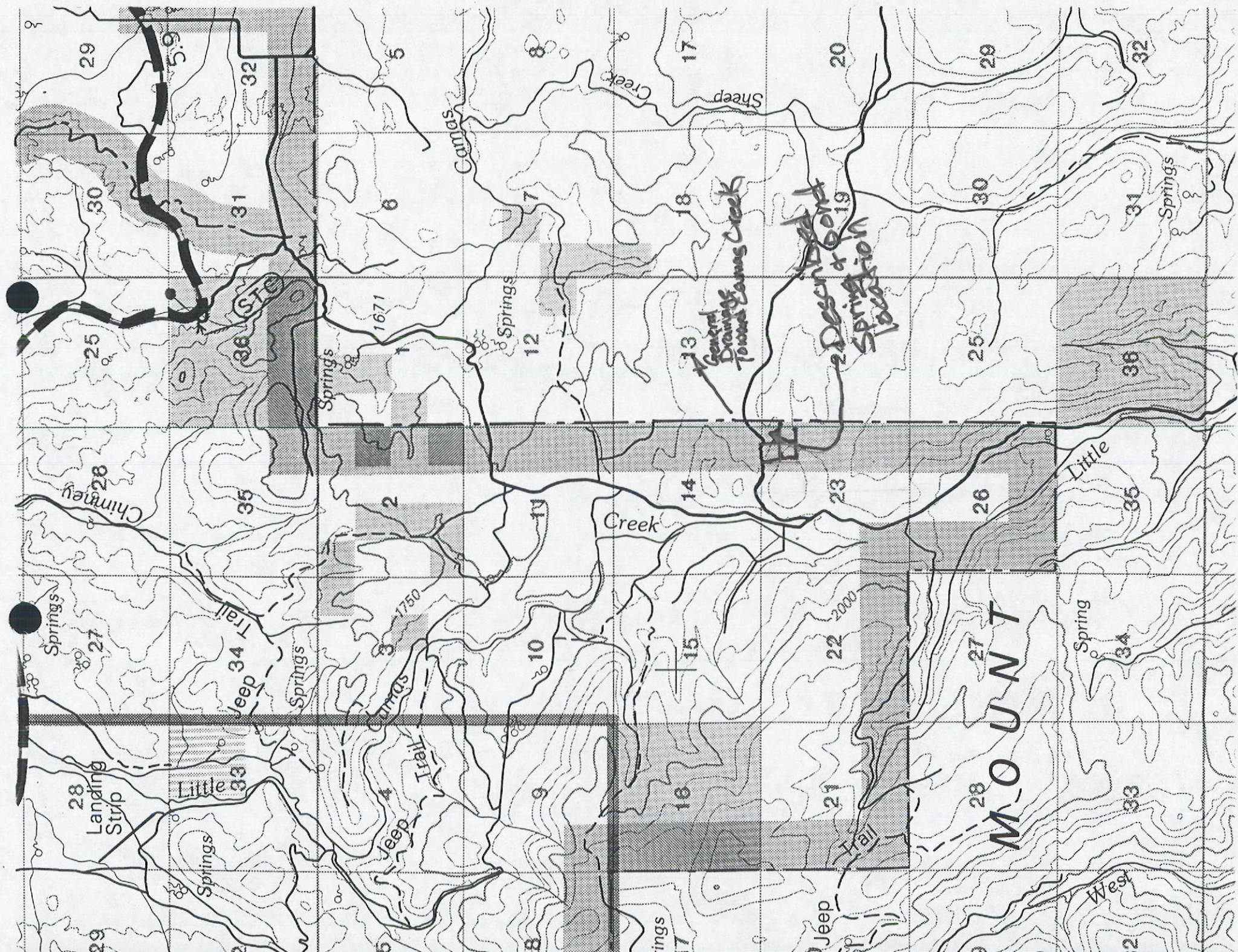
BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

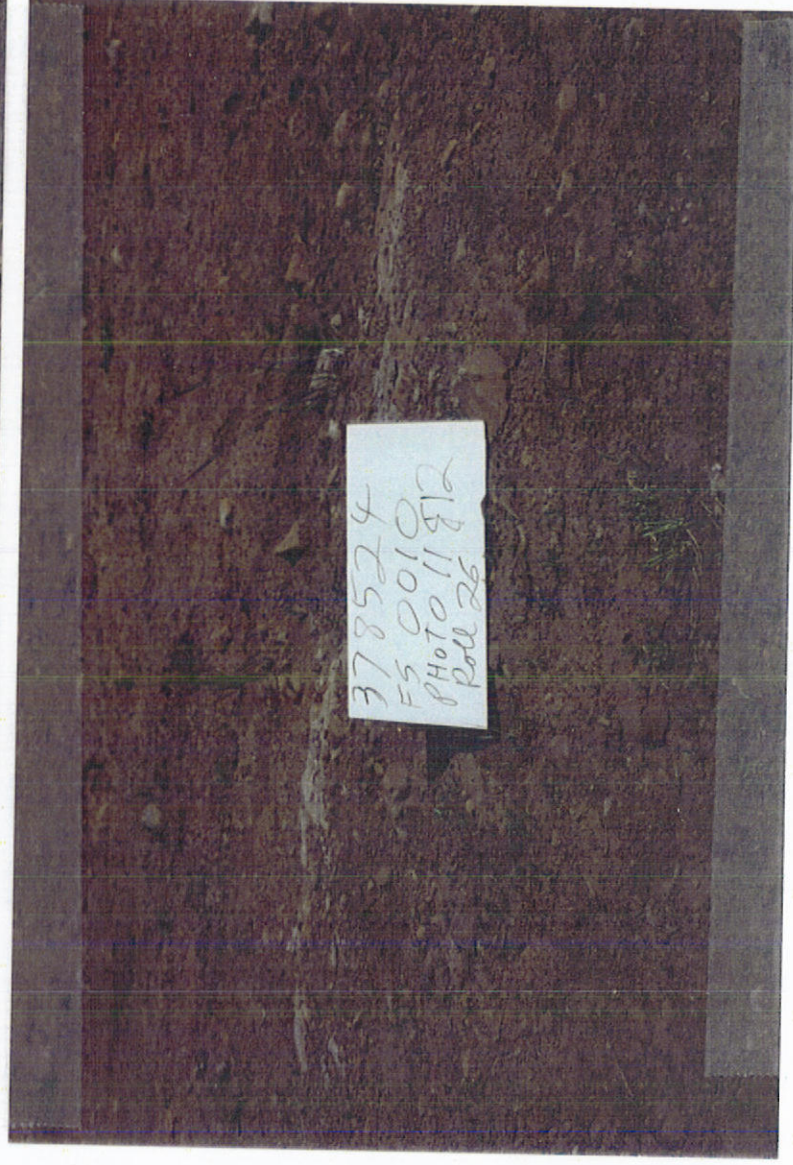
UNITED STATES OF AMERICA - FOREST SERVICE

(For) J.S. TIXIER

(Applicant)

REGIONAL FORESTER





378524
FS 0010
PHOTO 11 812
Roll 26



BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT	)	PRELIMINARY ORDER
NO. 37-8524 IN THE NAME OF	)	VOIDING PERMIT
U. S. DEPT. OF AGRICULTURE	)	
_____	)	

This matter having come before the Department of Water Resources (Department) as a result of an investigation to determine the extent of beneficial use of water, the Department makes the following Findings of Fact, Conclusions of Law, and Order:

FINDINGS OF FACT

1. On April 20, 1989, the U. S. Dept. of Agriculture, Forest Service, (permit holder) applied to the Department for a permit to appropriate 0.03 cubic feet per second from a spring that sinks within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 23, Township 2 South, Range 9 East, B.M., Elmore County, to be used for stock watering purposes.
2. On October 5, 1989, the Department approved the application as Permit 37-8524 (permit).
3. On November 1, 1990, the permit lapsed because the permit holder had not submitted the required proof of beneficial use statement.
4. On November 9, 1990, the Department received Proof of Beneficial Use statement for the permit.
5. On December 31, 1990, the Department reinstated the permit and advanced the priority date of the permit to April 28, 1989.
6. On July 11, 2001, the Department conducted an examination to verify the beneficial use developed in accordance with the permit. The field examiner reported that the permit holder had excavated the site to store water rather than appropriating a flow of water, either by diversion or by instream use.
7. On September 4, 2001, the Department sent a letter notifying the permit holder that the permit must be amended to correct the nature of the water use before the Department can issue a water right license.

8. On September 27, 2001, the Department sent a second notice to the permit holder stating that the permit must be amended before the Department can issue a water right license.
9. The Department has not received the Application for Amendment of the permit or any other correspondence from the permit holder in regard to this permit.
10. Section 42-219, *Idaho Code*, states:

In the event that the Department shall find that the applicant has not fully complied with the law and the conditions of the permit, it may issue a license for that portion of use which is in accordance with the permit, or may refuse issuance of a license and void the permit.

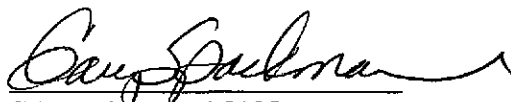
CONCLUSIONS OF LAW

1. The provisions of Section 42-219, *Idaho Code*, authorize the Director of the Department of Water Resources to void permits for which the applicant has not fully complied with the law and the conditions of the permit.
2. Development of the water as listed on the permit was a condition of the permit, and compliance with the condition was required prior to perfection of a water right.
3. The permit holder could have applied to amend the permit but has not filed the required Application for Amendment.
4. A license should not be issued on this permit and the permit should be voided pursuant to Section 42-219, *Idaho Code*.

ORDER

IT IS HEREBY ORDERED that Permit No. 37-8524 is **VOIDED** and issuance of a license is **REFUSED** under Section 42-219, *Idaho Code*.

Dated this 20th day of September, 2003.


GARY SPACKMAN

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 37-8524 IN THE
NAME OF US FOREST SERVICE

)
) ORDER OF REINSTATEMENT
)
)

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

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

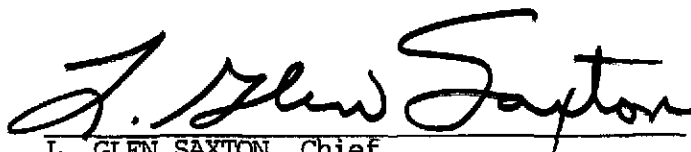
WHEREAS, the Department notified the permit holder that the permit lapsed for failure of the permit holder to submit the proof of beneficial use; and,

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

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on November 9, 1990;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 37-8524 be REINSTATED and the priority advanced to April 28, 1989.

Dated this 31st day of December, 1990.


L. GLEN SAXTON, Chief
Water Allocation Bureau

MICROFILMED

JAN 28 1991

RECEIVED
NOV 9 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 37-08524 Telephone No. (801) 625-5360

Name(s) of Permit Holder(s): UNITED STATES OF AMERICA - FOREST SERVICE

Post Office Address: 324 - 25th Street, Ogden, Ut 84401

Source of Water: Spring, Sinks unnamed drainage

If ground water, well driller's name: _____ Date drilled: _____

Extent of Use:
Domestic _____ (No. of households) Irrigation _____ (No. of acres)
Stockwater 55 Cattle (No. and type of stock) Other _____

Total rate and/or volume for which proof is submitted 0.01 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: 4-4-89

One of the following may be a condition of approval of your permit:

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

OR

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

Fee Enclosed: \$ _____ (See License Examination Fee Schedule)

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

MARY RITZ 208-587-7961
Name Telephone No.
Mountain Home Ranger District, 2180 American Legion Blvd. Mountain Home, Id 83647
Address

JAN 28 1991

The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

11/2/90 UNITED STATES OF AMERICA - FOREST SERVICE
Date Signature (and title if on behalf of a company or organization)
(for) J. S. Tixier, Regional Forester

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 37-08524

Proposed Priority: April 20, 1989

Maximum Diversion Rate:

0.03 CFS

This is to certify, that U.S. DEPT. OF AGRICULTURE
FOREST SERVICE
FEDERAL BLDG.
324 25TH ST.
OGDEN, UT 84401

has applied for a permit to appropriate water from:

SPRING

tributary of SINKS

and a permit is APPROVED for development of water as follows:

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

STOCKWATER

07/01 to 08/15

0.03 CFS

LOCATION OF POINT(S) OF DIVERSION:

NENENE

Sec. 23, Township 02S, Range 09E
ELMORE County

PLACE OF USE: STOCKWATER

TWN RGE SEC

02S 09E 23

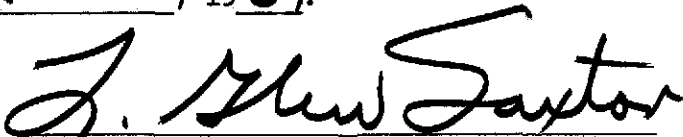
NENE

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before November 1, 1990.
2. Subject to all prior water rights.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this

5th day of October, 1989.

for 
R. Keith Higginson, Director

MICROFILMED

OCT 19 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No.

37-08524

37-08523

To appropriate the public waters of the State of Idaho

1. Name of applicant USDA Forest Service Phone (208) 364-4100

Post office address 1750 Front Street - Boise, ID. 83702

2. Source of water supply Spring which is a tributary of Sinks

3. Location of point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of NE $\frac{1}{4}$, Govt. Lot

Sec. 23 Township 2S Range 9E B.M. E/more County; additional points of diversion if any:

4. Water will be used for the following purposes:

Amount .03 for Stockwater purposes from 7/1 to 8/15 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

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

5. Total quantity to be appropriated is (a) .03 cubic feet per second and/or (b) acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. excavated stock pond that will hold approx. .01 ac-ft.

b. Height of storage dam feet; active reservoir capacity acre-feet; total reservoir capacity acre-feet; period of year when water will be diverted to storage: to inclusive.

c. Proposed well diameter is inches; proposed depth of well is feet.

d. Is ground water with a temperature of greater than 90°F being sought?

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

MICROFILMED

OCT 19 1989

8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. 55 cattle
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. _____
- e. Other; describe fully. _____

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: *D* for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
25	9E	23	S																

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. _____

11. 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. _____

12. Remarks: Project is known as Little Camas Pond.

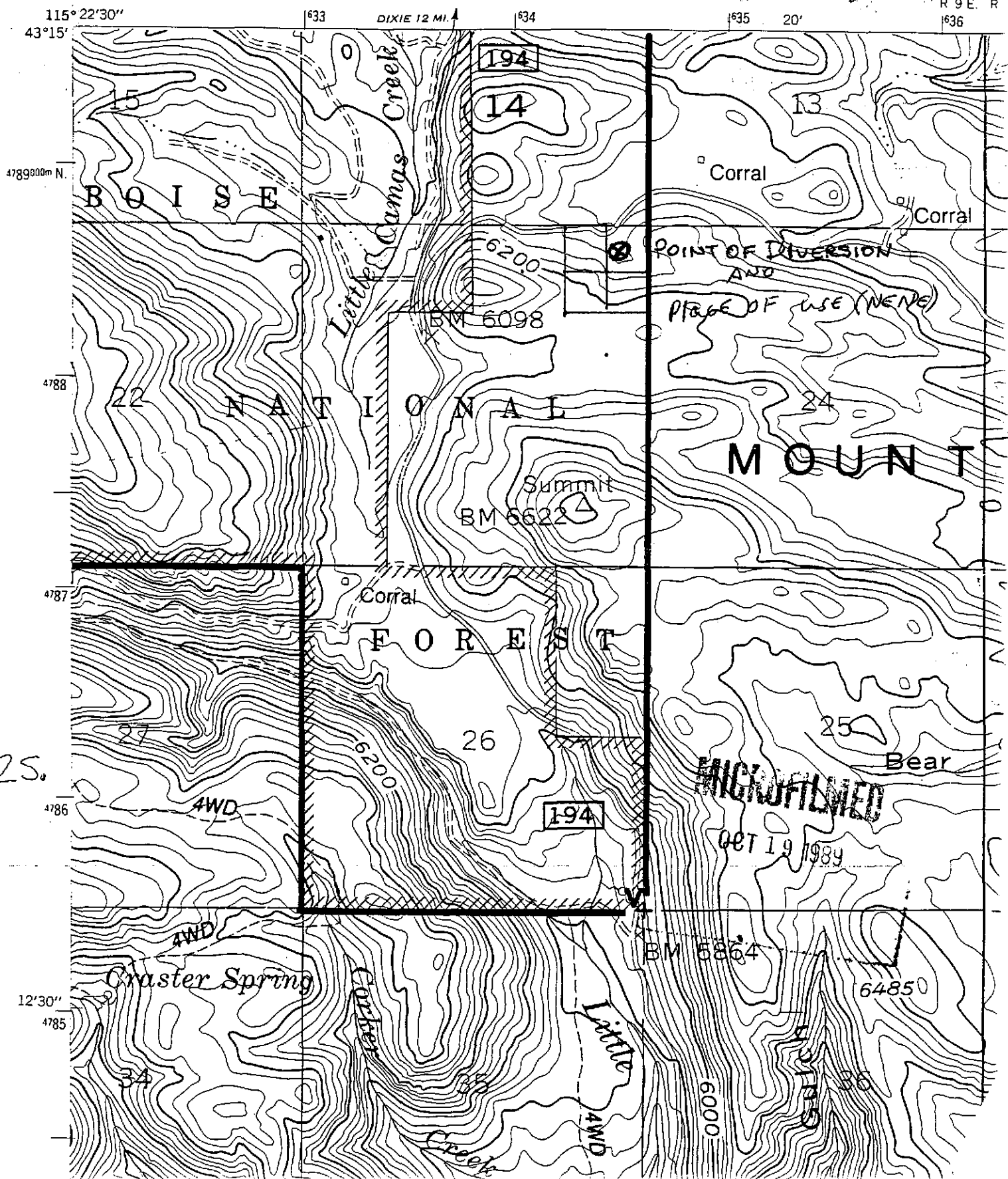
RECORDED

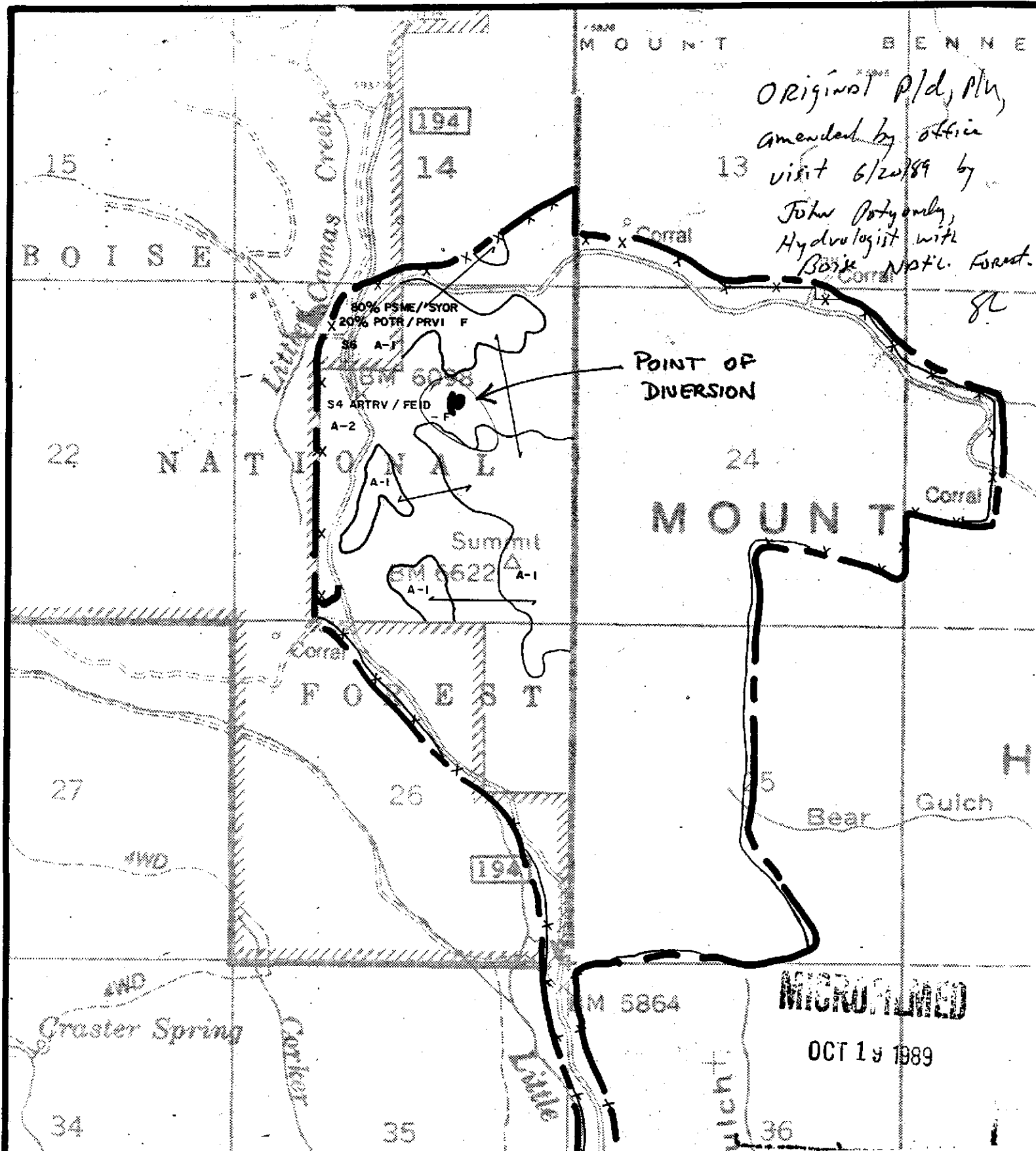
OCT 19 1989

(FS NO 188-30)
PERSON RANCH DAM

UNITED STATES
DEPARTMENT OF AGRICULTURE
FOREST SERVICE
INTERMOUNTAIN REGION

Revised p/4 & p/11
See attached original
BOISE NATIONAL FOREST
R. 9 E map for explanation
MTN HC
SL 6/20/89
R 9 E. R





BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

UNITED STATES OF AMERICA - FOREST SERVICE

(For) J.S. TIXIER

(Applicant)

REGIONAL FORESTER

Received by SL Date 4/20/89 Time 2:45 Preliminary check by South: DRS
West: 99 S SL
Fee \$ 30 Receipted by SL # W002605 Date 4/20/89
Publication prepared by M. Baldwin Date 6/26/89 Published in Mtn. Home News
Publication approved M. Baldwin Date 8/21/89

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. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other:

MICROFILMED
OCT 19 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant UNITED STATES OF AMERICA - FOREST SERVICE Phone (208) 364-4100

Post office address 1750 FRONT STREET BOISE, IDAHO 83702

2. Source of water supply SPRING which is a tributary of SINKS UNNAMED DRAINAGE ***

*** 3. Location of point of diversion is NE SW 1/4 of NE SW 1/4 of NE 1/4, Govt. Lot

Sec. 23 Township 25 Range 9E B.M. ELMORE County; additional

points of diversion if any: _____

* 4. Water will be used for the following purposes:

Amount .03 for LIVESTOCK purposes from 7/1 to 8/15 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

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

5. Total quantity to be appropriated is (a) .03 cubic feet per second and/or (b) _____ acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. RESERVOIR CONSTRUCTED BY
EXCAVATION AND LOW DAM TO FORM A STOCK POND

** b. Height of storage dam 6 feet; active reservoir capacity .01 acre-feet; total
reservoir capacity .01 acre-feet; period of year when water will be diverted to storage:

1/1 to 12/31 inclusive.

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

d. Is ground water with a temperature of greater than 90°F being sought? _____

7. Time required for the completion of the works and application of the water to the proposed uses _____

1 YEAR years (minimum 1 year).

* Regulated by number of stock, Phone call to John Potyondy 5/23/89 RR

** N/A Phone call to John Potyondy 5/23/89 RR

*** Corrected From map RR & SL 5/30/89. Point of diversion
subsequently changed per office visit by J. Potyondy, Hydrologist with Basin Nat'l Forest
6/20/89, SL

MICROFILMED

OCT 19 1989

8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. 55 CATTLE
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. _____
- e. Other; describe fully. _____

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
* 25	9E	23	S		S														

RECEIVED
FILMED

OCT 19 1989

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. _____

11. a. Who owns the property at the point of diversion? UNITED STATES OF AMERICA - FOREST SERVICE
- b. Who owns the land to be irrigated or place of use? UNITED STATES OF AMERICA - FOREST SERVICE
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: APPLICATION AT THIS TIME DUE TO THE RIO HUMBRES DECISION.
LITTLE CAMAS POND.

* TAKEN FROM MAP 5/23/89, Revised per office by J. Potyondy, Hydrologist with Boise NAT'L Forest, 6/20/89, SL

**NOTICE OF APPLICATION
FOR WATER RIGHT**

The Following application has been
filed to appropriate the public waters of
the State of Idaho:

37-08524

U.S. DEPT. OF AGRICULTURE
FOREST SERVICE
FEDERAL BLDG.

324 25TH ST.
OGDEN, UT 84401

Source: SPRING Tributary: SINKS
Diversion Pt: NENENE Sec 23 T 02S

R 09E

Use: STOCKWATER (030 CFS)

Date Filed: 4/20/1989

In: T02S R09E S23 NENE

The permit will be subject to all prior
water rights. Protests may be submitted
based on the criteria of Sec. 42-203A, Ida-
ho Code and/or the new public interest
criteria of Sec. 42-203C, Idaho Code. Pro-
tests must be filed with the Director, Dept.
of Water Resources, 2148 4th Avenue
East, Twin Falls, Idaho 83301 on or before
JULY 24, 1989.

R. Keith Higginson, Director
Published 7/05/1989 & 7/12/1989.

RECEIVED

JUL 31 1989

Department of Water Resources
Southern Region Office

Affidavit of Publication

County of Elmore)
) ss.

STATE OF IDAHO)

I, Mike Thornberry do
solemnly swear that I am the foreman, or publisher of the
MOUNTAIN HOME NEWS

a weekly newspaper of general circulation published
once a week at MOUNTAIN HOME, IDAHO, that the
notice attached hereto and which is a part of the proof of
publication thereof, was published in said newspaper for

2 consecutive weeks, the first publication having
been made on the 5 day of July,

1989, and the last publication having been made on
the 12 day of July 1989;
every Wednesday issue of the paper during the period
and time of publication and that the notice was published
in the newspaper proper and not in a supplement thereof.

And I further swear that the said MOUNTAIN
HOME NEWS has been continuously and uninterrupt-
edly published in said Elmore County during a period of
78 consecutive weeks prior to the first publication of the
attached notice.

Mike Thornberry
STATE OF IDAHO)
COUNTY OF ELMORE)

On this 25th day of July in the year of 1989

before me, a Notary Public, personally appeared

Mike Thornberry, known or identified
to me to be the person whose name subscribed to the
within instrument, and being by me first duly sworn,
declared that the statements therein are true, and ac-
knowledgeed to me that he executed the same.

Carol O'Si
Notary Public for Idaho

Residing at Mtn. Home, Idaho

My commission expires: 2-5-91

I certify that file No. 37-8524

has been reviewed and is ready to be

MICROFILMED and DESTROYED.

Kari Lynn J.
Reviewer

10.9.03
Date



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 23, 2003

US DEPT OF AGRICULTURE
FOREST SERVICE
324 25TH ST
OGDEN UT 84401

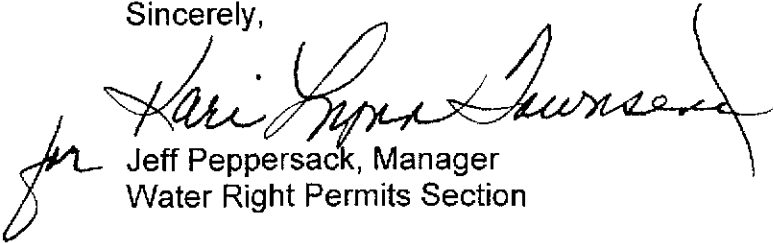
RE: Preliminary Order in the Matter of Permit 37-8524

Dear Interested Parties:

The accompanying order is a "**preliminary order**" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the department unless a party petitions for reconsideration within fourteen (14) days after issuance as described in the enclosed information sheet.

If you have any questions regarding this matter, please call me at 208-327-7940.

Sincerely,


for Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

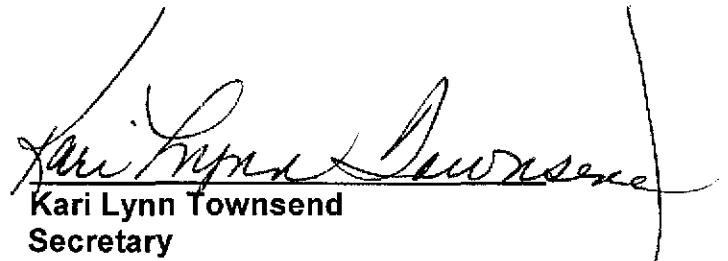
Enclosures

CERTIFICATE OF SERVICE

I hereby certify that on **September 23, 2003**, I mailed a true and correct copy, certified, postage prepaid, of the foregoing **PRELIMINARY ORDER** to the person(s) listed below:

RE: Permit 37-8524

**US DEPT OF AGRICULTURE
FORST SERVICE
324 25TH ST
OGDEN UT 84401**



**Kari Lynn Townsend
Secretary**

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report 37-8524

WATER RIGHT NUMBER: 37-8524

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	US DEPT OF AGRICULTURE FOREST SERVICE 324 25TH ST OGDEN, UT 84401 (801)625-5360

Priority Date: 04/28/1989

Basis:

Status: Voided

Source

SPRING

Tributary

SINKS

Beneficial Use

STOCKWATER

From To

7/01 to 8/15

Diversion Rate

0.030 CFS

Annual VolumeTotal Diversion: 0.030 CFSLocation of Point(s) of Diversion

SPRING

NE1/4NE1/4NE1/4

Sec. 23, Twp 02S, Rge 09E, B.M.

ELMORE County

Place of Use

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02S	09E	23	X																

Conditions of Approval:Remarks:Comments:

1. skeen 9/23/2003 8:02:31 AM Explanatory Comment
 Comment: Permit was voided because the permit holder did not apply to amend the permit to change the purpose of use.

Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report 37-8524

Dates and Other Information:

Permit Proof Due Date: 11/1/1990
Permit Proof Made Date: 11/9/1990
Permit Approved Date: 10/5/1989
Permit Moratorium Expiration Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Field Exam Date: 7/11/2001
Date Sent to State Office: 8/24/2001
Date Received at State Office: 8/27/2001
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 27, 2001

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

RE: Water Right Permit 37-08524

Dear Permit Holder(s):

I previously forwarded to you an Application for Amendment so that you could amend your permit to depict your water right as it has been actually developed. I have not yet received the amendment. If I do not receive it within 14 days, I will assume you no longer have any interest in the permit and cancellation proceedings will begin.

Enclosed for your convenience is another amendment form. Please note that the filing fee for this amendment is \$50.00. If you have any questions regarding this matter, please call me at 208-327-7944.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

KW:klt

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 4, 2001

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

RE: Water Right Permit No. 37-08524

Dear Permit Holder(s):

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms the extent of development that has been established in compliance with the terms of the permit. The examiner who verified your water use reported that certain elements of the permit have been developed differently than described on your permit. Changes that do not increase the authorized use of water under the permit can be requested and approved in accordance with Section 42-211, Idaho Code. Before a license can be issued, your permit must be amended to depict your water use as it was actually developed.

Based on the examiner's report, the following elements were developed differently than described on your permit:

Other – Change use from Stockwater to Stockwater Storage

The enclosed Application for Amendment form depicts the elements of the water right as they will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$50.00 filing fee within 60 days.

If you have any questions, please call me at 208-327-7944.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

Enclosure

LICENSE REVIEW CHECKLIST

Permit No. 37-8524

Date: 9-4-2001

Reviewer: Kay Walker

Change/OK

Name/Address OK

Source OK

Point of Diversion: OK

Does change clarify original intended source? If no, void permit.

Change (P39/P49) Add (P45/P44) Feds (P40)

W32 (multiple in 1/4/1/4)

W36 (overlap)

W59 (subdivision description)

Place of Use OK

Change (P41/P49) Add (P41/P44) Feds (P43)

W60 (subdivision description)

W27 (ppu acre limit)

Overlaps: Right(s): _____

File reviewed _____ Profile reports printed _____

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion:

Permitted rate 0.03 cfs

Fee Limit _____ cfs

Measured _____ cfs

Theoretical _____ cfs

Recommended Total Diversion Rate 0.1 AF

Water Uses

Change (P46)

Season of Use per new Standards

Irrigation _____ cfs _____ af

Stockwater _____ cfs _____ af

Domestic _____ cfs _____ af

SS _____ cfs 0.1 af

_____ cfs _____ af

Total _____ cfs 0.1 af

Irrigation - overlap (R58-R61, R62-R65, R66-R69)

supp. Gw (WB7/065/104)

overlap spec combined rts (W35)

<1 acre (W31)

Domestic (W01/wb5/070/071/075)

Power (W42 or W43/025/027/R22 or R23)

Fish (042)

Fire (077)

Water Quality (081/R07)

Payette - (W22/047/27A)

Stockwater for US (R37)

Volume Determination

_____ cfs x 1.9835 x _____ days = _____ af (vs) _____ acres x _____ (FHR) = _____ af

Remarks: B37

Additional Conditions

_____ Watermaster Control

_____ GW Measurement/Measuring Device

_____ Other

Trust R55 - remove 051)

Non-trust (048/049)

GW Dist? _____

Water Msmt. Dist? _____

Crit. GWMA? _____

GWMA? _____

Government Lots? _____

Advance Priority? yes

no

If yes, explain why below.

SRBA Claim? not req'd

Adjust memo _____

Amend Letters

P87, S06

Second Amendment Notice

P49 S06

change from stock to stock storage.
allow 0.1 AF since we go no
further past decimal on volume.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-8524 V1

WATER RIGHT NUMBER: 37-8524 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	UNITED STATES OF AMERICA ACTING THROUGH USDA FOREST SERVICE 550 W FORT ST MSC 033 BOISE, ID 83724 (208)387-0835
Also Known As	US DEPT OF AGRICULTURE FOREST SERVICE 324 25TH STREET OGDEN, UT 844012394 (801)625-5360
Also Known As	USFS , MT

Priority Date: 04/28/1989

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
SPRING	SINKS

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	7/01 to 8/31	0.020 CFS	
	<u>Total Diversion:</u>	0.020 CFS	

Location of Point(s) of Diversion

SPRING	NE1/4NE1/4	Sec. 23, Twp 02S, Rge 09E, B.M.
ELMORE County		

Place of Use

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02S	09E	23	X																

Total Acres: 0

Conditions of Approval:

1. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
2. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks:

Adjudication Recommendation Report 37-8524 V1

- Comments:

Comment: USE-NOT-IRRIGATION FIELD TEXT DELETED AND MADE EXP REMARK. CONDITION CODES N11 AND N13 ADDED IF NOT ALREADY PART OF RECORD. ANY GEN REMARK CHANGED TO EXP REMARK. IF BLM/USFS, DELETED L12.

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag: NONE RECEIVED
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

[illegible]

RECEIVED

AUG 27 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 37-8524

1. Owner: USDA - Forest Service Phone No. 801-625-5360

Current Address: 324 25th St Ogden UT 84401

2. Accompanied by: Hannah West EXAM DATE: July 11, 2001

Address: Mountain Home Ranger District
2180 American Legion Blvd Mountain Home, ID Phone No. 208-587-7961
83647

Relationship to Permit Holder: Employee

3. Source: Springs tributary to Sinks

B. OVERLAP REVIEW

1. Other water rights with the same place of use:

2. Other water rights with the same point of diversion:

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

[illegible]

2. Place(s) of Use:

Indicate Method of Determination

[illegible]

3. Delivery System Diagram: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.

Scale: 1" = _____



Copy of USGS Quadrange Attached Showing location(s) of point(s) of diversion and place(s) of use (required).



Aerial Photo Attached (required for irrigation of 10+ acres)



Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

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

2. Measurements: Please see narrative

E. NARRATIVE/REMARKS/COMMENTS

PERMIT: 37-8524
FROM: Amanda Folsom
DATE: August 2, 2001

I met with Hannah West from the Mountain Home Ranger District in later June. Hannah is the hydrologist for the ranger district and also worked as a licensed field exam agent in Arizona for a number of years.

This permit was issued for stockwater use in Elmore County. A very small pond like structure was dug to capture any runoff water from the snow as it melts. Hannah said that there is very little if any spring water that flows into this holding area.

Hannah has provided me with the dimensions of the holding tank, which calculated to 0.01af. She also GPS's the location for accuracy and sent pictures. I have used her information in my calculation and added it to this report. Due to circumstances I was unable to go to the trough myself, however, because of Hannah's education and background I ensure this information is accurate.

I am recommending the 0.01af for stockwater use, and that the use be changed to Stockwater storage. There is absolutely no way to measure the flow seeing as how it is dependent on that years snow fall.

E-NARRATIVE/REMARKS/COMMENTS

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

F. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method:

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}}$$

2. Volume Calculations for Other Uses:

$$20' L (20' W) (2' D) (.4) = \frac{320}{43560} = 0.01 \text{ af}$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<u>Stockwater</u>	<u>7/1</u>	<u>8/15</u>	<u>201</u>	<u>0.01</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals:				<u>0.01</u>

2. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

I. AUTHENTICATION

Field Examiner's Name Amanda Tolson Date 8/2/01

Reviewer _____ Date _____

SEAL

Attn: Amanda Folsom

Date: July 11, 2001

Information requested on water permit #37-08524:

1. Volume of pond (not a water tank):

$$20 \text{ (L)} \times 20 \text{ (W)} \times 2 \text{ (D)} \times .4 = 320$$

2. GPS reading:

Latitude: 43 14' 26.70"

Longitude: 115 20' 36.69"

T.2S, R.9E, Section 23 NENE

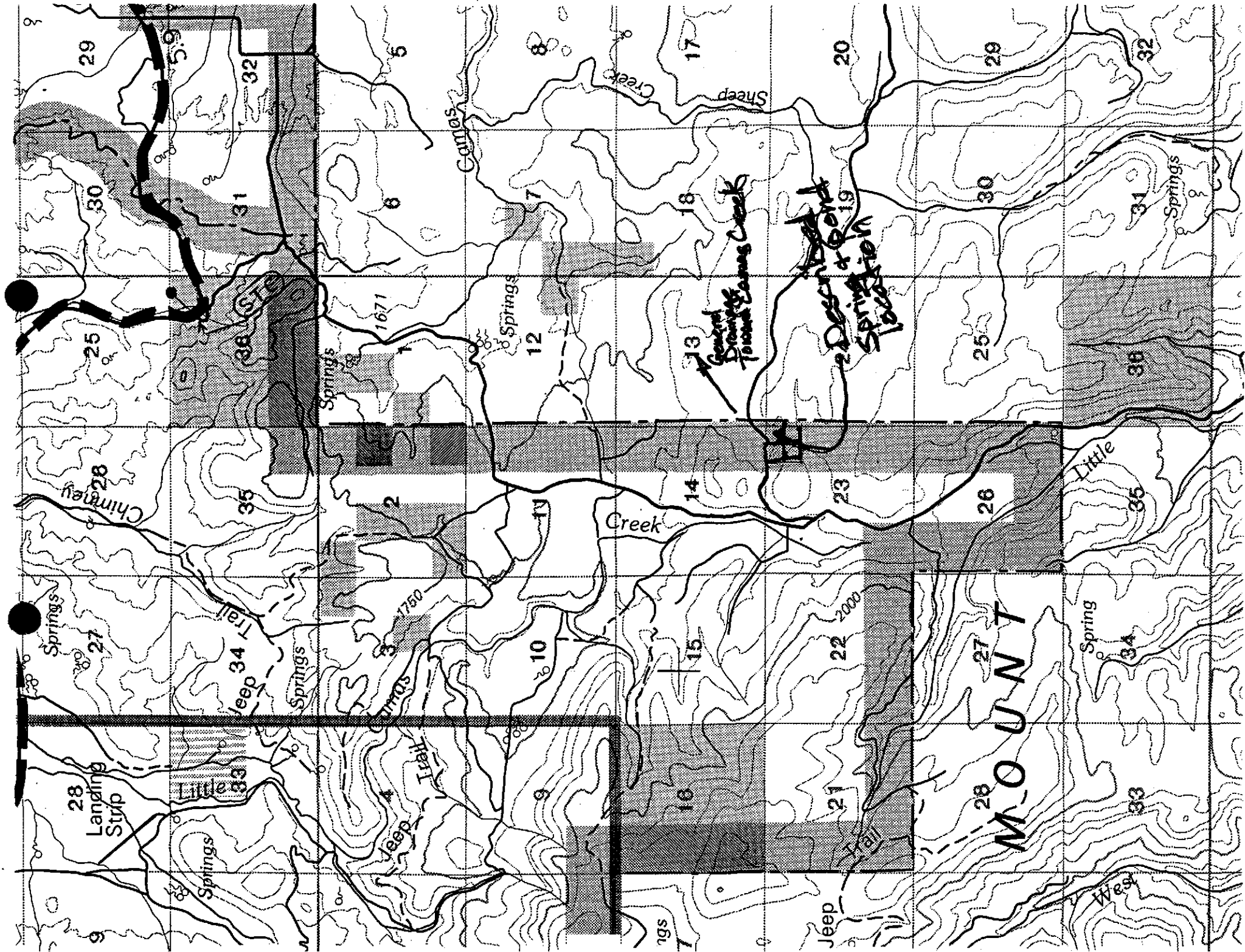
3. Cattle Number:

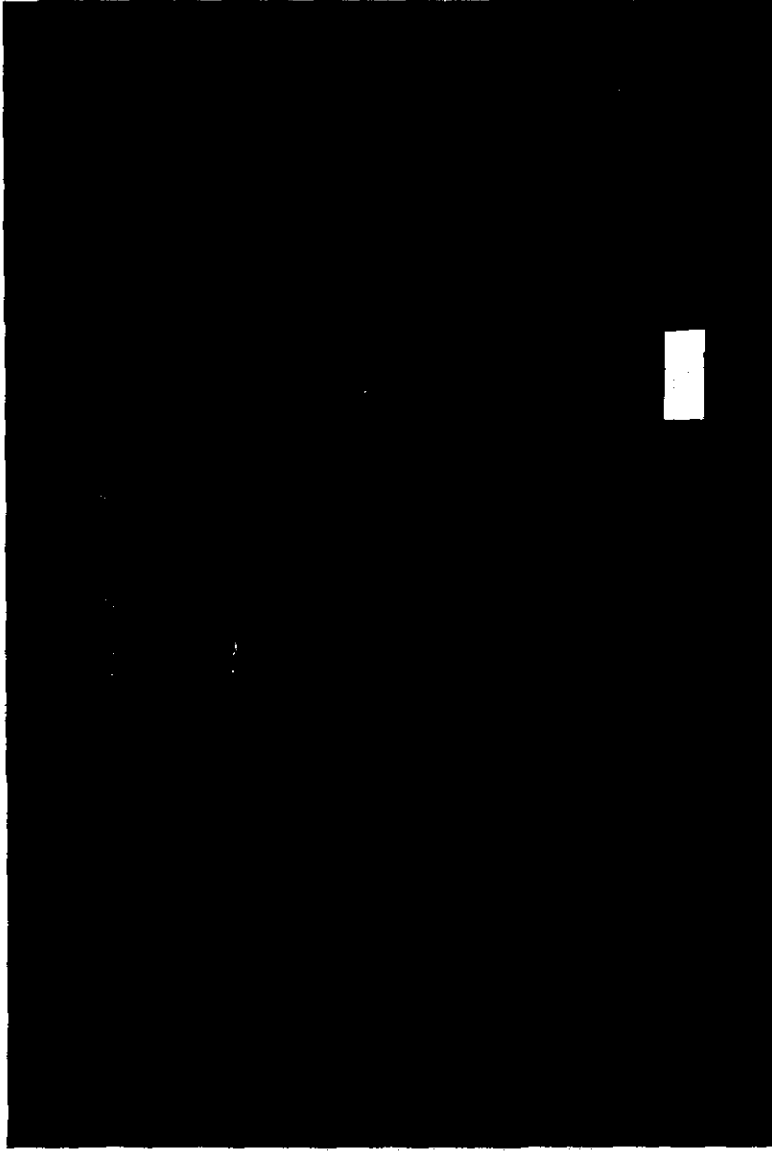
55 cattle graze the South Little Camas allotment from 7/01-8/15

RECEIVED

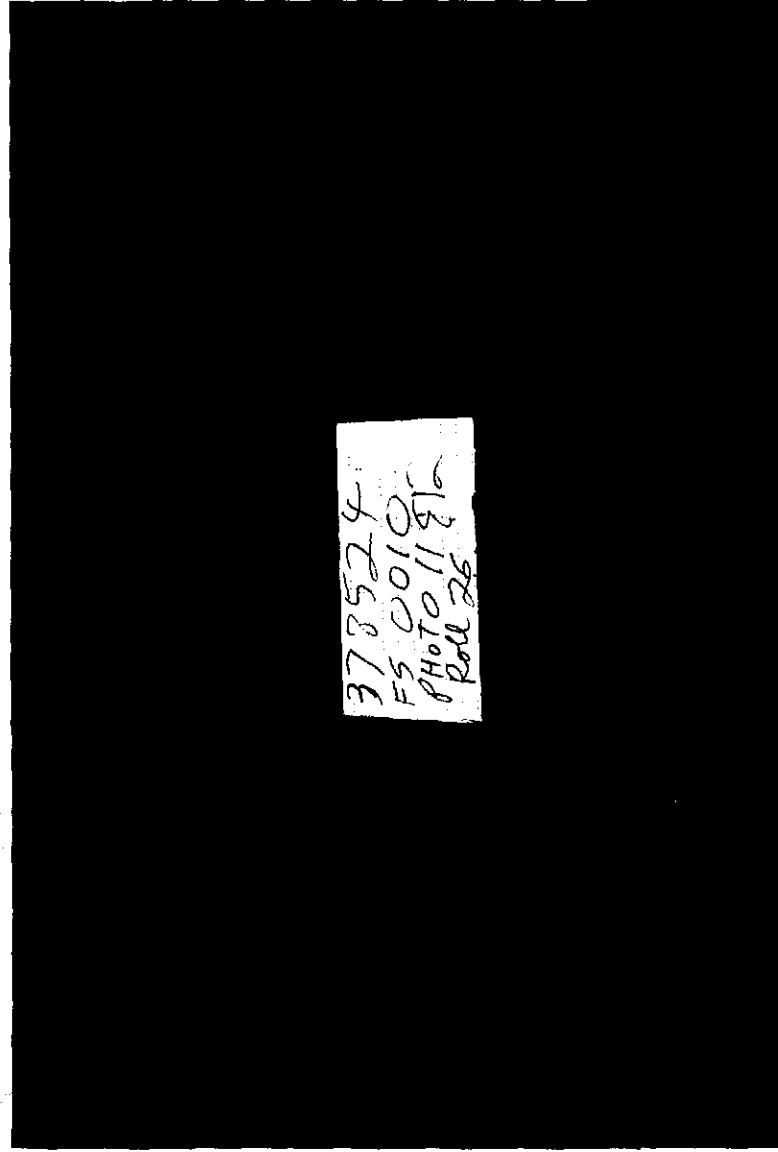
JUL 12 2001

**Department of Water Resources
Southern Region**





11



373524
FS 0010
PHOTO 11816
Roll 26



IDAHO DEPARTMENT OF WATER RESOURCES

STAFF ANALYSIS SHEET FOR BENEFICIAL USE FIELD EXAMS:

PERMIT NO. 37-08524

A. Items To Be Placed In Exam File (Items A & B to be Completed by Compiler;

- () Blank Field Report & Notice of Completed Exam
- () Copy of App. for Permit, Approved Permit, Amendments, Orders, Assignments, Proof of Beneficial Use, SRBA Claim (Claim Filed? _____ Required? _____)
- () Well Inspection Form, Dairy Water-Use Worksheet (if applicable)
- () Well Log(s) & Groundwater Measurement Analysis Form (if applicable)
- () Copy of Orthophotoquad Map
- () 660-Scale Aerial Photo (Examiner Will Obtain If Applicable)
- () Government Lot Plats (If Applicable)

RECEIVED

AUG 27 2001

Department of Water Resources

B.1. P/D Overlap - Yes or No? If Yes, Include Copy of Overlapping Rights & Claims

- If Yes, Type of Overlap: () Add Acres or Uses to Existing System
() Increase Rate of Flow or Volume

B.2. P/U Overlap - Yes or No? If Yes, Include Copies of Overlapping Rights & Claims

- If Yes, Type of Overlap: () Increase Rate of Flow or Volume
() Add Supplemental Water Source
() Increase Acres Within Tracts

C. Field Exam Appointment Made:

Date _____ Time _____ Place _____

Contact Person & Phone _____

D. Post-Exam Review & Processing

Exam Completed 7/11/01 Notice of Completion Turned In _____

Field Report Completed 8/2/01 AF
Signature of Examiner & Date

Field Report Reviewed by Sr. Agent _____ (Initial & Date)

Field Report Reviewed by Region Mgr. AD 8/23/01 (Initial & Date)

Field Report Sent to S.O. _____ Region Card File Updated _____

January 3, 1991

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

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 37-08524

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. Enclosed is an order advancing the priority of the permit since the proof was received after the proof due date. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the STATE Regional Office in Boise at (208)327-7900.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

Enclosure

RECEIVED
JAN 28 1991

ANALYSIS SHEET
for
PROOF OF BENEFICIAL USE

Permit No. 37-8524

Date 12-24

GENERAL CONSIDERATIONS

☒ Name same as permit?
☒ Address same as permit? If no, prepare data entry form.
☒ Proof timely received? If no, complete priority advancement below.

SOURCE OF WATER

☒ Surface water source
☐ Ground water source
☐ Drill permit req'd?
☐ Copy in file? Drill permit no. _____
☐ Well log in file?
☐ Amt paid for drilling permit? ☒ Correct?

LICENSE EXAMINATION FEE

☒ Required?
☐ Amount submitted?
☐ Correct amount?

MEASURING DEVICE

☒ Measuring device or access port required?
☐ Installed?
☐ Waiver requested or needed?

DEFICIENCIES OR ACTION ITEMS

- Reinstate & advance priority

PRIORITY CALCULATION

Date proof received 11-9
Date proof due 11-1 -
No. of days late = 8
Priority date Apr 20 89 +
NEW PRIORITY DATE 4-28-89 =



United States
Department of
Agriculture

Forest
Service

Boise
National
Forest

1750 Front Street
Boise, ID 83702

Reply to: 2540-1

Date: November 7, 1990

Ms. Rita Fleck, Records Manager
Idaho Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, ID 83720

RECEIVED
NOV 9 1990

Department of Water Resources

Dear Ms. Fleck:

This letter is to notify the Idaho Department of Water Resources that the Forest Service has not completed the necessary work to file a Proof of Beneficial Use for Water Rights Permit No. 65-12661 at the Bonneville Campground. All attempts to find potable water at the subject site were unsuccessful, and we have no intentions to make additional attempts at this time. Please rescind the permit and remove it from your records.

Similarly, we have no intentions of developing water for Application for Permit No. 65-12543, located in Timber Gulch. The spring appears to have dried up so we are unable to develop livestock water. Please rescind this permit and remove it from you records.

Enclosed are completed Proof of Beneficial Use forms for Water Right Permits Nos. 37-08524, 63-10825, 63-10826, 63-10827, 63-10828, 63-10829, 63-10830, 63-10831, 65-12864, and 65-12865. None of these permits require a license examination fee.

Sincerely,

W. Wayne Patton

W. WAYNE PATTON
Range, Wildlife, Watershed, and
Recreation Officer

Enclosures

cc:
RO-RW (Gary Boyle)

MICROFILMED
JAN 28 1991



Caring for the Land and Serving People

FS-6200-28b(4/88)

WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

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

November 5, 1990

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

LAPSE NOTICE

RE: PERMIT NO. 37-08524

Dear Permit Holder:

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

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

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

L. GLEN SAXTON
Chief, Water Allocation Bureau

LGS:rf

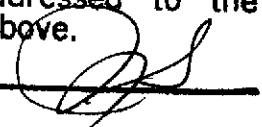
Enclosures

MICROFILMED

JAN 28 1991

CERTIFICATION OF MAILING

I hereby certify that on 11-8-90
~~a copy~~ an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.



138382

August 31, 1990

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

PROOF DUE NOTICE

RE: PERMIT NO. 37-08524

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before November 1, 1990. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

MICROFILMED

JAN 28 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 334-7900
October 6, 1989

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

PERMIT APPROVAL NOTICE

RE: PERMIT NO. P37-08524

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed for your convenience is a form entitled "Proof of Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

MICROFILMED

OCT 19 1989

Form No. 202a
4/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

37-08524

INITIAL REVIEW BY JSJ DATE 6/23 APPLICATION NUMBER 37-8523

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
☒ Address
☒ Source (See USGS Quad for names of water sources)
☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
☒ County
☒ Quantity (flow and/or volume)
☒ Period of Use
☒ Nature of proposed use (Include description of use.)
☒ Description of diverting works
☒ Time required for beneficial use of water
☒ Place of use or acres irrigated
☒ Map
☒ Signature (If applicant is corp. partnership, or municipality, title of signator is required)
☒ Fee
☒ Yes ☐ No* In form to receipt

ADDITIONAL INFORMATION

- ☐ Overlapping place of use (Describe source & relationship to present application on the back.)
☐ Overlapping point of diversion
☐ Yes ☒ No Field check required
☐ Yes ☒ No Field check by _____
☐ Yes ☒ No Field report attached
☐ Yes ☒ No Critical groundwater area
☐ Yes ☒ No Groundwater management area
☐ Yes ☒ No Send dam safety information
☐ Yes ☒ No Send power requirement letter
☐ Yes ☒ No Send fish farm requirement letter
☐ Yes ☒ No Power residency affidavit
☐ Yes ☒ No Power efficiency form
☐ Yes ☒ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)
☐ See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested AUG 28 1989

Department of Water Resources

PROCESSING ☒ Yes ☐ No In form for advertising
☒ Yes ☐ No Statewide advertising
☒ Yes ☐ No Fee amount, receipt date & No. recorded on application

SEND COPIES TO ☐ Idaho Dept. of Health & Welfare ☐ U.S. BLM
☐ Idaho Dept. of Fish & Game ☐ U.S. Forest Service
☐ Idaho Dept. of Lands ☐ Water District
☐ Adjudication Bureau Unit ☐ Other

FINAL REGIONAL PROCESSING REVIEW

☒ Yes ☐ No Affidavit of publication received
☒ Yes ☐ No Application published correctly. If not, record action taken.

☒ Yes ☐ No ~~Publication dates & paper~~, recorded on application
☐ Yes ☒ No Protests received
Final date for protest 7/24/89
☐ Yes ☒ No Protests, dates, resolution of protest, recorded on application
☐ Yes ☒ No Recommendations attached
☐ Yes ☒ No Measuring device required
☐ Yes ☒ No Access port required
☒ Yes ☐ No Will water be delivered by watermaster? If yes, what Dist. 37
☒ Yes ☐ No Special conditions of approval or cover letter below.

014, 05437 - Bigwood R.

See below for additional information

Date of priority recommended 4/20/89
By Loren O. Halum Date 8/24/89

STATE OFFICE REVIEW

P110

See below for additional information

By kw Date 9-26-89

ADDITIONAL INFORMATION

App. in TRUST area - DCMT

26-Jun-1989

USDA-Forest Service
1750 Front Street
Boise, ID 83702

Re: Application for Permit No. 37-08524

Dear Applicant (s):

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned the above referenced identification number. Please refer to this number in all further correspondence.

This office will be advertising the application in the Mountain Home News on 7/5 & 7/12/89. A period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Very truly yours,

Douglas Jones, E. I. T.
Water Resources Engineer

DJ:MB

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OCT 19 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region
2148 4th Avenue East
Twin Falls, ID 83301
(208)734-3578

JUNE 26, 1989

MOUNTAIN HOME NEWS
P.O. DRAWER O
MOUNTAIN HOME, ID 83647

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before JULY 24, 1989.

Yours truly,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

RECEIVED
OCT 19 1989

NOTICE OF APPLICATION FOR WATER RIGHT

The Following application(s) have been filed appropriate the public waters of the State of Idaho:

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OCT 19 1989

37-08524

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

Source: SPRING

Tributary: SINKS

Diversion Pt: NENENE Sec 23 T 02S R 09E

Use: STOCKWATER (.030 CFS)

Date Filed: 4/20/1989

In: T02S R09E S23 NENE

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The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 2148 4th Avenue East, Twin Falls, Idaho 83301 on or before JULY 24, 1989.

R. Keith Higginson, Director

Published 7/05/1989 & 7/12/1989

NOTIFIED

OCT 19 1989

INTER-DEPARTMENT MEMO — 1

FROM Mary Baldwin, Sec.
Southern Region

DATE 6/26/89

TO File

SUBJECT # change

³⁷⁻⁰⁸⁵²³
the WR # was assigned by Western Region but
no data entered on 6/20/89.

When I started to enter data on 6/26/89, the #
did not exist on database therefore a new # was
assigned by database.

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Mary Baldwin
SIGNATURE

37-08524

IDAHO DEPARTMENT OF WATER RESOURCES

MEMO-REPLY

Date

6.20-89

To Southern RegionFrom Western Region☐ Take Appropriate Action☐ Draft A Reply☐ Action Required By _____☐ See Me☐ Call Me☐ Return To Me☐ For Your Information☒ For Your Approval☐ For Your Comments☐ As You Requested☐ Copy (____ Copies)☐ File

Comments

When all was said & done, this turned out to be a Basin 37 appl. The pld, pln change occurred just prior to prep for advertising so am forwarding to you for advertising. See 6/20/89 corr memo.

Reply

Signed

Steve Lester

Date

6/20/89

37-08524

37-1185-2

CONVERSATION MEMORANDUM

DATE 6/20/89FILE 37-08523NAME OF PARTY USDA F.S. (John ^{*}Potyorny, Supervisor Office 364-4153)
BoiseEMPLOYEE Steve LesterRE: John Potyorny visited Western Region today
to change the pld i p/w to :PLD - NENE NE S. 23, T 25, R 9EPLW - NENEThis change occurred before advertising & thus
doesn't involve additional fees.The change moves the w.r. from basin 63
to basin 37 (see attached copy of Goodman
Flat 7 1/2' Provisional ed. quad). Because of the
change, the appl. should be processed out of
Southern Region & was forwarded to S. on
6/20/89.The w.r. appl. number was assigned but no
data entry occurred.**RECEIVED**

OCT 19 1989

Storage: considered part of diversion since rate of
flow can fill pond in ≤ 24 hrs.

$$(.03 \times 1.9835 = .06 \text{ ac.ft.})$$

in 24 hrs.Does not need storage in item 4 of appl.

* Staff Hydrologist with
Boise Natl. Forest Supervisor's Office.
I called John R. today to inform him
of the routing of applications.

37-08524

