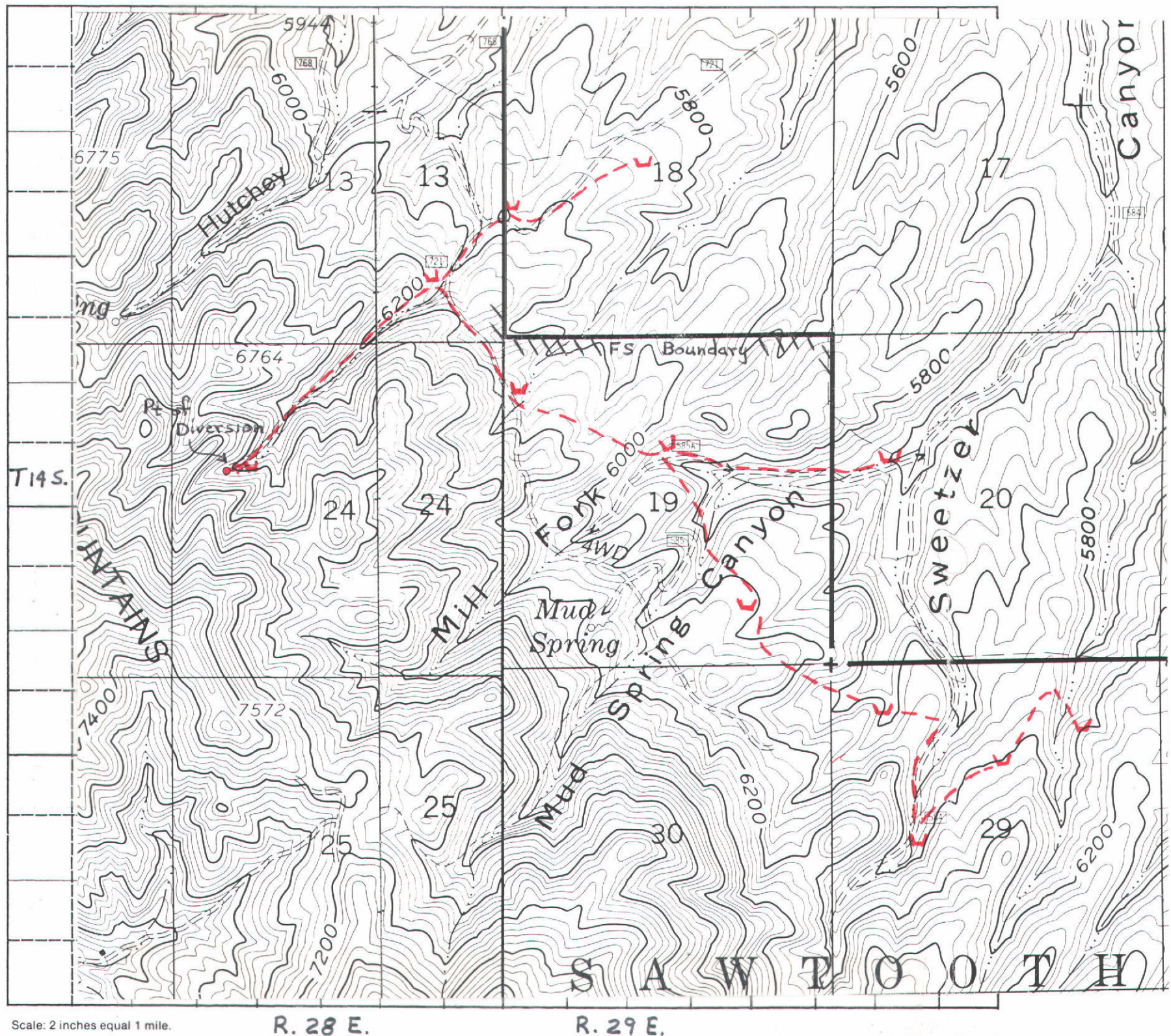


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth. United States of America - Forest Service

MICROFILMED

Randall P. See
(for) J. S. TIXIER (Applicant) Regional Forester

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

NOV 15 1994

Department of Water Resources

A. GENERAL INFORMATION

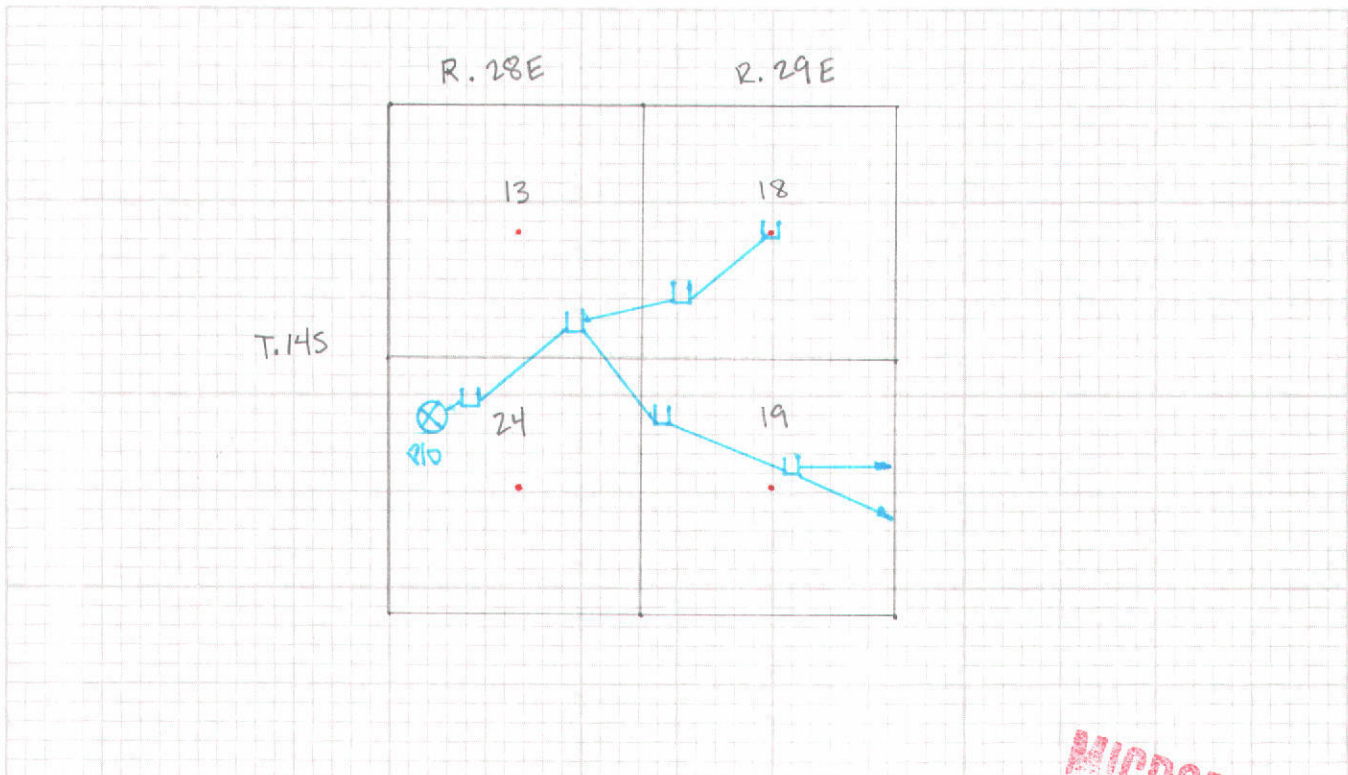
1. Owner: U.S. Forest Service Permit No. 43-07276
Current Address: Burley Ranger District, 2621 S. Overland Ave., Burley, ID 83318 Phone No. 678-0430
2. Accompanied by: Deena Santini EXAM. DATE: 7/3/91
Address: _____ Phone No. _____
Relationship to Permit Holder: Employee
3. Source: Mortenson Spring tributary to Meadow Creek

B. OVERLAP REVIEW

1. Other water rights with same place of use: none ☐ Copies Attached
2. Other water rights with same point of diversion: none ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = 1000'

2. ☒ Copy of U.S.G.S. Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required). ☐ Aerial Photo Attached (required for irrigation of 10 acres or more).
☐ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).

MICROFILMED
MAR 23 1995

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
) ss.
STATE OF IDAHO)

Marge Barendregt, being first

duly sworn, deposes and says that...he is the

Clerk of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of

The South Idaho Press for two (2) consecutive weeks, commencing with the issue

dated Oct 2 1986, and ending

with the issue dated Oct 9 1986

Marge Barendregt

Subscribed and sworn to before me

this 20th day of Oct.

1986

Sally Staker Notary Public

Cost of Publication 29.04

Notary Fee 29.04

Total Cost 29.04

RECEIVED

OCT 22 1986

Department of Water Resources
Southern Region Office

86-279

NOTICE OF APPLICATION
FOR WATER RIGHT

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

43-7276

U.S. DEPT. OF AGRIC.

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

Source: MORTENSON SPRING trib. to MEADOW CREEK

Diversion Pt: SESWNW Sec 24 T 14S R 28E:

8 miles N and 1.4 miles E of Malta, ID.

Use: STOCKWATER (0.010 CFS)

STOCKWATER (0.010 CFS)

STOCKWATER (0.010 CFS)

WILDLIFE (0.010 CFS)

Date Filed: 09/10/1986

In: SESE Sec 13 T 14S R 28E SWNW Sec 24

T 14S R 28E SENW-NWSW Sec 18 T 14S R

29E SWNE NWNW SWSE SESE Sec 19 T 14S R

29E SWNW Sec 20 T 14S R 29E NENE SWNE

NWNW NESW Sec 29 T 14S R 29E

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Southern Region, 1041 Blue Lakes Blvd. N. Twin Falls, Idaho 83301 on or before OCTOBER 20, 1986.

Ken Dunn, Dir.

Published in the South Idaho Press on October 2 and 9, 1986.

MICROFILMED

OK
m/b
10/22/86

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 43-07276

Priority: September 25, 1986

Maximum Diversion Rate:

0.02 CFS

Maximum Diversion Volume:

8.0 AF

This is to certify, that US DEPT OF AGRICULTURE

FOREST SERVICE

SAWTOOTH NATIONAL FOREST

2647 KIMBERLY RD E

TWIN FALLS ID 83301-7976

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated September 10, 1986; and has submitted Proof of Beneficial Use on November 16, 1987. An examination indicates that the works have a diversion capacity of 0.020 cfs of water from:

MORTENSON SPRING

tributary to MEADOW CREEK

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	03/01 to 12/29	0.02 CFS	8.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SESWNW, Sec. 24, Township 14S, Range 28E
CASSIA County

PLACE OF USE: STOCKWATER

TWN RGE SEC

14S	28E	13	SESE
		24	SWNW
29E	18		SENE
	19		SWNE
			SESE
	20		SWNW
	29		NENE
			NESW

NWSW

NWNW

SWSE

SWNE

NWNW

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

MAR 23 1988

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

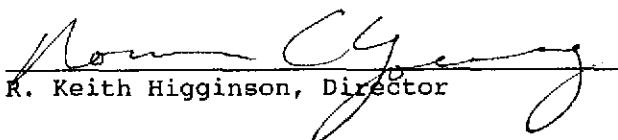
WATER RIGHT NO. 43-07276

CONDITIONS/REMARKS:

5. Use of water under this water right will be regulated by the watermaster of State Water District No. 43A.
6. Stockwater use is for 1150 range cattle.
7. Water used under this right also includes water for wildlife.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 23rd
day of FEBRUARY, 1995.

Acting for


R. Keith Higginson, Director

2018 2 3 1335

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 43-7276 IN THE)
NAME OF U.S. FOREST SERVICE) ORDER OF REINSTATEMENT
_____)

WHEREAS, the Department has 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, 1987; 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 has notified the permit holder that the permit has 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,

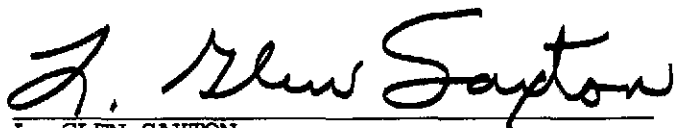
WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on November 16, 1987;

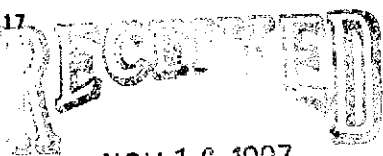
IT IS, THEREFORE, HEREBY ORDERED that Permit No. 43-7276 be REINSTATED and the priority advanced to September 25, 1986.

Dated this 19th day of January, 1988.

MICROFILMED

FEB 29 1988


L. GLEN SAXTON
Chief, Operations Bureau



NOV 16 1987

No ✓ Rec'd (D.J.B.)

Department of Water Resources

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

For Office Use Only
Fee Received _____
Date _____
Receipt # _____
Receipt by _____
Reviewed by _____
Sent to region _____

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has 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. 43-7276

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

Post Office Address: 324 25th Street, Ogden, UT 84401

Telephone No. (801) 625-5360

Source of Water: Spring (Mortenson Spring)

Extent of Use:

Domestic _____ (number of households) Stockwater 1150 cattle (number and type of stock)

Irrigation _____ (acres) Other/Remark Wildlife

Total rate and/or volume for which proof is submitted 0.02 cfs _____ acre-feet

Show the date water was first diverted and beneficially used under this permit: Nov. 1, 1986

Measuring Device: Required? ☐ Yes ☒ No
Installed? ☐ Yes ☒ No
Fee enclosed \$ _____
(See License Examination Fee Schedule)

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

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

James Wickel, Range Conservationist 208-678-0430
(Name) (Telephone Number)

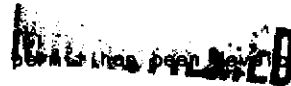
Sawtooth National Forest
Burley Ranger District, 2621 S. Overland Ave., Burley, ID 83318
(Address)

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.

United States of America - Forest Service

Date _____ Signature of Permit Holder (and title, if appropriate)

(for) J. S. TIXIER, Regional Forester



NOV 29 1986

Sawtooth 11-1-87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 43-7276

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant United States of America - Forest Service Phone 801-625-5360
Post office address 324 - 25th Street, Ogden, Utah 84401
2. Source of water supply Spring (Mortenson Spring) which is a tributary of Meadow Creek
3. Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of NW $\frac{1}{4}$, Govt. Lot _____
Sec. 24 Township 14S Range 28E B.M. Cassia County; additional
points of diversion if any: (PWI 009-002 Stevell NW Quad)
4. Water will be used for the following purposes:
FS permitted
Amount 0.01 for stockwater purposes from 08/01 to 10/01 (both dates inclusive)
(cfs ~~0.01 per acre-foot~~) BLM permitted
Amount 0.01 for stockwater purposes from 03/01 to 05/06 (both dates inclusive)
(cfs ~~0.01 per acre-foot~~) BLM permitted
Amount 0.01 for stockwater purposes from 07/01 to 12/29 (both dates inclusive)
(cfs ~~0.01 per acre-foot~~)
Amount 0.01 for wildlife purposes from 01/01 to 12/31 (both dates inclusive)
(cfs ~~0.01 per acre-foot~~)
5. Total quantity to be appropriated is (a) 0.02 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. Concrete headbox with 14" plastic pipeline
to twelve troughs (approx. 5 miles of pipeline) see map.
 - 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 the water to the proposed beneficial use is
1 years (minimum 1 year).

a. Hydropower; show total feet of head and proposed capacity in KW.

b. Stockwatering; list number and kind of livestock. Forest Service - 650 cattle, BLM - 500 cattle

c. Municipal; show name of municipality.

d. Domestic; show number of households.

e. Other; describe fully. Wildlife also use this water.

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 column.

ponding place of use below. See instructions for standard symbols.

[illegible]

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

b. Who owns the land to be irrigated or place of use? United States of America

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the

applicant to make this filing.

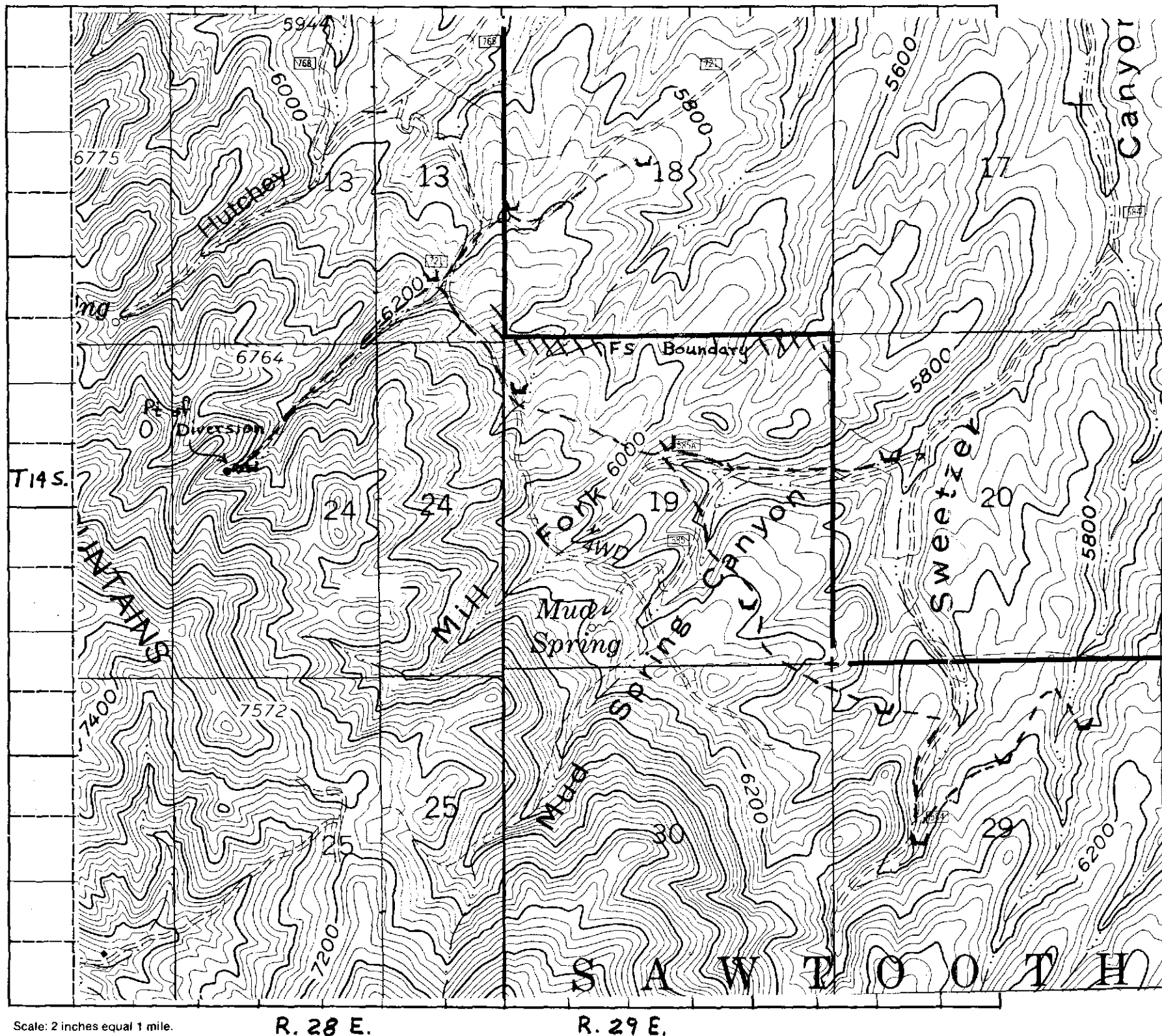
12. Remarks: The Forest Service And Bureau of Land Management have entered into a

cooperative agreement for the development and use of this water.

~~This spring was first developed in 1967.~~

John Pierce also has cooperated with this water system and has filed for the portion he uses.

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



Scale: 2 inches equal 1 mile.

R. 28 E.

R. 29 E.

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

Randall K. Tixer
(for) J. S. TIXIER (Applicant) Regional Forester

Proposed Priority 9/10/86
Received by GA Date 10-86 Time 10 am Preliminary check by TB
Fee \$ 30.00 Received by GA # 38701 Date 9-10-86
Publication prepared by M. Baldwin Date 9/15/86 Published in So. Id. Press 10/2/86 10/4/86
Publication approved M. Baldwin Date 10/22/86

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. 43-7276, 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 November 1, 19 87.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. 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: Use of water under this permit is subject to control by the watermaster of State Water District No. 43A, Lower Raft River.

Witness my hand this 30th day of October, 1986.

J. Glen Saxton
Chief, Operations Bureau



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

February 24, 1995

US DEPT OF AGRICULTURE
FOREST SERVICE
SAWTOOTH NATIONAL FOREST
2647 KIMBERLY RD E
TWIN FALLS ID 833017976

RE: WATER RIGHT NO. 43-07276

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

RECEIVED 1995

MAR 23 1995

LICENSE REVIEW CHECKLIST



PERMIT NO. 43-07276 DATE 2-21-95

NAME ☒ Yes ☐ No (Sawtooth NAT'L Forest)
Or Address Change? CHECK

PRIORITY DATE ☒ Advance? YES Advanced to: 9-25-86
Order to reinstate needed? Done
Incorrect fee for rate recommended? NA

SOURCE ☐ ☒ Changes or just clarification of originally intended source? _____
Notice of Intent to Void necessary? _____

POINT OF DIV ☐ ☒ Amendment needed? _____
☐ ☒ Overlaps? _____

PLACE OF USE ☐ ☒ Amendment needed? _____
☐ ☒ Overlaps? _____

DIV RATE ☐ ☒ Permit/fee limits: .02
Meas Q = Theo Q = Recommend: .02

Combined rates exceed capacity _____

ANNUAL VOLUME ☒ Volume Limit: _____ Season: 3-1 to 12-31
Stockwater Season of use on permit is not 1-1 to 12-31
Calculations: 1/2 hr = 7.7 gal 8 gals is acceptable
1150 cattle 1 hr @ 15.4 gal

Flow limit: _____ cfs x _____ x 1.9835 = _____
Combined volumes exceed capacity/allowable _____

USES ☐ ☒ Change in Nature of Use or additional uses? _____
Amendment necessary? _____

REMARKS W02/W25 ☒ Multiple p/d(s) in 1/4 1/4? _____
1150 Cattle Other _____

CONDITIONS R04 ☒ Measuring/Locking Devices
☐ ☒ Watermaster control - District 43A
☐ ☒ Irrigation Overlap
☐ ☒ Water Quality
☐ ☒ Other _____ Heat/Cool/ Fish verified _____

COMMENTS: According to permit 4 months are excluded at the season of use ranges from 3-1 to 12-31.

RECOMMENDED	CFS	VOL	SRBA Claim Filed	<u>YES</u>
<u>Stockwater</u>	<u>.02</u>	<u>8.0</u>	Adjustment Memo Needed	<u>YES</u>
_____	_____	_____	LICENSE	☒
_____	_____	_____	1ST AMENDMENT LETTER	_____
_____	_____	_____	FINAL AMENDMENT LETTER	_____



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
NOV 15 1994

Department of Water Resources

A. GENERAL INFORMATION

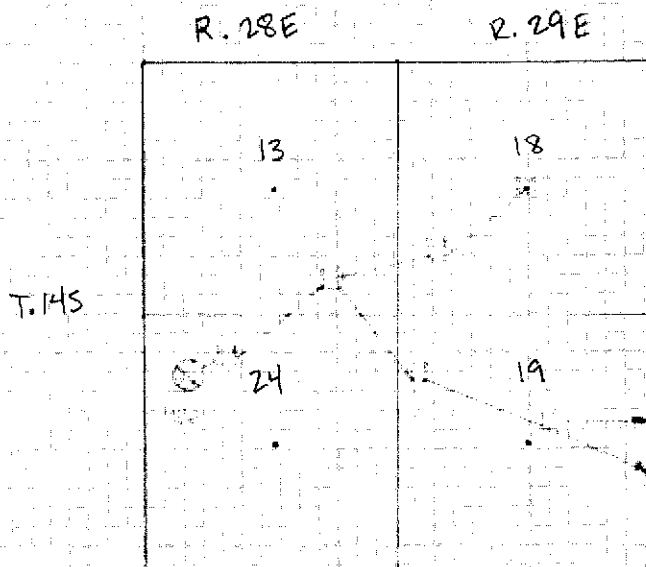
Permit No. 43-07276
1. Owner: U.S. Forest Service Phone No. 678-0430
Current Address: Burley Ranger District, 2621 S. Overland Ave., Burley, ID 83318
2. Accompanied by: Deena Santini EXAM. DATE: 7/3/91
Address: _____ Phone No. _____
Relationship to Permit Holder: Employee
3. Source: Mortenson Spring tributary to Meadow Creek

B. OVERLAP REVIEW

1. Other water rights with same place of use: none ☐ Copies Attached
2. Other water rights with same point of diversion: none ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = 1000'

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required). ☐ Aerial Photo Attached
(required for irrigation of 10 acres or more).
☐ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

MAY 28 1995

3. **Narrative:** Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

concrete headbox at spring with 1 1/4" plastic
pipe in fracture troughs (approx 5 mi
of pipeline)

☐ See Remarks on page 4 for continuation

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

5. Point(s) of Diversion:

[illegible]

6. Place(s) of Use:

Indicate Method of Determination.

[illegible]

Do not use this space

1967 8 24

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

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

2. Measurements:

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) : Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Ampsx .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

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

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

$\sqrt{\text{stock water}} : 1150 \text{ cattle } (0.0134 \frac{\text{a.f.}}{\text{head}}) (\frac{1}{2} \text{ year}) = 7.7 \text{ a.f.}$

MAR 28 1995

H. REMARKS AND OVERLAP REVIEW ANALYSIS

It was not possible to make a measurement on this system. The permit rate is determined to be a reasonable estimate of capacity.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use From To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
stockwater	1/1 12/31	0.02	8.0

2. Recommended Amendments

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

J. AUTHENTICATION

Field Examiner's Name	Signature	Certification Date	Field Report Preparation Date
Grinn Block	Grinn Block		7/8/91

CONSULTANT SEAL

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

MAR 2 8 1991

MEMORANDUM

TO: File 43-07276 / U.S. Forest Service
FROM: Brenda Chapman
DATE: February 21, 1995
RE: Recommendation Adjustment(s)

=====

The final licensing recommendations for the above referenced water right are based on the information below:

I. RECOMMENDATIONS

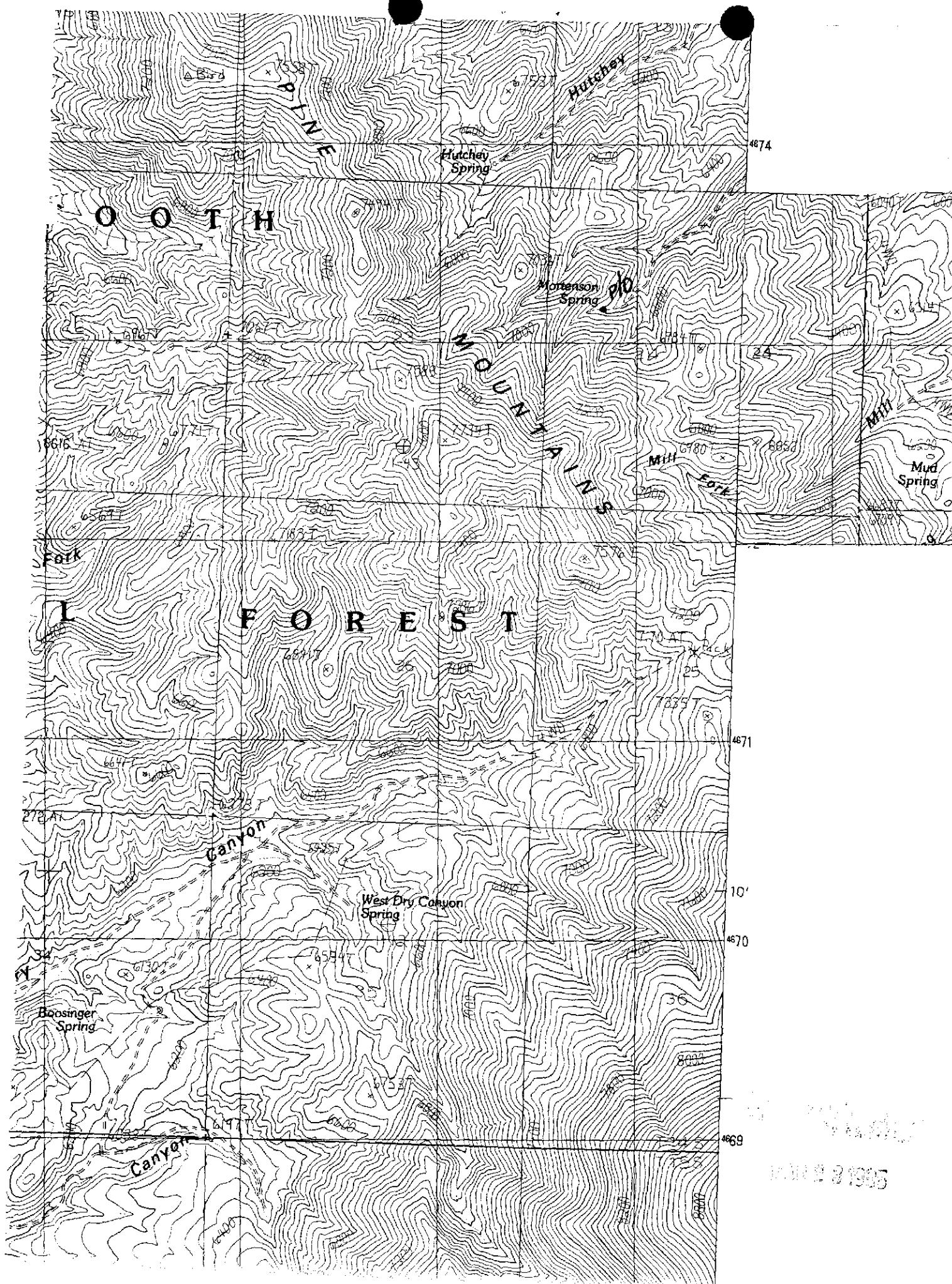
1. Recommended Amounts

Beneficial Use	Period of Use	Rate of Div	Annual Vol
Stockwater	3-01 to 12-29	.02	8.0

The stockwater season of use dates on the permit range from 3/1 to 12/29; therefore, the recommendation to stay within the permitted parameters is being made.

APPROVED

MAR 23 1995



PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 73-7276

Date: 11-30-87

General Considerations:

4 Name same as permit
4 Signature the same as permit holder
4 Address change _____ If yes, a data entry sheet data prepared
Reinst Proof received after proof due date, if so see priority calculation

Source of Water:

4 Surface water
— Groundwater
 1. well log in file
 2. drilling permit
 A. amount of drilling fee paid for proposed uses

Extent of Use:

4 Same as permit
— Is a letter needed?

Rate of Diversion:

4 Amount same as permit, if no:
 Is the amount of water in same fee range?
 Has permit holder indicated when water was first put to a
 beneficial use?
 Is a letter needed?

Measuring Device:

4 Is a measuring device or access port required?
— Has one been installed?
— Waiver or modification of measuring device requested?

Remarks: - Reinstate

Priority Calculation:

Date proof received	<u>Nov. 16</u>	<u> </u>
Date proof due	<u>Nov. 1</u>	+ <u>15</u>
No. of days late		= <u>15</u>
Priority date	<u>Sept. 10, 86</u>	+ <u> </u>
NEW PRIORITY DATE	<u>Sept. 25, 86</u>	= <u> </u>

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM



United States
Department of
Agriculture

Forest
Service

Intermountain
Region

324 25th Street
Ogden, UT 84401

Reply to: 2540

Date: NOV 10 1987

RECEIVED
NOV 16 1987

Mr. R. Keith Higginson
Director
Idaho Department of Water Resources
Towers Building, 3rd Floor
450 West State Street
Boise, ID 83720

Department of Water Resources

Dear Mr. Higginson:

We are enclosing the completed Proof of Beneficial Use Forms on Application for Permit Nos. 43-7276 and 43-7277.

Thank you for your assistance.

Sincerely,

J. S. Tixier
for J. S. TIXIER
Regional Forester

Enclosures 2

RECEIVED

FEB 29 1988



November 3, 1987

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

LAPSE NOTICE

RE: Permit No. 43-7276

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218a, Idaho Code, the above referenced water permit has lapsed. This office did not receive either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time. You were provided the proper forms in our proof due notice to you dated August 31, 1987.

Your permit cannot be reinstated unless you submit proof of beneficial use or submit an extension of time request showing reasonable cause for delay. Either the completed proof of beneficial use submittal (including the examination fee or a completed field examination report) or the extension request form together with the \$15 fee must be received by this Department within sixty days of the date of mailing of this lapse notice.

A proof of beneficial use form and a request for extension of time form are again enclosed for your use. 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 governmental agency or by litigation which might bring title to the water in question.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

Enclosures

MICROFILMED

FEB 29 1988

RECEIVED BY FAX
11-13-1987
Rita Clark

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

CERTIFIED MAIL
August 31, 1987

138947

PROOF DUE NOTICE

RE: Permit No. 43-7276

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, 1987. (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 completed 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, or the permit will no longer be of any force nor effect.

Sincerely,

RITA FLECK
Secretary/Records Manager

Enclosures

RECEIVED

FEB 29 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

- - - - -

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
OCTOBER 31, 1986

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

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 43-7276

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH 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 THE STATEMENT OF BENEFICIAL USE FORM THAT MUST BE SUBMITTED WHEN YOUR PROJECT IS COMPLETED.

SINCERELY,

GARY SPACKMAN
SUPERVISOR, WATER ALLOCATION SECTION

GS: SC
ENCLOSURES

RECEIVED
OCT 31 1986

SOUTH IDAHO PRESS
BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
STATE OF IDAHO) ss.

Marge Barendregt being first
duly sworn, deposes and says that...he is the

Clerk of the South Idaho
Press, a daily newspaper published at Bur-
ley, Idaho, in the county aforesaid and that
the paper is of general circulation therein.
Deponent further states that the printed no-
tice attached hereto was duly published
according to law in the regular editions of

The South Idaho Press for two (2)
consecutive weeks, commencing with the issue
dated Oct 2 1986, and ending
with the issue dated Oct 9 1986

Marge Barendregt

Subscribed and sworn to before me
this 20th day of Oct

1986

Sally Staker Notary Public

Cost of Publication 29.04
Notary Fee 1.00
Total Cost 29.04

RECEIVED

OCT 22 1986

Department of Water Resources
Southern Region Office

86-279

NOTICE OF APPLICATION
FOR WATER RIGHT

The following application(s) have been fil-
ed to appropriate the public waters of the
State of Idaho:

43-7276

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

Source: MORTENSON SPRING, 1/4 Sec 14
T 14S R 28E SENW NWSW Sec 18 T 14S R
29E SWNE NWNW SWSE SESE Sec 19 T 14S R
29E SWNW Sec 20 T 14S R 29E NENE SWNE
NWNW NESW Sec 20 T 14S R 29E

8 miles N and 1.4 miles E of Mortenson
Use: STOCKWATER (0.010 CFS)
STOCKWATER (0.010 CFS)
STOCKWATER (0.010 CFS)
WILDLIFE (0.010 CFS)
Date Filed: 09/10/1986

In: SESE Sec 13 T 14S R 28E SWNW Sec 24
T 14S R 28E SENW NWSW Sec 18 T 14S R
29E SWNE NWNW SWSE SESE Sec 19 T 14S R
29E SWNW Sec 20 T 14S R 29E NENE SWNE
NWNW NESW Sec 20 T 14S R 29E

The permit(s) will be subject to all prior
water rights. Protests must be filed with
the Director, Dept. of Water Resources,
Southern Region, 1041 Blue Lakes Blvd. N.
Twin Falls, Idaho 83301 on or before Oc-
TOBER 20, 1986.

Kan Duan, Dir.

Published in the South Idaho Press on Oc-
tober 7 and 9, 1986.

OK
MB
10/22/86

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd N.
Twin Falls, Idaho 83301
(208) 734-3578

SEPTEMBER 12, 1986

South Idaho Press
P.O. Box 190
Burley, Idaho 83318

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. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. 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 OCTOBER 26, 1986.

Yours truly,

Mary A. Baldwin
Secretary/Office Coordinator

Encl.

RECEIVED

NOTICE OF APPLICATION FOR WATER RIGHT

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

43-727E

U.S. DEPT. OF AGRI.

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

Source: MORTENSON SPRING trib. to MEADOW CREEK

Diversion Pt: SESWNW Sec 24 T 14S R 28E; 8 miles N and 14 miles E of Malta, ID.

Use: STOCKWATER	(0.010 CFS)
STOCKWATER	(0.010 CFS)
STOCKWATER	(0.010 CFS)
WILDLIFE	(0.010 CFS)

Date Filed: 09/10/1986

In: SESE Sec 13 T 14S R 28E SWNW Sec 24 T 14S R 28E SENW NWSW
Sec 18 T 14S R 29E SWNE NWNW SWSE SESE Sec 19 T 14S R 29E SWNW
Sec 20 T 14S R 29E NENE SWNE NWNW NESW Sec 29 T 14S R 29E

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Southern Region, 1041 Blue Lakes Blvd. N. Twin Falls, Idaho 83301 on or before OCTOBER 20, 1986.

KEN DUNN, Dir.

Published 10/02 & 10/09/86.

RECEIVED

86-279

**NOTICE OF APPLICATION
FOR WATER RIGHT**

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

43-7276

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

Source: MORTENSON SPRING trib. to
MEADOW CREEK

Diversion Pt: SESWNW Sec 24 T 14S R 28E;
8 miles N and 14 miles E of Malto, ID.

Use: STOCKWATER (0.010 CFS)

STOCKWATER (0.010 CFS)

STOCKWATER (0.010 CFS)

WILDLIFE (0.010 CFS)

Date Filed: 09/10/1986

In: SESE Sec 13 T 14S R 28E SWNW Sec 24
T 14S R 28E SENW NWSW Sec 18 T 14S R
29E SWNE NWNW SWSE SESE Sec 19 T 14S R
29E SWNW Sec 20 T 14S R 29E NENE SWNE
NWNW NESW Sec 29 T 14S R 29E

The permit(s) will be subject to all prior
water rights. Protests must be filed with
the Director, Dept. of Water Resources,
Southern Region, 1041 Blue Lakes Blvd. N.
Twin Falls, Idaho 83301 on or before OC-
TOBER 20, 1986.

Ken Dunn, Dir.

Published in the South Idaho Press on Oc-
tober 2 and 9, 1986.

SEP 22 1986

Depar

OK
MB
9/22/86