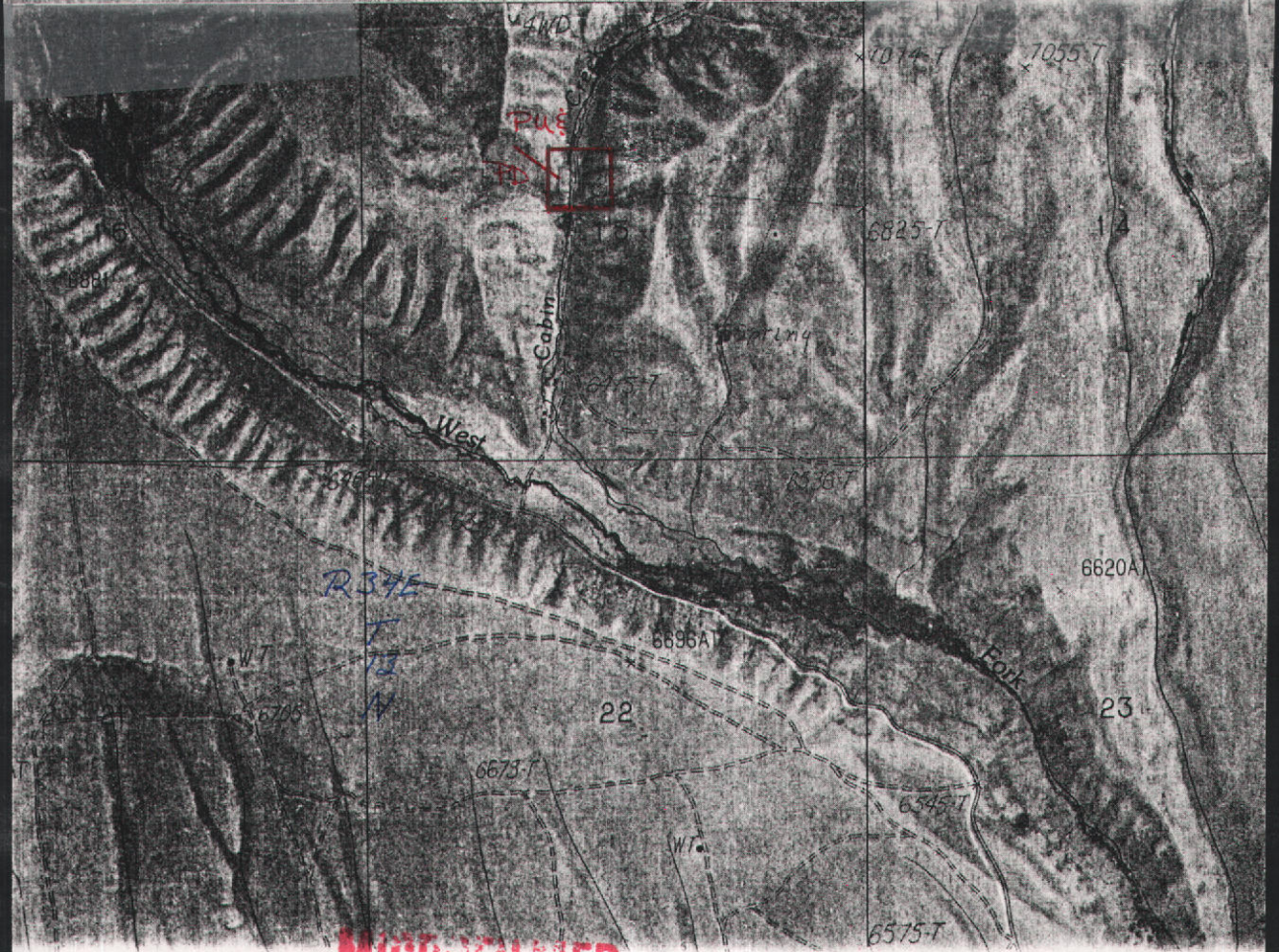
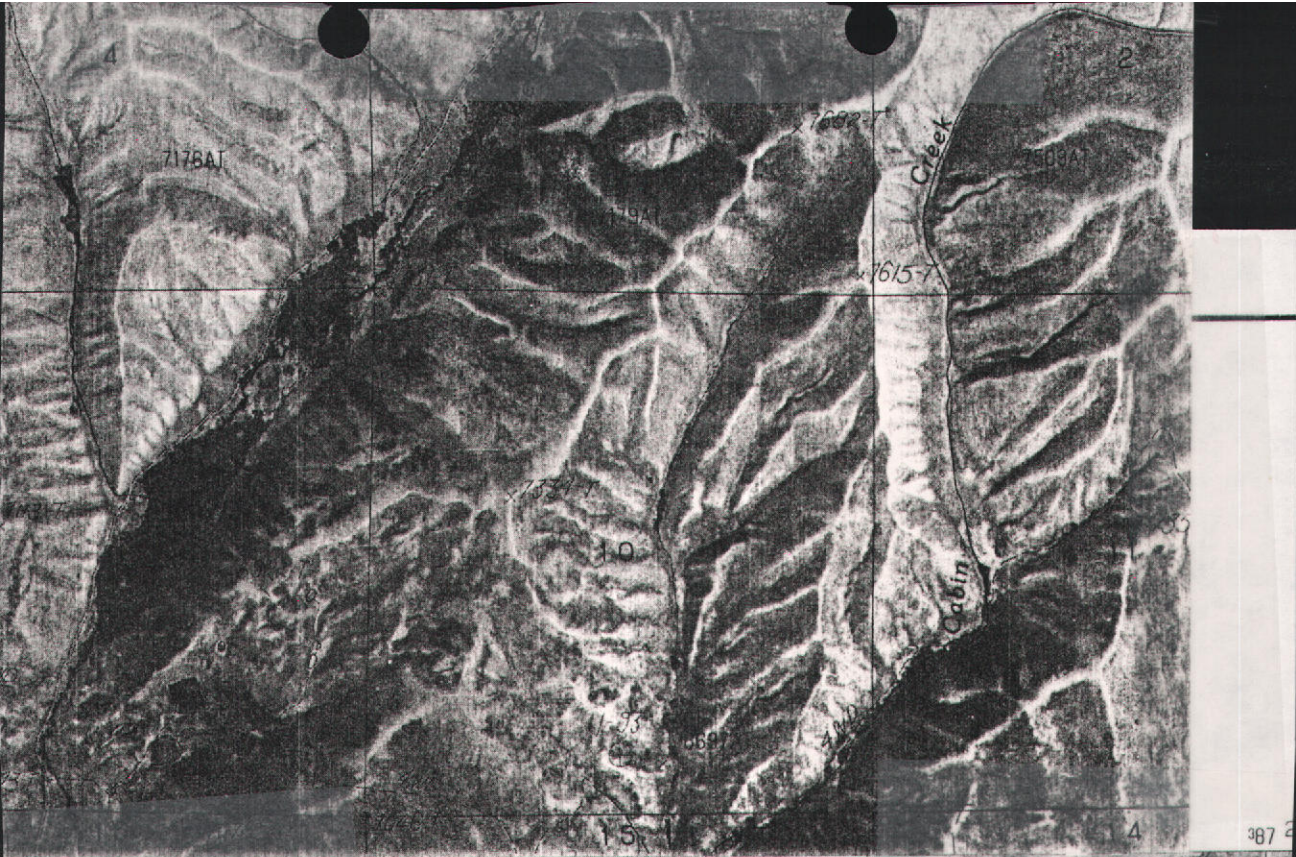




MICROFILMED

MEMORANDUM

TO: FILE NO. 31-07527

FROM: PAM SKAGGS/STATE OFFICE

SUBJECT: RIGHT RENUMBERED

DATE: May 22, 1995

=====

This right was originally numbered 31-07527. Review of this right found that the diversion actually is located within basin 32. Right No. 31-07527 has been renumbered to 32-07242.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

1032-07242
31-7527
MICROFILMED
APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant United States of America - Forest Service Phone 208-624-3151
Post office address 420 N. Bridge St.- St. Anthony, Idaho 83445
2. Source of water supply Millfork Spring which is a tributary of Middle Creek
3. Location of point of diversion is NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of NW $\frac{1}{4}$, Govt. Lot _____
Sec. 15 Township 13N Range 34E B.M. Clark County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount .02 CFS for Stockwater purposes from 6/15 to 10/30 (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) .02 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. headbox, 1 1/2" plastic pipe, and trough
 - 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
2 years (minimum 1 year).

MICROFILMED

AUG 18 1989

MICROFILMED

applicant to make this filing.

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

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

Total number of acres to be irrigated.

[illegible]

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

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

9. Description of place of use:

e. Other; describe fully. -

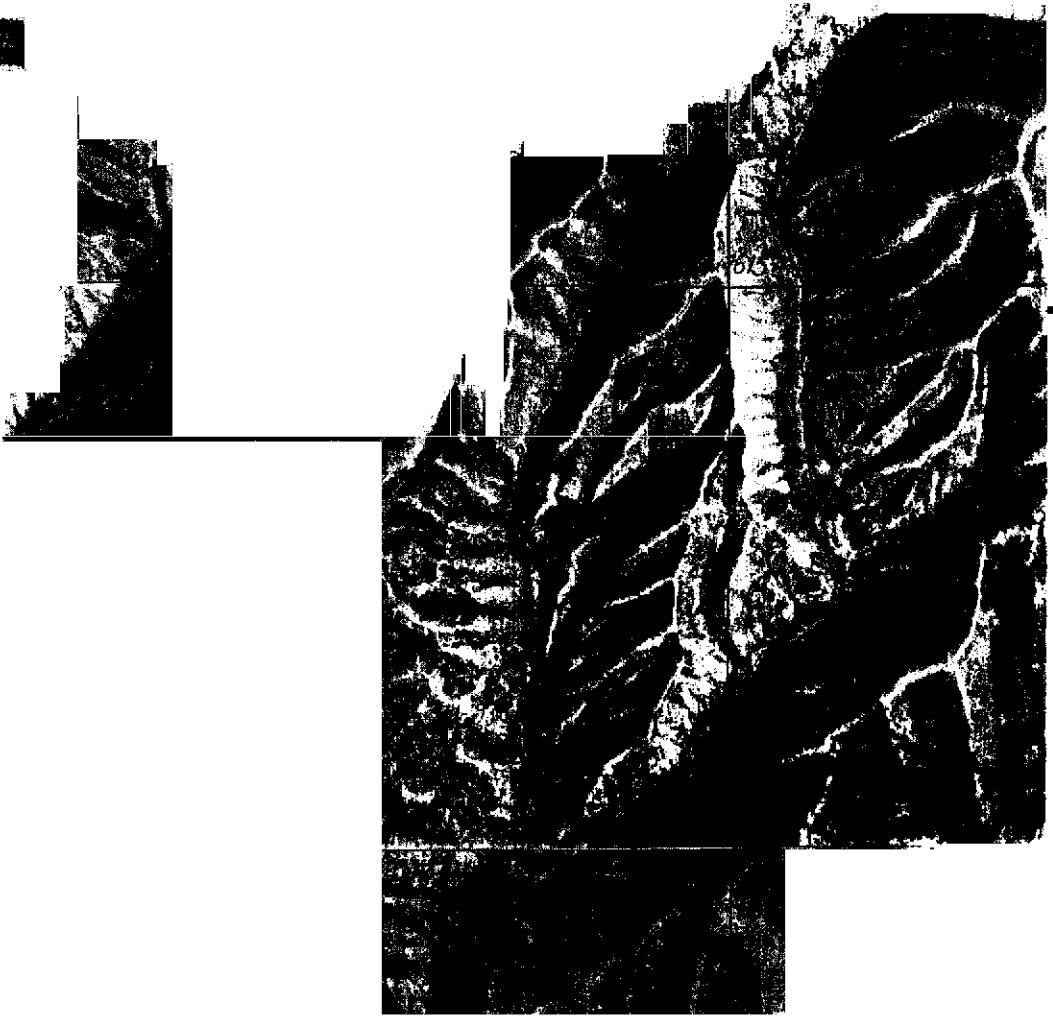
d. Domestic; show number of households.

c. Municipal; show name of municipality.

b. Stockwatering, list number and kind of livestock. 159 cattle - 1200 sheep plus lambs

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

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

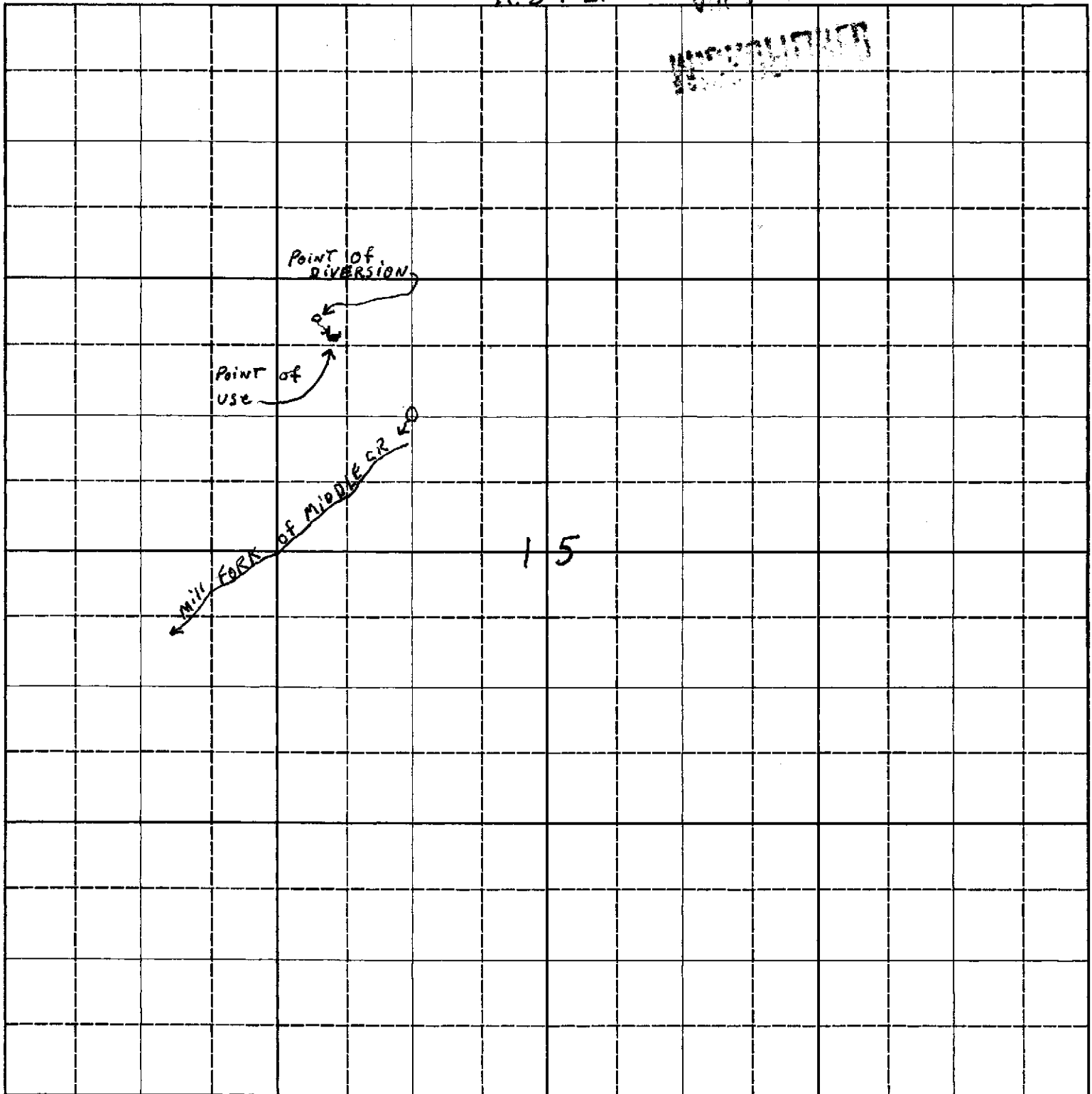


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

R. 34 E.

40P 18 1989

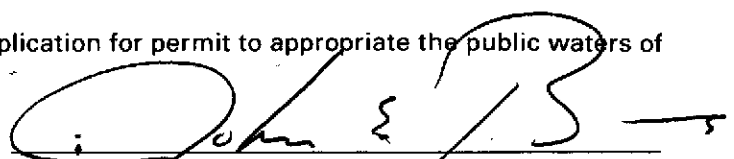
RECEIVED



Scale: 8 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.

AUG 18 1989


(Applicant)
(for) J.S. Tixier, Regional Forester

Proposed Priority 3/3/89

Received by RB Fee \$ \$30.00

Publication prepared by RB Date 4-21-89 Published in Boat Magazine

Publication approved QW Date 5-24-89

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. 31-7527, 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

July 1, 19 91

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: Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.
Use of water under this permit is subject to control by the watermaster of State Water District No. 32-C, Medicine Lodge Creek.

Witness my hand this 15th day of June, 1989.

D. M. Sauter

MICROFILMED
AUG 18 1989

**NOTICE OF APPLICATION
FOR WATER RIGHT**

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

31-07526

U.S. DEPT. OF AGRICULTURE
FOREST SERVICE
FEDERAL BLDG.
324 25TH ST.

OGDEN, UT 84401

Source: HIGH SPRING; Tributary:
MINERS CREEK

Diversion Pt: SESESE Sec 31 T 14N R 37E

Use: STOCKWATER (.020 CFS)

Date Filed: 3/03/1989

In: T13N R37E S06 NWNE

31-07527

U.S. DEPT. OF AGRICULTURE
FOREST SERVICE
FEDERAL BLDG.
324 25TH ST.

OGDEN, UT 84401

Source: MILLFORK SPRING; Tributary:
MIDDLE CREEK

Diversion Pt: NWSNW Sec 15 T 13N R
34E

Use: STOCKWATER (.020 CFS)

Date Filed: 3/03/1989

In: T13N R34E S15 SENW

31-07528

U.S. DEPT. OF AGRICULTURE
FOREST SERVICE
FEDERAL BLDG.
324 25TH ST.

OGDEN, UT 84401

Source: DRAW SPRING; Tributary: MID-
DLE CREEK

Diversion Pt: SWNENW Sec 20 T 13N R
34E

Use: STOCKWATER (.020 CFS)

Date Filed: 3/03/1989

In: T13N R34E S20 NENW

32-07162

U.S. DEPT. OF AGRICULTURE
FOREST SERVICE
FEDERAL BLDG.
324 25TH ST.

OGDEN, UT 84401

Source: UPPER COLE CANYON SPRING;
Tributary: COLE CANYON CREEK

Diversion Pt: SESWNE Sec 8 T 12N R 32E

Use: STOCKWATER (.020 CFS)

Date Filed: 3/03/1989

In: T12N R32E S08 SWNE

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, 150 Shoup Ave., Suite 15, Idaho
Falls, Idaho 83402 on or before MAY 22,
1989.

R. Keith Higginson, Director

Published: May 4, 11, 1989

MINUTEMAN

AUG 18 1989

Proof of Publication
The Post-Register

RECEIVED

MAY 17 1989

Department of Water Resources
Eastern District Office

State of Idaho, }
County of Bonneville } ss

I, ... Ted Delezene ..., first being duly sworn, depose and say: That I am the
... Foreman ... of The Post Company, a corporation of Idaho Falls, Bonneville
County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily, except
Saturday, at Idaho Falls, Idaho; said Post-Register being a consolidation of the Idaho Falls Times, established in
the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903,
such consolidation being made on the 1st day of November, 1931, and each of said newspapers have been
published continuously and uninterruptedly, prior to consolidation, for more than seventy-eight (78) weeks and
said Post-Register having been published continuously and uninterruptedly from the date of such consolidation,
up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in
said Post-Register for ... two ... consecutive weeks, first publication having been made
on the ... 4th ... day of ... May ..., 19. 89., last publication
having been made on the ... 11th ... day of ... May ..., 19. 89., and that the
said notice was published in the regular and entire issue of said paper on the respective dates of publication, and
that such notice was published in the newspaper and not in a supplement.

... Ted Delezene ...
Subscribed and sworn to before me, this ... 12th day of ... May ..., 19. 89.
... Deont Napier ...
Notary Public

My commission expires ... September. 30., ..., 19. 94.

B10

MICROFILMED

AUG 18 1989

MEMORANDUM

TO: ~~FILE NO. 31-07527~~

FROM: PAM SKAGGS/²⁸STATE OFFICE

SUBJECT: RIGHT RENUMBERED

DATE: May 22, 1995

=====

This right was originally numbered 31-07527. Review of this right found that the diversion actually is located within basin 32. Right No. 31-07527 has been renumbered to 32-07242.

February 12, 1990

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

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 31-07527

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. 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 EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

MICROFILMED
MAR 05 1990

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 31-7527

Date: 2-9-90

General Considerations:

- ☒ Name same as permit
☒ Signature the same as permit holder
☒ Address change yes If yes, prepare a data entry
☒ Proof received timely
☐ Reinstated

Source of Water:

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

Extent of Use and Rate of Diversion:

- ☒ Rate of diversion appropriate for uses
☒ Is rate or volume and fee appropriate?
☒ Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

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

Remarks:

proof acceptable

Priority Calculation:

Date proof received	<u>1/90</u>	
Date proof due		
No. of days late		
Priority date		
NEW PRIORITY DATE		

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

Address yes - add box #

03/86

STATE OF IDAHO

RECEIVED

JAN - 8 1990

DEPARTMENT OF WATER RESOURCES

Department of Water Resources
 Eastern District Office
PROOF OF BENEFICIAL USE

Fee Received _____
 Date _____
 Receipt # _____
 Receipt by _____
 Reviewed by 2-2-90
 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. 31-07527Name(s) of Permit Holder: United States of America - Forest ServicePost Office Address: P.O. Box 208, 420 North Bridge Street, St. Anthony, Idaho 83445Telephone No. (208) 624-3151Source of Water: Millfork Spring

Extent of Use:

Domestic _____ (number of households) Stockwater 1200 Sheep
159 Cattle (number and type of stock)
 Irrigation _____ (acres) Other/Remark _____

Total rate and/or volume for which proof is submitted .02 cfs _____ acre-feetShow the date water was first diverted and beneficially used under this permit: 07/15/89

Measuring Device: Required? Yes X No
 Installed? Yes Yes No

Fee enclosed \$ _____
 (See License Examination Fee Schedule)

Flow Measurement Port: Required? Yes X No
 Installed? Yes Yes No

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

Keith R. Tweedie, Dubois Ranger District

(Name)

208/374-5422

(Telephone Number)

P.O. Box 46, 420 West Main, Dubois, ID 83423

(Address)

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

UNITED STATES OF AMERICA - Forest Service

MAR 05 1990

Date 1/5/90

James L. Lowell
 Signature of Permit Holder (and title, if appropriate)
 (for) J.S. TIXIER, Regional Forester

S T A T E O F I D A H O
D E P A R T M E N T O F W A T E R R E S O U R C E S

Statehouse
Boise, Idaho 83720
(208) 334-7900
June 16, 1989

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

P E R M I T A P P R O V A L N O T I C E

RE: PERMIT NO. 31-07527

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.

Please note the requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction, no later than one year from the date the permit was approved.

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 into a license.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

RECORDED

AUG 18 1989

Form No. 202a
37

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

31-7527

INITIAL REVIEW BY Dennis Dunn DATE 14 April 89 APPLICATION NUMBER _____

USA-FS

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
- 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

RECEIVED

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested MAY 21 1989

Department of Water Resources

PROCESSING

☒ Yes ☐ No Inform 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 5-22-89
☒ 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. 32-C
☐ Yes ☐ No Special conditions of approval or cover letter below. _____

Date of priority recommended _____ ☐ See below for additional information
By HWS Date 3-03-1989
Date 5-25-89

STATE OFFICE REVIEW

P17 26 05(32-C, Medicine Lodge
CK)
By KW ☐ See below for additional information
Date 6-12-89

ADDITIONAL INFORMATION

App. in TRUST area-DCMI
OK to allow 2 yrs. to develop

April 24, 1989

U.S. Dept. of Agriculture
Forest Service
Federal Bldg.
324 25th St.
Ogden, UT 84401

RE: Applications for Permit No.'s 31-7526, 31-7527, 31-7528, &
32-7162

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. The application has been assigned the above identification No. Please refer to this number in all further correspondence.

This office is currently in the process of advertising the application in the Post-Register. The advertisement will be published for two consecutive weeks, and 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.

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

MICROFILMED

AUG 18 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region
150 Shoup Ave., Suite 15

Idaho Falls, Idaho 83402
(208) 525-7161

APRIL 21, 1989

THE POST-REGISTER
P.O. BOX 1800
IDAHO FALLS, ID 83403

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 MAY 22, 1989.

Yours truly,

Rita Bodell
Secretary

Encl.

MICROFILMED

AUG 18 1989

NOTICE OF APPLICATION FOR WATER RIGHT

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

UNRECORDED

AUG 18 1989

31-07527

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

Source: MILLFORK SPRING

Tributary: MIDDLE CREEK

Diversion Pt: NWSNW Sec 15 T 13N R 34E

Use: STOCKWATER (.020 CFS)

Date Filed: 3/03/1989

In: T13N R34E S15 SENW

MICROFILMED

AUG 18 1989

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, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before MAY 22, 1989.

R. Keith Higginson, Director

Published 5/04/1989 & 5/11/1989

MICROFILMED

AUG 18 1989