

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

32-7162

Ident. No.

APPROVED

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 Upper Cole Canyon Spring which is a tributary of Cole Canyon Creek
3. Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of NE $\frac{1}{4}$, Govt. Lot _____
Sec. 8 Township 12N Range 32E 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 7/01 to 10/31 (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 CFS and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. headbox w/200 feet of 1 1/2" plastic pipe
into a 14'x4'x3' 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

* As per telephone conversation 14 April 1989 8:30 Am DMO

DECLASSIFIED

applicant to make this filing.

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. 1669 cattle

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

T.
12
N.

Scale: 8 in.

B
th


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

Proposed Priority 3/3/89

Received by *RB*

Date 3-3-89

Time 2:20

Preliminary check by *DMJ*

Received by *RB*

Date 3-3-89

E005965

Date 3-3-89

Published in *West-Register*

Publication prepared by *RB*

Publication approved *RB*

Date 5-25-89

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. 32-7162

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.

A. Alan Saylor

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

MICROFILMED

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.

Subscribed and sworn to before me, this 12th day of May, 19. 89.

Ted Delezene
Robert A. Papia
Notary Public

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

B10

ORIGINAL FILED

MICROFILMED

AUG 18 1989

February 12, 1990

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

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 32-07162

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

RECORDED
INDEXED

MAR 21 1990

1/80

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 32-7162

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
NA 1. well log in file
NA 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:

NO 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>NA</u>	_____
Date proof due	_____	_____
No. of days late	_____	_____
Priority date	_____	_____
NEW PRIORITY DATE	_____	_____

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

Address Change

RECEIVED

STATE OF IDAHO

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. 32-07162

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

Post Office Address: P.O. Box 208, 420 North Bridge Street, St. Anthony, Idaho 83445

Telephone No. (208) 624-3151

Source of Water: Upper Cole Canyon Spring

Extent of Use:

Domestic _____ (number of households) Stockwater 1669 Cattle (number and type of stock)
Irrigation _____ (acres) Other/Remark _____

Total rate and/or volume for which proof is submitted .02 cfs _____ acre-feet

Show 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 developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

UNITED STATES OF AMERICA - Forest Service

MICROFILMED

MAR 21 1990

Date

1/5/90

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. 32-07162

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

MICROFILMED
AUG 18 1989

ID No. 202a
87STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

32-7162

INITIAL REVIEW BY James 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

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested

MAY 31 1989

RECEIVED
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
☒ Idaho Dept. of Fish & Game
☐ Idaho Dept. of Lands
☐ Adjudication Bureau Unit
☐ U.S. BLM
☐ U.S. Forest Service
☐ Water District
☐ 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 _____

By HLW

☐ See below for additional information

3-03-89

Date 5-29-89

STATE OFFICE REVIEW

P17 2605(32-C, Medicine Lodge Ck.)

By _____

kw

☐ See below for additional information

Date 6-12-89

ADDITIONAL INFORMATION

App. in TRUST area - DCM I
OK to allow 2 yrs. for development



IDAHO FISH & GAME

REGION 6
1515 Lincoln Road
Idaho Falls, ID 83401
(208) 522-7783

May 18, 1989

Mr. Harold W. Jones
Department of Water Resources
150 Shoup Avenue-Suite 15
Idaho Falls, Idaho 83402

RE: Applications for Permit No. 31-7526, 31-7528, 32-7162, 32-7163, 73-7109, 73-7110, 73-7111.

Dear Harold:

All the above referenced water right applications are for spring developments for livestock water on Targhee National Forest. We foresee no conflict with wildlife and request that the springs be fenced to protect them from livestock damage and provide wildlife water and habitat.

Thank you for the opportunity to review the applications.

Sincerely,

Herbert A. Pollard II
Regional Supervisor
Region 6

HAP:TC:dnb

cc: U.S. Fish and Wildlife Service (Lobdell)
Bureau of Program Coordination
Bureau of Wildlife

Cecil D. Andrus / Governor
Jerry M. Conley / Director



Working for wildlife since 1938

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AUG 18 1989

RECEIVED

MAY 19 1989

Department of Water Resources
Eastern District Office

April 26, 1989

Department of Fish & Game
1515 Lincoln Rd.
Idaho Falls, ID 83401

RE: Applications for Permit No. 31-7526, 31-7528, 32-7162,
32-7163, 73-7109, 73-7110, 73-7111

Dear Sir:

This office is currently in the process of publishing notice that the above application for permit was filed with the Department of Water Resources. Since the application may be of interest to you, a copy is enclosed for your examination. Comments concerning the application should be addressed to the applicant with a copy forwarded to this office. Protests objecting to granting a permit should be directed to this Department and received by May 22, 1989. Final action will be taken by this office shortly after this date, provided there are no protests lodged against the applications.

Respectfully submitted,

Harold W. Jones
Water Rights Supervisor

HWJ/rb
Enclosure

MICROFILMED

AUG 18 1989

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:

MICROFILMED

AUG 18 1989

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

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

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AUG 18 1989