

11. 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

Ten v Russell
(for) J. S. TIXIER (Applicant) Regional Forester

MICROFILMED

Proof of Publication
The Post-Register

RECEIVED
SEP 30 1985
Department of Water Resources
Eastern District Office

State of Idaho, {
County of Bonneville { ss.

I, J. Robb Brady, first being duly sworn, depose and say: That I am the Principal Clerk 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 having been published continuously and uninterruptedly, prior to consolidation, for more than seventy-eighty (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 19th day of September, 1985, last publication having been made on the 26th day of September, 1985, 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 27th day of September, 1985.

Notary Public

My commission expires September 30, 1988.

B10, 1M,

NOTICE OF APPLICATION
FOR WATER RIGHT

The following applications have been filed to appropriate the public waters of the State of Idaho and are being readvertised to allow evaluation of the public interest criteria under Section 42-203C, Idaho Code.

32-7142

U.S. DEPT. OF AGR.
FOREST SERVICE, FEDERAL BLDG., 324
25th STREET, OGDEN, UT, 84401

Source: WARM SPRINGS CREEK trib. to
CROOKED CREEK

Date Filed: 11/30/1984

Diversion Pt.: NENE SWNE SENE SESW
NWSE SWSE Sec 25 NENW SWNW SENW
Sec 36 T 11N R 32E

Use: INSTREAM STOCKWATER (0.0250 cfs)
RECREATION (0.0250 cfs)

In: NENE SWNE SENE SESW NWSE SWSE
Sec 25 NENW SWNW SENW Sec 36 T 11N R
32E

The permit(s) will be subject to all prior water rights. Protests are limited to the public interest criteria under Section 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 October 7, 1985.

KEN DUNN
Director

Published: September 19, 26, 1985

MICROFILMED

Proof of Publication
The Post-Register

RECEIVED
JUL 29 1985
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 having been published continuously and uninterruptedly, prior to consolidation, for more than seventy-eighty (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 18th day of July, 1985, last publication having been made on the 25th day of July, 1985, 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 26th day of July, 1985.

Ted Delezene
Deon K. Napier
Notary Public

My commission expires September 30, 1988.

B10, 1M,

**NOTICE OF AMENDED APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Application for Permit No. 32-7142 in the name of United State of America, Forest Service was filed for the diversion of 0.05 cfs of water from Warm Springs tributary to Crooked Creek, with point of diversion within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 25, T. 11N, R. 32E, B.M., Clark County; to be used from 3-31 to 12-31 for instream stockwater of 12 horses and 180 beef cattle and from 1-1 to 12-31 for recreational purposes within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 25, T. 11N, R. 32E, B.M.

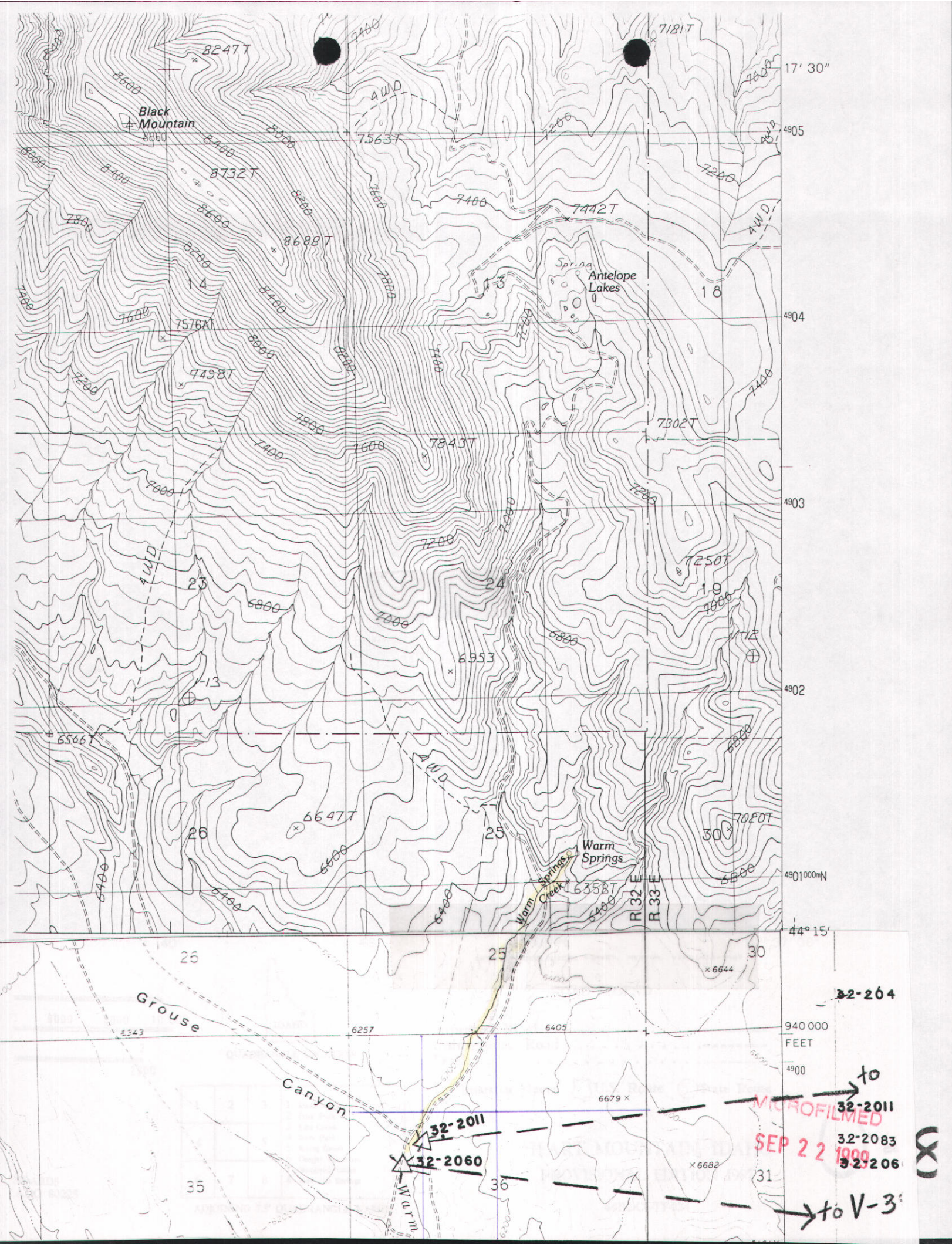
The applicant now proposes to amend Application No. 32-7142 changing the point of diversion to within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 25, NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 36, T. 11N, R. 32E, B.M. and changing the place of use to within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 25, NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 36, T. 11N, R. 32E, B.M.

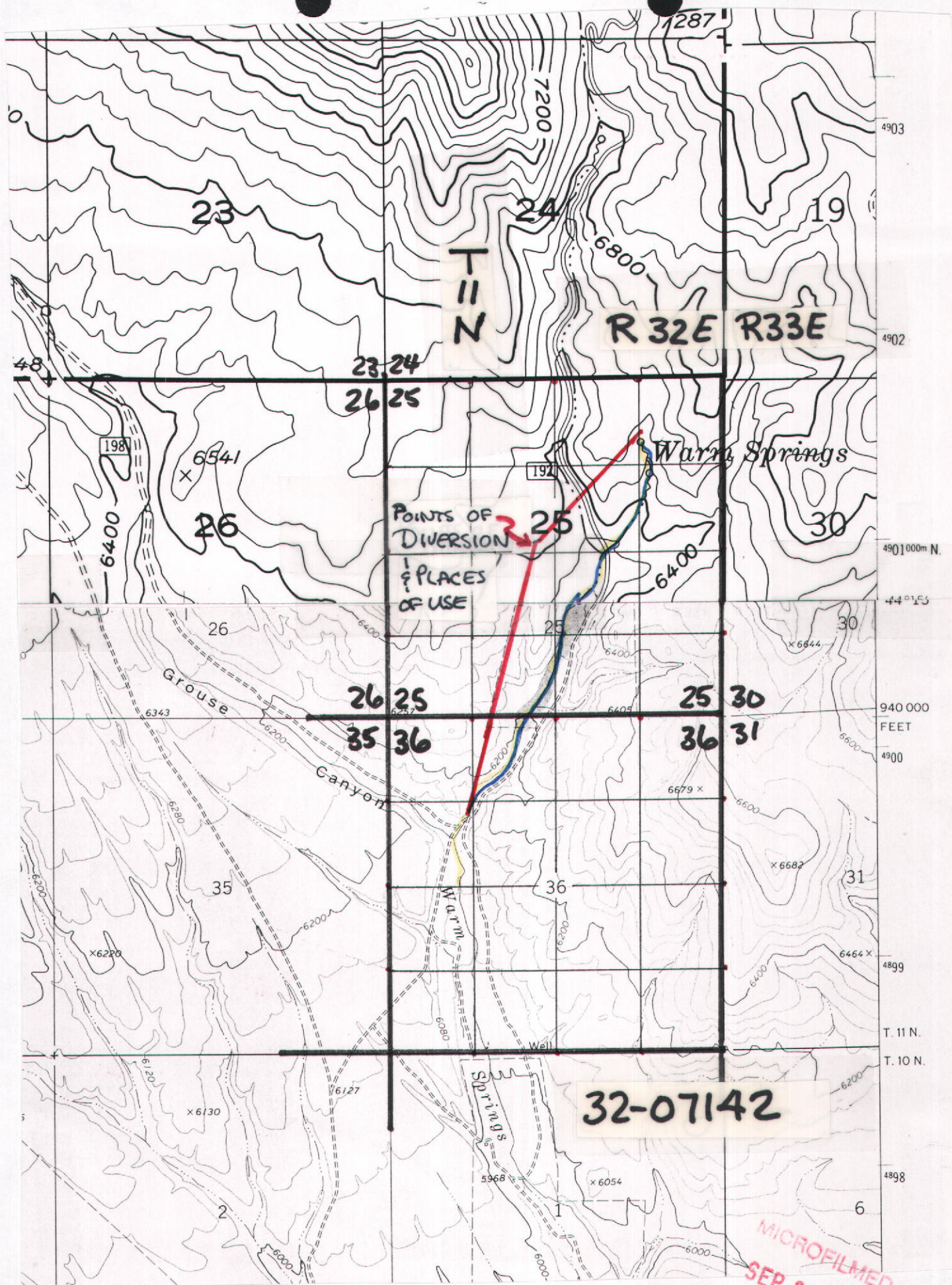
Any protest to the proposed amending of this application must be filed with the Idaho Department of Water Resources, 150 Shoup, Suite 15, Idaho Falls, ID 83402, on or before August 5, 1985.

A. KENNETH DUNN
Director

Published: July 18, 25, 1985

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T 11 N

R 32 E R 33 E

Warm Springs

POINTS OF
DIVERSION
PLACES
OF USE

Grouse
Canyon

32-07142

MICROFILMED
SEP 22 1999

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 32-07142

Priority: January 22, 1985

Maximum Diversion Rate:

0.03 CFS

Maximum Diversion Volume:

2.6 AF

This is to certify, that US DEPT OF AGRICULTURE

FOREST SERVICE

FEDERAL BLDG

324 25TH STREET

OGDEN UT 84401

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated November 30, 1984; and has submitted Proof of Beneficial Use on January 23, 1987. An examination indicates that the works have a diversion capacity of 0.030 cfs of water from:

WARM SPRINGS CREEK

tributary to **CROOKED 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	03/31 to 12/31	0.03 CFS	2.6 AF

LOCATION OF POINT(S) OF DIVERSION:

Beginning of Stream Flow Reach

SENE , Sec. 25, Township 11N, Range 32E

End of Stream Flow Reach

SWNW , Sec. 36, Township 11N, Range 32E

CLARK County

PLACE OF USE: STOCKWATER

TWN RGE SEC

11N 32E 25

SWNE

SENE

SESW

NWSE

SWSE

36

NENW

SWNW

CONDITIONS OF APPROVAL AND REMARKS

1. This right, when considered with all other rights common to the same grazing allotment, is limited to the quantity of water beneficially used by the number of stock within the allotment.
2. Use of water under this right is for instream stockwatering.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Signed and sealed this 26th day of

AUGUST, 1987.

MODIFIED
SEP 22 1989


KARL J. DREHER, Director

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 32-7142 IN THE NAME)
UNITED STATES OF AMERICA, 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 December 1, 1986; and,

WHEREAS, the Department has 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 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 January 23, 1987;

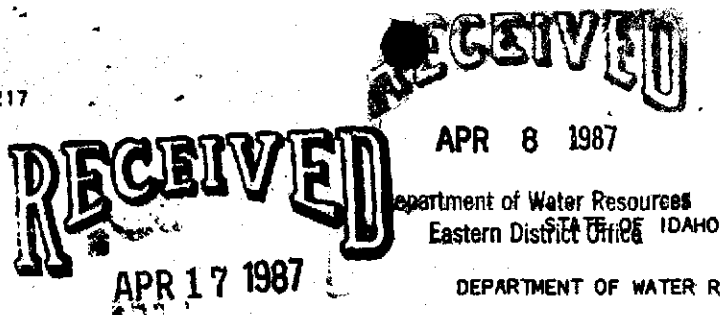
IT IS, THEREFORE, HEREBY ORDERED that Permit No. 32-7142 be REINSTATED and the priority advanced to January 22, 1985.

Dated this 6th day of May, 1987.

RECORDED

JUL 02 1987

J. Glen Saxton
Chief, Operations Bureau



For Office Use Only
Fee Received None
Date 5/19/87
Receipt # 101
Receipt by [Signature]
Reviewed by [Signature]
Sent to region [Signature]

Department of Water Resources

PROOF OF BENEFICIAL USE

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. 32-7142

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: Warm Springs Creek

Extent of Use:

Domestic (number of households) Stockwater 12 horses (number and type of stock)
Irrigation (acres) Other/Remark 180 beef cows
Recreational

Total rate and/or volume for which proof is submitted 0.04 cfs acre-feet

Show the date water was first diverted and beneficially used under this permit: 5-4-85

Measuring Device: Required? Yes ☒ No
Installed? Yes ☒ No
Fee enclosed \$ 50.00 - NO Fee Requ.
(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:

Grant Thorson, District Ranger

(208) 374-5422

(Name)

(Telephone Number)

Dubois, ID 83423

JUL 02 1987

(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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

AMENDED

AMENDED

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant United States of America, Forest Service Phone 801-625-5365
Post office address 324 25th Street, Ogden, Utah 84401

2. Source of water supply Warm Springs Creek which is a tributary of Crooked Creek

3. Location of point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 25 Township 11N
Range 32E B.M. Clark County, additional points of diversion if any: _____

Also see item 8b

4. Water will be used for the following purposes:

Allow 0.03* instream
Amount --025-- for livestock purposes from 3/31 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Allow 0.03*
Amount --025-- for recreational purposes from 1/1 to 12/31 (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)

5. Total quantity to be appropriated: *kw 11/5/85

a. 0.05 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. water will not be diverted from stream. Use will occur directly from stream.

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

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

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 — maximum 5 years).

8. Description of proposed uses: See item 8b

a. If water is not for irrigation:

(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered 12 horses, 180 beef cows

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____.

(5) If water is to be used for other purposes describe: _____

MICROFILMED

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

Total number of acres to be irrigated

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

9. a. Who owns the property at the point of diversion
United States of America

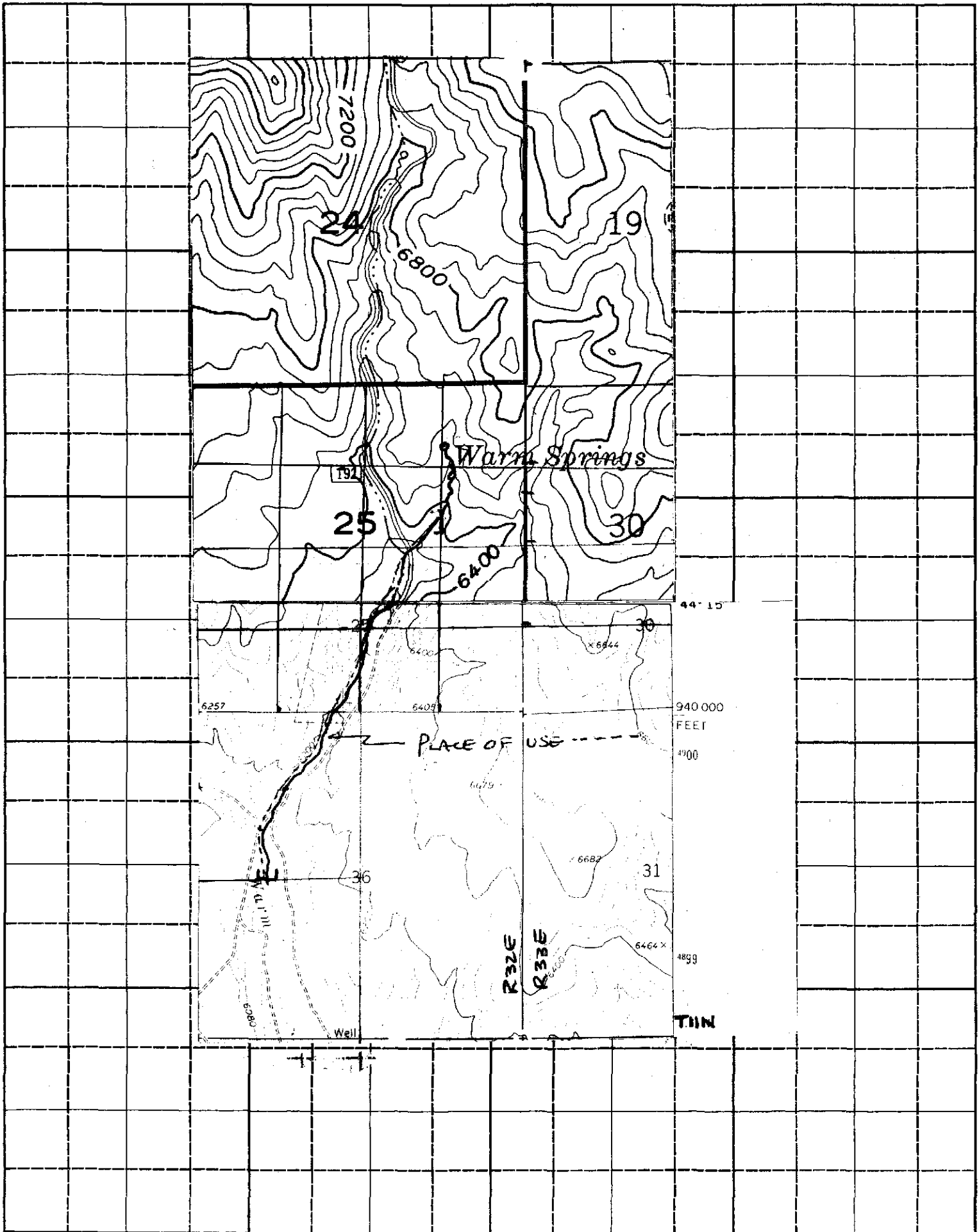
b. Who owns the land to be irrigated or place of use

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

applicant to make this filing

10. Remarks	Points of diversion and place of use are the same.
-------------	--

11. 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.

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

Len V Russell
(for) J. S. TIXIER (Applicant) Regional Forester

MICROFILMED

Proposed Priority 11/30/84

Ass't. by GFR.
original rec'd
Received by 11/30/84

Date 11-30-84 Time

Preliminary check by Fee \$ #30.00 #34349 - 11/30/84
#20.00 #33366

Received by Date 6-25-85

Publication prepared by Date 7-10-85

Published in Date 7-18-85

Publication dates Re. ad. 9/19 + 9/29/85

Publication approved Date 7-30-85 10-01-85

Protests filed by: none

Copies of protests forwarded by

Hearing held by Date

Recommended for approval denial by EMO KCU

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. 32-7142, 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 December 1, 1985.

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. Other:

Witness my hand this 12th day of November, 1985.

R. Allen Taylor
Chief, Operations Bureau

MICROFILMED

Proof of Publication The Post-Register

Department of State, Boise, Idaho
Eastern District Office

State of Idaho, }
County of Bonneville } ss.

I, J. Robb Brady, first being duly sworn, depose and say: That I am the Principal Clerk 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 having been published continuously and uninterruptedly, prior to consolidation, for more than seventy-eighty (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 19th day of September, 1985, last publication having been made on the 26th day of September, 1985, 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 27th day of September, 1985.

[Signature]
Notary Public

My commission expires September 30, 1988.

B10, 1M,

**NOTICE OF APPLICATION
FOR WATER RIGHT**
The following applications have been filed to appropriate the public waters of the State of Idaho and are being readvertised to allow publication of the public interest in such application 42-200C, Idaho Code, Section 32-7102.
U.S. DEPT. OF AGRICULTURE
FOREST SERVICE, FEDERAL BLDG., 224
236 STREET, OGDEN, UTAH 84401
Source: WAHLE SPRING CREEK, which is
CROOKED CREEK
Date Filed: 11/30/1984
Diversion Pt.: NENE SWNE SENE SENE
NWSE SWNE Sec 25 NENW SWNW SENE
Sec 16 T11N R 32E
Use: IRRIGATION STOCK WATER (0.025 cfs)
RECREATION (0.025 cfs)
In NENE SWNE SENE SENE SENE
Sec 25 NENW SWNW SENE Sec 16 T11N R 32E
The permit shall be subject to the prior water right claims and limited to the public interest in such application 42-200C, Idaho Code. Provisions for filing with the Director, Dept. of Water Resources, 500 State Ave., Suite 14, Idaho Falls, Idaho 83402 on or before October 1, 1985.
KEN DUNN
Director
Published September 19, 26, 1985.

MICROFILMED

Proof of Publication
The Post-Register

State of Idaho,
County of Bonneville

ss.

JUL 15 1985
DEPARTMENT OF REVENUE
POSTAL SERVICE

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 having been published continuously and uninterruptedly, prior to consolidation, for more than seventy-eighty (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 18th day of July, 1985, last publication having been made on the 25th day of July, 1985, 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 26th day of July, 1985.

Ted Delezene
Leon R. Napier
Notary Public

My commission expires September 30, 1988.

B10, 1M,

**NOTICE OF AMENDED APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Application for Permit No. 32-7142, in the name of United State of America, Forest Service, was filed for the diversion of 0.02 cfs of water from Warm Springs tributary to Crooked Creek, with point of diversion within the SE 1/4 Sec. 25, T. 11N, R. 32E, 34M, Blaine County, to be used from 3-31 to 12-31 for minimum stockwater of 12 horses and 180 beef cattle and from 1-1 to 12-31 for seasonal purposes within the SE 1/4 Sec. 25, T. 11N, R. 32E, 34M.

The applicant hereby requests to amend Application No. 32-7142, changing the point of diversion to within the SE 1/4 NE 1/4, SE 1/4 SW 1/4, W 1/2 SW 1/4, Sec. 25, NE 1/4 NW 1/4, SW 1/4 NW 1/4, Sec. 36, T. 11N, R. 32E, 34M, and changing the place of use to within the NE 1/4 NE 1/4, SE 1/4 NE 1/4, SE 1/4 SE 1/4, Sec. 25, NE 1/4 NW 1/4, SW 1/4 NW 1/4, Sec. 36, T. 11N, R. 32E, 34M.

Any protest to the proposed amending of this application must be filed with the Idaho Department of Reclamation, Boise, Idaho, before the 10th day of August, 1985.

EX-100
RECEIVED
JUL 16 1985
IDAHO DEPARTMENT OF RECLAMATION
BOISE, IDAHO

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Amend

VOID

To appropriate the public waters of the State of Idaho

1. Name of applicant United States of America, Forest Service Phone (801) 625-5365
Post office address 324 25th Street Ogden, Utah 84401
2. Source of water supply Warm Springs which is a tributary of Crooked Creek
3. Location of point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 25 Township 11N
Range 32E B.M. Clark County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .025 for instream purposes from March 31 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum) livestock
Amount .025 for recreational purposes from Jan. 1 to Dec. 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)

5. Total quantity to be appropriated:

a. .05 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Water will not be diverted from
stream. Use will occur directly from stream.

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir
capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

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

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

use is one years (minimum 1 year — maximum 5 years). *As per telecon 1-9-85 Bryant Christensen USFS*

8. Description of proposed uses:

a. If water is not for irrigation:
(1) Give the place of use of water: SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 25 Township 11N

Range 32E B.M. SE $\frac{1}{4}$ + SW $\frac{1}{4}$ Sect 25 AND NW $\frac{1}{4}$ Sect 36

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered 12 horses and 180 head of beef cattle

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____.

(5) If water is to be used for other purposes describe: The Warm Springs is used periodically
throughout the year by the public at their own risk as a swimming place and
picnic site.

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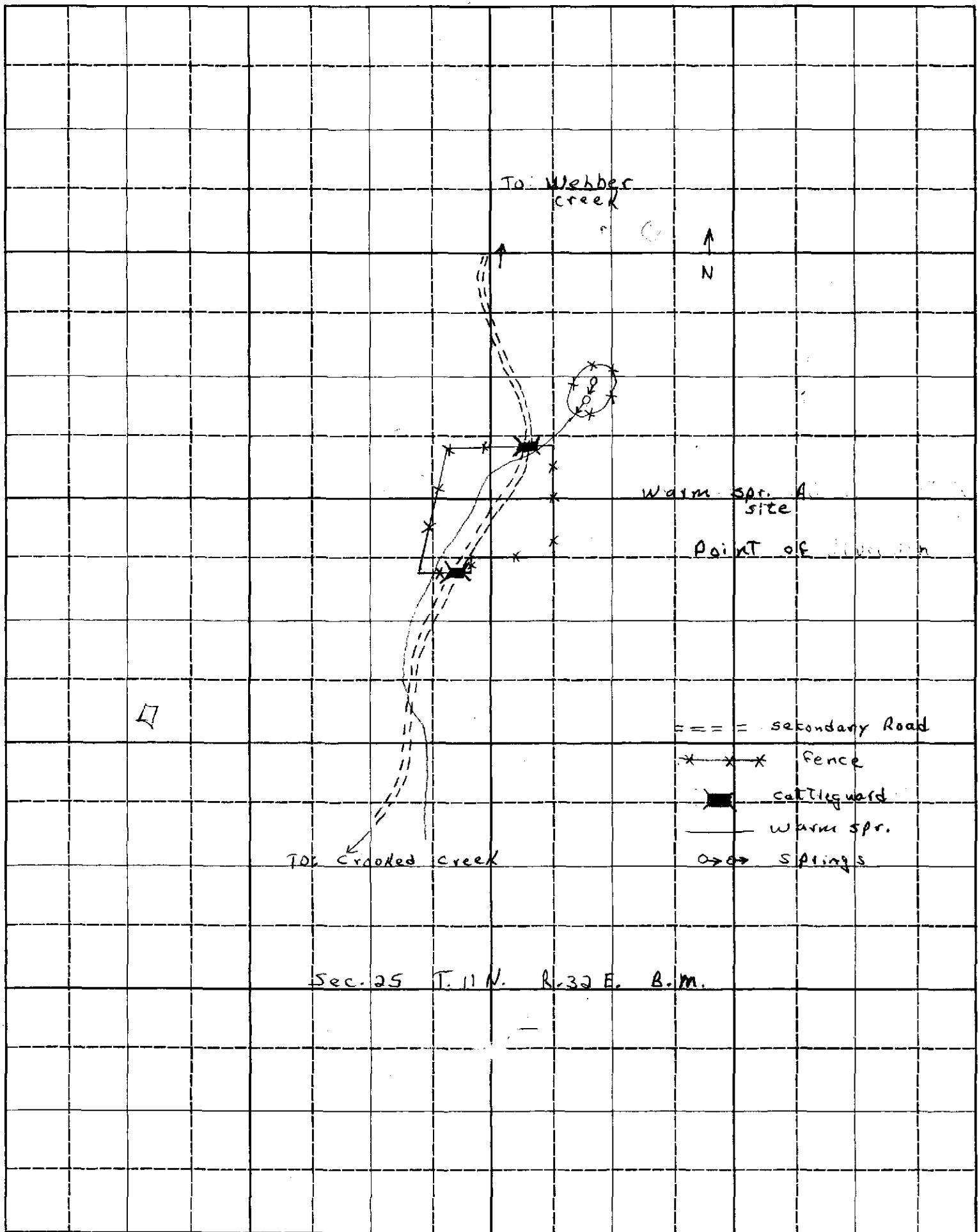
CONFIDENTIAL

Total number of acres to be irrigated

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

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

11: 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.

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

T. S. Russell
(for) J. S. TIXIER (Applicant) Regional Forester

MICROFILMED

RECEIVED

Received by ag Date 11-30-84 Time 9:55 a.m.
Preliminary check by ag Fee \$ #30.00 #34349
Received by ag Date 11-30-84
Publication prepared by ag Date 11-5-84
Published in Post Review
Publication dates 12-13 & 12-20-84
Publication approved ag Date 12-28-84
Protests filed by: _____
Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by _____

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. Other: _____

Proof of Publication

The Post-Register

State of Idaho,
County of Bonneville } ss.

I, J. Robb Brady, first being duly sworn, depose and say: That I am the Principal Clerk 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 having been published continuously and uninterruptedly, prior to consolidation, for more than seventy-eighty (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.

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Subscribed and sworn to before me, this 26th day of December, 1984.

Deon K. Napier
Notary Public

My commission expires September 30, 1988.

B10, 1M,

NOTICE OF APPLICATION FOR WATER RIGHT

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

23-7106
U.S. DEPT. OF AGRIC.
FOREST SERVICE, FEDERAL BLDG., 324
25TH STREET, OGDEN, UT 84401
Source: BALDY MTN. C&H SPRING trib. to
PALISADES CREEK
Date Filed: 11/30/1984
Diversion Pt: NENW Sec 24 T 01N R 44E
Use: STOCKWATER (0.05 CFS)
In: NENW Sec 24 T 01N R 44E

23-7107
U.S. DEPT. OF AGRIC.
FOREST SERVICE, FEDERAL BLDG., 324
25TH STREET, OGDEN, UT 84401
Source: WOODS CAN. BOTTOM SPRING trib.
to SNAKE RIVER, S. FK.
Date Filed: 11/30/1984
Diversion Pt: SENW Sec 11 T 03N R 42E
Use: STOCKWATER (0.05 CFS)
In: SENW Sec 11 T 03N R 42E

23-7108
U.S. DEPT. OF AGRIC.
FOREST SERVICE, FEDERAL BLDG., 324
25TH STREET, OGDEN, UT 84401
Source: MUDSPRINGS trib. to SNAKE RIVER,
S. FK.
Date Filed: 11/30/1984
Diversion Pt: SENE Sec 04 T 03N R 42E
Use: STOCKWATER (0.05 CFS)
In: NESE SENE Sec 04 T 03N R 42E

23-7109
U.S. DEPT. OF AGRIC.
FOREST SERVICE, FEDERAL BLDG., 324
25TH STREET, OGDEN, UT 84401

Source: LITTLE SHEEP CREEK SPRING trib.
to SNAKE RIVER
Date Filed: 11/30/1984
Diversion Pt: NENW Sec 09 T 01S R 45E
Use: STOCKWATER (0.05 CFS)
In: NENW Sec 09 T 01S R 45E

32-7142
U.S. DEPT. OF AGRIC.
FOREST SERVICE, FEDERAL BLDG., 324
25TH STREET, OGDEN, UT 84401
Source: WARM SPRINGS trib. to CROOKED
CREEK
Date Filed: 11/30/1984
Diversion Pt: NENE Sec 25 T 11N R 32E
Use: STOCKWATER (0.0250 CFS); RECREA-
TION (0.0250 CFS)
In: SENE Sec 25 T 11N R 32E

The permit(s) will be subject to all prior water
rights. Protests must be filed with the Director,
Dept. of Water Resources, 150 Shoup Ave., Suite
15, Idaho Falls, Idaho 83402 on or before
DECEMBER 31, 1984.

KEN DUNN, Director
Published: December 13, 20, 1984

RECEIVED

DEC 28 1984

Department of Water Resources
Eastern District Office

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

August 27, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

US DEPT OF AGRICULTURE
FOREST SERVICE
FEDERAL BLDG
324 25TH STREET
OGDEN UT 84401

RE: WATER RIGHT NO. 32-07142

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license 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 or files an exception and/or brief as described in the enclosed information sheet.

Also, please note that water right owners are required to report any change of water right ownership and/or change of mailing address to the department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the department or visit the department's homepage on the Internet to obtain the proper reporting form.

If you have any questions, please call me at 208-327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

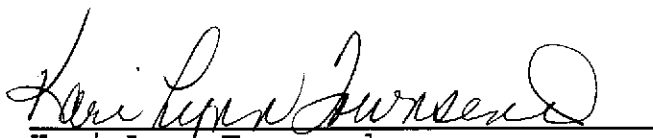
MAILED
SEP 22 1999

CERTIFICATE OF MAILING

I hereby certify that on the 27th day of **August, 1999**, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDER (Approved License)** to the person(s) listed below:

Water Right No. 32-07142

US DEPT OF AGRICULTURE
FOREST SERVICE
FEDERAL BLDG
324 25TH STREET
OGDEN UT 84401


Kari Lynn Townsend
Secretary

MAILED
SEP 22 1999

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief 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 the 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 twenty-one (21) 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 a 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. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department 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 Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

REC'D - 4/2/97

SEP 22 1999

CERTIFICATE OF SERVICE

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

FINAL ORDER

The Department 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 Department 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.

RECEIVED
SEP 22 1999

MEMORANDUM

TO: File 32-07142

FROM: Sharla

DATE: August 25, 1999

RE: Recommendation Adjustment(s)

The adjustments to licensing recommendations for Permit 32-07142 are as follows:

C. SYSTEM DESCRIPTION

6. Place(s) of Use

T11N, R32E, S25 – SWNE, SENE, SESW, NWSE, SWSE
S36 – NENW, SWNW

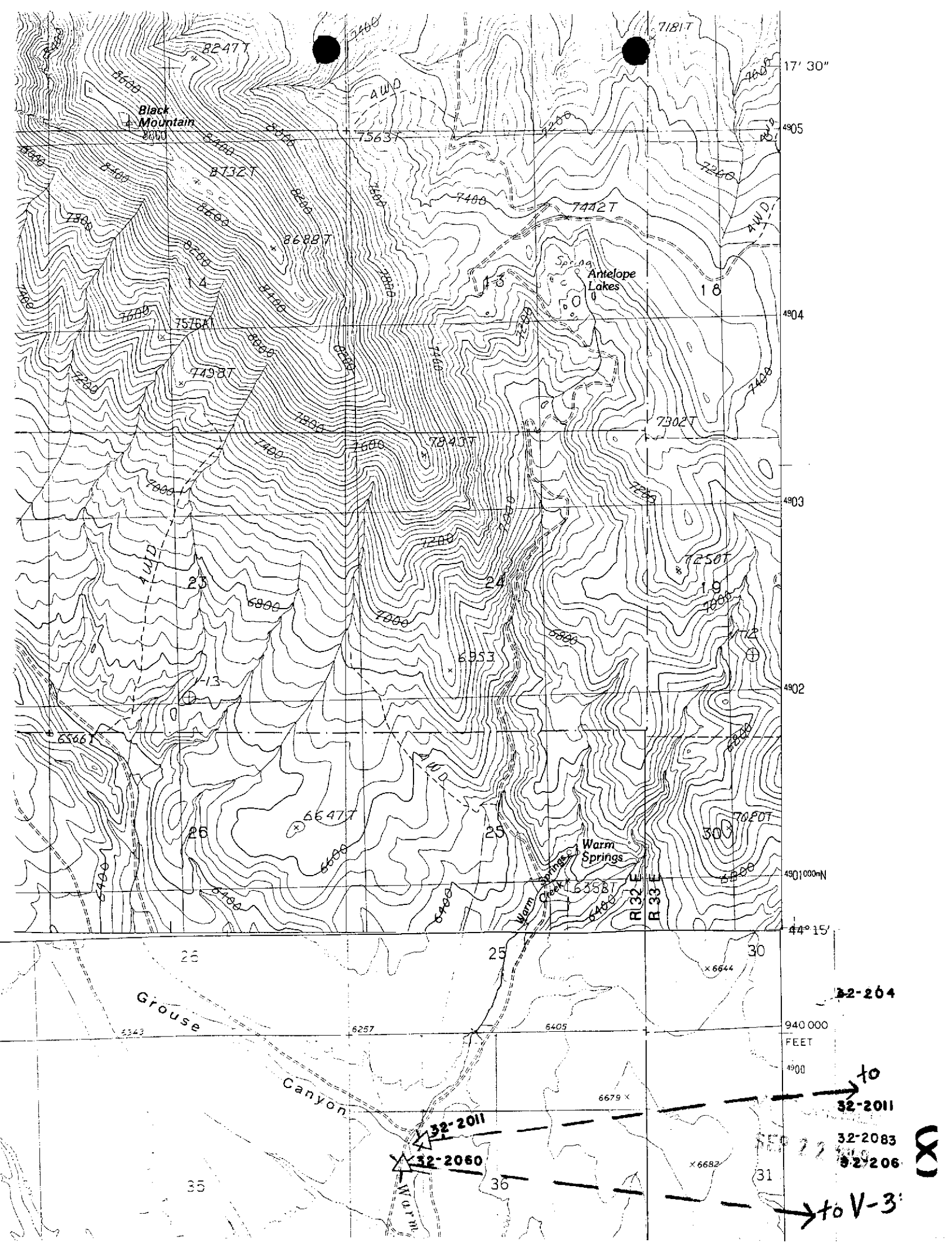
The examiner indicated on the back of the field exam that no amendments were necessary, however, his written description for the place of use on the report include the NWNW, S36. As shown on the attached topo map, Warm Springs Creek does not flow through the NWNW, S36. The place of use to be licensed is the same as permitted.

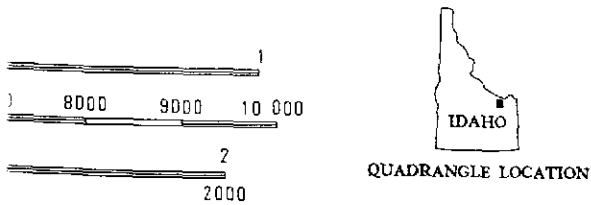
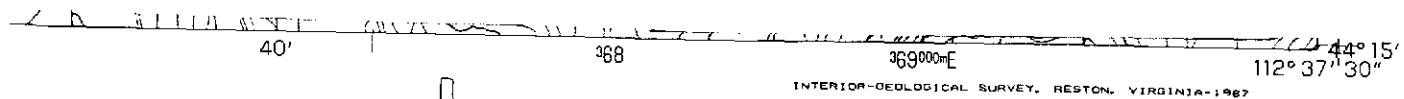
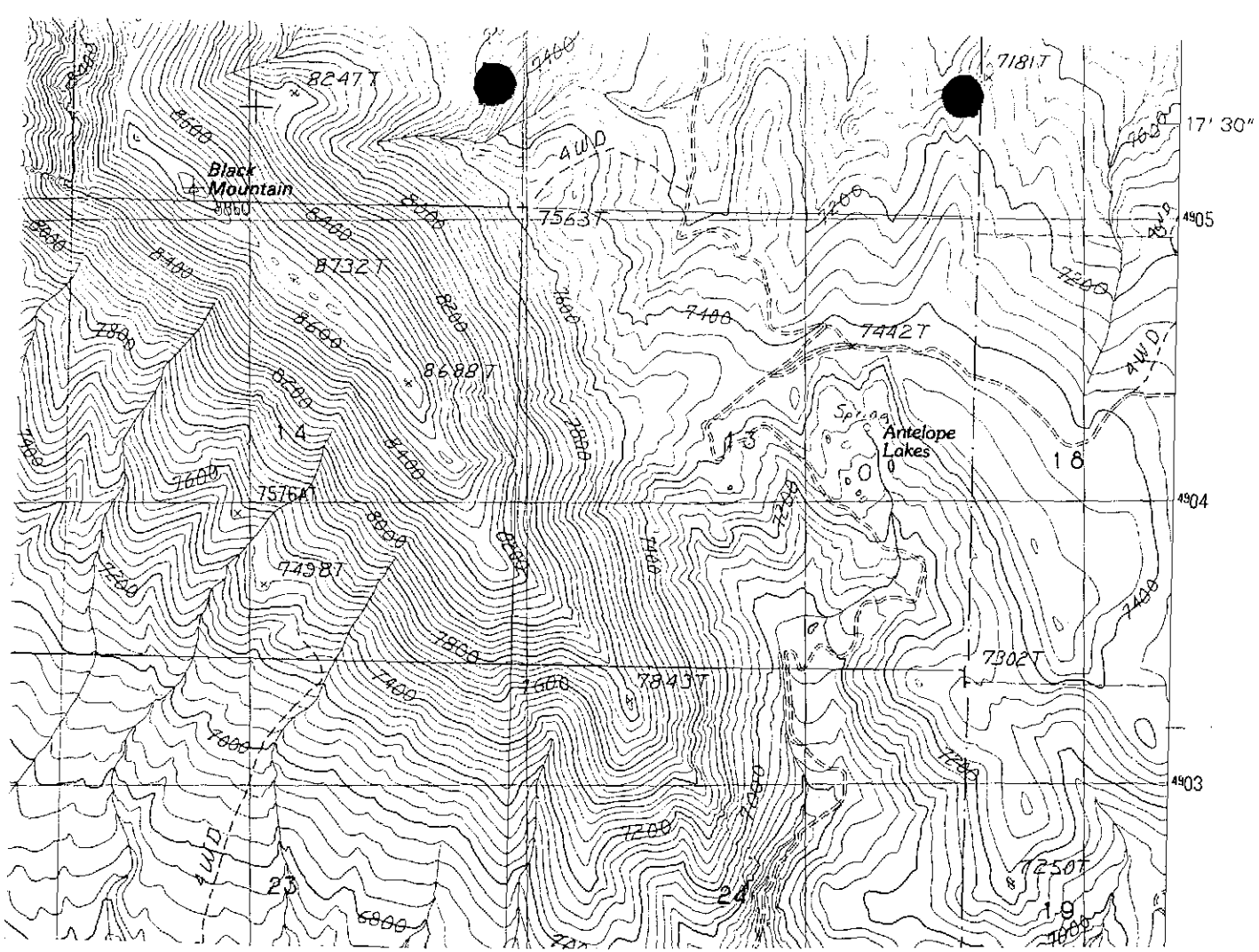
Exam Date: August 10, 1992

Examiner: Gary Buss

MICROFILMED

SEP 22 1999





ROAD LEGEND

Improved Road
 Unimproved Road
 Trail

○ Interstate Route ○ U.S. Route ○ State Route

1	2	3	1 Deadman Lake
			2 Fritz Peak
			3 Edie Creek
4		5	4 Scott Peak
			5 Rocky Creek
			6 Copper Mountain
6	7	8	7 Shamrock Gulch
			8 Lily Hot Springs

ADJOINING 7.5' QUADRANGLE NAMES

HEART MOUNTAIN, IDAHO
 PROVISIONAL EDITION 1987

U-8

LIENSE REVIEW CHECKLIST

PERMIT NO. 32-07142 DATE 8/21/99 REVIEWER: SHARLA

NAME/Address Change/OK

SOURCE OK Does change clarify orig. intended source? If no, Void permit

POINT OF DIV OK Change (P39 /P47) Add (P45/P42) Feds - P40

*examiner marked
no changes but
drawing on his map
& written use
of use permitted*

W32 (multiple in #)
W36 (overlap)
W59 (subd. desc)

*beginning and ending
reach?*

Overlaps: Right(s):
File reviewed Profile reports printed

PLACE OF USE OK Change (P41/P47) Add (P41/P42) Feds - P43

W60 (subd. desc)
W27 (ppu acre limit)

Overlaps: Right(s):
File reviewed Profile reports printed

PD & PU amend (P37) Feds - P48

RATE OF DIV

Permitted Rate .05 cfs

Fee limit

.04 cfs

Measured

— cfs

Theoretical

— cfs

Recommended Total Div Rate .03 cfs

WATER USES

Change (P46)	af	Irrig -	overlap (R58-R61, R62-R65, R66-R69)
<u>.03</u> cfs	<u>2.6</u> af		supp. gw (WB7/065/079)
<u>—</u> cfs	<u>—</u> af		overlap spec. combined rts (W35)
<u>—</u> cfs	<u>—</u> af		<1acre (W31)
<u>—</u> cfs	<u>—</u> af		(W01/WB5/070/071/075)
<u>—</u> cfs	<u>—</u> af	Domestic -	(W42 or W43/025/027/R22 or R23)
<u>—</u> cfs	<u>—</u> af	Power -	Fire (077) Wtr Quality (081/R07)
<u>—</u> cfs	<u>—</u> af	Fish (042)	(W22/047/27A)
<u>—</u> cfs	<u>—</u> af	Payette -	
<u>—</u> cfs	<u>—</u> af		

Flow rate .03 cfs X 365 days X 1.98 = 21.7 af

REMARKS This right is for instream stockwatering

ADD'L CONDITIONS Watermaster Control WD# —

GW Measurement/Measuring Device

037 Others Trust (052/R55 - remove 051) Non-trust (048/049)

Advance Priority yes no

SRBA Claim ✓

Adjust Memo add & plus desc.
Amend letters —

*NONE, SCS not
incl.*

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JAN 22 1996

Department of Water Resources

A. GENERAL INFORMATION

- Permit No. 32-7142
Phone No. (801) 625-5360
1. Owner: United States of America - Forest Service
Current Address: 324 25th Street, Ogden, UT. 84401
2. Accompanied by: Rona Monte EXAM. DATE: 8-10-92
Address: _____ Phone No. _____
Relationship to Permit Holder: _____
3. Source: Warm Springs Creek tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: NAME 32-4002/4069 ☐ Copies Attached
2. Other water rights with same point of diversion: 32-04069/4002/2011/2060 ☐ 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

INSTREAM STOCKWATER; RECREATION USE

Scale: 1" = _____

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).

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

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

Warm Springs Creek is used for instream stock water and instream recreational use.

Stock water and instream recreational use.

☐ 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

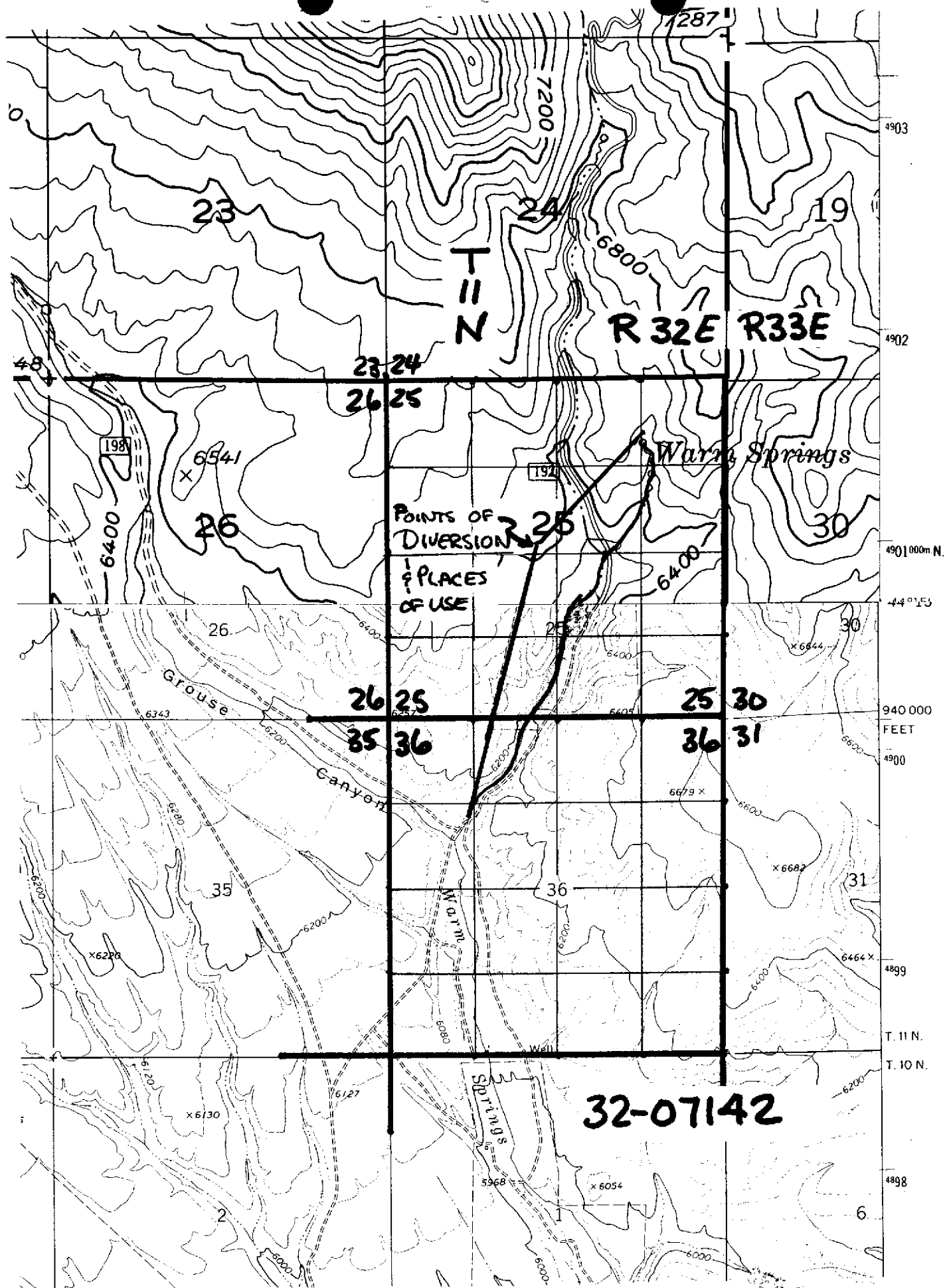
5. Point(s) of Diversion: Same as place of use

[illegible]

6. Place(s) of Use:

Indicate Method of Determination

[illegible]



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:

De minimus 100-200 head cattle - ^{0.03} ~~0.05~~ cfs

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 Amps x .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: From Pool 12 horses + 180 range cattle = 192 head

$V_{\text{stockwater}} = 192 \text{ head} \times 0.0134 = 2.57 \text{ af} = 2.6 \text{ af}$

$V_{\text{recreation}} = \text{Non consumptive}$

H. REMARKS AND OVERLAP REVIEW ANALYSIS

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (af)
	From	To		
Stockwater (INSTREAM)	3/31	12/31	0.03 cfs	2.6 af
Recreation (INSTREAM)	1/1	12/31	0.03 cfs	-
Totals:			0.05 cfs	2.6 af

2. Recommended Amendments

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

J. AUTHENTICATION

Field Examiner's Name: Gary Burr
 Signature: _____
 Certification Date: _____
 Field Report Preparation Date: _____

CONSULTANT SEAL

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup, Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

JULY 29, 1987

U.S. FOREST SERVICE
324 25TH STREET
OGDEN UT 84401

RE: Permit No. 32-7142

Dear Permit Holder:

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Enclosed please find a copy of an order involving your permit.

Before a license can be issued, a field examination must be made by a representative of this department.

A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office by phone at 525-7161 or in person in the third floor State Office Building, 150 Shoup, Idaho Falls, Idaho.

Sincerely,
s/HAROLD W. JONES
Sr. Resource Agent

Enclosure

RECORDED
SEP 22 1987

CALCULATION OF NEW PRIORITY DATE

FROM: RITA FLECK
TO: FILE # 32-7142
DATE: 4-29-87

Date proof received	365	
	+ 23✓	
	<u>388</u>	1-23-1987*
Proof due	-335	<u>12-1-1986</u>
Number of day proof late	<u>53</u>	
Priority date	+334	<u>11-30-1984</u>
New priority date	<u>387</u>	
	-365	<u>1-22-1985</u>
	<u>22</u>	

Remarks: Since the proof submitted in January was on the old form, I returned it. The amount of water proposed on the permit would have required a fee. However, upon receipt of the b/w form with the rate of diversion indicated, no fee is required.

I figured the number of days proof was late from January 23, 1987 since no fee was required. based on the amount of the rate of flow shown on the form submitted in April.

MICROFILMED

JUL 02 1987

February 12, 1987

J. S. Tixier, Reg. Forester
U. S. Forest Service
324 25th St.
Ogden, UT 84401

Dear Mr. Tixier:

Re: Permit No. 32-7142

Returned is the Proof of Beneficial Use form submitted on January 23, 1987.

This proof form is outdated since we now require additional information. As you may know, the department adopted rules and regulations which require the department to charge a fee for the field inspection or the field inspection can be completed by a certified water right examiner. The fee charged for a field inspection is based on the amount of water diverted. Consequently, our proof form must now reflect the amount diverted to determine if a fee is needed and if so, how much of a fee.

There are several exceptions to charging a fee. They are a single family domestic use or stockwater use or any single use of water with a diversion of less than or equal to 0.04 cfs or 4 acre/feet per annum. When, however, a permit has multiple uses, the fee charged is based the actual diversion rate for all uses.

Enclosed is an updated proof of beneficial use form with instruction/fee schedule. Please complete the new form and return it promptly with a fee, if necessary.

If you have any questions concerning this matter, please feel free to contact this office.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosures

MICROFILMED

JUL 02 1987



United States
Department of
Agriculture

Forest
Service

Intermountain
Region

324 25th Street
Ogden, UT 84401

Reply to: 2540

Date: JAN 21 1987

JAN 28 1987

Department of Water Resources

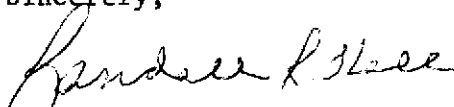
Mr. A. Kenneth Dunn
Director
Idaho Department of Water Resources
Towers Building, 3rd Floor
450 West State Street
Boise, ID 83720

Dear Mr. Dunn:

Enclosed is the completed Proof of Beneficial Use Form for water development No. 32-7142 on the Targhee National Forest.

Thank you for your assistance.

Sincerely,

for 
J. S. TIXIER
Regional Forester

Enclosure

MICROFILMED

JUL 02 1987



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.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
DECEMBER 13, 1986

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

LAPSE NOTICE

RE: PERMIT NO. 32-7142

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 SEPTEMBER 30, 1986.

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 OR THE PERMIT WILL NO LONGER BE OF ANY FORCE OR EFFECT.

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.

L. GLEN SAXTON
CHIEF, OPERATIONS

ENCLOSURES

LGS:RF

MICROFILMED

JUL 02 1987

CERTIFICATION OF MAILING
12-23-1986
[Signature]

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL
SEPTEMBER 30, 1986

138324

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

PROOF DUE NOTICE

RE: PERMIT NO. 32-7142

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 DECEMBER 1, 1986. (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. 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

JUL 02 1987

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

- - - - -

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
NOVEMBER 14, 1985

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

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 32-7142

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,

DAVID R. TUTHILL, JR., P.E.
SUPERVISOR, WATER ALLOCATION SECTION

DRT: SC
ENCLOSURES

MICROFILMED

State of Idaho
Department of Water Resources

Amended

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: Kaw

APPLICATION NUMBER: _____

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.

Field check by: _____

Date: _____

Comments: _____

☐ Yes ☒ No Field check required.

☐ Yes ☒ No Critical groundwater area.

☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____

☒ Yes ☐ No* In form to receipt.

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department.
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☒ Other WD 32-C

Copies sent by: _____ Date: _____

PROCESSING:

☐ Yes ☒ No Platted by: _____ Map No. _____

☐ Yes ☒ No Other rights on same place of use. _____

☒ Yes ☐ No* In form for advertising.

Final date for protests: Aug. 5-85 - 10-07-85

☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

☒ Affidavit of publication received. Date: 7-29-85 & 9-30-85

☒ Application published correctly. If not, record action taken: _____

☒ Fee amount, receipt date & number, recorded on application.

☒ Publication dates and paper, recorded on application.

☒ Protests, dates, withdrawal, etc., recorded on application.

☒ Recommendation & initial, recorded on application.

☐ Yes ☒ No Measuring device required.

☐ Yes ☒ No Access port required.

☐ Yes ☒ No Will water be delivered by watermaster? If yes, what district? _____

☒ 11-30-84 Date of priority recommended.

Special conditions of approval or cover letter. _____

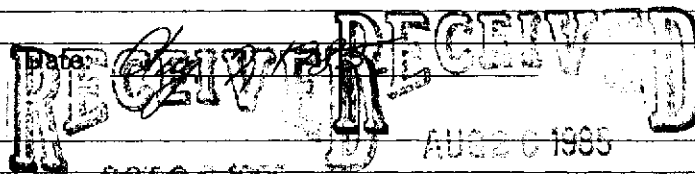
MICROFILMED

U.S.F.S. not named in S.F. suit - DCMI

By: Ernest Calver

STATE OFFICE REVIEW:

Lille



☐ See attached sheet for more information.

By: Kaw

Department of Water Resources

Date: 11/5/85

Department of Water Resources

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
IDAHO STREAM CODE INDEX						

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

SEPTEMBER 11, 1985

Post Register
P.O. Box 1800
Idaho Falls, ID 83401

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 7, 1985.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

10-07-85

MICROFILMED

NOTICE OF APPLICATION
FOR WATER RIGHT

The following applications have been filed to appropriate the public waters of the State of Idaho and are being readvertised to allow evaluation of the public interest criteria under Section 42-203C, Idaho Code.

32-7142

U.S. DEPT. OF AGRI.

FOREST SERVICE, FEDERAL BLDG., 324 25th STREET, OGDEN, UT 84401

Source: WARM SPRINGS CREEK trib. to CROOKED CREEK

Date Filed: 11/30/1984

Diversion Pt: NENE SWNE SENE SESW NWSE SWSE Sec 25

NENW SWNW SENW Sec 36 T 11N R 32E

Use: INSTREAM STOCKWATER (0.0250 cfs)
RECREATION (0.0250 cfs)

In: NENE SWNE SENE SESW NWSE SWSE Sec 25 NENW SWNW SENW Sec 36
T 11N R 32E

The permit(s) will be subject to all prior water rights. Protests are limited to the public interest criteria under Section 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 October 7, 1985.

KEN DUNN

Director

Published 9/19 and 9/26/85.

MICROFILMED

*data base
corrected
JY.*

NOTICE OF AMENDED APPLICATION FOR WATER PERMIT

Notice is hereby given that Application for Permit No. 32-7142 in the name of United States of America, Forest Service was filed for the diversion of 0.05 cfs of water from Warm Springs tributary to Crooked Creek, with point of diversion within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 25, T. 11N, R. 32E, B.M., Clark County; to be used from 3-31 to 12-31 ^{instream} for stockwater of 12 horses and 180 beef cattle and from 1-1 to 12-31 for recreational purposes within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 25, T. 11N, R. 32E, B.M.

The applicant now proposes to amend Application No. 32-7142 changing the point of diversion to within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 25, NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 36, T. 11N, R. 32E, B.M. and changing the place of use to within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 25, NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 36, T. 11N, R. 32E, B.M.

Any protest to the proposed amending of this application must be filed with the Idaho Department of Water Resources, 150 Shoup, Suite 15, Idaho Falls, ID 83402, on or before August 5, 1985.

A. KENNETH DUNN

Director

Published in the Post Register 7/18 & 7/25/85.

MICROFILMED



United States Forest Service S.O.
Department of Agriculture

D-4

Reply To: 2540 Water Uses and Development

April 4, 1985

Subject: Amended Application for Permit #32-7142, Dubois Ranger District; and #23-7105, Palisades Ranger District

To: District Rangers - Dubois and Palisades Ranger Districts

Enclosed is a signed application for Amendment on Application, for permit number #32-7142, Dubois Ranger District, for Warm Springs Creek; and permit number #23-7105, Palisades Ranger District, for Kelly Springs.

The amendment is necessary because of changes the State made in Items 3 and 8 of your application. The change in Item 3, is to indicate the point of diversion is anywhere along the stream where the animal drinks.

In Item 8, the description of the place of use was changed from 8 A1 to the table in 8b. The State's reasoning is if the point of area is in more than quarter quarter sections, the description should be displayed in Table 8b.

I know this appears to run counter to the instructions on the form, but it is the way the State wants the form filled out.

If in the future you file an application for permit for water, where the points use and diversion are scattered in more than one quarter quarter sections, please display and reference these points in Table 8b.

Please forward the enclosed amendment, along with \$20, to the Department of Water Resources.

If you have questions, give me a call.

Bryant Christensen
BRYANT CHRISTENSEN
Branch Chief, R-WL-WS

Enclosure

RECEIVED		
APR 5 '85		
PALISADES RANGER DISTRICT		
Action		Review
	DFR	
	Forester	
	Range Con.	<i>Rev</i>
	S. M. Asst.	
	Rec.	
Promise Card Call Date		
Attention of		



MICROFILMED

FS-6200-28(7-82)

January 17, 1985

Ted V. Russell
United States of America
Forest Service
324 25th Street
Ogden, UT 84401

Dear Ted:

Enclosed are two applications for permit that have been amended from their original form. Both permits now correspond to the map and telephone instructions from the Forest Service which were requested. Please check the applications, sign and return the with the required fee (\$20.00 for each amended permit = \$40.00 total).

If you have any questions please call (208 525-7161) or come to the Idaho Falls office.

Sincerely,

GERALD F. RAMSEY
Radiologic Specialist

Enclosures

MICROFILMED

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: G. E. RAMSEY

APPLICATION NUMBER: 32 7142

CHECK: NOV 30 1984

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.

Field check by: _____
Date: _____
Comments: _____

- ☐ Yes ☒ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☐ No* In form to receipt.

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department. Copies sent by: _____ Date: _____
☐ Idaho Fish and Game Department. _____
☐ Idaho Department of Lands. _____
☐ U.S. Bureau of Land Management. _____
☐ U.S. Forest Service. _____
☒ Other WD-32-C CW 12-10-84

PROCESSING:

- ☐ Yes ☒ No Platted by: _____ Map No. _____
☐ Yes ☒ No Other rights on same place of use. _____
☒ Yes ☐ No* In form for advertising.
Final date for protests: 12-31-84
☐ Yes ☐ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 12-28-84
☒ Application published correctly. If not, record action taken: _____
☐ Fee amount, receipt date & number, recorded on application.
☐ Publication dates and paper, recorded on application.
☐ Protests, dates, withdrawal, etc., recorded on application.
☐ Recommendation & initial, recorded on application.
☐ Yes ☐ No Measuring device required.
☐ Yes ☐ No Access port required.
☐ Yes ☐ No Will water be delivered by watermaster? If yes, what district? _____
Date of priority recommended. _____
Special conditions of approval or cover letter. _____

MICROFILMED

By: _____ Date: _____

STATE OFFICE REVIEW:

- ☐ See attached sheet for more information.
By: _____ Date: _____

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
IDAHO STREAM CODE INDEX						

December 10, 1984

RE: Application for Permit No. 32-7142 U.S. FOREST SERVICE

Don Shenton, Watermaster
Water District No. 32-C
Box 33
Dubois, ID 83423

Dear Don:

We are enclosing a copy of an application that may be of interest to your water district. Please review the application and submit any comments you may have to our Department as soon as possible. The last date of protest is December 31, 1984, and we are required to take final action shortly thereafter.

If we may be of further assistance, please feel free to contact us.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

Enclosure

32-7142

U.S. DEPT. OF AGRI.

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

Source: WARM SPRINGS trib. to CROOKED CREEK

Date Filed: 11/30/1984

Diversion Pt: NENE Sec 25 T 11N R 32E

Use: STOCKWATER	(0.0250 CFS)
RECREATION	(0.0250 CFS)

X In: SENE Sec 25 T 11N R 32E

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