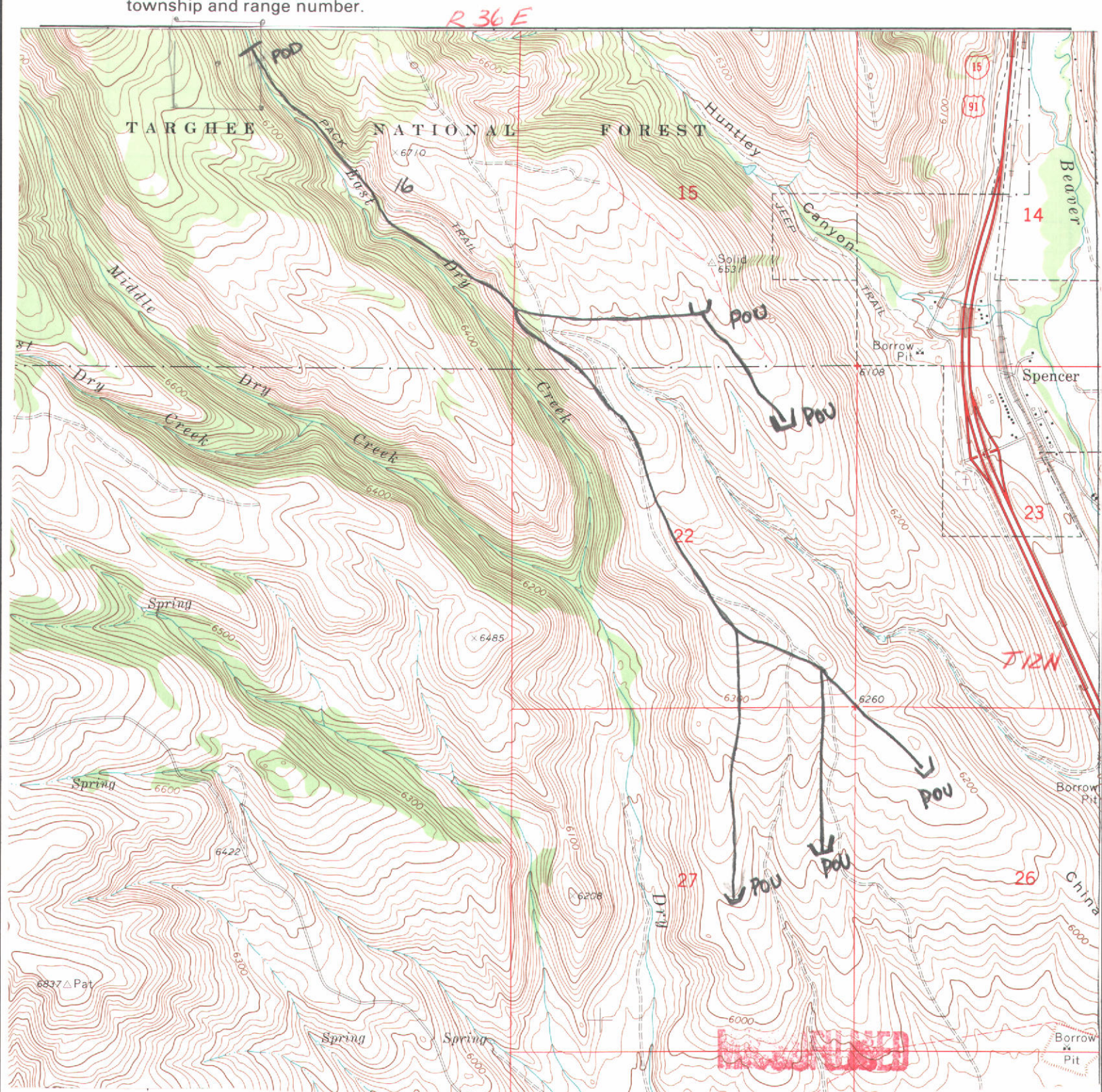


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



DEC 06 1988

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.

District Manager

L.H. Ferguson
(Applicant)

Proof of Publication The Post-Register

RECEIVED

SEP 21 1988

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 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 1st day of September , 19.88. ., last publication having been made on the 8th day of ... September , 19.88. ., 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 ... 14th ... day of ... September , 19.88. .

J. Robb Brady
Deon G. Napier
Notary Public

My commission expires .. September .30., ... , 19.88. .

B10

NOTICE OF APPLICATION FOR WATER RIGHT

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

31-07505

U.S. DEPT. OF AGRI.
U.S. DEPT. OF INTERIOR
FOREST SERVICE
FEDERAL BLDG.

324 25TH ST.

OGDEN, UT 84401

Source: DRY CREEK, EAST FORK; Tributary: DRY CREEK

Diversion Pt: NENWNW Sec 16 T 12N R 36E

Use: STOCKWATER (.010 CFS)

WILDLIFE (.010 CFS)

Date Filed: 6/30/1988

In: T12N R36E S15 SWSE

S22 NENE

S26 NWNW

S27 SENE NWSE

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 September 19, 1988.

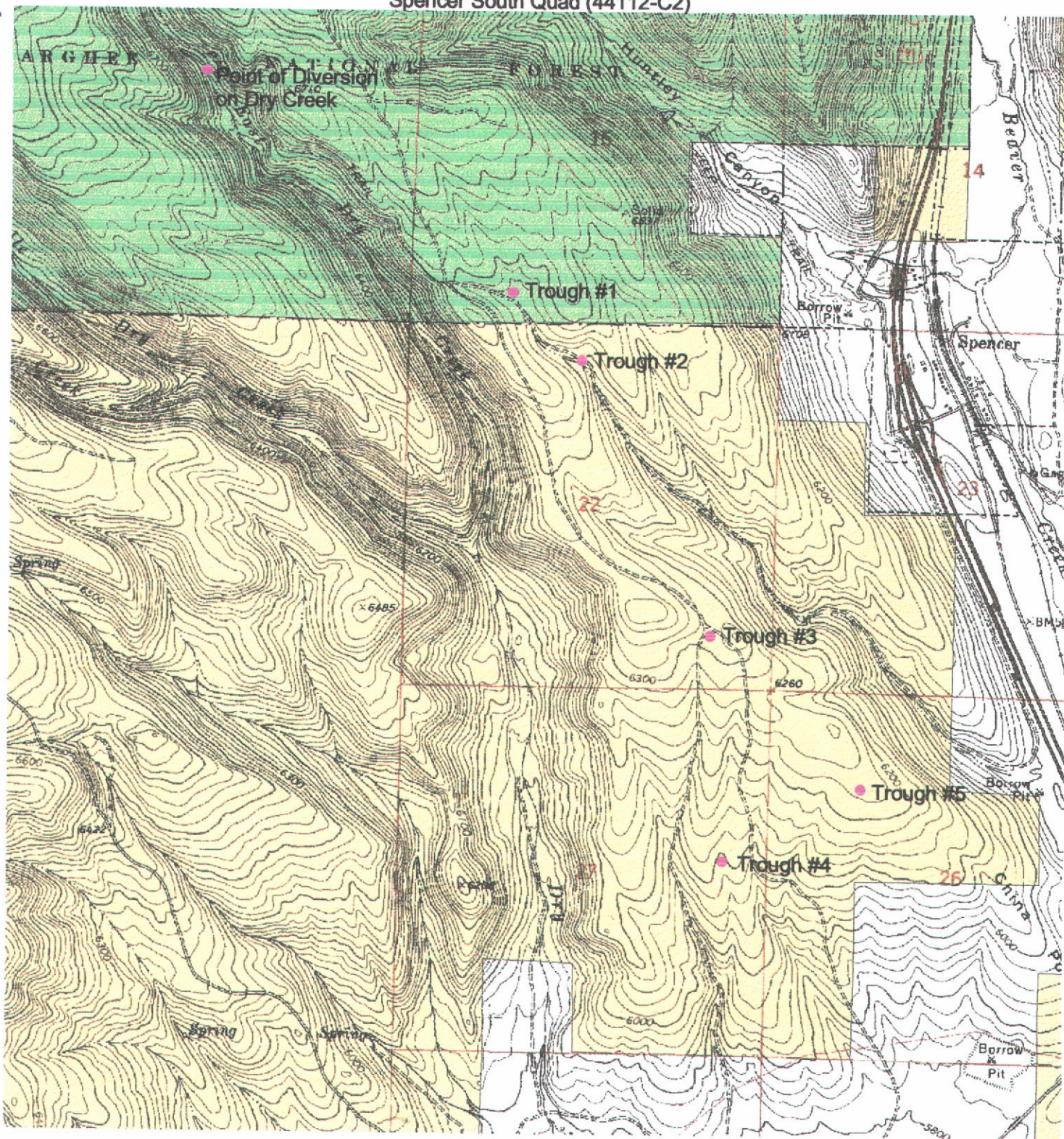
R. Keith Higginson, Director

Published: September 1, 8, 1988

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DEC 06 1988

Dry Creek Pipeline 3103588042; 31-07535
T.12N, R.36E
Spencer South Quad (44112-C2)



- Drycreekpl.shp
- Idown.shp
- B.L.M.
- Bureau of Indian Affairs
- Department of Energy
- Forest Service
- Military Reservations
- National Parks & Monuments
- Open water
- Private
- State of Idaho
- U.S. Fish & Wildlife Service

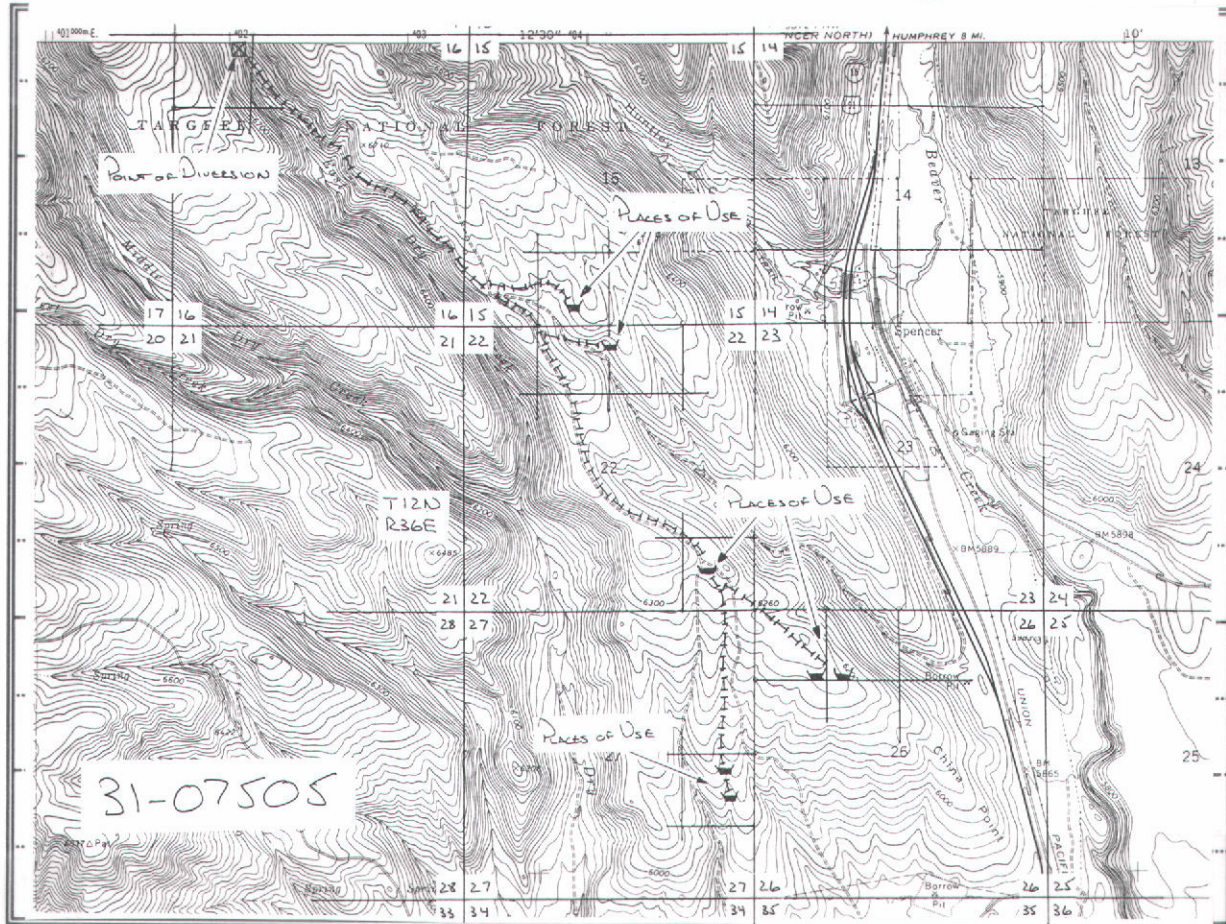
0.5 0 0.5 Miles
1:24,000 scale



PRODUCED BY THE BLM, IDAHO FALLS FIELD OFFICE.
Projection Universal Transverse Mercator
Zone 12, 1927 North American Datum
No warranty is made by the Bureau of Land Management
as to the accuracy, reliability or completeness of this data
for individual or aggregate use with other data.
Prepared by Deena Teel on 6/7/2000 from GPS data
collected on 6/6/2000.

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OCT 11 2001

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



Scale: 1" = _____

____ Copy of USGS 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)

____ Photo of Diversion and System Attached

4.

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

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

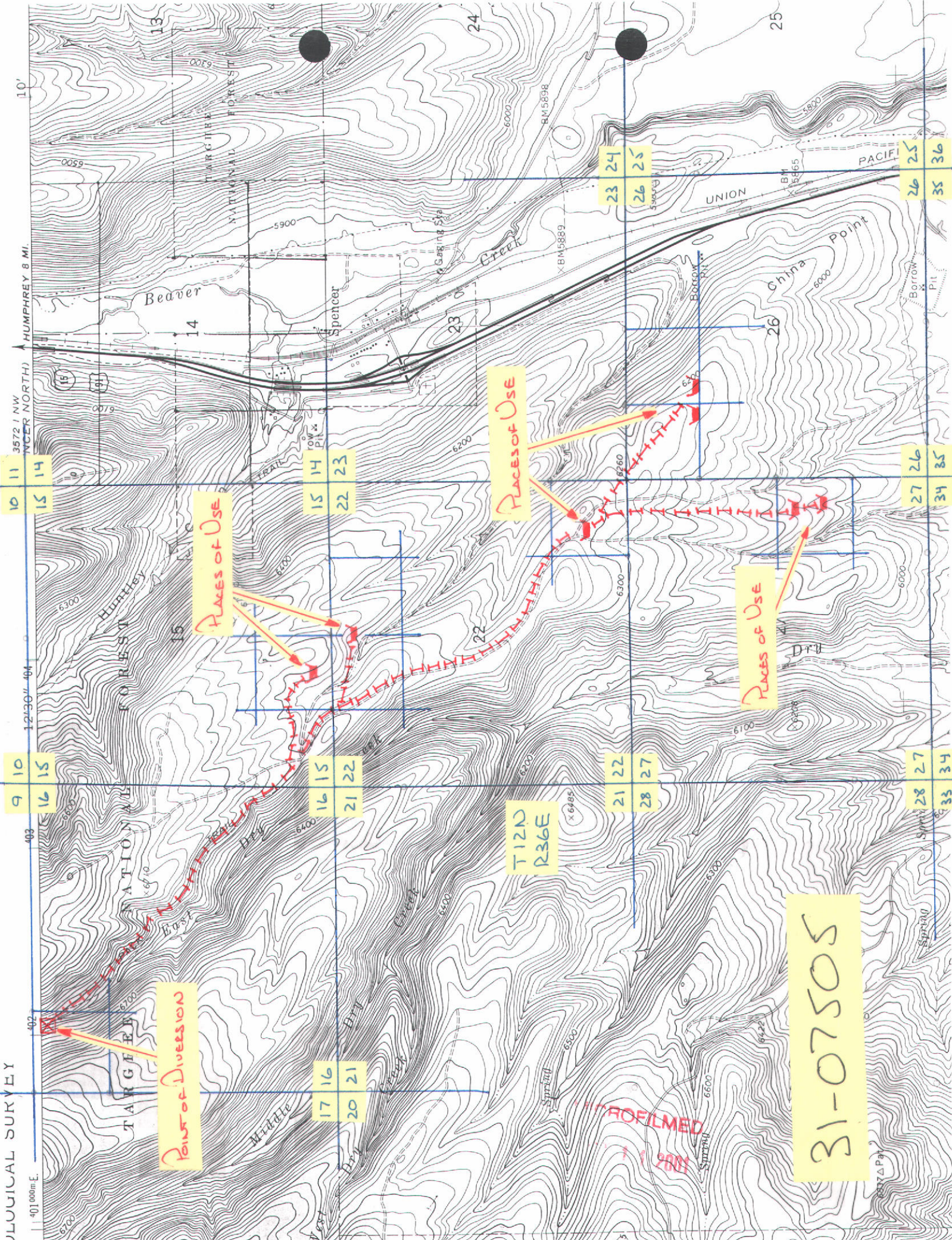
D. FLOW MEASUREMENTS

1.

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

2. Measurements: _____

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OCT 11 2001



Point of Diversion

RACES OF USE

RACES OF USE

RACES OF USE

T12N
R36E

31-07505

23 24
26 25

25 26
35 36

10 11
15 14

15 14
22 23

26 27
35 34

9 10
16 15

16 15
21 22

21 22
28 27

27 28
34 33

17 16
20 21

28 29
35 34

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 31-07505

Priority: June 30, 1988

Maximum Diversion Rate: 0.01 CFS
Maximum Diversion Volume: 0.7 AF

It is hereby certified that US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
1405 HOLLIPARK DR
IDAHO FALLS ID 83401

Or

US DEPT OF AGRICULTURE
FOREST SERVICE
TARGHEE NATIONAL FOREST
1405 HOLLIPARK DR
IDAHO FALLS ID 83401

have complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 30, 1988; and have submitted Proof of Beneficial Use on October 21, 1991. An examination indicates that the works have a diversion capacity of 0.01 cfs of water from:

SOURCE

EAST FORK DRY CREEK

Tributary: DRY CREEK

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
STOCKWATER	05/01 to 11/15	0.01 CFS	0.7 AF
WILDLIFE	01/01 to 12/31	0.01 CFS	0.7 AF

LOCATION OF POINT(S) OF DIVERSION:

EAST FORK DRY CREEK NE 1/4 SE 1/4 NW 1/4 Sec. 16, Twp 12N, Rge 36E B.M., CLARK County

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12N 36E 15												X					
12N 36E 22					X											X	
12N 36E 26							X										
12N 36E 27				X													

CONDITIONS OF APPROVAL

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.

MICROFILMED

OCT 11 2001

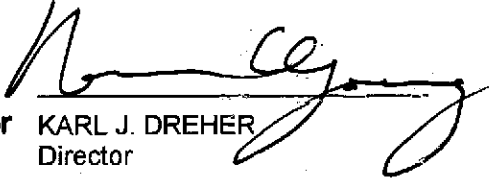
State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 31-07505

2. Use of water under this water right will be regulated by the watermaster of State Water District No. 31.

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 used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 22ND day of AUGUST, 2001.


Acting for KARL J. DREHER
Director

MICROFILMED
OCT 11 2001

RECEIVED)

AUG 15 2001

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

Department of Water Resources

(For Licensing Purposes)
WATER RIGHT NO. 31-07505

Date of Priority: June 30, 1988

Maximum Diversion Rate: 0.01 CFS
Maximum Diversion Volume: 0.7 AF

Comes now US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
1405 HOLLIPARK DR
IDAHO FALLS ID 83401

Or

US DEPT OF AGRICULTURE
FOREST SERVICE
420 BRIDGE ST

ST ANTHONY ID 83445 and represents to the Director of the Idaho Department of Water Resources that he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 31-07505, and requests that the permit be changed as follows:

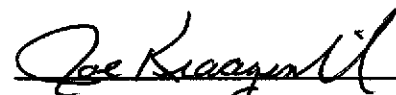
Source: EAST FORK DRY CREEK Tributary: DRY CREEK

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	05/01 to 11/15	0.01 CFS	0.7 AF
WILDLIFE	01/01 to 12/31	0.01 CFS	0.7 AF

LOCATION OF POINT(S) OF DIVERSION:EAST FORK DRY CREEK NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 16, Twp 12N, Rge 36E, B.M., CLARK CountyPLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12N 36E 15												X					
12N 36E 22					X											X	
12N 36E 26							X										
12N 36E 27				X													

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk. Signed this 8 day of August, 2001.


(Signature & Title)

MICROFILMED

AUG 15 2001

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 31-07505

.....
FOR DEPARTMENT USE ONLY

Preliminary check by KW Fee = \$ 50 Received by HWT # E02208 Date 8-13-01

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 31-07505 with the following:

CONDITIONS OF APPROVAL

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 water right will be regulated by the watermaster of State Water District No. 31.

Witness my hand this 22ND day of AUGUST, 2001.

Acting for 
KARL J. DREHER
Director

MICROFILMED

OCT 11 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

East Fork
Dry Creek
Pipeline

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

Permit No. 31-07505 Telephone No. 208-524-7600
Name(s) of Permit Holder(s): U.S.D.I. Bureau of Land Management U.S.D.A. Forest Service
940 Lincoln Road Targhee National Forest
Post Office Address: Idaho Falls, ID 83401 420 Bridge Street
St. Anthony, ID. 83445
Source of Water: East Fork Dry Creek

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

Extent of Use:
Domestic _____ (No. of households) Irrigation _____ (No. of acres)
240 Range
Stockwater Cattle (No. and type of stock) Other elk, moose, deer, grouse,
2 Horses non game wildlife

Total rate and/or volume for which proof is submitted .16 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: 6/1/89

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

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

OR

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

Fee Enclosed: \$ 50.00 (See License Examination Fee Schedule)

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

Karen Aslett

208-524-7533

Name

Telephone No.

940 Lincoln Road Idaho Falls, Idaho 83401

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.

Date 10/9/91

Signature Gary A. Bliss (and title if on behalf of a company or organization) Acting D.M.

RECEIVED

JUN 30 1988

31-7505

STATE OF IDAHO *no \$ encl*
Department of Water Resources
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

United States Dept. of the Interior Bureau of Land Management
United States Dept. of Agriculture U.S. Forest Service Targhee Nat. Forest

1. Name of applicant 940 Lincoln Rd. Idaho Falls, Idaho 83401
Post office address 420 Bridge St. St. Anthony, Idaho

2. Source of water supply East Fork Dry Creek which is a tributary of Dry Creek

3. Location of point of diversion is NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of NW $\frac{1}{4}$, Govt. Lot _____
Sec. 16 Township 12N Range 36E B.M. Clark County; additional
points of diversion if any: _____

4. Water will be used for the following purposes: *Changes per telecon 8/9/88 ESV
Amount *.01 for Stockwater purposes from 5/1 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .01 for Wildlife 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 is (a) .004 .01* and/or (b) 0000000918X *
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Pipeline from E.F. Dry Creek to five
stockwater troughs

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.

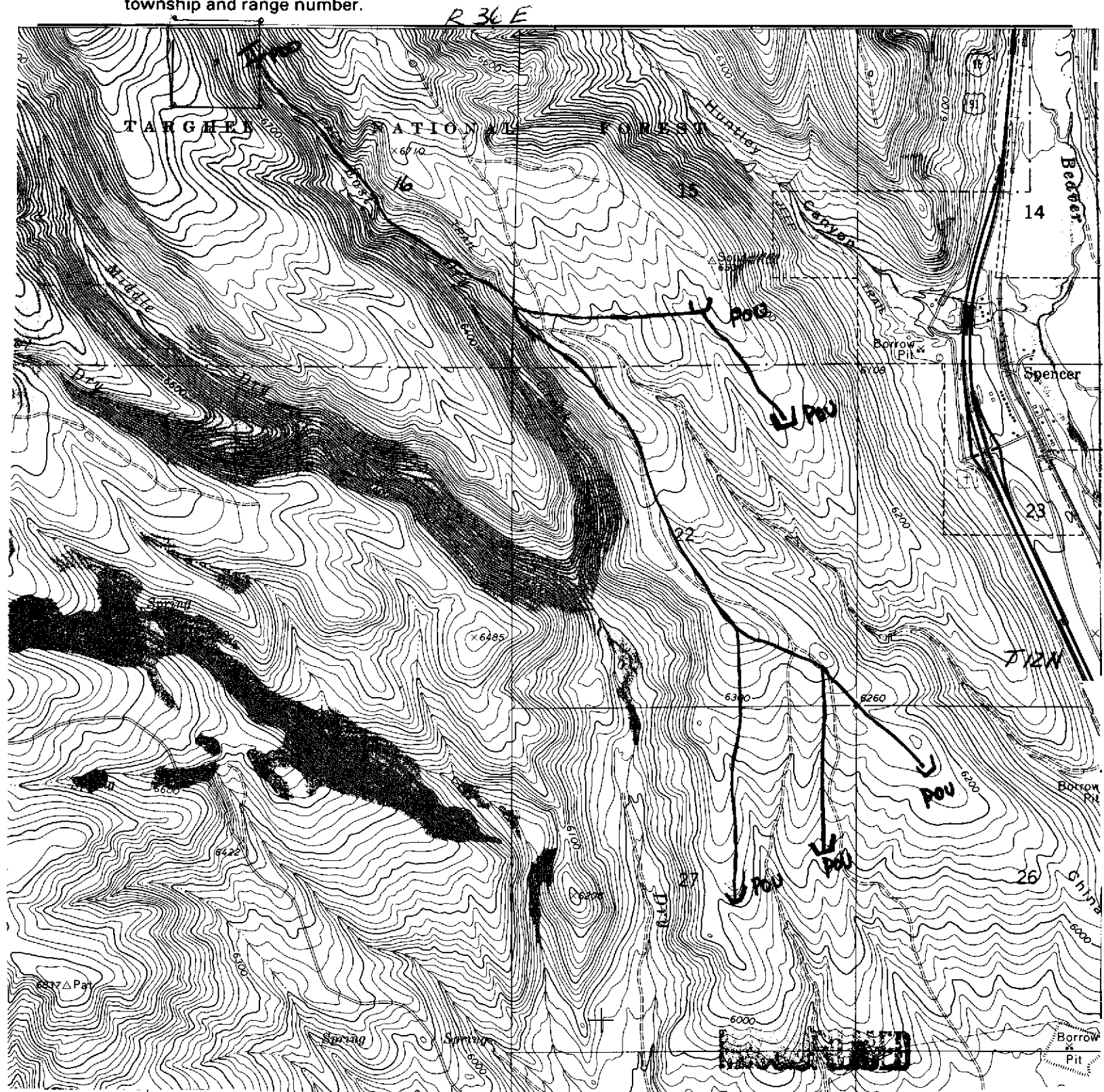
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

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
3 years (minimum 1 year).

DEC 06 1988

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



DEC 06 1988

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.

District Manager

L. H. Ferguson
(Applicant)

Proposed Priority 6/30/88

Received by

Date

Time

Preliminary check by

Fee \$ 30.00

Received by

Date

0008066

Date

7-29-88

Publication prepared by

Date

8-26-88

Published in

Post Register

Publication approved

Date

9-23-88

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. 31-7505

, 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, 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. 31, Mud Lake & Tributaries.

Witness my hand this 10th day of November, 1988.

[Signature]

RECEIVED

DEC 06 1988

Proof of Publication
The Post-Register

RECEIVED

SEP 21 1988

State of Idaho, }
County of Bonneville } ss

Department of Water Resources
Eastern District Office

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 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.

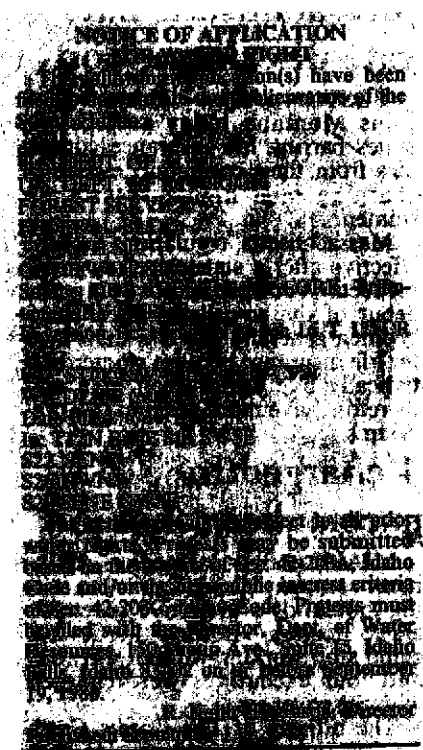
That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in
said Post-Register for two consecutive weeks, first publication having been made
on the 1st day of September , 19.88., last publication
having been made on the 8th day of ... September , 19.88., and 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 ... 14th ... day of ... September , 19.88.

J. Robb Brady
Leon E. Napier
Notary Public

My commission expires .. September 30., ... , 1988 ..

B10



MICROFILMED

DEC 06 1988



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

August 23, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
1405 HOLLIPARK DR
IDAHO FALLS ID 83401

US DEPT OF AGRICULTURE
FOREST SERVICE
TARGHEE NATIONAL FOREST
1405 HOLLIPARK DR
IDAHO FALLS ID 83401

RE: License No. 31-7505 – Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

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 by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Also enclosed is a copy of the Application for Amendment.

Please note that water right owners are required to report any change of water right ownership and/or 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 forms and instructions.

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED

AUG 31 2001

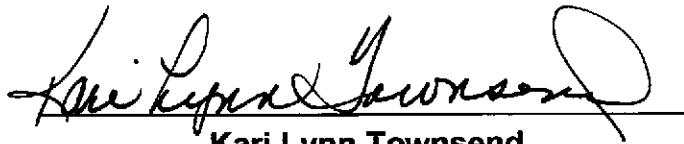
CERTIFICATE OF MAILING

I hereby certify that on August 23, 2001 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO. 31-7505

**US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
1405 HOLLIPARK DR
IDAHO FALLS ID 83401**

**US DEPT OF AGRICULTURE
FOREST SERVICE
TARGHEE NATIONAL FOREST
1405 HOLLIPARK DR
IDAHO FALLS ID 83401**

A handwritten signature in black ink, appearing to read "Kari Lynn Townsend", is written over a horizontal line.

**Kari Lynn Townsend
Secretary**

**MICROFILMED
OCT 11 2001**

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

MICROFILMED

OCT 11 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

August 6, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
1405 HOLLIPARK DR
IDAHO FALLS ID 83401

US DEPT OF AGRICULTURE
TARGHEE NATIONAL FOREST
1405 HOLLIPARK DR
IDAHO FALLS ID 83401

RE: Water Right Permit 31-7505

Dear Permit Holder(s):

I previously forwarded to you an Application for Amendment so that you could amend your permit to depict your water right as it has been actually developed. I have not yet received the amendment. If I do not receive it within 30 days, I will assume you no longer have any interest in the permit and cancellation proceedings will begin.

Enclosed for your convenience is another amendment form. Please note that the filing fee for this amendment is \$50.00.

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

Sincerely,

KAY WALKER
Sr. Water Resource Agent

KW:klt

Enclosure

MICROFILMED
OCT 11 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098
Ret. Service Requested

RECEIVED

JUN 21 2001

Department of Water Resources

mail resent to
yellow tag address
Ret 6.21.01



MICROFILMED

OCT 11 2001

col p 65

Tag 420

US DEPT OF AGRICULTURE
FOREST SERVICE
420 BRIDGE ST
ST ANTHONY ID 83445

TARG420 634432007 1000 05 06/09/01
RETURN TO SENDER
TARGHEE NATIONAL FOREST
1405 HOLLIPARK DR
IDAHO FALLS ID 83401-2100
RETURN TO SE



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

June 5, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
1405 HOLLIPARK DR
IDAHO FALLS ID 83401

OR

US DEPT OF AGRICULTURE
FOREST SERVICE
420 BRIDGE ST
ST ANTHONY ID 83445

RE: Water Right No. 31-07505

Dear Permit Holder(s):

The Department is reviewing the above referenced permit prior to issuing a water right license. We find that this right has been partially decreed in the Snake River Basin Adjudication (SRBA), however, pursuant to Section 42-1421, Idaho Code, we must complete the statutory licensing procedure in accordance with Section 42-219, Idaho Code. We have included copies of the above referenced sections of Idaho Code for your convenience.

Once the license has been issued the Department will reflect the completion of the licensing process in its water rights database. By issuing a license on this permit, the Department confirms that a water right has been established in compliance with the terms of the permit. The examiner who verified your water use reported that the point of diversion and places of use are in a location other than what was described on your permit. Therefore, before a license can be issued, your permit must be amended to depict this water right as it was actually developed.

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

Also, please note that some of the proposed conditions of approval and remarks may be modified upon further administrative review.

If you do not concur with the field examiner's findings, or if you have any questions about this information, please contact me as soon as possible at (208) 327-7944.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

MICROFILMED

Enclosures

OCT 11 2001

MEMORANDUM

TO: File 31-07505

FROM: KAY WALKER *KW*

RE: License Recommendations

Date: July 14, 2000

.....

Paul Meyer originally examined this right on September 26, 1995. The exam was reviewed and prepared for licensing. In November 1997 Paul was asked to supplement the information he had compiled. We have never received the supplemental field report.

A claim was filed in the SRBA claiming the permit as on record with the exception of the amount of water. The claim was partially decreed in June of 1998 as permitted with condition "A01" which allows the Department to finalize the licensing of the right even though partial decree was issued. The BLM went out and GPS'd the point of diversion and places of use on this right after they received their partial decree and found changes needed to be made. They prepared an application for transfer on this right to change the p/d and p/u based upon their GPS findings. When Eastern Region reviewed the application for transfer they discovered that the right was still a permit, even though partially decreed, and called and discussed the matter with Shelley. Shelley and Skip decided we could use the locations BLM identified for the license recommendations. This will prevent the filing of an application for transfer and allow the Department to license the permit as it is developed and will also supercede the partial decree.

MICROFILMED

OCT 11 2001

LICENSE REVIEW CHECKLIST

Permit No. 31-07505 Date: 6-22-200 Reviewer: Kay Walker

*Rt. claimed
as a permit
& decreed with
"A01"*

Change/OK *change addressed per permit & proof*
Name/Address *ok*
Source *change*
Point of Diversion: *yes*

Does change clarify original intended source? If no, void permit.
Change (P39/P49) Add (P45/P44) Feds (P40)

W32 (multiple in 1/4/1/4)
W36 (overlap)
W59 (subdivision description)

Place of Use *change*
yes Change (P41/P49) Add (P41/P44) Feds (P43)

W60 (subdivision description)
W27 (ppu acre limit)

Overlaps: Right(s): 31-07348 - *Disallowed in SRBA for no B/U*
File reviewed _____ Profile reports printed _____

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

Rate of Diversion: Permitted rate 0.01 cfs
Fee Limit 0.2 cfs Recommended Total Diversion Rate 0.01 *(limited by permit)*
Measured _____ cfs
Theoretical _____ cfs *no msmt.*

Water Uses *ok* Change (P46)

Irrigation _____ cfs _____ af
Stockwater 0.01 cfs 0.7 af
Domestic _____ cfs _____ af
Wildlife 0.01 cfs 0.7 af
_____ cfs _____ af
Total 0.01 cfs 0.7 af

Irrigation - overlap (R58-R61, R62-R65, R66-R69)
supp. Gw (WB7/065/079)
overlap spec combined rts (W35)
>1 acre (W31)
Domestic (W01/wb5/070/071/075)
Power (W42 or W43/025/027/R22 or R23)
Fish (042)
Fire (077)
Water Quality (081/R07)
Payette - (W22/047/27A)
Stockwater for US (R37)

*See volume in
Cindy Zimmerman's
memo of 2/9/96.*

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

Remarks: R37, R04 242 x 0.0134 = 3.2 NO

Additional Conditions 31 Watermaster Control *water msmt dist*
_____ GW Measurement/Measuring Device *gw dist*
_____ Other
~~Trust (052/R55 - remove 051)~~
~~Non-trust (048/049)~~ Government Lots? NO

Advance Priority? yes If yes, explain why below.
no

SRBA Claim? yes - partial decree issued

Adjust memo Yes

Amend Letters P48 P87, S06 Second Amendment Notice P49 S06

*P/D & P/U GPS'd by BLM -
amendment required.*

RECEIVED

JUN 12 2000

Page

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Idaho State Water Resources
Eastern Region

Transfer No. _____

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant U.S.D.I., Bureau of Land Management c/o Deena Teel
 Post Office address 1405 Hollipark Drive, Idaho Falls, ID 83401 Phone (208) 524-7500

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes GPS data collected on 6/6/2000
indicates that the legal locations claimed are incorrect.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number Priority Amount (cfs/ac-ft) Nature of Use Period of Use
31-07505 6/30/1988 0.01 cfs Stockwater 05-01 to 11-15
0.01 cfs wildlife 01-01 to 12-31
 _____ to _____
 _____ to _____
2. Total amount of water being transferred 0.01 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Dry Creek, East Fork tributary to Dry Creek

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	SE	NW	16	12N	36E	Clark	Dry Creek Pipeline

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
12N	36E	15												S/W					
		22					S/W										S/W		
		26						S/W											
		27					S/W												

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OCT 11 2001

Shelley,

This proposed transfer
info is what we
should use for the
licensing info.

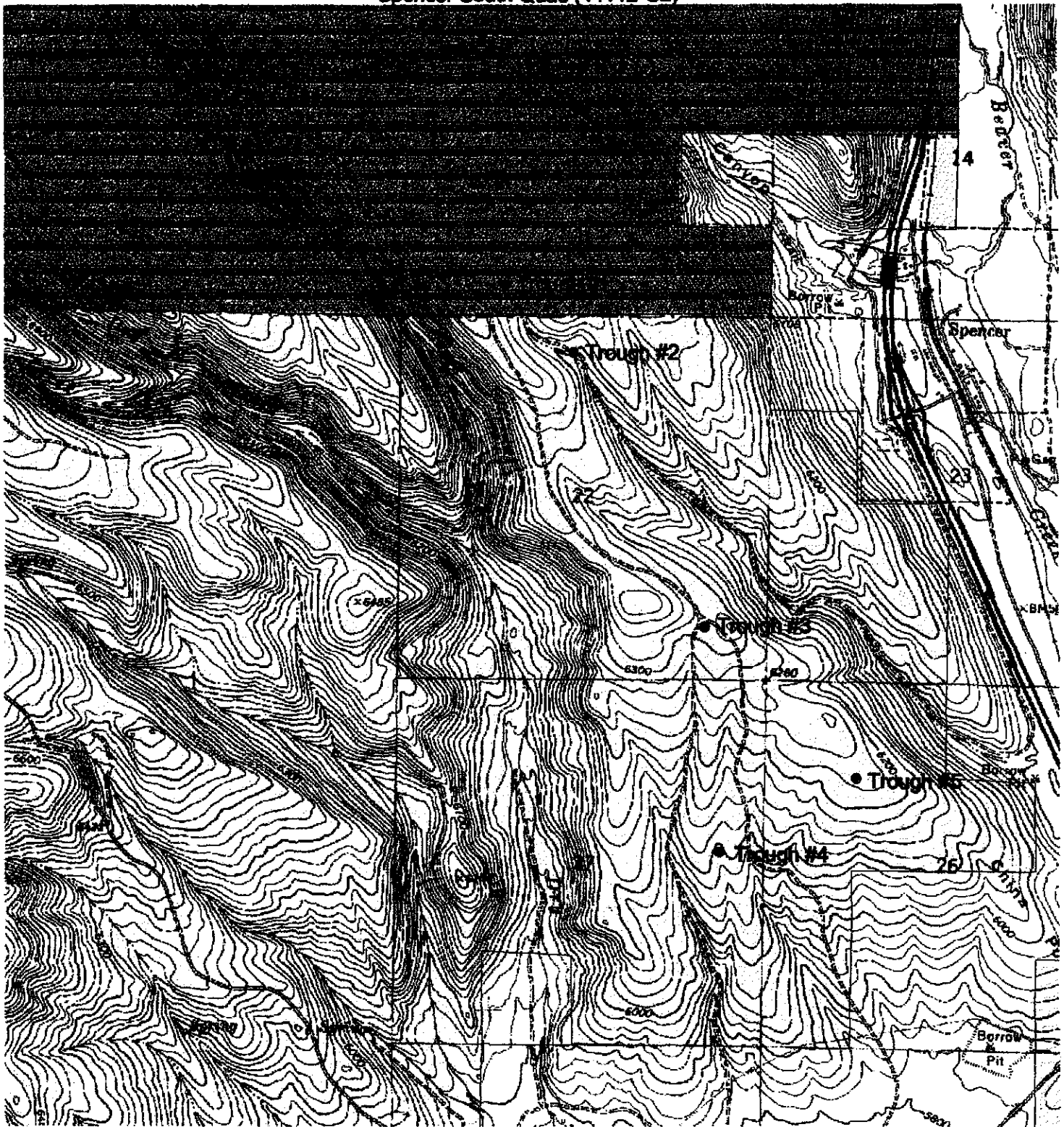
Then license would
supersede decree.

Hwj.

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OCT 11 2001

Dry Creek Pipeline 3103588042; 31-07795
T.12N, R.36E
Spencer South Quad (44112-C2)



- Drycreekplshp
- ldown.shp
- B.L.M.
- Bureau of Indian Affairs
- Department of Energy
- Forest Service
- Military Reservations
- National Parks & Monuments
- Open water
- Private
- State of Idaho
- U.S. Fish & Wildlife Service

0.5 0 0.5 Miles
1:24,000 scale



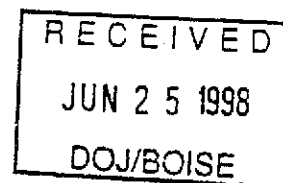
PRODUCED BY THE BLM, IDAHO FALLS FIELD OFFICE.
Projection Universal Transverse Mercator
Zone 12, 1927 North American Datum
No warranty is made by the Bureau of Land Management
as to the accuracy, reliability or completeness of this data
for individual or aggregate use with other data.
Prepared by Deena Teel on 6/7/2000 from GPS data
collected on 6/6/2000.

MICROFILMED
OCT 11 2001

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
)
Case No. 39576)
)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 31-07505



NAME AND ADDRESS: USDI BLM
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE, ID 83709-1657

SOURCE: DRY CREEK, EAST FORK TRIBUTARY: DRY CREEK

QUANTITY: 0.01 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 06/30/1988

POINT OF DIVERSION: T12N R36E S16 NENWNW Within Clark County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	05-01 TO 11-15	0.01 CFS
	Wildlife	01-01 TO 12-31	0.01 CFS

PLACE OF USE:	Stockwater		Within Clark County
	T12N R36E S15	SWSE	
	S22	NENE	
	S26	NWNW	
	S27	SENE	NWSE
	Wildlife		Within Clark County
	T12N R36E S15	SWSE	
	S22	NENE	
	S26	NWNW	
	S27	SENE	NWSE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS RIGHT IS CONDITIONED UPON COMPLETION OF THE APPROPRIATION
IN ACCORDANCE WITH THE STATUTORY PROCEDURE FOR APPROPRIATION
OF WATER RIGHTS. THIS RIGHT REMAINS SUBJECT TO ALL CONDITIONS
SET FORTH IN THE PERMIT UPON WHICH THIS RIGHT IS BASED, AND WILL
BE SUBJECT TO ALL CONDITIONS SET FORTH IN THE LICENSE ISSUED BY
IDWR UPON COMPLETION OF THE STATUTORY APPROPRIATION PROCESS.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

← "Aoi"

Partial Decree

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance
with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a
final judgment and that the court has and does hereby direct that the above judgment or order shall be a final
judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Daniel C. Hurlbutt, JR.
Presiding Judge
Snake River Basin Adjudication

SRBA PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 31-07505

MICROFILMED

OCT 11 2001

MEMORANDUM

DATE: November 20, 1997

TO: Water Right Files

FROM: Shelley W. Keen *SWK*

RE: Supplemental field reports

Today I contacted Paul Meyer to confirm that he is working on supplemental field reports for the following list of rights.

29-07872

29-07882

31-07505

32-07236

35-08645

The information for the initial field reports were submitted by the BLM without IDWR verification of the records. It was decided that IDWR should take a more active role in verifying these rights.

These files should be routed to a licensing reviewer as soon as the supplemental reports are received.

MICROFILMED

OCT 11 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

February 12, 1996

US DEPT OF INTERIOR
US DEPT OF AGRICULTURE
BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706

RE: WATER RIGHT NO. 31-07505

Dear Water Right Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to depict your water right as it has actually been developed.

The enclosed Application for Amendment contains information that will be included on the license when it is issued. The amendment reflects a change in the location of the place(s) of use description. Please review carefully and if you concur, sign the amendment and return with the \$50.00 filing fee within 60 days.

The last page of the Application for Amendment form contains a list of CONDITIONS/REMARKS proposed for the license when it is issued. These conditions/remarks may be modified upon further administrative review.

If you do not concur, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208) 327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

MICROFILMED
OCT 11 2001

WR0749NP
No. L31-07505

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 02/09/96
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	US DEPT OF INTERIOR BUREAU OF LAND MANAGEMENT IDAHO STATE OFFICE 3380 AMERICANA TERRACE BOISE ID 83706 (208) 524-7500	06/30/1988	STOCKWATER WILDLIFE	05-01 11-15 01-01 12-31	0.010 CFS 0.010 CFS	0.70 AFA 0.20 AFA
TOTAL DIVERSION:					0.010 CFS	0.90 AFA
C	US DEPT OF AGRICULTURE FOREST SERVICE FEDERAL BLDG 324 25TH ST OGDEN UT 84401 (208) 524-7500					

Water Source: DRY CREEK, EAST FORK

Tributary to: DRY CREEK

Stage: LICENSE

Point(s) of Diversion Capacity: 0.010 CFS

Point(s) of Diversion: T12N R36E S16

NWNW

CLARK County

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE																			
NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENW		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE	
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
12N	36E	15	:						:																						
12N	36E	22	:						:																						
12N	36E	26	:						:																						
12N	36E	27	:						:																						

Place of use location for WILDLIFE is the same location as described for: STOCKWATER

Pou County: CLARK

Other Rights: NONE

Conditions of Approval:

- R04 - Use of water under this water right will be regulated by the watermaster of State Water District No. 31.
- R37 - This right, when considered with all other rights common to the same grazing allotment, shall be limited to the quantity of water beneficially used by the number of stock within the allotment.

Dates: App. Received: 06/30/1988 Priority Date: 06/30/1988
Proof Due Date: 12/01/1991 Proof Made Date: 10/21/1991
Exam Made Date: 09/26/1995 Exam Sent to S.O.: 01/16/1996
Licensed Date:

Misc: Water District Number: 31 Field Exam Fee:

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OCT 11 2001

B/U FIELD EXAM REVIEW
Cindy Zimmerman

01/96

Permit #: 31-07505 Name: BLM-FS Date: 2/9/96 ✓ Lots ✓

NAME Chng Same ✓ Or Address Change?

SOURCE ✓ Clarify source
Prelim. Order to Void - Source change.

P/D ✓ Amendment Needed? NE NWNW P39
Overlap(s)

P/U ✓ Amendment Needed? add & change: 12N 36E S15-SESW; S22-NWNE; NWNW; SESE P41
Overlap(s) OK: S26-NENW; S27-NESE
(Gov't special T's) *P/D & P/U Amend? P37

RATE Permit/fee limits .01 / .16
Measured Q= None cfs/Theoretical Q= None cfs
(240 RC = 0.05 cfs) + (wildlife = 0.01 cfs) = 0.06 cfs
* limited by permit.

Recommended capacity 0.01 cfs
Recommended rate 0.01 cfs

VOLUME ✓ Season: (5/1 / 11/15) = 199 days * limited by rate.
Calculations: Stock: 0.01 x 199 x 1.9835 = 3.97 = 0.66 AF
(Stock: 240 RC x 12 d x 1.9835) ÷ 325,850 = 1.6 AF * 0.7
(wildlife: deer/moose = 0.2 AF) = 0.9 AF
Flow limit: 0.01 x 365 x 1.9835 = 7.2 AF
Recommended volume 0.9 AF

USES ✓ Same Nature of Use? P46
Amendment Needed?

REMARKS ✓ Multiple p/d's in 1/4? W32
0.002/240

CONDITIONS R04 Measuring (R01)/Locking (R02) Devices
R37 Watermaster Control (R04) - WD # 31
Irrigation rate/volume overlap
GW irrigation replaces surface water (050)
GW irrigation supplements surface water (065)
Water Quality
Other .

PRIORITY App Rcd 6/30/88 Due 12/1/91 Rc'd 10/24/91
Receipt# E016653 Fee OK? (Yes) No
Order to Reinstate Needed? Yes (No) Done?
If Yes, Advanced? Yes/No to:
Priority 6/30/88 Examined 9/26/95

COMMENTS: rate & volume limited by permit.

USE	CFS	DIV VOL	SRBA Overlap A31-7505 Adjustment Memo <u>✓</u>
<u>Stock Stoe</u>	<u>0.01</u>	<u>0.7</u>	LICENSE LTR: <u>P49</u>
<u>Wt Stoe</u>	<u>0.01</u>	<u>0.2</u>	#1 AMEND LTR: <u>43/P38</u>
<u>TOTAL</u>	<u>0.01</u>	<u>0.9</u>	#2 AMEND LTR: <u>P42/P47</u>

MEMORANDUM

DATE: February 9, 1996
TO: File No. 31-07505
FROM: Cindy Zimmerman *CZ*
SUBJECT: Review of Beneficial Use Field Report

=====

The following adjustments were made on the field report to correct a mathematical error:

1. Annual Volume.
 - a. Stockwater, (limited by flow)
= cfs x d/y x h/d x 1.9835
= 0.01 x 199 x (4/24) x 1.9835
= 0.01 x 199 x 0.167 x 1.9835
= ~~0.66~~ $\approx$ 0.7 AF
 - b. Wildlife, deminimus = 0.2 AF.
 - c. Maximum Annual Volume = 0.7 + 0.2
= 0.9 AF

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OCT 11 2001

MEMORANDUM

DATE: February 7, 1996
TO: File No. 31-7505
FROM: Cindy Zimmerman *czj*
SUBJECT: Telephone Conversation

=====

I talked today with Paul Meyer regarding several BLM stockwater field exams he did in September 1995 and sent to the state office in January 1996. These exams contained a short narrative of the system but no notes on the nature and date of the records used to verify beneficial use as required in Permit Processing Memo No. 8 dated 11/7/95.

Paul stated that he did not personally witness the diversion or any "as built" of the systems. Paul had contacted Deena Teal, an ecologist with BLM, and gave her a listing of the permits. Ms. Teal field verified each site for Paul and the SRBA claims.

MICROFILMED
OCT 11 2001

RECEIVED

JAN 16 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 81-07505

United States Department of Interior
Bureau of Land Management
940 Lincoln Road, Idaho Falls, ID 83401

Phone: (208) 524-7500

2. Accompanied by: DEENA TEAL EXAM DATE: 9-26-95

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: EAST FORK DEY CREEK tributary to DEY CREEK

B. OVERLAP REVIEW

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

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

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NE	NW	NW	16	12N	36E	Carex	USGS, IN-OFFICE

2. Place(s) of Use:

Indicate Method of Determination SAME

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12N	36E	15												S/W					
		22		S/W			S/W										S/W		
		26					S/W	S/W											
		27												S/W					

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OCT 11 2001

1,401,000m.f

HUMPHREY 8 MI.

101

T12AD
R36E

Places of Use

Facts of Use

ROFILMED
2AM

31-07505

E. NARRATIVE/REMARKS/COMMENTS

COLLECTION BOX AND APPROX 17,000' FEET OF PIPELINE TO SEVEN STOCKWATER TROUGHS. STOCKWATER USE UP TO 240 RANGE CATTLE AND WILDLIFE USE FOR SEVERAL VARIED SPECIES. PROTECT HEADS ON TARGHEE NATIONAL FOREST (DUBOIS RANGE DISTRICT) AND SERVES BLM LAND THROUGH MEMORANDUM OF UNDERSTANDING.

NOTE SEVERAL CHANGES IN PLACE OF USE! AMEND TO LOCATIONS SHOWN.

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

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OCT 11 2001

F. FLOW CALCULATIONS

Measured Method:

IDPL 3rd. for 240 BRIDGE CAPTLE = 0.05 cfs
 * Limited BY PERMIT TO 0.01 cfs

DE MINIMUS USE FOR WILDLIFE = 0.01 cfs (AS PERMITTED)

COMBINED FLOW PERMITTED AS 0.01 cfs

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{ir} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$$

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

$$V = \text{Smaller of } V_{ir} \text{ and } V_{dr} =$$

2. Volume Calculations for Other Uses:

IDPL 3rd for 240 BRIDGE CAPTLE = 3.2 AFA

AS Q LIMITED TO 0.01 cfs, AND ASSUMING I HAVE DECIDEDLY

$$0.01 \text{ cfs} \times 1.9835 \times 199 \times 4 = 0.66 \text{ AFA} = 0.7 \text{ AFA}$$

WILDLIFE IS DE MINIMUS
 ESTIMATE AT 0.2 AFA

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use

Stockwater

WILDLIFE

Period of Use

From

To

Rate of Diversion

Annual Volume

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

I. AUTHENTICATION

Field Examiner's Name Julie Date 1-3-96

Reviewer _____ Date _____

* Adjustments made during the review of this right for license approval.
 See memo for additional information. 2/9/96

NOT REFILED

SEAL

1 1 2001

November 22, 1991

U.S. DEPT. OF AGRICULTURE
U.S. DEPT. OF INTERIOR
BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 31-07505

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,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

MICROFILMED
DEC 09 1991

138053

September 30, 1991

U.S. DEPT. OF AGRICULTURE
U.S. DEPT. OF INTERIOR
BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706

PROOF DUE NOTICE

RE: PERMIT NO. 31-07505

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, 1991. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

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

SINCERELY,

Nina Shields
Secretary/Records Manager

Enclosures

MICROFILMED

DEC 09 1991

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
November 25, 1988

U.S. DEPT. OF AGRI.
U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT.
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE, ID 83706

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

RE: PERMIT NO. 31-07505

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 Allocation Section

GS: SC
Enclosures

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DEC 06 1988



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

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

September 13, 1988

U.S. Forest Service
Targhee National Forest
P.O. Box 208
St. Anthony, Idaho 83445

RE: Application for Permit No. 31-07505

Dear Sir:

This office is currently in the process of publishing notice that the above application 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 September 19, 1988. Final action will be taken by this office shortly after this date, provided there are no protests lodged against the applications.

Respectfully submitted,

Ernest Carlsen
Water Rights Supervisor

EC/dg
Enclosure

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DEC 06 1988



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

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

September 13, 1988

Don Shenton
Water District #31
P.O. Box 33
Dubois, Idaho 83423

RE: Application for Permit No. 31-07505

Dear Sir:

This office is currently in the process of publishing notice that the above application 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 September 19, 1988. Final action will be taken by this office shortly after this date, provided there are no protests lodged against the applications.

Respectfully submitted,

Ernest Carlsen
Water Rights Supervisor

EC/dg
Enclosure

MICROFILMED

DEC 06 1988



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

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

September 13, 1988

U.S. Dept. of Interior
Bureau of Land Mgmt.
940 Lincoln Rd.
Idaho Falls, ID 83401

RE: Application for Permit No. 31-07505

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned identification No. 31-07505. 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,

Ernest Carlsen
Water Rights Supervisor

EC/dg

MICROFILMED

DEC 06 1988



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

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

September 13, 1988

U.S. Dept. of Agriculture
Targhee National Forest
420 Bridge St.
St. Anthony, ID 83445

RE: Application for Permit No. 31-07505

Dear Water Right Applicant:

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

Sincerely,

Ernest Carlsen
Water Rights Supervisor

EC/dg

MAILED

DEC 06 1988

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

Idaho Falls, Idaho 834
(208) 525-7161

AUGUST 26, 1988

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 ~~AUGUST~~ 19, 1988.

SEPT

Yours truly,

Deena Green
Secretary

Encl.

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NOTICE OF APPLICATION FOR WATER RIGHT

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

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DEC 06 1988

31-07505

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

Source: DRY CREEK, EAST FORK

Tributary: DRY CREEK

Diversion Pt: NENWNW Sec 16 T 12N R 36E

Use: STOCKWATER (.010 CFS)
WILDLIFE (.010 CFS)

Date Filed: 6/30/1988

In: T12N R36E S15	SWSE	
S22	NENE	
S26	NWNW	
S27	SENE	NWSE

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The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before ^{SEPT} AUGUST 19, 1988.

R. Keith Higginson, Director

Published 9/01/1988 & 9/08/1988

8-29: TT (PR) Karleen; she will make change.

MIC

DEC 06 1988



United States Department of the Interior

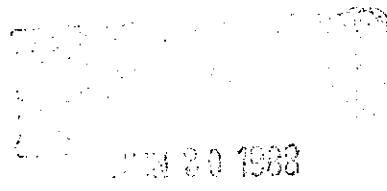
BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE, IDAHO 83706



IN REPLY REFER TO:
7250 (931)

JUN 28 1988

Water Allocation Division
Department of Water Resources
1301 North Orchard Street
Boise, Idaho 83706-2237



Gentlemen:

Department of Water Resources

Enclosed for processing are three (3) "Application for Permit" forms. Billing is to be made through order number ID-910-BP8-0010.

Please return the approved applications to the following:

Ervin R. Cowley
Bureau of Land Management
Idaho State Office
3380 Americana Terrace
Boise, Idaho 83706

Thank you for your cooperation.

Sincerely, **RECEIVED**
Ervin R. Cowley 1988
Ervin R. Cowley
Watershed Specialist
Department of Water Resources
Northern District Office

Enclosures

2 apps Western
1 app Eastern

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JUL 21 1988

Department of Water Resources
Eastern District Office

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