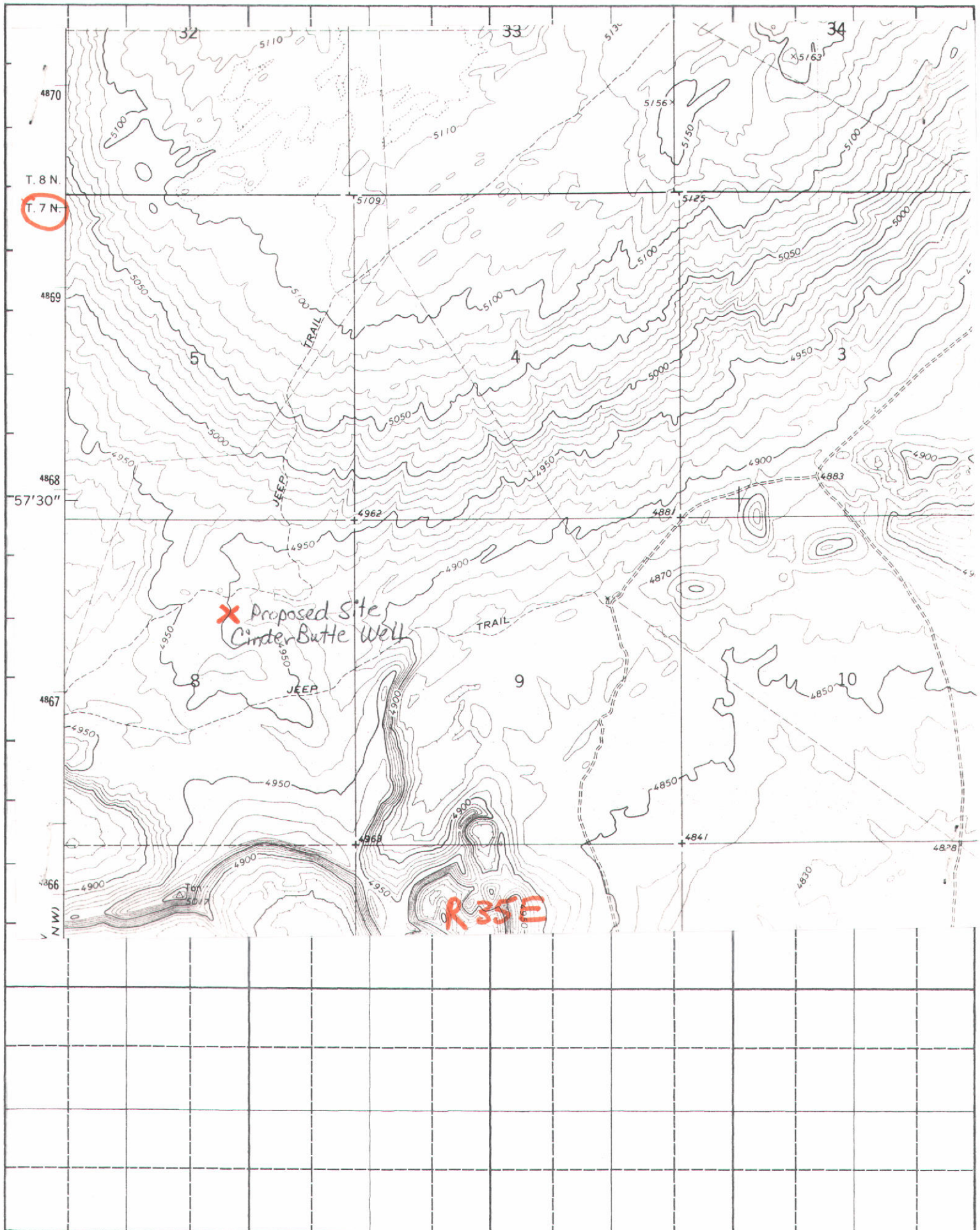


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

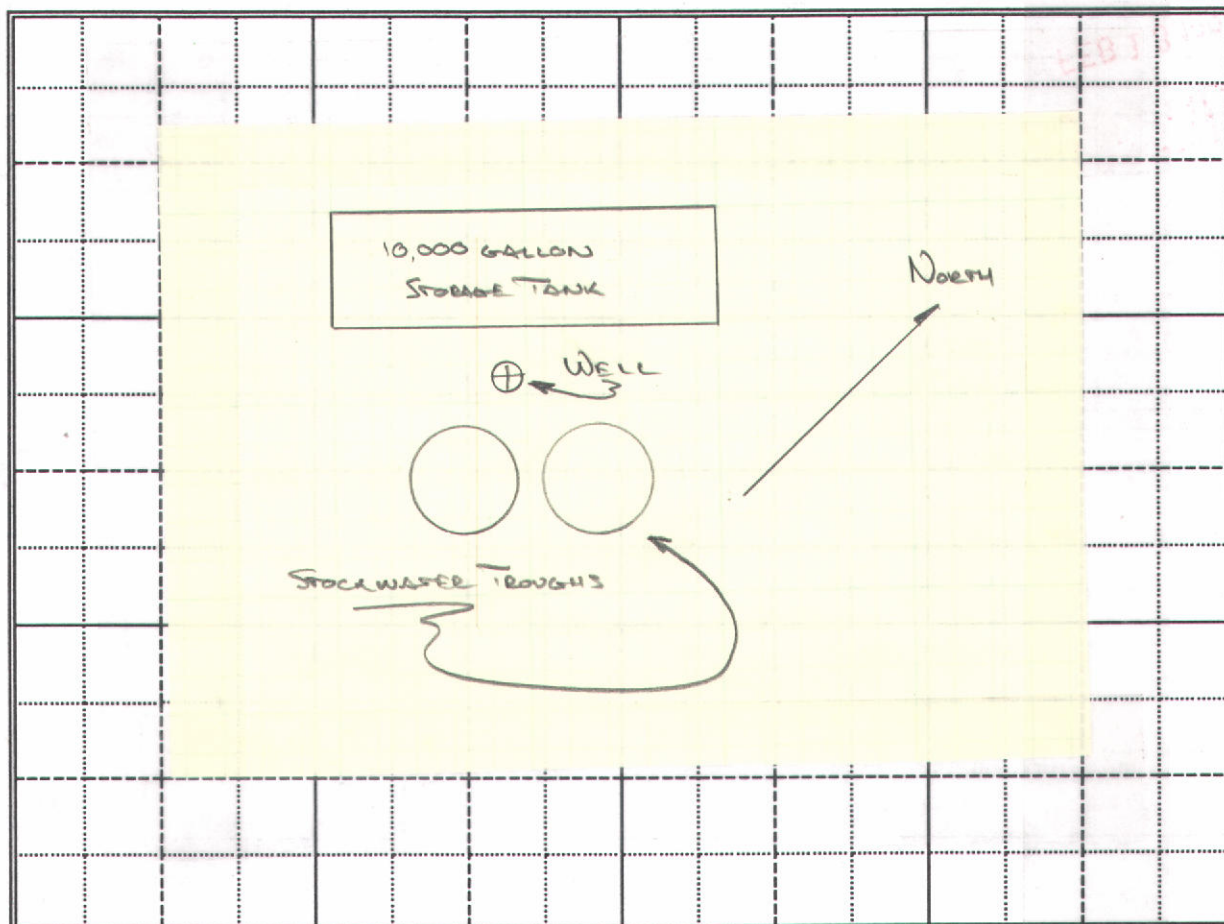


BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Carl A. Funder
 District Manager (Applicant)

MICROFILMED

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
	FRANKLIN	5	282 1139 203		

*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: _____

FILED

FEB 13 1995

SANDERS WELL 0.1 MI.

T. 8 N.
T. 7 N.

4869

4868

4867

4866

4865

1.4 MI.

6 5
7 8

5 4
8 9

7 8
18 17

8 9
17 16

POINT OF DIVERSION
AND PLACE OF USE

T7N
R35E

"CINDER BUTTE WELL"
JDR # 4760

MICROFILMED
FEB 13 1995

3521 (NW)
(MUD LAKE NW)

THE BREAKS

20
J
7
0
-
M



Fig. 1 - Complete system showing storage tank and stockwater troughs.



Fig. 2 - Point of diversion.

31-07426
MICROFILMED
FEB 13 1995

THE JEFFERSON STAR

RIGBY, IDAHO

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
County of Jefferson } ss

I, Terry Weatherston,
being first duly sworn, depose and say, that I am
the printer of THE JEFFERSON STAR, a weekly
newspaper printed and published weekly at
Rigby, Jefferson County, Idaho; and I do
solemnly swear that the

Notice Of Application For Water Right

a copy of which notice appears attached here-
to, was published in the regular and entire issue
of said newspaper, and not in any

supplement issue thereof for 2
consecutive issues, the first publication hav-

ing been made on July 19, 1984
and the last publication having been made

on July 26, 1984.

Further, that said newspaper is one of general
circulation in said county; that it is a legal
newspaper, conforming to legal specifications
under the Idaho Statutes; that it has at least two
hundred bona fide subscribers living within the
county of publication; and that it has been
continuously and uninterruptedly published in said
county during a period of seventy-eight con-
secutive weeks prior to the first publication of the
said notice.

Terry Weatherston
~~~~~

Subscribed to and sworn to before me

this July 27, 1984

*David Garner*  
\_\_\_\_\_  
Notary Public.

(SEAL)

My commission expires life

RECEIVED

AUG 8 1984

Department of Water Resources  
Eastern District Office

### NOTICE OF APPLICATION FOR WATER RIGHT

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

31-7426  
U.S. DEPT. OF INTERIOR  
BUREAU OF LAND MGMT., IDAHO  
STATE OFFICE, 3380 AMERICANA  
TERRACE, BOISE, ID 83706  
Source: GROUNDWATER  
Date Filed: 06/15/1984  
Diversion Pt: SWNE Sec 08 T 07 N R 35E  
Use: STOCKWATER (0.03 CFS)  
WILDLIFE (0.04 CFS)  
In: SWNE Sec 08 T 07 N R 35E

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 AUGUST 6, 1984.

KENN DUNN  
Director

Publ. July 19 and 26, 1984RS

MICROFILMED

State of Idaho  
Department of Water Resources

# WATER RIGHT LICENSE

WATER RIGHT NO. 31-07426

Priority: June 15, 1984

Maximum Diversion Rate:  
Maximum Diversion Volume:

0.04 CFS  
1.0 AF

This is to certify, that US DEPT OF INTERIOR  
BUREAU OF LAND MANAGEMENT  
940 LINCOLN RD  
IDAHO FALLS ID 83401

has complied with the terms and conditions  
of the permit, issued pursuant to Application for Permit dated June 15, 1984; and  
has submitted Proof of Beneficial Use on April 17, 1990. An examination indicates  
that the works have a diversion capacity of 0.040 cfs of water from a GROUNDWATER  
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            | 05/01 to 11/15       | 0.03 CFS                 | 0.7 AF               |
| WILDLIFE              | 06/01 to 11/15       | 0.01 CFS                 | 0.3 AF               |
| Totals                |                      | 0.04 CFS                 | 1.0 AF               |

LOCATION OF POINT(S) OF DIVERSION: NWNE , Sec. 8, Township 07N, Range 35E  
JEFFERSON County

PLACE OF USE: STOCKWATER  
TWN RGE SEC  
07N 35E 8 NWNE

PLACE OF USE:  
WILDLIFE, same as STOCKWATER use

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. 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.
6. Place of use is known as JDR No. 4760, Cinder Butte Well.
7. Stockwater use is for 100 range cattle.

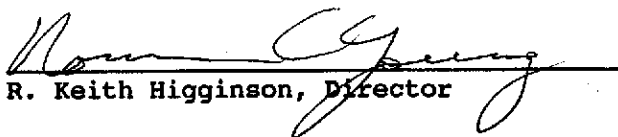
RECEIVED  
FEB 13 1995

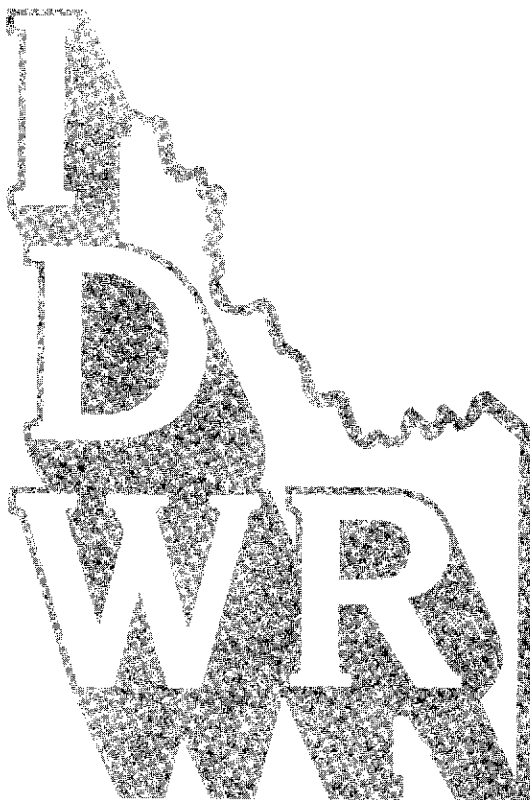
State of Idaho  
Department of Water Resources

# WATER RIGHT LICENSE

WATER RIGHT NO. 31-07426

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.  
Witness the seal and signature of the Director, affixed at Boise, this 9<sup>TH</sup>  
day of FEBRUARY, 1995.

Acting for  R. Keith Higginson, Director



  
FEB 13 1995

State of Idaho  
Department of Water Resources

**APPLICATION FOR AMENDMENT**  
(For Licensing Purposes)  
**WATER RIGHT NO. 31-07426**

Date of Priority: June 15, 1984

Maximum Diversion Rate: 0.04 CFS  
Maximum Diversion Volume: 1.0 AF

Comes now US DEPT OF INTERIOR  
BUREAU OF LAND MANAGEMENT  
940 LINCOLN RD  
IDAHO FALLS ID 83401

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. 31-07426, and requests that the permit be changed as follows:

Source: GROUNDWATER

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|--------------------------|----------------------|
| STOCKWATER            | 06/01 to 11/15       | 0.03 CFS                 | 0.7 AF               |
| WILDLIFE              | 06/01 to 11/15       | 0.01 CFS                 | 0.3 AF               |
|                       | Totals               | 0.04 CFS                 | 1.0 AF               |

LOCATION OF POINT(S) OF DIVERSION:

NWNE , Sec. 8, Township 07N, Range 35E  
JEFFERSON County

PLACE OF USE: STOCKWATER

TWN RGE SEC

07N 35E 8 NWNE

PLACE OF USE:

WILDLIFE, same as STOCKWATER use

APPROVED

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 at Idaho Falls, this 13th day of January, 1995.

FEB 13 1995

GARY J. BARN  
(signature) Assoc. Dir.

State of Idaho  
Department of Water Resources

**APPLICATION FOR AMENDMENT**  
(For Licensing Purposes)  
**WATER RIGHT NO. 31-07426**

\*\*\*\*\*

**FOR DEPARTMENT USE ONLY**

Preliminary check by \_\_\_\_\_ Fee = 50<sup>00</sup> Received by HWS # E020617 Date 1-30-95

**ACTION OF THE DEPARTMENT OF WATER RESOURCES**

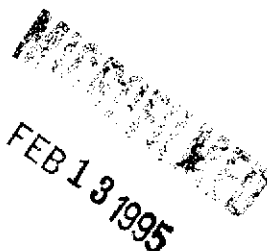
I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 31-07426 with the following;

**CONDITIONS/REMARKS:**

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. 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.
6. Place of use is known as JDR No. 4760, Cinder Butte Well.
7. Stockwater use is for 100 range cattle.

Witness my hand this 9<sup>TH</sup> day of FEBRUARY, 1995.

  
R. Keith Higginson, Director

  
FEB 13 1995

RECEIVED

APR 17 1990

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

RECEIVED

APR 20 1990

Department of Water Resources  
Eastern District Office

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. 31-07426

Telephone No. 208-529-1020

Name(s) of Permit Holder(s): U.S.D.I., Bureau of Land Management

Post Office Address: 940 Lincoln Road, Idaho Falls, Idaho 83401

Source of Water: Groundwater

If ground water, well driller's name: Denning Drilling

Date drilled: 3/21/84

Extent of Use:

Domestic \_\_\_\_\_ (No. of households)

Irrigation \_\_\_\_\_ (No. of acres)

Stockwater 100 Range  
Cattle (No. and type of stock)

Other 150 antelope, sage grouse, mourning  
dove

Total rate and/or volume for which proof is submitted .04 cfs \_\_\_\_\_ acre/feet

Show date water was first diverted and beneficially used under this permit: 3/21/84

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: \$ \_\_\_\_\_ (See License Examination Fee Schedule)

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

Dan Kotansky

208-529-1020

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 number \_\_\_\_\_ has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

MICROFILMED

JUN 21 1990

Date

Signature (and title if on behalf of a company or organization)

10 Apr 1990

U. Bernard Hansen

Asst. Dist. Mgr.

RECEIVED

1984 JUN -4 AM 7:43

BLM-IDSO

## STATE OF IDAHO

## DEPARTMENT OF WATER RESOURCES

## APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Department of Water Resources

529-1020

JUN 15 1984

APPROVED

1. Name of applicant Bureau of Land Management Phone 529-1020Post office address 940 Lincoln Road, Idaho Falls, Idaho 834012. Source of water supply Groundwater which is a tributary of \_\_\_\_\_3. Location of point of diversion is SW  $\frac{1}{4}$  of NE  $\frac{1}{4}$  of Section 8 Township 7 N.Range 35 E. B.M. Jefferson County, additional points of diversion if any: \_\_\_\_\_

## 4. Water will be used for the following purposes:

Amount .03 for Livestock purposes from 6/1 to 11/15 (both dates inclusive)  
(cfs or acre-feet per annum)Amount .01 for Wildlife purposes from 6/1 to 11/15 (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. .04 cubic feet per second and/or b. \_\_\_\_\_ acre-feet per annum.

## 6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Submersible pump with 10,000 gallon  
Storage tank and a single trough.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 6 inches, proposed depth of well is 200 feet.7. Time required for the completion of the works and application of the water to the proposed beneficial  
use is 5 years (minimum 1 year - maximum 5 years).

## 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 8 Township 7 N.  
Range 35 E. 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 100 head of cattle. Wildlife use  
includes: 150 antelope, sage grouse, mourning dove.(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: \_\_\_\_\_

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**MICROFILMED**

**Total number of acres to be irrigated**

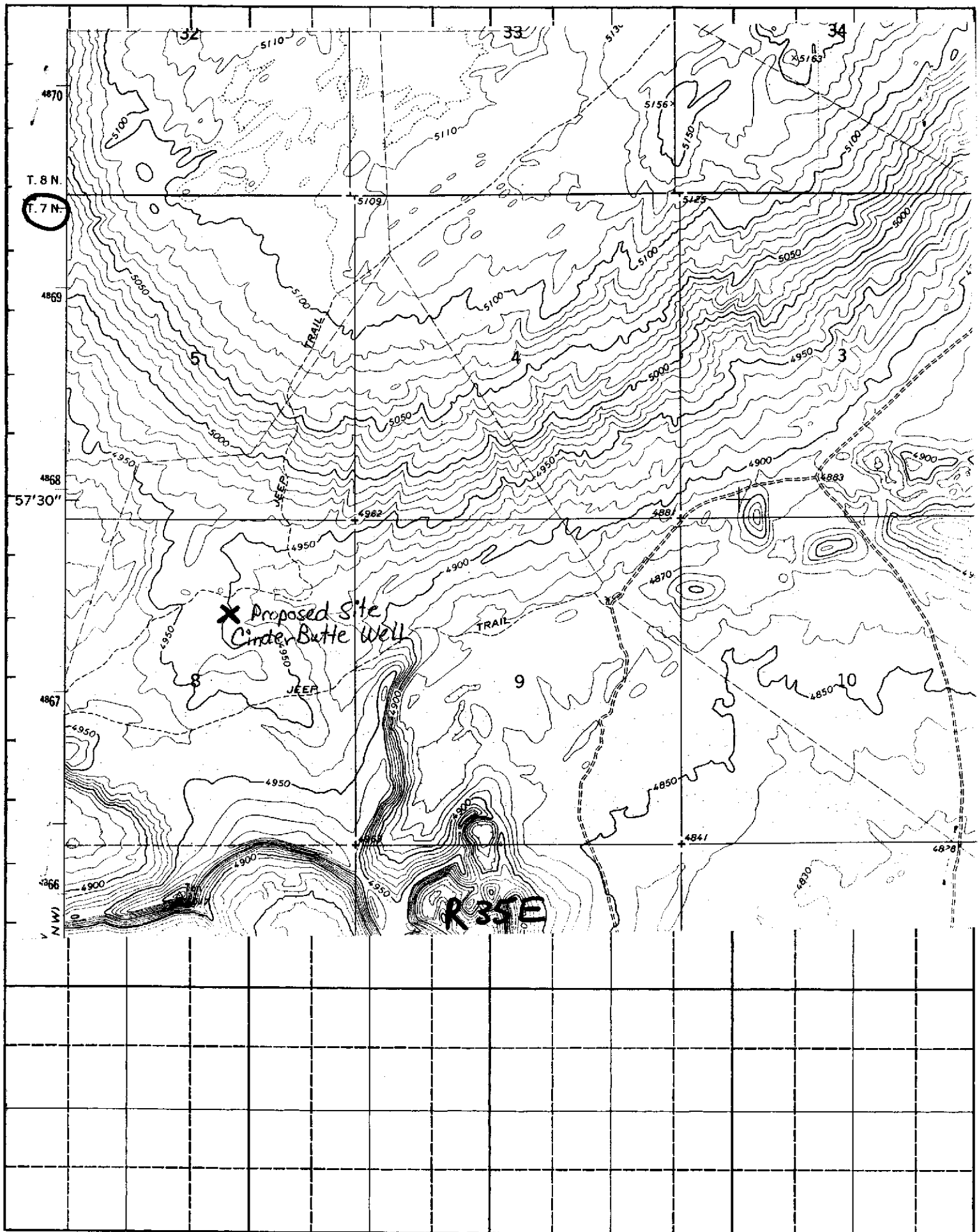
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b. Who owns the land to be irrigated or place of use U.S. Bureau of Land Management

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

|             |  |
|-------------|--|
| 10. Remarks |  |
|-------------|--|

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.

*Carl A. Jones*  
District <sup>(Applicant)</sup> Manager

MICROFILMED

MICROFILMED

Proposed Priority 6/15/84

Received by YLS

Date 6/15/84

Time 1:30pm

Fee \$ 30.00

ID-910-BP3-0003

Received by my

Date 3-15-85

# 36318

Publication prepared by my

Date my

Published in The Ruyter Star

Publication dates 7/14/84

Publication approved tu

Date 6/12/85

Protests filed by: none

Copies of protests forwarded by \_\_\_\_\_

Hearing held by \_\_\_\_\_

Date \_\_\_\_\_

Recommended for approval \_\_\_\_\_

denial \_\_\_\_\_

by me

tu

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. 31-7426, 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 be-

fore June 1

, 19 90

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: 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.

Witness my hand this 14 day of June, 1985.

Chief, Operations Bureau

D. Allen Boyton



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000  
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT  
GOVERNOR

R. KEITH HIGGINSON  
DIRECTOR

February 9, 1995

US DEPT OF INTERIOR  
BUREAU OF LAND MANAGEMENT  
940 LINCOLN RD  
IDAHO FALLS ID 83401

RE: WATER RIGHT NO. 31-07426

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved Application for Amendment.

Should you have any questions regarding these documents, please contact me.

Sincerely,

Shelley W. Keen  
Water Rights Supervisor

SK:rl

Enclosure

RECEIVED  
FEB 13 1995



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

CECIL D. ANDRUS  
GOVERNOR

R. KEITH HIGGINSON  
DIRECTOR

December 28, 1994

US DEPT OF INTERIOR  
BUREAU OF LAND MANAGEMENT  
940 LINCOLN RD  
IDAHO FALLS ID 83401

RE: WATER RIGHT NO. 31-07426

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 correspond with the findings of the Department's field examiner.

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 point(s) of diversion and 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 have any questions with this information, please contact me as soon as possible. My telephone number is (208) 327-7947.

Sincerely,

JIM JOHNSON, Manager  
Water Right Permits Section

JJ:dc

Enclosure

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FEB 13 1995

# LICENSE REVIEW CHECKLIST



PERMIT NO. 31-07426 DATE 12-27-94

|                                                                   |                                                                                             |                                                                                                                                                                                                                                                                       |
|-------------------------------------------------------------------|---------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| NAME                                                              | Yes <u>    </u> No <u>✓</u>                                                                 | Or Address Change?                                                                                                                                                                                                                                                    |
| PRIORITY DATE                                                     | <u>    </u> <u>✓</u>                                                                        | Advance? <u>    </u> Advanced to: <u>    </u><br>Order to reinstate needed? <u>    </u><br>Incorrect fee for rate recommended? <u>NA</u>                                                                                                                              |
| SOURCE                                                            | <u>    </u> <u>    </u>                                                                     | Changes or just clarification of originally intended source? <u>    </u><br>Notice of Intent to Void necessary? <u>    </u>                                                                                                                                           |
| POINT OF DIV                                                      | <u>✓</u> <u>    </u>                                                                        | Amendment needed? <u>Amend to NWNE of SEC 8</u><br>Overlaps? <u>    </u>                                                                                                                                                                                              |
| PLACE OF USE                                                      | <u>✓</u> <u>    </u>                                                                        | Amendment needed? <u>Amend to NWNE of SEC 8</u><br>Overlaps? <u>    </u>                                                                                                                                                                                              |
| DIV RATE                                                          | <u>    </u> <u>✓</u>                                                                        | Permit/fee limits: <u>.04</u><br>Meas Q = <u>    </u> Theo Q = <u>    </u> Recommend: <u>.04</u>                                                                                                                                                                      |
| Combined rates exceed capacity <u>    </u>                        |                                                                                             |                                                                                                                                                                                                                                                                       |
| ANNUAL VOLUME                                                     | <u>    </u> <u>✓</u>                                                                        | Season of use: <u>6-1 to 11-15</u><br>Calculations: <u>100 cattle @ 1.3 af for 365 days</u><br><u>168 ÷ 365 = .46 .46 x 1.3 = .6 af</u><br>Flow limit: <u>    </u> cfs x <u>    </u> x 1.9835 = <u>    </u><br>Combined volumes exceed capacity/allowable <u>    </u> |
| <i>Calculations close enough to recommend examiner's volumes.</i> |                                                                                             |                                                                                                                                                                                                                                                                       |
| USES                                                              | <u>    </u> <u>✓</u>                                                                        | Change in Nature of Use or additional uses? <u>    </u><br>Amendment necessary? <u>    </u>                                                                                                                                                                           |
| REMARKS                                                           | <u>W02</u> <u>✓</u>                                                                         | Multiple p/d(s) in ¼ ¼? <u>    </u><br>Other <u>100 HEAD OF CATTLE</u>                                                                                                                                                                                                |
| CONDITIONS                                                        | <u>    </u> <u>✓</u><br><u>    </u> <u>✓</u><br><u>    </u> <u>✓</u><br><u>R37</u> <u>✓</u> | Measuring/Locking Devices<br>Watermaster control - District <u>31</u><br>Irrigation Overlap<br>Water Quality<br>Other <u>STANDARD BUM</u> Heat/Cool/ Fish verified <u>    </u><br><u>CONDITION</u>                                                                    |
| COMMENTS: <u>JDR # 4760 - Cinder Butte well.</u>                  |                                                                                             |                                                                                                                                                                                                                                                                       |

*Amend p/d + p/u*

| RECOMMENDED       | CFS        | VOL        | SRBA Claim Filed       | <u>YES</u>       |
|-------------------|------------|------------|------------------------|------------------|
| <u>Stockwater</u> | <u>.03</u> | <u>.7</u>  | Adjustment Memo Needed | <u>NO</u>        |
| <u>Wildlife</u>   | <u>.01</u> | <u>.3</u>  |                        |                  |
| <u>Totals</u>     | <u>.04</u> | <u>1.0</u> | LICENSE                |                  |
|                   |            |            | 1ST AMENDMENT LETTER   | <u>P48 + P38</u> |
|                   |            |            | FINAL AMENDMENT LETTER | <u>P47</u>       |

Donna  
This is a 60  
day call up.  
THANKS!

NOV 30 1994

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
BENEFICIAL USE FIELD REPORT

"CINDER BUTTE WELL"  
JDR # 4760

A. GENERAL INFORMATION

Permit No. 31-07426

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

Phone: (208) 524-7500

2. Accompanied by: \_\_\_\_\_ EXAM DATE: 7-25-94

Address: \_\_\_\_\_ Phone No. \_\_\_\_\_

Relationship to Permit Holder: \_\_\_\_\_

3. Source: GROUNDWATER tributary to \_\_\_\_\_

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 |
|-----------|-----------|-----|-----|-----|------|------|------|-----------|---------------------------------|
|           |           | SE  | NW  | NE  | 8    | 7N   | 3SE  | JEFFERSON | USGS, NAPP, ONSITE              |
|           |           |     |     |     |      |      |      |           |                                 |
|           |           |     |     |     |      |      |      |           |                                 |
|           |           |     |     |     |      |      |      |           |                                 |

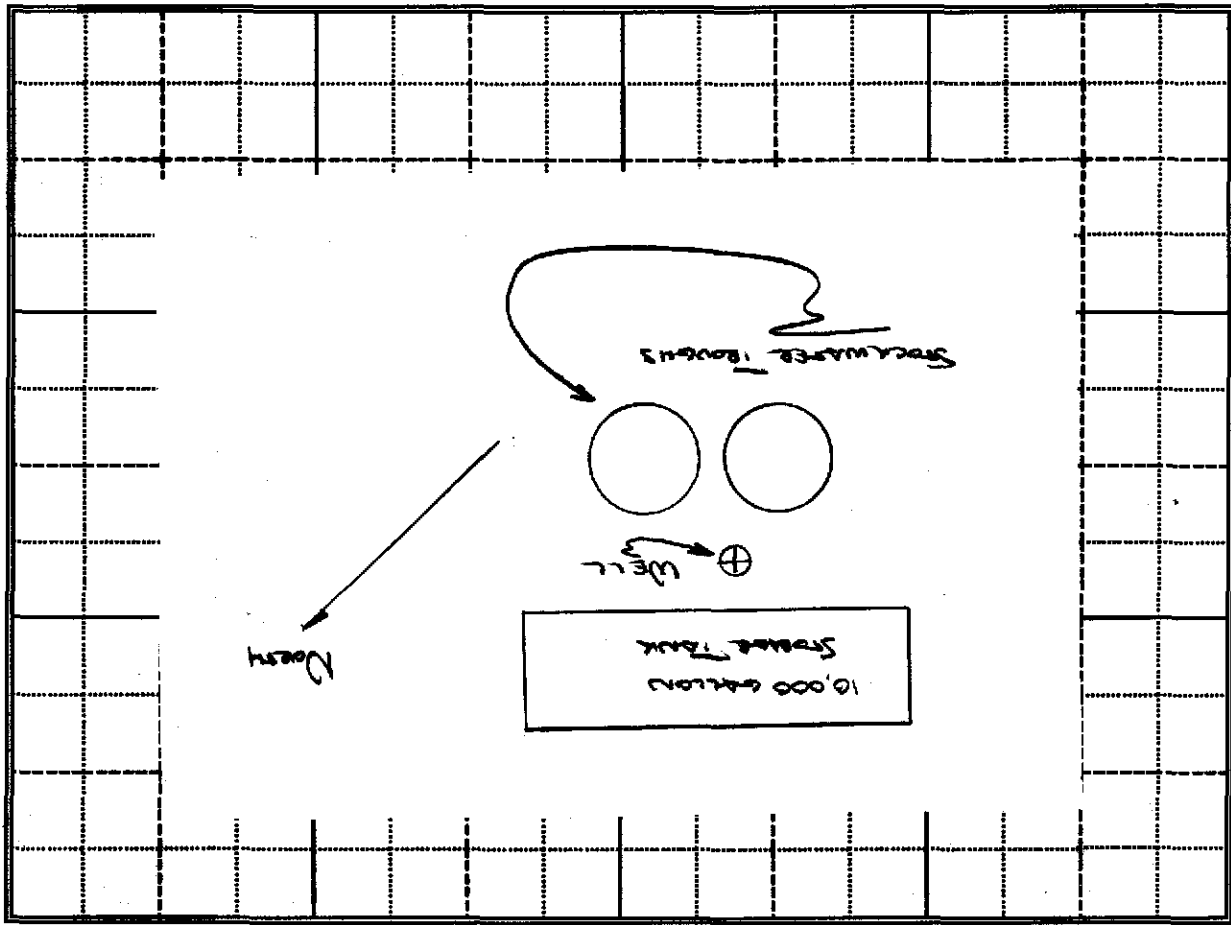
2. Place(s) of Use:

Indicate Method of Determination USGS, ONSITE, NAPP

| TWP | RGE | SEC | NE |     |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW  | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 7N  | 3SE | 8   |    | S/W |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |

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3. Delivery System Diagram: Indicate all major components and distances between components. Indicate well size/ditch size/pipe l.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 of \_\_\_\_\_  
 \_\_\_\_\_ (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 |
|---------------------------------------|------------|----|------------------|-----------|-----------------------------------|
|                                       | FABULIN    | 5  | 282 1139 203     |           |                                   |
|                                       |            |    |                  |           |                                   |
|                                       |            |    |                  |           |                                   |

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

D. FLOW MEASUREMENTS

1.

2. Measurements:

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

FEB 13 1995

UNCLASSIFIED

E. NARRATIVE/REMARKS/COMMENTS

WELL, SUBMERSIBLE PUMP TO A33 PIPELINES TO 10,000 GAL STOCK TANK  
AND TWO STOCKWATER TANKS.

USED 6-1 THRU 11-15 FOR 100 HEAD RANGE CATTLE, APPROX 100 ANTELOPE  
PLUS VARIOUS OTHER SPECIES

JDR # 4760 "CINDER BUTTE WELL"

\* AMEND AS SHOWN

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

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FEB 13 1995

# F. FLOW CALCULATIONS

Measured Method:

Additional Computation Sheets Attached

IDEAL FOR 100 PERCENT CAPTURE = 0.05 CFS

DE MINIMIS WILDLIFE

0.04

# G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

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

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

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

2. Volume Calculations for Other Uses:

IDEAL FOR 100 PERCENT CAPTURE = 1.14 AFA  $\times \frac{168 \text{ DAYS}}{365} = 0.64 \text{ AFA}$

= 0.6 AFA  $\times \frac{168 \text{ DAYS}}{365} = 0.28 \text{ AFA}$

0.92 AFA

Below 0.7 AFA Stock  
0.8 AFA Wildlife

# H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use

Stockwater

Wildlife

From

To

11-15

6-1

11-15

6-1

Rate of Diversion

Q (cfs)

0.05

0.01

0.04

Totals:

Annual Volume

V (afa)

0.7

0.3

1.0

# 2. Recommended Amendments

☒ Change P.D. as reflected above

☐ Add P.D. as reflected above

☐ Other

# I. AUTHENTICATION

Field Examiner's Name

JOHN C. MILLER

Reviewer

JOHN C. MILLER

Date

22 Nov 94

Date

11-9-94

SEAL

FEB 13 1995





Fig. 1 - Complete system showing storage tank and stockwater troughs.

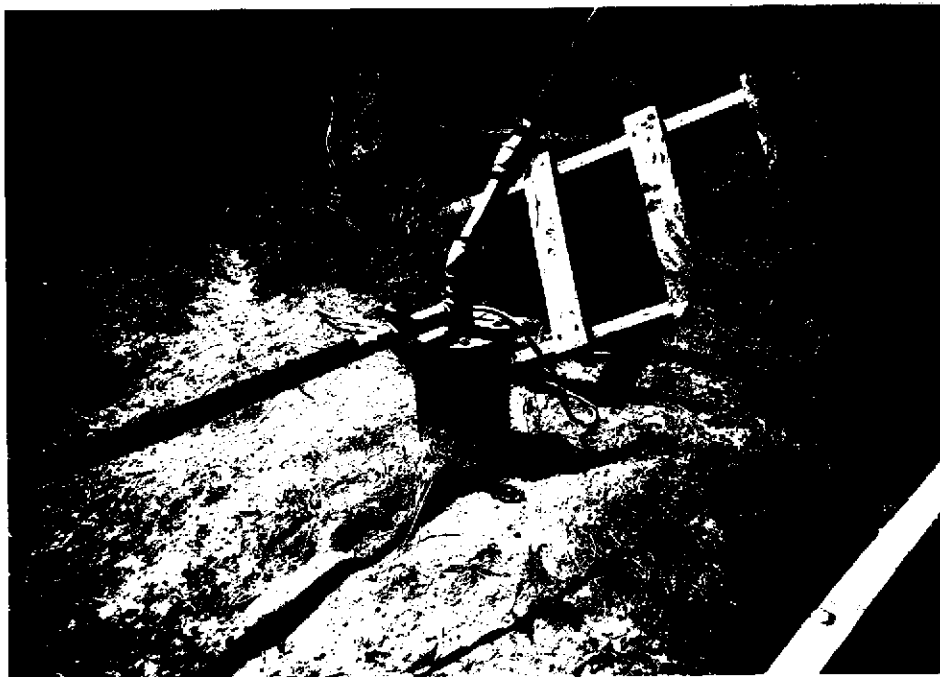


Fig. 2 - Point of diversion.

31-07426  
MICROFILMED  
FEB 13 1995

June 19, 1990

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

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 31-07426

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

Rita Fleck  
Secretary/Records Manager

c: IDWR - Region

**RECEIVED**

JUN 21 1990

138428  
March 31, 1990

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

PROOF DUE NOTICE

RE: PERMIT NO. 31-07426

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 June 1, 1990. (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,

Rita Fleck  
Secretary/Records Manager

**MICROFILMED**

JUN 21 1990



State of Idaho

## DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS  
Governor

A. KENNETH DUNN  
Director

Mailing address:  
Statehouse  
Boise, Idaho 83720  
(208) 334-4440

SEPTEMBER 1, 1985

DEAR PERMIT HOLDER:

ACCORDING TO OUR RECORDS, YOU ARE THE HOLDER OF A WATER PERMIT ON WHICH PROOF OF BENEFICIAL USE OF WATER WAS NOT SUBMITTED BEFORE JULY 1, 1985, WHICH INDICATES YOUR PROJECT IS NOT COMPLETE. THEREFORE, YOU NEED TO BE AWARE OF CHANGES IN IDAHO LAW, EFFECTIVE JULY 1, 1985, WHICH IMPACT ALL WATER PERMITS ISSUED BY THIS DEPARTMENT.

SPECIFICALLY, PURSUANT TO SECTION 42-203D, IDAHO CODE, THE DEPARTMENT MUST REVIEW ALL PERMITS FOR WHICH DEVELOPMENT OF WATER USE WAS NO COMPLETED ON OR BEFORE JULY 1, 1985, TO DETERMINE IF THEY MEET THE NEW REQUIREMENTS OF CHAPTER 2, TITLE 42, IDAHO CODE. RULES AND REGULATIONS GOVERNING THE RE-EVALUATION OF PERMITS ARE NOT YET FINALIZED. HOWEVER, IF YOU COMPLETED THE DEVELOPMENT UNDER YOUR PERMIT BEFORE JULY 1, 1985, YOU SHOULD SUBMIT A PROOF OF BENEFICIAL USE STATEMENT, STATING THAT THE PROJECT WAS COMPLETED BEFORE JULY 1, 1985 SO THAT YOUR PERMIT WILL NOT BE SUBJECT TO THE REVIEW REQUIREMENTS OF SECTION 42-203D, WHICH READS AS FOLLOWS:

42-203D. REVIEW OF PERMITS - OPPORTUNITY FOR HEARING. - (1)THE DEPARTMENT SHALL REVIEW ALL PERMITS ISSUED PRIOR TO THE EFFECTIVE DATE [JULY 1, 1985] OF THIS SECTION, EXCEPT TO THE EXTENT A PERMIT HAS BEEN PUT TO BENEFICIAL USE PRIOR TO JULY 1, 1985, TO DETERMINE WHETHER THEY COMPLY WITH THE PROVISIONS OF CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PROPOSED USE DOES NOT SATISFY THE CRITERIA OF CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL EITHER CANCEL THE PERMIT OR IMPOSE THE CONDITIONS REQUIRED TO BRING THE PERMIT INTO COMPLIANCE WITH CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PERMIT SATISFIES THE CRITERIA ESTABLISHED IN CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL ENTER AN ORDER CONTINUING THE PERMIT.

(2)THE DEPARTMENT SHALL PROVIDE AN OPPORTUNITY FOR HEARING IN ACCORDANCE WITH SECTION 42-1701A, IDAHO CODE, AND SECTIONS 67-5209 THROUGH 67-5215, IDAHO CODE, FOR EACH HOLDER OF A PERMIT THAT IS PROPOSED EITHER TO BE CANCELLED OR MADE SUBJECT TO NEW CONDITIONS.

YOU MAY OBTAIN PROOF OF BENEFICIAL USE FORMS FROM THE DEPARTMENT. IF YOU HAVE ANY QUESTIONS, PLEASE LET US KNOW.

SINCERELY,

L. GLEN SAXTON  
CHIEF, OPERATIONS BUREAU

**MICROFILMED**

JUN 21 1990

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

PLACE  
STAMP  
HERE

**Microfilm**

JUN 21 1990



**RECEIVED**

IDAHO DEPARTMENT OF WATER RESOURCES  
JUL 15 1990  
STATEHOUSE

BOISE, IDAHO 83720

Department of Water Resources

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
COMMENCEMENT OF WORKS

Permit No. 31 7426  
Name(s) of Permit Holder(s): Bureau of Land Management  
Post Office Address: 940 Lincoln Road  
Idaho Falls, Idaho 83401 Tel. No. 524-1000

☒ I hereby certify that construction of diversion works on the above referenced permit began on September 19, 1990 and understand that I must continue to develop the water ~~diversion~~ with due diligence to maintain a valid permit.

☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control\*:

Well is developed

STORAGE TANK MAY NOT BE ON SITE YET THOUGH IS

\*Note: A financing difficulty is  
not an acceptable reason.

July 14, 1995 Donna J. Apples  
Date Signature of Permit Holder

Patricia Webster

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

---

STATEHOUSE  
BOISE, IDAHO 83720  
(208) 334-4440

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

JUNE 19, 1985

RE: PERMIT NO. 31-7426

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.

YOU SHOULD BE AWARE THAT THE GROUND WATER YOU PROPOSE TO DIVERT IS LOCATED WITHIN A DRAINAGE BASIN WHERE SURFACE WATERS ARE REGULATED DURING THE MONTHS OF LOW FLOW. IT IS POSSIBLE THAT DIVERSION OF GROUNDWATER MAY HAVE AN ADVERSE IMPACT ON THESE SURFACE WATER FLOWS. INFORMATION AVAILABLE TO US AT THIS TIME DOES NOT WARRANT REFUSING TO ISSUE PERMITS IN YOUR AREA, BUT WE DO CAUTION THAT DIVERSIONS OF GROUND WATER ARE NOT ALLOWED TO DEplete FLOWS AVAILABLE FOR SURFACE WATER USERS WITH EARLIER PRIORITY DATES. SITING YOUR WELL AS FAR FROM SURFACE SOURCES AS POSSIBLE AND CASING OUT UPPER WATER PRODUCING ZONES MAY REDUCE THE POTENTIAL FOR INTERFERENCE.

PLEASE NOTE THE REQUIREMENT THAT AS A PERMIT HOLDER YOU MUST COMMENCE THE 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.

**MICROFILMED**

RE: PERMIT 31-7426

PAGE 01  
JUNE

19, 1985

SINCERELY,

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

ENCLOSURE

**MICROFILMED**

August 8, 1984

RE: Application for Permit No. 31-7426 BLM

Jefferson Star  
P.O. Box 37  
Rigby, ID 83442

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application(s). The legal notice was to have been published in your paper on August 19 and 26, 1984.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

COLLEEN WRAY  
Adm. Secretary

**UNRECORDED**



# United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Idaho State Office  
3380 Americana Terrace  
Boise, Idaho 83706

IN REPLY  
REFER TO: 7250 (932)

RECEIVED

JUN 15 1984

RECEIVED

JUL 6 1984

Department of Water Resources  
Eastern District Office

June 14, 1984

Department of Water Resources

CERTIFIED--RETURN RECEIPT REQUESTED

Water Allocation Division  
Department of Water Resources  
Statehouse  
Boise, Idaho 83720

Gentlemen:

Enclosed for processing is 1 water right application. Billing is to be made through order number ID-910-PH3-0003.

Please return approved application to the following address:

State Hydrologist  
Bureau of Land Management  
Idaho State Office  
3380 Americana Terrace  
Boise, Idaho 83706

Thank you for your cooperation.

Sincerely yours,

Karl Gebhardt, P.E.

1 Enclosure

*to Eastern*

THE JEFFERSON STAR

RIGBY, IDAHO

AFFIDAVIT OF  
PUBLICATION

STATE OF IDAHO }  
County of Jefferson } ss

I, Terry Weatherston,  
being first duly sworn, depose and say, that I am  
the printer of THE JEFFERSON STAR, a weekly  
newspaper printed and published weekly at  
Rigby, Jefferson County, Idaho; and I do  
solemnly swear that the

Notice Of Application For Water Right

a copy of which notice appears attached here-  
to, was published in the regular and entire issue  
of said newspaper, and not in any

supplement issue thereof for 2  
consecutive issues, the first publication hav-

ing been made on July 19, 1984  
and the last publication having been made

on July 26, 1984.

Further, that said newspaper is one of general  
circulation in said county; that it is a legal  
newspaper, conforming to legal specifications  
under the Idaho Statutes; that it has at least two  
hundred bona fide subscribers living within the  
county of publication; and that it has been  
continuously and uninterruptedly published in said  
county during a period of seventy-eight con-  
secutive weeks prior to the first publication of the  
said notice.

*Terry Weatherston*

Subscribed to and sworn to before me

this July 27, 1984

*John D. Garner*  
Notary Public.

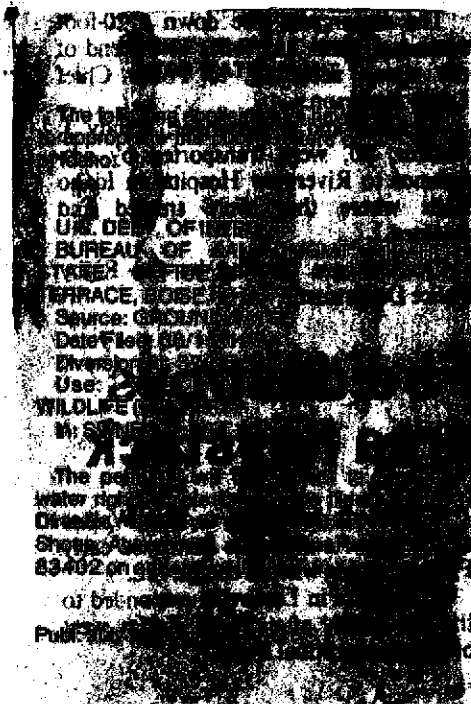
(SEAL)

My commission expires life

RECEIVED

AUG 8 1984

Department of Water Resources  
Eastern District Office



MICROFILMED

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Eastern Region

---

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

JULY 11, 1984

The Risby Star  
P. O. Box 37  
Risby, Idaho 83442

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 billings to this office before AUGUST 6, 1984.

Yours truly,

RONALD D. CARLSON  
Supervisor  
Eastern Region

Encl.

**MICROFILMED**

NOTICE OF APPLICATION FOR WATER RIGHT

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

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 AUGUST 6, 1984.

KEN DUNN, Dir.

Published 7/19 & 7/26/84.

**MICROFILMED**

31-7426-

U.S. DEPT. OF INTERIOR

BUREAU OF LAND MGMT., IDAHO STATE OFFICE, 3380 AMERICANA TERRACE,  
BOISE, ID 83706

Source: GROUNDWATER

Date Filed: 06/15/1984

Diversion Pt: SWNE Sec 08 T 07N R 35E

|                 |            |
|-----------------|------------|
| Use: STOCKWATER | (0.03 CFS) |
| WILDLIFE        | (0.01 CFS) |

In: SWNE Sec 08 T 07N R 35E

**MICROFILMED**