

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**APPLICATION FOR PERMIT**

To appropriate the public waters of the State of Idaho

1. Name of Applicant IDAHO DEPT OF FISH AND GAME Phone 208-232-4703  
Mailing address 1345 BARTON ROAD, POCA TELLO, ID 83204
2. Source of water supply ST. CHARLES CREEK which is a tributary of BEAR LAKE
3. Location of point of diversion is Township 15 S Range 43 E Sec. 15, in the SE  $\frac{1}{4}$ ,  
NW  $\frac{1}{4}$ , Govt. Lot NA, B.M., BEAR LAKE County;  
additional points of diversion if any: NA
4. Water will be used for the following purposes:  
Amount 0.8 CFS for FISH FLOW purposes from 4/5 to 10/31 (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)  
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) 0.8 and/or (b) \_\_\_\_\_  
cubic feet per second acre feet per annum
6. Proposed diverting works:
  - a. Describe type and size of devices used to divert water from the source THE ST. CHARLES IRRIGATION  
COMPANY'S NORTH FIELD DIVERSION CANAL. FLOW CAPACITY, ABOUT 10 CFS.
  - b. Height of storage dam N.A. feet; active reservoir capacity N.A. acre-feet; total  
reservoir capacity N.A. acre-feet
  - c. Proposed well diameter is N.A. inches; proposed depth of well is N.A. feet
  - d. Is ground water with a temperature of greater than 85°F being sought? NO
  - e. If well is already drilled, when? N.A.; Drilling firm N.A.;  
Well was drilled for (well owner) N.A.; Drilling Permit No. N.A.
7. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
  - a. Hydropower; show total feet of head and proposed capacity in kW. \_\_\_\_\_
  - b. Stockwatering; list number and kind of livestock. \_\_\_\_\_
  - c. Municipal; show name of municipality. \_\_\_\_\_
  - d. Domestic; show number of households. \_\_\_\_\_
  - e. Other; describe fully. TO CARRY FISH FROM THE NORTH CANAL BACK TO ST. CHARLES  
CREEK IN A PIPE (10 INCH DIAMETER) THAT BEGINS IMMEDIATELY UP STREAM OF  
A NEW FISH SCREEN AND ENDS AT ST. CHARLES CREEK. THIS WILL REDUCE FLOW  
IN ST. CHARLES CREEK BY 0.8 CFS FROM THE POINT OF DIMERSION DOWN STREAM  
APPROXIMATELY 200 FEET WHERE THE BY PASS PIPE WILL DISCHARGE INTO ST.  
CHARLES CREEK.

RECEIVED

NOV 08 2004

Department of Water Resources  
Eastern Region

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (example: *D* for Domestic) in the corresponding place of use below. See instructions for standard symbols.

| TWP | RGE | SEC | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | TOTALS |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
|     |     |     |    |    | X  |    |    |    |    | X  |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |

**TOTALS**

Total number of acres to be irrigated N.A.

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

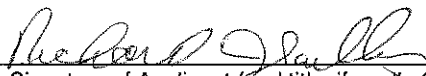
- Who owns the property at the point of diversion? CONRAD MICHAELSON
- Who owns the land to be irrigated or place of use? CONRAD MICHAELSON
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: IDFG HAS AN ARRANGEMENT WITH LANDOWNER TO ALLOW A RETURN FLOW PIPE TO THE CREEK

12.

Remarks: IDFG WILL CONSTRUCT A FISH SCREEN ON THE LOWER SOUTH CANAL AT SE 1/4, NW 1/4 T15S, R43E, SECTION 15, IN THE BEAR LAKE COUNTY 200 FT. DOWN THE CANAL FROM THE POINT OF DIVERSION A 10" DIAMETER PIPE WILL RETURN THE APPLIED FOR 0.8 CFS FROM THE CANAL IMMEDIATELY UPSTREAM OF THE FISH SCREEN. THIS PIPE WILL RETURN THE 0.8 CFS AND FISH BACK TO ST. CHARLES CREEK.

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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

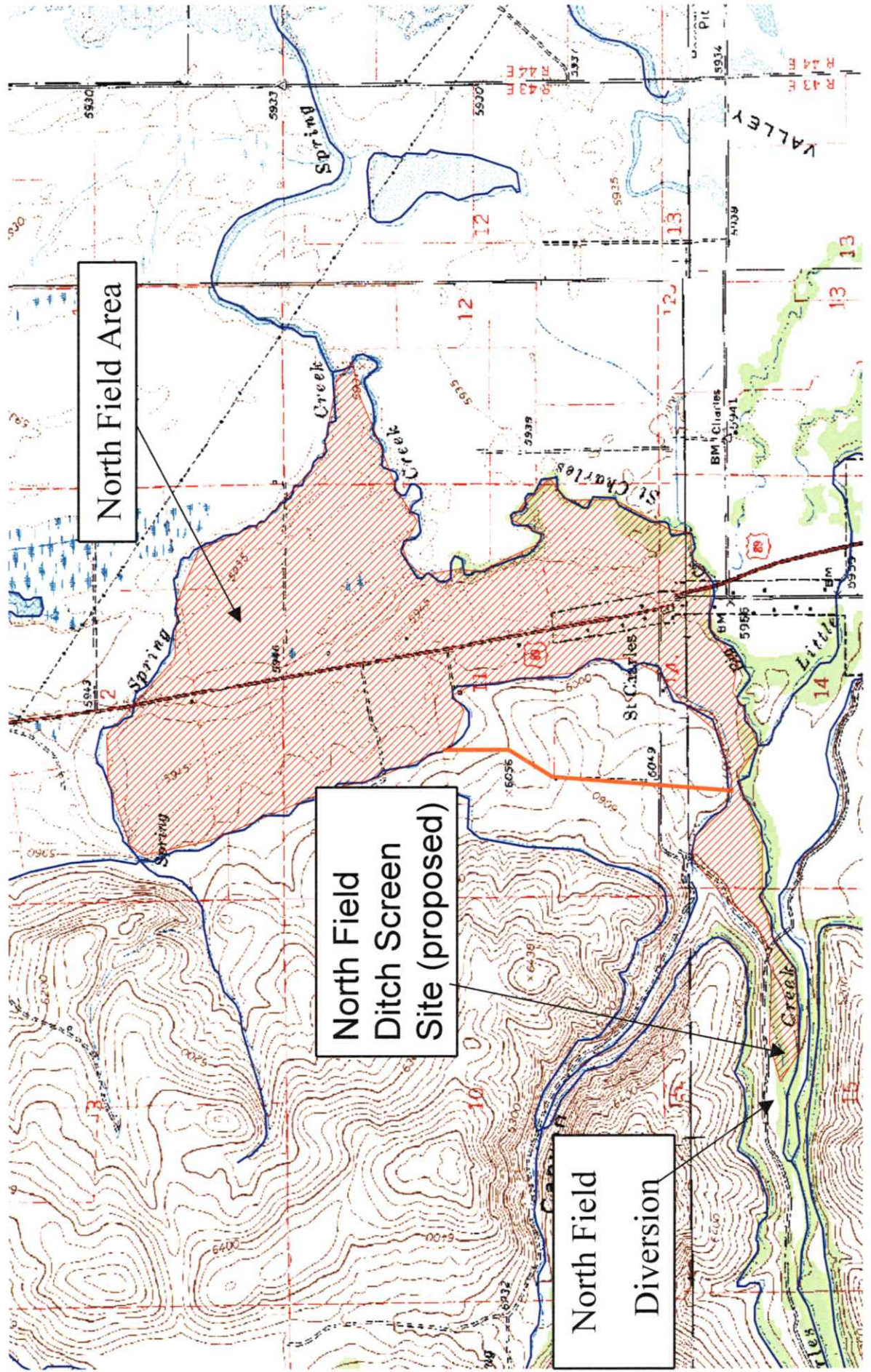


Signature of Applicant (and title, if applicable)

Regional Fishery Manager

Received by \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_ Preliminary check by \_\_\_\_\_  
 Fee \$ 250.00 Receipted by Boise # Bill 1728 Date 1/28/05  
 Publication prepared by SC Date 5/18/05 Published in News Examiner  
 Publication approved \_\_\_\_\_ Date \_\_\_\_\_

# North Field



## St. Charles Creek Irrigation Diversion Fish Screen Sites



North Field screen site

Lower South screen site

RECEIVED

APR 04 2005

Department of Water Resources  
Eastern Region

St Charles-02

**CONSTRUCTION EASEMENT AGREEMENT**

THIS INDENTURE, made and entered into this 28<sup>th</sup> day of March 2005, by and between The Conrad E Michaelson Family Trust, CONRAD E. MICHAELSON, TRUSTEE, hereinafter called Landowner, and the STATE OF IDAHO for the use and benefit of the Idaho Department of Fish and Game Commission, hereinafter called the Commission,

**WITNESSETH:**

That for and in consideration of the sum of ONE DOLLAR (\$1.00), cash in hand paid by the Commission to the Landowner, receipt whereof is hereby acknowledged, the Landowner has this day bargained and sold and by these presents do hereby grant, bargain, sell, convey, transfer and deliver unto the Commission an easement of right-of-way for passage on and over the land of the Landowner, located in these SW ¼ NE ¼ Section 15, Township 15 South, Range 43 East, Bear Lake County, Idaho, for the purpose of constructing the North Field Ditch fish screen and return-flow pipe on the land of the Landowner.

Together with the right of ingress and egress for personnel of the Commission or its authorized agents on and over the property of the Landowner, for the purpose of construction, maintenance and Landowner supervised visits, including bi-annual (spring and fall) operational visits.

In the event of any need for future alteration of the canal, or stream course necessitating changes in or relocation of the Commission's installation, the Landowners, their heirs or assigns, by these presents, also grant, bargain and sell to the Commission a construction easement as herein first above granted to relocate its fish screen installations as necessary to screen water diverted from St. Charles Creek.

All such installations placed on, within and across said canal or ditch by the Commission shall remain the property of the Commission and may be removed by the Commission.

All expenditures to be made by the Commission under the provisions of the agreement shall be subject to appropriations being available for that purpose.

As requested by the Landowner, the Commission will:

1. Install a self-cleaning screen to a pump intake that is located upstream of the North Field diversion.
2. Survey and record the location of the access road to the North Field diversion work site as is shown on the Department of Fish and Game "upper ditch" site plan dated 2/14/05.
3. Remove topsoil and set aside when installing fish bypass pipe. Replace topsoil over the completed pipeline.
4. Abandon their right-of-way to the fish screen should the Commission not operate the North Field diversion fish screen for five consecutive years.

IN WITNESS WHEREOF, the parties have hereunto executed their signature below.

Signature -

LANDOWNER -

  
Conrad Michaelson, Trustee

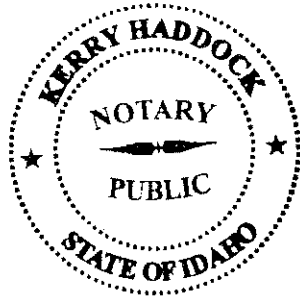
STATE OF IDAHO )  
 ) ss.  
COUNTY OF BEAR LAKE )

On the 28th day of MARCH in the year 2005, before me, the undersigned,  
a Notary Public in and for said State, personally appeared CONRAD MICHAELSON,  
known to me to be the person(s) whose name(s) subscribed to the within instrument, as  
Landowners, and acknowledge to me that they executed the same.

Construction Easement

St. Charles Cr - 02

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written,



Kerry Haddock  
Notary Public for the State of IDAHO

Residing at MONTPELIER, IDAHO

My Commission Expires MARCH 7, 2005

Idaho Department of Fish and Game Commission  
Steve Huffaker Secretary

STATE OF IDAHO                    )  
                                                  ) ss.  
County of \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_ 2005, before me, a Notary Public for the State of Idaho, personally appeared, \_\_\_\_\_

Known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and fixed my official seal the day and year in this certificate first hereinabove written.

\_\_\_\_\_  
Notary Public for the State of Idaho

Residing at \_\_\_\_\_

My Commission Expires \_\_\_\_\_