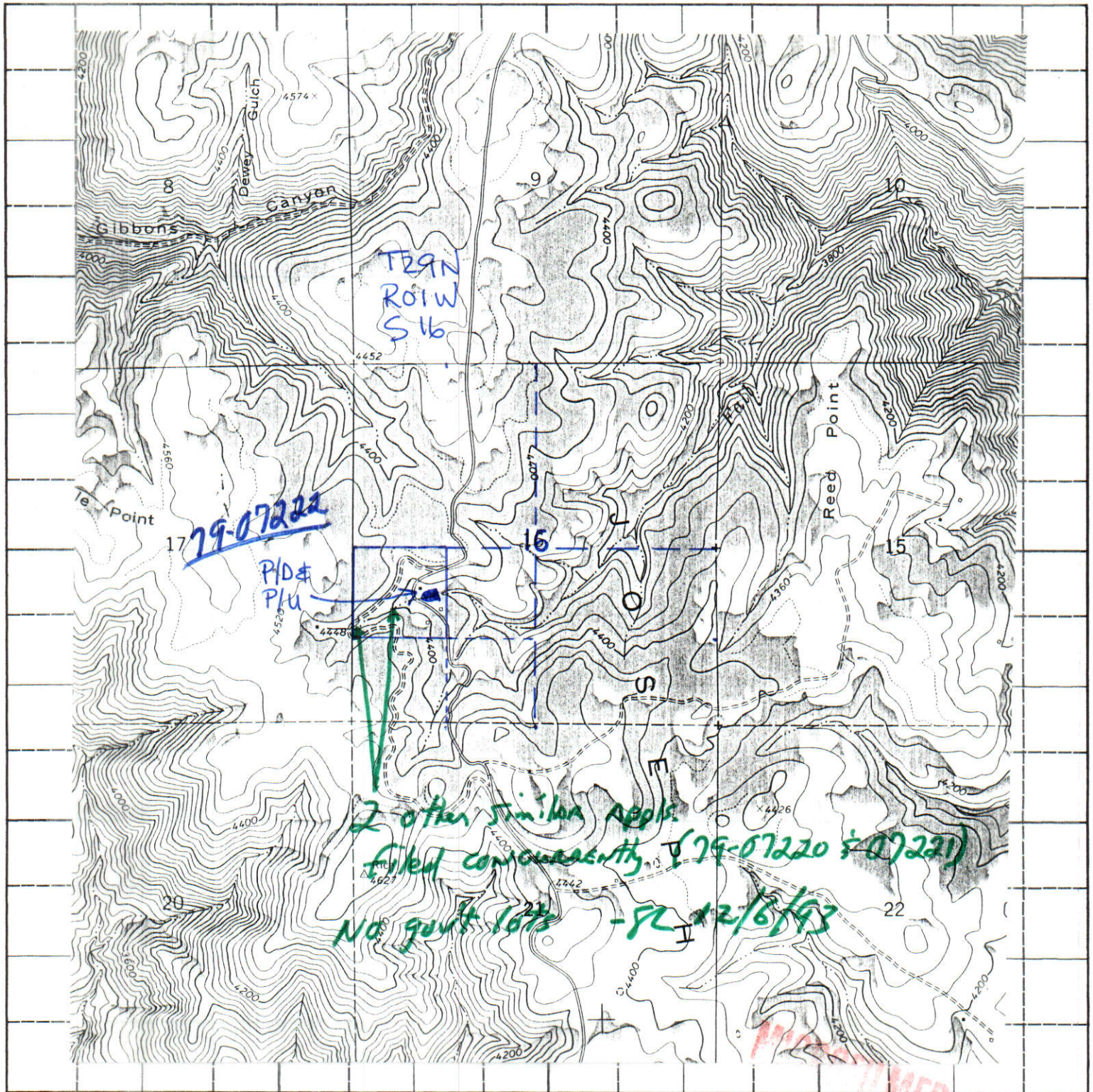


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

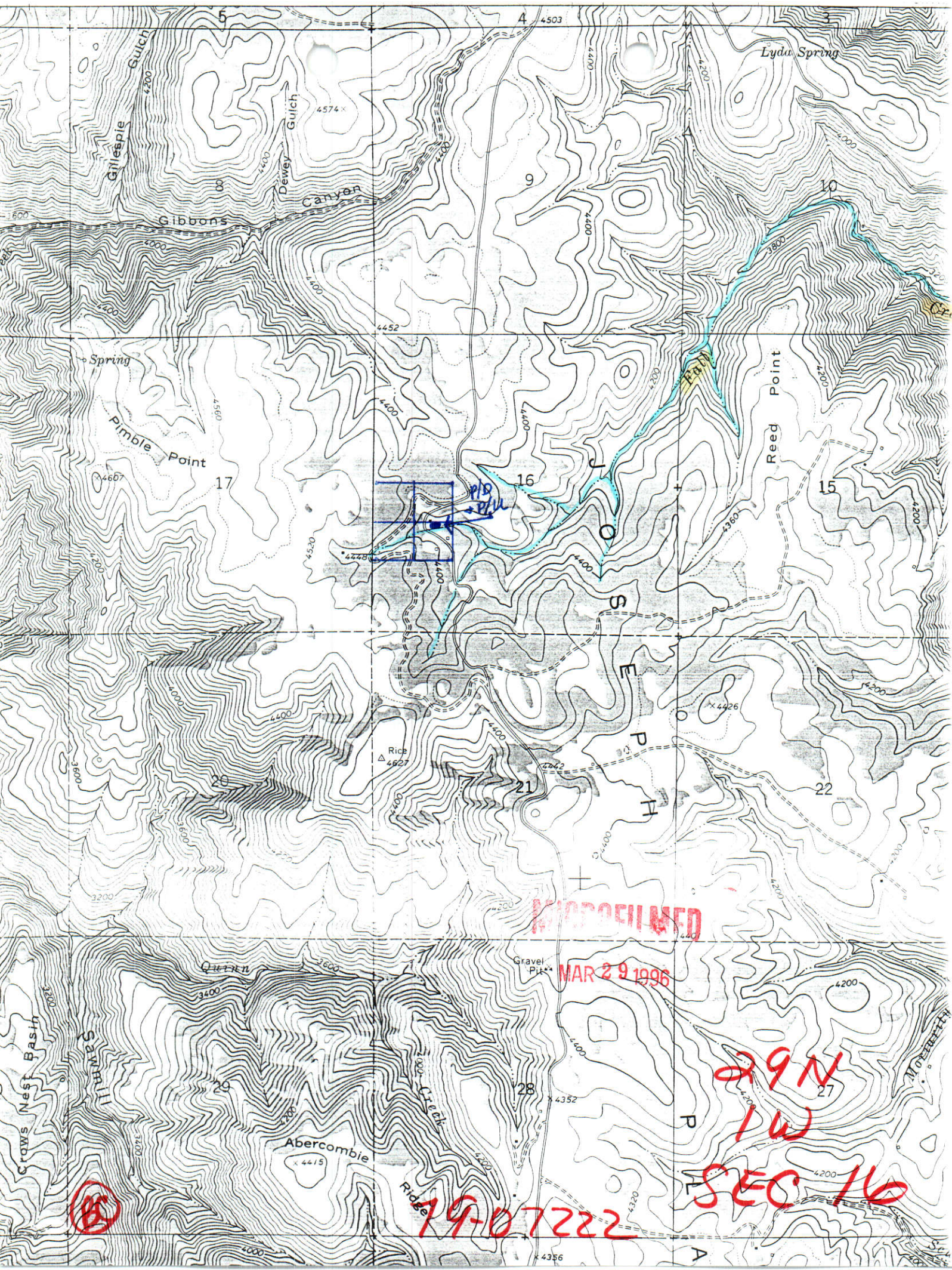


Scale: 2 inches equal 1 mile.

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

Delos E. Rabkins

(Applicant)



Hand-drawn map of the study area showing roads, landmarks, and pond locations. The map includes a grid background and directional arrows for North (N), East (E), and West (W).

Roads and Landmarks:

- Cottonwood Rd
- Idaho St.
- Gravel Rd
- Gravel Creek Rd
- 1 lane bridge Doreen Joseph on sign
- The Motel home
- Bridges

Distances:

- 12.8 miles
- 1.3 miles
- 10.5 miles
- 1.6 miles
- 8 miles

Pond Locations and Dimensions:

- #1 (52 x 2.5')
- #2 (73 x 2.5')
- #3 (73 x 2.5')
- #4 (78 x 2.5')

Notes:

- 6' average depth each
- 6' deep
- springs under pond + snow melt-off (no seepage below dam)
- Sec. 17

☒ Photo of Diversion and System Attached

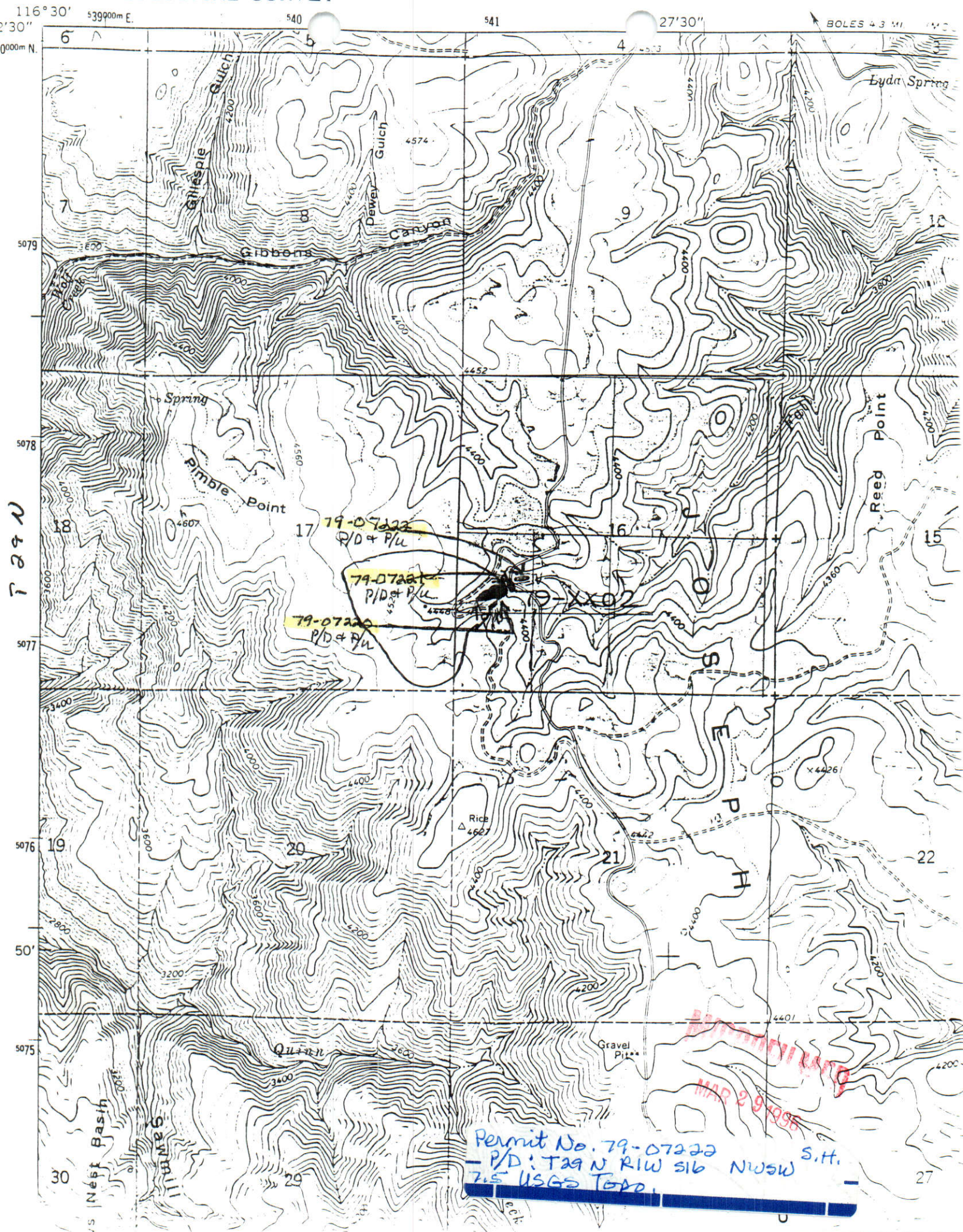
Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

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

MAR 29 1996

GEOLOGICAL SURVEY

RIW



79-07222
9/23/95 S.H



P/D: spring

P/u:
stockwater
200 cattle
stockwater storage
308' x 213' x 6' pond

overflow from
79-07221
that goes
under the
road + to
79-07222
pond

RECEIVED

MAR 29 1996

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 79-07222

Priority: November 19, 1993

Maximum Storage Volume:

9.0 AF

This is to certify, that DELOS ROBBINS
4375 HWY 93 S

MISSOULA MT 59801

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated November 19, 1993; and
has submitted Proof of Beneficial Use on April 11, 1994. An examination indicates
that the works have a storage capacity of 9.000 af of water from:

SPRING
FALL CREEK

tributary to FALL CREEK
tributary to RICE CREEK

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER STORAGE	01/01 to 12/31		9.0 AF

LOCATION OF POINT(S) OF DIVERSION: SENWSW , Sec. 16, Township 29N, Range 01W
IDAHO County

PLACE OF USE: STOCKWATER STORAGE
TWN RGE SEC
29N 01W 16 NWSW

CONDITIONS OF APPROVAL AND REMARKS

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

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 9TH
day of FEBRUARY, 1996.


Acting for KARL J. DREHER, Director

MISSOULA

MAR 29 1996

RECEIVED
APR 08 1994
Department of Water Resources

STATE OF IDAHO

Amt. of Fee \$ 50.00
Date 4/11/94
Receipt No. 00300007
Received by dw

DEPARTMENT OF WATER RESOURCES

RECEIVED

PROOF OF BENEFICIAL USE

MAR 14 1994

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.

1. Permit No. 79-07222 Telephone No. 406-251-4167

2. Name(s) of Permit Holder(s): Delos Robbins

3. Post Office Address: 4375 Hwy 93 S. Missoula MT 59803

4. Source of Water: TRIBUTARY OF RICE CREEK (Fall Creek)

a. If ground water, well driller's name: _____ Date drilled: _____

b. Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft.): _____

5. Extent of Use:

Domestic _____ (No. of households) Irrigation _____ (No. of acres)

Stockwater 200 (No. and type of stock) Other _____

RANGE CATTLE

6. Total rate and/or volume for which proof is submitted 0.05 cfs _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? Yes ☒ No Installed? Yes ☐ No

OR

Flow Measurement Port: Required? Yes ☒ No Installed? Yes ☐ No

8. Fee Enclosed: \$ 50.00 Receipt #0029034 (See License Examination Fee Schedule)

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

DELOS E. ROBBINS

4375 Hwy 93 South
Name Missoula, Mont. 59801

406-251-4167
Telephone No.

Address

10. 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

3/10/94

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

Delos Robbins

APR 20 1994

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 79-07222

Proposed Priority: November 19, 1993 Maximum Diversion Rate: 0.05 CFS

This is to certify, that **DELOS ROBBINS**
4375 HWY 93 S
MISSOULA MT 59801
has applied for a permit to appropriate water from:

FALL CREEK tributary of **RICE CREEK**

and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	0.05 CFS	
STOCKWATER STORAGE	01/01 to 12/31		10.0 AF
	Totals	0.05 CFS	

LOCATION OF POINT(S) OF DIVERSION: NWSW , Sec. 16, Township 29N, Range 01W
IDAHO County

PLACE OF USE: STOCKWATER

TWN RGE SEC

29N 01W 16 NWSW

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **February 1, 1995**.
2. Subject to all prior water rights.
3. The storage of water under this right is contingent upon the certification of the dam and authorization of storage per the dam safety provisions of the Idaho Code.
4. Stockwater use is for 200 range cattle.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the signature of the Director, affixed at Boise, this

22nd day of February, 1994.

[Signature]
for R. Keith Higginson, Director

MICROFILMED

FEB 24 1994

RECEIVED

FEB 08 1994

Ident. No. 79-07222

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: DELOS ROBBINS 406-251-4167
Address: 4375 HWY 93 S
MISSOULA MT 59801
2. Source: FALL CREEK Trib. to: RICE CREEK
3. Location of Point of Diversion: NWSW Sec. 16, Township 29N, Range 01W
IDAHO County
4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
STOCKWATER	01/01	12/31	0.050		
STOCKWATER STORAGE	01/01	12/31			10.00
5. Total quantity to be appropriated is:
0.050 CFS (and/or) AF
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc.
On-stream reservoir.
 - 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 groundwater with a temperature greater than 85F being sought? NO
 - e. If well is already drilled, when?
Drilling Firm
Well was drilled for
7. Time required for the completion of the works and application of
the water to the proposed beneficial use is 1 year(s).
8. Place of Use: STOCKWATER

TWN RGE SEC
29N 01W 16

NWSW

MICROFILMED

FEB 24 1994

9. a. Who owns the property at the point of diversion?
APPLICANT
b. Who owns the land to be irrigated or place of use?
APPLICANT
c. If the property is owned by a person other than the applicant,
describe the arrangement enabling the applicant to make this filing.

10. Remarks:
Existing use prior to 1987.

11. Map of proposed point of diversion and place of use attached? []

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.

Applicant

Received by _____ Date _____ Time _____ Preliminary check by _____

Fee \$ _____ Receipted by _____ # _____ Date _____

Publication prepared by _____ Date _____ Published in _____

Publication approved _____ Date _____

RECEIVED
FEB 24 1994

RECEIVED

NOV 19 1993

Form 202
10/92

Department of Water Resources Ident. No.

79-07222

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Delos Robbins Phone 406/251-4167
Work: 406/728-3052
Post office address 4375 Hwy 93 S, Missoula MT 59801
2. Source of water supply Fall Creek which is a tributary of Rice Creek
3. Location of point of diversion is _____ ¼ of NW ¼ of SW ¼, Govt. Lot _____
Sec. 16 Township 29N Range 01W B.M. Idaho County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
 Amount 0.05 for Stockwater purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
 Amount 10.0 for Stock Storage 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) 0.05 and/or (b) 10.0
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. Existing on-stream reservoir.
 - b. Height of storage dam 10 feet; active reservoir capacity 10.0 acre-feet; total
reservoir capacity 10.0 acre-feet; period of year when water will be diverted to storage:
1/1 to 12/31 inclusive.
 - c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
 - d. Is ground water with a temperature of greater than 85°F being sought? NO
 - e. If well is already drilled, when? _____; Drilling firm _____;
Well was drilled for (well owner) _____
7. Time required for the completion of the works and application of the water to be proposed beneficial use is
1 years (minimum 1 year).

FEB 24 1994

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. 200 Range Cattle
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. _____
- e. Other; describe fully. _____

9. Description of place of use:

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
29N	01W	16										S							

Total number of acres to be irrigated _____

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

11. a. Who owns the property at the point of diversion? Applicant
- b. Who owns the land to be irrigated or place of use? Applicant
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

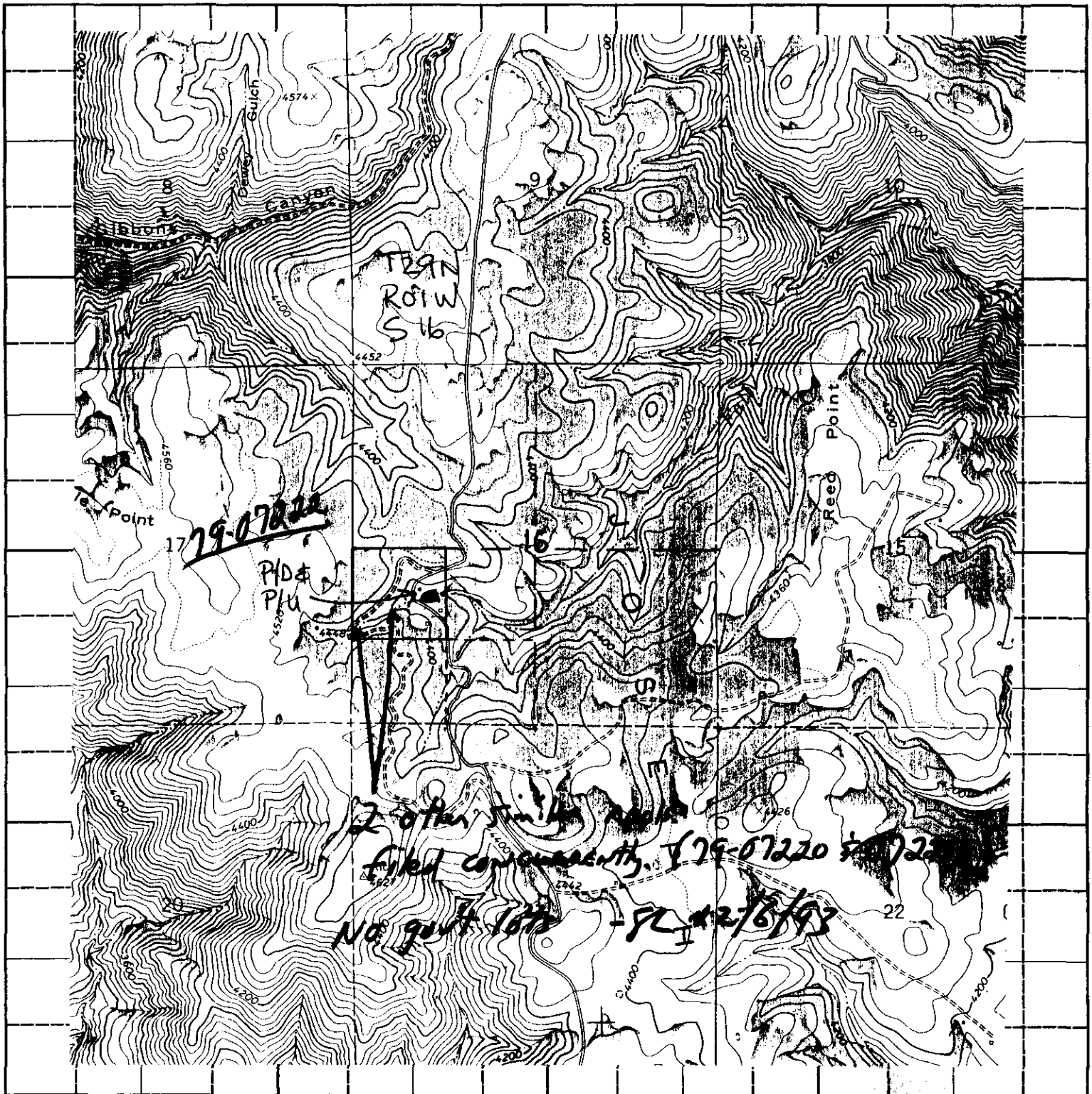
12. Remarks: Existing diversion prior to 1967 per Dam Safety file
79-20002.
Exempted from moratorium on this basis.

Pker 12
Comments

* SL 12/6/93

M. J. ...
FEB 1994

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



Scale: 2 inches equal 1 mile.

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

Deloe E. Rabheri
(Applicant)

Prepared by CZ ^{at 5.0.}
Received by _____ Date 11-19-93 Time _____ Preliminary check by R
Fee \$ 30.00 Receipted by JW # C029034 Date 11-19-93
Publication prepared by dt Date 12-8-93 Published in Idaho City Free Press
Publication approved dt Date 1-10-94

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before

_____, 19 ____.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. 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:

RECEIVED

FEB 24 1994



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 9, 1996

DELOS ROBBINS
4375 HY 93 S
MISSOULA MT 59801

RE: WATER RIGHT NO. 79-07220/79-07221/79-07222

Dear Water Right Holder(s):

Enclosed are copies of the Water Right Licenses issued on the above referenced permits. If you have any questions, please contact me within 10 days of receipt of these licenses.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

RECORDED

MAR 29 1996

LICENSE REVIEW CHECKLIST

PERMIT NO. 79-07222 DATE 1-30-96



NAME Change OK 2-1-96 Or Address 2-2-96 Change?
 PRIORITY DATE Advance? Advanced to:
Order to reinstate needed?
Incorrect fee for rate recommended?

SOURCE Changes or just clarification of originally intended source? add Spring trib to Fall Creek
Notice of Intent to void necessary? NO

POINT OF DIV Amendment needed? add 10 acre tract for spring
Overlaps?

PLACE OF USE Amendment needed?
Overlaps?

DIV RATE NA Permit/fee limits: .05 CFS
Meas Q = Theo Q = Recommend: .05
200 cattle OR @ .05 CFS
Combined rates exceed capacity

ANNUAL VOLUME Volume Limit: 10^{af} Season:
Calculations: 300 x 213 x 6 = 9.0
200 cattle = 2.7
Flow limit: cfs x x 1.9835 =
Combined volumes exceed capacity/allowable

USES Change in Nature of Use or additional uses? delete
Amendment necessary? Stipulated

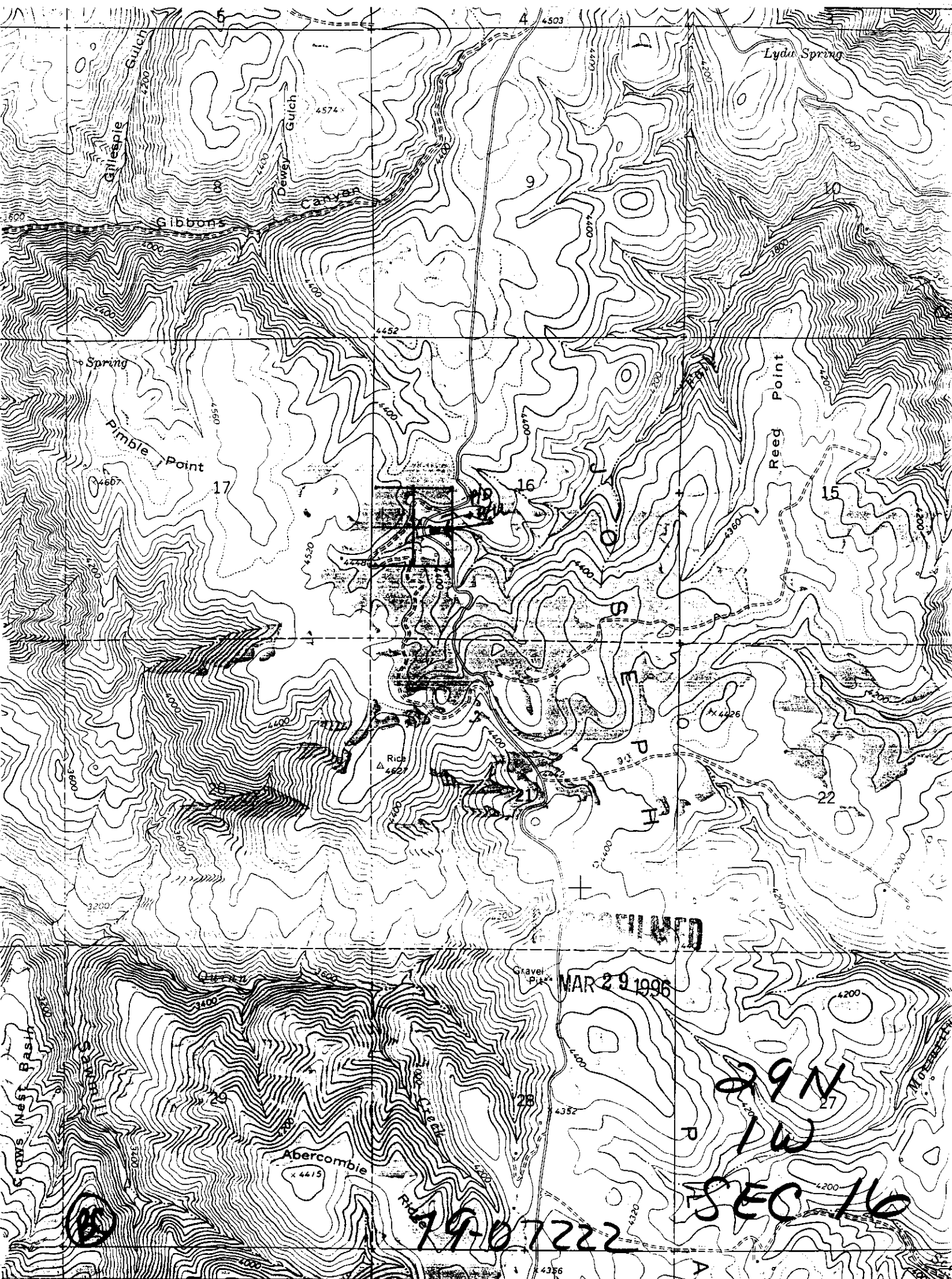
ADDITIONAL INFO Replaces Surface Water 050 Supplemental GW
Irr/Dom Combination WB5 PPU Recommendation
Boise River/Wood River Source Aes/Rec Uses W38

NEW REMARKS Multiple p/d(s) in 1/4 1/4?
Other

NEW CONDITIONS WM Control- District Meas/Lock Devices
Irrigation Overlap
Other
Water Quality Heat/Cool/Fish verified

COMMENTS: 1) Reduce volume to capacity
2) See memo 3) 2-2 SEE MEMO

RECOMMENDATION	CFS	VOLUME	SRBA Claim Filed	NO
Stock Storage		9.0	Adjustment Memo Needed	YES
Stockwater	.05	2.7	LICENSE	✓
TOTAL	.05	11.7	1ST AMEND LETTER	
		9.0	2ND AMEND LETTER	



MEMORANDUM

TO: File 79-07222 / Delos Robbins
FROM: Brenda Chapman
DATE: February 2, 1996
RE: Recommendation Adjustment(s)

=====

The final licensing recommendations for Right 79-07222 are based on the information below:

This right and Rights 79-07220 and 79-07221 are for a series of 3 stockwater storage reservoirs on Fall Creek within the NWSW $\frac{1}{4}$ of S16, 29N, R1W. All were permitted with a .05 cfs rate of flow for stockwater. The same .05 cfs flows through each reservoir; therefore, the rate will be recommended on the right with the largest reservoir, 79-02221, and just the reservoir storage volumes on this right and 79-07220.

A. GENERAL INFORMATION

3. Source: The examiner referred to the only source of water for this permit as being a spring beneath the pond. According to Mike Stubblefield in Dam Safety, the source is also Fall Creek (as permitted). Therefore, the recommendation to add the spring as one of the sources is being made.

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use	Rate of Div	Annual Vol
Stock Storage	1-01 to 12-31		9.0

MAR 29 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JAN 11 1996

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 79-07222

1. Owner: Delos Robbins hm (406) ~~728-3052~~ 251-4167
Phone No. (406) 728-3052

Current Address: 4375 Hwy 93 S. Missoula, MT 59801

2. Accompanied by: Delos Robbins EXAM DATE: 9/23/95

Address: 4375 Hwy 93 S. Missoula, MT 59801 hm (406) 251-4167
Phone No. (406) 728-3052

Relationship to Permit Holder: Self

* 3. Source: Spring tributary to Full Creek

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 79-07220, 79-07221

2. Other water rights with the same point of diversion: 79-07220, 79-07221

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
			NW	SW	16	29N	1W	Idaho	USGS Topo., & exam

2. Place(s) of Use:

Indicate Method of Determination

USGS Topo. & exam

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
29N	1W	16											S						
													SS						

MAR 29 1996

Hand-drawn map of the Cottonwood Creek area in Idaho, showing the creek's path, surrounding roads (Hwy 95, Gravel Creek Rd), and various sampling points (#1, #2, #3, #4, #7, #12, #17). The map includes directional arrows for North, East, and West, and distances in miles. Notes describe water flow, seepage, and spring locations.

Map Features:

- Directions:** N ↑, E ↗, W ↙
- Roads:** Cottonwood Creek, Gravel Creek Rd, Hwy 95
- Distances:** 12.8 miles, 1.3 miles, 10.5 miles, 1.6 miles, 3 miles
- Structures:** 1 lane bridge, "Domag Joseph" on sign
- Sampling Points:**
 - #4: $(78 \times 2.5) \times (97 \times 2.5) \times 8'$
 $(78 \times 2.5) \times (67 \times 2.5) \times$
 - #12: $1123 \times 2.5'$, $95 \times 2.5'$
 - #7: $76 \times 2.5'$, $76 \times 2.5'$, $42 \times 2.5'$
 - #17: $52 \times 2.5'$
- Notes:**
 - "6' average depth end"
 - "6' deep spring under pond + snow melt-off (no seepage below dam)"
 - "Sec. 16 #3 seepage + spring under pond"
 - "#2 seepage + spring under pond"
 - "#1 spring under pond"

Photo of Diversion and System Attached

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

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

MAR 29 1996

E. NARRATIVE/REMARKS/COMMENTS

- No govt. lots were found.
- Overlaps for P/D are other sources; Overlaps for P/U are other land &/or other uses. Some overflow from WC 79-07220 & 79-07221 contribute to filling this pond.
- Use is stockwater for 200 cattle, & stockwater from a 308' X 213' X 6' pond. Other uses: Wildlife.
- The system consists of a 308' X 213' X 6' pond with a spring under the water level. There is also a culvert that goes under the road from WC 79-7221 with its overflow & some seepage that helps feed into the pond.

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

A copy of the "Dam & Reservoir Certificate of Approval" is attached.

MAR 29 1996

F. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

Measured Method:

Stockwater: Table 1 Rec. Diversion Rates for Stockwater
101 - 200 cattle = .05 cfs

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}}$$

2. Volume Calculations for Other Uses:

Stockwater:

$$V_{I.R.} = (200 \text{ cattle} \times 12 \text{ gpd} \times 365 \text{ days}) / 325,850 = 2.68 = 3.0$$

$$* V_{D.R.} = .05 \text{ cfs} \times 365 \text{ days} \times 1.9835 = 36.2$$

$$V = 3.0$$

$$\text{Stockwater storage (see attachment)} = \boxed{9.0 \text{ Afa}}$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
* <u>Stockwater</u>	<u>1/1</u>	<u>12/31</u>	<u>.05</u>	<u>3.0</u>
<u>Stockwater storage</u>	<u>1/1</u>	<u>12/31</u>		<u>9.0</u>
Totals:			<u>.05</u>	<u>12.0</u>

2. Recommended Amendments

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

I. AUTHENTICATION

Field Examiner's Name Endy Hernandez Date 12/21/95

Reviewer _____ Date _____

SEAL

* See adjustment memo. BE

MAR 29 1996

① Permit : stockwater 1/1-12/31, 1.05 cfs
stockwater storage 1/1-12/31 10.0 Afa

1.05 cfs

② B/u fee : \$50⁰⁰ 4/11/94 pd.

③ Max. Allowable :
stockwater
Table 1, Rec. Diversion Rates for stockwater
Exh 15A 200 cattle 101-200 =

1.05 cfs

④ Measurement :
Stockwater Storage
pond : 308' x 213' x 6'

Surface area (S.A) = $\frac{308 \times 213}{43560} = 1.5 \text{ acre}$

capacity = S.A x max depth = $1.5 \times 6 =$

9.0 Afa

RECEIVED
JAN 13 1996

CEPAGE

79-07222

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

DAM AND RESERVOIR

CERTIFICATE OF APPROVAL

This is to certify that FALL CREEK Dam and Reservoir, located in

NW $\frac{1}{4}$, SW $\frac{1}{4}$, Section 16, Township 29N, Range 1W, B.M., Idaho County,

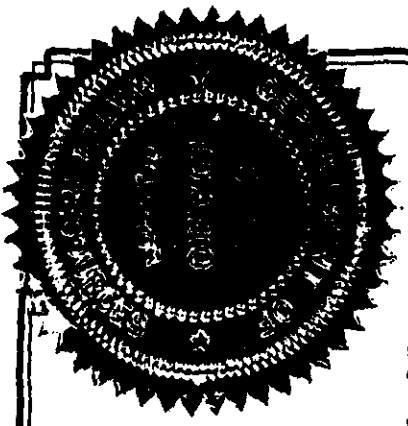
State of Idaho has been inspected by the Department of Water Resources of the State of Idaho, as provided in

Title 42 Chapter 17, Idaho Code, and approval is hereby given to impound water in accordance with and subject

to the following terms and conditions: THE MAXIMUM RESERVOIR LEVEL SHALL NOT EXCEED AN ELEVATION OF 7 FEET BELOW THE DAM CREST AT ANY TIME.

This certificate shall remain valid until revoked or modified by the Department of Water Resources or until the

1st day of November 1998.



This certificate has been issued and the seal of the

Director affixed at Boise, Idaho this

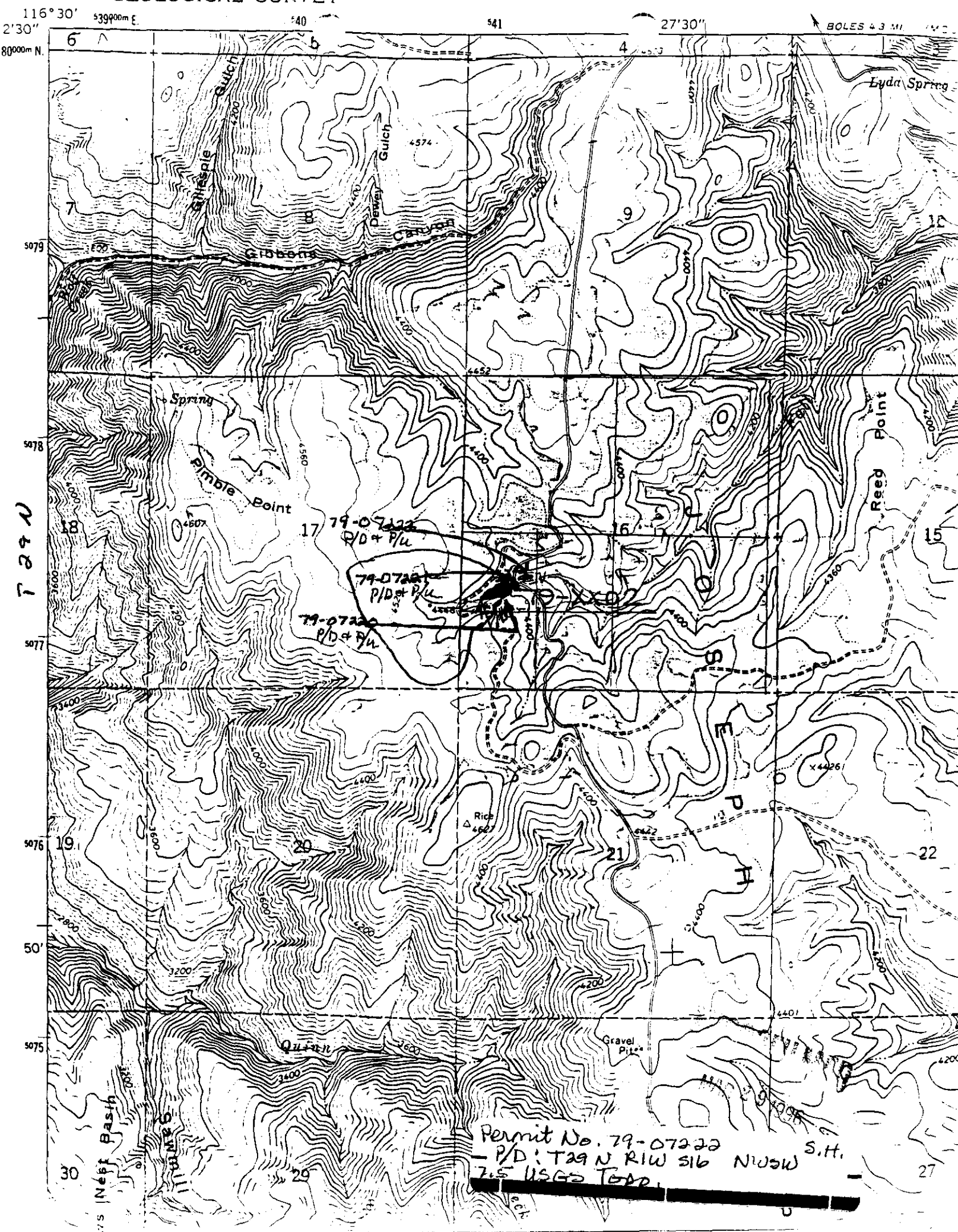
18th day of December 1993.

Don C. Young
Administrator-Water Management Div.

MAR 29 1996

GEOLOGICAL SURVEY

R 1 W



Permit No. 79-07222
 P/D: T29 N R1 W S16 N10SW S.H.
 7.5 USGS TOP.

79-07222
9/23/95 S.H



P/D: spring

P/u:
stockwater
200 cattle
stockwater storage
308' x 213' x 6' pond

overflow from
79-07221
that goes
under the
road + to
79-07222
pond

2000-0000
6/9/97

MAR 29 1996

April 18, 1994

DELOS ROBBINS
4375 HWY 93 S
MISSOULA MT 59801

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NOS. 79-07222, 79-07220 & 79-07221

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use forms submitted for the above referenced permits. 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 WESTERN Regional Office in Boise, at (208)334-2190.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

RECEIVED
APR 20 1994

APR 20 1994

March 22, 1994

Delos Robbins
4374 Hwy 93 S
Missoula, MT 59803

RE: Permit Nos. 79-07220, 79-07221 & 79-07222

Dear Permit Holder :

Returned are the Proof of Beneficial Use forms submitted to this office in connection with the above referenced permits. Unfortunately, they are unacceptable as filed.

The proofs indicate the total rate of diversion of water to be 0.05 cfs from a surface water source (fall creek). The license exam fee for a rate of 0.05 cfs is \$50.00 for each permit. On all three proof forms, you made reference to receipt # C029034. The \$105.00 fee paid on this receipt was for three (3) applications for permit. Those fees are to cover the costs of advertising your water right applications in local newspapers. The license exam fee associated with the proof of beneficial use, is for a water right examiner to visually inspect your diversion and make a recommendation for your water right license.

Please return the original proofs along with a \$50.00 exam fee for each proof, within thirty (30) days of receipt of this letter.

If you have any questions or if I can be of any further assistance, please feel free to contact me.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

Enclosure

APR 20 1994



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

February 22, 1994

DELOS ROBBINS
4375 HWY 93 S
MISSOULA MT 59801

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 79-07222

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permit.

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed you should complete and submit this form immediately.

If the diversion dam is 10 feet or more in height, or has an impounding capacity of 50 acre-feet or more, certain dam safety requirements must be met. Please contact the regional office nearest you for details.

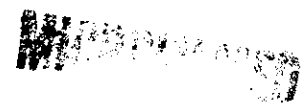
Sincerely,

A handwritten signature in black ink, appearing to be 'Jim Johnson', written over a horizontal line.

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosures



FEB 24 1994

DELOS ROBBINS
PRESIDENT
(406) 251-4167

VID ROBBINS
PRESIDENT
(406) 549-1466

RECEIVED

DEC 13 1993

WATER RESOURCES
WESTERN REGION

ROBBINS LIVESTOCK AUCTION COMPANY

P.O. BOX 7788 • MISSOULA, MONTANA 59807 • 406/728-3052

Steve Lester
2735 Airport Way
Boise Idaho 83705

Steve,

*This letter is to confirm our
telephone conversation of 12/7/93,
regarding the three reservoirs
on the Flying U. ranch in
Cottonwood, Idaho.*

*I purchased the property in 1976, and
the reservoirs had been in existence
for several years prior to that time.*

12-08-93

Joel Starlin
14125 Harpers Br. Rd
Missoula Mt.

*My Commission Expires
6-30-94*

Delos E. Robbins

MICROFILMED

FEB 24 1994

HORSE SALE
2ND TUES., EVERY MONTH

BONDED FOR YOUR PROTECTION

AUCTION
EVERY THURS., 9:00 A.M.

CONVERSATION MEMORANDUM.

DATE 12/6/93FILE 3 Appls. 79-07220NAME OF PARTY Delor Robbins 406-728-3052 (work #) 07221EMPLOYEE Stan Lipton 07222RE: 3 Appls. for on-stream storage, stock use:

In place by at least 1976 when he bought the property.

Estimated surface area of Reservoirs:

upstream 2 Acres 79-07220

middle one 4-5 Acres 79-07221

downstream 3 Acres 79-07222

Asked him to provide some verification of use of these ~~to~~ prior to 11/1987 (Re: Exemption from amended Salmon River Moratorium). He will send info to me ASAP. Meanwhile, OK to advertise.

FEB 24 1994

79-07222

ROBBINS, DELOS
4375 HWY 93 S
MISSOULA, MT 59801

Source: FALL CREEK

Tributary: RICE CREEK

Diversion Pt: NWSW Sec 16 T 29N R 01W in IDAHO County.

Use: STOCKWATER (.050 CFS)
STOCKWATER STORAGE (10.00 AF)
Total Diversion: (.050 CFS)

Date Filed: 11/19/1993

In: IDAHO County
T29N R01W S16 NWSW

RECEIVED
NOV 24 1994

Affidavit of Publication

STATE OF IDAHO, }
County of Idaho, } ss.

I, ROBERT E. WHERRY, being first duly sworn, depose and say that I am the Publisher of the COTTONWOOD CHRONICLE, a weekly newspaper, published and issued weekly at Cottonwood, Idaho County, State of Idaho, which is of general circulation in said county and state, that the said notice, of which the one hereto is attached is a true copy, was published in said newspaper for 2 weeks being published 2

times, the first publication being on the 16 day of December, 1993, and the last publication on the 23 day of

December, 1993; and that the said notice was published in the newspaper proper and not in a supplement; that said newspaper has been continuously and uninterruptedly published in said county during a period of seventy-eight (78) consecutive weeks prior to the first publication of said notice or advertisement.

Robert E. Wherry

STATE OF IDAHO, }
County of Idaho, }

On this 6th day of January in the year of 1993, before me, a Notary Public, personally appeared Robert E. Wherry, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true and acknowledged to me that he executed the same.

Notary Public for Idaho

Residing at Cottonwood

My commission expires: 12/94

Notice

NOTICE OF APPLICATION FOR WATER RIGHT

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

79-07220

Robbins, Delos
4375 HWY 93 S
MISSOULA, MT. 59801
Source: SPRING

Tributary: FALL CREEK
Diversion Pt: SWNWSW Sec 16 T 29N R 01W in IDAHO County.

Use: STOCKWATER (.050 CFS)

STOCKWATER STORAGE (10.10 AF)

Total Diversion: (.050 CFS)

Date Filed: 11/19/1993

In: IDAHO County - T29N

R01W S16 - NWSW

Existing use prior to 1987.

79-07221

ROBBINS, DELOS
4375 HY 93 S
MISSOULA, MT. 59801
Source: FALL CREEK

Tributary: RICE CREEK
Diversion Pt: NWSW Sec 16 T 29N R 01W in IDAHO County.

Use: STOCKWATER (.050 CFS)

STOCKWATER STORAGE (30.00 AF)

Total Diversion: (.050 CFS)

Dated Filed: 11/19/1993

In: IDAHO County - T29N

R01W S16 - NWSW

Existing use prior to 1987.

79-07222

ROBBINS, DELOS
4375 HWY 93 S
MISSOULA, MT. 59801
Source: FALL CREEK

Tributary: RICE CREEK
Diversion PT: NWSW Sec 16 T 29N R 01W in IDAHO County.

Use: STOCKWATER (.050 CFS)

STOCKWATER STORAGE (10.00AF)

Total Diversion: (.050 CFS)

Date Filed: 11/19/1993

In: IDAHO County - T29N

R01W S16 - NWSW

Existing use prior to 1987.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 on or before JANUARY 3, 1994.

R. KEITH HIGGINSON,
Director

Published in the Cottonwood Chronicle Dec. 16, 23, 1993

AFFIDAVIT OF PUBLICATION

NOTICE OF APPLICATION FOR WATER RIGHT

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

79-07220

ROBBINS, DELOS
4375 HWY 93 S.
MISSOULA, MT 59801
Source: SPRING Tributary: FALL
CREEK
Diversion Pt: SWNWSW Sec 16 T 29N R
01W in IDAHO County.
Use: STOCKWATER (.50 CFS)
STOCKWATER STORAGE (10.10 AF)
Total Diversion: (.50 CFS)
Date Filed: 11/19/1993
In: IDAHO County
T29N R01W S16 NWSW

79-07221

ROBBINS, DELOS
4375 HY 93 S
MISSOULA, MT 59801
Source: FALL CREEK Tributary: RICE
CREEK
Diversion Pt: NWSW Sec 16 T 29N R
01W in IDAHO County.
Use: STOCKWATER (.050 CFS)
STOCKWATER STORAGE (30.00 AF)
Total Diversion: (.050 CFS)
Date Filed: 11/19/1993
In: IDAHO County T29N R01W S16
NWSW

79-07222

ROBBINS, DELOS
4375 HWY 93 S
MISSOULA, MT 59801
Source: FALL CREEK Tributary: RICE
CREEK
Diversion Pt: NWSW Sec 16 T 29N R
01W in IDAHO County.
Use: STOCKWATER (.050 CFS)
STOCKWATER STORAGE (10.00 AF)
Total Diversion: (.050 CFS)
Date Filed: 11/19/1993
In: IDAHO County T29N R01W S16
NWSW

Permits will be subject to all prior water
rights. Protests may be submitted
based on the criteria of Sec. 42-203A,
Idaho Code. Protests must be filed with
the Director, Dept. of Water Resources,
Western Region, 2735 Airport Way,
Boise, Idaho 83705 on or before
JANUARY 3, 1994.

R. KEITH HIGGINSON, Director
Published: 12/16/1993 & 12/23/1993
D16-23

STATE OF IDAHO
County of Idaho - ss.

Andrew J. McNab, being
first duly sworn, says he is the Publisher
of the IDAHO COUNTY FREE PRESS, a weekly newspaper published
and issued weekly at Grangeville, Idaho county, State of Idaho, and is
of general circulation in said county and state, that the said notice, of
which the one hereto attached is a true copy, was published in said
paper for two weeks, being published two
times, the first publication being on the 16th day of
December, 19 93, and the last
publication on the 23rd day of December, 19 93;
and that the said notice was published in the newspaper proper and not
a supplement; that said newspaper has been continuously and uninter-
ruptedly published in said county during a period of seventy-eight
consecutive weeks prior to the publication of said notice or advertise-
ment.



STATE OF IDAHO }
COUNTY OF }

On this 23rd day of December in the year of 1993.
Before me, a Notary Public, personally appeared
Andrew J. McNab, known or identified to me
to be the person whose name subscribed to the within instrument, and
being by me first duly sworn, declared that the statements therein are
true, and acknowledged to me that he executed the same.



Notary Public for Idaho
Residing at Grangeville, ID
My commission expires: 10/8/99