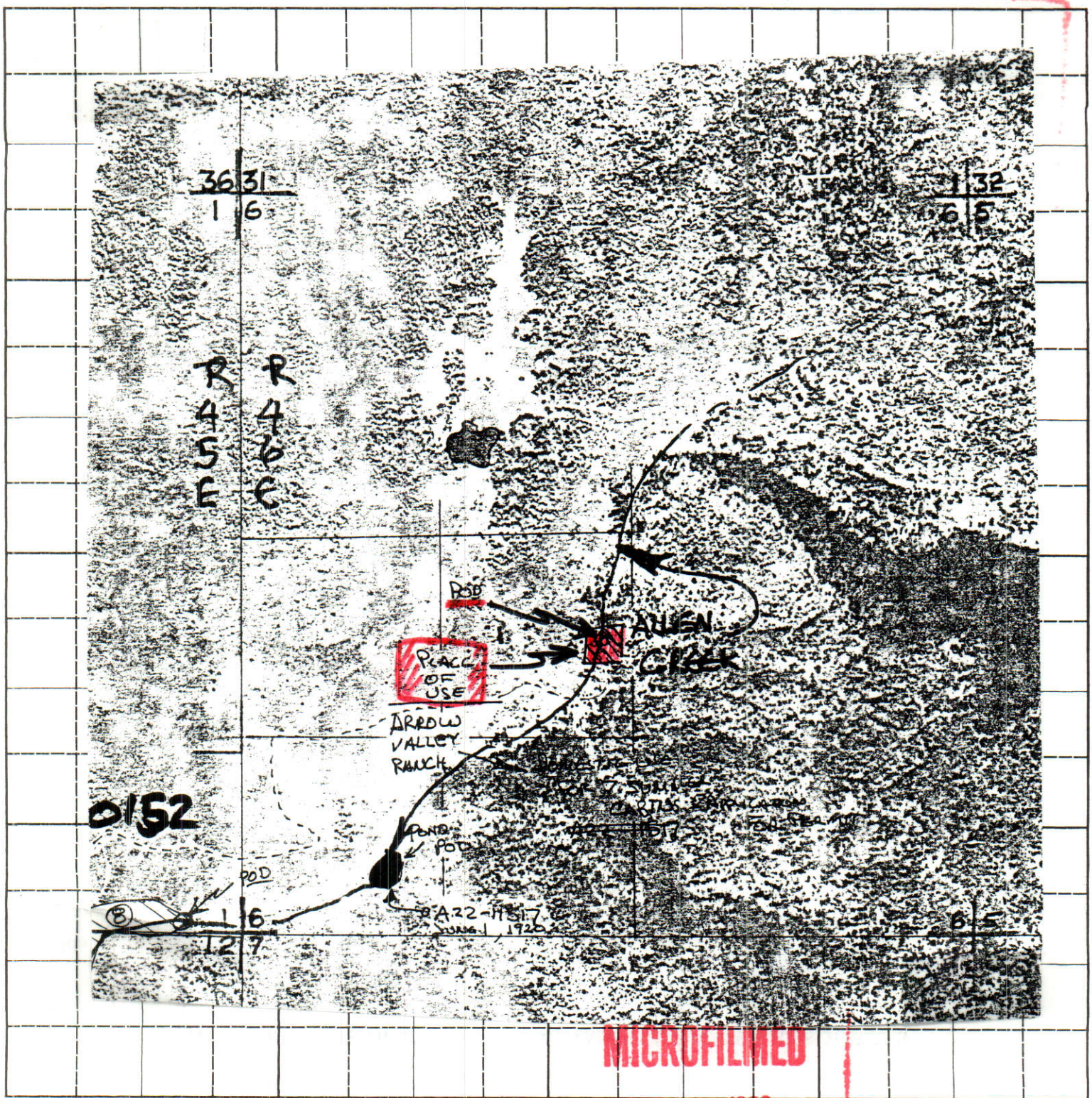
13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

MICROFILMED
FEB 08 1989

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.

Sec/Treas.
(Applicant)
Venator Inc.

AFFIDAVIT OF PUBLICATION

State of Idaho)
)ss
County of Teton)

I, Nadine Doose being first duly sworn depose and say that I am the Secretary of the Teton Valley News, a newspaper as defined by Idaho Codes Annotated, Section 58-106, as amended, and that said newspaper is a weekly newspaper printed and published at Driggs, in Teton County, Idaho, having a general circulation in said county, and that said newspaper has been printed in said county for more than 78 consecutive weeks prior to the first publication of the attached notice, advertisement or publication of

Notice of application for water right

And affiant further says that said attached notice, advertisement, or publication, as per clipping attached, was published in said newspaper, in the regular and entire issue thereof, and not in any supplement issue thereof, for Two consecutive issues thereof; first publication having been made on the 6 day of Oct., 1988

And affiant further says that at the times herein mentioned said newspaper was made up of at least eight pages of at least five columns each, printed from type matter, of at least sixteen inches deep.

Nadine Doose

Subscribed in my presence and sworn to before me this ..... day of ....., 19.....

(SEAL) Notary Public for the state of Idaho, residence and postoffice address, Driggs, Idaho.

Gary S. Stewart

My Commission expires

6/28, 1991

RECEIVED

OCT 17 1988

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:

22-07559
VENATOR, INC.
C/O DANIEL WILLERT, SEC.,
P.O. BOX 2801
JACKSON, WY 83001
Source: ALLEN CREEK
Diversion Pt: SENESW Sec 6 T 03N R 46E
Use: DOMESTIC (.120 CFS)
Date Filed: 9/08/1988
In: T03N R46E S06 NESW

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 **OCTOBER 24, 1988.**

R. Keith Higginson
Director

Published in the Teton Valley News on Oct. 6 and 13, 1988.

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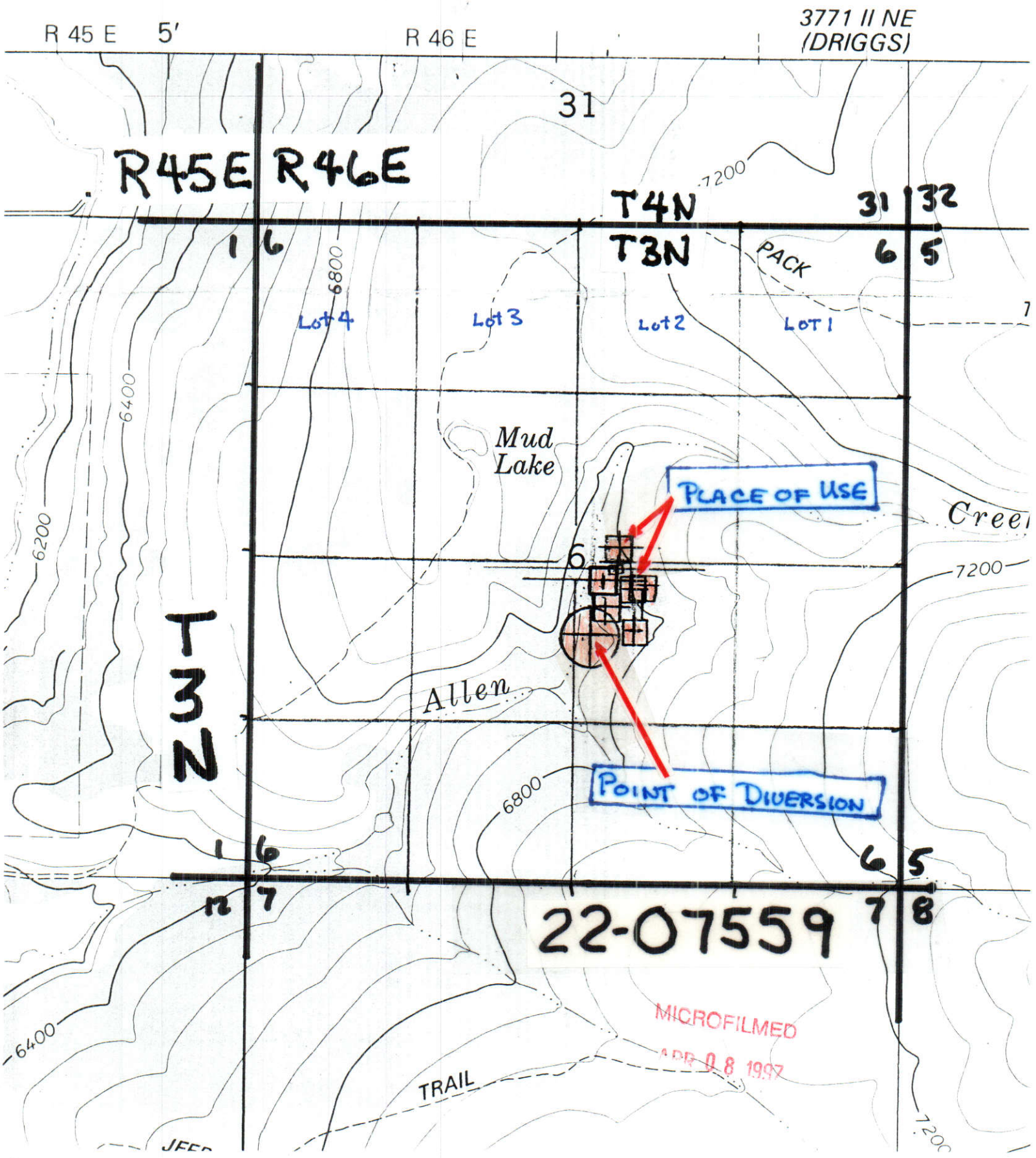
FEB 08 1989


R 45 E
5'
R 46 E
3771 II NE
(DRIGGS)
31
R45E R46E
T4N
T3N
32
PACK
Lot 4
Lot 3
Lot 2
LOT 1
Mud
Lake
PLACE OF USE
POINT OF DIVERSION
T 3 N
Allen
TRAIL
7200
6800
6400
6200
22-07559
MICROFILMED
APR 0 8 1997

Settling Tank

Pumping tank

22-7559

DIVERSION SCREEN

Allen Creek

MICROFILMED
APR 0 8 1997

22-7559

system overflow

22-7559

MICROFILMED
DEC 0 8 1997

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF LICENSE NO. 22-07559 IN THE NAME OF VENATOR, INC., C/O ARNOLD AND REGINA JAEGER	**ORDER DENYING PETITION FOR RECONSIDERATION**

This matter having come before the Department of Water Resources (Department) as a petition to reconsider the issuance of a water right license, the Department makes the following Findings of Fact, Conclusions of Law, and Order:

FINDINGS OF FACT

1. On April 3, 1997, the Department issued water right license no. 22-07559 to Venator, Inc., c/o Arnold and Regina Jaeger (right holder), confirming the right to divert .04 cfs and 4.2 acre feet per year from Allen Creek in the NW¼SE¼, Section 6, Township 3 North, Range 46 East, B.M., Teton County, to be used for domestic purposes in seven cabins.

2. On April 4, 1997, the Department mailed the license to the right holders with a letter explaining that the license is a preliminary order issued pursuant Section 67-5243, *Idaho Code*, and explaining the procedure for petitioning for reconsideration of the license pursuant to Rule 730.02.a. of the Rules of Procedure of the Department.

3. On April 17, 1997, the Department received a petition for reconsideration of the license from the license holder. The basis for the petition is that the license does not authorize the use of water for irrigation and livestock watering purposes.

4. Permit 22-07559, issued on November 28, 1988, authorized the permit holder to divert and use water from Allen Creek for domestic purposes in seven cabins. The permit did not authorize the diversion and use of water for irrigation and livestock watering purposes.

5. Venator, Inc., filed claim A22-00152 in the Snake River Basin Adjudication claiming the right to divert 1.00 cfs of water from Allen Creek for irrigation purposes.

6. All claims filed in the Snake River Basin Adjudication will be investigated by the Department and considered by the district court in the course of the adjudication process.

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MAY 20 1997

CONCLUSIONS OF LAW

1. Section 67-5243(3) , *Idaho Code*, provides in pertinent part as follows:

> Unless otherwise provided by statute or rule, any party may file a motion for reconsideration of a recommended order or a preliminary order within fourteen (14) days of the issuance of that order. The presiding officer shall render a written order disposing of the petition.

2. Rule 730.02.a. of the Rules of Procedure of the Department provides in pertinent part that the Department will "dispose of the petition for reconsideration within twenty-one (21) days of its receipt or the petition will be considered denied by operation of law."

3. Under the provisions of permit no. 22-07559 the right holder was not authorized to develop the additional water use it is seeking to have added to license no. 22-07559.

4. The appropriate avenue for pursuing the merits of Snake River Adjudication Claim no. A22-00152 is the established adjudication process.

5. The Department should deny the petition for reconsideration of water right license no. 22-07559 pursuant to Section 67-5243(3), *Idaho Code*.

ORDER

IT IS HEREBY ORDERED that the petition for reconsideration of water right license no. 22-07559 submitted by Venator, Inc., is **DENIED** pursuant to Section 67-5243(3), *Idaho Code*.

Dated this 8th day of May, 1997.

L. GLEN SAXTON
Chief, Water Allocation Bureau

MAY 29

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 22-07559

Priority: September 8, 1988 — Maximum Diversion Rate: 0.04 CFS; Maximum Diversion Volume: 4.2 AF

This is to certify, that VENATOR INC
C/O ARNOLD & REGINA JAEGER
14300 I-25 FRONTAGE RD
LONGMONT CO 80504 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated September 8, 1988; and has submitted Proof of Beneficial Use on October 29, 1990. An examination indicates that the works have a diversion capacity of 0.040 cfs of water from:

ALLEN CREEK tributary to TETON RIVER

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

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
DOMESTIC	01/01 to 12/31	0.04 CFS	4.2 AF

LOCATION OF POINT(S) OF DIVERSION: NWSE . Sec. 6, Township 03N, Range 46E
TETON County

PLACE OF USE: DOMESTIC

TWN	RGE	SEC		
03N	46E	6	SWNE	NWSE

CONDITIONS OF APPROVAL AND 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. Use of water under this water right will be regulated by the watermaster of State Water District No. 01.
6. Domestic use is for 7 cabins and does not include lawn, garden, landscape, or other types of irrigation.

MICROFILMED
APR 0 8 1997

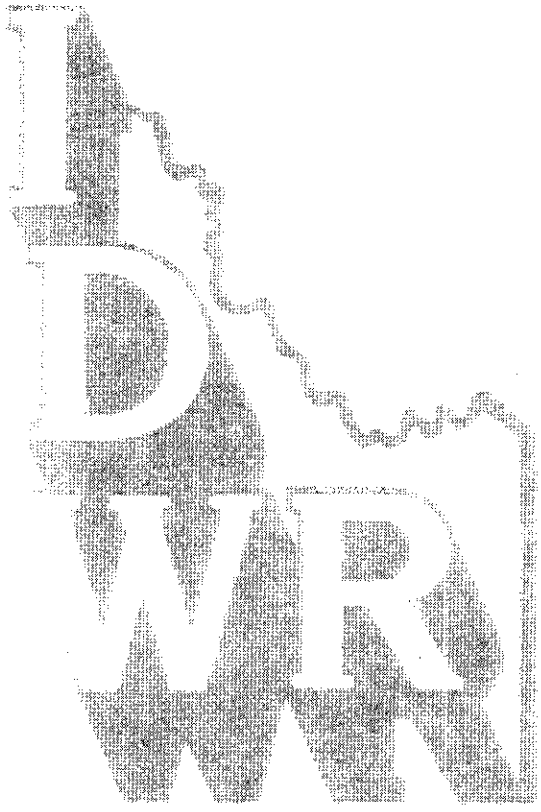
State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 22-07559

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 3rd day of April, 1977.

KARL J. DREHER, Director



APR 06 1977

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT

(For Licensing Purposes)

WATER RIGHT NO. 22-07559

Date of Priority: September 8, 1988 — Maximum Diversion Rate: 0.04 CFS; Maximum Diversion Volume: 4.2 AF

Comes now VENATOR INC
C/O DANIEL WILLERT
PO BOX 2801
JACKSON WY 83001 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. 22-07559, and requests that the permit be changed as follows:

Source: **ALLEN CREEK** tributary to **TETON RIVER**

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
DOMESTIC	01/01 to 12/31	0.04 CFS	4.2 AF

LOCATION OF POINT(S) OF DIVERSION: NWSE , Sec. 6, Township 03N, Range 46E
TETON County

PLACE OF USE: DOMESTIC

TWN	RGE	SEC		
03N	46E	6	SWNE	NWSE

MICROFILMED
APR 0 8 1997

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 Jackson Hole, this 5 day of March, 1997

Regina Jagger
(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 22-07559

****

FOR DEPARTMENT USE ONLY

Preliminary check by Ket Fee = $50.00 Receipted by Ket # 038465 Date 3-31-97

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. 22-07559 with the following;

CONDITIONS OF APPROVAL AND 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. Use of water under this water right will be regulated by the watermaster of State Water District No. 01.
6. Domestic use is for 7 cabins and does not include lawn, garden, landscape, or other types of irrigation.

Witness my hand this 3rd day of April, 1997.

KARL J. DREHER, Director

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APR 08 1997

Form 217
03/86

RECEIVED
DEC 10 1990
Department of Water Resources

RECEIVED
OCT 29 1990
Department of Water Resources

DEPARTMENT OF WATER RESOURCES

For Office Use Only
Fee Received _____
Date _____
Receipt # _____
Receipt by _____
Reviewed by _____
Sent to region ____

PROOF OF BENEFICIAL USE

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

Permit No. 22 7559

Name(s) of Permit Holder: VENATOR INC.

Post Office Address: P.O. Box 2801

JACKSON, WY 83001 Telephone No. 307-733-7357

Source of Water: Allen Creek

Extent of Use:

Domestic X 1 (number of households) Stockwater _____ (number and type of stock)

Irrigation 33 (acres) Other/Remark _____

.04 - see letter of 1-10-91

Total rate and/or volume for which proof is submitted ~~.12~~ ~~.5 cfs~~ cts 30 acre-feet

Show the date water was first diverted and beneficially used under this permit: _____

Measuring Device: Required? ___ Yes ___ No
Installed? ___ Yes ___ No

Fee enclosed $ _____
(See License Examination Fee Schedule)

$168.00 paid 9/8/88
your receipt # E 002146

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

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

JOHN BARGER (CARETAKER) 208-787-2473
(Name) (Telephone Number)

ARROW VALLEY RANCH VICTOR, IDAHO
(Address)

FILED
JAN 28 1991

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.

10/24/90
Date

Signature of Permit Holder (and title, if appropriate)

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 22-7559)
)
IN THE NAME OF VENATOR, INC.) ORDER
)

WHEREAS, on November 28, 1988, the Department of Water Resources issued Permit No. 22-7559 with the requirement that:

> A lockable device, subject to the approval of the Department, shall be installed on the diverting works in a manner that will provide the watermaster suitable control of the diversion prior to diversion of water under this permit.

and,

WHEREAS, on December 12, 1988, the Department received a request from the permit holder to remove the lockable device requirement; and,

WHEREAS, the Department has determined that removal of the lockable device requirement is reasonable;

NOW, THEREFORE, the condition of approval on said water right requiring that a lockable device be installed is REMOVED.

Dated this 13th day of August, 1990.

L. GLEN SAXTON
Chief, Water Allocation Bureau

MICROFILMED
JAN 2 8 1991

Form 202
6/85

Ident. No. 22 7559

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Venator, Inc. Phone (307)733-7357

   Post office address C/O Daniel Willett, Sec., P.O. Box 2801, Jackson, Wy 83001

2. Source of water supply Allen Creek which is a tributary of Teton River

3. Location of point of diversion is SE ¼ of NE ¼ of SW ¼, Govt. Lot _____

   Sec. 6 Township 3N Range 46E B.M. Teton County; additional

   points of diversion if any: _____

4. Water will be used for the following purposes:

   Amount .12 for Domestic 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)

   Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
   (cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) 0.12 cfs (cubic feet per second) and/or (b) _____ (acre feet per annum)

6. Proposed diverting works:

   a. Description of ditches, flumes, pumps, headgates, etc. Pump in stream delivers water to 7 cabins.

   _____

   _____

   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

   1 years (*minimum 1 year*).

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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. _____

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	
3N	46E	6									D/7								

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. None

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: Allen Creek normally sinks at nE1/4 NW1/4 Sec. 12 T3N 45E. Water used for culinary uses for 7 cabins.

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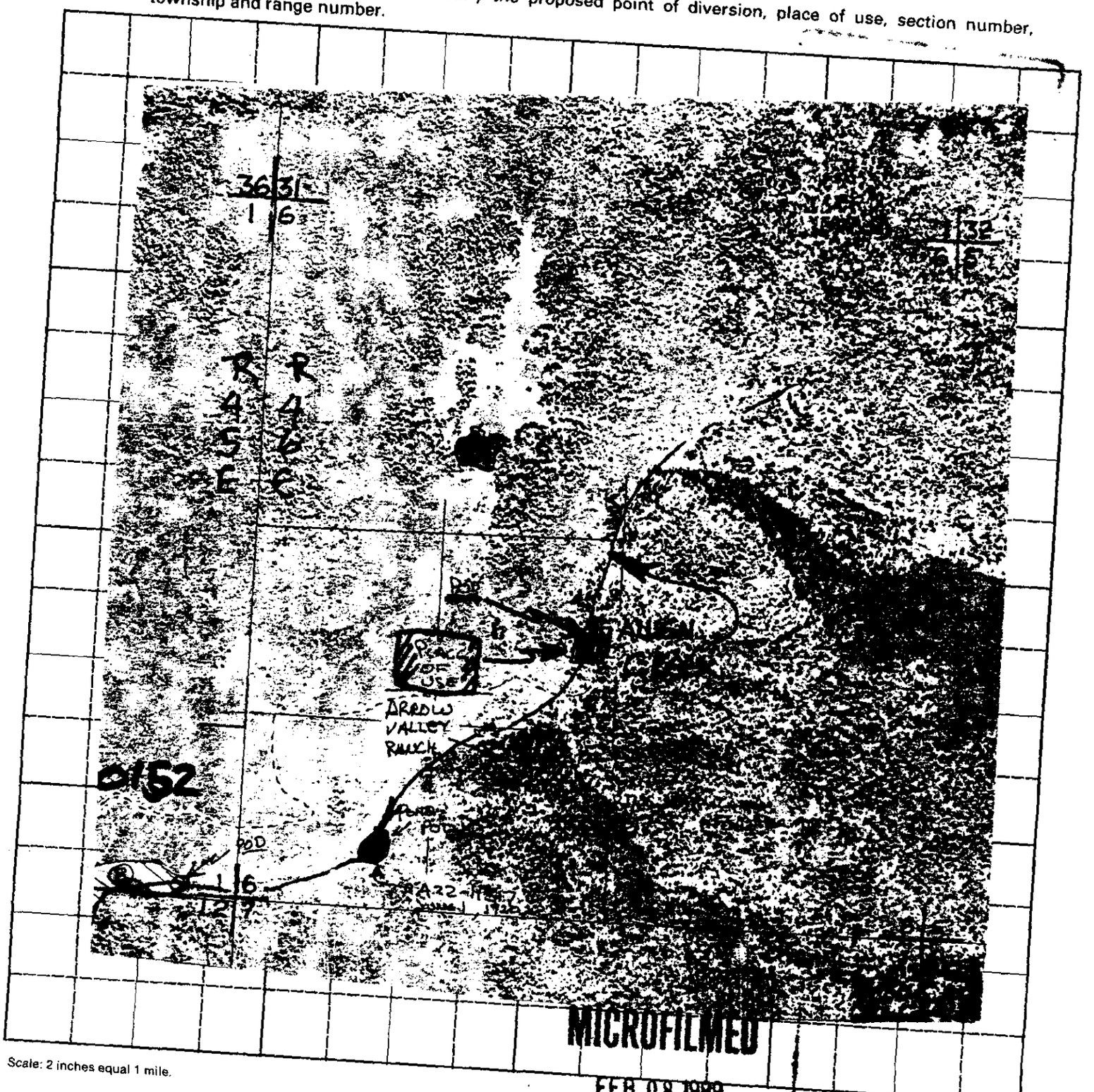
13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

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FEB 08 1989

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.

Sec/Treas.
(Applicant)
VENATOR INC.

Proposed Priority 9/8/88

Received by EGV Date 9-8-88 Time 1510 Preliminary check by C.M.

Fee $ 30.00 Receipted by EGV # 600146 Date 9-8-88

Publication prepared by DG Date 9-28-88 Published in Teton Valley News 10-06-88 & 10-13-88

Publication approved CW Date 10-25-88

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. 22-7559, 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, 1989.

   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:

Use of water under this permit is subject to control by the watermaster of State Water District No. 01, Snake River.

A lockable device, subject to the approval of the Department, shall be installed on the diverting works in a manner that will provide the watermaster suitable control of the diversion prior to diversion of water under this permit.

Witness my hand this 28th day of November, 1988.

J. Glen Saxton

MICROFILMED

FEB 08 1989

VENATOR INC.

- home:
GEHRBERGSWEG 6A
3167 BURGDORF
W. Germany.

ARNOLD JÄGER — President
REGINA JÄGER — V.P.
DANIEL T. WILLERT — SECY/TREAS.
BOX 2801
JACKSON, WY. 83001 307-733-7357

Office:
PO BOX 73 0451
ROTHWIESE 4
3000 HANNOVER 71
(WEST GERMANY)

RANCH MGR:
PHIL WORAS 208-787-2403
VICTOR, ID.

RECEIVED
FEB 1989

AFFIDAVIT OF PUBLICATION

State of Idaho)
) ss
County of Teton)

I, Nadine Doose, being first duly sworn depose and say that I am the secretary of the Teton Valley News, a newspaper as defined by Idaho Codes Annotated, Section 58-106, as amended, and that said newspaper is a weekly newspaper printed and published at Driggs, in Teton County, Idaho, having a general circulation in said county, and that said newspaper has been printed in said county for more than 78 consecutive weeks prior to the first publication of the attached notice, advertisement or publication of

Notice of application for water right

And affiant further says that said attached notice, advertisement, or publication, as per clipping attached, was published in said newspaper, in the regular and entire issue thereof, and not in any supplement issue thereof, for two consecutive issues thereof; first publication having been made on the 6th day of Oct., 1988

And affiant further says that at the times herein mentioned said newspaper was made up of at least eight pages of at least five columns each, printed from type matter, of at least sixteen inches deep.

Nadine Doose

Subscribed in my presence and sworn to before me this ..... day of ....., 19.....

(SEAL) Notary Public for the state of Idaho, residence and postoffice address, Driggs, Idaho.

Gary S. Stewart

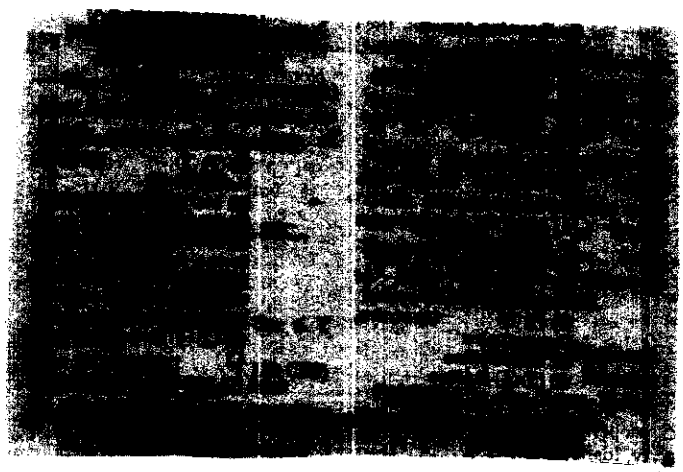
My Commission expires

6/22, 1991

RECEIVED

OCT 17 1988

Department of Water Resources
Eastern District Office



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FEB 08 1989

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

May 8, 1997

VENATOR INC
C/O ARNOLD AND REGINA JAEGER
14300 I-25 FRONTAGE RD
LONGMONT CO 80504

RE: Water Right No. 22-07559

Dear Water Right Holder:

Enclosed please find an order which denies your petition for reconsideration. Within twenty-one (21) days after the service date of the enclosed order, you may in writing support or take exceptions to any part of the preliminary order and may file briefs in support of your position on any issue in the proceeding with the Director. Otherwise, the preliminary order will become a final order of the agency.

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.

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

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MAY 20 1997

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 the 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.

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

Respectfully,

Shelley Walter Keen

Shelley Walter Keen
Water Rights Supervisor

Enclosure

MICROFILMED
MAY 20 1997

CERTIFICATE OF MAILING

I certify that on the **8th** day of **May, 1997**, I mailed a true and correct copy, postage prepaid, of the foregoing **ORDER DENYING PETITION FOR RECONSIDERATION (of water right license)** to the person(s) listed below:

Water Right Nos. 22-07559

VENATOR INC
C/O ARNOLD AND REGINA JAEGER
14300 I-25 FRONTAGE RD
LONGMONT CO 80504

Kari Lynn Townsend
Secretary

MAY 2

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

April 22, 1997

VENATOR INC
C/O ARNOLD AND REGINA JAEGER
14300 I-25 FRONTAGE RD
LONGMONT CO 80504

RE: Water Right No. 22-07559

Dear Water Right Holder:

I received your petition for reconsideration of license 22-07559, which was issued to you on April 3, 1997. According to your petition, you are concerned because right 22-07559 does not authorize the use of water for lawns, gardens, and other irrigation.

The application for permit you submitted in 1988 says, "Water used for culinary uses for 7 cabins." It does not indicate that you were contemplating the use of water for irrigation purposes under this appropriation. Because the department cannot issue a license for more than you applied for, license 22-07559 cannot include additional water to be used for irrigation.

However, according to department records, you have claimed in the Snake River Basin Adjudication (SRBA), a court proceeding to determine existing water rights, that you are the owner of decreed water right 22-00152. Your claim, designated A22-00152, is for the diversion and use of 1.00 cfs of water from Allen Creek with an 1897 priority date for the irrigation of 25 acres in the NE¼NE¼ and NW¼NE¼ of Section 12 and eight acres in the SE¼SE¼ of Section 1, Township 3 North, Range 45 East. I have enclosed a printout of the information on your claim. It appears that the place of use indicated on your claim corresponds to the legal description you provided on your petition for reconsideration. Claim A22-00152 will be investigated and reported to the SRBA court some time in the next few years. Claim A22-00152 and license 22-07559 are different water rights. The issuance of license 22-07559 does not reflect upon the validity of claim A22-00152.

Because your original application did not request the use of water for irrigation purposes, and because your irrigation use is reflected in another water right filing, I do not think it is appropriate to reconsider the issuance of license 22-07559 to include the use of water for irrigation. If you agree with my analysis regarding your petition, you could help by sending me a written notice that you are withdrawing your petition. If you have not withdrawn your petition for reconsideration by May 8, 1997, the department will formally respond to the petition by issuing an order.

FILMED
MAY 2 8

K:\NAMELTRS\VENATOR.DOC

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

Respectfully,

Shelley Walter Keen
Water Rights Supervisor

Enclosure

K:\NAMELTRS\VENATOR.DOC

MAILED
MAY 28 97

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	VENATOR INC	06/01/1897	IRRIGATION	04-15	10-15	1.00 CFS	
					TOTAL DIVERSION:	1.00 CFS	
					CONSUMPTIVE USE:		66.00 AFA

Water Source: ALLEN CREEK Tributary to: TETON RIVER Stage: DECREED

Point(s) of Diversion: T03N R45E S01 SESESE TETON County

Place of use Legal Description for: IRRIGATION

			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	Lt Ac	Lt Ac	SUM
03N	45E	1																08	8.0
03N	45E	12	07	18															25.0
																		TOTAL ACRES	33.0

POU County: TETON

Non-Irrigation Uses: NONE

Other Rights: NONE

Remarks: GEN CLIAM REFLECTS ACTUAL USE OF WATER.

Dates: Exam Made Date: Verified Date: 05/16/1986 Objection Filed Date:

Misc: Water District Number: 01 Field Inspection Flag: Y
Presumption Flag:

VENATOR®

RECEIVED
APR 17 1997
Department of Water Resources

April 14, 1997

State of Idaho
Department of Water Resources
1301 N. Orchard Street
Statehouse Mail
Boise, ID 83720-9000

RE: Petition for Reconsideration of a preliminary order
Water Right No. 22-07559

Ref: Tract 1: Township 3 North, Range 46 East, Boise Meridian, Teton County, Idaho, Section 6: SW¼SW¼

Tract 2:
Parcel 1: Township 3 North, Range 45 East, Boise Meridian, Teton County, Idaho, Section 1: SE¼SE¼ Section 12: NE¼NE¼

Parcel 2: Beginning at the SE corner of the Southwest Quarter of the Southeast Quarter of Section 1, Township 3 North, Range 45 East, Boise Meridian, Teton County, Idaho, and running thence North 20 rods, thence West 40 rods, thence South 20 rods, thence East 40 rods to the point of beginning.

NW¼NE¼ of Section 12, Township 3 North, Range 45 East, Boise Meridian, Teton County, Idaho, Less: Beginning at the North Quarter corner of said Section 12, and running thence South 0°01' East along the center line of Section 12, for 25 feet more or less to the true point of beginning, thence North 89°43' West for 319 feet, thence South 0°01' East for 410 feet, thence South 89°43' West for 60 feet to the center line of said Section 12, thence North 0°01' West for 710 feet, more or less along said center line of Section 12, to the point of beginning. ALSO LESS: Beginning at 735' more or less South of the North quarter corner of Section 12, TWP 3N Range 45 EBM and 60 feet East to the point of beginning; thence 80 feet East, thence 300 feet North, thence 80 feet West, thence 300 feet South to the point of beginning.

MICROFILMED
MAY 20 1997

VENATOR, INC. · 14300 I-25, FRONTAGE ROAD, EXIT 243 · LONGMONT, CO 80504 · PHONE (970) 535-0554 · FAX (970) 535-0945

Please consider this letter a written request for review, Petition for Reconsideration, of the preliminary issue of Water Right No. 22-07559. Regarding the Conditions of Approval and Remarks, Number 6., Domestic use is for 7 cabins and does not include lawn, garden, landscape, or other types of irrigation; Initial purchase of land originally included water rights which were licensed for grazing and agricultural irrigation. It is necessary for Venator, Inc., as owner's of Water Right No. 22-07559, to use the water rights to this end. Please reconsider the preliminary issue and allow for inclusion of grazing and agricultural irrigation in the Conditions of Approval and Remarks.

With kind regards,
VENATOR, INC.

Regina Jaeger
President

Arnold Jaeger
Chairman of the Board

MAY 20 1997

State of Idaho
Department of Water Resources

RECEIVED
APR 17 1997
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 22-07559

Priority: September 8, 1988

Maximum Diversion Rate: 0.04 CFS
Maximum Diversion Volume: 4.2 AF

This is to certify, that VENATOR INC
C/O ARNOLD & REGINA JAEGER
14300 I-25 FRONTAGE RD
LONGMONT CO 80504 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated September 8, 1988; and has submitted Proof of Beneficial Use on October 29, 1990. An examination indicates that the works have a diversion capacity of 0.040 cfs of water from:

ALLEN CREEK tributary to TETON RIVER

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

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
DOMESTIC	01/01 to 12/31	0.04 CFS	4.2 AF

LOCATION OF POINT(S) OF DIVERSION: NWSE , Sec. 6, Township 03N, Range 46E
TETON County

PLACE OF USE: DOMESTIC

TWN	RGE	SEC		
03N	46E	6	SWNE	NWSE

CONDITIONS OF APPROVAL AND 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. Use of water under this water right will be regulated by the watermaster of State Water District No. 01.
6. Domestic use is for 7 cabins and does not include lawn, garden, landscape, or other types of irrigation.

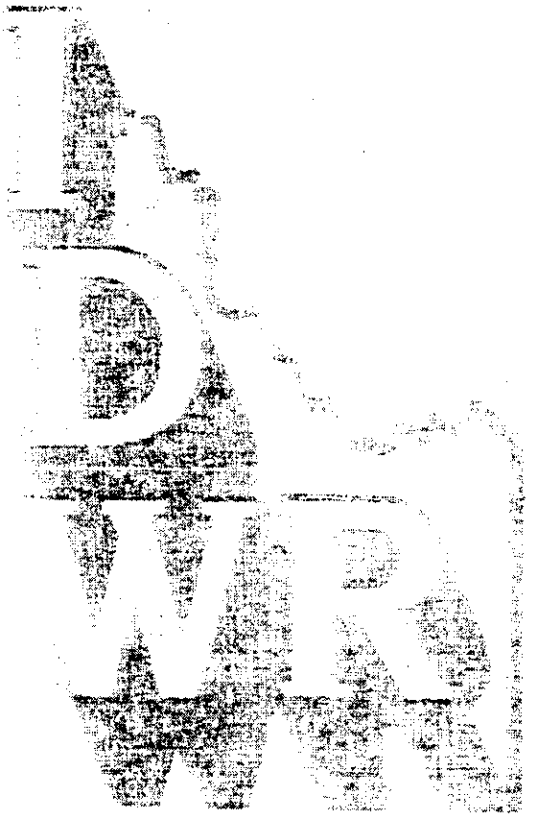
State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 22-07559

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 3RD day of April, 1997.

KARL J. DREHER, Director



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

April 4, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

VENATOR INC
C/O ARNOLD & REGINA JAEGER
14300 I-25 FRONTAGE RD
LONGMONT CO 80504

RE: WATER RIGHT NO. 22-07559

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a **preliminary order** issued by the Department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as 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 twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from 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. Otherwise, this preliminary order will become a final order of the Department.

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

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ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

> Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:
>
> (a) the petition for reconsideration is disposed of; or
> (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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APR 0 8 1997

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.

For your records I have also enclosed a copy of your Application for Amendment of Permit, which was approved.

Sincerely,

Shelley Walter Keen

Shelley W. Keen
Water Rights Supervisor

SK:ph

Enclosure

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APR 0 8 1987

CERTIFICATE OF MAILING

I hereby certify that on the **4th** day of **April, 1997**, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDER (Approved License)** to the person(s) listed below:

Water Right No. 22-07559

VENATOR INC
C/O ARNOLD & REGINA JAEGER
14300 I-25 FRONTAGE RD
LONGMONT CO 80504

Vanessa Roby
Secretary

MICROFILMED
APR 0 8 1997

VENATOR®

March 18, 1997

RECEIVED
MAR 2 4 1997
Department of Water Resources

Ms. Patti Harrell, Secretary
Water Right Permits Section
State of Idaho
Department of Water Resources
1301 N. Orchard Street
Statehouse Mail
Boise, ID 83720-9000

RE: Water Right No. 22-07559

Dear Ms. Harrell:

Enclosed is the completed Application for Amendment, as well as the address change for Venator, Inc. Please be advised that Mr. Daniel Willert is no longer associated with Venator, Inc. All future correspondence (including licenses, amendments, etc.) should be directed to:

Venator, Inc.
Arnold and Regina Jaeger
14300 I-25 Frontage Road
Longmont, CO 80504

If you have questions, please feel free to contact me.

Sincerely,
Venator, Inc.

Regina Jaeger
President

RJ:jdv

APR 0 8 1997

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

January 13, 1997

VENATOR INC.
ARNOLD & REGINA JAEGER
~~112 EX 800X SOUTH~~ 14300 I-25 Frontage Road
~~VICTOR ID XX 83455~~ Longmont, CO 80504

RE: WATER RIGHT NO. 22-07559

CHANGE OF ADDRESS

Dear Mr. and Mrs. Jaeger:

IDWR has been notified that the address presently in our records is out-of-date. Although it appears that we can reach you at the address above, we need you to confirm that this is your correct mailing address.

To insure that the proper address is included in all of your water rights on file with IDWR, **please check your records to confirm that the water rights listed herein are <u>all</u> of the water rights that you own.**

If the address above is correct, please sign your name at the bottom of this letter, date it, and return it to this office. Otherwise, please make the proper corrections, sign, date, and return this letter. Thank you for your help.

If the ownership of the property and/or address to which the water right(s) referenced above have changed, please call this office at (208)327-7941 to obtain a form to make this required change to the water right record.

Sincerely,

Patti Harrell

Patti Harrell, Secretary
Water Right Permits Section

The address is ~~not~~ correct as shown above or as otherwise changed.

Regina Jaeger
Water Right Holder's Signature

March 5, 1997
Date

Phone # (970) 535-0554

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MAR 8 1997

Additional Water Right #'s: N/A

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 10, 1997

VENATOR INC
C/O DANIEL WILLERT
PO BOX 2801
JACKSON WY 83001

RE: WATER RIGHT NO. 22-07559

Dear Water Right 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 fourteen 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, please call me at (208) 327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:ph

Enclosure

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APR 0 8 1997

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

January 13, 1997

VENATOR INC.
ARNOLD & REGINA JAEGER
112 E 800 SOUTH
VICTOR ID 83455

RE: WATER RIGHT NO. 22-07559

CHANGE OF ADDRESS

Dear Mr. and Mrs. Jaeger:

IDWR has been notified that the address presently in our records is out-of-date. Although it appears that we can reach you at the address above, we need you to confirm that this is your correct mailing address.

To insure that the proper address is included in all of your water rights on file with IDWR, please check your records to confirm that the water rights listed herein are **all** of the water rights that you own.

If the address above is correct, please sign your name at the bottom of this letter, date it, and return it to this office. Otherwise, please make the proper corrections, sign, date, and return this letter. Thank you for your help.

If the ownership of the property and/or address to which the water right(s) referenced above have changed, please call this office at (208)327-7941 to obtain a form to make this required change to the water right record.

Sincerely,

Patti Harrell

Patti Harrell, Secretary
Water Right Permits Section

The address is correct as shown above or as otherwise changed.

_____ _____
Water Right Holder's Signature Date

Phone #_____

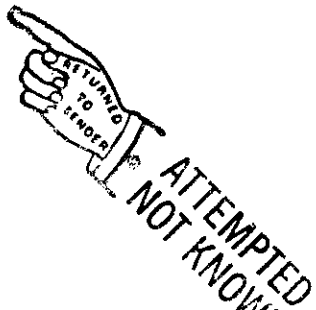
APR 2 6 1997

Additional Water
Right #'s:_____

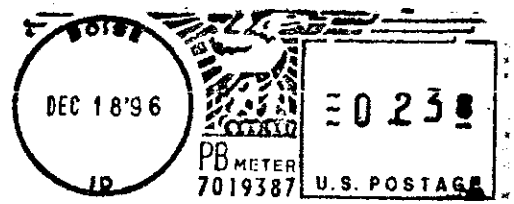
Daniel Willert
Venator, Inc.
307-733-7357
733-9009-office phone
~~82208-~~ ~~8088509~~

MICROFILMED
APR 08 1997

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street
, Idaho 83706-2237



PRESORTED
FIRST CLASS



RECEIVED
JAN 02 1997
Department of Water Resources

MICROFILMED
APR 08 1997

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

December 17, 1996

VENATOR INC
C/O DANIEL WILLERT
PO BOX 2801
JACKSON WY 83001

RE: WATER RIGHT NO. 22-07559

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 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 of Approval and Remarks proposed for the license when it is issued. These conditions of approval and 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:ph

Enclosure

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APR 0 8 1997

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	VENATOR INC C/O DANIEL WILLERT PO BOX 2801 JACKSON WY 83001 (307) 733-7357	09/08/1988	DOMESTIC	01/01	12/31	0.040 CFS	4.20 AFA
				TOTAL DIVERSION:		0.040 CFS	4.20 AFA

Water Source: ALLEN CREEK Tributary to: TETON RIVER Stage: LICENSE

Point(s) of Diversion Capacity: 0.040 CFS

Point(s) of Diversion: T03N R46E S06 NWSE TETON County

Place of use Legal Description for: DOMESTIC

			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	Lt Ac	Lt Ac	
03N	46E	6			D														D			

Pou County: TETON

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. 01.

Remarks: Domestic use is for 7 cabins and does not include lawn, garden, landscape, or other types of irrigation.

Dates: App. Received: 09/08/1988 Priority Date: 09/08/1988 (Priority Date Advanced.)
Proof Due Date: 12/01/1989 Proof Made Date: 10/29/1990 (Proof Received Late.)
Exam Made Date: 09/21/1994 Exam Sent to S.O.: 07/25/1996
Licensed Date:

Misc: Water District Number: 01 Field Exam Fee: N (Not Required)

Audit: 12/16/96 SCURTIS

LICENSE REVIEW CHECKLIST

PERMIT NO 72-07559 DATE 12/16/96 REVIEWER: *SHARLA*

	Change	OK	
NAME	__	✓	Address Change NO
SOURCE	__	✓	Is change clarification of originally intended source? __ If not, prepare Notice of Intent to Void __
POINT OF DIV	✓	__	Amendment required yes
PLACE OF USE	✓	__	Amendment required yes

Does map agree with written description? ✓ yes __ no

OVERLAPS __ P/D __ P/U

RATE OF DIV

Permitted Rate	.12 cfs	
Fee limit	.04 cfs	NO FEE PD. - GIVEN NOTICE TWICE
Measured	.08 cfs	2½ gal / 4.27 sec
Theoretical	— cfs	

Recommended Total Div Rate .04 cfs

ANNUAL VOLUME/ NATURE OF USES		Use	Volume Calculation
__	✓	Dom.	7 X .6 = 4.2 af
			af
			af
			af
		SUBTOTAL	4.2 af

Flow rate .04 cfs X 365 days X 1.98 = 29.0 af

Total volume recommended 4.2 af
(SUBTOTAL or Flow Rate, whichever is less)

REMARKS D/ 7 Cabins - irrig not incl

CONDITIONS R04 Watermaster Control WD# 01

__ GW Measurement/Measuring Device - removed by order

__ Overlap

__ Use-specific conditions

Advancement of Priority Date Required __ yes ✓ no

SRBA Claim Filed NA

Adjustment Memo ✓

1st Amend Letter P48, P38

2nd Amend Letter P47

Form 219
6/86

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT

RECEIVED
JUL 29 1996
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 22-7559

1. Owner: Venator Inc. Phone No. _____
   Current Address: C/o Daniel Willert P.O Box 2801, Jackson Wy 83001
2. Accompanied by: Arnold Jaeger EXAM. DATE: 8-15-1994 (RE-EXAM 07/26/95)
   Address: — Phone No. _____
   Relationship to Permit Holder: Partner
3. Source: Allen Creek tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: NONE
   _____ ☐ Copies Attached
2. Other water rights with same point of diversion: NONE
   _____ ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached

SEE ATTACHED PHOTOS

Scale: 1" = _____.

2. ☑ Copy of U.S.G.S. Quadrangle Attached
   Showing location(s) of point(s) of diversion and place(s) of use (required).
   ☐ Aerial Photo Attached
   (required for irrigation of 10 acres or more).
   ☑ Photo of Diversion and System Attached
   (required for all but single household domestic groundwater, and stockwater.

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APR 08 1997

System Description (continued)

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

P/u aka Arrow Valley Ranch
Screen in stream to settling tank to Tank with pump and delivery system to Seven cabins owned & used by family. for summer/winter vacations

☐ See Remarks on page 4 for continuation

4.

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

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

5. **Point(s) of Diversion:**

Ident. No.	Gov't. Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			NW	SE	6	3N	46E	TETON	On Site/USGS MAP/GPS

6. **Place(s) of Use:** Indicate Method of Determination _____

Twp.	Rge.	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
3N	46E	6			D											D			

Do not use this space

MICROFILMED
APR 0 8 1997

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

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

2. **Measurements:**
Bucket & Stopwatch 2½ gal / 4.27 sec = 0.078 cfs = 0.08 cfs

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method: Q = 0.08 cfs

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)
Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)
Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)
Meter Input HP: (6) x 1.34 = _____ (7)
Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Ampsx .001732 = _____ (6)
Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.}$ = (Acres Irrigated) x (Irrigation Requirement) = _____

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

V = Smaller of $V_{I.R.}$ and $V_{D.R.}$ = _____

2. Volume Calculations for Other Uses:

V_{DOM} = 0.6 afa (7) = 4.2 afa

MICROFILMED
APR 0 8 1997

H. REMARKS AND OVERLAP REVIEW ANALYSIS

System is used only as a back up to domestic well & only when it is an emergency.

I. RECOMMENDATIONS

1. **Recommended Amounts**

Beneficial Use	Period of Use From	Period of Use To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
Domestic	1/1	12/31	0.08 cfs	4.2 afa
		Totals:		

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

J. AUTHENTICATION

Field Examiner's Name KEITH C. WILSON

Signature Keith C. Wilson

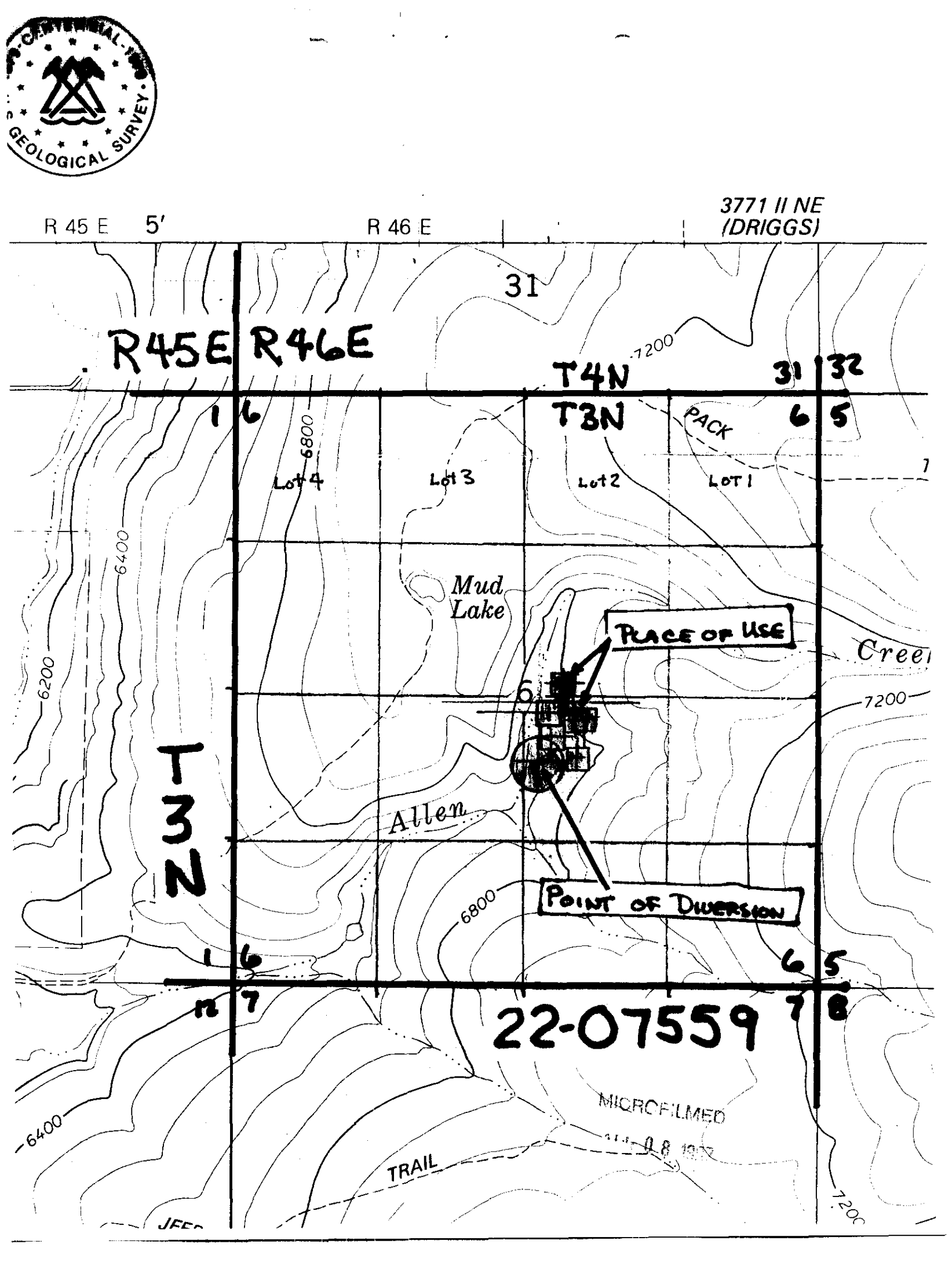
Certification Date _____

Field Report Preparation Date _____

CONSULTANT SEAL

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

MICROFILMED
APR 0 8 1997


3771 II NE
(DRIGGS)
R 45 E
5'
R 46 E
31
R45E R46E
T4N
T3N
32
PACK
Lot 4
Lot 3
Lot 2
LOT 1
Mud
Lake
PLACE OF USE
Allen
POINT OF DIVERSION
T 3 N
22-07559
MICROFILMED
TRAIL
7200
6800
6400
6200

POINT OF DIVERSION:

C:\GEO-PC\DATA\WILSON\CORRECT\VENATOR1.COR

	Recs	Mean	Std Dev	Minimum	Maximum
Northing	346	4828593.26	0.85	4828589.33	4828598.83
Easting	346	494316.03	1.57	494301.62	494317.44
Altitude	346	2046.21	2.24	2042.97	2054.29

No velocity records in file.

No DOP records in file.

Start GPS Week #811 on 07/26/95 at 16:31:18
End GPS Week #811 on 07/26/95 at 16:35:49

Datum : NAD-27 CONUS
Coordinate System : Universal Transverse Mercator [12T]
Altitude Mode : Mean Sea Level
Altitude/Distance Units : Meters
Velocity Units : Feet/Second

PLACE OF USE:

C:\GEO-PC\DATA\WILSON\CORRECT\VENATOR2.COR

	Recs	Mean	Std Dev	Minimum	Maximum
Northing	317	4828599.18	0.72	4828598.10	4828600.64
Easting	317	494440.58	6.08	494428.45	494445.68
Altitude	317	2072.73	3.40	2068.86	2079.92

No velocity records in file.

No DOP records in file.

Start GPS Week #811 on 07/26/95 at 16:46:26
End GPS Week #811 on 07/26/95 at 16:50:11

Datum : NAD-27 CONUS
Coordinate System : Universal Transverse Mercator [12T]
Altitude Mode : Mean Sea Level
Altitude/Distance Units : Meters
Velocity Units : Feet/Second

22- 7559

MICROFILMED
APR 08 1997

PLACE OF USE:

C:\GEO-PC\DATA\WILSON\CORRECT\VENATOR3.COR

	Recs	Mean	Std Dev	Minimum	Maximum
Northing	316	4828707.91	1.18	4828706.49	4828710.58
Easting	316	494429.44	2.94	494419.49	494433.13
Altitude	316	2076.83	3.78	2066.49	2080.71

No velocity records in file.

No DOP records in file.

Start GPS Week #811 on 07/26/95 at 16:53:53
End GPS Week #811 on 07/26/95 at 16:57:24

Datum : NAD-27 CONUS
Coordinate System : Universal Transverse Mercator [12T]
Altitude Mode : Mean Sea Level
Altitude/Distance Units : Meters
Velocity Units : Feet/Second

PLACE OF USE:

C:\GEO-PC\DATA\WILSON\CORRECT\VENATOR4.COR

	Recs	Mean	Std Dev	Minimum	Maximum
Northing	318	4828738.51	1.68	4828734.28	4828748.59
Easting	318	494460.64	3.76	494456.84	494479.14
Altitude	318	2081.03	1.36	2078.43	2083.19

No velocity records in file.

No DOP records in file.

Start GPS Week #811 on 07/26/95 at 16:59:14
End GPS Week #811 on 07/26/95 at 17:02:33

Datum : NAD-27 CONUS
Coordinate System : Universal Transverse Mercator [12T]
Altitude Mode : Mean Sea Level
Altitude/Distance Units : Meters
Velocity Units : Feet/Second

MICROFILMED
22-7559
APR 08

PLACE OF USE:

C:\GEO-PC\DATA\WILSON\CORRECT\VENATOR5.COR

	Recs	Mean	Std Dev	Minimum	Maximum
Northing	315	4828819.19	1.40	4828810.37	4828824.13
Easting	315	494427.80	3.06	494416.54	494440.19
Altitude	315	2090.60	3.90	2084.00	2118.81

No velocity records in file.

No DOP records in file.

Start GPS Week #811 on 07/26/95 at 17:05:07
End GPS Week #811 on 07/26/95 at 17:08:33

Datum : NAD-27 CONUS
Coordinate System : Universal Transverse Mercator [12T]
Altitude Mode : Mean Sea Level
Altitude/Distance Units : Meters
Velocity Units : Feet/Second

PLACE OF USE

C:\GEO-PC\DATA\WILSON\CORRECT\VENATOR6.COR

	Recs	Mean	Std Dev	Minimum	Maximum
Northing	304	4828767.15	2.75	4828760.50	4828772.20
Easting	304	494389.98	4.25	494383.95	494406.45
Altitude	304	2078.62	8.07	2051.07	2089.71

No velocity records in file.

No DOP records in file.

Start GPS Week #811 on 07/26/95 at 17:13:22
End GPS Week #811 on 07/26/95 at 17:16:53

Datum : NAD-27 CONUS
Coordinate System : Universal Transverse Mercator [12T]
Altitude Mode : Mean Sea Level
Altitude/Distance Units : Meters
Velocity Units : Feet/Second

22-7559

RECEIVED
APR 08 1997

PLACE OF USE:

C:\GEO-PC\DATA\WILSON\CORRECT\VENATOR7.COR

	Recs	Mean	Std Dev	Minimum	Maximum
Northing	318	4828741.03	2.27	4828730.23	4828747.22
Easting	318	494369.82	2.34	494364.64	494374.97
Altitude	318	2073.87	1.72	2062.72	2081.79

No velocity records in file.

No DOP records in file.

Start GPS Week #811 on 07/26/95 at 17:20:10
End GPS Week #811 on 07/26/95 at 17:25:23

Datum : NAD-27 CONUS
Coordinate System : Universal Transverse Mercator [12T]
Altitude Mode : Mean Sea Level
Altitude/Distance Units : Meters
Velocity Units : Feet/Second

PLACE OF USE

C:\GEO-PC\DATA\WILSON\CORRECT\VENATOR8.COR

	Recs	Mean	Std Dev	Minimum	Maximum
Northing	328	4828672.92	3.43	4828664.79	4828685.68
Easting	328	494365.97	3.93	494341.13	494369.14
Altitude	328	2071.40	4.88	2058.49	2084.05

No velocity records in file.

No DOP records in file.

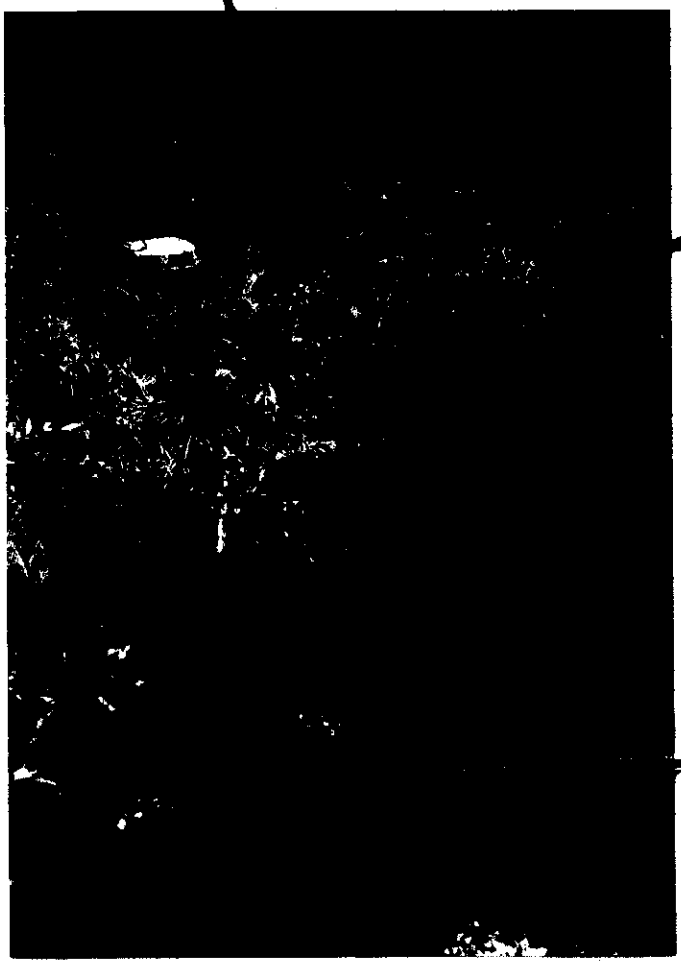
Start GPS Week #811 on 07/26/95 at 17:28:39
End GPS Week #811 on 07/26/95 at 17:34:02

Datum : NAD-27 CONUS
Coordinate System : Universal Transverse Mercator [12T]
Altitude Mode : Mean Sea Level
Altitude/Distance Units : Meters
Velocity Units : Feet/Second

22-7559

FILM
APR 0 3 1997

Settling Tank



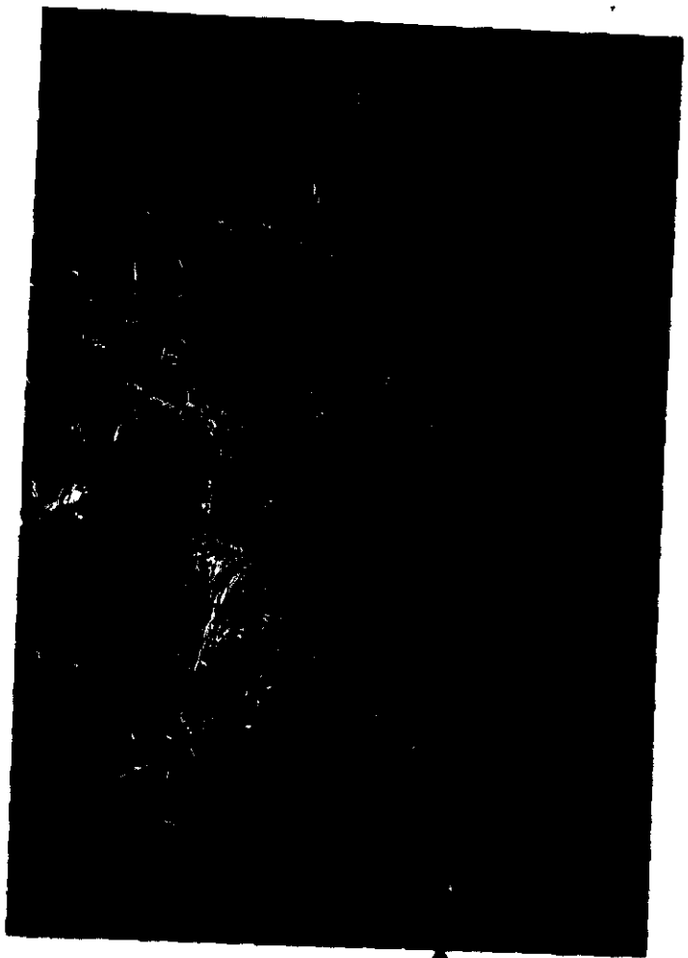
Pumping tank

22-7559

DIVERSION SCREEN

Allen Creek

22-7559



system overflow

22-7559

January 10, 1991

VENATOR INC.
C/O DANIEL T. WILLERT
P O BOX 2801
JACKSON, WY 83001

Dear Mr. Willert:

RE: Permit No. 22-07559

The department has received the proof of beneficial use which you resubmitted to the department showing a rate of diversion of 0.12 cfs (54 gallons per minute) for domestic use for 7 cabins. Since you did not submit the required license examination fee in the amount of $50 for a rate of 0.12 cfs, the department will accept the proof for 0.04 cfs (18 gallons per minute) for which a license examination fee is not required. If you are using more than 0.04 cfs and want your water right to authorize the higher amount, please submit the $50 license examination fee.

The department will treat the proof as timely filed since the water right file shows the department has been slow in responding to some of your past inquiries in connection with the measuring device requirement.

If you have questions, please feel free to contact the department.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

MICROFILMED
JAN 2 8 1991

ANALYSIS SHEET
for
PROOF OF BENEFICIAL USE

Permit No. 22-7559 Date 12-24

GENERAL CONSIDERATIONS

X Name same as permit?
Y Address same as permit? If no, prepare data entry form.
/* Proof timely received? If no, complete priority advancement below.

* Spl letter written

SOURCE OF WATER

✓ Surface water source
___ Ground water source
___ Drill permit req'd?
___ Copy in file? Drill permit no. ___
___ Well log in file?
___ Amt paid for drilling permit? ___ Correct?

LICENSE EXAMINATION FEE

N Required? – accept proof for 0.04
___ Amount submitted?
___ Correct amount?

MEASURING DEVICE

N Measuring device or access port required?
___ Installed?
___ Waiver requested or needed?

DEFICIENCIES OR ACTION ITEMS

proof acceptable

PRIORITY CALCULATION

Date proof received	___		___
Date proof due	___	-	___
No. of days late		=	___
Priority date	___	+	___
NEW PRIORITY DATE	___	=	___

November 16, 1990

Daniel T. Willert
Venator Inc.
P. O. Box 2801
Jackson, WY 83001

Dear Mr. Willert:

Re: Permit No. 22-7559

Returned is the proof of beneficial use form along with a copy of the permit. Note that the permit proposes the use of culinary water for seven cabins at a rate of diversion of 0.12 cfs.

Has culinary use of water for these seven cabins been established? If so, you will want to submit the proof of beneficial use form. If not, you may wish to submit a request for extension of time form or let the permit lapse.

If the system is in and established and you do submit the proof of beneficial use form, there may be a license exam fee. Note the instruction sheet. If the diversion rate is greater than 0.04 cfs, a $50 license exam fee is required.

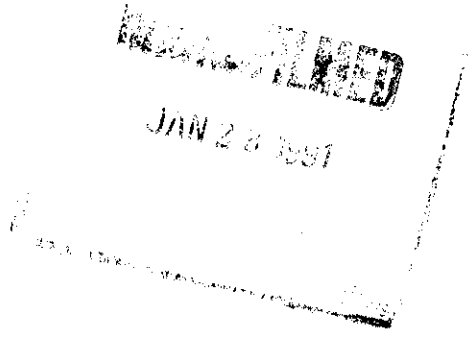
I noted receipt E 002146 in the amount of $168.00. Of that $168.00 paid, $138.00 was for the filing of adjudication claims and $30 is for the filing of the application for permit No. 22-7559. Filing the application for permit was only the beginning of the process to record this water use. An acceptable proof of beneficial use form must be received, a field inspection and report completed and a water right license issued. The $50 fee for greater than 0.04 cfs diversion rates, is to cover the cost of the field inspection. It occurs only once, and unless the permit needs amended, there should be no other fees.

Please decide what action should be taken on this permit. I will hold sending a lapse notice for 15 day. Contact me if you have questions.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosures



State of Id o
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

August 13, 1990

Daniel T. Willert
Venator Inc.
P. O. Box 2801
Jackson, WY 83001

Dear Mr. Willert:

Re: Permit No. 22-7559

On December 12, 1988, you wrote the department asking for reconsideration of the condition of approval requiring a lockable device on your point of diversion. On November 14, 1989, you again asked the department what action would be taken on this matter.

Since that time, the department has received a response from the Watermaster of Water District 01. He considers the small diversion and use of water from Allen Creek not injurious to other water users and the installation of the lockable device unnecessary. See the enclosed order.

Enclosed is another proof of beneficial form with instructions. Please complete and return immediately since proof was due on December 1, 1989.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosures

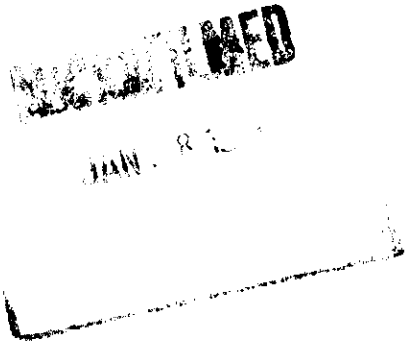
RECEIVED
AUG 20 1990

MEMORANDUM

TO: File No. 22-07559 in the Name of Venator, Inc.
FROM: Gary Spackman Gary
DATE: July 23, 1990

RE: Waiver of Conditions of Permit Requiring Control of Watermaster of District #01 and Installation of a Lockable Control Device

I spoke with Ron Carlson on July 16, 1990, about the conditions imposed by permit no. 22-07559, requiring installation of a control device and mandating control by the watermaster of Water District #01. Ron Carlson felt that the small diversion from Allen Creek would not injure other water users, and control by the watermaster and the installation of the diversion works was unnecessary.



VENATOR INC.

140 EAST BROADWAY, SUITE 19
P.O. BOX 2801
JACKSON, WYOMING 83001

RECEIVED
NOV 16 1989
Department of Water Resources

November 14, 1989

Ms. Rita Fleck
Secretary/Records Manager
State of Idaho Department of Water Resourses
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720

CERTIFIED MAIL;RRR

re; permit # 22-07559

Dear Ms. Fleck,

We are in receipt of the "Proof Due Notice" issued by your office and dated September 30, 1989.

Please note the enclosed copy of our letter dated 12/12/88; to which we have received no answer or explanation.

On 10/5/89 I called the Idaho Falls office where our filing was originally made, and spoke with a Mr.Harold Jones. He recommended that I should write your office again, with further reference to the point of diversion as being an electrical pump; and therefore, no need for a lockable device. Apparently this would solve the requirement as it relates to the domestic recquirements. However, we would like to install a lockable head gate at another POD for irrigation purposes. Due to snow accumulation, this could be difficult prior to the deadline described in your recent notice. The proposed POD headgate would be located at the reservoir and/or above the irrigated meadow area shown on your maps on file.

Since we certainly dont wish to lose our rights under the regulations as it relates to Venator's water, I respectfully request that your office respond in a timely mannor; prior to your December cut-off. Since we are not requesting an extension of our primary POD rights, it would not seem that an extension fee is required. But I am not sure of how you wish to handle the two other POD's. Please advise, and we will comply immediately.

MICROFILMED
JAN 26 1991

Sincerely,

Daniel T. Willert

DTW/ap

cc: Rigby, Thatcher, Andrus, Rigby & Kam: Rexburg ID.

VENATOR INC.

140 EAST BROADWAY, SUITE 19
P.O. BOX 2801
JACKSON, WYOMING 83001

RECEIVED
NOV 16 1989
Department of Water Resources

November 14, 1989

Ms. Rita Fleck
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1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720

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re; permit # 22-07559

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Sincerely,

Daniel T. Willert

MICROFILMED
JAN 2 8 1991

DTW/ap

cc: Rigby, Thatcher, Andrus, Rigby & Kam: Rexburg ID.

September 30, 1989
138646

VENATOR INC.
C/O DANIEL WILLERT, SEC.
P.O. BOX 2801
JACKSON, WY 83001

PROOF DUE NOTICE

RE: PERMIT NO. 22-07559

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, 1989. (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

Enclosures

MICROFILMED
JAN 2 6 1991

MEMORANDUM

TO: Ron Carlson
FROM: Gary Spackman Gary
DATE: December 19, 1988
RE: Permit to appropriate water no. 22-07559 in the name of Venator Inc.

Attached is some correspondence received from Daniel T. Willert questioning the need for water master control and a lockable diversion works. The permit states that Allen Creek sinks down stream from the point of diversion. I understand that some of the streams in the upper Teton Valley on the benches are administered separately in priority from the Teton River and the lower portions of the streams. Will you please comment on the need for water master control on this particular proposed development.

MICROFILMED
FEB 08 1989

VENATOR INC.

P.O. Box 2801
JACKSON, WYOMING 83001

Mr. Gary Spackman
Supervisor, Water Rights Permits Section
State of Idaho
Department of Water Resourses
Statehouse
Boise, Idaho 83720

December 12, 1988

re; permit # 22-07559

Dear Mr. Spackman,

We are in receipt of the "Permit Approval Notice" issued by your office and dated November 28, 1988. The permit is apparently issued conditional on the approved installation of a head gate system at the 'point of diversion'.

It should be noted that the 'point of diversion' to which you refer is actually a small collection point on this very small stream which simply allows sufficient depth to pump water to the house.

With resprct to the stipulation, "use of water under this permit is subject to control by the watermaster of State Water District No. 1 Snake River..", it was my understanding that there are no superior rights to Venator Inc. on this stream.

In view of these two aforementioned points, I am not sure that we see the need for the "lockable device" you decribe. Please advise with your comments. Thank you.

Sincerely,

Daniel T. Willert

DTW/ap

MICROFILMED
JAN 2 8 1991

VENATOR INC.

P.O. Box 2801
JACKSON, WYOMING 83001

RECEIVED
DEC 15 1988
Department of Water Resources

Mr. Gary Spackman
Supervisor, Water Rights Permits Section
State of Idaho
Department of Water Resourses
Statehouse
Boise, Idaho 83720

December 12, 1988

re: permit # 22-07559

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In view of these two aforementioned points, I am not sure that we see the need for the "lockable device" you decribe. Please advise with your comments. Thank you.

Sincerely,

Daniel T. Willert

DTW/ap

MICROFILMED
FEB 08 1989

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

- -

Statehouse
Boise, Idaho 83720
(208) 334-7900
December 5, 1988

VENATOR INC.
C/O DANIEL WILLERT, SEC.,
P.O. BOX 2801
JACKSON, WY 83001

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 22-07559

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.

Be sure to note the special condition requiring you to install a lockable device that will provide the watermaster control on your diversion.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed for your convenience is a form entitled "Proof of Beneficial Use" that must be submitted to the Department when your project is completed.

Sincerely,

GARY SPACKMAN, Supervisor
Water Rights Permits Section

GS: SC
Enclosures

MICROFILMED
FEB 08 1989

HWO

Dist. for staffing do 9-19-88

submitted for adv. HJS 9-20-88

orm No. 202a
/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

DCMI

APPLICATION FOR PERMIT ANALYSIS SHEET

NITIAL REVIEW BY C Mullins DATE 9/20/88 APPLICATION NUMBER 22-7559

EQUIRED INFORMATION

- ☑ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
- ☑ Address
- ☑ Source (See USGS Quad for names of water sources)
- ☑ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
- ☑ County
- ☑ Quantity (flow and/or volume)
- ☑ Period of Use
- ☑ Nature of proposed use (Include description of use.)
- ☑ Description of diverting works
- ☑ Time required for beneficial use of water
- ☑ Place of use or acres irrigated
- ☑ Map
- ☑ Signature (If applicant is corp. partnership, or minicipality, title of signator is required)
- ☑ Fee
- ☑ Yes ☐ No* In form to receipt

ADDITIONAL INFORMATION

- ☐ Overlapping place of use (Describe source & relationship to present application on the back.)
- ☐ Overlapping point of diversion
- ☐ Yes ☑ No Field check required
  Field check by _____
- ☐ Yes ☑ No Field report attached
- ☐ Yes ☑ No Critical groundwater area
- ☐ Yes ☑ No Groundwater management area
- ☐ Yes ☑ No Send dam safety information
- ☐ Yes ☑ No Send power requirement letter
- ☐ Yes ☑ No Send fish farm requirement letter
- ☐ Yes ☑ No Power residency affidavit
- ☐ Yes ☑ No Power efficiency form
- ☐ Yes ☑ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
- ☐ Yes ☑ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)
- ☑ See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT _____

_____ Date Requested _____

RECEIVED
NOV 02 1988
Department of Water Resources

ROCESSING ☑Yes ☐No In form for advertising
☐Yes ☑No Statewide advertising
☑Yes ☐No Fee amount, receipt date & No. recorded on application

END COPIES TO ☐Idaho Dept. of Health & Welfare ☐U.S. BLM
☐Idaho Dept. of Fish & Game ☐U.S. Forest Service
☐Idaho Dept. of Lands ☐Water District
☐Adjudication Bureau Unit ☐Other _____

INAL REGIONAL PROCESSING REVIEW

☑Yes ☐No Affidavit of publication received
☑Yes ☐No Application published correctly. If not, record action taken.

☑Yes ☐No Publication dates & paper, recorded on application
☐Yes ☑No Protests received
Final date for protest 10-24-88
☐Yes ☐No Protests, dates, resolution of protest, recorded on application
☐Yes ☐No Recommendations attached
☐Yes ☐No Measuring device required
☐Yes ☐No Access port required
☐Yes ☐No Will water be delivered by watermaster? If yes, what Dist. 01
☐Yes ☐No Special conditions of approval or cover letter below.

☐See below for additional information
Date of priority recommended 9-8-1988
By HWJ Date 10-31-1988

STATE OFFICE REVIEW POI, Plte 05/01, Snake River) OLH

☐See below for additional information
By KW Date 11/21/88

ADDITIONAL INFORMATION

Condition <057> WD01

State of Idaho
DEPARTMENT OF WATER RESOURCES
150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

September 30, 1988

Venator, Inc.
c/o Daniel Willert, Sec.
P.O. BOX 2801
Jackson, WY 83001

RE: Application for Permit No. 22-07559

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. 22-07559. Please refer to this number in all further correspondence.

This office is currently in the process of advertising the application in the TETON VALLEY NEWS. 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/rb

MICROFILMED
FEB 08 1989

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

Idaho Falls, Idaho 83402
(208) 525-7161

SEPTEMBER 28, 1988

TETON VALLEY NEWS
P.O. BOX 509
DRIGGS, ID 83422

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 OCTOBER 24, 1988.

Yours truly,

Deena Green
Secretary

Encl.

MICROFILMED
FEB 08 1989

NOTIC! F APPLICATION FOR WATER RI T

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

MICROFILMED

FEB 08 1989

22-07559

VENATOR, INC.
C/O DANIEL WILLERT, SEC., P.O.
BOX 2801
JACKSON, WY 83001

Source: ALLEN CREEK

Diversion Pt: SENESW Sec 6 T 03N R 46E

Use: DOMESTIC (.120 CFS)

Date Filed: 9/08/1988

In: T03N R46E S06 NESW

MICROFILMED
FEB 08 1989

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 OCTOBER 24, 1988.

R. Keith Higginson, Director

Published 10/06/1988 & 10/13/1988

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FEB 08 1989

3/83

IDENT. NO. 22 7559

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT DATA ENTRY LOG

Initials	Date	Item
RB	9-22-88	Original form entered
RB	9-22-88	Edit Report Correct
		Date Protested
		Date of Hearing
		Date Approved/Denied (Proof due date, stage and/or status, conditions of approval, water district)
		Record Verified
		Amendment Approved
		Extension Approved
		Partial Proof
		Proof Complete
		Field Exam Received
		Field Exam Accepted and changes entered
		License Updated
		Transfer Updated
		Keypunched by State Office