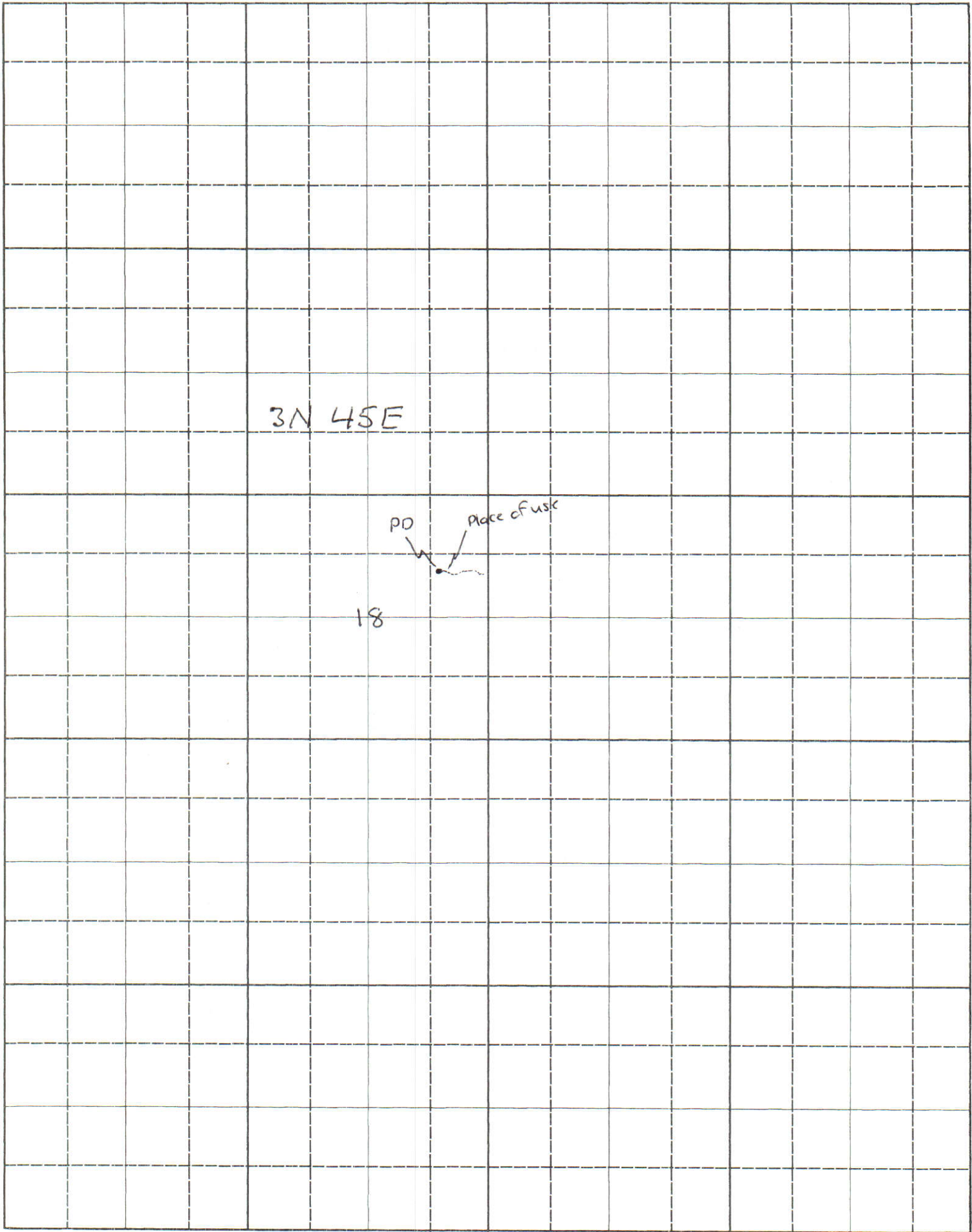


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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

Keith W. Davis
(Applicant)

AFFIDAVIT OF PUBLICATION

State of Idaho)
) ss
County of Teton)

Sharon Hastings
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

22-7333

Davis, Keith Willard

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 *2* consecutive issues thereof; first publication having been made on the *28th* day of *Aug.*, 19*80* and last publication on the *4th* day of *Sept.*, 19*80*

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.

Sharon Hastings

Subscribed in my presence and sworn to before me this *8th* day of *Sept.*, 19*80*

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

Michael C. Vanden
My Commission expires
July 7, 1982

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

OK
sj
9/9/80
22-7333

DAVIS, KEITH WILLARD
P.O. BOX 230, VICTOR, ID 83455
Source: FINN SPRING tributary to TETON RIVER
Date filed: 08/19/1980
Amount: 0.02 CFS 2.0 AC-FT
Diversion Point: SENE Sec 18 T 03N R 45E, TETON Co.
Use: FISH PROP. (0.02 CFS) from 01/01 to 12/31
Place of Use: SENE Sec 18 T 03N R 45E
Diversion Means; 6 DAMS.

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho 83401 on or before SEPTEMBER 15, 1980.

C. STEPHEN ALLRED
Director

Published in the Teton Valley News August 28 and September 4, 1980.

RECEIVED

SEP 9 1980

Department of Water Resources
Eastern District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 22-7333

1. Owner: KEITH W. DAVIS

Phone No. 782-2771

Current Address: RT 1 Box 676A VICTOR, ID. 83455

2. Accompanied by: OWNER (BUSINESS?)

EXAM. DATE: 6 AUG 1987

Address: 10 N. MAIN VICTOR, ID 83455

Phone No. 787-2993

Relationship to Permit Holder: OWNER

3. Source: FINN SPRING tributary to LITTLE PINE CREEK

B. OVERLAP REVIEW

1. Other water rights with same place of use: 22-7342, SEE 'H'

☐ Copies Attached

2. Other water rights with same point of diversion: 22-7342 SEE 'H'

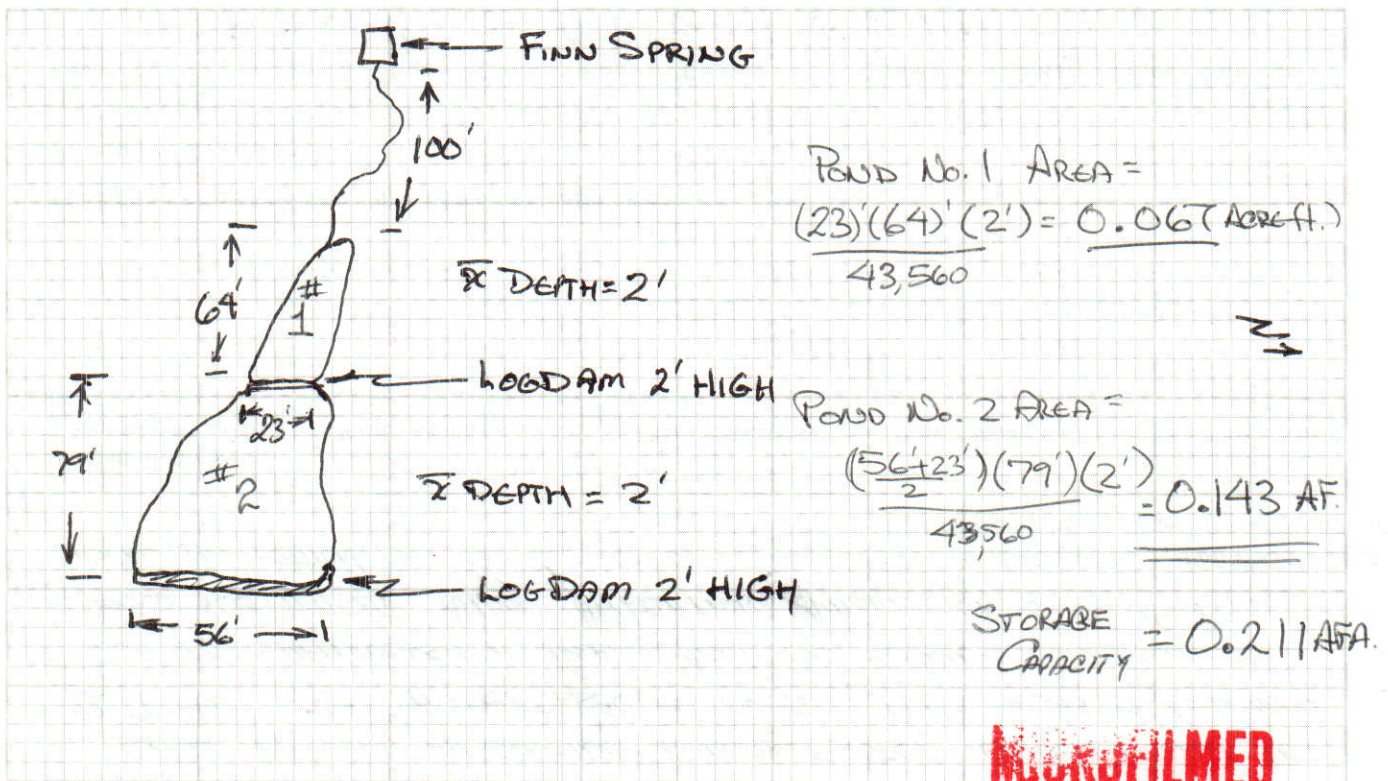
22-7378-Groundwater

☐ 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



Scale: 1" = No Scale

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).

☐ Photo of Diversion and System Attached

(required for all but single household domestic groundwater, and stockwater.

☐ Aerial Photo Attached

(required for irrigation of 10 acres or more).

APR 1 1990



POND #1 /
22-7333

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APR 17 1990



John V. Evans
Governor

A. Kenneth Dunn
Director

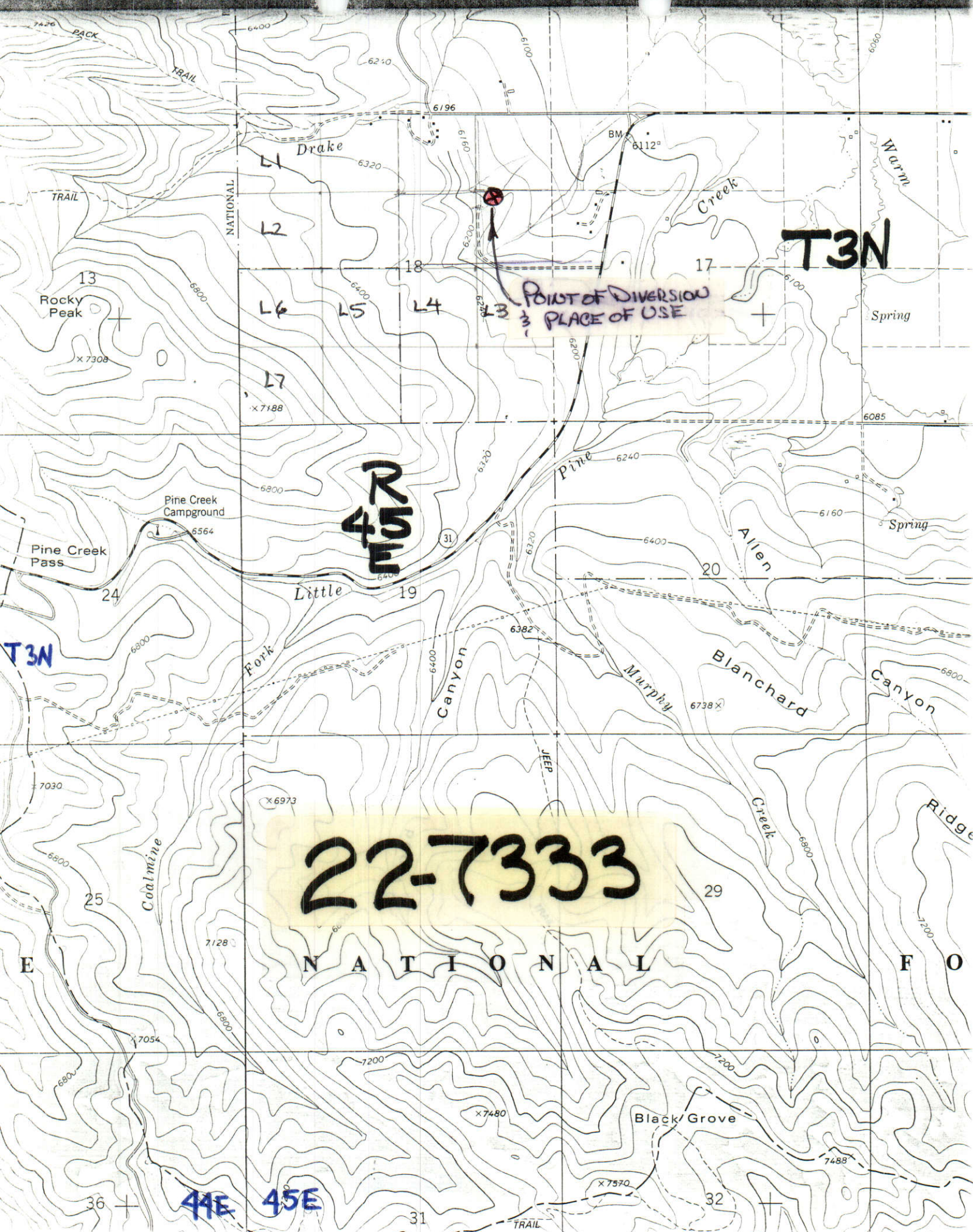


22-7333

PROFILMED

APR 17 1990

22-7333



22-7333

T3N

R45R

POINT OF DIVERSION
PLACE OF USE

T3N

44E

45E

Sec. 6

Sec. 5

60.0

6

7

1

2

Sec. 7

Sec. 8

SURVEY

NORTH

3

4

3N
45E

22-7333

EAST

2

Sec. 18

Sec. 17

GUIDE MERIDIAN

Resurvey
SOUTH 4000

SURVEYED BY

FRED D. SPOFFORD, 1914

7

WEST 81.77

N. 89°39' W. 80

E.C. (21.71) (20.02)

40.04

39.98

43.48

80

160 Highway

Cr.

3.02

20.02 (20.02) (20.02)
20.02 (20.02) (20.02)
20.02 (20.02) (20.02)
20.02 (20.02) (20.02)

Sec. 19

Sec. 20

Sec. 24

654.60

64.0

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 22-07333

Priority: August 19, 1980

Maximum Diversion Rate: 0.02 CFS
Maximum Diversion Volume:¹ 14.5 AF

This is to certify, that KEITH WILLARD DAVIS
RT. 1 BOX 676-A
VICTOR, ID 83455

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated August 19, 1980; and
has submitted Proof of Beneficial Use on September 23, 1985. An examination indicates
that the works have a diversion capacity of .020 cfs of water from:

SPRING tributary to **LITTLE PINE 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>
COMMERCIAL	01/01 to 12/31	0.02 CFS	14.5 AF

LOCATION OF POINT(S) OF DIVERSION: NWSENE , Sec. 18, Township 03N, Range 45E
TETON County

PLACE OF USE: COMMERCIAL

TWN RGE SEC

03N 45E 18 SENE

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Use of water under this water right is subject to control by the watermaster of State Water District No. 01
6. Source known locally as Finn Spring.
7. Commercial use is for fishing ponds.

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State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 22-07333

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 4th
day of April, 1990.

Acting for R. Keith Higginson, Director

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APR 17 1990

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF REMOVING THE MEASURING DEVICE
REQUIREMENT FOR PERMIT NO. 22-7333 IN THE NAME
OF KEITH WILLARD DAVIS

ORDER

WHEREAS, on October 29, 1980, the Department of Water Resources issued Permit No. 22-7333 in the name of Keith Willard Davis 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;

and,

WHEREAS, on September 23, 1985, the Department received a request from the permit holder to remove the measuring device requirement; and,

WHEREAS, the Department of Water Resources has determined that a lockable device is not required at this time for a determination of the quantity of water appropriated under said permit;

NOW, THEREFORE, the condition of approval on said water right requiring that a lockable measuring device be installed and maintained is hereby REMOVED;

Dated this 22nd day of Oct, 1985.



L. GLEN SAXTON
Chief, Operations Bureau

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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 Keith Willard Davis Phone 787-2771

Post office address P. O. Box 230, Victor, ID 83455

2. Source of water supply Finn Spring which is a tributary of Teton River

3. Location of point of diversion is SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 18 Township 3N

Range 45E B.M. Teton County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 2.0 AF for fish prop. purposes from Jan. 1 to Dec. 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:

a. 0.02 cubic feet per second and/or b. 2.0 acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Approx. 6 dams 2 feet high. Dammed
with rocks, earth and plastic.

b. Height of storage dam 2 feet, active reservoir capacity 2 acre-feet; total reservoir
capacity 2 acre-feet, materials used in storage dam: Earth plastic rock.

Period of year when water will be diverted to storage Nov. 1 to April 1 inclusive.
(Month/Day) (Month/Day)

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

7. Time required for the completion of the works and application of the water to the proposed beneficial
use is 5 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 18 Township 3N

Range 45E B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____.

(5) If water is to be used for other purposes describe: Water is to be used to improve fish
habitat and small ponds for recreational fish propagation.

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b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

[illegible]

Total number of acres to be irrigated

c. Describe any other water rights used for the same purposes as described above. none

9. a. Who owns the property at the point of diversion Applicant

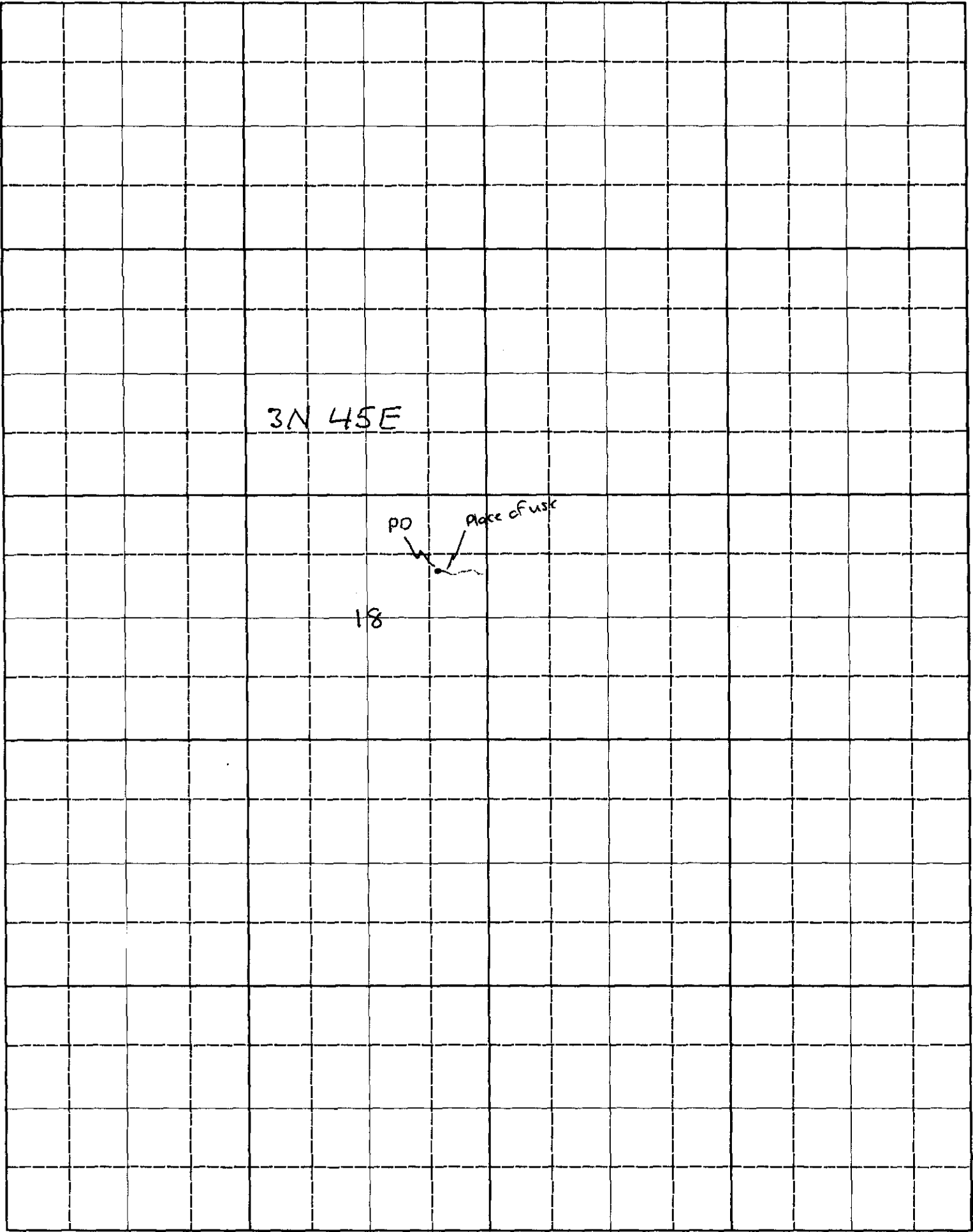
b. Who owns the land to be irrigated or place of use Applicant

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 EX. The use of this water will interfere with the normal flow to
a very small degree. The water will be backed up behind each of approximately
6 dams, for a distance of approximately 50 feet. The actual area covered
by water will remain almost the same as it presently does, the change will
be in the depth of the water behind each dam.

Contact owner at Husky station in Victor.

11. 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.

Keith A. Davis
(Applicant)

Proposed Priority 8/19/80

Received by HWJ Date 8/19/80 Time 1:25 p.m.

Preliminary check by EMC Fee \$ 30.00

Receipted by kw Date 8/19/80 #14975

Publication prepared by kw Date 8/21/80

Published in The Teton Valley News

Publication dates 8/28 & 9/04/80

Publication approved kw Date 9/9/80

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by EMC RA

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. 22-7333, 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 October 1, 19 85.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other:

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.

Use of water under this permit is subject to control by the watermaster of State Water District # 01, Upper Snake River.

Return water shall be treated to insure that the effluent meets Idaho Water Quality Standards.

Witness my hand this 29th day of October, 1980.

J. Glen Saxton
Chief, Operations Bureau

AFFIDAVIT OF PUBLICATION

State of Idaho)
) ss
County of Teton)

Sharp Hastings...
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 publica-
tion of

22-7333

Davis, Keith Willard

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 *2*
consecutive issues thereof; first
publication having been made on
the *28* day of *Aug*, 19*80*
and last publication on the *4* day
of *Sept*, 19*80*

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.

Sharp Hastings

Subscribed in my presence and
sworn to before me this *8th* day of
Sept, 19*80*
(SEAL) Notary Public for the state
of Idaho, residence and postoffice
address, Driggs, Idaho.

MICROFILMED

Nicholas C. Veltman
Commission expires
July 7, 1982

**NOTICE OF APPLICATION
FOR WATER RIGHT**

Notice is hereby given that the
following application(s) have been
submitted for permit to appropri-
ate the public waters of the State
of Idaho:

*OK
Jp
9/9/80*
22-7333

DAVIS, KEITH WILLARD
P.O. BOX 230, VICTOR, ID 83455
Source: FINN SPRING tributary
to TETON RIVER
Date filed; 08/19/1980
Amount: 0.02 CFS 2.0 AC-FT
Diversion Point: SENE Sec 18 T
03N R 45E, TETON Co.
Use: FISH PROP. (0.02 CFS) from
01/01 to 12/31
Place of Use: SENE Sec 18 T 03N
R 45E
Diversion Means; 6 DAMS.

If issued, the permit(s) will be
subject to all prior water rights.
Protests against the granting of
any permit must be filed with the
Director of the Idaho Department
of Water Resources, 1515 Lincoln
Road, Idaho Falls, Idaho 83401 on
or before SEPTEMBER 15, 1980.

C. STEPHEN ALLRED

Director

Published in the Teton Valley
News August 28 and September 4,
1980.

RECEIVED

SEP 9 1980

Department of Water Resources
Eastern District Office

April 5, 1990

KEITH WILLARD DAVIS
RT. 1 BOX 676-A
VICTOR, ID 83455

RE: PERMIT NO. 22-07333

Dear Permit Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

22-7333
Permit No.

Staff Analysis Sheet
for
Beneficial Use Field Report

RECEIVED
NOV 30 1987

A. Prior to Conducting the Exam, the File Contains:

- ☒ Blank Field Report Form
- ☒ Copy of Permit
- ☒ Copies of any Amendments/Orders with conditions of approval
- ☒ Computer Data Proof Report
- ☒ Copy of U.S.G.S. Quad
- ☒ Check for Government Lots. If so, make a copy of Government Plat

Check of P/D index COV 8/5/87 (Initial and date)

Overlap? ☒ yes ☐ no If yes: ☐ copy of exam(s) attached?

Type of Overlap? ☐ Add acres or uses to existing system
☐ Increase rate of flow or volume
☐ Other: 22-7333 7342

Check of P/U index COV 8/5/87 (Initial and date)

Overlap? ☐ yes ☐ no If yes: ☐ copy of water right(s) attached?

Type of Overlap? ☐ Increase rate of flow or volume
☐ Add P/D's
☐ Increase number of acres within tracts
☐ Other: 22-7342

Aerial Photo

Required? ☐ yes ☒ no If yes: ☐ copy attached?

Scheduling Letter sent? _____ (Initial and date)

☐ Appointment made and telephone conversation memo attached

B. After Conducting the Exam, the File Contains:

- ☒ Fully completed and signed Field Report Form
- ☒ Photographs of Point of Diversion and Place of Use
- ☐ Corrected Computer Data Proof Report with recommended license information, and ~~date and signature of examiner.~~

C. Review and Processing:

Exam Completed Aug 6, 1987 SE (Signature of examiner and date)

Exam Reviewed by Senior Water Resource Agent 2/6/11-18-87 (Initial and date)

Exam Reviewed by Manager of Regional Office SM 11-23-87 (Initial and date)

Exam Date Entered in Computer _____ (Initial and date)

Exam sent to State Office _____ (Initial and date)

Copy of Staff Analysis Sheet sent to Manager of Regional Office and Original
Refiled in White File _____ (Initial and date)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 22-7333

1. Owner: KEITH W. DAVIS

Phone No. 782-2771

Current Address: RT 1 Box 6764 Victor, ID 83455

2. Accompanied by: OWNER (BUSINESS?)

EXAM. DATE: 6 AUG 1987

Address: R.N. MAIN VICTOR, ID 83455

Phone No. 787-2993

Relationship to Permit Holder: OWNER

3. Source: FINN SPRING tributary to LITTLE PINE CREEK

B. OVERLAP REVIEW

1. Other water rights with same place of use: 22-7342, SEE 'H'

☐ Copies Attached

2. Other water rights with same point of diversion: 22-7342 SEE 'H'

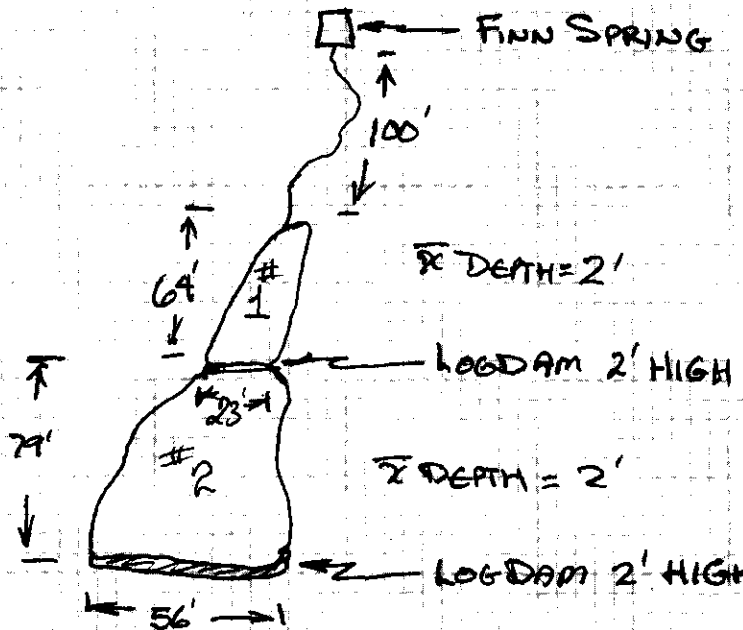
22-7378-Groundwater

☐ 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



$$\text{POND No. 1 AREA} = \frac{(23)(64)(2)}{43,560} = 0.067 \text{ Acre-ft.}$$

$$\text{POND No. 2 AREA} = \frac{((56+23)/2)(79)(2)}{43,560} = 0.143 \text{ AF}$$

$$\text{STORAGE CAPACITY} = 0.211 \text{ AFA}$$

MicroFILMED

Scale: 1" = No Scale

APR 1, 1990

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).

System Description (continued)

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

APPLICANT ~~THES~~ HAS 2 SMALL PONDS WHICH HE PLANTS W/ TROUT. HE CHARGES VISITORS TO FISH FROM THE PONDS. HE STOCKS 200 TO 400 POUNDS OF FISH ANNUALLY (RAINBOW TROUT).
 SPRING HEAD HAS AN EXISTING DOMESTIC SYSTEM UNDER LEASE # 11-7342. THE APPLICANT RECEIVES OVERFLOW FROM NEIGHBORS WELL HOME. DUE TO SHALLOUNESS A MEASUREMENT ON SPRING NOT POSSIBLE. LEAD RECOMMEND ALLOW APPLICATION AMOUNT OF 0.02 CFS BY VISUAL INSPECTION AND PERMIT LIMITATION / SPRING HEADS ON APPLICANTS PROPERTY.

☒ 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

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

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NW	SE	NE	18	3N	45E	TETON	USGS / ON SITE INSP.

6. Place(s) of Use:

Indicate Method of Determination _____

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3N	45E	18				H													

RECORDED

APR 1 1990

Do not use this space

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:

MEASURED POND DIMENSIONS AND CALCULATED CAPACITY. SEE
ITEM No. 1 FOR CALCULATIONS
POND CAPACITY = 0.21 ACRE FEET.

ALLOW 0.02 cfs INFLOW FROM SPRING PER PERMIT. MEASUREMENT
NOT POSSIBLE.

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

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 Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

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

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

2. Volume Calculations for Other Uses:

~~0.02 cfs~~ (0.21 AF) (43360 ft³/AF) (0.02 cfs) (60 sec/min) (60 min/hr) (24 hr/day) = 5.92 days to fill
(365 days/yr) (5.11) = (68.62 fills/yr.) (0.21 AF) = 14.5 AFA
LIMIT V TO 2.0 AFA PER PERMIT.

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APR 17 1990

H. REMARKS AND OVERLAP REVIEW ANALYSIS

APPLICANT FEEDS ~~RETAILERS~~ FISH THROUGH THE WINTER.
RECOMMEND YEAR-ROUND RIGHT.

LICENSE 22-7342 IS FROM SAME SOURCE BUT DIFFERENT
USE. THE LICENSE COVERS DOMESTIC USE FOR A SUMMER
CABIN(V). THE APPLICANT FOR THIS PERMIT (22-7333) IS USING
THE OVER FLOW ~~FROM THE THERMAL~~ FROM THE DOMESTIC USE.
AT THE SPRING HEAD,

THERE APPEARS TO BE ENOUGH WATER TO FILL BOTH RIGHTS
AS THERE WAS A STEADY FLOW-THROUGH THE APPLICANTS
PONDS. FISH HAVE BEEN IN PONDS LAST 3 YEARS.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
FISH PROP.	1/1	12/31	0.02 cfs	2.0 cfs afa
Totals:			0.02 cfs	2.0 cfs afa

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

ERIC S. VERGER

Signature

Eric S. Verger

Certification Date

NOV 23-1987

Field Report Preparation Date

Sept. 23, 1987

CONSULTANT SEAL

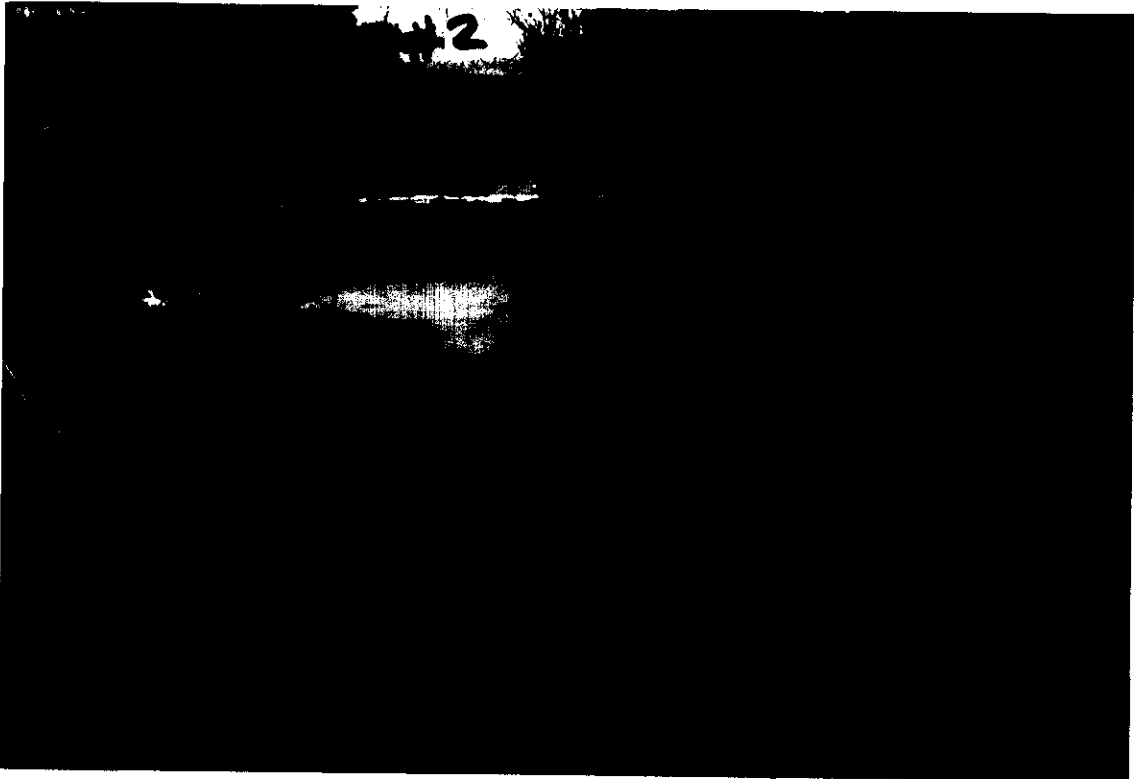
Steve McCormick

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

reviewed: Roxanne McCarthy 9/6/89

RECEIVED

APR 17 1990



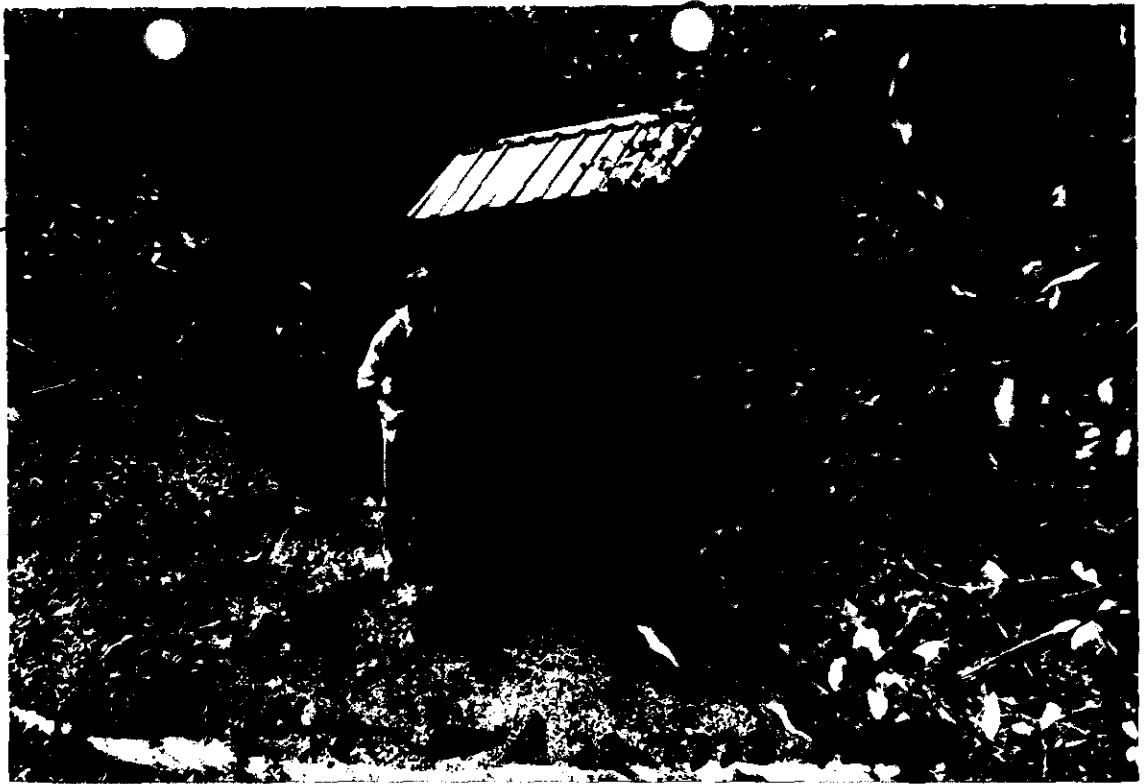
BND#1 /
22-7333

MICROFILMED
APR 17 1990



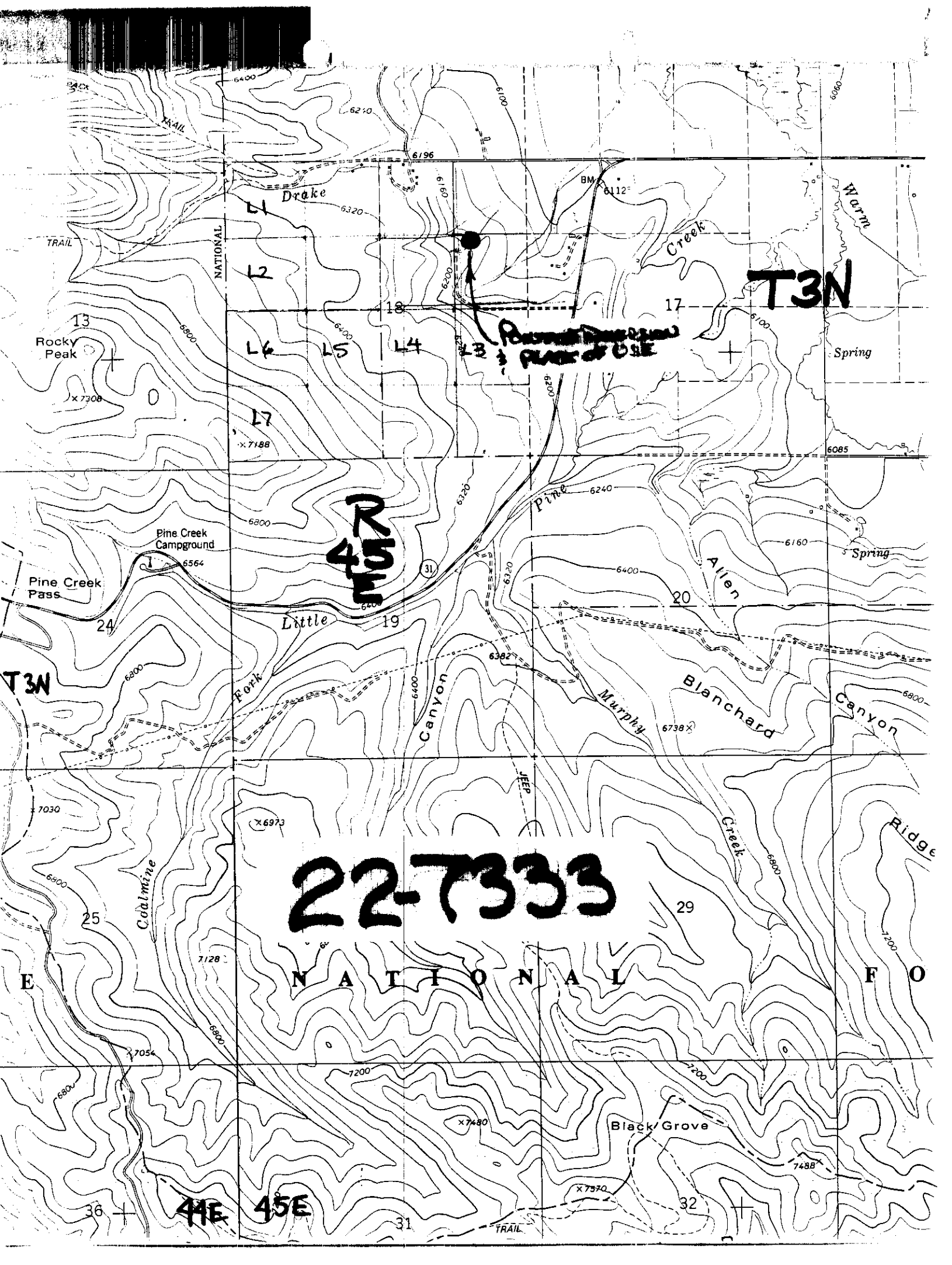
John V. Evans
Governor

A. Kenneth Dunn
Director



22-7333

PROFILMED
APR 17 1990



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P.M.

C.O.F.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

FEBRUARY 19, 1986

KEITH WILLARD DAVIS
BOX 230
VICTOR ID 83455

RE: Permit No. 22-7333

Dear Permit Holder:

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Enclosed please find a copy of an order involving your permit.

Before a license can be issued, a field examination must be made by a representative of this department.

A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office by phone at 525-7161 or in person in the third floor State Office Building, 150 Shoup, Idaho Falls, Idaho.

Sincerely,
s/HAROLD W. JONES
Sr. Resource Agent

Enclosure

MICROFILMED

APR 17 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

RECEIVED
SEP 23 1985

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has completed development under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below:

Permit No. 22-7333

Name(s) of Permit Holder: Keith Willard Davis

Post Office Address: Box 230 Victor Idaho 83455

Telephone No. 787-2771

Source of Water: FIN Spring

Extent of Use:

Domestic _____ (number of households)

Stockwater _____ (number and type of stock)

Irrigation _____ (acres)

Other/Remarks Fish Ponds: Propagation. Due to Log dam

additional ground being covered by water would be approx 75' Ft x 6' and approximately 1' deep.

Indicate the date water was first diverted and beneficially used under this permit: July 1983

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

lockable { Non Consumptive: would request
lockable devise be waived as it
would Not be practical.

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

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

Keith Willard Davis
(Name)

Box 230 - 4 mi west of Victor City
(Address)

787-2771
(Telephone Number)

The above information is a true statement of the extent to which the above numbered permit has been developed.

Date

9-19-85

Signature of Permit Holder (and Title, if appropriate)

Keith Willard Davis

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

138200

DAVIS, KEITH WILLARD
P.O. BOX 230
VICTOR, ID 83455

PROOF DUE NOTICE

JULY 31, 1985

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 22-7333 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE OCTOBER 01, 1985. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST). ENCLOSED IS A FORM WHICH 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, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. AN EXTENSION OF TIME REQUEST FORM IS ENCLOSED FOR YOUR CONVENIENCE.

EITHER THE BENEFICIAL USE FORM OR A 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



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

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

SEPTEMBER 1, 1985

DEAR PERMIT HOLDER:

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

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

42-203D. REVIEW OF PERMITS - OPPORTUNITY FOR HEARING. - (1)THE DEPARTMENT SHALL REVIEW ALL PERMITS ISSUED PRIOR TO THE EFFECTIVE DATE [JULY 1, 1985] OF THIS SECTION, EXCEPT TO THE EXTENT A PERMIT HAS BEEN PUT TO BENEFICIAL USE PRIOR TO JULY 1, 1985, TO DETERMINE WHETHER THEY COMPLY WITH THE PROVISIONS OF CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PROPOSED USE DOES NOT SATISFY THE CRITERIA OF CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL EITHER CANCEL THE PERMIT OR IMPOSE THE CONDITIONS REQUIRED TO BRING THE PERMIT INTO COMPLIANCE WITH CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PERMIT SATISFIES THE CRITERIA ESTABLISHED IN CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL ENTER AN ORDER CONTINUING THE PERMIT. (2)THE DEPARTMENT SHALL PROVIDE AN OPPORTUNITY FOR HEARING IN ACCORDANCE WITH SECTION 42-1701A, IDAHO CODE, AND SECTIONS 67-5209 THROUGH 67-5215, IDAHO CODE, FOR EACH HOLDER OF A PERMIT THAT IS PROPOSED EITHER TO BE CANCELLED OR MADE SUBJECT TO NEW CONDITIONS.

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

SINCERELY,

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

DAVIS, KEITH WILLARD
P.O. BOX 230
VICTOR, ID 83455

NOVEMBER 20, 1980

RE: PERMIT NO. 22-7333

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH PAGE.

BE SURE TO NOTE THE SPECIAL CONDITION REQUIRING YOU TO INSTALL A LOCKABLE DEVICE THAT WILL PROVIDE THE WATERMASTER CONTROL OF YOUR DIVERSION WORKS.

PLEASE BE ADVISED THAT YOUR PLANS FOR FISH PROPAGATION MAY BE SUBJECT TO REGULATIONS OF THE IDAHO DEPARTMENT OF FISH AND GAME. WE SUGGEST THAT YOU CHECK WITH THEM BEFORE STARTING CONSTRUCTION.

WE HAVE ENCLOSED A FORM ENTITLED "MAKING PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT INTO A LICENSE.

SINCERELY,

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

ENCLOSURE

MICROFILMED

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: Skip EAC

APPLICATION NUMBER: 22 7333
22-7333

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.
☒ Yes ☐ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☐ No* In form to receipt.

Field check by: _____
Date: _____
Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department. Copies sent by: _____ Date: _____
☒ Idaho Fish and Game Department. fw 8/22/80
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☒ Other W.D. 01

PROCESSING:

- ☒ Yes ☐ No Platted by: Skip Map No. X-49
☐ Yes ☒ No Other rights on same place of use. _____
☒ Yes ☐ No* In form for advertising. _____
☐ Yes ☒ No Final date for protests: Sept. 15 ✓
Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 9-9-1980 ✓
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☐ Yes ☒ No Measuring device required.
☐ Yes ☒ No Access port required.
☒ Yes ☐ No Will water be delivered by watermaster? If yes, what district? 01
8-19-1980 Date of priority recommended.
Special conditions of approval or cover letter. _____

MICROFILM

By: Ernest Carlson

Date: 9-23-1980

STATE OFFICE REVIEW:

SLW/LOB 02 09B 09A 05 (01 Upper Snake R.)

- ☐ See attached sheet for more information.

By: Rosen

Date: 10/3/80

Department



STATE OF IDAHO

DEPARTMENT OF FISH AND GAME

RECEIVED

SEP 16 1980

Department of Water Resources
Eastern District Office

REGION 6
1515 LINCOLN ROAD
IDAHO FALLS, IDAHO 83401

September 15, 1980

Mr. Ernest Carlsen
Sr. Resource Analyst
Department of Water Resources
Eastern Region
1515 Lincoln Road
Idaho Falls, Idaho 83401

Dear Ernie:

Re: Appl. No. 22-7333, K. W. Davis

Personnel from our Department have reviewed the above referenced application to appropriate water from Finn Spring in Teton County. We have no objections to the appropriation of this water.

Thank you for the opportunity to review and comment on this application.

Sincerely,

DEPARTMENT OF FISH AND GAME
Jerry M. Conley, Director

Tom Reinecker

Tom Reinecker
Regional Supervisor
Region 6

cc: US Fish & Wildlife Service
Bureau of Program Coordination
Bureau of Fisheries
Paul Jeppson

MICROFILMED

EQUAL OPPORTUNITY EMPLOYER

71 Ken Nielsen

INTER-DEPARTMENT MEMO—1

70 Tom Reinecker

SUBJECT Davis Permit Application

DATE Sept. 10, 1980

cc Curry, file

I was finally able to catch up with Mr Davis on Sept. 8. We went up to his spring which he has named Fin Spring. The spring is located west of Victor behind the home which he is building and behind his pheasant farm.

He has already started puting the dams in. They don't amount to very much but then neither does the stream of water. Due to all the plant life, primarily water cress, the only place I could see water was at the dams. I would question whether there is any fish life in the stream.

What he would like to do is get a few fish and see if they survive the winter in his dams. He wondered if he could catch fish and transplant them into the stream. I don't know what he will do now after I told him he couldn't do that. The whole private pond situation was explained to him. He said that if easily possible he would like to put some fish in the creek so his kids and grandkids would have a place to fish. I told him if he decided to get a pond permit that I would like to take a look at it in the spring when you could see the water. He told me that he wasn't sure that he would ever do anything with the fish.

Sort of off the record but it doesn't have anything to do with us nor I don't believe with the Department of Water Resources, I believe he has an ulterior motive for filing on this water. I don't fully understand this either since the spring is on his ground. I think that a personal feud with an Idaho Falls Dr who has a place just above his has a lot to do with it somehow.

Sincerely

Ken Nielsen

FISH & GAME

SEP 12 1980

Reg Super R
Fish Game
Enf I & E
Lands Tx. Cr.
Fish Res. Sal. Off.
Route & Rtn
Remarks

MICROFILMED

WATERMASTER COMMENTS

I have reviewed Application for Permit No. 22-7333 and
have the following comments/objections to the approval of this
application for permit:

Application Proposes a
non-consumptive development

8/26/80
Date


RONALD D. CARLSON, WATERMASTER
Water District No. 01

MICROFILMED

August 22, 1980

RE: Application for Permit No. 22-7333

Tom Reinecker
Regional Supervisor
Dept. of Fish and Game
1515 Lincoln Road
Idaho Falls, ID 83401

Dear Mr. Reinacker:

We are enclosing a copy of an application that may be of interest to your Department. Please review the application and submit any comments you may have to our Department as soon as possible. The last date of protest is September 15, 1980, and we are required to take final action shortly thereafter.

If we may be of further assistance, please feel free to contact us.

Sincerely,

ERNEST CARLSEN
Sr. Resource Analyst

EC:kw
Enclosure

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

AUGUST 21, 1980

Teton Valley News
Driggs,
Idaho 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. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before SEPTEMBER 15, 1980.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

MICROFILMED

22-2333-

DAVIS, KEITH WILLARD

P.O. BOX 230, VICTOR, ID 83455

Source: FINN SPRING tributary to TETON RIVER

Date Filed: 08/19/1980

Amount: 0.02 CFS 2.0 AC-FT

Diversion Point: SENE Sec 18 T 03N R 45E, TETON Co.

Use: FISH PROP. (0.02 CFS) from 01/01 to 12/31

Place of Use: SENE Sec 18 T 03N R 45E

Diversion Means: 6 DAMS.

MICROFILMED

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho 83401 on or before SEPTEMBER 15, 1980.

C. STEPHEN ALLRED

Director

Published 8/28 & 9/04/80.

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

July 15, 1980

Keith Davis
P. O. Box 230
Victor, ID 83455

Dear Mr. Davis:

Several items on your application must be completed prior to processing. Item #2 must list the name of the spring which is the source of the water supply even if the spring is unnamed. Item #8a must list the place of use of the water. Item #11 requires a map showing the location of the spring, the point of diversion and the place of use. I have enclosed a water users handbook which should help in completing your application. Also enclosed is your Check No. 92-239/238 in the amount of \$30.00. Do not hesitate to call if you have questions.

Sincerely,


GERALD F. RAMSEY
Water Basin Leader

GFR:kw

Enclosures

Application form
Check for \$30.00

MICROFILMED