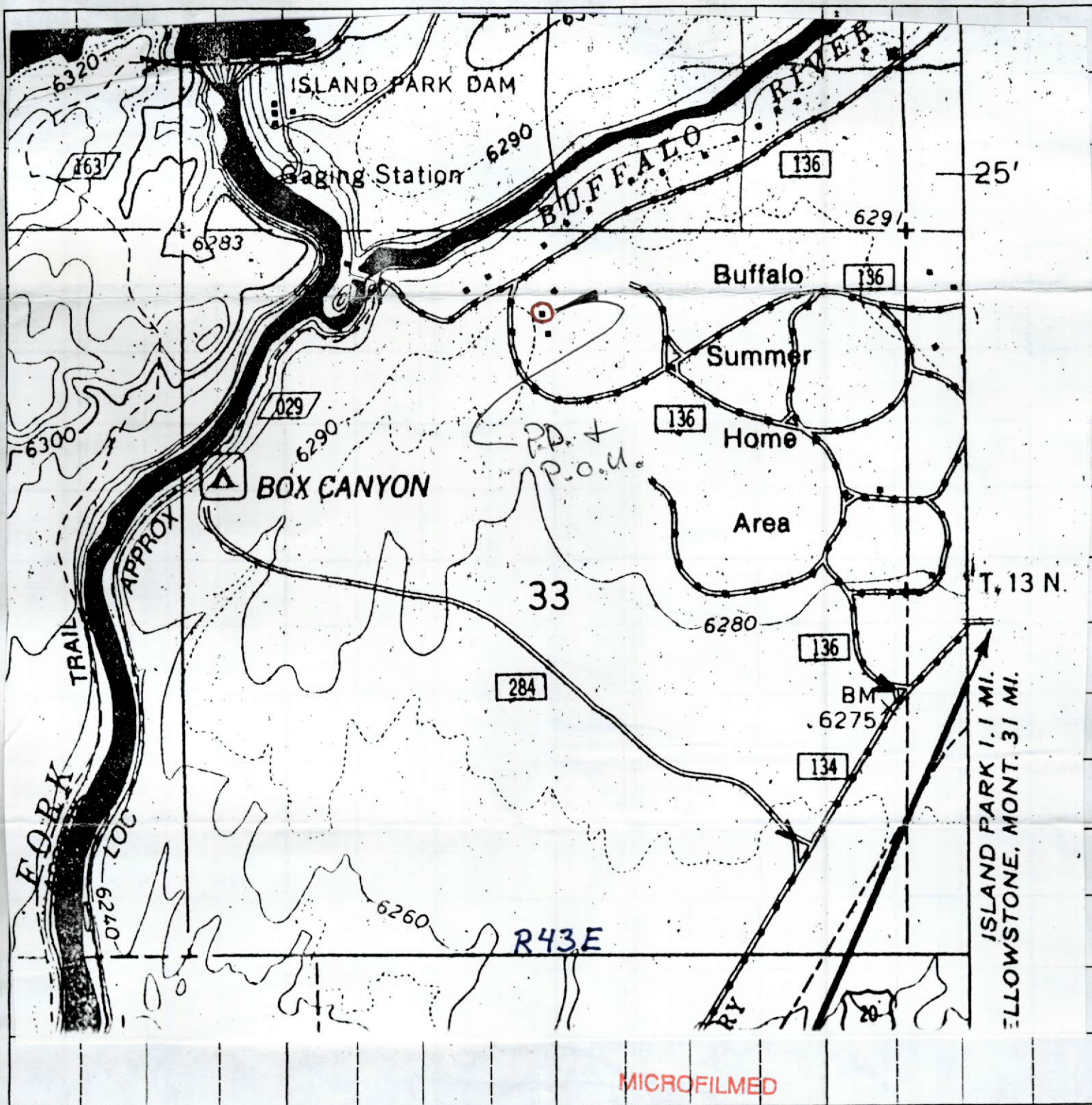


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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. *United States of America* (USDA - Forest Service)

Greg B. Reese
(for) DALE N. BESWORTH, Regional Forester

THE FREMONT COUNTY HERALD-CHRONICLE
St. Anthony, Idaho
Ashton, Idaho

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
County of Fremont

I, TERRY T. WEATHERSTON being first duly sworn, depose and say, that I am the printer of THE FREMONT COUNTY HERALD-CHRONICLE, a semi-weekly newspaper printed and published semi-weekly in Fremont County, Idaho; and I do solemnly swear that the NOTICE WATER

RIGHT APPLICATION -21-07571 a copy of which notice appears attached hereto, was published in the regular and entire issue of said newspaper, and not in any supplement issue thereof for TWO consecutive issues, the first publication having been made on MARCH 19, 1998 and the last publication having been made on MARCH 26, 1998

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

Terry T. Weatherston

STATE OF IDAHO)

COUNTY OF MADISON)

On this 27TH day of MARCH in the year
of 1998 before me, a Notary

Public, personally appeared Terry Weatherston, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Logan D. Butler

Notary Public for Idaho
Residing at Rexburg, Idaho
My commission expires: May 21, 1999

NOTICE OF APPLICATION
FOR WATER RIGHT

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

21-07571

US DEPT OF AGRICULTURE

FOREST SERVICE

TARGHEE NATIONAL FOREST

PO BOX 208

ST. ANTHONY, ID 83445

Source: GROUNDWATER

Diversion Pt: NWNWNE Sec 33 T 13N

R 43E in FREMONT County.

Use: DOMESTIC (0.040 CFS) Total

Diversion: (0.040 CFS)

Date Filed: 3/5/1998

In: FREMONT County T13N R43E S33
NWNE

The permit(s) will be subject to all prior water rights. Protests must be filed with the applicant and the Director, Dept. of Water Resources, along with a \$25 filing fee, Eastern Region, 900 N. Skyline, Idaho Falls, Idaho 83402 on or before April 6, 1998.

KARL J. DREHER

Director

Publ. March 19 and 26, 1998HC.

RECEIVED

APR 10 1998

Department of Water Resources
Eastern Region

MICROFILMED

MAY 07 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

RECEIVED
MAY 31 2001

Department of Water Resources
Eastern Region

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

1. Permit No. 21-07571 Telephone No. 208/524-7500
2. Name of Permit Holder(s): United States Dept. of Agriculture - Forest Service
3. Mailing Address: 380 E. Park Center Blvd.
City Boise State ID Zip 83706
4. Source of Water: Groundwater If GROUNDWATER (well), Date Drilled: mo. 07 / yr. 1998

a. Well Driller: Kent Volmer Drilling Permit Number: 21-98--E-015

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): 1 Stockwater (No. and type of stock): _____
Irrigation (No. of acres): _____ Other: _____

RECEIVED
JUN -4 2001

Department of Water Resources

6. Total rate of diversion and/or volume for which proof is submitted: 10 gpm ~~etc~~ OR _____ acre feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)

(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required?

Yes _____ or No X

Has the measuring device been installed?

Yes _____ or No X

8. Fee Enclosed: \$ _____ (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: Lee Leffert Telephone Number: 208/557-5783

Address: Caribou/Targhee National Forest, 1405 Hollipark Dr.
Idaho Falls, ID 83401

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

MICROFILMED

Signature of permit holder: _____

James B. Riva
(include your title, if on behalf of company or organization)

AUG 08 2001

Date: 5/31/01

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO.)
21-07571 IN THE NAME OF) **REINSTATEMENT ORDER**
U.S. DEPT OF AGRICULTURE,)
FOREST SERVICE)
_____)

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted to the Department on or before May 1, 2001; and,

WHEREAS, the Department notified the permit holder on February 28, 2001 by certified mail that proof of beneficial use was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use or an extension of time request; and,

WHEREAS, the Department's State Office sent the permit holder a lapse notice on May 11, 2001, since the State Office had not received an acceptable proof of beneficial use statement or extension of time; and,

WHEREAS, Section 42-218a, Idaho Code, provides that the Department may reinstate a permit upon a showing of reasonable cause by the permit holder within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting acceptable proof of beneficial use on May 31, 2001;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 21-07571 is **REINSTATED** with an advance in priority to **April 4, 1998**.

DATED this 26th day of June, 2001.



L. GLEN SAXTON, Chief
Water Allocation Bureau

MICROFILMED

AUG 08 2001

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 21-07571

Proposed Priority: March 5, 1998

Maximum Diversion Rate:

0.04 CFS

This is to certify, that **US DEPT OF AGRICULTURE**
FOREST SERVICE
TARGHEE NATIONAL FOREST
PO BOX 208
ST ANTHONY ID 83445-0208

has applied for a permit to appropriate water from: **GROUNDWATER**

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

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

DOMESTIC

01/01 to 12/31

0.04 CFS

LOCATION OF POINT(S) OF DIVERSION:

NWNE , Sec. 33, Township 13N, Range 43E
FREMONT County

PLACE OF USE: DOMESTIC

TWN RGE SEC

13N 43E 33

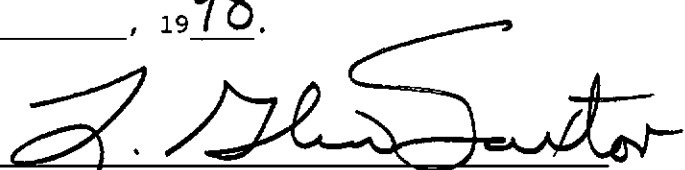
NWNE

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before May 1, 2001.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. Point of diversion and place of use are located within Lot 1, Blk. Q, Buffalo Summer Home Area.
6. Domestic use is for 1 home.

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

20th day of April, 1998.


for Karl J. Dreher, Director

MICROFILMED

MAY 07 1998

RECEIVED

APR 3 1998

Department of Water Resources
Eastern RegionIdent. No. 21-07571Form 202
6/85STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

APR 16 1998

Department of Water Resources

1. Name of applicant USDA - Forest Service Phone (208) 624-3151Post office address Targhee National Forest, P.O. 208, St. Anthony, ID 834452. Source of water supply GROUNDWATER which is a tributary of _____3. Location of point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of NE $\frac{1}{4}$, Govt. Lot LOT 1, BLOCK 4
BUFFALO SHASec. 33 Township 13 N Range 43 E B.M. Framont County; additional

points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.04 cfs 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) 0.04 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. PUMP + WELL to one home

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 6-8 INCHES inches; proposed depth of well is 100-150 feet.d. Is ground water with a temperature of greater than 90°F being sought? No

7. Time required for the completion of the works and application of the water to the proposed beneficial use is

3 years (minimum 1 year).

MICROFILMED

MAY 07 1998

8. Description of proposed uses (*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. 1
- 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	
13N	43E	33		D															

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? USDA - Forest Service

b. Who owns the land to be irrigated or place of use? USDA - Forest Service

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: FOR FOREST SERVICE RECORDS: DENNIS + SUSAN FULLMER

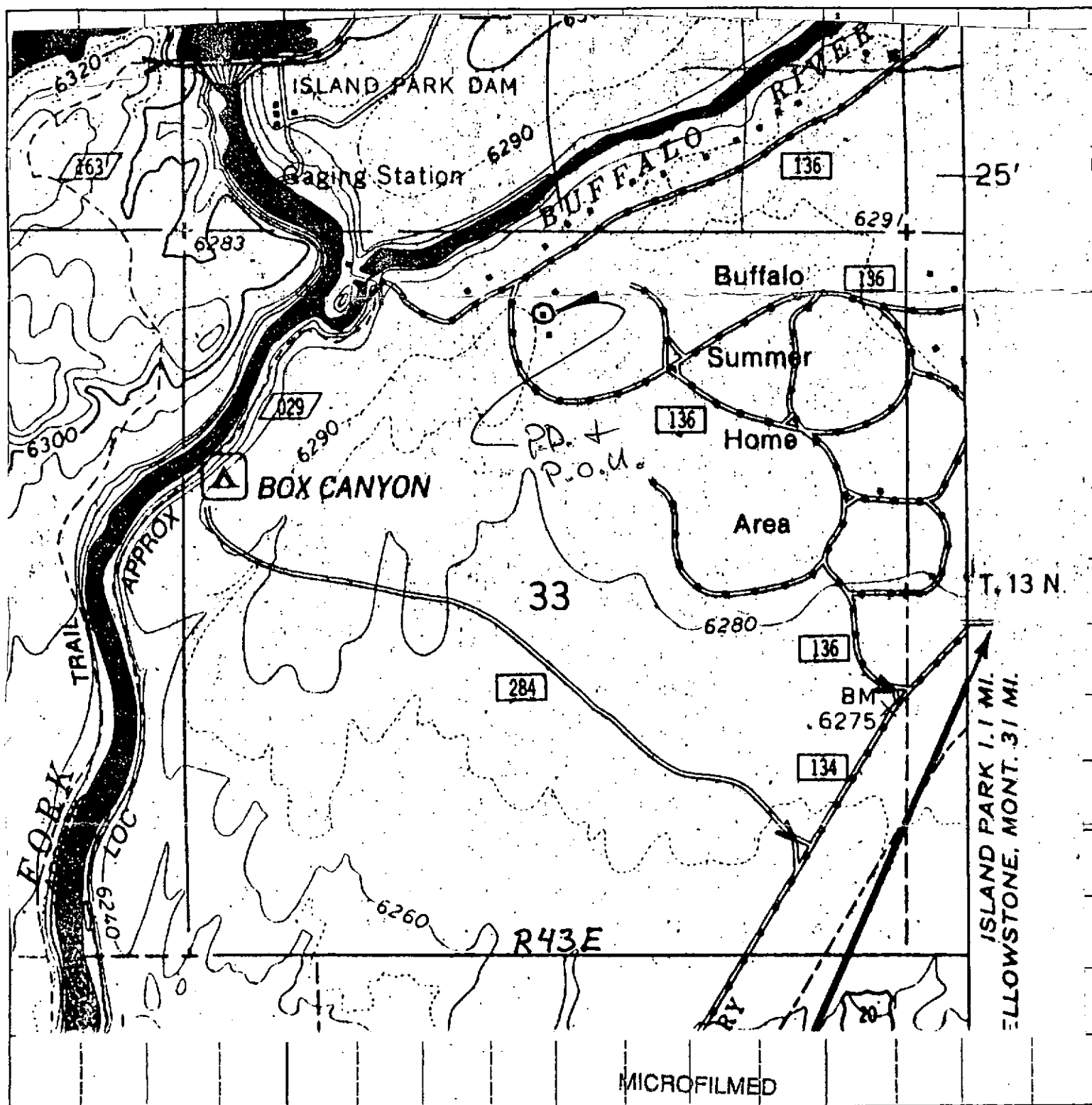
BUFFALO SHA

LOT 1, BLOCK Q

MICROFILMED

MAY 07 1998

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.

MAY 07 1998

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. *United States of America* (USDA - Forest Service)

Greg B. Rose
(for) DALE N. BESWORTH, Regional Forester

MICROFILMED
MAY 07 1998

Received by HLW Date 3-5-98 Time _____ Preliminary check by _____
Fee \$ 50.00 Receipted by HLW # E023928 Date 3-5-98
Publication prepared by SC Date 3-11-98 Published in Herald Chronicle
Publication approved SC Date 4/10/98



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

June 27, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

US DEPT OF AGRICULTURE
FOREST SERVICE
380 E PARK CENTER BLVD
BOISE ID 83706

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 21-07571

Targee National Forest - Buffalo Summer Home Area

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to contact you to schedule a field examination to determine and confirm the use being made of the water, and that it meets the permitted beneficial use.

Be advised that Section 42-248, Idaho Code requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions concerning the field examination, please contact the Eastern Regional Office of the department in Idaho Falls at (208) 525-7161.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office

MICROFILMED
AUG 08 2001

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 21-7571

Reviewed By: dgibson

Date: June 26, 2001

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?		X	Drilling permit required?	X	
License examination fee required?		X	Drilling permit No.:	21-98-E-015	
Appropriate fee submitted?	X		Drilling permit upgrade needed?		
Receipt No.:			Well driller's report filed?		X
Additional Amount Due:			Measuring device required?		X
Name and address same as permit?		X	Measuring device installed?		X
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received		05/31/2001
Date proof due	-	05/01/2001
Lapse notice sent	-	05/11/2001
No. of days late	=	30
Holiday allowance	+	
Priority date	+	03/05/1998
New priority date	=	04/04/1998

Deficiencies of Actions Items

Acknowledge proof.

*Reinstate permit because of lapse.
Change status on database to active. - Done
JDC ok'd drilling permit fee pd.*

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
13 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

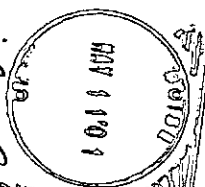
Return Service Requested

RECEIVED

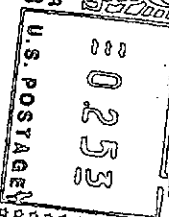
MAY 21 2001

Department of Water Resources

PRESONT
FIRST CLASS



POSTMETER
7104908



*Remailed
5/22/01 w/ new address.
dy*

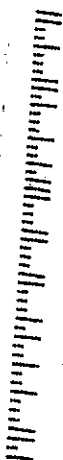
21-7571

TARG206 6344522004 1C00 05 05/15/01
RETURN TO SENDER
TARGHEE NATIONAL FOREST
1405 HOLLIPARK DR
IDAHO FALLS ID 83401-2100

MICROFILMED

AUG 08 2001

83720-0098



WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

Ninety days following the date of official action this file will be DESTROYED.

May 11, 2001

US DEPT OF AGRICULTURE
FOREST SERVICE
TARGHEE NATIONAL FOREST
PO BOX 208
ST ANTHONY, ID 834450208

LAPSE NOTICE

RE: PERMIT NO. 21-7571

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in the proof due notice dated February 28, 2001. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifty dollar (\$50.00) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

Sincerely,

Deborah J. Gibson, Administrative Assistant
Water Allocation Bureau

Enclosures

MICROFILMED

AUG 08 2001

CERTIFICATION OF MAILING

I hereby certify that on 5/11/01
~~a copy~~ an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

dg

MEMORANDUM

To: File 21-07571

From: L. Glen Saxton 

RE: TELEPHONE INQUIRY

Date: May 8, 2001

On this date, a Forest Service representative, Lorainne ? called me in connection with the proof due notice. I explained the process and that the permit has already lapsed. She said she would get right on the matter after determining the extent of development under the permit.

MICROFILMED
AUG 08 2001

February 28, 2001

US DEPT OF AGRICULTURE
FOREST SERVICE
TARGHEE NATIONAL FOREST
PO BOX 208
ST ANTHONY, ID 834450208

PROOF DUE NOTICE

RE: PERMIT NO. 21-7571

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 May 01, 2001. (See last page of your approval permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed 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.

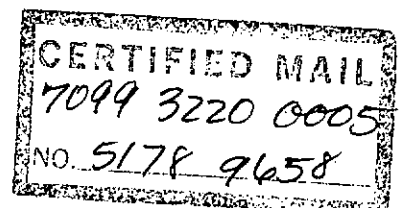
Sincerely,

Deborah J. Gibson, Admin. Assistant
Water Allocation Bureau

Enclosures

MICROFILMED

AUG 08 2001





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

April 21, 1998

US DEPT OF AGRICULTURE
FOREST SERVICE
TARGHEE NATIONAL FOREST
PO BOX 208
ST ANTHONY ID 83445-0208

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 21-07571

Dear Permit Holder:

The Department of Water Resources (IDWR) has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a preliminary order issued by IDWR pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a "Proof Due Notice" approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this right were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Groundwater Protection Section located here at this office or our regional office nearest you.

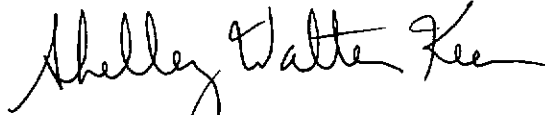
MICROFILMED

MAY 07 1998

Also, please note that water right owners are required to report any change of water right ownership and/or change of mailing address to the department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the department or visit the department's homepage on the Internet to obtain the proper reporting form.

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

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosures

MICROFILMED

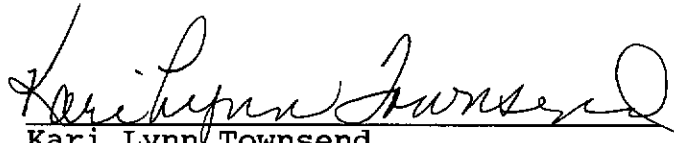
MAY 07 1998

CERTIFICATE OF MAILING

I hereby certify that on the 21st day of April, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right No. 21-07571

US DEPT OF AGRICULTURE
FOREST SERVICE
TARGHEE NATIONAL FOREST
PO BOX 208
ST ANTHONY ID 83445-0208


Kari Lynn Townsend
Secretary

MICROFILMED

MAY 07 1998

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order 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 the 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 a 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, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a 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.

ORAL ARGUMENT

If the Department grants a petition to review a 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.

MICROFILMED

MAY 07 1998

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with a 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.

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.

MICROFILMED

MAY 07 1998

APPLICATION FOR PERMIT STATE OFFICE REVIEW

by *Cindy Lee*

No.: 21-7571 Name: USFS Date: 4/17/98 Ad OK? ☒ / Gvmt Lts: ☒

AREA OF CONCERN:

- No/Yes: _____ Mor / _____ GWMA / Trust / Non-trust

PROTESTED:

- 020 (Protest Agreement) or *W19 (Order)

SYSTEM COMPLETED:

> 1 year

- 26A(P17)

≤ 1 year/no proof

- P16

GROUNDWATER: (✓ FLO-CH)

WMD (✓ MAP)

> 0.24 cfs/5 acres

- 067 or No MD (in-stream stock or power)

≤ 0.24 cfs/5 acres

- No MD

WMD Supplemental use

- 065-079 (if GW use SW 1st-statewide)-(cannot move SW off)

> 0.24 cfs/5 acres

- 01M (report when notified)

≤ 0.24 cfs/5 acres

- No MD

DRILLING PERMIT:

All wells (✓ WDQ3)

- 048(P23)

Included w/permit

- Permit No. _____ - _____ - _____ - _____, P99

irr. in WD

- P05 (new well location)

SURFACE WATER: (✓ FLO-CH) (Surface water that doesn't sink is regulated):

IN/ABOVE MIN. STR. FLOW (✓ MAP)

- *WB9

WD (✓ MAP & LISTING)

- R04 (WD # _____)

> 0.10 cfs

- 01J-P08 (MD & LD)

≤ 0.10 cfs

- 01H-P01 (LD) or No MD (in-stream stock)

WMD (✓ MAP)

> 0.24 cfs/5 acres

- 067 or No MD (in-stream stock or power)

≤ 0.24 cfs/5 acres

- No MD

SPRINGS/SINK, INACTIVE WD & REST OF STATE

> 0.24 cfs/5 acres

- 01M or No MD (in-stream stock or power)

≤ 0.24 cfs/5 acres

- No MD

RIVER BASINS: (*Surface water):

Snake R (01)

- *W22 -P04, NA

(02/03-irr)

- 007 (w/ remark *WB9 if above Weiser), NA

Payette R(65)

- *W22 (regulated uses), 047-P04 (Payette Lake), NA

Salmon R (70's)

- 029 (fish screens), NA

USE:

Domestic surface

- *WB5 (Big Wood R or Boise R ↑ Star Bridge); 27A (Payette River); NA

→ 1 in rest. area

- ~~074-079~~

Fire Protection

- 077

Fish Propagation

- 029-007-042(req)-081 (WQ)-P10

Heating/Cooling

- R07 (injection well)

Irr ≤ 5 acres

- R66/R67/R68/R69 (0.03 cfs/acre + 3.0/3.5/4.0/4.5 AF)

> 5 acres

- R62/R63/R64/R65 (0.02 cfs/acre + 3.0/3.5/4.0/4.5 AF)

Mining

- 054(req) -081-P10

Municipal

- 022, 075, 004 (+memo?), NA (not in restricted area)

Power

- 17H/17K(+uses)-08A-025(P18)-01N-028-081(P10)-027 (if no other cons. use);

17G (FERC) or 17M (FERG); 18B-P09; >25 cfs-P18

Stockwater

- R37 (BLM/USFS); NA

Storage (✓ 3 compo.)

- 18A (in & out MD for on-stream storage), 18B-P09 (>10' dam), NA

LOCATION:

42-248 area

- P84 (in 20/30/40/50/60/70/80 (87) basin)

Boise Front LoGeo

- 058 (<85° GW temp only)

In-stream dev.

- P52 (stream channel alteration)

Irr Dist/Canal Co.

- 023 (Twin Falls area)

SWAN FALLS FLAG (See Code Chart)

Trust

- 051-052-053-P74 (Consumptive Uses), NA

Non-Trust (1)

- 048-049 (Consumptive Uses), NA

OWNERSHIP:

- 004 (PD/PU) _____

OTHER CONDITIONS:**STANDARD REMARKS:**- ① PD&PU/LT (BQ) Buffalo STA ② w01/1**BENEFICIAL USE DUE:**- 911 2001**COMMENTS:**

- _____

RECEIVED

APR 16 1998

DEPARTMENT OF WATER RESOURCES

Dist. for staffing
Submitted for advertising 3-4-98Form No. 202
4/87STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATIONS FOR PERMIT ANALYSIS PERMITINITIAL REVIEW BY HWT DATE 3-4-98 APPLICATION NO. 21-07571US Forest Service (Rulkner)

REQUIRED 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 municipality, title of signatory 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
APPLICANTLook at 21-07514 - This is Lot 11 of Block G

Date Requested _____

PROCESSING

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

SEND 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 _____

FINAL 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 _____
☒ 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. _____
☐ Yes ☒ No Special conditions of approval or cover letter below.

Date of priority recommended

By: ~~4-14-98~~ [Signature]

3-03-1998

Date: 4-14-98

STATE OFFICE REVIEW

By _____

Date: _____

ADDITIONAL INFORMATION

LOCAL PUBLIC INTEREST

Comments received from

_____ City	_____ Idaho Fish & Game	_____ Irrigation Dist.
_____ County	_____ Idaho Health & Welfare	_____ Canal Company
_____ Reservations	_____ Div. of Environment	_____ Other _____

Project impacts/implications report

COMMENTS

[illegible]

THE FREMONT COUNTY HERALD-CHRONICLE
St. Anthony, Idaho
Ashton, Idaho

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
County of Fremont

I, TERRY T. WEATHERSTON being first duly sworn, depose and say, that I am the printer of THE FREMONT COUNTY HERALD-CHRONICLE, a semi-weekly newspaper printed and published semi-weekly in Fremont County, Idaho; and I do solemnly swear that the NOTICE WATER RIGHT APPLICATION -21-07571 a copy of which notice appears attached hereto, was published in the regular and entire issue of said newspaper, and not in any supplement issue thereof for TWO consecutive issues, the first publication having been made on MARCH 19, 1998 and the last publication having been made on MARCH 26, 1998

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

Terry T. Weatherston

STATE OF IDAHO)

COUNTY OF MADISON)

On this 27TH day of MARCH in the year
of 1998 before me, a Notary

Public, personally appeared Terry Weatherston, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Robert D. Butler

Notary Public for Idaho
Residing at Rexburg, Idaho
My commission expires: May 21, 1999

NOTICE OF APPLICATION
FOR WATER RIGHT

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

21-07571

US DEPT OF AGRICULTURE
FOREST SERVICE
TARGHEE NATIONAL FOREST
PO BOX 208

ST. ANTHONY, ID 83445

Source: GROUNDWATER

Diversion Pt: NWNWNE Sec 33 T 13N

R 43E in FREMONT County.

Use: DOMESTIC (0.040 CFS) Total
Diversion: (0.040 CFS)

Date Filed: 3/5/1998

In: FREMONT County T13N R43E S33
NWNE

The permit(s) will be subject to all prior water rights. Protests must be filed with the applicant and the Director, Dept. of Water Resources, along with a \$25 filing fee, Eastern Region, 900-N. Skyline, Idaho Falls, Idaho 83402 on or before April 6, 1998.

KARL J. DREHER
Director

Publ. March 19 and 26, 1998HC.

RECEIVED

APR 10 1998

Department of Water Resources
Eastern Region

MICROFILMED

MAY 07 1998



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

March 11, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

USDA FOREST SERVICE
PO BOX 208
ST ANTHONY ID 83445

RE: Application for Permit 21-07571

Dear Applicant:

This office is currently in the process of advertising the application in the Herald Chronicle on MAR. 19 & 26, 1998. The advertisement will be published once a week 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.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

Harold W. Jones
Water Right Supervisor

HWJ/sc

MICROFILMED

MAY 07 1998



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

MARCH 11, 1998

Legal Notices Department
HERALD CHRONICLE
P.O. BOX 10
REXBURG, ID 83440

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 APRIL 6, 1998.

Yours truly,

A handwritten signature in cursive script that reads "Rita Bodell".

Rita Bodell
Secretary

Encl.

MICROFILMED

MAY 07 1998

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MICROFILMED
MAY 07 1998

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Total Diversion:	(	0.040 CFS)

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In: FREMONT County
T13N R43E S33 NWNE

MICROFILMED

MAY 07 1998

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KARL J. DREHER, Director

Published: 3/19/1998 & 3/26/1998

MICROFILMED

MAY 07 1998

Here is the paper-work
the Forest Service sent
me to apply for a
well - If you have any
questions please call me.

Thank you.

Susan Fullmer



Susan Fullmer

236-7202 (W)

238-8803 (H)

BANNOCK COUNTY
DEPARTMENT OF MOTOR VEHICLES

624 E. CENTER
P.O. BOX 4969
POCATELLO, IDAHO 83205

OFFICE: (208) 236-7200
FAX: (208) 236-7033
7014

MICROFILMED

MAY 07 1998

INTER-DEPARTMENT MEMO

TO: Debbie Allen - Boise

SUBJECT: overpayment

FROM: H.W. JONES - Eastern

DATE: 3-3-1998

Applicant Susan Fullmer sent in a check #0863 for \$75 for an application for permit. Fees were only \$50⁰⁰. She asked that we send her a \$25⁰⁰ refund. Receipt # is EO23928
Her address is ;

Susan Fullmer
170 Appaloosa
Pocatello ID 83201

COPY

☒ For your information

☐ Response required

H.W. Jones
signature

MICROFILMED

MAY 07 1998