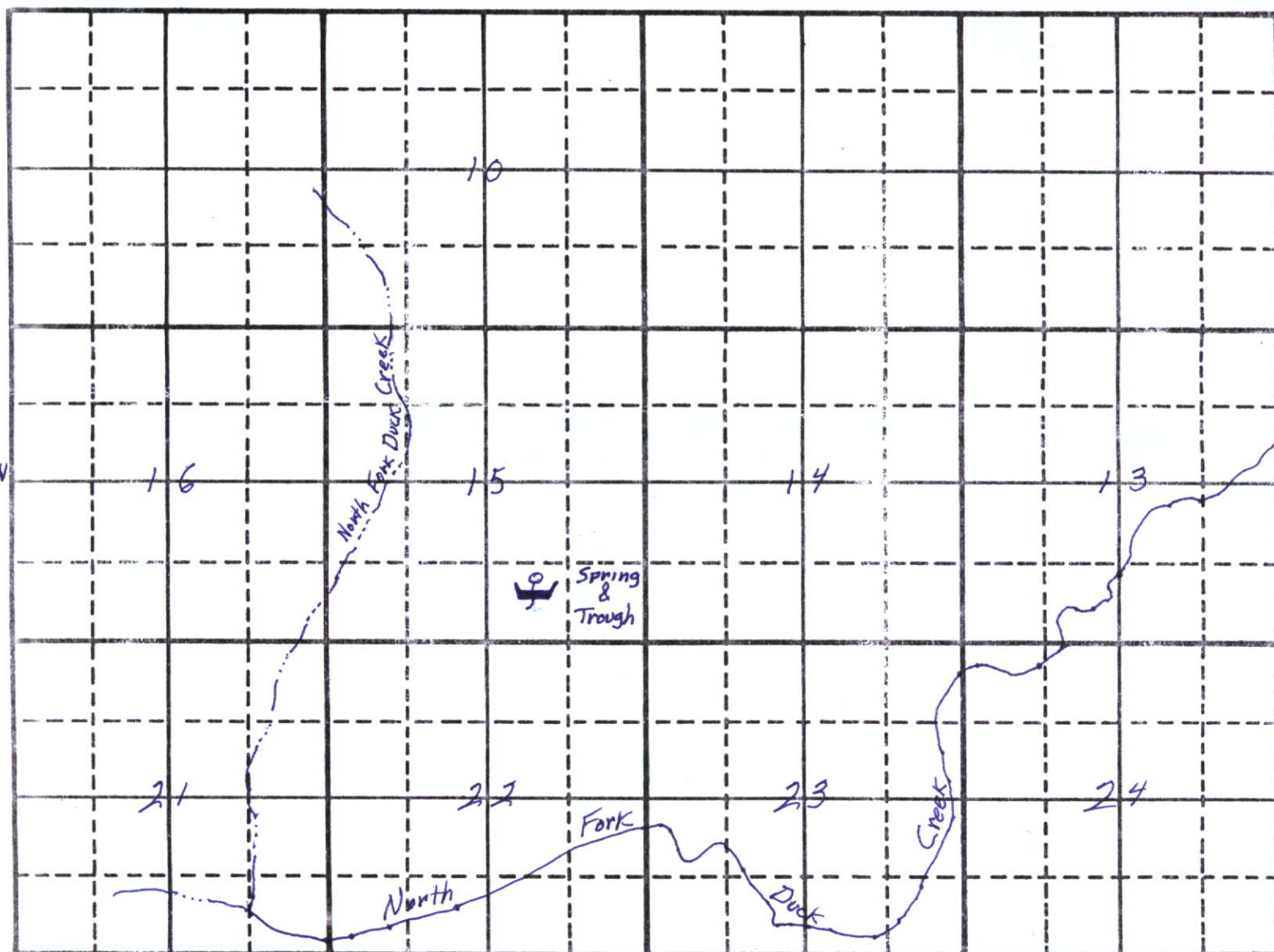


Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile.

R42E

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at St. Anthony, Idaho, this 26th day of August, 19 91.

United States of America Forest
Service

(Signature)

for Gray Renolds, Regional Forester

FOR DEPARTMENT USE ONLY

Preliminary check by HWS Fee = \$20.00 * E016736 Receipted by HWS Date 11-15-91

Publication prepared by _____ Date _____ Published in _____

Publication dates _____

ACTION OF THE DEPARTMENT OF WATER RESOURCES

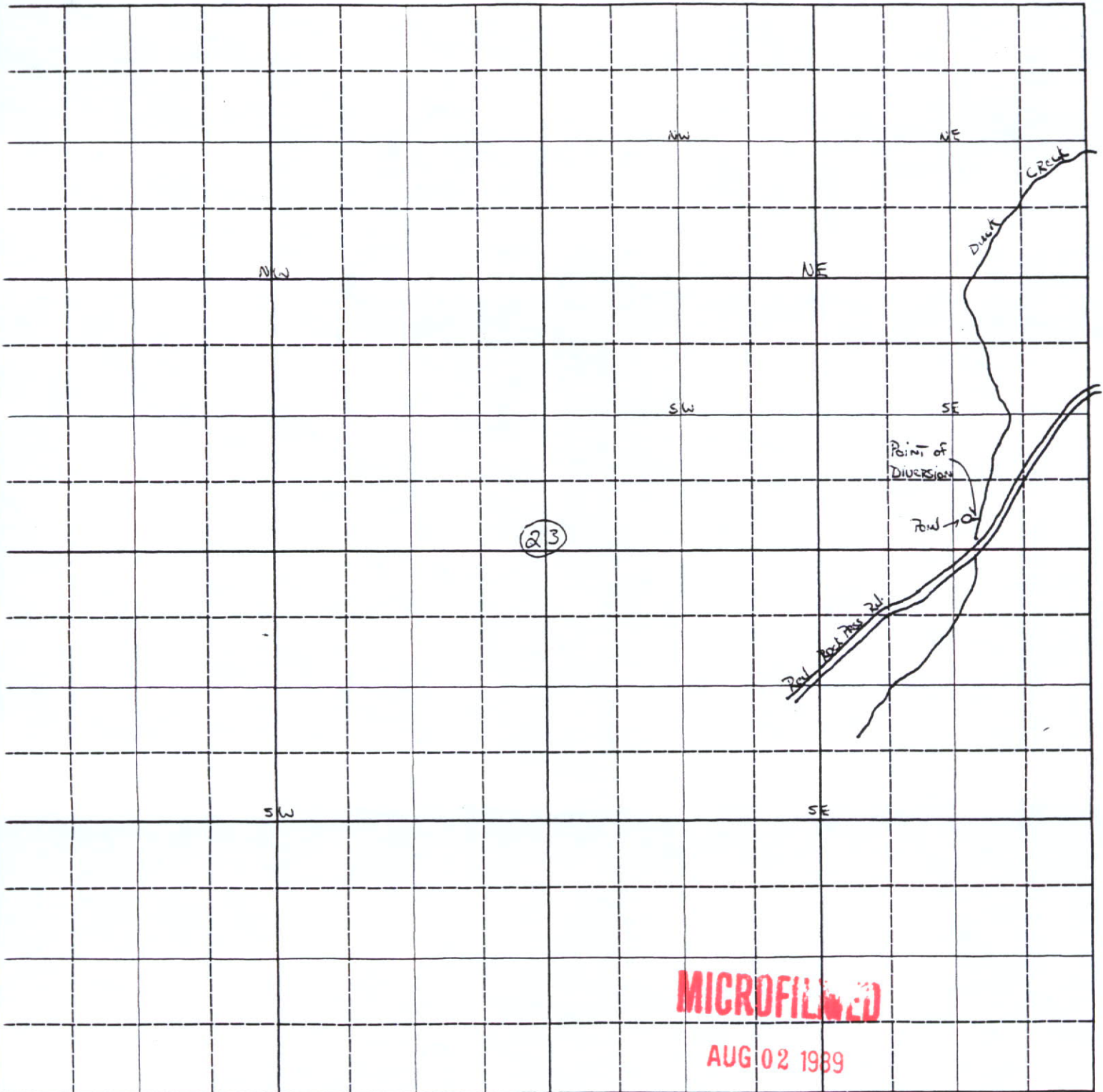
I, L. GLEN SAXTON, of the Department of Water Resources hereby
approve the above referenced application for amendment provided the conditions as set
forth in Permit No. 21-07397 are met.

JAN 14 1992

Witness my hand this 2nd day of January, 19 92.

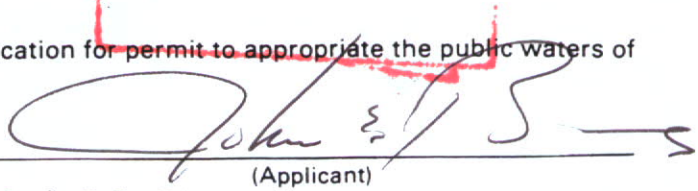
Chief, Water Allocation Bureau

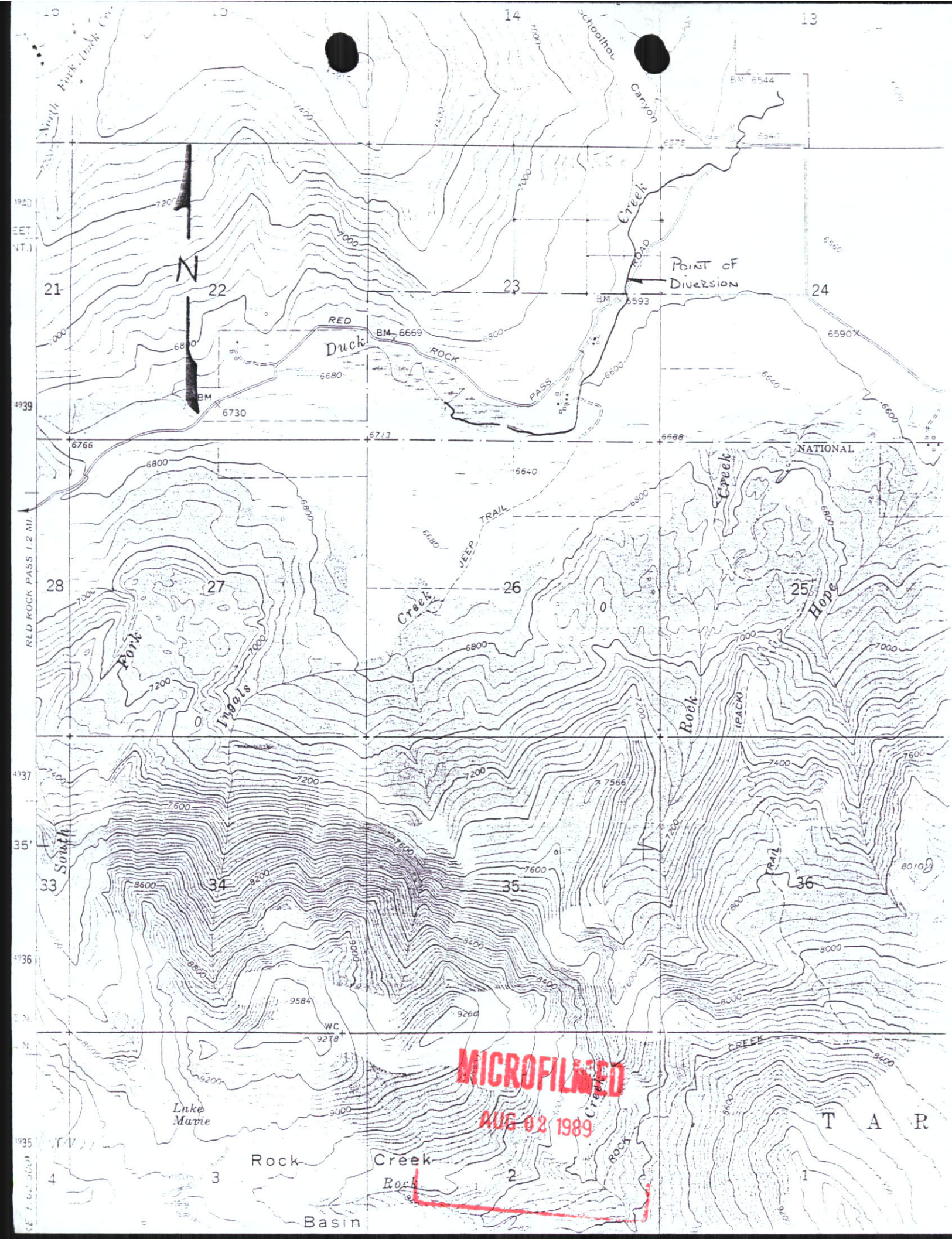
13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

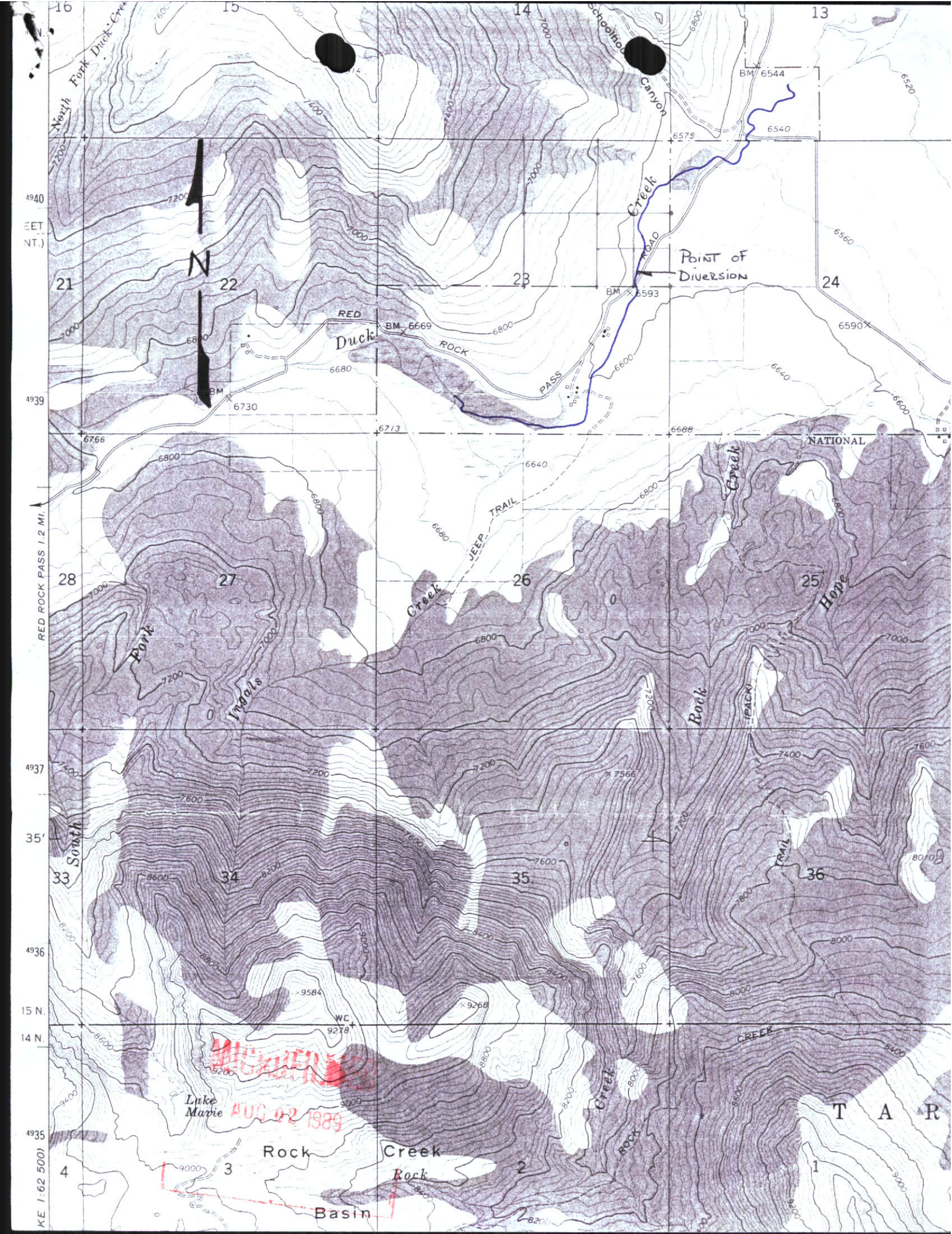


Scale: 2 inches equal 1 mile.

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


(Applicant)
(for) J.S. Tixier, Regional Forester





POINT OF
DIVERSION

RED
Duck

ROCK

PASS

Fork

Ingalls

Creek

TRAIL

JEEP

Rock

TRAIL

Hope

Creek

Luke
Marie

AUG 02 1989

Rock

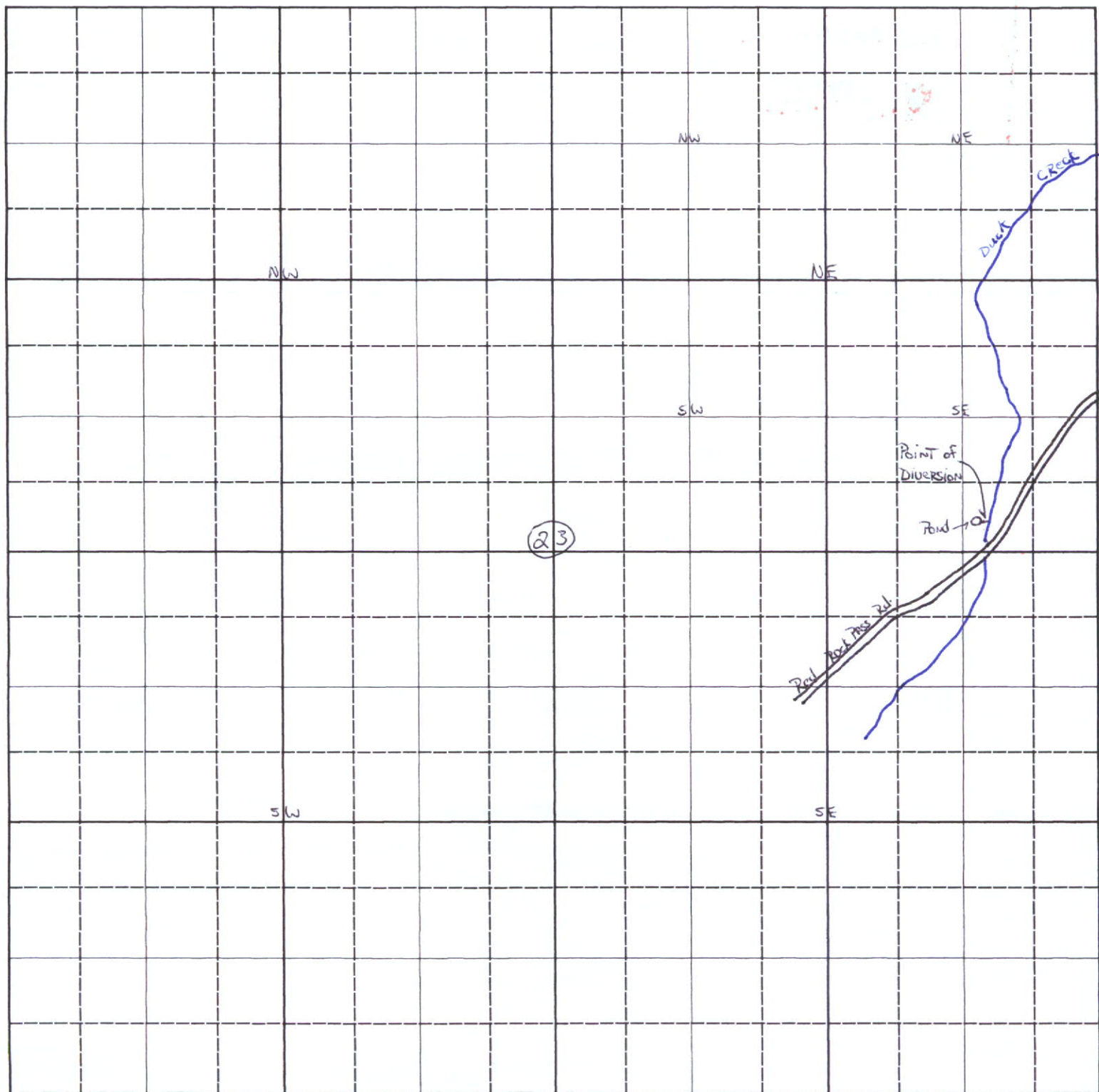
Creek

Rock

Basin

T A R

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

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.

AUG 02 1989

Kevin R. Schellowski

(Applicant)

THE FREMONT COUNTY HERALD-CHRONICLE

St. Anthony, Idaho
Ashton, Idaho

RECEIVED

AFFIDAVIT OF PUBLICATION

APR 17 1989

STATE OF IDAHO
County of Fremont

Department of Water Resources
Eastern District Office

I, Terry 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 in
Fremont County, Idaho; and I do solemnly
swear that the Water Rights #21-07397
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
April 6, 1989
and the last publication having been
made on April 13, 1989

Further, that said newspaper is one
of general circulation in said county;
that it is a legal newspaper, conforming
to legal specifications under 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 said notice.

Terry Weatherston

STATE OF IDAHO)
COUNTY OF MADISON)

On this 14th day of April
in the year of 1989, 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.

Gayle B. Judd
Notary Public for Idaho
Residing at Rexburg, Idaho
My commission expires: June 8, 1993

MICROFILMED

AUG 02 1989

OFFICE OF APPLICATION
FOR WATER RIGHT

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

21-07397

U.S. DEPT. OF AGRI.
FOREST SERVICE
FEDERAL BLDG.
324 25TH ST.
OGDEN, UT 84401
Source: DUCK CREEK Tributary:
HENRY'S LAKE

Diversion Pt: SESENE Sec 23 T 15N R
42E

Use: STOCKWATER STORAGE (.10
AF) DIVERSION TO STORAGE (.050
CFS)

Date Filed: 12/20/1988
In: T15N R42E S23 SENE
21-07411

KAHN, BRIAN
POGGETTO, SANDRA DAL
HWY. JUNCTION
CAMERON, MT 59720
Source: SPRING Tributary: TIMBER
CREEK

Diversion Pt: SESENE Sec 23 T 16N R
42E

Use: DOMESTIC (.040 CFS)
Date Filed: 2/14/1989
In: T16N R42E S23 SESE
21-07412

FALL RIVER TRADING POST
P.O. BOX 153
CHESTER, ID 83421
Source: GROUNDWATER
Diversion Pt: SESESW Sec 24 T 08N R
41E

Use: COMMERCIAL (.020 CFS)
DOMESTIC (.040 CFS)

Date Filed: 3/01/1989
In: T08N R41E S24 SESE
21-07414

BROWN, ROBERT L.
HARRISON, STEVE
JOCKUMSON, WILLIAM
PARDONNET, L.D.
RICKS, NATHAN
WHITE, JACK
RIRIE, ID 83443
Source: GROUNDWATER
Diversion Pt: NWSENE Sec 27 T 15N R
43E

Use: DOMESTIC (.110 CFS)
Date Filed: 3/08/1989
In: T15N R43E S27 SENE
21-07415

GREENLINE EQUIPMENT COMPANY
INC.

P.O. BOX 787
ASHTON, ID 83420
Source: GROUNDWATER
Diversion Pt: SESE Sec 35 T 09N R
42E

Use: COMMERCIAL (.500 CFS)
Date Filed: 3/08/1989
In: T09N R42E S35 SESE
21-07416

ROSEBOROUGH, ZITA
RT. 1, BOX 179
ST. ANTHONY, ID 83445
Source: GROUNDWATER
Diversion Pt: SESWSW Sec 33 T 08N R
41E

Use: DOMESTIC (.060 CFS)
Date Filed: 3/09/1989
In: T08N R41E S33 SWSW
22-07633

VALLEY BANK
501 BROADWAY
P.O. BOX 279
IDAHO FALLS, ID 83405
Source: GROUNDWATER
Diversion Pt: NENENE Sec 5 T 07N R
41E

Use: COMMERCIAL (.040 CFS)
Date Filed: 3/02/1989
In: T07N R41E S05 NENE

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. Pro-
tests must be filed with the Director, Dept.
of Water Resources, 150 Shoup Ave.,
Suite 15, Idaho Falls, Idaho 83402 on or
before APRIL 24, 1989.

R. KEITH HIGGINSON
Director

Publ. April 6 and 13, 1989HC.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 21-07397

Priority: December 19, 1988

Maximum Diversion Rate:

0.02 CFS

Maximum Diversion Volume:

4.4 AF

This is to certify, that US DEPT OF AGRICULTURE

FOREST SERVICE

TARGHEE NATIONAL FOREST

PO BOX 208

ST ANTHONY ID 83445

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated December 19, 1988; and has submitted Proof of Beneficial Use on July 23, 1991. An examination indicates that the works have a diversion capacity of .020 cfs of water from:

SPRINGS

tributary to SINKS

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	06/16 to 10/05	0.02 CFS	4.4 AF

LOCATION OF POINT(S) OF DIVERSION: NESWSE , Sec. 15, Township 15N, Range 42E
FREMONT County

PLACE OF USE: STOCKWATER

TWN RGE SEC

15N 42E 15

SWSE

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 will be regulated by the watermaster of State Water District No. 01.

RECEIVED

MAY 24 1993

State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

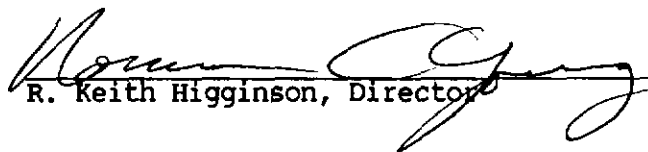
WATER RIGHT NO. 21-07397

CONDITIONS/REMARKS:

6. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
7. The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
8. This right, when considered with all other rights common to the same grazing allotment, shall be limited to the quantity of water beneficially used by the number of stock within the allotment.
9. Stockwater use is for 480 range cattle.

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 6TH day of MAY, 1993.

Acting for


R. Keith Higginson, Director

MAY 24 1993

APPROVED

STATE OF IDAHO

Ident. No.

RECEIVED

NOV 14 1991

APPLICATION FOR AMENDMENT OF A PERMIT

Water Resources
Eastern District Office

To change the point of diversion and/or the place of use.

Comes now Regional Forester Phone (208) 624-3151

of (address) Targhee National Forest P.O. Box 208 St. Anthony, ID 83445, 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. 21-07397, and requests that the permit and permit map be changed as follows:

1. Point of diversion: NE 1/4 of - as per phone/cor w/ DENNA MONTG 11-21-91 DM 14c
SW 1/4 SE 1/4, Section 15, Township 15N, Range 42E, B.M.
County of Fremont. Other points of diversion:

X SOURCE: SPRINGS TRIB: SINK

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount .02 for stockwatering purposes from 6/16 to 10/5 (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)

3. Place of use or land to be irrigated:

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	
15N	42E	15															X		

Total number of acres to be irrigated =

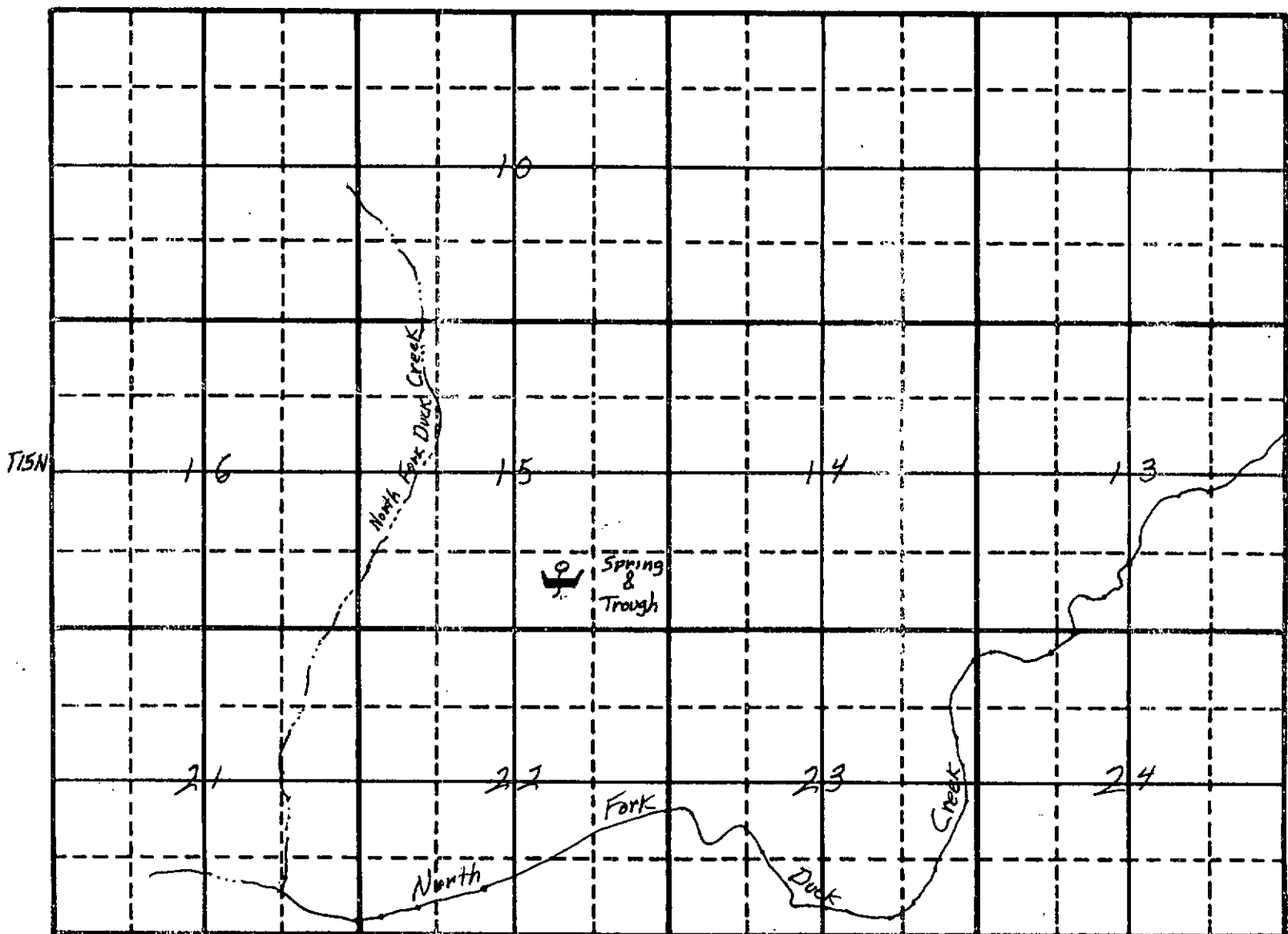
4. a. Who owns the property at the point of diversion? USDA-Forest Service
b. Who owns the land to be irrigated or the place of use? USDA-Forest Service
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the
applicant to make this filing:

RECEIVED

JAN 14 1992

Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile.

R42E

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at St. Anthony, Idaho, this 26th day of August, 19 91.

United States of America - Forest
Service

(Signature)

for Gray Renolds, Regional Forester

FOR DEPARTMENT USE ONLY

Preliminary check by HWS Fee = \$20.00 #E 016736 Received by HWS Date 11-15-91

Publication prepared by _____ Date _____ Published in _____

Publication dates _____

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, L. GLEN SAXTON, of the Department of Water Resources hereby
approve the above referenced application for amendment provided the conditions as set
forth in Permit No. 21-07397 are met.

JAN 14 1992

Witness my hand this 2nd day of January, 19 92.

Chief, Water Allocation Bureau

RECEIVED
JUN 5 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

For Office Use Only
\$15 FEE Received by HWT
Date 7-6-90
Receipt # 2014959

REQUEST FOR EXTENSION OF TIME

Department of Water Resources
Eastern District Office

To provide additional time in which to submit proof
of beneficial use for a water right permit

RECEIVED
JUL 6 1990
Department of Water Resources
Eastern District Office
Permit Division of Section
42-204, Idaho Code.

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of a water right under the provisions of Section 42-204, Idaho Code.

Permit No. 21-07397

Name(s) of Permit Holder: United States of America - Forest Service

Post Office Address: P.O. Box 208, St. Anthony, ID 83445

Telephone No. (208) 624-3151

Date Proof Is Due: August 1, 1990

Describe what work has been completed toward the development of this water right: None
(This must be filled out! If no work has been completed, show "none".)

Costing \$

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

The sites of development identified on the original application were later

determined to be infeasible to develop. A new site has been identified for

development at a spring in T. 15 N., R. 42 E., Section 15, SE1/4SW1/4, B.M..

requiring a headbox, 400' pipe and a trough. United States of America - Forest Service

Permit holder(s) request an extension to Aug 1, 1991.
(1 yr. minimum) (for) J.S. TIXIER (Signature)* Regional Forester

FEE: \$15.00

POWER OF ATTORNEY MUST BE SUPPLIED.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

AUG 31 1990

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to August 1, 1991.

Signed this 13th day of August, 1990.

J. Glen Saylor
Chief, Water Allocation Bureau

21-7397

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Amended APPLICATION FOR PERMIT *Amended*
To appropriate the public waters of the State of Idaho

Ident. No. **APPROVED** AUG 2 1989
Department of Water Resources
(208)624-3151

1. Name of applicant United States of America - Forest Service Phone

Post office address P.O. Box 208; St. Anthony, Idaho 83445

2. Source of water supply Duck Creek which is a tributary of Henry's Lake

3. Location of point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of NE $\frac{1}{4}$, Govt. Lot

Sec. 23 Township 15N Range 42E B.M. Fremont County; additional

points of diversion if any:

4. Water will be used for the following purposes:

~~0.14 cfs~~ **CHANGED BY TELECON W/LEONARD LAKE 01/27/89**
Amount 0.05 cfs for Division to storage for livestock. purposes from May 1 to Oct. 30 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.14 cfs for Stockwater Storage purposes from May 1 to Oct. 30 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

5. Total quantity to be appropriated is (a) 0.05 and/or (b) 0.1
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Small backhoe ditch (10 ft. in length)
to off stream storage pond, 0.05 ac. ft. in size.

b. Height of storage dam N/A 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 N/A inches; proposed depth of well is feet.

d. Is ground water with a temperature of greater than 90°F being sought? N/A

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).

MICROFILMED

AUG 02 1989

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

** Correction as per tel-con with Leonard Leger
3-22-89*

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	
15N	42E	23	~~S~~			S*													

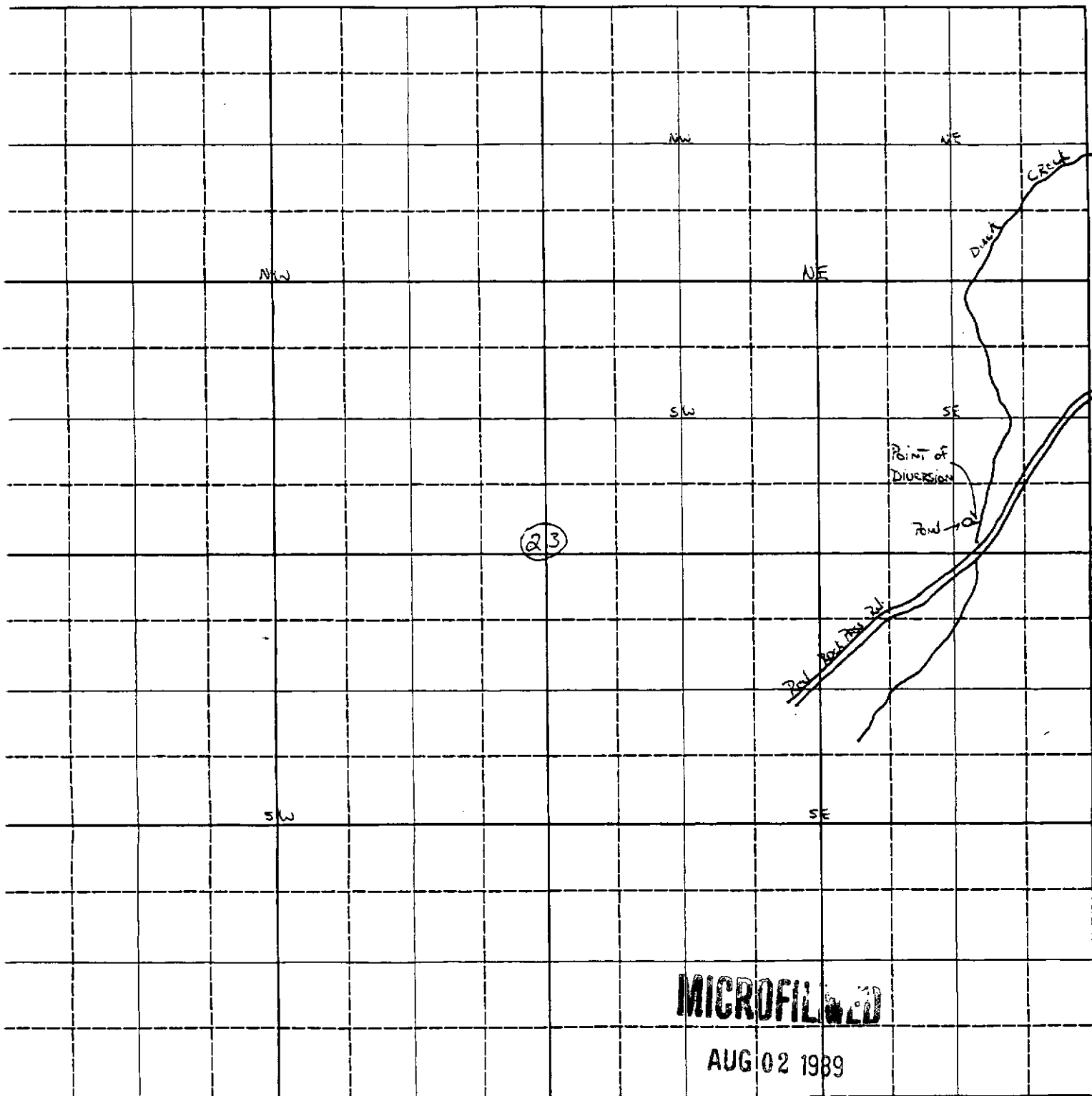
Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. A 2nd pond located in the SE-NE-NE of Section 23.
11. a. Who owns the property at the point of diversion? United States of America - Forest Service
- b. Who owns the land to be irrigated or place of use? United States of America - 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: To be constructed to eliminate instream use for Riparian Rehabilitation.

MICROFILMED

AUG 02 1989

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



Scale: 2 inches equal 1 mile.

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

Application for permit to appropriate the public waters of


(Applicant)

(for) J.S. Tixier, Regional Forester

Proposed Priority 12/19/88

Received by CW Date 11-19-88 Time 2:00P Preliminary check by CM
20-rc-Ad Fee \$ 30.00 Received by WJS # E009157 Date 12-20-88
Publication prepared by RB Date 2/9/89 Published in Herald Chronicle
Publication approved CW Date 3-13-89

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. 21-7397, 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 August 1, 19 90.

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: The right to the use of water acquired under this permit shall not give rise to any right or claim against the holder of a senior right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.

The Director retains jurisdiction of the permit and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.

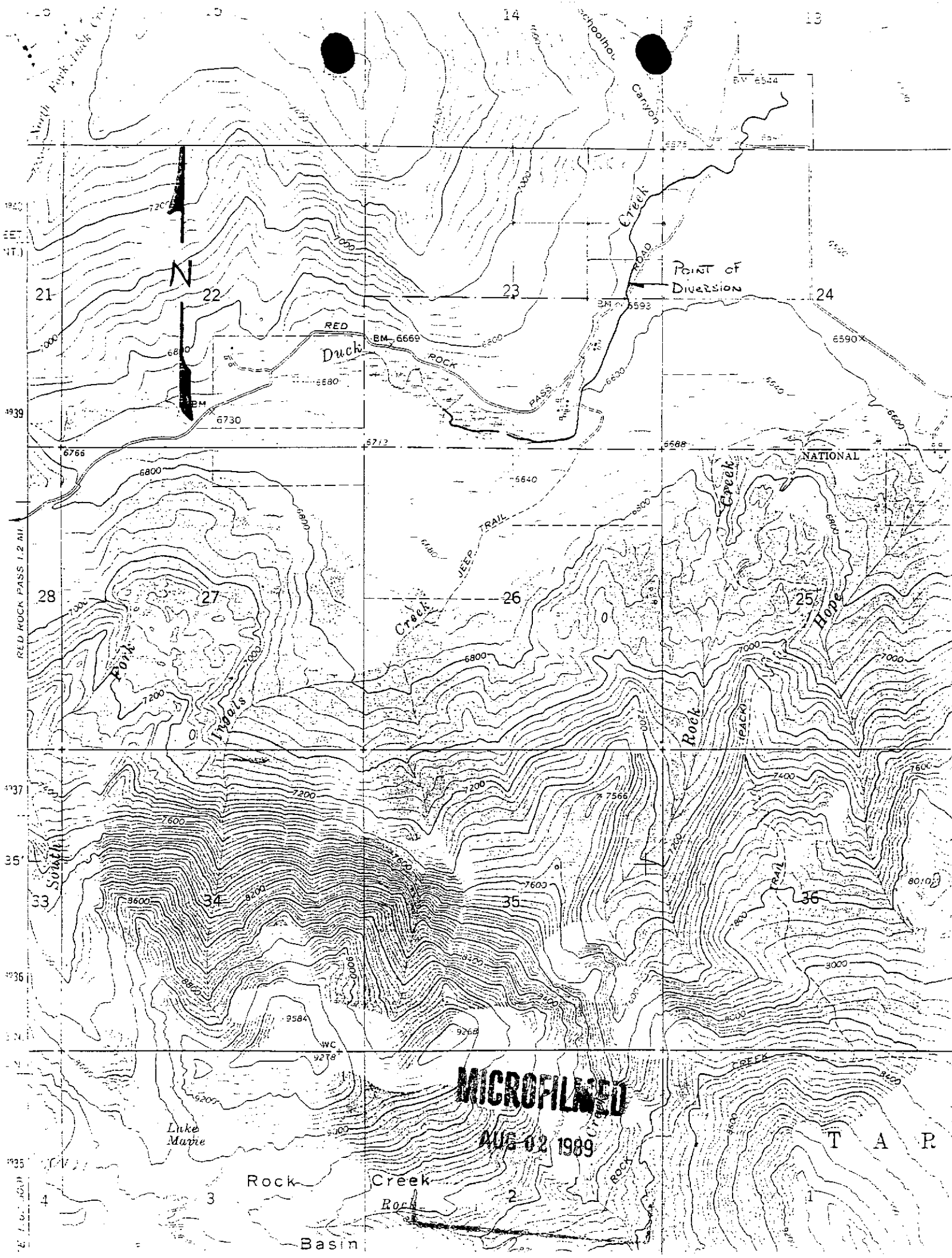
Use of water under this permit is subject to control by the watermaster of State Water District No. 01, Snake River.

Witness my hand this 13th day of July, 1989.

J. Glen Saxton

MICROFILMED

AUG 02 1989



MICROFILMED

AUG 02 1989

T A R

217397

Form 202
6/85

Ident. No. _____

VOID

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant United States of America - Forest Service Phone (208)624-3151
Post office address P.O. Box 208; St. Anthony, Idaho 83445
2. Source of water supply Duck Creek which is a tributary of Henry's Lake
3. Location of point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of NE $\frac{1}{4}$, Govt. Lot _____
Sec. 23 Township 15N Range 42E B.M. Fremont County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
CHANGED BY TELECON W/LEONARD LAKE 01/27/89
Amount 0.05 cfs for Division to storage for livestock. purposes from May 1 to Oct. 30 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.1 AFA for Stockwater Storage purposes from May 1 to Oct. 30 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.05 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. Small backhoe ditch (10 ft. in length)
to off stream storage pond, 0.05 ac. ft. in size.
 - b. Height of storage dam N/A 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 N/A inches; proposed depth of well is _____ feet.
 - d. Is ground water with a temperature of greater than 90°F being sought? N/A
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).

RECEIVED
AUG 02 1989

8. Description of proposed uses (if irrigation only, go to item 9):

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. 480 Beef Cattle
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. _____

9. Description of place of use:

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
15N	42E	23	S																

Total number of acres to be irrigated _____

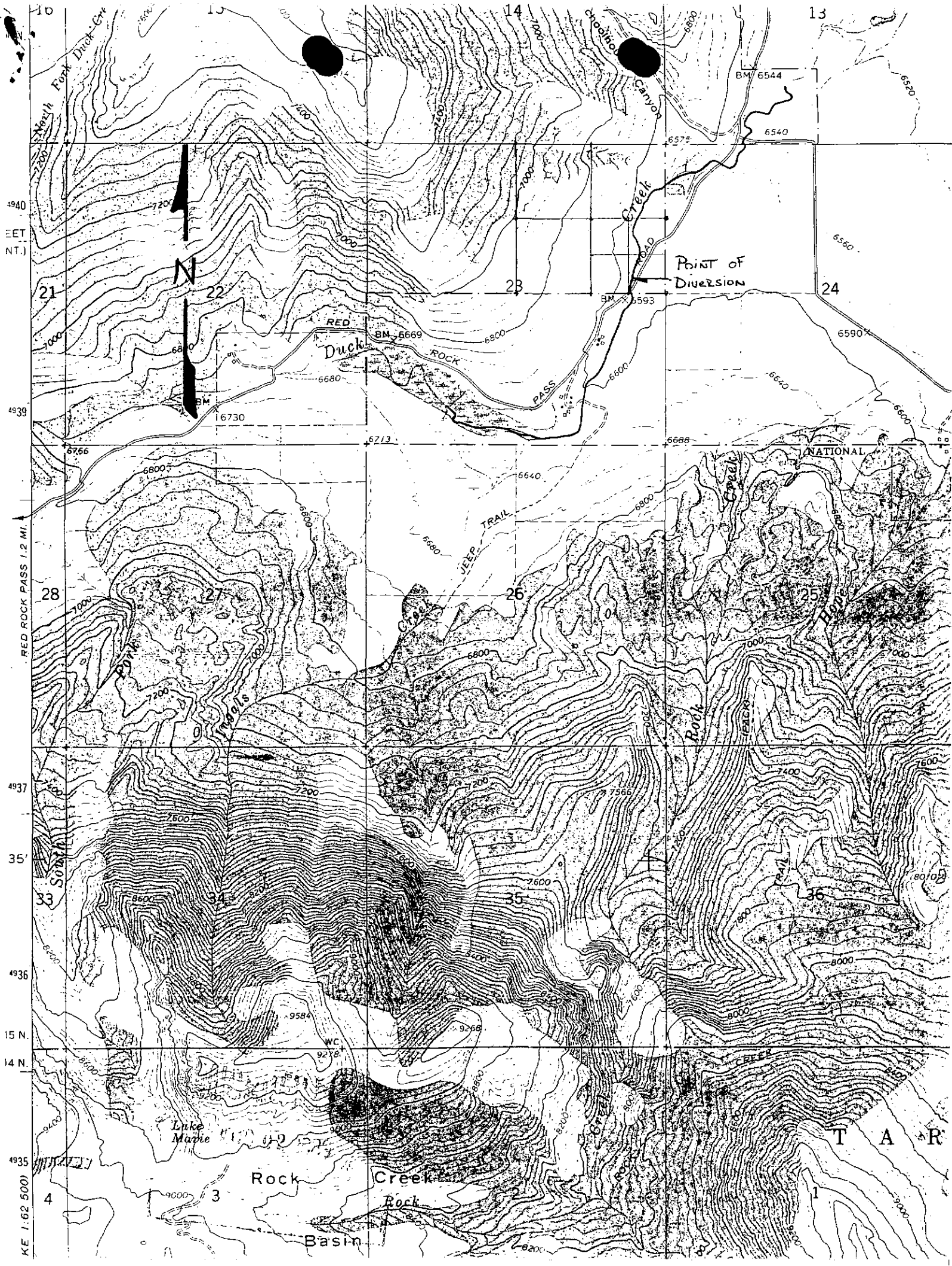
10. Describe any other water rights used for the same purposes as described above. A 2nd pond located in the SE-NE-NE of Section 23.

- Who owns the property at the point of diversion? United States of America - Forest Service
- Who owns the land to be irrigated or place of use? United States of America - Forest Service
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

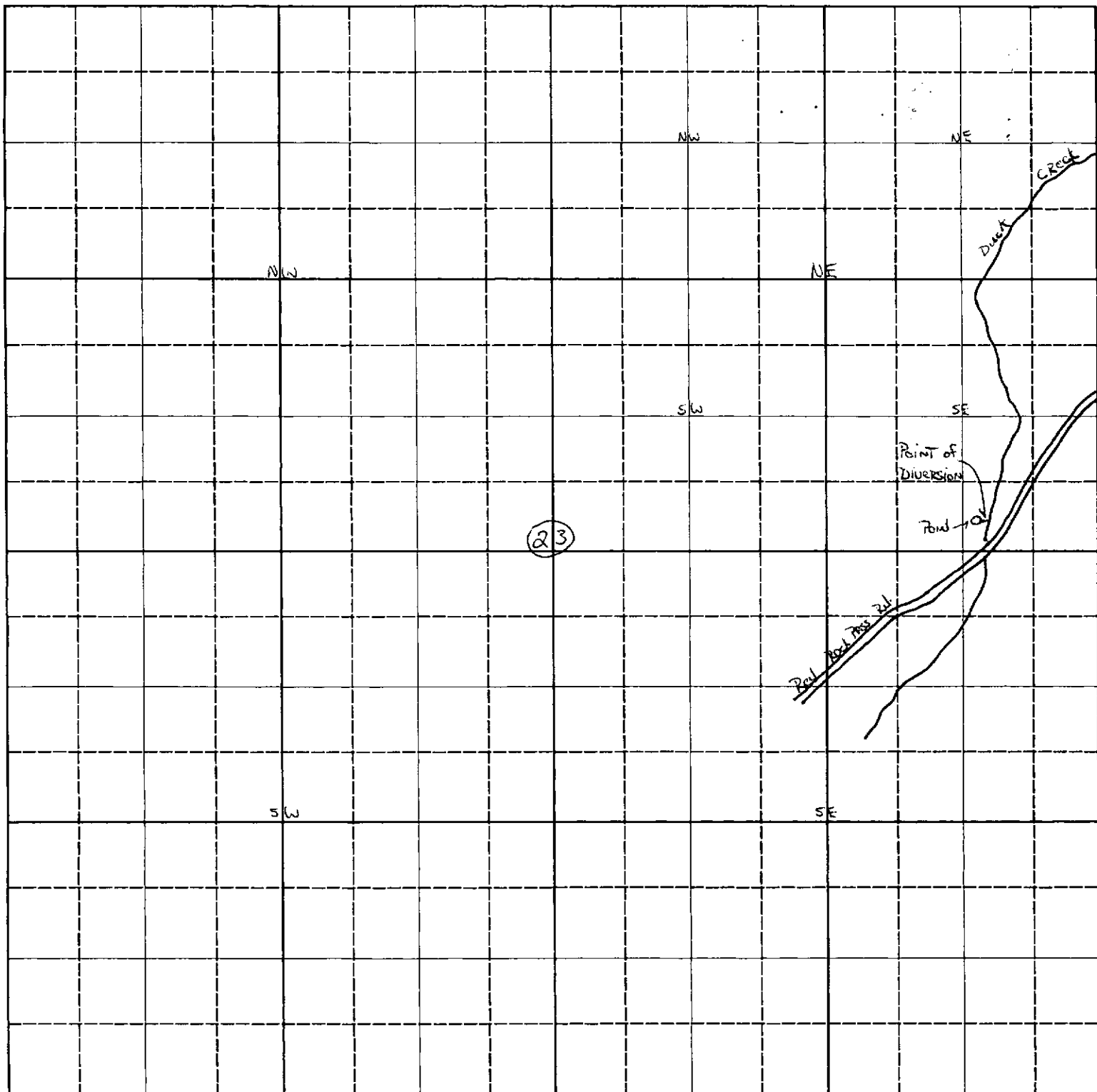
12. Remarks: To be constructed to eliminate instream use for Riparian Rehabilitation.

INDEXED

AUG 02 1989



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



Scale: 2 inches equal 1 mile.

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

AUG 02 1989

Kevin R. Schalkoski
(Applicant)

RECEIVED
AUG 02 1989

e. Other:

- 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.
- 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.

19

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

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

Idaho No. _____, and said application is hereby _____

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

Received by _____ Date 12-19-88 Time 2:00P
Fee \$ 30.00
Received by _____ Date 11-07-88 Time 3:30P
Preliminary check by CM
Date 12-22-88
E005286
Publication prepared by _____ Date 2/8/89
Published in _____
Publication approved _____ Date 3-13-89

THE FREMONT COUNTY HERALD-CHRONICLE

St. Anthony, Idaho
Ashton, Idaho

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
County of Fremont

Department of Water Resources
Eastern District Office

I, Terry 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 in
Fremont County, Idaho; and I do solemnly
swear that the Water Rights #21-07397
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
April 6, 1989

and the last publication having been
made on April 13, 1989

Further, that said newspaper is one
of general circulation in said county;
that it is a legal newspaper, conforming
to legal specifications under 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 said notice.

Terry Weatherston

STATE OF IDAHO)
COUNTY OF MADISON)

On this 14th day of April
in the year of 1989, 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.

Lyndell C. Jones
Notary Public for Idaho
Residing at Rexburg, Idaho
My commission expires: June 8, 1993

OFFICE OF APPLICATION
FOR WATER RIGHT

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

21-07397
U.S. DEPT. OF AGRIC.
FOREST SERVICE
FEDERAL BLDG.
324 25TH ST.
OGDEN, UT 84401
Source: DUCK CREEK Tributary
HENRY'S LAKE
Diversion Pt: SESENE Sec 23 T 15N R
42E
Use: STOCKWATER STORAGE (10'
AF) DIVERSION TO STORAGE (.050'
CFS)
Date Filed: 12/20/1988
In: T15N R42E S23 SENE
21-07411
KAHN, BRIAN
POGGETTO, SANDRA DAL
HWY. JUNCTION
CAMERON, MT 59720
Source: SPRING Tributary: TIMBER
CREEK
Diversion Pt: SESENE Sec 23 T 16N R
42E
Use: DOMESTIC (.040 CFS)
Date Filed: 2/14/1989
In: T16N R42E S23 SESE
21-07412
FALL RIVER TRADING POST
P.O. BOX 153
CHESTER, ID 83421
Source: GROUNDWATER
Diversion Pt: SESESW Sec 24 T 08N R
41E
Use: COMMERCIAL (.020 CFS)
DOMESTIC (.040 CFS)
Date Filed: 3/01/1989
In: T08N R41E S24 SESW
21-07414
BROWN, ROBERT L.
HARRISON, STEVE
JOCKUMSON, WILLIAM
PARDONNET, L.D.
RICKS, NATHAN
WHITE, JACK
RIRIE, ID 83443
Source: GROUNDWATER
Diversion Pt: NWSENE Sec 27 T 15N R
43E
Use: DOMESTIC (.110 CFS)
Date Filed: 3/08/1989
In: T15N R43E S27 SENE
21-07415

GREENLINE EQUIPMENT COMPANY
INC.
P.O. BOX 787
ASHTON, ID 83420
Source: GROUNDWATER
Diversion Pt: SESE Sec 35 T 09N R
42E
Use: COMMERCIAL (.500 CFS)
Date Filed: 3/08/1989
In: T09N R42E S35 SESE
21-07416
ROSEBOROUGH, ZITA
RT. 1, BOX 179
ST. ANTHONY, ID 83445
Source: GROUNDWATER
Diversion Pt: SESWSW Sec 33 T 08N R
41E
Use: DOMESTIC (.060 CFS)
Date Filed: 3/09/1989
In: T08N R41E S33 SWSW
22-07633
VALLEY BANK
501 BROADWAY
P.O. BOX 279
IDAHO FALLS, ID 83405
Source: GROUNDWATER
Diversion Pt: NENENE Sec 5 T 07N R
41E
Use: COMMERCIAL (.040 CFS)
Date Filed: 3/02/1989
In: T07N R41E S05 NENE
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. Pro-
tests must be filed with the Director, Dept.
of Water Resources, 150 Shoup Ave.,

MICROFILMED
AUG 02 1989

THE FREMONT COUNTY HERALD-CHRONICLE

St. Anthony, Idaho

Ashton, Idaho

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO

County of Fremont

MAR 7 1989

Department of Water Resources
Eastern District Office

Terry 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 in
Fremont County, Idaho; and I do solemnly
swear that the Notice OF Application
copy of which notice appears attached
hereto, was published in the regular and
current issue of said newspaper, and not
any supplement issue thereof

For two consecutive issues, the
first publication having been made on
February 16, 1989
and the last publication having been
made on February 23, 1989

Further, that said newspaper is one
of general circulation in said county;
that it is a legal newspaper, conforming
to legal specifications under 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 said notice.

Terry Weatherston

STATE OF IDAHO)

COUNTY OF MADISON)

On this 24th day of February
in the year of 1989, 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.

Joseph L. Ford
Notary Public for Idaho

Residing at Rexburg, Idaho

My commission expires: June 8, 1998

MICROFILMED

AUG 02 1989

NOTICE OF APPLICATION
FOR WATER RIGHT

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

21-07396

CHURCH OF JESUS CHRIST LATTER
DAY SAINTS
REAL ESTATE DIV., 12th FLOOR
50 EAST NORTH TEMPLE ST.
SALT LAKE CITY, UT 84150
Source: GROUNDWATER
Diversion Pt: SWSW Sec 30 T 09N R 43

E Use: IRRIGATION (.040 CFS),
DOMESTIC (.030 CFS)
Date Filed: 1/19/1989
In: T09N R43E S30 SWSW 1.0 ACRES
TOTAL

21-07397

U.S. DEPT. OF AGRIC.
FOREST SERVICE
FEDERAL BLDG.
324 25TH ST.
OGDEN, UT 84401
Source: DUCK CREEK
Tributary: HENRY'S LAKE
Diversion Pt: SESENE Sec 23 T 15N R 42E

E Use: STOCKWATER STORAGE (.10
AF) DIVERSION TO STORAGE (.050
CFS)

Date Filed: 12/20/1988
In: T15N R42E S23 NENE

21-07398

U.S. DEPT OF AGRIC.
FOREST SERVICE
FEDERAL BLDG.
324 25TH ST.
OGDEN, UT 84401
Source: DUCK CREEK
Tributary: HENRY'S LAKE
Diversion Pt: SENENE Sec 23 T 14N R 42E

E Use: STOCKWATER STORAGE (.10
AF) DIVERSION TO STORAGE (.050
CFS)

Date Filed: 12/20/1988
In: T15N R42E S23

21-07399

HARMAN, ORIN
HARMAN, BARBARA
1540 FALCON
IDAHO FALLS, ID 83401
Source: GROUNDWATER
Diversion Pt: LOT 2 (NWNE) Sec 2 T 14N R 43E

E Use: DOMESTIC (.040 CFS)

Date Filed: 12/29/1988
In: T14N R43E S02 Lot 2 (NWNE)

21-07400

CRUMP, LYNN
HANSEN, MELVIN
MATHEWS, DALE
STONEBURG, ROBERT
URIONA, JOSEPH
609 S. PARK
SHELLEY, ID 83274
Source: GROUNDWATER
Diversion Pt: LOT 1 (NENENE) Sec 24 T 13N R 42E

E Use: DOMESTIC (.110 CFS)

Date Filed: 1/23/1989
In: T13N R42E S24 NENE

22-07508

CANYON CR. LATERAL DITCH WR.
USERS ASSOC
NEWDALE, ID 83436
Source: GROUNDWATER

Diversion Pt: NESE Sec 36 T 07N R 40E, SWNE Sec 30 T 07N R 42E

E Use: IRRIGATION (14.000 CFS)

Date Filed: 6/26/1985

In: T06N R42E S05 SWNE SENE
NWNW SWNW SENW NESW NWSW
SWSW SESW NESE NWSE SWSE
SESE, S06 NENE NWNE SWNE SENE
NENW SENW NESW NESE NWSE
SESE, S08 NWNE, T07N R42E S30
SWSW SESW SWSE SESE, S31 SWNE
SENE SWNW SENW, S32 SWSW NWSE
1335.0 ACRES TOTAL

The permit(s) will be subject to all prior



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

May 10, 1993

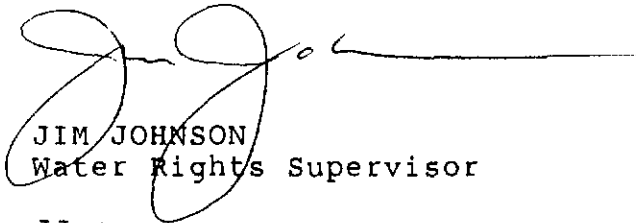
US DEPT OF AGRICULTURE
FOREST SERVICE
TARGHEE NATIONAL FOREST
PO BOX 208
ST ANTHONY ID 83445

RE: WATER RIGHT NO. 21-07397

Dear Water Right 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:cz

Enclosure

RECEIVED

MAY 24 1993

LICENSE REVIEW CHECKLIST

Permit # 21 7397 Date 4-28-93 Brenda Chapman

NAME	<u>Yes</u>	<u>No</u>	Address Change?
PRIORITY DATE	<u>Yes</u>	<u>No</u>	Advance?
	<u>Yes</u>	<u>No</u>	Memo to Advance
	<u>Yes</u>	<u>No</u>	Order to Reinstate Needed?
TOTAL CFS	<u>-NA-</u>	<u>Yes</u>	Incorrect Fee for rate recommended?
	<u>-NA-</u>	<u>Yes</u>	Disagree/Measurement <u>NONE DONE</u>
	<u>-NA-</u>	<u>Yes</u>	Pumping Theoretical $(8.8) \times (.70) \times ()$
	<u>Yes</u>	<u>Yes</u>	$(+ [2.31 \times])$
	<u>Yes</u>	<u>Yes</u>	System Capacity <u>.02</u>
	<u>Yes</u>	<u>Yes</u>	Allowable Amount: <u>Limited by permit</u>
TOTAL VOLUME			Rate/ac _____ AFA Irr. Season _____
			Standard Irr. Season _____
			Season Recommended _____
	<u>-NA-</u>	<u>Yes</u>	Disagree with Examiner's Calculations?
	<u>Yes</u>	<u>Yes</u>	<u>480 range cattle = 6.4 aF (chart)</u>
	<u>Yes</u>	<u>Yes</u>	Flow limit: <u>.02</u> x <u>1/2</u> x <u>1.9835</u> = <u>4.4 aF < 6.4</u>
SOURCE	<u>Yes</u>	<u>Yes</u>	Changes? Clarification of <u>Originally</u>
	<u>Yes</u>	<u>Yes</u>	<u>Intended</u> source
	<u>Yes</u>	<u>Yes</u>	Notice of Intent to Void.
P/D	<u>Yes</u>	<u>Yes</u>	Amendment Needed?
	<u>Yes</u>	<u>Yes</u>	Is Overlap Analysis a Consideration?
P/U	<u>Yes</u>	<u>Yes</u>	Amendment Needed?
	<u>Yes</u>	<u>Yes</u>	Is Overlap Analysis a Consideration?
USES	<u>Yes</u>	<u>Yes</u>	Change(s) in Nature of Use?
	<u>Yes</u>	<u>Yes</u>	Amendment Needed?
REMARKS	<u>Yes</u>	<u>Yes</u>	Multiple P/Ds in 1/4 1/4?
	<u>Yes</u>	<u>Yes</u>	Non-Irr. Uses <u>Stockwater</u>
	<u>Yes</u>	<u>Yes</u>	Special Overlap Condition
	<u>R37</u>	<u>Yes</u>	Other <u>Forest service standard</u>
CONDITIONS	<u>Yes</u>	<u>Yes</u>	Measuring Devices
	<u>R04</u>	<u>Yes</u>	W/Master Control
	<u>Yes</u>	<u>Yes</u>	Overlap
	<u>Yes</u>	<u>Yes</u>	Water Quality
			Dates/Misc
		<u>02</u>	Water Dist
			App Rec'd
			Exam Made

COMMENTS: On site exam not required per 2-26-81 memo.

LICENSE Yes AMEND _____ SPECIAL PARAGRAPH _____

(L)

Stage: LICENSE

Pou County: FREMONT

R04 - Use of water under this water right will be regulated by the
- watermaster of State Water District No. 01.

048 - The use of water under this right shall not give rise to any
- claim against the holder of a senior water right based upon the
- theories of forfeiture, abandonment, adverse possession, waiver,
- equitable estoppel, estoppel by laches or customary preference.

049 - The Director retains jurisdiction of the right to incorporate
- the use into a water district, require streamflow augmentation
- or other action needed to protect prior surface water and
- groundwater rights.

R37 - This right, when considered with all other rights common to the
- same grazing allotment, shall be limited to the quantity of water
- beneficially used by the number of stock within the allotment.

Audit: 04/28/93 CHAPMAN

(L)

FROM: KEITH C. WILSON - EASTERN

4/22/93
DATE

TO: JIM JOHNSON - WATER ALLOCATIONS - BOISE

RE: FIELD EXAMS TO BE REVIEWED AND WRITTEN UP

EXAM DATE: 2-17-93

PERMIT NO. 21-7397

ACCOMPANIED/ASSISTED BY:

JILL KELLY

KEVIN GREENWOOD

RECOMMENDED AMENDMENTS:

☒ NONE

☐ CANCELLATION/RELINQUISHMENT

☐ Change P.D. as reflected

☐ Add P.D. as reflected

☐ Change P.U. as reflected

☐ Add P.U. as reflected

☐ OTHER _____

COMMENTS/REMARKS:

☐ SEE ATTACHMENTS/MAPS

Keith C. Wilson

KEITH C. WILSON
SENIOR RESOURCE AGENT

RECEIVED

MAY 24 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

APR 26 1993

Department of Water Resources

Permit No. _____

A. GENERAL INFORMATION

1. Owner: United States of America-Forest Service Phone No. (208) 624-3151

Current Address: 420 North Bridge Srteet P.O. Box 208 St. Anthony, ID. 83445

2. Accompanied by: _____ EXAM DATE : _____

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: _____ tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: _____

2. Other water rights with the same point of diversion: _____

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
									U.S.G.S. Quad Map

2. Place(s) of Use:

Indicate Method of Determination _____

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

RECEIVED
MAY 24 1993

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe I.d. as applicable.

Scale: 1" = _____

____ Copy of USGS 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)

____ Photo of Diversion and System Attached

4. N/A

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

D. FLOW MEASUREMENTS See Memorandum U.S.F.S. Field Exam Ltd Feb 26 1981

1.

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

2. **Measurements:** See Memorandum U.S.F.S. Field Exam Ltd Feb 26 1981

MAY 24 1993

This image shows a single page of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

RECEIVED
MAY 24 1993

F. FLOW CALCULATIONS

Measured Method:

____ Additional Computation Sheets Attached

de minimus Q=

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:

de minimus V=

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Stockwater (S)	_____	_____	_____	_____
Wildlife (W)	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
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

I. AUTHENTICATION

Field Examiner's Name _____ Date _____

Reviewer _____ Date _____

SEAL
MAY 24 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 2, 1992

RE: Permit No. 21-07397

Regional Forester
Targhee National Forest
P.O. Box 208
St. Anthony, ID 83445

Dear Water Right Holder(s):

Enclosed is a copy of your approved Application for Amendment submitted in connection with the above referenced permit.

If you have any questions concerning this document, please feel free to contact us.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Jim Johnson', written over the typed name.

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosure

PAID BY MAIL

JAN 14 1992

State of Idaho
Department of Water Resources

AMENDMENT ANALYSIS SHEET

INITIAL REVIEW BY: ADM

Right Number 21-7397 Applicant Regional Forester - Targhee

Purpose of Amendment: ☒ Change point of diversion. ☐ Add diversion point(s).

☐ Increase amount. ☒ Change place of use. ☒ Other DECREASE Q & AFA

CHECK:

CHANGE PURPOSE
CHANGE PERIOD OF USE (DECREASE)

- ☒ Description of amended point(s) of diversion.
- ☒ Amount, nature and period of use. If increased, delay date of priority.
- ☒ Description of amended places of use. If expanded, delay date of priority.
- ☒ Ownership of point of diversion and place of use.
- ☒ Map.
- ☒ Signature (must be permit holder).
- ☒ Fee.
- ☒ Existing water rights from the same source, amended place of use.
- ☒ Right number(s) None
- ☐ Yes ☒ No Should amendment be advertised?
- ☐ Yes ☒ No Should date of priority be delayed? If yes, to what date? _____

FINAL REGIONAL PROCESSING REVIEW:

- ☐ Affidavit of publication received.
- ☐ Amendment published correctly.
- ☐ Protests processed.
- ☒ Approve.
- ☐ Deny.

Conditions allow source clarification because of small diversion and
location within Forest Service land. 28

By [Signature] Date 11-21-91

STATE OFFICE PROCESSING:

- ☒ Amendment correct and complete. By 28 Date 12-06-91
- ☒ Approved copy sent to applicant and to Region. By BLM Date 1-6-92



RECEIVED

NOV 14 1991

Department of Water Resources
District Office

2540

November 12, 1991

Idaho Department of Water Resources
Eastern Region
150 Shoup Avenue - Suite #15
Idaho Falls, Idaho 83401

Dear Sir:

Enclosed are completed applications with appropriate fees for
Amendments of Permits 21-07397 and 21-07398.

Sincerely,

Kevin H. Greenwood

for:

WALT GROWS
District Ranger

Enclosures

MICROFILMED
JAN 14 1992



RECEIVED
JUL 26 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Fee
Amt. of Fee \$
Date
Receipt No.
Received by

RECEIVED

PROOF OF BENEFICIAL USE

Department of Water Resources

JUL 23 1991

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

1. Permit No. 21-07397 Telephone No. (208) 624-3151

2. Name(s) of Permit Holder(s): USDA - Forest Service

3. Post Office Address: Targhee National Forest, P.O. Box 208, St. Anthony, ID 83445

4. Source of Water: Spring

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

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

5. Extent of Use:

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

Stockwater X (No. and type of stock) Other wildlife

480 cattle

6. Total rate and/or volume for which proof is submitted .02 cfs _____ acre/feet

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

Measuring device: Required? Yes X No Installed? Yes No

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

8. Fee Enclosed: \$ 0 (See License Examination Fee Schedule)

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

Kevin Greenwood (208) 558-7301
Name Telephone No.

Island Park Ranger Station P.O. Box 220 Island Park, ID 83429
Address

10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

USDA - Forest Service

Date

7/18/91

[Signature]

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

GRAY F. REYNOLDS, Regional Forester

JAN 14 1992

August 6, 1991

U.S. DEPT. OF AGRICULTURE
FOREST SERVICE
FEDERAL BLDG.
324 25TH ST.
OGDEN, UT 84401

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 21-07397

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 conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

MAILED

AUG 19 1991

ANALYSIS SHEET
for
PROOF OF BENEFICIAL USE

Permit No. 21-7397

Date 7-31-91

GENERAL CONSIDERATIONS

- ☒ Name same as permit?
☒ Address same as permit? If no, indicate below.
☒ Proof timely received? If no, complete priority advancement below.

SOURCE OF WATER

- ☒ Surface water source
☐ Ground water source
☒ Drill permit req'd?
☐ Copy in file? Drill permit no. _____
☐ Amt paid for drilling permit? _____ Correct?
☐ Well log in file?

LICENSE EXAMINATION FEE

- ☒ Required?
☐ Amount submitted?
☐ Correct amount?

MEASURING DEVICE

- ☒ Measuring device or access port required?
☐ Installed?
☐ Waiver requested or needed?

DEFICIENCIES OR ACTION ITEMS

Proof acceptable

PRIORITY CALCULATION

Date proof received	<u>NA</u>	
Date proof due	<u>/</u>	-
No. of days late	<u>/</u>	=
Priority date	<u>/</u>	+
NEW PRIORITY DATE	<u>/</u>	=

LB

RECEIVED
JUL 26 1991

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

Department of Water Resources

Amt. of Fee \$
Date
Receipt No.
Received by

RECEIVED

JUL 23 1991

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

1. Permit No. 21-07397 Telephone No. (208)624-3151

2. Name(s) of Permit Holder(s): USDA - Forest Service

3. Post Office Address: Targhee National Forest, P.O. Box 208, St. Anthony, ID 83445

4. Source of Water: Spring

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

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

5. Extent of Use:

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

Stockwater X (No. and type of stock) Other wildlife

480 cattle

6. Total rate and/or volume for which proof is submitted .02 cfs _____ acre/feet

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

Measuring device: Required? Yes X No Installed? Yes No

OR

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

8. Fee Enclosed: \$ 0 (See License Examination Fee Schedule)

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

Kevin Greenwood (208) 558-7301
Name Telephone No.

Island Park Ranger Station P.O. Box 220 Island Park, ID 83429
Address

10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

USDA - Forest Service

7/18/91
Date

Gray F. Reynolds
(Signature)

(for) GRAY F. REYNOLDS, Regional Forester

AUG 19 1991



United States
Department of
Agriculture

Forest
Service

Targhee
National
Forest

P.O. Box 208
St. Anthony, ID 83445

Department of Water Resources
Eastern District Office

DWZ
RECEIVED

JUL 23 1991

2540

July 17, 1991

Mr. Harold Jones
Department of Water Resources
Eastern District Office
150 Shoup, Suite 15
Idaho Falls, Idaho 83402

Dear Mr. Jones:

Please find attached Proof of a Beneficial Use for Permit number 21-07397. If you have any questions contact Mark Moulton at this office.

Sincerely,

James L. Caswell
JAMES L. CASWELL
Forest Supervisor

Enclosures



Caring for the Land and Serving People

MAILED

AUG 19 1991

FS-6200-28 (7-82)

138595

May 31, 1991

U.S. DEPT. OF AGRICULTURE
FOREST SERVICE
FEDERAL BLDG.
324 25TH ST.
OGDEN, UT 84401

PROOF DUE NOTICE

RE: PERMIT NO. 21-07397

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 August 1, 1991. (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

cc: St. Anthony Office

AUG 19 1991

August 14, 1990

U.S. Forest Service
P. O. Box 208
St. Anthony, ID 83445

Gentlemen:

Re: Permit No. 21-7397

Enclosed is a copy of the approved request for extension of time.
The time within which to submit proof of beneficial use is extended to
August 1, 1991.

If you have any questions, please feel free to contact this office.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

RECEIVED
AUG 15 1990

1/18 11 00 AM

STAFF REVIEW SHEET - EXTENSION OF TIME

Permit No. 21-7397

Reviewed by [Signature]

Date 8-6-90

BASIC INFORMATION

- y Date stamp received
y Extension received timely (not too early not too late)
y Fee received and receipted
y Name and signature same as permit
N Address change

BASIS FOR EXTENSION REQUEST

- Has adequate work been completed to demonstrate due diligence?
 Has the cost incurred been adequate to demonstrate an intent to complete the project?
 Has the permit been involved in litigation?
 a. Swan Falls _____ Dismissed from Swan Falls _____
 Other _____ Identify _____
 b. Is supporting documentation needed to complete the file? _____
 Requested _____
 c. Calculate the period of delay

Date litigation completed _____

Date litigation began _____

Total period of delay = _____

Present proof due date + _____

NEW PROOF DUE DATE = _____

- y Is delay by a government agency?
 Is supporting documentation needed to complete the file? _____
 Requested? _____

ACTION TAKEN Recommend approval for one year

Reinstate Date extension received _____ = _____
 Proof due date _____ = _____
 No. of days late _____ = _____
 Priority date _____ = + _____
 ADJUSTED PRIORITY DATE _____ = _____

DATE ENTRY

- ✓ Change proof due date _____ Address change
 Priority date change _____

FROM H.W. Jones - IDWR - Id Falls

DATE 6-25-90

TO Mark Moulton - USFS

SUBJECT 15 Fee For ext. of Time

Attached is the Ext. of time request we discussed in early June. I still need the \$15 Fee before I can send it off to Boise for consideration. Please give me a call if you have any questions

FILED

AUG 31 1990

H.W. Jones

SIGNATURE



United States
Department of
Agriculture

Forest
Service

Targhee
National
Forest

P.O. Box 208
St. Anthony, ID 83445

RECEIVED

JUN 5 1990

Department of Water Resources
Eastern District Office

2540

RECEIVED

June 1, 1990

JUL 6 1990

Department of Water Resources
Eastern District Office

Mr. Harold Jones
Department of Water Resources
Eastern District Office
150 Shoup, Suite 15
Idaho Falls, Idaho 83402

Dear Mr. Jones:

Please find attached Proof of a Beneficial Use for Permit number 21-07398, and a Request for Extension of Time for Permit 21-07397.

If you have any questions contact Mark Moulton at this office.

Sincerely,

for Bryant Christensen
JAMES L. CASWELL
Forest Supervisor

Enclosures

MICROFILMED

AUG 31 1990

Caring for the Land and Serving People



FS-6200-28(7-82)

138744
May 31, 1990

U.S. DEPT. OF AGRICULTURE
FOREST SERVICE
FEDERAL BLDG.
324 25TH ST.
OGDEN, UT 84401

PROOF DUE NOTICE
RE: PERMIT NO. 21-07397

Dear Permit Holder:

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SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

MICROFILMED
AUG 31 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 334-7900
July 14, 1989

U.S. DEPT. OF AGRICULTURE
FOREST SERVICE
FEDERAL BLDG.
324 25TH ST.
OGDEN, UT 84401

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 21-07397

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.

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. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

MICROFILMED

AUG 02 1989

CMForm No. 202a
4/87STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY CM DATE 12/30/88 APPLICATION NUMBER 217397
USFSREQUIRED 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 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 JUN 22 1989

Department of Water Resources

PROCESSING

- ☒ Yes ☒ No Inform 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 3-6-89 4-24-89
☒ 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 12-20-88 12-19-1988
By HWJ Date 6-20-89

STATE OFFICE REVIEW PI6 05(01, Snake River) 48 49
By KW ☐ See below for additional information
Date 7-12-89

ADDITIONAL INFORMATION

App. in NON-TRUST area-

March 29, 1989

U.S. Forest Service
P.O. Box 208
St. Anthony, ID 83445

Application for Permit No. 21-7397

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. The application has been assigned the above identification No. Please refer to this number in all further correspondence.

This office is currently in the process of advertising the application in the Herald Chronicle. 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,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

RECEIVED

AUG 02 1989



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

Idaho Falls, Idaho 83402
(208) 525-7161

MARCH 29, 1989

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 24, 1989.

Yours truly,

Rita Bodell
Secretary

Encl.

MICROFILMED

AUG 02 1989

NOTICE OF APPLICATION FOR WATER RIGHT

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

MICROFILMED

AUG 02 1989

21-07397

U.S. DEPT. OF AGRI.
FOREST SERVICE
FEDERAL BLDG.
324 25TH ST.
OGDEN, UT 84401

Source: DUCK CREEK

Tributary: HENRY'S LAKE

Diversion Pt: SESENE Sec 23 T 15N R 42E

Use: STOCKWATER STORAGE (.10 AF)
DIVERSION TO STORAGE (.050 CFS)

Date Filed: 12/20/1988

In: T15N R42E S23 SENE

MICROFILMED

AUG 02 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 APRIL 24, 1989.

R. Keith Higginson, Director

Published 4/06/1989 & 4/13/1989

MICROFILMED

AUG 02 1989



United States
Department of
Agriculture

Forest
Service

Targhee
National
Forest

P.O. Box 208
St. Anthony, ID 83445

2540

JUN 22 1989

February 14, 1989

Department of Water Resources

Mr. Ernest Carlsen
Department of Water Resources
Eastern District Office
150 Shoup, Suite 15
Idaho Falls, Idaho 83402

RECEIVED

FEB 22 1989

Department of Water Resources
Eastern District Office

Dear Mr. Carlsen:

Please find attached two Applications for Permit, identification numbers 21-7397 and 21-7398. These applications had previously been sent to you under the wrong signature. No other changes have been made to the applications other than to correct the signature. Please continue processing these applications and destroy our previous submittal.

If you have any questions concerning this matter contact Mark Moulton of this office.

Sincerely,

JOHN E. BURNS
Forest Supervisor

cc: Regional Forester, R-4
cc: District Ranger, Island Park Ranger District

Enclosures

MICROFILMED

AUG 02 1989



February 13, 1989

U.S.A. Forest Service
P.O. Box 208
St. Anthony, ID 83445

Application for Permit No. 21-07397

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. 21-07397. Please refer to this number in all further correspondence.

This office is currently in the process of advertising the application in the Herald-Chronicle. 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,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

MICROFILMED

AUG 02 1989

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

Idaho Falls, Idaho 83402
(208) 525-7161

FEBRUARY 8, 1989

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 MARCH 6, 1989.

Yours truly,

Rita Bodell
Secretary

Encl.

MICROFILMED

AUG 02 1989

NOTICE OF APPLICATION FOR WATER RIGHT

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

MICROFILMED

AUG 02 1989

21-07397

U.S. DEPT. OF AGRI.
FOREST SERVICE
FEDERAL BLDG.
324 25TH ST.
OGDEN, UT 84401

Source: DUCK CREEK

Tributary: HENRY'S LAKE

Diversion Pt: SESENE Sec 23 T 15N R 42E

Use: STOCKWATER STORAGE (.10 AF)
 DIVERSION TO STORAGE (.050 CFS)

Date Filed: 12/20/1988

In: T15N R42E S23 NENE

MICROFILMED

AUG 02 1989

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R. Keith Higginson, Director

Published 2/16/1989 & 2/23/1989

MICROFILMED

AUG 02 1989

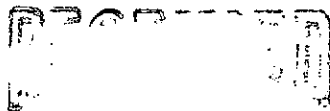
United States
Department of
Agriculture



Forest
Service

Island Park
Ranger
Station

P.O. Box 220
Island Park
Idaho 83429



DEC 14 1988

Department of Water Resources
Eastern District Office

2540

Water Right Application

December 15, 1988

Mr. Ronald D. Carlson
Idaho Department of Water Resource
150 Shoup Ave. Suite 15
Idaho Falls, Idaho 83401

Dear Mr. Carlson:

Enclosed are two Application For Permit to appropriate the public waters of the State of Idaho by the United States of America - Forest Service. The Application Fee of \$60.00 (\$30.00 each) is enclosed.

If you have any questions or need further information, please contact Leonard Lake at the Island Park Ranger Station (208)558-7301.

Sincerely,

Kevin R. Schulkoski

KEVIN R. SCHULKOSKI
Acting District Ranger

Enclosures (2)

MICROFILMED

AUG 02 1989

