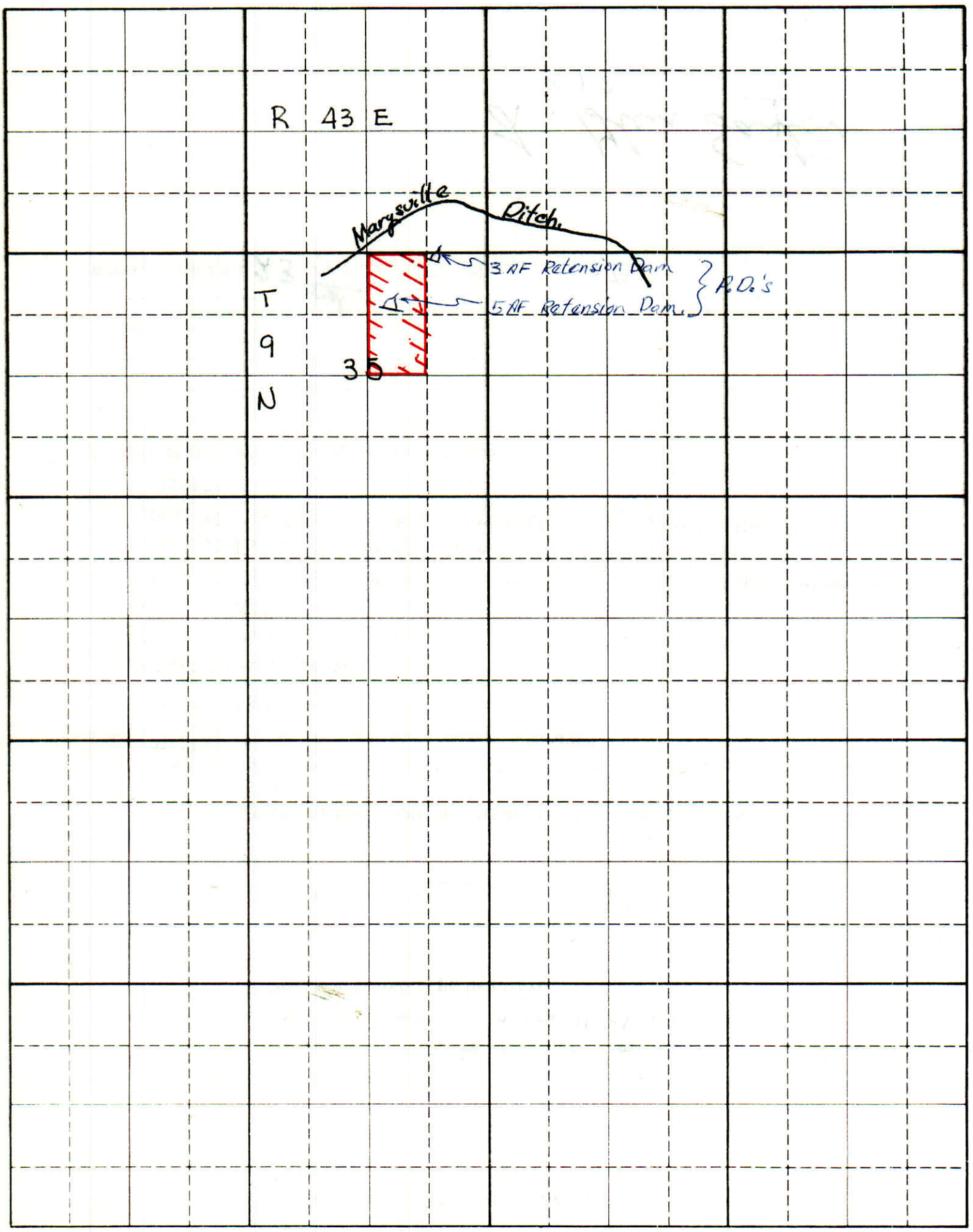
11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

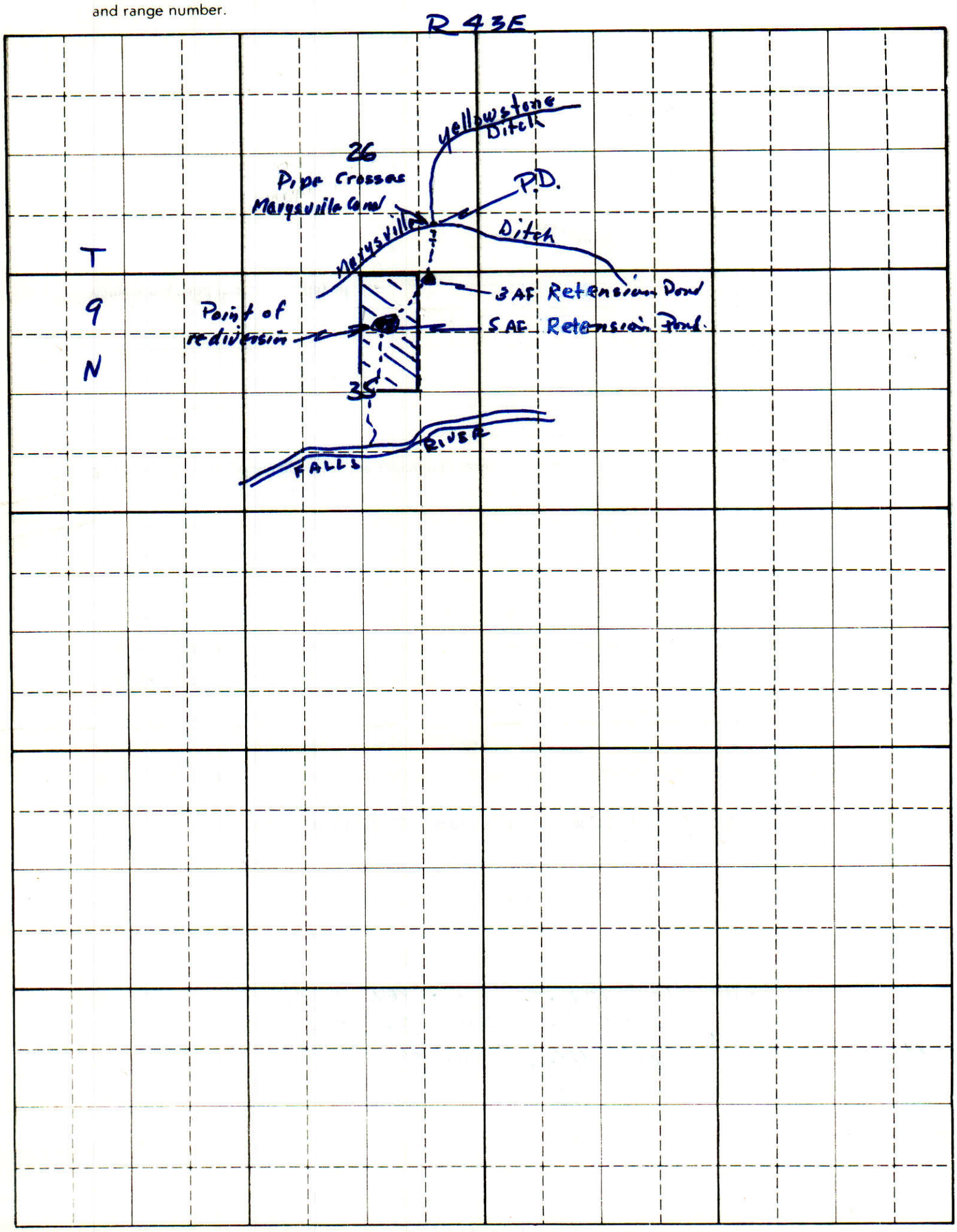


Scale: 2 inches equal 1 mile

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

Clem P Ackley
(Applicant)
TREAS Flying A Ranch INC

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



Scale: 2 inches equal 1 mile

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

Clen P Atchley

(Applicant) CLEN P. ATCHLEY, Treasurer
Flying A Ranch, Inc.

Form 219
6/86

RECEIVED
JAN 3 1 1994
Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 21-7136

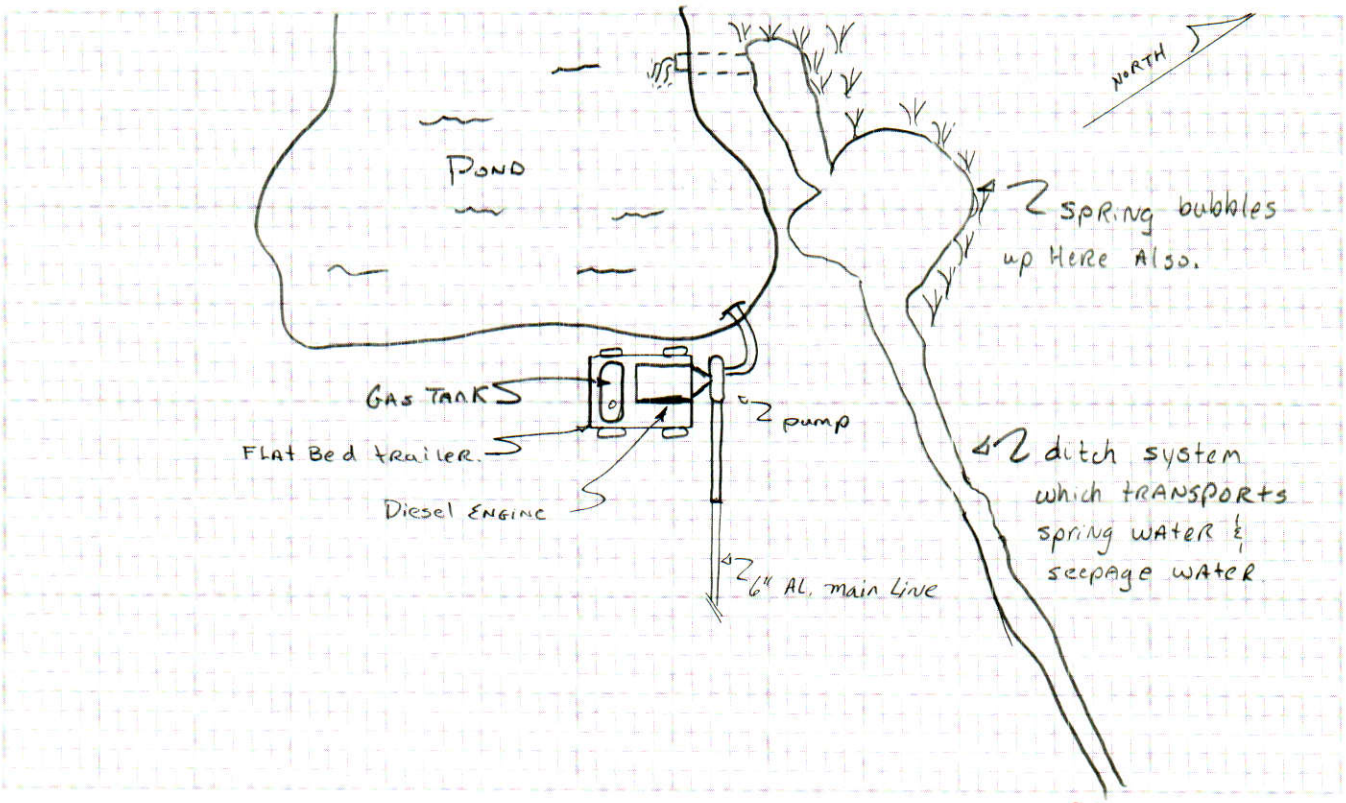
1. Owner: Flying A. Ranch Inc. Phone No. 652-3560
   Current Address: Box 9A Rt #1 Ashton, Idaho
2. Accompanied by: Clen Atchley EXAM. DATE: 8-11-88
   Address: SAME AS ABOVE Phone No.
   Relationship to Permit Holder: OWNER
3. Source: Springs & seepage water tributary to SINKS

B. OVERLAP REVIEW

1. Other water rights with same place of use: ~~No~~ Marysville Canal Shares
   ☐ Copies Attached
2. Other water rights with same point of diversion: NO
   ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

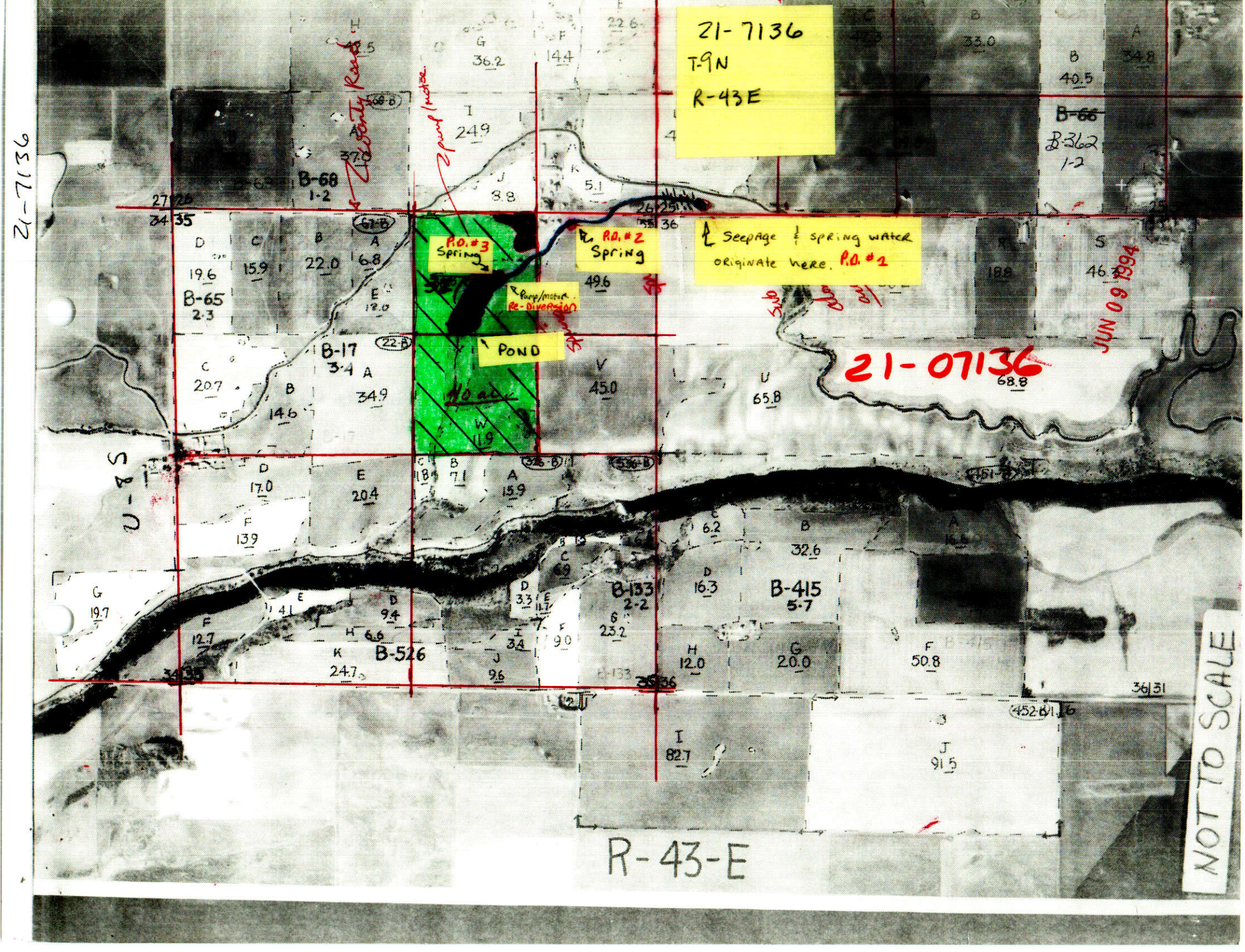
1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached

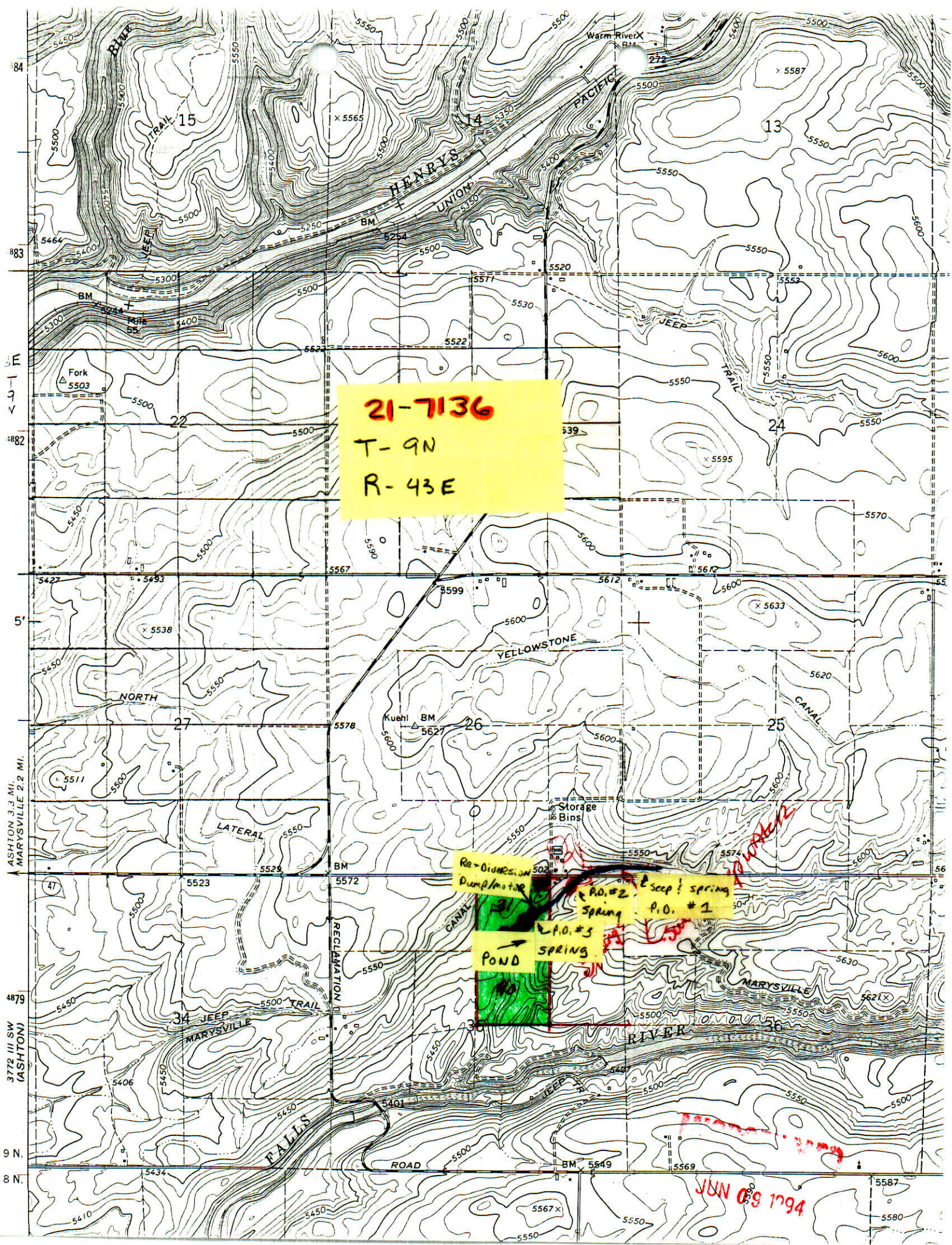


Scale: X" = _____.

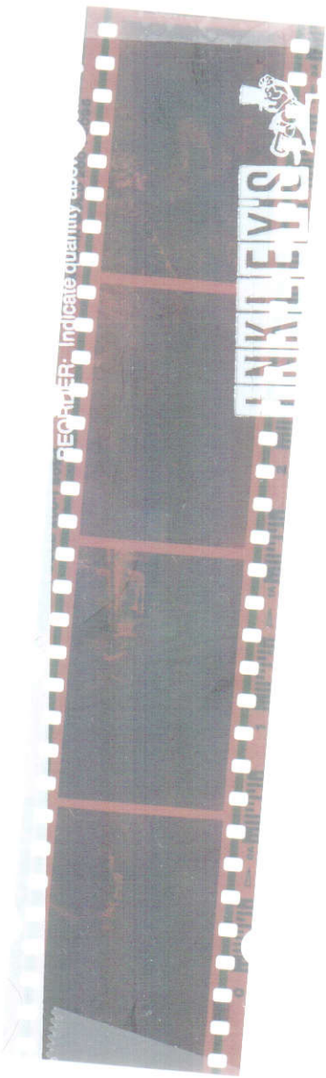
2. ☒ Copy of U.S.G.S. Quadrangle Attached
   Showing location(s) of point(s) of diversion and place(s) of use (required).
   ☒ Aerial Photo Attached
   (required for irrigation of 10 acres or more).
   ☒ Photo of Diversion and System Attached
   (required for all but single household domestic groundwater,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

JUN 09 1994


21-7136
T-9N
R-43E
Zaxby Road
Ground water
P.O. #3 Spring
P.O. #2 Spring
Seepage & spring water originate here. P.O. #1
Pump/motor Re-Diversion
POND
40 ac
21-07136
JUN 09 1994
B-60 1-2
B-65 2-3
B-17 3-4
B-133 2-2
B-415 5-7
B-526
B-66
B-362 1-2
NOT TO SCALE
R-43-E


21-7136
T-9N
R-43E
Re-Diversion Pump/motor
P.D. #2 Spring
Seep & spring P.D. #1
P.D. #3 SPRING
POND
Storage Bins
Warm River
Kuehl BM 5627
BM 5572
BM 5254
BM 5549
Fork 5503
HENRYS
PACIFIC
UNION
YELLOWSTONE
NORTH
CANAL
LATERAL
RECLAMATION
MARYSVILLE
RIVER
FALLS
ROAD
JEEP TRAIL
ASHTON 3.3 MI.
MARYSVILLE 2.2 MI.
3772 III SW (ASHTON)
JUN 09 1994

21-7136



JUN 09 1994

AFFIDAVIT OF PUBLICATION

State of Idaho } ss.
County of Fremont }

Carol Benson

being first duly sworn, upon ~~his~~ her oath, deposes and says:

That he is the Editor of The Ashton Herald, a newspaper as defined by Idaho Codes Annotated, section 58-106, as amended, and that said newspaper is a weekly newspaper printed and published at St. Anthony, in Fremont County, Idaho, having a general circulation in said county, and that said newspaper has been printed and published as a weekly newspaper in said county for more than 78 consecutive weeks prior to the first publication of the attached notice, advertisement or publication of Notice of Amended Application for Water Permit (Flying A Ranch)

And affiant further says that said notice, advertisement of publication, as per clipping attached, was published in said newspaper, in the regular and entire issue thereof, and not in any supplement issue thereof, for 2 consecutive issues thereof; first publication having been made on the 8 day of September, 19 77, and the last publication on the 15 day of September 19 77.

And affiant further says that at the times herein mentioned said newspaper was made up of at least four pages of at least five columns each, printed from type matter, of at least seventeen and three-fourths inches deep.

Carol Benson

Subscribed in my presence and sworn to before me this 20 day of September, 19 77

James E. Holcomb

[SEAL] Notary Public for the State of Idaho, residence and post office address: ~~St. Anthony~~, Idaho. Ashton

NOTICE OF AMENDED APPLICATION FOR WATER PERMIT

Notice is hereby given that application for permit No. 21-7136 in the name of Flying A Ranch, Inc. was filed for the diversion of 1.00 c.f.s. of water from waste water from Yellowstone Ditch tributary to Marysville Canal and Falls River, with point of diversion within the SE¼SE¼, Sec. 26, T. 9N, R. 43E, B.M., Fremont County. The water will be rediverted from a retention pond within the NW¼NE¼, Sec. 35, T. 9N, R. 43E; to be used from Apr. 1 to Oct. 15 for the irrigation of 80 acres within the W½NE¼, Sec. 35, T. 9N, R. 43E, B.M.

The applicant now proposes to amend application No. 21-7136 changing the source to springs and seepage water tributary to sinks with points of diversion located within the NE¼NE¼, NW¼NE¼, Sec. 35, T. 9N, R. 43E, B.M., Fremont County.

Any protest to the proposed amending of the application must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401, on or before September 26, 1977.

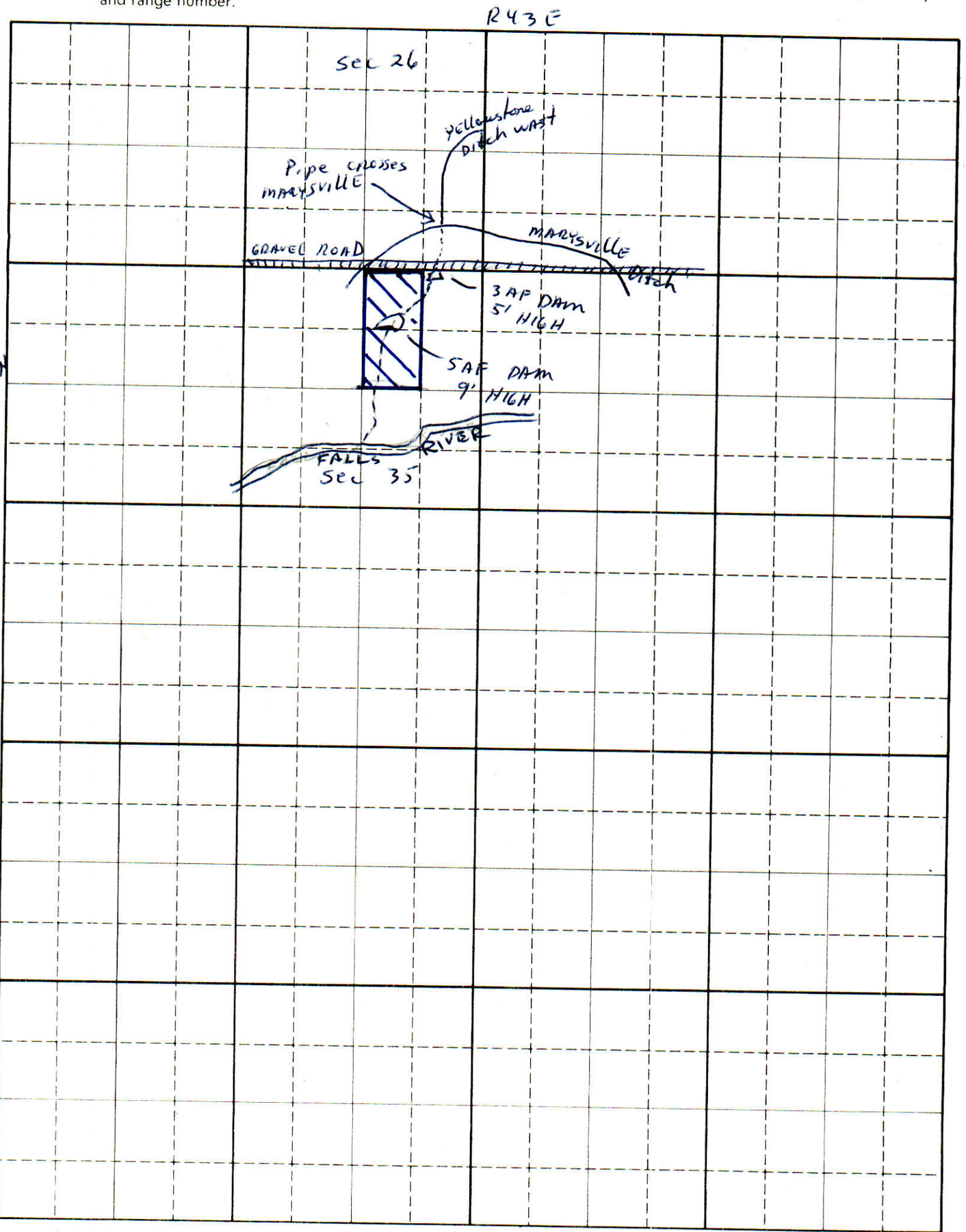
C. STEPHEN ALLRED
Director

Published in the Ashton Herald, Ashton, Idaho, on September 8 and September 15, 1977.

RECEIVED
SEP 21 1977
Department of Water Resources
Eastern District Office

MICROFILMED

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



Scale: 2 inches equal 1 mile

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

Clem P Ackley TREASURER
(Applicant)
Flying A Ranch Inc

AFFIDAVIT OF PUBLICATION

State of Idaho } ss.
County of Fremont }

Carol Bessey

being first duly sworn, upon ~~his~~ her oath, deposes and says:

That she is the editor of The Ashton Herald, a newspaper as defined by Idaho Codes Annotated, section 58-106, as amended, and that said newspaper is a weekly newspaper printed and published at St. Anthony, in Fremont County, Idaho, having a general circulation in said county, and that said newspaper has been printed and published as a weekly newspaper in said county for more than 78 consecutive weeks prior to the first publication of the attached notice, advertisement or publication of Notice of Application for Water Permit #21-7136 (Flying A Ranch)

And affiant further says that said notice, advertisement of publication, as per clipping attached, was published in said newspaper, in the regular and entire issue thereof, and not in any supplement issue thereof, for 2 consecutive issues thereof; first publication having been made on the 11 day of August, 19 77, and the last publication on the 18 day of August 19 77.

And affiant further says that at the times herein mentioned said newspaper was made up of at least four pages of at least five columns each, printed from type matter, of at least seventeen and three-fourths inches deep.

Carol Bessey

Subscribed in my presence and sworn to before me this 23rd day of August, 19 77

[illegible]

[SEAL] Notary Public for the State of Idaho, residence and post office address: ~~St. Anthony, Idaho.~~ Ashton

RECEIVED
AUG 31 1977
Department of Water Resources
Eastern District Office

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Flying A. Ranch, Inc., Ashton, Idaho has on 7-29-77 submitted Application No. 21-7136 for a permit to appropriate 1.00 cubic feet per second of water from waste water from Yellowstone Ditch tributary to Marysville Canal and Fall River by means of pipeline, ditch and two retention ponds within the SE¼SE¼, Sec. 26, T. 9N, R. 43E, B.M. The water will be rediverted from a retention pond within the NW¼NE¼, Sec. 35, T. 9N, R. 43E, B.M.; to be used from Apr. 1 to Oct. 15 for the irrigation of 80 acres within the W½NE¼, Sec. 35, T. 9N, R. 43E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before August 29, 1977.

C. STEPHEN ALLRED
Director

Published in the Ashton Herald, Ashton, Idaho on August 11 and August 18, 1977

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 21-07136

Priority: August 26, 1977 — Maximum Diversion Rate: 0.53 CFS; Maximum Diversion Volume: 193.4 AF

This is to certify, that FLYING A RANCH INC
RT 1 BOX 9A
ASHTON ID 83420 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated August 26, 1977; and has submitted Proof of Beneficial Use on July 27, 1982. An examination indicates that the works have a diversion capacity of .530 cfs of water from:

SPRINGS	tributary to	**SINKS**
WASTE WATER	tributary to	**SINKS**

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

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
IRRIGATION	04/15 to 10/15	0.53 CFS	193.4 AF

LOCATION OF POINT(S) OF DIVERSION:
SWSWSW , Sec. 25, Township 09N, Range 43E
NWNENE , Sec. 35, Township 09N, Range 43E
SENWNE , Sec. 35, Township 09N, Range 43E
FREMONT County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES	ACRES	TOTAL
09N	43E	35	NWNE	31	SWNE	40		71

Total number of acres irrigated: 71

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 that 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. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.

JUN 09 1994

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 21-07136

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 30TH day of April, 1994.

Acting for R. Keith Higginson, Director

JUN 09 1994

APPROVED

State of Idaho
Department of Water Resources

RECEIVED
APR 2 1 1994
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 21-07136

Date of Priority: August 26, 1977

Maximum Diversion Rate: 0.53 CFS
Maximum Diversion Volume: 193.4 AF

Comes now FLYING A RANCH INC
RT 1 BOX 9A
ASHTON ID 83420 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. 21-07136, and requests that the permit be changed as follows:

Source: **SPRINGS** tributary to **SINKS**
Source: **WASTE WATER** tributary to **SINKS**

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
IRRIGATION	04/15 to 10/15	0.53 CFS	193.4 AF

LOCATION OF POINT(S) OF DIVERSION: SWSWSW , Sec. 25, Township 09N, Range 43E
NWNENE , Sec. 35, Township 09N, Range 43E
SENWNE , Sec. 35, Township 09N, Range 43E
FREMONT County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES	ACRES	TOTAL
09N	43E	35	NWNE	31	SWNE	40		71

Total number of acres irrigated: 71

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

Signed at Ashton IDA, this 19 day of April, 1994.

Clan P Atkin
(Signature)

JUN 09 1994

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 21-07136

****

FOR DEPARTMENT USE ONLY

Preliminary check by BC Fee = 20.00 Receipted by dw # C030122 Date 4/21/94 ✓

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 21-07136 with the following;

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 that 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. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.

Witness my hand this 30th day of April, 1994.

Acting for R. Keith Higginson, Director

JUN 09 1994

4/86 RECEIVED

FEB 20 1987

Department of Water Resources
Eastern District Office

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

EXAMINATION FEE INFORMATION

For Office Use Only
Fee Received 50.00
Date 2-20-87
Receipt # 41071
Receipt by MM
Sent to S.O. _____

RECEIVED

MAR 17 1987

Department of Water Resources

1. Permit No. 21 7136

ONE OF THE FOLLOWING BOXES SHOULD BE MARKED TO DESIGNATE YOUR CHOICE:

☒ I choose to have the department make the field examination of this permit; attached is the examination fee. (If this box is marked, complete items 1 thru 8.)

2. Permit Holder: Flying A Ranch Inc

3. Post Office Address: Box 9A RT #1 Ashton IDAHO 83420 Telephone No. 652-3560

4. Source of Water: Springs & Seepage water

5. Extent of Use:

Domestic _____(No. of households) Stockwater_____(No. and type of stock)

Irrigation 80 (acres) Other/Remark _____

6. Total rate &/or volume for which proof is submitted _____cfs allow up to 0.2 cfs SSV 2/23/87 5-20 acre-feet

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

July 1978

8. Person to contact to accompany the department representative during the field examination:

CLEN Atchley
(Name)

Box 9A Rock #1 Ashton IDAHO 83420 652-3560
(Address) (Telephone Number)

☐ I choose to have the field examination conducted by a certified water right examiner. Attached is a statement from the certified examiner I have selected verifying that he has been retained to conduct the examination. (If this box is marked, complete items 1 thru 7.)

Feb. 19, 1987 Clen Atchley TREASURER
Date Signature of Permit Holder (and title, if appropriate)

JUN 09 1994 cofpermit

State of Idaho

Department of Water Resources

LICENSE EXAMINATION FEE SCHEDULE

(c.f.s. = cubic feet per second
AF = acre feet)

c.f.s.	AF	Fee
0 - 0.04	0 - 4	$ 0
.05 - 0.20	5 - 20	50.00
.21 - 1.0	21 - 100	100.00
1.01 - 2.0	101 - 200	125.00
2.01 - 3.0	201 - 300	150.00
3.01 - 4.0	301 - 400	175.00
4.01 - 5.0	401 - 500	200.00
5.01 - 6.0	501 - 600	225.00
6.01 - 7.0	601 - 700	250.00
7.01 - 8.0	701 - 800	275.00
8.01 - 9.0	801 - 900	300.00
9.01 - 10.0	901 - 1000	325.00
10.01 - 11.0	1001 - 1100	350.00
11.01 - 12.0	1101 - 1200	375.00
12.01 - 13.0	1201 - 1300	400.00
13.01 - 14.0	1301 - 1400	425.00
14.01 - 15.0	1401 - 1500	450.00
15.01 - 16.0	1501 - 1600	475.00
16.01 - 17.0	1601 - 1700	500.00
17.01 - 18.0	1701 - 1800	525.00
18.01 - 19.0	1801 - 1900	550.00
19.01 - 20.0	1901 - 2000	575.00
20.01 & over	2001 & over	600.00

Checks should be made payable to the
Department of Water Resources

No fee is required for single family
domestic use or stockwater use.

Identification No. 21 7136

Application No. _____

AMENDED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED

APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho

(TYPE OR PRINT IN INK)

1. Name of applicant Flying A. Ranch, Inc. Phone: 652-3560/3386
   post office address Box 9-A, Rt. #1, Ashton, ID 83420
2. Source of water supply springs & seepage water which is a tributary of sinks
3. a. Location of point of diversion is NE ¼ of NE ¼ of Section 35 Township 9N
   Range 43E B.M. Fremont County; additional points of diversion if any: _____
   NW¼NE¼, Sec. 35, T. 9N, R. 43E, B.M.

   b. If water is not consumed, it will be discharged into _____ at a point in _____ ¼
   of _____ ¼ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
   Amount 1.00 (cfs or acre-feet per annum) for irrigation purpose from Apr. 1 to Nov. 1 (both dates inclusive)
   Amount _____ (cfs or acre-feet per annum) for _____ purpose from _____ to _____ (both dates inclusive)
   Amount _____ (cfs or acre-feet per annum) for _____ purpose from _____ to _____ (both dates inclusive)
5. Total quantity to be appropriated:
   a. 1.00 cubic feet per second and/or
   b. _____ acre feet per annum.
6. Proposed diverting works:
   a. Description of ditches, flumes, pumps, headgates, etc. 8" pipeline and ditch to two retention ponds, one of 3 AF and one of 5 AF capacity, pump and sprinkler system
   b. Height of storage dam 5 & 9' feet, active reservoir capacity 3 & 5 acre feet; total reservoir capacity 8 acre feet, materials used in storage dam: clay
   Period of year during which storage will occur _____ (Mo. Day) to _____ (Mo. Day) inclusive.
   c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years.
   b. Estimated construction cost is $ 3,000.00 .
8. Description of proposed uses:
   a. If water is **not** for irrigation:
   (1) Give the place of use of water: _____ ¼ of _____ ¼ of Section _____ Township _____
   Range _____ B.M.
   (2) Amount of power to be generated: _____ hp under _____ feet of head.
   (3) List number of each kind of livestock to be watered _____
   (4) Name of municipality to be served _____ or number of families to be supplied with domestic water _____.
   (5) If water is to be used for other purposes describe: _____

MICROFILMED

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

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
9N	43E	35		40	40														80

Total number of acres to be irrigated 80

c. Describe any other water rights used for the same purposes as described above.
40 shares Marysville Ditch water

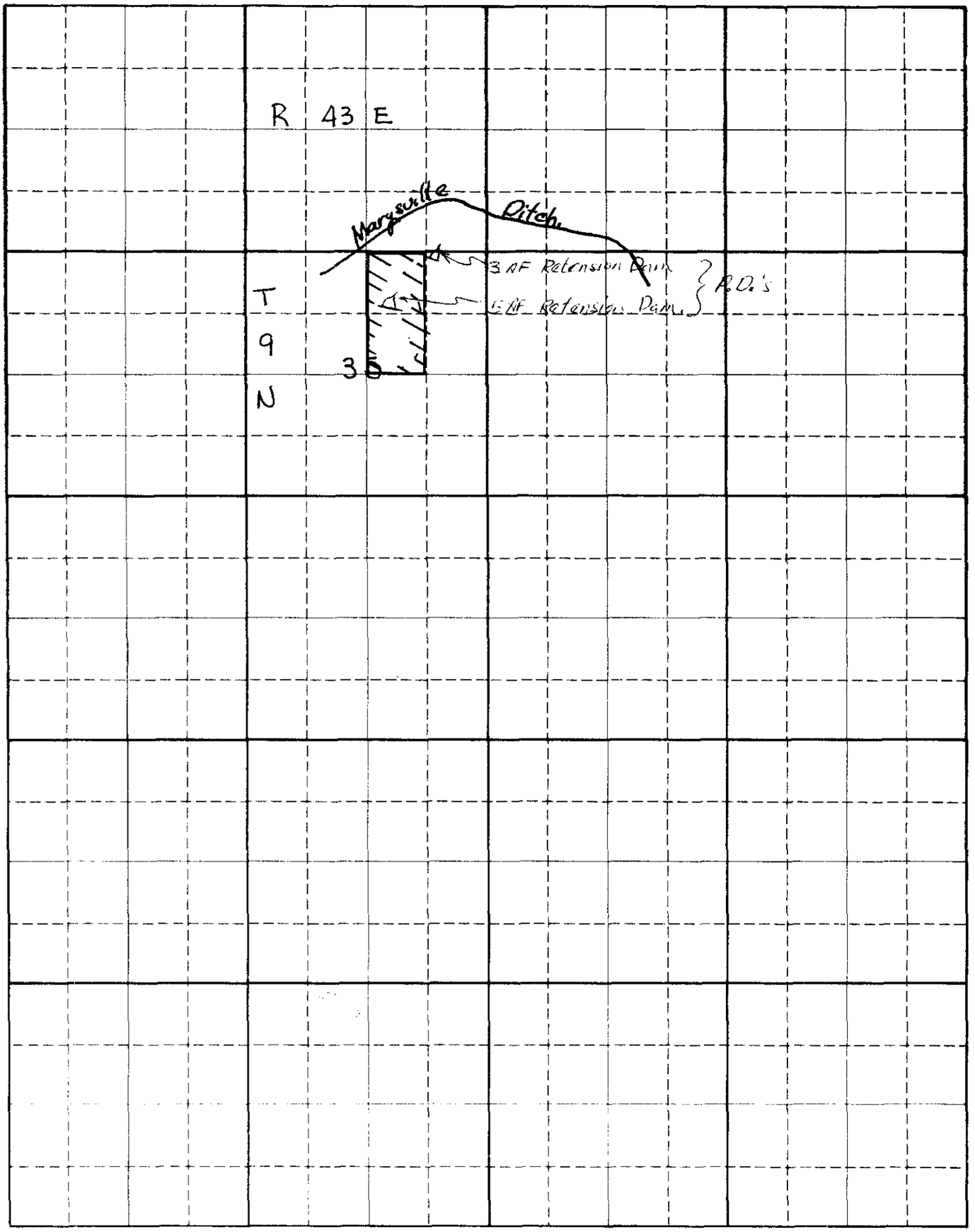
9. a. Who owns the property at the point of diversion Applicant

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

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks

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



Scale: 2 inches equal 1 mile

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

Clem P Ackley
(Applicant)
TREAS Flying A Ranch INC

Proposed Priority 7/29/77

Received by CW Date 8-26-77 Time 11:30 Amended

Preliminary check by EMC Fee $ 10.00

Receipted by CW Date 8-26-77 #8543

Publication prepared by CW Date 8-29-77

Published in Ashton Herald

Publication dates Sept 8 & 15-1977

Publication approved Yes Date 9-21-77

Priority reduced to _____ Reason _____

Protests filed by: Protests against original app. withdrawn as a result of filing this amended application.

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by Jim

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. 21-7136, 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 November 1, 19 84.

   c. Other: (1) An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

2. Denial of said application is for the following reasons: _____

Witness my hand this 23rd day of November 19 79.

L. Glen Saxton

Director

Identification No. 21 7136

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

(TYPE OR PRINT IN INK)

1. Name of applicant Flying A. Ranch, Inc. Phone: 652-3560/3386
   post office address Box 9-A, Route #1, Ashton, Idaho 83420
2. Source of water supply waste water from Yellowstone Ditch which is a tributary of ~~Marysville Canal &~~ Falls River
3. a. Location of point of diversion is SE ¼ of SE ¼ of Section 26 Township 9N
   Range 43E B.M Fremont County; additional points of diversion if any: _____
   To be rediverted from a retention pond within the NW¼NE¼, Sec. 35, T. 9N,
   R. 43E, B.M.

   b. If water is not consumed, it will be discharged into _____ at a point in _____ ¼
   of _____ ¼ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
   Amount 1.00 (cfs or acre-feet per annum) for Irrigation purpose from Apr. 1 to Oct. 15 (both dates inclusive)
   Amount _____ (cfs or acre-feet per annum) for _____ purpose from _____ to _____ (both dates inclusive)
   Amount _____ (cfs or acre-feet per annum) for _____ purpose from _____ to _____ (both dates inclusive)
5. Total quantity to be appropriated:
   a. 1.00 cubic feet per second and/or
   b. _____ acre feet per annum.
6. Proposed diverting works:
   a. Description of ditches, flumes, pumps, headgates, etc. 8" pipeline and ditch to two retention ponds, one of 3af and one of 5 af capacity.

   b. Height of storage dam 5 & 9' feet, active reservoir capacity 3 & 5 acre feet; total reservoir capacity 8 acre feet, materials used in storage dam: clay
   Period of year during which storage will occur Apr. 1 (Mo. Day) to Oct. 15 (Mo. Day) inclusive.
   c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years.
   b. Estimated construction cost is $ 3,000.00 .
8. Description of proposed uses:
   a. If water is **not** for irrigation:
      (1) Give the place of use of water: _____ ¼ of _____ ¼ of Section _____ Township _____
      Range _____ B.M.
      (2) Amount of power to be generated: _____ hp under _____ feet of head.
      (3) List number of each kind of livestock to be watered _____

      (4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____.
      (5) If water is to be used for other purposes describe: _____

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

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
9N	43E	35		40	40														80

Total number of acres to be irrigated 80

c. Describe any other water rights used for the same purposes as described above.
40 shares Marysville Ditch water

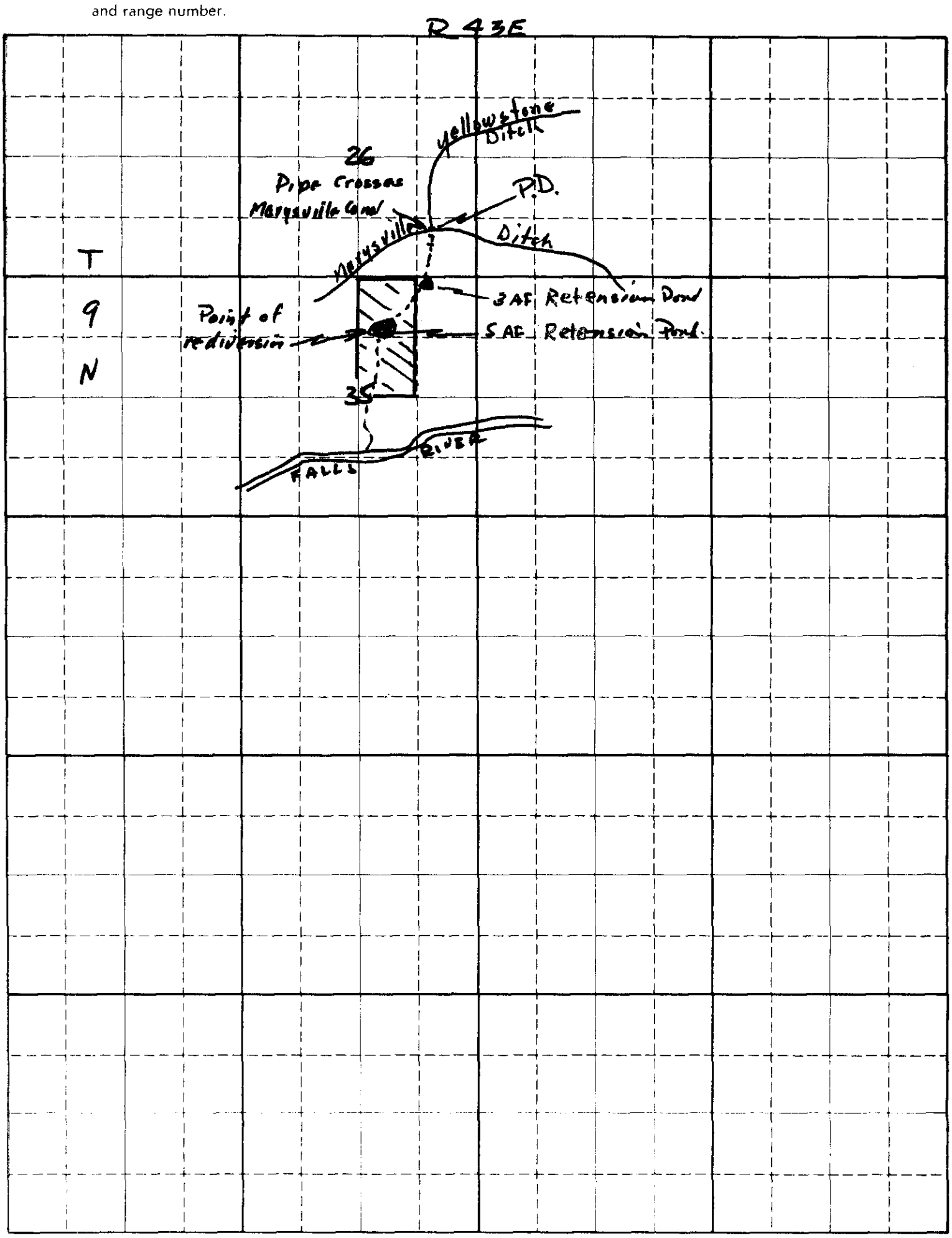
9. a. Who owns the property at the point of diversion Applicant

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

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks

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



Scale: 2 inches equal 1 mile

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

Clen P Atchley

(Applicant) CLEN P. ATCHLEY, Treasurer
Flying A Ranch, Inc.

Received by CW Date 7-29-77 Time 11:15 A 8-08-77 9:40 A

Preliminary check by ~~TAF~~ Fee $25.00

Receipted by CW Date 8-03-77 #836

Publication prepared by CW Date 8-05-77

Published in Ashton Herald

Publication dates Aug. 11 + 18-1977

Publication approved Me Date August 31, 1977

Priority reduced to _____ Reason _____

Protests filed by: ~~Hallad J. Hunsaker + Don Gerry Gordon Harold Thom, Larry Hansen, Ivy Stephenson~~ PROTEST'S WITHDRAWN

Copies of protests forwarded by cd

Hearing held by _____ Date _____

Recommended for approval denial by _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

   a. SUBJECT TO ALL PRIOR WATER RIGHTS.

   b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19____.

   c. Other: _____

2. Denial of said application is for the following reasons: _____

Witness my hand this _____ day of _____ 19____.

_____
Director

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

May 2, 1994

FLYING A RANCH INC.
RT. 1 BOX 9A
ASHTON ID 83420

RE: WATER RIGHT NO. 21-07136

Dear Water Right Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved Application for Amendment.

Should you have any questions regarding these documents, please feel free to contact this office.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

9 1994

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

April 15, 1994

FLYING A RANCH INC
RT 1 BOX 9A
ASHTON ID 83420

RE: WATER RIGHT NO. 21-07136

Dear Water Right Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to correspond with the findings of the Department's field examiner.

The enclosed Application for Amendment contains information that will be included on the license when it is issued. The amendment reflects a change in the location of the point(s) of diversion. Please review carefully and if you concur, sign the amendment and return with the $20.00 filing fee within 14 days.

The last page of the Application for Amendment form contains a list of CONDITIONS/REMARKS proposed for the license when it is issued. These conditions/remarks may be modified upon further administrative review.

If you do not concur or have any questions with this information, please contact me as soon as possible. My telephone number is (208) 327-7947.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

RECEIVED
JUN 09 1994

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	FLYING A RANCH INC RT 1 BOX 9A ASHTON ID 83420 (208) 652-3560	08/26/1977	IRRIGATION	04-15	10-15	0.53 CFS	193.40 AFA
				TOTAL DIVERSION:		0.53 CFS	193.40 AFA

Water Source: SPRINGS — Tributary to: SINKS — Stage: LICENSE
WASTE WATER — SINKS

Point(s) of Diversion Capacity: 0.53 CFS

Point(s) of Diversion: T09N R43E S25 SWSWSW — FREMONT County
S35 NWNENE SENWNE — FREMONT County

Place of use Legal Description for: IRRIGATION

		NE				NW				SW				SE				
T	R	S	NENE Lt Ac	NWNE Lt Ac	SWNE Lt Ac	SENE Lt Ac	NENW Lt Ac	NWNW Lt Ac	SWNW Lt Ac	SENW Lt Ac	NESW Lt Ac	NWSW Lt Ac	SWSW Lt Ac	SESW Lt Ac	NESE Lt Ac	NWSE Lt Ac	SWSE Lt Ac	SESE Lt Ac	SUM
09N	43E	35		31	40													71.0
																	TOTAL ACRES	71.0

Pou County: FREMONT

Other Rights: MARYSVILLE DITCH.

Other Water Rights with Same Point(s) of Diversion and Source:
21-07136

Other Water Rights Listing Overlapping Place(s) of use:
21-07136 21-07543

Conditions of Approval:
R30 - This right when combined with all other rights shall provide no
- more than .02 cfs per acre nor more than 3.5 afa per acre for the
- lands above.

Dates: App. Received: 08/26/1977 Priority Date: 08/26/1977
Proof Due Date: 11/01/1984 Proof Made Date: 07/27/1982
Exam Made Date: 08/11/1988 Exam Sent to S.O.: 01/27/1994
Licensed Date:

Misc: Water District Number: Field Exam Fee: R (Received)

Audit: 03/25/94 CHAPMAN

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)

WR-NUMBER	SOURCE	NE NE Lt	NE NE Ac	NE NW Lt	NE NW Ac	NE SW Lt	NE SW Ac	NE SE Lt	NE SE Ac	NW NE Lt	NW NE Ac	NW NW Lt	NW NW Ac	NW SW Lt	NW SW Ac	NW SE Lt	NW SE Ac	SW NE Lt	SW NE Ac	SW NW Lt	SW NW Ac	SW SW Lt	SW SW Ac	SW SE Lt	SW SE Ac	SE NE Lt	SE NE Ac	SE NW Lt	SE NW Ac	SE SW Lt	SE SW Ac	SE SE Lt	SE SE Ac	SUM
L2107136	T09N R43E S35 SPRINGS				31		40																											71
A2100073A	FALLS RIVE		37		36		40		40		39		40		36		30		25		26		20		33						15			417
2102156N	FALLSS RIV																										I		I					
2102157L	FALLS RIVE																										I		I					
A2104123	GROUNDWATE		01																															1
2107065	FALLS RIVE																										03						37	40
A2107065	FALLS RIVE																										03						37	40
~~2107136~~	~~SPRINGS~~				~~40~~		~~40~~																											~~80~~
~~A2107136~~	~~SPRINGS~~				~~28~~		~~40~~																											~~68~~
2107543	GROUNDWATE		40		40		40		40		40		40		40		40		40		40		40		40		40		40		40		40	640

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

March 28, 1994

FLYING A RANCH
RT 1 BOX 9A
ASHTON ID 83420

RE: Permit No. 21-07136

Dear Mr. Atchley:

We are in the process of reviewing the above referenced permit for licensing. Because you submitted your Examination Fee Information sheet in 1987 with a $50.00 fee limiting the amount of water you could divert to .20 cfs, the Department has no alternative but to issue the license for less than the amount actually diverted unless the fee required for the rate of diversion for the irrigation use the examiner found is received. The amount of water to be licensed will be limited to .20 cfs rather than .53 cfs.

You can submit the additional exam fee along with a late payment penalty. The priority of the right will be advanced according to the number of days from the date of this letter to the date we receive the extra fees. If you decide not to pay the additional fees, the priority date will remain unchanged.

The exam fee required to cover the additional .33 cfs is $50 and the late penalty is $25.00, for a total of $75.00.

The Department will hold action on licensing this right for 30 days to allow you to submit the above fees. Please direct the payment to my attention. If we do not receive them, we will proceed with licensing the water right for the limited amount of water.

Sincerely,

Brenda L. Chapman

BRENDA L. CHAPMAN
Water Resource Agent

JUN 09 1994

LICENSE REVIEW CHECKLIST

Brenda

PERMIT NO 21-7134 DATE 3-25-94

	Yes	No	
NAME	___	✓	Or Address Change?
PRIORITY DATE	___	✓	Advance? ___ Advanced to: ___ Order to reinstate needed? ___ Incorrect fee for rate recommended? YES P/D $50.00 for up .20 CFS
SOURCE	___	✓	Changes or just clarification of originally intended source? ___ Notice of Intent to Void necessary? ___
POINT OF DIV	✓	___	Amendment needed? Add SW SW SW SEC 25
	___	✓	Overlaps? ___
PLACE OF USE	___	✓	Amendment needed? ___
	___	✓	Overlaps? ___
DIV RATE	✓	___	Measurement done? ✓ Theoretical only? ___ 5 GAL BUCKET = .526 or .53 Sprinkles = .56 71 X .02 = 1.42 **Capacity:** .53 Combined rates exceed capacity — Allowable amount: .53
ANNUAL VOLUME	___	✓	Season of use: B/3.5 (4-15 to 10-15) Calculations: 71 X 3.5 = 248.5 Flow limit: 184 x .53 cfs x 1.9835 = 193.4 Combined volumes exceed capacity/allowable —
USES	___	✓	Change(s) in Nature of Use? ___ Amendment necessary? ___
REMARKS	___	✓	Multiple p/d(s) in ¼ ¼? ___
	___	✓	Other Marysville Ditch WATER SHARES
CONDITIONS	___	✓	Measuring/Locking Devices
	___	✓	Watermaster control - District ___
	B30	___	Irrigation Overlap
	___	✓	Water Quality
	___	✓	Other ___

NOTE: Examiner used old chart for # of days to calculate volume.

COMMENTS: Do letter - additional fees due Reduce acres Amend P/D

RECOMMENDED	CFS	VOLUME
Irrigation	.20	72.9
~~If pays fees~~	.53	193.4

P/D 4-15-94

LICENSE P39 + P38 done ✓

1ST AMENDMENT LETTER ~~Special~~ Fee Letter

FINAL AMENDMENT LETTER P47

Form 219-S.A.
6/86

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

21-7136
Permit No.

Staff Analysis Sheet
for
Beneficial Use Field Report

Flying A
CGW 2/23/87

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

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

Check of P/D index HWJ 4-7-87 (Initial and date)

Overlap? ☐ yes ☒ no If yes: ☐ copy of exam(s) attached?
Type of Overlap? ☐ Add acres or uses to existing system
☐ Increase rate of flow or volume
☐ Other: _____

Check of P/U index HWJ 4-7-87 (Initial and date)

Overlap? ☐ yes ☒ no If yes: ☐ copy of water right(s) attached?
Type of Overlap? ☐ Increase rate of flow or volume
☐ Add P/D's
☐ Increase number of acres within tracts
☐ Other: _____

Aerial Photo

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

Scheduling Letter sent? _____ (Initial and date)

☐ Appointment made and telephone conversation memo attached

B. After Conducting the Exam, the File Contains:

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

C. Review and Processing:

Exam Completed Richard Lewis 8-12-88 (Signature of examiner and date)

Exam Reviewed by Senior Water Resource Agent PM 11-17-89 (Initial and date)

Exam Reviewed by Manager of Regional Office _____ (Initial and date)

Exam Date Entered in Computer _____ (Initial and date)

Exam sent to State Office _____ (Initial and date)

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

Form 219
6/86

RECEIVED
JAN 3 1 1994
Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 21-7136

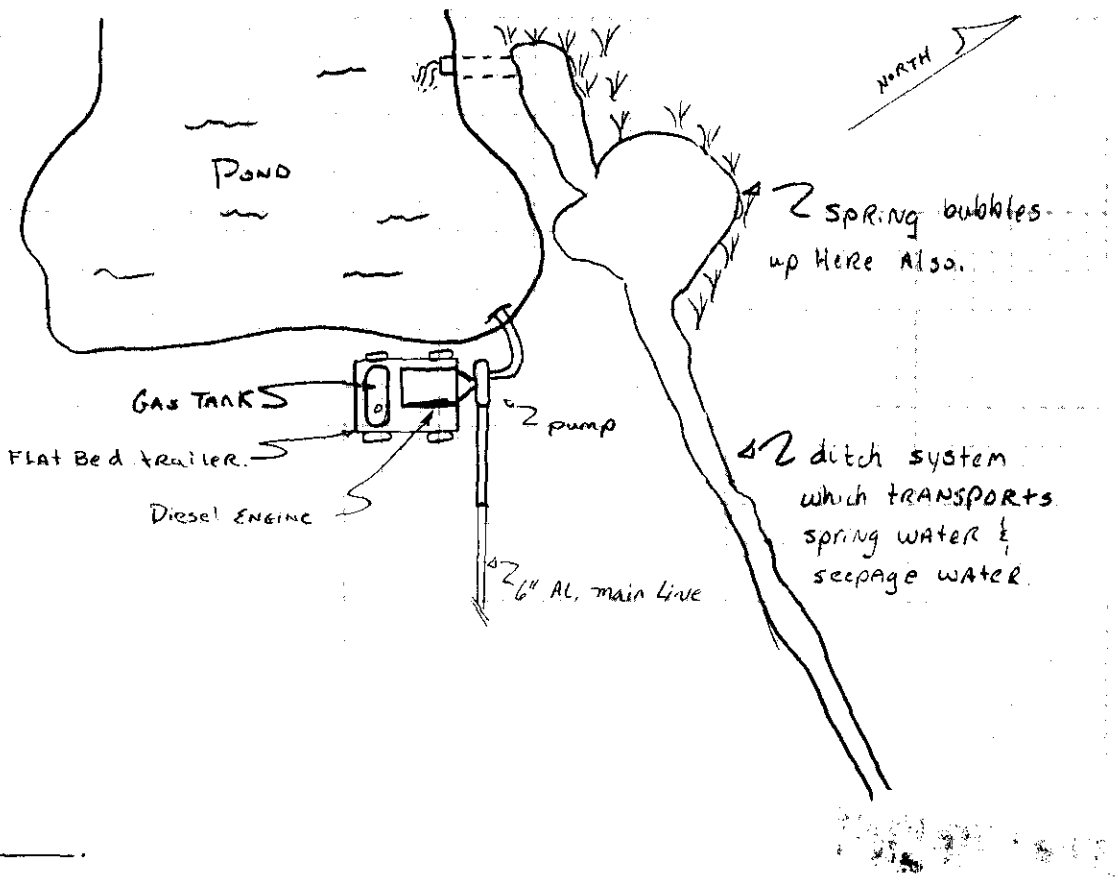
1. Owner: Flying A Ranch Inc. Phone No. 652-3560
   Current Address: Box 9A Rt #1 Ashton, Idaho
2. Accompanied by: Clen Atchley EXAM. DATE: 8-11-88
   Address: same as above Phone No.
   Relationship to Permit Holder: owner
3. Source: Springs & seepage water tributary to sinks

B. OVERLAP REVIEW

1. Other water rights with same place of use: ~~No~~ Marysville Canal Shares
   ☐ Copies Attached
2. Other water rights with same point of diversion: NO
   ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

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



Scale: X' = _____.

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

System Description (continued)

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

Springs & seepage water flows ~~south~~/west ~~th~~rough a ditch which join with another spring source and from this point the water is dumped into a collection pond through a 10" pipe. The storage water is pumped out by a portable pump/motor to a 6" (AL) main line to 14 - sections of hand lines with 13/64" nozzles and 25 - sections with 11/64" nozzles.

System was not pumping at capacity at this time due to a low water year because, if there were more hand line section out -

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
Diesel	Case	≈60	None	Cornell	6Z B-4-1

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

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

Ident. No.	Gov't. Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
#1		SW	SW	SW	25	9N	43E	Fremont	map & onsite inspection
#2		NW	NE	NE	35	"	"	"	" "
#3		SE	NW	NE	35	"	"	"	" "

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

Twp.	Rge.	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
9N	43E	35		31	40														71
																			71

Do not use this space

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Bucket/stopwatch						
Pitot guage		Ashcroft			100 psi	

2. **Measurements:** see section 'H' for remainder of measurement.

motor R.P.M. = 14

Springs and seepage water flowing into pond through pipe measured:

5 gall = 1 sec, 5 gall = 1.5 sec., 5 gall = 1.3 sec. t_{ave} = 1.27 sec.

50 psi, 48 psi, 46 psi, 47 psi, 44 psi ← 14 has @ 13/64" Noz.

P_{AVE} = 47 psi

1 gall = 7.2 sec

E. FLOW CALCULATIONS

☑ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

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

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.}$ = (Acres Irrigated) x (Irrigation Requirement) = (71)(3.5) = 248.5 afa

$V_{D.R.}$ = [Diversion Rate (cfs)] x (Days in Irrigation Season) x 1.9835 = (0.52)(214)(1.9835) = 220.7 afa

V = Smaller of $V_{I.R.}$ and $V_{D.R.}$ = 220.7 afa

WRONG # of days should be 184

Examiner used the older chart numbers (BC)

☒ Volume Calculations for Other Uses:

H. REMARKS AND OVERLAP REVIEW ANALYSIS

and running then the pond would be pumped dry according to Glen. Also, this source of water is used as a supplemental source.

40 psi ⊗ 38 psi ⊗ 37 psi ⊗ @ 25 hds @ 11/64" NOZZ.

1 gall = 9 sec 1 gall = 9.5 sec 1 gall = 8.5 sec

P_{AVE} = 38.33 psi

Total # of head = 14+25 = 39 hds. operating at this time.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use From	Period of Use To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
IRRIGATION	4-1	10-31	0.52	220.7
		Totals:	0.52 cfs	220.7 afa

2. Recommended Amendments

☐ Change P.D. as reflected above ☑ Add P.D. as reflected above ☐ None

☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

J. AUTHENTICATION

Field Examiner's Name Richard Lenon

Signature Richard Lenon

Certification Date 8-12-88

Field Report Preparation Date

CONSULTANT SEAL

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

21-7136
Permit No.

Measurement Calculations

a) Field Measurement Calculations (Include theoretical capacities and system capacity)

$$* Q_{springs} = \frac{5\ gal}{1.27\ sec}\left(\frac{60\ sec}{min}\right)\left(\frac{c.f.s.}{448.8\ gpm}\right) = 0.52\ c.f.s.$$ - Spring Flow into pond

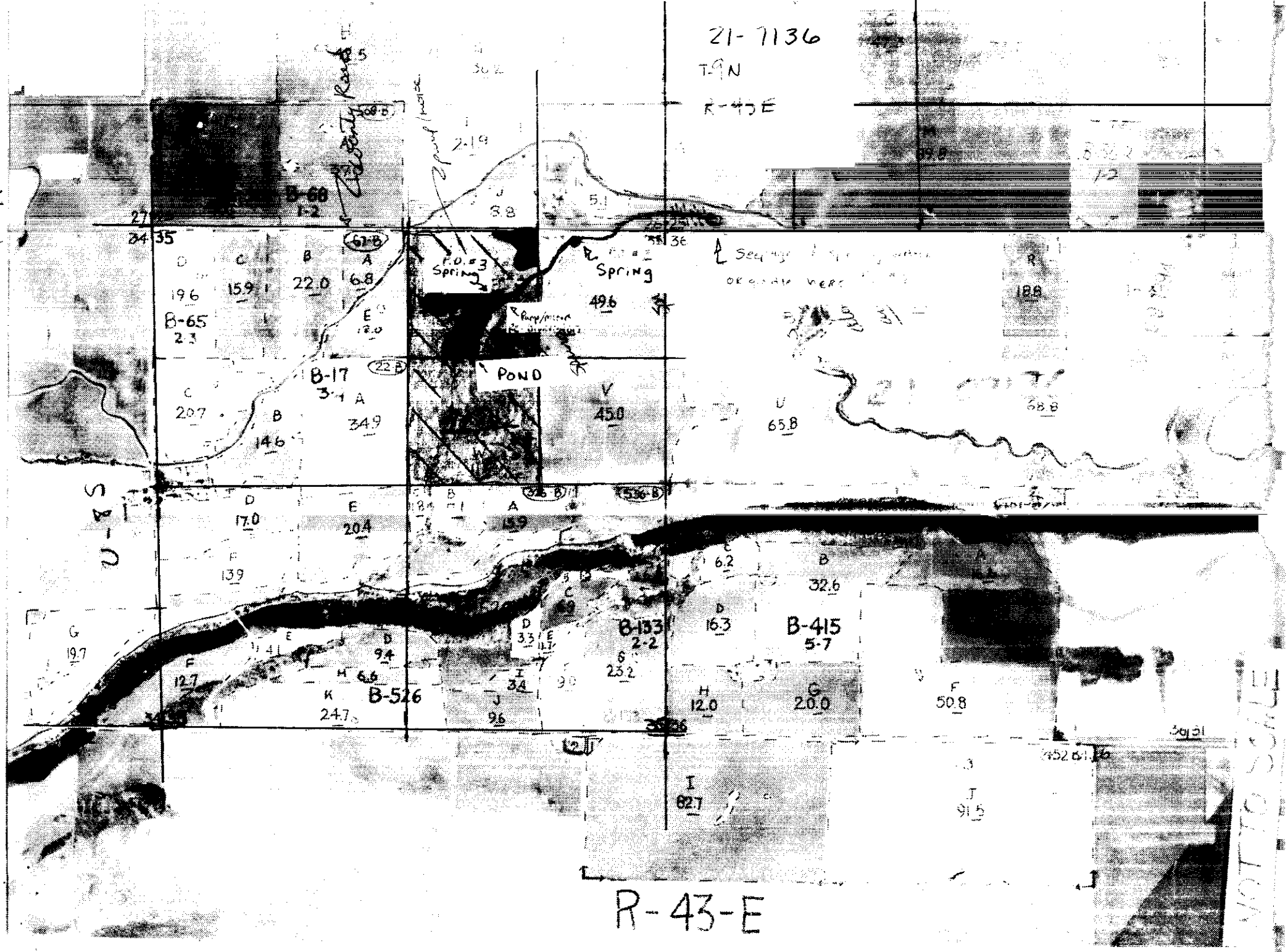
Re-diversion measurements.

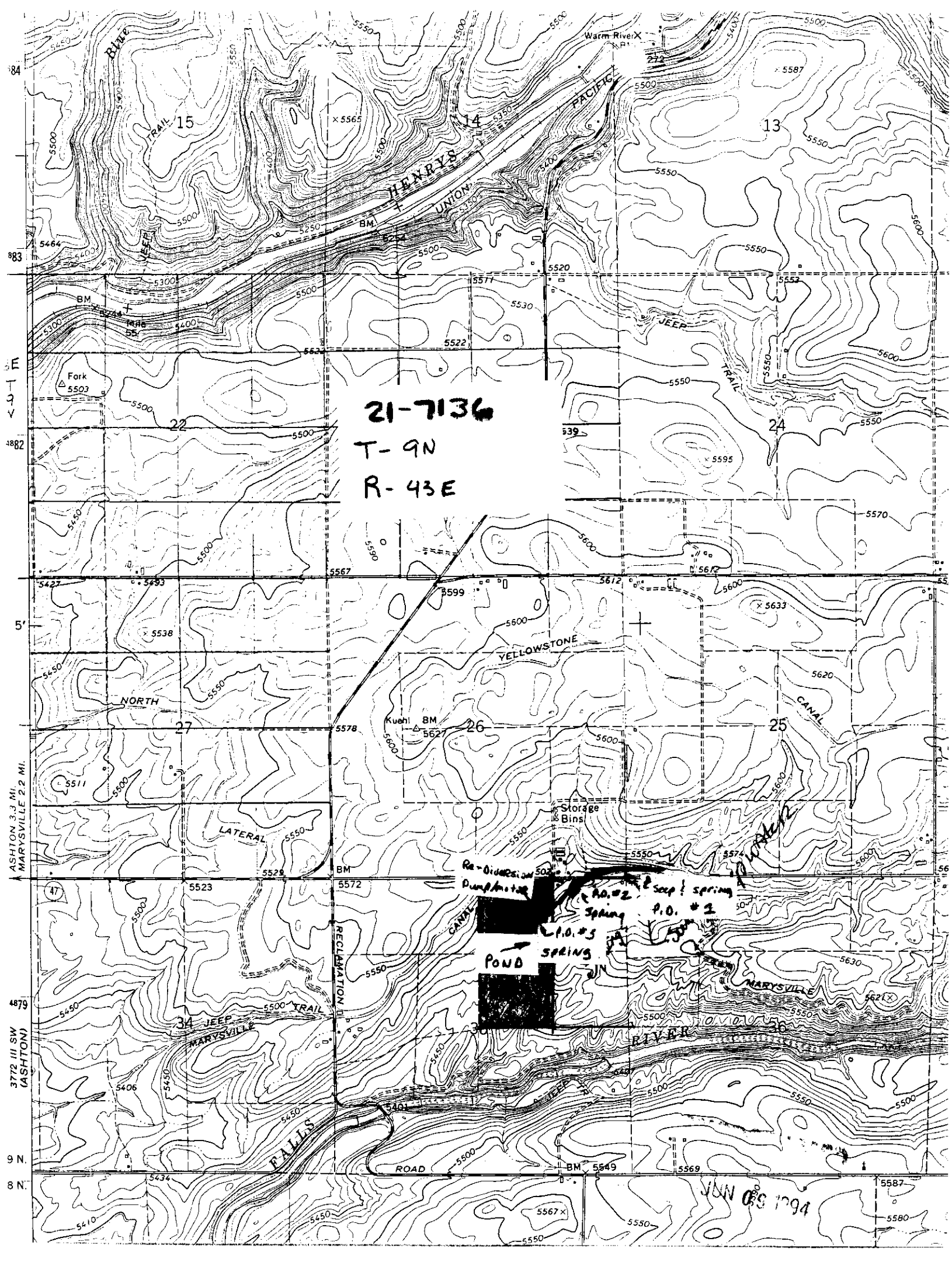
$$Q_A = Q_{13/64"} = \left(\frac{\pi\left(\frac{13/64"}{12"}\right)^2}{4}\right)\left(\sqrt{62.4(2.305)(47\ psi)}\right)(14\ hds.) = 0.26\ c.f.s.$$

$$Q_B = Q_{11/64"} = \left(\frac{\pi\left(\frac{11/64"}{12"}\right)^2}{4}\right)\left(\sqrt{64.4(2.309)(38.3\ psi)}\right)(25\ hds) = 0.30\ c.f.s.$$

$$Q_T = \Sigma Q = Q_A + Q_B = (0.26 + 0.30)\ c.f.s. = 0.56\ c.f.s.$$

JUN 09 1994


21-7136
T-9 N
R-43 E
B-65
2-3
B-17
3-1
B-526
2-4
B-133
2-2
B-415
5-7
POND
Spring
Spring
Gravel Pit
U.S. 1
R-43-E


21-7136
T-9N
R-43E
Blue
TRAIL
HENRYS
UNION
PACIFIC
Warm River
JEEP
TRAIL
Fork
5503
Kuehl
BM
5627
YELLOWSTONE
NORTH
CANAL
LATERAL
Storage
Bins
Re-Diversion
Dumpstation
P.O. #2
Seep & spring
P.O. #1
P.O. #3
spring
POND
RECLAMATION
CANAL
MARYSVILLE
RIVER
JEEP
TRAIL
MARYSVILLE
JEEP
FALLS
ROAD
BM
5549
ASHTON 3.3 MI.
MARYSVILLE 2.2 MI.
3772 III SW
(ASHTON)
9 N.
8 N.
JUN 05 1994

21-7136

— Flow From Springs !

deep water into pond.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

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

January 26, 1987

21-7136
FLYING A RANCH INC.
RT. 1 BOX 9A
ASHTON, ID 83420

CERTIFIED
No. 0013653

EXAMINATION FEE NOTICE

Dear Permit Holder:

Department records show that proof of beneficial use has been submitted for the above-referenced permit, but that a field examination has not yet been conducted to determine the extent of beneficial use of the water for licensing purposes.

House Bill 671 (effective April 4, 1986) enacted by the 1986 Idaho Legislature requires the payment of a fee before this Department can conduct the field examination needed to issue a license confirming use of water under the permit. This letter is notification that the license examination fee is due within sixty (60) days of the date of this letter. The examination fee information sheet (enclosed) must be returned with the fee.

As an alternative to submitting the fee, the Department will accept a field examination report completed by a certified water right examiner from the private sector. If you choose to have the examination done by a certified water right examiner, you need not submit the license examination fee to the Department, but you must within sixty (60) days of the date of this letter return to the Department, the examination fee information sheet showing appropriate information together with a statement from the certified examiner to verify that you have retained a certified examiner to conduct the field examination. If you choose this alternative, a completed field examination report must be submitted within one year of the date of this letter. You cannot later change your decision to use this alternative and submit the fee needed for the Department to conduct the field examination, but you may change to another certified examiner.

Certified water right examiners are licensed engineers, geologists, or land surveyors certified by the Department to conduct water right examinations. The procedure for certifying examiners results from the recently enacted HB 671 and is being developed at this time. A listing of certified water right examiners will be available from this Department when examiners have been certified.

JUN 09 1994

If your permitted use, in fact, has already been examined by the Department and you have not asked to have the examination repeated, the fee requirement is not applicable to your permit. If you believe this is the case, please contact the Department.

The license examination fee is to be based on the amount of water you indicate you have developed, as listed in item 6 on the examination fee information sheet. The amount of water on which the examination fee is based can be less than the permitted amount, if less water has been diverted and benefically used. The licensed amount of water, however, will not exceed the amount you claim on the examination fee information sheet. The enclosed license examination fee schedule shows a listing of applicable fees.

FAILURE TO SUBMIT WITHIN THE SIXTY (60) DAY PERIOD THE FEE OR THE STATEMENT THAT A CERTIFIED EXAMINER HAS BEEN RETAINED TO MAKE THE FIELD EXAMINATION WILL BE CAUSE TO ADVANCE THE PRIORITY OF THE PERMIT ONE DAY FOR EACH DAY THAT THE FEE SUBMITTAL IS LATE.

FAILURE TO SUBMIT THE FEE OR THE COMPLETED FIELD EXAMINATION REPORT WITHIN A YEAR WILL BE CAUSE TO CONSIDER THE PROOF OF BENEFICIAL USE TO BE INCOMPLETE AND TO LAPSE THE PERMIT.

The attached examination fee information sheet and the fee may be submitted to the following Department office:

Eastern Region
Idaho Dept. of Water Resources
150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83401
Phone: 525-7161

Very Truly Yours,

Ronald D. Carlson
Eastern Regional Manager

Enclosures

JUN 09 1994

State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

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

June 18, 1985

Flying A Ranch, Inc.
Box 9A, Route #1
Ashton, ID 83420

Re: Water Right Identification No. 21-7136

Dear Wateruser:

The proof of beneficial use (Form A) which you recently submitted to the department is being returned to you for the following reason:

X Proof of beneficial use has already been submitted for the water right.

___ Proof of beneficial use is not applicable for existing licensed rights.

___ Proof of beneficial use is not applicable for existing decreed rights.

___ Proof of beneficial use is not applicable for a right represented by a claim to a water right.

___ Other:

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

cc: Region

JUN 09 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

150 Shoup
Idaho Falls, Idaho 83401
(208) 525-7161

RE:

Dear

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

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

____ A field examination of your system has been scheduled for _____.

If this time and date is not convenient for you, please contact this office as soon as possible.

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

If you have any questions regarding the field examination, please contact this office.

Sincerely,

JUN 09 1994

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 21-7136.

Name(s) of Permit Holder: FLying A RAnch Inc

Post Office Address: Box 9A RT #1

Ashton, IDAHO 83420 Tel. No. 652-3560

Source of Water: SPRINGS + SEEPAGE

Extent of Use:
- ☐ Domestic _____ (number of households)
- ☐ Stockwater _____ (number and type of stock)
- ☒ Irrigation 80 (acres)
- ☐ Other _____

JUN 09 1994

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

Access Port: Required? ☒ Yes ☐ No Installed? ☒ Yes ☐ No

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

25 July 1982
Date

Clan S Attaley
Signature of Permit Holder

CLEN POATHEY
Box 9A RFD 1
Ashton, IDAHO 83420

RECEIVED
JUL 27 1982
Department of Water Resources

JUN 09 1994

DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

November 26, 1979

Flying A. Ranch, Inc.
Box 9-A Rt. #1
Ashton, Idaho 83420

Dear Sirs,

RE: Permit No. 21-7136

Enclosed is a copy of your approved Application for Permit. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note the special condition requiring you to install an access port or other device to provide for the installation of measuring equipment by the Department. Enclosed are specifications for the installation of the access port, as well as a list of measuring device options.

Sincerely,

David R. Tuthill Jr.

DAVID R. TUTHILL, JR.
Supervisor, Water Allocations Section

DRT:lr

Enclosures

MICROFILMED

WATERMASTER COMMENTS

I have reviewed application for permit No. 21-7136 and have

✓ (1) no objections to the approval of this permit.

____ (2) the following objections to the approval of this permit:

_____

_____

_____

_____

_____

11/12/79
DATE

RONALD D. CARLSON - WATERMASTER

WATER DISTRICT # 01

RECEIVED
NOV 13 1979
Water Resources
District Office
MICROFILMED

M E M O R A N D U M

TO: The File

FROM: John Carlson

RE: Pre-Permit Exam No. 21-7136

DATE: October 31, 1979

A field inspection was conducted on May 21, 1979 regarding the springs on the Flying A. Ranch.

Clem Alchley described how he has developed the springs to their current capacity with a backhoe. Also the Marysville Ditch had not been used, as of yet that irrigation season, so it was not contributing to the flow at the time of measurement. The first springs originates just below the canal in the SE¼SE¼, Sec. 25 and seeps. The springs re-appear on the south side of the road in the NE¼NE¼, Sec. 35 on the applicant's property. The volume steadily increases to the point I measured it just below the pond which was dug to increase the flow. The flow at this point was .1 cfs.

Since the dredging, a portion of the water now reaches the Fall River, whereas, before it simply formed a marsh and seeped on the applicant's property.

John Carlson

MICROFILMED

October 27, 1977

RE: Application for Permit No. 21-7136 FLYING A RANCH, INC. (amended)

Mr. Dallas T. Howell & Son
Rt. #1, Box 27A
Ashton, Idaho 83420

Dear Mr. Howell:

This is to acknowledge receipt of your withdrawal of protest submitted against approval of the above referenced application for permit. The Department will take no further action in setting a hearing in this matter, and has now resumed processing of this application.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

Letter sent to: Roy Stegelmeier, Larry Hossner, Perry O. Grube, Harold F. Lenz

RECEIVED
OCT 27 1977
Department of Water Resources
Eastern District Office

Route 1
Ashton, Idaho
October 20, 1977

Department of Water Resources
1515 Lincoln Road
Idaho Falls, Idaho 83401

Dear Sirs,

This letter is in regards to the protest of application for Permit No. 21-7136 by the Flying A Ranch, Inc. The amendment which they have proposed to the original application has resolved the protest. We therefore wish to withdraw our protest.

Sincerely,

Larry Hossner

Larry Hossner

Roy Gude

Harold F. Lenz

Roy Stegelmeier

MICROFILMED

October 26, 1977

RECEIVED
OCT 27 1977
Department of Water Resources
Eastern District Office

STATE OF IDAHO
Dept. of Water Resources
1515 Lincoln Road
Idaho Falls, Idaho 83401

Dear Mr. Carlson,

We are writeing this to inform you that we are no longer in protest to the amendment to permit No. 21-7136 Flying A Ranch.

Our soul concern was with that of the Yellowstone ditch Co. which should no longer be involved. Our aploigies to the Atchley family for the inconvience.

Sincerely,

Dallas T. Howell & Son
Rt. 1 - Box 27A
Ashton, Idaho 83420

MICROFILMED

October 27, 1977

RE: Application for Permit No. 21-7136 (amended)

Mr. Clen P. Atchley
Flying A Ranch, Inc.
Box 9-A, Rt. #1
Ashton, Idaho 83420

Dear Mr. Atchley:

This is to advise you that Dallas T. Howell and Son and Yellowstone Ditch Company have withdrawn their protests against approval of the above referenced application. Therefore, the Department will take no further action in setting a hearing in this matter, and has now resumed the processing of this application.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

October 12, 1977

RE: Application for Permit No. 21-7136 FLYING A RANCH INC.

Mr. Dallas T. Howell & Son
Rt. #1, Box 27A
Ashton, Idaho 83420

Gentlemen:

As you will recall, in August of this year you filed protest against the above referenced application for permit submitted by Flying A Ranch, Inc. of Ashton, Idaho.

This application showed the source of water as being waste water from the Yellowstone Ditch and tributary to Marysville Canal and Falls River, and indicated the water would be diverted within the SE¼SE¼, Sec. 26, T. 9N, R. 43E and rediverted from a retention pond within the NW¼NE¼, Sec. 35, T. 9N, R. 43E, to be used for the irrigation of 80 acres of land.

The applicant has now amended this application showing the source of water as springs and seepage water tributary to sinks, with points of diversion within the NE¼NE¼, NW¼NE¼, Sec. 35, T. 9N, R. 43E, for the irrigation of the previously indicated 80 acres of land.

If this amendment resolves the protest you previously submitted, please advise us within the next twenty (20) days. Otherwise, we will assume that you wish to continue your protest and will schedule the matter for hearing in the near future. If you have any questions, please feel free to contact this office.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

Letter sent to: Roy Stegelmeier, Larry Hossner, Perry O. Grube, Harold F. Lenz

AFFIDAVIT OF PUBLICATION

State of Idaho }
County of Fremont } ss.

Carol Bowman

being first duly sworn, upon ~~his~~ her oath, deposes and says:

That he is the Asst. of The Ashton Herald, a newspaper as defined by Idaho Codes Annotated, section 58-106, as amended, and that said newspaper is a weekly newspaper printed and published at St. Anthony, in Fremont County, Idaho, having a general circulation in said county, and that said newspaper has been printed and published as a weekly newspaper in said county for more than 78 consecutive weeks prior to the first publication of the attached notice, advertisement or publication of Notice of Amended Application for Water Permit (Flying A Ranch)

And affiant further says that said notice, advertisement of publication, as per clipping attached, was published in said newspaper, in the regular and entire issue thereof, and not in any supplement issue thereof, for 2 consecutive issues thereof; first publication having been made on the 8 day of September, 19 77, and the last publication on the 15 day of September 19 77.

And affiant further says that at the times herein mentioned said newspaper was made up of at least four pages of at least five columns each, printed from type matter, of at least seventeen and three-fourths inches deep.

Carol Bowman

Subscribed in my presence and sworn to before me this 20 day of September, 19 77

Notary Public for the State of Idaho, residence and post office address: ~~St. Anthony~~ Ashton, Idaho.

[SEAL]

RECEIVED
SEP 21 1977
Department of Water Resources
Eastern District Office

NOTICE OF AMENDED APPLICATION FOR WATER PERMIT

Notice is hereby given that application for permit No. 21-7136 in the name of Flying A Ranch, Inc. was filed for the diversion of 1.00 c.f.s. of water from waste water from Yellowstone Ditch tributary to Marysville Canal and Falls River, with point of diversion within the SE¼SE¼, Sec. 26, T. 9N, R. 43E, B.M., Fremont County, the water will be rediverted from a retention pond within the NW¼NE¼, Sec. 35, T. 9N, R. 43E; to be used from Apr. 1 to Oct. 15 for the irrigation of 80 acres within the W½NE¼, Sec. 35, T. 9N, R. 43E, B.M.

The applicant now proposes to amend application No. 21-7136 changing the source to springs and seepage water tributary to sinks with points of diversion located within the NE¼NE¼, NW¼NE¼, Sec. 35, T. 9N, R. 43E, B.M., Fremont County.

Any protest to the proposed amending of the application must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401, on or before September 26, 1977.

C. STEPHEN ALLRED
Director

Published in the Ashton Herald, Ashton, Idaho, on September 8 and September 15, 1977.

September 2, 1977

RE: Application for Permit No. 21-7136 amended **FLYING A RANCH**

Ashton Herald
Box 258
Ashton, Idaho 83420

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. 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.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

Bill submitted 9-21-77 by CW

RDC:CW

Enc: Legal Notice (1)

NOTICE OF AMENDED APPLICATION FOR WATER PERMIT

Notice is hereby given that application for permit No. 21-7136 in the name of Flying A Ranch, Inc. was filed for the diversion of 1.00 c.f.s. of water from waste water from Yellowstone Ditch tributary to Marysville Canal and Falls River, with point of diversion within the SE¼SE¼, Sec. 26, T. 9N, R. 43E, B.M., Fremont County. The water will be rediverted from a retention pond within the NW¼(NW¼) Sec. 35, T. 9N, R. 43E; to be used from Apr. 1 to Oct. 15 for the irrigation of 80 acres within the W½NE¼, Sec. 35, T. 9N, R. 43E, B.M. — called 4-13-77

The applicant now proposes to amend application No. 21-7136 changing the source to springs and seepage water tributary to sinks with points of diversion located within the NE¼NE¼, NW¼NE¼, Sec. 35, T. 9N, R. 43E, B.M., Fremont County.

Any protest to the proposed amending of the application must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401, on or before September 26, 1977.

C. STEPHEN ALLRED
Director

Published in the Ashton Herald, Ashton, Idaho, on September 8 and September 15, 1977.

NOTICE OF AMENDED APPLICATION FOR WATER PERMIT

Notice is hereby given that application for permit No. 21-7136 in the name of Flying A Ranch, Inc. was filed for the diversion of 1.00 c.f.s. of water from waste water from Yellowstone Ditch tributary to Marysville Canal and Falls River, with point of diversion within the SE¼SE¼, Sec. 26, T. 9N, R. 43E, B.M., Fremont County. The water will be rediverted from a retention pond within the NW¼NE¼, Sec. 35, T. 9N, R. 43E; to be used from Apr. 1 to Oct. 15 for the irrigation of 80 acres within the W½NE¼, Sec. 35, T. 9N, R. 43E, B.M.

The applicant now proposes to amend application No. 21-7136 changing the source to springs and seepage water tributary to sinks with points of diversion located within the NE¼NE¼, NW¼NE¼, Sec. 35, T. 9N, R. 43E, B.M., Fremont County.

Any protest to the proposed amending of the application must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401, on or before September 26, 1977.

C. STEPHEN ALLRED

Director

Published in the Ashton Herald, Ashton, Idaho, on September 8 and September 15, 1977.

MICROFILMED

August 29, 1977

RE: Application for Permit No. 21-7136 AMENDED

Mr. Arthur L. Larson, Watermaster
Water District No. 01
P.O. Box 1099
Idaho Falls, Idaho 83401

Dear Art:

We are enclosing a copy of an amended application that may be of interest to your water district. Please review the amendment and if you have any comments, submit them to our Department as soon as possible. The last date of protest is September 26, 1977, and we are required to take final action shortly thereafter.

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

Very truly yours,

RONALD D. CARLSON
Supervisor
Eastern Region

RDC:CD

Enclosrue

MICROFILMED

CONVERSATION MEMORANDUM

DATE 8-29-77

FILE 21-7136

NAME OF PARTY Grant Bessey

EMPLOYEE Colleen Wray CW

RE: Grant Bessey, Yellowstone Ditch Co., called this date and wanted to know what had to be done to protest the above referenced application. I indicated to him his protest had to be received in writing today, but we would accept his telephone call as an intent to protest if he would get his protest in the mail this day.

I also informed him of Mr. Atchley's amending his application, but he felt he had better continue with protesting the original application and if after reviewing the amended application felt it would not be injurious to Yellowstone ditch Co., they would not protest the amended application.

August 31, 1977

RE: Application for Permit No. 21-7136

Yellowstone Ditch Co.
Mr. Roy Stegelmeier, Director
Ashton, Idaho 83420

Dear Mr. Stegelmeier:

Your protests against the approval of the above referencedapplication have been received and a copy has been sent to the applicant. The Department suggests you contact the applicant directly in an effort to determine what is proposed by the application and to attempt to resolve the protests.

If you do not advise us within twenty (20) days that the protests have been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?

2. Is the proposed water supply insufficient for the purpose intended?

3. Is the application made in good faith or for delay or speculative purposes?

4. Has the applicant sufficient fianancial resources with which to complete the project?

If this office can be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Supervisor
Eastern Region

RDC:CD

cc: Larry Hossner Ashton
Perry O. Grube Ashton
Harold F. Lenz Ashton

August 31, 1977

RE: Application for Permit No. 21-7136

Flying A Ranch, Inc.
Box 9-A, Rt. #1
Ashton, ID 83420

Gentlemen:

Enclosed is a copy of protests filed against the issuance of a permit pursuant to your Application No. 21-7136. The Department suggests you contact the protestants directly in an effort to determine the nature of the protests and to attempt to resolve the protests.

If you do not advise us within twenty (20) days that the protests have been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?

2. Is the proposed water supply insufficient for the purposes intended?

3. Is the application made in good faith or for delay or speculative purposes?

4. Has the applicant sufficient financial resources with which to complete the project?

If this office can be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Supervisor
Eastern Region

RDC:CD

Enclosure

RECEIVED
AUG 30 1977
Department of Water Resources
Eastern District Office

Yellowstone Ditch Co.
Ashton, Idaho
% Linda Hossner

Idaho Department of Water Resources
1515 Lincoln Road
Idaho Falls, Idaho

Dear Sirs,

The Yellowstone dich co. wishes to registar a protest against Application No. 2i-7136 registered by the Flying A Ranch for the following reason.

1. We do not feel that we should be obligated to furnish 1.00 Cu. Ft. per second of waste water from the Yellowstone dich co.

2. If there is waste water we feel that we can distribute it among our share holders without one person monopolizing all of the water witch we did this year.

3. It is also our understanding that the waste water belongs to the river anyway.

Pres.

Director, Roy Stegelmeier

Larry Hossner

Perry O Grube

David L Long

MICROFILMED

August 29, 1977

RE: Application for Permit No. 21-7136 FLYING A RANCH

Ashton Herald
Box 258
Ashton, Idaho 83420

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application. The legal notice was to have been published in your paper on August 11 and August 18, 1977.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

cc: IDWR - State Office

MICROFILMED

August 16, 1977

RE: Application for Permit No. 21-7136

Dallas T. Howell & Son
Rt. 1, Box 27A
Ashton, Idaho 83420

Gentlemen:

Your protest against the approval of the above referenced application has been received and a copy has been sent to the applicant. The Department suggests you contact the applicant directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?

2. Is the proposed water supply insufficient for the purpose intended?

3. Is the application made in good faith or for delay or speculative purposes?

4. Has the applicant sufficient financial resources with which to complete the project?

If this office can be of further assistance, please contact us.

Sincerely,

RONALD D. CARLSON
Supervisor
Eastern Region

RDC:CD

MICROFILMED

August 17, 1977

RE: Application for Permit No. 21-7136

Flying A Ranch, Inc.
Box 9-A, Route #1
Ashton, ID 83420

Gentlemen:

Enclosed is a copy of a protest filed against the issuance of a permit pursuant to your Application No. 21-7136. The Department suggests you contact the protestant directly in an effort to determine the nature of the pr test and to attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?

2. Is the proposed water supply insufficient for the purposes intended?

3. Is the application made in good faith or for delay or speculative purposes?

4. Has the applicant sufficient financial resources with which to complete the project?

If this office can be of further assistance, please contact us.

Sincerely,

RONALD D. CARLSON
Supervisor
Eastern Region

RDC:CD

Enclosure

August 15, 1977

RECEIVED
AUG 16 1977
Department of Water Resources
Eastern District Office

Dallas T. Howell & Son
Rt. 1 - Box 27A
Ashton, Idaho 83420

Idaho Dept. of Water Resources
1515 Lincoln Road
Idaho Falls, Idaho 83401

Dear Sirs:

We are writing this letter to formally protest the issueing of a permit to the Flying A Ranch, Inc. of Ashton, Idaho.

The waste water in question has in the minds of the share-holders of the Yellowstone Ditch Co. has always gone back to the Fremont - Madison Irrigation District as soon as it has gone over the last spill gate in our canel.

This is a case of somebody trying to get something for nothing. The Water Resources Board should not have even considered this application as we have always thought this waste water to be that noone could file on it.

Also many water users are very upset and unhappy with the Water Resources Board and the Fremont - Madison Irrigation Dist. that the appointed heads of these organizations are more confused than the water users as related to the poicys and laws conserning the use of water in the Snake River Drainage.

There are also rumors of under the table sale of storage water to people and groups who have not had their name in as long as a lot of us smaller farmers (ie) the Conant Creek Project three and four years ago which involved the sale of several hundred acre feet of water.

Dallas T. Howell

MICROFILMED

Identification No. 21 7136

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

(TYPE OR PRINT IN INK)

1. Name of applicant Flying A RANCH INC Phone: 652-3560/3386
   post office address Box 9A Route #1 Ashton, ID 83420
2. Source of water supply WASTE WATER From Yellowstone Ditch which is a tributary of FALL RIVER Yellowstone Canal and Montsville
3. a. Location of point of diversion is ~~NE~~ SE ¼ of ~~NE~~ SE ¼ of Section ~~35~~ 26 Township 9N
   Range 43 E B.M. Fremont County; additional points of diversion if any: _____
   ~~SE ¼ SE ¼, Sec 26, T 9N R 43 E~~ To be rediverted from a Retension pond within the NW NE Sec 35, T 9 N, R 43 E
   b. If water is not consumed, it will be discharged into FALL River at a point in NE ¼
   of SW ¼ of Section 35 Township 9N Range 43 E B.M. _____
4. Water will be used for the following purposes:
   Amount ~~100 AF~~ 10 CFS for IRRIGATION purpose from APRIL 1 to Oct 15 (both dates inclusive)
   (cfs or acre-feet per annum)
   Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
   (cfs or acre-feet per annum)
   Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
   (cfs or acre-feet per annum)
5. Total quantity to be appropriated:
   a. 1.00 cubic feet per second and/or
   b. ~~700 AF~~ acre feet per annum.
6. Proposed diverting works:
   a. Description of ditches, flumes, pumps, headgates, etc. 8" Pipe line and ditch to two Retension Ponds
   ONE pump ON second ~~3 AF Pond~~ one of 3 AF capacity and one of ~~Upper Dam~~ 5 AF CAPACITY ~~4 FT HIGH~~. ~~No pump on Upper Dam~~
   ~~3 AF CAPACITY 5 FT HIGH. ONE 8" pipe to cross Montsville canal with waste water of yellowstone ditch~~
   b. Height of storage dam 5' AND 9' feet, active reservoir capacity ~~3~~ AND ~~5~~ AF acre feet; total reservoir
   capacity 8 acre feet, materials used in storage dam: CLAY
   Period of year during which storage will occur APRIL 1 (Mo. Day) to OCTOBER 15 (Mo. Day) inclusive.
   c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
   is 5 years.
   b. Estimated construction cost is $ 3000.
8. Description of proposed uses:
   a. If water is **not** for irrigation:
   (1) Give the place of use of water: _____ ¼ of _____ ¼ of Section _____ Township _____
   Range _____ B.M.
   (2) Amount of power to be generated: _____ hp under _____ feet of head.
   (3) List number of each kind of livestock to be watered _____
   _____
   (4) Name of municipality to be served _____, or number of families to be
   supplied with domestic water _____.
   (5) If water is to be used for other purposes describe: _____
   _____

MICROFILMED

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

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
9N	43E	35		40	40														80

Total number of acres to be irrigated 80

c. Describe any other water rights used for the same purposes as described above. 40 SHARES MARYSVILLE Ditch WATER

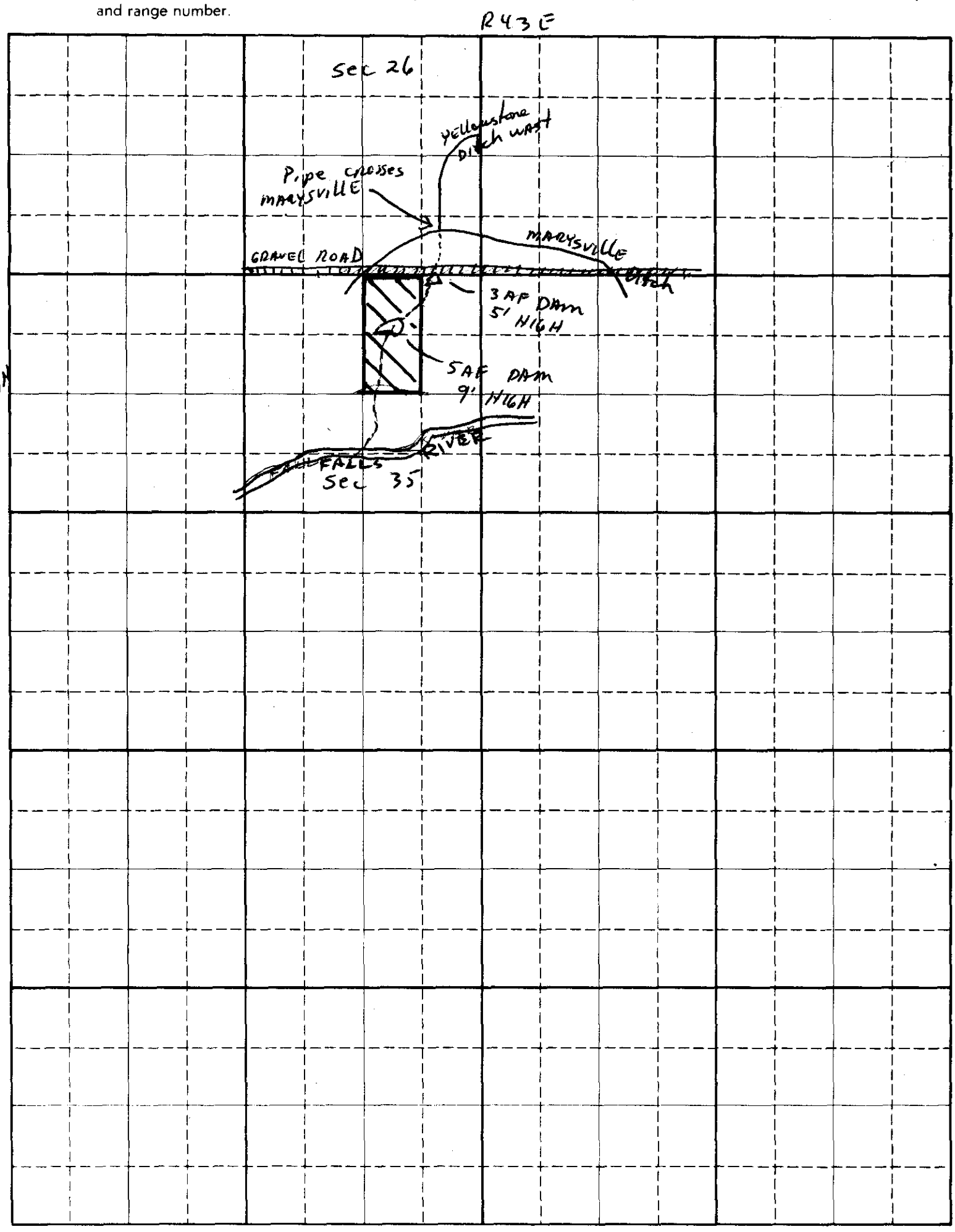
9. a. Who owns the property at the point of diversion Flying A Ranch Inc (Applicant)

b. Who owns the land to be irrigated or place of use Flying A Ranch Inc (Applicant)

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks

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



Scale: 2 inches equal 1 mile

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

Clem P Atchley TREASURER
(Applicant)
Flying A Ranch Inc

Received by CW Date 7-29-97 Time 11:15 A.

Preliminary check by LMJ Fee $~~35.00~~

Receipted by CW Date 8-03-97 #816

Publication prepared by _____ Date _____

Published in _____

Publication dates _____

Publication approved _____ Date _____

Priority reduced to _____ Reason _____

_____

_____

_____

Protests filed by: _____

_____

_____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

   a. SUBJECT TO ALL PRIOR WATER RIGHTS.

   b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19____.

   c. Other: _____

   _____

   _____

   _____

2. Denial of said application is for the following reasons: _____

   _____

   _____

   _____

   _____

   _____

Witness my hand this _____ day of _____ 19____.

_____

Director

August 5, 1977

RE: Application for Permit No. 21-7136 FLYING A RANCH

Ashton Herald
Box 258
Ashton,Idaho 83420

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. 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.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

Enc: Legal Notice (1)

Bill submitted 8-30-77 by Cal

August 5, 1977

RE: Application for Permit No. 21-7136

Mr. Edward Clark, President
Marysville Canal
..shton, Idaho 83420

Dear Mr. Clark:

We are enclosing a copy of an application that may be of interest to your agency. Please review the application and if you have any comments, submit them to our Department as soon as possible. The last date of protest is August 29, 1977, and we are required to take final action shortly thereafter.

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

Very truly yours,

R..NALD D. CARLSON
Supervisor
Eastern Region

RDC:CD

Enclosure

MICROFILMED

August 5, 1977

RE: Application for Permit No. 21-7136

Mr. Arthur L. Larson, Watermaster
Water District 01
Box 1099
Idaho Falls, Idaho 83201

Dear Art:

We are enclosing a copy of an application that may be of interest to your water district. Please review the application and if you have any comments, submit them to our Department as soon as possible. The last date of protest is August 29, 1977, and we are required to take final action shortly thereafter.

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

Very truly yours,

RONALD D. CARLSON
Supervisor
Eastern Region

RDC:CD

Enclosure

PUBLIC NOTICES

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Flying A. Ranch, Inc., Ashton, Idaho has on 7-29-77 submitted Application No. 21-7136 for a permit to appropriate 1.00 cubic feet per second of water from waste water from Yellowstone Ditch tributary to Marysville Canal and Fall River by means of pipeline, ditch and two retention ponds within the SE¼SE¼, Sec. 26, T. 9N, R. 43E, B.M. The water will be rediverted from a retention pond within the NW¼NE¼, Sec. 35, T. 9N, R. 43E, B.M.; to be used from Apr. 1 to Oct. 15 for the irrigation of 80 acres within the W½NE¼, Sec. 35, T. 9N, R. 43E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before August 29, 1977.

C. STEPHEN ALLRED
Director

Published in the Ashton Herald, Ashton, Idaho on August 11 and August 18, 1977

AFFIDAVIT OF PUBLICATION

State of Idaho } ss.
County of Fremont }

Carol Brown

being first duly sworn, upon ~~his~~ her oath, deposes and says:

That she is the Editor of The Ashton Herald, a newspaper as defined by Idaho Codes Annotated, section 58-106, as amended, and that said newspaper is a weekly newspaper printed and published at St. Anthony, in Fremont County, Idaho, having a general circulation in said county, and that said newspaper has been printed and published as a weekly newspaper in said county for more than 78 consecutive weeks prior to the first publication of the attached notice, advertisement or publication of Notice of Application for Water Right #31-7136 (Reading A)

And affiant further says that said notice, advertisement of publication, as per clipping attached, was published in said newspaper, in the regular and entire issue thereof, and not in any supplement issue thereof, for 2 consecutive issues thereof; first publication having been made on the 11 day of August, 1977, and the last publication on the 18 day of August 1977.

And affiant further says that at the times herein mentioned said newspaper was made up of at least four pages of at least five columns each, printed from type matter, of at least seventeen and three-fourths inches deep.

Carol Brown

Subscribed in my presence and sworn to before me this 23rd day of August, 1977.

[SEAL]

Notary Public for the State of Idaho, residence and post office address: ~~St. Anthony, Idaho.~~ Ashton

RECEIVED
AUG 31 1977
Department of Water Resources
Eastern District Office

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that Elving A. Busch, Inc., Ashton, Idaho, has on 7-25-77 submitted application No. 23-7136 for a permit to appropriate 1.00 cubic foot per second of water from water under the ground which tributary to Henry's Fork and Teton River by means of pumps, ditch and two retention ponds within the SE¼SE¼, Sec. 26, T. 9N, R. 43E, B.M. The water will be retained from a pumping point within the NW¼SW¼, Sec. 25, T. 9N, R. 43E, B.M., to be used from Apr. 15 to Oct. 15 for the irrigation of 80 acres within the W½SE¼, Sec. 26, T. 9N, R. 43E, B.M.

Protests to the return will be considered by the Idaho Department of Water Resources, 1515 [illegible], Idaho Falls, Idaho, [illegible] 29, 1977.

E. [illegible]
Director

Published in the Ashton Herald, Ashton, Idaho, August 11 and August 18, 1977.

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Flying A. Ranch, Inc., Ashton, Idaho

has on 7-29-77 submitted Application No. 21-7136

for a permit to appropriate 1.00 cubic feet per second ~~acre feet per annum~~

of water from waste water from Yellowstone Ditch tributary to Marysville Canal and Fall River

by means of pipeline, ditch and two retention ponds

within the SE¼SE¼, Sec. 26, T. 9N, R. 43E, B.M. The water will be rediverted from a retention pond within the NW¼NE¼, Sec. 35, T. 9N, R. 43E, B.M.;

to be used from Apr. 1 to Oct. 15

for the irrigation of 80 acres within the W½NE¼, Sec. 35, T. 9N, R. 43E, B.M.

within the

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before August 29, 1977.

C. STEPHEN ALLRED

Director

Published in the Ashton Herald, Ashton, Idaho

on August 11 and August 18, 1977

August 4, 1977

RE: Application for Permit No. 21-7136

Mr. Clem P. Atchley
Flying A Ranch, Inc.
Box 9-A, Route #1
Ashton, Idaho 83420

Dear Mr. Atchley:

Attached herewith is departmental receipt No. 8316 in the amount of $25.00 for the above referenced application.

Pursuant to our telephone conversation, I have made the changes we discussed and have begun the processing of your application. For your convenience, please find enclosed your retyped application. Please sign and return to this office as soon as possible. The last date of protest is August 29, 1977, however, final action can not be taken until we have received the retyped application.

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

Very truly yours,

LOY H. JOHNSON
Senior Water Resource Agent

LHJ:cw

Attachment

Enclosure