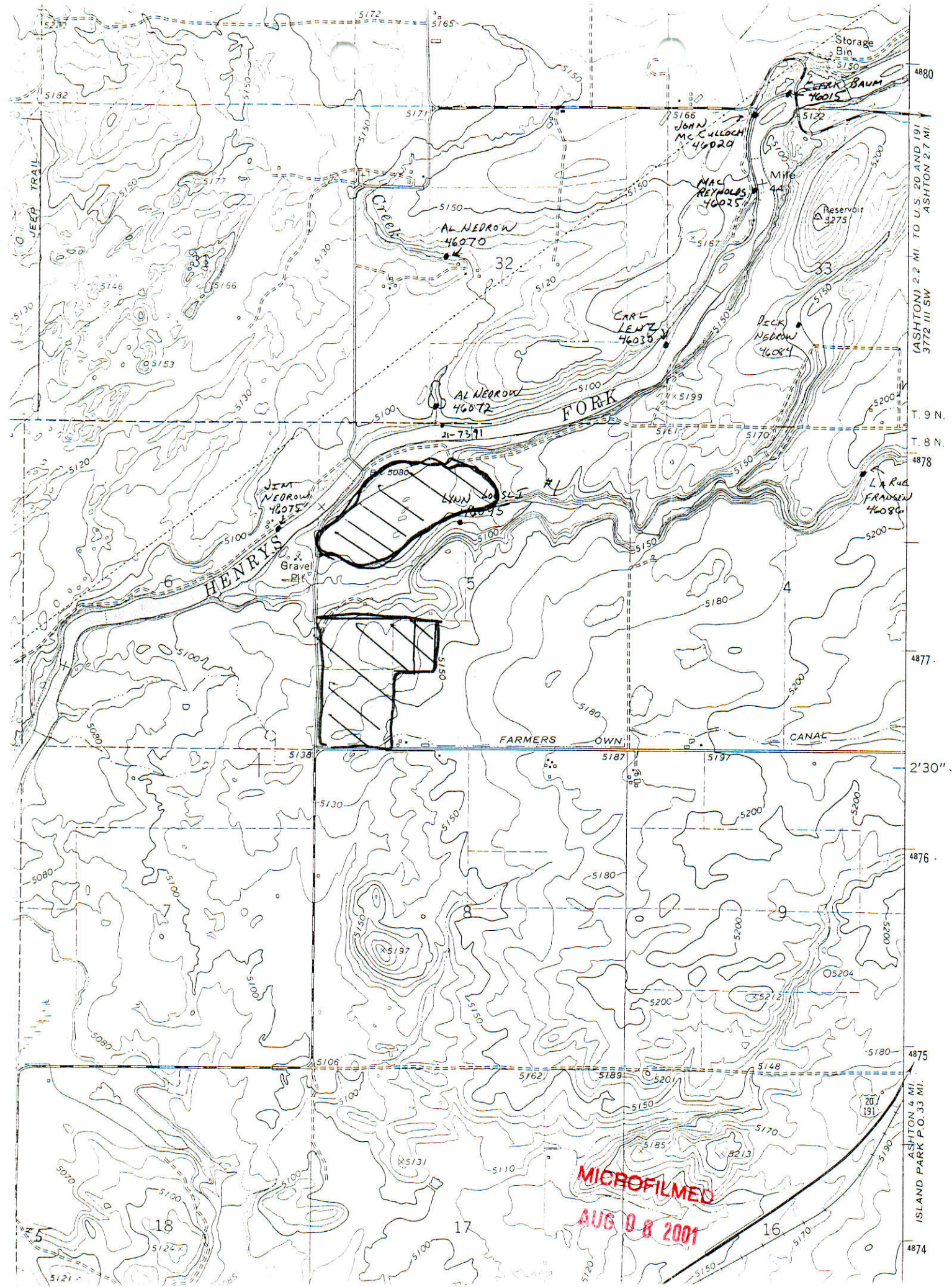




ASHTON 2.2 MI. TO U.S. 20 AND 191
3772 III SW

T. 9 N.
T. 8 N.

2'30"

ASHTON 4 MI.
ISLAND PARK P.O. 3.3 MI.

MICROFILMED
AUG 08 2001

AFFIDAVIT OF
PUBLICATION

State of Idaho

County of Fremont

ss.

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

That she is the editor
of The Ashton Herald, a newspaper
as defined by Idaho Codes Anno-
tated, section 58-106, as amended,
and that said newspaper is a
weekly newspaper printed and
published at St. Anthony, in Fre-
mont 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 publica-
tion of notice of application

Application for
Water Permit
#21-7132 (Loosli, Leonard)

And affiant further says that said
notice, advertisement of publica-
tion, as per clipping attached, was
published in said newspaper, in the
regular and entire issue thereof,
and not in any supplement issue
thereof, for 2 consecutive
issues thereof; first publication

having been made on the 28

day of July, 1977,

and the last publication on the

4 day of August

1977.

And affiant further says that at the
times herein mentioned said news-
paper 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 Beasley
Subscribed in my presence and

sworn to before me this 28

day of August,

1977.

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

RECEIVED

AUG 9 1977

Department of Water Resources
Eastern District Office

NOTICE OF APPLICATION
FOR WATER PERMIT

Notice is hereby given that Lynn
Loosli &/or Curtis Loosli &/or Leon
Martindale, Ashton, Idaho have on 7-14-
77 submitted Application No. 21-7132
for a permit to appropriate 13.00 cubic
feet per second of water from a ground-
water source by means of well and pump
within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec 21, T. 8N
R. 42E, B.M., Fremont County. The
water will be pumped into the Falls
River at a point within the NE $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 21, T. 8N, R. 42E and rediverted at
points within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23, T.
8N, R. 42E, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 8, T. 8N,
R. 43E (Falls River); SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec.
16, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 8N, R. 43E
(Conant Creek.) to be used from Apr. 1
to Nov. 1 for the irrigation of 1,640 acres
within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$,
SW $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 8, NE $\frac{1}{4}$,
E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$,
N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, N $\frac{1}{2}$,
SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 16, T.
8N, R. 43E; S $\frac{1}{2}$ N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$, Sec. 21,
N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22, SW $\frac{1}{4}$,
Sec. 23, T. 8N, R. 42E, 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
15, 1977.

C. STEPHEN ALLRED
Director

Published in the Ashton Herald,
Ashton, Idaho on July 28 and August 4,
1977

MICROFILMED

Curtiss & Lynn Loosli

Curtiss Loosli & Wayne Oberkansley 21-7048
21-2156 Exchange

Lynn Loosli, Curtis Loosli, Leon Martindale 21-7030 Onended
21-7132

21-7030 Conant Ck 8.0 cfs : 400 Af. SWSE 16 8.0 43E 10, 05 73
2-125 hp pumps on 16, 2-150 hp pumps: 17 SE SE 17 8.0 43E

21-7048 Fall River 4.0 cfs SWNE 8 8.0 43E 74

21-7132 groundwater

21-2156 A Fall River 100 Af. SWNE 8 8.0 43E 3 14 35

21-2156 B Conant Creek 8.0 cfs
SESW 16 8.0 43E
SWSE 17 8.0 43E 3 14 35

Val Richards book

Curtis Fall River NW $\frac{1}{4}$ 8 8.0 43E
Oberkansley place 2-125 pumps, below moraine
Pumping: 25 Af. from Madison: 130 Af. transfer up river Crouch pump: 130 Af. transfer from
Maysville Canal;

Curtis Fall River NE $\frac{1}{4}$ 23 8.0 42E
Crouch Ranch (R.R. Henry) 2-150 pumps
Pumping: 100 Af. from WD-01 rental pool: 193 Af. of R.R. Henry storage

Lynn Loosli Fall River SE $\frac{1}{4}$ 13 8.0 41E
John Leeley place 1-75 pump
Pumping: 100 Af. transfer to Conant Creek: 1890 Silky - roads transfer

Curtis Conant Cr. NW $\frac{1}{4}$ 17 8.0 43E
Jay Hill land, 1-75 pump above gravel pit
Pumping: R.R. Henry's Conant Creek Canal water

Lynn Black Springs 2.5 cfs NW $\frac{1}{4}$ 5 8.0 42E 6-1-1892
Pumping: Maysville & farmers own storage

$BD:CD$

Notice is hereby given that Lynn Loosli &/or Curtis Loosli &/or Leon Martindale, Ashton, Idaho have on 7-14-77 submitted Application No. 21-7132 for a permit to appropriate 13.00 cubic feet per second of water from a ground-water source by means of well and pump within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec 21, T. 8N R. 42E, B.M., Fremont County. The water will be pumped into the Falls River at a point within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21, T. 8N, R. 42E and rediverted at points within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23, T. 8N, R. 42E, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 8, T. 8N, R. 43E (Falls River); SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 16, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 8N, R. 43E (Conant Creek.) to be used from Apr. 1 to Nov. 1 for the irrigation of 1,640 acres within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 8, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, N $\frac{1}{2}$, SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 16, T. 8N, R. 43E; S $\frac{1}{2}$ N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$, Sec. 21, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22, SW $\frac{1}{4}$, Sec. 23, T. 8N, R. 42E, 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 15, 1977.

C. STEPHEN ALLRED
Director

Published in the Ashton Herald,
Ashton, Idaho on July 28 and August 4,
1977

7/92

Exam Dec 17 1987

2004

Ident. No. TC-21-02

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TEMPORARY CHANGE APPLICATION
(To change point of diversion, place of use or purpose of use)

RECEIVED

JUL 26 2001

Name of applicant Loosli Farms c/o Brian Loosli Department of Water Resources
Post Office address 3127 E. 1100 N. Ashton, ID 85440 Phone 208-652-3303

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☐ Change purpose of use ☐ Other

2. Describe the proposed change(s) and the reason(s) therefor We are drying up 200 acres in Sec 17 T8N R42E. Then we will irrigate 180-200 acres in Sec 5 T8N R42E. The new pad is a pump (Black Springs pump #46095) that we have that has lost its priority water.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number 21-7132 Priority 7-14-1977 Amount 13.00 Nature Irrigation Period of Use 4-1 to 10-31

2. Total amount of water being transferred 13.00 cubic feet/second and/or _____ acre-feet per annum.

3. Source of water Ground water tributary to _____

4. Point(s) of Diversion: Additional P.D.

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
NEW			SE	NW	5	8N	42E	Premont	Lynn Loosli pump #46095
original			SW	NE	23	"	"		
"			SE	NW	8	8N	42E		
"			SW	SE	16	"	"		

5. Lands irrigated or Place(s) of Use: SE SE 17

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
8N	42E	5					30	30	40	10	10	40							180 200

Part of 1640 acre total * Total acres 200180

6. General Information:

- a. Who owns the water right to be changed? Applicant
- b. Describe the arrangement allowing use of the right _____
- c. Describe the affect on the land now irrigated if the change is approved pursuant to this application:
This land will be dried up
- d. Has the water right sought to be transferred been used this year? Yes If yes, explain. This crop is done
- e. Absent the changes, how would the right be used for the remainder of the year? It would be off
- f. Describe other water rights used for the same purpose. _____
- g. Remarks: This water pumps into the Falls River + is redirected at various points. This pump in Sec 5 is an added pd just for this season

I hereby assume all risk in accordance with House Bill No. 4 and assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in voiding its approval.

Coast Farms
by B. J. [Signature]
(Signature of applicant)

FOR DEPARTMENT USE ONLY

Received by HWT Date 7-18-01 Fee \$50
Receipted 7-18-01 # E026924 Recommend: _____ approve _____ deny _____
Watermaster recommendation _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Temporary Change Application No. _____
And said application is hereby _____, subject to the following limitations and conditions:

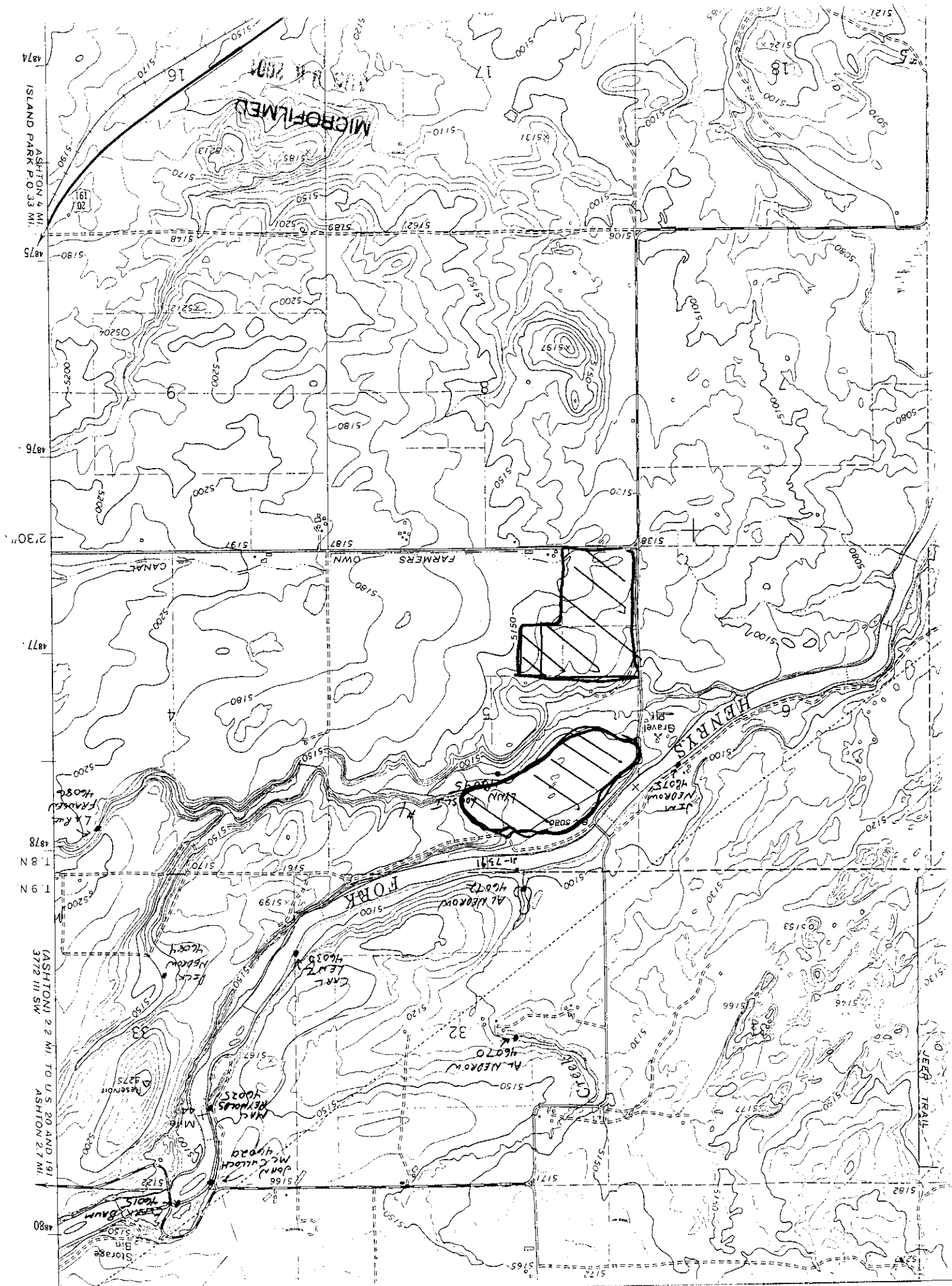
1. This approval expires November 1, 1992 and thereafter the right reverts to the use existing prior to the temporary change.

MICROFILMED

2001
2001
1992

Witness my hand this 18th day of July

[Signature]



BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION)
FOR TEMPORARY CHANGE OF A)
WATER RIGHT IN THE NAME)
OF 21-7132)
Lynn Loosli)

ORDER AUTHORIZING
TEMPORARY CHANGE
TC-21-02

WHEREAS, a drought emergency has been declared for Fremont County to allow administrative actions to lessen the severe impacts of the drought conditions in the county; and

WHEREAS, section 42-222A, Idaho Code, provides that upon declaration of a drought emergency, the director of the Department of Water Resources (A Department) is authorized to allow temporary changes in the point of diversion, the place of use, and the purpose of use for valid existing water rights or temporary exchanges of water, as provided in section 42-240, Idaho Code, when the director determines that such changes can be accomplished in accordance with the provisions of section 42-222A, Idaho Code; and

WHEREAS, on July 18, 2001, the Applicant submitted the attached Temporary Change Application ("application") to the Department; and

WHEREAS, the Department has reviewed the application and has determined the application can be approved with certain conditions; and

WHEREAS, The applicant assumes all risk and is the responsible party if diversion and use of water under the temporary change approval causes injury to other water rights or constitutes an enlargement in use of the original right;

ORDER

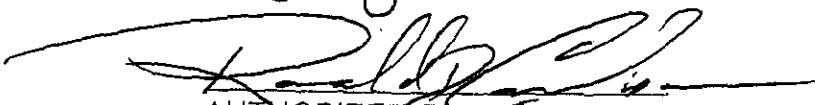
IT IS HEREBY ORDERED that the application is APPROVED subject to the following conditions:

1. Diversion and use of right no(s). 21-7132 ^(Part) is authorized only at the point of diversion and place of use described on the application or as otherwise approved in this order.
2. This temporary change approval does not authorize construction of a new well as a new point of diversion.
3. This temporary change approval may only be used to provide a

replacement water supply to lands or other uses that normally have a full water supply, except for the drought condition. This temporary change approval may not be used to provide water for new development or to allow expansion of the use of water under existing water rights.

4. Right(s) 21-7132 (Port) are limited to the irrigation of a total of 180 acres in a single irrigation season.
5. This temporary approval does not authorize the use of diversion works or a delivery system owned by or managed by a corporation or an irrigation district without the written consent of such corporation or irrigation district.
6. The applicant agrees to hold the director and the state of Idaho harmless from all liability on account of the diversion and use of water under this temporary change approval.
7. This temporary change approval does not grant any right-of-way or easement to use the diversion works or conveyance works of another person or entity.
8. The applicant shall measure the amount of water diverted and shall report the amount of water diverted under this approval. (If this condition or a similar one is used, describe the required frequency of measurement and when and where to report the amount of measured water).
9. The watermaster of Water District No. 01 is authorized to administer the temporary change approval.
10. This temporary change approval expires on 10-31-01 unless rescinded or extended by the director. Thereafter, the water right shall revert to the point of diversion, place of use and nature of use existing prior to the temporary change approval.

DATED this 18th day of July, 2001.


AUTHORIZED PERSON
IDWR

MICROFILMED

AUG 08 2001

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PROTESTS AGAINST APPROVAL	)	ORDER ADOPTING
OF APPLICATION FOR PERMIT NO. 21-7132 IN	)	PROPOSED MEMORANDUM DECISION
THE NAME OF LYNN AND/OR CURTIS LOOSLI	)	AND ORDER
AND/OR LEON MARTINDALE	)	

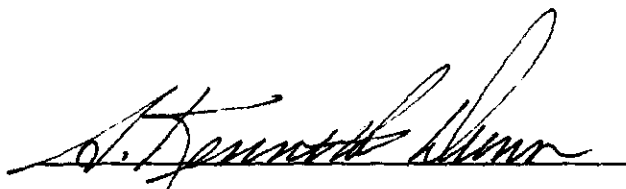
WHEREAS, A. Kenneth Dunn, Director of the Department of Water Resources having issued and served a copy on the parties thereto on February 24, 1982, a Proposed Memorandum Decision and Order in the above-captioned matter, pursuant to Section 67-5211, Idaho Code; and,

WHEREAS, more than fifteen days have passed since the service of the Proposed Memorandum Decision and Order; and,

WHEREAS, no exceptions to that Proposed Memorandum Decision and Order have been received;

IT IS, THEREFORE, HEREBY ORDERED That said Proposed Memorandum Decision and Order be adopted as the Final Decision and Order and that proof of construction of works and application of water to beneficial use be submitted on or before March 1, 1987.

Dated this 31 day of March, 1982.



A. KENNETH DUNN

DIRECTOR

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BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PROTESTS AGAINST APPROVAL) PROPOSED
OF APPLICATION FOR PERMIT NO. 21-7132 IN) MEMORANDUM DECISION
THE NAME OF LYNN AND/OR CURTIS LOOSLI) AND ORDER
AND/OR LEON MARTINDALE)
_____)

On July 14, 1977, Lynn Loosli, Curtis Loosli, and Leon Martindale of Ashton, Idaho applied to the Department of Water Resources for a permit to appropriate 13.00 cubic feet per second of water from a groundwater source for the irrigation of 1,640 acres located in Sections 8, 16, and 17, Twp. 8N, Rge. 43E and Sections 21, 22, and 23, Twp. 8N, Rge. 42 E, B.M. The groundwater will be diverted into the Falls River within the NE1/4SE1/4, Sec. 21, Twp. 8N, Rge. 42E, B.M. and exchanged for water rediverted at points within the SE1/4NW1/4, Sec. 23, Twp. 8N, Rge. 42E, SE1/4NW1/4, Sec. 8, Twp. 8N, Rge. 43E from Falls River and within the SW1/4SE1/4, Sec. 16; SE1/4SE1/4, Sec. 17, Twp. 8N, Rge. 43 E from Conant Creek.

Notice of this application was published in the Ashton Herald, Ashton, Idaho on July 28 and August 4, 1977 and subsequently was protested by Homer Jones of Ashton, Idaho on behalf of the Conant Creek Canal Company.

A conference in this matter was held on September 22, 1977. The applicants were present and represented themselves. Representatives for the protestant were present and represented by Ray W. Rigby, attorney at law. All parties agreed to waive a formal hearing and allow the Department to reach a decision based upon the arguments presented at the conference, any additional pertinent information contained in the Department's files and an agreement between the applicants and protestants to be submitted to the Department within thirty days.

The primary concern of the protestant is that the diversion of water from Falls River and Conant Creek could injure existing water rights if either there is not sufficient water in Falls River or Conant Creek to satisfy all existing water rights or if the water diverted from Falls River and Conant Creek is not replaced from the proposed well at the same time.

None of the other issues within Section 42-203, Idaho Code were raised

by the protestant during the conference and therefore a discussion of those issues is not included in this proposed memorandum decision.

The Department having now reviewed the available information, and not having received an agreement from the parties, makes the following Findings of Fact, Conclusions of Law, and Order based upon the Director's understanding of the law:

FINDINGS OF FACT

1) Since Conant Creek Canal historically diverts all of the water out of Conant Creek in the NW1/4SW1/4, Sec. 27, Twp. 8N, Rge. 44E, any water in the creek in Sections 16 and 17, Twp. 8N, Rge. 43E is tributary below the canal's diversion works. Department records indicate Curtis Loosli, one of the applicants, owns the only pump on Conant Creek downstream from the proposed point of rediversion in the SE1/4SE1/4, Sec. 17, Twp. 8N, Rge. 43E, B.M.

2) The Department's records show that six privately owned pumps and the Enterprise Canal divert water from Falls River between the applicant's point of diversion in the NE1/4SE1/4, Sec. 21, Twp. 8N, Rge. 42E where the water is injected into the river and the rediversion pump further upstream on Falls River which is located in the SE1/4NW1/4, Sec. 8, Twp. 8N, Rge. 43E.

CONCLUSIONS OF LAW

1) The diversion of Conant Creek water in Sections 16 and 17, Twp. 8N, Rge. 43E, B.M. will not injure the prior water rights of Conant Creek Canal or other water users on Conant Creek.

2) The operation of the groundwater exchange can be made without adversely affecting the ability of senior water rights on Falls River to obtain their water.

3) The applicant is entitled to a permit from the Department of Water Resources subject to certain conditions considered necessary by the Department for proper administration of the water.

ORDER

IT IS, THEREFORE, HEREBY ORDERED and Application for Permit No. 21-7132 is APPROVED subject to the following conditions:

1) That the permit be and is subject to all prior existing water rights and no demand on upstream prior rights or existing exchanges can be made or interference with prior downstream rights allowed even if the exchange well is pumping water into Falls River.

2) That totalizing measuring devices of a type approved by the Department must be installed and maintained at the point of diversion and points of exchange rediversion.

3) That lockable controls be installed on all pumps operated under this right including those at both the point of diversion and the points of exchange rediversion.

4) This right shall be under the control of the watermaster of State Water District No. 1.

5) Proof of construction of works and application of water to beneficial use shall be submitted to the Department on or before the date indicated on the Final Decision and Order.

6) Groundwater shall be diverted into Falls River in exchange for surface water diverted from Conant Creek and/or Falls River at the same time the diversion from the surface water is taking place.

Dated this 19 day of February, 1982.



BOBBY D. FLEENOR

Hearing Officer

RECEIVED

Identification No. 21 7132

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 Lynn Loosli &/or Curtis Loosli &/or Phone: 652-3312 (Lynn)
&/or Leon Martindale
post office address Ashton, Idaho 83420
2. Source of water supply ground water which is a tributary of _____
3. a. Location of point of diversion is NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 21 Township 8N
Range 42E B.M. Fremont County; additional points of diversion if any: _____
The water will be pumped into the Falls River at a point within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec.
21, T. 8N, R. 42E and rediverted at points within SENW, Sec. 23, 8N, R. 42E, SENW, Sec.
8, 8N, 43E from Falls River; SW $\frac{1}{4}$ SE $\frac{1}{4}$, 16, SESE, 17, T. 8N, R. 43E from Conant Creek.
b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 13.00 for Irrigation purpose from Apr. 1 to Nov. 1 (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. 13.0 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. well, pump, and pipeline

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
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 \$ 40,000.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ 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.	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	
8N	43E	8 ✓			20						40		20	40		40	40		200
		17 ✓	40	40	40	40	40		10	30	20				40	30		10	340
		16 /	40	40	40	40	40	40	40	40	40	40	25	10	15	40	10		500
8N	42E	21			40	40			40	40	40	40			40	40			320
		22 /													40	40		40	120
		23 /									40	40	40	40					160

Total number of acres to be irrigated 1,640

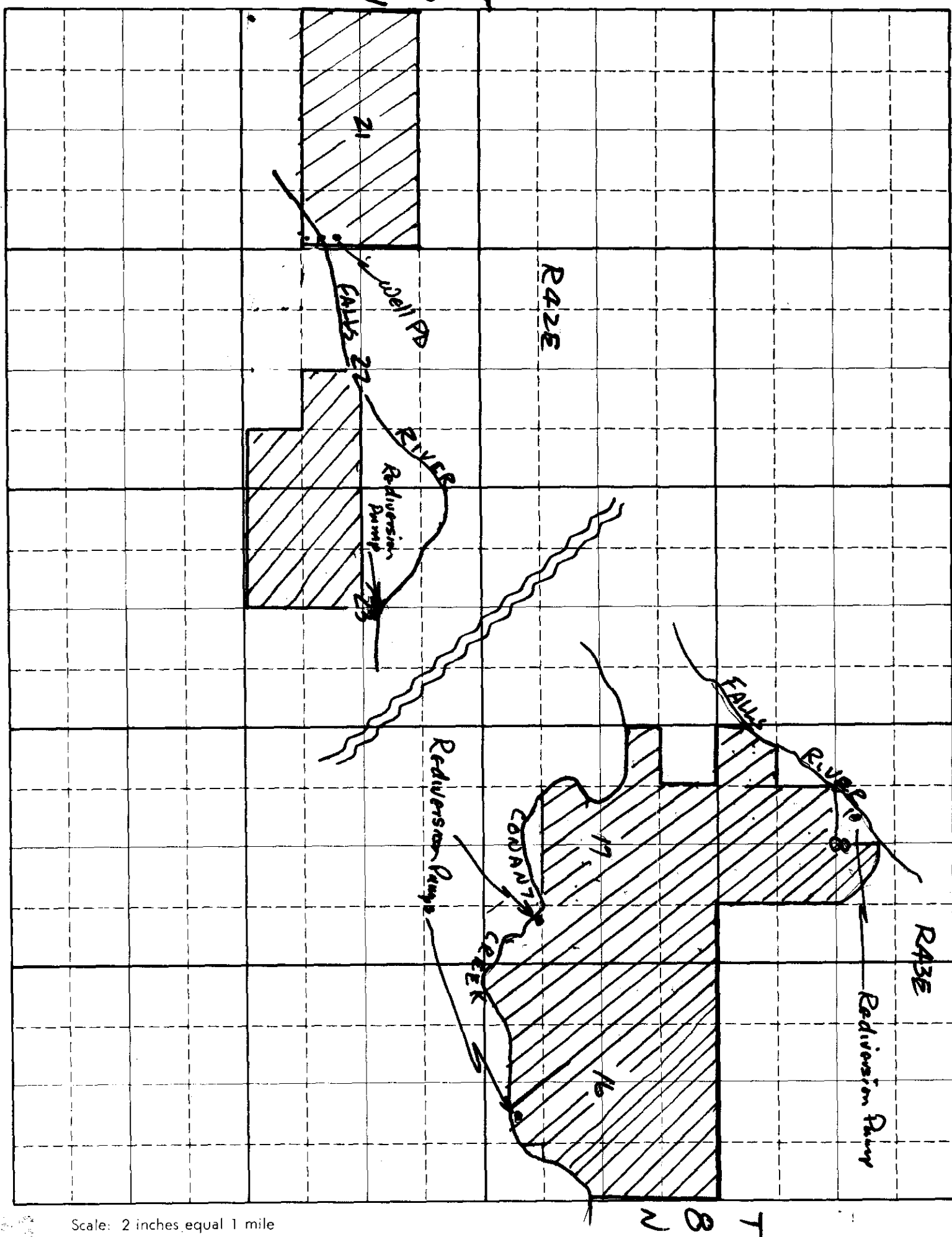
c. Describe any other water rights used for the same purposes as described above.
Application 21-7048, 21-7030, 21-2035

9. a. Who owns the property at the point of diversion Applicants
 b. Who owns the land to be irrigated or place of use Applicants, R. Sturm, M. Mondale
& B. Oberhansley
 c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing Long term leases

10. Remarks This application is filed to be supplemental to existing water rights.

110-27-170

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.

Lynn Locali
(Applicant)

Received by me Date 7-14-77 Time 2:50 p.
Preliminary check by me Fee \$ 145.00
Receipted by me Date 7-14-77 # 8264
Publication prepared by me Date 7-21-77
Published in Ashton Herald
Publication dates July 28 & Aug. 4-1977
Publication approved me Date August 10, 1977
Priority reduced to _____ Reason _____

Protests filed by: Conant Ch. Canal

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. 21-7132, 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 March 1, 19 87.
- c. Other: PURSUANT TO PROPOSED MEMORANDUM DECISION AND ORDER and ORDER ADOPTING PROPOSED MEMORANDUM DECISION AND ORDER

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

Witness my hand this 31 day of March 19 82.


Director

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PROTESTS AGAINST APPROVAL
OF APPLICATION FOR PERMIT NO. 21-7132 IN
THE NAME OF LYNN LOOSLI AND/OR CURTIS
LOOSLI AND/OR LEON MARTINDALE

CERTIFICATE OF MAILING

I HEREBY CERTIFY That on this 6th day of April, 1982 a true and correct
copy of the foregoing ORDER ADOPTING PROPOSED MEMORANDUM DECISION AND ORDER was
mailed postage prepaid to:

Lynn Loosli,
Curtis Loosli
and Leon Martindale
Ashton, ID 83420

Ray W. Rigby
RIGBY, THATCHER, 7 ANDRUS, P.A.
P. O. Box 250
Rexburg, ID 83440

Homer Jones, President
Conant Creek Canal Company
Ashton, ID 83420


RITA I. FLECK
Sr. Secretary
Idaho Department of Water Resources

BEFORE THE DIRECTOR OF THE DEPARTMENT
OF WATER RESOURCES OF THE
STATE OF IDAHO

IN THE MATTER OF PROTESTS AGAINST	)	
APPROVAL OF APPLICATION FOR PERMIT	)	
NO. 21-7132 IN THE NAME OF LYNN &/	)	ORDER ISSUING
OR CURTIS LOOSLIE &/OR LEON	)	PROPOSED DECISION
MARTINDATLE	)	
	)	

A. Kenneth Dunn, Director of the Department of Water Resources, having reviewed the attached proposed decision prepared by his appointee, Bobby D. Fleenor, who conducted the hearing or who has read the record in this case, hereby approves the same as a proposal for decision pursuant to Idaho Code, § 67-5211 and orders that said proposed decision and a copy of this order be served upon each of the parties to these proceedings who appeared at the hearing on September 22, 1977, of this matter or upon their attorneys in accordance with Rule 7.3 of the Rules of Practice and Procedure of this Department.

Each party to these proceedings who appeared at the hearing is hereby afforded the opportunity, pursuant to Idaho Code §§ 42-1701A and 67-5211, to file exceptions to the attached proposed decision and to present briefs and oral arguments in accordance with the provisions of this order. Exceptions may not be filed and briefs and oral arguments may not be presented by parties who did not appear at the hearing of this case. If no timely and proper exceptions are received, an order by the Director will be entered adopting and issuing the proposed decision as his final decision.

I.
EXCEPTIONS

A. To be considered by the Director, exceptions must:

1. be received by the Director on or before the 15th day following the day of service of this Order and the proposed decision, and
2. specifically identify the portions of the proposed decision to which exceptions are made and specifically state the grounds for those exceptions.

B. Exceptions not in compliance with the above stated requirements will not be considered and will be deemed an acceptance of the proposed decision.

II.
BRIEFS

A. Any briefs in support of exceptions to the proposed decision shall be filed with the Director at the same time that party's exceptions are filed with the Director.

B. Any party desiring to file a brief in response to any exceptions filed by any other party may do so by filing such brief with the Director on or before the 15th day following the last day any exceptions by any other party were served upon that party desiring to respond.

III.
ORAL ARGUMENTS

A. No oral arguments before the Director on the proposed decision will be held unless specifically requested by a party filing exceptions to the proposed decision and unless that request is filed with the Director concurrently with the filing of that party's exceptions.

B. If oral arguments have been properly requested by a party filing exceptions, any other party, upon reasonable notice to the Director, shall have the right to present oral arguments in response to the exceptions filed.

C. Oral arguments before the Director on exceptions to the proposal for decision shall be heard at the discretion of the Director, pursuant to Idaho Code § 42-1701A. After all exceptions, briefs and requests for oral arguments have been received, the Director will decide whether to hear oral arguments. If oral arguments are to be heard, the Director will, within a reasonable time, set the case for oral arguments and notify each party of the place, date and hour the oral arguments will take place and of the period of time allocated for the arguments of this case. Unless the Director orders otherwise, all oral arguments shall be heard in Boise, Idaho.

IV.
CERTIFICATION OF SERVICE

A. All exceptions, briefs, requests for oral arguments and other matters filed with the Director in connection with the proposed decision shall be served on all other parties to these proceedings in accordance with Rule 7.2.

V.
FINAL DECISION

A. Following the submission of all exceptions and briefs and oral arguments, if they are heard, the Director shall issue a final decision adopting, modifying or rejecting and replacing the proposed decision. Copies of the decision and order shall be served on all parties.

DATED this 24th day of February, 19 82


A. KENNETH DUNN

Director

Department of Water Resources

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PROTESTS AGAINST)
)
APPROVAL OF APPLICATION FOR PERMIT NO.)
)
21-7132 IN THE NAME OF LYNN &/OR)
)
CURTIS LOOSLI &/OR LEON MARTINDALE)
)

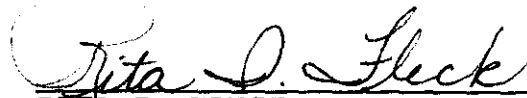
CERTIFICATE OF MAILING

I HEREBY CERTIFY That on this 24th day of February, 1982
true and correct copies of the foregoing ORDER ISSUING PROPOSED
DECISION and PROPOSED MEMORANDUM DECISION AND ORDER were mailed,
postage prepaid to:

Lynn Loosli,
Curtis Loosli and
Leon Martindale
Ashton, ID 83420

Homer Jones, President
Conant Creek Canal Company
Ashton, ID 83420

Ray W. Rigby
RIGBY, THATCHER & ANDRUS, P.A.
P. O. Box 250
Rexburg, ID 83440



RITA I. FLECK
Sr. Secretary

RECEIVED

AFFIDAVIT OF
PUBLICATION

State of Idaho

County of Fremont

ss.

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

That she is the
of The Ashton Herald, a newspaper
as defined by Idaho Codes Anno-
tated, section 58-106, as amended,
and that said newspaper is a
weekly newspaper printed and
published at St. Anthony, in Fre-
mont 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 publica-
tion of

And affiant further says that said
notice, advertisement of publica-
tion, as per clipping attached, was
published in said newspaper, in the
regular and entire issue thereof,
and not in any supplement issue
thereof, for consecutive
issues thereof; first publication

having been made on the
day of, 1977,

and the last publication on the
.....day of,
1977.

And affiant further says that at the
times herein mentioned said news-
paper 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.

Subscribed in my presence and

sworn to before me this
day of,
1977.

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

RECEIVED

AUG 9 1977

Department of Water Resources
Eastern District Office

NOTICE OF APPLICATION
FOR WATER PERMIT

Notice is hereby given that Lynn
Loosli &/or Curtis Loosli &/or Leon
Martindale, Ashton, Idaho have on 7-14-
77 submitted Application No. 21-7132
for a permit to appropriate 13.00 cubic
feet per second of water from a ground-
water source by means of well and pump
within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21, T. 8N
R. 42E, E.M., Fremont County. The
water will be pumped into the Falls
River at a point within the NE $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 21, T. 8N, R. 42E and redirected at
points within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23, T.
8N, R. 42E, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 8, T. 8N,
R. 43E (Falls River); SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec.
16, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 8N, R. 43E
(Conant Creek.) to be used from Apr. 1
to Nov. 1 for the irrigation of 1,640 acres
within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{4}$ SW $\frac{1}{4}$,
SW $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 8, NE $\frac{1}{4}$,
E $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$,
N $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, N $\frac{1}{4}$,
SW $\frac{1}{4}$, N $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 16, T.
8N, R. 43E; S $\frac{1}{4}$ N $\frac{1}{4}$, N $\frac{1}{4}$ S $\frac{1}{4}$, Sec. 21,
N $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22, SW $\frac{1}{4}$,
Sec. 23, T. 8N, R. 42E, E.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
15, 1977.

C. STEPHEN ALLRED
Director

Published in the Ashton Herald,
Ashton, Idaho on July 28 and August 4,
1977.

4/86

RECEIVED

FEB 11 1987

Department of Water Resources
Eastern District Office

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

EXAMINATION FEE INFORMATION

For Office Use Only
Fee Received 275.00
Date 2-11-87
Receipt # 41048
Receipt by mm
Sent to S.O. mm**RECEIVED**

FEB 27 1987

1. Permit No. 2-1-7030 21-7132* Water Right 0-1-0169

ONE OF THE FOLLOWING BOXES SHOULD BE MARKED TO DESIGNATE YOUR CHOICE: *CHANGES MADE AS PER TELECON 2/18/87. ESW Water Resources

☒ 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: Lynn Loosli3. Post Office Address: Rt 1 Box 72Telephone No. 652 33124. Source of Water: Conate Creek (flows into Fall River)

5. Extent of Use:

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

Irrigation 550 (acres) Other/Remark _____6. Total rate &/or volume for which proof is submitted 8 cfs 550 acre-feet

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

June 1973

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

Lynn Loosli

(Name)

Rt 1 Box 72 Ashton Idaho

(Address)

652 3312

(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 of this box is marked, complete items 1 thru 7.)

AUG 08 2001

Date _____

Signature of Permit Holder (and title, if appropriate)

copy retained for file

State of Idaho
Department of Water Resources

LICENSE EXAMINATION FEE SCHEDULE

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

cfs	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.



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

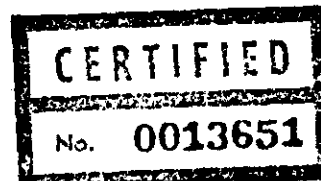
150 Shoup — Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

A. Kenneth Dunn
Director

January 26, 1987

21-7132
LOOSLI, LYNN
LOOSLI, CURTIS
RT. 1
ASHTON, ID 83420

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.

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AUG 08 2001

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 beneficially 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.

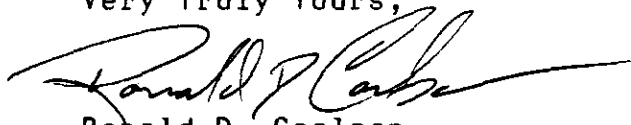
FAILURE TO SUBMIT WITHIN THE SIXTY (60) DAY PERIOD THE FEE OR THE STATEMENT THAT A CERTIFIED EXAMINER HAS BEEN RETAINED TO MAKE THE FIELD EXAMINATION WILL BE CAUSE TO ADVANCE THE PRIORITY OF THE PERMIT ONE DAY FOR EACH DAY THAT THE FEE SUBMITTAL IS LATE.

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

MICROFILMED

AUG 08 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

FEBRUARY 19, 1986

LYNN LOOSLI
RT. 1
ASHTON ID 83420

RE: Permit No. 21-7132

Dear Permit Holder:

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 examiner will contact you to arrange to examine your system.

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

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

MICROFILMED

AUG 08 2001

Form 204-p
6/82

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

COMMENCEMENT OF WORKS

no not issued
at an Exchange
well

91-1132

Permit No. _____

Name(s) of Permit Holder(s): _____

Post Office Address: _____

Tel. No. _____

☒ I hereby certify that construction of diversion works for the above referenced permit began on June 73 (date). I understand that I must continue to develop the water system with due diligence to maintain a valid permit.

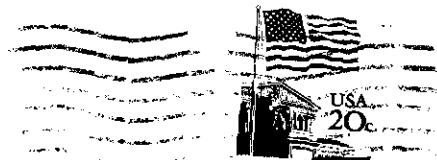
☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control*:

AUG 02 2001

*Note: A financing difficulty is not an acceptable reason.

Date

Signature of Permit Holder



RECEIVED

JUL 30 1982



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

Department of Water Resources

MAILED
AUG 08 2001

RECEIVED
DEC 19 1985

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

Department of Water Resources

RECEIVED
DEC 17 1985

Department of Water Resources
Eastern District Office

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

Permit No. 21-7132

Name(s) of Permit Holder: Lynn Loosli +/or Curtis Loosli

Post Office Address: Rt. 1 Ashton, ID. 83420

Telephone No. 652-3312

Source of Water: Groundwater

Extent of Use:

Domestic _____ (number of households)

Stockwater _____ (number and type of stock)

Irrigation 1640 _____ (acres)

Other/Remarks _____

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

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

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

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

See above

(Name)

MICROFILMED

(Address)

(Telephone Number)

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

12-17-85
Date

Lynn Loosli
Signature of Permit Holder (and Title, if appropriate)



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

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

SEPTEMBER 1, 1985

DEAR PERMIT HOLDER:

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

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

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

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

SINCERELY,

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

MICROFILMED

April 5, 1982

Lynn Loosli and/or
Curtis Loosli and/or
Leon Martindale
Ashton, ID 83420

Gentlemen:

Re: Application for Permit No. 21-7132

Enclosed is a copy of the Order Adopting the Proposed Memorandum Decision as the Final Decision and Order of the Director together with a copy of the Proposed Memorandum Decision and Order and a copy of the application.

Be sure to note the special condition requiring you to install and maintain a measuring device at your point of diversion prior to submitting proof of beneficial use of water. We have enclosed a letter describing the different types of measuring devices accepted by this office.

Any person who does not agree with the decision of the department may request a rehearing before the Director within twenty (20) days, or may appeal directly to the district court within thirty (30) days of the date the decision is mailed.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:rf

Enclosures

cc: See certificate of mailing

MICROFILMED

Findings:

- 1) Conant Creek is a gaining stream ~~between~~ below Conant Creek Canal diversion works.
- 2) Hydrologic data on Fall River between Squirrel & Chester.
- 3) Water Rights on Fall River between point of exchange & point of injection.

Lynn Loosli. Conant Cr.

SW $\frac{1}{4}$ Sec 16 8N 43E.

Oct. 1-1973.

Storage - Fremont Madison.

SW $\frac{1}{4}$ Sec 16 8N 43E.

100 AF

Curtis Loosli - Conant Cr.

NW $\frac{1}{4}$ Sec 17 8N 43E.

120 AF / 7 K.R. HENRY Storage.

Travis Potter. Falls River.

SE $\frac{1}{4}$ NE $\frac{1}{4}$ 22 8N 42E.

3.00 cfs.

9/24/1900 - 21-0019

Enterprise Irrigation District. Falls River.

June 12, 1903 140.2 cfs.

Jan 22, 1916 30. cfs.

April 1, 1939 29. cfs.

Total 199.2 cfs.

RECORDED

11

Need to

Jay Hill - falls river

NE $\frac{1}{4}$ Sec. 18, 8N 43E

Conant Creek Canal - application for transfer. # T. 21-0141, 21-2035, 21-2037.

Mrs. Hill has some strage, from Fremont Medicine.

Earl Potter - Falls River.

NW SW Sec 22 8N 42E

3.00 cfs. Sept. 24, 1900

deceded to C.J. Almy (Alvary) T. 21-0019.

Falls River

NW SW Sec 22 8N 42E

1.40 cfs Dec 14, 1975

Permit #21-7082.

Dan Reynolds. Falls River.

NW $\frac{1}{4}$ Sec 24 T8N R. 42E.

Marysville 1895

NOTE: Needs to transfer point of diversion.

~~John Seeloy. Falls River.~~

~~SE $\frac{1}{4}$ Sec 13 8N~~

K. R. Henry - Falls River.

NE $\frac{1}{4}$ Sec 23 8N 42E.

*

11-11-11

Carissimi e buoni amici:

Coeliox Locust & Wagon Identification 21-11-47
28-2156 Exchange

From Capt. John Smith, Dear Margaret 21- Oct 1901
21-7/02

2019-2020 Year 6 Mathematics Area & Perimeter

2-12-1964, 2-13-1964, 2-14-1964, 2-15-1964, 2-16-1964, 2-17-1964

2-10-48 7:30 AM 10000 10000 10000 10000

2-20-1968

21-2156 A - 1 River 100 ft² 50000 8 80 430 3 14 35

2/5/65 Brown Buck 8.0 C's SE SW 16 50 00

SW SE 1/4 E. 1/4 NE 1/4 3 14 35

bat Richards beek

Curtis Fred Wren NW 1 8 3 438

C. chrysota 1000 2-125 pumps, water 1000⁴

$\mathcal{F}(\text{group}) = \{ \text{group} \mid \text{group} \in \text{group} \}$

$$G_{\text{eff}}^{\text{eff}} = \frac{G_{\text{eff}}}{1 + \frac{G_{\text{eff}}}{G_{\text{eff}}^{\text{eff}}}} = \frac{G_{\text{eff}}}{1 + \frac{G_{\text{eff}}}{G_{\text{eff}}^{\text{eff}}}}$$

(k) $\frac{d}{dt} \left(\frac{\partial L}{\partial v} \right) = \frac{\partial L}{\partial x}$

Aug 20 - 1967 - 1st annual pool at Ft. Ord. Very nice.

[illegible]
$$\frac{\tau}{\lambda} = \frac{1}{\lambda} \left(\frac{1}{\lambda} \right)^{\frac{1}{2}} = \frac{1}{\lambda^{\frac{3}{2}}} \quad \text{and} \quad \frac{\tau}{\lambda} = \frac{1}{\lambda} \left(\frac{1}{\lambda} \right)^{\frac{1}{2}} = \frac{1}{\lambda^{\frac{3}{2}}} \quad \text{and} \quad \frac{\tau}{\lambda} = \frac{1}{\lambda} \left(\frac{1}{\lambda} \right)^{\frac{1}{2}} = \frac{1}{\lambda^{\frac{3}{2}}}$$

Wang, D. H. 1999. *China's Foreign Trade - A New Transition*.

$$\frac{d}{dt} \left(\frac{1}{2} \dot{\theta}^2 \right) = \frac{1}{2} \dot{\theta}^2 \quad \text{and} \quad \frac{d}{dt} \left(\frac{1}{2} \dot{\phi}^2 \right) = \frac{1}{2} \dot{\phi}^2 \quad (2.2)$$

Aug. 1-15 from near water pit

[illegible]

but, $\Delta \ln \gamma_{\text{H}_2\text{O}} = 0.5 \text{ cal}$ $\Delta \ln \gamma_{\text{H}_2\text{O}} = 0.5 \text{ cal}$

Quercus L. - oak - *Fagus sylvatica* L. - beech.

1997

21-7132.

YES. 9-22-1977.

REMARKS: Memorandum decision is partially completed.

ACTION: Need Flow data & diversion inventory for creek.
to complete memorandum.

Memo. Pend * 03.

1	418	550	657	540	510	500	532	1250	4,010	1920	406	544
2	418	538	636	460	510	490	520	1550	3,390	1880	400	526
3	406	538	615	420	500	490	520	1820	2,800	2,060	395	664
4	406	532	608	420	490	500	514	2,190	2,600	2,200	375	752
5	418	562	601	430	480	500	526	2,190	2,500	1,970	375	657
6	484	601	601	450	470	500	562	2,470	2,720	1,880	365	622
7	436	601	608	470	500	500	601	2,800	3,010	1,910	395	650
8	390	594	636	510	520	510	643	3,120	3,040	1,800	412	685
9	385	601	629	540	530	500	650	3,170	3,090	1,690	380	601
10	424	671	601	550	540	484	713	3,390	3,110	1,710	355	585
11	412	629	594	540	540	484	692	3,590	3,170	1,700	332	580
12	418	643	562	540	520	496	657	3,760	3,010	1,670	323	570
13	496	608	565	540	520	514	622	3,890	2,770	1,530	323	560
14	436	594	570	540	520	496	643	3,280	2,740	1,400	328	605
15	406	574	580	540	520	478	776	3,440	2,990	1,310	323	600
16	395	580	580	550	520	478	808	3,740	3,120	1,220	328	590
17	390	594	570	560	500	478	832	3,400	3,270	1,170	314	580
18	390	601	560	535	500	460	816	2,520	3,390	1,100	314	540
19	395	601	560	510	500	466	784	2,020	3,320	1,030	305	530
20	395	601	560	520	490	466	824	1,880	3,070	943	300	530
21	390	587	570	520	490	460	792	1,830	2,950	889	296	540
22	390	532	550	520	490	466	784	2,290	3,140	824	305	535
23	400	580	530	520	500	508	808	2,200	3,560	720	345	530
24	478	678	540	520	500	532	961	2,370	3,710	685	345	525
25	550	784	540	520	490	526	934	2,460	3,560	650	336	520
26	562	744	550	520	490	728	997	2,720	3,280	671	336	538
27	532	678	565	520	500	643	925	3,090	3,090	713	336	548
28	568	650	575	510	500	550	880	3,520	3,190	580	341	550
29	556	643	580	500		550	907	3,570	2,800	484	406	562
30	562	685	580	500		574	1,060	3,450	2,110	454	636	587
31	556		575	500		587		4,050		418	574	

MEAN	447	612	582	510	505	513	743	2,807	3,084	1,264	365	580
ACRE- FEET	27,500	36,440	35,800	31,370	28,050	31,570	44,200	172,600	183,500	77,720	22,420	34,520

U. S. GOVERNMENT PRINTING OFFICE 16-60066-1
FALLS RIVER NEAR CHESTER, IDAHO

YEAR
OR
XPERIOD
MEAN
ACRE-
FEET
1,002
725,700

Plate No. 42

Day	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.
1	512	533	596	500	445	427	439	1,020	3,530	2,330	927	840
2	512	526	582	410	451	427	439	1,250	3,060	2,350	918	829
3	505	526	568	390	458	445	439	1,500	2,690	2,580	914	933
4	498	519	575	400	433	445	433	1,780	2,590	2,560	902	925
5	498	526	561	415	427	445	439	1,780	2,520	2,310	909	961
6	498	547	568	430	403	420	451	2,040	2,810	2,270	901	930
7	498	547	575	455	433	450	470	2,260	3,030	2,300	925	889
8	505	547	603	480	445	433	498	2,420	3,090	2,190	917	890
9	519	554	589	505	458	427	512	2,630	3,170	2,170	883	925
10	526	610	554	512	464	433	540	2,740	3,270	2,180	875	800
11	512	568	554	498	458	445	540	2,980	3,270	2,180	866	792
12	533	575	526	491	439	445	526	3,110	3,050	2,140	858	766
13	568	554	519	484	439	451	512	3,120	2,920	2,020	862	760
14	526	547	533	484	439	439	540	2,790	2,950	1,930	842	800
15	505	540	547	491	451	433	632	2,960	3,240	1,860	835	797
16	505	547	554	505	433	433	655	3,190	3,330	1,790	827	791
17	498	554	540	512	414	433	678	2,830	3,520	1,730	821	777
18	498	575	533	477	420	410	662	2,110	3,580	1,610	816	714
19	498	575	519	458	427	427	655	1,780	3,540	1,530	799	717
20	498	568	505	477	427	420	685	1,720	3,250	1,480	800	702
21	498	554	540	464	420	420	655	1,790	3,330	1,440	797	703
22	505	512	519	464	420	427	655	2,150	3,530	1,330	793	700
23	512	554	491	464	420	445	693	2,060	3,890	1,200	816	691
24	540	640	512	451	433	439	774	2,260	3,920	1,150	809	685
25	526	733	519	445	433	433	765	2,380	3,800	1,100	798	678
26	526	662	505	445	427	439	790	2,600	3,570	1,070	794	688
27	512	618	533	439	410	445	749	2,910	3,490	1,030	786	705
28	547	603	533	439	420	439	733	3,260	3,520	1,010	782	716
29	526	596	547	439		439	774	3,310	2,960	992	842	718
30	533	632	547	433		439	868	3,180	2,450	959	958	752
31	526		554	439		451		3,670		941	875	

MEAN	515	571	545	461	434	436	607	2,438	3,229	1,733	853	776
ACRE-Feet	31,660	34,000	33,520	28,360	24,090	26,790	36,100	149,900	192,100	106,600	52,460	46,150

U. S. GOVERNMENT PRINTING OFFICE 16-00060-1

FALLS RIVER NEAR SQUIRREL, IDAHO

YEAR
OR
YEARS
MEAN
ACRE-Feet
1,052
761,800

Plate No 41

PROCESS DATE IS 01-28-76

UNITED STATES DEPARTMENT OF INTERIOR - GEOLOGICAL SURVEY

STATION NUMBER 13047500 FALLS M NR SOURIRFL ID 1111425 DRAINAGE AREA 326.00 DATUM 5589.00 STREAM SOURCE AGENCY USGS
 LATITUDE 440407 LONGITUDE 1111425

DISCHARGE, IN CUBIC FEET PER SECOND, WATER YEAR OCTOBER 1974 TO SEPTEMBER 1975
 MEAN VALUES

DAY	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP
1	568	600	660	539	493	447	399	424	3440	3470	927	682
2	571	601	616	565	493	455	398	432	3700	3780	870	678
3	577	595	606	572	488	451	407	459	4260	3980	841	664
4	632	593	630	562	485	446	402	526	4260	4570	805	656
5	601	590	657	575	484	445	396	530	3750	4250	783	649
6	584	584	629	589	477	444	400	512	4340	4240	801	644
7	603	579	633	603	489	439	413	499	4660	4040	806	637
8	617	586	583	618	479	450	409	506	4190	3760	791	616
9	633	588	578	594	486	444	401	513	3450	3540	779	611
10	742	583	583	554	499	448	385	513	3150	3290	766	607
11	692	567	610	521	475	435	383	616	3070	3050	757	604
12	638	572	606	507	479	430	388	753	3210	2860	747	600
13	624	577	609	523	508	431	399	791	3400	2720	744	598
14	615	568	599	583	476	420	408	987	3310	2630	740	593
15	610	569	588	581	460	423	415	1180	3520	2580	774	592
16	608	563	589	548	465	423	412	1460	3560	2390	801	654
17	611	551	603	518	460	421	406	1740	3090	2230	809	655
18	604	629	592	524	455	421	397	1870	2810	1910	776	650
19	600	640	586	504	455	429	398	2010	2920	1700	754	644
20	596	627	592	513	484	415	420	1630	2930	1460	749	638
21	642	630	588	505	445	412	407	1390	2750	1300	751	622
22	622	646	580	491	440	420	422	1300	2650	1140	763	616
23	616	642	550	505	458	419	451	1230	2760	1110	772	612
24	616	636	500	513	476	410	438	1420	2880	1050	906	608
25	610	631	520	516	454	422	450	1450	3200	979	865	605
26	594	629	550	500	443	419	444	1400	2820	925	815	598
27	594	612	562	480	445	400	431	1600	2440	846	808	567
28	590	623	587	460	456	405	428	1890	2480	827	790	560
29	584	589	559	470	---	405	423	2120	2710	833	757	550
30	593	615	543	460	---	398	417	2570	3050	918	697	540
31	621	---	535	480	---	400	---	3050	---	1080	688	---
TOTAL	19014	18015	18223	16553	13207	13257	12347	37373	98760	73458	24432	18550
MEAN	613	601	588	534	472	428	412	1206	3292	2370	788	618
MAX	742	646	660	618	508	455	451	3050	4660	4570	927	682
MIN	568	551	500	460	440	398	383	424	2440	827	688	540
AC-FT	37710	35730	36150	32830	26200	26300	24490	74130	195900	145700	48460	36790

CAL YR 1974 TOTAL 386491 MEAN 1059 MAX 4890 MIN 343 AC-FT 766600
 PLATE NO. 42

UNITED STATES DEPARTMENT OF INTERIOR - GEOLOGICAL SURVEY

STATION NUMBER
LATITUDE 44010613049500 FALLS RIVER NEAR CHESTER IDAHO
LONGITUDE 1113357 DRAINAGE AREA520.00 DATUM 5051.90 STATE 16 COUNTY 043
STREAM SOURCE AGENCY USGSDISCHARGE, IN CUBIC FEET PER SECOND, WATER YEAR OCTOBER 1974 TO SEPTEMBER 1975
MEAN VALUES

DAY	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP
1	297	624	625	630	580	560	484	542	3580	3140	538	246
2	297	614	619	660	590	560	490	563	4010	3440	468	254
3	312	607	638	670	600	560	496	612	4410	3590	447	255
4	380	597	634	680	600	550	502	680	5080	4190	403	241
5	375	591	660	680	580	540	496	685	4070	3980	355	235
6	368	584	629	690	580	540	502	664	4680	3840	337	236
7	381	581	635	700	580	560	520	662	5260	3730	459	244
8	390	586	608	700	580	560	514	652	4740	3380	333	236
9	404	597	577	680	600	553	514	658	3790	3140	314	228
10	521	602	616	670	600	537	502	652	3260	2860	311	223
11	552	586	644	620	590	530	496	749	3120	2620	292	224
12	505	597	669	610	580	517	496	915	3230	2510	260	222
13	515	592	664	700	620	518	514	951	3390	2340	253	225
14	503	590	643	700	590	504	526	1150	3300	2280	249	224
15	500	591	653	690	570	500	544	1350	3410	2250	269	230
16	496	586	648	670	570	502	557	1640	3460	2050	302	287
17	498	573	660	650	570	508	544	2000	3010	1890	328	304
18	491	624	647	640	570	520	544	2170	2640	1520	301	309
19	491	650	635	630	570	526	532	2500	2740	1320	282	304
20	503	634	614	610	600	514	576	1960	2780	1060	274	305
21	555	626	615	610	565	496	563	1520	2660	880	268	299
22	556	636	624	610	560	520	576	1390	2540	729	279	303
23	561	631	588	610	580	514	616	1260	2580	668	299	312
24	596	614	560	610	600	502	596	1390	2710	601	388	308
25	594	604	600	610	575	520	602	1520	3010	520	416	310
26	578	612	625	600	560	520	607	1370	2850	442	359	306
27	567	583	640	590	560	484	575	1580	2320	386	334	295
28	563	617	650	560	560	478	565	1880	2270	340	318	287
29	563	561	640	560	---	508	547	2100	2480	318	299	288
30	576	600	620	560	---	496	539	2630	2780	411	273	292
31	635	---	600	570	---	490	---	3140	---	671	251	---
TOTAL	15123	18090	19480	19770	16280	16187	16135	41535	100160	61096	10259	8042
MEAN	488	603	628	638	581	522	538	1340	3339	1971	331	225
MAX	635	650	669	700	620	560	616	3140	5260	4190	538	312
MIN	297	561	560	560	560	478	484	542	2270	318	249	222
AC-FT	30000	35880	38640	39210	32290	32110	32000	82380	198700	121200	20350	15950
CAL YR 1974	TOTAL	353066	MEAN 967	MAX	5290	MIN 279	AC-FT	700300				
WTR YR 1975	TOTAL	342157	MEAN 937	MAX	5260	MIN 222	AC-FT	678700				

PLATE NO. 43

RECEIVED

OCT 20 1977

Ashton, Idaho
Oct. 14, 1977

Mr. Ronald D. Carlson
Dep't. of Water Resources
1515 Lincoln Road
Idaho Falls, Idaho 83401

Department of Water Resources
Eastern District Office

Dear Mr. Carlson,

Regarding applications for permits No. 21-7130 and 21-7132. As a director for the Conant Creek Canal Co. the reason I did not sign the agreement at St. Anthony conference Sept. 22, 1977 was the main issue was based on a fallacy and nobody realized it until the adjournment of the meeting.

The picture presented was that the canal company diverted their water at a headgate high up Conant Creek above Nyborg's. Therefore, we have had our water and any water picked up below this point is leakage from our canal and is already past our point of diversion. It was even mentioned that maybe we should line our canal.

This whole thing is erroneous. The fact is Conant Creek is NOT recharged from leakage from the canal. There are springs running summer and winter, some even on opposite side of creek from canal, and are not leakage but tributaries the same as those above our headgate. Our one point of diversion below the Lynn Loosli pumps was put in about 25 years ago for the very purpose of taking advantage of these additional springs and to take some of the pressure from the canal system.

The idea of us having to release water at the head to accommodate our lower pumps while someone else grabs the water by claiming it is only recharge from our canal is ridiculous. The same principle is involved at the Zundel pump which has not been in as many years but was put in for the same reason as our lower pump.

No wonder the government is becoming alarmed enough to start enforcing the 160 acre limitation law again. It might be our only hope.

Sincerely,

J. W. Bratt

ADDRESS: Rt. #2, Box 17
Ashton, Idaho 83420

MICKELAND

LAW OFFICES

RIGBY, THATCHER & ANDRUS, P. A.

25 NORTH SECOND EAST - P. O. BOX 250 REXBURG, IDAHO 83440
RAY W. RIGBY - GORDON S. THATCHER - G. RICH ANDRUS - BRECK H. BARTON
TELEPHONE (208) 356-3633

October 12, 1977

RECEIVED

OCT 14 1977

Department of Water Resources
Eastern District Office

Mr. Ronald D. Carlson
Supervisor - Eastern Region
Idaho Department of Water Resources
1515 Lincoln Road
Idaho Falls, Idaho 83401

Re: Applications for Permits No. 21-7130 and 21-7132

Dear Mr. Carlson:

I have discussed with Mary Smith, attorney for Fremont-Madison Irrigation District, the question of allowing landowners to petition to get in the Fremont-Madison Irrigation District and by so doing create problems for those landowners already within the district, but who get their stored water from streams and creeks that have limited supplies of water. She assured me that pursuant to the case of Bradshaw vs Milner Low-lift Irrigation District that no one comes into the Fremont-Madison Irrigation District any more that does not come in subject to the existing water rights and priorities.

With this assurance, the one problem I have is resolved, provided the Department insists that the irrigation districts comply with the requirements of that case.

By no means should this letter be interpreted as an opinion on my part that the application should be accepted. The protestants have made their own case and the matter is still submitted to you on the basis of that showing.

Yours very truly,


Ray W. Rigby

RWR:pae

September 28, 1977

RE: Applications for Permits No. 21-7130 and 21-7132

Mr. Lynn Loosli
Ashton,
Idaho 83420

Dear Mr. Loosli:

Enclosed please find a copy of the agreement reached at the conference held in St. Anthony, Idaho, on September 22, 1977.

The Department will now proceed pursuant to this agreement.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

Enclosure

Letter sent to: W. M. Bowersox
F. W. Bratt
Jerry Broening
Donald D. Tripp
Curtis Loosli

Homer Jones
Ray Rigby
G. Dan Zundel
Keith Nyborg
Don Harshbarger
Leon Martindale

STIPULATION
and
AGREEMENT

We object to the Department granting any Permits that can reduce the amount of water available to us. However we have had an opportunity to express this concern to the Dept. of Water Resources at the Conference held in St. Anthony on Sept. 22. We agree to allow the Dept. to make a decision in the matter of approval of applications for permit 21-7130 in the name of Don Harshbarger & for Leon Martindale, and 21-7132 in the name of Lynn & Curtis Loasli & for Leon Martindale. provided the Dept. allow us 30 days to reach agreements with the applicants. We request that, to the extent possible, the conditions of the agreement be included as conditions of approval of the Permits, if they are approved. Because of the possibility of recent or future transfers and purchases of storage water we will have our attorney submit a brief covering the legal aspects of setting ^{relative} priorities on storage water.

Lynn Loasli W Homer Jones

Lynn Loasli
Don Harshbarger
Leon Martindale

Amended 21-7030 - Lynn Loosli
21-7132 - Lynn Loosli &/or Curtis Loosli &/or Leon Martindale

Courtroom, Fremont County Courthouse, St. Anthony, Idaho

September 22, 1977 - 9:00 a.m.

ROSTER OF ATTENDANCE

Name	Address	Representing
Lynn Loosli	Ashton Idaho	
Leon Martindale	Ashton Idaho	
Don Farnsberger	Ashton Idaho	
Keith Nyborg	Ashton Idaho	
G. Lan Zundel	Ashton Idaho	
J. W. Pratt	Ashton, Idaho	
W. M. Bucynaf	Rexburg, Idaho	Conant Creek Canal Co.
Ray W. Lighty	Ashton	
and Homer Jones	ASHTON	
Curtis Loosli		
Donald D. Trapp	Box #66, Newdale,	Snake River water protective assn.
Jerry Draining	Box 610, St Anthony,	

RECORDED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

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

September 6, 1977

Fremont County Courthouse
Clerk of the District Court
St. Anthony, Idaho 83445

Dear Sir:

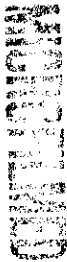
This is to confirm the use of the Courtroom for conference and/or hearing to be held by this office on Wednesday, September 21, 1977 at 9:00 a.m. and at 11:00 a.m., and on Thursday, September 22, 1977 at 9:00 a.m. and 1:00 p.m.

Thank you for your cooperation in this matter.

Very truly yours,

RONALD D. CARLSON
Supervisor
Eastern Region

RDC:CD



IDAHO FALLS, IDAHO 83401

Indicate type of mail: ☐ REGISTERED ☐ C.C. ☒ CERTIFIED

A fix stamp here if issued as certificate of mailing or for additional copies of this bill.
POSTMARK AND DATE OF RECEIPT

[illegible]

(Declaration of value is required on international registered mail)

APPLICATION FOR REGISTERED, REGISTERED C.O.D. AND CERTIFIED MAIL

FORM. MUST BE MADE OUT IN INK OR BALL POINT PEN

77, Dec. 1973

1990

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

In the Matter of Protests Against Approval
of Amended Permit No. 21-7030 in the Name
of LYNN LOOSLI and Application for Permit
No. 21-7132 in the Names of LYNN LOOSLI
&/or CURTIS LOOSLI &/or LEON MARTINDALE

NOTICE OF CONFERENCE
AND/OR HEARING

On July 14, 1977, Lynn Loosli, applied to the Department of Water Resources to amend Permit No. 21-7030; and Lynn Loosli, Curtis Loosli and/or Leon Martindale filed with the Department an application to appropriate the public waters of the State of Idaho. On August 3, 1977, both of these applications were protested by Homer Jones on behalf of the Conant Creek Canal Company.

The Department has set the matter of protests for conference and/or hearing for Thursday, September 22, 1977, at 9:00 a.m., in the Courtroom of the Fremont County Courthouse, St. Anthony, Idaho. Any hearing will be held in accordance with the Rules and Regulations of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

Any party may request in writing five (5) days before any hearing that the oral proceedings thereof be taken in the form of stenographic notes. Any party may have such stenographic notes of the oral proceedings, or part thereof, transcribed at his own expense. A taped record of the proceedings will be maintained for the appeal period.

Failure to appear at the time and place set for hearing by the applicant or protestant may allow the Department without prejudice to dismiss the protests or the application. Any and all cost incurred by reason of such non-appearance may be assessed against such non-appearing parties.

Dated this 1st day of September, 1977.


s/ Ronald D. Carlson

RONALD D. CARLSON

Supervisor, Eastern Region

RECORDED
INDEXED
SEP 27 1977
FREMONT COUNTY

August 5, 1977

RE: Application for Permit No. 21-7132

Lynn and/or Curtis Loosli
and/or Leon Martindale
Ashton, Idaho 83420

Gentlemen:

Enclosed is a copy of a protest filed against the issuance of a permit pursuant to your Application No. 21-7132. The Department suggests you contact the protestant directly in an effort to determine the nature of the protest 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

Enc.

RECEIVED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

August 5, 1977

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

RE: Application for Permit No. 21-7030/21-7130/21-7132

Conant Creek Canal Company
Homer Jones, President
Ashton, Idaho 83420

Dear Mr. Jones:

Your protests against the approval of the above referenced applications have been received and copies have been sent to the applicants. The Department suggests you contact the applicants directly in an effort to determine what is proposed by the applications 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 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

RECEIVED

July 22, 1977

RE: Application for Amendment No.	21-7030	LOOSLI
Application for Permit No.	21-7132	LOOSLI
"	21-7134	CLARK
"	21-7135	CLARK

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

8-09-77

by

CW

RDC:CW

Enc: Legal Notice (4)

MICROFILMED

BEFORE THE DEPARTMENT OF WATER RESOURCES Aug 3 1977

OF THE
STATE OF IDAHO

Department of Water Resources
Eastern District Office

IN THE MATTER OF THE APPLICATION OF)
LYNN LOOSLI and/or CURTIS LOOSLI and/or)
LEON MARTINDALE FOR WATER PERMIT 21-7132) PROTEST
)
)

COMES NOW, CONANT CREEK CANAL COMPANY and protests the granting of the above referred to application on the following grounds:

1. The proposed use by the applicant will reduce the quantity of water under existing water rights.
2. The proposed water supply is insufficient for the purposes intended.
3. The change will constitute an enlargement in the use of the original right.
4. Water rights of Conant Creek Canal Company and its shareholders will be injured.
5. Applicant is simultaneously with this application also applying for annexation of the same premises to be annexed into the Fremont-Madison Irrigation District, and if both permits were granted, the storage water for existing users of Conant Creek and the Conant Creek Canal Company would still have to come from Conant Creek, which would be insufficient to satisfy the natural flow and storage rights of the present users of Conant Creek and Conant Creek Canal Company, and would therefore jeopardize existing rights.

WHEREFORE, Protestant asks that the Department not grant said application.

DATED this 3rd day of August, 1977.

CONANT CREEK CANAL COMPANY

By:

Homer Jones
President

July 22, 1977

RE: Application for Permit No. 21-7132

Mr. Arthur Larson, Watermaster
Water District 01
Box 1099
Idaho Falls, Idaho 83401

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 15, 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

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Lynn Loosli &/or Curtis Loosli &/or Leon Martindale, Ashton, Idaho have on 7-14-77 submitted Application No. 21-7132 for a permit to appropriate 13.00 cubic feet per second of water from a ground-water source by means of well and pump within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec 21, T. 8N R. 42E, B.M., Fremont County. The water will be pumped into the Falls River at a point within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21, T. 8N, R. 42E and rediverted at points within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23, T. 8N, R. 42E, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 8, T. 8N, R. 43E (Falls River); SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 16, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 8N, R. 43E (Conant Creek.) to be used from Apr. 1 to Nov. 1 for the irrigation of 1,640 acres within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 8, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, N $\frac{1}{4}$, SW $\frac{1}{4}$, N $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 16, T. 8N, R. 43E; S $\frac{1}{2}$ N $\frac{1}{2}$, N $\frac{1}{4}$ S $\frac{1}{2}$, Sec. 21, N $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22, SW $\frac{1}{4}$, Sec. 23, T. 8N, R. 42E, 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 15, 1977.

C. STEPHEN ALLRED
Director

Published in the Ashton Herald,
Ashton, Idaho on July 28 and August 4,
1977

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Lynn Loosli &/or Curtis Loosli &/or
Leon Martindale, Ashton, Idaho

have /has on 7-14-77 submitted Application No. 21-7132
for a permit to appropriate 13.00 cubic feet per second ~~XXXXXXXXXXXX~~
of water from a ground-water source

by means of well and pump

within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21, T. 8N, R. 42E, B.M., Fremont County. The water will
be pumped into the Falls River at a point within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21, T. 8N, R. 42E and
rediverted at points within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23, T. 8N, R. 42E, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 8, T. 8N,
R. 43E (Falls River); SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 16, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 8N, R. 43E (Conant Creek.)
to be used from Apr. 1 to Nov. 1

for the irrigation of 1,640 acres

within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 8, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$,
SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, N $\frac{1}{2}$, SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 16, T. 8N, R. 43E; S $\frac{1}{2}$ N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$, Sec.
21, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22, SW $\frac{1}{4}$, Sec. 23, T. 8N, R. 42E, B.M.

If issued, this permit will be subject to all prior water rights. Protests
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Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before _____
August 15, 1977.

C. STEPHEN ALLRED
~~XXXXXXXXXXXXXXXX~~

Director

Published in the Ashton Herald, Ashton, Idaho
on July 28 and August 4, 1977

Handwritten:
20-
mhr
mhr
P-out

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. Loasche, Loresky
& Martindale

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

(1) ARK 7/15/77

In form to receipt yes

(2) ARK 7/15/77

Send Copies to:

n/a Idaho State Health Department
n/a Idaho Fish and Game Department
n/a Bureau of Land Management

(3) ARK 7/15/77

n/a Request Special Use Permit from U.S.F.S.
n/a Request Easement from B.L.M.
n/a Request Information from Applicant
n/a Request Dam Safety Information

(4) ARK 7/15/77

In form for advertising yes

(5) ARK 7/15/77

Platted on Map No. 8N42E, 5N43E

(6) ARK 7/15/77

Located within Water District No. 01-Burn 21

(7) ARK 7/15/77

Critical groundwater area: yes _____ no X

(8) ARK 7/15/77

Groundwater levels:

_____ Declining, X Stable, _____ Increasing

(comment) 34 dda (Furnood)

(9) ARK 7/15/77

Other rights on the same place of use Harshbarger

(10) ARK 7/15/77

Comments: application in for 160 ac

(11) OW 8-09-77

overlapping in sec 21, T4N 8N, R2E 42E

(12) OW 8-03-77

Furnood The two combined to 160 ac

Affidavit of Publication received (date) Aug. 9-77

Final date for protests August 15-1977

Protests received: yes _____ no _____

(13) _____

All requested information received from agencies or applicant: yes _____ no _____

(14) _____

Action recommended:

_____ Approve _____ Deny

_____ Proposed Priority

_____ Reason for Reduction _____

_____ Measuring device required

_____ See attached sheet for other conditions of approval

_____ No special conditions for approval

(15) District _____ By _____ Date _____

Boyle