

**AFFIDAVIT OF  
PUBLICATION**

State of Idaho }  
County of Fremont } ss.

Dorothy D. Hunsaker

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

That he is the Owner  
of The Chronicle-News, a news-  
paper as defined by Idaho  
Codes Annotated, section 58-106,  
as amended, and that said  
newspaper is a weekly news-  
paper printed and published at  
St. Anthony, in Fremont County,  
Idaho, having a general circula-  
tion in said county, and that  
said newspaper has been print-  
ed and published as a weekly  
newspaper in said county for  
more than 78 consecutive weeks  
prior to the first publication of  
the attached notice, advertise-

ment or publication of .....

Notice

And affiant further says that  
said notice, advertisement or  
publication, as per clipping  
attached, was published in said  
newspaper, in the regular and  
entire issue thereof, and not in  
any supplement issue thereof,

for two consecutive is-  
sues thereof; first publication

having been made on the 16

day of Dec., 1971,

and the last publication on the

23 day of Dec.

19 71

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 seven-  
teen and three-fourths inches  
deep.

Dorothy D. Hunsaker  
Subscribed in my presence and

sworn to before me this 23

day of Dec.,

19 72

Notary Public for the  
State of Idaho, resi-  
(SEAL) dence and post office  
address: St. Anthony,  
Idaho.

RECEIVED

FEB 2 1972

Department of Water Administration  
Eastern District Office

**NOTICE OF APPLICATION  
FOR WATER PERMIT**

Notice is hereby given that H. L. Kandler,  
Box 442, Ashton, Idaho has on 9/7/71 sub-  
mitted Application No. 21-7016 for a permit to  
appropriate 0.2 cubic feet per second of water  
from a spring by means of a dam within the  
NW1/4NE1/4, Sec. 16, T. 8N, R. 44E, B.M.,  
Fremont County to be used from April 1 to  
Nov. 1 for stockwater purposes within the  
NW1/4NE1/4, Sec. 16, T. 8N, R. 44E, 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 Dept. of Water Administration, 240  
So. Holmes, Idaho Falls, Idaho, 83401, on or  
before Jan. 3, 1971.

R. KEITH HIGGINSON  
Director

(C.N. DEC. 16, 23, 1971)

21 7016

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teen and three-fourths inches  
deep.

Dorothy D. Hunsaker  
Subscribed in my presence and

sworn to before me this 1/21

day of Jan,

19 73

Notary Public for the  
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R. KEITH HIGGINSON  
Director

(C.N. DEC. 16, 23, 1971)

21 7016

State of Idaho  
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 21-7016 Priority Sept. 7, 1971 Amount 0.02 cfs

THIS IS TO CERTIFY, that H. L. KANDLER  
of Ashton, Idaho, has complied with the terms and conditions of Permit  
No. 21-7016 issued pursuant to Application for Permit dated September 7, 1971,  
and has submitted proof to the Department of Water Resources on March 22, 1974,  
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a  
capacity for the diversion of 0.02 cfs of water from an unnamed spring,  
tributary to Squirrel Creek, and that the permit holder has applied to a beneficial use and  
established a right to use water as follows:

| Beneficial Use                                                                                     | Period of Use | Rate of Diversion | Annual Volume |
|----------------------------------------------------------------------------------------------------|---------------|-------------------|---------------|
| <u>Stockwater</u> from <u>April 1</u> to <u>Nov. 1</u> at <u>0.02</u> cfs and <u>0.4 acre feet</u> |               |                   |               |
| from _____ to _____ at _____ cfs and _____                                                         |               |                   |               |
| from _____ to _____ at _____ cfs and _____                                                         |               |                   |               |

(both dates inclusive)

Subject, however, to the condition that no more than 0.02 cfs of water be diverted at any one time, and  
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose  
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed  
0.4 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 16,  
Twp. 8 N, Rge. 44 E, B. M. in the County of Fremont

Description and location of place of use:

| Twp. | Range | Sec. | NE $\frac{1}{4}$ |                  |                  |                  | NW $\frac{1}{4}$ |                  |                  |                  | SW $\frac{1}{4}$ |                  |                  |                  | SE $\frac{1}{4}$ |                  |                  |                  | Totals |
|------|-------|------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|--------|
|      |       |      | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ |        |
| 8 N  | 44 E  | 16   |                  | X                |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |

Total number of acres irrigated \_\_\_\_\_

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 19 day of  
November 19 74

RECORDED

Director

Identification No. 21-7016

Application No. \_\_\_\_\_

STATE OF IDAHO

LICENSE ISSUED FOR CA SEC. FP DEPARTMENT OF WATER ADMINISTRATION  
LICENSE PAGE NO. \_\_\_\_\_

APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho  
(TYPE OR PRINT IN INK)

1. Name of applicant H. L. Kandler  
post office address Box 442, Ashton, Idaho 83420 Phone: 652-7361 or 652-3379
2. Source of water supply Spring feeding into Squirrel Creek which is a tributary of Fall River
3. a. Location of point of diversion is NW  $\frac{1}{4}$  of NE  $\frac{1}{4}$  of Section 16 Township 8 N  
Range 44 E B.M. Fremont County; additional points of diversion if any: \_\_\_\_\_

- b. If water is not consumed, it will be discharged into Squirrel Creek at a point in NW  $\frac{1}{4}$  of SW  $\frac{1}{4}$  of Section 17 Township 8N Range 44E B.M. Fremont

4. Water will be used for the following purposes:

- Amount 0.2 cfs for stockwater purpose from April 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. 0.2 cfs cubic feet per second and/or  
b. \_\_\_\_\_ acre feet per annum.

6. Proposed diverting works:

- a. Description of ditches, flumes, pumps, headgates, etc. dam

- b. Height of storage dam 5 feet, active reservoir capacity \_\_\_\_\_ acre feet; total reservoir capacity \_\_\_\_\_ acre feet, materials used in storage dam: earthfill  
Period of year during which storage will occur April 1 to Nov. 1 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 2 years.

- b. Estimated construction cost is \$ 550.00.

8. Description of proposed uses:

- a. If water is **not** for irrigation:

- (1) Give the place of use of water: NW  $\frac{1}{4}$  of NE  $\frac{1}{4}$  of Section 16 Township 8 N  
Range 44 E 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 50 head of cattle

- (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: \_\_\_\_\_

21 7016

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

Total number of acres to be irrigated\_\_\_\_\_

c. Describe any other water rights used for the same purposes as described above. \_\_\_\_\_

9. a. Who owns the property at the point of diversion H. L. Kandler

b. Who owns the land to be irrigated or place of use H. L. Kandler

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.

and range number.

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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.

H. L. Kendall  
(Applicant)

21 7916

21 7016

  
Director

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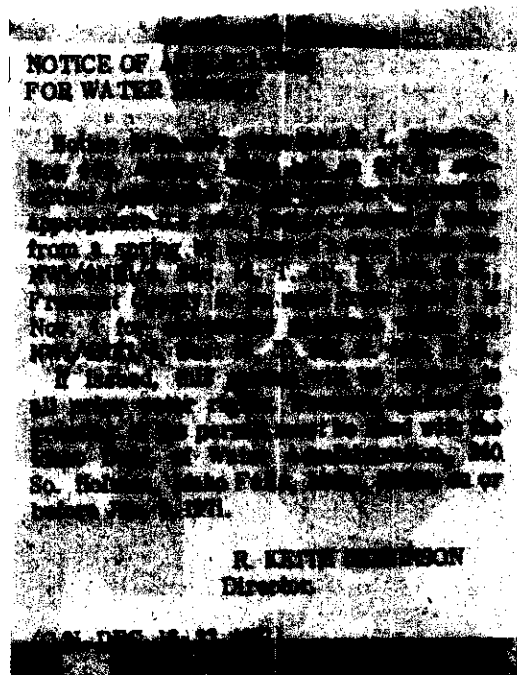
1972

[Signature]  
Notary Public for the  
State of Idaho, resi-  
(SEAL) dence and post office  
address: St. Anthony,  
Idaho.

RECEIVED

FEB 2 1972

Department of Water Administration  
Eastern District Office



21 7016

## RECEIVED

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Eastern District Office

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Noti ce

19 71.

day of Feb -

18

21 7036

November 22, 1974

Re: Permit No. 21-7016

Mr. H. L. Kandler:  
Box 442  
Ashton, Idaho 83420

Dear Mr. Kandler:

Enclosed is a copy of the water license issued on the above referenced permit.

Sincerely,

BOBBY D. FLEENOR  
Chief, Water Rights

BDF:jfr

Enclosure

**MICROFILMED**

## FIELD REPORT

**TOTAL ACREAGE**

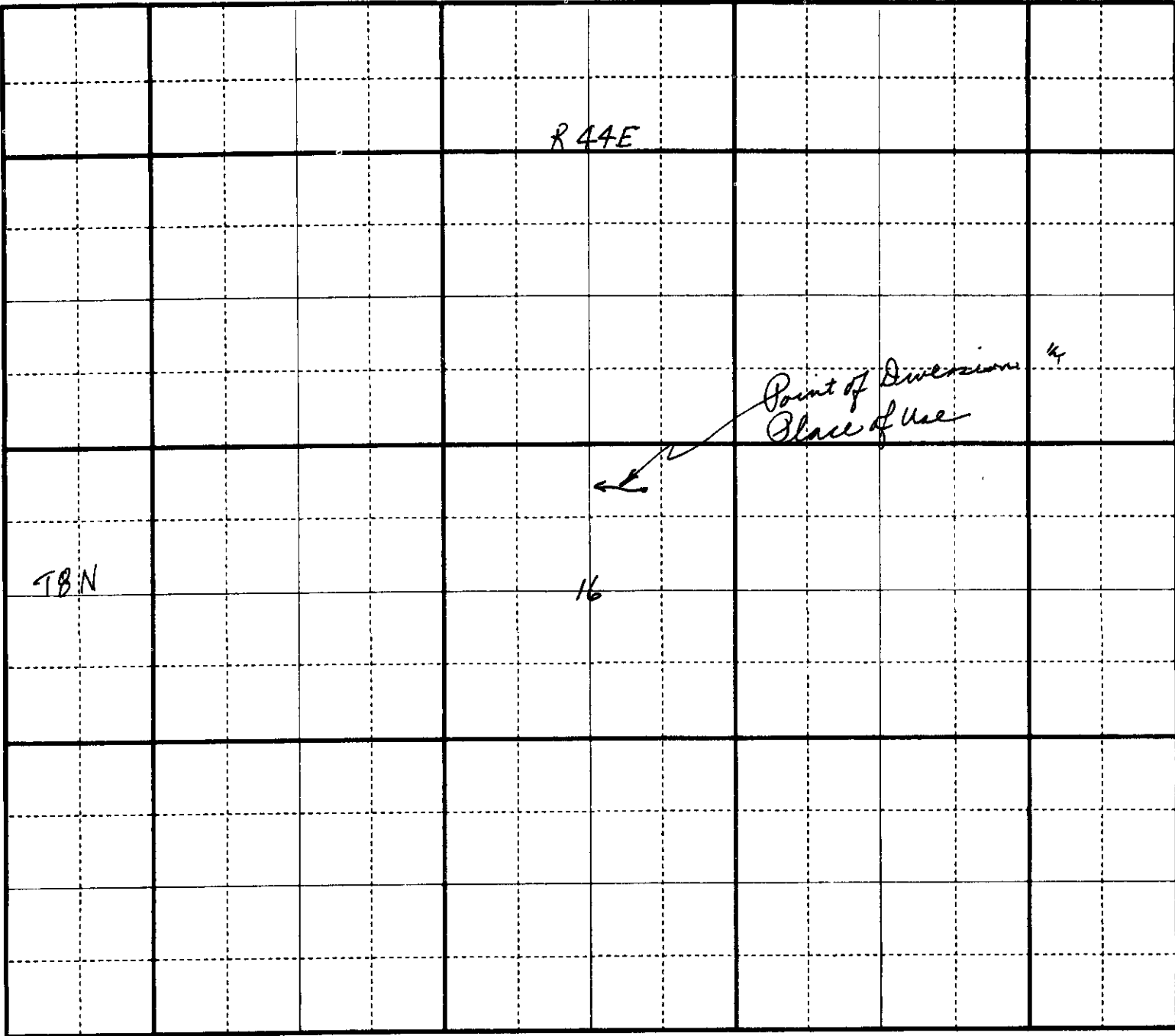


Diagram of System

DATE OF EXAM June 5, 1974

ACREAGE  
Found N/A  
Recommended \_\_\_\_\_

Irrigation Requirement \_\_\_\_\_ Ac Ft/Ac

USE

Irrigation Q = \_\_\_\_\_ c.f.s. V = ~~0.7~~ AF/Ann. from Sept 1 to Nov 1  
Domestic Q = \_\_\_\_\_ c.f.s. V = \_\_\_\_\_ AF/Ann. from \_\_\_\_\_ to \_\_\_\_\_  
Livestock Q = .02 c.f.s. V = 0.7 AF/Ann. from April 1 to Nov 1

Is water co-mingled? yes \_\_\_\_\_ no ☒

Name source: \_\_\_\_\_  
twp. \_\_\_\_\_ N/S, Rge \_\_\_\_\_ E/W, B.M., Sec. \_\_\_\_\_, Sub. \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_  
County \_\_\_\_\_

Exchange? yes \_\_\_\_\_ no ☒

Name source exchanged with: N/A  
twp. \_\_\_\_\_ N/S, Rge \_\_\_\_\_ E/W, B.M., Sec. \_\_\_\_\_, Sub. \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_  
County \_\_\_\_\_

Point of injection:  
twp. \_\_\_\_\_ N/S, Rge \_\_\_\_\_ E/W, B.M., Sec. \_\_\_\_\_, Sub. \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_  
County \_\_\_\_\_

Point of exchange:  
twp. \_\_\_\_\_ N/S, Rge \_\_\_\_\_ E/W, B.M., Sec. \_\_\_\_\_, Sub. \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_  
County \_\_\_\_\_

Total Q measured N/A Method of measurement \_\_\_\_\_

Total Q recommended .02 CFS Meter No. \_\_\_\_\_ Type \_\_\_\_\_ Condition \_\_\_\_\_

Total V recommended 0.7 AF/ANN 0.144 - not your round!  
du

Recommended Amendments:

P.D. \_\_\_\_\_  
Place of Use \_\_\_\_\_  
Other \_\_\_\_\_  
None ☒

MEASUREMENT CALCULATION:

Combined flow of all springs appears to be about .02 CFS  
estimate only possible measurement

SYSTEM DESCRIPTION:

Series of small springs (3 or 4) that have been dug out. Water  
is conveyed from springs into small channel. Stock appear  
to water from this channel. No trough or pond installation  
found in NW 1/4 NE 1/4 S. 16

REMARKS:

Unable to locate permit holder at residence east  
of springs in NE 1/4 NE 1/4 on date of exam.  
Located small <sup>stone</sup> dam 7' high 35' crest upstream from springs -  
impounded no water on date of exam but may be diversion  
structure referred to in permit for pond - Permit issued for 80 head cattle.

Examiner's Signature John Gerebauer Date June 5, 1974

Checked by J O Halmer Date Sept 6, 1974

Approved by \_\_\_\_\_ Date \_\_\_\_\_

April 2, 1974

Re: Permit No. 21-7016

H. L. Kandler  
Box 442  
Ashton, ID 83420

Dear Mr. Kandler:

We acknowledge receipt of the affidavit 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. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions concerning the field exam, please contact our Eastern District Office at 1515 Lincoln Road, Idaho Falls, Idaho.

Sincerely,

D. Darlene Reich  
Water Rights Supervisor

DDR:JC

21-7016

RECEIVED

MAR 20 1974

Department of Water Administration  
Eastern District Office

STATE OF IDAHO  
DEPARTMENT OF WATER ADMINISTRATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Identification No. \_\_\_\_\_

Permit No. 21-7016

RECEIVED

Department of Water Administration

1. a) Name of Permit Holder H. L. Kandler  
b) Post Office Address Ashton, Idaho 83420
2. Permit Number 21-7016
3. Date of Priority that you are prepared to establish Sept. 7, 1971
4. a) Source from which water was appropriated Unnamed springs trib. to Squirrel Creek  
b) Location of the point of diversion: NW 1/4 NE 1/4, Section 16  
Township 8N, Range 44E, Boise Meridian, Other points of diversion:
5. a) The amount of water and use to which the water has been applied:  
amount 0.02 for Stockwater purposes from Apr. 1 to Nov. 1 incl.  
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ incl.  
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ incl.  
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)  
b) Total amount appropriated 0.02 cfs and/or acre feet per annum  
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: flow rate estimated by permit holder.
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:  
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: N.A.  
b) Describe the agreement or understanding by which you take water from the works: N.A.
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) spring has been developed with dragline, ditches, and a pond for stockwatering.  
b) Describe the type and size of measuring device which you have installed at your point of diversion: N.A.  
c) Give well drillers name and address and date the well was completed \_\_\_\_\_

Exam typed 4/2/74 by jc

21-7016

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use For stock and pasture use.

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision:

| TWP. | RANGE | SEC. | NE1/4 |       |       |       | NW1/4 |       |       |       | SW1/4 |       |       |       | SE1/4 |       |       |       | TOTALS |
|------|-------|------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|--------|
|      |       |      | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 |        |
| 8N   | 44E   | 16   |       | X     |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
|      |       |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
|      |       |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
|      |       |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
|      |       |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
|      |       |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
|      |       |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
|      |       |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
|      |       |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
|      |       |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |

Total number of acres irrigated N.A.

10. Remarks:

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

3/20/74 (Date) W. J. Kandler (Signature)

State of Idaho  
County of Bonneville ss.

On this 20<sup>th</sup> day of MARCH, 1974, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Norman C. Young  
Notary Public residing at IDAHO FALLS

My commission expires 6/10/75

**SENDER:** Be sure to follow instructions on other side

**PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)**

*(Additional charges required for these services.)*

☐ Show address  
where delivered

☐ Deliver ONLY  
to addressee

**RECEIPT**

*Received the numbered article described below*

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE *(Must always be filled in)*

CERTIFIED NO.

25118

1

H. L. Kandler

INSURED NO.

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

Grace Kandler

DATE DELIVERED

SHOW WHERE DELIVERED *(Only if requested, and include ZIP Code)*

2-2-74

3

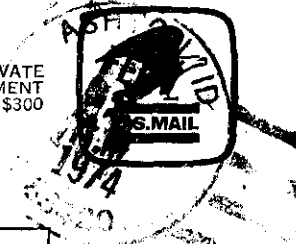
21-7016

PS Form **3811** Sep. 1972

e55-10-81277-2

U.S. POSTAL SERVICE  
OFFICIAL BUSINESS

PENALTY FOR PRIVATE  
USE TO AVOID PAYMENT  
OF POSTAGE, \$300



*Postmark of Delivering Office*

**SENDER INSTRUCTIONS**

Print in the space below your name, address, including ZIP Code.



- If special services are desired, check block(s) on other side.
- Moisten gummed ends and attach to back of article.

**RETURN  
TO**



21-7016

January 31, 1974

CERTIFIED MAIL

#25118

Re: Permit No. 21-7016

H. L. Kandler  
Box 442  
Ashton, ID 83420

Dear Mr. Kandler:

One of the conditions of approval of your water Permit No. 21-7016 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before April 1, 1974. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.



---

R. KEITH HIGGINSON  
Director

Enc: Proof affidavit

21-7016

DEPARTMENT OF WATER ADMINISTRATION

REVISED STAFF ANALYSIS

Application No. 21-7016 Name H. L. Kandler

Source spring feeding into Squirrel Creek

Point of Diversion NW $\frac{1}{4}$ NE $\frac{1}{4}$ , Sec. 16, T. 8N, R. 44E, B.M., Fremont County

Quantity 0.2 cfs Use stockwater Period Apr. 1 to Nov. 1

Quantity \_\_\_\_\_ Use \_\_\_\_\_ Period \_\_\_\_\_

Quantity \_\_\_\_\_ Use \_\_\_\_\_ Period \_\_\_\_\_

Well Size \_\_\_\_\_ Diameter \_\_\_\_\_ Proposed Depth \_\_\_\_\_ Feet

Use Stockwater for 50 head of cattle.

Date Forwarded \_\_\_\_\_ Date Returned \_\_\_\_\_ Received by \_\_\_\_\_

COMMENTS: Flow data are not available for this spring. Dam appears to be on  
small spring channel upstream from Squirrel Creek.

RECOMMENDED:

Applied: Qty. 0.10 cfs Use stock Period 4/1-11/1 AF/A ---- AF 1

Qty. \_\_\_\_\_ Use \_\_\_\_\_ Period \_\_\_\_\_ AF/A \_\_\_\_\_ AF \_\_\_\_\_

Qty. \_\_\_\_\_ Use \_\_\_\_\_ Period \_\_\_\_\_ AF/A \_\_\_\_\_ AF \_\_\_\_\_

Maximum: Qty. 0.10 cfs Use stock Period 1/1-12/31 AF/A --- AF 1

Qty. \_\_\_\_\_ Use \_\_\_\_\_ Period \_\_\_\_\_ AF/A \_\_\_\_\_ AF \_\_\_\_\_

Qty. \_\_\_\_\_ Use \_\_\_\_\_ Period \_\_\_\_\_ AF/A \_\_\_\_\_ AF \_\_\_\_\_

ACTION: Approved X Denied \_\_\_\_\_

Conditions of approval or reason for denial: Control of watermaster. Acceptance  
of reduced rate or written justification of higher rate. (Letter Sent from  
Idaho Falls)

By NORMAN C. YOUNG Title District Engineer  
Date 2-4-72

21 7016

DEPARTMENT OF WATER ADMINISTRATION

STAFF ANALYSIS

Department of Water Administration

Application No. 21-7016 Name H. L. Kandler

Source Spring, feeding into Squirrel Creek

Point of Diversion NW $\frac{1}{4}$ NE $\frac{1}{4}$ , Sec. 16, T. 8N, R. 44E, B.M., Fremont County

Quantity 0.2cfs Use stockwater Period April 1 to Nov. 1

Quantity \_\_\_\_\_ Use \_\_\_\_\_ Period \_\_\_\_\_

Quantity \_\_\_\_\_ Use \_\_\_\_\_ Period \_\_\_\_\_

Well Size \_\_\_\_\_ Diameter \_\_\_\_\_ Proposed Depth \_\_\_\_\_ Feet

Use Stockwater for 150 head of cattle.

Date Forwarded \_\_\_\_\_ Date Returned 1-2-72 Received by J.D.

COMMENTS: Flow data are not available for this spring.

RECOMMENDED:

Applied: Qty. 0.10 cfs Use stock Period 4/1-11/1 AF/A ----- AF 2

Qty. \_\_\_\_\_ Use \_\_\_\_\_ Period \_\_\_\_\_ AF/A \_\_\_\_\_ AF \_\_\_\_\_

Qty. \_\_\_\_\_ Use \_\_\_\_\_ Period \_\_\_\_\_ AF/A \_\_\_\_\_ AF \_\_\_\_\_

Maximum: Qty. 0.10 cfs Use stock Period 11/1-12/31 AF/A ----- AF 3

Qty. \_\_\_\_\_ Use \_\_\_\_\_ Period \_\_\_\_\_ AF/A \_\_\_\_\_ AF \_\_\_\_\_

Qty. \_\_\_\_\_ Use \_\_\_\_\_ Period \_\_\_\_\_ AF/A \_\_\_\_\_ AF \_\_\_\_\_

ACTION: Approved X Denied \_\_\_\_\_

Conditions of approval or reason for denial: Control of watermaster. Acceptance of reduced rate or written justification of higher rate.

By \_\_\_\_\_ Title District Engineer

NORMAN C. YOUNG

Date 9/14/71

21 7016



R. Keith Higginson  
Director

Water Rights Administration  
Water Resource Investigations  
Dam and Reservoir Safety  
Water Well Drilling  
Flood Plain Management  
Irrigation and  
Flood Control Districts

**STATE OF IDAHO**  
**DEPARTMENT OF WATER ADMINISTRATION**

Statehouse — Annex 2  
Boise, Idaho 83707  
(208) 384-2215

March 15, 1972

Re: Permit No. 21-7016 - H. L. Kandler

H. L. Kandler  
Box 442  
Ashton, Idaho 83420

Dear Mr. Kandler:

Enclosed is a copy of your approved Application for Permit No. 21-7016. We direct your attention to the conditions of approval as listed on the fourth page.

Very truly yours,

BOBBY D. FLEENOR  
Assistant Director

BDF:cr

Enclosure

bc: Eastern District Office

21 7016

RECEIVED

MAR 2 1972

Department of Water Administration  
Eastern District Office

*NY*

Box 442  
Ashton, Idaho 83420  
Feb. 29, 1972

State of Water Administration  
240 South Holmes Ave.  
Idaho Falls, Idaho 83401

Dear Sirs:

I would like for you to approve application as it  
stands for a maximum of .02 c.f.s.  
Thank you very kindly.

Sincerely,

H. L. Kandler

*H. L. Kandler*

21 7016

February 10, 1972

Re: Application for Permit No. 21-7016 - H. L. Kandler

Mr. H. L. Kandler  
Box 445  
Ashton, ID 83420

Dear Mr. Kandler:

We are in receipt of your letter of February 8, 1972, in which you indicated that you will make other use of the water than that indicated originally on the application. We cannot accept this as justification for diverting a higher rate than the uses require that are listed on your application. You could, however, amend your application to include the additional 50 head of cattle and the irrigation use. If you choose to do this, you could retain the same priority date as the original application, but we would have to readvertise the amended application. You would be required to pay the statutory advertising fee of \$10.00 (Section 42-211, Idaho Code).

I am enclosing a blank application form if you care to make this change. Idaho law allows a diversion rate of up to .02 c.f.s. per acre for irrigation. We can approve the application as it stands for a maximum of .02 c.f.s. and will make this rate reduction unless you amend the application or provide us with written justification for a higher rate.

If I can be of any assistance, please feel free to contact this office.

Very truly yours,

NORMAN C. YOUNG  
District Engineer

NCY:bj  
Enc: app. for permit

21 7016

RECEIVED

Ashton, Idaho  
Box 442  
February 8, 1972

FEB 9 1972

Department of Water Administration  
Eastern District Office

State of Idaho  
Department of Water Administration  
240 South Holmes Ave.  
Idaho Falls, Idaho 83401

Dear Sirs:

In your letter of February 4, 1972 regarding the final review of application no. 21-7016 for approval, I wish to state my intentions . I plan to increase the no of cattle each year until I can pasture 100 head. Also there could be dry years when if there was adequate water I could irrigate part of the pasture.

I would appreciate very much to leave this application as it is, in its present form.

Yours truly,

*J. L. Handley*

21 7016

Department of Water Administration

February 4, 1972

Re: Application for Permit No. 21-7016

Mr. H. L. Kandler  
Box 442  
Ashton, ID 83420

Dear Mr. Kandler:

We are making the final review of your Application No. 21-7016 pending final approval. It was noted at this time that the diversion rate of 0.2 c.f.s. requested is considerably in excess of the actual requirements for fifty head of cattle. Assuming consumption rate of 15 g.p.d. and storing the necessary quantity in a period of two hours indicates that a flow rate of .02 c.f.s. will be more than adequate for your needs. This is assuming that the water is consumed at the dam and there are no conveyance losses. If you have unusual conditions that would result in needing more water than ordinarily required, please provide justification for the larger amount at your earliest convenience; or, if this reduced rate will be acceptable, please notify this office.

If we can be of any assistance, please feel free to contact this office.

Very truly yours,

NORMAN C. YOUNG  
District Engineer

NCY:bj

21-7016

January 6, 1972

Re: Application No. 21-7016 - H. L. Kandler

Fremont County Chronicle News  
Box 568  
St. Anthony, ID 83445

Gentlemen:

Will 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 newspaper on December 16 & 23, 1971.

Your cooperation in this matter will be greatly appreciated.

Very truly yours,

NORMAN C. YOUNG  
District Engineer

NCY:BJ

*Phone 1-17-72*  
*1-31-72*

21-7016

INTER-DEPARTMENT MEMO — 1

DATE December 6, 1971

FROM Bobbie

TO Darlene

SUBJECT H. L. Kandler - 21-7016

RECEIVED  
DEC 10 1971

The above referenced permit was to have been published in the Fremont County Chronicle News on September 23 and 30. I wrote them a letter on November 3 asking for the affidavit of publication - no reply. I called them November 15 and they said they would get it in the mail right away. I didn't receive it still. I called them today and they have no record of it being advertised at all.

I'm going to advertise it today. That newspaper is spaced!

*If this not alright,  
please notify me.*

*Bobbie*

SIGNATURE

21-7016

December 6, 1971

Re: Application No. 21-7016

Fremont County Chronicle News  
P.O. Box 568  
St. Anthony, Idaho 83445

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 ample time for you to submit us a galley proof for our 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 date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

-----  
(signature of claimant)

Very truly yours,

Norman C. Young  
District Engineer

Bill submitted to Boise Office 2-3-72 by CR

NORMAN C. YOUNG  
District Engineer

NCY:BJ  
Enc: Legal notice

21 7016

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that H. L. Kandler, Box 442, Ashton, Idaho

has on 9/7/71 submitted Application No. 21-7016  
for a permit to appropriate 0.2 cubic feet per second ~~acres feet per annum~~  
of water from a spring  
by means of a dam  
within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ , Sec. 16, T. 8N, R. 44E, B.M., Fremont County

to be used from April 1 to Nov. 1  
for stockwater purposes

within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ , Sec. 16, T. 8N, R. 44E, 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 Dept. of Water Administration, 240 So. Holmes, Idaho Falls, Idaho, 83401, on or before Jan. 3, 1971

R. KEITH HIGGINSON

Director

Published in the Fremont County Chronicle News, St. Anthony  
on December 16 and December 23, 1971.

21 7016

September 14, 1971

Re: Application No. 21-7016 - H. L. Kandler

Fremont County Chronicle News  
Box 568  
St. Anthony, Idaho 83445

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 ample time for you to submit us a galley proof for our 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 date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

-----  
(signature of claimant)

Very truly yours,

Norman C. Young  
District Engineer

Bill submitted to Boise Office \_\_\_\_\_ by \_\_\_\_\_

NCY:BJ  
Enc: Legal notice

21 7016

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that H. L. Kandler, Box 442, Ashton, Idaho

has on 9/7/71 submitted Application No. 21-7016

for a permit to appropriate 0.2 cubic feet per second acre feet per annum  
XXXXXXXXXXXXXXXXXXXXXXX  
of water from a spring

by means of a dam

within the NW1/4, Sec. 16, T. 8N, R. 44E, B.M., Fremont County,

to be used from April 1 to Nov. 1

for stockwater purposes

within the NW1/4, Sec. 16, T. 8N, R. 44E, 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 Dept. of Water Administration, 240 So. Holmes, Idaho Falls, Idaho, 83401, on or before Oct. 11, 1971

R. KEITH HIGGINSON

Director

Published in the Fremont County Chronicle News, St. Anthony, Idaho  
on Sept. 23 and Sept. 30, 1971

21 7016

September 8, 1971

H. L. Kandler  
Box 442  
Ashton, Idaho 83420

Dear Mr. Kandler:

Attached herewith is your receipt No. 8217 in the amount of \$ 10.00  
for your application for permit  
which was received in this office.

Very truly yours,

M. RUSSELL BOSCH  
Administrative Assistant

MRB:ejw

Enclosure

21 7016

August 18, 1971

Mr. H. L. Kandler  
Box 442  
Ashton, Idaho 83420

Dear Mr. Kandler:

In reviewing your application for permit received August 16th, we find that the amount of water you have requested is quite excessive. We wish to advise you that 0.2 c.f.s. would be adequate, for which the filing fee is \$10.00. We are herewith returning the application to you for your consideration, along with your check No. 92-90.

We have taken the liberty to type your application on one of our original forms. Please complete item 4 and 5(a), sign the application, and re-submit with the appropriate filing fee. Your cooperation in this matter is greatly appreciated.

Very truly yours,

Dorian Clay  
Appropriation Examiner

DC:DR

Enc: App. for Permit  
App. for Permit (re-typed)  
Check No. 92-90