

3729 II NW
STEWART FLAT

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

FAIRVIEW, WYO. 8 MI. N
230 000 FEET (WYO.)

R46E

111°07'30"
42°37'30"

491 000mE

492

493

5'

494

4718 000mN

710 000 FEET
(WYO.)

4717

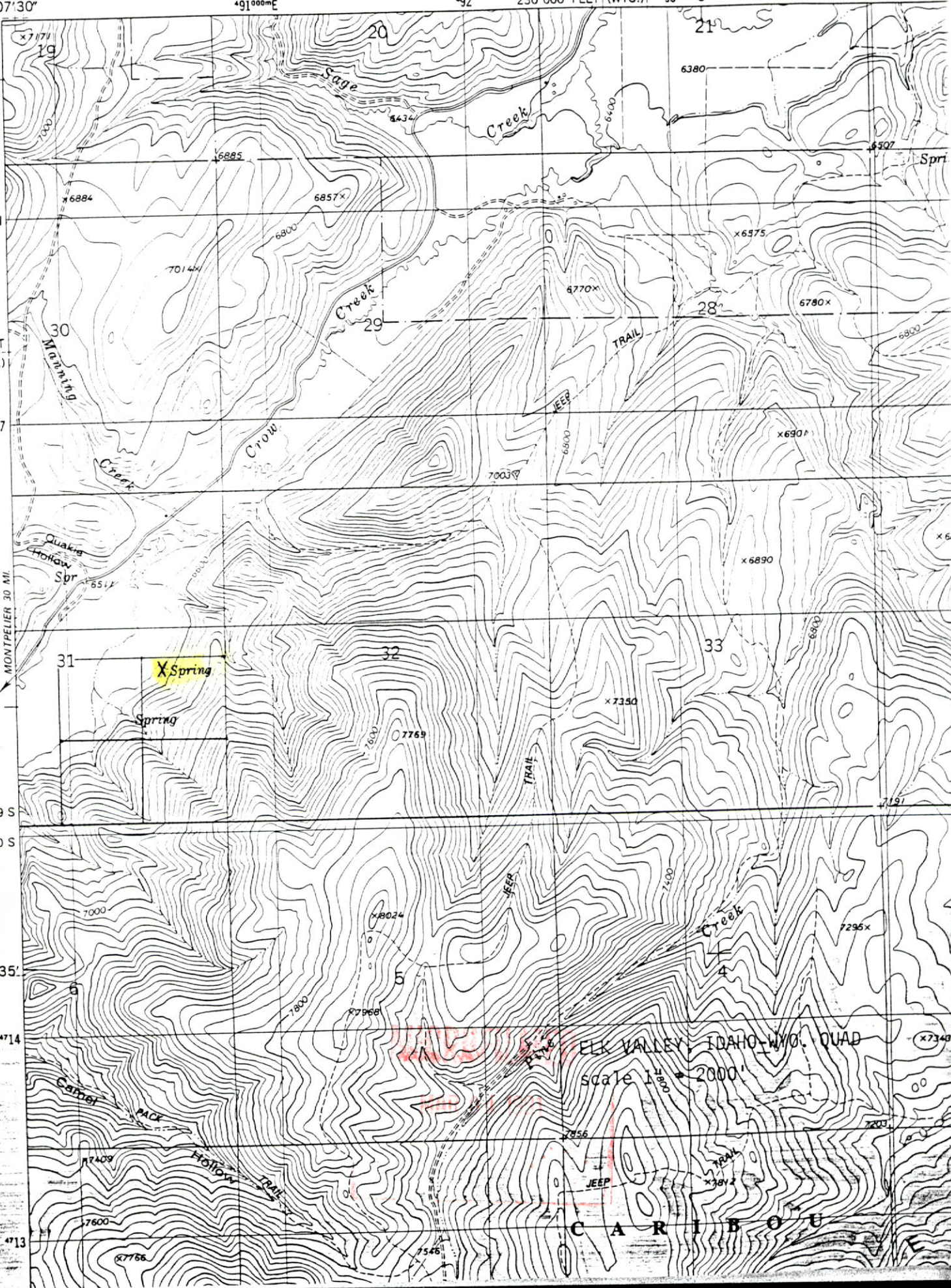
T 9 S

T 10 S

35'

4714

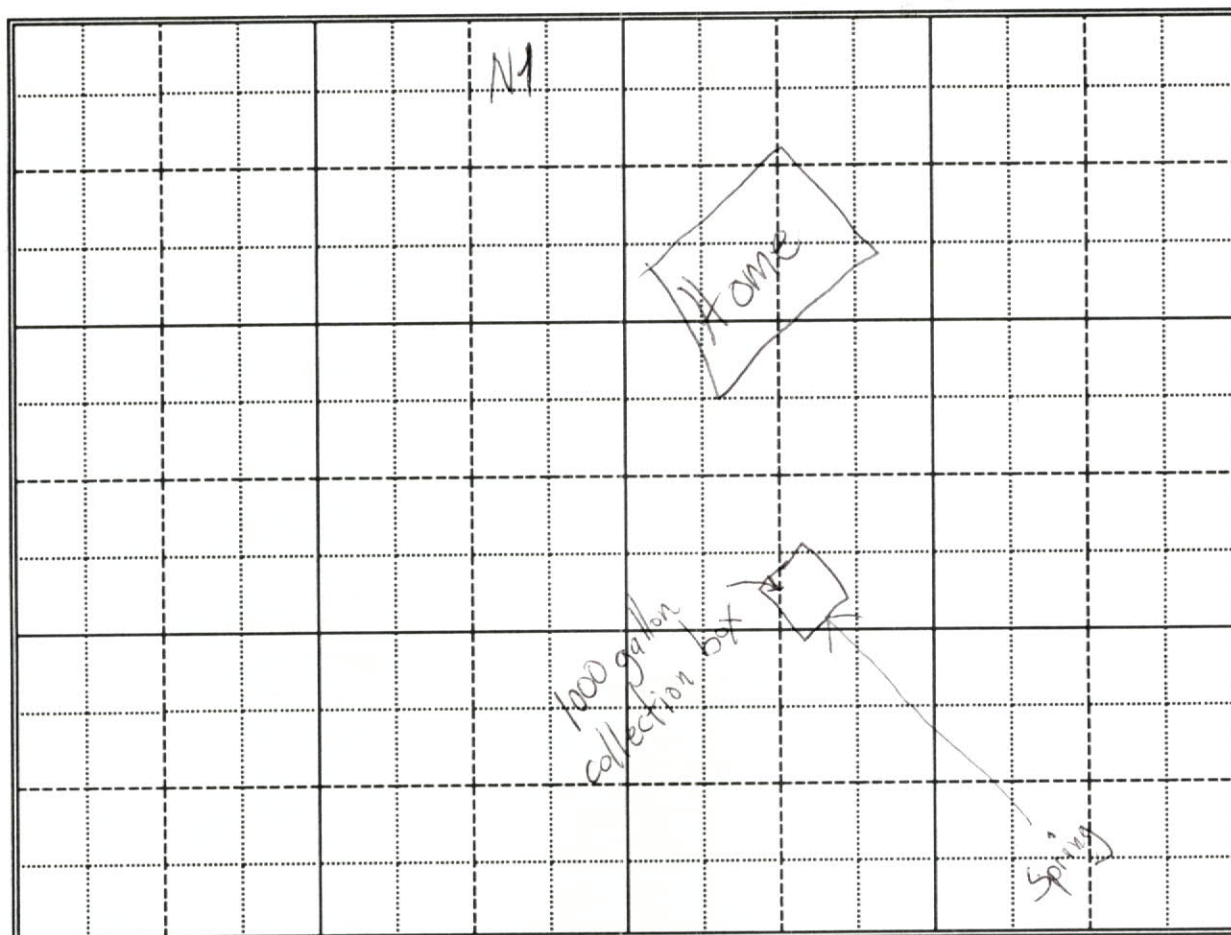
4713



ELK VALLEY, IDAHO-WYO. QUAD
scale 1:2000'

C A R I B O U

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



Scale: 1" = _____

____ Copy of USGS Quadrange Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

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

D. FLOW MEASUREMENTS

1.

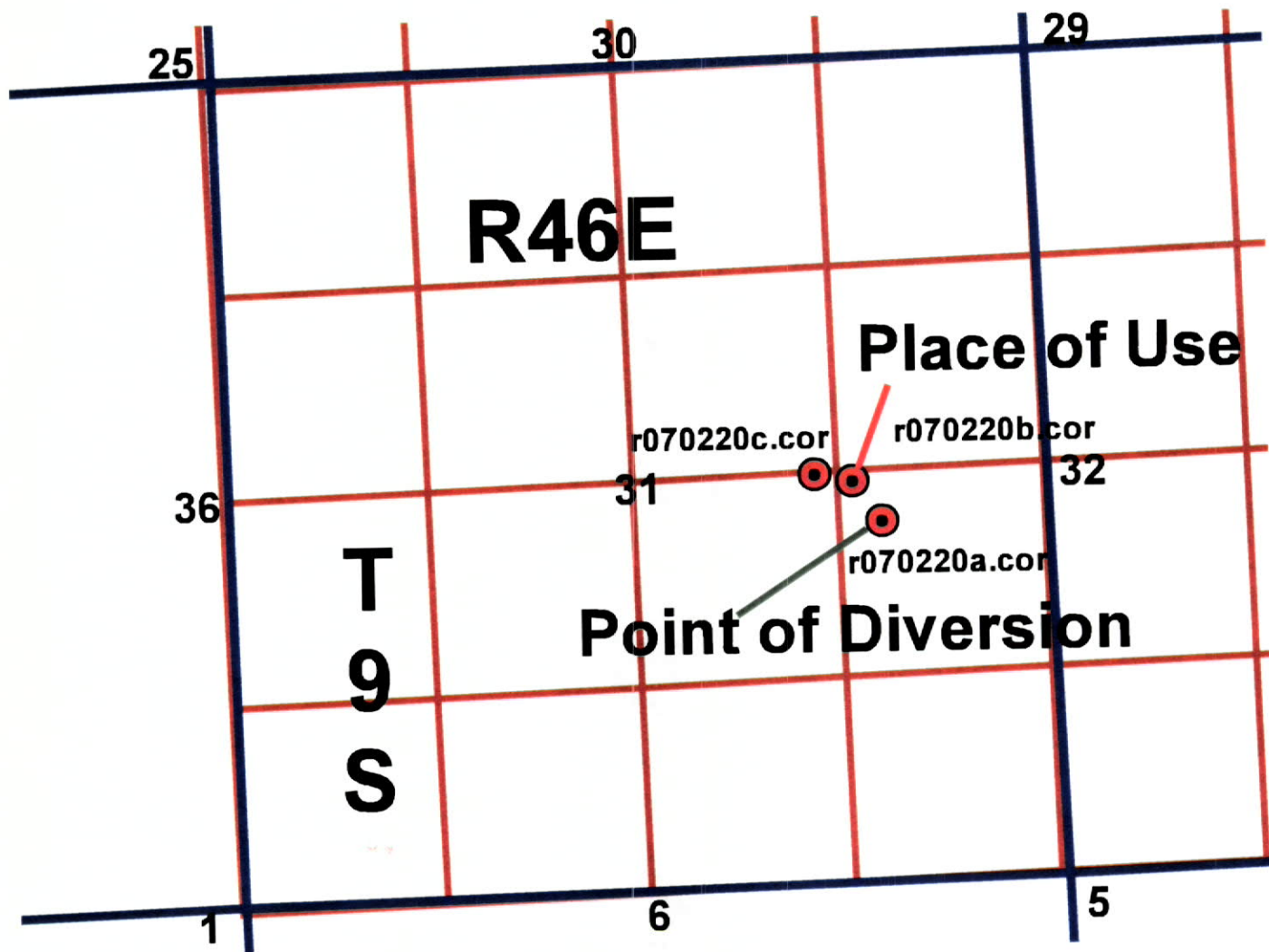
Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements:

Underground system not readily measurable
use standards 0.04 cfs

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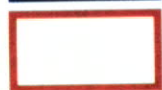
JAN 08 2003



Posnpnt.dbf



Sections.shp



T09s46e.shp

24-07179

MICROFILMED
JAN 08 2003



Spring collection tank Permit 24-7179



POU Permit 24-7179

MICROFILMED

JUN 8 2003



Permit 24-7179 Home is POV for a spring 300'-400' up hillside.

MICROFILMED
JAN 08 2003

2729 II 2W
STEWART FLAT

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

FAIRVIEW, WYO. 8 MI.
230 000 FEET (WYO.)

R46E

111°07'30"
42°37'30"

491000mE

492

493

5'

494

4718000mN

710 000 FEET
(WYO.)

4717

MONTPELIER 30 MI.

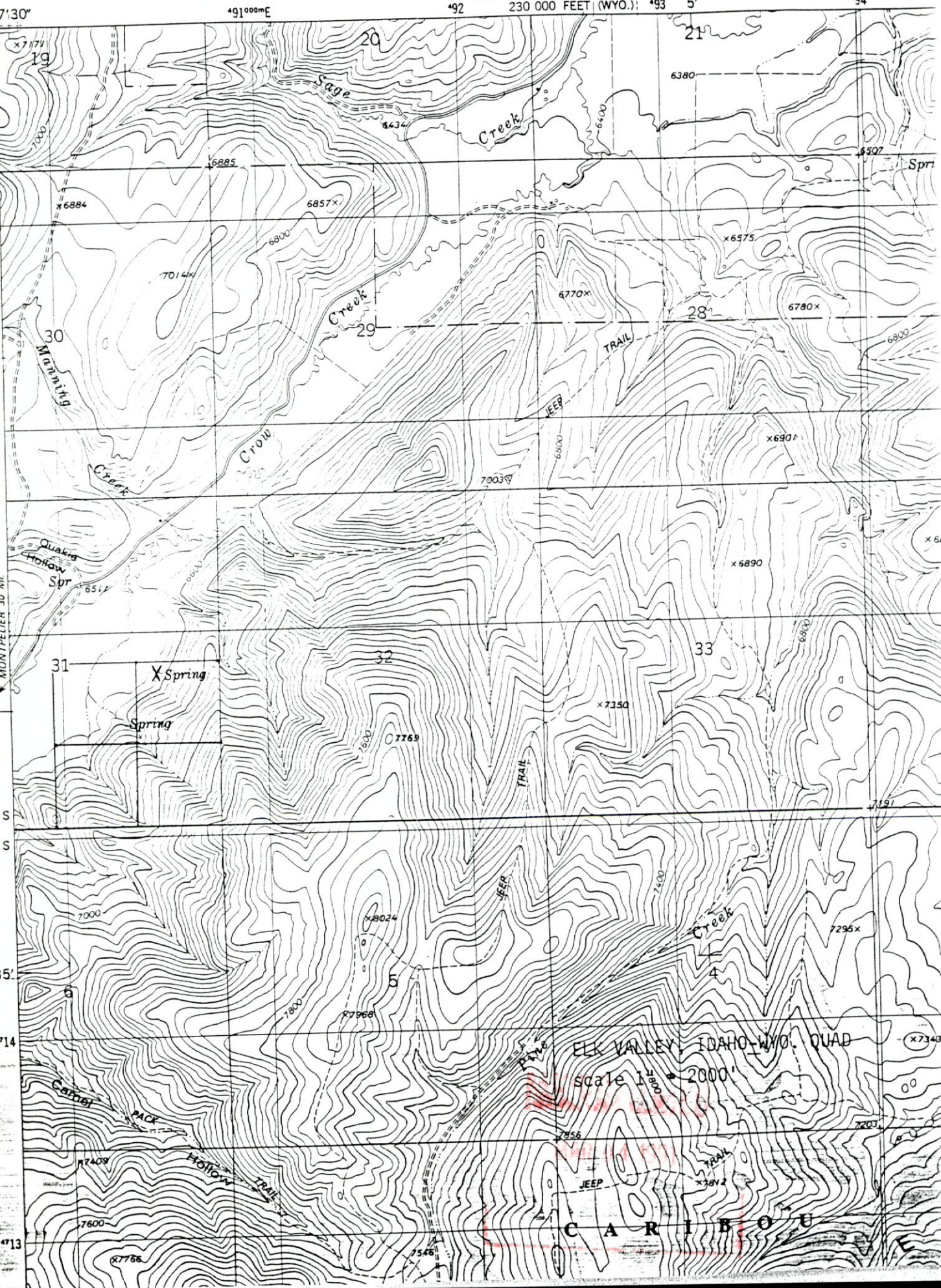
T 9 S

T 10 S

35'

4714

4713



State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 24-07179

Priority: September 11, 1990

Maximum Diversion Rate: 0.04 CFS
Maximum Diversion Volume: 1.2 AF

It is hereby certified that DICKSON L WHITNEY
PO BOX 1427
AFTON WY 83110 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated September 11, 1990; and has
submitted Proof of Beneficial Use on January 29, 1993. An examination indicates that the works have a
diversion capacity of 0.04 cfs of water from:

SOURCE

SPRING

Tributary: CROW CREEK

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF

LOCATION OF POINT OF DIVERSION:

SPRING NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 31, Twp 09S, Rge 46E, B.M., CARIBOU County

PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
09S	46E	31													X				

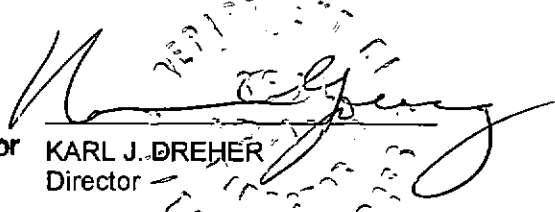
CONDITIONS OF APPROVAL

1. Domestic use is for 1 home.
2. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 01.
3. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 18TH day of NOVEMBER, 2002.

MICROFILMED
JAN 08 2003

Acting for 
KARL J. DREHER
Director

11/91

RECEIVED

JAN 29 1993

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

OFFICE USE ONLY

Amt. of Fee \$ 50.00Date 2-1-93Receipt No. 026634Receipt by [Signature]

PROOF OF BENEFICIAL USE

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

1. Permit No. 24-07179 Telephone No. 307-886-39802. Name(s) of Permit Holder(s): Dickson L. Whitney3. Mailing Address: P. O. Box 1427 Afton, Wyoming 831104. Source of Water: Spring

If GROUNDWATER, Well Driller's Name: _____ Date Drilled: _____

OPTIONAL:

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

5. Extent of Use (as authorized by the permit):

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

Irrigation _____ (No. of acres) Other _____

6. Total rate and/or volume for which proof is submitted 0.04 cfs OR _____ acre/feet

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

Measuring device: Required? Yes NO Installed? Yes ✓ No

OR

Flow Measurement Port: Required? Yes NO Installed? Yes ✓ No8. Fee Enclosed: \$ 50.00 none (See License Fee Schedule on back of Instruction Sheet)

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

Winter: 216-441-4900 Ext. 4447

Dickson L. Whitney

Summer: 307-886-3980

Name

Telephone No.

50 Public Square, Suite #1250

Osprey Ranch

Crow Creek Road

WINTER ADDRESS: Cleveland, OH 44113-2251

SUMMER ADDRESS:

Caribou County, Idaho

Address

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

12/31/92

Date

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

Dickson L. Whitney

MICROFILMED

FEB 17 1993

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 24-07179

Proposed Priority: September 11, 1990 Maximum Diversion Rate: 0.04 CFS

This is to certify, that **DICKSON L. WHITNEY**

C/O TED MILLER

P.O. BOX 751

AFTON, WY 83110

has applied for a permit to appropriate water from:

SPRING

tributary of **CROW CREEK**

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

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

DOMESTIC

01/01 to 12/31

0.04 CFS

LOCATION OF POINT(S) OF DIVERSION:

NWNESE

**Sec. 31, Township 09S, Range 46E
CARIBOU County**

PLACE OF USE: **DOMESTIC**

TWN RGE SEC

09S 46E 31

NESE

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **February 1, 1993**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Use of water under this permit is subject to control by the watermaster of State Water District No. 01.
5. The right to the use of water acquired under this permit shall not give rise to any right or claim against the holder of a senior right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
6. The Director retains jurisdiction of the permit and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
7. Domestic use is for 1 home.

RECORDED

MAR 04 1991

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 24-07179

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

20th day of February, 1991.

R. Keith Higginson
for R. Keith Higginson, Director

RECORDED

MAR 14 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Dickson L. Whitney Phone 307-883-2181

Post office address c/o Ted Miller, P.O. Box 751, Afton, Wyoming 83110

2. Source of water supply unnamed spring which is a tributary of Crow Creek

3. Location of point of diversion is NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of SE $\frac{1}{4}$, Govt. Lot _____
Sec. 31 Township 9S Range 46E B.M. Caribou County; additional
points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.04 for Domestic purposes from 1 January to 31 December (both dates inclusive)
(cfs or acre-feet per annum)

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

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

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

5. Total quantity to be appropriated is (a) 0.04 and/or (b) _____
0.05
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 4" Perforated PVC pipe embeded into the
water producing formation. 12" of clean gravel layed under the pipe and 4" of clean
gravel layed over the pipe. A 3" PVC pipeline will convey the water to a 1000 gal. tank.

b. Height of storage dam n/a feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

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

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

two (2) years (minimum 1 year).

RECORDED

MAR 04 1991

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

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. one (1) household
- e. Other; describe fully. _____
- _____
- _____

9. Description of place of use:

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
9S	46E	31													D				

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. _____

11. a. Who owns the property at the point of diversion? applicant

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

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

12. Remarks: _____

RECORDED
INDEXED

MAR 04 1991

2729 U.S.M.
STEWART FLAT

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

FAIRVIEW, WYO. 8 MI.

R46E

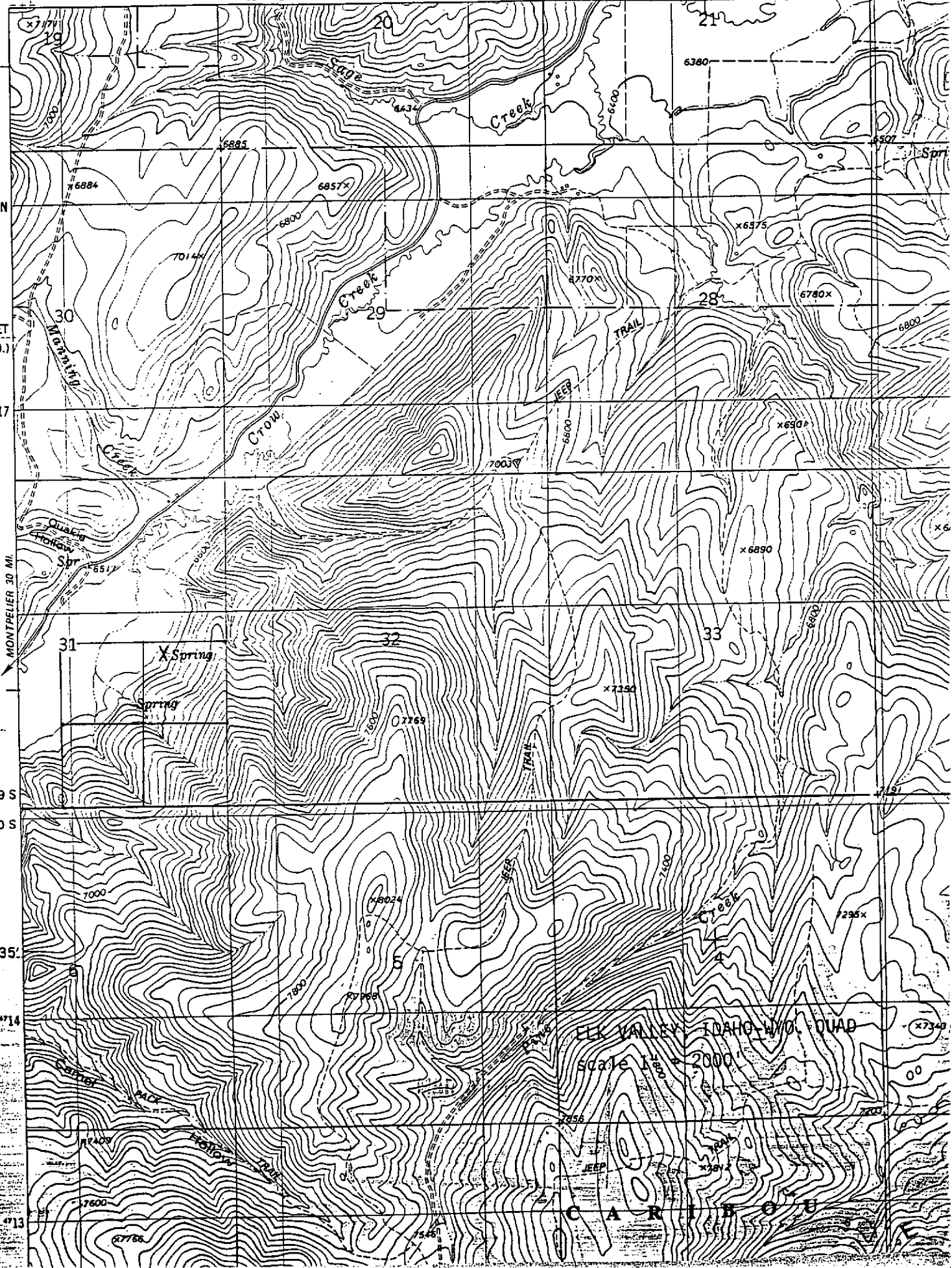
111°07'30"
42°37'30"

910000E

230 000 FEET (WYO.)

94

710 000 FEET
(WYO.)



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

SEE ATTACHED

RECEIVED

MAR 04 1991

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.

Richard H. Whitney
(Applicant)

Received by CW Date 9-24-90 Time 12:05P Preliminary check by _____
Fee \$ 30.00 Receipted by HWT # E01540 Date 9-11-90
Publication prepared by RB Date 12-22-90 Published in Caribou City Sun
Publication approved RB Date 1-9-91

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19____.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other:

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MAR 04 1991

Affidavit of Publication

County of Caribou }
State of Idaho } ss.

Mark Steele

being first duly sworn on his
oath, states:

That he is ~~Publisher~~
of the Caribou County Sun, a
newspaper of general circula-
tion in Caribou County, Idaho,
published weekly at Soda
Springs in said County that said
newspaper has been published
in said County uninterruptedly
and continuously for over sev-
enty-eight consecutive weeks,
prior to the first publication of
the annexed notice or advertise-
ment;

That the annexed notice was
published as per clipping at-
tached in the regular and entire
edition of said newspaper and
not in any supplement thereof

for 2 successive weekly
issues thereof, the date of the
first publication being the

20th day of
December, 1990

The date of the last publication
being the 27th day of

December, 1990

On this 2nd day of January

in the year of 1991 before

me, a Notary Public, personally
appeared

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

Mark Steele
Notary Public for Idaho
Residing at Soda Springs, Idaho
My commission expires:

March 11, 1994

PUBLIC NOTICE

First Time Published

2091851 03 24-07179
WHITNEY, DICKSON
C/O TED MILLER
P.O. BOX 751
AFTON, WY 83110

Source: UNNAMED SPRING
Tributary: CROW CREEK
Diversion Pt: NWNESE Sec 31
T 09S R 46E

Use: DOMESTIC (.040 CFS)
Total Diversion: (.040 CFS)

Date Filed: 9/11/1990
In: T09S R46E S31 NESE

The permit(s) will be subject to
all prior water rights. Protests may
be submitted based on the criteria
of Sec. 42-203A, Idaho Code
and/or the new public interest
criteria of Sec. 42-203C, Idaho
Code. Protests must be filed with
the Director, Dept. of Water
Resources, 150 Shoup Ave., Suite
15, Idaho Falls, Idaho 83402 on or
before JANUARY 7, 1991.

R. Keith Higginson,
Director

Published Dec. 20 and 27, 1990
in the Caribou County Sun.

RECEIVED
JAN 01 1991

MICROFILMED

Department of Water Resources
Eastern District Office
MAR 04 1991



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 19, 2002

DICKSON L WHITNEY
PO BOX 1427
AFTON WY 83110

RE: License No. 24-7179 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

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

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

Sincerely,

Shelley W Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED
JAN 08 2003

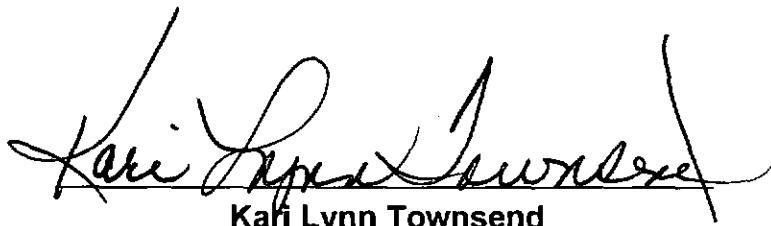
CERTIFICATE OF SERVICE

I hereby certify that on November 19, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO.

24-7179

**DICKSON L WHITNEY
PO BOX 1427
AFTON WY 83110**



**Kari Lynn Townsend
Secretary**

**MICROFILMED
JAN 08 2003**

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

LICENSE REVIEW CHECKLIST

Permit No. 24-7179 Date: 11-12-02 Reviewer: Kay Walker

Change/OK

Name/Address fix

Source OK

Point of Diversion: OK

Does change clarify original intended source? If no, void permit.

Change (P39/P49) Add (P45/P44) Feds (P40)

W32 (multiple in 1/4/1/4)

W36 (overlap)

W59 (subdivision description)

Place of Use OK

Change (P41/P49) Add (P41/P44) Feds (P43)

W60 (subdivision description)

W27 (ppu acre limit)

Overlaps: Right(s):

File reviewed Profile reports printed

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion:

Permitted rate 0.04 cfs

Fee Limit 0.20 cfs

Measured cfs

Theoretical cfs

Recommended Total Diversion Rate 0.04

Water Uses OK

Change (P46)

Season of Use per new Standards

Irrigation cfs af

Stockwater cfs af

Domestic 0.04 cfs 1.2 af

cfs af

cfs af

Total 0.04 cfs 1.2 af

Irrigation - overlap(R58-R61, R62-R65, R66-R69)

supp. Gw (WB7/065/104)

overlap spec combined rts (W35)

<1 acre (W31)

Domestic (W01/wb5/070/071/075)

Power (W42 or W43/025/027/R22 or R23)

Fish (042)

Fire (077)

Water Quality (106/R07)

Payette - (W22/047/27A)

Stockwater for US (R37)

Volume Determination

cfs x 1.9835 x days = af (vs) acres x (FHR) = af

Remarks:

Additional Conditions Watermaster Control

GW Measurement/Measuring Device

Other

Trust R55 - remove 051)

Non-trust (048)

GW Dist?

Water Msmt. Dist?

Crit. GWMA?

GWMA?

Government Lots?

Advance Priority? yes
no

If yes, explain why below.

SRBA Claim? NO

Adjust memo

Amend Letters P87, S06

Second Amendment Notice S06

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

OCT 23 2002

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 24-7179

1. Owner: Dickson L. Whitney Phone No. (307)886-3980

Current Address: P.O. Box 1427 Afton WY 83110

2. Accompanied by: Dickson L. Whitney EXAM DATE: 7-2-01

Address: _____ Phone No. _____

Relationship to Permit Holder: Same

3. Source: Spring tributary to Crow Creek

B. OVERLAP REVIEW

1. Other water rights with the same place of use: No

2. Other water rights with the same point of diversion: No

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

GPS

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NW	NE	SE	31	9S	46E	Caribou	FE / R070220A

2. Place(s) of Use:

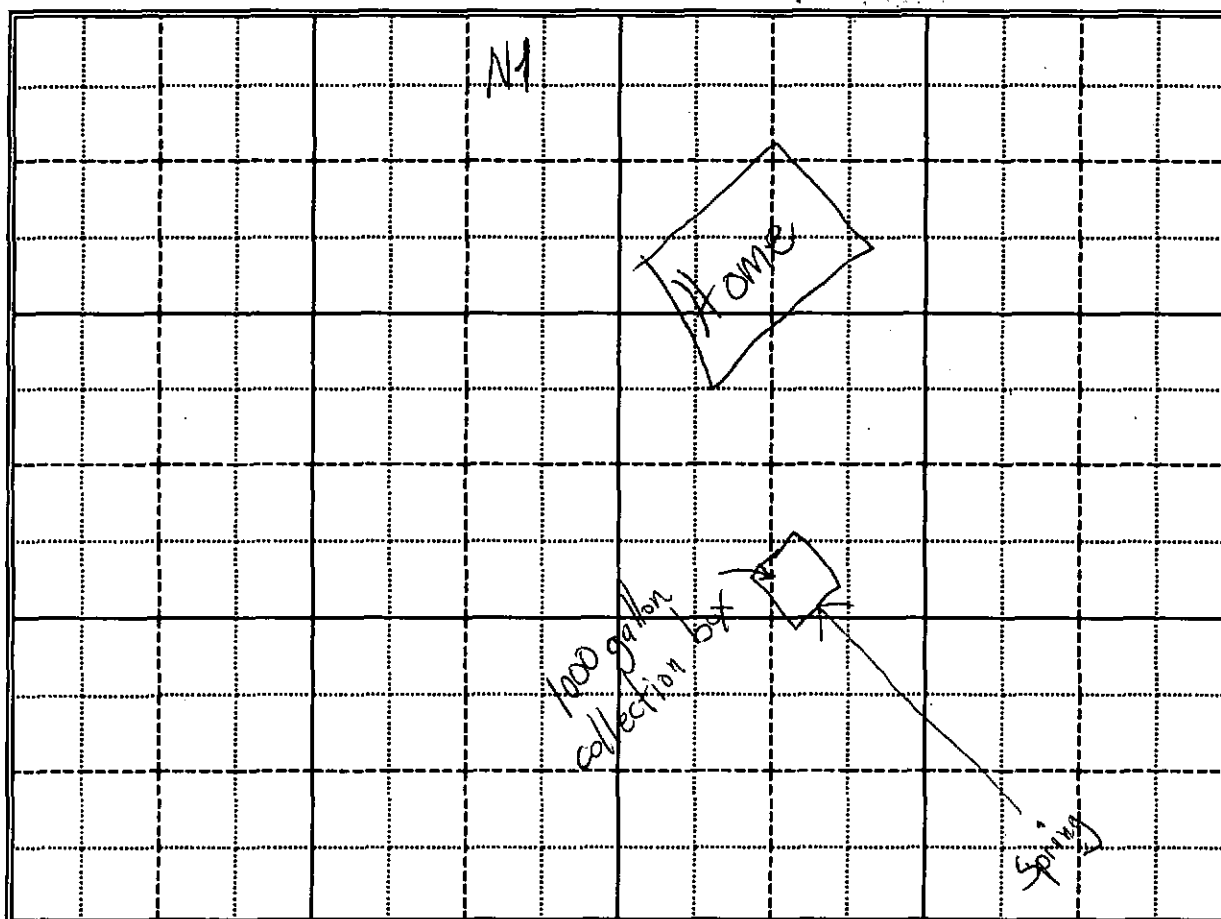
Indicate Method of Determination GPS R070220B

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
9S	46E	31													Dom				

MICROFILMED

JAN 08 2003

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



Scale: 1" = _____

____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements: Underground system not readily measurable

use standards 0.04 cfs

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JAN 08 2003

E. NARRATIVE/REMARKS/COMMENTS

Underground collection system conveys water to a 1000 gallon collection tank. System gravity feeds from there to a pressure tank under the home.

At the point of diversion, water was trickling down the grassy hillside.

Home is a large 5½ bath house.

Home has roughly ½ acre of lawn area.

It is my opinion that .04 cfs is present and justified.

Have conditions of permit approval been met? ☒ yes ☐ no

MICROFILMED

JAN 08 2003

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

G. VOLUME CALCULATIONS**1. Volume Calculations for Irrigation:** $V_{LR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____ $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____ $V = \text{Smaller of } V_{LR} \text{ and } V_{D.R.} =$ _____**2. Volume Calculations for Other Uses:**

Domestic Home = 1.2 AF/A

H. RECOMMENDATIONS**1. Recommended Amounts**

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Domestic	1/01	12/31	0.04 cfs	1.2 AF/A
Totals:			0.04 cfs	1.2 AF/A

2. Recommended Amendments

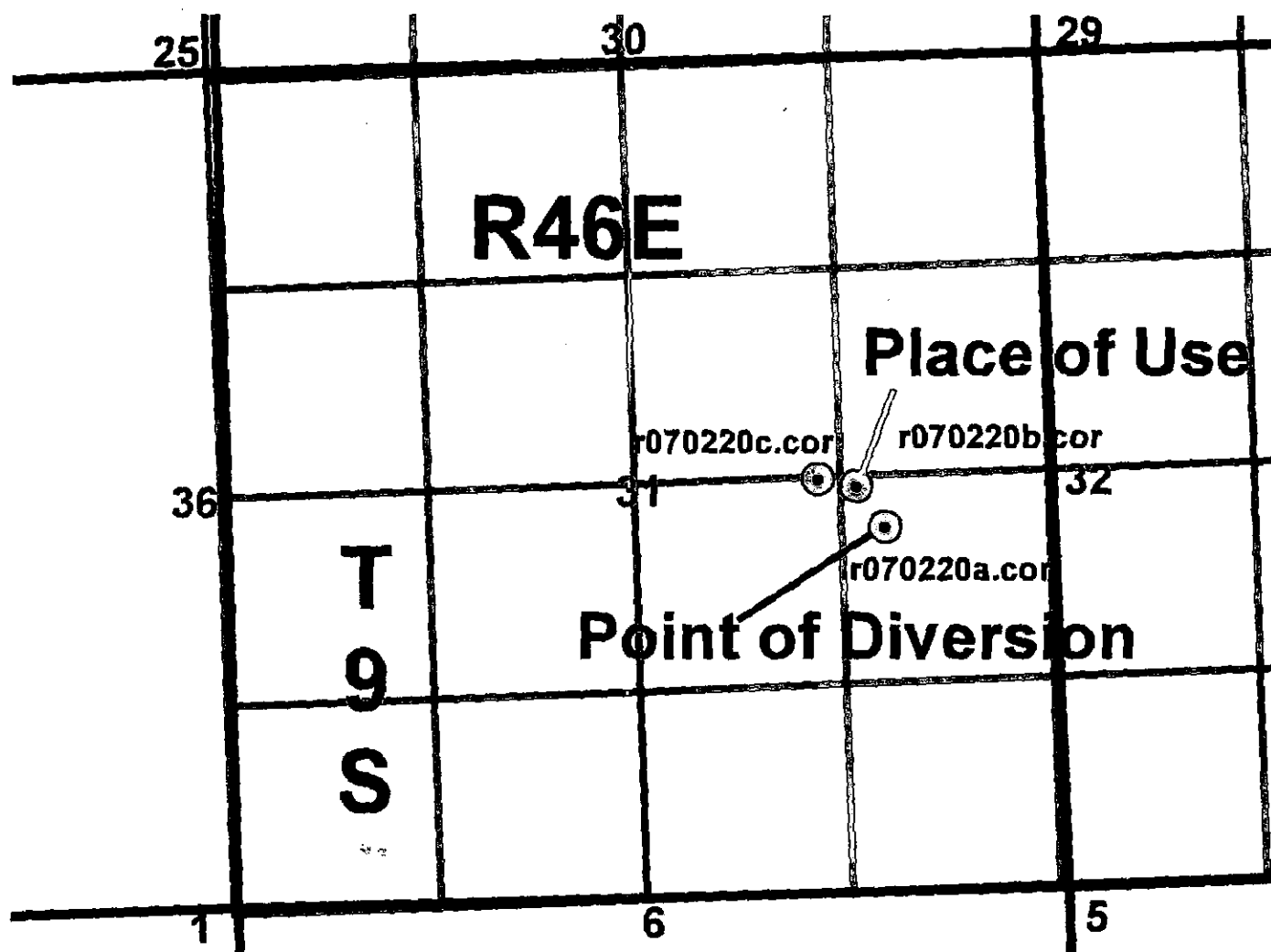
____ Change P.D. as reflected above ____ Add P.D. as reflected above ☒ None
____ Change P.U. as reflected above ____ Add P.U. as reflected above ____ Other

I. AUTHENTICATIONField Examiner's Name Steve Mueller Date 7-2-01Reviewer DAVE CARLSON Date 10/18/2002

SEAL

MICROFILMED

O. O. 2077



⊙ Posnpnt.dbf

▭ Sections.shp

▭ T09s46e.shp

24-07179

MICROFILMED

JAN 08 2003



Spring collection tank Permit 24-7179



POU Permit 24-7179

MICROFILMED

JUN 8 2003



Permit 24-7179 Home is POV for a spring 300'-400' up hillside.

MICROFILMED
189 0 8 2003

February 5, 1993

DICKSON L. WHITNEY
C/O TED MILLER
PO BOX 1427
AFTON WY 83110

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 24-07179

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

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

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

MAILED
FEB 17 1993

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 24-07179 Reviewed by Klg Date 1/21/93

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit? domestic -1
no Address same as permit?
yes Proof timely received? Correct Uses? yes
If not, complete calculation below.

SOURCE OF WATER

✓ Surface water source
Ground water source
NA Drilling permit required?
/ Copy in the file? Drilling Permit No. _____
/ Amount paid for permit _____ Correct?
/ Well log in the file?

LICENSE EXAMINATION FEE

yes Required?
50 Amount Submitted
yes Correct?

MEASURING DEVICE

NA Required?
/ Installed?
/ Waiver requested?

PRIORITY CALCULATION

Date proof received NA
Date proof due / -
No. of days late / =
Priority Date / +
New Priority Date /

DEFICIENCIES OR ACTION ITEMS

proof acceptable

DATA ENTRY

New Address PO Box 1427 2/1/93
Klg

Proof Made 1/29/93
2/5/93 Klg

DICKSON L. WHITNEY
50 PUBLIC SQUARE, SUITE #1250
CLEVELAND, OHIO 44113-2251

January 25, 1993

RECEIVED

JAN 29 1993

Department of Water Resources

State of Idaho
Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720-9000

Gentlemen:

RE: Permit No. 24-07179

I am herewith enclosing your Proof of Beneficial Use Form 217 and my check for \$50, in accordance with your letter of January 21.

In reading the instructions regarding the fee, I had misinterpreted the rules and appreciate you pointing out that I do owe a \$50 fee. If there is anything else needed, please let me know.

Very truly yours,

Dickson L. Whitney /dls

Enclosures

RECEIVED

FEB 17 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 21, 1993

Dickson L Whitney
50 Public Square, Suite #1250
Cleveland, OH 44113-2251

Re: Permit No. 24-07179

Dear Permit Holder:

Returned is the proof of beneficial use you submitted in connection with the above referenced permit. Unfortunately, it is unacceptable as filed.

The Department has determined, from pertinent sections of the Idaho Code, that the permit holder must meet two requirements in order to be exempt from the license exam fee. They are:

1. The water right must use a groundwater (well) source.
2. The rate of diversion must be .04 cfs or 4.0 AF or less.

As you can see, you do not meet requirement #1 since you use a spring (surface) for your source. Therefore, a license examination fee of \$50 applies to your permit. I have enclosed a copy of the Instructions for the Proof of Beneficial Use for your convenience.

In order to be in compliance with all of the required dates, you must return the original proof and fee on or before February 1, 1993.

If you have any questions or if I can be of any further assistance, please feel to contact me.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

Enclosure

RECORDED

FEB 17 1993

DICKSON L. WHITNEY
50 PUBLIC SQUARE, SUITE #1250
CLEVELAND, OHIO 44113-2251

January 8, 1993

RECEIVED

JAN 20 1993

State of Idaho Department of Water Resources

Ms. Karen L. Gustafson
State of Idaho
Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720-9000

Dear Ms. Gustafson:

Re: Permit No. 24-07179

I am herewith enclosing your Proof of Beneficial Use form, which I have fully filled out. If you should need to contact me during the winter, my address is:

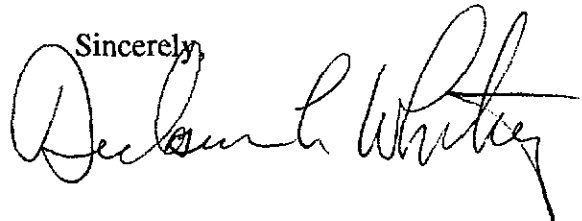
50 Public Square, Suite #1250
Cleveland, Ohio 44113-2251
Tel: 216-441-4900, Ext. 4447

During the summer months, I expect to spend the majority of my time at Osprey Ranch in Idaho, and the mailing address is:

P. O. Box 1427
Afton, Wyoming 83110
Tel: 307-886-3980

Thank you for your help.

Sincerely,



RECORDED

FEB 17 1993

November 30, 1992

DICKSON, L. WHITNEY
C/O TED MILLER
P.O. BOX 751
AFTON WY 83110

PROOF DUE NOTICE

RE: PERMIT NO. 24-07179

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before February 1, 1993. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

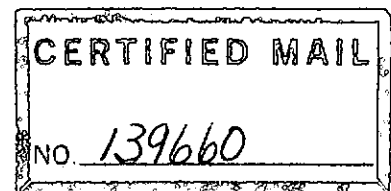
SINCERELY,

Karen L. Gustafson
Secretary/Records Manager

Enclosures

MICROFILMED

FEB 17 1993





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

February 27, 1991

DICKSON WHITNEY
C/O TED MILLER
P.O. BOX 751
AFTON, WY 83110

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 24-07179

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed. You will receive a "Proof Due Notice" from this Department approximately 60 days prior to the completion date requiring you to file either a Proof of Beneficial Use form stating that the project has been completed or file a Request for an Extension of Time in which to file the proof statement.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosures

RECEIVED

MAR 04 1991

APPLICATION FOR PERMIT REVIEW

Application #: 24-7179
Date: 2-12-91

Reviewer: Pam Skaggs *PS*

✓ Existing:
✓ No - 26A-P17
Complete in 1 year - P16
Yes
Proof not submitted - P16
Proof submitted - N/A
Groundwater:
GT. 0.7 cfs - 01G-P03, 01C-P03(existing well)
LT. 0.7 cfs - N/A
Drilling Permit:
Approved w/permit - P99
Not included - 046-P23(All GW, even existing wells)
✓ Location:
Water Districts - WD No. 01
Surface water - 005, 005-01H-P01(LT.7 w/pump)
005-01J-P08(GT.7)
Groundwater - P05
Irrigation Districts - 023
Canal Co. Areas - 023
Drainage Districts - 024
Boise Front (63) - 058 (Groundwater)
✓ Swan Falls Flag - 1 (1 or Blank)
Trust - 051-052-053-P74(Cons.), 041(DCMI, w/Irr
or Irr & Dom)
✓ Non Trust - 048-049
River Basins:
(Surface Water) Water District Control Condition &....
Boise (63) - 11D-P72
Payette (65) - 047-P04, 059-P71
Snake (01, 02 & 03) - 11A-P04(01), 061-P07(02/03 No W.D.Cond.)
Use:
Fish Propagation - 002-P06, 06A, 007, 09E-P10, 010, 042, 044
Power - Use Power Review
Mining - 06A, 006, 09E-P10, 010, 054(req.)
Storage - 18A-P for multiple measuring devices(In
W.D.), 18B-P09(Size)
Rec. & Aesthetic - 027(Non-Consumptive)
Domestic - 021(restricted areas)
Ownership:
Non land owner - 004
Protested:
Agreement - 020
Minimum Stream Flow:
Overlapping uses - 029-P20
✓ Beneficial Use Due Date: - 02-01-1993
Other Conditions Recommended _____

RECEIVED
MAR 04 1991

Form No. 202a
4/87

Dist. for staffing: 11-2-90
Submitted for advertising 11-21-90

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATIONS FOR PERMIT ANALYSIS SHEET

24 7179

INITIAL REVIEW BY HWS DATE 11-21-90 APPLICATION NO. _____
APPLICANT NAME: DICKSON L. WHITNEY

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
☒ Address
☒ Source (See USGS Quad for names of water sources)
☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
☒ County
☒ Quantity (flow and/or volume)
☒ Period of Use
☒ Nature of proposed use (Include description of use.)
☒ Description of diverting works
☒ Time required for beneficial use of water
☒ Place of use or acres irrigated
☒ Map
☒ Signature (If applicant is corp. partnership, or municipality, title of signator is required)
☒ Fee
☒ Yes _____ No* In form to receipt

ADDITIONAL INFORMATION

- NA Overlapping place of use (Describe source & relationship to present application on the back.)
NA Overlapping point of diversion
Yes _____ No _____ Field check required
Yes _____ No _____ Field check by _____
Yes _____ No _____ Field report attached
Yes _____ No _____ Critical groundwater area
Yes _____ No _____ Groundwater management area
Yes _____ No _____ Send dam safety information
Yes _____ No _____ Send power requirement letter
Yes _____ No _____ Send fish farm requirement letter
Yes _____ No _____ Power residency affidavit
Yes _____ No _____ Power efficiency form
Yes _____ No _____ Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
Yes _____ No _____ Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)
See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT JAN 11 1991

Date Requested Department of Water Resources

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

SEND COPIES TO ☐ Idaho Dept. of Health & Welfare ☐ U.S. BLM
☐ Idaho Dept. of Fish & Game ☐ U.S. Forest Service
☐ Idaho Dept. of Lands ☐ Water District
☐ Adjudication Bureau Unit ☐ Other

FINAL REGIONAL PROCESSING REVIEW

☒ Yes ☐ No Affidavit of publication received
☒ Yes ☐ No Application published correctly. If not, record action taken.

☒ Yes ☐ No Publication dates & paper, recorded on application
☐ Yes ☒ No Protests received
Final date for protest 1-7-90
☒ Yes ☐ No Protests, dates, resolution of protest, recorded on application
☐ Yes ☐ No Recommendations, attached
☐ Yes ☐ No Measuring device required
☐ Yes ☐ No Access port required
☐ Yes ☐ No Will water be delivered by watermaster? If yes, what Dist. _____
☐ Yes ☐ No Special conditions of approval or cover letter below. _____

See below for additional information
Date of priority recommended 9-11-90
By HWS Date 1-10-91

STATE OFFICE REVIEW

See below for additional information
By _____ Date _____

ADDITIONAL INFORMATION

LOCAL PUBLIC INTEREST

Comments received from

<u> </u> City	<u> </u> Idaho Fish & Game	<u> </u> Irrigation District
<u> </u> County	<u> </u> Idaho Health & Welfare	<u> </u> Canal Company
<u> </u> Reservations	<u> </u> Division of Environment	<u> </u> Other <u> </u>

Project impacts/implications report

COMMENTS

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

Idaho Falls, Idaho 83402
(208) 525-7161

DECEMBER 10, 1990

CARIBOU COUNTY SUN
P.O. BOX 815
SODA SPRINGS, ID 83276

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before JANUARY 7, 1991.

Yours truly,

Rita Bodell
Secretary

Encl.

MICROFILMED

MAR 04 1991

24-07179

WHITNEY, DICKSON
C/O TED MILLER
P.O. BOX 751
AFTON, WY 83110

Source: UNNAMED SPRING

Tributary: CROW CREEK

Diversion Pt: NWNESE Sec 31 T 09S R 46E

Use: DOMESTIC (.040 CFS)

Total Diversion: (.040 CFS)

Date Filed: 9/11/ 1990

In: T09S R46E S31 NESE

RECORDED

MAR 04 1991

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before JANUARY 7, 1991.

R. Keith Higginson, Director

Published 12/19/1990 & 12/26/1990

RECEIVED

DEC 04 1990

10-Dec-1990

MILLER TED
PO BOX 751
AFTON WY 83110

RE: Application No. 24-07179

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in CARIBOU COUNTY SUN on DECEMBER 20 & 27, 1990. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our state office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

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

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

MAR 04 1991

SURVEYOR SCHERBEL, LTD.

LAND SURVEYORS

President

PAUL N. SCHERBEL
Land Surveyor

Wyoming Registration No. 164
Utah Registration No. 1670
Idaho Registration No. 3990
Nevada Registration No. 6805

SCOTT A. SCHERBEL
Land Surveyor
Wyoming Registration No. 3889

Associate
KEITH E. McNINCH
Professional Engineer
Wyoming Registration No. 2846

CONSULTANTS IN

Range and Pasture Management
Soil and Water Conservation
Woodland Management
Irrigation and Water Rights
Ecology

MAIL

Box 4296, Big Piney - Marbleton, WY 83113
Box 7205, Jackson, WY 83001
Box 725, Afton, WY 83110
WATS

TELEPHONE

307-276-3347
307-733-5903
307-886-9319
800-624-8799

UPS - FREIGHT

283 Main Street, Marbleton, Wyoming 83113

MARLOWE A. SCHERBEL
Afton Office Manager

13 September 1990

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

Re: Whitney Domestic Water Right Application - S. 31, T9S, R46E, Caribou
County, Idaho

Dear Mr. Jones,

Enclosed please find the following:

1. A copy of the application. The original will arrive under separate cover from the applicant.
2. Exhibit showing the location.
3. A check in the amount of \$30.00.

If all is not in order, please contact me.

Sincerely,
SURVEYOR SCHERBEL, LTD.

Marlowe A. Scherbel
PLS 5368

enclosures

cc: Ted Miller
BPSSLTD

RECEIVED

SEP 17 1990

Department of Water Resources
Eastern District Office

RECEIVED

MAR 6 1991

SS

Professional Land Surveyors of Wyoming
American Consulting Engineers Council
Wyoming Association of Consulting Engineers and Surveyors
American Congress on Surveying and Mapping
Society of American Foresters

Utah Council of Land Surveyors
Idaho Association of Land Surveyors
American Society of Range Management
Soil Conservation Society of America

COPY

Form 202
8/85

Ident. No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Dickson L. Whitney Phone 307-883-2181
Post office address c/o Ted Miller, P.O. Box 751, Afton, Wyoming 83110
2. Source of water supply unamed spring which is a tributary of Crow Creek
3. Location of point of diversion is NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of SE $\frac{1}{4}$, Govt. Lot _____
Sec. 31 Township 9S Range 46E B.M. Caribou County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.04 ~~0.05~~ for Domestic purposes from 1 January to 31 December (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.04 ~~0.05~~ and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. 4" Perforated PVC pipe embeded into the water producing formation. 12" of clean gravel layed under the pipe and 4" of clean gravel layed over the pipe. A 3" PVC pipeline will convey the water to a 1000 gal. tank.
 - b. Height of storage dam n/a feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet; period of year when water will be diverted to storage: _____ to _____ inclusive.
 - c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
 - d. Is ground water with a temperature of greater than 90°F being sought? _____
7. Time required for the completion of the works and application of the water to the proposed beneficial use is two (2) years (minimum 1 year).

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

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. one (1) household
- e. Other; describe fully. _____

9. Description of place of use:

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
9S	46E	31													D				

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. _____

11. a. Who owns the property at the point of diversion? applicant

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

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

12. Remarks: _____

MAR 04 1931

Received by HLJ Date 9-17-90 Time 1:48 Preliminary check by _____
Fee \$ 30.85 Received by HLJ # EO-5240 Date 9-17-90
Publication prepared by _____ Date _____ Published in _____
Publication approved _____ Date _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other:

RECEIVED

MAR 04 1991

328 II 30W
STEWART FLAT

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

R46E

111°07'30"
42°37'30"

15

FAIRVIEW, WYO. 8 MI.
230 000 FEET (WYO.)

5'

94

710 000 FEET
(WYO.)

17

MONTPELIER 30 MI.

T 9 S

T 10 S

35

14

13

