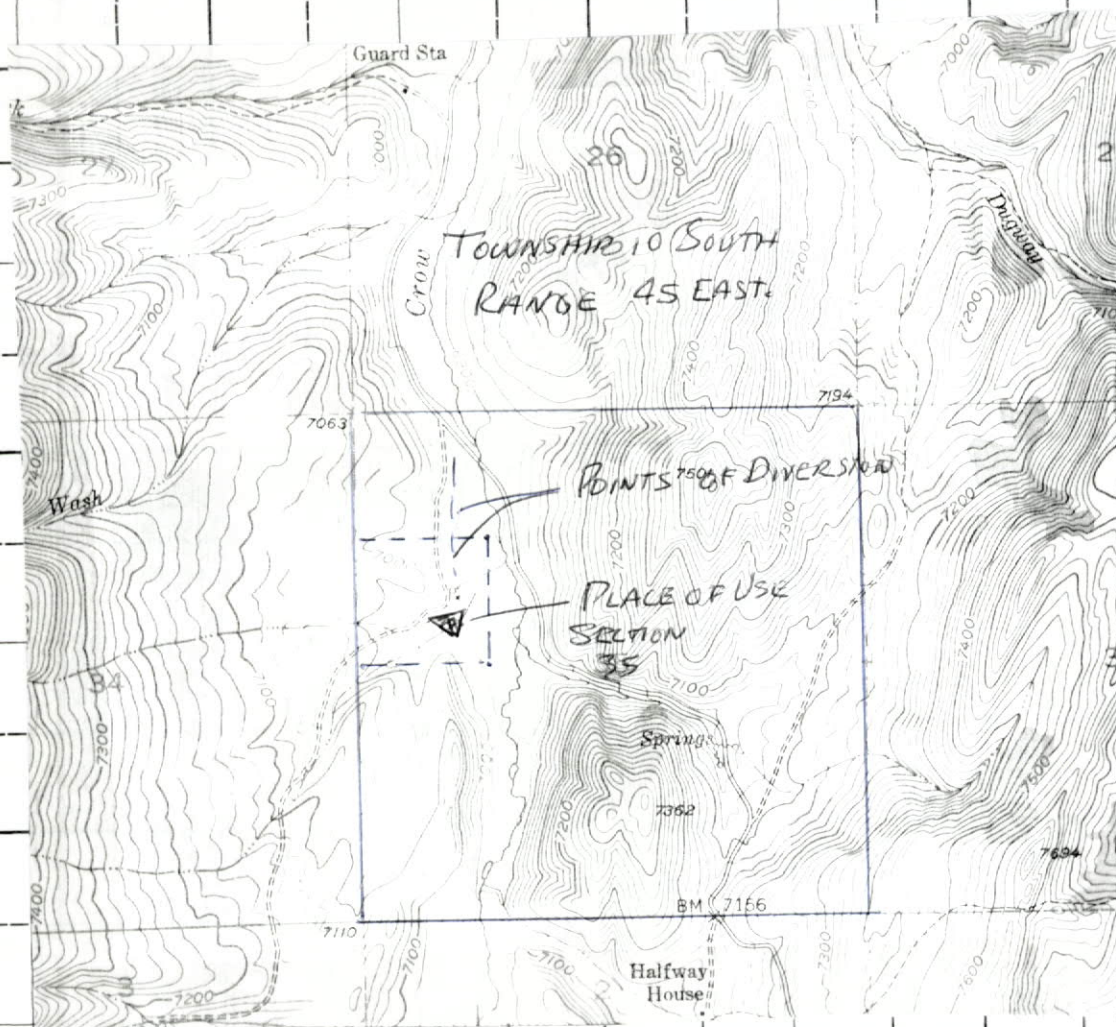


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Ross Clark
(Applicant)

MICROFILMED

JUN 12 1989

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

April, 1989

The date of the last publication

being the 27th day of

April, 1989

On this 28th day of April

in the year of 1989 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.

Wendy A. Bule
Notary Public for Idaho

Residing at Soda Springs, Idaho
My commission expires:

March 11, 1994

PUBLIC NOTICE

First Time Published

NOTICE OF APPLICATION FOR WATER RIGHT

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

24-07162

CLARK, ROSS

286 N. 4th St.

MONTPELIER, ID 83254

Source: SPRINGS

Tributary: CROW CREEK

Diversion Pt: NWNW Sec 35 T 10S

R 45 E, SWNW Sec 35 T 10S R 45E

Use: IRRIGATION (.200 CFS),

FISH PROP. STORAGE (30.00 AF),

DIVERSION TO STORAGE (.200

CFS)

Date Filed: 6-06-1983

In: T10S R45E S35 SWNW 10.0
acres total

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 May 8, 1989.

R. Keith Higginson, Director

Published April 20 and 27, 1989 in
the Caribou County Sun.

MICROFILMED

JUL 1989

RECEIVED

MAY 11 1989

Department of Water Resources
Eastern District Office

24-07162

CLARK, ROSS
286 N. 4TH ST.
MONTPELIER, ID 83254

Source: SPRINGS

Tributary: CROW CREEK

Diversion Pt: NWNW Sec 35 T 10S R 45E
 SWNW Sec 35 T 10S R 45E

Use: IRRIGATION (.200 CFS) (30.00 AF)
 FISH PROP. STORAGE
 DIVERSION TO STORAGE (.200 CFS)

Date Filed: 6/06/1983

In: T10S R45E S35 SWNW

10.0 ACRES TOTAL

PUBLIC NOTICE

First Time Published

**NOTICE OF APPLICATION
FOR WATER RIGHT**

The following application(s) have
been filed to appropriate the public
waters of the State of Idaho:
24-07162

CLARK, ROSS
286 N. 4th St.
MONTPELIER, ID 83254
Source: SPRINGS

Tributary: CROW CREEK

Diversion Pt: NWNW Sec 35 T 10S
R 45 E, SWNW Sec 35 T 10S R 45E
Use: IRRIGATION (.200 CFS),
FISH PROP. STORAGE (30.00 AF),
DIVERSION TO STORAGE (.200
CFS)

Date Filed: 6-06-1983

In: T10S R45E S35 SWNW 10.0
acres total

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 May 8, 1989.

R. Keith Higginson, Director

Published April 20 and 27, 1989 in
the Caribou County Sun.

MICROFILMED

JUN 12 1989

RECEIVED
JUL 06 1993
Department of Water Resources

OFFICE USE ONLY
Amt. of Fee \$ 50.00
Date 7-6-93
Receipt No. C028058
Receipt by CA

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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. 24-07162 Telephone No. 307 886 9372 9149

2. Name(s) of Permit Holder(s): Ross M Clark

3. Mailing Address: P.O. Box 296 Montpelier, Idaho 83254

4. Source of Water: Springs Run Off

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

Irrigation _____ (No. of acres) Other Fish propagation

6. Total rate and/or volume for which proof is submitted 0.20 cfs OR 30 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 ☐ No

8. Fee Enclosed: \$ 50.00 (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.

Ross M Clark 307 886 9372 9149
Name Telephone No.

Ross M Clark P.O. Box 296, Montpelier, Idaho 83254
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

June 30, 1993 Ross M Clark
Date Signature (and title, if on behalf of a company or organization) JUL 22 1993

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 24-07162)
IN THE NAME OF ROSS M CLARK) ORDER OF
REINSTATEMENT)

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before July 1, 1993; and,

WHEREAS, the Department notified the permit holder by certified mail that proof was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use; and,

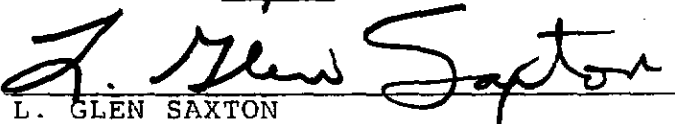
WHEREAS, the Department notified the permit holder that the permit had lapsed for failure to submit the proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on July 6, 1993;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 24-07162 be REINSTATED with an advance in priority to June 11, 1983.

Dated this 7th day of July, 1993.


L. GLEN SAXTON
Chief, Water Allocation Bureau

MICROFILMED
JUL 22 1993

STATE OF IDAHO

For Office Use Only
\$15 FEE Received by 1.2
Date 5/23/91
Receipt # CO26581

RECEIVED

DEPARTMENT OF WATER RESOURCES

MAY 23 1991

**REQUEST FOR EXTENSION OF TIME
TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT**

Department of Water Resources

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

Permit No. 24 - 07162

Name(s) of Permit Holder: Ross Clark

Post Office Address: P. O. Box 296 Montpelier, ID 83254

Telephone No. 307 886 9372 9149

Date Proof is Due: July 1, 1991 Wait for beep then dial 9149

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

completed July 1990. The representative from Idaho Falls inspected it last summer.

The willows have been removed from the area I want to build the smaller dam than planned.

I have had a winter kill problem at an existing pond and I was in Pocatello two weeks ago

to try to get information from Idaho Fish & Game but they were in Boise.
Costing \$ 4,640.00

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

I have had an exchange of land agreement with the Forrest Service for about 40 years and

they decided they wanted their land. We had to have the land surveyed and fence about one
and a half miles. -

Permit holder(s) request an extension to July 1, 19 94
(1 yr. minimum)

Ross Clark
(Signature)*

FEE: \$15.00

*IF OTHER THAN PERMIT HOLDER,
POWER OF ATTORNEY MUST BE SUPPLIED.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

JUL 01 1991

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to July 1, 1993.

Signed this 24th day of May, 19 91.

L. Glen Saylor
Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant Ross Clark Phone 847-1122

Post office address 286 North Fourth Street, Montpelier, ID 83254

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

3. Location of point of diversion is SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 35 Township 10S

Range 45E B.M. Caribou County, additional points of diversion if any:

NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 35, T. 10S, R. 45E

4. Water will be used for the following purposes:

Amount 30 AF for Storage for fish prop. purposes from 1/1 to 12/31 (both dates inclusive)
(~~acres~~ acre-feet per annum)

Amount 0.20 cfs for Diversion to storage purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.20 cfs for irrigation purposes from 4/1 to 11/1 (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:

a. 0.20 cubic feet per second and/or b. 30 acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. drain from marshy spring area to reservoir 9 ft. high dam.

b. Height of storage dam feet, active reservoir capacity acre-feet; total reservoir capacity acre-feet, materials used in storage dam:

Period of year when water will be diverted to storage to inclusive.
(Month/Day) (Month/Day)

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

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 35 Township 10S

Range 45E B.M.

(2) Amount of power to be generated: horsepower 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: recreational fish propagation

JUN 12 1989

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
10S	45E	35							10										10

Total number of acres to be irrigated 10

c. Describe any other water rights used for the same purposes as described above. None

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

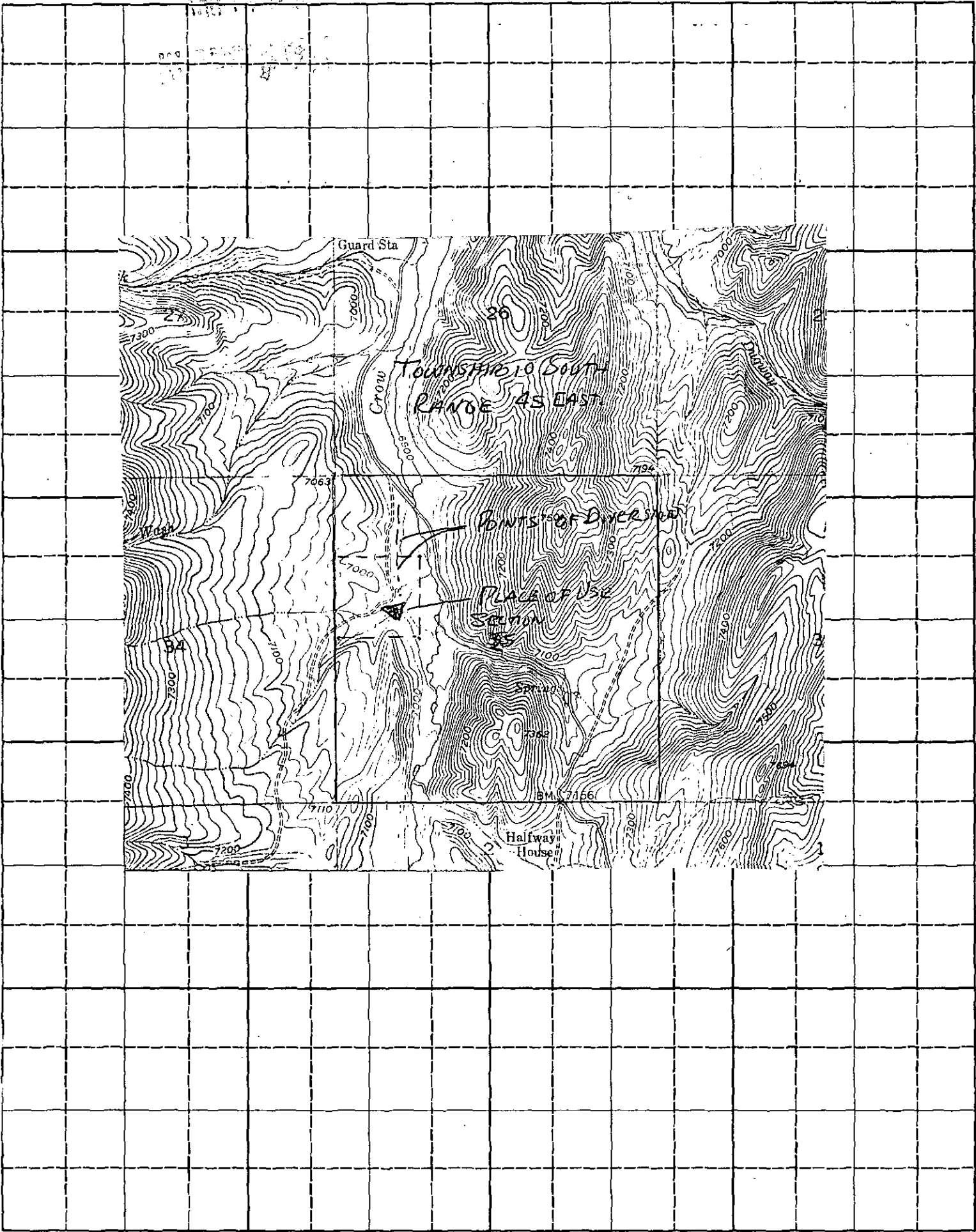
b. Who owns the land to be irrigated or place of use Applicant

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

10. Remarks

RECORDED
JUN 12 1989

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.

Ross Clark
MICROFILMED (Applicant)

JUN 12 1989

Proposed Priority 6/6/83

Received by SM Date 6-6-83 Time 5:10p
Preliminary check by HWS Fee \$ 45⁰⁰
Receipted by CW Date 6-6-83 # 26400
Publication prepared by AB Date 4-11-89
Published in Caribou County Sun
Publication dates 4-19 & 26, 89
Publication approved CW Date 5-16-89
Protests filed by: none

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by KW

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. 24-7162, 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 July 1, 19 91.

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

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

A lockable device, subject to the approval of the Department, shall be installed on the diverting works in a manner that will provide the watermaster suitable control of the diversion prior to diversion of water under this permit.

Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.

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

Witness my hand this 7th day of June, 1989.

MICROFILMED

JUN 12 1989

J. H. Saylor

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

April, 19 89

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

April, 19 89

On this 28th day of April

in the year of 1989 before
me, a Notary Public, personally
appeared

[Signature]
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.

[Signature]
Notary Public for Idaho
Residing at Soda Springs, Idaho
My commission expires:

March 11, 1994

PUBLIC NOTICE

First Time Published

NOTICE OF APPLICATION FOR WATER RIGHT

The following application(s) have
been filed to appropriate the public
waters of the State of Idaho:
24-07162.

CLARK, ROSS
286 N. 4th St.
MONTPELIER, ID 83254
Source: SPRINGS
Tributary: CROW CREEK
Diversion Pt: NWNW Sec 35 T 10S
R 45 E, SWNW Sec 35 T 10S R 45E
Use: IRRIGATION (.200 CFS),
FISH PROP. STORAGE (30.00 AF),
DIVERSION TO STORAGE (.200
CFS)

Date Filed: 6-06-1983
In: T10S R45E S35 SWNW 10.0
acres total

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 May 8, 1989.

—R. Keith Higginson, Director
Published April 20 and 27, 1989 in
the Caribou County Sun.

MICROFILMED

JUN 7 1989

RECEIVED

MAY 11 1989

Department of Water Resources
Eastern District Office

July 9, 1993

ROSS CLARK
PO BOX 296
MONTPELIER ID 83254

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 24-07162

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. Enclosed is an order advancing the priority of the permit since the proof was received after the proof due date. 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.

I note that the permit issued to you by the department requires the installation of a lockable device to allow the department to determine the rate of diversion. The proof which you submitted does not show that you have installed this equipment.

The installation of the lockable device must be complete by the time the department representative conducts the examination of your system unless the department has rescinded the requirement prior to the field examination. In some cases, the equipment requirement can be rescinded because the equipment cannot be physically installed, is not appropriate or can be accommodated with other measuring methods.

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

RECEIVED
JUL 22 1993

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 24-07162 Reviewed by klg Date 7/7/93

GENERAL CONSIDERATIONS

yes Name same as permit?
no Address same as permit?
no Proof timely received?
If not, complete calculation below.

TYPES OF USE

fish propagation
Correct Uses? yes

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?
30 Amount Submitted
yes Correct?

MEASURING DEVICE

yes Required?
no Installed?
no Waiver requested?

PRIORITY CALCULATION

Date proof received 7/6/93 187
Date proof due 7/1/93 - 182
No. of days late = 5
Priority Date 6/6/83 + 157
New Priority Date 6/11/83 162

DEFICIENCIES OR ACTION ITEMS

proof acceptable

DATA ENTRY

New Address PO Box 296 7/1/93 klg

Proof Made

*needs a lockable
needs an order*
7/6/93
7/9/93 klg

July 7, 1993

ROSS CLARK
286 N. 4TH ST.
MONTPELIER ID 83254

LAPSE NOTICE

RE: PERMIT NO. 24-07162

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated April 30, 1993. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifteen dollar (\$15) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

L. GLEN SAXTON
Chief, Water Allocation Bureau

Enclosures

CERTIFICATION OF MAILING

I hereby certify that on 7/7/93
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

RECEIVED

JUL 22 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

June 24, 1993

Ross Clark
Box 296
Montpelier, ID 83254

Re: Water right permit no. 24-07162

Dear Mr. Clark:

Returned are the checks sent in reference to the above mentioned water right. Even though you spoke with Mr. Saxton last week, there still seems to be considerable confusion in reference to this permit. I hope to clear up some of that confusion with this correspondence.

First of all, the Department understands that a dam is being or has been built in association with this water right. The Department wants to explain that the dam safety requirements and the water right requirements are two very separate and different procedures. They, therefore, require different personnel to handle both the paperwork and inspections.

The Department recently sent you a proof due notice, for your water right, and explained the steps that needed to be taken and enclosed the appropriate forms. However, you did not return either of those forms with your correspondence and checks. The Department is unable to determine which of the forms you are prepared to submit.

If have completed your project and are beneficially using the water, you need to complete the proof of beneficial use form and return it along the \$50 license examination fee. I have enclosed another form and instructions for your convenience. Please note that the \$50 fee is for an examination of your water right permit.

If you have not completed the project and require additional time to complete the project, you need to complete the request for extension of time form and return it along with the \$15 check. I have also enclosed this form and instructions for your convenience.

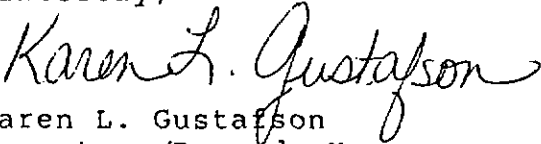
MICROFILMED

JUL 22 1993

I hope I have been able to clear up some of the confusion associated with this permit. Please note that the Department can only accept either of the forms if they are properly and totally complete. Therefore, if you have any questions or problems, I ask that you call, and I will assist you in properly completing the form. Furthermore, all Department records are filed by permit number. In the future, when you contact the Department either by telephone or correspondence, please refer to your permit number.

Since your permit will lapse on July 1, 1993, it is imperative that you complete the necessary form and return it to me on or before July 1, 1993.

Sincerely,



Karen L. Gustafson
Secretary/Records Manager

Enclosures

MICROFILMED

JUL 22 1993

CLARK OIL CO. 01-73
BOX 296
MONTPELIER, ID 83254

JUN 24 RECD

June 23, 1993

92-112
1241

PAY TO THE ORDER OF State of Idaho \$ 50⁰⁰

Fifty and no/100 DOLLARS

 **Tri-State Bank**
MONTPELIER, IDAHO 83254

FOR Per M Clark

⑆124101128⑆ 08 12155 0⑈ 3825

HARLAND N97 5

CLARK OIL CO. 01-73
BOX 296
MONTPELIER, ID 83254

JUN 24 RECD

June 23, 1993

92-112
1241

PAY TO THE ORDER OF State of Idaho \$ 15⁰⁰

fifteen and no/100 DOLLARS

 **Tri-State Bank**
MONTPELIER, IDAHO 83254

FOR Per M Clark

⑆124101128⑆ 08 12155 0⑈ 3824

HARLAND N97 5

RECEIVED

JUL 22 1993

Clark Oil Company

286 North Fourth Street
Montpelier, Idaho
P.O. Box 296

RECEIVED

JUN 24 1993

Department of Water Resources

State Of Idaho
Department of Water Resources
1301 North Orchard Street
Boise, Idaho 83706-2237

Karen L. Gustafson:

You will notice on my request for extension of time
May 23, 1991 you will notice I had completed the ten
foot dam July 1990. It was my understanding the two
dams could be built in Section 35.

I called Boise yesterday but was confused. I didn't
think I owed any money so I am sending two checks.

If I owe any.

I understand too many Cattle in Water Fish are in
is not good for the Fish.

Sincerely,

Ross M. Clark
Ross M. Clark

RECEIVED

JUL 22 1993

April 30, 1993

ROSS CLARK
286 N. 4TH ST.
MONTPELIER ID 83254

PROOF DUE NOTICE

RE: PERMIT NO. 24-07162

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 July 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.

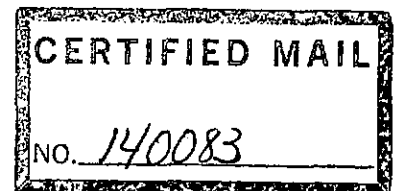
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental 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



MAILED
JUL 22 1993

May 24, 1991

ROSS CLARK
P. O. BOX 296
MONTPELIER, ID 83254

Dear Mr. Clark:

Re: Permit No. 24-7162

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to July 1, 1993.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

MICROFILMED
JUL 01 1991

STAFF REVIEW SHEET - EXTENSION OF TIME

Permit No. 24-7162

Reviewed by *[Signature]*

Date 5-24-91

BASIC INFORMATION

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

BASIS FOR EXTENSION REQUEST

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

Date litigation completed _____

Date litigation began _____

Total period of delay = _____

Present proof due date + _____

NEW PROOF DUE DATE = _____

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

ACTION TAKEN - *Recommend approval based on due diligence for 2 years*

n/a Reinstatement Date extension received _____ = _____
 Proof due date _____ = _____
 No. of days late _____ = _____
 Priority date _____ = + _____
 ADJUSTED PRIORITY DATE _____ = _____

DATE ENTRY

[Signature] Change proof due date _____ Address change _____
 _____ Priority date change

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street
Boise, Idaho 83706-2237

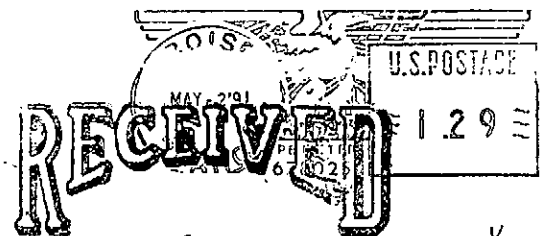
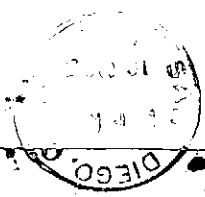
24-7162

CLAR296 T832543002 1830 05/03/91

CLARK OIL CO
1516 S SANTA FE AVE
VISTA OA 32084-7206



RETURN TO SENDER
NO POSTAGE
NECESSARY IF MAILED
IN THE UNITED STATES
POSTER EXPIRED

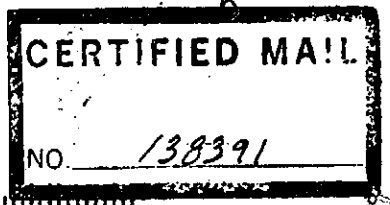


MAY 14 1991

Department of Water Resources

CLAR
RECEIVED
MAY 14 1991
JUL 01 1991

Sent to
address on
yellow
label
M-41



138391

April 30, 1991

ROSS CLARK
286 N. 4TH ST.
MONTPELIER, ID 83254

PROOF DUE NOTICE

RE: PERMIT NO. 24-07162

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 July 1, 1991.

(See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

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

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

MICROFILMED

JUL 01 1991

S T A T E O F I D A H O
D E P A R T M E N T O F W A T E R R E S O U R C E S

Statehouse
Boise, Idaho 83720
(208) 334-7900
June 7, 1989

ROSS CLARK
286 N. 4TH ST.
MONTPELIER, ID 83254

P E R M I T A P P R O V A L N O T I C E

RE: PERMIT NO. 24-07162

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.

Be sure to note the special condition requiring you to install a lockable device that will provide the watermaster control on your diversion.

Please note the requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction, no later than one year from the date the permit was approved.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a license.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

Microfilmed

JUN 12 1989

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: HWS APPLICATION NUMBER: 24 7162

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.
☐ Yes ☒ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☐ Yes ☒ No* In form to receipt.

Field check by: _____

Date: _____

Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☒ Idaho State Health Department.
☒ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other _____

Copies sent by: _____ Date: _____

PROCESSING:

- ☐ Yes ☒ No Platted by: _____ Map No. _____
☐ Yes ☒ No Other rights on same place of use. _____
☒ Yes ☐ No* In form for advertising.
Final date for protests: 5-8-89
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 5-11-89
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☒ Yes ☐ No Measuring device required.
☐ Yes ☒ No Access port required.
☒ Yes ☒ No Will water be delivered by watermaster? If yes, what district? 01
6-6-83 Date of priority recommended.
Special conditions of approval or cover letter. <01>

App. in NON-TRUST area -
allow 2 yrs. for B/U development

By: HWS Date: 5-17-89
STATE OFFICE REVIEW: P01, P17 01H 26 48 49 05(01, Snake River)

- ☐ See attached sheet for more information.

By: kw Date: 6/5/89

Department of Water Resources

MAY 24 1989

kw

April 12, 1989

Department of Fish & Game
1515 Lincoln Rd.
Idaho Falls, ID 83401

RE: Application for Permit No. 24-7162

Dear Sir:

This office is currently in the process of publishing notice that the above application for permit was filed with the Department of Water Resources. Since the application may be of interest to you, a copy is enclosed for your examination. Comments concerning the application should be addressed to the applicant with a copy forwarded to this office. Protests objecting to granting a permit should be directed to this Department and received by May 8, 1989. Final action will be taken by this office shortly after this date, provided there are no protests lodged against the applications.

Respectfully submitted,

Harold W. Jones
Water Rights Supervisor

HWJ/rb
Enclosure

MAIL ROOM

JUN 12 1989

April 12, 1989

Ross Clark
286 N. Fourth Street
Montpelier, ID 83254

RE: Application for Permit No. 24-7162

Dear Water Right Applicant:

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

This office is currently in the process of advertising the application in the Caribou County Sun. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

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

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

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

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

MICROFILMED

JUN 12 1989

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

Idaho Falls, Idaho 83402
(208) 525-7161

APRIL 11, 1989

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 MAY 8, 1989.

Yours truly,

Rita Bodell
Secretary

Encl.

MICROFILMED

JUN 12 1989

NOTICE OF APPLICATION FOR WATER RIGHT

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

MICROFILMED

JUN 12 1989

24-07162

CLARK, ROSS
286 N. 4TH ST.
MONTPELIER, ID 83254

Source: SPRINGS

Tributary: CROW CREEK

Diversion Pt: NWNW Sec 35 T 10S R 45E
 SWNW Sec 35 T 10S R 45E

Use: IRRIGATION (.200 CFS)
 FISH PROP. STORAGE (30.00 AF)
 DIVERSION TO STORAGE (.200 CFS)

Date Filed: 6/06/1983

In: T10S R45E S35 SWNW

10.0 ACRES TOTAL

PUBLIC NOTICE

First Time Published

NOTICE OF APPLICATION FOR WATER RIGHT

The following application(s) have
been filed to appropriate the public
waters of the State of Idaho:
24-07162

CLARK, ROSS
286 N. 4th St.
MONTPELIER, ID 83254
Source: SPRINGS

Tributary: CROW CREEK

Diversion Pt: NWNW Sec 35 T 10S
R 45 E, SWNW Sec 35 T 10S R 45E

Use: IRRIGATION (.200 CFS),
FISH PROP. STORAGE (30.00 AF),
DIVERSION TO STORAGE (.200
CFS)

Date Filed: 6-06-1983

In: T10S R45E S35 SWNW 10.0
acres total

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 May 8, 1989.

R. Keith Higginson, Director

Published April 20 and 27, 1989 in
the Caribou County Sun.

MICROFILMED

JUN 12 1989

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before MAY 8, 1989.

R. Keith Higginson, Director

Published 4/19/1989 & 4/26/1989

MICROFILMED

JUN 12 1989



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

August 14, 1985

RE: Application for Permit No. 24-7162

Ross Clark
286 North 4th Street
Montpelier, ID 83254

Dear Mr. Clark:

In October of 1984, Idaho Power Company and the State of Idaho signed an agreement stating the Company's water rights would be subordinated to those persons who beneficially used water prior to October 1, 1984, and who filed an application or claim for said use by June 30, 1985.

To insure proper consideration of your application pursuant to the above agreement, follow the directions on the enclosed form and return it to this office when completed. For your benefit in identifying the point of diversion and place of use, included on the form is a description of the major items contained on the application.

Your cooperation in returning the completed form and supplemental documentation will expedite future administrative action on your application when processing of applications above Swan Falls resumes.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

Enclosure

MICROFILMED

JUN 12 1989

24-7162

CLARK, ROSS

286 N. 4TH ST., MONTPELIER, ID 83254

Source: SPRINGS trib. to CROW CREEK

Date Filed: 06/06/1983

Diversion Pt: SWNW NWNW Sec 35 T 10S R 45E

Use: IRRIGATION	(0.20 CFS)
FISH PROP. STORAGE	(30.0 AF)
DIVERSION TO STORAGE	(0.20 CFS)

In: SWNW Sec 35 T 10S R 45E FOR 10 ACRES

MAILED

JUN 12 1989