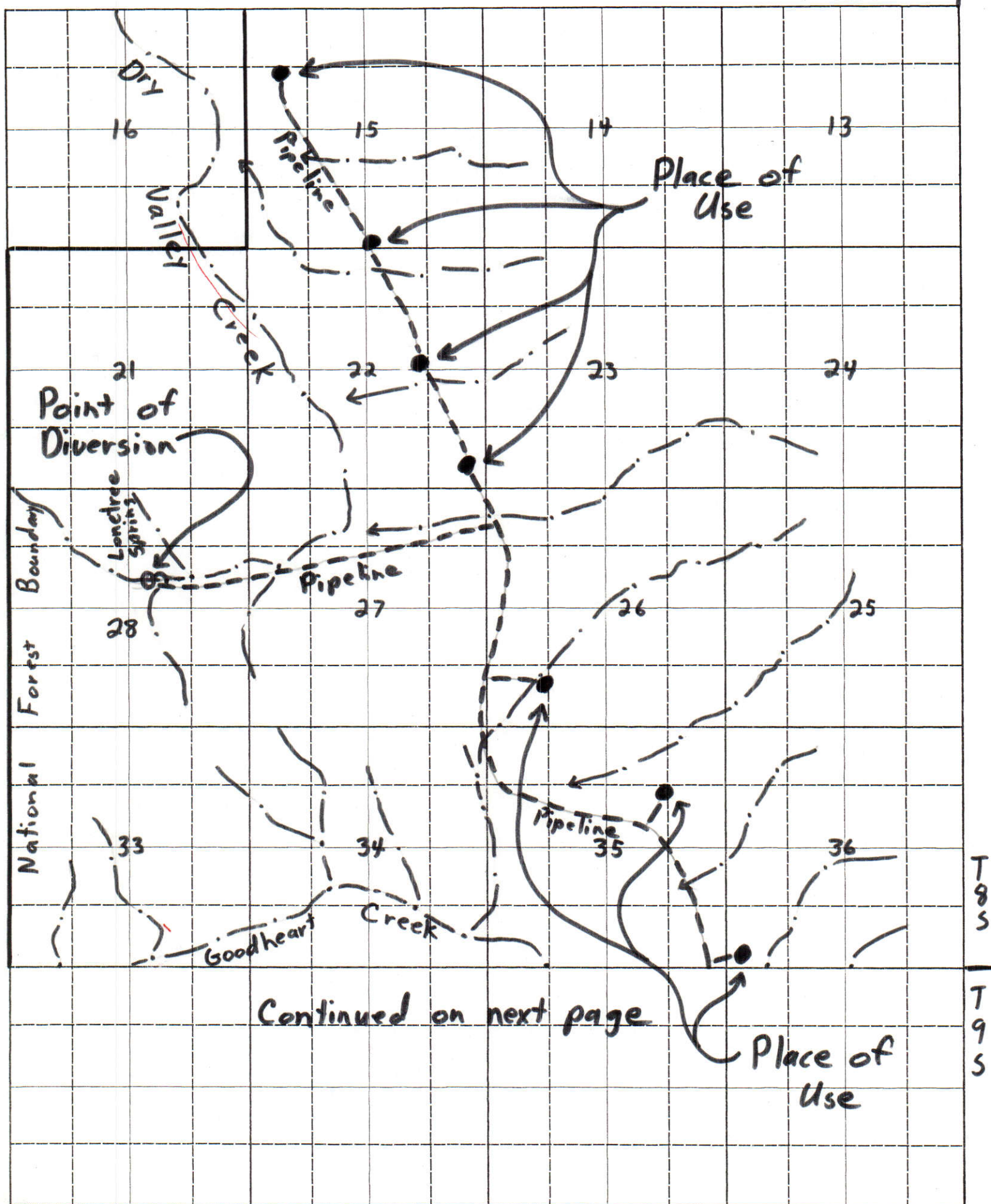


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

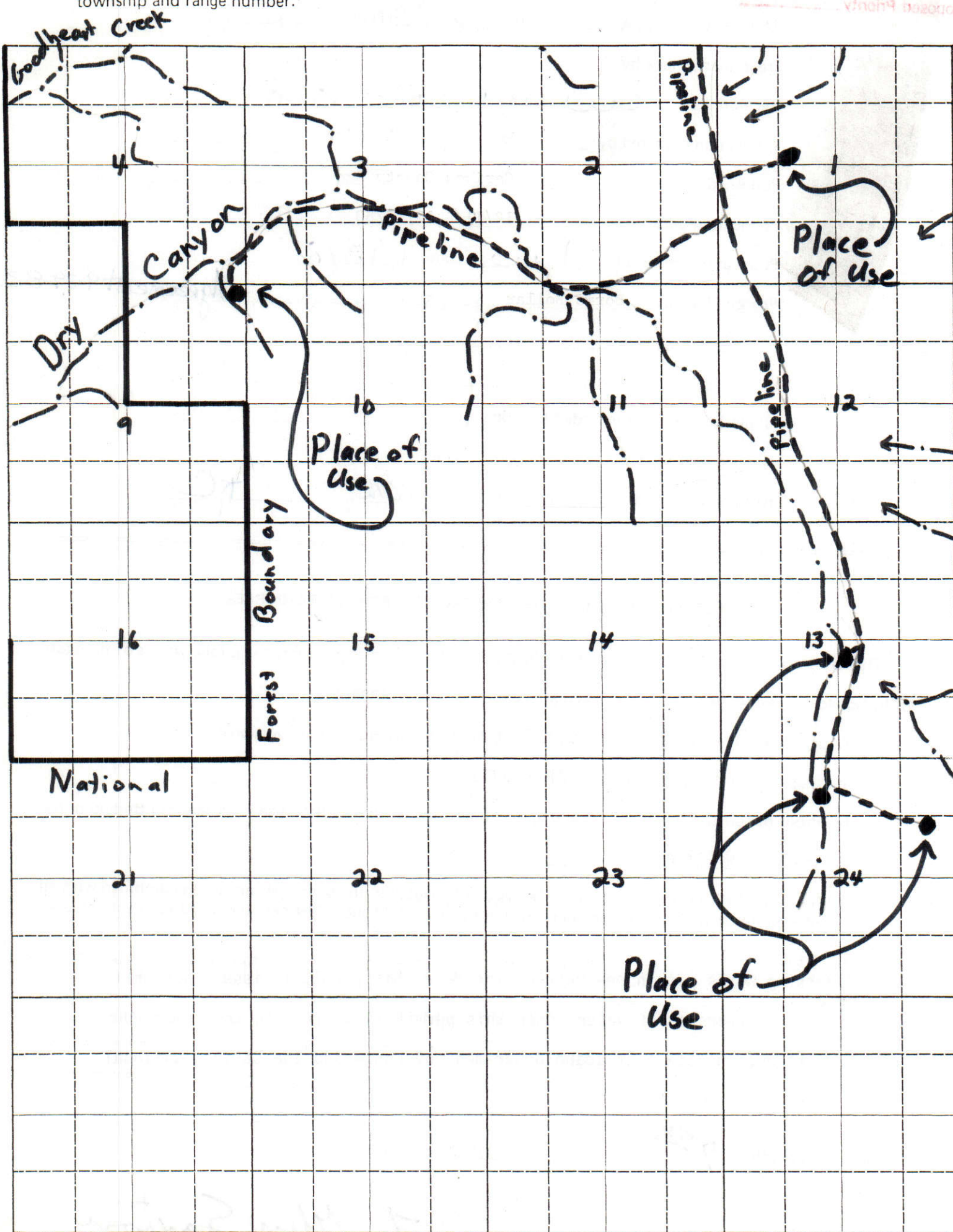
R44E



Scale: 2 inches equal 1 mile.

MICROFILMED

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



Scale: 2 inches equal 1 mile.

R44E

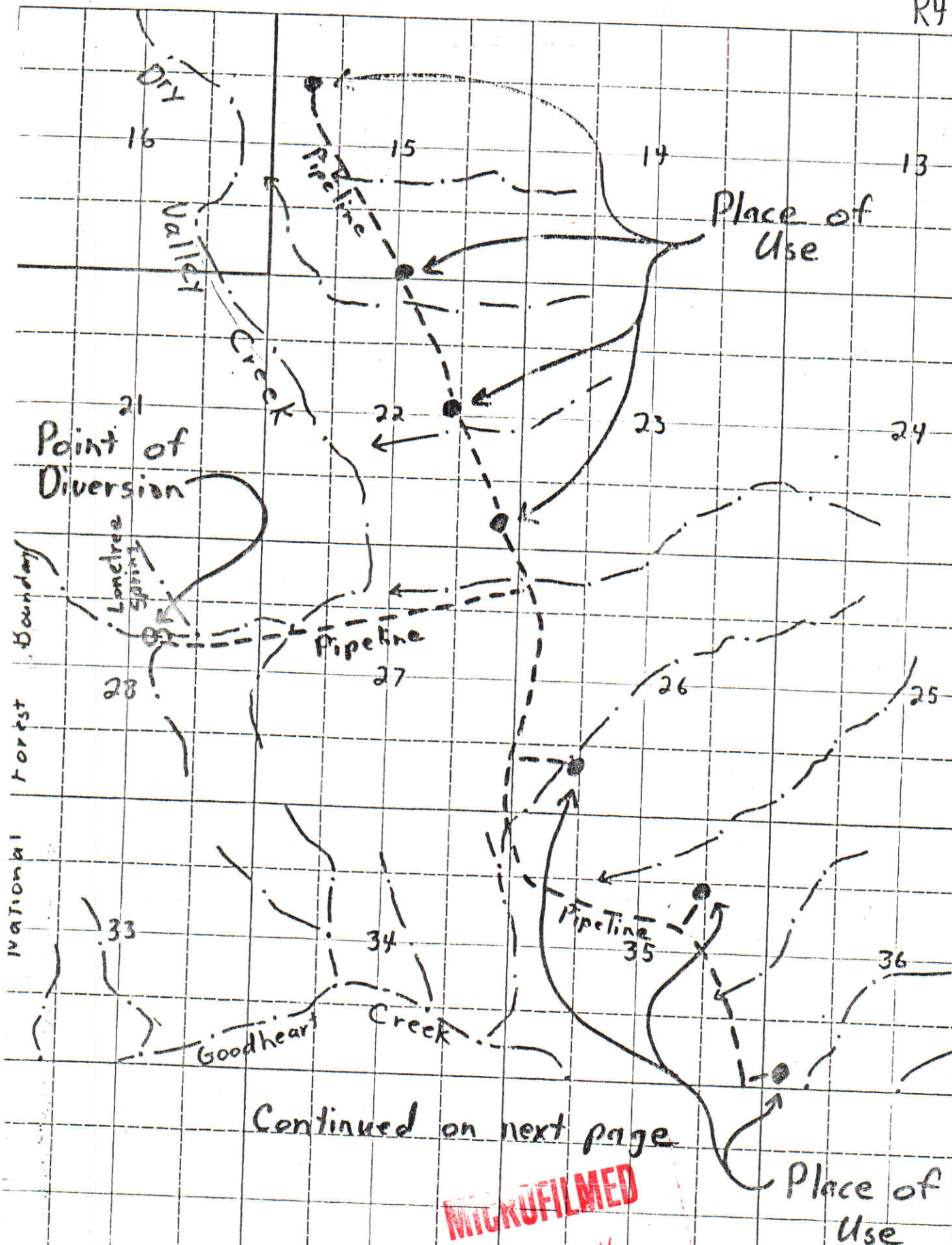
BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth. United States of America-Forest Service.

Adrian Dalton
(for) L. KENT MAYS, JR. (Applicant) Deputy Regional Forester,
Resources

MICROFILMED

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

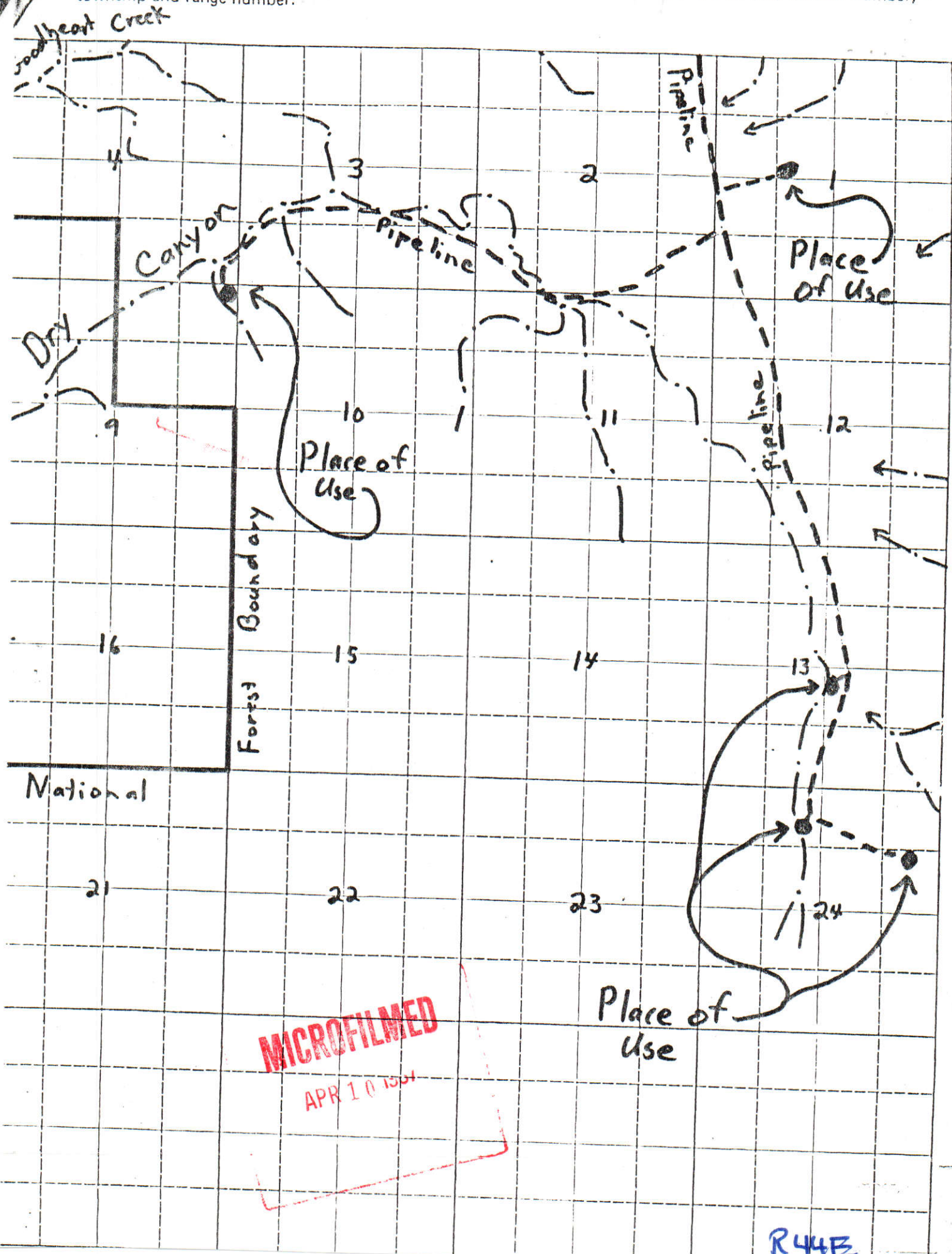
R44E



T 8 S
T 9 S

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

T
8
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T
9
S



R44E

Lonetree Spring Water System -

~~Existing~~ Proposed System Development

8-82

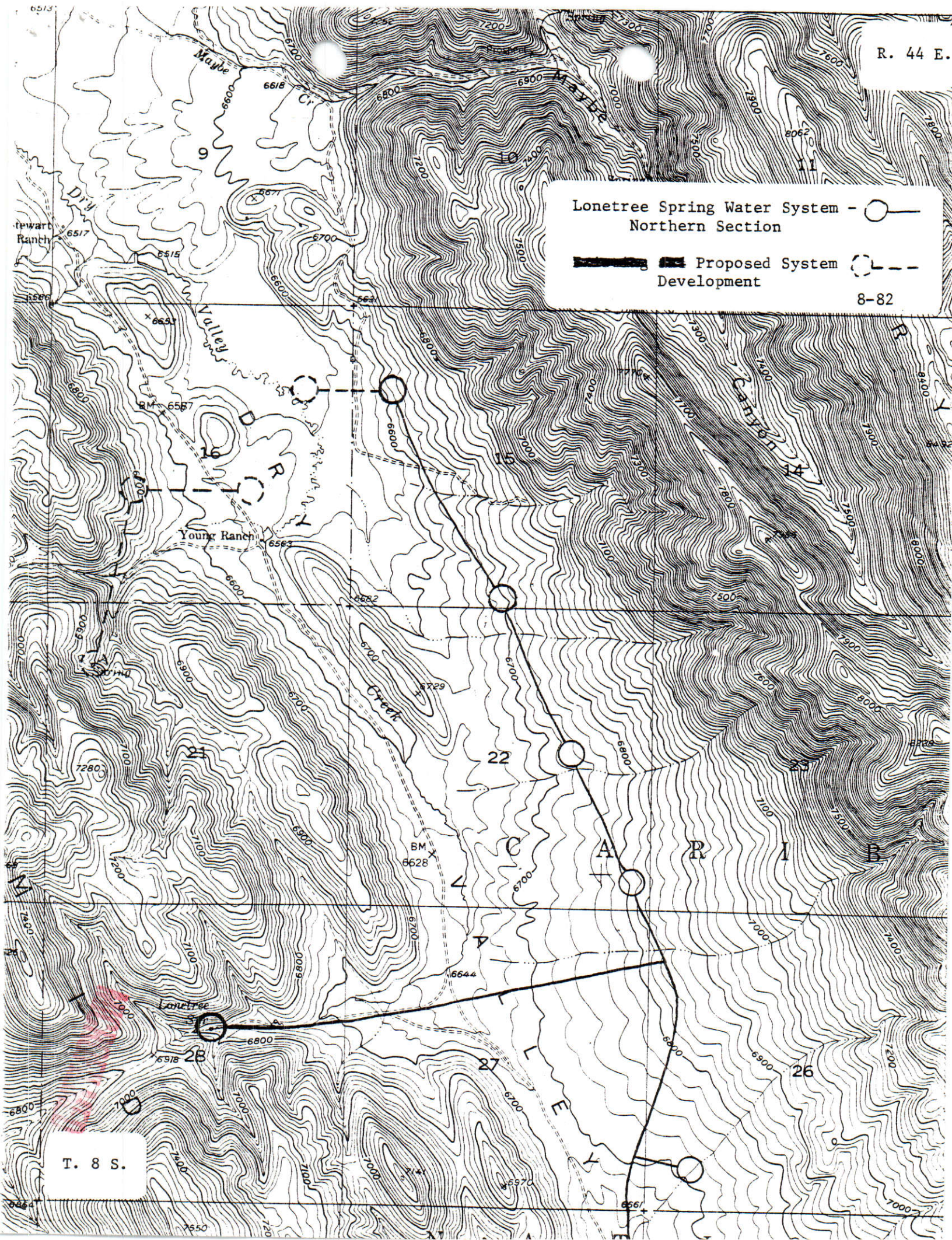
T. 8 S.

R. 44 E.

Lonetree Spring Water System - ○ —
Northern Section

Proposed System Development

8-82



T. 8 S.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 27-7257

Priority: November 26, 1980 Amount: .14 CFS 40.3 AFA

This is to certify, that U.S. DEPT. OF AGRI.

FOREST SERVICE

FEDERAL BLDG.

324 25TH ST.

OGDEN, UT 84401

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated November 26, 1980, and has submitted proof to the Department of Water Resources on February 22, 1983, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .14 cfs of water from;

LONETREE SPRING

tributary to DRY VALLEY CREEK

and that a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
Stockwater	01/01 to 12/31	.14 cfs	40.3 afa

LOCATION OF POINT OF DIVERSION(S): SWNE , Sec. 28, Township 8S, Range 44E
Caribou County

PLACE OF USE: Stockwater

TWN RGE SEC

8S 44E 15	SWNW	SWSE
22	SWNE	SESE
26	SWSW	
35	SWNE	
36	SWSW	
9S 44E 1	SENE	
9	NENE	
13	NWSE	
24	SENE	NENW

CONDITIONS/REMARKS:

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. This right, when considered with all other rights common to the same grazing allotment, shall be limited to the quantity of water beneficially used by the number of stock within the allotment.

MICROFILMED

State of Idaho
Department of Water Resources

PAGE 2

WATER RIGHT LICENSE

WATER RIGHT NO. 27-7257

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 6th day
of April, 1987.

Director

Norman C. Young

~~RECEIVED~~

APR 10 1987

APPROVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant United States of America, Forest Service Phone (801) 626-3561 ⁶²⁵⁻³⁵⁶¹

Post office address 324 - 25th St., Ogden, Utah 84401

2. Source of water supply Lonetree Spring which is a tributary of Dry Valley Creek

3. Location of point of diversion is SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 28 Township 8S.

Range 44 E.B.M. Caribou County, additional points of diversion if any: _____

016 - 590

4. Water will be used for the following purposes:

Amount .14 for Stockwater purposes from Jan. 1 ~~Year-long~~ to Dec. 31 (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:

a. .14 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. A four foot round head box collects the water to be dispersed through approximately 14 miles of pipeline, ranging from 1½ to 6 inches in diameter, to 12 watering troughs.

b. Height of storage dam N/A 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 N/A 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: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____

Range _____ B.M. See Section 8.b.

(2) Amount of power to be generated: N/A horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered 3008 Cattle

(4) Name of municipality to be served N/A, or number of families to be supplied with domestic water _____.

(5) If water is to be used for other purposes describe: N/A

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	
8S	44 E	15							X								X		
8S	44 E	22			X													X	
8S	44 E	26											X						
8S	44 E	35			X														
8S	44 E	36											X						
9S	44 E	1								X									
9S	44 E	9	X																
9S	44 E	13														X			
9S	44 E	24				X	X												
Total number of acres to be irrigated																			0

c. Describe any other water rights used for the same purposes as described above. N/A

9. a. Who owns the property at the point of diversion United States Government, administered by USDA Forest Service

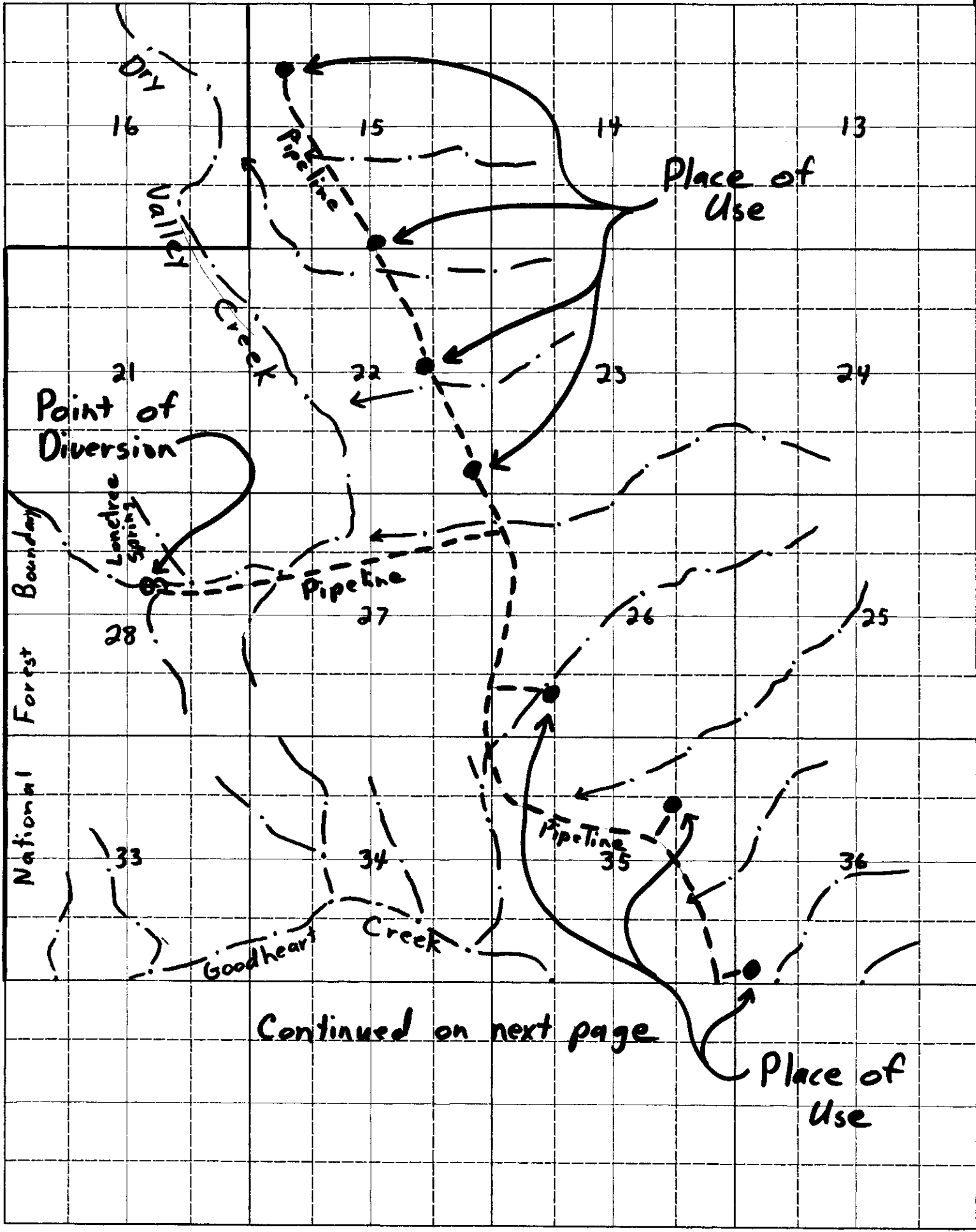
b. Who owns the land to be irrigated or place of use Same

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

10. Remarks This water development is located on Dry Valley Cattle Allotment which has 55 water developments for watering 3008 cattle, and big game, upland game, and non-game wildlife.

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

R44E



Scale: 2 inches equal 1 mile.

T 9 S
T 9 S

Proposed Priority 11/26/1980

Received by kw Date 11/26/80 Time 9:40

Preliminary check by _____ Fee \$ 0-990.

Receipted by kw Date 1/5/81 #16/38

Publication prepared by _____ kw Date 12/4/80

Published in _____ Caribou County Sun

Publication dates _____ 12/11 & 12/18/80

Publication approved kw Date 1/13/81

Protests filed by: Doris Bollar, Dept. of Lands Agreement 9-29-82

Copies of protests forwarded by _____ kw

Hearing held by _____ Date _____

Recommended for approval denial by EMC. RC

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. 27-7257, 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 October 1, 19 87.

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: 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.

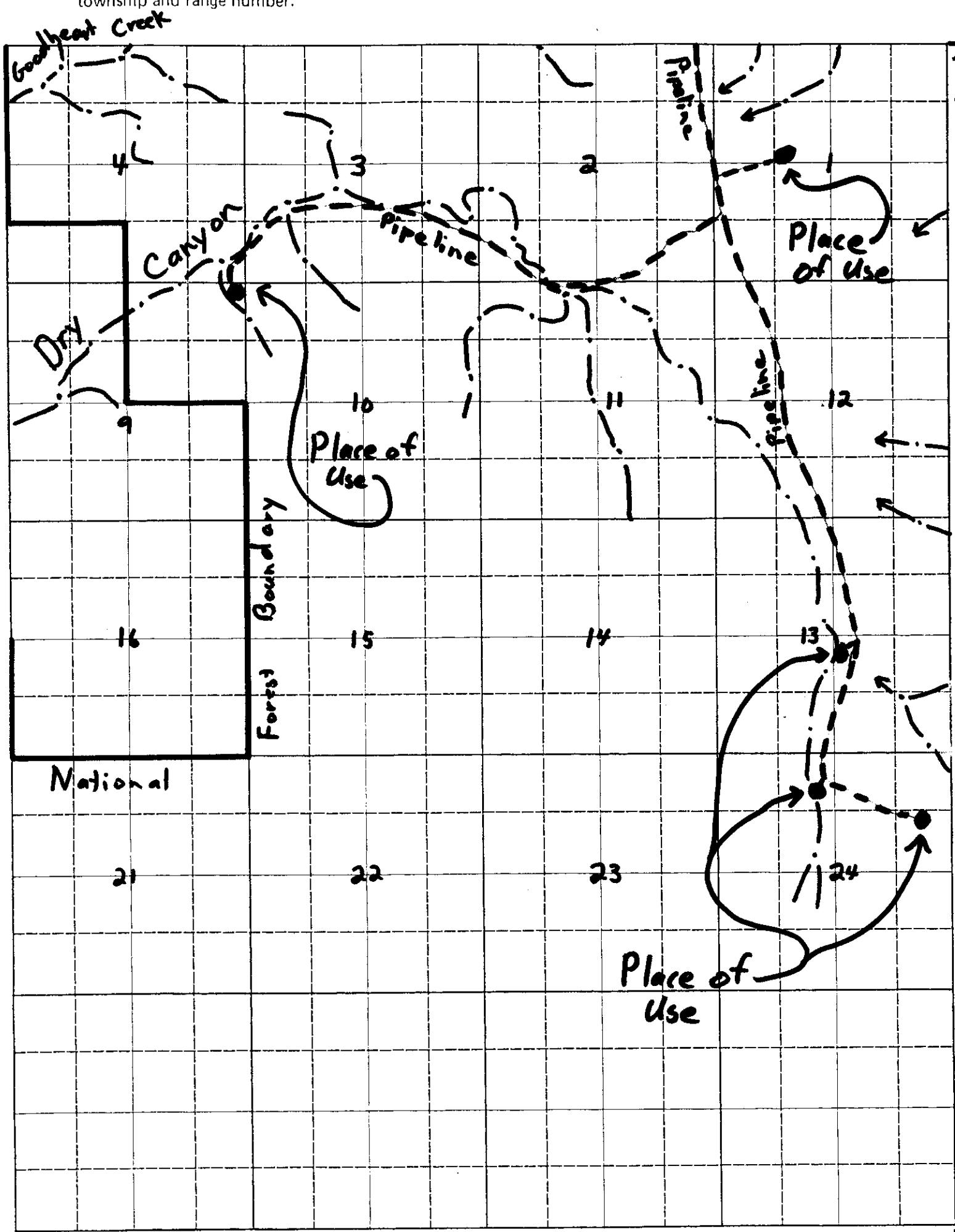
Diversion of water under this permit is subject to the Memorandum of Understanding between the FMC Corp., Dry Valley Grazing Allotment Permittees, the State of Idaho Department of Lands and the Caribou National Forest Service executed on September 13, 1982.

Witness my hand this 7th day of October, 19 82.

J. Glen Saxton
Chief, Operations Bureau

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

T
8
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T
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S



Scale: 2 inches equal 1 mile.

R44E

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. United States of America-Forest Service.

Adrian Dalton
 (for) L. KENT MAYS, JR. (Applicant) Deputy Regional Forester
 Resources



STATE OF IDAHO

DEPARTMENT OF LANDS

Eastern Idaho Area Office
Route 1, Box 400 (Beeches Corner)
Idaho Falls, Idaho 83401

December 29, 1980

RECEIVED
DEC 30 1980

Department of Water Resources
Eastern District Office

Ernie Carlson
Department of Water Resources
150 Shoup Ave.
Idaho Falls, ID 83401

Dear Mr. Carlson:

I have been notified today by telephone that the U.S. Forest Service plans to take water from Lone Tree Spring on U.S. Forest Service land in SWNW, Sec. 28, T8S, R44E. This spring heads up Dry Valley Creek which crosses Sec. 16, T8S, R44E which is State land. There is a possibility that on a dry year insufficient water would be available for livestock on this State tract via Dry Valley Creek. We therefore would object to any reduced flow in Dry Valley Creek.

I am pleased that we had this opportunity to comment at the last minute as this is the last day for comments I am told. If there is anyway to alert us in advance of the last day in situations similar to this we would appreciate hearing from you. I am objecting as we have had no time to determine if other water sources are available on this State land. If there are we would drop our objection.

Sincerely yours,

A handwritten signature in cursive script, reading "L.D. Benedick".

L.D. BENEDICK
Area Supervisor

LDB/cmp

J. Norris Ballar, Box 555, Rupert, Idaho
who owns property & leases property in
Caribou Co. Idaho would like to protest
the granting of application No 27 7257
the Lonetree Spring a tributary of Dry
Valley Creek for the following reason:

During a dry water year the diversion
of this water to the South end of Dry
Valley would leave my lease ground
without water - This ground has been
under our control since before 1940
at which time it was acquired by my
late husband Victor Ballar and has been
a source of water for our sheep and
cattle operation.

Dec. 29, 1980 - 3:00 p.m. by Norris Ballar

Attidavi of
Publication

JAN 12 1980

(C-FT) from 01-01 to 12-31
KWATER FROM STOR-
(0.1 AC-FT) from 01-01 to

of Use: NESE Sec 33 T
46E
ersion Means: STOCK-

24-7119
DEPT. OF AGRI.
EST SERVICE, FED-
BLDG., 324 25TH ST.,
UT 84401
ce: UNNAMED
M tributary to MILLER

Filed: 11-26-1980
nt: 0.02 CFS 0.1 AC-FT
ion Point: NESW Sec 33
46E, CARIBOU Co.
STOCKWATER (0.02
om 01-01 to 12-31
WATER STORAGE
FT) from 01-01 to 12-31
VATER FROM STOR-
AC-FT) from 01-01 to

Use: NESW Sec 33 T
E
ion Means: STOCK-

24-7120
EPT. OF AGRI.
T SERVICE, FED-
D.G., 324 25TH ST.,
UT 84401

SPRING tributary to
CREEK
ed: 11-26-1980
: 0.02 CFS 0.1 AC-FT
n Point: NENE Sec
46E, CARIBOU Co.
OCKWATER (0.02
m 01-01 to 12-31
ATER STORAGE
) from 01-01 to 12-31
ATER FROM STOR-
AC-FT) from 01-01 to

Use: NENE Sec 33 T
E
n Means: STOCK-

24-7121
T. OF AGRI.
SERVICE, FED-
G., 324 25TH ST.,
T 84401

PRING tributary to
ER
: 11-26-1980
0.04 CFS 0.2 AC-FT
Point: NENE Sec
46E, CARIBOU Co.
OCKWATER (0.04
01-01 to 12-31
ATER STORAGE
from 01-01 to 12-31
ER FROM STOR-
C-FT) from 01-01 to

se: NENE Sec 03 T
Means: STOCK-

24-7122
E. OF AGRI.
SERVICE, FED-
G., 324 25TH ST.,
84401

UNNAMED CREEK
RUSH CREEK
11-26-1980
02 CFS 0.1 AC-FT
oint: SENW Sec 04
CARIBOU Co.
CKWATER (0.02
01-01 to 12-31
TER STORAGE
rom 01-01 to 12-31
ER FROM STOR-
-FT) from 01-01 to

SENW Sec 04 T

Source: SPRING tributary to
SLUG CREEK

Date Filed: 11-26-1980
Amount: 0.02 CFS 0.1 AC-FT
Diverson Point: SESW Sec 10
T 10S R 44E, CARIBOU Co.
Use: STOCKWATER (0.02
CFS) from 01-01 to 12-31
STOCKWATER STORAGE
(0.1 AC-FT) from 01-01 to 12-31
STOCKWATER FROM STOR-
AGE (0.1 AC-FT) from 01-01 to
12-31

Place of Use: SESW Sec 10 T
10S R 44E
Diverson Means: STOCK-
POND.

27-7251
U.S. DEPT. OF AGRI.
FOREST SERVICE, FED-
ERAL BLDG., 324 25TH ST.,
OGDEN, UT 84401

Source: UNNAMED CREEK
tributary to SLUG CREEK
Date Filed: 11-26-1980
Amount: 0.02 CFS 0.1 AC-FT
Diverson Point: NENE Sec 13
T 09S R 43E, CARIBOU Co.

Use: STOCKWATER (0.02
CFS) from 01-01 to 12-31
STOCKWATER STORAGE
(0.1 AC-FT) from 01-01 to 12-31
STOCKWATER FROM STOR-
AGE (0.1 AC-FT) from 01-01 to
12-31

Place of Use: NENE Sec 13 T
09S R 43E
Diverson Means: STOCK-
POND.

27-7252
U.S. DEPT. OF AGRI.
FOREST SERVICE, FED-
ERAL BLDG., 324 25TH ST.,
OGDEN, UT 84401

Source: SPRING tributary to
SLUG CREEK
Date Filed: 11-26-1980
Amount: 0.02 CFS 0.1 AC-FT
Diverson Point: NESE Sec 29
T 09S R 44E, CARIBOU Co.

Use: STOCKWATER (0.02
CFS) from 01-01 to 12-31
STOCKWATER STORAGE
(0.1 AC-FT) from 01-01 to 12-31
STOCKWATER FROM STOR-
AGE (0.1 AC-FT) from 01-01 to
12-31

Place of Use: NESE Sec 29 T
09S R 44E
Diverson Means: STOCK-
POND.

27-7253
U.S. DEPT. OF AGRI.
FOREST SERVICE, FED-
ERAL BLDG., 324 25TH ST.,
OGDEN, UT 84401

Source: SPRING tributary to
SLUG CREEK
Date Filed: 11-26-1980
Amount: 0.02 CFS 0.1 AC-FT
Diverson Point: NENE Sec 32
T 09S R 44E, CARIBOU Co.

Use: WILDLIFE (0.02 CFS)
from 01-01 to 12-31 WILDLIFE
STORAGE (0.1 AC-FT) from
01-01 to 12-31 WILDLIFE
FROM STORAGE (0.1 AC-FT)
from 01-01 to 12-31

Place of Use: NENE Sec 32 T
09S R 44E
Diverson Means: POND.

27-7254
U.S. DEPT. OF AGRI.
FOREST SERVICE, FED-
ERAL BLDG., 324 25TH ST.,
OGDEN, UT 84401

Source: UNNAMED CREEK
tributary to SLUG CREEK
Date Filed: 11-26-1980
Amount: 0.02 CFS 0.1 AC-FT
Diverson Point: NESE Sec 28
T 09S R 44E, CARIBOU Co.

Use: STOCKWATER (0.02
CFS) from 01-01 to 12-31
STOCKWATER STORAGE

POND.

27-7257
U.S. DEPT. OF AGRI.
FOREST SERVICE, FED-
ERAL BLDG., 324 25TH ST.,
OGDEN, UT 84401

Source: LONETREE
SPRING tributary to DRY
VALLEY CREEK

Date Filed: 11-26-1980
Amount: 0.14 CFS
Diverson Point: SWNE Sec 28
T 08S R 44E, CARIBOU Co.

Use: STOCKWATER (0.14
CFS) from 01-01 to 12-31
Place of Use: SWNW SWSE
Sec 15 T 08S R 44E SWNE
SESE Sec 22 T 08S R 44E
SWSW Sec 26 T 08S R 44E
SWNE Sec 35 T 08S R 44E

one first publication
ced notice or advertise-

ne annexed notice was
1 as per clipping at
the regular and entire
of said newspaper and
ny supplement thereof

successive weekly
ereof, the date of the
ublication being the

11th day of
1980

of the last publication
ie 19th day of
1980

19th day of
1980

tribed and sworn to be-

this 19th day
1980

Notary Public, residing
at Soda Springs, Idaho

ommission expires the

day of March

SWSW Sec 36 T 08S R 44E
SENE Sec 01 T 09S R 44E
NENE Sec 09 T 09S R 44E
NWSE Sec 13 T 09S R 44E
SENE NENE Sec 24 T 09S R
44E

Diverson Means: HEADBOX,
PIPELINE & TROUGHS.

If issued, the permit(s) will be
subject to all prior water rights.
Protests against the granting of
any permit must be filed with the
Director of the Idaho Department
of Water Resources, 150 Shoup
Ave., Idaho Falls, Idaho 83401 on
or before DECEMBER 29, 1980.

C. STEPHEN ALLRED
Director

Published Dec. 11 and 18,
1980 in the Caribou County Sun.

April 6, 1987

U.S. DEPT. OF AGRI.
FOREST SERVICE
FEDERAL BLDG.
324 25TH ST.
OGDEN, UT 84401

RE: Permit No. 27-7257

Dear Permit Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

REPROFILMED

APR 10 1987

INTER-DEPARTMENT MEMO — 1

FROM Jim

DATE 3-25-87

TO FILE

SUBJECT REVIEW OF VOLUME FOR STOCKWATER

THE 40.3 AFA FOR STOCKWATER IS BASED UPON STOCKWATER USAGE FOR THE 3008 CATTLE IDENTIFIED ON THE PERMIT. CONDITION #4 HAS BEEN PUT ON THE LICENSE TO ACCOUNT FOR OTHER DEVELOPMENTS THAT MAY ALSO BE DONE IN THE SAME GRAZING ALLOTMENT BOUNDRIES.

THIS EXAMINATION ALSO INCLUDES COPIES OF INVOICES WHICH FURTHER SUPPORT EVIDENCE OF DEVELOPMENT OF THE PROJECT

SIGNATURE

RECEIVED
APR 10 1987

exam done
prior to fee
requirement

RECOMMENDED AMOUNTS

License

3.	Permit No.	Priority	Amount	App. Date	Date Proof Submitted	System Capacity
	7-7257	11-26-80	0.14cfs	11-26-1980	2-22-1983	0.14cfs

4. Permit Holder: U.S. Dept. of Agri., Forest Service
Address: 324 25th St., Ogden, UT 84401

5. Source: Lonetree Spring tributary to Dry Valley Creek

6. Beneficial Use Stock water Period of Use From 1-1 To 12-31 Rate of Diversion 0.14 cfs Annual Volume 40.3 AF

Allowable Maximums: 0.14 cfs 40.3 AF

7. Point(s) of Diversion: ☒

No.	Govt. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County
			SW	NE	28	8S	44E	Caribou

8. Place(s) of Use ☒

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
8S	44E	15							X								X		
		22			X													X	
		26											X						
		35			X														
		36											X						
9S	44E	1								X									
		9	X																
		13														X			
		24				X	X												Total Acres

9. Recommended Conditions/Remarks: A37 ok

10. 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

11. Examiner's Signature _____ Date _____
Checked in Regional Office by _____ Date _____
Approved in State Office by H. Walker Date 3/16/87

MICROFILMED

APP 10 1987

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

Permit No. _____

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

b) Volume Calculations for Irrigation:

$$V_{ir} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}}$$
$$V_{dr} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}}$$
$$V = \text{Smaller of } V_{ir} \text{ and } V_{dr} = \underline{\hspace{2cm}}$$

c) Volume Calculations for Other Uses:

2. **Overlap Review**

a) Other water rights with same place of use: _____

b) Other water rights with same point of diversion: _____

c) Analysis: _____

MICROFILMED
APR 10 1981

State of Idaho
DEPARTMENT OF WATER RESOURCES
WATER RIGHT BENEFICIAL USE FIELD REPORT

27-7257

Permit No. _____

CONTACT WITH PERMIT HOLDER

DATE _____

INITIALS

REMARKS

☐ Appointment letter mailed:

~~OCT 21 1988~~

☐ Telephone call made

(List Telephone No. used)

☐ Appointment scheduled for:

(Date, time, location)

Department of Water Resources

Department of Human Resources

EXAMINATION

Date Feb. 21 1986 Accompanied by Tim Burton Total Q measured

Source Lone Tree Springs Tributary to Dry Valley Creek Supp. annubar measurement sheet used? 16

If source is surface water, estimate total flow of source

Methods of measurement _____ Meets permit requirements?

Measurement calculations:

Development confirmed through research of U.S.F.S. records and maps

ALSO COPIES OF PIPE, ETC. PURCHASES FOR PROJ. INCLUDED W/ EXAM FORM.

[illegible]

System Description Headbox + pipeline to 12 water troughs
016-590

**Code with map on reverse side. Disregard code if only one.*

RECOMMENDED AMOUNTS

Irrigation requirement = AFA/Acre

USE

Stackwater

Q (cfs)

0.14

V {afa}

40.3

FROM

1-1

TO

12-31

Total

0.14

40.34FA

Remarks Stockwater for 3008 head of cattle

~~UNCLASSIFIED~~

$$V = \frac{3008 \times 0.0134 \text{ AFA}}{z} = 40.3 \text{ afa}$$
$$U = 0.14 \times 1.9835 \times 365 = 101.36 \text{ AFA} \checkmark$$

APR 10 1987

CONTINUED

Checked by

Examiner's Signature _____

Date _____

Date _____

98-51-k

9-07-27

92-4-21

☐ Change P.D., as reflected above

☐ Change P.U., as reflected above

☐ Add P.D. as reflected above

☐ Add P.U. as reflected above

☒ None

Recommended Amendments:

Place(s) of Use

Point(s) of diversion: SW $1/4$ NE $1/4$ Sect. 28 T8S R44E

(Include distance from pump to measuring device, if applicable.)

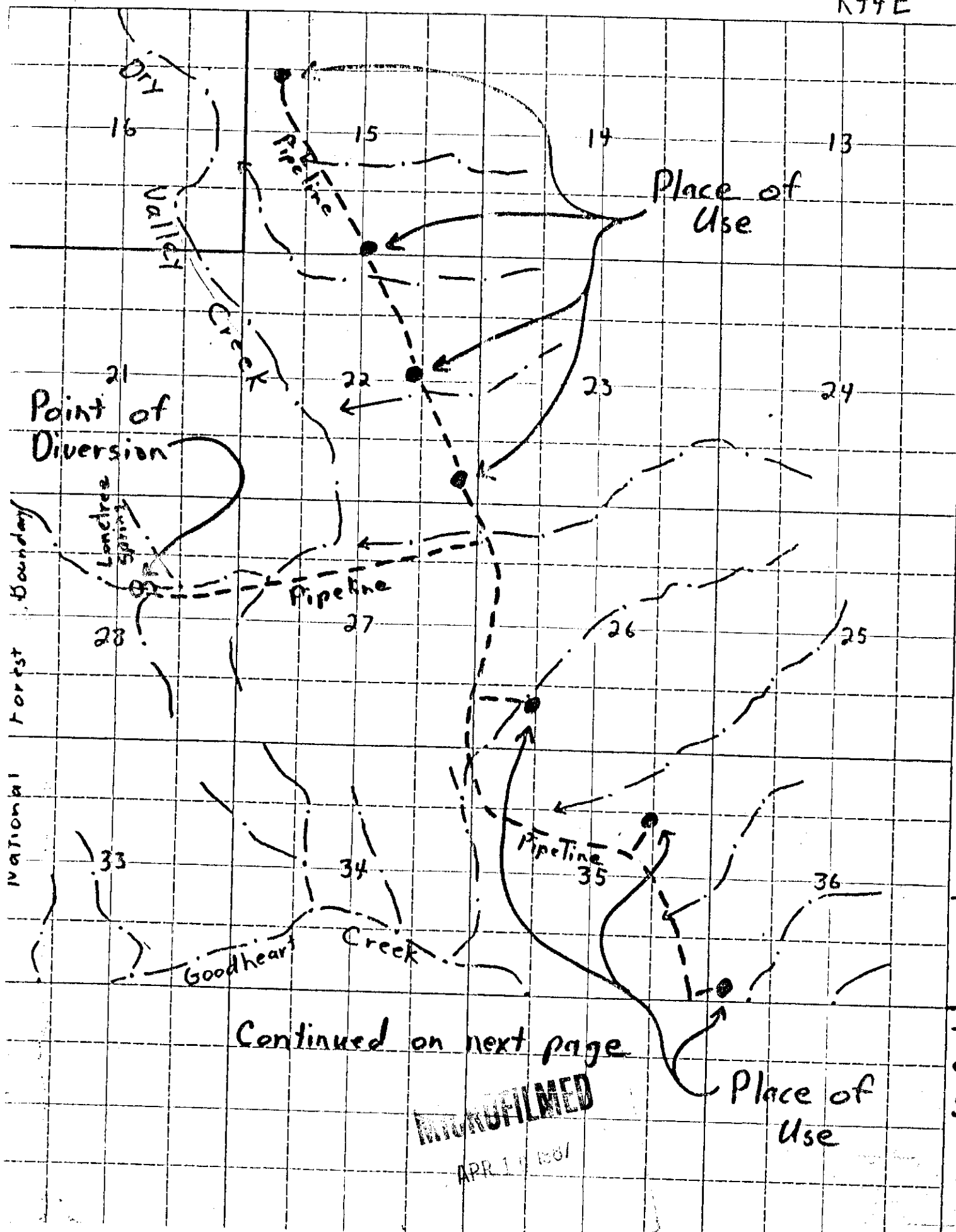
SCHEMATIC DIAGRAM OF SYSTEM

[illegible]

MAP (Attach Aerial Photo)

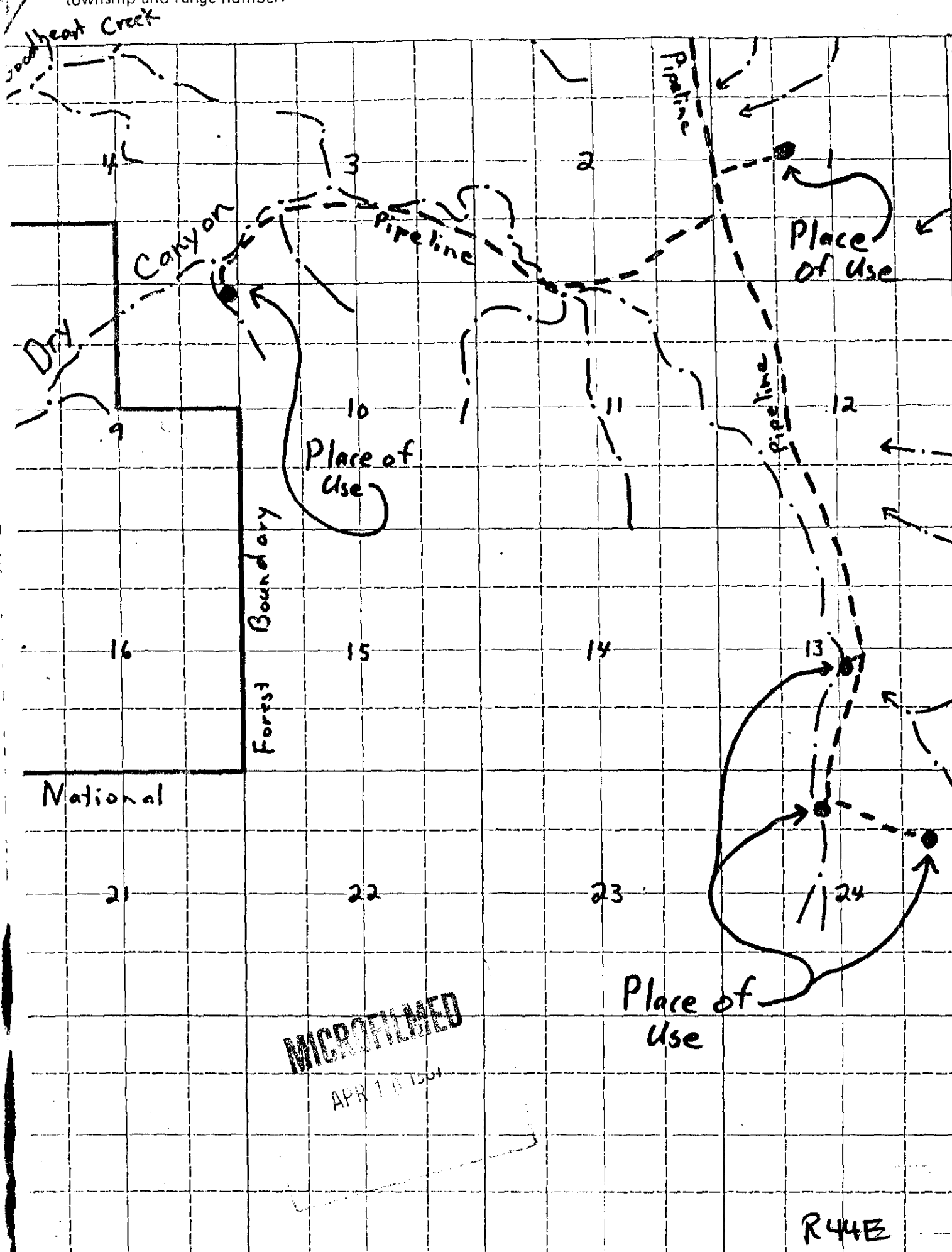
11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

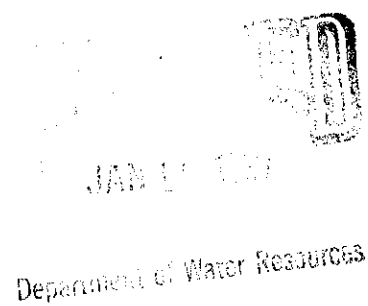
R44E

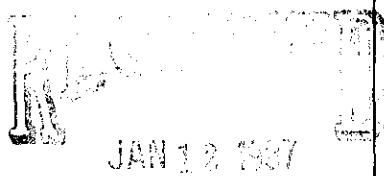


Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

T 8 5	T 9 5
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1 PAGE NUMBER		2 RECEIVING OFFICE NO.		3 CONTRACT NUMBER		4 ORDER DATE		5 SF-37		6 T JE		7 FUND CODE		8 ORDER NUMBER		9 SUB.															
1 OF 1		0214		O M		091076		1		05		TF		40-0252-8-909																	
CHECK ONE				10 TO: (Seller)				11 SHIP TO: (Consignee and Destination)																							
☒ Purchase Order ☐ Delivery Order				Kenneth Hump 113 West 4 North Grace, Idaho 83241				District Forest Ranger Caribou National Forest Soda Springs, Idaho 83276																							
12 LINE ITEM		13 ACT. CODE		14 DESCRIPTION				15 BUDGET OBJECT		16 ACC. LINE		17 QUANTITY		18 UNIT ISSUE		19 UNIT PRICE		20 AMOUNT													
01				Dig and cover pipeling using Ditchwitch Trench will be 3 feet deep and 6400 feet long. (.20/ft. for digging and .05/ft. for covering) Ditchwitch is chain trencher, Model N-30, value \$15,000  Department of Water Resources (Make copy 1300-4 attached to Reg. D2-155-78)				2670		1		6400		FT				.25		1,600.00											
21 FOB POINT				22 DISCOUNT TERMS				Sub-Total ▶				25																			
Jobette				Net								1,600.00																			
23 TIME FOR DELIVERY				24 SHIP VIA				26 ESTIMATED FREIGHT				TOTAL ▶				27															
10/30/78								0				1,600.00																			
28 ACC. LINE		29 ACCOUNTING CLASSIFICATION										30 DISTRIBUTION		31 AMOUNT																	
-2		A		B		C		D		E		-2																			
1		836		10		053 41		02		3475				1,600.00																	
		936																													
ISSUING OFFICE NAME AND ADDRESS																ORDERED BY (Name and Title)															
Supervisor's Office Caribou National Forest P.O. Box 4189 Pocatello, Idaho 83201																G. J. VAN SICKLE, Purchasing PHONE (Area Code and Number) (PTS) 554-6245 AUTHORIZED SIGNATURE															

1 PAGE NUMBER		2 RECEIVING OFFICE NO.		3 CC		4 ACT NUMBER		5 ORDER DATE		6 SF-37		7 FUND CODE		8 ORDER NUMBER		9 SUB.			
1 OF 1		02M4				OM		092678		1		05		TP		40-0252-8-1002			
CHECK ONE		10 TO: (Seller) Bullen's Inc. 1427 North Main Logan, Ut. 84321								11 SHIP TO: (Consignee and Destination) Forest Service Warehouse Caribou National Forest 171 East First South Soda Springs, Id. 83276									
☐ Purchase Order (See Reverse)		☐ Delivery Order																	
12 LINE ITEM	13 ACT. CODE	14 DESCRIPTION						15 BUDGET OBJECT	16 ACC. LINE	17 QUANTITY	18 UNIT ISSUE	19 UNIT PRICE	20 AMOUNT						
01	11,000	Pipe, plastic, pvc 3". No. 125 psi, g-ring joint						2670	1	11,000	FT	.36	3,960.00						
 10/4/78 Depart. of Natural Resources																			
Justification: See 1300-4 attached.																			
21 FOB POINT Destination				22 DISCOUNT TERMS Net								Sub-Total		29 3,960.00					
23 TIME FOR DELIVERY 10/12/78				24 SHIP VIA				26 ESTIMATED FREIGHT 0				TOTAL		27 3,960.00					
28 ACC LINE	29 ACCOUNTING CLASSIFICATION											30 DISTRIBUTION	31 AMOUNT						
-2	A 5	B 10	C 5	3	D 4	E 1	4	1	2										
1	836		053	41	02	3475				100%									
ISSUING OFFICE NAME AND ADDRESS Forest Supervisor Caribou National Forest P.O. Box 4189 Pocatello, Id. 83201													 APR 10 1987						
ORDERED BY (Name and Title) G.J. Van Sickle, Purchasing Agent													PHONE (Area Code and Number) (FTS) 554-6245 (Comm) 208-232-1142						
AUTHORIZED SIGNATURE																			

FOR AGENCY USE ONLY

UNITED STATES DEPARTMENT OF AGRICULTURE
PURCHASE ORDER

D2

1 PAGE NUMBER	2 RECEIVING OFFICE NO.	3 CONTRACT NUMBER	4 ORDER DATE	5 SF- 37	6 UNIT CODE	7 FUND CODE	8 ORDER NUMBER	9 SUB.
1 OF 1	02H4	0H	110878	1	05	TP	40-0252-9-070	

CHECK ONE	10 TO: (Seller)	11 SHIP TO: (Consignee and Destination)
☒ Purchase Order	Pitcher Irrigation Co. Preston, Idaho 83283	District Forest Ranger Warehouse Caribou National Forest Soda Springs, Idaho 83276
☐ Delivery Order		

12 LINE ITEM	13 ACT. CODE	14 DESCRIPTION	15 BUDGET OBJECT	16 ACC LINE	17 QUANTITY	18 UNIT ISSUE	19 UNIT PRICE	20 AMOUNT
01		3"x3"x2" Tee	2670	1	1	EA	8.86	8.86
02		AV-150 2" air vent	2670	1	2	EA	20.03	40.06
03		3"x3"x1 1/4" Tee	2670	1	4	EA	8.86	35.44
04		1 1/2" Male adapter	2670	1	2	EA	1.20	2.40
05		3" Male adapter	2670	1	2	EA	4.43	8.86
06		4" Pip Coupler	2670	1	2	EA	4.99	9.98
07		4" Pip 100# PVC <i>Department of Water Resources</i>	2670	1	40	EA	.46	18.40
08		3"x3"x2" Drain tee unit	2670	1	1	EA	21.00	21.00
09		6" 90 E11	2670	1	1	EA	43.00	43.00
10		6" 100# Tee	2670	1	1	EA	35.00	35.00
11		6"x6"x4" Tee	2670	1	2	EA	25.00	50.00
12		4" End Cap	2670	1	4	EA	6.22	24.88
13		Glue	2670	1	1	GL	10.14	10.14
14		Solvent	2670	1	1	GL	10.14	10.14

21 FOB POINT Soda Springs, Idaho	22 DISCOUNT TERMS Net	25 Sub-Total	318.16
23 TIME FOR DELIVERY 11/8/78	24 SHIP VIA	26 ESTIMATED FREIGHT 0	27 TOTAL
			318.16

28 ACC LINE	29 ACCOUNTING CLASSIFICATION	30 DISTRIBUTION	31 AMOUNT
1	936	053 41	02 3475
			318.16

ISSUING OFFICE NAME AND ADDRESS Supervisor's Office Caribou National Forest P.O. Box 4189 Pocatello, Idaho 83201	ORDERED BY (Name and Title) G. J. VAN SICKLE, Contract Specialist PHONE (Area Code and Number) (Comm) 208-235-6729 (FTS) 554-6729 AUTHORIZED SIGNATURE
--	--

AGENCY USE COPY

FORM AD-838-9 (5/78)



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

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

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

March 1, 1983

United States of America
Forest Service
Federal Building
324 25th St.
Ogden, UT 84401

Attention: Richard Sanders

Gentlemen:

Re: See attached list of water right permit numbers

This office acknowledges receipt of the statement of beneficial use postcards submitted for your water right permits.

Before a license can be issued, field examinations must be made by a representative of this department. We cannot tell just when these examinations will be made, but our examiner will try to contact one of your representatives before he makes the examination so that he may show him the system.

If you have any questions regarding the field examinations, please contact our Eastern Regional office at 525-7161.

Sincerely,

RITA I. FLECK
Sr. Secretary

Attachment

STATEMENT OF BENEFICIAL USE POSTCARDS RECEIVED FROM U.S. FOREST SERVICE

11-7276	29-7540
11-7277	29-7638
11-7281	
11-7282	25-7207
	25-7208
13-7358	25-7210
	to
15-7068	25-7240
15-7069	25-7249
	25-7250
23-7046	25-7251
to	25-7252
23-7058	25-7253
23-7071	25-7254
to	25-7265
23-7077	25-7266
23-7084	
	27-7198
24-7029	27-7239
24-7030	27-7257
24-7041	27-7295
to	27-7296
24-7098	27-7297
24-7102	27-7298
24-7103	27-7312
24-7104	27-7313
24-7106	
24-7107	
24-7108	
24-7114	
24-7115	
24-7116	
24-7117	
24-7118	
24-7119	
24-7120	
to	
24-7126	
24-7144	
to	
24-7160	
	Total 179
25-7206	
25-7209	
27-7314	

PLACE
TEN CENT
STAMP
HERE

REGISTERED

FEB 22 1983

Department of Water Resources



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

016-592

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card statement that the permit holder(s) has completed development to the extent shown below Permit No. 27-1257

Name(s) of Permit Holder: United States of America - Forest Service

Post Office Address: Federal Building, 324 25th Street

Ogden, Utah 84401

Tel. No. (801) 625-5360

Source of Water: Limestone Spring tributary of Dry Valley Creek

Extent of Use: ☐ Domestic (number of households)
☒ Stockwater 1300 cattle (number and type of stock)
☐ Irrigation (acres)
☐ Other

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

The above information is a true statement of the extent to which the above numbered permit has been developed. (for) Deputy Regional Forester, Resources

February 15, 1983
 Date

Richard T. Sanders
 Signature of Permit Holder

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

U.S. DEPT. OF AGRI.
FOREST SERVICE
FEDERAL BLDG.
324 25TH ST.
OGDEN, UT 84401

OCTOBER 13, 1982

RE: PERMIT NO. 27-7257

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH PAGE.

SINCERELY,

DAVID R. TUTTILL, JR., P.E.
SUPERVISOR, WATER ALLOCATION SECTION

ENCLOSURE

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

27 7257

INITIAL REVIEW BY: _____

APPLICATION NUMBER: 27-7257

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. Copies sent by: _____ Date: _____
☐ Idaho Fish and Game Department. _____
☐ Idaho Department of Lands. _____
☐ U.S. Bureau of Land Management. _____
☐ U.S. Forest Service. _____
☐ Other _____

PROCESSING:

- ☐ Yes ☒ No Platted by: _____ Map No. _____
☐ Yes ☐ No Other rights on same place of use. _____
☒ Yes ☐ No* In form for advertising. Dec. 29 ✓
☒ Yes ☐ No Final date for protests: _____
☒ Yes ☐ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: Jan 12, 1981 ✓
☒ 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? _____
☒ 11-26-80 Date of priority recommended.
Special conditions of approval or cover letter. _____

Diversions of water under this permit is subject to the Memorandum of Understanding between the FMC Corp. Dry Valley Grazing Permit Permittees, the State of Idaho, Dept. of Lands and the Carbon National Forest executed on Sept. 13, 1982.

Code #26.

By: Ernest Carlson Date: Sept 29, 1982

STATE OFFICE REVIEW:

31/1/7 26 special card

- ☐ See attached sheet for more information.
By: [Signature] Date: 10/6/82



STATE OF IDAHO

DEPARTMENT OF LANDS

Eastern Idaho Area Office
Route 1, Box 400 (Beeches Corner)
Idaho Falls, Idaho 83401

OCT 4 1982

Department of Water Resources
Eastern District Office

September 30, 1982

Ronald D. Carlson
Eastern Regional Supervisor
Idaho Department of Water Resources
150 Shoup Avenue
Idaho Falls, ID 83401

Dear Mr. Carlson:

By this letter we are hereby withdrawing our protest against U.S. Forest Service Application for Permit No. 27-7257, for diversion of 0.14 cfs or 63 gpm from the Lone Tree Spring. We have reached satisfactory agreement with the Forest Service for other watering arrangements should we lose our source of water from this spring.

Thank you for having provided us with the opportunity to state our concerns on this application.

Sincerely yours,

A handwritten signature in cursive script, reading "L. D. Benedick".

L. D. BENEDICK
Area Supervisor

LDB:lw

cc: Charles J. Hendricks

UNITED STATES DEPARTMENT OF AGRICULTURE

FOREST SERVICE

324 25th Street
Ogden, UT 84401

2540

September 29, 1982

Mr. Ronald D. Carlson
Eastern Region Supervisor
Idaho Department of Water Resources
150 Shoup Avenue
Idaho Falls, ID 83401

OCT 4 1982

Idaho Department of Water Resources
Eastern District Office



Dear Mr. Carlson:

Enclosed is a copy of a Memorandum of Understanding concerning the various protests of our Application for Permit No. 27-7257. It appears that all issues have been resolved to everyone's satisfaction. Our application should now be ready for further processing.

Thank you for your patience and assistance in resolving this matter.

Sincerely,

HALLIE L. COX
Acting Deputy Regional Forester
Resources

Enclosure

A MEMORANDUM OF UNDERSTANDING BETWEEN

OCT 4 1982

THE FMC CORPORATION, DRY VALLEY GRAZING ALLOTMENT PERMITTEES, Department of Water Resources
Eastern District Office
THE STATE OF IDAHO, DEPARTMENT OF LANDS AND THE CARIBOU NATIONAL FOREST

This MEMORANDUM OF UNDERSTANDING is entered into by and between the FMC Corporation, hereinafter referred to as FMC, range permittees of the Dry Valley C&H Association, hereinafter referred to as the Association, the State of Idaho, Department of Lands, acting by and through the Eastern Idaho Area Supervisor, hereinafter referred to as the Department of Lands, and the Forest Service, United States Department of Agriculture, acting by and through the Forest Supervisor, Caribou National Forest, hereinafter referred to as the Forest Service.

WHEREAS, the Forest Service is authorized and directed by acts of Congress, namely the Public Rangelands Improvement Act of 1978 (92 Stat. 1803, 43 U. S. C. 1901) to protect, manage, and administer the National Forest System for range management purposes; and,

WHEREAS, the Forest Service has designed and constructed the Lonetree water system so as to develop and utilize the range potential of the Dry Valley Allotment to its reasonable attainable sustained yield potential; and,

WHEREAS, the Forest Service submitted to the State of Idaho Department of Water Resources Application for Permit No. 27-7257 for diversion of 0.14 cfs or 63 gpm from the Lonetree Spring; and,

WHEREAS, Mrs. Doris Bollar, a lessee of land owned by FMC, and the Department of Lands protested to the Department of Water Resources on the grounds that the proposed water diversion may conflict with existing downstream water uses:

NOW, THEREFORE, FMC, ASSOCIATION, DEPARTMENT OF LANDS, AND FOREST SERVICE HEREBY understand and agree as follows:

1. FMC will install and maintain a water transmission pipeline extending from the northernmost trough located in the NW $\frac{1}{4}$ Sec. 15, T8S, R44E, BM on the existing Lonetree Spring transmission line to FMC owned land in E $\frac{1}{2}$ E $\frac{1}{2}$ Sec. 16 T8S, R44E, BM for a distance of approximately 1/4 mile.
2. Forest Service will grant a free-of-charge special use permit to FMC for the pipeline.
3. Association will maintain the existing Lonetree Spring water system and will distribute the water to all troughs on the pipeline when cattle are using the pastures by the following formula:

	<u>Percent Total Flow</u>	<u>Rate At Max. Diversion</u>	<u>Number Cattle</u>
North Dry Valley Unit	46	29 gpm	600
South Dry Valley Unit	46	29 gpm	600
FMC	8	5 gpm	100

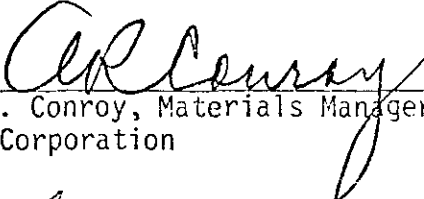
4. The Forest Service will grant a special use permit to the Department of Lands for diversion of water from spring sources in Section 21, T8S, R44E, BM for stock watering the W $\frac{1}{2}$ and W $\frac{1}{2}$ E $\frac{1}{2}$ Sec. 16, T8S, R44E, BM. Permit will be issued free-of-charge and will not be cancelled nor water shut off as long as the following conditions are met. The water will be used for the purpose of stock watering. The Department of Lands will follow appropriate State of Idaho water user procedures for development of the spring. The Department of Lands will construct and maintain the diversion. The Department of Lands will allow the Forest Service to tap on to the water system as a junior water user if a need is identified by the Forest Service and if water is available for use.

5. Upon agreement to provisions herein, Mrs. Doris Bollar, FMC, and the Department of Lands will withdraw notices of protest on Application for Permit No. 27-7257.

6. This MEMORANDUM OF UNDERSTANDING is conditional to the awarding to the Forest Service of a water right for Lonetree Spring water use Application Permit No. 27-7257.

This MEMORANDUM OF UNDERSTANDING shall become effective when signed by authorized representatives of FMC, Department of Lands, Association, and Forest Service.

IN WITNESS WHEREOF the parties hereto have caused this agreement to be executed as of the last date written below:


A. R. Conroy, Materials Manager
FMC Corporation

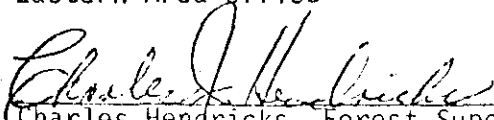
9/8/82
Date


Keith Bitton, President
Dry Valley C&H Association

9/9/82
Date


L. D. Benedick, Area Supervisor
State of Idaho, Department of Lands
Eastern Area Office

9/13/82
Date


Charles Hendricks, Forest Supervisor
Caribou National Forest

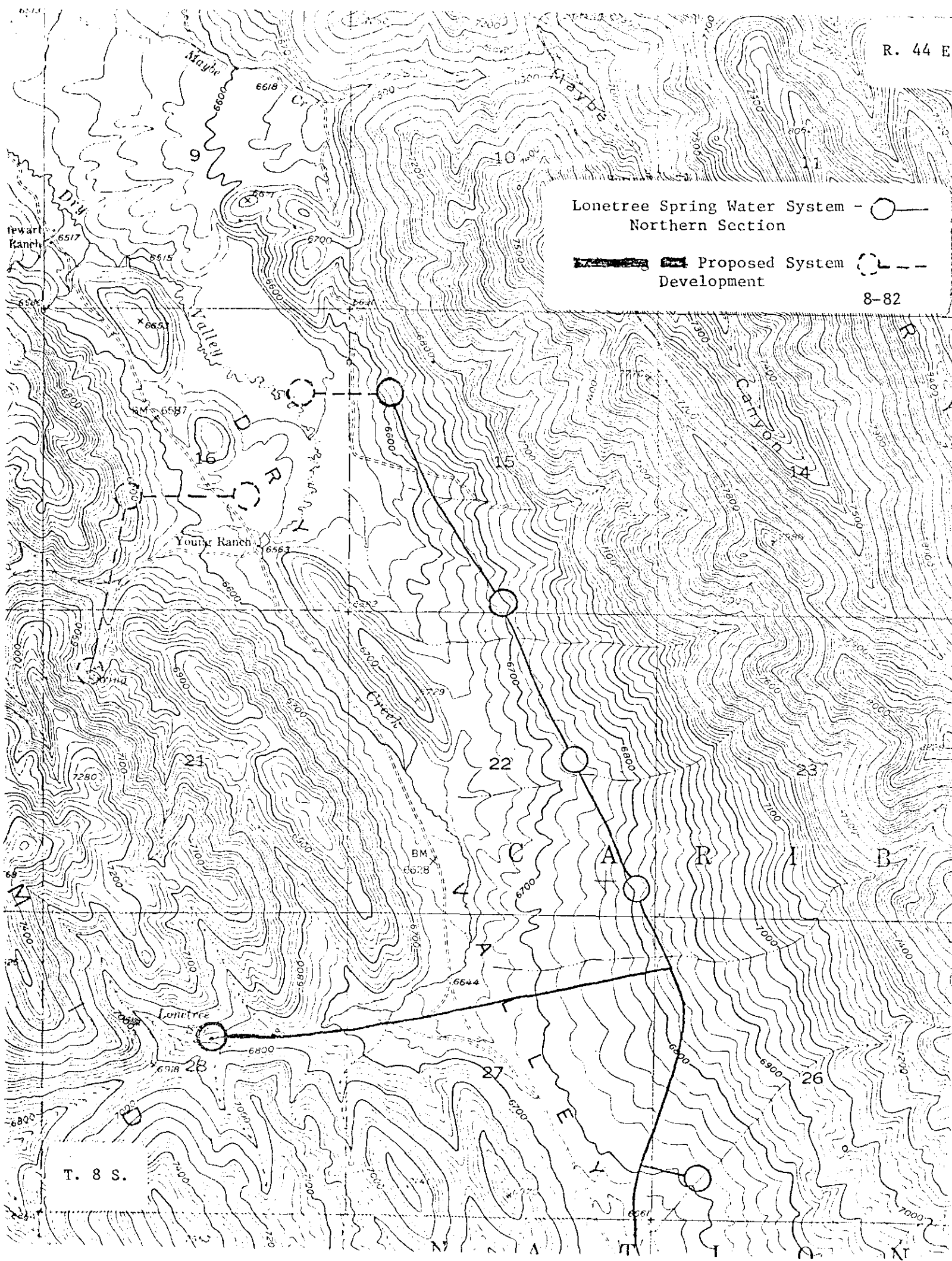
8/30/82
Date

Lonetree Spring Water System - ○ —
Northern Section

Proposed System Development ○ — —

8-82

T. 8 S.



September 30, 1982

RE: Application ~~for~~ Permit No. 27-7257

U.S. Forest Service
324 - 25th Street
Ogden, Utah 84401

Gentlemen:

This is to advise you that Doris Bollar and the State Department of Lands has withdrawn their protest against approval of the above referenced application. The Department will take no further action in setting a hearing in this matter and has resumed the processing of your application.

If you have any questions concerning this matter, please feel free to contact this office.

Very truly yours,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

September 30, 1982

RE: Application for Permit No. 27-7257 FOREST SERVICE

Doris Bollar
Box 555
Rupert, Idaho 83350

Dear Ms. Bollar:

This is to acknowledge receipt of your withdrawal of protest against approval of the above referenced application. The Department will take no further action in setting a hearing in this matter.

If you have any questions concerning this matter, please feel free to contact this office.

Very truly yours,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

September 30, 1982

RE: Application for Permit No. 27-7257 FOREST SERVICE

L. D. Benedick
Area Supervisor
Department of Lands
Rt. #1, Box 400
Idaho Falls, ID 83401

Dear Mr. Benedick:

This is to acknowledge receipt of your withdrawal of protest against approval of the above referenced application. The Department will take no further action in setting a hearing in this matter.

If you have any questions concerning this matter, please feel free to contact this office.

Very truly yours,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

Phosphorus Chemicals Division
Box 4111
Pocatello, Idaho 83202
(208) 236-8200

FMC

RECEIVED

Department of Water Resources
Eastern District Office

A. R. Conroy
A. R. Conroy
Materials Manager

cc: Mr. Tom Robinson, U.S.F.S.
Mrs. Doris Bollar
Mr. William W. Becker, Esq.
F. H. Herbert
A. L. Allen

SEP 29 1982

A MEMORANDUM OF UNDERSTANDING BETWEEN

Department of Water Resources
Eastern District Office

THE FMC CORPORATION, DRY VALLEY GRAZING ALLOTMENT PERMITTEES,

THE STATE OF IDAHO, DEPARTMENT OF LANDS AND THE CARIBOU NATIONAL FOREST

This MEMORANDUM OF UNDERSTANDING is entered into by and between the FMC Corporation, hereinafter referred to as FMC, range permittees of the Dry Valley C&H Association, hereinafter referred to as the Association, the State of Idaho, Department of Lands, acting by and through the Eastern Idaho Area Supervisor, hereinafter referred to as the Department of Lands, and the Forest Service, United States Department of Agriculture, acting by and through the Forest Supervisor, Caribou National Forest, hereinafter referred to as the Forest Service.

WHEREAS, the Forest Service is authorized and directed by acts of Congress, namely the Public Rangelands Improvement Act of 1978 (92 Stat. 1803, 43 U. S. C. 1901) to protect, manage, and administer the National Forest System for range management purposes; and,

WHEREAS, the Forest Service has designed and constructed the Lonetree water system so as to develop and utilize the range potential of the Dry Valley Allotment to its reasonable attainable sustained yield potential; and,

WHEREAS, the Forest Service submitted to the State of Idaho Department of Water Resources Application for Permit No. 27-7257 for diversion of 0.14 cfs or 63 gpm from the Lonetree Spring; and,

WHEREAS, Mrs. Doris Bollar, a lessee of land owned by FMC, and the Department of Lands protested to the Department of Water Resources on the grounds that the proposed water diversion may conflict with existing downstream water uses:

NOW, THEREFORE, FMC, ASSOCIATION, DEPARTMENT OF LANDS, AND FOREST SERVICE HEREBY understand and agree as follows:

1. FMC will install and maintain a water transmission pipeline extending from the northernmost trough located in the NW $\frac{1}{4}$ Sec. 15, T8S, R44E, BM on the existing Lonetree Spring transmission line to FMC owned land in E $\frac{1}{2}$ E $\frac{1}{2}$ Sec. 16 T8S, R44E, BM for a distance of approximately 1/4 mile.
2. Forest Service will grant a free-of-charge special use permit to FMC for the pipeline.
3. Association will maintain the existing Lonetree Spring water system and will distribute the water to all troughs on the pipeline when cattle are using the pastures by the following formula:

	<u>Percent Total Flow</u>	<u>Rate At Max. Diversion</u>	<u>Number Cattle</u>
North Dry Valley Unit	46	29 gpm	600
South Dry Valley Unit	46	29 gpm	600
FMC	8	5 gpm	100

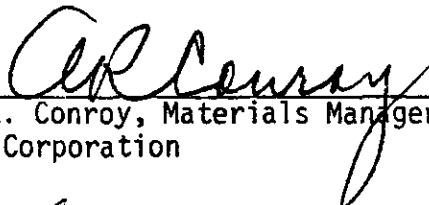
4. The Forest Service will grant a special use permit to the Department of Lands for diversion of water from spring sources in Section 21, T8S, R44E, BM for stock watering the $W\frac{1}{2}$ and $W\frac{1}{2}E\frac{1}{2}$ Sec. 16, T8S, R44E, BM. Permit will be issued free-of-charge and will not be cancelled nor water shut off as long as the following conditions are met. The water will be used for the purpose of stock watering. The Department of Lands will follow appropriate State of Idaho water user procedures for development of the spring. The Department of Lands will construct and maintain the diversion. The Department of Lands will allow the Forest Service to tap on to the water system as a junior water user if a need is identified by the Forest Service and if water is available for use.

5. Upon agreement to provisions herein, Mrs. Doris Bollar, FMC, and the Department of Lands will withdraw notices of protest on Application for Permit No. 27-7257.

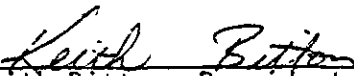
6. This MEMORANDUM OF UNDERSTANDING is conditional to the awarding to the Forest Service of a water right for Lonetree Spring water use Application Permit No. 27-7257.

This MEMORANDUM OF UNDERSTANDING shall become effective when signed by authorized representatives of FMC, Department of Lands, Association, and Forest Service.

IN WITNESS WHEREOF the parties hereto have caused this agreement to be executed as of the last date written below:


A. R. Conroy, Materials Manager
FMC Corporation

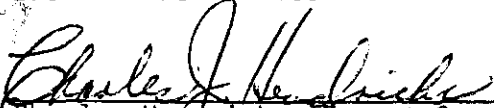
9/8/82
Date


Keith Bitton, President
Dry Valley C&H Association

9/9/82
Date


L. D. Benedick, Area Supervisor
State of Idaho, Department of Lands
Eastern Area Office

9/13/82
Date


Charles Hendricks, Forest Supervisor
Caribou National Forest

8/30/82
Date

Lonetree Spring Water System -

~~Excluded~~ ~~and~~ Proposed System Development 0- - -

8-82

T. 8 S.

To Ernie

Date _____ Time _____

WHILE YOU WERE OUT

John Osborne

of U.S.F.S.

Phone _____

Telephoned		Please call	
Called to see you		Will call again	
Wants to see you		Returned your call	X

Message Lone Tree-Spring-

Protest has been
resolved. Something
will be mailed to you
shortly.

Operator

Call him if you have
questions

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
324 25th Street
Ogden, Utah 84401

2540
March 11, 1981



Mr. Ronald D. Carlsen
Sr. Resource Analyst
Idaho Department of Water Resources
150 Shoup Avenue
Idaho Falls, ID 83401

Dear Mr. Carlsen:

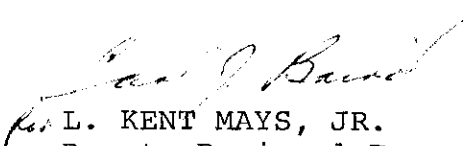
This is in reference to your recent correspondence requesting a status report concerning our protested Application for Permit No. 27-7257 (Lonetree Spring). We have no additional progress to report.

Mrs. Bollar has been on vacation in California and will not return until the middle of March. Mr. Benedick, Idaho Department of Lands, isn't planning to take any action until late spring or early summer, when he can get out on the ground to check for other sources of water for their land.

Because of these delays, we do not expect to resolve these protests until mid-June. We, therefore, request an additional ninety (90) day extension in which to settle these matters.

Thank you for your assistance.

Sincerely,


for L. KENT MAYS, JR.
Deputy Regional Forester
Resources

RECEIVED

MAR 16 1981

Department of Water Resources
Eastern District Office

150 Shoup Ave. -----

525-7161

March 4, 1981

RE: Protested Application for Permit No. 27-7257 (Lonetree Spring)

Adrian Dalton
U. S. Forest Service
Federal Bldg.
324 25th St.
Ogden, UT 84401

Dear Mr. Dalton:

Our last correspondence from the Forest Service requested a 30 day extension prior to scheduling a hearing to allow sufficient time to resolve the ~~po~~test on the above mentioned application for permit. This period has now lapsed and to keep our records current we would appreciate a status report concernigg your progress ~~on this~~ matter.

Respectfully submitted,

ERNEST CARLSEN
Sr. Resource Analyst

EC:kw

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
324 25th Street
Ogden, Utah 84401

2540
January 16, 1981



Mr. Ronald D. Carlson
Eastern Regional Supervisor
Idaho Department of Water Resources
150 Shoup Ave.
Idaho Falls, ID 83401

Dear Mr. Carlson:

At your suggestion, we have contacted all parties involved in the protest of our Application for Permit No. 27-7257 (Lonetree Spring).

Mrs. Bollar is agreeable to our suggestion that a pipe could be installed from the northernmost trough in the Forest Service line (SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 15, T.8S., R.44E.) to her leased property in the adjacent section. Mr. Dick Connroy, of FMC Corporation, owner of the leased property, and Mr. Lou Benedict of State of Idaho Department of Lands were both contacted and they are also agreeable to this suggestion.

Mr. Benedict may want to extend this pipeline to State land west of the FMC property. We have suggested that Mrs. Bollar come to agreement with FMC as to cost sharing and then we will arrange a meeting of all parties involved to draft an agreement.

Because of the number of parties involved, we do not expect to have final terms of the agreement worked out prior to your deadline. We, therefore, request a thirty (30) day extension to resolve the protest.

Thank you for your assistance.

Sincerely,

L. KENT MAYS, JR.
Deputy Regional Forester
Resources

RECEIVED

JAN 19 1981
Department of Water Resources
Eastern District Office

FMC Corporation

Phosphorus Chemicals Division
Box 4111
Pocatello Idaho 83201
(208) 232 6420

January 13, 1981



Mr. Ernest Carlsen
State of Idaho
Department of Water Resources
1515 Lincoln Road
Idaho Falls, Idaho 83401

Re: U. S. Forest Service Application for Permit to Appropriate
Water No. 27-7257, Lonetree Spring, Sec. 28, T.8S., R.44E.,
B.M., Caribou County, Idaho

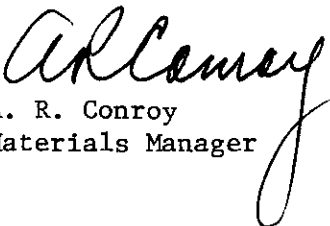
Dear Mr. Carlsen:

Subject application potentially conflicts with stockwatering rights established through beneficial use over many years by the family of Mrs. Doris Bollar in section 16, T.8S., R.44E. Mrs. Bollar has recently protested the application.

FMC Corporation acquired the E 1/2 E 1/2 Sec. 16, T.8S., R.44E. from the Bollar family in 1979. Mrs. Bollar grazes cattle on this land under a lease granted by FMC. As owners and grazing lessor of the land on which the potential conflict of water rights exists, we support Mrs. Bollar's protest and will join her in an effort to resolve outstanding questions with the U. S. Forest Service and your office.

Please advise me of any notices issued or actions taken by your office pursuant to this application.

Very truly yours,


A. R. Conroy
Materials Manager

vl

cc: Mrs. Doris Bollar
Mr. Tom Robinson-*AKF*
Mr. J. S. Spalding

RECEIVED

JAN 15 1981

Department of Water Resources
Eastern District Office



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

201-7254
201-7254
201-7254

January 5, 1981

RE: Application for Permit No. 27-7254

U.S. Forest Service
Federal Bldg.
324 25th St.
Ogden, UT 84401

Gentlemen:

Enclosed herewith is a copy of an additional protest against the approval of your application for Permit No. 27-7254 (016 - 590).

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

Sincerely,

ERNEST CARLSEN
Sr. Resource Analyst

EC:kw
Enclosure

December 31, 1980

RE: Application for Permit No. 27-7257 US FOREST SERVICE

L. D. Benedick
Area Supervisor
Department of Lands
Rt. #1, Box 400
Idaho Falls, Idaho 83401

Dear Mr. Benedick:

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

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

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purpose intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?

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

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw:kw

cc: IDWR - State Office

CONVERSATION MEMORANDUM

DATE 12-29-1980FILE 27-7257NAME OF PARTY Law BenedictEMPLOYEE Ernie

RE: Mr. Benedict advised me during a telephone conversation today
that the Dept. of Lands would like to protect this application.
Reason for the protect is that Lonestree Spring is
the principle source of water for one of the states
grazing leases in Sec 16 T. 8 S. R. 44 E.

December 29, 1980

RE: Application for Permit No. 27-7257

U. S. Forest Service
324 - 25th Street
Ogden, Utah 84401

Gentlemen:

Enclosed is a copy of a protest filed against the issuance of a permit pursuant to your Application No. 27-7257. The Department suggests you contact the protestant directly in an effort to determine the nature of the protest and to attempt to resolve the protest.

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

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purpose intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?

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

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw:kw

Enclosure

cc: IDWR - State Office

December 29, 1980

RE: Application for Permit No. 27-7257

Doris Bollar
Box 555
Rupert, Idaho 83350

Dear Ms. Bollar:

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

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

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purpose intended?
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4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?

Ms. Doris Bollar
Page 2
December 29, 1980

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

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw:kw

cc: IDWR - State Office

27-7257-

U.S. DEPT. OF AGRI.

FOREST SERVICE, FEDERAL BLDG., 324 25TH ST., OGDEN, UT 84401

Source: LONETREE SPRING tributary to DRY VALLEY CREEK

Date Filed 11/26/1980

Amount: 0.14 CFS

Diversion Point: SWNE Sec 28 T 08S R 44E, CARIBOU Co.

Use: STOCKWATER (0.14 CFS) from 01/01 to 12/31

Place of Use: SWNW SWSE Sec 15 T 08S R 44E SWNE SESE Sec 22 T 08S R 44E SWSW
Sec 26 T 08S R 44E SWNE Sec 35 T 08S R 44E SWSW
Sec 36 T 08S R 44E SENW Sec 01 T 09S R 44E NENE
Sec 09 T 09S R 44E NWSE Sec 13 T 09S R 44E SENE NENW
Sec 24 T 09S R 44E

Diversion Means: HEADBOX, PIPELINE & TROUGHS.

IDENT. NO. 27 7257

WATER RIGHT
DATA ENTRY LOG

[illegible]