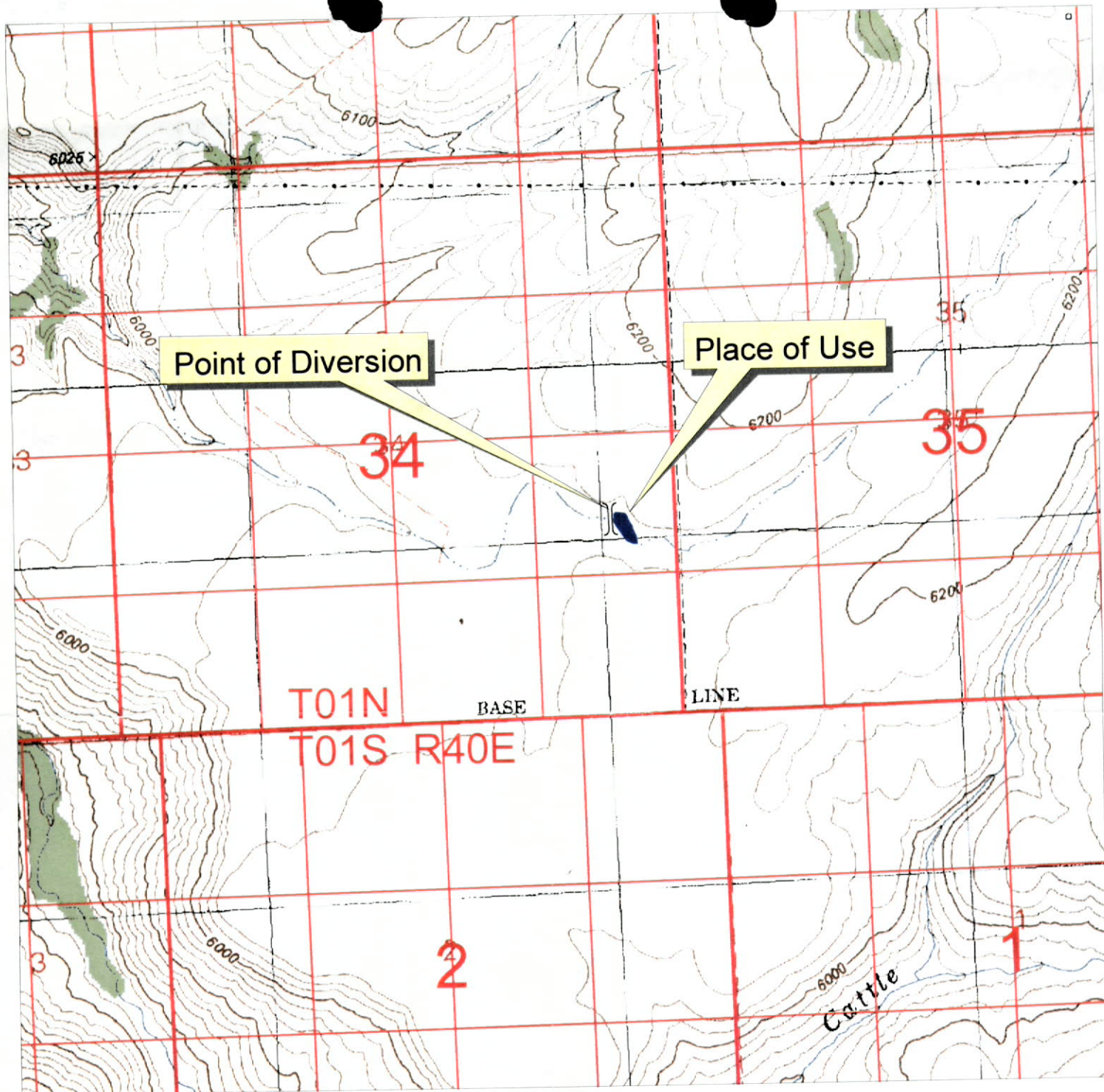




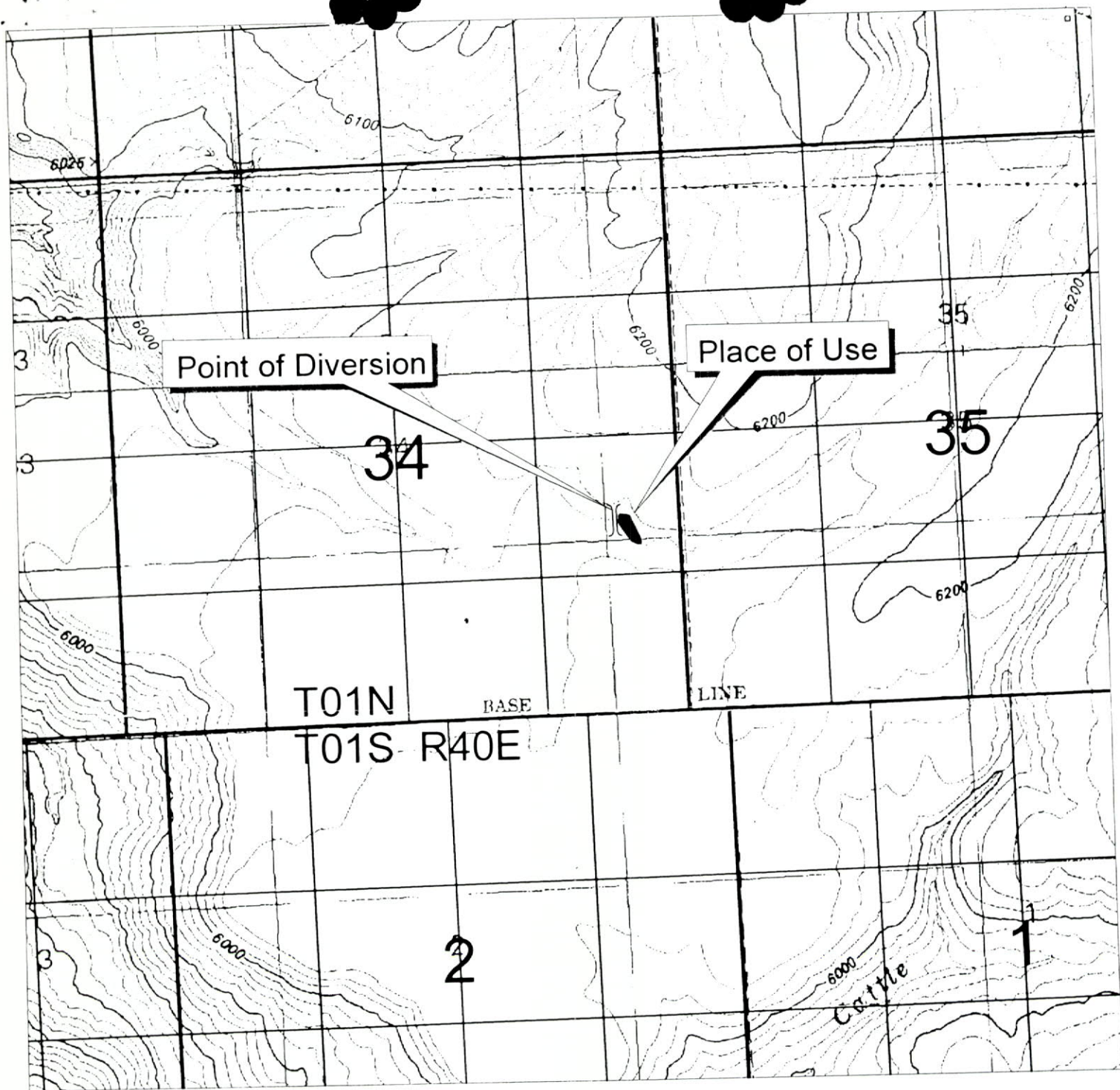
Application for Permit --

MICROFILMED

JAN 09 2001

Dena S. Johnson





Application for Permit --

Dena S. Johnson

JAN 08 2003



⑤

837

CRP

2910

⑤

2910

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67

CRP

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CRP

200

⑦

255

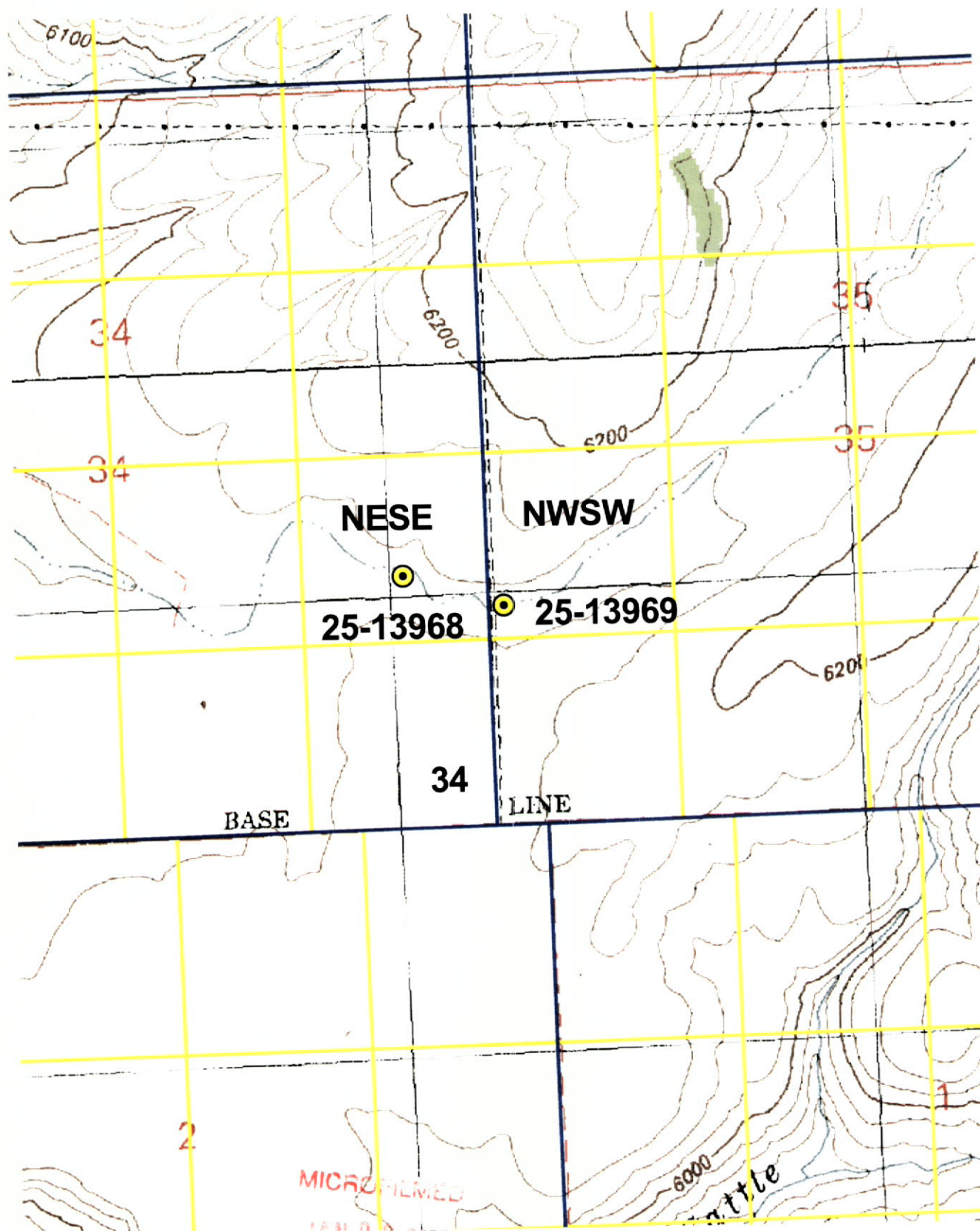
MICROFILM
JAN 08 2003

Pond

⑤

759

25-13968, 25-13969



01N, 40E, sec 34, 35



DAM
AREA
→

25-13968

D CARLSON 9/4/2002

Dam/Reservoir

MICROFILMED

JAN 9 8 2003

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 25-13968

Priority: July 18, 2001

Maximum Diversion Volume: 4.0 AF

It is hereby certified that DENA JOHNSON
6833 E IONA RD
IDAHO FALLS ID 83401 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated July 18, 2001; and has
submitted Proof of Beneficial Use on December 03, 2001. An examination indicates that the works have
a storage capacity of 4.0 af of water from:

SOURCE

UNNAMED STREAM

Tributary: WILLOW CREEK

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>ANNUAL DIVERSION VOLUME</u>
RECREATION STORAGE	01/01 to 12/31	4.0 AF

LOCATION OF POINT OF DIVERSION:

UNNAMED STREAM SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 34, Twp 01N, Rge 40E, B.M., BONNEVILLE County

PLACE OF USE: RECREATION STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	40E	34																	X

CONDITIONS OF APPROVAL

1. Recreation storage is for wildlife habitat.
2. Upon specific notification by the Department, the right holder shall provide a means acceptable to the department to measure the amount of water entering the reservoir and the amount of water released from the reservoir.
3. Upon specific notification by the Department, the right holder shall install lockable controlling works of a type acceptable to the Department in a manner that will provide the watermaster suitable control of the diversion.
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 01.

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

Signed and sealed this 15TH day of October, 2002.

MICROFILMED

JAN 08 2003

Acting for **KARL J. DREHER**
Director

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

IN THE MATTER OF PERMIT)
NO. 25-13968 IN THE NAME OF)
DENA JOHNSON)
_____)

**PRELIMINARY ORDER
CHANGING MEASURING
CONDITIONS OF APPROVAL**

This matter having come before the Department of Water Resources ("Department") as a request to change conditions of approval requiring a means to measure flow to and from a reservoir and requiring lockable controlling works, the Department makes the following Findings of Fact, Conclusions of Law, and Order:

FINDINGS OF FACT

1. On November 14, 2001, the Department issued Permit 25-13968 ("permit") to Dena Johnson ("permit holder") with Conditions of Approval Nos. 3 and 4 as follows:
 3. Prior to diversion of water under this right, the right holder shall provide a means acceptable to the department to measure the amount of water entering the reservoir and the amount of water released from the reservoir.
 4. Prior to diversion of water under this right, the right holder shall install a lockable device, subject to the approval of the Department, in a manner that will provide the watermaster suitable control of the diversion.
2. On September 30, 2002, the Department received a letter from the permit holder asking that Conditions of Approval Nos. 3 and 4 be changed.
3. On September 30, 2002, the watermaster of Water District No. 01 recommended that the Department should grant the permit holder's request.
4. A means to measure the amount of water entering and released from the reservoir and a device to lock the diversion is not presently needed.

CONCLUSIONS OF LAW

1. IDAPA 37.03.02.35.02.d. (Beneficial Use Examination Rule 35.02.d.) provides for the waiver of measuring conditions of approval by the Department.
2. The Department should waive the measuring and lockable controlling works requirements until such time as they are necessary for regulation of the water right.

ORDER

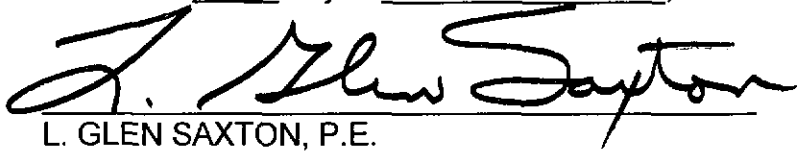
IT IS HEREBY ORDERED that Condition of Approval No. 3 is **CHANGED** to be as follows:

3. Upon specific notification by the Department, the right holder shall provide a means acceptable to the department to measure the amount of water entering the reservoir and the amount of water released from the reservoir.

IT IS FURTHER HEREBY ORDERED that Condition of Approval No. 4 is **CHANGED** to be as follows:

4. Upon specific notification by the Department, the right holder shall install lockable controlling works of a type acceptable to the Department in a manner that will provide the watermaster suitable control of the diversion.

Dated this 8th day of October, 2002.

A handwritten signature in black ink, appearing to read "L. Glen Saxton", is written over a horizontal line.

L. GLEN SAXTON, P.E.
Chief, Water Allocation Bureau

MICROFILMED

JAN 08 2003

FOR OFFICE USE ONLY
Amt. of Fee \$ 50.00
Receipt No. 0258170
Receipt By: [Signature]
Date Received: 12-3-01

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

DEC - 3 2001

PROOF OF BENEFICIAL USE

Department of Water Resources

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 be accompanied by a completed field examination report prepared by a certified water right examiner.

1. Permit No. 25-13968 Telephone No. (208) 523-4169
2. Name of Permit Holder(s): Dena Johnson
3. Mailing Address: 6833 E Iona Rd.
City Idaho Falls State ID Zip 83401
4. Source of Water: un named stream If **GROUNDWATER** (well), Date Drilled: mo. _____ / yr. _____
Well Driller: _____ Drilling Permit Number: _____
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): _____ Stockwater (No. and type of stock): _____
Irrigation (No. of acres): _____ Other: Recreation storage
6. Total rate of diversion and/or volume for which proof is submitted: _____ cfs OR 4.0 acre-feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is **not optional**. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)
Measuring Device: Is a measuring device required? Yes _____ or No X
Has the measuring device been installed? Yes _____ or No X
8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system.
Name: Dena Johnson Telephone Number: (208) 523-4169
Address: 6833 E Iona Rd I.F., ID 83401
10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: _____

(include your title, if on behalf of company or organization)

Date: 11/26/01

MICROFILMED

JAN 09 2001

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 25-13968

Priority: 07/18/2001

Maximum Diversion Volume: 4.0 AF

This is to certify, that DENA JOHNSON
6833 E IONA RD
IDAHO FALLS ID 83401

has applied for a permit to appropriate water from:

Source: UNNAMED STREAM Tributary: WILLOW CREEK

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>ANNUAL VOLUME</u>
RECREATION STORAGE	01/01 to 12/31	4.0 AF

LOCATION OF POINT(S) OF DIVERSION:

UNNAMED STREAM SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 34, Twp 01N, Rge 40E, B.M. BONNEVILLE County

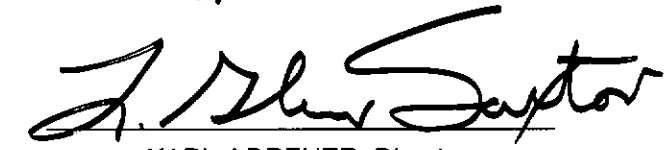
PLACE OF USE: RECREATION STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	40E	34																	X

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **April 1, 2002**.
2. Subject to all prior water rights.
3. Prior to diversion of water under this right, the right holder shall provide a means acceptable to the department to measure the amount of water entering the reservoir and the amount of water released from the reservoir.
4. Prior to diversion of water under this right, the right holder shall install a lockable device, subject to the approval of the Department, in a manner that will provide the watermaster suitable control of the diversion.
5. Use of water under this water right will be regulated by the watermaster of State Water District No. 01.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 14th day of November, 2001.


for KARL J DREHER, Director

MICROFILMED
JAN 09 2001

25-13968

RECEIVED

SEP - 4 2001

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

RECEIVED

JUN 29 2001

Department of Water Resources
Eastern Region

1. Name of Applicant Dena S. Johnson

Phone (208) 524-2120

Mailing address 6833 E. Iona Rd. Idaho Falls, ID. 83401

2. Source of water supply Unnamed Stream which is a tributary of Willow Creek

3. Location of point of diversion is Township 01N Range 40E Sec. 34, in the SE $\frac{1}{4}$,
NE $\frac{1}{4}$, SE $\frac{1}{4}$, Govt. Lot _____, B.M., Bonneville County;
additional points of diversion if any:

4. Water will be used for the following purposes:

Amount 4.0 afa for Recreation Storage purposes from 01/01 to 12/31 (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)

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

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

5. Total quantity to be appropriated is (a) _____ and/or (b) 4.0 afa
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source.

Earthen dam in creek bed with pond (approx. 120' x 360') for recreational use.

b. Height of storage dam 8 feet; active reservoir capacity 4.0 acre-feet;
total reservoir capacity 4.0 acre-feet

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

d. Is ground water with a temperature of greater than 85°F being sought?

e. If well is already drilled, when? _____; Drilling firm _____;
Well was drilled for (well owner) _____; Drilling Permit No. _____

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

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

a. Hydropower; show total feet of head and proposed capacity in kW.

b. Stockwatering; list number and kind of livestock.
Municipal; show name of municipality.

c. Domestic; show number of households.

d. Other; describe fully. Recreational use to improve wildlife habitat.

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JAN 09 2001

9. Description of place of use:

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

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	40E	34													R				

Total number of acres to be irrigated

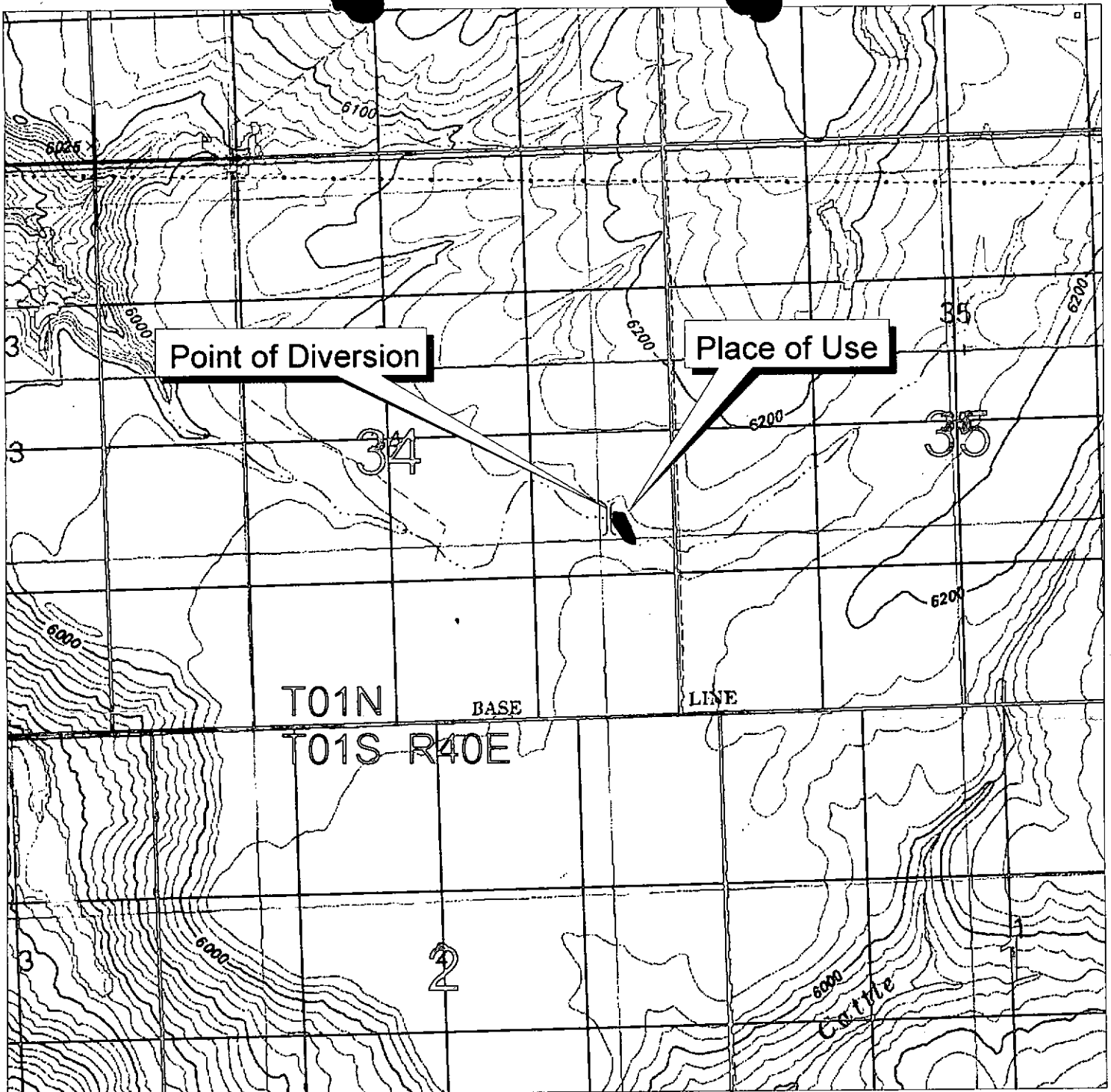
- Describe any other water rights used for the same purposes as described above. **None**
- Who owns the property at the point of diversion? **Applicant**
 - Who owns the land to be irrigated or place of use? **Applicant**
 - If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing:
- Remarks: **Pond and dam were constructed in 1972.**

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Donald S. Johnson owner
Signature of Applicant (and title, if applicable)

Received by CS Date 7/14/01 Time _____ Preliminary check by _____
 Fee \$ 1100.00 Receipted by CS # EG26921 Date _____
 Publication prepared by SC Date 8/28/01 Published in Post Register **MICROFILMED**
 Publication approved CS Date 8/17/01
JAN 09 2001



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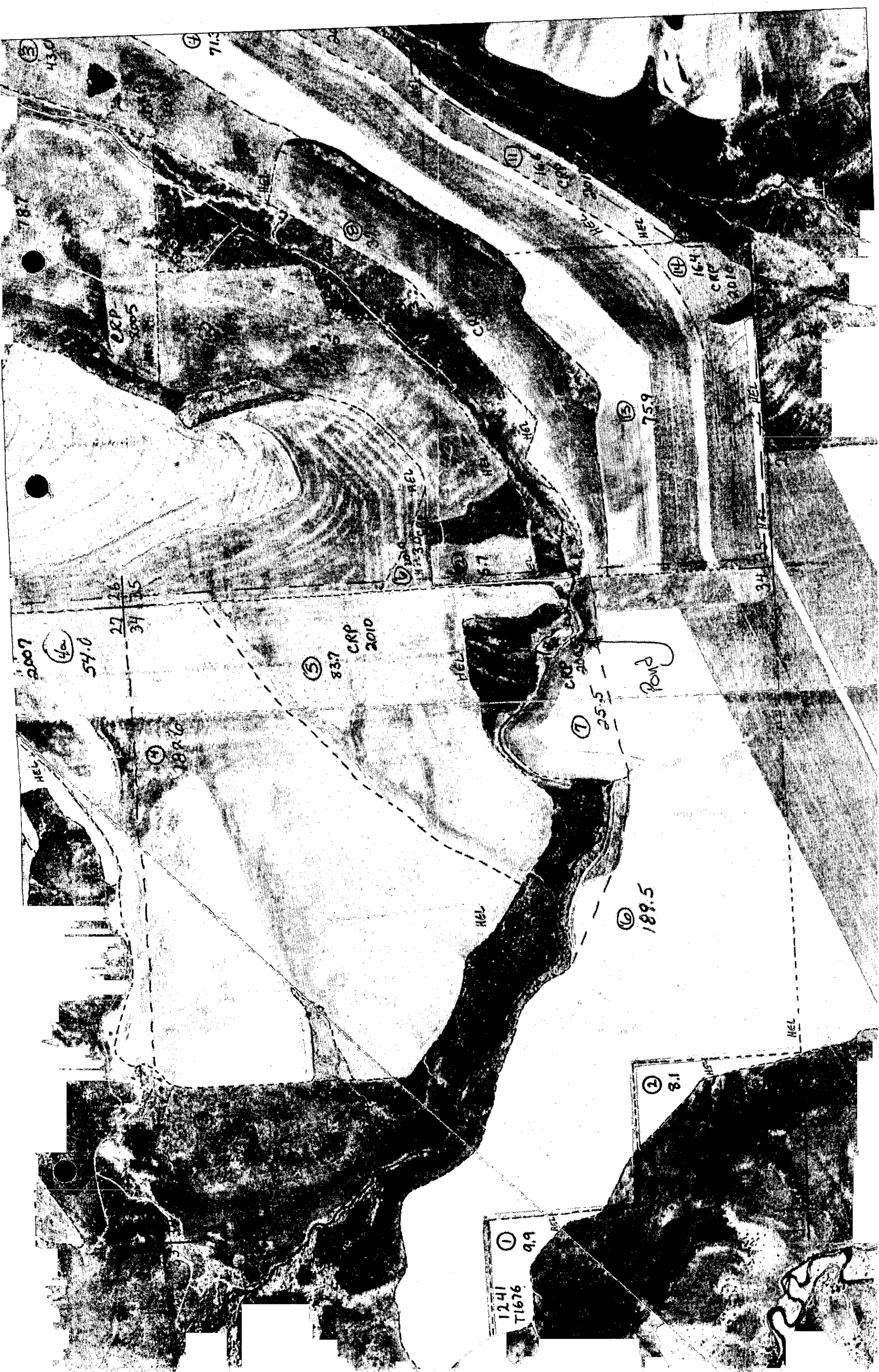


Application for Permit

MICROFILMED

JAN 09 2001

Dena S. Johnson



This photo was off of a 1987 maps.

Caren Wiskin. from Farm Service Agency

MICROFILMED
JAN 09 2001

MICROFILMED
JAN 09 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 16, 2002

DENA JOHNSON
6833 E IONA RD
IDAHO FALLS ID 83401

RE: License No. 25-13968 - Issuance of License

Dear Water Right Holder(s):

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

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

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

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

Sincerely,

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED
JAN 08 2003

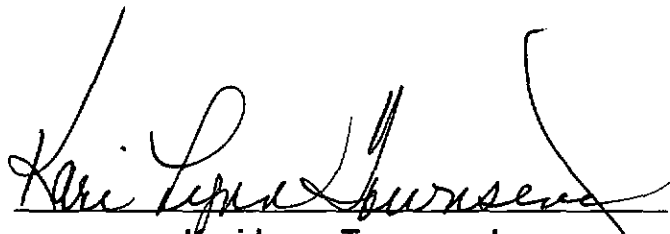
CERTIFICATE OF SERVICE

I hereby certify that on October 16, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO.

25-13968

**DENA JOHNSON
6833 E IONA RD
IDAHO FALLS ID 83401**


**Kari Lynn Townsend
Secretary**

**MICROFILMED
JAN 08 2003**

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

23MAY03

MICROFILMED

JAN 08 2003

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

Comment Report

25-13968

1. dcarlson 9/5/2002 Field Report Narrative

Comment: dam in unnamed stream holds back spring snow melt. dam 8-10 feet tall. water 6-10 feet deep

2. kwalker 10/8/2002 Use of Water

Comment: Examiner recommended a recreation from storage parameter for this right. I did not include this in my proposed license since the wildlife do not divert water from the pond except what they drink.

3. scox 7/24/2001 10:35:12 AM Additional Information Notes

Comment: Send copy of application to Idaho Fish & Game, 1515 Lincoln Rd, Idaho Falls ID 83401

4. scox 7/24/2001 remarks

Comment: Pond and dam were constructed in 1972.

5. scurtis 11/9/2001 Pre-1987 development

Comment: As proof of pre-1987 development, the applicant submitted a 1987 aerial photo which confirms a pond and the photo has been signed by a Farm Service Agency representative. This photo serves as sufficient proof of pre-1987 development and the permit will be issued accordingly.

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JAN 08 2003

LICENSE REVIEW CHECKLIST

Permit No 25-13968

Date: 10-8-02

Reviewer: Kay Walker

Change/OK

Name/Address OK

Source OK

Point of Diversion: OK

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

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

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

W36 (overlap)

W59 (subdivision description)

Place of Use OK

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

W60 (subdivision description)

W27 (ppu acre limit)

Overlaps: Right(s):

File reviewed Profile reports printed

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

Rate of Diversion:

Permitted rate 4.0 AF cfs

Fee Limit 20 AF cfs

Measured cfs

Theoretical 4.0 AF cfs

Recommended Total Diversion Rate 4.0 AF

Water Uses OK

Change (P46)

Season of Use per new Standards

Irrigation cfs af

Stockwater cfs af

Domestic cfs af

Per Stor cfs 4.0 af

cfs af

Total cfs 4.0 af

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

~~supp Gw~~ (WB7/065/104)

~~overlap spec combined rts~~ (W35)

~~<1 acre~~ (W31)

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

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

~~Fish~~ (042)

~~Fire~~ (077)

~~Water Quality~~ (106/R07)

~~Payette~~ - (W22/047/27A)

~~Stockwater for US~~ (R37)

Volume Determination

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

Remarks:

Additional Conditions 01 Watermaster Control

GW Measurement/Measuring Device

Other

Trust R55 - remove 051)

Non-trust (048)

GW Dist?

Water Msmt. Dist?

Crit. GWMA?

GWMA?

Government Lots?

Advance Priority? yes

no

If yes, explain why below.

SRBA Claim?

Adjust memo

see comment report

Amend Letters

P87, S06

Second Amendment Notice

S06

Walker, Kay

From: Jones, Harold (Skip)
Sent: Monday, September 30, 2002 1:49 PM
To: Walker, Kay
Subject: RE: Request to remove measuring and locking requirements of 25-13968

WD 01 said they have no problem removing the requirement since it is a pass thru system.

Skip

-----Original Message-----

From: Walker, Kay
Sent: Monday, September 30, 2002 12:17 PM
To: Jones, Harold (Skip)
Cc: Walker, Kay
Subject: Request to remove measuring and locking requirements of 25-13968

Skip:

I received a request to remove measuring and locking requirements of Permit 25-13968. It's a 4.0 AF reservoir on an intermittent stream tributary to Willow Creek. Can you get a quick reaction from Water District 01 for me? Your assistance will be greatly appreciated!!! Thanks in advance! Kay

RECEIVED

SEP 30 2002

Dena Johnson
6833 E. Iona Rd.
Idaho Falls, ID. 83401
Sep. 24, 2002

Department of Water Resources

Permit No. 25-13968

State of Idaho
Department of Water Resources
1301 North Orchard Street,
P. O. Box 83720
Boise, Idaho 83720-0098

To whom it may concern;

The intermittent stream flow that we are diverting is dry usually from the fifteenth of June till the first of April. This year it never had water at all. Because of this I would request that no device to measure be instilled at this time. If the diversion need's to terminated. A shovel and one hour would cut a channel through the earth dam.

Thank You

A handwritten signature in cursive script, appearing to read "Dena Johnson".

MICROFILMED

JAN 08 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 16, 2002

DENA JOHNSON
6833 E IONA RD
IDAHO FALLS ID 83401

RE: Permit No. 25-13968

Dear Permit Holder:

We are in the process of reviewing the above referenced permit for licensing purposes and find that we need more information concerning your pond. In a review of our file, we noticed that you have not complied with two conditions of approval on the permit. The conditions we are referring to are on the permit as follows:

1. Prior to diversion of water under this right, the right holder shall install a lockable device, subject to the approval of the Department, in a manner that will provide the watermaster suitable control of the diversion.
2. Prior to diversion of water under this right, the right holder shall provide a means acceptable to the department to measure the amount of water entering the reservoir and the amount of water released from the reservoir.

We must resolve these issues before the license can be issued. Pursuant to Section 42-219(6), Idaho Code, "if the conditions of approval on a permit are not complied with, IDWR may issue an order voiding the permit or issue a license for only a portion of the use developed under the permit".

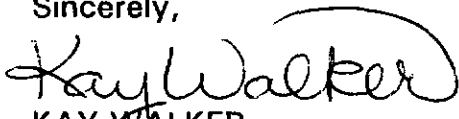
There are a couple of options that you can take to resolve this problem. 1) Submit documentation that you complied with the condition after our examiner was out there on September 4, 2002, 2) Install the devices, as required on the permit, or 3) Request removal of these requirements from the permit and in that request describe why the devices are not necessary.

MICROFILMED
JAN 08 2003

Please provide information in regard to compliance with the conditions on this permit within thirty (30) days of the date of this letter. We cannot complete the licensing of the permit until we have received the requested information.

If you have any questions, please feel free to contact me at (208)327-7944.

Sincerely,


KAY WALKER
Sr. Water Resource Agent

MICROFILMED

JAN 08 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No: 25-13968

Exam Date: 9/4/2002

1. Current Owner: DENA JOHNSON
6833 E IONA RD
IDAHO FALLS ID 83401
(208) 524-2120

RECEIVED

SEP 10 2002

2. Accompanied by: NONE

Department of Water Resources

Phone No:

Address:

Relationship to Permit Holder:

3. SOURCE

UNNAMED STREAM

TRIBUTARY

WILLOW CREEK

B. OVERLAP REVIEW

1. Other water rights with the same place of use: NONE
2. Other water rights with the same point of diversion: NONE

C. DIVERSION AND DELIVERY SYSTEM

1. LOCATION OF POINT(S) OF DIVERSION:

UNNAMED STREAM

SE1/4NE1/4SE1/4

Sec. 34, Twp 01N, Rge 40E, B.M.

BONNEVILLE County

Method of Determination:

GPS / FE

2.

PLACE OF USE:

RECREATION STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	40E	34													X				

PLACE OF USE:

RECREATION FROM STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	40E	34													X				

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Method of Determination:

3. ☐ Delivery System Diagram Attached (required). Indicate all major components and distances between components. Indicate weir size/pipe as applicable.
- ☐ Map Attached Showing Location(s) of point(s) of diversion and place(s) of use (required). Scale must be 1:24,000 or greater.
- ☐ Aerial Photo Attached (required for irrigation of 10+ acres).
- ☒ Photo of Diversion and System Attached

4.

<u>Well or Diversion ID No.*</u>	<u>Motor Make</u>	<u>Hp</u>	<u>Motor Serial No.</u>	<u>Pump Make</u>	<u>Pump Serial No. or Discharge Size</u>
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

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

D. FLOW MEASUREMENTS

1.

<u>Measurement Equipment</u>	<u>Type</u>	<u>Make</u>	<u>Model No.</u>	<u>Serial No.</u>	<u>Size</u>	<u>Calib. Date</u>
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____

2. Measurements:

dam dry
 6-10' Deep and covering 1-2 Acre
 4 AF/A would be possible

E. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

6-10' Deep x 1-2 acres = 4 AF/A

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F. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation season}) \times 1.9835 =$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$$

2. Volume Calculations for Other Uses:

G. NARRATIVE/REMARKS/COMMENTS

dam in unnamed stream holds back spring snow melt, dam 8-10 feet tall, water 6-10 feet deep

Have conditions of permit approval been met? ☒ Yes ☐ No

H. RECOMMENDATIONS

1. Recommended Amounts

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
RECREATION STORAGE	01/01 to 12/31		4.00 AF
RECREATION FROM STORAGE	01/01 to 12/31		4.00 AF
<u>Totals:</u>			4.00 AF

2. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None

☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

I. AUTHENTICATION

Field Examiner's Name

DAVE CARLSON

Date

9/5/2002

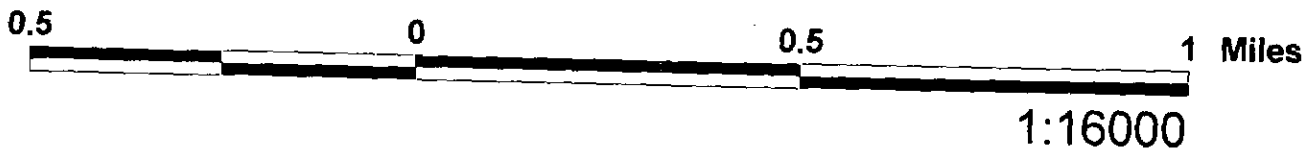
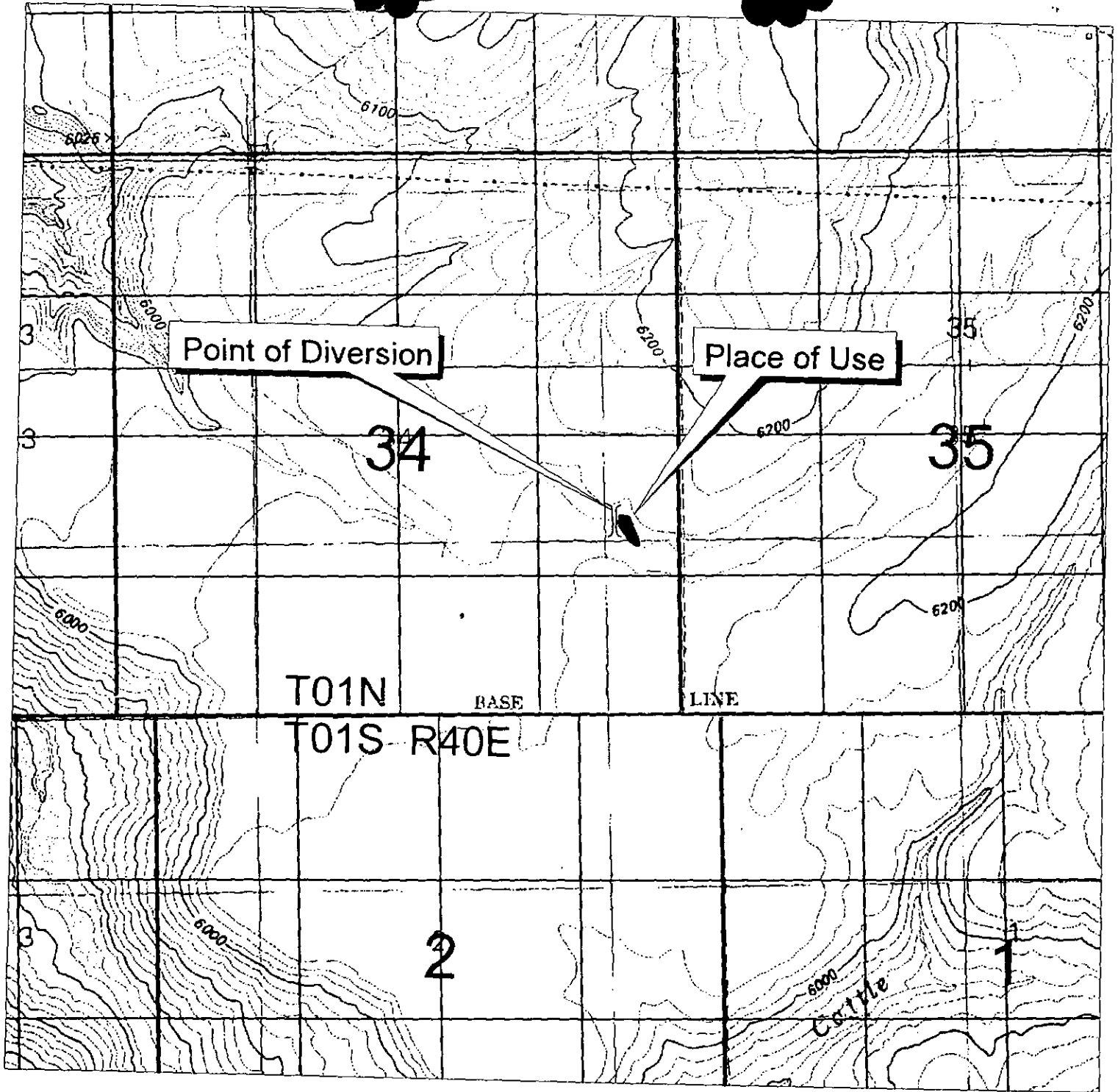
Reviewer

H. Wilson

Date

9-5-2002

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JAN 08 2003



Application for Permit --

Dena S. Johnson

APR 08 2003

⑤

837

CRP

2010

⑥

HE

1993

1991

1991

1991

⑦

555

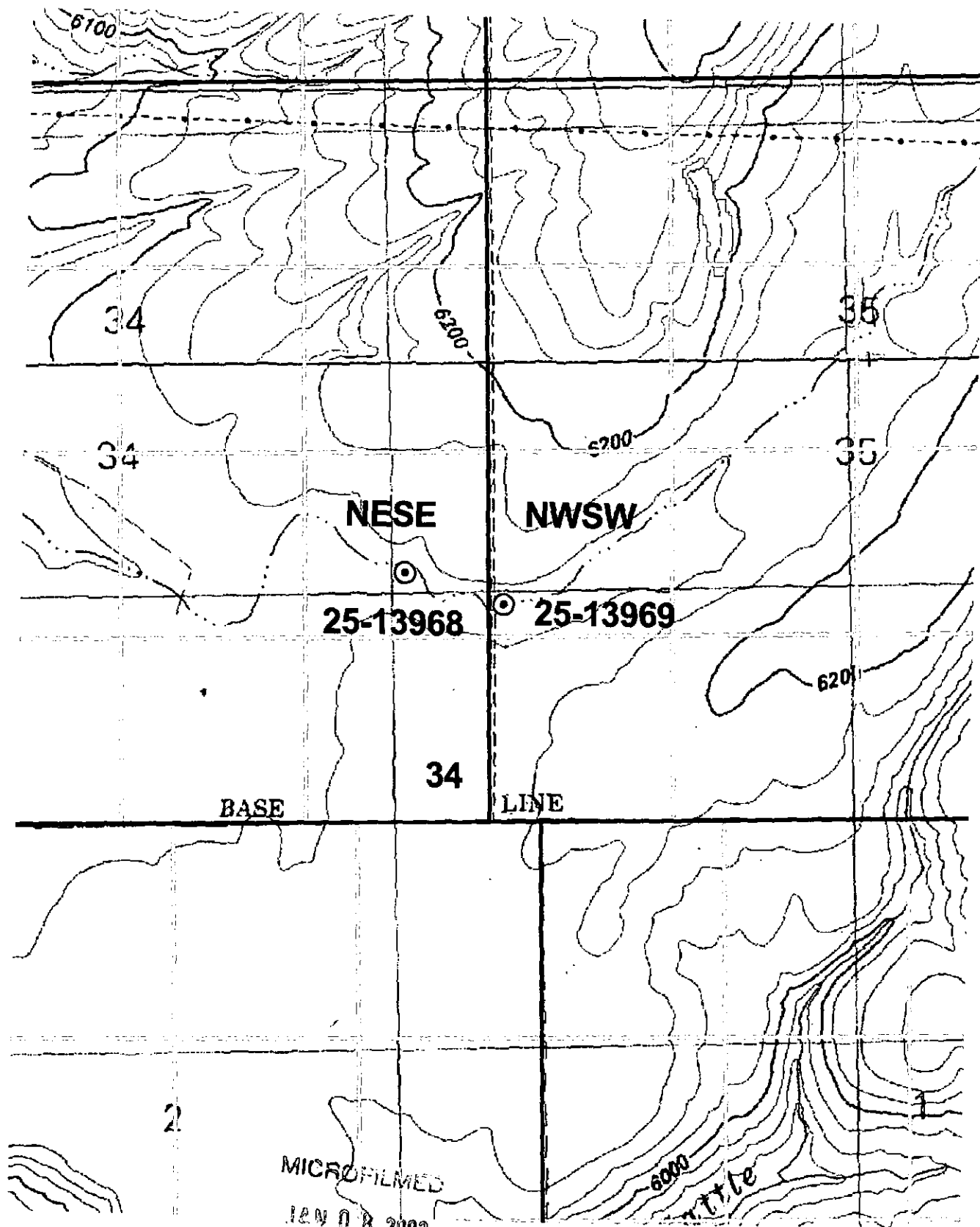
8/8/2003

Pond

⑧

759

25-13968, 25-13969



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JAN 08 2003

01N, 40E, sec 34, 35



DAM
AREA
→

25-13968

D CARLSON 9/4/2002

DAM/Reservoir

MICROFILMED

JAN 08 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 21, 2001

DENA JOHNSON
6833 E IONA RD
IDAHO FALLS ID 83401

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 25-13968

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to contact you to schedule a field examination to determine and confirm the use being made of the water, and that it meets the permitted beneficial use.

Be advised that Section 42-248, Idaho Code, requires you or the owner of these water rights to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions, please contact the **Eastern** Regional Office of the department in Idaho Falls at (208) 525-7161.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office (w/encl.)

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JAN 09 2001

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 25-13968

Reviewed By: dgibson

Date: December 21, 2001

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?	X		Drilling permit required?		X
License examination fee required?	X		Drilling permit No.:		
Appropriate fee submitted?	X		Drilling permit upgrade needed?		
Receipt No.:		E026921, C058170	Well driller's report filed?		X
Additional Amount Due:			Measuring device required?		X
Name and address same as permit?	X		Measuring device installed?		
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received		12/03/2001
Date proof due	-	04/01/2002
Lapse notice sent	-	
No. of days late	=	0
Holiday allowance	+	
Priority date	+	07/18/2001
New priority date	=	07/18/2001

Deficiencies of Actions Items

Acknowledge proof note regarding lockable device.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 14, 2001

DENA JOHNSON
6833 E IONA RD
IDAHO FALLS ID 83401

RE: Permit No. 25-13968

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

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

Enclosed is 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 licensed water right. Also enclosed is a form entitled 'Proof of Beneficial Use.' If your project is already completed, you should complete and submit this form immediately.

Please note that a separate stream channel alteration permit must be obtained from the Department prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed a least sixty days prior to the commencement of work in the stream.

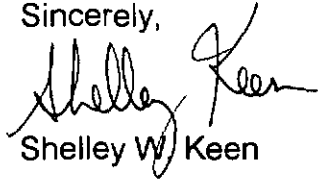
Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's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

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JAN 09 2001

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

Sincerely,

A handwritten signature in black ink, appearing to read "Shelley Keen". The signature is fluid and cursive, with the first name "Shelley" and the last name "Keen" clearly distinguishable.

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED

JAN 09 2001

CERTIFICATE OF MAILING

I hereby certify that on November 14, 2001 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO. 25-13968

**DENA JOHNSON
6833 E IONA RD
IDAHO FALLS ID 83401**



**Kari Lynn Townsend
Secretary**

MICROFILMED

JAN 09 2001

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

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JAN 09 2001

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

**APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS**
Reviewed by Sharla Curtis on 9/10/01

No. 25-13968 Name: Johnson Corp. Officers N/A Ad ok ☒ Govt Lots

AREA OF CONCERN: No/Yes SL Meratorium pre-1987 dev. OK GWMA TRUST/NON-TRUST

GROUNDWATER: (✓Flow Chart)

DRILLING PERMIT

All wells - 046
Basin 34 - 084 (if necessary)
WMD - North/East/West
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 067
~~WMD~~
Supp irr (irr = only use) - 065-104
Supp irr (+ other uses) - 100-105
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M

LOCATION:

Boise Front LoGeo - 058 (<85 GW)
Mitigation - 121
Trust N/A 051 (consumptive uses)
Non-Trust 048-049 (consumptive uses or non-cons. > 1.0 cfs)

USES:

STORAGE - 18C-01H-01P-18B-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
STOCKWATER - R37 (BLM/FS)-111 (instream stock)
MINING - 054-106
HEAT/COOL - R07 (injection well)
FIRE PROT - 077
COMMERCIAL/
INDUSTRIAL - 106-R07
DAIRY - 082-WD8
POWER - 17H or 17K (+uses)-17G (under FERC)
or 17M (not FERC regulated)
025-027-R22-08A

BENEFICIAL USE DUE: 4, 01, 2002

MISC CONDITIONS/REMARKS:

Protested - 020-W19
Development Period
> 1 yr - 26A
Ownership - 004
Non-consumptive - 027
Water Quality - 106-R07

SURFACE WATER: (✓Flow Chart)

F&G contacted - Yes/No Response
In/Above MSF - WB9
PLANNING REVIEW/RESPONSE
WD - R04 (WD# 01)
≤ 0.20 cfs/others - 01H, 01P or No MD
> 0.20 cfs - 01J

SPRINGS/SINK, INACTIVE WD or WD

≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M or No MD

RIVER BASINS: (SW special considerations)

Snake R (01) - W23, N/A
(02,03) - 007 (w/ remark WB9 if above Weiser)
Payette R (65) - W23, 047 (Payette Lake)
Salmon R (70's) - 029 (fish screens)
Weiser R (67) - 086-087

USES:

MUNICIPAL

Restricted area - 022,075
Irr. GW supp to SW - 102
Future needs - 007,109
FISH/PROP - 029 (70's only)-007-042-106
DOMESTIC
Surface water - WB5 (Big Wood/Boise above Star Bridge)
- 27A (Payette R)
>1 in restricted area - 070-071-075(no parks/common areas)
Irr separate or none allowed - WB5
GW w/irrigation from SW evident - 065-104
Meratorium approvable - W03 (2500 gpd - meets domestic def
i.e. D/convenience store)

IRRIGATION SEASON _____ - _____ (Per updated map) **IRR VOLUME/ACRE** _____

OTHER CONDITIONS/REMARKS _____

COMMENTS No dam safety records, no aerial photography & dept.
dated & signed FSA map acceptable as proof of pre-1987 dev.

Send Copy To Fish Game

Dist. for staffing _____
Submitted for advertising _____

Form No. 202
4/87

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

RECEIVED

SEP - 4 2001

Dena Johnson

INITIAL REVIEW BY HWT DATE 7-18-01 APPLICATION NO. 25-13968
#69277

Department of Water Resources

REQUIRED INFORMATION

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

ADDITIONAL INFORMATION

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

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT _____

_____ Date Requested _____

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

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

FINAL REGIONAL PROCESSING REVIEW

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

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

See below for additional information

Date of priority recommended *7-17-2001*

By *[Signature]* Date *8-29-01*

STATE OFFICE REVIEW

See below for additional information

By _____ Date _____

ADDITIONAL INFORMATION

This is an implied pre-1987 development

____ City
____ County
____ Reservations

Idaho Fish & Game
Idaho Health & Welfare
Division of Environment

_____ Irrigation District
 _____ Canal Company
 _____ Other _____

COMMENTS

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

Proof of Publication

RECEIVED

AUG 17 2001

Department of Water Resources
Eastern Region

The Post Register

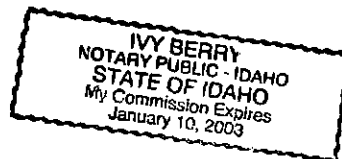
State of Idaho
County of Bonneville

~~I, Danae Jacobsen,~~ Robert Park, first being duly sworn, depose and say: That I am the Production Supervisor or Asst. Prod. Supervisor of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post Register, a newspaper of general circulation, published daily at Idaho Falls, Idaho; said Post Register being a consolidation of the Idaho Falls Times, established in the year 1890; The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the First day of November, 1931, and each of said newspapers have been published continuously and uninterruptedly, prior to consolidation, for more than twelve consecutive months and said Post Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post Register for 2 consecutive (days) weeks, first publication having been made on the 2ND day of AUGUST, 2001, last publication having been made on the 9TH day of AUGUST 2001 at the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Robert Park

Subscribed and sworn to before me, this 15TH day of AUGUST 2001



Ivy Berry
Notary Public

My commission expires January 10, 2003

MICROFILMED

JAN 09 2001

PUBLIC NOTICE

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

25-13968

DENA JOHNSON

6833 E. IONA RD.

IDAHO FALLS ID 83401

Point(s) of Diversion: SENESE S34

T01N R40E, BONNEVILLE County

Source UNNAMED STREAM

Tributary To WILLOW CREEK

Use: RECREATION 01/01 To 12/31

4 AFA

Total Diversion:

4 AFA

Date Filed: 07/18/2001

Place Of Use: RECREATION

T01N R40E S34 NESE

Pond and dam were constructed in 1972.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with a protest fee of \$25.00 for each application on or before August 20, 2001. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director
Published: August 2, 9, 2001

MICROFILMED

JAN 09 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

July 24, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Idaho Fish & Game
1515 Lincoln Rd
Idaho Falls ID 83401

RE: Applications for Permits #25-13168 and 25-13169

Dear Sir:

We are enclosing a copy of the application (s) that may be of interest to your department. Please review the application (s) and submit any comments you may have to our Department as soon as possible. The last date of protest is August 20, 2001, and we are required to take final action shortly thereafter.

If we may be of further assistance, please feel free to contact us.

Respectfully submitted,


Harold W. Jones
Water Right Supervisor

HWJ: sc

Enc.

MICROFILMED

JAN 09 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

July 24, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Legal Notice Department
POST-REGISTER
PO BOX 1800
IDAHO FALLS ID 83402

RE: Application for Permit No. 25-13968 and 25-13969

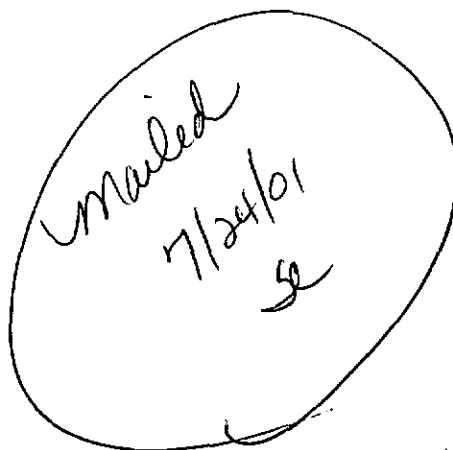
Dear Cathy Von Borstel:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). 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. Please send the affidavit and bill to this office before August 20, 2001. Your cooperation is appreciated.

Sincerely

Sharla Cox
Administrative Assistance



MICROFILMED

JAN 09 2001

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

25-13968

DENA JOHNSON

6833 E. IONA RD.

IDAHO FALLS ID 83401

Point(s) of Diversion SENESE S34 T01N R40E, BONNEVILLE County

Source UNNAMED STREAM

Tributary To WILLOW CREEK

Use: RECREATION 01/01 To 12/31 4 AFA

Total Diversion: 4 AFA

Date Filed: 07/18/2001

Place Of Use: RECREATION

T01N R40E S34 NESE

Pond and dam were constructed in 1972.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with a protest fee of \$25.00 for each application on or before August 20, 2001. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on August 2 and 9, 2001

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State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

July 24, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

DENA JOHNSON
6833 E. IONA RD.
IDAHO FALLS ID 83401

RE: Application for Permit No 25-13968

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your water right application. Please refer to the above referenced number in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the Post Register on August 2 and 9, 2001. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

If the application is protested you will be sent a copy of the protest(s). All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

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

Sincerely,

Harold W Jones
Water Right Supervisor

HWJ:sc

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JAN 09 2001

~ Celebrating Our Centennial Year of Service to Idaho 1805-2005 ~