

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



Scale: 2 inches equal 1 mile.

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

Michiel J. Weeks
(Applicant)

Proof of Publication The Post-Register

RECEIVED

MAR 17 1988

Department of Water Resources
Eastern District Office

State of Idaho, }
County of Bonneville } ss

I, Richard Hardy, first being duly sworn, depose and say: That I am the Asst. Foreman of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily, except Saturday, 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 1st day of November, 1931, and each of said newspapers have been published continuously and uninterruptedly, prior to consolidation, for more than seventy-eight (78) weeks 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 two consecutive weeks, first publication having been made on the 3rd day of March, 1988, last publication having been made on the 10th day of March, 1988, and that 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.

Subscribed and sworn to before me, this 14th day of March, 1988.

Deonk Bapier
Notary Public

My commission expires September 30, 1988.

B10

**NOTICE OF APPLICATION
FOR WATER RIGHT**

The following applications have been filed to appropriate the public waters of the State of Idaho:

23-7116
WEEKS, MELVIN
HC 34, BOX 10, IRWIN, ID 83428
Source: SPRING trib. to SINKS
Diversion Pt: SESW Sec 26 T 01N R 44E
Use: STOCKWATER (0.020 CFS);
DOMESTIC (0.020 CFS)
Date Filed: 02/19/1988
In: SWSW Sec 26 T 01N R 44E

The permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before March 21, 1988.

R. Keith Higginson
Director

Published: March 3, 10, 1988

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JUN 28 1988

R44E

T

26

1

N

**P/D Domestic
r071220b.cor**



35



S01n44e.shp



T01n44e.shp



Posnpnt.shp

23-07116

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APR 22 2002

23-7116

IN 44E

Point

630 000
FEET

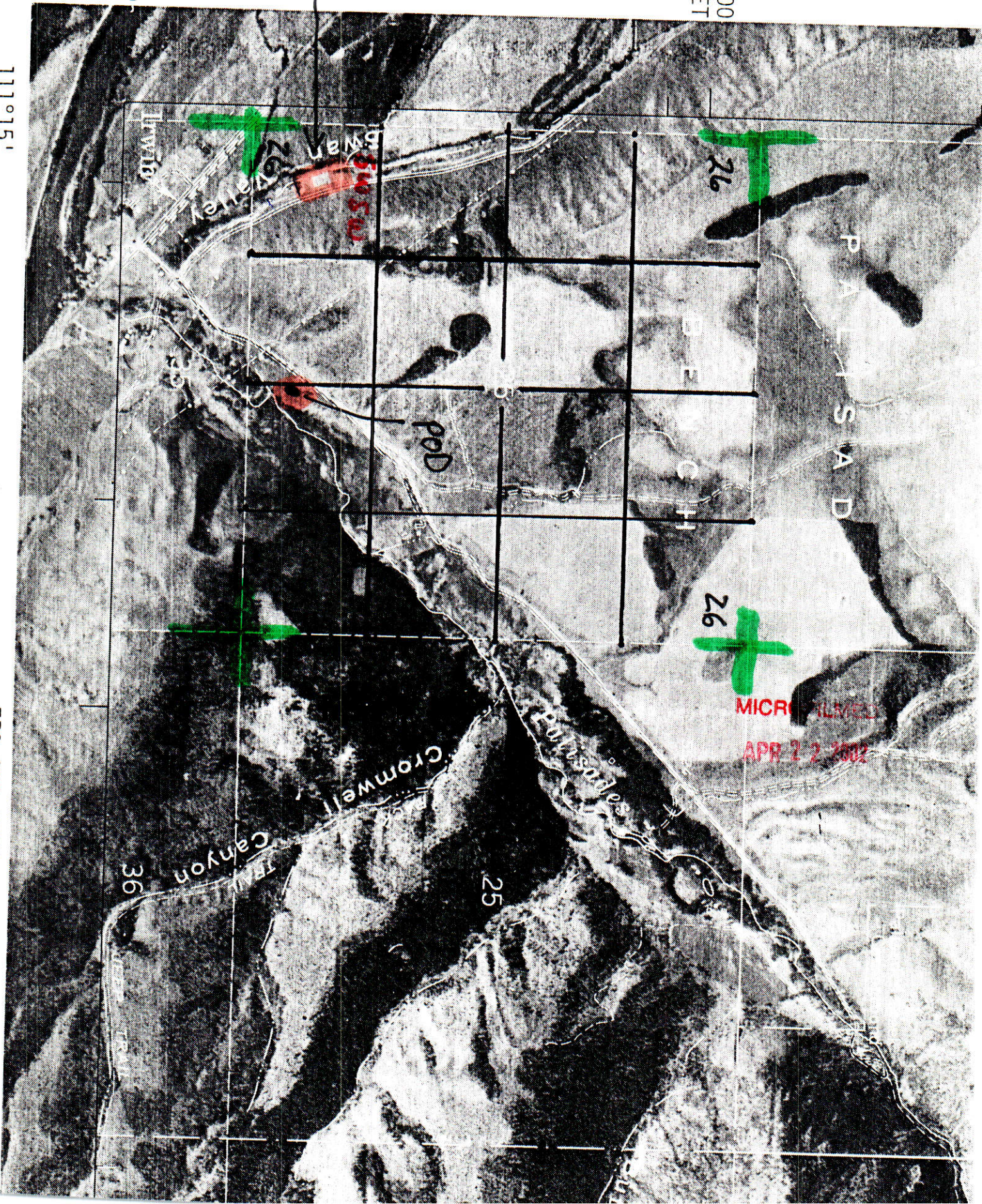
43°22'30"

111°15'

750 000 FEET

23-7116

Produced and published by the Geological Survey
in cooperation with the U.S. Forest Service





23-7116 PoD →

POV →



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APR 22 2002



23-7116 POU - Spring flow



GRS

POD and POU Stockwater spring

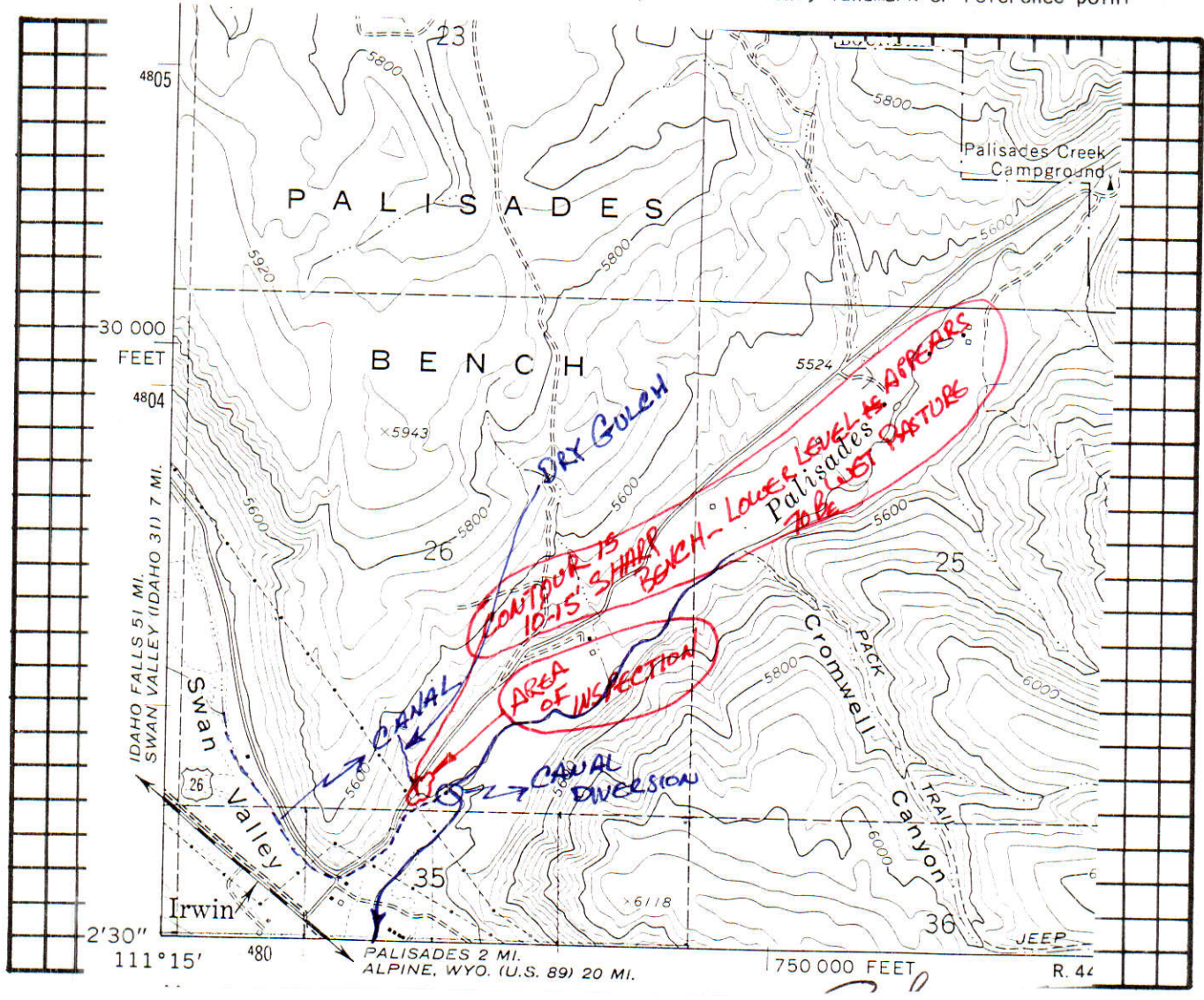
MICROFILMED

APR 22 2002

16. Remarks ~~POD INDICATED~~ ^{ON} ~~THAT~~ ~~DID NOT~~ I COULD NOT FIND ANY LIKELY PLACE WHERE A SPRING SURFACED IN THE AREA UNDER THE PERMIT. THE AREA DID HOWEVER TO BE A WET PASTURE AREA AS EVIDENT BY COCKLOWS. A DRAIN FIELD COULD COLLECT WATER FROM AREA.

17. Followup Necessary: ☐ Yes ☐ No Describe: EASEMENT NEEDS?

18. Sketch: Include direction, important dimensions, photo locations, landmark or reference point



19. Action taken at time of inspection:

20. Signed: [Signature]

21. Follow up action: Date: Additional Memo Prepared: ☐ Yes ☐ No Describe:

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JUN 28 1988

22. Signed: _____

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 23-07116

Priority: February 19, 1988

Maximum Diversion Rate: 0.02 CFS
Maximum Diversion Volume: 3.9 AF

It is hereby certified that MELVIN J WEEKS
PO BOX 135
IRWIN ID 83428 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated February 19, 1988; and has
submitted Proof of Beneficial Use on January 11, 1989. An examination indicates that the works have a
diversion capacity of 0.02 cfs of water from:

SOURCE

SPRING

Tributary: SINKS

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
STOCKWATER	01/01 to 12/31	0.02 CFS	2.7 AF
DOMESTIC	01/01 to 12/31	0.02 CFS	1.2 AF

LOCATION OF POINT OF DIVERSION:

SPRING SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 26, Twp 01N, Rge 44E, B.M., BONNEVILLE County

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE	NW	SW	SE	Totals
01N 44E 26	NE NW SW SE	NE NW SW SE	NE NW SW SE	NE NW SW SE	
			X		

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE	NW	SW	SE	Totals
01N 44E 26	NE NW SW SE	NE NW SW SE	NE NW SW SE	NE NW SW SE	
			X		

CONDITIONS OF APPROVAL

- Domestic use is for 1 home.

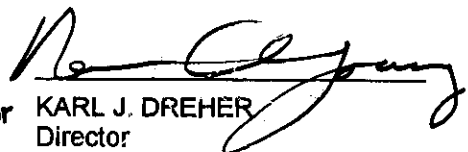
This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 16TH day of April, 2002.

MICROFILMED

APR 22 2002

Acting for
KARL J. DREHER
Director



State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 23-07116

RECEIVED

APR 11 2002

Department of Water Resources

Date of Priority: February 19, 1988

Maximum Diversion Rate: 0.02 CFS

Maximum Diversion Volume: 3.9 AF

Comes now MELVIN J WEEKS
PO BOX 135

IRWIN ID 83428 and represents to the Director of the Idaho Department of Water Resources that he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 23-07116, and requests that the permit be changed as follows:

Source: SPRING

Tributary: SINKS

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	0.02 CFS	2.7 AF
DOMESTIC	01/01 to 12/31	0.02 CFS	1.2 AF

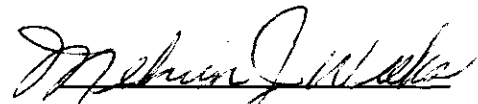
LOCATION OF POINTS OF DIVERSION:SPRING SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 26, Twp 01N, Rge 44E, B.M., BONNEVILLE CountyPLACE OF USE: STOCKWATER

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	44E	26											X						

PLACE OF USE: DOMESTIC

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	44E	26											X						

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk. Signed this 5 day of April, 2002


(Signature)

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APR 22 2002

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 23-07116

.....
FOR DEPARTMENT USE ONLY
Preliminary check by kw Fee = \$50.00 Received by jm # 0061326 Date 4/10/02

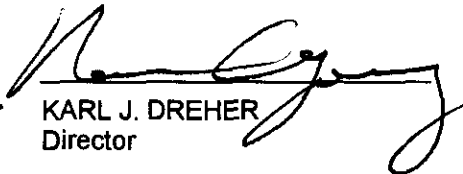
ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 23-07116 with the following:

CONDITIONS OF APPROVAL

1. Domestic use is for 1 home.

Witness my hand this 16TH day of April, 2002.

Acting for 
KARL J. DREHER
Director

MICROFILMED

APR 22 2002

For Office Use Only
Fee Received _____
Date _____
Receipt # _____
Receipt by _____
Reviewed by 94
Sent to region _____

STATE OF IDAHO

RECEIVED

DEPARTMENT OF WATER RESOURCES JAN 11 1989

PROOF OF BENEFICIAL USE

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has 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 or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 23-7116

Name(s) of Permit Holder: MELVIN J Weeks

Post Office Address: HC 34 Box 10

Telephone No. 483 3544

Source of Water: SPRING

Extent of Use:

Domestic ☒ 1 (number of households) Stockwater ☒ (number and type of stock)
Irrigation _____ (acres) Other/Remark _____

Total rate and/or volume for which proof is submitted .04 cfs _____ acre-feet

Show the date water was first diverted and beneficially used under this permit: OCT 1987

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

Fee enclosed \$ -0-
(See License Examination Fee Schedule)

Flow Measurement Port: Required? ☐ Yes ☒ No
Installed? ☐ Yes ☐ No

Person to contact to accompany the Department representative during the field examination:

Melvin J Weeks 483 3544
(Name) (Telephone Number)

HC 34 Box 10 Melvin Weeks 83428
(Address)

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

Microfilm

FEB 08 1989

Jan 5 1989
Date

Melvin J Weeks
Signature of Permit Holder (and title, if appropriate)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant Melvin Weeks Phone 483-3544
Post office address HC 34, Box 10, Irwin, ID 83428

2. Source of water supply Spring which is a tributary of Sinks

3. Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$, Govt. Lot Sec. 26 Township 1N Range 44E B.M. Bonneville County; additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .02 for Domestic purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .02 for Stockwater purposes from 1/1 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)

5. Total quantity to be appropriated is (a) .04 cubic feet per second and/or (b) _____ acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. gravel and perforated pipe drain collection system to approx. 1/2 mile of pipe.

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

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

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

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 2 years (minimum 1 year).

RECORDED

JUN 28 1988

CONFIDENTIAL

applicant to make this filing.

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

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

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

Total number of acres to be irrigated.

TWP	RANGE	SEC.	NE¼			NW¼			SW¼			SE¼			TOTALS
1N	44E	26	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

ponding place of use below. See instructions for standard symbols.

b. If water is used for other purposes, place a symbol of the use (example: *D for Domestic*) in the corresponding column.

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

9. Description of place of use:

e. Other, describe fully.

d. Domestic; show number of households. one household

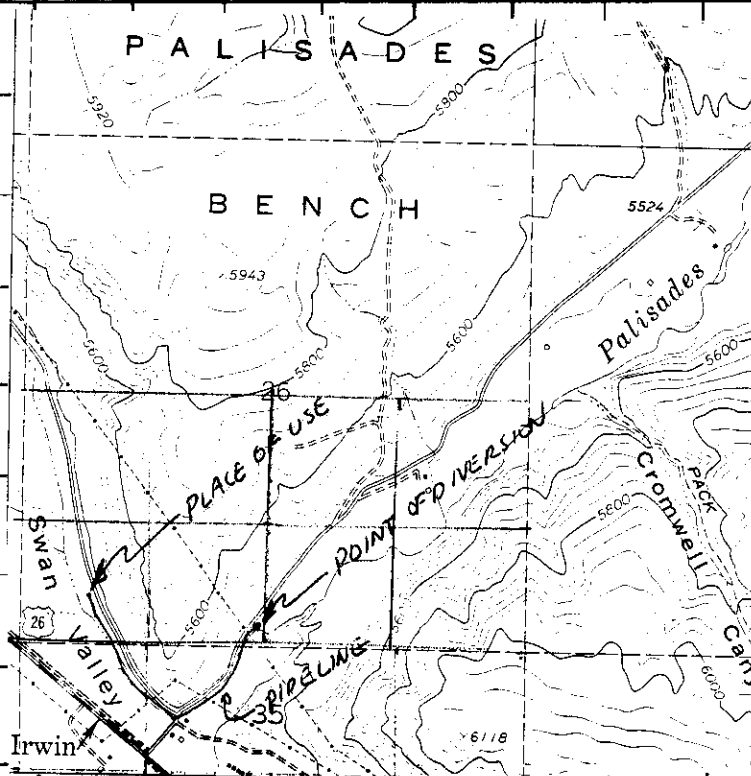
c. Municipal; show name of municipality.

b. Stockwatering: list number and kind of livestock. 200 head of cattle

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

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

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



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JUN 28 1988

Scale: 2 inches equal 1 mile.

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

Michael J. [Signature]
(Applicant)

Proposed Priority 2/19/88

Received by SM Date 2/19/88 Time 3:30 P.M. Preliminary check by HLJS
Fee \$ 30 Received by dg # 46433 Date 2-19-88
Publication prepared by dg Date 2-24-88 Published in Post Register
Publication approved dg Date 3-17-88

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. 23-7116, 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

May 1, 1989

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other:

Witness my hand this 6th day of April, 1988.

Director

RECEIVED

JUN 28 1988

Proof of Publication The Post-Register

RECEIVED

MAR 17 1988

Department of Water Resources
Eastern District Office

State of Idaho, }
County of Bonneville } ss

I, Richard Hardy, first being duly sworn, depose and say: That I am the Asst. Foreman of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily, except Saturday, 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 1st day of November, 1931, and each of said newspapers have been published continuously and uninterruptedly, prior to consolidation, for more than seventy-eight (78) weeks 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 two consecutive weeks, first publication having been made on the 3rd day of March, 1988, last publication having been made on the 10th day of March, 1988, and that 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.

Subscribed and sworn to before me, this 14th day of March, 1988.

Deon K. Spier
Notary Public

My commission expires September 30, 1988.

B10

NOTICE OF APPLICATION
FOR WATER RIGHT

The undersigned has filed to
appropriate the waters of
Idaho: 240 9113

WEEKS, MELVIN
HC 34, BOX 10, IDAHO FALLS, IDAHO 83402
Source: SPRINGS
Division: WATER
Use: STOCK RAISING
DOWNSIDE, IDAHO
Date Filed: 3/10/88
In: Idaho

Idaho Code requires that all prior water
rights be investigated and based on the
criteria of the 1962 Idaho Code and/or the
new public interest criteria of 1962 42-203C.
Idaho Code sections must be filed with the
Director, Dept. of Water Resources, 150 Shoop
Ave., Suite 15, Idaho Falls, Idaho 83402 on or
before March 10, 1988.

R. Keith Higginson
Director

Published: March 3, 10, 1988

MICROFILMED

JUN 28 1988



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

April 17, 2002

MELVIN J WEEKS
PO BOX 135
IRWIN ID 83428

RE: License No. 23-7116 - 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.

Enclosed is a copy of the approved Application for Amendment.

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

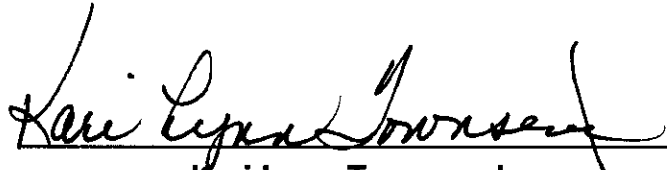
APR 22 2002

CERTIFICATE OF SERVICE

I hereby certify that on April 17, 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. 23-7116

**MELVIN J WEEKS
PO BOX 135
IRWIN ID 83428**


Kari Lynn Townsend
Secretary

MICF-00000000

APR 22 2002

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

MICROFILMED

APR 22 2002



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

March 29, 2002

MELVIN J WEEKS
PO BOX 135
IRWIN ID 83428

RE: Water Right Permit No. 23-07116

Dear Permit Holders:

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms the extent of development that has been established in compliance with the terms of the permit. The examiner who verified your water use reported that certain elements of the permit have been developed differently than described on your permit. Changes that do not increase the authorized use of water under the permit can be requested and approved in accordance with Section 42-211, Idaho Code. Before a license can be issued, your permit must be amended to depict your water use as it was actually developed.

Based on the examiner's report, the following elements were developed differently than described on your permit:

 Point of Diversion

The enclosed Application for Amendment form depicts the elements of the water right as they will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$50.00 filing fee within 14 days.

If you have any questions, please call me at 208-327-7944.

Sincerely,



KAY WALKER
Sr. Water Resource Agent

Enclosure

MICROFILMED
APR 22 2002

LICENSE REVIEW CHECKLIST

Permit No 23-7116 Date: 3-28-02 Reviewer: Kay Walker

Change/OK

Name/Address

change

Source

Point of Diversion:

ok
change

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

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

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

W36 (overlap)

W59 (subdivision description)

Place of Use

ok

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

W60 (subdivision description)

W27 (ppu acre limit)

Overlaps: Right(s):

File reviewed _____ Profile reports printed _____

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

Rate of Diversion:

Permitted rate 0.04 cfs

*Fee Limit N/A cfs

Measured 0.02 cfs

Theoretical _____ cfs

Recommended Total Diversion Rate 0.02

Water Uses

ok

Change (P46)

Season of Use per new Standards

Irrigation _____ cfs _____ af

Stockwater 0.02 cfs 2.7 af

Domestic 0.02 cfs 1.2 af

_____ cfs _____ af

_____ cfs _____ af

Total 0.02 cfs 3.9 af

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

supp. Gw (WB7/065/104)

overlap spec combined rts (W35)

<1 acre (W31)

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

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

Fish (042)

Fire (077)

Water Quality (106/R07)

Payette - (W22/047/27A)

Stockwater for US (R37)

Volume Determination

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

Remarks:

Additional Conditions _____ Watermaster Control
_____ GW Measurement/Measuring Device
_____ Other
Trust R55 - remove 051)
Non-trust (048)

GW Dist? _____
Water Msmt. Dist? _____
Crit. GWMA? _____
GWMA? _____
Government Lots? _____

Advance Priority? yes If yes, explain why below.

no

SRBA Claim?

NO-

Adjust memo

Amend Letters

_____ P87, S06

Second Amendment Notice

P49 S06

Proof submitted prior to 1/9/1

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
MAR 11 2002
DEPARTMENT OF WATER RESOURCES

A. GENERAL INFORMATION

Permit No. 23-7116

1. Owner: Melvin and/or Joan Weeks Phone No. (208) 483-3544

Current Address: P.O. Box 135, Irwin, ID 83428

2. Accompanied by: Melvin EXAM DATE: 7-12-01

Address: Same Phone No. _____

Relationship to Permit Holder: Same

3. Source: Spring tributary to Sinks

B. OVERLAP REVIEW

1. Other water rights with the same place of use: X 23-10176 (D/S well)

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

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

GPS R071220B Pod domestic

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			SW	SE	26	1N	44E	Bonneville	GPS tracker domestic & stock
			SE	NE	26	1N	44E	Bonneville	GPS tracker R071220A stockwater

2. Place(s) of Use:

Indicate Method of Determination GPS stockwater Domestic

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
1N	44E	26											D/S						

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E. NARRATIVE/REMARKS/COMMENTS

There are two separate springs involved here. One is underground and goes to the house through 3330 ft of 2" pipe. A second spring comes to the surface and is used for watering cattle. At one time Melvin was watering 300 head. Land is currently in CRP.

GPS File R071220A Is both the place of use and the point of ^{Stockwater} diversion. The cattle come to the spring to drink.

Cullinary / Domestic spring has 4" perforated pipe to a collection tank, then in 2" pipe to home and yard as mentioned above. Once at the house, a pump pumps it ~~to~~ into a pressure tank for the home use. The home is 15 ft lower than the spring up the canyon. This was determined at an earlier date when the 2" pipe was held 15 feet in the air to stop the flow of water. A valve allows the spring water to flow out into the yard to keep the grass watered. It was the pipe out to the lawn that was used to obtain the flow measurement. No water was being diverted to the home during the flow test.

~~the~~ This permit covers just one spring that is piped to a domestic/stockwater home.

The other ~~was~~ spring is used only in an instream flow use.

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

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F. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method:

$$2.5 \text{ gallons} = .2 \text{ seconds} = 0.02 \text{ cfs}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}}$$

2. Volume Calculations for Other Uses:

$$\text{Domestic one home/lawn} = 1.2 \text{ AF/A}$$

$$\text{cattle} - 200 = 2.7 \text{ AF/A}$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Domestic	01/01	12/31	0.02	1.2 AF/A
stockwater	01/01	12/31	0.02	2.7
Totals:			0.02	3.9 AF/A

2. Recommended Amendments

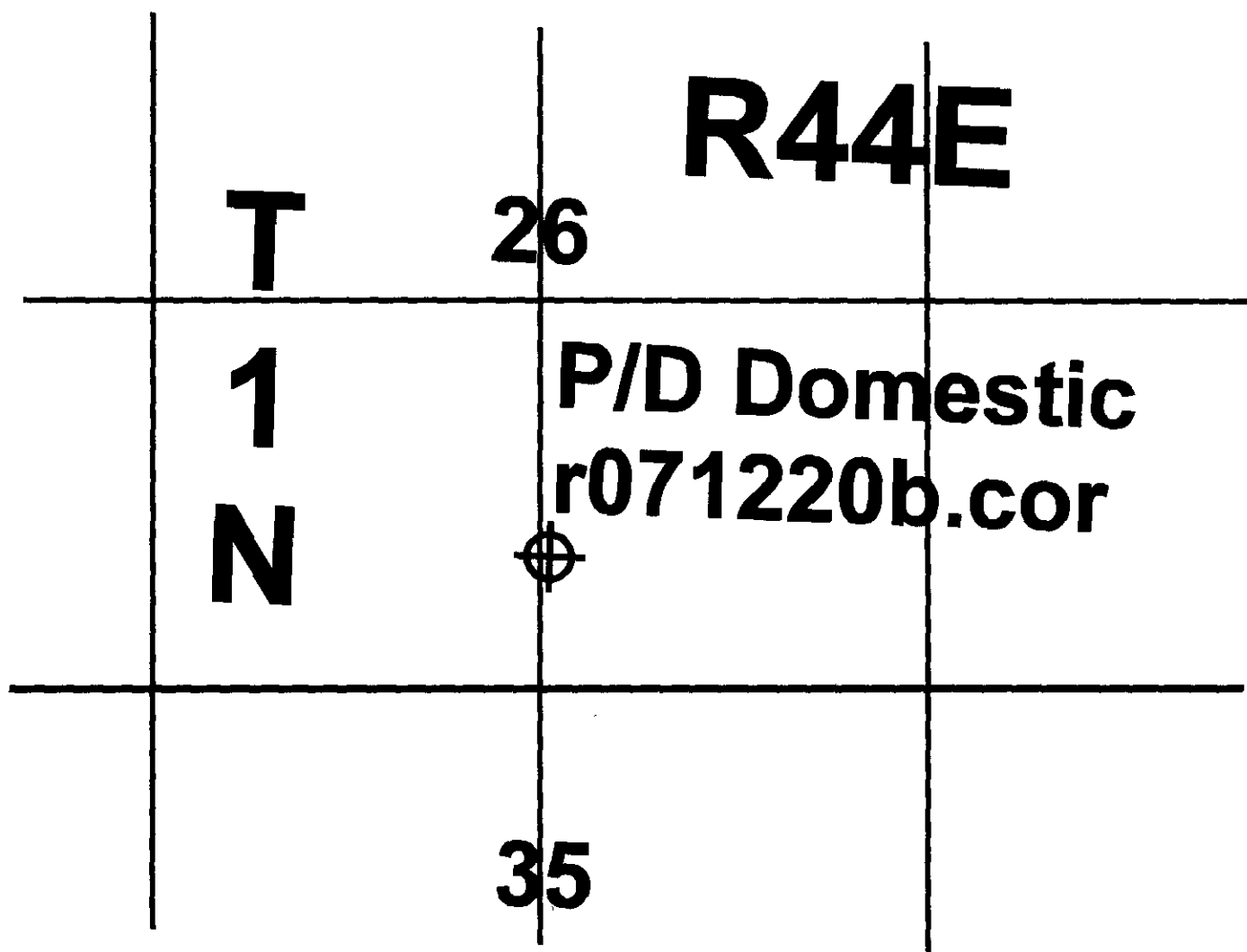
☒ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

I. AUTHENTICATIONField Examiner's Name Steve Mueller Date 7-12-01Reviewer DAVE CARLSON Date 3/4/2002

SEAL

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APR 22 2002



 **S01n44e.shp**

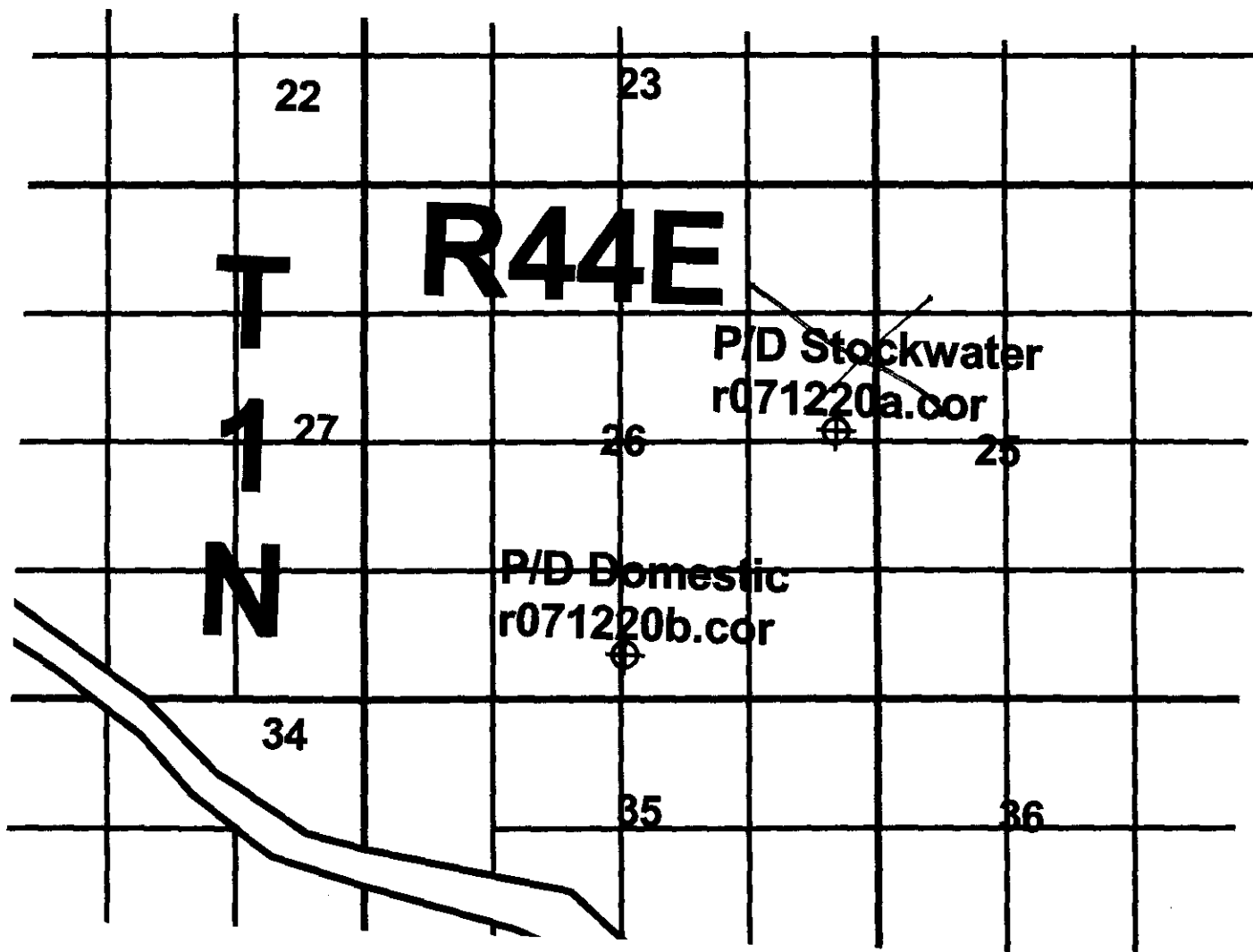
 **T01n44e.shp**

 **Posnpnt.shp**

23-07116

MICROFILMED

SEP 22 2002



 S01n44e.shp
 T01n44e.shp
 Posnpnt.shp

23-07116

MICROFILMED

APR 27 2002

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 23-10176

WATER RIGHT NUMBER: 23-10176

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOAN N WEEKS HC34 BOX 10 IRWIN, ID 83428 (208)483-3544
Current Owner	MELVIN J WEEKS HC34 BOX 10 IRWIN, ID 83428 (208)483-3544

Priority Date: 11/01/1966

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	1/01 to 12/31	0.050 CFS	
DOMESTIC	1/01 to 12/31	0.040 CFS	
<u>Total Diversion:</u>		0.090 CFS	

Location of Point(s) of Diversion

GROUND WATER	SE1/4SW1/4SW1/4	Sec. 26, Twp 01N, Rge 44E, B.M.
BONNEVILLE County		

Place of Use

STOCKWATER

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	44E	26											X						

DOMESTIC

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	44E	26											X						

Conditions of Approval:

MICROFILMED
APR 22 2002

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 23-10176

1. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
2. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks:

1. Explanatory PARCEL NO. 01N44E266252 STOCKWATER, 200 RANGE CATTLE

Comments:

Dates and Other Information:

Licensed Date:
Decreed Date: 2/12/1999
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector: OR
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

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APR 22 2002

23-714
IN 44E

630 000
FEET

43°22'30"

Point

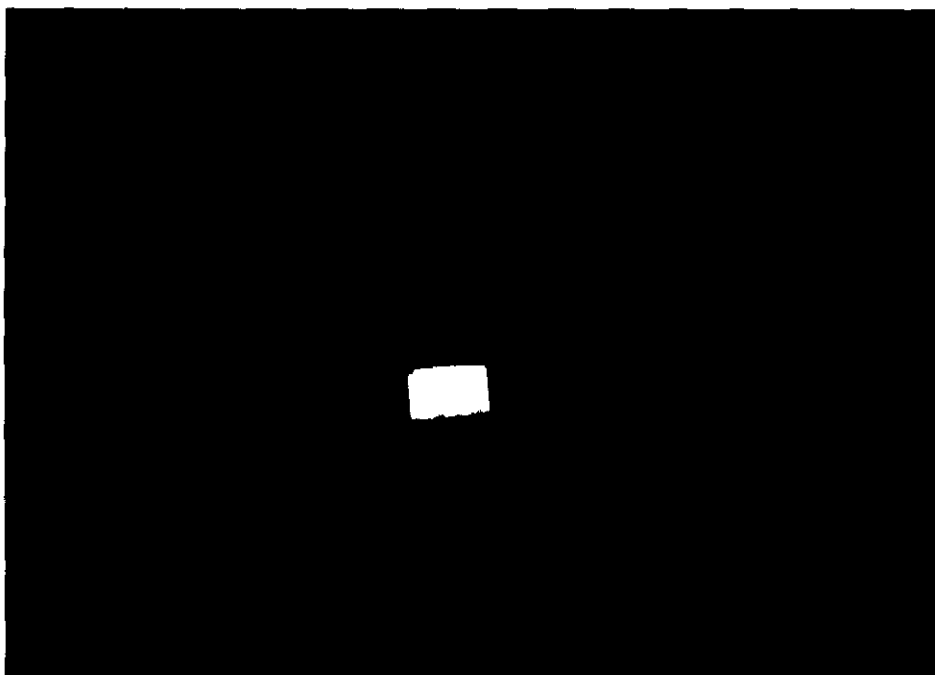


111°15'

750 000 FEET

23-7116

Produced and published by the Geological Survey
in cooperation with the U.S. Forest Service



23-7116 PoD ↗

POU ↗



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APR 22 2002



23-7116 POU - Spring flow



GRS

POD and POU Stockwater spring

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APR 22 2002

IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report 23-7116

WATER RIGHT NUMBER: 23-7116 ✓

Owner Type

Current Owner

Name and AddressMELVIN WEEKS
~~HO 84 BOX 10~~
IRWIN, ID 83428

PO Box 135

Priority Date: 02/19/1988 ✓

Basis:

Status: Active

Source

SPRING ✓

Tributary

SINKS ✓

Beneficial Use

STOCKWATER ✓

DOMESTIC ✓

From To

1/01 to 12/31 ✓

1/01 to 12/31 ✓

Diversion Rate

0.020 CFS ✓

0.020 CFS ✓

Annual Volume

2.7

1.2

3.9

Total Diversion:~~0.040 CFS~~

0.02

Location of Point(s) of Diversion

SPRING

BONNEVILLE County

SW SWSE
SE 1/4 SW 1/4

Sec. 26, ✓ Twp 01N, ✓ Rge 44E, ✓ B.M.

Place of Use

STOCKWATER

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
01N	44E	26													

DOMESTIC same as STOCKWATERConditions of Approval:Remarks:Comments:Dates and Other Information:POU ID
500052

IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report 23-7116

Dates and Other Information:

Permit Proof Due Date: 5/1/1989 ✓
Permit Proof Made Date: 1/11/1989 ✓
Permit Approved Date: 4/6/1988 ✓
Permit Moratorium Expiration Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Field Exam Date: 7/12/2001 ✓
Date Sent to State Office: 3/5/2002
Date Received at State Office: 3/11/2002 ✓
State or Federal:
Owner Name Connector: 0
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust: False
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan:

apprec'd
2/19/88

February 6, 1989

RE: Permit No. 23-07116

Melvin J. Weeks
HC 34, Box 10
Irwin, ID 83428

Dear Permit Holder:

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department.

A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office by phone at 525-7161, or in person in the third floor State Office Building, 150 Shoup, Idaho Falls, Idaho.

Sincerely,

KEITH C. WILSON
Sr. Resource Agent

KCW:CW

MICROFILMED

APR 22 2002

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 23-7116

Date: 1-12-89

General Considerations:

Y Name same as permit
Y Signature the same as permit holder
N Address change _____ If yes, prepare a data entry
Y Proof received timely _____
_____ Reinstated

Source of Water:

Y Surface water
_____ Groundwater
_____ 1. well log in file
_____ 2. drilling permit
_____ A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

Y Rate of diversion appropriate for uses
Y Is rate or volume and fee appropriate?
Y Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

N/A Is a measuring device or access port required?
N/A Has one been installed?
N/A Waiver or modification of measuring device requested

Remarks:

Proof acceptable

N/A Priority Calculation:

Date proof received	_____	_____
Date proof due	_____	- _____
No. of days late	_____	= _____
Priority date	_____	+ _____
NEW PRIORITY DATE	_____	= _____

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

- - - - -

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
APRIL 14, 1988

WEEKS, MELVIN
HC 34, BOX 10
IRWIN, ID 83428

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 23-7116

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.

WE HAVE ENCLOSED A FORM ENTITLED "INSTRUCTIONS FOR PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT. ALSO ENCLOSED FOR YOUR CONVENIENCE IS THE STATEMENT OF BENEFICIAL USE FORM THAT MUST BE SUBMITTED WHEN YOUR PROJECT IS COMPLETED.

SINCERELY,

GARY SPACKMAN
SUPERVISOR, WATER ALLOCATION SECTION

GS: SC
ENCLOSURES

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JUN 28 1988

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: AWJ APPLICATION NUMBER: 23 7116
CHECK: Melvin Weeks

- ☒ 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 W.D. #1 dg 3-1-88

PROCESSING:

- ☒ Yes ☒ No Platted by: _____ Map No. _____
☒ Yes ☒ No Other rights on same place of use. Imperial Driveway From Police
Suzuki
☒ Yes ☒ No* In form for advertising.
Final date for protests: 3-21-88
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 3-17-88
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☐ Yes ☒ No Measuring device required.
☐ Yes ☒ No Access port required.
☒ Yes ☒ No Will water be delivered by watermaster? If yes, what district? 01- N/A
19 Feb 1988 Date of priority recommended. source sinks
Special conditions of approval or cover letter. _____

allow 1 yr. for B/U submittal - source already developed.

By: Ernest Carlson Date: 24 March 1988

STATE OFFICE REVIEW:

WLO
☐ See attached sheet for more information.
By: KW Date: 4/1/88

RECEIVED
MAR 30 1988

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

RECEIVED

MAR 30 1988

CONVERSATION MEMORANDUM

DATE: March 24, 1988

Department of Water Resources

FILE: 23-7116

NAME OF PARTY: Melvin Weeks

EMPLOYEE: Ernest Carlsen

RE: According to Mr. Weeks, the spring was developed in April 1987 by digging an 80 foot long trench 4 feet in depth. Sufficient water seeped into the trench to provide a domestic supply of water so in October, 1987, he placed a perforated pipe in the trench packed in gravel and covered with visqueen. At this time, the pipe empties into Palisades Canal. Mr. Weeks measured discharged from the pipe using a one gallon bucket. It filled in 4 seconds. The spring, therefore, is flowing at 15 gallons per minute (0.033 cfs).

Mr. Weeks developed the spring because the water in his domestic well has a high concentration of minerals and an odor.

Historical water surfaced in the area where the trench was dug, but it did not flow. Based on the description by Mr. Weeks, the source of water qualifies as private water.

MICROFILMED

JUN 28 1988

File No. 23-7116

STATE OF IDAHO
Department of Water Resources

FIELD INSPECTION REPORT

1. Date: 22-MAR-1988 Time: 1030 Photos: ☒ Yes ☐ No
2. Inspection involves: ☒ Water Rights ☐ Dam Safety ☐ Well Construction or Driller
☐ Waste Well ☐ Stream Channel Alteration ☐ Water Distribution
☐ Other _____
3. Reason for inspection: MEMO FROM E. CARSON IN FILE (3/24/88)
4. Stream name: SPRING (W/I PALISADES CR WATERSHED)
5. Stream characteristics: _____
6. Stream width: _____ Depth: _____ Gradient: _____ Q: _____ est. _____
meas. _____
7. Location: SE 1/4 SW 1/4, Sec. 26, Twp. 1N, Rge. 44E, County CONNEVILLE
Landmark: CROSSING OF ROAD & POWER LINE
8. Person(s) contacted: NONE
9. Dam name: _____ Spilling: ☐ No ☐ Yes Q _____
Outlet open: ☐ No ☐ Yes Q _____ Spillway open: ☐ Yes ☐ Fibrd ☐ Gate open
Freeboard: Spillway _____ Crest _____ Res. stage: ☐ Rising ☐ Falling _____ Rate
10. Area characteristics: POD INDICATED ON MAP IS IN LOW LYING PASTURE. AREA IMMEDIATELY NORTH IS HILLSIDE W/ SMALL DRY GULCH ENDING @ PASTURE. THERE IS A 10' TO 15' DROP FROM UPPER TO LOWER BEACH (PASTURE)
11. Weather conditions: 40°/CLDY/
12. Describe activity/conditions inspected: NO VISIBLE DIVERSION WORKS - SNOW COVER PREVENTED ANY INSPECTION OF SURFACE FLOW OR DIVERSION DITCHES W/I PASTURE
13. Are all requirements being met? ☐ Yes
If not, check type violated: ☐ Statutory ☐ Rules & Regs ☐ Permit
14. Describe impact on others: APPEARS TO BE NONE EXCEPT ROWS FOR PROPOSED PIPELINE APPEARS TO GO @/IN OR ALONG IRRIGATION CANAL.
15. Describe alternatives: _____

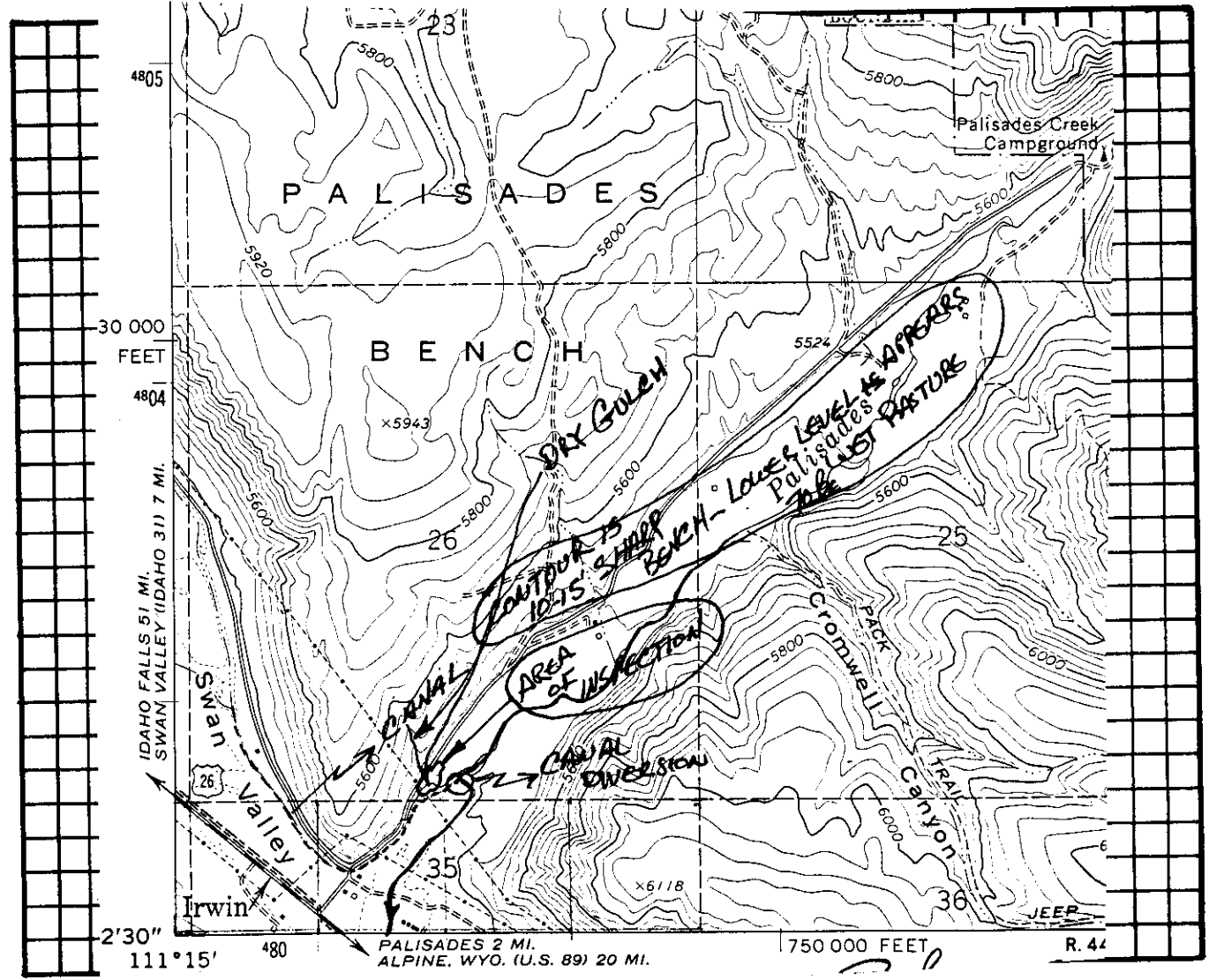
RECEIVED

JUN 28 1988

16. Remarks ~~POD INDICATED THAT THAT DID NOT~~ ^{ON} I COULD NOT FIND ANY LIKELY PLACE WHERE A SPRING SURFACED IN THE AREA UNDER THE PERMIT. THE AREA DID HOWEVER TO BE A WET PASTURE ~~AREA~~ AS EVIDENT BY WILLOWS. A DRAIN FIELD COULD COLLECT WATER FROM AREA.

17. Followup Necessary: ☐ Yes ☐ No Describe: EASEMENT NEEDS?

18. Sketch: Include direction, important dimensions, photo locations, landmark or reference point



19. Action taken at time of inspection:

20. Signed: [Signature]

21. Follow up action: Date: Additional Memo Prepared: ☐ Yes ☐ No

Describe: NEAR FILMED
JUN 28 1988

22. Signed: _____



State of Idaho
DEPARTMENT OF WATER RESOURCES
Eastern Region

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Mailing Address:
150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

March 4, 1988

Melvin Weeks
HC 34, Box 10
Irwin, Idaho 83428

RE: Application for Permit No. 23-7116

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned identification No. 23-7116. Please refer to this number in all further correspondence.

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

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

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

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

Sincerely,

Ernest Carlsen
Water Rights Supervisor

EC/dg

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JUN 28 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

FEBRUARY 24, 1988

The Post Register
P. O. Box 1800
Idaho Falls, Idaho 83401

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

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

Please send the affidavit of publication and publication billing to this office before MARCH 21, 1988.

Yours truly,

Deena Green
Office Secretary

Encl.

MANUSCRIPT
FILMED

JUN 28 1988

NOTICE OF APPLICATION

FOR WATER RIGHT

The following applications have been filed to appropriate the public waters of the State of Idaho:

The permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before March 21, 1988.

R. Keith Higginson

Director

Published March 3 and 10, 1988.

MICROFILMED

JUN 28 1988

23-7116

WEEKS, MELVIN

HD 34, BOX 10, IRWIN, ID 83428

Source: SPRING trib. to SINKS

Diversion Pt: SESW Sec 26 T 01N R 44E

Use: STOCKWATER (0.020 CFS)
DOMESTIC (0.020 CFS)

Date Filed: 02/19/1988

In: SWSW Sec 26 T 01N R 44E

MICROFILMED
JUN 28 1988