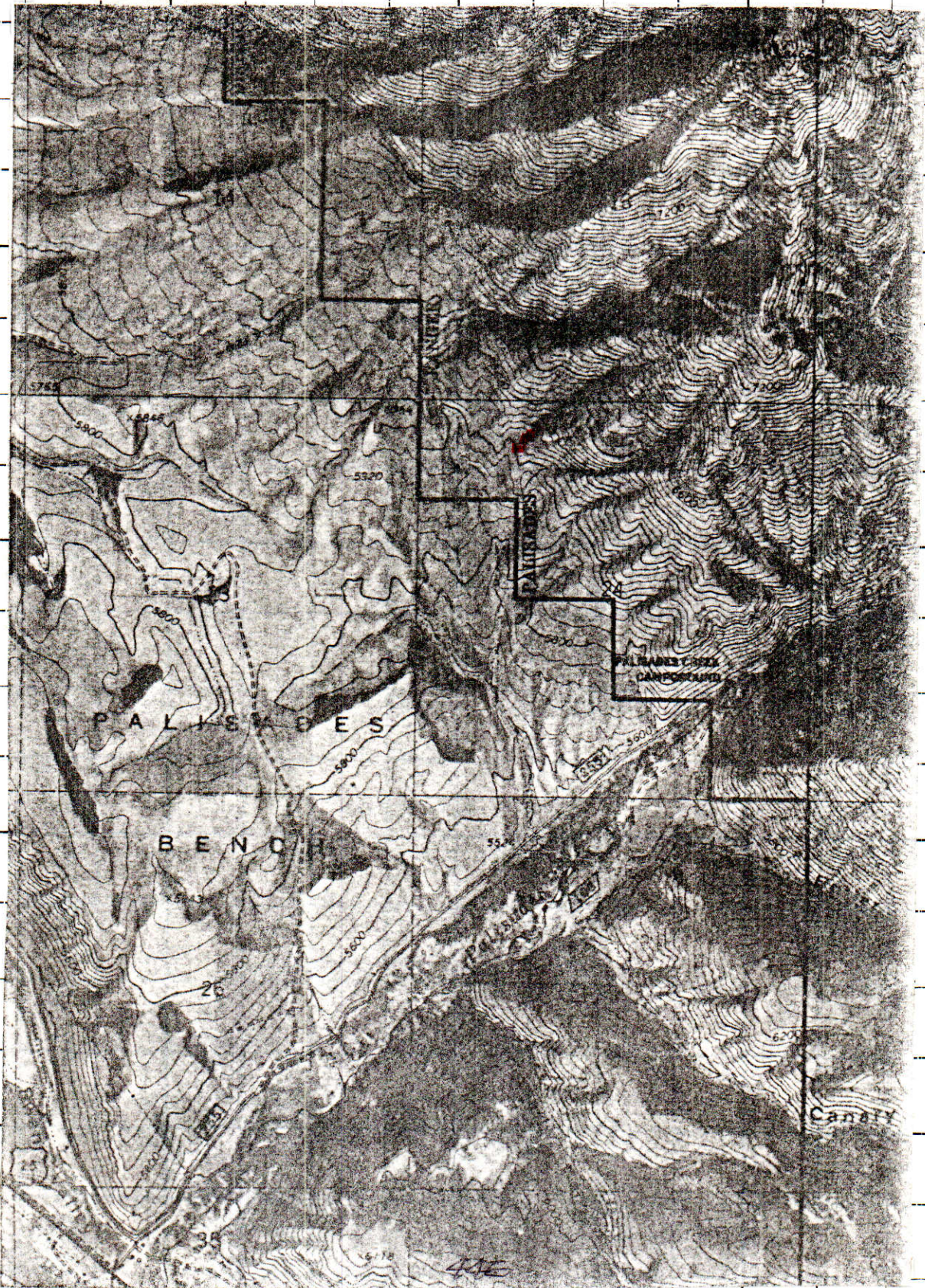


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

R44E      ↑  
North



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. United States of America - Forest Service

J. S. Tixier v. J. S. Tixier  
(for) J. S. TIXIER (Applicant) Regional Forester

MICROFILMED

# Proof of Publication

## The Post-Register

State of Idaho,  
County of Bonneville } ss.

I, J. Robb Brady, first being duly sworn, depose and say: That I am the Principal Clerk 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 having been published continuously and uninterruptedly, prior to consolidation, for more than seventy-eighty (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 13th day of December, 1984, last publication having been made on the 20th day of December, 1984, 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 26th day of December, 1984  
Leon K. Napier  
Notary Public

My commission expires September 30, 1988

B10, 1M,

**NOTICE OF APPLICATION  
FOR WATER RIGHT**  
The following application(s) have been filed to appropriate the public waters of the State of Idaho:

23-7106  
U.S. DEPT. OF AGRI.  
FOREST SERVICE, FEDERAL BLDG., 324  
25TH STREET, OGDEN, UT 84401  
Source: BALDY MTN. C&H SPRING trib. to  
PALISADES CREEK  
Date Filed: 11/30/1984  
Diversion Pt: NENW Sec 24 T 01N R 44E  
Use: STOCKWATER (0.05 CFS)  
In: NENW Sec 24 T 01N R 44E

23-7107  
U.S. DEPT. OF AGRI.  
FOREST SERVICE, FEDERAL BLDG., 324  
25TH STREET, OGDEN, UT 84401  
Source: WOODS CAN. BOTTOM SPRING trib.  
to SNAKE RIVER, S. FK.  
Date Filed: 11/30/1984  
Diversion Pt: SENW Sec 11 T 03N R 42E  
Use: STOCKWATER (0.05 CFS)  
In: SENW Sec 11 T 03N R 42E

23-7108  
U.S. DEPT. OF AGRI.  
FOREST SERVICE, FEDERAL BLDG., 324  
25TH STREET, OGDEN, UT 84401  
Source: MUDSPRINGS trib. to SNAKE RIVER,  
S. FK.  
Date Filed: 11/30/1984  
Diversion Pt: SENE Sec 04 T 03N R 42E  
Use: STOCKWATER (0.05 CFS)  
In: NESE SENE Sec 04 T 03N R 42E

23-7109  
U.S. DEPT. OF AGRI.  
FOREST SERVICE, FEDERAL BLDG., 324  
25TH STREET, OGDEN, UT 84401

Source: LITTLE SHEEP CREEK SPRING trib.  
to SNAKE RIVER  
Date Filed: 11/30/1984  
Diversion Pt: NENW Sec 09 T 01S R 45E  
Use: STOCKWATER (0.05 CFS)  
In: NENW Sec 09 T 01S R 45E

32-7142  
U.S. DEPT. OF AGRI.  
FOREST SERVICE, FEDERAL BLDG., 324  
25TH STREET, OGDEN, UT 84401  
Source: WARM SPRINGS trib. to CROOKED  
CREEK  
Date Filed: 11/30/1984  
Diversion Pt: NENE Sec 25 T 11N R 32E  
Use: STOCKWATER (0.0250 CFS); RECREA-  
TION (0.0250 CFS)  
In: SENE Sec 25 T 11N R 32E  
The permit(s) will be subject to all prior water  
rights. Protests must be filed with the Director,  
Dept. of Water Resources, 150 Shoup Ave., Suite  
15, Idaho Falls, Idaho 83402 on or before  
DECEMBER 31, 1984.  
KEN DUNN, Director  
Published: December 13, 20, 1984

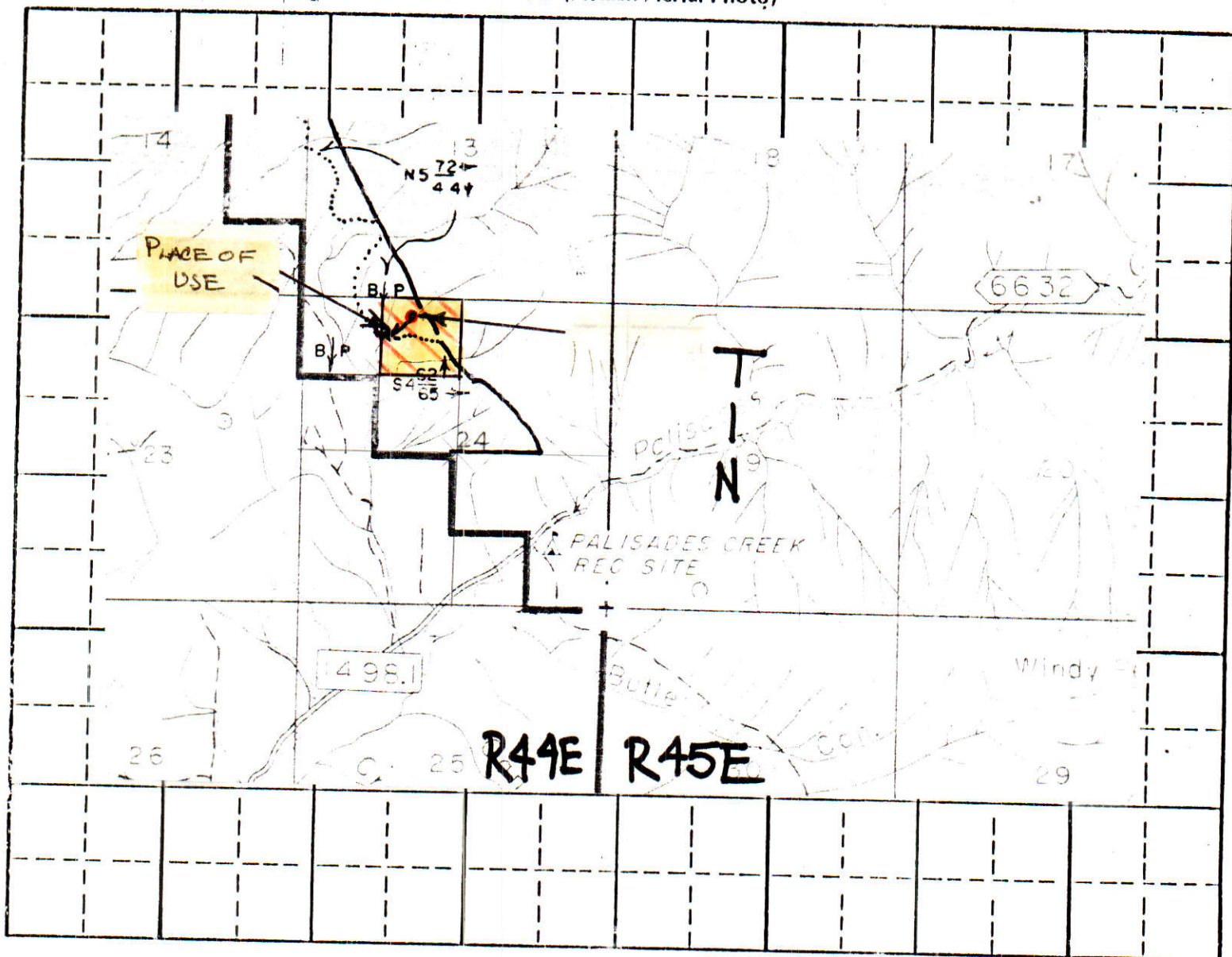
RECEIVED

DEC 28 1984

Department of Water Resources  
Eastern District Office

MICROFILMED

# MAP (Attach Aerial Photo)



## SCHEMATIC DIAGRAM OF SYSTEM

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

SEE MEMORANDUM DATED 26 February 1981, U.S.F.S. Field Examinations

Point(s) of diversion: NE 1/4 NW 1/4 SEC. 24 TWP. 1 N, R. 44 E. B.M.

Place(s) of Use

| TWP. | RGE. | SEC. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | TOTALS |
|------|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |      |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
| 1 N  | 44 E | 24   |        |        |        |        | X      |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

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

Examiner's Signature

Checked by

Approved by

Date 12/5/86

Date 12-09-86

Date 1-29-87

**MICROFILMED**

MAR 05 1987

State of Idaho  
Department of Water Resources

# WATER RIGHT LICENSE

WATER RIGHT NO. 23-7106

Priority: November 30, 1984 Amount: .04 CFS .6 AF

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

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

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated November 30, 1984, and has submitted proof to the Department of Water Resources on November 25, 1985, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .04 cfs of water from;

SPRING tributary to PALISADES CREEK

and that a water right has been established as follows:

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> | <u>VOLUME</u> |
|-----------------------|----------------------|--------------------------|---------------|
| Stockwater            | 04/01 to 07/15       | .04 cfs                  | .6 af         |

LOCATION OF POINT OF DIVERSION(S): NENW , Sec. 24, Township 1N, Range 44E  
Bonneville County

PLACE OF USE: Stockwater

TWN RGE SEC

1N 44E 24 NENW

CONDITIONS/REMARKS:

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Use of water under this license is subject to control by the watermaster of State Water District No. 01 .
5. This right, when considered with all other rights common to the same grazing allotment, shall be limited to the quantity of water beneficially used by the number of stock within the allotment.
6. Source also known as Baldy Mtn. C&H Spring.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 20<sup>TH</sup> day of FEBRUARY, 1987.

Acting for the Director

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 United States of America - Forest Service Phone (801)625-5365

Post office address 324 - 25th Street, Ogden, UT 84401

2. Source of water supply Baldy Mtn. C&H Spring which is a tributary of Palisades Cr.

3. Location of point of diversion is NE  $\frac{1}{4}$  of NW  $\frac{1}{4}$  of Section 24 Township 1N

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

NA

4. Water will be used for the following purposes:

Amount .05 for livestock water purposes from 4/1 to 7/15 (both dates inclusive)  
(cfs or acre-feet per annum)

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

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

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

5. Total quantity to be appropriated:

a. .05 cubic feet per second and/or b. ~~2.7~~ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. spring head box and water trough are  
installed at the spring source now.

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

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

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

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

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: NE  $\frac{1}{4}$  of NW  $\frac{1}{4}$  of Section 24 Township ~~4N~~ 1N  
Range 44E B.M.

(2) Amount of power to be generated: NA horsepower under  feet of head.

(3) List number of each kind of livestock to be watered 150 beef cattle

(4) Name of municipality to be served NA, or number of families to be  
supplied with domestic water .

(5) If water is to be used for other purposes describe: NA

MICROFILMED



**Total number of acres to be irrigated**

NA

The USFS in the future may agree to allow the property owner 250 yards below

~~the spring to pipe the overflow from the trough on NF down to his property.~~

9. a. Who owns the property at the point of diversion United States of America

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

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

VN

|             |                                                                          |
|-------------|--------------------------------------------------------------------------|
| 10. Remarks | Improve and continue to use the spring for permitted livestock watering. |
|-------------|--------------------------------------------------------------------------|

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

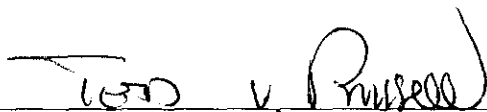
R44E

↑  
North



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. United States of America - Forest Service

  
(for) J. S. TIXIER (Applicant) Regional Forester

MICROFILMED

**MICROFILMED**

Proposed Priority 11/30/84

Received by cy Date 11-30-84 Time 9:55 am

Preliminary check by cy Fee \$ 30.00 # 34349

Receipted by cy Date 11-30-84

Publication prepared by cy Date 12-5-84

Published in Past Register

Publication dates 12-13 & 12-20-84

Publication approved cy Date 12-28-84

Protests filed by: none

Copies of protests forwarded by \_\_\_\_\_

Hearing held by \_\_\_\_\_ Date \_\_\_\_\_

Recommended for approval denial by enc kw

**ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES**

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 23-7106, 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 June 1, 19 90.

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

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

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

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

Witness my hand this 13<sup>th</sup> day of June, 1985.

J. Glen Sayton  
Chief, Operations Bureau

# Proof of Publication

## The Post-Register

State of Idaho,

County of Bonneville

ss.

I, J. Robb Brady, first being duly sworn, depose and say: That I am the Principal Clerk 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 having been published continuously and uninterruptedly, prior to consolidation, for more than seventy-eighty (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.

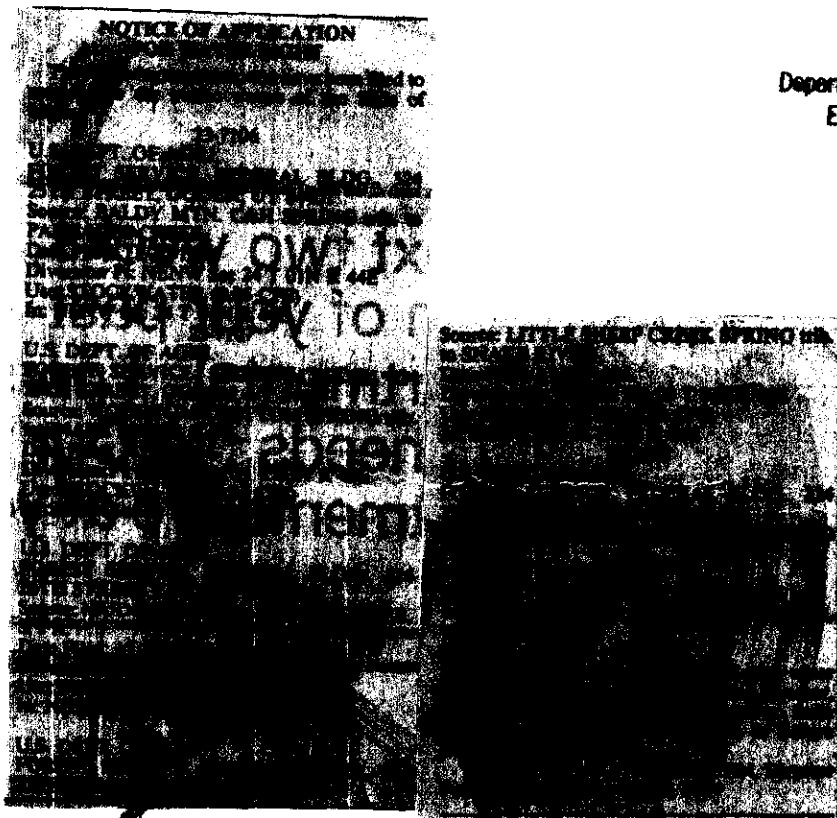
That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post-Register for two consecutive weeks, first publication having been made on the 13th day of December, 1984, last publication having been made on the 20th day of December, 1984, and that the 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 26th day of December, 1984

Leon R. Napier  
Notary Public

My commission expires September 30, 1988

B10, 1M,



RECEIVED

DEC 28 1984

Department of Water Resources  
Eastern District Office

MICROFILMED



State of Idaho

## DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

CECIL D. ANDRUS

Governor

A. KENNETH DUNN

Director

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

February 23, 1987

RE: Permit Nos. 23-7105/7106/7107/7108/7109, 74-7135, 75/7278/7288

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

Gentlemen:

Enclosed are copies of the Water Right Licenses issued on the above referenced permits.

Sincerely,

JIM JOHNSON  
Water Rights Supervisor

JJ:sc

Enclosures

**MICROFILMED**  
MAR 05 1987



State of Idaho

## DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

CECIL D. ANDRUS  
Governor

A. KENNETH DUNN  
Director

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

February 2, 1987

RE: Permit Nos. 23-7105/7106/7107/7108/7109

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

Gentlemen:

Enclosed are draft copies of the licenses proposed to be issued on the above referenced water rights.

If you do not concur with the information shown on the draft licenses, please advise the Department within ten (10) days. If you have any questions, please let us know; otherwise, the licenses will be issued as identified on the draft copies.

Sincerely,

JIM JOHNSON  
Water Rights Supervisor

JJ:sc

Enclosures

**Microfilm**

MAR 05 1987

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

Permit No. 23-7106

CONTACT WITH PERMIT HOLDER

|                                                                               | DATE | INITIALS | REMARKS |
|-------------------------------------------------------------------------------|------|----------|---------|
| <input type="checkbox"/> Appointment letter mailed:                           |      |          |         |
| <input type="checkbox"/> Telephone call made<br>(List Telephone No. used)     |      |          |         |
| <input type="checkbox"/> Appointment scheduled for:<br>(Date, time, location) |      |          |         |

EXAMINATION

Date 12/5/86 Accompanied by Dick Ward THEORETICAL - 0.04 cfs  
Source \_\_\_\_\_ Total Q measured \_\_\_\_\_  
Tributary to \_\_\_\_\_ Supp. annubar measurement sheet used? No  
If source is surface water, estimate total flow of source \_\_\_\_\_  
Methods of measurement THEORETICAL Meets permit requirements? \_\_\_\_\_

Measurement calculations:

SEE MEMORANDUM DATED February 26, 1981, U.S.F.S. FIELD EXAMINATIONS

$$V = \frac{150 \text{ Head} \times 12 \text{ gal/day/head} \times 105 \text{ days}}{325850 \text{ gal/af}} = 0.58 \text{ afa}$$

| WELL/DIV. NO. | HP | MOTOR MAKE | MOTOR SERIAL NO. | PUMP MAKE | PUMP SERIAL NO. | MEASURING DEVICE TYPE | CONDITION OF MEAS. DEVICE | REMARKS |
|---------------|----|------------|------------------|-----------|-----------------|-----------------------|---------------------------|---------|
|               |    |            |                  |           |                 |                       |                           |         |
|               |    |            |                  |           |                 |                       |                           |         |
|               |    |            |                  |           |                 |                       |                           |         |
|               |    |            |                  |           |                 |                       |                           |         |

System Description HEADBOX PIPED TO 1 TROUGH(S)

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

RECOMMENDED AMOUNTS

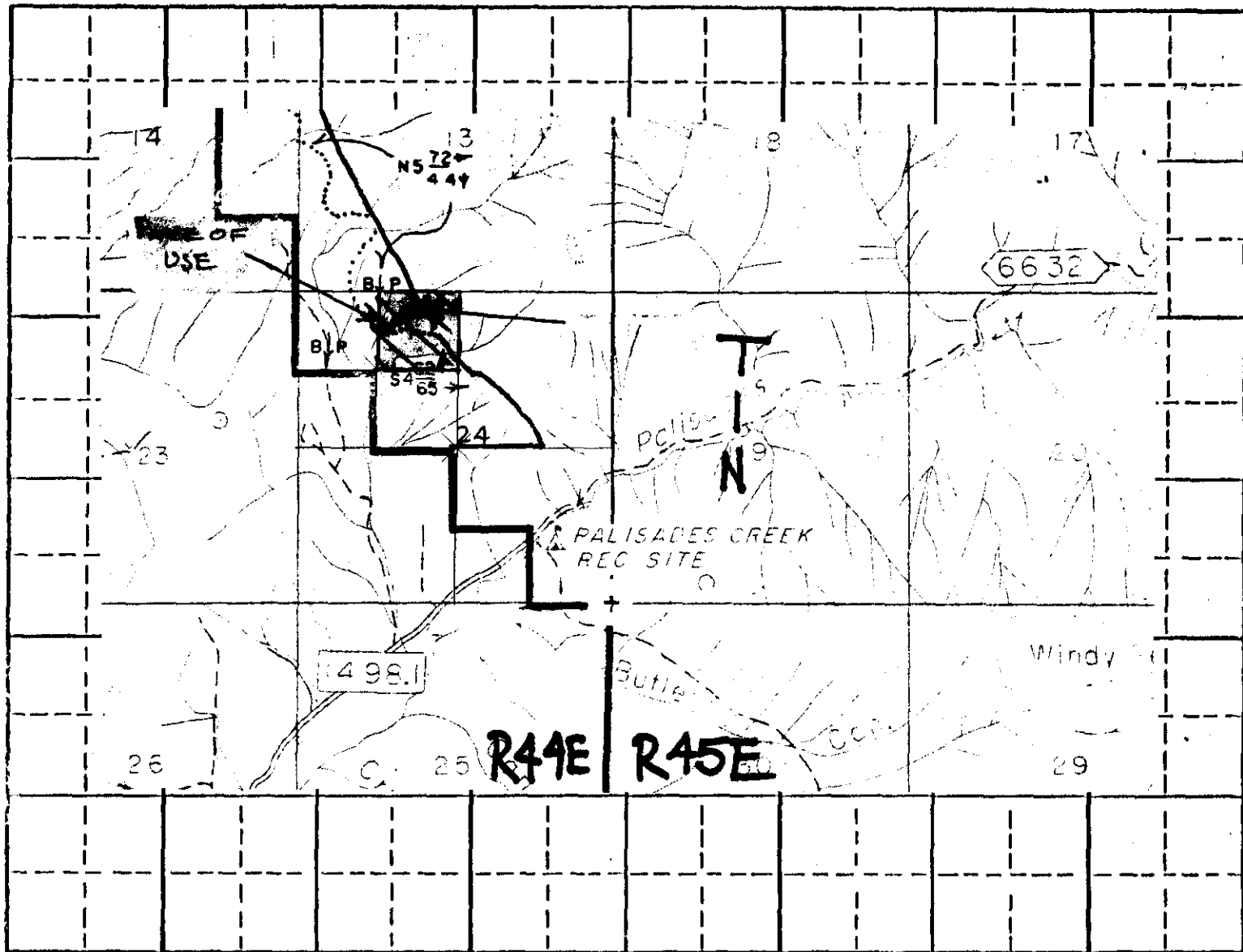
| USE        | Irrigation requirement = |                 | AFA/Acre   |             |
|------------|--------------------------|-----------------|------------|-------------|
|            | Q (cfs)                  | V (afa)         | FROM       | TO          |
| STOCKWATER | <u>0.04 cfs</u>          | <u>0.58 afa</u> | <u>4/1</u> | <u>7/15</u> |
|            |                          |                 |            |             |
|            |                          |                 |            |             |
|            |                          |                 |            |             |
| Total      | <u>0.04</u>              | <u>0.58</u>     |            |             |

Remarks STOCKWATER FOR 150 Range Cattle. Recommend cancellation of requirement for portable device.  
#23-4025 appears to be a separate spring development.

MICROFILMED

MAR 05 1987

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

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

SEE MEMORANDUM DATED 26 February 1981, U.S.F.S. Field Examinations

Point(s) of diversion: NE & NW SEC. 24 TWP. 1 N, R. 44 E. B.M.

Place(s) of Use

| TWP. | RGE. | SEC. | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | TOTALS |
|------|------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|      |      |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |        |
| 1 N  | 44 E | 24   |     |     |     |     | X   |     |     |     |     |     |     |     |     |     |     |     |        |
|      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |

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 \_\_\_\_\_

Examiner's Signature [Signature] Date 12/5/86  
 Checked by [Signature] Date 12-09-86  
 Approved by Jim Date 1-29-87

MICROFILMED

MAR 05 1987

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Eastern Region

---

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

FEBRUARY 19, 1986

U.S. FOREST SERVICE  
324 25TH STREET  
OGDEN UT 84401

RE: Permit No. 23-7106

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,  
s/HAROLD W. JONES  
Sr. Resource Agent

MICROFILMED

MAR 05 1987

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED  
NOV 25 1985

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 development under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below:

Permit No. 23-7106

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

Post Office Address: 324 25th Street, Ogden, UT 84401

Telephone No. (801) 625-5360

Source of Water: Baldy mtn C & H Spring

Extent of Use:

Domestic \_\_\_\_\_ (number of households)

Stockwater 150 cattle (number and type of stock)

Irrigation \_\_\_\_\_ (acres)

Other/Remarks Spring headbox and trough are installed at the spring source

Indicate the date water was first diverted and beneficially used under this permit: 1965

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

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

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

Dick Ward, Range Conservationist  
(Name)

Rt 1, Box 398-B, Idaho Falls, Id 83401  
(Address)

(208) 523-1412  
(Telephone Number)

The above information is a true statement of the extent to which the above numbered permit has been developed.

United States of America - Forest Service

Nov 22, 1985  
Date

Randall K. Hall  
Signature of Permit Holder (and Title, if appropriate)

(for) J. S. TIXIER, Regional Forester

MICROFILMED



State of Idaho

## DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS  
Governor

A. KENNETH DUNN  
Director

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

SEPTEMBER 1, 1985

DEAR PERMIT HOLDER:

ACCORDING TO OUR RECORDS, YOU ARE THE HOLDER OF A WATER PERMIT ON WHICH PROOF OF BENEFICIAL USE OF WATER WAS NOT SUBMITTED BEFORE JULY 1, 1985, WHICH INDICATES YOUR PROJECT IS NOT COMPLETE. THEREFORE, YOU NEED TO BE AWARE OF CHANGES IN IDAHO LAW, EFFECTIVE JULY 1, 1985, WHICH IMPACT ALL WATER PERMITS ISSUED BY THIS DEPARTMENT.

SPECIFICALLY, PURSUANT TO SECTION 42-203D, IDAHO CODE, THE DEPARTMENT MUST REVIEW ALL PERMITS FOR WHICH DEVELOPMENT OF WATER USE WAS NO COMPLETED ON OR BEFORE JULY 1, 1985, TO DETERMINE IF THEY MEET THE NEW REQUIREMENTS OF CHAPTER 2, TITLE 42, IDAHO CODE. RULES AND REGULATIONS GOVERNING THE RE-EVALUATION OF PERMITS ARE NOT YET FINALIZED. HOWEVER, IF YOU COMPLETED THE DEVELOPMENT UNDER YOUR PERMIT BEFORE JULY 1, 1985, YOU SHOULD SUBMIT A PROOF OF BENEFICIAL USE STATEMENT, STATING THAT THE PROJECT WAS COMPLETED BEFORE JULY 1, 1985 SO THAT YOUR PERMIT WILL NOT BE SUBJECT TO THE REVIEW REQUIREMENTS OF SECTION 42-203D, WHICH READS AS FOLLOWS:

42-203D. REVIEW OF PERMITS - OPPORTUNITY FOR HEARING. - (1)THE DEPARTMENT SHALL REVIEW ALL PERMITS ISSUED PRIOR TO THE EFFECTIVE DATE [JULY 1, 1985] OF THIS SECTION, EXCEPT TO THE EXTENT A PERMIT HAS BEEN PUT TO BENEFICIAL USE PRIOR TO JULY 1, 1985, TO DETERMINE WHETHER THEY COMPLY WITH THE PROVISIONS OF CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PROPOSED USE DOES NOT SATISFY THE CRITERIA OF CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL EITHER CANCEL THE PERMIT OR IMPOSE THE CONDITIONS REQUIRED TO BRING THE PERMIT INTO COMPLIANCE WITH CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PERMIT SATISFIES THE CRITERIA ESTABLISHED IN CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL ENTER AN ORDER CONTINUING THE PERMIT. (2)THE DEPARTMENT SHALL PROVIDE AN OPPORTUNITY FOR HEARING IN ACCORDANCE WITH SECTION 42-1701A, IDAHO CODE, AND SECTIONS 67-5209 THROUGH 67-5215, IDAHO CODE, FOR EACH HOLDER OF A PERMIT THAT IS PROPOSED EITHER TO BE CANCELLED OR MADE SUBJECT TO NEW CONDITIONS.

YOU MAY OBTAIN PROOF OF BENEFICIAL USE FORMS FROM THE DEPARTMENT. IF YOU HAVE ANY QUESTIONS, PLEASE LET US KNOW.

SINCERELY,

L. GLEN SAXTON  
CHIEF, OPERATIONS BUREAU

**MICROFILMED**

S T A T E O F I D A H O  
DEPARTMENT OF WATER RESOURCES

---

STATEHOUSE  
BOISE, IDAHO 83720  
(208) 334-4440

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

JUNE 19, 1985

RE: PERMIT NO. 23-7106

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.

BE SURE TO NOTE THE SPECIAL CONDITION REQUIRING YOU TO INSTALL A LOCKABLE DEVICE THAT WILL PROVIDE THE WATERMASTER CONTROL OF YOUR DIVERSION.

PLEASE NOTE THE REQUIREMENT THAT AS A PERMIT HOLDER YOU MUST COMMENCE THE THE EXCAVATION OR CONSTRUCTION OF DIVERTING WORKS WITHIN ONE YEAR OF THE DATE THE PERMIT WAS ISSUED, AND YOU MUST PROCEED DILIGENTLY UNTIL THE PROJECT IS COMPLETED. THE ENCLOSED BLUE CARD MUST BE COMPLETED AND RETURNED TO THIS OFFICE AS SOON AS YOU COMMENCE CONSTRUCTION, NO LATER THAN ONE YEAR FROM THE DATE THE PERMIT WAS APPROVED.

WE HAVE ENCLOSED A FORM ENTITLED "INSTRUCTIONS FOR PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT INTO A LICENSE.

SINCERELY,

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

ENCLOSURE

MICROFILMED

State of Idaho  
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: G. F. RAMSEY

APPLICATION NUMBER: 23-7106

CHECK: NOV 30 1984

- ☒ 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.

Field check by: \_\_\_\_\_

Date: \_\_\_\_\_

Comments: \_\_\_\_\_

- ☒ 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.

\*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

SEND COPIES TO:

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

Copies sent by: \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

PROCESSING:

- ☐ Yes ☒ No Platted by: \_\_\_\_\_ Map No. \_\_\_\_\_  
☐ Yes ☒ No Other rights on same place of use. \_\_\_\_\_

- ☒ Yes ☐ No\* In form for advertising.  
Final date for protests: 12-31-84  
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 12-28-84  
☒ 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? 014  
11-30-84 Date of priority recommended.  
Special conditions of approval or cover letter. \_\_\_\_\_  
, 26

app. not identified in S.F. suit

By: Ernest Carlson

Date: April 9, 1985

STATE OFFICE REVIEW:

101, 117

010  
26 05 (01, Snake River)

RECEIVED  
APR 10 1985

- ☐ See attached sheet for more information.

By: KW

Date: 6/11/85

Department of Water Resources

UNRECORDED

RECEIVED  
APR 10 1985  
Reviewed

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

IDENT. NO. 23-7106

WATER RIGHT  
DATA ENTRY LOG

[illegible]

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Eastern Region

---

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

DECEMBER 5, 1984

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 DECEMBER 31, 1984.

Yours truly,

RONALD D. CARLSON  
Supervisor  
Eastern Region

Encl.

MICROFILMED

NOTICE OF APPLICATION FOR WATER RIGHT

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

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before DECEMBER 31, 1984.

KEN DUNN, Dir.

Published 12/13 & 12/20/84.

MICROFILMED

23-7106-

U.S DEPT. OF AGRI.

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

Source: BALDY MTN. C&H SPRING trib. to PALISADES CREEK

Date Filed: 11/30/1984

Diversion Pt: NENW Sec 24 T 01N R 44E

Use: STOCKWATER (0.05 CFS)

In: NENW Sec 24 T 01N R 44E

RECORDED  
11/30/84