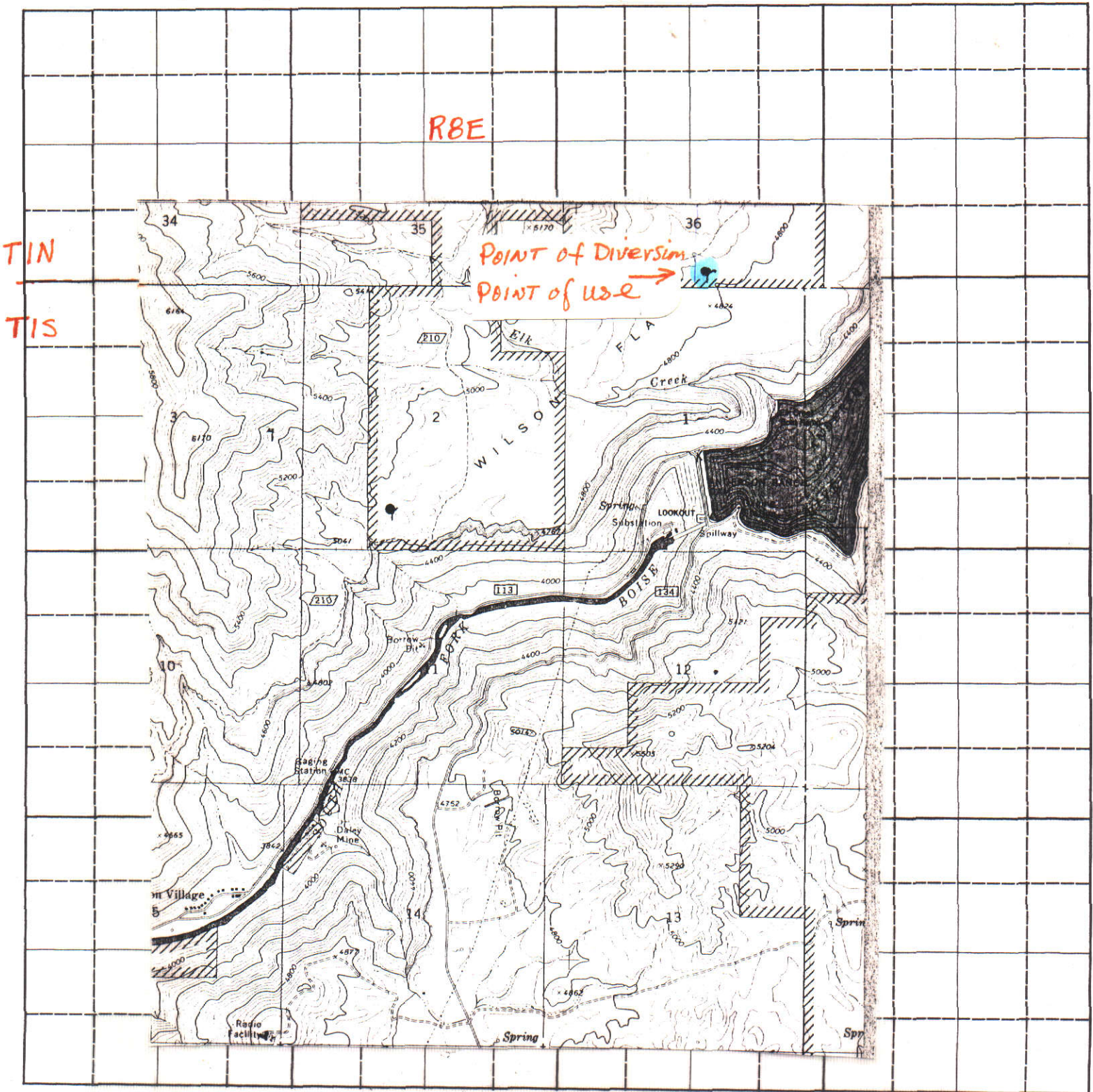


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

United States of America - Forest Service

(for) J. S. TIXIER

(Applicant)

Regional Forester

MICROFILMED

623



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State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-10363

Priority: July 13, 1986

Maximum Storage Volume:

0.1 AF

This is to certify, that US DEPT OF AGRICULTURE
FOREST SERVICE
FEDERAL BLDG
324 25TH ST
OGDEN UT 844010000

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated May 9, 1986; and
has submitted Proof of Beneficial Use on June 6, 1988. An examination indicates
that the works have a storage capacity of .100 af of water from:

SPRING

tributary to ELK CREEK

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER STORAGE	01/01 to 12/31		0.1 AF
STOCKWATER FROM STORAGE	01/01 to 12/31		0.1 AF
	Totals		0.1 AF

LOCATION OF POINT(S) OF DIVERSION:

SWSWSE , Sec. 36, Township 01N, Range 08E
ELMORE County

PLACE OF USE: STOCKWATER STORAGE
TWN RGE SEC

01N 08E 36 SWSE

PLACE OF USE: STOCKWATER FROM STORAGE, same as STOCKWATER STORAGE use

CONDITIONS/REMARKS:

1. This water right is appurtenant to the described place of use.
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 water right will be regulated by the watermaster of State Water District No. 63.
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. Stockwater use is for 331 range cattle.

MICROFILMED

MAY 19 1992

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-10363

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 15th
day of MAY, 1992.

Acting for R. Keith Higginson, Director

MAY 19 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

Department of Water Resources
Western Regional OfficeTo provide additional time in which to submit proof
of beneficial use for a water right permit

OCT 07 1987

Department of Water Resources

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

Permit No. 63-10363Name(s) of Permit Holder: United States of America - Forest ServicePost Office Address: 324 25th Street, Ogden, UT 84401Telephone No. (801) 625-5360Date Proof is Due: May 31, 1987

Describe what work has been completed toward the development of this water right: The stockpond will be
(This must be filled out! If no work has been completed, show "none".)
constructed under contract - the contract has been awarded.

Costing \$ 0

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

There is a lack of adequate soil moisture to compact the bottom of the reservoir. Will
complete the project next year or after some rain this year.

Permit holder(s) request an extension to October 5, 19 88.
(1 yr. minimum)

(for) J.S. TIXSON, Regional Forester

FEE: \$15.00

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

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to October 1, 1988.

IT IS FURTHER ORDERED that the permit be REINSTATED and the priority advanced to July 13, 1986, pursuant to Sec. 42-218a, Idaho Code.

Signed this 19th day of October, 19 87.

J. Glen Saxton
Chief, Operations Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 63-10363
RECEIVED

MAY 9 1986

APPROVED

To appropriate the public waters of the State of Idaho

no incl. AS
Department of Water Resources

1. Name of applicant UNITED STATES OF AMERICA - FOREST SERVICE Phone (801) 625-5360
Post office address Federal Building, 324 25th Street, Ogden, UT 84401
2. Source of water supply Spring which is a tributary of Unnamed (Elk Creek)
3. Location of point of diversion is _____ 1/4 of SW 1/4 of SE 1/4, Govt. Lot _____
Sec. 36 Township 1N Range 8E B.M. Elmore County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Allow 0.02 AF* Storage
Amount 0.015 AF* for for Livestock purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum) LIVESTOCK
Allow 0.02 AF*
Amount 0.015 AF* for FROM STORAGE purposes from JAN 1 to DEC 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Allow 0.02 AF*
0.015
5. Total quantity to be appropriated is (a) _____ and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works: *kw 7/22/1986
 - a. Description of ditches, flumes, pumps, headgates, etc. Reservoir constructed by
excavation and low dam to form a stock pond.
 - b. Height of storage dam 1 to 3 feet; active reservoir capacity 0 acre-feet; total
reservoir capacity 0.015 acre-feet; period of year when water will be diverted to storage:
1/1 to 12/31 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
1 years (minimum 1 year).

MICROFILMED

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

WATER RIGHTS

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. 331 cattle
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. _____

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	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
<i>IN</i>	<i>8E</i>	<i>36</i>															<i>S</i>		

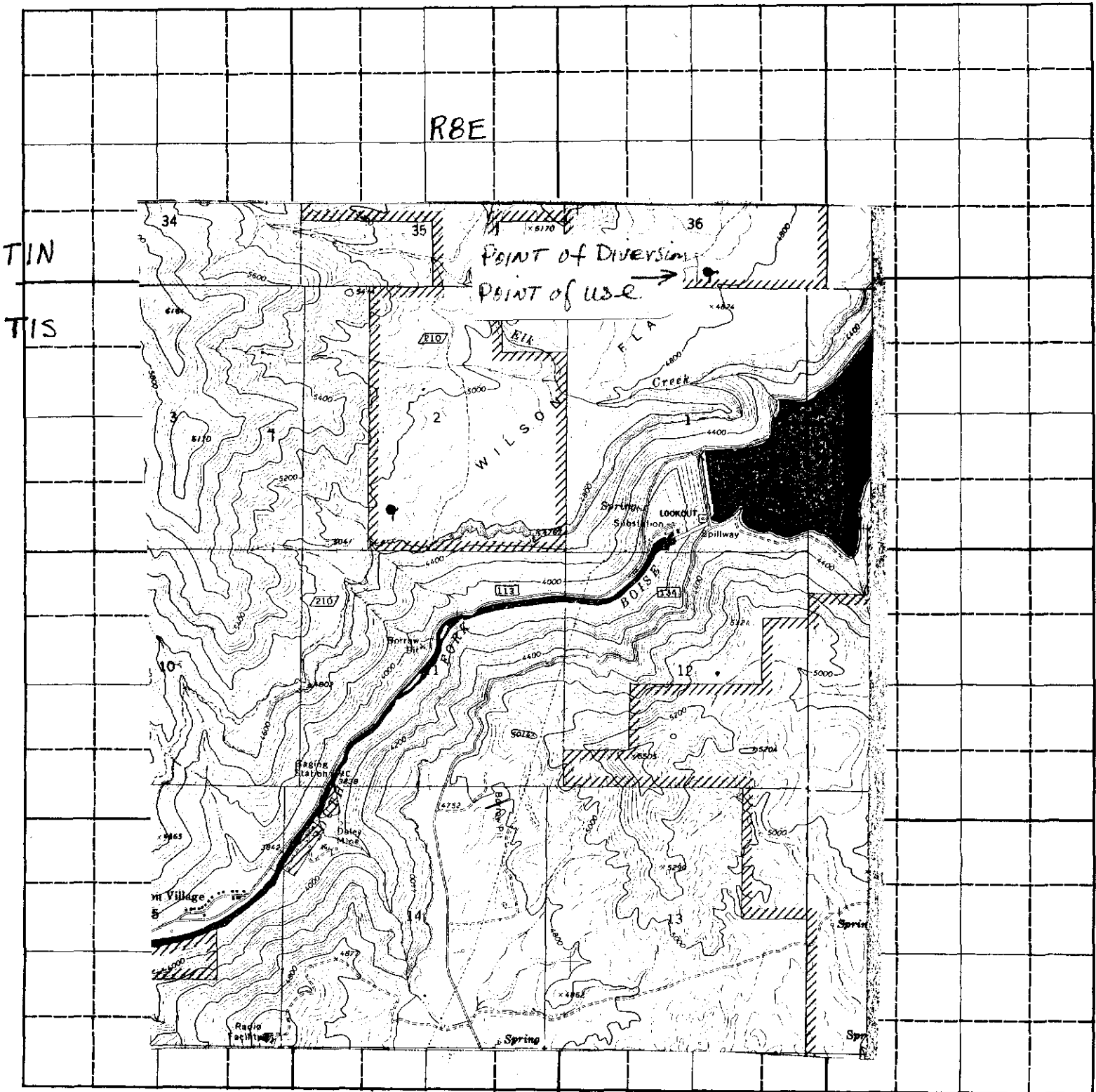
Total number of acres to be irrigated _____

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

- Who owns the property at the point of diversion? United States of America - Forest Service
Administered by the Boise National Forest
- Who owns the land to be irrigated or place of use? United States of America - Forest Service
Administered by the Boise National Forest
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: This application is for one of many sources
to water the 331 head of cattle

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.

United States of America - Forest Service

Rendall K. Hall
(for) J. S. TIXIER (Applicant) Regional Forester

MICROFILMED

Proposed Priority 5/9/86 1P 5/9/86 10:00am **APPROVED**
Received by JS Date 5/9/86 Time 9:50am Preliminary check by BC
Fee \$ 30⁰⁰ Receipted by 1P # 40300 Date 6/18/86
Publication prepared by jp Date 6/5/86 Published in Mtn. Home News
6/18 & 6/25/86
Publication approved bc Date 6/3/86

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. 63-10363, 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 August 1, 19 87.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. 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: Use of water under this permit is subject to control by the watermaster of State Water District No. 63, Boise River.

Witness my hand this 23rd day of July, 1986.

J. Glen Saylor
Chief, Operations Bureau

Affidavit of Publication

County of Elmore }
STATE OF IDAHO } ss.

I, M. L. Kessel do
solemnly swear that I am the foreman, or
publisher of the

MOUNTAIN HOME NEWS

a weekly newspaper of general circulation,
published once a week at MOUNTAIN HOME,
IDAHO, that the notice attached hereto and
which is a part of the proof of publication
thereof, was published in said newspaper for

....2.... consecutive weeks, the first publica-
tion having been made on the ...18... day
of ...June..., 1986, and
the last publication having been made on the
...25... day of ...June...
19 86...; every Wednesday issue of the paper
during the period and time of publication and
that the notice was published in the newspaper
proper and not in a supplement thereof.

And I further swear that the said MOUN-
TAIN HOME NEWS has been continuously and
uninterruptedly published in said Elmore County
during a period of 78 consecutive weeks prior
to the first publication of the attached notice.

M. L. Kessel

Subscribed and sworn to me this 30th

day of June 1986

Oben D. Swanson
Notary Public

NOTICE OF APPLICATIONS FOR WATER RIGHTS

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

63-10362

U.S. DEPT. OF AGRI.
FOREST SERVICE, FEDERAL BLDG.,
324 25TH ST., OGDEN, UT 84401
Source: SPRING trib. to ELK CREEK
Diversion Pt: SESW Sec 02 T 01S R 08E
Use: STOCKWATER STORAGE (0.02
AF); STOCKWATER FROM STORAGE (0.02
AF)

Date Filed: 05/09/1986
In: SESW Sec 02 T 01S R 08E
63-10363

U.S. DEPT. OF AGRI.
FOREST SERVICE, FEDERAL BLDG.,
324 25TH ST., OGDEN, UT 84401
Source: SPRING trib. to ELK CREEK
Diversion Pt: SWSE Sec 36 T 01N R 08E
Use: STOCKWATER STORAGE (0.02
AF); STOCKWATER FROM STORAGE (0.02
AF)

Date Filed: 05/09/1986
In: SWSE Sec 36 T 01N R 08E
The permits will be subject to all prior water
rights. Protests must be filed with the Director,
Dept. of Water Resources, Western Region,
Statehouse, Boise, Idaho 83720 on or before
JULY 7, 1986.

KEN DUNN, Dir.

Published 06/18 & 06/25/86.

RECEIVED
JUL 3 1986

Department of Water Resources
Western Regional Office

MICROFILMED

May 5, 1992

US DEPT OF AGRICULTURE
FOREST SERVICE
FEDERAL BLDG
324 25TH ST
OGDEN UT 844010000

RE: WATER RIGHT NO. 63-10363

Dear Water Right Holder(s):

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

Sincerely,

SHARLA CURTIS
Water Resource Agent

SC:clh

Enclosure

MICROFILMED

MAY 19 1992

LICENSE REVIEW CHECKLIST

Date 04-29-92

Permit # 63-10363

28

	Yes	No	
NAME	☐	☒	Address Change?
PRIORITY DATE	☐	☒	Advance? _____
	☐	☒	Memo to Advance _____
	☐	☒	Order to Reinstate Needed? _____
TOTAL CFS	☐	☒	Incorrect Fee for rate recommended? _____
	☐	☒	Disagree with Actual Measurement? _____
	☐	☒	Disagree with Theoretical? _____
	☐	☒	Limited by Capacity? _____
TOTAL VOLUME			Rate/ac _____ AFA Irr. Season _____
			Standard Irr. Season _____
			Season Recommended _____
	☒	☐	Disagree with Examiner's Calculations? _____
		☒	Limited by Flow? <u>0.10 AFA (STORAGE) 25x25x6/43560 = .086 ≈ 0.10 AF</u>
			<u>.1 AF Minimum Allowed pond capacity</u>
SOURCE	☐	☒	Changes? Clarification of <u>Originally</u>
	☐	☒	<u>Intended</u> source _____
	☐	☒	Notice of Intent to Void. _____
P/D			Verify with Map _____
	☐	☒	Amendment Needed? <u>Add SW (SWSE)</u>
	☐	☒	Is Overlap Analysis a Consideration? _____
P/U			Verify with Map _____
	☐	☒	Amendment Needed? _____
	☐	☒	Is Overlap Analysis a Consideration? _____
USES	☐	☒	Changes required to be compatible with
			Maps, Data Entry Standards, etc? _____
			<u>.1 AF Min.</u>
	☐	☒	Change(s) in Nature of Use? _____
	☐	☒	Amendment Needed? _____
REMARKS	☐	☒	Multiple P/Ds in 1/4 1/4? _____
	☒	☐	Non-Irrigation Uses <u>STOCK/331 Cattle</u>
	☐	☒	Special Overlap Condition _____
	☐	☒	Other _____
CONDITIONS		☒	Measuring Device _____
	<u>R04</u>	☐	W/Master Control <u>63</u> _____
	<u>R37</u>	☐	Overlap ☒ _____
		☒	Water Quality ☒ _____
			DATES/MISC _____
			Water Dist. _____
			App Rec'd _____
			Exam Made _____

COMMENTS/MEMOS NEEDED:

License ☒ 10-Day ☐ 15-Day ☐ Special Correspondence _____

[Handwritten signature]

WR0749NP
No. L63-10363

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT
(REGIONAL)

DATE: 04/29/92
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	US DEPT OF AGRICULTURE FOREST SERVICE FEDERAL BLDG 324 25TH ST OGDEN UT 844010000	07/13/1986	STOCKWATER STORAGE STOCKWATER FROM STORAGE	01-01 12-31 01-01 12-31		0.1 AFA 0.1 AFA
TOTAL DIVERSION:						0.1 AFA

Water Source: SPRING

Tributary to: ELK CREEK

Stage: LICENSE

Point(s) of Diversion Capacity: 0.10 CFS

Point(s) of Diversion: T01N R08E S36 SW SW SE

Place of use Legal Description for: STOCKWATER STORAGE

NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
01N	08E	36	:													:

Place of use location for STOCKWATER FROM STORAGE is the same location as described for: STOCKWATER STORAGE

Pou County: ELMORE

Conditions of Approval:

- R04 - Use of water under this water right will be regulated by the watermaster of State Water District No. 63.
- R37 - 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.

Remarks: Stockwater use is for 331 range cattle.

Dates:	App. Received:	05/09/1986	Priority Date:	07/13/1986
	Proof Due Date:	10/01/1988	Proof Made Date:	06/06/1988
	Exam Made Date:	12/16/1988	Exam Sent to S.O.:	
	Licensed Date:			

Misc: Water District Number: 63 Field Exam Fee: N (Not Required)

Audit: 04/29/92 SKAGGS

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

63-10363
Permit No.

Staff Analysis Sheet
for
Beneficial Use Field Report

A. Prior to Conducting the Exam, the File Contains:

- ☒ Blank Field Report Form
☒ Copy of Permit
☒ Copies of any Amendments/Orders with conditions of approval

NO Well Inspection Form Needed

- ☒ Copy of U.S.G.S. Quad

NO Check for Government Lots. If so, make a copy of Government Plat

Check of P/D index 12-16-88 KKC (Initial and date)

Overlap? ☐ yes ☒ no If yes: ☐ copy of exam(s) attached?

Type of Overlap? ☐ Add acres or uses to existing system

☐ Increase rate of flow or volume

☐ Other: _____

Check of P/U index 12-16-88 (Initial and date)

Overlap? ☐ yes ☒ no If yes: ☐ copy of water right(s) attached?

Type of Overlap? ☐ Increase rate of flow or volume

☐ Add P/D's

☐ Increase number of acres within tracts

☐ Other: _____

Aerial Photo

Required? ☐ yes ☒ no If yes: ☐ copy attached?

Scheduling Letter sent? _____ (Initial and date)

☐ Appointment made and telephone conversation memo attached

B. After Conducting the Exam, the File Contains:

- ☐ Fully completed and signed Field Report Form
☐ Photographs of Point of Diversion and Place of Use

C. Review and Processing:

Exam Completed 12-16-88 Kelly K Christensen (Signature of examiner and date)

Exam Reviewed by Senior Water Resource Agent RW 2-5-90 (Initial and date)

Exam Reviewed by Manager of Regional Office Dm 2/9/90 (Initial and date)

Exam Date Entered in Computer 5/30/90 JT (Initial and date)

Exam sent to State Office 5/30/90 JT (Initial and date)

Copy of Staff Analysis Sheet sent to Manager of Regional Office and Original
Refiled in White File _____ (Initial and date)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
MAY 31 1990

Department of Water Resources
Permit No. 63-10363
Phone No. 808-625-5360

A. GENERAL INFORMATION

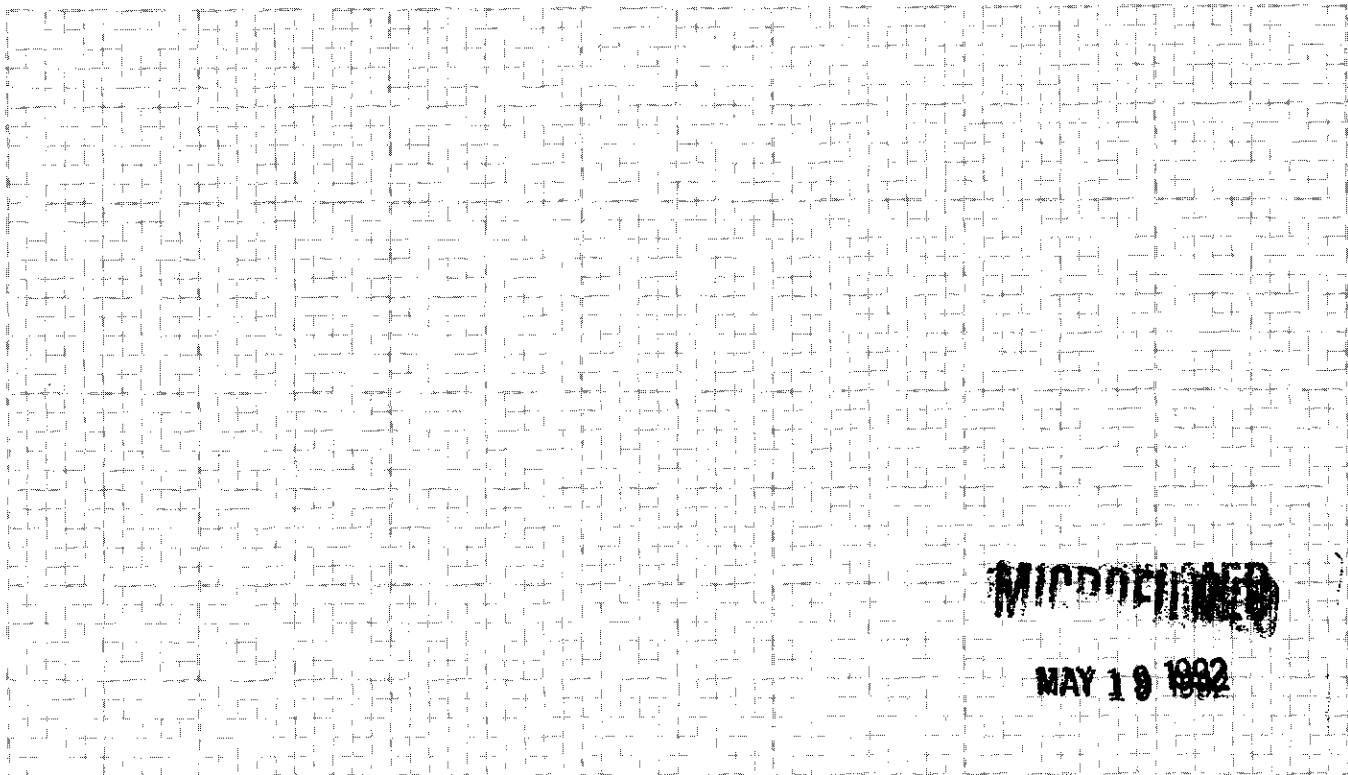
1. Owner: U.S. DEPT OF AGR. FOREST SERVICE
Current Address: 324 25th ST OGDEN UTAH 84401
2. Accompanied by: CHUCK ARENDTS EXAM. DATE: 12-16-88
Address: MTN HOME RANGER DIST. 2180 AMERICAN LEGION BLVD. Phone No. 587-7961
MTN HOME
Relationship to Permit Holder: EMPLOYEE
3. Source: SPRING tributary to ELK CREEK

B. OVERLAP REVIEW

1. Other water rights with same place of use: NONE ☐ Copies Attached
2. Other water rights with same point of diversion: NONE ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = _____

2. ☐ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required). ☐ Aerial Photo Attached
(required for irrigation of 10 acres or more).
- ☐ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

System Description (continued)

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

SYSTEM IS A POND 25' BY 25' BY 6' DEEP PROVIDING WATER TO APPROX 330 HEAD RANGE COWS.

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

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

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			SW	SE	36	IN	8E	ELMORE	QUAD MAP

6. Place(s) of Use:

Indicate Method of Determination _____

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	
IN	8E	36															S		

NOT RECORDED

MAY 19 1992

Do not use this space

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements:

POND 25' * 25' BY 6' DEEP = 3750 cuft / 43560 = 0.087 AF

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3); Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N / _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5) / (7) x 100 = _____ %

G. 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:

AFA FOR 300-400 HRS = 5.4 AFA

PERMIT IS FOR 0.02 AF - RECOMMENDED VOLUME

MICROFILMED

MAY 19 1992

H. REMARKS AND OVERLAP REVIEW ANALYSIS

NO OVERLAP FOUND

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<u>STORAGE FOR LIVESTOCK</u>	<u>1-1</u>	<u>12-31</u>	<u>N/A</u>	<u>0.02</u>
<u>STOCK WATER FROM STORAGE</u>	<u>1-1</u>	<u>12-31</u>	<u>N/A</u>	<u>0.02</u>
Totals:				<u>0.02 AFA</u>

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

J. AUTHENTICATION

Field Examiner's Name KELLY K. CHRISTENSEN

Signature Kelly K. Christensen RW 2-5-90

Certification Date _____

Field Report Preparation Date 12-16-88

CONSULTANT SEAL

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.



MAY 19 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 2735 Airport Way, Boise, Idaho 83705 • (208) 334-2190

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

October 10, 1988

63-10363
U.S. Forest Service
324 25th St.
Ogden, UT 84401

Dear Applicant(s):

We acknowledge receipt of your statement submitted as proof as 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.

Sincerely,

Judy Pense
Secretary

/jp

RECORDED

MAY 19 1992

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 63-10363

Date: 9/21/88

General Considerations:

Y Name same as permit
Y Signature the same as permit holder
Y 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:

_____ Is a measuring device or access port required?
N/A Has one been installed?
_____ 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

RECEIVED

JUN 6 1988

Department of Water Resources
Western Regional Office

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

For Office Use Only

Fee Received NO FeeDate 6/6/88Receipt # N/AReceipt by N/AReviewed by SL JSSent to region ---

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. 63-10363 -Name(s) of Permit Holder: United States of America - Forest Service -Post Office Address: 324 25th Street, Ogden, Utah 84401 -Telephone No. 808-625-5360Source of Water: Spring - Elk Creek -

Extent of Use:

Domestic --- (number of households)Stockwater 331 Cattle (number and type of stock)Irrigation --- (acres)Other/Remark ---Total rate and/or volume for which proof is submitted --- cfs 0.02 acre-feetShow the date water was first diverted and beneficially used under this permit: April 25, 1988 -Measuring Device: Required? --- Yes X No
Installed? --- Yes X NoFee enclosed \$ N/A
(See License Examination Fee Schedule)Flow Measurement Port: Required? --- Yes X No
Installed? --- Yes X No

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

Chuck Arendts

(Name)

208-587-7961

(Telephone Number)

Mountain Home Ranger District, 2180 American Legion Blvd., Mountain Home, ID 83647

(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.

United States of America - Forest Service

Date

Signature of Permit Holder (and title, if appropriate)
(for) J.S. Tixier, Regional Forester

October 21, 1987

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

Gentlemen:

RE: Permit No. 63-10362, 63-10363 & 65-12543

Enclosed is a copy of each of the approved requests for extension of time. Note the month and year that proof is again due.

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

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosures

MAR 14 1988

STAFF REVIEW SHEET - EXTENSION OF TIME

Permit No. 63-10363Reviewed by [Signature]Date 10-19-82

BASIC INFORMATION

Y Date stamp received
Y Extension received timely Rein
 (not prior to 6 month before proof due date or after reinstatement period)
Y Fee received and receipted
Y Name and signature same as permit
N Address change (indicate on coding sheet)

BASIS FOR EXTENSION REQUEST

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

Date litigation completed _____

Date litigation began _____

Total period of delay = _____

Present proof due date + _____

NEW PROOF DUE DATE = _____

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

ACTION TAKEN - Recommend approval for one year

Special conditions or remarks:

J Reinstatement Date extension received Oct. 5 = 278
 Proof due date Aug. 1 = -213
 No. of days late _____ = 65
 Priority date May 9 '86 = +129
 ADJUSTED PRIORITY DATE July 13, 1984 = 194

____ Prepare coding sheet
 ____ Change rolodex cardf

WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

Ninety days following the date of official action this file will be DESTROYED.

~~RECEIVED~~

August 6, 1987

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

LAPSE NOTICE

RE: Permit No. 63-10363

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218a, Idaho Code, the above referenced water permit has lapsed. This office did not receive either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time. You were provided the proper forms in our proof due notice to you dated May 31, 1987.

Your permit cannot be reinstated unless you submit proof of beneficial use or submit an extension of time request showing reasonable cause for delay. Either the completed proof of beneficial use submittal (including the examination fee or a completed field examination report) or the extension request form together with the \$15 fee must be received by this Department within sixty days of the date of mailing of this lapse notice.

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

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

Enclosures

8-7-1987

Bita Fleck

RECORDED

MAR 14 1988

● T A T E O F I D A H O ●

DEPARTMENT OF WATER RESOURCES

- - - - -

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL
MAY 31, 1987

138564

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

PROOF DUE NOTICE

RE: PERMIT NO. 63-10363

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF THE ABOVE REFERENCED WATER PERMIT WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE AUGUST 1, 1987. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST.) ENCLOSED IS A FORM WHICH WHEN ACCOMPANIED BY THE LICENSE EXAMINATION FEE OR A COMPLETED FIELD EXAMINATION REPORT PREPARED BY A CERTIFIED WATER RIGHT EXAMINER MAY BE USED TO SUBMIT THE REQUIRED PROOF.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU OR A PREVIOUS OWNER OF THIS PERMIT HAVE NOT RECEIVED A PRIOR EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME IF THE DELAY IS FOR REASONABLE CAUSE AS PROVIDED IN SECTION 42-204, IDAHO CODE. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION WHICH MIGHT BRING TITLE TO THE WATER IN QUESTION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. AN EXTENSION OF TIME REQUEST FORM IS ENCLOSED FOR YOUR CONVENIENCE.

EITHER AN ACCEPTABLE PROOF OF BENEFICIAL USE SUBMITTAL OR AN ACCEPTABLE REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE DESCRIBED PROOF DUE DATE. IF NEITHER IS RECEIVED, THE DEPARTMENT WILL SEND YOU A LAPSE NOTICE. WITHIN SIXTY (60) DAYS OF THE MAILING OF THE LAPSE NOTICE, THE PERMIT WILL NO LONGER BE OF ANY FORCE NOR EFFECT.

SINCERELY,

RITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES

RECEIVED

MAR 14 1988



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

July 25, 1986

RE: Permit Nos. 45-7591/7592/7599, 47-8026/8030/8032, 63-10362/10363

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

Gentlemen:

Enclosed are copies of your approved Applications for Permit. We direct your attention to the conditions of approval on the fourth pages.

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 these permits. Also enclosed for your convenience are the statement of beneficial use forms that must be submitted when your projects are completed.

Sincerely,

GARY SPACKMAN
Supervisor, Water Allocation Section

GS:sc

Enclosures

RECEIVED

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: BRAO DINGEE APPLICATION NUMBER: 63-10363

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.

Field check by: _____

Date: _____

Comments: _____

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

PROCESSING:

- ☐ Yes ☒ No Platted by: _____ Map No. _____
☐ Yes ☒ No Other rights on same place of use. _____
☒ Yes ☐ No* In form for advertising.
Final date for protests: 7/7/86
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 7/3/86
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application. 30/40380
☒ Publication dates and paper, recorded on application. Boise Home News 6/18 & 6/25/86
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application. Approve DRR
☐ Yes ☒ No Measuring device required.
☐ Yes ☒ No Access port required.
☒ Yes ☐ No Will water be delivered by watermaster? If yes, what district? 63, Boise River
5/9/1986 Date of priority recommended.
Special conditions of approval or cover letter. _____

By: DRR Date: 7/16/86

STATE OFFICE REVIEW:

616 05 (63, Boise River) **RECEIVED**

☐ See attached sheet for more information.
By: kw Date: 7/23/86

Department of Water Resources

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
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IDAHO STREAM CODE INDEX

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
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IDAHO STREAM CODE INDEX

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
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IDAHO STREAM CODE INDEX

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IDAHO STREAM CODE INDEX

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
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IDAHO STREAM CODE INDEX

DEPT. OF THE TREAS. - FMS - TFS FORM 3039 (3-85)

NOTICE TO CHECK RECIPIENT

VENDOR NAME
A KENNETH DUNN
AGENCY BILLING ADDRESS:
USDA-NFC
P O BOX 60000
NEW ORLEANS LA 70160

VENDOR I.D. NUMBER
68/TP0200514

CHECK INFORMATION
KANSAS CITY
46 876 147
\$60.00
06-10-86

DISBURSING LOC:
CHECK NUMBER:
CHECK AMOUNT:
CHECK DATE:

PAYMENT

IDENTIFICATION

INFORMATION

BOISE NF
FILING FEES

CREDIT ACCT OF USDA - FOREST SERVICE

EDM-7338

(SEE REVERSE FOR FURTHER INFORMATION)

STATE OF IDAHO

Department of Water Resources

Nº 40380

Boise, Idaho, 6/18, 1986

RECEIVED
FROM

United States Treasury Kansas City \$ 60.00
Sixty dollars & 00/100 DOLLARS

FOR

<u>2 APR</u>	\$	<u>60</u>	<u>00</u>
	\$		
<u>11.51</u>	\$		
<u>000</u>	\$		
TOTAL . . .	\$	<u>60</u>	<u>00</u>

63-10362
63-10363

James P. [Signature]

63-10363

U.S. DEPT. OF AGRI.

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

Source: SPRING trib. to ELK CREEK

Diversion Pt: SWSE Sec 36 T 01N R 08E

Use: STOCKWATER STORAGE (0.02 AF)
STOCKWATER FROM STORAGE (0.02 AF)

Date Filed: 05/09/1986

In: SWSE Sec 36 T 01N R 08E

MICROFILMED