

RECEIVED

APR 27 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 45-07693 Telephone No. (208) 677-6626

2. Name(s) of Permit Holder(s): U.S. Bureau of Land Management

3. Mailing Address: 15 E. 300 S., Burley, ID 83318

4. Source of Water: Spring (South Cottrell) #3 GROUNDWATER (well), Date Drilled: mo. ____ / yr. ____

a. Well Driller: _____ Drilling Permit Number: ____ - ____ - ____ - ____

b. **OPTIONAL:**
Pump Horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft): _____

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): _____ Stockwater (No. and type of stock): 600 Range Cattle

Irrigation (No. of acres): _____ Other: Various Wildlife

6. Total rate of diversion and/or volume for which proof is submitted: 0.11 cfs OR _____ acre feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is **not optional**. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required? Yes ____ or No X
Has the measuring device been installed? Yes ____ or No ____

Flow Measurement Port: Is a flow measurement port required? Yes ____ or No X
Has the measurement port been installed? Yes ____ or No ____

8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: Steve Davis Telephone Number: (208) 677-6626

Address: 15 E. 300 S., Burley, ID 83318

10. The information given on this form 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.

Signature of permit holder: Steve R. Davis Natural Resource Specialist Date: April 18, 1995
(include your title, if on behalf of company or organization)

RECORDED

JUN 29 1995

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 45-07693

Proposed Priority: September 3, 1991 Maximum Diversion Rate: 0.11 CFS

This is to certify, that US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
RT 3 BOX 1
BURLEY ID 83318

has applied for a permit to appropriate water from:

SPRING tributary of SINKS

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
STOCKWATER	04/01 to 12/31	0.10 CFS
WILDLIFE	01/01 to 12/31	0.01 CFS
	Totals	0.11 CFS

LOCATION OF POINT(S) OF DIVERSION: SWSESW, Sec. 24, Township 12S, Range 25E
CASSIA County

PLACE OF USE: STOCKWATER
TWN RGE SEC

12S 25E 24 SWSW

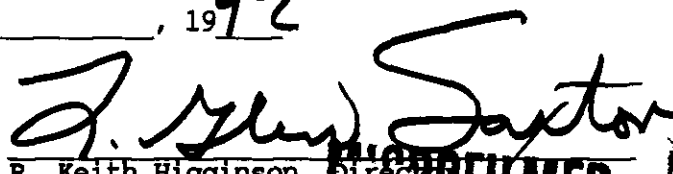
PLACE OF USE: WILDLIFE, same as STOCKWATER use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before May 1, 1995.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Stockwater use is for 600 range cattle.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this

23rd day of April, 1992

for 
R. Keith Higginson, Director

MAY 18 1992

FILED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED

To appropriate the public waters of the State of Idaho SEP 03 1991

Department of Water Resources

Southern Region Office

1. Name of applicant Bureau of Land Management Phone 678-9514

Post office address Rt. 3, Box 1, Burley, Idaho 83318

2. Source of water supply Spring (South Cotterel Spring #3) which is a tributary of sinks

3. Location of point of diversion is SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of SW $\frac{1}{4}$, Govt. Lot _____

Sec. 24 Township 12S Range 25E B.M. Cassia County; additional

points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .10 for Livestock purposes from 04/01 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .01 for Wildlife purposes from 01/01 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

5. Total quantity to be appropriated is (a) .11 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Water will be collected into a
headbox and piped to a watering trough.

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? No

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).

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SEP 8 1991

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

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. 600 cattle
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. _____
- e. Other; describe fully. 100 mule deer and various other wildlife

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. 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	
12S	25E	24											S;W						

Total number of acres to be irrigated _____

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

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

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

c. 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 project will promote better livestock and wildlife distribution.

MICROFILMED

MAY 18 1992

GEOLOGICAL SURVEY

THE
BION

42°22'30"

113°30'

459,000m N

2950

296

R 25 E

297

298

27°30"

14

13

18

Cow Gulch Spring

Spring

23

24

25

19

4693

5765

6430

6630

6810

Cow

Spring Trough

Spring #3

26

6645

7085

26

6645

7118

4692

5800

6430

6645

7085

4691

5800

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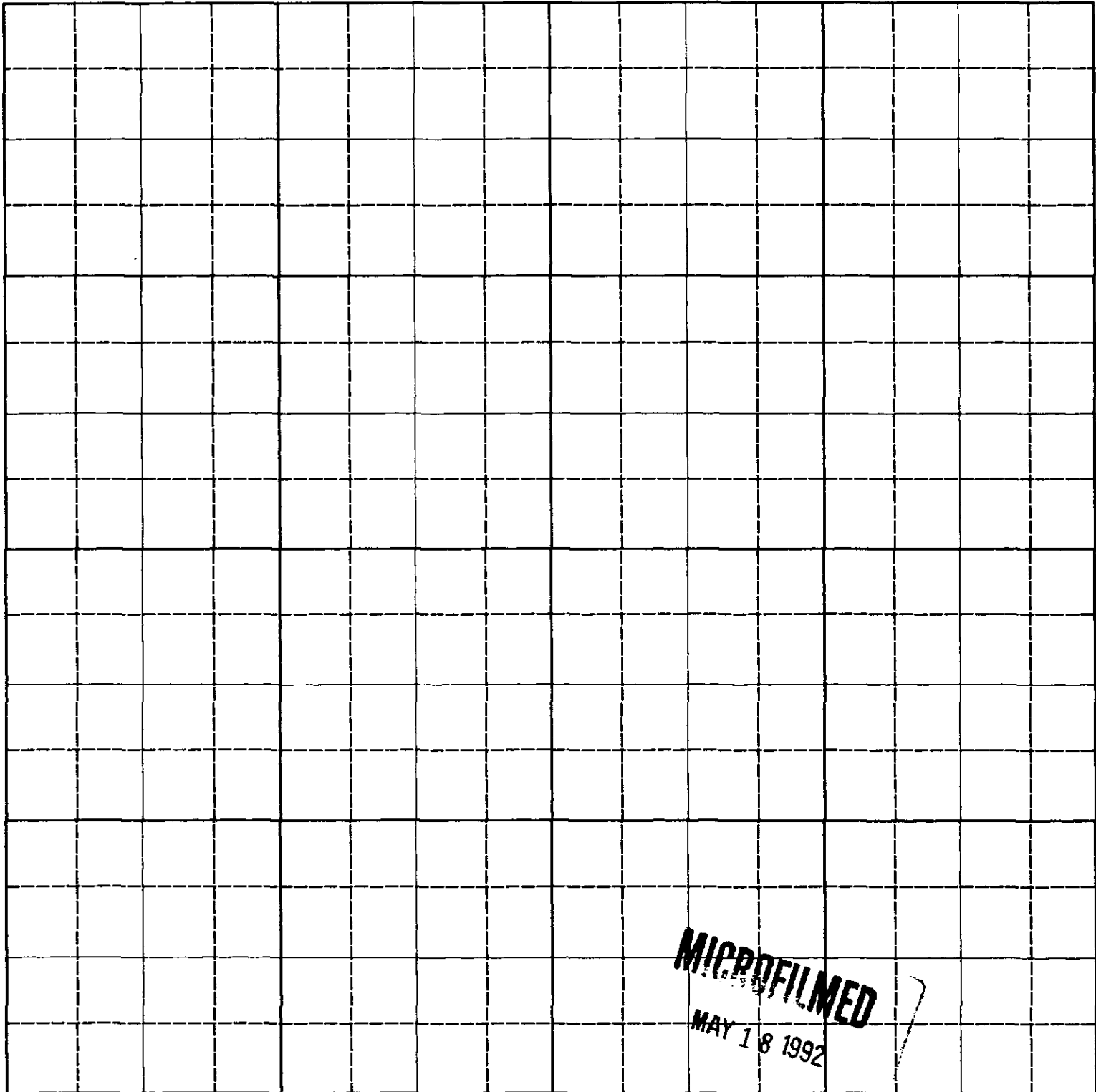
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MAY 18 1992

Steven F. Davis
(Applicant)
Watershed Specialist

Received by LF Date 9-3-91 Time 11:00 Preliminary check by J. E. Stanton
Fee \$ 30 Receipted by DJ # 5013625 Date 9/3/91
Publication prepared by MP Date 11-5-91 Published in So. Id. Press
Publication approved checked M. Baldwin Date 3-4-92

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. _____, and said application is hereby _____.

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 _____, 19 ____.
- 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:

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MAY 18 1992

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

RECEIVED

FEB 26 1992

Department of Water Resources
Southern Region Office

92-023

NOTICE OF APPLICATION FOR TRUST WATER RIGHT

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

45-07693

US DEPT. OF INTERIOR
BUREAU OF LAND MANAGEMENT
RT 3 BOX 1
BURLEY, ID 83318
Source: SPRING
Tributary: SINKS
Diversion Pt: SWSESW Sec 24 T 12S R 25E
in CASSIA County.

Use: STOCKWATER (.100 CFS)
WILDLIFE (.010 CFS)
Total Diversion: (.110 CFS)
Date Filed: 9/3/1991
T12S R25E S24 SWSW

The permit(s) 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, 222
Shoshone Street East, Twin Falls, ID 83301 on
or before February 24, 1992.

/s/ R. Keith Higginson, Director
Published in the South Idaho Press on Feb-
ruary 7 and 14, 1992.

County of Cassia, } ss.
STATE OF IDAHO }

Monique Jones being first
duly sworn, deposes and says that she
is the Clerk of the South
Idaho Press, a daily newspaper published
at Burley, Idaho, in the county aforesaid
and that the paper is of general circulation
therein. Deponent further states that the
printed notice attached hereto was duly
published according to law in the regular
editions of The South Idaho Press for two
consecutive weeks, commencing with the
issue dated Feb 7 19 92, and
ending with the issue dated Feb 14,
19 92. Monique Jones

Wrong header & footer.
Verified with SIP,
this was the actual
paste-up used for
publication, no
newspaper
clipping
available.

MB
3-4-92

STATE OF IDAHO }
COUNTY OF CASSIA }

On this 25 day of February in the year of 1992, before me,
a Notary Public, personally appeared Monique Jones,
known or identified to me to be the person whose name subscribed to the
within instrument, and being by me first duly sworn, declared that the
statements therein are true, and acknowledged to me that he executed
the same.

Nelly Solomon
Notary Public for Idaho
Residing at Burley, Idaho
My commission expires: May 23, 1997

Cost of Publication: 30.24
Notary Fee: .50
Total Cost: 30.74

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MAY 18 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR
June 21, 1995

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
15 E 300 S
BURLEY ID 83318

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NOS. 45-07693 & 43-07312

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use forms submitted for the above referenced permits.

The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning the field examination, please feel free to contact the SOUTHERN Regional Office in Twin Falls, at (208) 736-3033.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

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JUN 29 1995

February 28, 1995

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
RT 3 BOX 1
BURLEY ID 83318

PROOF DUE NOTICE

RE: PERMIT NO. 45-07693

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 May 1, 1995.

(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 complete 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.

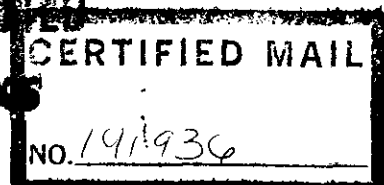
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

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JUN 29 1995





United States
Department of
Agriculture

Forest
Service

Sawtooth
National
Forest

2647 Kimberly Road East
Twin Falls, ID 83301-7976
Telephone: (208) 737-3200

Reply To: 2540

Date: JULY 30 1992

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JUL 10 1992

Idaho Department of Water Resources
Pamela Skaggs, Water Resource Agent
1301 North Orchard Street, Statehouse Mail
Boise, ID 83720-9000

Department of Water Resources

RE: WATER RIGHT NOS. 45-7550 and 45-7593 (Your ltr. 6/3)

Dear Ms. Skaggs:

We have reviewed the draft licenses for the above water rights that you forwarded to our Regional Office in Ogden, Utah, with two letters dated June 3. One of the two draft licenses is not completely correct as written because the type of livestock has changed. The other draft is correct.

Draft license 45-7550 is a small stockwater pond (West Goose Creek Pond #1 or Pond A). At the time of its construction, cattle were being used to graze the allotment. Soon after construction of the pond, the type of livestock was changed back to sheep, which had been historically grazed here. The current stocking rate is 1200 sheep. This change may not be important in terms of the water right, as it does not represent a change in the amount, purpose, or location of the use.

Draft license 45-7593 is correct as written. There are no other corrections necessary on either of these two draft licenses. Thank you for the opportunity to review them.

Sincerely,

JACK E. BILLS
Forest Supervisor

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JUN 29 1995



Caring for the Land and Serving People

FS-6200-286(4/88)



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

April 24, 1992

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
RT 3 BOX 1
BURLEY ID 83318

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 45-07693

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed. You will receive a "Proof Due Notice" from this Department approximately 60 days prior to the completion date requiring you to file either a Proof of Beneficial Use form stating that the project has been completed or file a Request for an Extension of Time in which to file the proof statement.

Sincerely,

BRENDA MILLER
Technical Records Specialist

BM:clh

Enclosures

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MAY 18 1992

NOTICE OF APPLICATION FOR WATER RIGHT

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

45-07693

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
RT 3 BOX 1
BURLEY, ID 83318

Source: SPRING

Tributary: SINKS

Diversion Pt: SWSESW Sec 24 T 12S R 25E in CASSIA County.

Use: STOCKWATER (.100 CFS)
WILDLIFE (.010 CFS)
Total Diversion: (.110 CFS)

Date Filed: 9/ 3/1991

T12S R25E S24

SWSW

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 on or before February 24, 1992.

R. KEITH HIGGINSON, Director

Published: 2/7 & 2/14/92

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MAY 18 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region
222 Shoshone Street East
Twin Falls, ID 83301
(208) 736-3033

January 17, 1992

SOUTH IDAHO PRESS
PO BOX 190
BURLEY, ID 83318

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. 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 February 24, 1992.

Yours truly,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

MICROFILMED

MAY 18 1992

INTER-DEPARTMENT MEMO

TO: File

SUBJECT: Legal advertising

FROM: Mary Baldwin
Sec/Office Coord.

DATE: 1/17/92

Verified by t/c to Monique Jones, of the South Idaho Press that they failed to receive the legals scheduled for publication on 11/15 & 11/22/91.

Therefore, the legals were faxed on this date for publication on 2/7 & 2/14/92.

MICROFILMED
MAY 18 1992

() For your information

() Response required

Mary Baldwin
signature

NOTICE OF APPLICATION FOR WATER RIGHT

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

45-07693

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
RT 3 BOX 1
BURLEY, ID 83318

Source: SPRING

Tributary: SINKS

Diversion Pt: SWSESW Sec 24 T 12S R 25E in CASSIA County.

Use: STOCKWATER (.100 CFS)
WILDLIFE (.010 CFS)
Total Diversion: (.110 CFS)

Date Filed: 9/ 3/1991

T12S R25E S24

SWSW

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 on or before DECEMBER 2, 1991.

R. KEITH HIGGINSON, Director

Published: 11/15/1991 & 11/22/1991

MICROFILMED
MAY 18 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region
222 Shoshone Street East
Twin Falls, ID 83301
(208) 736-3033

NOVEMBER 5, 1991

SOUTH IDAHO PRESS
PO BOX 190
BURLEY, ID 83318

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. 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 2, 1991.

Yours truly,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

RECEIVED
MAY 1 1991



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

05-Nov-1991

R. KEITH HIGGINSON
Director

ATTN STEVEN R DAVIS WATERSHED SPEC
USDI BUREAU OF LAND MANAGEMENT
RT 3 BOX 1
BURLEY ID 83318

Re: Application for Permit Nos. 43-07312, 43-07313, 45-07693

Dear Applicant (s):

The Department of Water Resources acknowledges receipt of your water right applications for permit. The applications have been assigned the above referenced identification numbers. Please refer to these numbers in all further correspondence.

This office will be advertising the applications in the South Idaho Press on 11/15 & 11/22/91. A period of ten days following the second publication will be allowed for the submittal of protests.

If the applications are 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.

Very truly yours,

A handwritten signature in cursive script that reads "James E. Stanton".

James E. Stanton
Sr. Water Resource Agent

JS:MB

NOV 16 1991