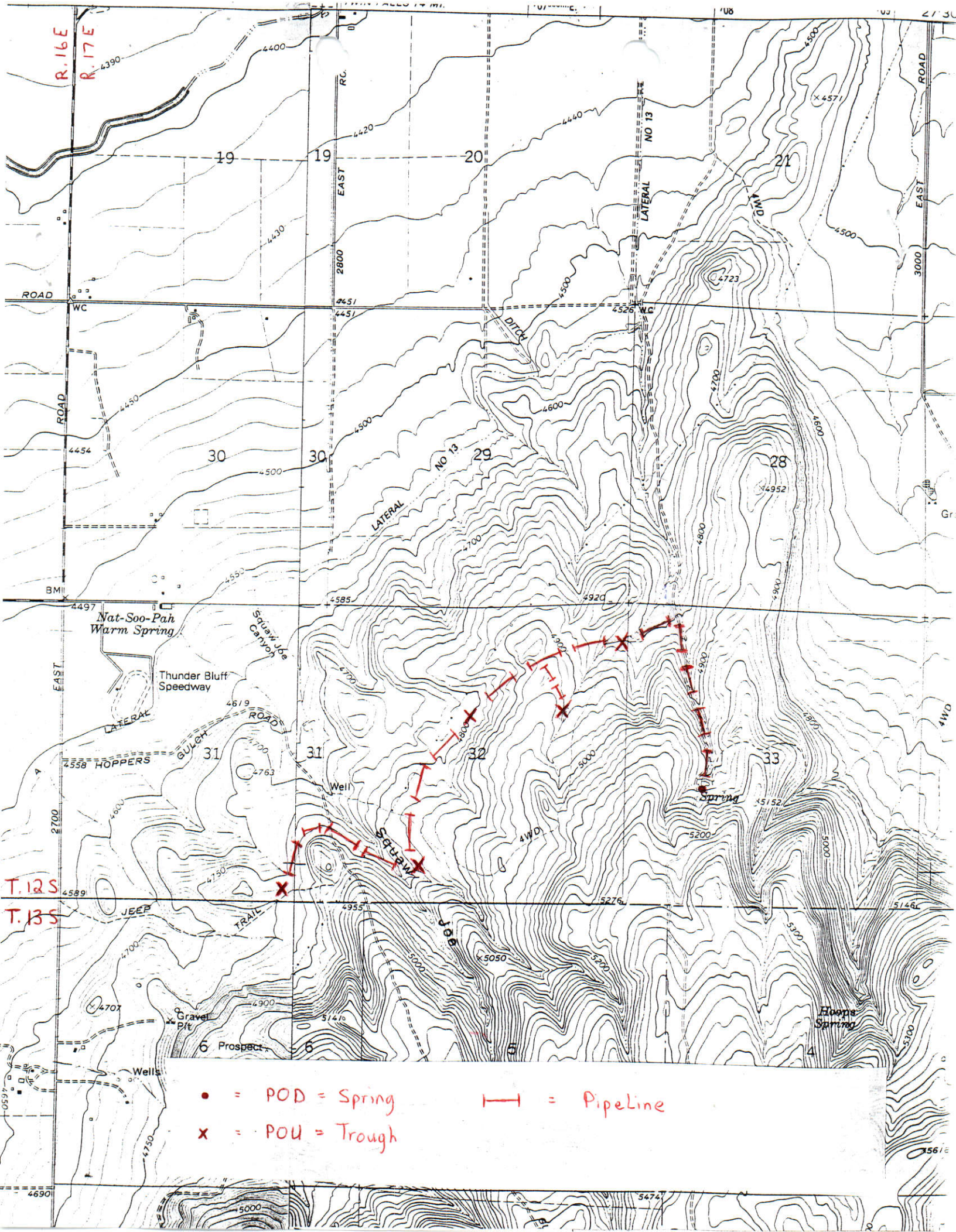




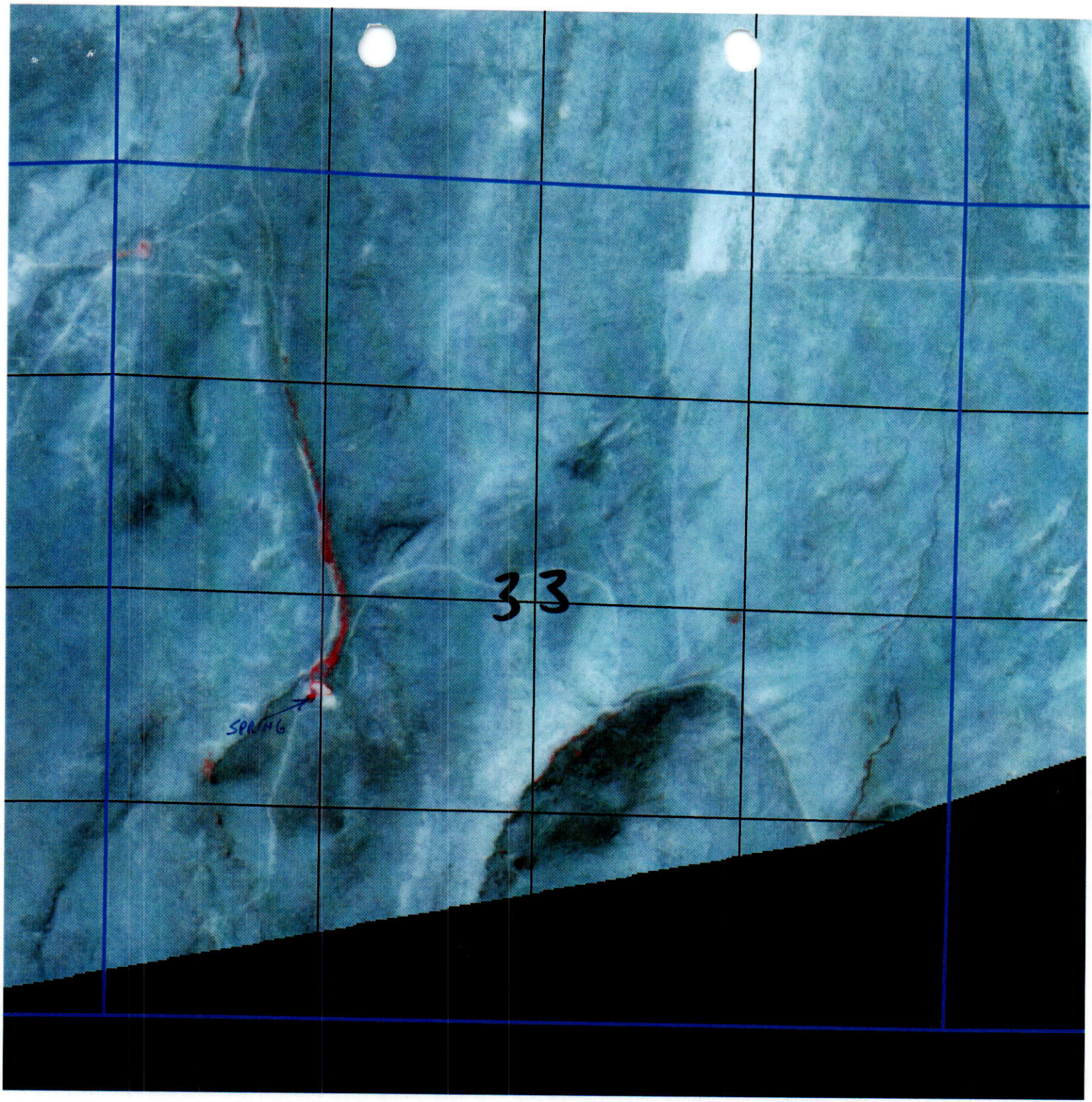
R.16E

R.17E

T.12S

T.13S

• = POD = Spring
x = POU = Trough
—|— = Pipeline



GIS IMAGERY
OF POD
LOCATION



MICROFILMED
DEC 09 1999

47-08433

NWSW 1/4

POND
spring

NESW 1/4



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DEC 09 1999

47-08433



ABOVE: View looking down the drainage, towards the north to northeast, of the point of diversion area. The pond visible in this view is the pond present on the USGS quad map and the GIS imagery. The spring and point of diversion is located at the southwest corner of this pond, towards the lower left corner of this view. The arrow, pointing to the patch of stinging nettle, indicates the approximate location of the view below.

BELOW: View of what appears to be some sort of diversion works at the likely spring location. In addition, to this diversion structure, the ground below (to the north of) the pond appeared to have been previously disturbed more than likely indicating a buried pipeline in the area indicated on the Application for Permit.



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FOR OFFICE USE ONLY
Amt. of Fee \$: 50.00
Receipt No. COS1309
Receipt By: JB
Date Received: 11-30-00

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
NOV 30 2000

PROOF OF BENEFICIAL USE

NOV 30 2000
Department of Water Resources
Department of Water Resources

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

1. Permit No. 47-08433 Telephone No. (208)677-6626

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

3. Mailing Address: 15 East 200 South
City Burley State ID Zip 83318

4. Source of Water: Spring If **GROUNDWATER** (well), Date Drilled: mo. _____ / yr. _____
Well Driller: _____ Drilling Permit Number: _____

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

Domestic (No. of households): _____ Stockwater (No. and type of stock): 339 Range Cattle
Irrigation (No. of acres): _____ Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: 0.02 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 ✓
Has the measuring device 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 East 200 South, 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 water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: Steve Davis, Hydrologist Date: 11-28-00
(include your title, if on behalf of company or organization)

MICROFILMED

NOV 30 2000

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 47-08433

Priority: February 10, 1999

Maximum Diversion Rate:

0.02 CFS

This is to certify, that US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
15 E 200 S
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	01/01 to 12/31	0.02 CFS
WILDLIFE	01/01 to 12/31	0.01 CFS
	Totals	0.02 CFS

LOCATION OF POINT(S) OF DIVERSION: NWNESW , Sec. 33, Township 12S, Range 17E
NENWSW , Sec. 33, Township 12S, Range 17E
TWIN FALLS County

PLACE OF USE: STOCKWATER

TWN RGE SEC

12S 17E 31	SESE		
32	NENE	SENE	SENE
	SESW		

PLACE OF USE: WILDLIFE, same as STOCKWATER use

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of application of water to beneficial use shall be submitted on or before December 1, 2000.
2. Subject to all prior water rights.
3. This right authorizes a single point of diversion.
4. This right, when considered with all other rights common to the same grazing allotment, is limited to the quantity of water beneficially used by the number of stock within the allotment.
5. The issuance of this right does not grant any right-of-way or easement across the land of another.
6. Stockwater use is for 339 range cattle.

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

18 day of November, 1999.

MICROFILMED

DEC 09 1999

[Signature]
for Karl J. Dreher, Director

RECEIVED

FEB 10 1999

Department of Water Resources
Southern Region

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

NOV 10 1999

Department of Water Resources

1. Name of applicant U.S. Bureau of Land Management Phone (208) 677-6626

Post office address 15 East 200 South, Burley, ID 83318

2. Source of water supply spring which is a tributary of sinks

3. Location of point of diversion is NE NW SW OR NE SW OR 1/4 of NE 1/4 of SW 1/4, Govt. Lot

Sec. 33 Township 12S Range 17E B.M. Twin Falls County; additional

points of diversion if any: ONLY ONE POINT OF DIVERSION (POD VERY CLOSE TO) QUARTER LINE

4. Water will be used for the following purposes:

Amount 0.02 for stock water purposes from 01/01 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.01 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) 0.02 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 2900 feet of 1 1/4 inch pipe, 5800 feet of 1 inch pipe, and troughs

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 85°F being sought? _____

e. If well is already drilled, when? _____; Drilling firm _____

Well was drilled for (well owner) _____

7. Time required for the completion of the works and application of the water to be proposed beneficial use is 0 years (minimum 1 year). ---already exists

*
C.S. per
7/26/99
Telecom
with
Steve
Davis
of
BLM

MICROFILMED
DEC 03 1999

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. 339 range cattle
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. _____
- e. Other; describe fully. various 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	17E	32	S;W																
12S	17E	32				S;W													
12S	17E	32							S;W										
12S	17E	32											S;W						
12S	17E	31															S;W		

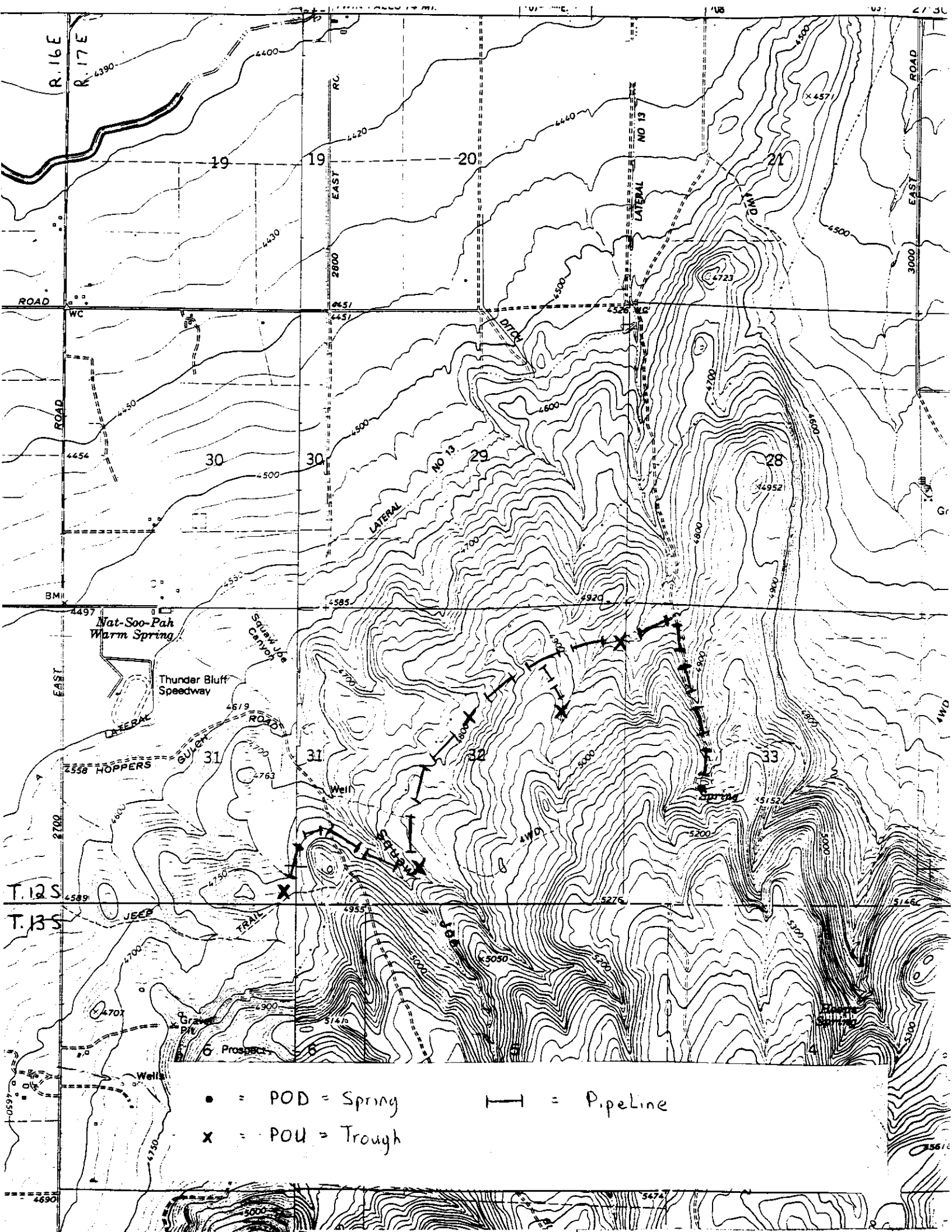
Total number of acres to be irrigated _____

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? W.T. Williams, Inc.
- b. Who owns the land to be irrigated or place of use? U.S. Bureau of Land Management
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. Through a cooperative agreement, W.T. Williams, Inc., was authorized to extend a pipeline (supplied by this spring) off his private land onto BLM administered land for the purpose of watering livestock.
12. Remarks: _____

MICROFILMED

DEC 09 1999



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

A full-page sheet of white graph paper featuring a uniform grid of thin black lines. The grid consists of 15 columns and 15 rows, creating a total of 225 small squares. The lines are evenly spaced and extend across the entire page, leaving no margins or additional markings.

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.

MICROFILMED

DEC 09 1999

Steve Davis, Hydrologist
(Applicant)

47-08433

Received by 9-3 Date 4/1/99 Time 1650 Preliminary check by P. SKINNER
102
Fee \$ 50.00 Receipted by P. SKINNER # 5021775 Date 02/10/99
Publication prepared by AM Date 9/14/99 Published in Times News
Publication approved MB Date 11/1/99

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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DEC 09 1999



GIS IMAGERY
OF POD
LOCATION



MICROFILMED

DEC 09 1999

47-08433

NWSW 1/4

POND

NESW 1/4



UNFILMED

47-08433



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

January 11, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
15 E 200 S
BURLEY, ID 83318

PROOF ACKNOWLEDGEMENT LETTER

RE: Permit No. 47-8433

Dear Permit Holder(s):

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

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

If you have any questions concerning the field examination, please contact the **Southern** Regional Office of the department in Twin Falls at (208) 736-3033.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

c: IDWR - Region

MICROFILMED

JAN 30 2001

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 47-8433

Reviewed By: dgibson

Date: January 11, 2001

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?	X		Drilling permit required?		X
License examination fee required?	X		Drilling permit No.:		
Appropriate fee submitted?	X		Drilling permit upgrade needed?		X
Receipt No.:		C051304	Well driller's report filed?		X
Additional Amount Due:			Measuring device required?		X
Name and address same as permit?	X		Measuring device installed?		
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received	11/30/2000
Date proof due	- 12/01/2000
No. of days late	= 0
Holiday allowance	+
Priority date	+ 02/10/1999
New priority date	= 02/10/1999

Deficiencies of Actions Items

Acknowledge proof.

MICROFILMED
JAN 30 2001

September 30, 2000

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
15 E 200 S
BURLEY ID 83318

PROOF DUE NOTICE

RE: PERMIT NO. 47-08433

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 December 1, 2000. (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.

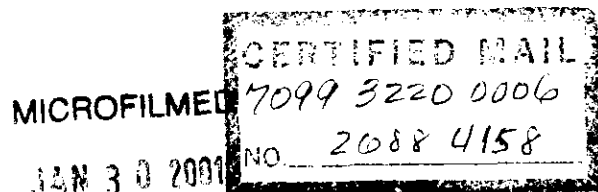
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental 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,

DEBORAH GIBSON
Administrative Assistant

Enclosures





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

November 19, 1999

DIRK KEMPTHORNE
GOVERNOR

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
15 E 200 S
BURLEY ID 83318

KARL J. DREHER
DIRECTOR

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 47-08433

Dear Permit Holder:

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

The permit is a preliminary order issued by IDWR pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed, you should complete and submit this form immediately.

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

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt
Enclosures

MICROFILMED
DEC 09 1999

CERTIFICATE OF MAILING

I hereby certify that on the 19th day of November, 1999, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right No. 47-08433

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
15 E 200 S
BURLEY ID 83318


Kari Lynn Townsend
Secretary

MICROFILMED
DEC 09 1999

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

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

MICROFILMED

DEC 09 1999

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

**APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS**

Reviewed by Sharla Curtis on 11/16/99

No. 47-08433 Name: Blm Corp. Officers N/A Ad ok ✓ Govt Lots

AREA OF CONCERN: No/Yes ESPA Moratorium GWMA TRUST/NON-TRUST

GROUNDWATER: (✓Flow Chart)

DRILLING PERMIT

All wells - 046(P23)
Basin 34 - 085
Irr. w/in WD - P05
WMD - North/East/West
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 067
~~WMD~~
Supp irr (irr = only use) - 065-079
Supp irr (+ other uses) - 100-101
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M

LOCATION:

Boise Front LoGeo - 058 (<85 GW)
Mitigation - 121
42-248 Area - P84 (20s-70s, 81-86)
Swan Falls Flag
Trust - 051(P74) (consumptive uses)
Non-Trust - 048-049 (consumptive uses or non-cons. > 1.0 cfs)

USES:

STORAGE - 18A-01H(P01), 01P-18B(P09)-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
STOCKWATER - R37 (BLM/USFS)
MINING - 054-081(P10)
FISH PROP - 029(70'S only)-007-042-081(P10)
HEAT/COOL - R07(injection well)
FIRE PROT. - 077

BENEFICIAL USE DUE: 1210112000

MISC CONDITIONS/REMARKS:

~~Protested~~ - 020-W19
Development Period
≤ 1 yr - P16
> 1 yr - 26A(P17)
Ownership - 004
Non-consumptive - 027
Water Quality - 081-R07

OTHER CONDITIONS/REMARKS S/339 range cattle.

COMMENTS

SURFACE WATER: (✓Flow Chart)

F&G contacted - Yes/No Response

In/Above MSF - WB9

PLANNING SECTION REVIEW/RESPONSE

In-stream development - P52

~~WD~~ - R04 (WD#)

≤ 0.20 cfs/others - 01H(P01), 01P or No MD

> 0.20 cfs - 01J(P08)

SPRINGS/SINK, INACTIVE WD & REST OF STATE

≤ 0.24 cfs/5 acres - No MD

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

RIVER BASINS: (SW special considerations)

SNAKE R (01) - W22(P04), N/A
(02,03) - 007 (w/ remark WB9 if above Weiser)
Payette R (65) - 047(P04) (Payette Lake)
Salmon R (70's) - 029 (fish screens)
Weiser R (67) - 086-087

USES:

POWER - 17H-17K (+uses)-08A-025(P18)-01N-081(P10)
MUNICIPAL
Restricted area - 022,075
Irr., GW supp to SW - 102
DOMESTIC
Surface water - WB5 (Big Wood or Boise above Star Bridge)
27A (Payette R)
> 1 in restricted area - 070-071-075(no parks/common areas, etc)
In use listed separate - WB5
Moratorium approvable - W03 (2400 gpd - meetd domestic definition
i.e. D/convenience store)

Single pld 076
~~Multiple pld's per 1/4~~ - W32
~~Subd lot desc (pd)~~ - W59
~~Subd lot desc (pu)~~ - W60
Use definitions - W02 example - S/50 range
Pre-1987 development - 068-074 (allow 120 days for proof due)

RECEIVED

NOV 10 1999

DEPARTMENT OF WATER RESOURCES

Date Sent Comments Received

SEND COPIES TO:

☐ Idaho Dept of Health & Welfare	_____	_____
☐ USDI BLM	_____	_____
☐ Idaho Dept of Fish & Game	_____	_____
☐ USFS	_____	_____
☐ Idaho Dept of Lands	_____	_____
☐ Water Dist. No. _____	_____	_____
☐ Adjudication Bureau Unit	_____	_____
_____	_____	_____
_____	_____	_____

PROCESSING ☒ Yes ☐ No In form for Advertising?
☐ Yes ☒ No Statewide Advertising?
☒ Yes ☐ No Fee amount, receipt date & No. recorded?

☐ Yes ☐ No Has all requested additional information been received?
 If not, describe action taken: _____

FINAL REGIONAL PROCESSING REVIEW

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

☐ Yes ☒ No Publication dates and paper recorded?
 Final date for protest: _____

☐ Yes ☒ No Protests received?

☐ Yes ☒ No Protested?

Describe Resolution: _____

☐ Yes ☒ No Measuring device required?

☐ Yes ☒ No Access port required?

☐ Yes ☒ No Will water be delivered by watermaster? If yes, what dist? _____

☐ Yes ☒ No Special conditions codes: _____

☐ Yes ☒ No Is Evaluation Memo Attached?

If yes; date of Memo _____

Date of priority recommended: _____

COMMENTS:

RECOMMEND ☒ Approval ☐ Denial

By _____

Date _____

USD - BLM

FORM NO.202A
REVISED 7/31/98

APPLICATION NO. 47-08433

STATE OF IDAHO
IDWR SOUTHERN REGION
APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY P. SKINNER DATE 7/26/99

REQUIRED INFORMATION (Ck if OK)

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.
- ☒ Address
- ☒ Source (see USGS quad for names of water sources)
- ☒ Point of diversion (10 Acres for spring, lot & block descriptions for subdivisions, local name, flow &/or volume. ONLY ONE ADD
- ☒ County
- ☒ Quantity (flow &/or volume)
- ☒ Period of use
- ☒ Nature of proposed use (include description of use)
- ☒ Description of diverting works.
- ☒ Time required for beneficial use of water.
- ☒ Place of use or acres irrigated.
- ☒ Map
- ☒ Signature (If applicant is corp., partnership, or municipality, title of signator is required)
- ☒ Fee
- ☒ Yes ☐ No* In form to receipt?

POD VERY CLOSE
TO 1/4 LINE

++++PROPOSED PRIORITY DATE 2/10 1999

ADDITIONAL INFORMATION

- ☒ Overlapping place of use(Describe source & relationship to present application on the back.
- ☒ Overlapping point of diversion. CLAIM A47-13230A
- ☒ Yes ☐ No Is Source Surface Water? SPRING
- ☐ If Yes Send Copy to F&G.
- ☐ If Yes Field check/memo required.
- ☐ Field check/memo by P. SKINNER
- ☒ Yes ☐ No Field report attached?
- ☐ Yes ☒ No Critical Ground water area?
- ☐ Yes ☒ No Groundwater management area?
- ☐ Yes ☒ No Measurement District or Groundwater District?
- ☐ What District? _____
- ☐ Yes ☒ No Send Dam safety information?
- ☐ Yes ☒ No Send power requirement letter?
- ☐ Yes ☒ No Send fish farm requirement letter?
- ☐ Yes ☒ No Power residency affidavit attached?
- ☐ Yes ☒ No Power efficiency form?
- ☒ Yes ☐ No Within trustwater boundary?(If yes, attach trustwater supplementary analysis sheet.
- ☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft? (If yes, attach large diversion supplementary analysis sheet.
- ☐ Yes ☒ No Is Application made to record Pre Nov 1987 Development?
- ☐ If Yes then request clear evidence of when use started.

* REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT:

_____ Date Requested _____

RECEIVED

NOV 10 1999

MEMO

Department of Water Resources

FROM: Allen Merritt *AM*

DATE: November 2, 1999

TO: Application for Permit No: 47-08433

In the Name of: BLM

SUBJECT: Review and Recommendation

This application is for recording an existing development. The application was processed without protest. The use is in the ESPA moratorium area but the use is de minimus or domestic.

GIS review finds that the point of diversion is probably in the NENWSW but it is close to the line and depending on rectification of the overlays it could go one way or another. Best information is NENWSE.

Recommendation

I recommend the application be approved subject to the following conditions:

- It does not grant right to trespass over land of another.
- Use is limited to 13,000gpd or less.
- Only one point of diversion allowed.

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DEC 09 1999

FILE PROGRESS SUMMARY

APPLICANT: ASDI - BLM

WATER RIGHT NO. 47-08433

[illegible]

**NOTICE OF APPLICATION FOR WATER PERM
AND PROPOSED CHANGES TO WATER RIGHT.**

Notice is hereby given that one application for water right permit and three transfer applications have been filed with the Department of Water Resources as follows:

Application for Permit No. 47-08433 filed 2/10/1999 by the US Bureau of Land Management (15 E 200 S, Burley, ID 83318) requests development of a spring which sinks. Intended uses are for stockwater and wildlife purposes at a rate of 0.02 cfs. The spring is located in the SW¼ of Section 33 and uses will be from troughs located in Sections 31 and 32, all T12S, R17E, Twin Falls County.

Transfer No. 5527 by Alvin & Patricia Harris (2932 E 3400 N, Twin Falls, ID 83301) requests modification of right 47-11769 (priority of 9/28/1915; 0.06 cfs) used for domestic and stockwater purposes. The right is currently diverted from a well within SESW Section 9 and used within SESW Section 4, all T11S, R17E, Twin Falls County. The transfer proposes to change the point of diversion to a well at the place of use (SESW Section 4).

Transfer No. 5533 by Arnold Pruett (1298 E 4400 N, Buhl, ID 83316) requests modification of right 47-11786 (priority of 3/20/1967; 0.04 cfs) used and diverted from a well for domestic purposes recorded within SESW Section 14, T09S, R14E, Twin Falls County. The transfer proposes to record the place of use and point of diversion within SWSW Section 14. (No physical change to actual use will be made).

Transfer No. 5539 by C & B Cattle Co (4384 E 3500 N, Murtaugh, ID 83344) requests modification of rights 47-02396 (priority of 6/26/1964; 0.33 cfs) and A47-12335 (priority of 12/31/1950; 0.33 cfs). These rights are recorded as being diverted from a well and used at Independent Meat Co. within NENE Section 27, T10S, R17E, Twin Falls County for industrial purposes at the meat processing plant. The transfer proposes to move the rights so that a new dairy may be developed. The rights are requested to be used for stockwater and commercial use (total of 0.66 cfs) to be diverted from two new wells within NWSW Section 28, T10S, R19E. Stockwater and commercial use for the dairy including land disposal of waste will be within Sections 27, 28, 33, 34, T10S, R19E and Sections 3 & 4, T11S, R19E, all in Twin Falls County. The meat processing plant will continue to be served by Twin Falls City municipal water works.

Any protest against the proposed applications must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before October 25, 1999 to be considered by the Department in its decision to grant or deny any part of the proposed applications. (Each application requires a separate protest). The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

PUBLISH: October 7 and 14, 1999

RECEIVED

OCT 22 1999

Affidavit of Publication

STATE OF IDAHO
COUNTY OF TWIN FALLS } SS.

Department of Water Resources
Southern Region

No 32288

I, Ruby Anderson being first duly sworn upon oath, depose and say that I am Principal Clerk of the TIMES-NEWS, published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for two consecutive weeks, commencing with the issue dated Oct 7, 19 99, and ending with the issue dated Oct 14, 19 99.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said newspaper began daily publication under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, to be published weekly, will be published; and that at the head of the editorial column of said combined newspapers, and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 21st day of Oct in the year of 1999, before me, a Notary Public, personally appeared Ruby Anderson, 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.

Heva R. Feltman
Notary Public for Idaho
Residing at Twin Falls, Idaho
My commission expires 5/19/2000

OK
mb
11/1/99

DEC 03 1999

REMITTANCE ADDRESS THE TIMES-NEWS - L L P.O. BOX 548, TWIN FALLS, ID-83303-0548		BILL TO DEPT WATER RESOURCES	
AD NUMBER 240305	CLASS 0050 LEGAL	SALESPERSON 5	BILLING DATE 10/20/99
AD DESCRIPTION NOTICE OF APPLICATION FOR WATER PER		START DATE 10/07/99	LINES 114 * 2
PUBLICATION 4 THE TIMES NEWS LEGAL	INSERTIONS 2	RATE LGL	STOP DATE 10/14/99
TOTAL AD CHARGE		NET AMOUNT 100.32	GROSS AMOUNT
4 AFFIDAVIT CHARGE		100.32	
47-08433 T# 5527, 5533, 5539		AFFID 2.00	
DAYS RUN			
PURCHASE ORDER legal		PAY THIS AMOUNT	
		102.32	102.32*

RECEIVED

OCT 22 1990

Department of Water Resources
Southern Region

legal

AD NUMBER	CLASS	START DATE	STOP DATE
240305	050 LEGAL	10/07/99	10/14/99
AD DESCRIPTION		BILLING DATE	TELEPHONE NUMBER
NOTICE OF APPLICATION FOR WATER PER		10/20/99	208-736-3033

GROSS AMOUNT OF
102.32
DUE AFTER

EXPIRATION DATE: ____/____/____

SIGNATURE: _____

CREDIT CARD NUMBER			

DEPT WATER RESOURCES
1341 FILLMORE, SUITE 200
TWIN FALLS, ID

83301

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DEC 09 1999

TOTAL AMOUNT DUE
102.32
ENTER AMOUNT ENCLOSED

Abstract

**NOTICE OF APPLICATION FOR WATER PERMIT
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Karl J. Dreher, Director

Published in the Times News on 10/7 & 10/14/99

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DEC 09 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

**DIRK KEMPTHORNE
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

September 18, 1999

**ATTN LEGALS
TIMES NEWS
PO BOX 548
TWIN FALLS ID 83303-0548**

Ladies and Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper.

We have inserted the required publication dates. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

**Mary Baldwin
Administrative Assistant**

Enclosure

**MICROFILMED
DEC 09 1999**

MEMORANDUM

TO: BLM Application for Permit File

FROM: Corey Skinner *CS*

DATE: July 26, 1999

SUBJECT: Staff Review

The enclosed Application for Permit, filed in the name of the U.S. Bureau of Land Management, seeks to obtain a water right for an existing stockwater development located in the foothills south of Twin Falls. The development consists of a spring and buried pipeline(s) to stock watering troughs in a couple of nearby sections. The spring is located in the Southwest $\frac{1}{4}$ of Section 33 (T12S, R17E) and the stockwater troughs are located in Sections 31 and 32 (T12S, R17E).

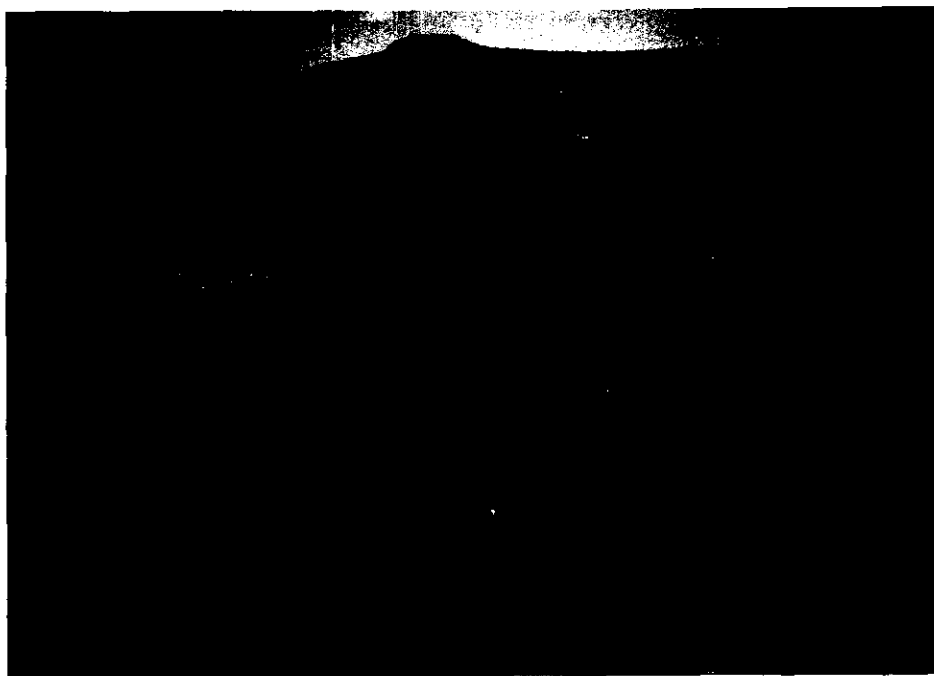
It appears that SRBA claim A47-13230A, filed in the name of WT Williams Inc, is diverted from the same spring. Apparently, the spring is located on WT Williams, Inc. property. A field check of the source was conducted on July 7th. It was observed that a pond exists at the base of a spring in the area indicated on the application. At the southwest corner of the pond, there appeared to be a diversion structure at the probable spring location. Mr. Williams had told me that the diversion is at the southwest corner of the pond. The attached photos document my July 7th visit.

It should be noted that it appears that the spring is located very near to the $\frac{1}{4}$ line that divides the NESW $\frac{1}{4}$ and the NWSW $\frac{1}{4}$ of Section 33. The USGS quadrangle map appears to indicate that the spring is probably in the NENWSW $\frac{1}{4}$ of Section 33, but very close to the quarter line. The enclosed application originally listed the NWNESW $\frac{1}{4}$ as the location of the point of diversion, as does SRBA claim A47-13230A. However, the Department's GIS information appears to indicate that the spring is located in the NENWSW $\frac{1}{4}$ of Section 33. This day I spoke with Steve Davis of the BLM regarding the legal description for the spring. Mr. Davis looked over his information and he was under the impression that the spring was located right on the quarter line. With Mr. Davis's permission, I changed the application so that it listed both legal descriptions (NENWSW $\frac{1}{4}$ or NWNESW $\frac{1}{4}$). It should be emphasized that only one point of diversion exists, and is proposed, under this application.

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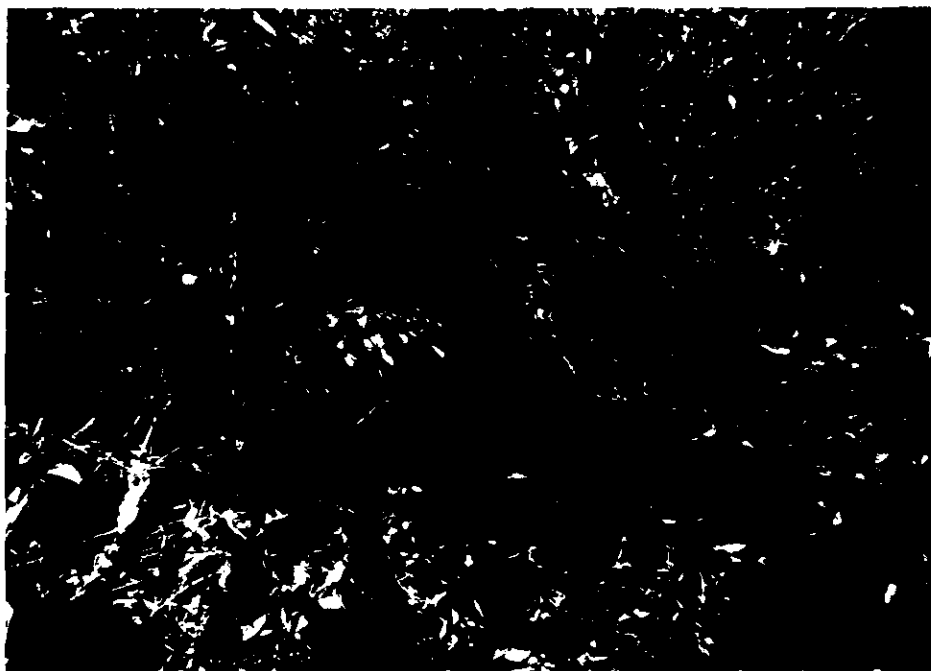
DEC 09 1999

47-08433



ABOVE: View looking down the drainage, towards the north to northeast, of the point of diversion area. The pond visible in this view is the pond present on the USGS quad map and the GIS imagery. The spring and point of diversion is located at the southwest corner of this pond, towards the lower left corner of this view. The arrow, pointing to the patch of stinging nettle, indicates the approximate location of the view below.

BELOW: View of what appears to be some sort of diversion works at the likely spring location. In addition, to this diversion structure, the ground below (to the north of) the pond appeared to have been previously disturbed more than likely indicating a buried pipeline in the area indicated on the Application for Permit.



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DEC 09 1999