

State of Idaho
Department of Water Resources

Water Right License

WATER RIGHT NO. 29-08186

Priority: October 17, 1996

Maximum Diversion Rate:

0.11 CFS

Maximum Diversion Volume:

6.0 AF

This is to certify, that MELVIN J ANDERSON

353 E WEBB CANYON RD

INKOM ID 83245

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated October 17, 1996; and has submitted Proof of Beneficial Use on June 4, 1998. An examination indicates that the works have a diversion capacity of 0.110 cfs of water from:

SPRING

tributary to WEBB 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>
DOMESTIC	01/01 to 12/31	0.11 CFS	6.0 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 1 (NENENE), Sec. 1, Township 07S, Range 36E
BANNOCK County

PLACE OF USE: DOMESTIC

TWN RGE SEC

07S 36E 11

NWNE

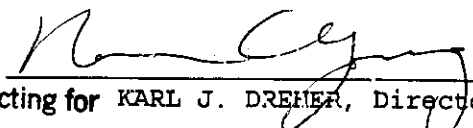
NENW

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 29F.
2. The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
3. Domestic use is external use only for 3 homes.
4. The irrigation occurring under this domestic use shall not exceed 1/2 acre associated with each of the 3 homes.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Signed and sealed this 28TH day of

MAY, 1999.


Acting for KARL J. DREHER, Director

MICROFILMED
JUN 08 1999

RECEIVED

JUN 04 1998

Department of Water Resources
Eastern Region

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

FOR OFFICE USE ONLY

Amt. of Fee \$: 50.00

Receipt No. 6024160

Receipt By: HWS

Date Received: 6-4-98

RECEIVED

JUN 08 1998

PROOF OF BENEFICIAL USE

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 who has been appointed by the department.

1. Permit No. 29-08186 Telephone No. (208) 775-3572
2. Name(s) of Permit Holder(s): Melvin J. Anderson
3. Mailing Address: 353 Webb Canyon Rd., Inkom, ID. 83245
4. Source of Water: Spring If 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): 3 Stockwater (No. and type of stock): —

Irrigation (No. of acres): — Other: —

6. Total rate of diversion and/or volume for which proof is submitted: .110 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 X

Flow Measurement Port: Is a flow measurement port required?

Yes — or No X

Has the measurement port been installed? Yes — or No X

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: Melvin J. Anderson Telephone Number: (208) 775-3572

Address: 353 Webb Canyon Rd., Inkom, Idaho 83245

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: Melvin J. Anderson Date: 6-3-98
(include your title, if on behalf of company or organization)

JUL 31 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 17 1997

REQUEST FOR EXTENSION OF TIME
TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT

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 under the provisions of Section 42-204, Idaho Code in which to complete development of a water right.

Permit No. # 29-08186

Name(s) of Permit Holder: Melvin J. Anderson

Mailing Address: 353 Webb Canyon Road, Inkom, Id. 83245

Date Proof is Due: December 1, 1997 Telephone No. (208) 775-3572

Describe what work has been completed toward the development of this water right:

(This must be filled out! If no work has been completed, show "none".)

I have layed 7000 feet of pipe line from the spring
down the canyon to 3 houses (mine, my son's & my daughters)
which is all completed. This spring run off and
flooding has delayed some of this work Costing \$ 10,000.00

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

The wet season has delayed the work. I am presently
encasing the spring, making a filter system and a frost
free unit for all year use. Also a diversion from the near-

Permit holder(s) request an extension to 6 months to June 1, 1998 (see other side)

FEE: \$50.00

Melvin J. Anderson
(Signature)*

*If other than permit holder, Power of Attorney must be supplied.

MICROFILMED

ACTION OF THE DEPARTMENT OF WATER RESOURCES

OCT 22 1997

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 December 1, 1998.

Signed this 20th day of October, 19 97

J. Shw Saylor
Chief, Water Allocation Bureau

near-by creek as a stand by when the spring
is inadequate to supply our domestic needs.

Enclosed is my check for \$50⁰⁰ for the
extension of time to June 1st, 1998.

MICROFILMED

OCT 22 1997

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 29-08186

Proposed Priority: October 17, 1996 Maximum Diversion Rate: 0.11 CFS

This is to certify, that **MELVIN J ANDERSON**
353 E WEBB CANYON RD
INKOM ID 83245

has applied for a permit to appropriate water from:
SPRING tributary of **WEBB CREEK**

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>
-----------------------	----------------------	--------------------------

DOMESTIC	01/01 to 12/31	0.11 CFS
----------	----------------	----------

LOCATION OF POINT(S) OF DIVERSION: NENENE , Sec. 1, Township 07S, Range 36E
BANNOCK County

PLACE OF USE: DOMESTIC

TWN RGE SEC

07S 36E 11

NWNE

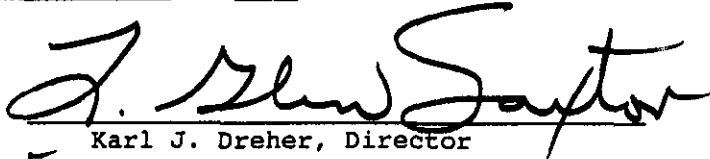
NENW

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **December 1, 1997**.
2. Subject to all prior water rights.
3. Use of water under this right is subject to control by the watermaster of State Water District No. 29F.
4. The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
5. Domestic use is for 3 homes.
6. The irrigation use under this domestic right shall not exceed half an acre per home.

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

13th day of December, 1996.


for Karl J. Dreher, Director

MICROFILMED
DEC 18 1996

RECEIVED

RECEIVED
DEC 05 1996

OCT 16 1996

Ident. No. 29-8186

Department of Water Resources
Eastern District Office

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of Applicant Melvin J. Anderson Phone (208) 775-3572
Mailing address 353 E. Webb Canyon Road, Inkom, Idaho 83245
2. Source of water supply Spring which is a tributary of Webb Creek
3. Location of point of diversion is Township 7 S. Range 36 E Sec. 1, in the NE 1/4, NE 1/4, NE 1/4, Govt. Lot —, B.M., Bannock County;
additional points of diversion if any: —
4. Water will be used for the following purposes:
Amount 0.11 cfs for Domestic 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)
Amount — for — purposes from — to — (both dates inclusive)
(cfs or acre-feet per annum)
Amount — for — purposes from — to — (both dates inclusive)
(cfs or acre-feet per annum)
Amount — for — purposes from — to — (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.11 cfs and/or (b) —
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Describe type and size of devices used to divert water from the source Plastic Tank 6 feet diameter over spring.
 - b. Height of storage dam — feet; active reservoir capacity — acre-feet; total reservoir capacity — acre-feet
 - 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? No
 - e. If well is already drilled, when? —; Drilling firm —
Well was drilled for (well owner) —; Drilling Permit No. —
7. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)
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. —
 - c. Municipal; show name of municipality. —
 - d. Domestic; show number of households. 3
 - e. Other; describe fully. —

MICROFILMED

DEC 18 1996

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	RGE	SEC	N E				N W				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
7S	36E	11		D 1/1			D 1/2												

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? Melvin J. Anderson
- b. Who owns the land to be irrigated or place of use? Melvin J. Anderson
- 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: Water to be used for 3 residents, myself, my son Terro and daughter Kolay.

Enclosed is \$50.00 permit fee.

* CFS Rate includes 3 domestic with 1/2 acre imp for each

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8 1/2"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

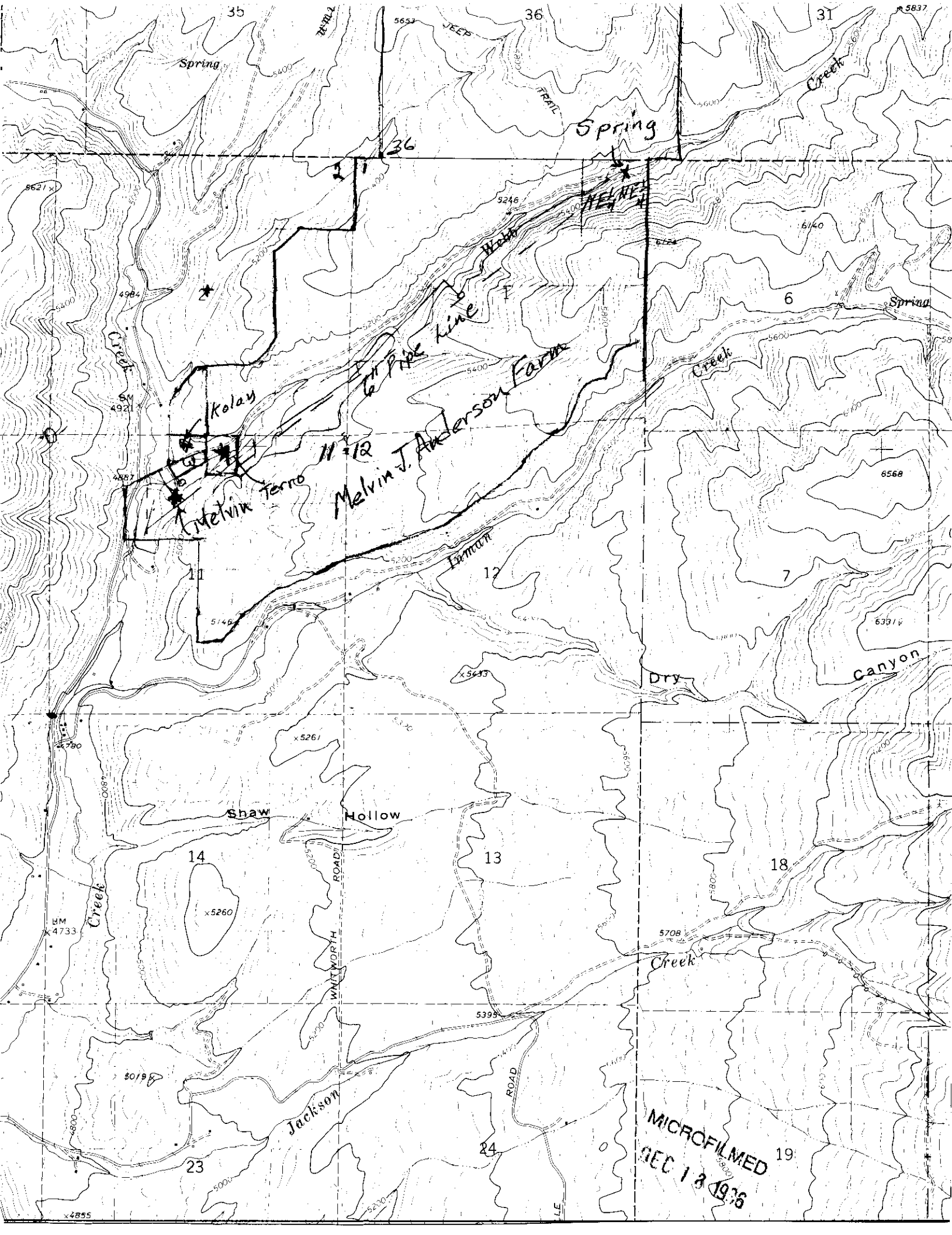
BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Melvin J. Anderson
Signature of Applicant (and title, if applicable)

Received by HWT Date 10-17-96 Time _____ Preliminary check by _____
 Fee \$ 50.00 Received by HWT # E022674 Date 10-18-96
 Publication prepared by RB Date 11-7-96 Published in Idaho State Journal
 Publication approved _____ Date _____

MICROFILMED

DEC 18 1996





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

June 1, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

MELVIN J ANDERSON
353 E WEBB CANYON RD
INKOM ID 83245

RE: WATER RIGHT NO. 29-08186

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED

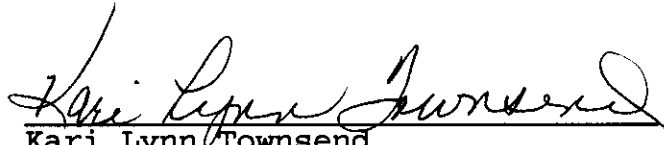
JUN 08 1999

CERTIFICATE OF MAILING

I hereby certify that on the 1st day of June, 1999, I mailed
a true and correct copy, postage prepaid, of the foregoing
PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 29-08186

MELVIN J ANDERSON
353 E WEBB CANYON RD
INKOM ID 83245


Kari Lynn Townsend
Secretary

MICROFILMED
JUN 08 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

JUN 08 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.

MICROFILMED
JUN 08 1999

MEMORANDUM

TO: File 29-08186

FROM: Sharla

DATE: May 24, 1999

RE: Recommendation Adjustment(s)

The adjustments to licensing recommendations for Permit 29-08186 are as follows:

H. RECOMMENDATIONS

Domestic	1/1 – 12/31	0.11 cfs	6.0 afa
----------	-------------	----------	---------

The domestic use is for external use (irrigation of $\frac{1}{2}$ acre) associated with each of 3 homes. The volume has been calculated as it would be for irrigation ($1.5 \text{ acres} \times 4.0 \text{ af/acre} = 6.0 \text{ af}$).

On this date I spoke with Jo at the Bannock County Assessor's office concerning property ownership and the number of homes on the parcels identified under this right. Adjudication claim 29-10699 partially decreed in June of 1998 is for a home in the SENW, S11. Thinking that perhaps it was one of the 3 homes identified by the examiner in the field report for 29-08186 and had just been mistakenly described in one of the two $\frac{1}{4}$'s, I called the assessor for confirmation.

The assessor told me that the Anderson's are assessed for 2 homes in the SENW. They have 3 parcels in the NWNE (Tax #43, 44 and 37) with 1 home in each of tax lots 43 and 37. And finally, Tax #40 and 41 are associated with the NENW, each with a home.

Based on this information, claim 29-10699 isn't an overlapping right so there is no need for a limiting or combined remark.

Exam Date: June 8, 1998
Examiner: Lee Simmons

MICROFILMED
JUN 08 1999

RECEIVED

Form 219

MAR 22 1999

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 29-08186

1. Owner: Melvin or Marjorie Anderson Phone No. (208) 775-3572

Current Address: 333 E Webb Canyon Rd. Inkom, Id 83245

2. Accompanied by: Melvin Anderson EXAM DATE: 6-8-98

Address: Same as above Phone No. (208) 775-3572

Relationship to Permit Holder: Permit Holder

3. Source: Spring tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: Yes

2. Other water rights with the same point of diversion: Yes

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
	1	NE	NE	NE	1	07S	36E	Bannock	USGS/on site/orth photo Quad

2. Place(s) of Use:

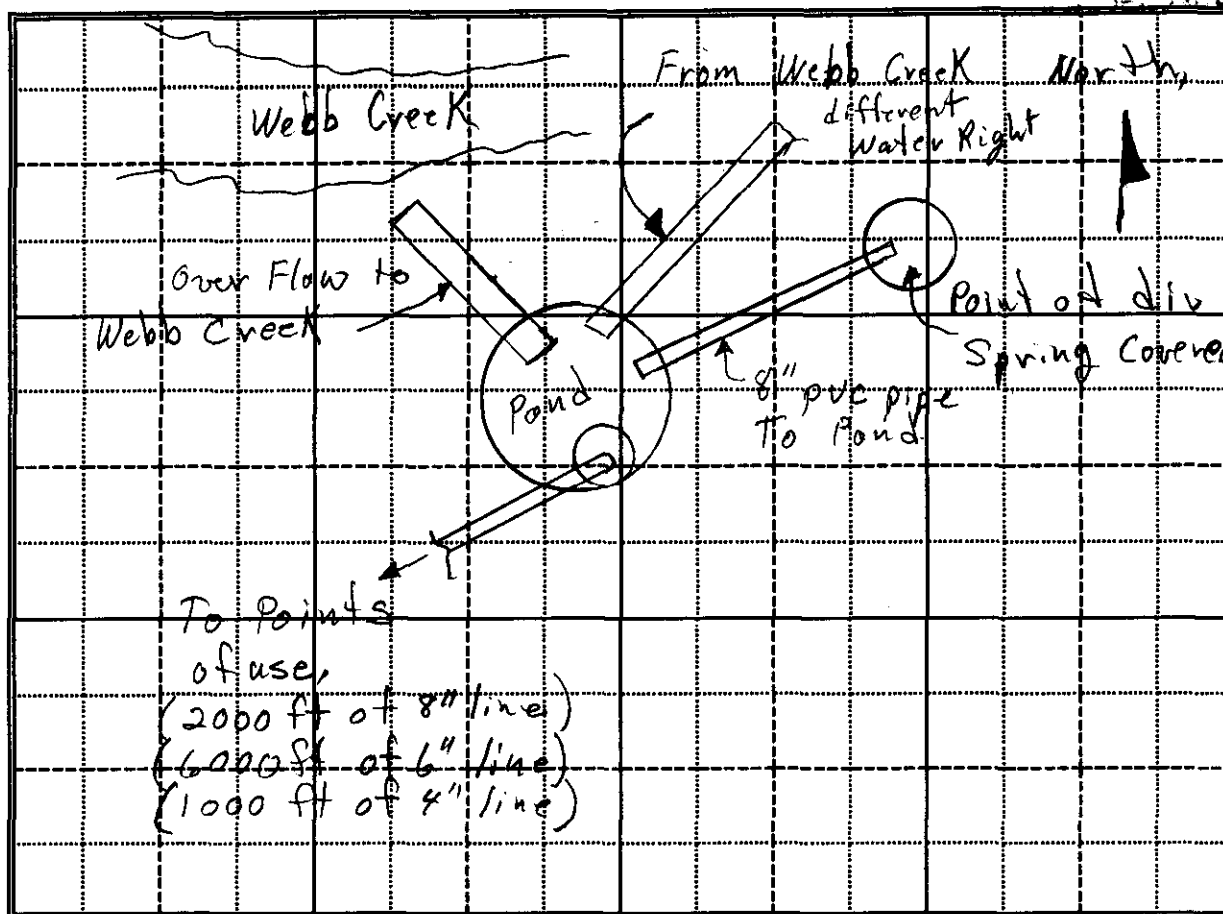
Indicate Method of Determination ON SITE ORTHO PHOTO QUAD

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	36E	11		D			2-D												

MICROFILMED

JUN 08 1999

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = _____

____ Copy of USGS 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)

____ Photo of Diversion and System Attached

4.

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

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements: 4 gals in 5 Sec. → 48 gal min.

MICROFILMED

JUN 01 1999

E. NARRATIVE/REMARKS/COMMENTS *

Spring is diverted into ^{mainline} ~~mainline~~ ^{and will divert water directly to Domestic (3) homes or into} a pond and is mingled with water right from Webb Creek. Spring will be used when Webb Creek's flow drops in Fall to water lawns (less than $\frac{1}{2}$ acre) of each of ~~three~~ (3) homes

Three Pictures taken at Point of Diversion

This will only be used to water Lawns less than $\frac{1}{2}$ acre for each home, and will not be drunk.

* Changes made by Keith C. Wilson, Sr. Resource Agent after confirmation from permit holder on 3/15/1999.

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

MICROFILMED
JUN 08 1999

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

NA.**G. VOLUME CALCULATIONS****1. Volume Calculations for Irrigation:**

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

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

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

2. Volume Calculations for Other Uses:

$$4 \text{ gal in } 5 \text{ sec} = 48 \text{ gal/min} = 0.107 \text{ CFS}$$

H. RECOMMENDATIONS**1. Recommended Amounts**

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<u>Domestic</u>	<u>01/01</u>	<u>12/31</u>	<u>0.11</u>	
Totals:			<u>0.11</u>	

2. Recommended Amendments

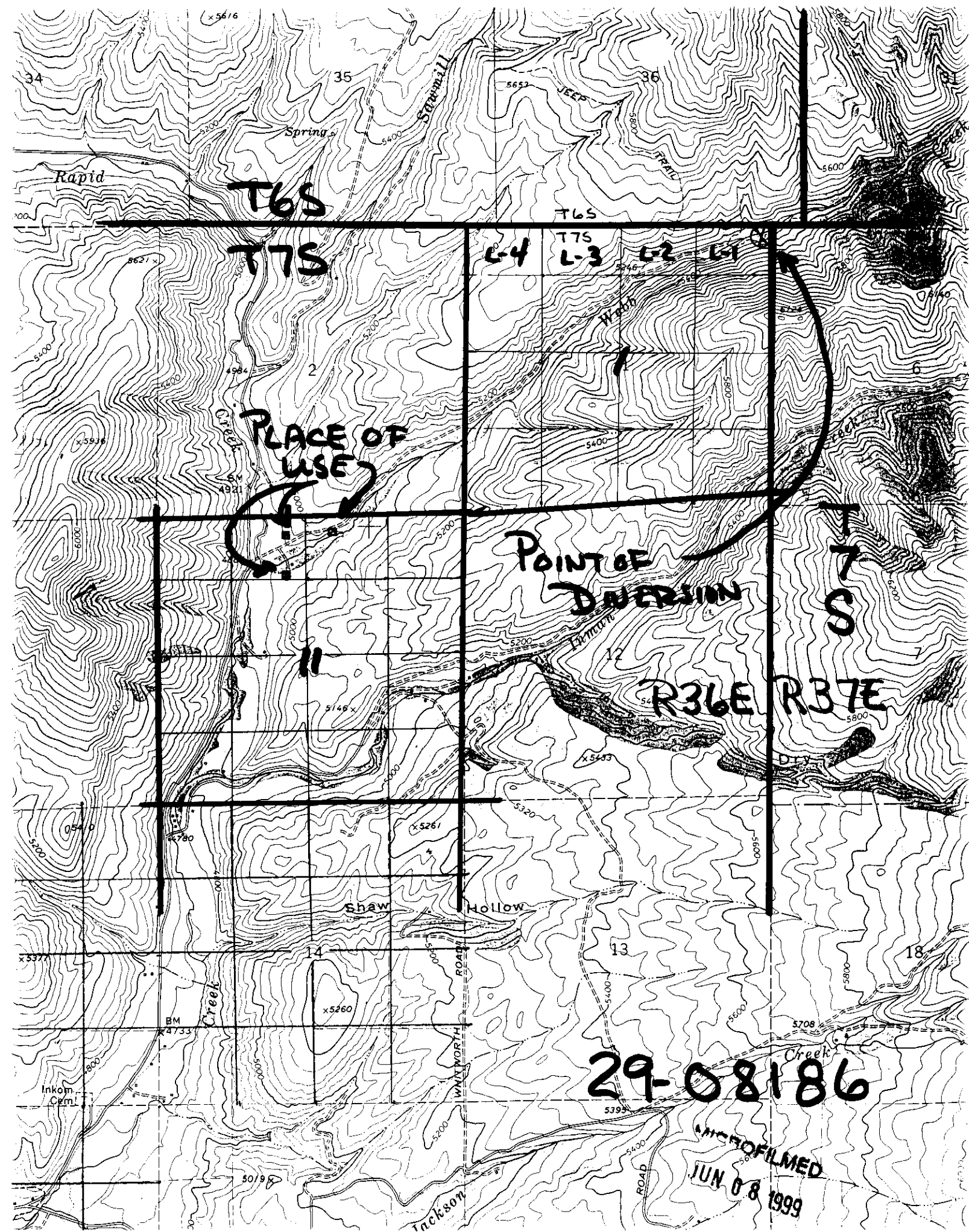
☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

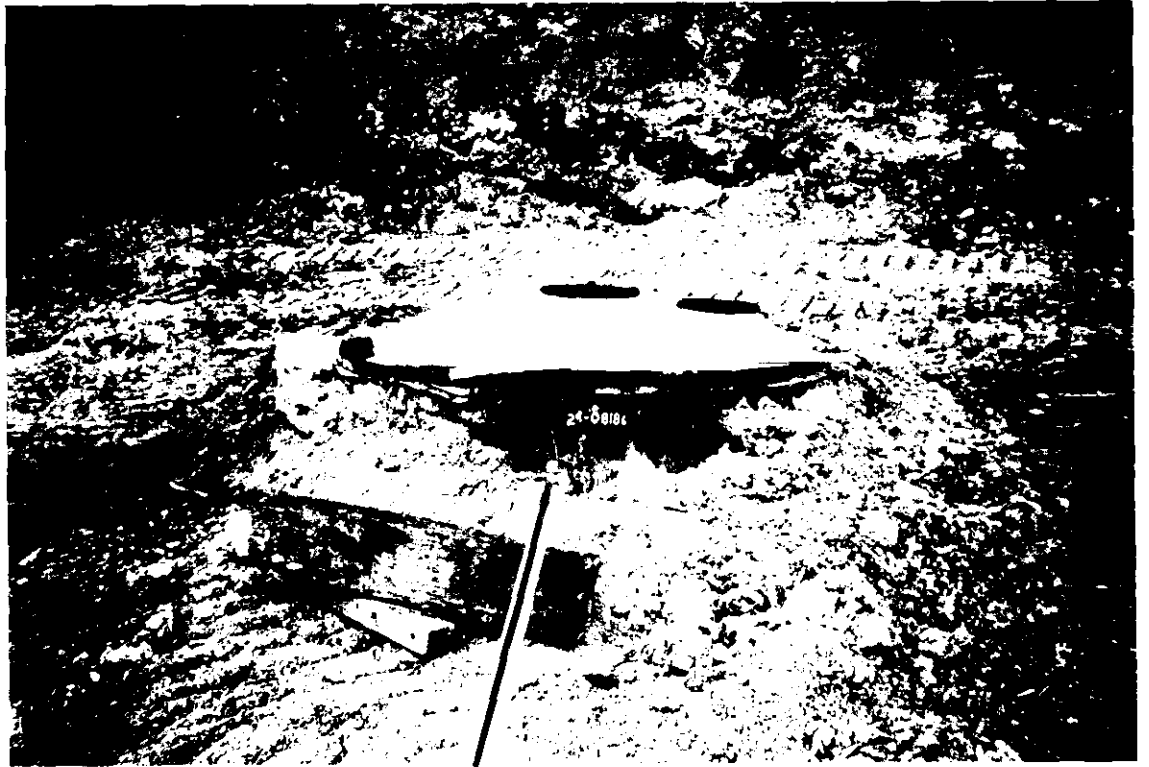
I. AUTHENTICATIONField Examiner's Name Lee Simmons Date 6-8-98

Reviewer _____ Date _____

SEAL

MICROFILMED
JUN 08 1999





29-08186

29-08186



29-08186

29-08186



29-08186

DIVERSION FROM
WEBB CREEK

Overflow
Back into
Webb CK

DOME



Permit # 29 - 08186

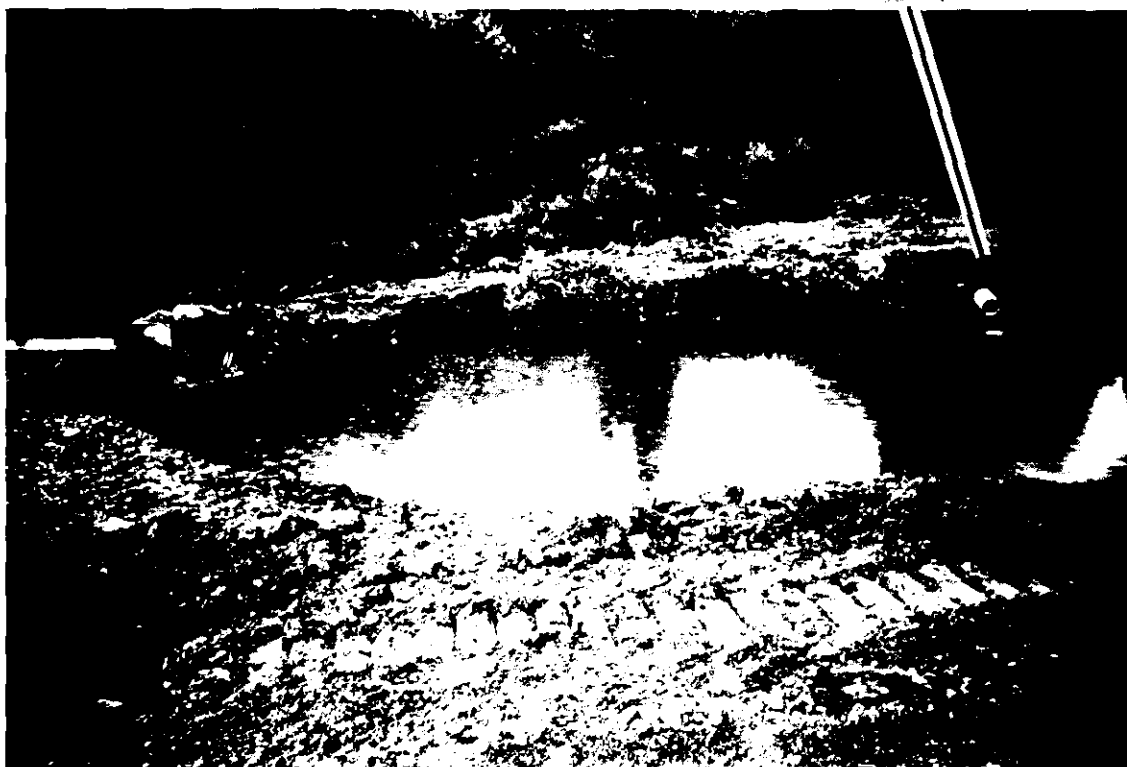
Excess water will be returned to Webb creek
through pond over flow a left of picture

MICROFILMED
JUN 08 1999

29-08186

DIVERSION FROM
WEBB CREEK

Overflow
Back into
Webb CK



DOME

Permit # 29-08186

Excess water will be returned to Webb creek
through pond over flow at left of picture

MICROFILMED

FOR THE ARCHIVE

29-08186



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 10, 1998

Melvin J Anderson
353 Webb Canyon Rd
Inkom ID 83245

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 29-08186

Dear Permit Holder:

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.

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 questions concerning the field examination, please contact the department's EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

JULIE L. YARBROUGH

Senior Secretary, Water Allocation Bureau

c: IDWR - Regional Office

MICROFILMED
JUL 31 1998



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

October 20, 1997

Melvin J Anderson
353 Webb Canyon Rd
Inkom ID 83245

RE: Permit No. 29-08186

Dear Permit Holder:

I have enclosed a copy of the approved request for extension of time submitted in connection with the above referenced permit which extends the time within which to submit proof of beneficial use to **December 1, 1998**. Please note that the department granted the extension based on **due diligence**. It is important that you work diligently toward the completion of the development during the construction period allowed since the department **will not** be able to grant additional extensions based on due diligence.

Section 42-248, Idaho Code, which became effective on July 1, 1996, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Please contact this office or any regional office of the department for the proper form to file a change of ownership of a water right and/or a change in the address of the owner.

Please contact me at (208)327-7953, if you have any questions regarding this matter.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary, Water Allocation Bureau

Enclosure

C: IDWR - Regional Office

MICROFILMED

2007 3 2 12:17

September 30, 1997

MELVIN J ANDERSON
353 E WEBB CANYON RD
INKOM ID 83245

PROOF DUE NOTICE

RE: PERMIT NO. 29-08186

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, 1997. (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.

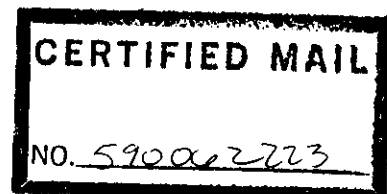
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED

OCT 22 1997



MEMORANDUM

To: Files 29-08046 and 29-08186
From: L. Glen Saxton *WJS*
RE: **TELEPHONE INQUIRY**
Date: March 11, 1997

On this date, Lyndon Smith (Smith) of Water District 29F called in connection with the above referenced permits. He wanted to know why the department had issued the permits when there is not water available on a year-round basis for prior existing water rights. I pulled the files, reviewed them and called him back at phone No. (208) 775-3589.

After reviewing the files, I determined that Smith himself had protested Application No. 29-08046 and had subsequently withdrawn the protest based on a stipulated agreement. Application 29-08186 was not protested.

I explained that both permits had been issued subject to all prior water rights and specifically subject to the control of the watermaster of Water District 29F. I also explained that at certain times of the year there likely is not sufficient water for late in time rights on most streams in Idaho, but that water users were entitled to appropriate flow during periods when there was water in excess of existing water rights.

Smith stated that the water master on the creek either did not regulate diversions or infrequently regulated diversions. I suggested to Smith that he protest applications made in the future which he felt would injure existing water rights. I explained the purpose of a hearing and that either party dissatisfied with the outcome could seek legal review of the matter.

He advised me that I had told him what he wanted to know.

MICROFILMED

OCT 22 1997



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

December 12, 1996

MELVIN J ANDERSON
353 E WEBB CANYON RD
INKOM ID 83245

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 29-08186

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "Conditions of Approval and Remarks" listing on the permit.

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 as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address to the department. If you have acquired a water right or have changed your mailing address PRIOR TO July 1, 1996, you have until July 30, 1998, to notify the department. If you acquire a water right or change your mailing address AFTER July 1, 1996, you must notify 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 to obtain the proper reporting form.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:ph

Enclosures

MICROFILMED

DEC 18 1996

PROOF OF PUBLICATION

RECEIVED

DEC 05 1996

STATE OF IDAHO } ss.
County of Bannock }

Department of Water Resources

IRIS F. MASON

NOTICE OF APPLICATION FOR WATER RIGHT

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

29-06786
ANDERSON, MELVIN J
353 E WEBB CANYON
RD

INKOM, ID 83245
Source: SPRING
Tributary: WEBB CREEK
Diversion Pt: NENENE
Sec 1 T 07S R 36E in
BANNOCK County.

Use: DOMESTIC
Total Diversion:
(0.110 CFS)
(0.110 CFS)
Date Filed: 10/17/1996
In: BANNOCK County
T07S R36E S11
NENW
NENW

The permit(s) will be subject to all prior water rights. Protests must be filed with the applicant and the Director, Dept. of Water Resources, along with a \$25.00 filing fee. Eastern Re-

November 25, 1996
Karl J. Dreher
Director
November 7, 14, 1996
LN1962

being first duly sworn on oath deposes and says: That SHE was at all times herein mentioned a citizen of the United States of America, more than 21 years of age, and the Principal Clerk of THE IDAHO STATE JOURNAL, a daily newspaper, printed and published at Pocatello, Bannock County, Idaho, and having a general circulation therein.

That the document or notice, a true copy of which is attached, was published in the said IDAHO STATE JOURNAL, on the following dates, to-wit:

NOVEMBER 7	19 96	19
NOVEMBER 14	19 96	19
	19	19
	19	19
	19	19

That said paper has been continuously and uninterruptedly published in said County for a period of seventy-eight weeks prior to the publication of said notice or advertisement and is a newspaper within the meaning of the laws of Idaho.

STATE OF IDAHO

COUNTY OF BANNOCK

On this 14TH day of NOVEMBER in the year of 1996, before me, a Notary Public, personally appeared

IRIS F. MASON, 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.

Jeri L. Larsen
Notary Public for Idaho

Residing at POCATELLO

MICROFILMED

My commission expires: JULY 1997

DEC 18 1996

PROOF OF PUBLICATION

RECEIVED

DEC 05 1996

STATE OF IDAHO }
County of Bannock }

ss.

(Department of Water Resources)

IRIS F. MASON

NOTICE OF APPLICATION FOR WATER RIGHT

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

29-08186
ANDERSON, MELVIN J
353 E WEBB CANYON
RD
INKOM, ID 83245
Source: SPRING
Tributary: WEBB CREEK
Diversion Pt: NENENE
Sec 1 T 07S R 36E in
BANNOCK County.
Use: DOMESTIC
Total Diversion:
(0.110 CFS)
(0.110 CFS)
Date Filed: 10/17/1996
In: BANNOCK County
T07S R36E S11
NENW
NENW

The permit(s) will be subject to all prior water rights. Protests must be filed with the applicant and the Director, Dept. of Water Resources, along with a \$25.00 filing fee, Eastern Region, 900 N Skyline, Idaho Falls, Idaho 83402 on or before November 25, 1996.

Karl J. Dreher
Director
November 7, 14, 1996
LN1982

being first duly sworn on oath deposes and says: That SHE was at all times herein mentioned a citizen of the United States of America, more than 21 years of age, and the Principal Clerk of THE IDAHO STATE JOURNAL, a daily newspaper, printed and published at Pocatello, Bannock County, Idaho, and having a general circulation therein.

That the document or notice, a true copy of which is attached, was published in the said IDAHO STATE JOURNAL, on the following dates, to-wit:

NOVEMBER 7	19 96	19
NOVEMBER 14	19 96	19
	19	19
	19	19
	19	19

That said paper has been continuously and uninterruptedly published in said County for a period of seventy-eight weeks prior to the publication of said notice or advertisement and is a newspaper within the meaning of the laws of Idaho.

STATE OF IDAHO

COUNTY OF BANNOCK

On this 14TH day of NOVEMBER in the year of 1996, before me, a Notary Public, personally appeared

IRIS F. MASON, 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.

Jean L. Lisen
Notary Public for Idaho

Residing at POCATELLO

My commission expires: JULY 1997

29-08186

ANDERSON, MELVIN J
353 E WEBB CANYON RD
INKOM, ID 83245

Source: SPRING

Tributary: WEBB CREEK

Diversion Pt: NENENE Sec 1 T 07S R 36E in BANNOCK County.

Use: DOMESTIC	(	0.110 CFS)
Total Diversion:	(	0.110 CFS)

Date Filed: 10/17/1996

In: BANNOCK County		
T07S R36E S11	NWNE	NENW

The permit(s) will be subject to all prior water rights. Protests must be filed with the applicant and the Director, Dept. of Water Resources, along with a \$25.00 filing fee, Eastern Region, 900 N Skyline, Idaho Falls, Idaho 83402 on or before NOVEMBER 25, 1996.

KARL J. DREHER, Director

Published: 11/ 7/1996 & 11/14/1996



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

OCTOBER 31, 1996

Legal Notices Department
IDAHO STATE JOURNAL
P.O. BOX 431
POCATELLO, ID 83204

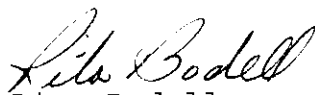
Gentlemen:

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 NOVEMBER 25, 1996.

Yours truly,


Rita Bodell
Secretary

Encl.