

RECEIVED

JUN 09 1995

Department of Water Resources
Eastern District Office

FOR OFFICE USE ONLY

Amt. of Fee \$: 50.⁰⁰

Receipt No. E021120

Receipt By: AMP

Date Received: 12 June 1995

RECEIVED

JUN 14 1995

STATE OF IDAHO

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. 29-08141 Telephone No. 208-2367242 (wk) 232-2010 (hm)

2. Name(s) of Permit Holder(s): Peter D. McDermott

3. Mailing Address: P.O. Box 4131, Pocatello, Id. 83204-4131

4. Source of Water: Springs & tributary 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): _____ Stockwater (No. and type of stock): _____

Irrigation (No. of acres): _____ Other: Wild Life Enhancement

6. Total rate of diversion and/or volume for which proof is submitted: cfs OR 2 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: Peter D. McDermott Telephone Number: (208) 236-7242(wk)

Address: P.O. Box 4131, Pocatello, ID 83205-4131

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:

(include your title, if on behalf of company or organization)

JUN 27 1995

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 29-08141

Proposed Priority: March 21, 1994

Maximum Storage Volume:

2.0 AF

This is to certify, that **PETER D MCDERMOTT**

PO BOX 4131

POCATELLO ID 83204-4131

has applied for a permit to appropriate water from:

UNNAMED STREAM

tributary of **POCATELLO CREEK, NORTH FORK**

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>	<u>ANNUAL VOLUME</u>
RECREATION STORAGE	01/01 to 12/31		2.0 AF

LOCATION OF POINT(S) OF DIVERSION:

NWSW , Sec. 14, Township 06S, Range 35E
BANNOCK County

PLACE OF USE: RECREATION STORAGE

TWN RGE SEC

06S 35E 14

NWSW

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **August 1, 1995**.
2. Subject to all prior water rights.
3. Recreation storage use is for wildlife enhancement.
4. This permit authorizes an annual volume of water to fill the pond and the amount required to replace losses through evaporation.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.

Witness the signature of the Director, affixed at Boise, this

10th day of August, 1994.

[Signature]
for
R. Keith Higginson, Director



AUG 15 1994



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 29-8141

Department of Water Resources To appropriate the public waters of the State of Idaho

1. Name of applicant Peter D. McDermott Phone (208) 232-2010
Post office address P.O. Box 4131 Pocatello, ID 83204
2. Source of water supply Unnamed Stream which is a tributary of Pocatello Creek, N. Fork
3. Location of point of diversion is _____ $\frac{1}{4}$ of NW $\frac{1}{4}$ of SW $\frac{1}{4}$, Govt. Lot _____
Sec. 14 Township 6S Range 3SE B.M. Bannock County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 2 acre feet for Recreation purposes from 1-1 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)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) _____ and/or (b) 2 acre feet
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Existing beaver pond - no diversion -

b. Height of storage dam 6 feet; active reservoir capacity 2 acre-feet; total
reservoir capacity 2 acre-feet; period of year when water will be diverted to storage:
1-1 to 12-31 inclusive.
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
d. Is ground water with a temperature of greater than 90°F being sought? N.A.
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
1 year years (minimum 1 year).

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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. _____
- e. Other; describe fully. Recreation pond for wildlife - wetland

enhancement

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.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6S	35E	14									R								

Total number of acres to be irrigated 0

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

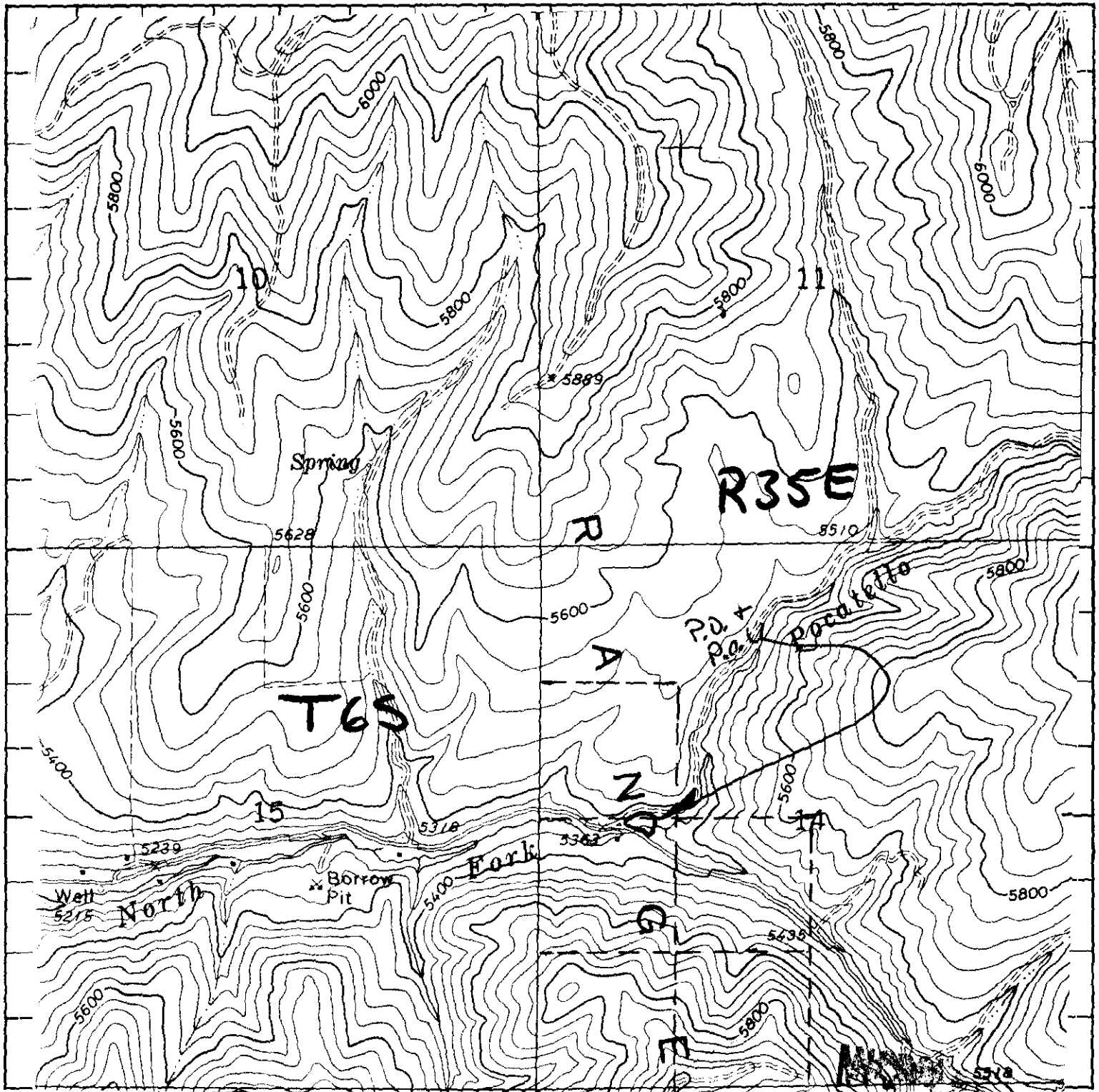
11. a. Who owns the property at the point of diversion? Applicant
- b. Who owns the land to be irrigated or place of use? Applicant
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: Working with Army Corps of Engineers and Soil Conservation service re design of improving existing structure with purpose of enhancing wetlands.

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



Scale: 2 inches equal 1 mile.

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

AUG 15 1994

Quinn D. McDermott
(Applicant)

Received by HWT Date 2-21-94 Time _____ Preliminary check by HWT
Fee \$ 30.00 Received by HWT # E019597 Date 3-21-94
Publication prepared by RB Date April 7, 1994 Published in ID State Tral.
Publication approved _____ Date _____

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 ____.

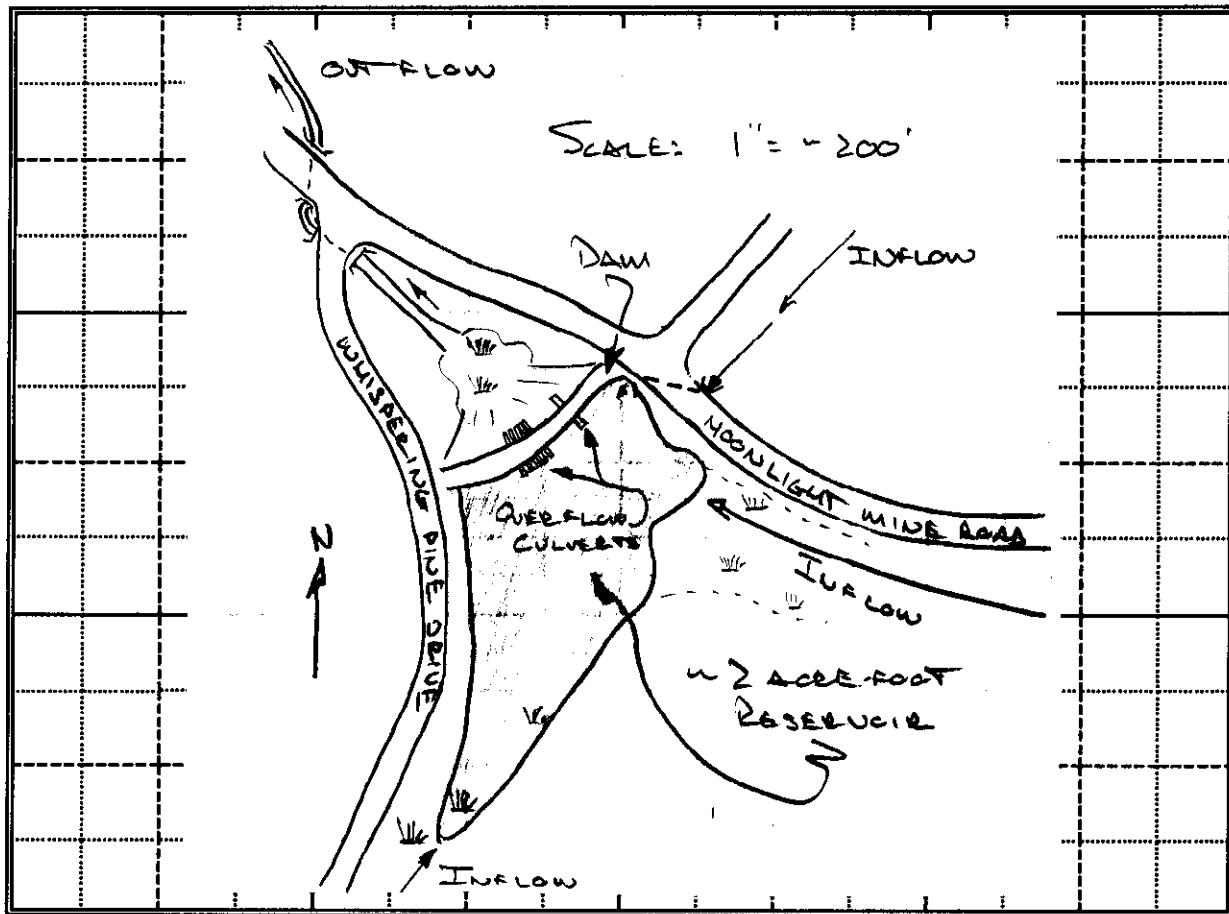
c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

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:

AUG 15 1994

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
N/A					

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

D. FLOW MEASUREMENTS

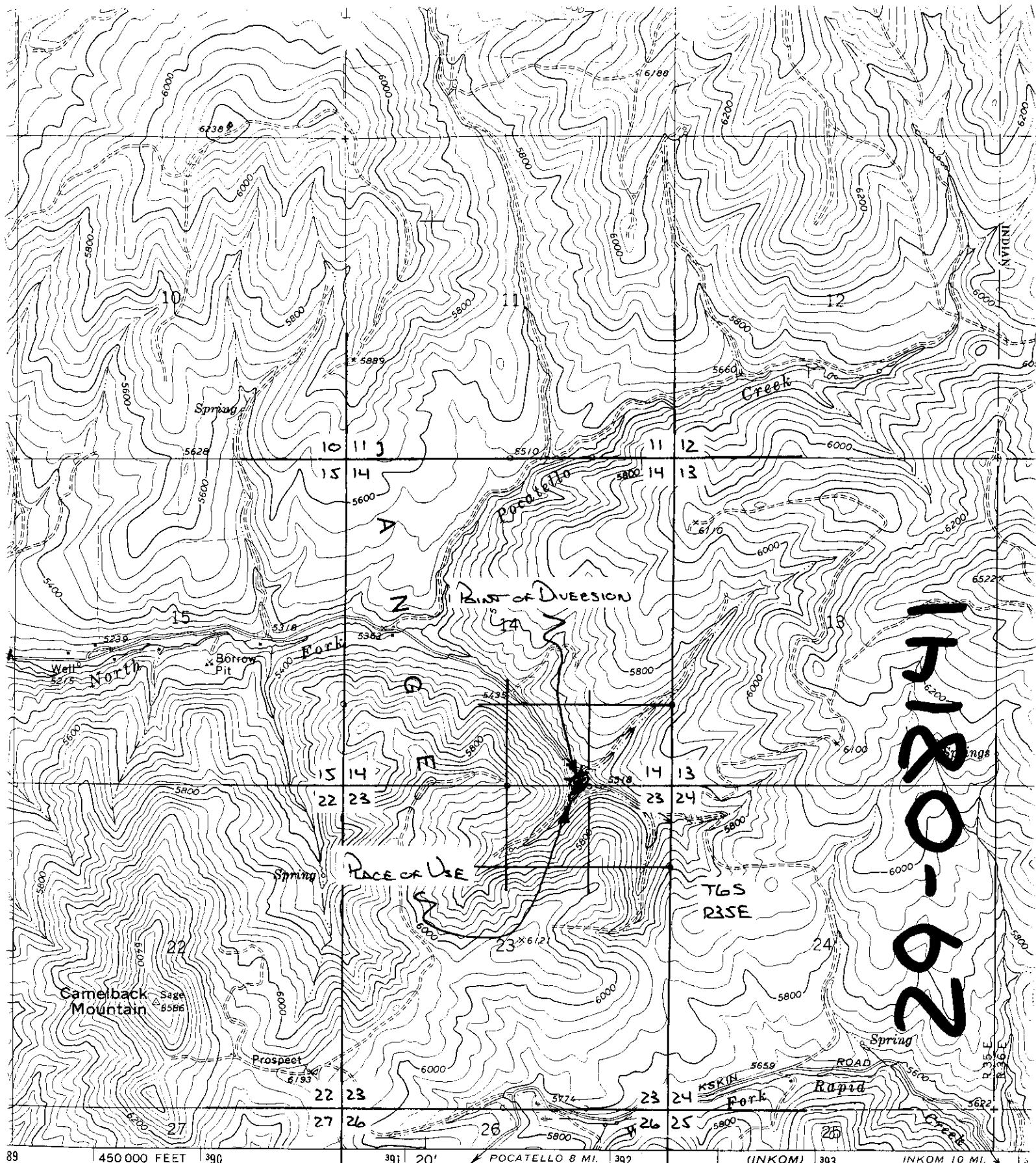
1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
N/A						

2. Measurements: _____



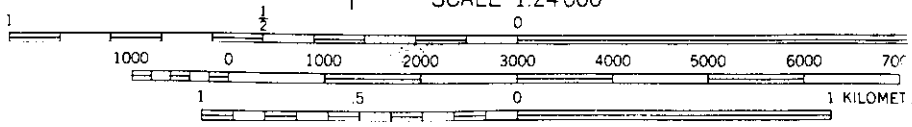
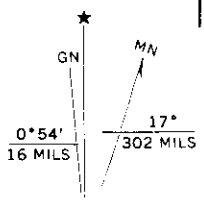
29-08141



Geological Survey

From aerial
971
to coordinate

Grid ticks,
and datum



CONTOUR INTERVAL 40 FEET
DATUM IS MEAN SEA LEVEL



Plate 1 - Dam from Moonlight Mine Road
looking southwest.



Plate 2 - Reservoir from backwater along Whispering
Pine Drive looking north.

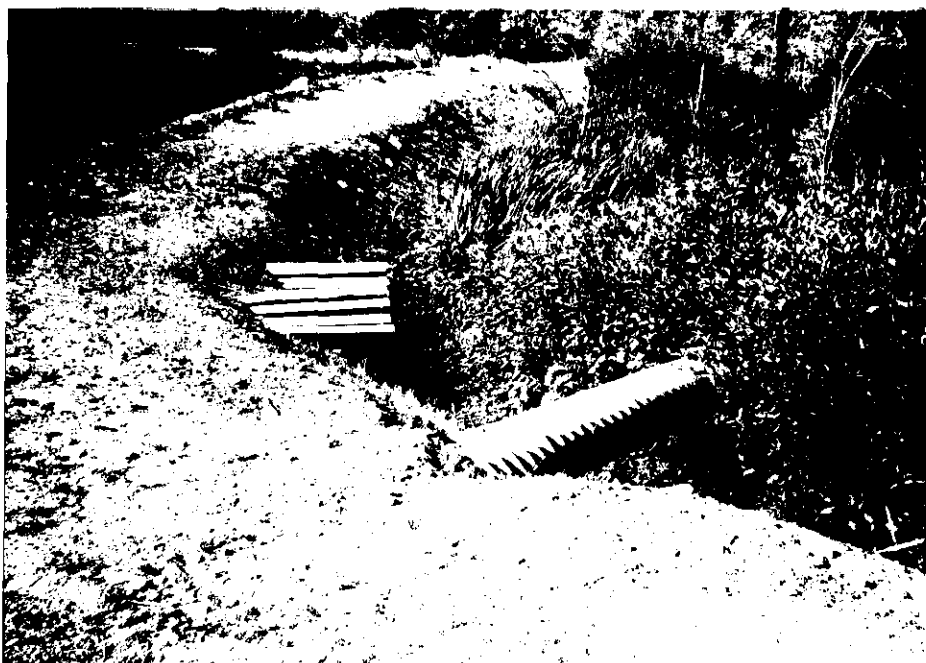


Plate 3 - Overflow culverts (downstream side of dam).



Plate 4 - Overflow culverts (upstream side of dam).

FOR OFFICE USE ONLY
 Amt. of Fee \$: 50.00
 Receipt No. E021120
 Receipt By: AMO
 Date Received: 12 June 1995

JUN 09 1995

STATE OF IDAHO JUN 26 1995

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JUN 14 1995

Department of Water Resources
Eastern District Office

DEPARTMENT OF WATER RESOURCES

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. 29-08141 Telephone No. 208-2367242(wk) 232-2010(hm)

2. Name(s) of Permit Holder(s): Peter D. McDermott

3. Mailing Address: P.O. Box 4131, Pocatello, Id 83204-4131

4. Source of Water: Springs & tributary of **GROUNDWATER** (well), Date Drilled: mo. _____ / yr. _____
of Poca. Creek Sec. 13 & 14, T.6S R.35E.B.M Bannock County, Idaho

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): _____

Irrigation (No. of acres): _____ Other: Wild Life Enhancement

6. Total rate of diversion and/or volume for which proof is submitted: cfs OR 2 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: Peter D. McDermott Telephone Number: (208) 236-7242 (wk)
232-2010 (hm)

Address: P.O. Box 4131, Pocatello, ID 83205-4131

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:

Robert J. McCormick
(include your title, if on behalf of company or organization)

Date: 6-3-95

E. NARRATIVE/REMARKS/COMMENTS

* SMALL RESERVOIR FOR RECREATIONAL USE WITH 6 TO 7 FOOT EARTHEN DAM ~220' IN WIDTH. OVERFLOW CULVERTS ARE PLACED IN CENTER AND ON NORTH SIDE OF DAM TO ALLOW OVERFLOW.

* DAM REPLACES EXISTING BEAVER DAM THAT HAD BEEN IN PLACE FOR SEVERAL YEARS.

* AMENDAS SHOWN!

* SEE ATTACHED SHEET FOR AF CALCULATIONS.

* RESERVOIR IS IN USE ALL YEAR LONG.

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

F. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method:

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}}$$

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

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

2. Volume Calculations for Other Uses:

SEE ATTACHED SHEET

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
RECREATION STORAGE	1-1	12-31		2.0
Totals:				2.0

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. AUTHENTICATION

Field Examiner's Name DDM Date 1-27-98

Reviewer _____ Date _____

SEAL

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JUN 14 1995

Department of Water Resources

June 7, 1995

Harold W. Jones
Water Resource Supervisor
State of Idaho
Department of Water Resources
900 N. Skyline Drive
Idaho Falls, ID 83402-1718

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JUN 09 1995

Department of Water Resources
Eastern District Office

Re: Permit # 29-08141

Dear Harold:

I have now completed the dam project and herewith enclose the Proof of Beneficial Use and also a license examination fee in the sum of \$50.00, which I understand is the charge for my project.

Kindly contact me when you desire to make the inspection, and I do thank you very much.

Sincerely,


PETER D. McDERMOTT

PDM/ks
Enclosures (2)

MICROFILMED

JUN 27 1995



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

May 31, 1995

PETER D MCDERMOTT
PO BOX 4131
POCATELLO ID 832044131

COPY

PROOF DUE NOTICE

RE: PERMIT NO. 29-08141

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before August 1, 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.

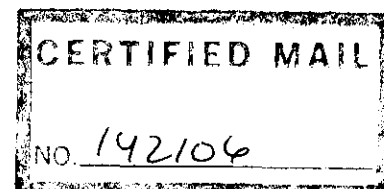
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

RECEIVED

JUN 27 1995





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

August 10, 1994

PETER D MCDERMOTT
PO BOX 4131
POCATELLO ID 832044131

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 29-08141

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "CONDITIONS/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. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed you should complete and submit this form immediately.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Jim Johnson', with a horizontal line extending to the right.

JIM JOHNSON, Manager
Water Right Permits Section

JJ:dc

Enclosures

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AUG 15 1994

June 20, 1995

PETER D MCDERMOTT
PO BOX 4131
POCATELLO ID 832044131

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 29-08141

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.

If you have questions concerning this matter, please feel free to contact the EASTERN Regional Office in Idaho Falls at (208) 525-7161.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

MAILED

JUN 27 1995

Application for Permit No. 29-08141
State Office Review
Cindy Zimmerman
August 2, 1994

Additional Information Worksheet

The application identifies height of storage dam as 6'; active reservoir capacity as 2 AF; and total reservoir capacity as 2 AF.

Is surface area of pond less than $\frac{1}{2}$ acre?

Volume in AF = (Surface Area x Depth) $\div$ (ft³/acre)
Surface Area (SA) = Length x Width

Volume = 2 Acre Feet
Length = ?
Width = ?
Depth = 6
ft²/acre = 43,560
ft³/acre foot = 43,560

$2 = (SA \times 6) \div 43,560$
 $2 \times 43,560 = (SA \times 6)$
 $87,120 = SA \times 6$
 $87,120 \div 6 = SA$
 $14,520 = SA$

$14,520 = 0.33 \text{ acres}$

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LOCAL PUBLIC INTEREST

Comments received from

_____ City	_____ Idaho Fish & Game	_____ Irrigation District
_____ County	_____ Idaho Health & Welfare	_____ Canal Company
_____ Reservations	_____ Division of Environment	_____ Other _____

Project impacts/implications report

COMMENTS

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins or other markings on the paper.

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No: E019597

Date: 3/21/1994
Time: 16:22:50

Received
From: MCDERMOTT, PETER

Type of Payment	Program A cct	Amount
APPLIC. FOR PERMIT		
63103	229 21 1155	30.00
Total		
CHECK	5978	\$30.00

Region: EASTERN

Signature: _____

MCDERMOTT
AUG 15 1994

July 19, 1994

Peter McDermott
PO Box 4131
Pocatello ID 83204

Mr. McDermott:

After our onsite meeting on Pocatello creek, I discussed your project with the Dam Safety officer. He suggests that you use a bentonite clay source as part of your fill material to help seal the beaver dam face. He also felt that a single large culvert or an overflow ditch would work better than 4" diameter tubes.

This office is recommending to Boise that your project be approved, but you still need to clear this project with Rob Brochu of the Army Corps of Engineers in Idaho Falls. Their concerns are fill materials in wetland areas.

Sincerely,

Harold W. Jones
Water Resource Supervisor

HWJ:lk

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JUN 22 1994

Department of Water Resources
Eastern District Office

June 21, 1994

Harold W. Jones
Water Resource Supervisor
State of Idaho
Department of Water Resources
900 N. Skyline Drive
Idaho Falls, ID 83402-1718

Re: Application for Permit 29-08141

Dear Harold:

Thank you very much for your May 4th letter. I have not responded to you until now because I have been extremely busy. I do desire to complete this project in order to preserve the wetland and I am endeavoring to set up a meeting with the Fish and Game Department.

I will surely be in touch with you at a later date and hopefully we will be able to get this moving.

I thank you very much for your patience.

Sincerely,


PETER D. McDERMOTT

PDM/ks

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AUG 15 1994

May 4, 1994

Peter D. McDermott
PO Box 4131
Pocatello ID 83204

Mr. McDermott:

Application for permit 29-08141 has gone through advertising. At this point, the interested agencies (Fish and Game and Idaho Dept of Water Resources) would request specific plans for the proposed dam construction. You can send this information to my attention at 900 N Skyline in Idaho Falls.

Sincerely,

Harold W. Jones
Water Resource Supervisor

HWJ:lk

CC: Eric Verner

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AUG 15 1994



IDAHO FISH & GAME
SOUTHEAST REGION
1345 Barton Road
Pocatello, Idaho 83204-1819

Cecil D. Andrus / Governor
Jerry M. Conley / Director

April 4, 1994

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APR 6 1994

Harold W. Jones
Water Right Supervisor
Idaho Department of Water Resources
900 N. Skyline Dr.
Idaho Falls, ID 83402-1718

Department of Water Resources
Eastern District Office

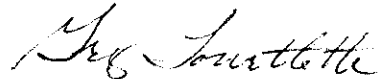
Re: Application 29-08141 - McDermott

Dear Harold,

Department personnel have reviewed Judge McDermott's application to maintain water storage in a beaver pond on his property, have looked at the site and discussed the project with the applicant. While we have no objection to the permit issuance, we would like to see detailed plans for the maintenance or replacement of the beaver dam. We are concerned about the potential for dam failure and resulting stream channel damage and the potential to generate significant sediment releases downstream.

Thank you for the opportunity to comment on this matter.

Sincerely,


Greg Tourtlotte
Regional Supervisor

GT/JL/jh

cc: Jim Lukens
Natural Resources Policy Bureau
Bill London
Paul Wackenhut

RECEIVED
APR 11 1994

Department of Water Resources
Eastern District Office

P.O. Box 4131
Pocatello, ID 83205-4131
April 7, 1994

Harold W. Jones
Water Rights Supervisor
State of Idaho
Department of Water Resources
900 N. Skyline Drive
Idaho Falls, ID 83402-1718

Re: Application No. 29-08141

Dear Mr. Jones:

Thank you for your March 28th letter, and quite frankly, this is surely becoming a cumbersome ordeal for me. I will wait until I receive a response from you regarding the contents of your letter and whether or not any protests are filed.

Thank you for your assistance.

Sincerely,


PETER D. McDERMOTT

PDM/ks
c: Ron Davidson w/enclosure

PROOF OF PUBLICATION

STATE OF IDAHO }
County of Bannock } ss.

LORI A SEKOT

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:

APRIL 7	19 94	19
APRIL 14	19 94	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.

Lori A. Sekot

STATE OF IDAHO

COUNTY OF Bannock

On this 14TH day of APRIL in the year of 1994,
before me, a Notary Public, personally appeared

LORI A SEKOT, 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. Olsen
Notary Public for Idaho

Residing at POCATELLO

My commission expires: JULY 1997

FOR WATER RIGHT
The following application(s) have been filed to
appropriate the public waters of the State of Idaho:
29-08141
MCDEARMOTT, PETER D
P.O. BOX 4131
POCATELLO, ID 83204
Source: UNDEVELOPED STREAM
THROUGH POCATELLO CREEK, NORTH FORK
Division # NWSW
Sec 14 T 06S R 35E in BANNOCK County
Use: RECREATION (2.00 AF)
Total Diversion: (2.00 AF)
Date Filed: 3/21/1994
In: BANNOCK County
T06S R35E S14 NWSW
The permit(s) will be subject to the water
rights. Permits must be filed with the Director,
Dept. of Water Resources, Eastern Region, 900 N.
Skyline, Idaho Falls, Idaho 83402 on or before
APRIL 25, 1994.
R. KEITH HIGGINSON, Director
April 7, 14, 1994
LN778

PROOF OF PUBLICATION

STATE OF IDAHO }
County of Bannock } ss.

LORI A SEKOT

NOTICE OF APPLICATION FOR WATER RIGHT

The Following application(s) have been filed to
appropriate the public waters of the State of Idaho:
29-08141

MCDERMOTT, PETER D
P.O. BOX 4131
POCATELLO, ID 83204
Source: UNNAMED STREAM
Tributary: POCATELLO CREEK, NORTH FORK
Diversion Pt: NWSW
Sec 14 T 06S R 35E in BANNOCK County.
Use: RECREATION (2.00 AF)
Total Diversion: (2.00 AF)

Date Filed: 3/21/1994
In: BANNOCK County
T06S R35E S14 NWSW

The permit(s) will be subject to all prior water
rights. Protests must be filed with the Director,
Dept. of Water Resources, Eastern Region, 900 N.
Skyline, Idaho Falls, Idaho 83402 on or before
APRIL 25, 1994.

R. KEITH HIGGINSON, Director
April 7, 14, 1994
LN778

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:

APRIL 7	19 94	19
APRIL 14	19 94	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.

Lori A. Sekot

STATE OF IDAHO

COUNTY OF Bannock

On this 14TH day of APRIL in the year of 1994,
before me, a Notary Public, personally appeared

LORI A SEKOT, 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.

[Signature]
Notary Public for Idaho

Residing at POCATELLO

My commission expires: JULY 1997

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region
900 N Skyline

Idaho Falls, Idaho 83402
(208) 525-7161

MARCH 28, 1994

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 APRIL 25, 1994.

Yours truly,

Rita Bodell
Secretary

Encl.

NOTICE OF APPLICATION FOR WATER RIGHT

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

29-08141

MCDERMOTT, PETER D
PO BOX 4131
POCATELLO, ID 83204

Source: UNNAMED STREAM

Tributary: POCATELLO CREEK, NORTH FOR

Diversion Pt: NWSW Sec 14 T 06S R 35E in BANNOCK County.

Use: RECREATION (2.00 AF)
Total Diversion: (2.00 AF)

Date Filed: 3/21/1994

In: BANNOCK County
T06S R35E S14 NWSW

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Eastern Region, 900 N Skyline, Idaho Falls, Idaho 83402 on or before APRIL 25, 1994.

R. KEITH HIGGINSON, Director

Published: 4/ 7/1994 & 4/14/1994

28-Mar-1994

ID DEPT OF FISH & GAME
REGION 5
1345 BARTON RD
POCATELLO ID 83201

RE: Application No. 29-08141

Dear Sir:

We are enclosing a copy of the application(s) that may be of interest to your department. Please review the application(s) and submit any comments you may have to our Department as soon as possible. The last date of protest is APRIL 25, 1994, and we are required to take final action shortly thereafter.

If we may be of further assistance, please feel free to contact us.

Respectfully submitted,


Harold W. Jones ^{rb}
Water Right Supervisor

HWJ:rb
enc

28-Mar-1994

PETER D MCDERMOTT
PO BOX 4131
POCATELLO ID 83204

RE: Application No. 29-08141

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in the ID STATE JOURNAL on APRIL 7 & 14, 1994. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is 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.

Sincerely,


Harold W. Jones
Water Right Supervisor

HWJ:rb

RECEIVED
MAR 1 1994

Department of Water Resources
Eastern District Office

P.O. Box 4131
Pocatello, ID 83205-4131
March 17, 1994

Harold W. Jones
Water Resource Supervisor
900 N. Skyline Drive
Idaho Falls, ID 83402-1718

Dear Mr. Jones:

Pursuant to your letter of February 18, 1994, I am returning the Application for Water Right for Recreational Purposes which you previously mailed to me.

As you are aware, I am proposing to improve the existing beaver pond on my property with the purpose of enhancing the existing wetlands for wildlife and bird habitation.

Also enclosed is the \$30.00 application fee.

Should you desire any further information please let me know as I would like to get started on this as soon as possible.

Kindly advise, and I do thank you.

Sincerely,


PETER D. McDERMOTT

PDM/ks
Enclosures
Ron Davidson