

State of Idaho  
Department of Water Resources

# WATER RIGHT LICENSE

WATER RIGHT NO. 29-08119

Priority: July 7, 1993

Maximum Diversion Rate:

0.02 CFS

Maximum Diversion Volume:

0.1 AF

This is to certify, that GREGORY TIM MC MINN  
PO BOX 355

INKOM ID 83245-0355 has complied with the terms and conditions  
of the permit, issued pursuant to Application for Permit dated June 28, 1993; and  
has submitted Proof of Beneficial Use on August 10, 1994. An examination indicates  
that the works have a diversion capacity of 0.020 cfs of water from:

SPRING

tributary to SINKS

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

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|--------------------------|----------------------|
| STOCKWATER            | 01/01 to 12/31       | 0.02 CFS                 | 0.1 AF               |

LOCATION OF POINT(S) OF DIVERSION:

SENENW , Sec. 30, Township 07S, Range 37E  
BANNOCK County

PLACE OF USE: STOCKWATER

TWN RGE SEC

07S 37E 30

NENW

## CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.  
Witness the seal and signature of the Director, affixed at Boise, this 30<sup>TH</sup>  
day of JANUARY, 1998.

MICROFILMED

FEB 10 1998

Acting for  KARL J. DREHER, Director



ua

For Office Use Only  
Amt. of Fee \$ 50.00  
Date 9-23-94  
Receipt No. 0031343  
Received by [Signature]

RECEIVED

AUG 10 1994

Department of Water Resources

RECEIVED  
STATE OF IDAHO SEP 23 1994

DEPARTMENT OF WATER RESOURCES

## PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as 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 or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 29-08119 Telephone No. 208-775-3510

2. Name(s) of Permit Holder(s): GREGORY TIM McMINN

3. Post Office Address: PO. Box 355 Inkom Idaho 83245

4. Source of Water: SPRING

a. If ground water, well driller's name: \_\_\_\_\_ Date drilled: \_\_\_\_\_

b. Pump horsepower: \_\_\_\_\_ Pressure (psi): \_\_\_\_\_ Dynamic pumping level (ft.): \_\_\_\_\_

5. Extent of Use:

Domestic \_\_\_\_\_ (No. of households) Irrigation \_\_\_\_\_ (No. of acres)

Stockwater ✓ (No. and type of stock) Other \_\_\_\_\_

2 HORSES

6. Total rate and/or volume for which proof is submitted 0.02 cfs \_\_\_\_\_ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? Yes ✓ No Installed? Yes ✓ No

OR

Flow Measurement Port: Required? Yes ✓ No Installed? Yes ✓ No

8. Fee Enclosed: \$ LESS than 0.04 (See License Examination Fee Schedule)

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

Tim or Patty McMINN 3510  
Name Telephone No. 775-3510

2250 GREEN CANYON, Inkom ID 83245  
Address

10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

6-15-94  
Date

[Signature]  
Signature (and title if on behalf of a company or organization)

SEP 29 1994

State of Idaho  
Department of Water Resources

# Permit To Appropriate Water

NO. 29-08119

Proposed Priority: June 28, 1993 Maximum Diversion Rate: 0.02 CFS  
This is to certify, that GREGORY TIM MCMINN  
PO BOX 355  
INKOM ID 832450355  
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                 |

LOCATION OF POINT(S) OF DIVERSION: SENENW, Sec. 30, Township 07S, Range 37E  
BANNOCK County

PLACE OF USE: STOCKWATER  
TWN RGE SEC

07S 37E 30 NENW

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before August 1, 1994.
2. Subject to all prior water rights.
3. Stockwater is used for 1 mule and 2 horses.

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

17<sup>th</sup> day of August, 1993.

*R. Keith Higginson*  
for R. Keith Higginson, Director

RECEIVED

AUG 25 1993

# RECEIVED

Form 202  
10/92

AUG 05 1993

29 8119

Ident. No. \_\_\_\_\_

## STATE OF IDAHO

Department of Water Resources DEPARTMENT OF WATER RESOURCES

## APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Gregory "Tim" McMinn Phone 529-8041  
Post office address PO Box 355 INKOM ID 83245
2. Source of water supply Ground water Springs which is a tributary of N/A sinks
3. Location of point of diversion is SE NE  $\frac{1}{4}$  of SW NW  $\frac{1}{4}$  of \_\_\_\_\_  $\frac{1}{4}$ , Govt. Lot \_\_\_\_\_  
Sec. 30 Township 7 South Range 37 E B.M. BANNER County; additional  
points of diversion if any: \_\_\_\_\_
4. Water will be used for the following purposes:  
Amount 0.02 for Stock watering purposes from May 1 to April 30 (both dates inclusive)  
(cfs or acre-feet per annum) <sup>1/1</sup> <sup>12/31 C.3.</sup>  
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) 0.02 and/or (b) N/A  
cubic feet per second acre feet per annum
6. Proposed diverting works:  
(a) Description of ditches, flumes, pumps, headgates, etc. A 1 inch hose will run from the spring to a 50 gallon watering tank.  
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? No  
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  
1 day years (minimum 1 year).

AUG 25 1993

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. 1 mule & horses
- c. Municipal; show name of municipality. \_\_\_\_\_
- d. Domestic; show number of households. \_\_\_\_\_
- e. Other; describe fully. \_\_\_\_\_

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 |        |
| 7S  | 37E   | 30   |     |     |     |     | S   |     |     |     |     |     |     |     | S   |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |

Total number of acres to be irrigated \_\_\_\_\_

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

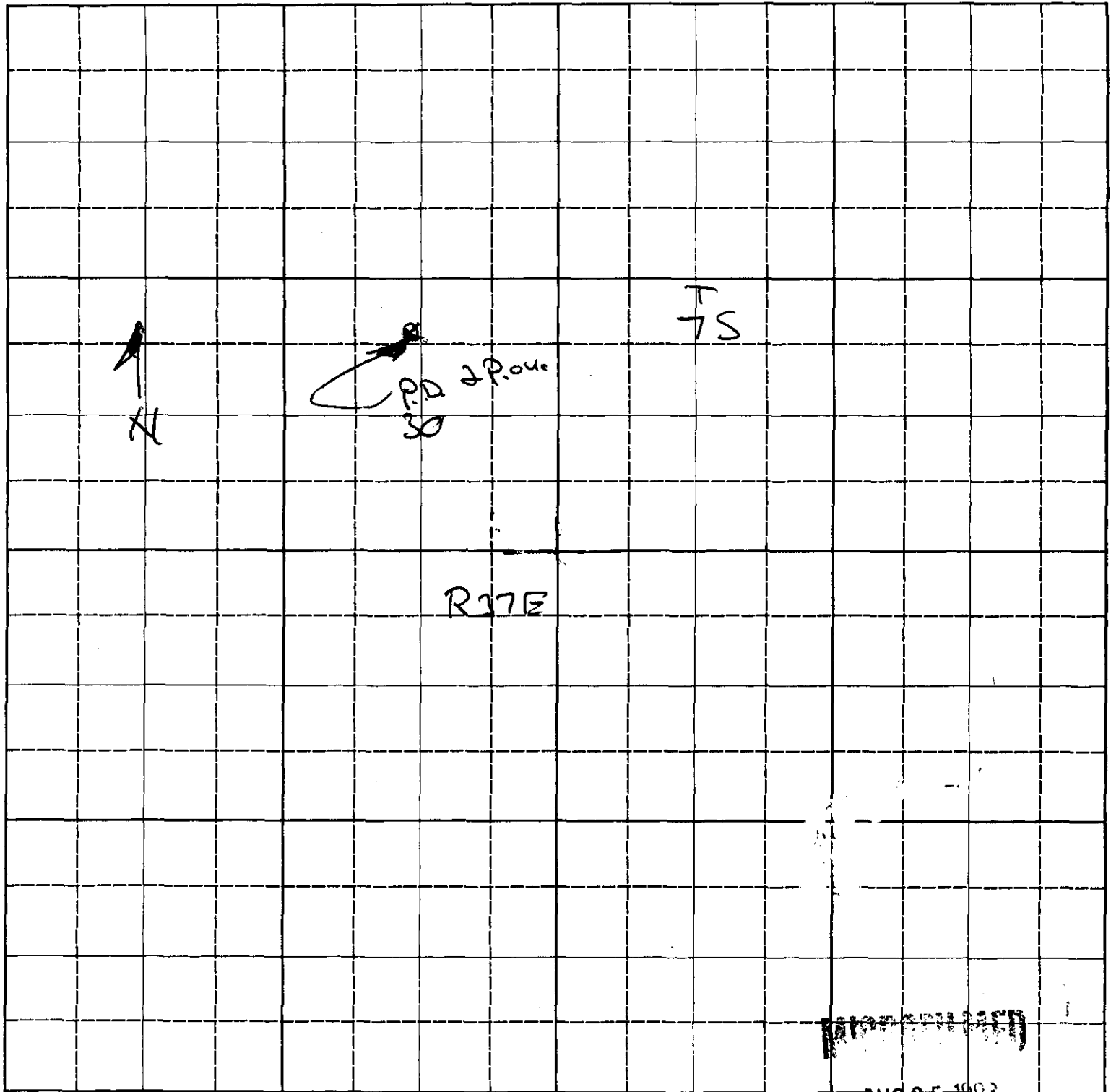
11. a. Who owns the property at the point of diversion? Gregory Tim & Patricia Mamm
- b. Who owns the land to be irrigated or place of use? same
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. \_\_\_\_\_

12. Remarks: \_\_\_\_\_

RECORDED

AUG 25 1993

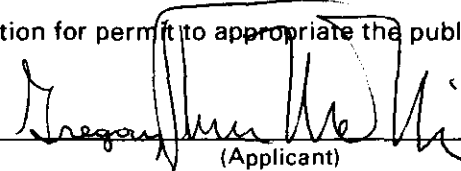
13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

AUG 25 1993

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.

  
(Applicant)

Received by HWT Date 6-28-93 Time 9:00am Preliminary check by \_\_\_\_\_  
Fee \$ 30.00 Receipted by HWT # E018767 Date 6-28-93  
Publication prepared by RB Date 7-15-93 Published in Idaho State Journal  
Publication approved RB Date 8-2-93

### 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:

**RECEIVED**

AUG 25 1993



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

February 2, 1998

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

GREGORY TIM MC MINN  
PO BOX 355  
INKOM ID 83245-0355

RE: WATER RIGHT NO. 29-08119

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 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 this 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 this 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, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this 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.

NOT RECORDED

FEB 10 1998

### ORAL ARGUMENT

If the Department grants a petition to review the 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.

### CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with the 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.

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

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen". The signature is written in dark ink and is positioned above the printed name and title.

Shelley W. Keen  
Water Rights Supervisor

SK:klt

Enclosure

CERTIFICATE OF MAILING

I hereby certify that on the 2nd day of February, 1998, 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. 29-08119

GREGORY TIM MC MINN  
PO BOX 355  
INKOM ID 83245-0355

  
Kari Lynn Townsend  
Secretary

NOV 18 1998

## MEMORANDUM

DATE: January 16, 1998  
TO: File No. 29-08119  
FROM: Cindy Zimmermann  
SUBJECT: Review of Beneficial Use Field Report

The field exam was not complete when sent to this office. I have made the following recommendations<sup>1</sup> to reflect the stockwater use developed under this permit:

G. Volume Calculations.

a. Stockwater.

$$\begin{aligned} V &= (\text{animals} \times \text{gallons per day} \times \text{days per year}) \div 325,850 \\ &= (3 \times 12 \times 365) \div 325,850 \\ &= 13,140 \div 325,850 \\ &= 0.04 \approx \underline{0.1} \text{ AF.} \end{aligned}$$

H. Recommendations.

1. Recommended amounts:

| Beneficial Use    | Period of Use    | Rate of diversion | Annual Volume |
|-------------------|------------------|-------------------|---------------|
| <u>Stockwater</u> | <u>1/1-12/31</u> | <u>0.02</u> cfs   | <u>0.1</u> AF |
|                   | Totals:          | <u>0.02</u> cfs   | <u>0.1</u> AF |

Examiner: Steven Garrison  
Examined: July 3, 1996

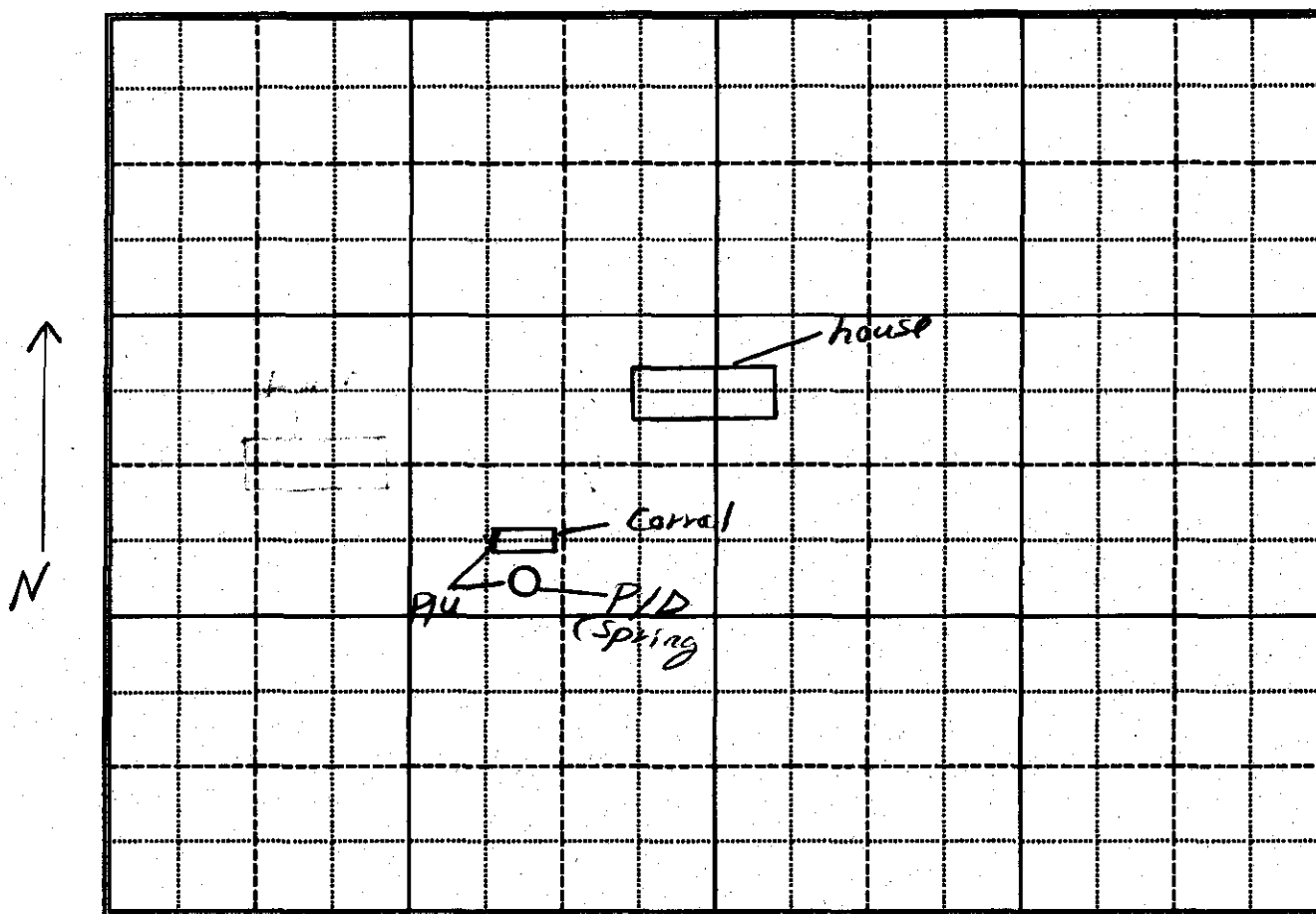
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<sup>1</sup> Adjustments are **bolded and underlined**.

FEB 10 1998

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 |
|---------------------------------------|------------|----|------------------|-----------|-----------------------------------|
|                                       |            |    |                  |           |                                   |
|                                       |            |    |                  |           |                                   |
|                                       |            |    |                  |           |                                   |

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

#### D. FLOW MEASUREMENTS

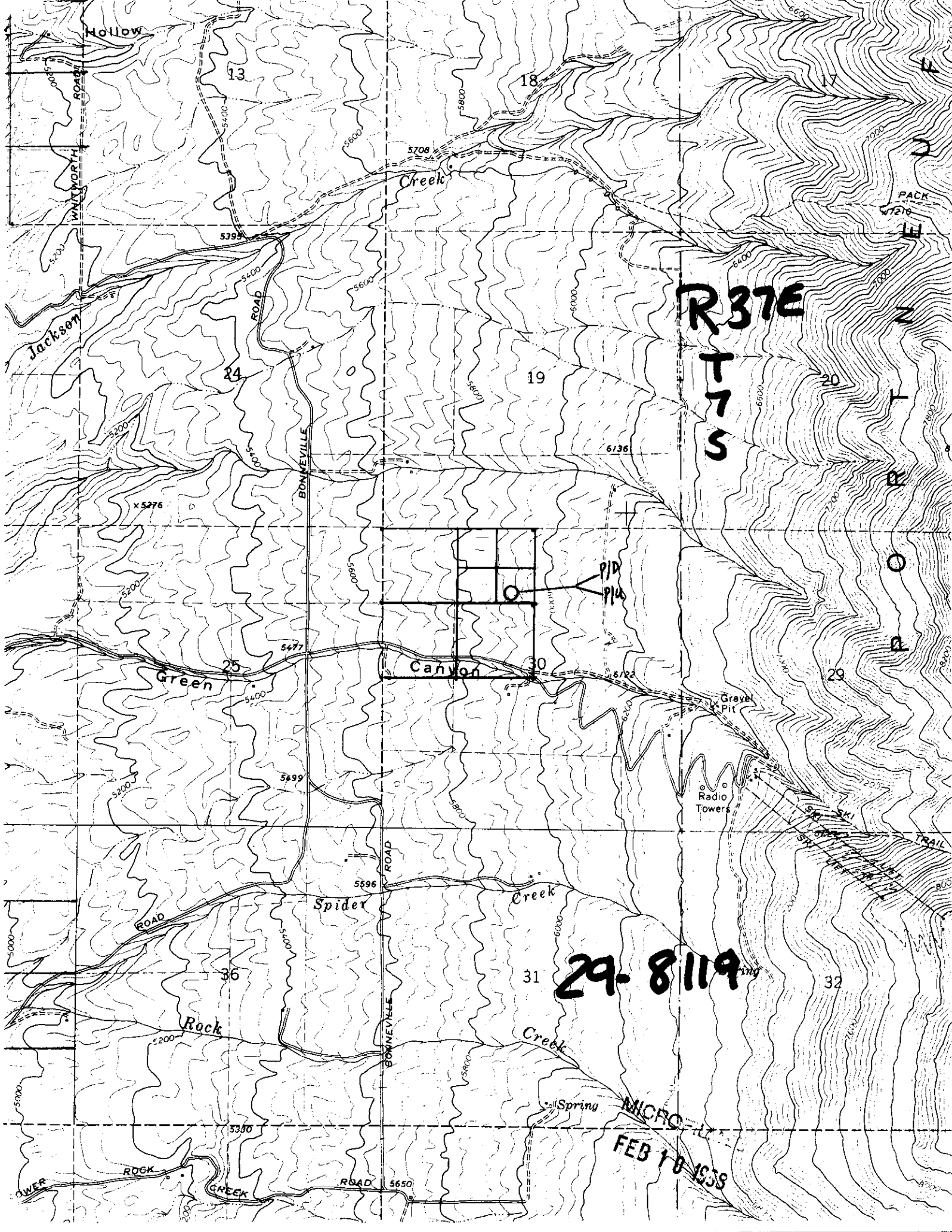
1.

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

2. Measurements: \_\_\_\_\_

MICROFILMED

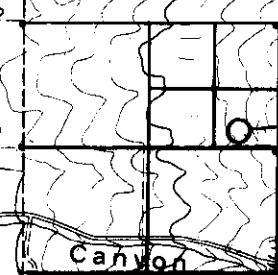
FEB 10 1998



R37E  
T7S

29-8119

MICRO  
FEB 10 1958



**E. NARRATIVE/REMARKS/COMMENTS**

Spring is used for stock watering on rotating basis.

There are 2 to 4 horses being watered on seasonal rotation.

\* Note: Normally, two horses.

There is a corral in place for horses while using the spring.

Spring is 15 feet by 15 feet. There is no way to measure the flow. Water seeps to surface.

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

MICROFILMED

FEB 10 1998

**F. FLOW CALCULATIONS**

\_\_\_\_\_ Additional Computation Sheets Attached

Measured Method:

*De Minimis Q = 0.02 cfs***\* G. VOLUME CALCULATIONS****1. Volume Calculations for Irrigation:** $V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$  \_\_\_\_\_ $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$  \_\_\_\_\_ $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$  \_\_\_\_\_**2. Volume Calculations for Other Uses:****\* H. RECOMMENDATIONS****1. Recommended Amounts**

| Beneficial Use | Period of Use |       | Rate of Diversion<br>Q (cfs) | Annual Volume<br>V (afa) |
|----------------|---------------|-------|------------------------------|--------------------------|
|                | From          | To    |                              |                          |
| _____          | _____         | _____ | _____                        | _____                    |
| _____          | _____         | _____ | _____                        | _____                    |
| _____          | _____         | _____ | _____                        | _____                    |
| _____          | _____         | _____ | _____                        | _____                    |
| _____          | _____         | _____ | _____                        | _____                    |
| Totals:        |               |       | _____                        | _____                    |

**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 Steven Garrison Date 3 JUL 96

Reviewer \_\_\_\_\_ Date \_\_\_\_\_

SEAL

\* Adjustments made during review of this report for licensee approval.  
See Memo for additional information. 1/16/98 CS.

MICROFILMED  
FEB 10 1998



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

COPY

October 20, 1994

GREGORY TIM MCMINN  
P O BOX 355  
INKOM ID 83245

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 29-08119

Dear Permit Holder:

The Department acknowledges receipt of the proof of beneficial use form submitted for the above referenced water right permit.

Enclosed is an order reinstating your permit since the proof was received after the proof due date. Please note that the priority date has been advanced to July 7, 1993.

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

Enclosure

c: IDWR - Region

RECEIVED

NOV 29 1994

August 25, 1994

Gregory Tim McMinn  
P.O. Box 355  
Inkom, ID 83245-0355

RE: Permit No. 29-08119

Dear Permit Holder:

Returned is the proof of beneficial use you submitted in connection with the above referenced permit. Unfortunately, it can not be accepted as filed.

The Department has determined, from pertinent sections of the Idaho Code, that the permit holder must meet two requirements in order to be exempt from the license exam fee. They are:

1. The water right must use a groundwater (well) source, and;
2. The rate of diversion must be .04 cfs or 4.0 AF or less.

As you can see, you do not meet requirement #1 since you use a spring (surface) for your source. Therefore, a license examination fee of \$50.00 applies to the permit.

Please return the original proof form and license examination fee within thirty (30) days of receipt of this letter.

If you have any questions or if I can be of any further assistance, please feel to contact me.

Sincerely,

JULIE L. YARBROUGH  
Senior Secretary

Enclosure

NOV 29 1994

# WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

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

D

August 8, 1994

GREGORY TIM MCMINN  
PO BOX 355  
INKOM ID 832450355

LAPSE NOTICE

RE: PERMIT NO. 29-08119

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated May 31, 1994. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifty dollar (\$50.00) fee.

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

L. GLEN SAXTON  
Chief, Water Allocation Bureau

Enclosures

CERTIFICATION OF MAILING

I hereby certify that on 8/8/94  
a copy/an original of this document was  
deposited in the United States mail,  
postage prepaid addressed to the  
individual(s) named above.

RECEIVED  
NOV 29 1994

May 31, 1994

GREGORY TIM MCMINN  
PO BOX 355  
INKOM ID 832450355

PROOF DUE NOTICE

RE: PERMIT NO. 29-08119

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, 1994. (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.

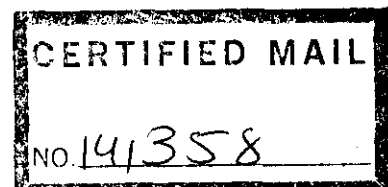
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental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





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 19, 1993

GREGORY TIM MCMINN  
PO BOX 355  
INKOM ID 83245

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 29-08119

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 black ink, appearing to read 'Jim Johnson', written over the typed name and title.

JIM JOHNSON  
Water Rights Supervisor

JJ:dc

Enclosures

UNRECORDED  
AUG 25 1993

# PROOF OF PUBLICATION

STATE OF IDAHO }  
County of Bannock } ss.

Sandra K. Wann

7311  
11/1/93  
The permit(s) have been filed to appropriate the public waters of the State of Idaho:  
29-08119  
MOMMAN, GREGORY TIM  
PO BOX 305  
INWOM, ID 83345  
Source: SPRING  
Tributary: SANKS  
Division: BE, SENEWA  
S&S 30 T 07S R 57E IN  
BANNOCK County  
Use: STOCKWATER  
(.040 CFS)  
Total Diversion:  
(.020 CFS)  
Date Filed: 6/23/1993  
In: BANNOCK County  
T07S R37E S30 NENW  
29-08120  
TYSON, SCOTT  
2500 SPIDER CREEK RD  
INWOM, ID 83345  
Source: SPRING  
Use: DOMESTIC  
(.010 CFS)  
Total Diversion:  
(.010 CFS)  
Date Filed: 6/23/1993  
In: BANNOCK County  
T07S R37E S25 NENW  
The permit(s) will be subject to all prior rights. Protests must be filed with the Bannock Dept. of Water Resources, Eastern Branch, 900 N. Idaho, Idaho Falls, Idaho 83402  
Sandra K. Wann, Notary Public  
LN80

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:

|                |              |           |
|----------------|--------------|-----------|
| <u>14 July</u> | <u>19 93</u> | <u>19</u> |
| <u>21 July</u> | <u>19 93</u> | <u>19</u> |
| <u>19</u>      | <u>19</u>    | <u>19</u> |
| <u>19</u>      | <u>19</u>    | <u>19</u> |
| <u>19</u>      | <u>19</u>    | <u>19</u> |

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 21st day of July in the year of 1993, before me, a Notary Public, personally appeared Sandra K. Wann, 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. Hansen  
Notary Public for Idaho

Residing at Pocatello

My commission expires July, 1997

AUG 25 1993

# PROOF OF PUBLICATION

STATE OF IDAHO }  
County of Bannock } ss.

Sandra K. Wann

## NOTICE OF APPLICATION FOR WATER RIGHT

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

29-08119  
MCMINN, GREGORY TIM  
PO BOX 355  
INKOM, ID 83245  
Source: SPRING  
Tributary: SINKS  
Diversion Pt: SENENW  
Sec 30 T 07S R 37E in  
BANNOCK County.  
Use: STOCKWATER  
(.020 CFS)  
Total Diversion:  
(.020 CFS)  
Date Filed: 6/28/1993  
In: BANNOCK County  
T07S R37E S30 NENW  
29-08120

TYSON, SCOTT  
2500 SPIDER CREEK RD  
INKOM, ID 83245  
Source: SPRING  
Tributary: SINKS  
Diversion Pt: SENENW  
Sec 25 T 07S R 35E in  
BANNOCK County.  
Use: DOMESTIC  
(.010 CFS)  
Total Diversion:  
(.010 CFS)  
Date Filed: 6/23/1993  
In: BANNOCK County  
T07S R35E S25 NENW  
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 AUGUST 2,  
1993.

R. KEITH HIGGINSON,  
Director  
July 14, 21, 1993  
LN80

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:

|                |              |           |
|----------------|--------------|-----------|
| <u>14 July</u> | <u>19 93</u> | <u>19</u> |
| <u>21 July</u> | <u>19 93</u> | <u>19</u> |
| <u>19</u>      | <u>19</u>    | <u>19</u> |
| <u>19</u>      | <u>19</u>    | <u>19</u> |
| <u>19</u>      | <u>19</u>    | <u>19</u> |

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 21st day of July in the year of 1993,  
before me, a Notary Public, personally appeared \_\_\_\_\_

Sandra K. Wann, 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: [Signature]

406 25 1993

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

---

Idaho Falls, Idaho 83402  
(208) 525-7161

JULY 8, 1993

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 AUGUST 2, 1993.

Yours truly,

Rita Bodell  
Secretary

Encl.

RECEIVED  
AUG 25 1993

NOTICE OF APPLICATION FOR WATER RIGHT

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

AUG 25 1993

29-08119

MCMINN, GREGORY TIM  
PO BOX 355  
INKOM, ID 83245

Source: SPRING

Tributary: SINKS

Diversion Pt: SENENW Sec 30 T 07S R 37E in BANNOCK County.

Use: STOCKWATER ( .020 CFS)

Total Diversion: ( .020 CFS)

Date Filed: 6/28/1993

In: BANNOCK County  
T07S R37E S30

NENW

AUG 25 1993

13-Jul-1993

GREGORY "TIM" MCMINN  
PO BOX 355  
INKOM ID 83245

RE: Application No. 29-08119

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 Idaho State Journal on July 15 & 22, 1993. 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

AUG 25 1993