

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 29-08071

Priority: June 26, 1991

Maximum Diversion Rate:

0.07 CFS

Maximum Diversion Volume:

0.8 AF

This is to certify, that US DEPT OF INTERIOR

BUREAU OF LAND MANAGEMENT

940 LINCOLN RD

IDAHO FALLS ID 83401

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 26, 1991; and has submitted Proof of Beneficial Use on October 21, 1991. An examination indicates that the works have a diversion capacity of 0.070 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	05/01 to 06/30	0.06 CFS	0.7 AF
WILDLIFE	01/01 to 12/31	0.01 CFS	0.1 AF
	Totals	0.07 CFS	0.8 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 1(NWNE), Sec. 4, Township 07S, Range 34E
BANNOCK County

PLACE OF USE: STOCKWATER

TWN RGE SEC

07S 34E 4 Lot 1(NENE)

PLACE OF USE:

WILDLIFE, same as STOCKWATER use

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 must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

FEB 22 1996

State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

WATER RIGHT NO. 29-08071

CONDITIONS OF APPROVAL AND REMARKS

5. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
6. The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
7. This right, when considered with all other rights common to the same grazing allotment, shall be limited to the quantity of water beneficially used by the number of stock within the allotment.
8. Place of use is identified as White Spring, JDR #3070, allotment #06098, Trail Creek.

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 14TH day of FEBRUARY, 1996.

Acting for

KARL J. DREHER, Director

FEB 22 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

White Spring

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.

Permit No. 29-08071 Telephone No. 208-524-7600

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

Post Office Address: 940 Lincoln Road, Idaho Falls, Idaho 83401

Source of Water: Spring

If ground water, well driller's name: N/A Date drilled: _____

Extent of Use:
Domestic _____ (No. of households) Irrigation _____ (No. of acres)
Stockwater 275 Range Cattle (No. and type of stock) Other Deer, sharptail grouse, non game wildlife

Total rate and/or volume for which proof is submitted .07 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: 7/5/91

One of the following may be a condition of approval of your permit:

Measuring device: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No

OR

Flow Measurement Port: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No

Fee Enclosed: \$ 50.00 (See License Examination Fee Schedule)

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

Karen Aslett

208-524-7533

Name

Telephone No.

940 Lincoln Road Idaho Falls, Idaho 83401

Address

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.

Date 10/9/91

Signature Gary A. Bliss (and title if on behalf of a company or organization) Acting Dir

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 29-08071

Proposed Priority: June 26, 1991 Maximum Diversion Rate: 0.07 CFS

This is to certify, that U.S. DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
3380 AMERICANA TERRACE
BOISE, ID 83706

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	05/01 to 06/30	0.07 CFS
WILDLIFE	01/01 to 12/31	0.01 CFS
	Totals	0.07 CFS

LOCATION OF POINT(S) OF DIVERSION: LOT 1(NWNENE), Sec. 4, Township 07S, Range 34E
BANNOCK County

PLACE OF USE: STOCKWATER
TWN RGE SEC

07S 34E 4 LOT 1(NENE)

PLACE OF USE: WILDLIFE, same as STOCKWATER use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before August 3, 1992.
2. Subject to all prior water rights.
3. The right to the use of water acquired under this permit shall not give rise to any right or claim against the holder of a senior right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
4. The Director retains jurisdiction of the permit and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
5. Stockwater use is for 275 range cattle.
6. Place of use is identified as White Spring, JDR #3070, allotment #06098, Trail Creek.

RECEIVED

SEP 03 1991

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 29-08071

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

21st day of August, 1991.

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

MICROFILMED

SEP 03 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 29 8071
White Spring
290378 Dec 20

To appropriate the public waters of the State of Idaho

1. Name of applicant USDI, Bureau of Land Management Phone 334-1484
Post office address 3380 Americana Terrace Boise, ID 83706
2. Source of water supply spring which is a tributary of sinks
NW NE NE
3. Location of point of diversion is Lot 1 $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 4 Township 7S
Range 34 E B.M. Bannock County, additional points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.07 cfs for livestock purposes from 5/1 to 6/30 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.01 cfs for wildlife 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)
5. Total quantity to be appropriated:
0.07
a. 0.07 cubic feet per second and/or b. _____ acre-feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Spring headbox with pipe to trough

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____
Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year — maximum 5 years).
8. Description of proposed uses:
a. If water is not for irrigation: NE NE
(1) Give the place of use of water: Lot 1 $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 4 Township 7S
Range 34 E B.M.
(2) Amount of power to be generated: _____ horsepower under _____ feet of head.
(3) List number of each kind of livestock to be watered: 275 range cows with calves

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____
(5) If water is to be used for other purposes describe: deer, sharp-tailed grouse and non-
game wildlife as found in the area

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

[illegible]

Total number of acres to be irrigated

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

9. a. Who owns the property at the point of diversion United States of America

b. Who owns the land to be irrigated or place of use United States of America

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

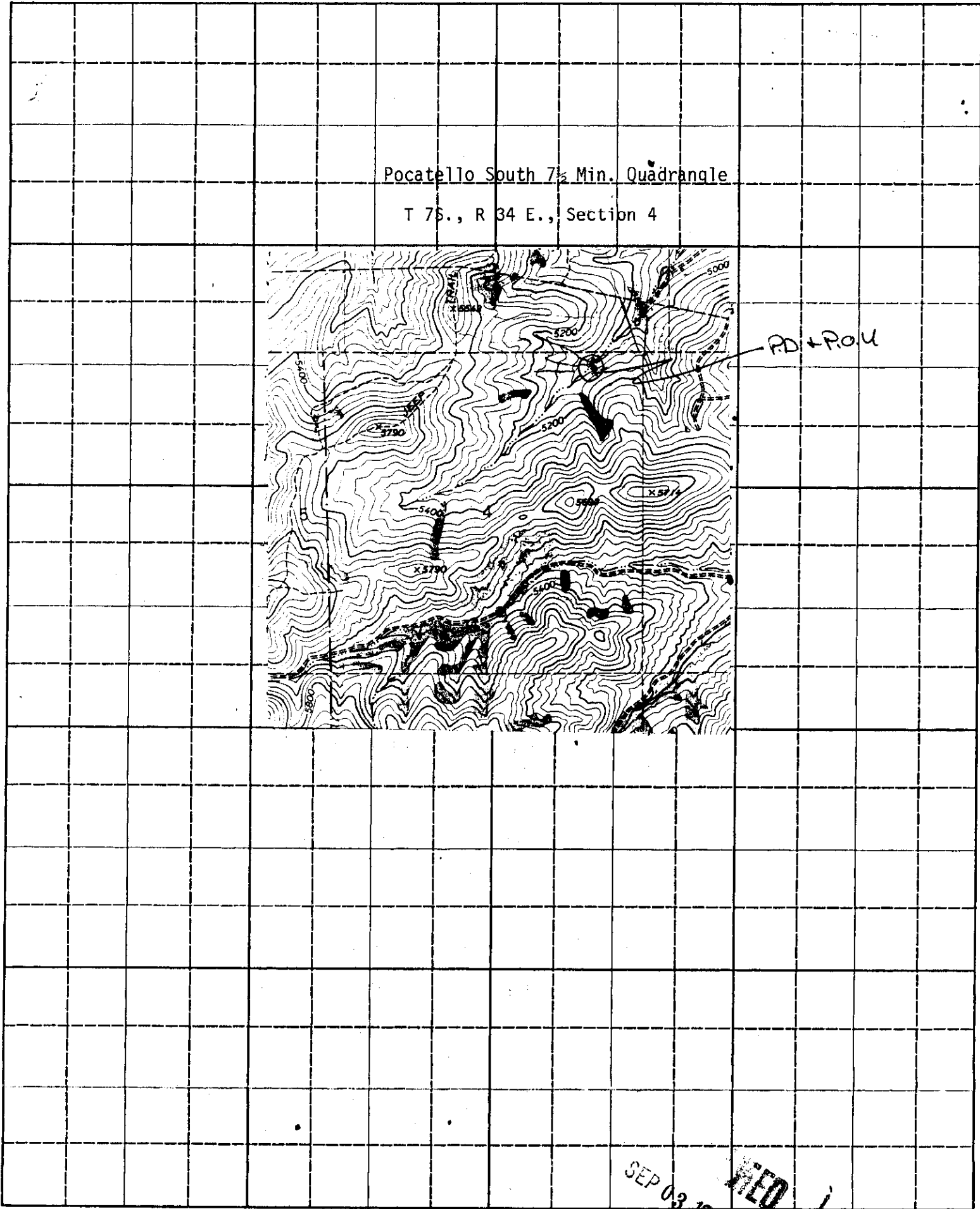
10. Remarks This spring development to be known as White Spring, JDR #3070,

It will supply water for allotment #06098, Trail Creek

UNCLASSIFIED

SEP 03 1991

11. 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.

SEP 03 1991
MED
Gary A. Bliss
(Applicant) Acting District Manager

Received by HWT Date 6-26-91 Time 9:28am
Preliminary check by _____ Fee \$ 30.00 # E016264
Receipted by HWT Date 6-26-91
Publication prepared by RB Date _____
Published in Idaho State Journal
Publication dates 7-18-25-91
Publication approved RB Date 7-29-91
Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by _____

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. Other:

SEP 03 1991

PROOF OF PUBLICATION

RECEIVED

JUL 26 1991

STATE OF IDAHO
County of Bannock

ss.

Department of Water Resources
Eastern District Office

Erin E. Jones

APPLICATION FOR WATER RIGHTS 29-08071

U.S. DEPARTMENT OF INTERIOR
BUREAU OF LAND MANAGEMENT
3380 AMERICANA TERRACE
BOISE, ID 83706
Source: SPRING
Tributary: SINKS

Diversion Pt: LOT 1 (NWNENE) Sec 4
T 07S R 34E

Use: STOCKWATER (.070 CFS)

WILDLIFE (.010 CFS)

Total Diversion: (.070 CFS)

Date Filed: 6/26/1991

In: T07S R34E S04 Lot 1 (NENE)

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before AUGUST 5, 1991.

R. KEITH HIGGINSON, Director

July 18, 25, 1991

Ln747

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:

18 July	19 91	19
25 July	19 91	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.

Erin E. Jones

STATE OF IDAHO

COUNTY OF Bannock

On this 25th day of July in the year of 1991, before me,
a Notary Public, personally appeared Erin E. Jones,
known or identified to me to be the person whose name subscribed to the within instrument,
and being by me first duly sworn, declared that the statements therein are true, and
acknowledged to me that he executed the same.

Devi L. Larsen
Notary Public for Idaho

Residing at Pocatello

My commission expires: July, 1997

SEP 03 1991



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

February 15, 1996

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
940 LINCOLN RD
IDAHO FALLS ID 83401

RE: WATER RIGHT NO. 13-07466/29-07877/29-07878/29-07879/
29-08071/35-08644/35-08646/35-08650

Dear Water Right Holder(s):

Enclosed are copies of the Water Right Licenses issued on the above referenced permits. If you have any questions, please contact me within 10 days of receipt of these licenses.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

RECEIVED

FEB 22 1996

MEMORANDUM

DATE: February 7, 1996
TO: File No. 29-08071
FROM: Cindy Zimmerman c-2
SUBJECT: Telephone Conversation

=====

I talked today with Paul Meyer regarding several BLM stockwater field exams he did in September 1995 and sent to the state office in January 1996. These exams contained a short narrative of the system but no notes on the nature and date of the records used to verify beneficial use as required in Permit Processing Memo No. 8 dated 11/7/95.

Paul stated that he did not personally witness the diversion or any "as built" of the systems. Paul had contacted Deena Teal, an ecologist with BLM, and gave her a listing of the permits. Ms. Teal field verified each site for Paul and the SRBA claims.

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FEB 22 1996

Form 219
Revised
JAN 19 1996
Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

WHITE SPRING
JDE# 3070

A. GENERAL INFORMATION

Permit No. 29-08071

United States Department of Interior
Bureau of Land Management
940 Lincoln Road, Idaho Falls, ID 83401

Phone: (208) 524-7500

2. Accompanied by: DEENA TEAL

EXAM DATE: 9-26-95

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: UNNAMED SPRING tributary to SINKS

B. OVERLAP REVIEW

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

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

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	NW	NE	NE	4	7S	34E	BANNOCK	USGS IN-OFFICE

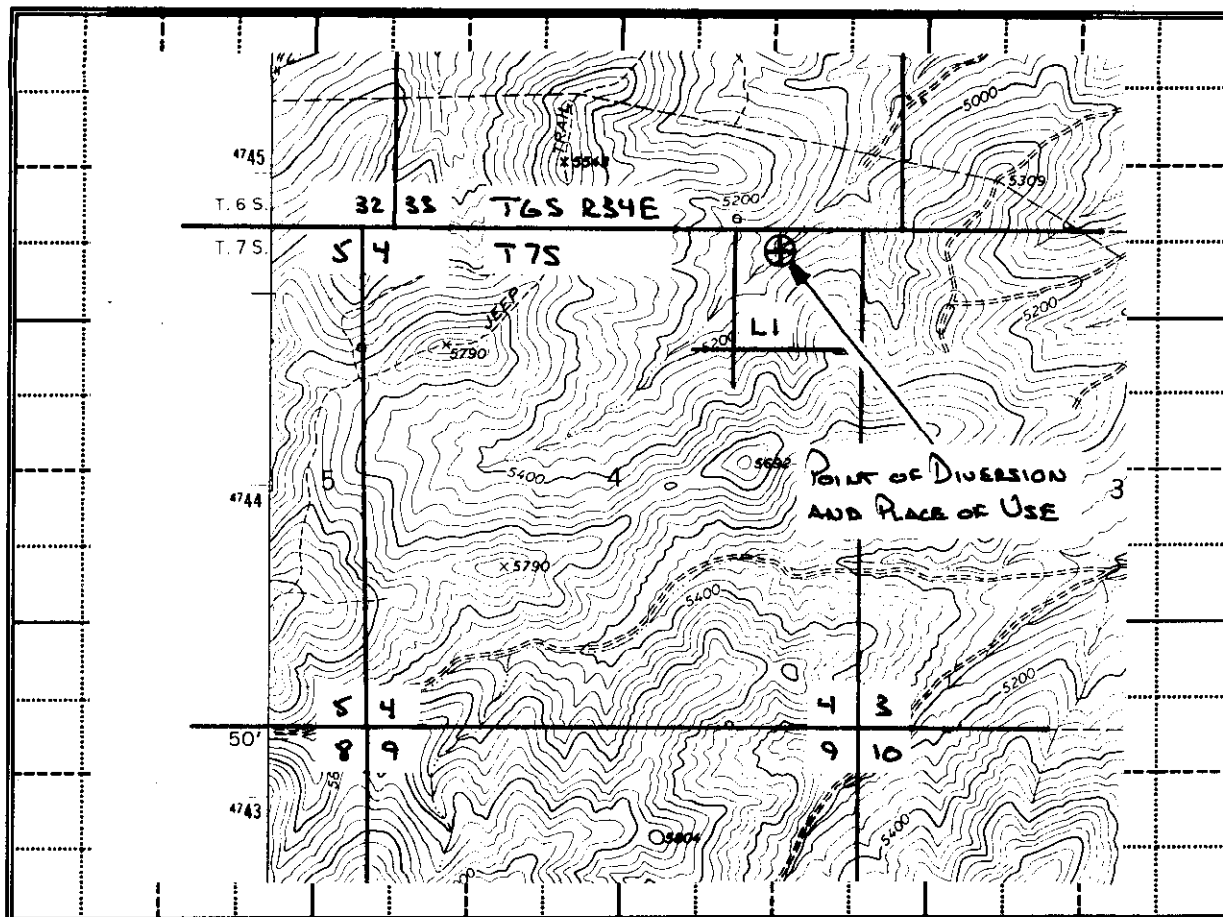
2. Place(s) of Use:

Indicate Method of Determination SAWE

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
7S	34E	4	S/W																
			L1																

FEB 22 1996

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: _____

FEB 22 1996

E. NARRATIVE/REMARKS/COMMENTS

COLLECTION BOX AT SPRING WITH SHORT PIPELINE FOR STOCK-
WATER USE UP TO 275 RANGE CATTLE, PLUS VARIED SPECIES
OF WILDLIFE.

WHITE SPRING JDE# 3070

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

M. J. J. J. J. J.

FEB 22 1996

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

IDWR STD FOR 275 HD RANGE CATTLE = 0.06 cfsDE MINIMUS WILDLIFE USE = 0.01 cfsCOMBINED TOTAL NOT TO EXCEED 0.07 cfs BY PERMIT**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:

IDWR STD FOR 275 HD = $3.7 \text{ AFA} \times \frac{61 \text{ DAYS}}{365} = 0.62 \text{ AFA} \approx$ 0.7 AFADE MINIMUS WILDLIFE = 0.1 AFACOMBINED TOTAL = $0.7 \text{ AFA} + 0.1 \text{ AFA} =$ 0.8 AFA**H. RECOMMENDATIONS**

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<u>STOCKWATER</u>	<u>5-1</u>	<u>6-30</u>	<u>0.06</u>	<u>0.7</u>
<u>WILDLIFE</u>	<u>1-1</u>	<u>12-31</u>	<u>0.01</u>	<u>0.1</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals:			<u>0.07</u>	<u>0.8</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 DEEM Date 12-14-95

Reviewer _____ Date _____

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FEB 22 1996
SEAL

November 22, 1991

U.S. DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
940 LINCOLN RD
IDAHO FALLS ID 83401

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 29-08071

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,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

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DEC 09 1991



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 26, 1991

U.S. DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
3380 AMERICANA TERRACE
BOISE, ID 83706

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 29-08071

Dear Permit Holder:

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

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,

PAMELA SKAGGS
Technical Records Specialist

PS:blm

Enclosures

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SEP 03 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region
150 Shoup Ave., Suite 15

Idaho Falls, Idaho 83402
(208) 525-7161

JULY 10, 1991

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 5, 1991.

Yours truly,

Rita Bodell
Secretary

Encl.

SEP 03 1991

29-08071

U.S. DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
3380 AMERICANA TERRACE
BOISE, ID 83706

Source: SPRING

Tributary: SINKS

Diversion Pt: LOT 1 (NWNENE) Sec 4 T 07S R 34E

Use: STOCKWATER (.070 CFS)
WILDLIFE (.010 CFS)
Total Diversion: (.070 CFS)

Date Filed: 6/26/ 1991

In: T07S R34E S04 Lot 1 (NENE)

SEP 03 1991

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before AUGUST 5, 1991.

R. Keith Higginson, Director

Published 7/18/1991 & 7/25/1991

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SEP 03 1991



State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

12-Jul-1991

USDI BLM
3380 AMERICANA TERRACE
BOISE ID 83706

RE: Application No. 29-8071

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 Post-Register on July 18 & 25, 1991. 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

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

SEP 03 1991