

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 29-07878

Priority: August 31, 1989

Maximum Storage Volume:

0.2 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 August 31, 1989; and
has submitted Proof of Beneficial Use on January 30, 1995. An examination indicates
that the works have a storage capacity of 0.200 af of water from:

UNNAMED STREAM

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 STORAGE	05/01 to 06/30		0.1 AF
WILDLIFE STORAGE	01/01 to 12/31		0.1 AF
	Totals		0.2 AF

LOCATION OF POINT(S) OF DIVERSION:

NWNW, Sec. 20, Township 06S, Range 34E
BANNOCK County

PLACE OF USE: STOCKWATER STORAGE

TWN RGE SEC

06S 34E 20

NWNW

CONDITIONS OF APPROVAL AND REMARKS

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. 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.
5. 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.
6. 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.

FEB 22

State of Idaho
Department of Water Resources

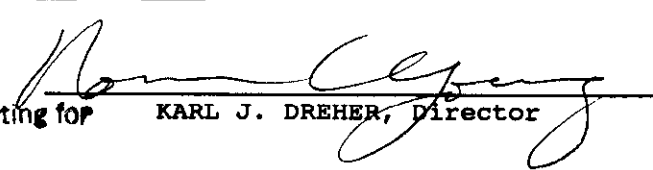
WATER RIGHT LICENSE

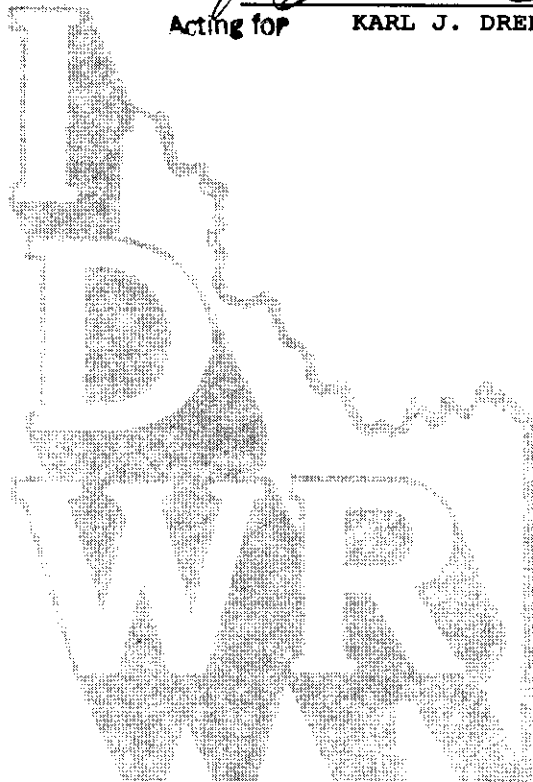
WATER RIGHT NO. 29-07878

CONDITIONS OF APPROVAL AND REMARKS

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, 19 96.

Acting for


KARL J. DREHER, Director



FEB 22 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

RECEIVED

FEB 02 1995

Department of Water Resources

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

1. Permit No. 29-07878 Telephone No. 208-524-7500
2. Name(s) of Permit Holder(s): USDI, Bureau of Land Management
3. Mailing Address: 940 Lincoln Road, Idaho Falls, Idaho 83401
4. Source of Water: Unnamed Stream

If **GROUNDWATER**, Well Driller's Name: N/A Date Drilled: N/A

OPTIONAL:

Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft.): _____

5. Extent of Use (as authorized by the permit):
- Domestic _____ (No. of households) Stockwater 50 range cattle w/ calves (No. and type of stock)
- Irrigation _____ (No. of acres) Other Wildlife; variable amounts
6. Total rate and/or volume for which proof is submitted _____ cfs OR 0.7 acre/feet
7. Refer to the approval conditions on your permit and respond accordingly:
- Measuring device: Required? _____ Yes X No Installed? _____ Yes X No
- OR
- Flow Measurement Port: Required? _____ Yes X No Installed? _____ Yes X No
8. Fee Enclosed: \$ 50.00 (See License Fee Schedule on back of Instruction Sheet)
9. Person to contact to accompany the Department representative during field examination of the water system.

Deena Teel 208-524-7533
Name Telephone No.

940 Lincoln Road, Idaho Falls, Idaho 83401
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.

FEB 13 1995

1/27/95
Date

Rich Hanna acting Assoc. Eco Mgr.
Signature (and title, if on behalf of a company or organization)

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 29-07878

Proposed Priority: August 31, 1989

Maximum Storage Volume:

0.7 AF

This is to certify, that U.S. DEPT. OF INTERIOR
BUREAU OF LAND MANAGEMENT
940 LINCOLN RD.
IDAHO FALLS, ID 83401

has applied for a permit to appropriate water from:

UNNAMED STREAM

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>	<u>ANNUAL VOLUME</u>
STOCKWATER STORAGE	05/01 to 06/30		0.7 AF
WILDLIFE STORAGE	01/01 to 12/31		0.1 AF
	Totals		0.7 AF

LOCATION OF POINT(S) OF DIVERSION:

NWNW Sec. 20, Township 06S, Range 34E
BANNOCK County

PLACE OF USE: STOCKWATER STORAGE

TWN RGE SEC

06S 34E 20

NWNW

PLACE OF USE: WILDLIFE STORAGE, same as STOCKWATER STORAGE use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **February 1, 1995**.
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. Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.

MICROFILMED

MAR 05 1990

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 29-07878

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

12 th day of February, 1990.

R. Keith Higginson
for R. Keith Higginson, Director

MICROFILMED

MAR 05 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant USDI, Bureau of Land Management Phone 529-1020

Post office address 940 Lincoln Road Idaho Falls, ID 83401

2. Source of water supply runoff unnamed stream which is a tributary of sinks

3. Location of point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 20 Township 6 S

Range 34 E B.M. Bannock County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.7 af for livestock purposes from 5/1 to 6/30 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.1 af 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:

a. _____ cubic feet per second and/or b. 0.8 0.70 acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. collection stockpond

b. Height of storage dam 10 feet, active reservoir capacity 0.8 acre-feet; total reservoir capacity 0.8 acre-feet, materials used in storage dam: Native soil

Period of year when water will be diverted to storage 1/1 to 12/31 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:

(1) Give the place of use of water: NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 20 Township 6 S
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 50 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, chukar and wildlife as
found in the area

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MAR 15 1990

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[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 US Government

b. Who owns the land to be irrigated or place of use US Government

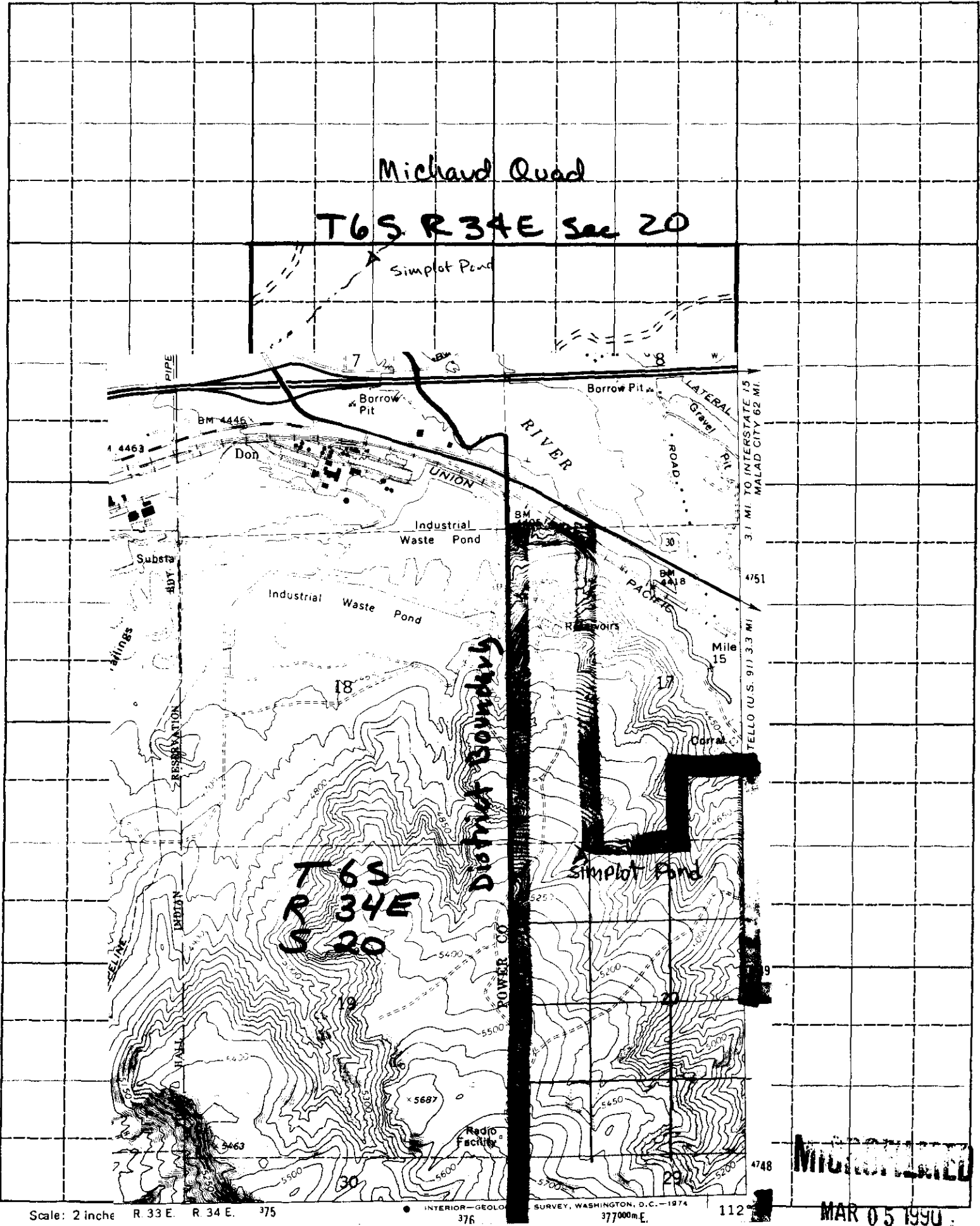
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks Development to be known as Simplot Pond scheduled to be built by
range user in summer of 1988. Will supply water to allotment #6098.
JDR #3021.

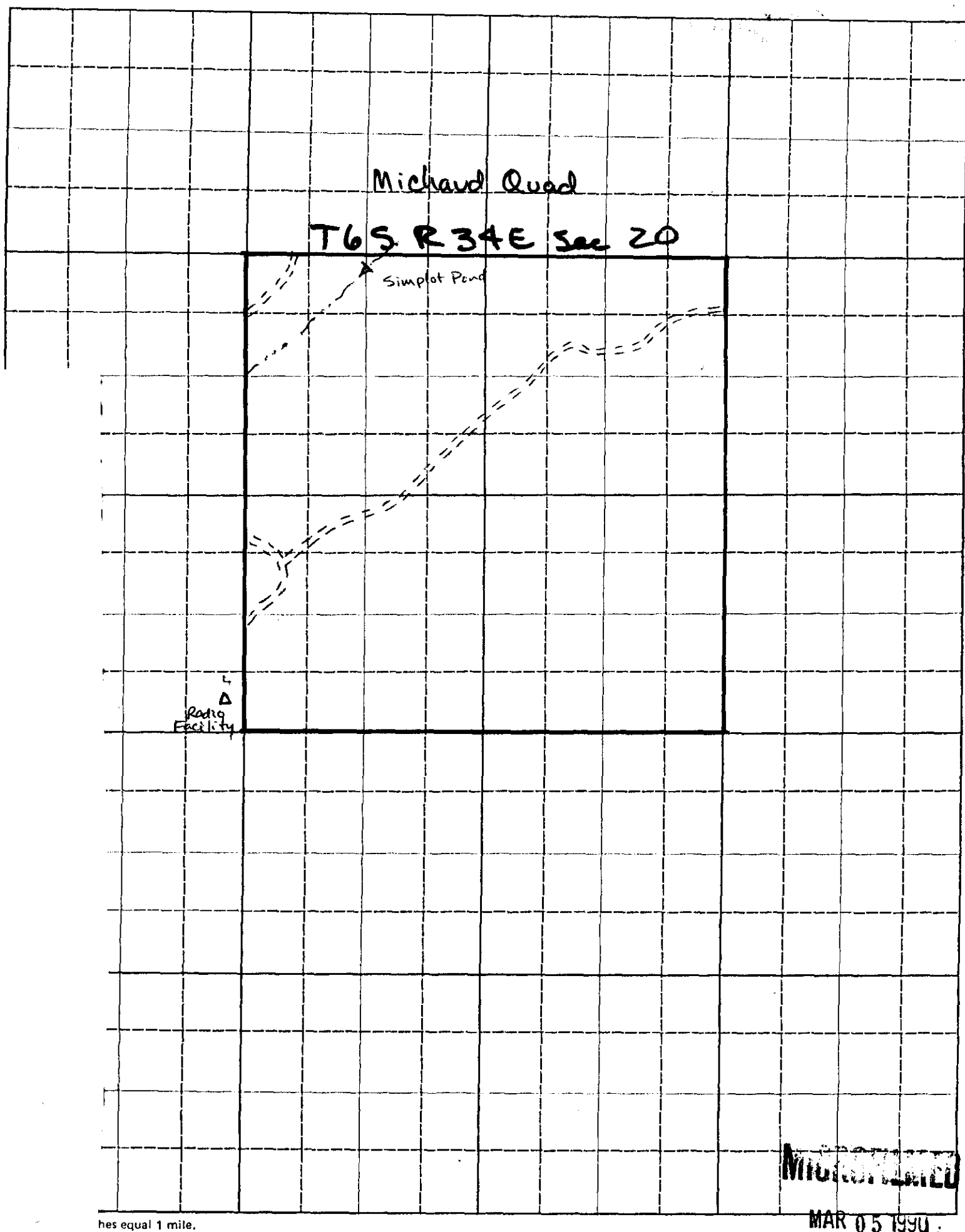
~~UNCLASSIFIED~~

MAR 05 1990

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



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



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.

DISTRICT MANAGER

[Signature]
(Applicant)

Received by HWT Date 8-31-89 Time _____
Preliminary check by KW Fee \$ 30.00
Receipted by HWT Date 8-31-89 # E010082
Publication prepared by _____ Date _____
Published in Power County Press 2d State Trial
Publication dates 1-4 & 11-90
Publication approved CA Date 1-19-90
Protests filed by: none

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

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:

RECORDED

MAR 05 1990



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

MICROFILMED

FEB 22 1996

MEMORANDUM

DATE: February 7, 1996
TO: File No. 29-7878
FROM: Cindy Zimmerman 
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.

RECEIVED

FEB 22 1996

RECEIVED
JAN 10 1996

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Simplex Pond
ID# 3021

A. GENERAL INFORMATION

Permit No. 29-07878

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: UNDAMMED STREAM 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
		NE	NW	NW	20	6S	34E	BADUOCK	USGS, IN OFFICE

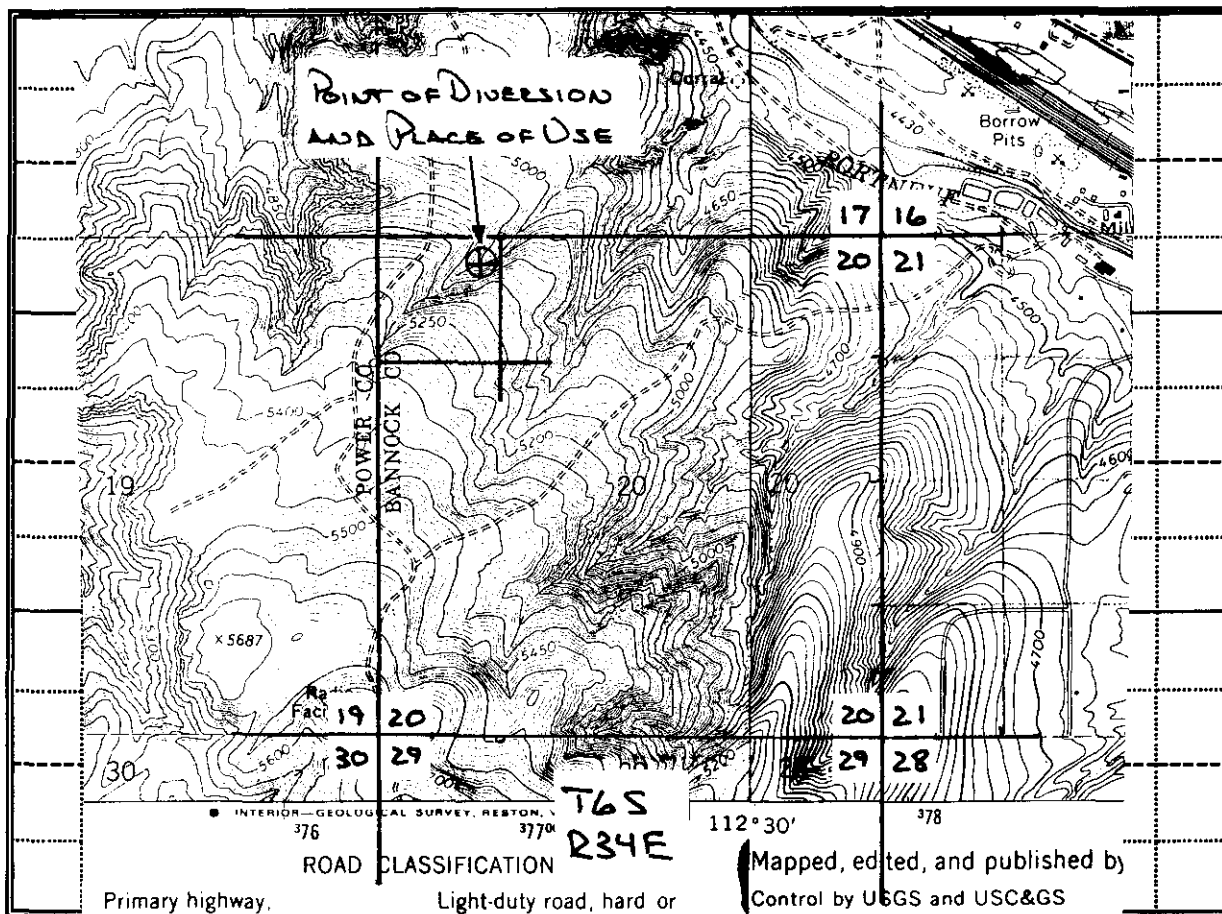
2. Place(s) of Use:

Indicate Method of Determination SAME

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6S	34E	20						S W											

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

MAN-MADE POND TO SERVE UP TO 50 HEAD MIXED LIVESTOCK AND
INDETERMINABLE AMOUNTS OF WILDLIFE.

* SIMPLOT POND, JDR # 3021

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

IMPROVED

FEB 22 1996

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

N/A —

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:

* AS PER IDWR STD'S FOR 50 RANGE CATTLE, MAX. VOLUME
FOR STOCK = 0.7 AFA. * $61 \text{ DAYS} / 365 = 0.1 \text{ AFA}$

* DE MINIMUS STORAGE FOR WILDLIFE = 0.1 AFA.

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
STOCK WATER STORAGE	5-1	6-30	_____	0.1
WILDLIFE STORAGE	1-1	12-31	_____	0.1
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals:			_____	0.2

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 PAUL R. MEYER Date 12-12-95

Reviewer _____ Date _____ SEAL

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FEB 22 1996

February 6, 1995

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

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 29-07878

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

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FEB 13 1995

November 30, 1994

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

PROOF DUE NOTICE

RE: PERMIT NO. 29-07878

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 February 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.

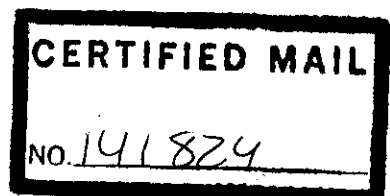
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

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FEB 13 1995



S T A T E O F I D A H O
D E P A R T M E N T O F W A T E R R E S O U R C E S

Statehouse
Boise, Idaho 83720
(208) 327-7900
February 13, 1990

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

P E R M I T A P P R O V A L N O T I C E

RE: PERMIT NO. P29-07878

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.

Please note the requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction, no later than one year from the date the permit was approved.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a license.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

RECORDED

MAR 05 1990

└──────────────────┘

27-Dec-1989

USDI, BLM
940 Lincoln Rd.
Idaho Falls, ID 83401

RE: Applications for Permit No.'s 27-7487;
29-7877, -7878, -7879, -7880, -7881, -7882, -7883, & -7884

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permits. This office is currently in the process of advertising your applications in the Caribou County Sun, Idaho State Journal, & the Power County Press. The advertisements 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 Rights Supervisor

HWJ/rb

RECEIVED

MAR 05 1990

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

Idaho Falls, Idaho 83402
(208) 525-7161

DECEMBER 22, 1989

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 JANUARY 22, 1990.

Yours truly,

Rita Bodell
Secretary

Encl.

MICROFILMED
MAR 05 1990

NOTICE OF APPLICATION FOR WATER RIGHT

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

MICROFILMED

MAR 05 1990

29-07878

USDI, BLM
940 LINCOLN RD.
IDAHO FALLS, ID 83401

Source: UNNAMED STREAM

Tributary: SINKS

Diversion Pt: NWNW Sec 20 T 06S R 34E

Use: STOCKWATER
 WILDLIFE

(.70 AF)
(.10 AF)
(.70 AF)

Total Diversion:

Date Filed: 8/31/1989

In: T06S R34E S20

NWNW

~~UNNAMED~~
MAR 05 1990

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-2 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 JANUARY 22, 1990.

R. Keith Higginson, Director

Published 1/04/1990 & 1/11/1990

MICROFILMED

MAR 05 1990