

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant Kip Morrison Phone 208-897-5188
Post office address 1829 E. Big Hollow Road, Downey, ID 83234
2. Source of water supply spring which is a tributary of Marsh Creek
3. Location of point of diversion is NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of NE $\frac{1}{4}$, Govt. Lot 2
Sec. 1 Township 12S Range 36E B.M. Bannock County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 5 A.F. for storage 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) 5 A.F.
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. 6 ft high dam with spillway over flow

 - b. Height of storage dam 6 feet; active reservoir capacity 5 acre-feet; total
reservoir capacity 5 acre-feet; period of year when water will be diverted to storage:
11/1 to 4/1 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? _____
7. Time required for the completion of the works and application of the water to the irrigation official use is
2 years (minimum 1 year).

SEP 30 1988

8. Description of proposed uses (if irrigation only, go to item 9):

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. water will be used for recreational pond. (on stream storage)

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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	
12S	36E	1		L2 R															

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. None

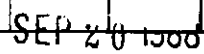
- Who owns the property at the point of diversion? Applicant
- Who owns the land to be irrigated or place of use? Applicant
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: _____

RECEIVED

SEP 20 1988

2004 年 12 月 25 日



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)

assisted by SM
Received by dg Date 4-19-88 Time 2:25 Proposed Priority 4/19/88 Preliminary check by EA
Fee \$ 30 Receipted by dg # E000128 Date 4-19-88
Publication prepared by dg Date 4-27-88 Published in ID State Smel
Publication approved dg Date 5-17-88

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. 29-7845, and said application is hereby APPROVED.

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 August 1, 19 90.

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:

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.

Use of water under this permit is subject to control by the watermaster of State Water District No. 29H, Marsh Creek.

Witness my hand this 3rd day of August, 1988.

R. Keith Higgins
Director

RECEIVED

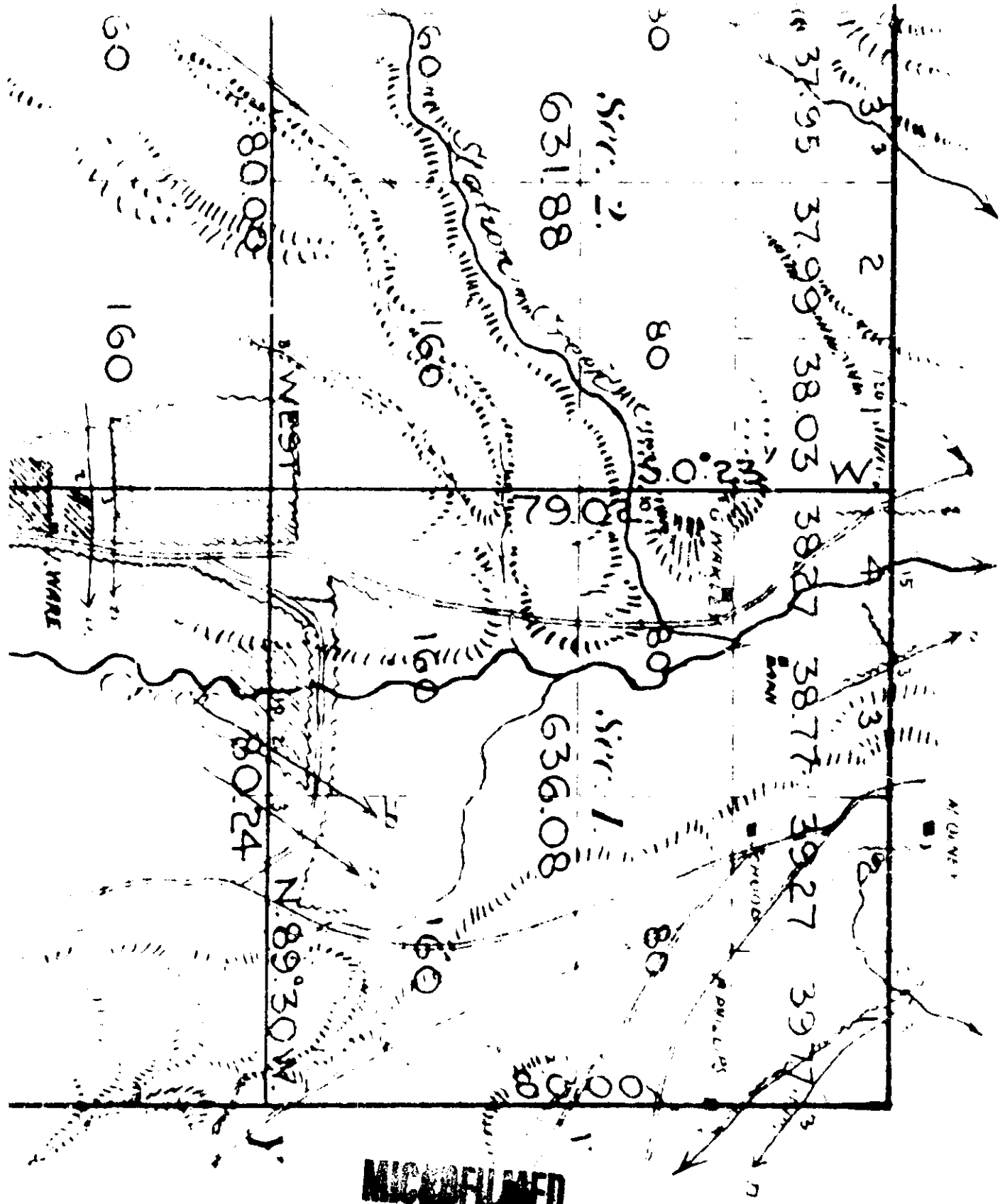
SEP 20 1988

b

B

"

1



PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

Linda Briggs

she

being first duly sworn on oath deposes and says: That _____
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:

May 5	19 88	19
May 12	19 88	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.

Linda Briggs

Subscribed and sworn to before me this 12th

day of May, 19 88.

Jeri H. Loran

Notary Public, State of Idaho
Residence: Pocatello, Idaho

NOTICE OF APPLICATION FOR WATER RIGHT

The following applications have been filed to appropriate the public waters of the State of Idaho:

29-7847

VARGASON, THAYNE E. &/or KAREN
BOX 728, POCATELLO, ID 83204
Source: PORTNEUF RIVER trib. to SNAKE RIVER
Diversion Pt: LOT 06 (NENSW) Sec 21 T 09S R 38E
Use: RECREATION STORAGE (0.13AF)

DIVERSION TO STORAGE (0.060CFS)

Date Filed: 04-20-1988

In: LOT 06 (NESW) Sec 21 T 09S R 38E

29-7846

KELLY, CLARK &/or TAMARA L.
9685 WEST HEATHER ROAD, POCATELLO, ID 83204

Source: GROUNDWATER

Diversion Pt: LOT 04 (SWSW) Sec 18 T 07S R 35E

Use: IRRIGATION (0.090 CFS)

DOMESTIC (0.040 CFS)

Date Filed: 04-01-1988

In: Lot 04 (SWSW) Sec 18 T 07S R 35E
FOR 3 ACRES

29-7845

MORRISON, KIP
1829 EAST BIG HOLLOW ROAD, DOWNEY, ID 83234

Source: SPRING trib. to MARSH CREEK
Diversion Pt: LOT 02 (NENWNE) Sec 01 T 12S R 36E

Use: RECREATION STORAGE (5.0AF)

Date Filed: 04-19-1988

In: LOT 02 (NWNE) Sec 01 T 12S R 36E

The permits 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 May 23, 1988.

S/R. Keith Higginson

Director

May 5, 12, 1988

No. 706

RECEIVED

MAY 12 1988

Department of Water Resources
Eastern District Office

RECEIVED

SEP 20 1988

May 23, 1991

KIP D. MORRISON
1829 EAST BIG HOLLOW ROAD
DOWNEY ID 83234

Dear Mr. Morrison:

Re: Permit No. 29-7845

The department received your note advising that the capacity of the storage facility for your recreational use is 3.5 acre-feet. The proof of beneficial use form has been corrected and your permit is on the inventory of pending field inspections.

If you have questions, please contact me or the regional office in Idaho Falls.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

c: E. Region

MICROFILMED
JUL 01 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

December 5, 1990

Kip Morrison
1829 East Big Hollow Road
Downey, ID 83234

Dear Mr. Morrison:

Re: Permit No. 29-7845

On March 29, 1990, the department received the proof of beneficial use form. On November 1, 1990, I sent a letter acknowledging the proof of beneficial use. I had, however, overlooked a fee requirement.

Enclosed is a copy of the proof along with a copy of the instruction sheet/fee schedule. Note that for the diversion of 5 acre-feet, the license exam fee is \$50. My suggestion is to evaluate the storage capacity of the reservoir and if it is 5 acre-feet, submit the fee. If it is less than 5 acre-feet, then advise me what the storage capacity is. I will adjust the proof accordingly.

If you have questions, contact me.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosures

*Sorry to take so long. Kip
has reevaluated & says it 3 1/2 acre
feet.*

RECEIVED
MAY 1 1991

Department of Water Resources

FILED
JUL 01 1991

MEMORANDUM

March 14, 1991

TO: File 29-7845 and Eastern Region

FROM: Rita Fleck

RE: PROOF OF BENEFICIAL USE FORM - FEE???????????

On March 29, 1990, the proof of beneficial use form was received in the Eastern regional office. I later processed the form. It wasn't until after I sent the acknowledgement letter that Linda found that a fee should have been taken for this one based on the storage capacity of 5 acre-feet.

I wrote to Mr. Morrison several times without getting a response. At this point, I suggest we accept the proof and conduct the field inspection with the knowledge that if the capacity is over 5 acre-feet, he will still need to pay a fee.

FILED

MAR 15 1991

January 25, 1991

KIP MORRISON
1828 EAST BIG HOLLOW ROAD
DOWNEY ID 83234

Dear Mr. Morrison:

Re: Permit No. 29-7845

On December 5, 1990, I send the a copy of the enclosed letter to you. As of this date, I have not received a response. Please notify soon of storage capacity.

Sincerely,

RITA I FLECK
Secretary/Records Manager

Enclosure

MICROFILMED

MAR 15 1991

December 5, 1990

Kip Morrison
1829 East Big Hollow Road
Downey, ID 83234

Dear Mr. Morrison:

Re: Permit No. 29-7845

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Enclosed is a copy of the proof along with a copy of the instruction sheet/fee schedule. Note that for the diversion of 5 acre-feet, the license exam fee is \$50. My suggestion is to evaluate the storage capacity of the reservoir and if it is 5 acre-feet, submit the fee. If it is less than 5 acre-feet, then advise me what the storage capacity is. I will adjust the proof accordingly.

If you have questions, contact me.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosures

NOT FILMED

MAR 15 1991

November 1, 1990

KIP MORRISON
1829 EAST BIG HOLLOW ROAD
DOWNEY, ID 832340000

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 29-07845

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.

I note that the permit issued to you by the department requires the installation of a lockable device to allow the department to determine the rate of diversion. The proof which you submitted does not show that you have installed this equipment.

The installation of the lockable device must be complete by the time the department representative conducts the examination of your system unless the department has rescinded the requirement prior to the field examination. In some cases, the equipment requirement can be rescinded because the equipment cannot be physically installed, is not appropriate or can be accommodated with other measuring methods.

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

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

MICROFILMED

MAR 15 1991

RECEIVED

For Office Use Only
Fee Received 0
Date _____
Receipt # _____
Receipt by _____
Reviewed by _____
Sent to region _____

STATE OF IDAHO

MAR 29 1990

DEPARTMENT OF WATER RESOURCES
Department of Water Resources
Eastern District Office

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has 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. 29-07845

Name(s) of Permit Holder: Kip D. Morrison

Post Office Address: 1829 E. Big Hollow Road - Downey, Id. 83234

Telephone No. 897-5188 after 5:00.

Source of Water: Springs

Extent of Use:

Domestic _____ (number of households) Stockwater X _____ (number and type of stock)

Irrigation _____ (acres) Other/Remark Recreation X

Total rate and/or volume for which proof is submitted _____ cfs 5 3 1/2 acre-feet

Show the date water was first diverted and beneficially used under this permit: 8-10-89

Measuring Device: Required? Yes ☒ No
Installed? Yes ☒ No

Fee enclosed \$ -0-
(See License Examination Fee Schedule)

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

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

Kip Morrison (Name) 897-5188 after 5:00. (Telephone Number)

Same as above (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.

MAR 15 1991

3-27-90
[Signature]
Date

Kip Morrison
Signature of Permit Holder (and title, if appropriate)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

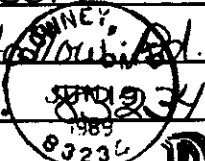
Permit No. 29 7845
Name(s) of Permit Holder(s): Kip Morrison
Post Office Address: 1829 E. Big Hollow Road
Donnelly, Id. 83424 No. 208-897-3488
☒ I hereby certify that construction of diverting works for the above referenced permit began on 3-1-89 and I understand that I must continue to develop the water system with due diligence to maintain a valid permit.
☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control:

*Note: A financing difficulty is not an acceptable reason.

3-20-89
Date

Kip Morrison
Signature of Permit Holder

Kip Morrison
1829 E. Big Horn Blvd.
Downey, Id.



MICROFILMED

RECEIVED

JUN 21 1989

MAR 15 1991



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720



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) 334-7900
August 8, 1988

KIP MORRISON
1829 EAST BIG HOLLOW ROAD
DOWNEY, ID 832340000

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

RE: PERMIT NO. 29-07845

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct you 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 Allocation Section

GS: SC
Enclosures

MICROFILMED

SEP 20 1988

PROCESSING

☒ Yes ☐ No form for advertising
☐ Yes ☒ No Statewide advertising
☒ Yes ☐ No Fee amount, receipt date & No. recorded on application

SEND COPIES TO

☐ Idaho Dept. of Health & Welfare ☐ U.S. BLM
☒ Idaho Dept. of Fish & Game ☐ U.S. Forest Service
☐ Idaho Dept. of Lands ☒ Water District ~~29~~ 40
☐ Adjudication Bureau Unit ☐ Other _____

FINAL REGIONAL PROCESSING REVIEW

☒ Yes ☐ No Affidavit of publication received 5-13-88
☒ Yes ☐ No Application published correctly. If not, record action taken.

☒ Yes ☐ No Publication dates & paper, recorded on application

☐ Yes ☒ No Protests received

Final date for protest May 23, 1988

☒ Yes ☐ No Protests, dates, resolution of protest, recorded on application

☐ Yes ☒ No Recommendations attached

☐ Yes ☒ No Measuring device required

☐ Yes ☒ No Access port required

☒ Yes ☐ No Will water be delivered by watermaster? If yes, what Dist. 29H

☒ Yes ☐ No Special conditions of approval or cover letter below. _____

☐ See below for additional information

Date of priority recommended 4-19-88

By HWT Date 6-21-88

STATE OFFICE REVIEW

~~AWA~~ P17 ~~26~~ 05 (29H, Marsh Creek)

By KW ☐ See below for additional information

Date 7/19/88

ADDITIONAL INFORMATION

Condition Approval - # 04

2 yrs. is reasonable for the development -



State of Idaho
DEPARTMENT OF WATER RESOURCES
Eastern Region

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

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

April 28, 1988

Kip Morrison
1829 W. Big Hollow Rd.
Downey, Idaho 83234

RE: Application for Permit No. 29-7845

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned identification No. 29-7845. Please refer to this number in all further correspondence.

This office is currently in the process of advertising the application in the Idaho State Journal. 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,

Ernest Carlsen
Water Rights Supervisor

EC/dg

RECEIVED

SEP 20 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

APRIL 27, 1988

Idaho State Journal
P. O. Box 431
Pocatello, Idaho 83201

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. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. 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 MAY 23, 1988.

Yours truly,

Deena Green
Office Secretary

Encl.

RECEIVED

SEP 20 1988

29-7845

MORRISON, KIP

1829 EAST BIG HOLLOW ROAD, DOWNEY, ID 83234

Source: SPRING trib. to MARSH CREEK

Diversion Pt: LOT 02 (NENWNE) Sec 01 T 12S R 36E

Use: RECREATION STORAGE (5.0 AF)

Date Filed: 04/19/1988

In: LOT 02 (NWNE) Sec 01 T 12S R 36E

MICROFILMED

SEP 20 1988

NOTICE OF APPLICATION

FOR WATER RIGHT

The following applications have been filed to appropriate the public waters of the State of Idaho:

The permits 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 May 23, 1988.

R. Keith Higginson

Director

Published May 5 and 12, 1988.

RECEIVED

SEP 20 1988