

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 29-07812

Priority: May 29, 1986

Maximum Diversion Rate:

0.02 CFS

Maximum Diversion Volume:

0.5 AF

This is to certify, that JOHN E VAN HORN

8612 BARTON RD

POCATELLO ID 83204

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated May 27, 1886; and has submitted Proof of Beneficial Use on August 3, 1990. An examination indicates that the works have a diversion capacity of 0.020 cfs 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	01/01 to 12/31	0.02 CFS	0.1 AF
STOCKWATER STORAGE	01/01 to 12/31		0.4 AF
	Totals	0.02 CFS	0.5 AF

LOCATION OF POINT(S) OF DIVERSION:

SENE , Sec. 32, Township 06S, Range 35E
BANNOCK County

PLACE OF USE: STOCKWATER

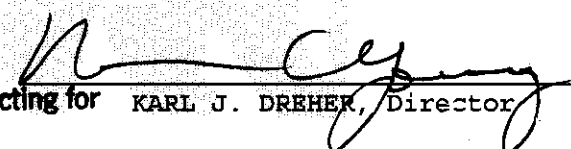
TWN RGE SEC

06S 35E 32

SENE

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Signed and sealed this 28th day of

JUNE, 2000.

Acting for  Director

MICROFILMED

JUL 13 2000

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 29-7812 IN THE)
NAME OF JOHN E. VAN HORN) ORDER OF REINSTATEMENT
_____)

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before August 1, 1990; and,

WHEREAS, the Department notified the permit holder by certified mail that proof was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use; and,

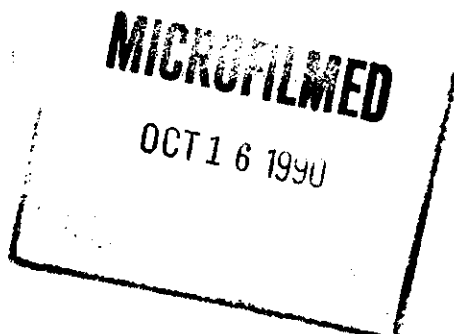
WHEREAS, on August 1, 1990 the permit lapsed for failure of the permit holder to submit proof of beneficial use; and,

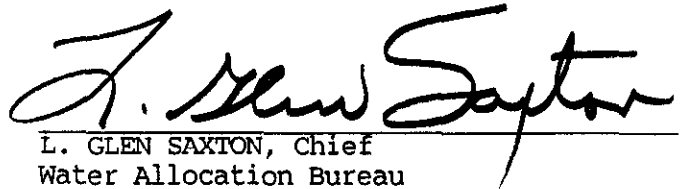
WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on August 3, 1990;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 29-7812 be REINSTATED and the priority advanced to May 29, 1986.

Dated this 27th day of August, 1990.




L. GLEN SAXTON, Chief
Water Allocation Bureau

For Office Use Only
Amt. of Fee \$ 50.00
Date 8/13/90
Receipt No. 6012913
Received by J. Dawson

RECEIVED
AUG 3 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

Department of Water Resources

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. 29-07812 Telephone No. 233-3657

Name(s) of Permit Holder(s): JOHN E. VAN HORN

NEW → Post Office Address: 8612 Barton Road, POCAHELLO, ID 83204

Source of Water: Spring

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

Extent of Use:

Domestic _____ (No. of households)

Irrigation _____ (No. of acres)

Stockwater X (No. and type of stock)

Other _____

4-horses & 15 cows at maximum.

Total rate and/or volume for which proof is submitted _____ cfs 6 acre/feet

Show date water was first diverted and beneficially used under this permit: 7/1/90

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

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

OR

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

Fee Enclosed: \$ 50⁰⁰ (See License Examination Fee Schedule)

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

JOHN E. OR LINDA I. VAN HORN 233-3657
Name Telephone No.

8612 Barton Road, POCAHELLO, ID 83204 (new address)
Address

MICROFILMED

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.

OCT 16 1990

July 29, 1990
Date

John E. Van Horn
Signature (and title if on behalf of a company or organization)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

For Office Use Only
\$15 FEE Received by af
Date 8-8-89
Receipt # C009094

REQUEST FOR EXTENSION OF TIME

To provide additional time in which to submit proof
of beneficial use for a water right permit

RECEIVED
AUG 08 1989

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of a water right under the provisions of Section 42-204, Idaho Code.

Permit No. 29-7812

Name(s) of Permit Holder: JOHN E. Van Horn

Post Office Address: P.O. Box 1782

POCATELLO, ID 83204 Telephone No. 233-3657

Date Proof is Due: August 1, 1989

Describe what work has been completed toward the development of this water right: Dam is IN place,
(This must be filled out! If no work has been completed, show "none".)

ROAD TO DAM IS IN place. Dam has been SEEDED.

Costing \$ 875⁰⁰

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

Dam has no water behind it. All of the spring run-off went
INTO THE GROUND. THE spring is only flowing below the
dam. Since there is no beneficial use yet I request a 1 yr extension

Permit holder(s) request an extension to August 1, 1990.
(1 yr. minimum)

[Signature]
(Signature)*

FEE: \$15.00

*IF OTHER THAN PERMIT HOLDER,
POWER OF ATTORNEY MUST BE SUPPLIED.

MICROFILMED

ACTION OF THE DEPARTMENT OF WATER RESOURCES

SEP 15 1989

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to August 1, 1990.

Signed this 28th day of August, 19 89.

[Signature]
Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

For Office Use Only
\$15 FEE Receipted by JM
Date 8/02/88
Receipt # 0002110

REQUEST FOR EXTENSION OF TIME

To provide additional time in which to submit proof
of beneficial use for a water right permit

AUG - 1 1988

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of a water right under the provisions of Section 42-204, Idaho Code.

Permit No. 29-7812

Name(s) of Permit Holder: John E. Van Horn

Post Office Address: P.O. Box 1782

Pocatello, ID 83204 Telephone No. 208-233-3657

Date Proof Is Due: August 1, 1988

Describe what work has been completed toward the development of this water right: THE LOCATION OF THE DAM
(This must be filled out! If no work has been completed, show "none".)

HAS BEEN SURVEYED AND STAKES ARE IN PLACE. THREE CONTRACTORS ARE
PRESENTING BIDS WHO HAVE LOOKED THE DAMSITE OVER. BRUSH HAS BEEN CLEARED.
SO AS SOON AS THE ROAD IS IN WE CAN START CONSTRUCTING THE DAM.

Costing \$ 1,800⁰⁰

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

I COULD NOT GET TO DAMSITE WITH A BACKHOE UNTIL MY ROAD IS
IN. THE ROAD, ACROSS BLM LAND, WAS STARTED THE 18TH OF JULY.
I DID NOT GAIN MY BLM RIGHT-OF-WAY TILL JUNE 8, 1988

Permit holder(s) request an extension to AUGUST 1, 1989. John E. Van Horn

Right-of-way permit enclosed (1 yr. minimum) (Signature)*

FEE: \$15.00

IF OTHER THAN PERMIT HOLDER,
POWER OF ATTORNEY MUST BE SUPPLIED.

NOV 21 1988

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to August 1, 1989.

Signed this 13th day of October, 1988.

J. Glen Saxton
Chief, Operations Bureau

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

RIGHT-OF-WAY GRANT/TEMPORARY USE PERMIT

Issuing Office Pocatello R.A.
Idaho Falls District
Serial Number
I-22940

1. A (right-of-way) ~~XXXX~~ is hereby granted pursuant to:

- a. ☒ Title V of the Federal Land Policy and Management Act of October 21, 1976 (90 Stat. 2776; 43 U.S.C. 1761);
- b. ☐ Section 28 of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 185);
- c. ☐ Other (describe) _____

2. Nature of Interest:

- a. By this instrument, the holder John and Linda VanHorn receives a right to construct, operate, maintain, and terminate a road on public lands (or Federal land for MLA Rights-of-Way) described as follows:

T. 6 S., R. 35 E., Boise Meridian, Section 32: SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ as shown on map (Exhibit A.)

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NOV 21 1988

- b. The right-of-way ~~XXXX~~ area granted herein is 50 feet wide, 3,960 feet long and contains 4.6 acres, more or less. If a site type facility, the facility contains n/a acres.
- c. This instrument shall terminate on 6/7/2018, 30 years from its effective date unless, prior thereto, it is relinquished, abandoned, terminated, or modified pursuant to the terms and conditions of this instrument or of any applicable Federal law or regulation.
- d. This instrument ☒ may ☐ may not be renewed. If renewed, the right-of-way ~~XXXX~~ shall be subject to the regulations existing at the time of renewal and any other terms and conditions that the authorized officer deems necessary to protect the public interest.
- e. Notwithstanding the expiration of this instrument or any renewal thereof, early relinquishment, abandonment, or termination, the provisions of this instrument, to the extent applicable, shall continue in effect and shall be binding on the holder, its successors, or assigns, until they have fully satisfied the obligations and/or liabilities accruing herein before or on account of the expiration, or prior termination, of the grant.

Rental:

For and in consideration of the rights granted, the holder agrees to pay the Bureau of Land Management fair market value rental as determined by the authorized officer unless specifically exempted from such payment by regulation. Provided, however, that the rental may be adjusted by the authorized officer, whenever necessary, to reflect changes in the fair market rental value as determined by the application of sound business management principles, and so far as practicable and feasible, in accordance with comparable commercial practices.

4. Terms and Conditions:

- a. This grant ~~XXXXXX~~ is issued subject to the holder's compliance with all applicable regulations contained in Title 43 Code of Federal Regulations parts 2800 and 2880.
- b. Upon grant termination by the authorized officer, all improvements shall be removed from the public lands within 180 days, or otherwise disposed of as provided in paragraph (4)(d) or as directed by the authorized officer.
- c. Each grant issued pursuant to the authority of paragraph (1)(a) for a term of 20 years or more shall, at a minimum, be reviewed by the authorized officer at the end of the 20th year and at regular intervals thereafter not to exceed 10 years. Provided, however, that a right-of-way ~~XXXXXX~~ granted herein may be reviewed at any time deemed necessary by the authorized officer.
- d. The stipulations, plans, maps, or designs set forth in Exhibit(s) A & B, dated May 4, 1988, attached hereto, are incorporated into and made a part of this grant instrument as fully and effectively as if they were set forth herein in their entirety.
- e. Failure of the holder to comply with applicable law or any provision of this right-of-way grant ~~XXXXXX~~ shall constitute grounds for suspension or termination thereof.
- f. The holder shall perform all operations in a good and workmanlike manner so as to ensure protection of the environment and the health and safety of the public.

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NOV 21 1988

IN WITNESS WHEREOF, The undersigned agrees to the terms and conditions of this right-of-way grant ~~XXXXXX~~

John E. Van Horn
(Signature of Holder)

Private Landowner
(Title)

Wallace A. Evans
(Signature of Authorized Officer)

AREA MANAGER
(Title)

June 8 1988
(Date)

6-8-88
(Effective Date of Grant)

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resource

Receipt No: **C002110**

Date: **08/02/88**
Time: **15:03:39**

Received
From: **HORN, JOHN E. VAN**

Type of Payment	Program A cct	Amount
EXTENSION 29-7812	0610199 1238 6390	\$15.00

Total **\$15.00**

CHECK 2041

Idaho Department of Water Resources

Region: State

Signature: *Hiedi Miller*

MICROFILMED

NOV 21 1988

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AUG 06 1987

REQUEST FOR EXTENSION OF TIME

To provide additional time in which to submit proof
of beneficial use for a water right permit

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of a water right under the provisions of Section 42-204, Idaho Code.

Permit No. 29-7812

Name(s) of Permit Holder: JOHN E. Van Horn

Post Office Address: P.O. Box 1782 Pocatello, Idaho 83204-1782

Telephone No. (208) 233-3657

Date Proof is Due: AUGUST 1, 1987

Describe what work has been completed toward the development of this water right: NONE
(This must be filled out! If no work has been completed, show "none".)

Costing \$

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

The BLM is still working on my right of way for my access ROAD TO my property. The right of way portion has been approved but I am waiting on them to get me a list of approved bondsmen for the bond I have to have to start the road. I can't get to the area to build a dam without the road.
Permit holder(s) request an extension to August 1, 1988. John E. Van Horn
* See attached note (1 yr. minimum) (Signature)*

FEE: \$15.00

*IF OTHER THAN PERMIT HOLDER,
POWER OF ATTORNEY MUST BE SUPPLIED.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

MICROFILMED

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to August 1, 1988. SEP 25 1987

IT IS FURTHER ORDERED That the permit be reinstated and the priority advanced to June 1, 1986, pursuant to Sec. 42-218a, Idaho Code.

Signed this 4th day of September, 19 87.

J. Glen Saxton
Chief, Operations Bureau

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 John E. Van Horn Phone 233-3657
Post office address P.O. Box 1782, Pocatello, Idaho 83201
2. Source of water supply Stream which is a tributary of Sinks
3. Location of point of diversion is _____ ¼ of SE ¼ of NE ¼, Govt. Lot _____
Sec. 32 Township 6S Range 35E B.M. Bannock County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.4 afa for storage for purposes from 1/1 to 12/31 (both dates inclusive)
(acre-feet per annum) stockwater
Amount 0.4 afa for stockwater from purposes from 1/1 to 12/31 (both dates inclusive)
(acre-feet per annum) storage
Amount 0.02 cfs for stockwater 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)
5. Total quantity to be appropriated is (a) 0.02 and/or (b) 0.4* *per above - kw 7/10/86
cubic feet per second acre feet per annum
6. Proposed diverting works:
- a. Description of ditches, flumes, pumps, headgates, etc. Stockpond on drainage with
overflow back into creek.
- b. Height of storage dam 8 feet; active reservoir capacity 6 acre-feet; total
reservoir capacity 6 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 90°F being sought? _____
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
2 years (minimum 1 year).

MICROFILMED

MICROFILMED

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. 25 head of cattle
- 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	
6S	35E	32				S													

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. N/A

11. a. Who owns the property at the point of diversion? Applicant

b. Who owns the land to be irrigated or place of use? Applicant

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

12. Remarks: _____

Scale: 2 in = 1 mi

Topographic map of the Pocatello, Idaho area, showing terrain, roads, and landmarks. The map includes a scale bar (Scale: 2 in = 1 mi) and a north arrow. Key features include the Pocatello River, the Pocatello Golf Course, the Pocatello Union, the Pocatello Cemetery, the Pocatello Drive-in Theater, and the Pocatello Trailer Park. The map also shows the town of Pocatello, the Pocatello Substation, and the Pocatello Jr. H.S. The map is divided into sections by a grid of latitude and longitude lines, with section numbers 30, 31, 32, and 33 visible. The map is titled 'Pocatello, Idaho' and 'Topographic Map'.

John E. Van Horn **MICROFILMED**
(Applicant)

Proposed Priority 5/27/86

Received by MD Date 5-27-86 Time 1:45 Preliminary check by SM

Fee \$ 30⁰⁰ Receipted by MD # 39654 Date 5-29-86

Publication prepared by MD Date 6-4-86 Published in Idaho State Journal
6-10 + 6-17-86

Publication approved MD Date 6-23-86

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. 29-7812, 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 87.

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:

Witness my hand this 23rd day of July, 1986.

J. Glen Saylor
Chief, Operations Bureau

PROOF OF PUBLICATION

RECEIVED
JUN 21 1986
Department of Water Resources
Eastern District Office

STATE OF IDAHO }
County of Bannock } ss.

Sandra K. Herald

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>June 10</u>	<u>1986</u>	<u>19</u>
<u>June 17</u>	<u>1986</u>	<u>19</u>
<u> </u>	<u>19</u>	<u>19</u>
<u> </u>	<u>19</u>	<u>19</u>
<u> </u>	<u>19</u>	<u>19</u>

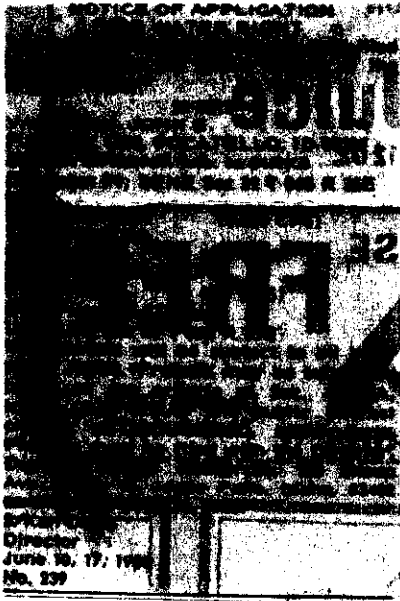
That said paper has been continuously and uninterruptedly published in said County for a period of seventy-eight weeks prior to the publication of said notice or advertisement and is a newspaper within the meaning of the laws of Idaho.

Sandra K. Herald.

Subscribed and sworn to before me this 20th
day of June, 1986

Jeri L. Larsen

Notary Public, State of Idaho
Residence: Pocatello, Idaho



MICROFILMED

PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

Sandra K. Herald

Deposition
Eastern District Office

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.

NOTICE OF APPLICATION FOR WATER RIGHT

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

29-7812
VAN HORN, JOHN E.
P.O. BOX 1782, POCATELLO, ID 83201
Source: STREAM trib. to SINKS
Diversion Pt: SENE Sec 32 T 06S R 35E
Use:

STOCKWATER (0.020 CFS)

STOCKWATER

STORAGE (0.4 CFS)

STOCKWATER FROM

STORAGE (0.4 CFS)

Date Filed: 05-27-1986

In: SENE Sec 32 T 06S R 35E

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 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 June 30, 1986.

S/Ken Dunn

Director

June 10, 17, 1986

No. 239

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:

June 10	, 1986	, 19
June 17	, 1986	, 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.

Sandra K. Herald

Subscribed and sworn to before me this 20th

day of June, 1986

John L. New

Notary Public, State of Idaho

Residence: Pocatello, Idaho

RECORDED



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

June 29, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

JOHN E VAN HORN
8612 BARTON RD
POCATELLO ID 83204

RE: WATER RIGHT NO. 29-07812

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 described in the enclosed information sheet.

Also, please note that water right owners are required to report any change of water right ownership and/or change of mailing address to the department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the department or visit the department's homepage on the Internet to obtain the proper reporting form.

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

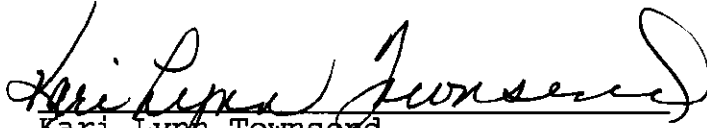
MICROFILMED
JUL 13 2000

CERTIFICATE OF MAILING

I hereby certify that on the 29th day of June, 2000, 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. 29-07812

JOHN E VAN HORN
8612 BARTON RD
POCATELLO ID 83204


Kari Lynn Townsend
Secretary

MICROFILMED
JUL 13 2000

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document 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 of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing 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 fourteen (14) 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 with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director 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 Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director 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 Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director 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 Director 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.

MICROFILMED

JUL 13 2000

LICENSE REVIEW CHECKLIST

Reviewed by Sharla Curtis on 6/26/00

Permit No. 29-09812

BU Fee Pd \$ 50⁰⁰

Name/Address: ☒ OK ☐ CHANGE

Govt Lots ☐ n/a ☐ plat copy attached

AREA OF CONCERN: No/Yes ☐ Moratorium ☐ GWMA ☐ TRUST/NON-TRUST

GROUNDWATER: (✓Flow Chart)

Supp irr (irr = only use) - 065-104
 Supp irr (+ other uses) - 100-105
 ≤ 0.24 cfs/5 acres - No MD
 > 0.24 cfs/5 acres - 01M (if on permit)

LOCATION:

Trust - R55 (consumptive uses)
 Non-Trust - 048-049 (consumptive uses or non-cons. > 1.0 cfs)

PD Change - P39/P47 - feds(P40)
 PD Add - P45/P42

PU Change - P41/P47 - feds(P43)
 PU Add - P41/P42

PD & PU Change - P37 - feds(P48)

SURFACE WATER: (✓Flow Chart)

In/Above MSE - WB9
 WD - R04 (WD#)
 ≤ 0.20 cfs/others - R02- 01P or No MD
 > 0.20 cfs - R43

SPRINGS/SINK, INACTIVE WD & REST OF STATE

≤ 0.24 cfs/5 acres - No MD
 > 0.24 cfs/5 acres - 01M or No MD

RIVER BASINS: (SW special considerations)

Snake R (01) - W22, N/A
 (02/03) - WB9 if above Weiser
 Payette R (65) - 047(Payette Lake)
 Salmon R (70's) - 029 (fish screens)
 Weiser R (67) - 086-087

USES:

~~STORAGE~~ - 18A-R02-01P-18B-NA
 IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
 > 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)

~~STOCKWATER~~ - R37 (BLM/USFS)

~~MINING~~ - 081

~~FISH PROP~~ - 029(70's only)-042-081

~~HEAT/COOL~~ - R07(injection well)

~~FIRE PROT.~~ - 077

Use Change/Add - P46

USES:

POWER - R22-R23 (+uses)-025-081-W42-W43-027

MUNICIPAL

Restricted area - 022,075

Irr., GW supp to SW - 102

DOMESTIC

Surface water - WB5 (Big Wood or Boise above Star Bridge)
 27A (Payette R)

> 1 in restricted area - 070-071-075(no parks/common areas, etc)

Irr use listed separate - WB5

Lawn/garden included - W01

ADVANCE PRIORITY? ☐ Yes ☒ No

MISC CONDITIONS/REMARKS:

Multiple pd's per 1/4 - W32
 Subd lot desc (pd) - W59
 Subd lot desc (pu) - W60
 Use definitions - W02 example - C/tire shop
 Non-consumptive - 027
 Water Quality - 081-R07
 Mitigation - 121 (if on permit)
 PPU acre limit - W27

CHECK NEW IRR SEASON MAP ☐

ANALYSIS/RATES/VOLUMES:

PD overlap rights - W35-W36 Right #
 PU overlap rights - WB7-W31(<1 ac)
 GW replaced SW - 050

Permit Rate .02 cfs Fee Limit .04 cfs
 Measured cfs Theoretical cfs

Use	Rate	Volume
Stock	<u>.02</u> cfs	<u>4</u> af
" Stor.	<u> </u> cfs	<u>.1</u> af
	<u> </u> cfs	<u> </u> af
TOTALS	<u>.02</u> cfs	<u>.5</u> af

OTHER CONDITIONS/REMARKS/COMMENTS \$655/30 range cattle and horses.

SRBA Claim Filed ☐ Yes ☒ No

If no, is a claim required: ☐ Yes ☒ No

AMENDMENTS REQUIRED ☐ Yes ☒ No

Adjustment Memo Needed ☒ Yes ☐ No

If yes, paragraph codes:

No stock from stor.

MEMORANDUM

To: File 29-07812

FROM: Sharla Curtis

DATE: June 27, 2000

RE: License Recommendations

There is no diversion out of the pond into stock tanks, etc. thus there is no "stockwater from storage" component required for this license.

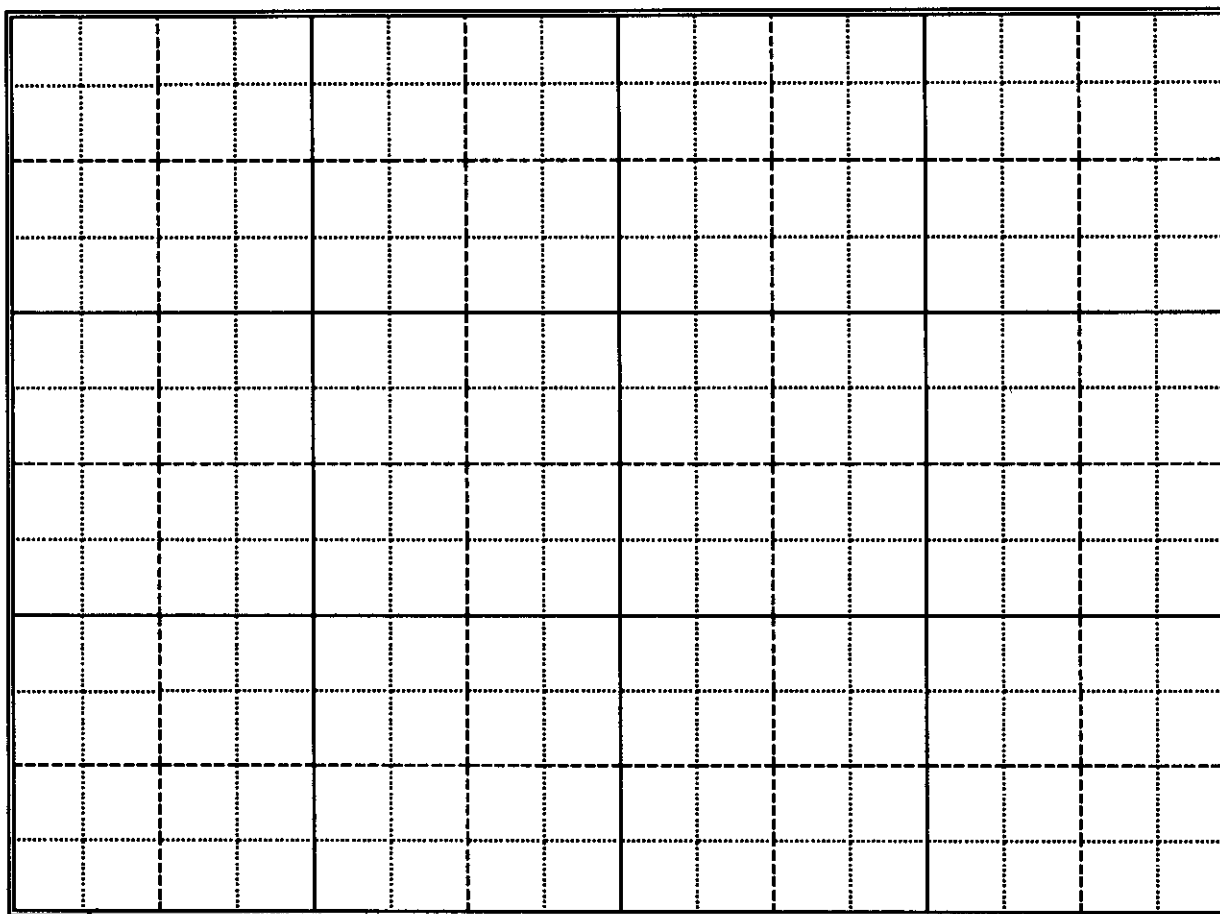
I spoke with Keith Wilson about the "dam" and storage area as shown in the photos attached to the field exam. Keith explained that the dam is a berm that was built up around the pooled water area and that there was probably enough water in the pond at the time of the exam to get his ankles wet. He was standing in the "reservoir" when he took the photo and there is standing water in the lower part of the photo.

MICROFILMED

JUL 13 2000

1991 13 2000

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: $2.5 \text{ gal} / 16.5 \text{ sec} = 9.09 \text{ gpm} = 0.02 \text{ cfs}$

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JUL 13 2000

E. NARRATIVE/REMARKS/COMMENTS

Stream flows into a diversion dam Maximum Depth = 15'

Shape of Pond Δ Triangle 50' = 166' x 50'h x 9'deep

@ time of exam pond not full

No stock @ time of exam p/u could easily supply water for 25 head of stock

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

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JUL 13 2000

F. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method:

$$2.5 \text{ gal} / 16.5 \text{ sec} = 9.09 \text{ gpm} = 0.02 \text{ cfs}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

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

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

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

2. Volume Calculations for Other Uses:

$$V_a = \left(\frac{1/2(16') \times 200'}{43560} \right) (9') (0.4') = 0.06 \text{ af} = 0.1$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
STORAGE for Stockwater	1/1	12/31		0.1 af
STOCKWATER from Storage	1/1	12/31		0.1 af
Stockwater	1/1	12/31	0.02	
Totals:			0.02	0.1 af

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 KEITH C WILSON Date 6/17/1998

Reviewer _____ Date _____

SEAL

MICROFILMED

JUL 13 2000

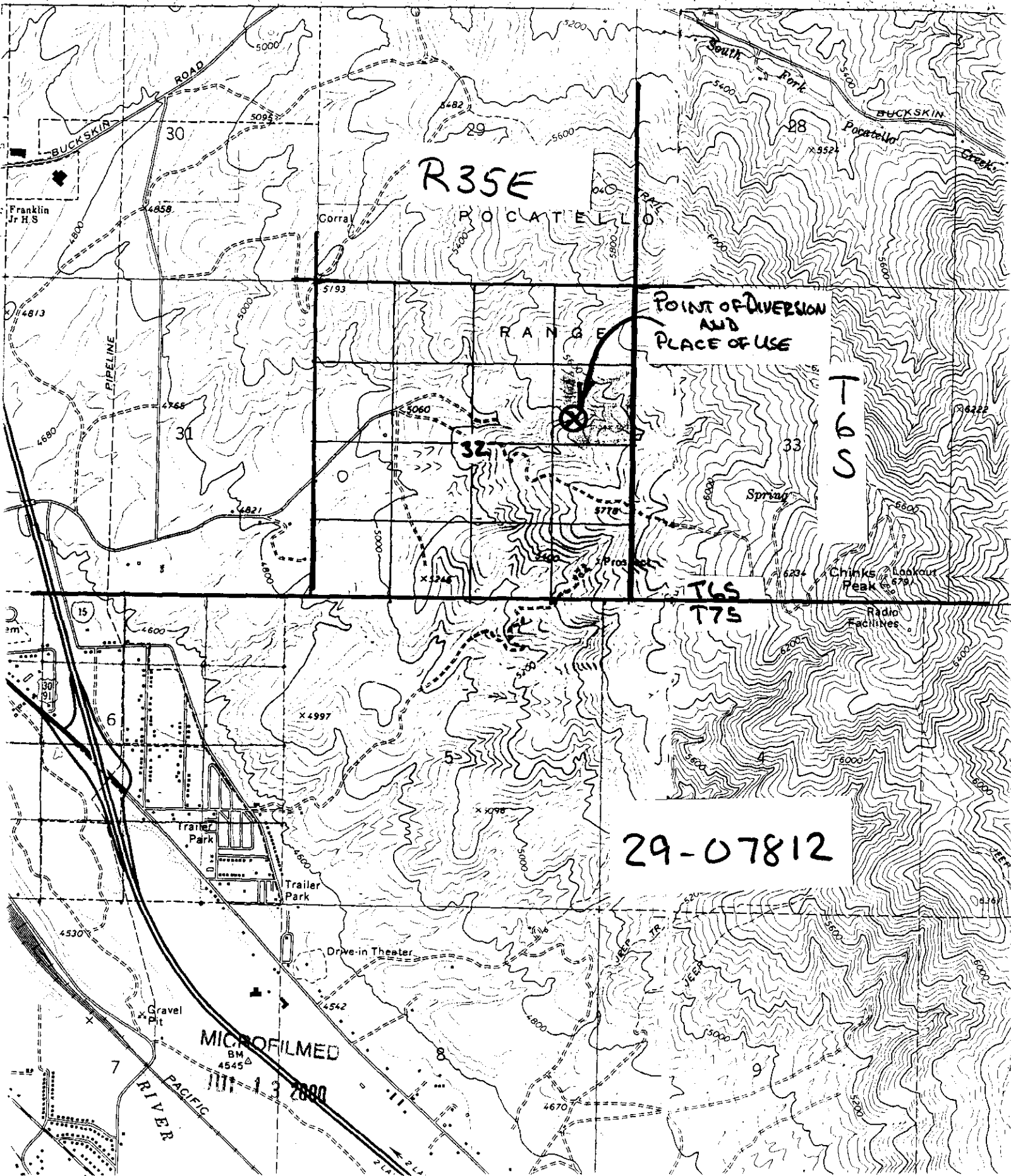


Large Swampy area between the very
 small waterpans in the swampy



Reservoir 2
 Not Fall to Time
 of Exam

29-7812



POINT OF DIVERSION & PLACE OF USE

32

T
6
S

R36E

32

65

32

33

179

5

4

29-07812

13 2000

EXPENDITURE VOUCHER

AUDITOR USE

AGENCY USE

2974
Date 10/01/90
Code 193002

VENDOR: If you require additional information regarding this payment, please contact the State agency listed below.

AGENCY NAME: DEPT. OF WATER RESOURCES

Document No.	
Pre-Audit	Date
Warrant No.	

PAY
TO

JOHN E. VAN HORN
PO BOX 1782
POCATELLO, ID 83204

CHECK ONE:

(1) MISCELLANEOUS EXPENDITURE
() STATE CONTRACT

() PURCHASE ORDER

() MISCELLANEOUS
ENCUMBRANCE REQUISITION

PAYMENT: () PARTIAL () FINAL

Encumbrance Reference No.

LINE No.	PROGRAM	FUND	ACCT.		DESCRIPTION	LINE AMOUNT	AGENCY USE
			Maj	Min			
1	05 30 122	1238	8831		REFUNDS PER RITA FLECK WR #29-7812 9/26/90 50.00	50.00	
TOTAL						50.00	

NOTE: Final payment must be accompanied by a receiving copy

TO STATE AUDITOR

Request is hereby made that a warrant be authorized and drawn in payment of the item or items described above. I hereby certify that the items described were ordered by proper authority; that they are necessary in the public service, that the items have been received and accounted for, and that the account as stated is correct and just.

AUDITOR'S CERTIFICATE

I hereby certify that the above account is in proper form; that totals carried hereon are correct; that receipts when required by law or regulation of the State Board of Examiners covering items for which reimbursement is asked are submitted herewith; and that there are funds in the state treasury and balances in appropriation accounts out of which the same may be lawfully paid.

Date

Head of Agency or Institution

State Auditor

September 25, 1990

John E. Van Horn
P O Box 1782
Pocatello, ID 83204

Dear Mr. Van Horn:

Re: Permit No. 29-7812

The department received the proof of beneficial use form and the license exam fee of \$50. The enclosed order reinstated the permit with an advance in priority since the proof form was received after the proof due date.

Note that the use of water is stockwater. No license exam fee is required for this use. I have requested the Fiscal Section to prepare the paperwork for a \$50 refund. You should receive this in a couple of weeks.

The next step in the licensing process is for the department to conduct the field inspection to confirm and determine the extent of beneficial use. I cannot tell just when the representative from our Eastern Regional office will conduct the exam, but he will try to contact you or your representative prior to being in the area.

If you have questions, please contact me.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

c: Region
Fiscal Section

MICROFILMED

OCT 16 1990

MEMORANDUM

DATE: September 26, 1990

TO: FISCAL SECTION

FROM: Nina Shields or Rita Fleck

RE: REFUND - Permit No. 29-7812

Please prepare a refund of \$50.00 (receipt No. C017913). Attached is a copy of a letter which explains why the refund is necessary.

Also, please reference the identification number on any papers returned to me for the file. Thanks.

Attachments: letter
receipt

MICROFILMED

OCT 16 1990

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 29-7812

Date: 8-9-90

General Considerations:

☒ Name same as permit
☒ Signature the same as permit holder
☒ Address change If yes, prepare a data entry
☒ Proof received timely
☐ Reinstated

Source of Water:

☒ Surface water
☐ Groundwater
☒ 1. well log in file
☒ 2. drilling permit
☒ A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

☒ Rate of diversion appropriate for uses
☒ Is rate or volume and fee appropriate?
☒ Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

☒ Is a measuring device or access port required?
☒ Has one been installed?
☒ Waiver or modification of measuring device requested

Remarks:

Refused - stock water

Priority Calculation:

Date proof received	<u>Aug 3, 1990</u>	<u>215</u>
Date proof due	<u>Aug 1, 1990</u>	<u>- 213</u>
No. of days late		<u>= 2</u>
Priority date	<u>May 27, 1986</u>	<u>+ 147</u>
NEW PRIORITY DATE	<u>May 29, 1986</u>	<u>= 149</u>

10-4-90
SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

Address Change

8612 Barton Rd
Boise, ID 83704



Dept of Water Resources
1301 No. Orchard St
Statehouse Mall
Boise, ID 8372

MICROFILMED

OCT 16 1990

138762
May 31, 1990

JOHN E. VAN HORN
P.O. BOX 1782
POCATELLO, ID 832010000

PROOF DUE NOTICE

RE: PERMIT NO. 29-07812

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, 1990. (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,

Rita Fleck
Secretary/Records Manager

Enclosures

MICROFILMED

OCT 16 1990

August 28, 1989

John E. Van Horn
P. O. Box 1782
Pocatello, Id 83204

Dear Mr. Van Horn:

Re: Permit No. 29-7812

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to August 1, 1990. Note that the permit has been reinstated with an advance in priority the number of days the extension request was late.

The department has granted this extension based on due diligence. It is important that you work diligently toward the completion of this project during the construction period allowed. The department may not be able to grant additional requests.

If you have any questions, please feel free to contact this office.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

MICROFILMED

SEP 15 1989

STAFF REVIEW SHEET - EXTENSION OF TIME

Permit No. 29-7812Reviewed by [signature]Date 8-25-89

BASIC INFORMATION

Y Date stamp received
Y Extension received timely
(not prior to 6 month before proof due date or after reinstatement period)
Y Fee received and receipted
Y Name and signature same as permit
N Address change (indicate on coding sheet)

BASIS FOR EXTENSION REQUEST

Y Has adequate work been completed to demonstrate due diligence?
Y Has the cost incurred been adequate to demonstrate an intent to complete the project?

N/A Has the permit been involved in litigation?

a. Swan Falls _____ Dismissed from Swan Falls _____
Other _____ Identify _____

b. Is supporting documentation needed to complete the file? _____
Requested _____

c. Calculate the period of delay

Date litigation completed _____

Date litigation began _____

Total period of delay = _____

Present proof due date + _____

NEW PROOF DUE DATE = _____

N/A Is delay by a government agency?

Is supporting documentation needed to complete the file? _____
Requested? _____

ACTION TAKEN - Recommend approval based on due diligence for one year

Special conditions or remarks:

N/A Reinstatement Date extension received _____ = _____
Proof due date _____ = _____
No. of days late _____ = _____
Priority date _____ = + _____
ADJUSTED PRIORITY DATE _____ = _____

____ Prepare coding sheet
____ Change rolodex card

138251
May 31, 1989

JOHN E. VAN HORN
P.O. BOX 1782
POCATELLO, ID 832010000

PROOF DUE NOTICE

RE: PERMIT NO. 29-07812

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, 1989. (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,

Rita Fleck
Secretary/Records Manager

Enclosures

MICROFILMED

SEP 15 1989

October 14, 1988

John E. Van Horn
P. O. Box 1782
Pocatello, ID 83204

Dear Mr. Van Horn:

Re: Permit No. 29-7812

Enclosed is a copy of the approved request for extension of time. The time within which to submit the proof of beneficial use form is extended to August 1, 1989.

If you have any questions or concerns regarding the permit, please contact this office.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

MICROFILMED

NOV 21 1988

STAFF REVIEW SHEET - EXTENSION OF TIME

Permit No. 29-7812Reviewed by dyDate 10-12-1988

BASIC INFORMATION

- y Date stamp received
y Extension received timely
 (not prior to 6 month before proof due date or after reinstatement period)
y Fee received and receipted
J Name and signature same as permit
N Address change (indicate on coding sheet)

BASIS FOR EXTENSION REQUEST

- y Has adequate work been completed to demonstrate due diligence?
y Has the cost incurred been adequate to demonstrate an intent to complete the project?
N/A Has the permit been involved in litigation?
 a. Swan Falls _____ Dismissed from Swan Falls _____
 Other _____ Identify _____
 b. Is supporting documentation needed to complete the file? _____
 Requested _____
 c. Calculate the period of delay

Date litigation completed _____

Date litigation began _____

Total period of delay = _____

Present proof due date + _____

NEW PROOF DUE DATE = _____

- y Is delay by a government agency? - BLM - right-of-way
 Is supporting documentation needed to complete the file? _____
 Requested? _____

ACTION TAKEN

Recommend approval based on BLM
delay in issuing a permit. - for one year

Special conditions or remarks:

N/A Reinstatement Date extension received _____ = _____
 Proof due date _____ = -
 No. of days late _____ = _____
 Priority date _____ = +
 ADJUSTED PRIORITY DATE _____ = _____

- Prepare coding sheet
- Change rolodex cardf

138646
CERTIFIED MAIL
May 31, 1988

VAN HORN, JOHN E.
P.O. BOX 1782
POCATELLO, ID 83201

PROOF DUE NOTICE

RE: Permit No. 29-7812

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, 1988. (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 completed 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, or the permit will no longer be of any force nor effect.

Sincerely,

RITA FLECK
Secretary/Records Manager

Enclosures

RECEIVED
NOV 21 1988

September 16, 1987

John E. Van Horn
P. O. Box 1782
Pocatello, ID 83204-1782

Dear Mr. Van Horn:

Re: Permit No. 29-7812

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to August 1, 1988. Note the permit has been reinstated and the priority advanced since the extension request was submitted after the proof due date.

If you have any questions concerning this matter, please feel free to contact this office.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

MICROFILMED

SEP 25 1987

STAFF REVIEW SHEET - EXTENSION OF TIME

Permit No. 29-7812Reviewed by [Signature]Date 8-18-1987

BASIC INFORMATION

y Date stamp received
y Extension received timely
(not prior to 6 month before proof due date or after reinstatement period)
y Fee received and receipted
y Name and signature same as permit
X Address change (indicate on coding sheet)

BASIS FOR EXTENSION REQUEST

 Has adequate work been completed to demonstrate due diligence?
 Has the cost incurred been adequate to demonstrate an intent to complete the project?

N/A Has the permit been involved in litigation?

a. Swan Falls _____ Dismissed from Swan Falls _____
Other _____ Identify _____

b. Is supporting documentation needed to complete the file? _____
Requested _____

c. Calculate the period of delay

Date litigation completed _____

Date litigation began _____

Total period of delay = _____

Present proof due date + _____

NEW PROOF DUE DATE = _____

y Is delay by a government agency?
Is supporting documentation needed to complete the file? _____
Requested? _____

ACTION TAKEN

Recommend approval based on delay by a governmental agency. Extend for one year.

Special conditions or remarks:

y Reinstate Date extension received Aug 6 = _____
Proof due date Aug 1 = _____
No. of days late _____ = 5
Priority date May 27 = + 147
ADJUSTED PRIORITY DATE June 1, 86 = _____

 Prepare coding sheet
 Change rolodex cardf

SEP 25 1987

FILMED

August 1, 1987

Rita Fleck
Dept. of Water Resources
State house
Boise, Idaho 83720

Dear Miss Fleck,

Enclosed find my "Request for Extension of Time." My property is surrounded by BLM Land and therefore had to get a "right of way" permit from them. It has been approved with the stipulation that I have a bond to protect them from me wrecking their land. I had a bondsman set up to do this but just found out this past week from Debbie Rover, (236-6860, Pocatello, Id) that only bonds from approved bonding companies will be accepted. It's taken me over a year to get this far and I'm still on hold.

this situation stops me from doing any work at all to develop my property for my primary dwelling. Without the road I can't get to the area where I am going to build the dam.

I hope this explains my position,

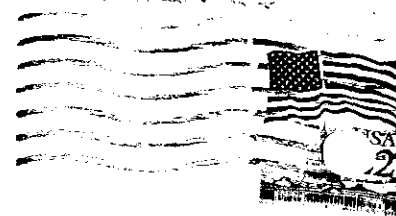
Sincerely,

John E. Dawson

RECORDED

SEP 25 1987

JOHN E VANHORN
P O BOX 1782
POCATELLO ID 83204



RITA FLECK
% Dept. of Water Resources
Statehouse
Boise, ID
83720

SEP 25 1987

RECEIVED

RE: EXTENTION of Time



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

CECIL D. ANDRUS

Governor

A. KENNETH DUNN

Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

EXTENSION OF TIME

August 17, 1987

John F. Van Horn
P1 O. Box 1782

PERMIT NO. 29-7812

We are in receipt of the \$15 extension fee for Extension(s) of Time to provide additional time in which to submit proof of beneficial use on a water right permit.

Your request for extension(s) of time is being reviewed by staff. You will be informed of our decision when review has been completed.

Enclosed is our receipt No. 44189.

Roberta Garrett
Records Supervisor

Enclosure

MICROFILMED

SEP 25 1987

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) 334-4440
CERTIFIED MAIL
MAY 31, 1987

138527

VAN HORN, JOHN E.
P.O. BOX 1782
POCATELLO, ID 83201

P R O O F D U E N O T I C E

RE: PERMIT NO. 29-7812

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, 1987. (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 COMPLETED 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,

RITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES

INDEXED

SEP 25 1987

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

- - - - -

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
JULY 25, 1986

VAN HORN, JOHN E.
P.O. BOX 1782
POCATELLO, ID 83201

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 29-7812

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH PAGE.

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. ALSO ENCLOSED FOR YOUR CONVENIENCE IS THE STATEMENT OF BENEFICIAL USE FORM THAT MUST BE SUBMITTED WHEN YOUR PROJECT IS COMPLETED.

SINCERELY,

GARY SPACKMAN
SUPERVISOR, WATER ALLOCATION SECTION

GS: SC
ENCLOSURES

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State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: Steve McLaughlin

APPLICATION NUMBER: _____

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☐ Map.
☒ Signature.
☒ Fee.
☐ Yes ☒ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☐ No* In form to receipt.

Field check by: _____

Date: _____

Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department.
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other _____

Copies sent by: _____

Date: _____

PROCESSING:

- ☐ Yes ☒ No Platted by: _____ Map No. _____
☐ Yes ☒ No Other rights on same place of use. _____
☒ Yes ☐ No* In form for advertising.
Final date for protests: 6-30-86
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 6-23-86
☐ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☐ Yes ☒ No Measuring device required.
☐ Yes ☒ No Access port required.
☐ Yes ☐ No Will water be delivered by watermaster? If yes, what district? 29 - N/A source sinks
5/27/86 Date of priority recommended.
Special conditions of approval or cover letter. _____

Allow 1 year for B/U development

By: Ernest Carlson

Date: June 30, 86

STATE OFFICE REVIEW:

- L16
☐ See attached sheet for more information.
By: KW

Date: 7/10/86

JUL 09 1986

Department of Water Resources

June 5, 1986

John E. Van Horn
P.O. Box 1782
Pocatello, Idaho 83201

Re: Application for permit No. 29-7812

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. 29-7812. 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 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 protests 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 the permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Enclosed please find your receipt, no. 39654, for the amount of \$30.00.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

Ernest Carlsen
Assistant Regional Supervisor

EC/md

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

JUNE 4, 1986

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 JUNE 30, 1986.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

MICROFILMED

NOTICE OF APPLICATION

FOR WATER RIGHT

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

29-7812

VAN HORN, JOHN E.

P.O. BOX 1782, POCA TELLO, ID 83201

Source: STREAM trib. to SINKS

Diversion Pt: SENE Sec 32 T 06S R 35E

Use: STOCKWATER	(0.020 CFS)
STOCKWATER STORAGE	(0.4 CFS)
STOCKWATER FROM STORAGE	(0.4 CFS)

Date Filed: 05/27/1986

In: SENE Sec 32 T 06S R 35E

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 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 June 30, 1986.

KEN DUNN

Director

Published 6/10/86 & 6/17/86.

MICROFILMED

May 23, 1986

John Van Horn
P.O. Box 1782
Pocatello, Idaho 83201

Dear Mr. Van Horn:

Enclosed is your application for permit. Please review it and if everything seems correct sign and return the application to this office with a fee of \$30.00.

Sincerely,

Harold W. Jones
Sr. Resource Agent

HWJ/md

Enclosure

MICROFILMED