

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 29-07695

Priority: March 17, 1983

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:

1.2 AF

This is to certify, that GARY L LONG
PO BOX 398

INKOM ID 83245 has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated March 17, 1983; and
has submitted Proof of Beneficial Use on November 21, 1990. An examination indicates
that the works have a diversion capacity of 0.040 cfs of water from:

SPRING

tributary to GREEN CANYON CREEK

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>
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION:

SWNESW , Sec. 29, Township 07S, Range 37E
BANNOCK County

PLACE OF USE: DOMESTIC

TWN RGE SEC

07S 37E 30

SESE

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Use of water under this water right will be regulated by the watermaster of State Water District No. 29.
6. Domestic use is for 1 home.
7. Right 29-07269 is also diverted through the point(s) of diversion described above.

MICROFILMED

JAN 08 1987

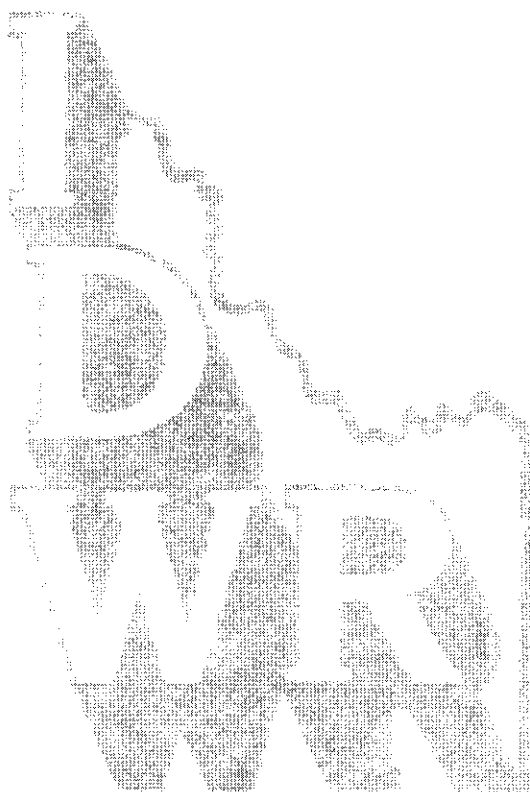
State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 29-07695

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 20th
day of December, 1996

K. J. Dreher
Acting for KARL J. DREHER, Director



MICROFILMED

JAN 25 1997

RECEIVED

NOV 21 1990

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

For Office Use Only
Amt. of Fee \$ 15.00
Date 11/21/90
Receipt No. 6518935
Received by [Signature]

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 - 07695 Telephone No. 775 - 3722

Name(s) of Permit Holder(s): Gary L. Long

Post Office Address: P.O. Box 398, Inkom, Idaho 83245

Source of Water: Spring located in Green Canyon, Inkom ID

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

Extent of Use:
Domestic one (No. of households) Irrigation 1/3 (No. of acres)
Stockwater (No. and type of stock) Other

Total rate and/or volume for which proof is submitted 0.03 cfs acre/feet

Show date water was first diverted and beneficially used under this permit: September 1998

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

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

OR

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

Fee Enclosed: \$ 15.00 (See License Examination Fee Schedule)

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

Gary or Jan Long (208) 775-3722
Name Telephone No.

Box 398 Inkom, ID 83245
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.

MICROFILMED

8 November 1990
Date

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

JAN 06 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

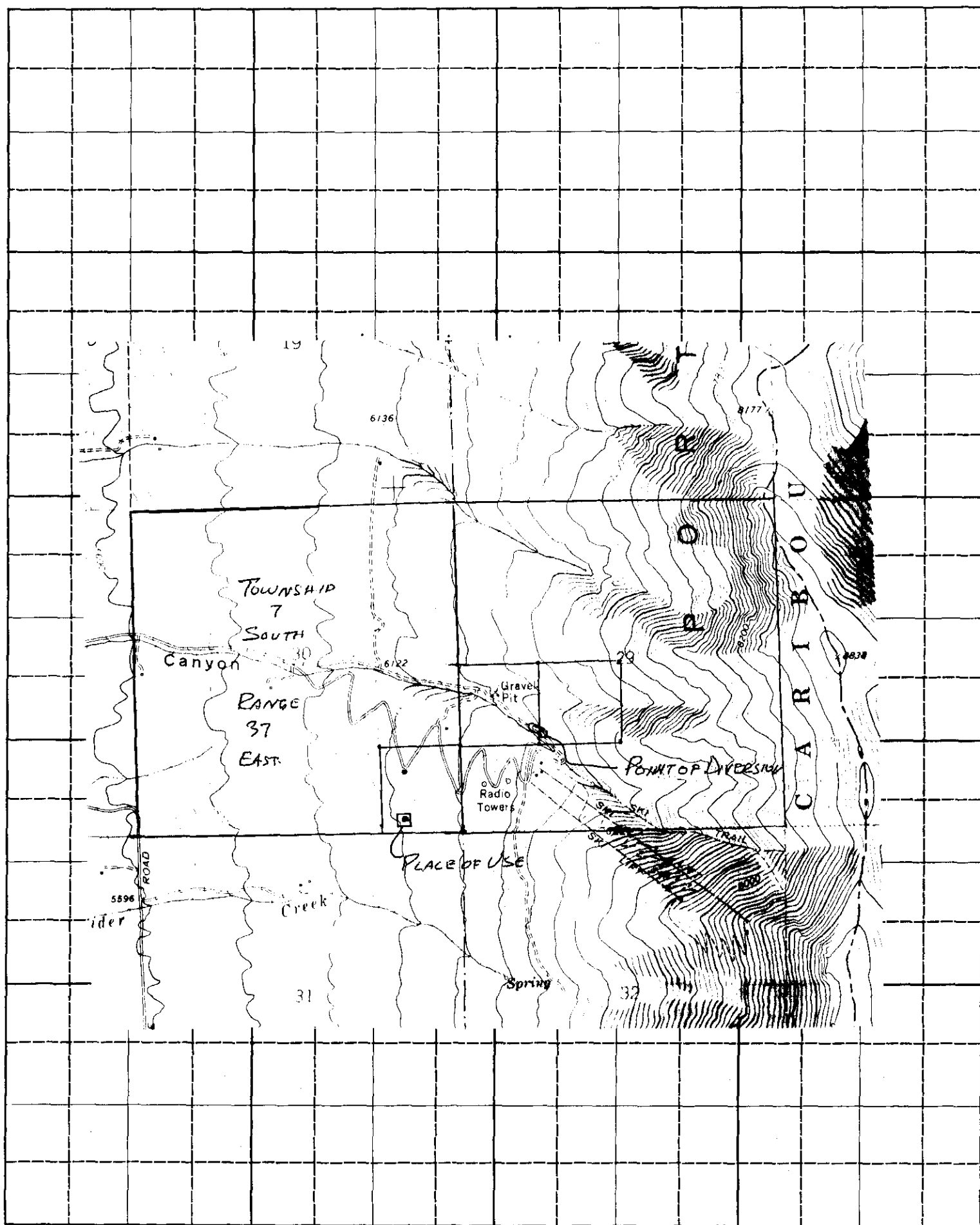
1. Name of applicant Gary L. Long Phone 232-5872
Post office address 337 Foothill, Pocatello, Idaho, 83204
2. Source of water supply Spring which is a tributary of Green Canyon Creek
3. Location of point of diversion is NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 29 Township 7S
Range 37E B.M. Bannock County, additional points of diversion if any: NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 29, T. 7S, R. 37E.
4. Water will be used for the following purposes:
Amount .04 cfs for Domestic 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:
a. .04 cubic feet per second and/or b. _____ acre-feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Collection box at spring with pipeline to one existing home and 1 future home.
b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____
Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year — maximum 5 years).
8. Description of proposed uses:
a. If water is not for irrigation:
(1) Give the place of use of water: SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 30 Township 7S
Range 37E 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 _____
(4) Name of municipality to be served _____, or number of families to be supplied with domestic water 2*
(5) If water is to be used for other purposes describe: _____

MICROFILMED

DEC 19 1988

*per item 6a - kw 1/22/88

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



Scale: 2 inches equal 1 mile. SCALE 1:24,000

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.

MICROFILMED

DEC 19 1988

[Signature]
(Applicant)

Proposed Priority 3/17/83

Received by SM Date 3/17/83 Time 3:00 pm
Preliminary check by HWS Fee \$ 30.00
Receipted by BP Date 3/17/83 # 25512
Publication prepared by CN Date 6-20-84
Published in Idaho State Journal
Publication dates 6/28 7/5/84
Publication approved CW Date 7-11-84
Protests filed by: Keith Pidcock - withdrawn on
Oct. 24, 1988

Copies of protests forwarded by CW
Hearing held by _____ Date _____
Recommended for approval denial by H.W. Jones

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. 29-7695, 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 December 1, 1990.
- 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: 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.
The issuance of this permit in no way grants any right-of-way or easement across the land of another.
Use of water under this permit is subject to control by the watermaster of State Water District No. 29, Portneuf River.

Witness my hand this 28th day of November, 1988.

A. Glen Saylor

MICROFILMED

DEC 1 1988

PROOF OF PUBLICATION

RECEIVED

STATE OF IDAHO
County of Bannock

} ss.

JUL 11 1984

Department of Water Resources
Eastern District Office

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:

June 28	, 1984	_____	, 19____
July 5	, 1984	_____	, 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.

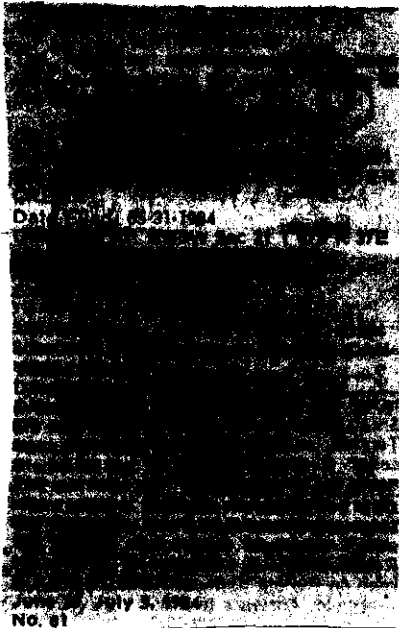
Sandra K Herald.

Subscribed and sworn to before me this 10th

day of July, 19____

[Signature]

Notary Public, State of Idaho
Residence: Pocatello, Idaho



MICROFILMED
DEC 19 1988

PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

JUL 14 1984

Department of Water Resources
Eastern District Office

NOTICE OF APPLICATION FOR WATER RIGHT

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

29-7771

GRAYSON, PAUL B.
265 THURSTON, POCATELLO, ID 83201
Source: SPRING trib. to SPIDER
CREEK

Date Filed: 05-31-1984
Diversion Pt: NESW Sec 31 T 07S R 37E
Use: DOMESTIC (0.04 CFS)
In: NESW Sec 31 T 07S R 37E

29-7695

LONG, GARY L.
337 FOOTHILL, POCATELLO, ID 83204
Source: SPRING trib. to GREEN CAN-
YON CREEK

Date Filed: 03-17-1983
Diversion Pt: NWSW NESW Sec 29 T
07S R 37E

Use: DOMESTIC (0.04 CFS)
In: SESE Sec 30 T 07S R 37E
The permits will be subject to all prior
water rights. Protests must be filed with
the Director, Dept. of Water Resources,
150 Shoupe Ave., Suite 15, Idaho Falls,
Idaho 83402 on or before JULY 16, 1984.
S/KEN DUNN, Dir.
June 28, July 5, 1984
No. 61

being first duly sworn on oath deposes and says: That _____
was at all times herein mentioned a citizen of the United States of Ameri-
ca, 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:

_____, 19____, 19____
_____, 19____, 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.

Landra K. Sward

Subscribed and sworn to before me this _____

day of _____, 19____

[Signature]

Notary Public, State of Idaho

Residence: Pocatello, Idaho

DEC 12 1984



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

December 20, 1996

GARY L LONG
PO BOX 398
INKOM ID 83245

RE: WATER RIGHT NO. 29-07695

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:ph

Enclosure

MICROFILMED

JAN 08 1997

LICENSE REVIEW CHECKLIST

PERMIT NO 29-07695

DATE 12/17/96

REVIEWER: SHARLA

NAME	Change	OK	Address Change <u>NO</u> Is change clarification of originally intended source? <u>NO</u> If not, prepare Notice of Intent to Void <u>NO</u> Amendment required <u>NO</u> Amendment required <u>NO</u>
SOURCE	—	✓	
POINT OF DIV	—	✓	
PLACE OF USE	—	✓	

Does map agree with written description? yes no

OVERLAPS — P/D — P/U

RATE OF DIV
Permitted Rate
Fee limit
Measured
Theoretical

.04 cfs
.04 cfs NO FEE REQD (PER B/U PROCESSING AT THE TIME)
— cfs ea. home has its own pump
— cfs 5x8.8x.7/10 + (2.31x38) = .03
Recommended Total Div Rate .04 cfs

ANNUAL VOLUME/
NATURE OF USES —

Use Dom Volume Calculation
1.2 standard
— af
— af
— af
SUBTOTAL 1.2 af

Flow rate .04 cfs X 365 days X 1.982 = 29.0 af
Total volume recommended 1.2 af
(SUBTOTAL or Flow Rate, whichever is less)

REMARKS

2/1 home
W3629.07695

CONDITIONS ROY Watermaster Control WD# 29
— GW Measurement/Measuring Device
— Overlap

— Use-specific conditions
Advancement of Priority Date Required yes no ✓

SRBA Claim Filed N/A
Adjustment Memo —

1st Amend Letter N/A
2nd Amend Letter N/A

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

DEC 06 1996

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 29-7695

1. Owner: Gary L. Long (Jan Long) Phone No. 775-3722

mailing
Current Address: P.O. Box 391 Inkon, ID 83245

2. Accompanied by: _____ EXAM DATE: 11 JUN 96

street
Address: 2955 Green Canyon Rd. Inkon, ID Phone No. _____

Relationship to Permit Holder: _____

3. Source: Spring tributary to Green Canyon Creek

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 29-7269 under Paul Baker (Other house)

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

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
		SW	NE	SW	29	7S	37E	Bannock	on site

2. Place(s) of Use:

Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
7S	37E	30																D	

MICROFILMED

JAN 08 1997

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
		5		Lowara CM 75 P (type)	1083

*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
Pressure Gage		Ashcroft			0-60	

2. Measurements: _____

MICROFILMED

JAN 03 1997

E. NARRATIVE/REMARKS/COMMENTS

Collection pipe to headbox at spring, with pipeline to two domestic homes. Flow is in excess 0.04 CFS.

Pressure @ Long's house was 38 psi

NOTE: Each home as a pump to maintain operating pressure in the system for that home.

IN ADDITION TO IN HOUSE USE EACH HOME IRRIGATES
1/2 acre or less.

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

MICROFILMED
JAN 18 1977

F. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method:

*De minimus Q = 0.04 cfs***G. VOLUME CALCULATIONS****1. Volume Calculations for Irrigation:** $V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____ $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____ $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____**2. Volume Calculations for Other Uses:***V_{Dom} = 1.2 afa***H. RECOMMENDATIONS****1. Recommended Amounts**

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<i>Domestic (1 unit)</i>	<i>1/1</i>	<i>12/31</i>	<i>0.04 cfs</i>	<i>1.2 cfa</i>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals:			<i>0.04 cfs</i>	<i>1.2 cfa</i>

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

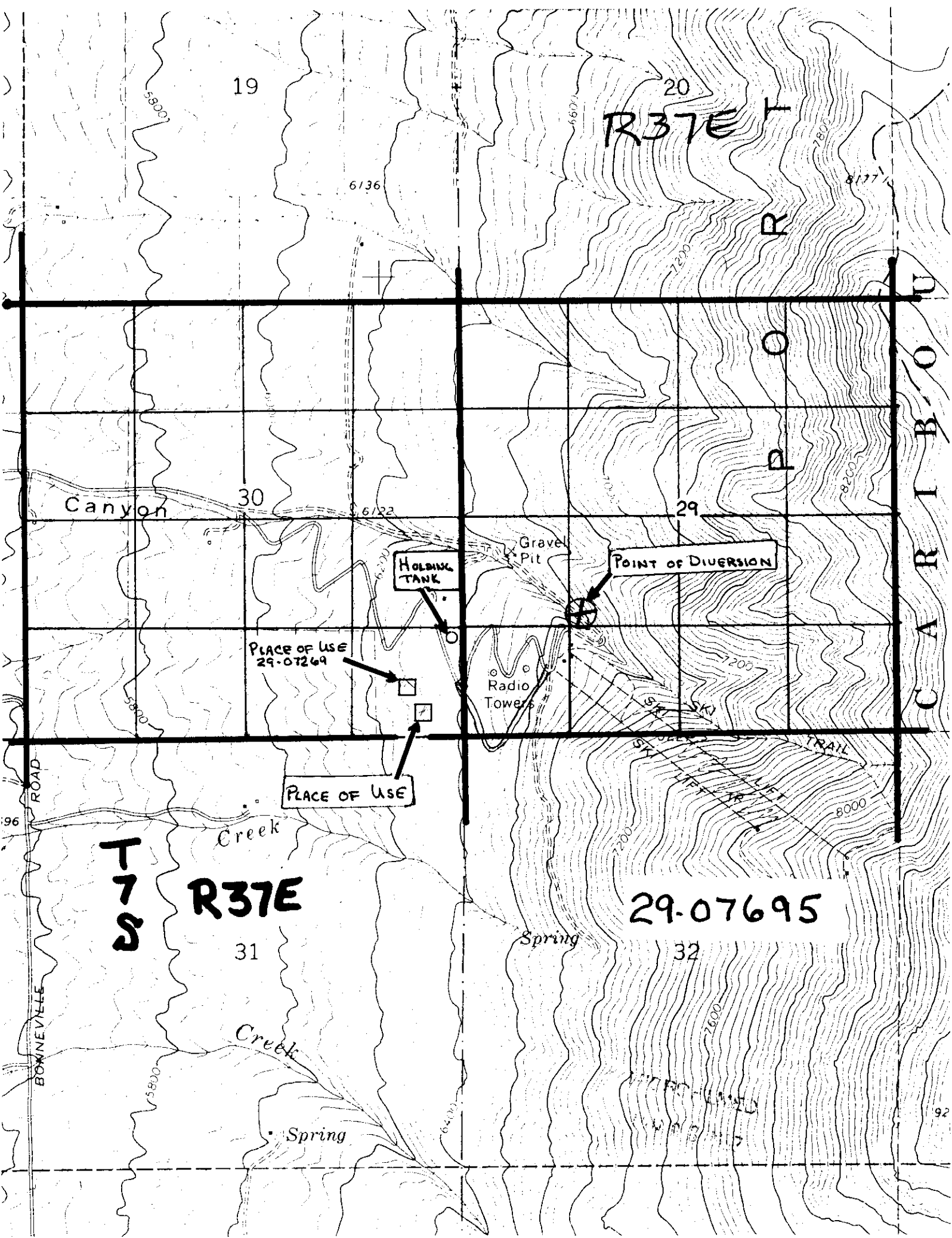
Field Examiner's Name *KEITH C. WILSON* *11 June 1996*
Steven Garrison Date *11 JUN 96*

Reviewer *Lucy Taylor* Date *12/3/96*

SEAL

MICROFILMED

JAN 08 1997



19

20

R37E

6136

8177

R

O

P

29

Canyon

30

6122

HOLDING TANK

Gravel Pit

POINT OF DIVERSION

PLACE OF USE
29-07269

Radio Towers

PLACE OF USE

Creek

T7S

R37E

31

Creek

Spring

29-07695

32

Spring

BOWNEVILLE ROAD

CARRIBO

92

T
7
S

R
36
E

R37E

HOLDING TANK

30

29

POINT OF DIVERSION

P/u under
29-07269

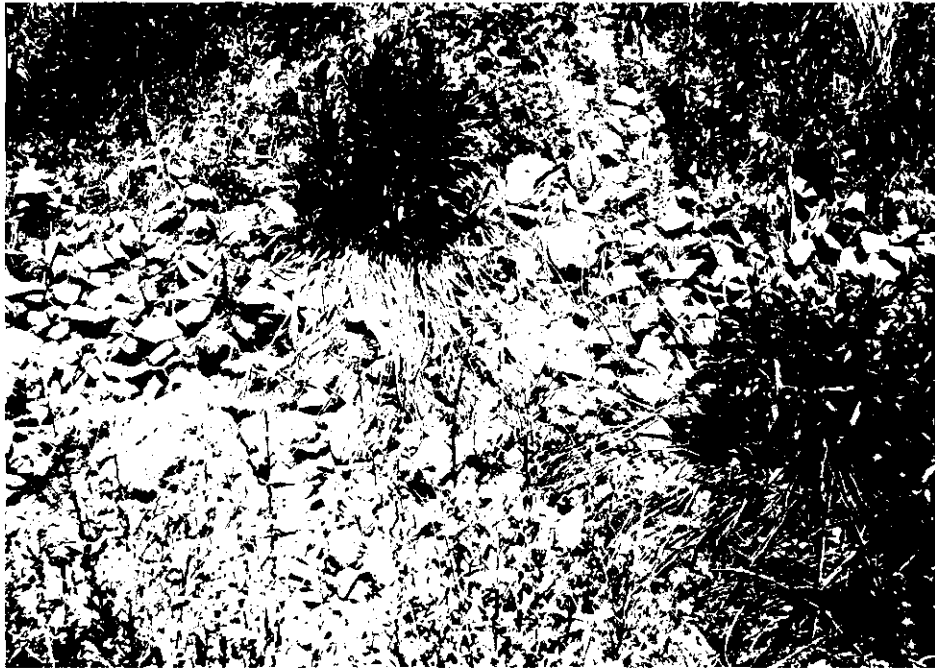
PLACE OF USE

29-07695

31

32

Spring



AREA OF SPRINGS WHERE
COLLECTION PIPE IS COVERED

29-07695

SEDIMENT FILTER
ACROSS GREEN
Canyon Creek FROM
CATCH BASIN



CATCH BASIN

29-7695

TO
SEDIMENT
FILTER
ACROSS Green Canyon



29-07695

PLACE OF
USE

SECOND HOME
COVERED UNDER
29-7269



1000gal HOLDING TANK

29-07695

EXPENDITURE VOUCHER

AUDITOR USE

STATE OF IDAHO
 Office of State Auditor

AGENCY USE

3811
Date
01/07/91
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

GARY L. LONG
 PO BOX 398
 INKOM, ID 83245

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 #29-7695 1/ 2/91 15.00	15.00	
TOTAL						15.00	

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

MEMORANDUM

DATE: January 2, 1991

TO: FISCAL SECTION

FROM: Nina Shields or Rita Fleck

RE: REFUND - 29-7695

Please prepare a refund of \$15.00 (receipt No. C018935). Attached is a copy of the 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
JAN 08 1997

January 2, 1990

GARY L LONG
P O BOX 398
INKOM ID 83245

Dear Mr. Long:

Re: Permit No. 29-7695

It has been brought to my attention that when you submitted the proof of beneficial use form along with a \$15 fee. For the diversion rate of less than 0.04 cfs, no fee is required. A refund will be forthcoming.

If you have questions, please contact me.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

c: Accounting Sec.

MICROFILMED

JAN 08 1997

GARY L LONG
p.o. box 398
INKOM ID 83245

December 19, 1990

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 29-07695

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,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

MICROFILMED

JAN 08 1991

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 29-7695

Date: 12-19-90

General Considerations:

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

Source of Water:

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

Extent of Use and Rate of Diversion:

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

Measuring Device:

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

Remarks:

Address Change
Proof acceptable

y/b

Priority Calculation:

Date proof received _____

Date proof due _____ - _____

No. of days late _____ = _____

Priority date _____ + _____

NEW PRIORITY DATE _____ = _____

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

GARY L. LONG
BOX 398
INKOM, ID 83245

130349
September 30, 1990

PROOF DUE NOTICE
RE: PERMIT NO. 29-07695

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 December 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

JAN 08 1997

FROM

Ann

DATE

9-24-90

TO

*File #
29-7695*

SUBJECT

Address

*Bannock County Assessor's Office now lists
Mr. Long's address as:*

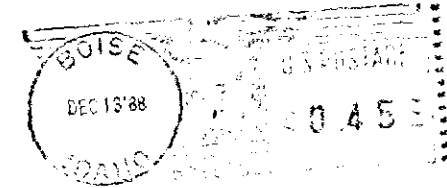
*Box 398**Idaho, Ida 83245*

MICROFILMED

JAN 08 1997


SIGNATURE

RECEIVED
JAN 05 1989



Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES

1301 N. Orchard St.
Boise, ID 83706-2237
(208) 334-7900

RETURN TO SENDER
REVENIR A L'EXPEDITEUR

☐ Return to sender
☐ Return to addressee
☐ Return to addressee
☐ Return to addressee
☐ Return to addressee
☐ Return to addressee
☐ Return to addressee
☐ Return to addressee
☐ Return to addressee
☐ Return to addressee

To

POSTAGE DUE

Gary L. Long
#59 3725 Victoria Ave.
Brandon Man, Canada R7D3C3

RECEIVED
JAN 06 1989

DATE 12/13/88

FROM Kim Y.
TO File # 29-7695
SUBJECT Address Change

Per the Bannock County Assessor's Office
Gary L. Long's Address has been changed
to: #59 3725 Victoria Ave.
Brandon Man, Canada

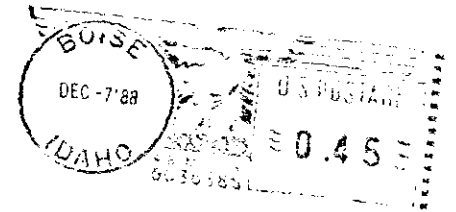
R7D3C3

MICROFILMED

DEC 19 1988

SIGNATURE

DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720



UNDELIVERABLE
DEC 19 1988

Gary L. Long
337 Foothill
Pocatello, ID 83204

RECEIVED
DEC 09 1988

Department of Water Resources

*Resent
12-13-88
Per Co. address
address*

RETURNED
TO
SENDER
UNDELIVERABLE AS ADDRESSED
FORWARDING ORDER EXPIRED

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
December 5, 1988

GARY L. LONG
337 FOOTHILL
POCATELLO, ID 83204

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

RE: PERMIT NO. 29-07695

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 Rights Permits Section

GS: SC
Enclosures

INDEXED

DEC 19 1988

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: HWS

APPLICATION NUMBER: 29 7695

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. Will use same pd as 29-7209
☒ Yes ☐ No* In form for advertising.
Final date for protests: 7/16/84
☒ Yes ☐ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 7-11-1984
☒ 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
3-17-1983 Date of priority recommended.
Special conditions of approval or cover letter. NA

29-7695 29-7695 NOV 10 1988

file copy discarded

allow 2 yrs. for B/H development

By: HWS Date: 11-04-1988

STATE OFFICE REVIEW:

P17

36 04 05 (29)

Portneuf River

RECEIVED

- ☐ See attached sheet for more information.

By: KW Date: 11/22/88

NOV 10 1988

Department of Water Resources

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

October 24, 1988

RE: Application for Permit No. 29-7695

Gary L. Long
337 Foothill
Pocatello, ID 83204

Dear Mr. Long:

This letter is to advise you that Keith Pidcock, Pidcock Company, has withdrawn the protest against the above referenced application. The Department has now resumed processing of this application.

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

Very truly yours,

HAROLD W. JONES
Water Right Supervisor

HWJ:CW

MICROFILMED

DEC 19 1988

October 24, 1988

RE: Application for Permit No. 29-7695 GARY LONG

Mr. Keith Pidcock, President
Pidcock Company
P.O. Box 32
Inkom, ID 83245

Dear Mr. Pidcock:

This letter is to acknowledge receipt of your withdrawal of protest against the above referenced application. The Department has now resumed processing of this application.

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

Very truly yours,

HAROLD W. JONES
Water Rights Supervisor

EC:CW

cc: IDWR - State Office

MICROFILMED
DEC 19 1988

August 8, 1988

DEPARTMENT OF WATER RESOURCES
150 Shoup, Suite 15
Idaho Falls, Idaho 83402

ATTN: Ernest Carlson

Mr. Carlson,

In September 1984, I protested the application for culinary water rights applies for by Mr. Gary Long (application No. 297695). At the hearing held October 4th, 1984, Mr. Long agreed to drill a culinary well, and the application was put on hold.

Mr. Long has failed in his attempt to develop a reliable water supply from a well, and has requested that he be allowed to use spring water for the next three years until an attempt to find well water can be repeated.

I have agreed to withdraw my protest to his application to allow Mr. Long to legally connect to the spring in Green Canyon until his household needs can be met by the successful development of a culinary well.

Sincerely,

Pidcock Co.
Keith Pidcock

Keith Pidcock

cc: Gary Long

MICROFILMED

DEC 19 1988

RECEIVED

AUG 11 1988

Department of Water Resources
Eastern District Office

ON THE MATTER OF
APPLICATION 29-7695 IN
THE NAME OF GARY
L. LONG.

Stipulation
Agreement

We, hereby agree to the Department of Water Resources
to issuing a proposed decision in this matter, based on
information presented at the conference held in
Pocahontas, Id. on Oct 30, 1984.

We also request that this decision be delayed for
30 days ~~in~~ while the applicant pursues drilling a
cullinary well.

Signed the 30th day of October, 1984 in Pocahontas, ID.

Keith Pickcock
Gary L. Long

MICROFILMED

DEC 19 1988

29-7695

10-30-84

Gary Long

Protestant

Keith Pidcock

Source -

Spring trib Green Canyon Creek aka Bill Jackson Ck in decree
USA v Dowse - 10/29/38 US District Court -

Spring is flowing at 45 gpm -

Paul Baker - domestic -

Wood - cabin -

The tank 1000 gal. - overflows and runs to waste -

- Trying to irrigate about 300 acres

- Decreed right to Mary Jackson -

- Licensed right for 81 acres -

- About the 1st of July there is no longer sufficient

- Owns about 1000 acres -

- Pd is located at 1 1/2 miles -

MICROFILMED

DEC 19 1988

29-7695

10-30-84

10:40 a.m.

-Applicant- Gary Long - present.

Protestant - Keith Pidcock - protestant.

Long -

There is an existing ^{calinary} stockwater system that
diverts water from spring. He would tie into system.
Would not increase diversion rate of system.

He is presently having a well drilled.

Downflow from calinary storage tank drains down the hill.
It does not return to the stream. Diverts 30 to 40 gal/min.
-Present right holders.

Paul Baker - 1979 domestic, 1 home.

George Wood - 1978 & 79 domestic, cabin, summer home.

Pidcock -

Trying to irrigate about 300 acres. Successful 2 out of 5 yrs.

Held of rights 29-0253 decreed in the case
of U.S. vs. Dowse dated 10-29-1938.

Also license 29-2511.

Owns about 1000 acres and has some of which could be
irrigated if more water was available.

-Also uses Spider Creek to irrigate 300 acres.

-Division is 1 1/2 miles below applicant's division.

MICROFILMED

DEC 19 1988

- Look up water rights for Paul Baker, Henge Wood.

= Mr. Baker's system ~~seems~~ seems to be diverting more water than he is entitled to.

- Review with Mr. Pidcock his water rights to determine if all of P&H is covered by existing water rights.

MICROFILMED

DEC 19 1988

29-7695 - LONG

Pocatello Municipal Airport, Pocatello, Idaho
Tuesday, October 30, 1984 - 10:30 a.m.

ROSTER OF ATTENDANCE

Hearing Officer _____

Name Address Representing

Keith Pickcock Guy A. Roy	Inkom, Id. 334 Foot Hill	Pickcock Co. Self.
------------------------------	-----------------------------	-----------------------

MICROFILMED

DEC 19 1988

October 15, 1984

Airport Manager's Office
ATTN: Shiela
Pocatello Municipal Airport
P.O. Box 1021
Pocatello, Idaho 83201

Dear Shiela:

This is to confirm the use of the Conference Room for hearing and/or conference to be held by this Department on Tuesday, October 30, 1984 beginning at 10:30 a.m.

Thank you for your cooperation in this matter.

Very truly yours,

COLLEEN WRAY
Adm. Secretary

MICROFILMED
DEC 19 1988

- 29-7695
- SENDER: Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).
☒ Show to whom and date delivered \$
☐ Show to whom, date, and address of delivery .. \$
2. ☐ RESTRICTED DELIVERY \$
 (The restricted delivery fee is charged in addition to the return receipt fee.)

TOTAL \$

3. ARTICLE ADDRESSED TO:

Keith Didrock
 337 Foothill
 Pocatello, Id 83245

4. TYPE OF SERVICE:

- ☐ REGISTERED
☒ CERTIFIED
☐ EXPRESS MAIL

ARTICLE NUMBER

13222

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☒ Authorized agent

1. Keith Didrock
 DATE OF DELIVERY

10-12-84

6. ADDRESSEE'S ADDRESS (Only if requested)

7. UNABLE TO DELIVER BECAUSE:

EMPLOYEE'S
 INITIALS

Hms

★ GPO: 1982-379-593

- 29-7695
- SENDER: Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).
☒ Show to whom and date delivered \$
☐ Show to whom, date, and address of delivery .. \$
2. ☐ RESTRICTED DELIVERY \$
 (The restricted delivery fee is charged in addition to the return receipt fee.)

TOTAL \$

3. ARTICLE ADDRESSED TO:

Harry L. Long
 337 Foothill
 Pocatello, Id 83245

4. TYPE OF SERVICE:

- ☐ REGISTERED
☒ CERTIFIED
☐ EXPRESS MAIL

ARTICLE NUMBER

13221

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☒ Authorized agent

DATE OF DELIVERY
 OCT 17 1984

6. ADDRESSEE'S ADDRESS (Only if requested)

7. UNABLE TO DELIVER BECAUSE:

EMPLOYEE'S
 INITIALS

★ GPO: 1982-379-593

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

- Print your name, address, and ZIP Code in the space below.
- Complete items 1, 2, 3, and 4 on the reverse.
 - Attach to front of article if space permits, otherwise affix to back of article.
 - Endorse article "Return Receipt Requested"
 - adjacent to number.



PENALTY FOR PRIVATE
USE, \$300

DEC 19 1988

DEPARTMENT OF WATER RESOURCES

EASTERN DISTRICT OFFICE

150 SHoup AVE. Suite 15

IDAHO FALLS, IDAHO 83401

OCT 18 1984

Department of Water Resources
Eastern District Office

(Street or P.O. Box)

(City, State, and ZIP Code)

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

- Print your name, address, and ZIP Code in the space below.
- Complete items 1, 2, 3, and 4 on the reverse.
 - Attach to front of article if space permits, otherwise affix to back of article.
 - Endorse article "Return Receipt Requested"
 - adjacent to number.



PENALTY FOR PRIVATE
USE, \$300

DEC 19 1988

DEPARTMENT OF WATER RESOURCES

EASTERN DISTRICT OFFICE

150 SHoup AVE. Suite 15

IDAHO FALLS, IDAHO 83401

OCT 18 1984

Department of Water Resources
Eastern District Office

(Street or P.O. Box)

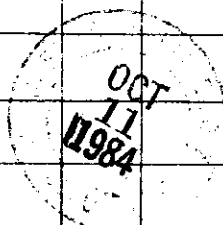
(City, State, and ZIP Code)

NAME AND
ADDRESS
OF SENDEREASTERN DISTRICT OFFICE
150 SHOUP AVE.
IDAHO FALLS, IDAHO 83401Indicate type of mail
☐ Registered
☐ Insured
☐ COD
☒ CertifiedI certify that we have
☐ Commercial Insurance
☐ A deductible clause of
\$Affix stamp here if issued as
certificate of mailing or for
additional copies of this bill.
POSTMARK AND DATE OF RECEIPT

LINE	NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST-OFFICE ADDRESS	POSTAGE	FEE	Handling Charge	Actual Value (If Registered)	DUE SENDER IF C.O.D.	R. R. FEE	S.D. FEE	S. H. FEE	REST. DEL. FEE	REMARKS
✓1	13221	Larry Hong, 337 Foothill,ocatello	20	75				60				29-7695
✓2	13222	Keith Redcock, P.O. Box 32, Inkom										"
3	13223	Jay Bussby 450 Mink Ck Rd,ocatello										29-0276
✓4	13224	James Grazier 779 Washington,ocatello										"
	13225	Claude Roberts 408 Mink Ck Rd,ocatello										"
✓6	13226	Arnt B. Shippin, 525 East 17, ID.										31-2323
✓7	13227	Lerald Merselle, Turretou										"
✓8	13228	Tom Godgon, Turretou										"
✓9	13229	Walt Spulmon, Turretou										"
✓10	13230	Robert Saunders P.O. Box 68 Turretou										"
✓11	13231	Lulon Yearby, P.O. Box 413, Turretou										"
✓12	13232	Joe Marty, Turretou										"
	13233	Bennis Dren, Turretou										"
✓14	13234	Admair Charles, St. Et Dubair										"
✓15	13235	Galbert Lavis, P.O. Box 145, Dubair										"
TOTAL NUMBER OF PIECES LISTED BY SENDER		TOTAL NUMBER OF PIECES RECEIVED AT POST OFFICE		POSTMASTER/ PER (Name of receiving employee)		The full declaration of value is required on all domestic and international registered mail. Commercial Insurance—Payment of the full registry fee is required on articles valued up to \$1,000 or the full amount of the deductible if the deductible exceeds \$1,000. The maximum indemnity payable is \$25,000 for registered mail, \$400 for COD and \$400 for insured mail. Special handling charges apply only to third- and fourth-class parcels. Special delivery service also includes special handling service.						
15		Fifteen		A. L. Smith								

MICROFILMED

DEC 13 1988



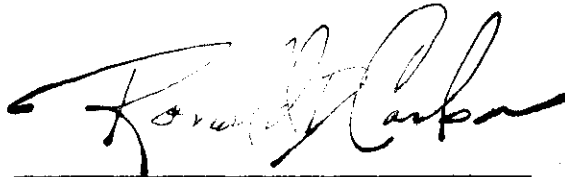
BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR)	
PERMIT NO. 29-7695 IN THE NAME)	
OF GARY L. LONG)	NOTICE OF HEARING
_____)	AND/OR CONFERENCE

On March 17, 1983, Gary L. Long filed with the Department of Water Resources an application to appropriate the public waters of the State of Idaho. On July 5, 1984, the Department received a protest against approval of said application from Keith Pidcock.

The Department has set the matter of protest for hearing for Tuesday, October 30, 1984 at 10:30 a.m. in the Conference Room, Pocatello Municipal Airport, Pocatello, Idaho. The hearing will be held in accordance with provisions of Chapter 2, Title 42, of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

Dated this 11th day of October, 1984.



RONALD D. CARLSON

Eastern Regional Supervisor

MICROFILMED

DEC 19 1988

September 10, 1984

RE: Application ~~for~~ Permit No. 29-7695

Gary L. Long
337 Foothill
Pocatello, ID 83204

Dear Mr. Long:

To recommend final action on the above captioned application, an administrative hearing must be held to examine the issues of protest against granting the permit. October 30, 1984 has initially been selected for the date of the hearing which will be held in Pocatello.

Certified notices confirming the date, place and time will be mailed two weeks before the hearing. Please notify this office prior to the mailing of these notices if you can not attend a hearing on the date specified.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

MICROFILMED

DEC 19 1988

September 10, 1984

RE: Application for Permit No. 29-7695 GARY LONG

Keith Pidcock
P.O. Box 32
Inkom, Idaho 83245

Dear Mr. Pidcock:

To recommend final action on the above captioned application, an administrative hearing must be held to examine the issues of protest against granting the permit. October 30, 1984 has initially been selected for the date of the hearing which will be held in Pocatello.

Certified notices confirming the date, place and time will be mailed two weeks before the hearing. Please notify this office prior to the mailing of these notices if you can not attend a hearing on the date specified.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

MICROFILMED

DEC 19 1988



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

150 Shoup
Idaho Falls, Idaho 83401
(208) 525-7161

August 22, 1984

RE: Application for Permit # 29-7695

Gary L. Long
337 Foothill
Pocatello, ID 83204

Dear Mr. Long,

Early in August you received notice that the Department planned to hold an administrative hearing on August 28, 1984 to consider the issues of protest against the above captioned application. Please be advised that the hearing has been postponed and will be rescheduled at a later date.

Respectfully Submitted,

ERNEST CARLSEN

EMC/cz

MICROFILMED

DEC 19 1988



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

150 Shoup
Idaho Falls, Idaho 83401
(208) 525-7161

August 22, 1984

RE: Application for Permit #29-7695 LONG

Keith Pidcock
P.O. Box 32
Inkom, ID 83245

Dear Mr. Pidcock,

Early in August you received notice that the Department planned to hold an administrative hearing on August 28, 1984 to consider the issues of protest against the above captioned application. Please be advised that the hearing has been postponed and will be rescheduled at a later date.

Respectfully Submitted,

ERNEST CARLSEN

EMC/cz

MICROFILMED
DEC 19 1988

July 31, 1984

RE: Application for Permit No. 29-7695

Gary L. Long
337 Foothill
Pocatello, Idaho 83204

Dear Mr. Long:

To recommend final action on the above captioned application, an administrative hearing must be held to examine the issues of protest against granting the permit. August 28, 1984 has initially been selected for the date of the hearing which will be held in Pocatello.

Certified notices confirming the date, place and time will be mailed two weeks before the hearing. Please notify this office prior to the mailing of these notices if you can not attend a hearing on the date specified.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

MICROFILMED

DEC 19 1988

July 31, 1984

RE: Application for Permit No. 29-7695 GARY LONG

Keith Pidcock
P.O. Box 32
Inkom, ID 83245

Dear Mr. Pidcock:

To recommend final action on the above captioned application, an administrative hearing must be held to examine the issues of protest against granting the permit. August 28, 1984 has initially been selected for the date of the hearing which will be held in Pocatello.

Certified notices confirming the date, place and time will be mailed two weeks before the hearing. Please notify this office prior to the mailing of these notices if you can not attend a hearing on the date specified.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

MICROFILMED

DEC 19 1988

July 23, 1984

Gary L. Long
337 Foothill
Pocatello, ID 83204

Dear Mr. Long:

Enclosed is a copy of a protest filed against the issuance of a permit pursuant to your Application No. 29-7695. The Department suggests you contact the protestant directly in an effort to determine the nature of the protest and to attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purpose intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?

If this office can be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw

Enclosure

cc: IDWR - State Office

MICROFILMED
DEC 19 1988

July 23, 1984

RE: Application for Permit No. 29-7695 LONG

Keith Pidcock
P.O. Box 32
Inkom, ID 83245

Dear Mr. Pidcock:

Your protest against the approval of the above referenced application has been received and a copy has been sent to the applicant. The Department suggests you contact the applicant directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purpose intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?

If this office can be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw

cc: IDWR - State Office

MICROFILMED
DEC 19 1988

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR)
PERMIT NO. 29-7695 IN THE NAME OF)
GARY L. LONG)
_____)

RECEIVED

JUL 5 1984

Department of Water Resources
Eastern District Office

I, Keith Pidcock, representing Pidcock Co., wish to protest the above captioned application. Pidcock Co. holds rights decreed from Green Canyon Creek, aka Jackson Creek, for the entire flow of the creek and its tributaries. Granting this would deplete the water available to fill these rights.

Dated this 5 day of July, 1984

Keith Pidcock

KEITH PIDCOCK

President

P. O. Box 32

Inkom, ID 83245

MICROFILMED

DEC 19 1988

Withdrawn

IN THE DISTRICT COURT OF THE UNITED STATES, IN AND FOR THE
DISTRICT OF IDAHO, EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

-vs-

E. E. DOWSE; T. H. GATHE; L. P.
HOLMES; J. F. SEIVERS; LEONARD
V. MERRILL; NEW INTERNATIONAL
BANK, a corporation; JOHN A
SCADDFN; JOSEPH A. SCADDFN; TOM
FEDREGILL; MARY MINT; JESSE BALL
and FRANK BALL.

Defendants.

No. 1018

D E C R E E

This cause came on to be heard at this term and was
argued by counsel; and thereupon, upon consideration thereof,
it was ordered, adjudged and decreed as follows:

I.

That the United States of America, is pursuant to
law, the Trustee for the rights of certain Indians hereinafter
named, who are wards of the United States Government, and the
adjudication of the rights hereinafter particularly recited
are for the use and benefit of the respective Indian wards
and their Indian successor or successors.

II.

That the rights to the use of the waters hereinafter
awarded and made appurtenant to the Indian lands are prior in
time and superior in right to the claims of each and every of
the defendants to this action to the right to the use of the
same waters, to the extent of the full flow of the said waters,
as, if and when the same are used by the Indians for agricultur-
al and domestic purposes, and for all beneficial purposes and
for grazing, ranging herds of stock and hunting.

MICROFILMED

DEC 19 1988

Indian lands.

III.

That the failure of any of the Indians and their Indian successor or successors to use the water hereinafter adjudicated shall not cause either an abandonment or a forfeiture of their rights thereto; provided, however, the next appropriator in point of time shall have the right to the use of the water hereinafter adjudicated to the Indians when the said water is not diverted and used for irrigation or domestic purposes, and for all beneficial purposes and for grazing roving herds of stock and hunting by the said Indians, but it shall be returned to said Indian lands when they use the same.

IV.

That Willie Jackson, Annie Jackson Nagashoap, Shehovinga Jackson Waambonaa, Jacob Browning, Roosevelt Browning, Estella Browning Wahtomy, Ida Browning and the estate of Mary Jackson, deceased, all Indians and wards of the United States of America under the supervision of the superintendent of the Fort Hall Indian Agency, and their Indian successor or successors, are entitled to the right to the use of the waters of Bill Jackson Creek and its tributaries to the extent of the full flow of the said waters so, if and when the same are used for agricultural and domestic purposes, and for all beneficial purposes and for grazing roving herds of stock and hunting, on Allotment No. 26, particularly described as the E $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 27, Township 7 S., R. 36 E., Boise Meridian, in Bannock County, State of Idaho, with a date of Priority of February 16, 1869, to be diverted within or without the confines of the lands herein designated as Allotment No. 26, and that at the present time at least 36.3

MICROFILMED

DEC 19 1988

miners inches of the continuous flow during the entire year of the said waters and such additional amount as may appear to be required for agricultural and domestic purposes and for all beneficial purposes and for grazing roving herds of stock and hunting, are awarded for said purposes on said lands.

V.

That the estate of Mary Jackson, deceased, an Indian ward of the United States of America under the supervision of the superintendent of the Fort Hall Indian Agency, and her Indian successor or successors, are entitled to the right to the use of the waters of Bill Jackson Creek and its tributaries to the extent of the full flow of the said waters as, if and when the same are used for agricultural and domestic purposes and for all beneficial purposes and for grazing roving herds of stock and hunting on Allotment No. 27, particularly described as the S $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Sec. 26 T. 7 S., R. 36 E., Boise Meridian, in Bannock County, State of Idaho, with a date of priority of February 16, 1869, to be diverted within or without the confines of the lands herein designated as allotment No. 27, and that at the present time at least 29.9 miners inches of the continuous flow during the entire year of the said waters and such additional amount as may appear to be required for agricultural and domestic purposes and for all beneficial purposes and for grazing roving herds of stock and hunting, are awarded for said purposes on said lands.

VI.

That when the same is not so diverted and used by the Indians, the New International Mortgage Bank, Ltd., a corporation, is entitled to the right to the use of 90/100ths of the

MICROFILMED

DEC 19 1988

WDM
1-31-39

per second of time of the waters of Bill Jackson Creek and its tributaries with a date of priority of July 8, 1903, for domestic and agricultural purposes on the N $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Section 26, Township 7 S., R. 36 E., Boise Meridian, in Bannock County, State of Idaho, to be diverted at a point N 49 30' E. 1519 feet from the $\frac{1}{2}$ corner between Sections 24 and 25 of said township and range.

VII.

That when the same is not so diverted and used by the Indians, L. P. Holmes is entitled to the right to the use of 30/100 cubic feet per second of time of the waters of Bill Jackson creek and its tributaries with a date of priority of June 5, 1903, for domestic and agricultural purposes on the E $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 27, and the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 34 and the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 36, Township 7 S., R. 36 E., Boise Meridian, in Bannock County, State of Idaho, to be diverted at the SW corner of the NW $\frac{1}{4}$ of said Section 26; and the right to the use of 50/100 cubic feet per second of time of the waters of Bill Jackson Creek and its tributaries with date of priority of July 10, 1903, for domestic and agricultural purposes on the land last hereinabove described at the same point of diversion; and the right to the use of 50/100 cubic feet per second of time of the waters of Bill Jackson Creek and its tributaries with a date of priority of November 1, 1903, for domestic and agricultural purposes on the lands last hereinabove described, to be diverted at a point near the center of Section 30, Township 7 S., R. 37 E., Boise Meridian, in Bannock County, State of Idaho.

VIII

That the defendant, E. E. Dowse, has no right title

MICROFILMED

DEC 19 1988

interest, claim and/or demand whatsoever, in and to the right to the use of any of the waters of Bill Jackson Creek and its tributaries except by and through the defendant, New International Mortgage Bank, Ltd., which shall be subject to the rights of the Indian Lands hereinabove provided for.

IX.

That the defendants T. H. Gathe, J. P. Seivers, Leonard J. Merrill, John A. Scadden, Joseph A. Scadden, Tom Pedregill, alias Tom Fredregill, Mary Hunt, Jesse Ball and Frank Ball, are not entitled to any right, title, claim, interest and/or demand whatsoever in and to the right to the use of the waters of said Bill Jackson Creek and its tributaries.

X.

That each and every of the said defendants to this action, their officers, agents, employees, attorneys, servants, and all persons acting by, through or under them, be and they are hereby permanently and perpetually restrained and enjoined from in any manner whatsoever interfering with the rights of the Indians hereinabove named and their Indian successor or successors in and to the right to the use of the waters hereinabove awarded to them and the maintenance and operation of their diversion works and irrigation systems, and that each and every of the parties defendant be, and they are hereby perpetually and permanently restrained and enjoined from in any manner whatsoever interfering with the rights to the use of the waters hereinabove awarded to the respective parties defendant and to the right to the use, operation and maintenance of their respective diversion works and irrigation systems.

MICROFILMED

DEC 19 1988

XI.

IT IS ORDERED, ADJUDGED AND DECREED, That the Court retain jurisdiction of this case for the period of one year from and after the entry of this decree for the purpose of correcting clerical errors, inadvertencies, omissions and descriptions in this decree.

XII.

That costs be awarded to plaintiff.

Dated and done this 29th day of October, 1938.

s/ CHARLES C. CAVANAH,
District Judge.

Endorsed: Filed at 11:31 A.M.
October 29, 1938
W. D. McReynolds, Clerk

MICROFILMED

DEC 19 1988

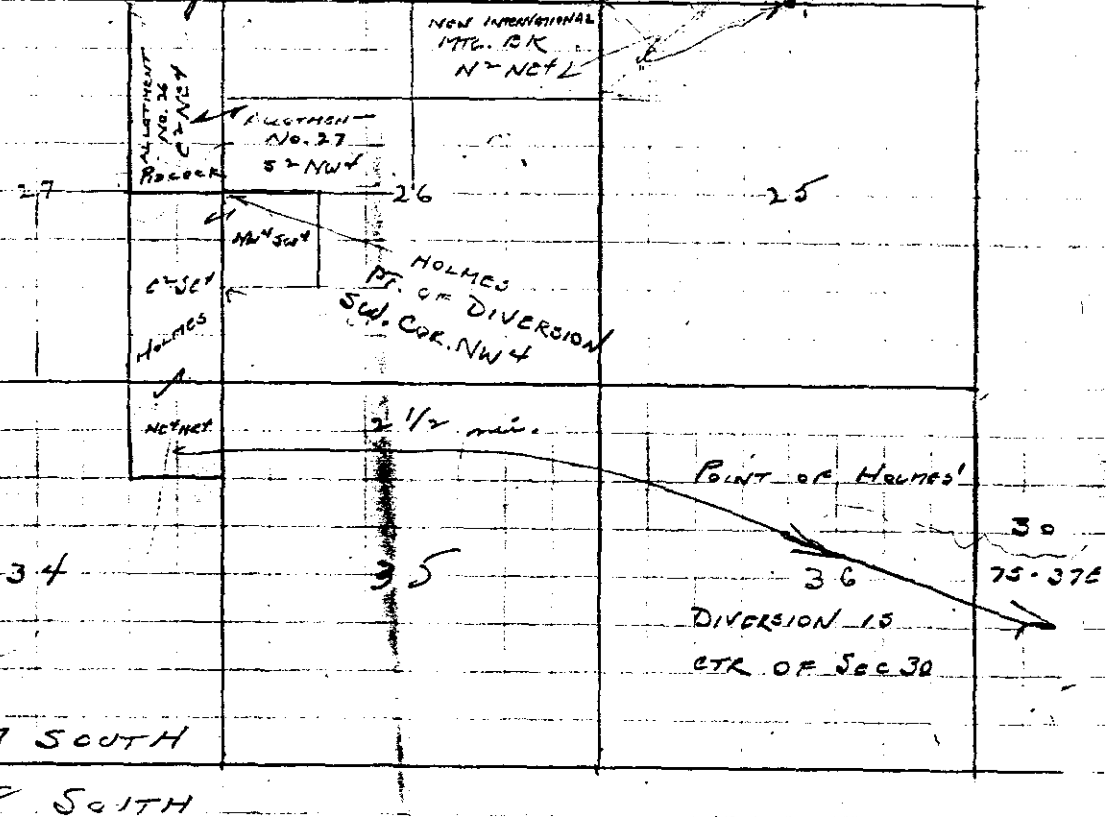
DECREE No. 1018
 Judge Caramazza 10-29-38

36 EAST

37 EAST

2-16-69	Altoona 26	36.3 min. incl.	
2-16-69	27	29.9 min. incl.	22
7-8-03	New International Mtg. Rk.	90/100 cu. ft.	23
6-5-03	Holmes	30/100 cu. ft.	24
7-10-93	"	50/100 cu. ft.	
11-1-03	"	50/100	

diverted @ SW cor NW 4 26-75-36E
 diverted near center of Sec. 30-75-37E



DEC 19 1988
 MICROFILMED

June 25, 1984

RE: Application for Permit No. 29-7695 LONG

U.S. Forest Service
427 North 6th
Pocatello, Idaho 83201

Gentlemen:

We are enclosing a copy of an application that may be of interest to your agency. Please review the application and submit any comments you may have to our Department as soon as possible. The last date of protest is July 16, 1984, and we are required to take final action shortly thereafter.

If we may be of further assistance, please feel free to contact us.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

Enclosure

MICROFILMED

DEC 19 1988

29-2695

LONG, GARY L.

337 FOOTHILL, POCA TELLO, ID 83204

Source: SPRING trib. to GREEN CANYON CREEK

Date Filed: 03/17/1983

Diversion Pt: NNSW NESW Sec 29 T 07S R 37E

Use: DOMESTIC (0.04 CFS)

In: SESE Sec 30 T 07S R 37E

MICROFILMED

DEC 19 1988