

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 29-7638

Priority: January 29, 1981 Amount: .02 CFS 2.0 AFA

This is to certify, that U.S. DEPT. OF AGRI.

FOREST SERVICE

FEDERAL BLDG.

324 25TH ST.

OGDEN, UT 84401

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated January 29, 1981, and has submitted proof to the Department of Water Resources on February 22, 1983, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .02 cfs of water from;

SPRING

tributary to MARSH CREEK

and that a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
Stockwater	01/01 to 12/31	.02 cfs	2.0 afa

LOCATION OF POINT OF DIVERSION(S): NESW , Sec. 36, Township 12S, Range 37E
Bannock County

PLACE OF USE: Stockwater

TWN RGE SEC

12S 37E 36 NESW

CONDITIONS/REMARKS:

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. This right, when considered with all other rights common to the same grazing allotment, shall be limited to the quantity of water beneficially used by the number of stock within the allotment.

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 28th day of July, 1987.

MICROFILMED

Acting for the

Director

AUG 18 1987

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

29-7638
13-7295
APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant United States of America, Forest Service Phone (801)626-3561

Post office address 324 - 25th St., Ogden, Utah 84401

2. Source of water supply Unnamed Spring which is a tributary of Marsh Creek

3. Location of point of diversion is NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 36 Township 12S

Range 37E B.M. Bannock County, additional points of diversion if any: _____

019-039

4. Water will be used for the following purposes:

Amount .02 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)

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. .02 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 2' circular galvanized head box with approximately 150' of plastic PVC pipe to a 9' long, 32" wide and 24" deep plastic water trough

b. Height of storage dam N/A 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 N/A 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: NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 36 Township 12S

Range 37E B.M.

(2) Amount of power to be generated: N/A horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered 150 Hereford Cattle

(4) Name of municipality to be served N/A, or number of families to be supplied with domestic water _____.

(5) If water is to be used for other purposes describe: N/A

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

[illegible]

Total number of acres to be irrigated

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

9. a. Who owns the property at the point of diversion	United States Government, administered by USDA Forest Service
---	---

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

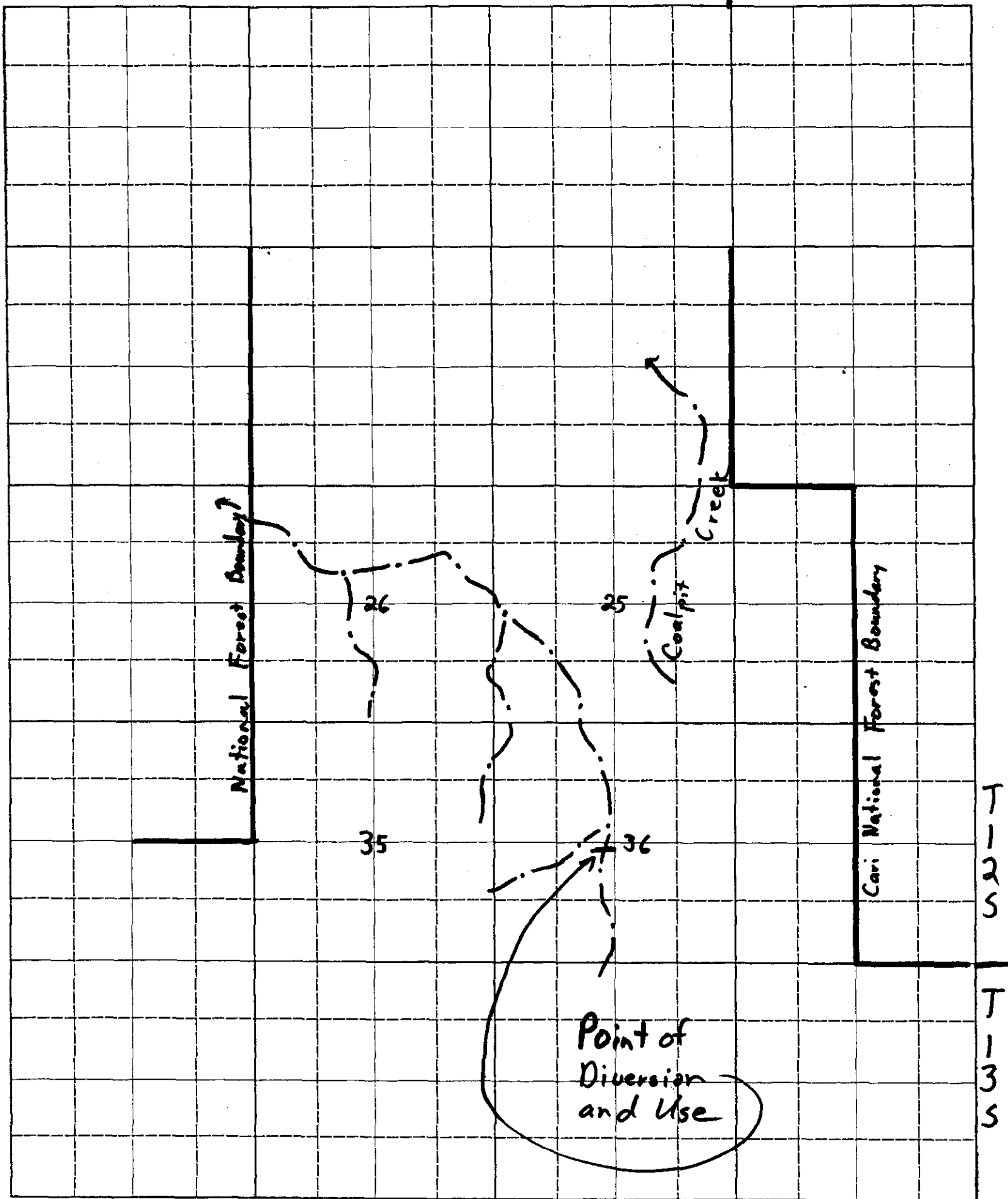
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing N/A

10. Remarks This water development is to be located on the Ben Johnson Cattle Allotment. This allotment has 2 other water developments. This development will water 150 cattle, and big game, and non-game wildlife.

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

R 37.E

R 38 E



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth. United States of America-Forest Service.

Adrian Walton
(for) L. KENT MAYS, JR. (Applicant) DRF-Resources

Proposed Priority 1/29/81

Received by kw Date 1/29/81 Time 10:35
Preliminary check by HCWJ Fee \$ V 150. 30⁰⁰
Receipted by kw Date 3/2/81 # 17004
Publication prepared by kw Date 2/5/81
Published in Idaho State Journal
Publication dates 2/12 & 2/19/81
Publication approved kw Date 3/2/81
Protests filed by: None

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

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. 13-7295, 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 March 1, 19 86.
- 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: _____

Witness my hand this 24th day of March, 19 81.

A. Glen Saxton
Chief, Civil Division

PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

Rosalee Olmstead

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>Feb. 12</u>	<u>19 81</u>	<u>19</u>
<u>Feb. 19</u>	<u>19 81</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.

Rosalee Olmstead

Subscribed and sworn to before me this 26th

day of February, 1981

[Signature]

Notary Public, State of Idaho
Residence: Pocatello, Idaho

RECEIVED

FEB 27 1981

Department of Water Resources
Eastern District Office

MICROFILMED

PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public water of the State of Idaho.

13-7295
U.S. DEPT. OF AGRI.
FOREST SERVICE, FEDERAL
BLDG., 324 25th ST., ODGEN, UT
84401

Source: SPRING tributary to
MARSH CREEK

Date Filed: 01-29-1981

Amount: 0.02 CFS

Diversion Point: NESW Sec 36 T
12S R 37E, BANNOCK Co.

Use: STOCKWATER (0.02 CFS)
from 01-01 to 12-31

Place of Use: NESW Sec 36 T 12S
R 37E

Diversion Means: HEADBOX,
PIPELINE & TROUGH.

29-7578
McCAMMON DITCH COMPANY
McCAMMON, ID 83250

Source: PORTNEUF RIVER
tributary to SNAKE RIVER

Date Filed: 02-02-1981

Amount: 175.00 CFS

Diversion Point: SENE Sec 21 T
09S 37E, BANNOCK Co.

Use: POWER (175.00 CFS) from
01-01 to 12-31

Place of Use: NENW Sec 21 T 09S
R 37E

Diversion Means: PENSTOCK &
PLANT

29-7579
SCHILLER, WILLIAM J. &/or
LORRAINE

P.O. BOX 8761, I.S.U., POCA-
TELLO, ID 83209

Source: GROUNDWATER

Date Filed: 02-04-1981

Amount: 0.13 CFS

Diversion Point: SENW Sec 27 T
06S R 36E, BANNOCK Co.

Use: IRRIGATION (0.09 CFS)
from 04-01 to 10-15

DOMESTIC: (0.04 CFS) from 01/
01 to 12/31

Place of Use: SENW Sec 27 T 06S
R 36E FOR 4 ACRES

Diversion Means: WELL &
PUMP.

If issued, the permit(s) will be
subject to all prior water rights.
Protests against the granting of
any permit must be filed with the
Director of the Idaho Department
of Water Resources, 150 Shoup
Ave., Idaho Falls, Idaho 83401 on
or before MARCH 2, 1981.

S/C. Stephen Allred
Director

Feb. 12, 19, 1981

No. 441

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.

Rosalee Ooster

Subscribed and sworn to before me this

day of _____, 19

Stephen Allred

[Signature]

Notary Public, State of Idaho

Residence: Pocatello, Idaho

[Stamp]

FEB 27

Department of Water Resources
Eastern District Office

[Stamp]



ite 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

July 27, 1987

RE: Permit Nos. 29-7638/7664/7665/7666/7667, 31-7350/7353/7354/7446,
32-7105, 33-7126/7127/7128/7129/7130/7132/7133/7134/
7136/7139/7141/7143/7144/7145/7147, 34-7338/7373

Forest Service
Federal Bldg.
324 25th St.
Ogden, UT 84401

Gentlemen:

Enclosed are copies of the Water Right Licenses issued on the above
referenced permits.

If you have any questions concerning these documents, please feel
free to contact our office.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosures

MICROFILMED

AUG 18 1987

State of Idaho
DEPARTMENT OF WATER RESOURCES
WATER RIGHT BENEFICIAL USE FIELD REPORT

29-7638
Permit No.

MAR 17 1987

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☐ Appointment letter mailed:			
☐ Telephone call made (List Telephone No. used)			
☐ Appointment scheduled for: (Date, time, location)			

EXAMINATION

Date 2-26-87 Accompanied by FRANK GUNNEL Total Q measured _____
Source Spring Tributary to Marsh Creek Supp. annubar measurement sheet used? _____
If source is surface water, estimate total flow of source _____
Methods of measurement _____ Meets permit requirements? _____

Measurement calculations: See memorandum dated Feb. 26, 1981, USFS Field Examination

$$\frac{150 \text{ head of cattle} \times 12 \text{ spd} \times 122 \text{ days}}{325,850 \text{ gp/af}} = 0.7 \text{ af}$$

WELL/DIV. NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEVICE	REMARKS

System Description Headbox with pipeline to plastic water trough

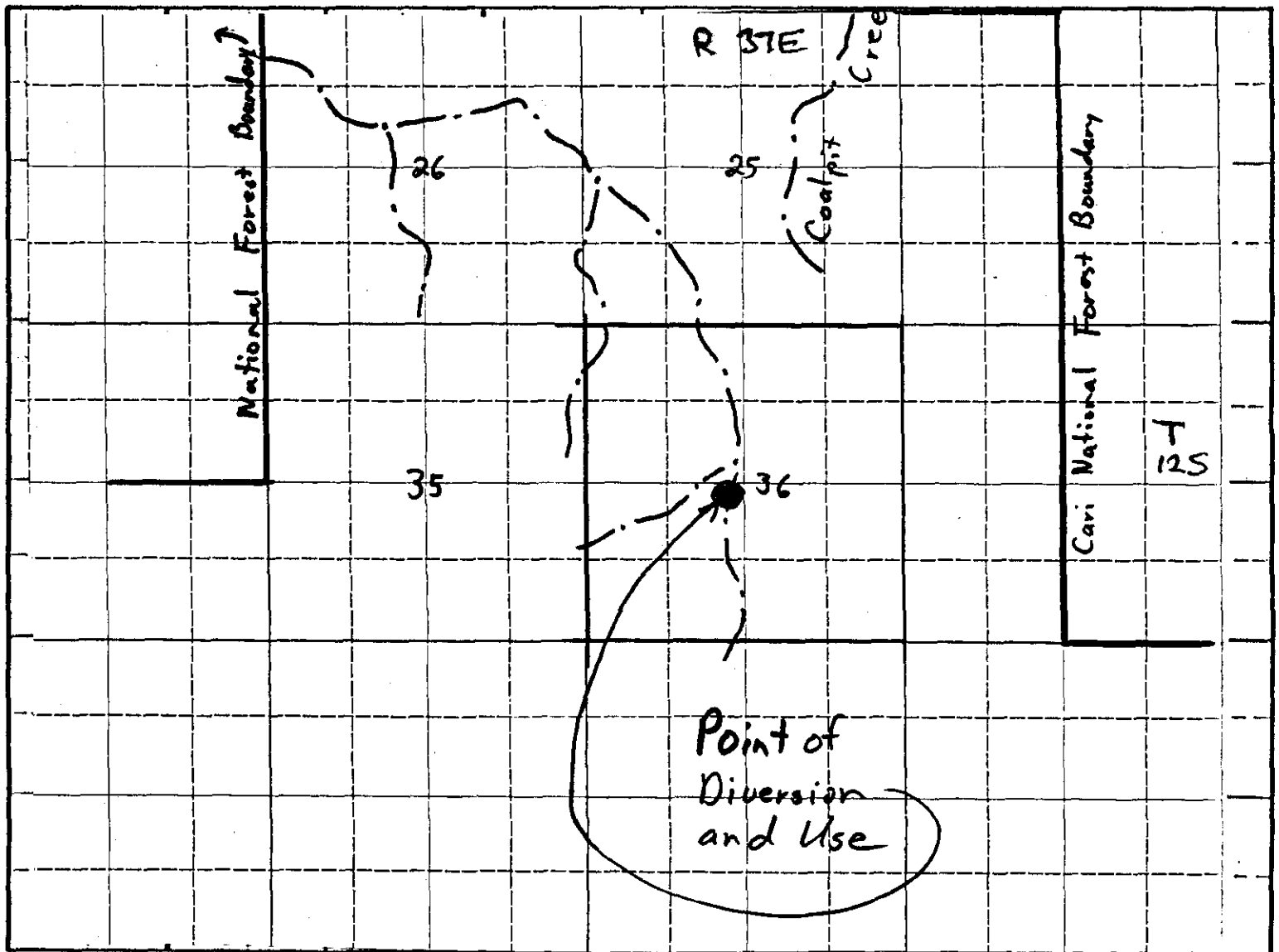
*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

USE	Irrigation requirement =		AFA/Acre	
	Q (cfs)	V (afa)	FROM	TO
Stockwater	0.02	0.7	~~6-1~~	~~9-30~~
			ALLOW 1-1 12-31	
			per permit.	
			no reason	
			given for	
			reduction	
			of use	
			period.	
Remarks	Total	0.02	0.7	
Stockwater for 150 head of cattle				

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AUG 18 1987



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

Point(s) of diversion: NE 1/4 SW 1/4 Sec. 36 T12S R37E

Place(s) of Use

TWP.	RGE.	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
12S	37E	36									X								

COPILED

Recommended Amendments:

- ☐ Change P.D. as reflected above
 ☐ Add P.D. as reflected above
- ☐ Change P.U. as reflected above
 ☐ Add P.U. as reflected above
- ☒ None
 ☐ Other

AUG 18 1987

Examiner's Signature

Checked by

Approved by

J.W. Jones
Keith G. Wilson
Ray Walker

Date 3-04-87

Date 5 March 1987

Date 6-24-87



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

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

March 1, 1983

United States of America
Forest Service
Federal Building
324 25th St.
Ogden, UT 84401

Attention: Richard Sanders

Gentlemen:

Re: See attached list of water right permit numbers

This office acknowledges receipt of the statement of beneficial use postcards submitted for your water right permits.

Before a license can be issued, field examinations must be made by a representative of this department. We cannot tell just when these examinations will be made, but our examiner will try to contact one of your representatives before he makes the examination so that he may show him the system.

If you have any questions regarding the field examinations, please contact our Eastern Regional office at 525-7161.

Sincerely,

RITA I. FLECK
Sr. Secretary

Attachment

RECEIVED
MAR 1 1983
WATER RESOURCES

STATEMENT OF BENEFICIAL USE POSTCARDS RECEIVED FROM U.S. FOREST SERVICE

11-7276	29-7540
11-7277	29-7638
11-7281	
11-7282	25-7207
	25-7208
13-7358	25-7210
	to
15-7068	25-7240
15-7069	25-7249
	25-7250
23-7046	25-7251
to	25-7252
23-7058	25-7253
23-7071	25-7254
to	25-7265
23-7077	25-7266
23-7084	
	27-7198
24-7029	27-7239
24-7030	27-7257
24-7041	27-7295
to	27-7296
24-7098	27-7297
24-7102	27-7298
24-7103	27-7312
24-7104	27-7313
24-7106	
24-7107	
24-7108	
24-7114	
24-7115	
24-7116	
24-7117	
24-7118	
24-7119	
24-7120	
to	
24-7126	
24-7144	
to	
24-7160	
	Total 179
25-7206	
25-7209	
27-7314	

RECEIVED

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 29-7638

Name(s) of Permit Holder: United States of America - Forest Service

Post Office Address: Federal Building, 324 25th Street

Ogden, Utah 84401

Tel. No. (801) 625-5360

Source of Water: Unnamed Spring tributary of Marsh Creek

Extent of Use: ☐ Domestic (number of households)
☒ Stockwater 150 cattle (number and type of stock)
☐ Irrigation (acres)
☐ Other

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

Access Port: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No

The above information is a true statement of the extent to which the above numbered permit has been developed. (for) Deputy Regional Forester, Resources

February 15, 1982
Date 3-1-86

Richard J. Sanders
Signature of Permit Holder

PLACE
TEN CENT
STAMP
HERE

RECEIVED

FEB 10 1983



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

Department of Water Resources
Statehouse
Boise, Idaho 83720



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

March 31, 1981

U.S. Forest Service
Federal Building
324 25th Street
Ogden, Utah 84401

Dear Sirs,

RE: Permit No.'s 13-7295/7296, 15-7068/7069, 21-7260 thru 21-7263, 21-7265 thru 21-7272
& 22-7345

Enclosed is a copy of your approved Application for Permit. We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

DAVID R. TUTHILL, JR.
Supervisor, Water Allocations Section

DRT:lr

Enclosure

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State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

13 7295

INITIAL REVIEW BY: HGJ

APPLICATION NUMBER: USFS 019-039

13-7295

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 are
☐ Yes ☒ No Request dam safety info
☒ 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
☐ Yes ☒ No
☒ Yes ☐ No*
☐ Yes ☒ No
- Platted by: _____ Map No. _____
 Other rights on same place of use. _____
 In form for advertising.
 Final date for protests: March 2 ✓
 Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: Feb 27, 1981.
☒ 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? _____
☒ Jun 29, 1981. Date of priority recommended.
☐ Special conditions of approval or cover letter.

By: Ernest Carlson

Date: March 9, 1981

STATE OFFICE REVIEW:

3. $\frac{1}{2}$ second

- ☐ See ~~attached~~ sheet for more information.

By: [Signature]

Date: 3/23/81

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

FEBRUARY 6, 1981

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 MARCH 2, 1981.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

MICROFILMED

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho 83401 on or before MARCH 2, 1981.

C. STEPHEN ALLRED

Director

Published 2/12 & 2/19/81.

MICROFILMED

U.S. DEPT. OF AGRI.

FOREST SERVICE, FEDERAL BLDG., 324 25TH ST., OGDEN, UT 84401

Source: SPRING tributary to MARSH CREEK

Date Filed: 01/29/1981

Amount: 0.02 CFS

Diversion Point: NESW Sec 36 T 12S R 37E, BANNOCK Co.

Use: STOCKWATER (0.02 CFS) from 01/01 to 12/31

Place of Use: NESW Sec 36 T 12S R 37E

Diversion Means: HEADBOX, PIPELINE & TROUGH.

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