

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 29-7071

Priority: September 24, 1971 Amount: 78.0 AFA

This is to certify, that M. DELOS PERKINS
BANCROFT, ID 83217 has complied with the terms and conditions
of the permit issued pursuant to Application for Permit dated September 24, 1971, and
has submitted proof to the Department of Water Resources on April 26, 1977, that
water has been applied to a beneficial use; an examination by the Department indicates
that the works have a storage capacity of 78.00 af of water from;

UNNAMED STREAM tributary to TOPONCE CREEK
SPRINGS tributary to TOPONCE 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>
Irrigation storage	11/01 to 04/01		78.0 afa
Irrigation from storage	04/01 to 11/01		78.0 afa
Totals			78.0 AFA

LOCATION OF POINT OF DIVERSION(S): SWSW , Sec. 25, Township 6S, Range 38E
Caribou County

PLACE OF USE: Irrigation storage

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
6S	38E	25	NESW 36	NWSW 38	SWSW 32	SESW 40	206
			NWSE 30	SWSE 30			79
		26	NESE 39	SESE 40			

Total number of acres irrigated: 285

PLACE OF USE: Irrigation from storage, same as Irrigation storage use

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. A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 cfs for the lands above.

MICROFILMED

State of Idaho
Department of Water Resources

PAGE 2

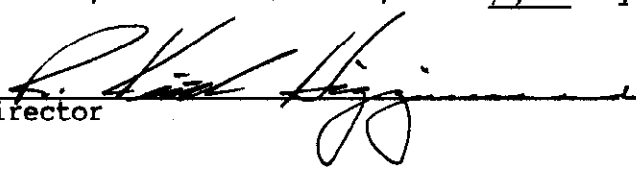
WATER RIGHT LICENSE

WATER RIGHT NO. 29-7071

CONDITIONS/REMARKS:

6. The storage of water is contingent upon continued certification by the Department of Water Resources under the dam safety provisions of the Idaho Code, authorizing storage.
7. Sources are springs & snowmelt tributary to Toponce Creek.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 14th day of June, 1988.


Director

MICROFILMED

AUG 01 1988

RECEIVED

State of Idaho
Department of Water Resources

APR 30 1977

ASSIGNMENT OF PERMIT

Department of Water Resources

I, Klea Perkins, hereby assign to M Delos Perkins
of Bancroft Idaho 83217
Address

CHECK ONE

☒ All my right, title, and interest in and to Permit No. 29-2071
to appropriate the public waters of the State of Idaho.

☐ The following described portion of my right, title, and interest in and to Permit
No. 29-2071 to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this 25th day of April, 19 77.

Maurice J. Perkins (deceased)
Permit Holder

Klea C. Perkins
Spouse of Permit Holder

State of Idaho)
County of Caribou) ss.

On this 25 day of April, 19 77, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

seal

Jeffrey E. Jones
Notary Public residing at
Soda Springs,
Idaho.

My commission expires:
8/20/77

MICROFILMED

Identification No. 29-7071

Application No. _____

ASSIGNED TO: M. DELOS PERKIN
426-1977

APPROVED

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Maurice J. Perkins
post office address Bancroft, Idaho 83217
2. Source of water supply unnamed springs & snowmelt which is a tributary of Toponce Creek
3. a. Location of point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 25 Township 6S
Range 38E B.M. Caribou County; additional points of diversion if any: -
- b. If water is not consumed, it will be discharged into Toponce Creek at a point in NE $\frac{1}{4}$
of NE $\frac{1}{4}$ of Section 36 Township 6S Range 38E B.M. Caribou County
4. Water will be used for the following purposes:
Amount 98 for storage for irrigation purpose from March 1 to Oct. 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 1.00 for release from storage for irrigation purpose from March 1 to Oct. 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 1.00 for release from storage for irrigation purpose from March 1 to Oct. 1 (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. _____ cubic feet per second and/or
b. 98 acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. pumping plant and sprinklers from reservoirs
- b. Height of storage dam 10 feet, active reservoir capacity 95 acre feet; total reservoir capacity 98 acre feet, materials used in storage dam: Earth fill
Period of year during which storage will occur March 1 to July 1 inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years.
b. Estimated construction cost is \$ 10,000.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ hp 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 _____.
(5) If water is to be used for other purposes describe: _____

29-7071

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

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	38E	25									40	40	40	40		40	40		240
		26													40			40	80

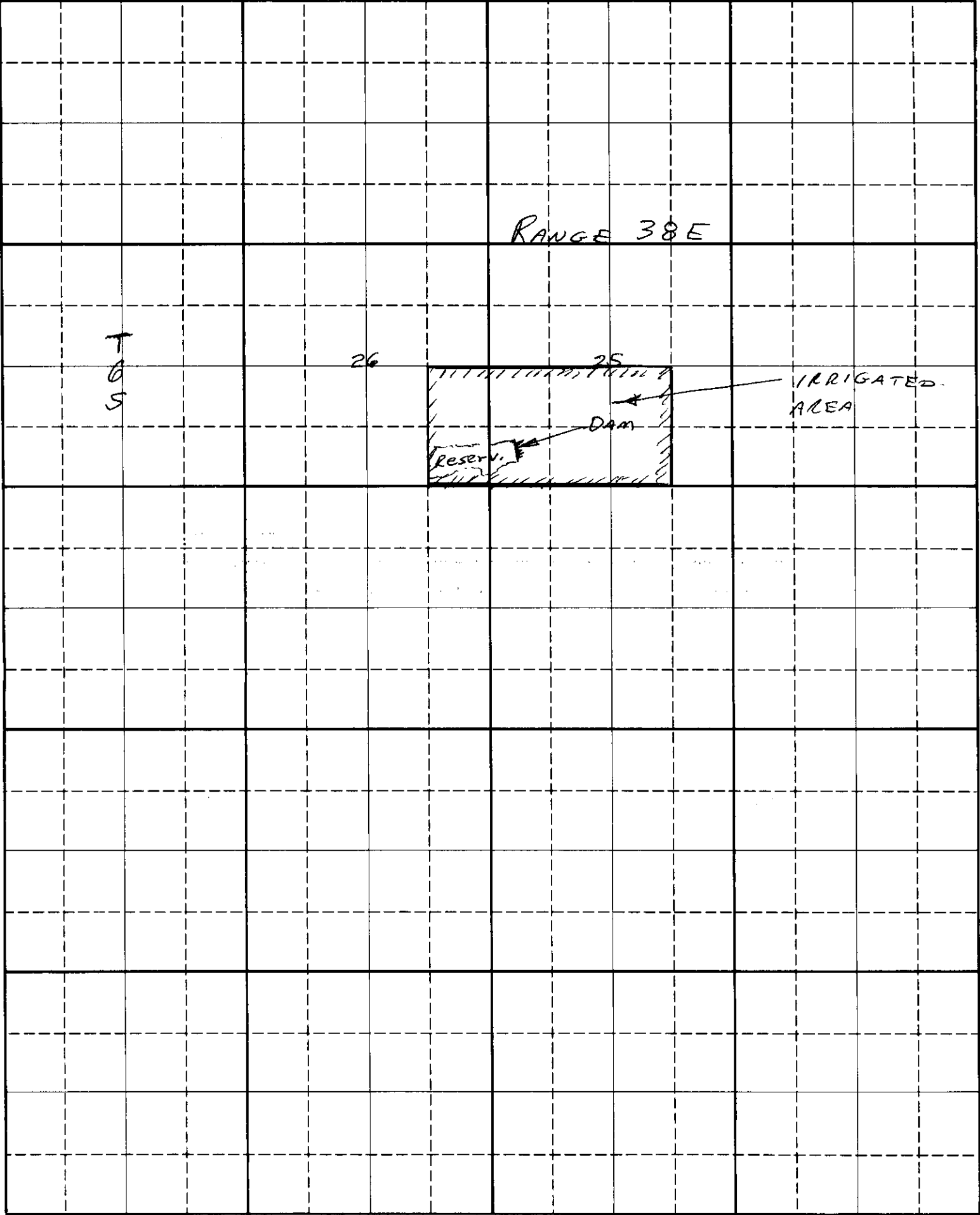
Total number of acres to be irrigated 320

c. Describe any other water rights used for the same purposes as described above. Knollin Ditch;
Decreed rights from Toponce Creek - 6.06 cfs

9. 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 --

10. Remarks Reservoir will be used to catch flood water in spring and to regulate
decreed water. This extra water is needed because decreed rights do not hold
up well in the summer.

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

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.

Maurice J Perkins
(Applicant)

29-7071

Received by BJ Date 9-24-71 Time 4:30 P
 Preliminary check by MY Fee \$ 25.00 R.# 7229
 Receipted by BJ Date 9-24-71
 Publication prepared by bj Date 9-27-71
 Published in Carbon County (Sud), Soda Springs
 Publication dates 10-7, 10-14-71
 Publication approved CR Date 10-20-71
 Priority reduced to _____ Reason _____

 Protests filed by: Rex E. Hebdon & Russell Hebdon

 Copies of protests forwarded by bj 10-26-71
 Hearing held by _____ Date _____
 Recommended for approval denial by D. J. DEER

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

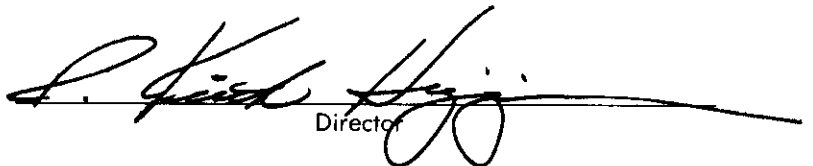
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 29-7071, and said application is hereby APPROVED.

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 May 1, 19 77.
- c. Other: A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diversion works and outlet works.

2. Denial of said application is for the following reasons: _____

Witness my hand this 17 day of May 19 72.


 Director

RECEIVED

DEPARTMENT OF WATER ADMINISTRATION

OCT 19 1971

STAFF ANALYSIS

Department of Water Administration

Application No. 29-7071 Name Maurice J. Perkins

Source unnamed springs & snowmelt, tributary to Toponce Creek

Point of Diversion SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 25, T. 6S, R. 38E, B.M., Caribou County

Quantity 98 AF Use storage for irrigation Period March 1 to Oct. 1

Quantity 1.00 ~~AF~~ cts Use release from storage for Period March 1 to Oct. 1

Quantity Use irrigation Period

Well Size Diameter Proposed Depth Feet

Use Irrigation of 320 acres

Date Forwarded 10-18-71 Date Returned Received by

COMMENTS: NO FLOW MEASUREMENTS ARE AVAILABLE.
Applicant has 6.06 cts decreed right from
Toponce creek which he describes as "flood" rights,
essentially. The water utilized under this permit would
enter Toponce creek during the non-use season and would
enter at a point near the mouth, so little effect would be
noticed.

RECOMMENDED:

Applied: Qty. 98 AF Use irrig. Storage Period 3/1 to 10/1 AF/A 0.31 AF 98
 Qty. 1.0 cts Use irrig. Period 3/1 to 10/1 AF/A 0.31 AF 98 (?)
 Qty. Use Period AF/A AF
 Maximum: Qty. 1120 AF Use irrig. Storage Period 1/1 to 4/31 AF/A 3.5 AF 1120
 Qty. 6.4 cts Use irrig. Period 3/1 to 10/1 AF/A 3.5 AF 1120
 Qty. Use Period AF/A AF

ACTION: Approved X Denied

Conditions of approval or reason for denial: Maximum combined rate
of diversion is 0.02 cts / acre from all sources.

By Norman C. Young Title Dist. Engr.
 Date 10/18/71

29-7071

RECEIVED

**Affidavit of
Publication**

OCT 18 1971

Department of Water Administration
Eastern District Office

County of Caribou
State of Idaho

OCT 18 1971
SS.

Department of Water Administration
V. E. Lansberry

being first duly sworn on his
oath, states:

That he is publisher.....
of the Caribou County Sun, a
newspaper of general circulation
in Caribou County, Idaho, pub-
lished weekly at Soda Springs in
said County, that said newspaper
has been published in said Coun-
ty uninterruptedly and continu-
ously for over seventy-eight con-
secutive weeks, prior to the first
publication of the annexed notice
or advertisement;

That the annexed notice was
published as per clipping attached
in the regular and entire edition
of said newspaper and not in any

supplement thereof for two...
successive weekly issues thereof,
the date of the first publication

being the 7th..... day

of October....., 1971

The date of the last publication

being the 14th..... day of

October....., 1971

V E Lansberry

Subscribed and sworn to be-

fore me this 14th.... day

of October....., 1971

E. Elaine S. Johnson

Notary Public, residing
at Soda Springs, Idaho
(SEAL)

My Commission expires the

1st. day of November.....

1974

WATER RIGHT APPLICATION
The undersigned hereby gives this
notice that on September 21,
1971, submitted Application No.
..... for a permit to appro-
priate 28 acre-feet per annum
of water from unnamed springs
and seeps, tributary of To-
panga Creek, by means of dam
and reservoir within the SW 1/4
SW 1/4, Sec. 25, T. 6S, R. 38E,
E.N. Caribou County to be
stored and used from March 1,
1972, for the irrigation of
220 acres within the SW 1/4,
W 1/4 SE 1/4, Sec. 25, E 1/4 SE 1/4,
Sec. 30, T. 6S, R. 38E, E.N.
If issued, this permit will be
subject to all applicable laws.

For the purpose of recording of
the permit, same be filed with
the Idaho Dept. of Water Ad-
ministration, 340 W. Homer,
Idaho Falls, Idaho, 83401, on or
before October 25, 1971.

R. KEITH HIGGINSON,
Director
Published in the Caribou
County Sun, Soda Springs, Ida-
ho, on October 7, and October
14, 1971.

29-7071

RECEIVED

Affidavit of Publication

OCT 10 1971

Department of Water Administration
Eastern District Office

County of Caribou } ss.
State of Idaho }

V. E. Lansberry

being first duly sworn on his
oath, states:

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Maurice J. Perkins, Bancroft, Idaho, has on September 24, 1971, submitted Application No. 29-7071 for a permit to appropriate 98 acre feet per annum of water from unnamed springs and snowmelt, tributary of To-ponce Creek, by means of dam and reservoir within the SW $\frac{1}{4}$ -SW $\frac{1}{4}$, Sec. 25, T. 6S, R. 38E, B.M., Caribou County to be stored and used from March 1, to Oct. 1, for the irrigation of 320 acres within the SW $\frac{1}{4}$, W $\frac{1}{2}$ -SE $\frac{1}{4}$, Sec. 25; E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 26, T. 6S, R. 38E, B.M..

If issued, this permit will be subject to all prior water rights.

Protests against the granting of the permit must be filed with the Idaho Dept. of Water Administration, 240 So. Holmes, Idaho Falls, Idaho, 83401, on or before October 25, 1971.

R. KEITH HIGGINSON,
Director

Published in the Caribou County Sun, Soda Springs, Idaho, on October 7, and October 14, 1971.

That he is publisher.....
of the Caribou County Sun, a newspaper of general circulation in Caribou County, Idaho, published weekly at Soda Springs in said County, that said newspaper has been published in said County uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement;

That the annexed notice was published as per clipping attached in the regular and entire edition of said newspaper and not in any

supplement thereof for two...
successive weekly issues thereof,
the date of the first publication

being the 7th..... day

of October....., 1971

The date of the last publication

being the 14th..... day of

.....October....., 1971

V. E. Lansberry

Subscribed and sworn to be-

fore me this 14th..... day

of October....., 1971

Elaine S. Johnson

Notary Public, residing
at Soda Springs, Idaho
(SEAL)

My Commission expires the

1st. day of November.....

1974

29-7071

JIM

I WAS GOING THRU THIS FILE CHECKING
THE RESERVOIR CAPACITY & RAN ACROSS
A MISTAKE. IT APPEARS THE LICENSE WAS
ISSUED FOR 78 AC-FT BASED ON AN SCS SURVEY
DONE IN 1971. HOWEVER THE 77.6 AC-FT (78)
REFERRED TO IN THE DESIGN NOTES IS THE
STORAGE BETWEEN ELEV 85.0 - 88.0 FT.
THE STORAGE IN THE RESERVOIR IS FROM ELEV
80.0 TO 86.6 FT MAXIMUM. THE ATTACHED
TABLE GIVES THE ACTUAL RESERVOIR CAPACITY
WHICH APPEARS TO BE 99 AC-FT AT ELEV 86.6 FT.
IT APPEARS WATER RIGHT^(LICENSE) SHOULD HAVE BEEN
ISSUED FOR 99 AC-FT (AMT APPLIED FOR IN PERMITS)
RATHER THAN 78 AC-FT.

Mike
1124191

ck in 1993 to see if adj.
claim has been filed SC 1/28/91
no claim 2/10/93 pc

80	0	0	0
83	14.13	21.2	21.2
85	22.66	36.8	58.0
88	29.07	77.6	135.6

$$AT \ 86.6 - AREA = (29.07 - 22.66) \frac{1.6}{30} + 22.66$$

$$A = \underline{\underline{26.08}} \text{ AC}$$

$$V = \frac{77.6(1.6)}{3} + 57.8 = \underline{\underline{99 \text{ AC-FT}}}$$



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

June 15, 1988 DIRECTOR

copy

M. DELOS PERKINS
BANCROFT, ID 83217

RE: PERMIT NO. 29-07071

Dear Permit Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED

AUG 01 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

Permit No. _____

1. **Measurement Calculations**

- a) Field Measurement Calculations (Include theoretical capacities and system capacity)

- b) Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{3.0}$
 $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}}$
 $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}}$

- c) Volume Calculations for Other Uses:

2. **Overlap Review**

- a) Other water rights with same place of use: 29-0121, 29-0122, 29-0123B,
29-0125B, 29-4346
- b) Other water rights with same point of diversion: none

- c) Analysis: Recommend R29 for P/U OK
overlaps... all different
sources than this right.

MICROFILMED

AUG 01 1988

old exam-
no fee req'd

10 day

RECOMMENDED AMOUNTS

3.	Permit No.	Priority	Amount	App. Date	Date Proof Submitted	Storage
						System Capacity
	29-7071	9-24-1971	78.0 AFA	9-24-1971	4-26-1977	78.0 AFA

4. Permit Holder: M. Delos Perkins
Address: Bancroft, ID 83217

5. Source: springs & unnamed stream tributary to Toponce Creek

6. Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<u>Irrig. Storage</u>	<u>11-1</u>	<u>4-1</u>	<u>N/A</u>	<u>78.0 AFA</u>
<u>Irrig. From Storage</u>	<u>4-1</u>	<u>11-1</u>	<u>N/A</u>	<u>78.0 AFA</u>

Allowable Maximums: N/A 78.0 AFA

7. Point(s) of Diversion: ☒

No.	Govt. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County
			SW	SW	25	6S	38E	Caribou

8. 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	
6S	38E	26													39			40	79
		25									36	38	32	40		30	30		206
Total Acres																			285

9. Recommended Conditions/Remarks:

- ① Sources are springs and snowmelt trib. to Toponce Creek.
- ② R29
- ③ R40
- ④ R01

10. 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

11. Examiner's Signature

Checked in Regional Office by

Approved in State Office by

R. Walker

Date

Date

Date

AUG 01 1988

3/25/88



Return To Sender
Moved. No Forwarding Address

RECEIVED

APR 22 1988

5/2/88
Carrion Co.
per Carrion's office
available per kinog 01-1988
Delos own
M. not - send
does perty Perkins
property Delos Perkins
m. Rondo ft. 7
to: c/b Banco 83211

APR 16 '88
DANC
POSTAGE



M. DELOS PERKINS
BANCROFT, ID 83217

April 15, 1988

RE: Permit No. 29-7071

Dear Permit Holder(s):

Enclosed is a draft copy of the license proposed to be issued on the above referenced water right.

This right is currently being reviewed by this office for licensing. The enclosed preliminary copy is subject to change upon further administrative review.

We ask that you review the proposed license and if you do not concur with the information, please let us know within 10 days.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED

AUG 01 1988

*used this
as capacity
rather than
77.6 AFA AD
examiner
recommended*

INVENTORY OF DAMS BY DAM NUMBER

3-Jun-1987
Page 9

DAM NUMBER	HAZARD CLASS	TYPE	STORAGE CAPACITY	HEIGHT FT	DRAINAGE SQ MI	RES AREA ACRES	YEAR COMP	CREST LENGTH	SPILLWAY TYPE	DEPTH	DISC-CFS	INSPECT DATE	CERT COND	EXPIR
D27-7137	UNIT 3	HAULROAD EARTH	STAUFFER CHEMICAL CO	35	35.0	.1	14	1979	1600	TR-ANGUS CREEK PIPE	6.0	35	686	03-07S-43E EX 1188
D27-XX04	BEKER TAILINGS NO 2	EARTH	BEKER INDUSTRIES CORP	850	55.0	.1	50	1978	5880	TR-BLACKFOOT RIVER (OS) NONE			886	09-08S-42E GD 1187
D27-XX06	SIMPLOT NO 6 TAILINGS	EARTH	J R SIMPLOT CO CONDA MINE	2000	100.0	.6	48	1974	3100	TR-BLACKFOOT RIVER (OS) NONE			885	15-08S-42E GD 1187
D29-0430	HAWKINS	EARTH	MARSH CENTER IRRIGATION CO	880	33.0	26.4	54	1944	1000	HAWKINS CREEK RPCHAN	6.0		686	35-10S-35E FR 1187
D29-2065	PORTNEUF	EARTH	PORTNEUF-MARSH VALLEY CANAL CO	23695	49.0	97.0	1593	1951	1750	PORTNEUF RIVER CNCHAN	8.0	95	885	19-06S-39E NA 0000
D29-2558	TWENTY FOUR MILE	EARTH	CHESTERFIELD CANAL AND RES CO	700	26.0	13.6	44	1928	1145	TWENTY FOUR MILE CREEK ERCHAN			686	16-06S-39E NA 0000
D29-2560	WIREGRASS	EARTH	MARSH CENTER IRRIGATION CO	71	13.0	5.8	6	1943	300	WIREGRASS CREEK RPCHAN	4.0		686	12-11S-36E FR 1187
D29-2563	THOMPSON	EARTH	THAYNE THOMPSON	30	18.0	.1	2	1958	250	YAGO CREEK (OS) CHNAPD	3.0		686	04-11S-37E GD 1188
D29-7071	PERKINS	EARTH	M DELOS PERKINS	78	9.6	.6	7	1980	600	TR-TOPONCE CREEK ERCHAN	2.3	12	686	25-06S-38E GD 1186
D29-7437	SIMPLOT EFFLUENT IRRIG	EARTH	J R SIMPLOT CO	860	25.0	.2	38	1981	4100	TR-FT HALL CANAL, EFFLUENT OVFL	4.2	234	886	36-05S-34E EX 1188
D29-7459	LAVA RANCH	EARTH	LAVA RANCH PARTNERSHIP	15	17.0	1	10			DEER CREEK RKCHAN	2.5		686	07-10S-38E GD 1188
D31-0201	PAULS	EARTH	UPPER SNAKE RIVER CATTLE ASSN	50	20.0	2.6	6	1911	350	MODOC CREEK RPCHAN	5.0	76	786	10-13N-35E GD 1187
D31-2038	MUD LAKE	EARTH	FLOOD CONTROL DISTRICT NO 5	44700	9.5	1130.0	7200	1954	2600	MUD LAKE NONE			485	01-06N-34E NA 0000
D31-7345	HAGENBARTH	EARTH	DAVID AND JAMES HAGENBARTH	60	14.0	.3	8	1986	856	MILES CREEK RPCHAN	3.0		986	35-13N-38E EX 1188
D33-0113	SUMMIT	EARTH	LYNN BINGHAM	600	10.0	9.0	100	1921	300	PASS AND BIG GULCH CREEKS RPCHAN	2.5		985	05-11N-25E GD 1187

RECEIVED
MAY 11 1964

MAY 16 1962

- Post office address Bancroft, ID 83217

Department of Water Resources
Western Regional Office
Phone

2. Source of water supply: Groundwater ☐ Surface water ☒ springs & snowmelt

Tributary to Toponce Cr.

3. Water will be used for the following purposes:

Amount 98 AF c.f.s. for Storage for Irrigation
AF/Annum (nature of use)

Department of Water Resources
Eastern District Office

Period of Use: from Mar. 1 to Oct. 1
(mo.-day) inclusive (mo.-day)

Amount 1.00 c.f.s. for release from storage for irrigation
AF/Annum (nature of use).

Period of Use: from Mar. 1 to Oct. 1
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

4. Total amount to be appropriated:

Max Rate of Diversion 98AF cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 6S N/S, Range 30E E/W, B.M., Section 25, Subdivision SW 1/4 SW 1/4, Caribou
County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision 1/4 1/4, _____ County

Other Points of Diversions: _____

Description of diverting works: earth filled dam desgined with outlet and overflow. Water is diverted from reservoir to irrigated lands by means of a pump & sprinkling system.

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use. proof lists 500 acres (Copy attached)

[illegible]

NOT RECORDED

AUG 01 1988

TOTAL ACREAGE

320

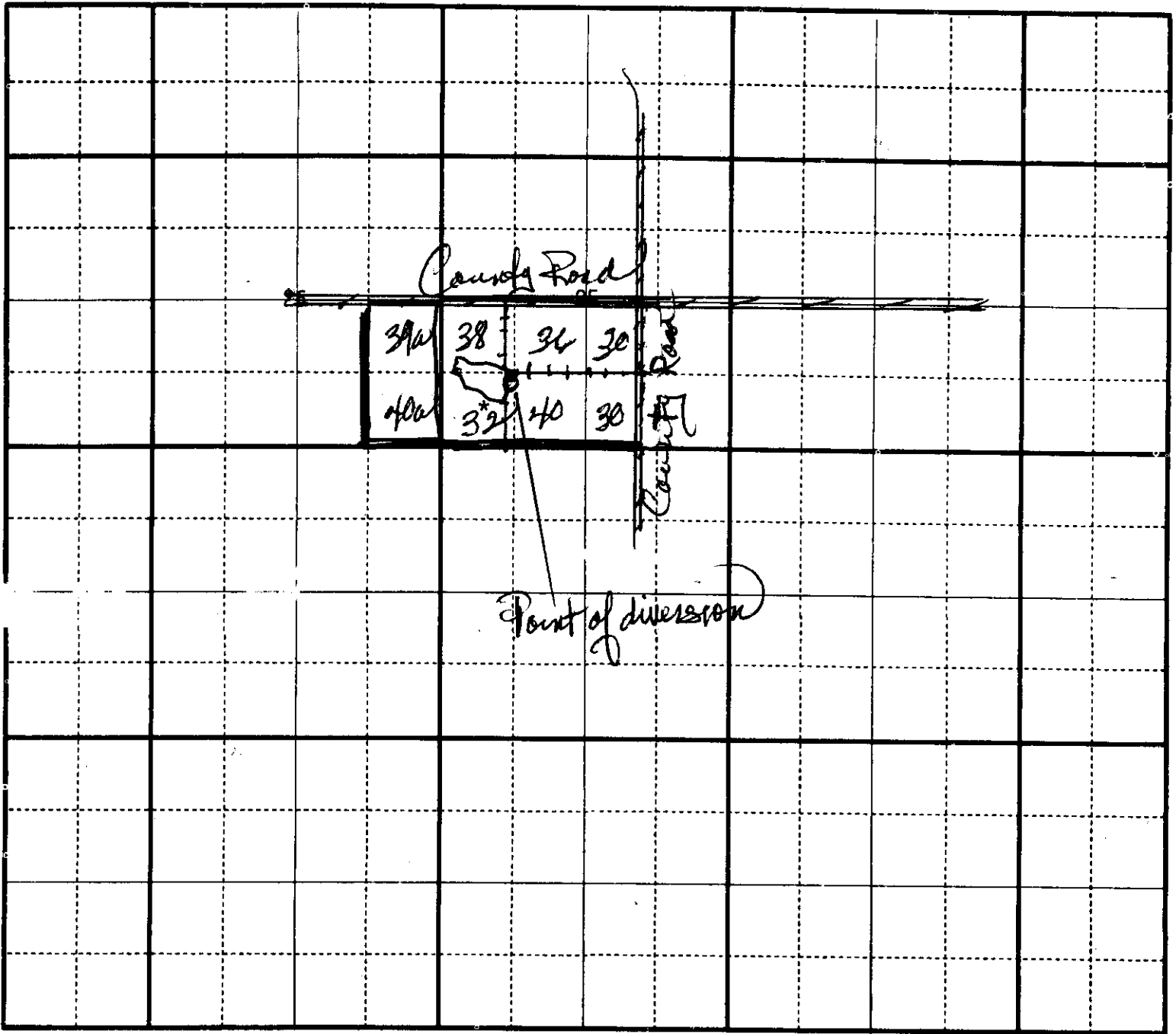
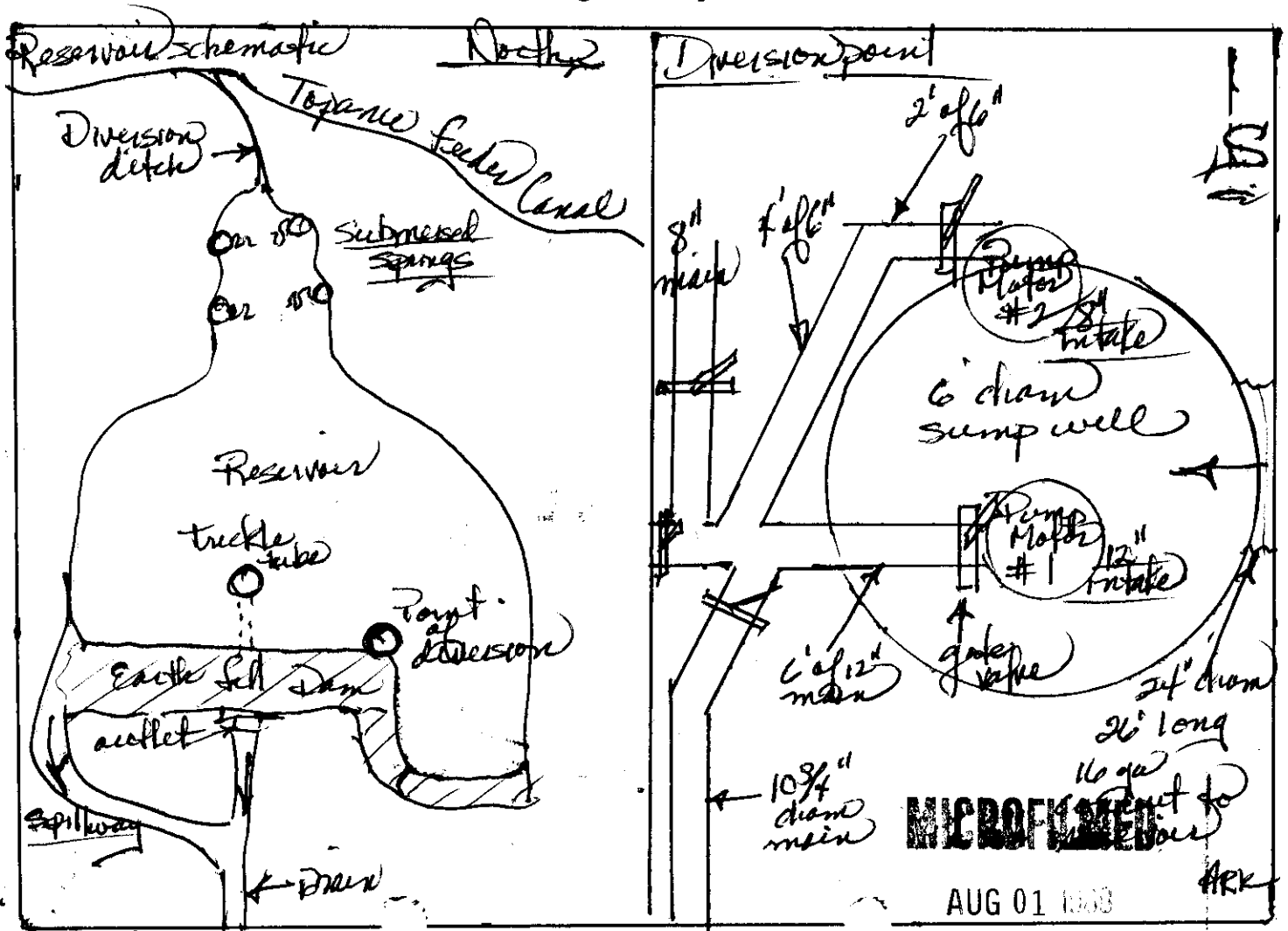


Diagram of System



DATE OF EXAM 9/20/78
ACREAGE Found 285 ac
Recommended 285 ac
Irrigation Requirement 3.0 Ac Ft/Ac

USE
Irrigation Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = 77.6 AF AF/Ann. from April 1 to April 1
Irrigation from storage 77.6 AF from April 1 to April 1

Is water co-mingled? yes _____ no X

Name source: n/a
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Exchange? yes _____ no X

Name source exchanged with: n/a
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of injection: n/a
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of exchange: n/a
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Total Q measured n/a Method of measurement n/a

Total Q recommended n/a Meter No. n/a Type n/a Condition n/a

Total V recommended 77.6 AF

Recommended Amendments:

P.D. _____

Place of Use _____

Other Season of use - Storage for Irr - April 1 to April 1

None

MEASUREMENT CALCULATION:

Capacity of reservoir obtained from Carbon County
Soil conservation agent Ed Feeley's preliminary
design survey.

SYSTEM DESCRIPTION:

Spings and snowmelt are collected and stored in a 77.6 AF
reservoir - Earth fill dam - 15' high - crest width - 15'
flexible tube outlet (18" vertical culvert & gate valve. Spillway is 3'
lower than dam height. Flood water is diverted for irrigation from
a 6' diam sump tank by 2 pumps. #1 - 75HP. 3ph General electric
con)

REMARKS:

System shown and described by Debas Perkins
Permit holder directs deiced canal water
from the topence head canal into the reservoir
and directs it thru the spillway works
The deiced water is not stored

Examiner's Signature Anthony R. Kozlowski Date 2-7-80

Checked by John D. Carson Date 4/11/80

Approved by _____ Date _____

FILED

AUG 01 1988

tw-clad induction pump motor mfr-5K6267XC13A
str-5KT503741 and by a Berkeley Vertical turbine
pump str 13112. #2. water is also diverted
by a 70 H.P. General Electric tw-clad horizontal
pump motor - mfr-5K324YK294 str-1H6482009
and by a Cornell centrifugal pump mfr-
4RBRH40-4-str-13745. Adeage under this
filing is irrigated by 8-1/4 mi lateral
sprinkler lines

MICROFILMED

AUG 01 1988

PAGE 15
OCTOBER 1974

U.S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

SOIL MAP

24-7071

Owner DELLOS PERKINS

Operator Same

County Caribou

State Idaho

Soil survey sheet(s) or code nos. CTG-3-67

Approximate scale 1"=660'

Prepared by U. S. Department of Agriculture, Soil Conservation Service cooperating
with Caribou Conservation District

m.l.



DEPARTMENT
OF AGRICULTURE

AUG 01 1974

U.S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

70 310

24-7071

Idaho
GAS

DATE 11-4-71

PROJECT Moulton Park Reservoir

Reservoir

Principal Spillway

Inflow from delivery ditch = 5.0 cfs

Watershed area = 100 ac photo
meadow bottom land. slope use 1% as
max. area wet with good cover
use soil hydrologic group C

Engr. Field
Manual

CNE = 70

Design for 25yr storm from Engr. Memo 27.
this is as often as a grassed spillway is
to be used.

Rainfall = 2.25 in

Q = 7 cfs

total Q for design = 12.0 cfs

Length $\frac{Q^2}{4.48 H^3}$ 

$L_{max} = (2 + 2)(12) + 20 = 50 \text{ ft}$

Try 12 in dia. conduit

12 in dia. riser $H_r = 1.8 \text{ ft}$
 $d = 8.6 \text{ ft}$ $Q_c = 9.2 \text{ cfs}$

$Q_c = 12 \text{ cfs}$ $d = 10.5 \text{ ft}$
24 in dia. riser $H_r = 0.7 \text{ ft}$

RECEIVED

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AUG 01 1988

FEB 11 1980

Department of Water Resources
Eastern District Office

POOR QUALITY

Idaho

M. F. Kline

GAS

11-5-71

Sheet 2 of

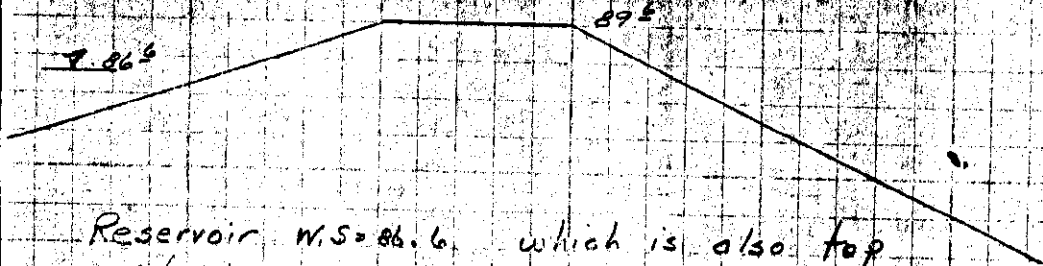
Dam at lower site
Storage Capacity

Contour	End Area	Ave	Dist	Vol
80.0	0			
83.0	615,400 ft^2	307,700	3	21.0
85.0	987,000	801,200	2	36.8
				<u>57.8</u>

Total vol available from permit is 98,000
from prelim work storage avail between
85.0 & 88.0 = 77.6 ac-ft

$$\text{Design storage surface} = \frac{(3)(40.2)}{77.6} + 85.0$$

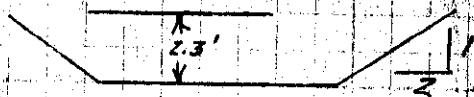
$$= \underline{86.95 \text{ ft}}$$



Reservoir W.S. = 86.6 which is also top
of riser
for 24 in dia riser $H_x = 0.7$
spillway depth = 2.3 ft
Area required is 30 ft²

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AUG 01 1988



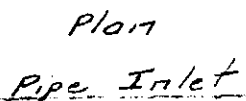
reg. width = 10 ft

POOR QUALITY

The diagram illustrates a water treatment process flow:

- Reservoir Bottom:** A rectangular tank at the top left with dimensions 6'-6" wide by 7'-0" deep.
- Pipe:** A horizontal pipe labeled "24 in dia 26' long 16 ga." connects the reservoir to the second tank.
- First Tank:** A vertical rectangular tank with a width of 6'-6". It contains a wavy line representing a screen or filter, labeled "54 in dia 14 ga.".
- Second Tank:** A smaller vertical rectangular tank at the bottom right, also 6'-6" wide and 7'-0" deep, containing another wavy line representing a screen or filter, labeled "24 in dia 16 ga.".
- Dimensions and Notes:**
 - A vertical dimension of 14'-0" spans from the top of the first tank to the bottom of the second tank.
 - A horizontal dimension of 4'-0" is shown between the vertical centerlines of the two tanks.
 - A note states: "Install screen min 8 ft high around four sides of concrete box."

Typical X-Section at
Pump Location



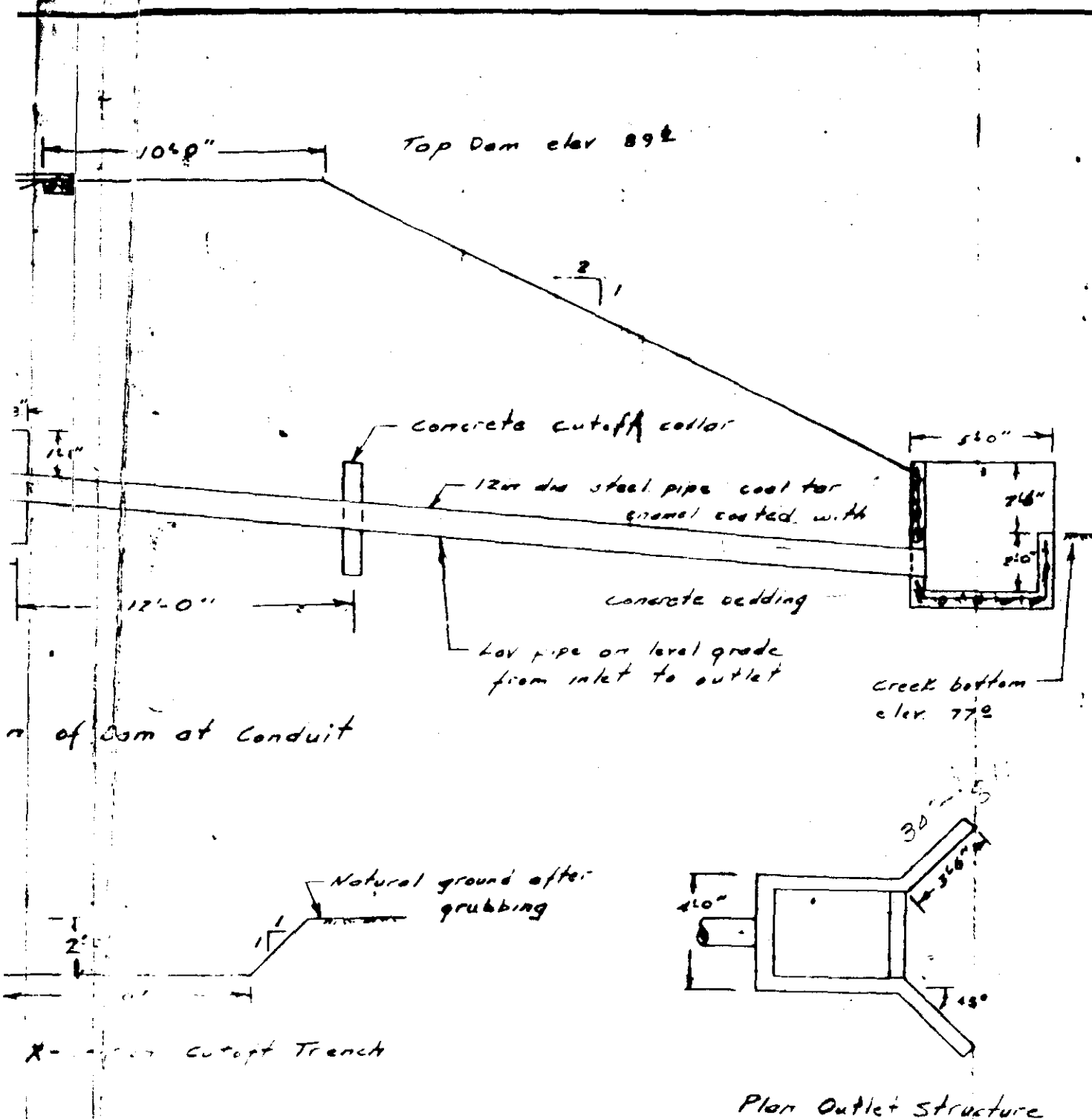
De los
Personas
29-107

SECRET

AUG 01 1988

Maurice Perkins
Pump Sump

U. S. DEPARTMENT OF AGRICULTURE SOIL CONSERVATION SERVICE	
DESIGNED BY A. J. ...	APPROVED BY H. J. ...



Maurice Perkins
Irrig. Reservoir

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

DESIGNED BY

GPS

CHECKED BY

DATE:

APPROVED BY

DRAWING NO.

SHEET

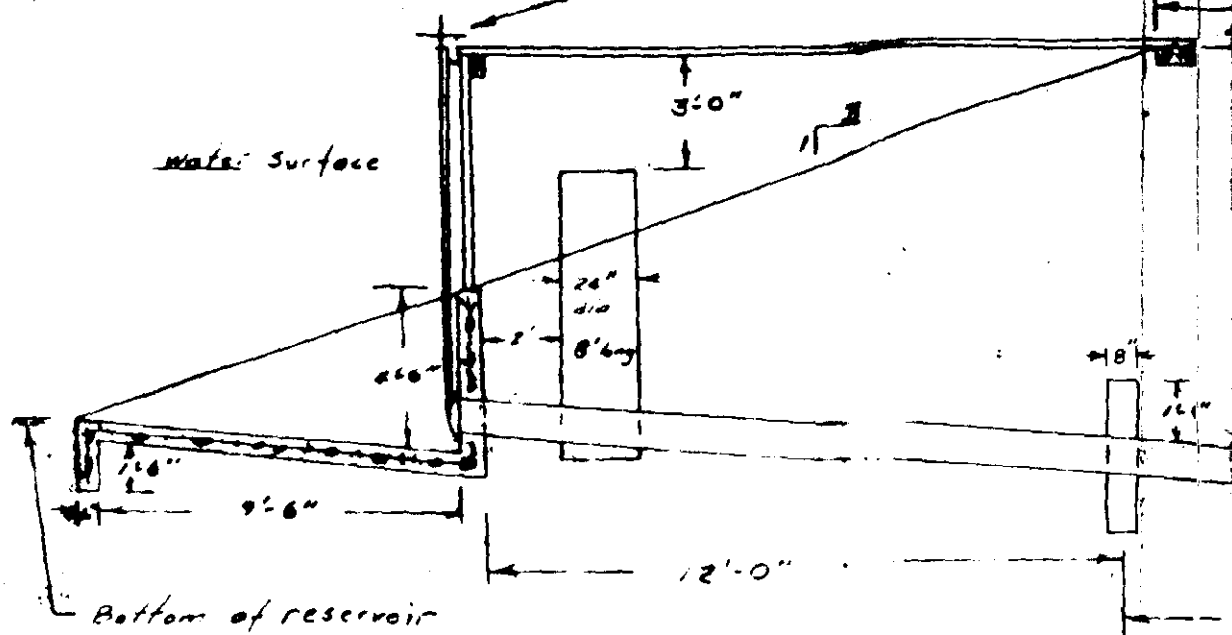
OF

Form SCS-313A (March 1957)

MICROFILMED

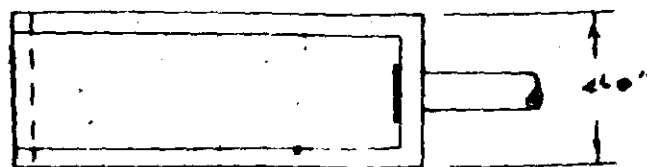
AUG 01 1988

Waterman C-10 canal Gate
or equiv with 10ft frame



Use No. 4 rebar @ 12 in cc both ways
in all slabs inlet & outlet str.

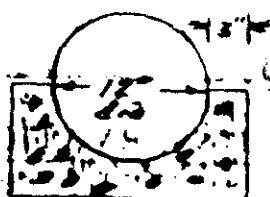
Section of



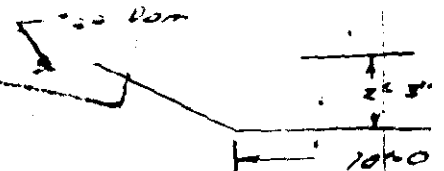
Plan Inlet str.

MICROFILMED

AUG 01 1988



Concrete Bedding X-Section



Spillway

INTER-DEPARTMENT MEMO — 1

FROM *STEVE McCORMICA*

RECEIVED DATE *9-20-83*

TO *CHERYL*

OCT 5 1983

SUBJECT *29-7071*

(Department of Water Resources)

*THIS CAN BE RUTED FOR LISC NOW. TITHEHAM IS ON THE
INVENTORY.*

SIGNATURE

INTER-DEPARTMENT MEMO — 1

FROM

DATE

3/9/83

TO File 29.7071

SUBJECT

In reviewing the field exam I find that this storage right meets dam safety requirements. Dam Safety has no filing Therefore we must hold licensing until a dam safety Certificate has been issued. John Mitchell will follow through on this. Callup 9 mos

AUG 01 1988

SIGNATURE

May 11, 1977

Re: Permit No. 29-7071

M. Delos Perkins
Bancroft,
Idaho 83217

Dear Mr. Perkins:

We acknowledge receipt of the assignment conveying the above referenced permit to you. The assignment has been recorded in the Department's records.

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell during which part of the irrigation season this examination will be made, but our examiner will try to contact you at the time he makes the exam so that you may show him the system.

If you have any questions regarding the field examination, please contact our Regional Office in Idaho Falls.

Sincerely,

JANICE RENK
Water Rights Bureau

/jr

MICROFILMED

Identification No. _____

Permit No. 29-7071

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 23 1977

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Department of Water Resources

1. a) Name of Permit Holder MAURICE J PERKINS
b) Post Office Address Bancroft, Idaho
2. Permit Number 29-7071
3. Date of Priority that you are prepared to establish Sept 24 1977 4:30 PM (May 14 1972) Don't really know this is the date permit was applied
4. a) Source from which water was appropriated Unnamed Springs & Snowmelt
b) Location of the point of diversion: SW 1/4 SW 1/4, Section 25
Township 6S, Range 38E Boise Meridian, Other points of diversion: _____

5. a) The amount of water and use to which the water has been applied:

Amount 98 AF for Irrigation purposes from MAY 1 to OCT 1 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)

Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)

Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)

b) Total amount appropriated _____ cfs and/or acre-feet per annum

c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: Reservoir Designed by SCS. Storage Volume Computed as 98 AF. (Willis Rozzel supervision)

6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:

a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use:

b) Describe the agreement or understanding by which you take water from the works:

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch)

Earth filled dam designed with outlet and overflow. Pump base water is diverted from reservoir to irrigated lands by means of a pump & sprinkling system.

b) Describe the type and size of measuring device which you have installed at your point of diversion: Have attached a staff gauge to the outlet structure. (it is called a tickle tube & consists of an upright culvert) It will measure the water to the maximum capacity which is 10 feet.

c) Give well driller's name and address and the date the well was completed:

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use:

Exam typed 5/9/77 by J

MICROFILMED

If you are irrigating 10 or more acres, please submit an annual plan of the property with this permit.

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			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	
6S	38E	25					W 1/2 Lots 19 & 20				All				W 1/2				340
6S	38E	26	E 1/2				"								E 1/2				160

Total number of acres irrigated 500

10. Remarks: The establishment of this reservoir has greatly improved our irrigation system & the utilization of runoff & spring water.

The above information is a true statement of the extent to which the above numbered permit has been developed.

April 25, 1977
(Date)

M. De Los Rios
(Signature)

State of Idaho)
County of Caribou) ss.

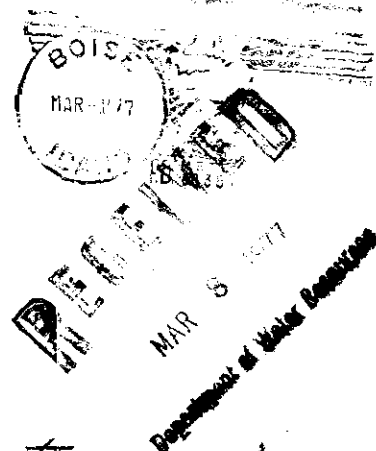
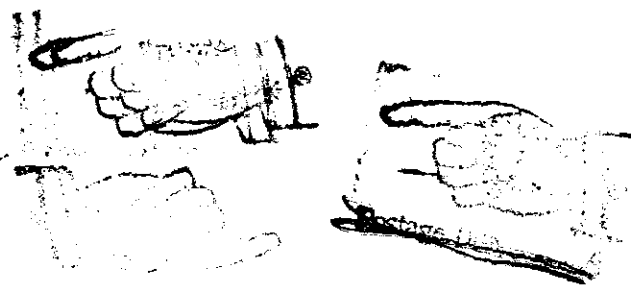
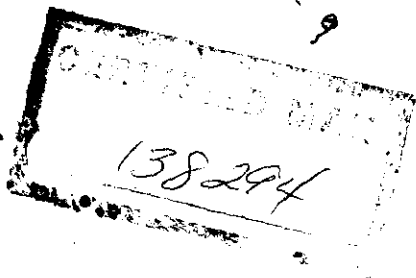
On this 25th day of April, 19 77, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Jeffrey E. Jones
Notary Public, residing at Chalk Springs, Idaho

My commission expires 8/20/77

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Boise, Idaho 83720

3-5-77
deceased
K. J. Perkins



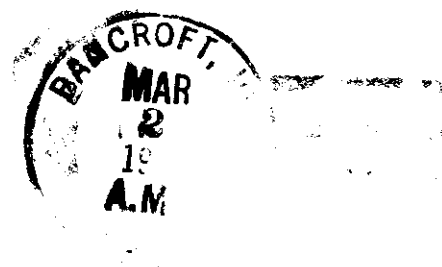
Maurice J. Perkins
Baneroff, ID 83217

7424 Parkcrest Court
Salt Lake City, Utah
84121

resent to: Duane Perkins
with assignment Baneroff, ID 83217

3/23/77
J

MICROFILMED



February 28, 1977

CERTIFIED MAIL

138 294

Re: Permit No. 29-7071

Maunice J. Perkins
Bancroft,
Idaho 83217

Dear Mr. Perkins:

One of the conditions of approval of your water Permit No. 29-7071 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before May 1, 1977. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.



R. KEITH HIGGINSON
Director

RKH:jg
Enc: Proof affidavit

MICROFILMED

May 19, 1972

Re: Permit No. 29-7071

Mr. Maurice J. Perkins
Bancroft,
Idaho 83217

Dear Mr. Perkins:

Enclosed is a copy of your approved Application for Permit No. 29-7071. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device as part of the diversion and outlet works has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enc: Copy of permit
Inform. letter

bc: Eastern District Office

29-7071

Received
April 19, 1972

I hereby withdraw my protest against approval of Application for Permit No. 29-7071 with the condition that my existing water right is recognized by the applicant Maurice J. Perkins.

Dated April 19, 1972 at Soda Spring, Idaho

Rex E. Heddon
Bancroft, Idaho.
Maurice J. Perkins

29-7071

Dear Sir

I release my Protest on Permit no. 29-7071
This has been Clarified to my satisfaction

Thank you
Russell Hedden

29-7071

29-7071

4-19-72

Maurice Perkins

Mr. Perkins spoke first explaining the intent of his application.

Mr. Perkins indicated Smart & Springs flooded his lands in spring of year, his intent was to build a small reservoir to store water & use it later for irrigation.

Mr. Heddon then stated his reasons for protest. His major concern is to be able to use the water that he has developed and been using since 1955, his PD & place of use are up stream from the applicants.

Mr. Heddon agreed to record his water right on the department's claim & will draw his protest.

29-7071

29-7071 - Maurice J. Perkins

Caribou County Court House, Soda Springs, Idaho

April 19, 1972 - 9:00 a.m.

ROSTER OF ATTENDANCE

Name	Address	Representing
------	---------	--------------

Maurice J. Perkins	Bancroft, Idaho.	
--------------------	------------------	--

Rex E. Heddon	Bancroft Idaho.	
Margaret Heddon	Bancroft Idaho	

1202-66-

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S).
REQUIRED FEE(S) PAID.

☐

Show to whom, date and address
where delivered

☐

Deliver ONLY
to addressee

RECEIPT

Received the numbered article described below.

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE (*Must always be filled in*)

CERTIFIED NO.

23511

1

Rex E. Hedden

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

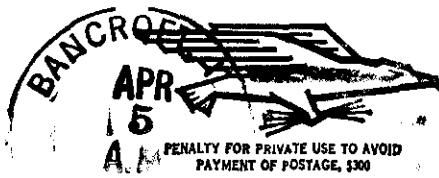
INSURED NO.

DATE DELIVERED

SHOW WHERE DELIVERED (*only if requested*)

3

4-5-72



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RETURN
TO

DEPARTMENT OF WATER ADMINISTRATION
STATEHOUSE - ANNEX #2
BOISE, IDAHO 83707

1404-68

1N0K-66

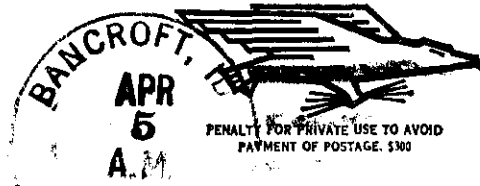
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RECEIPT

Received the numbered article described below.

REGISTERED NO.	1 2 3	SIGNATURE OR NAME OF ADDRESSEE (<i>Must always be filled in</i>)
CERTIFIED NO. 23512		<i>Russell A. Heddon</i>
INSURED NO.		SIGNATURE OF ADDRESSEE'S AGENT, IF ANY
DATE DELIVERED 4-5-72		<i>Sarah L. Heddon</i>
		SHOW WHERE DELIVERED (<i>only if requested</i>)

POD Form 3811 Apr. 1969 c55-16-71848-11



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STATEHOUSE - ANNEX #2
BOISE, IDAHO 83702

1106-bc

1400-06

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REQUIRED FEE(S) PAID.

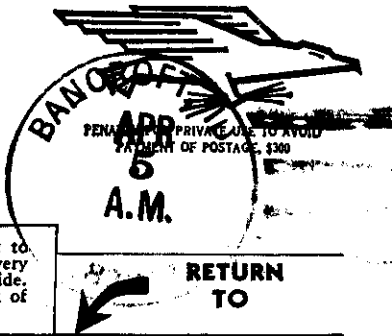
☐ Show to whom, date and address
where delivered

☐ Deliver ONLY
to addressee

RECEIPT

Received the numbered article described below.

REGISTERED NO.	SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)
CERTIFIED NO. 23510	
INSURED NO.	SIGNATURE OF ADDRESSEE'S AGENT, IF ANY
DATE DELIVERED 4-5-72	SHOW WHERE DELIVERED (only if requested)



POSTMARK OF DELIVERING OFFICE

Print your name and address below. If you want to restrict delivery, or to have the address of delivery shown on this receipt, check block(s) on other side. Moisten gummed ends and attach this card to back of article.

DEPARTMENT OF WATER ADMINISTRATION
STATEHOUSE - ANNEX #2
BOISE, IDAHO 83702

FOD Form 3811 Apr. 1969 65-16-71649-11

1406-bc

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION
OF THE
STATE OF IDAHO

IN THE MATTER Of Protest Against Approval)
of Application for Permit No. 29-7071 in the)
name of MAURICE J. PERKINS)
_____)

NOTICE OF CONFERENCE
AND/OR HEARING

On September 24, 1971, Maurice J. Perkins of Bancroft, Idaho, filed with the Department of Water Administration an application to appropriate the public waters of the State of Idaho. On October 22, 1971, the Department received a protest against approval of this application signed by Rex E. Hebdon and Russell Hebdon of Bancroft, Idaho.

The Department has set the matter of protest for conference and/or hearing on Wednesday, April 19, 1972, at 9:00 a.m., in the District Court Room of the Caribou County Court House at Soda Springs, Idaho. Any hearing will be held in accordance with the Rules and Regulations of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Administration. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

Any party may request in writing five (5) days before any hearing that the oral proceedings thereof be taken in the form of stenographic notes. Any party may have such stenographic notes of the oral proceedings, or part thereof, transcribed at his own expense. A taped record of the proceedings will be maintained for the appeal period.

Failure to appear at the time and place set for hearing by the applicant or protestants may allow the Department without prejudice to dismiss the protest or the application. Any and all cost incurred by reason of such non-appearance may be assessed against such non-appearing parties.

Dated this 4 day of April, 1972.



BOBBY D. FLEENOR
Assistant Director

29-7071

April 3, 1972

C
Caribou County Court House
Attn: Esther Stoddard
Soda Springs, Idaho 83276

Dear Mrs. Stoddard:

C
This is to confirm the use of the District Court Room for conference and hearing to be held by this office at 9:00 am and 10:30 am on Wednesday, April 19, 1972.

Thank you for your cooperation in this matter.

P
Very truly yours,

Darlene Reich, Secretary to
BOBBY D. FLEENOR
Assistant Director

Y
BDF:DR

29-7071

October 26, 1971

Re: Application for Permit No. 29-7071

Mr. Maurice J. Perkins
Bancroft,
Idaho 83217

Dear Mr. Perkins:

We have enclosed a copy of the protest filed against the issuance of permit pursuant to your Application No. 29-7071. You should be aware that the following are the items we can consider at a conference and/or hearing 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 purposes 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?

The Department cannot allow a permit for irrigation purposes which would entail the use of more than a continuous flow of 0.02 cubic feet per second of water for each acre of land, unless the applicant can show that more is required due to soil or climate conditions. (Section 42-202, Idaho Code).

The waters intended to be appropriated must be public water of the State of Idaho. If private waters, as defined under Section 42-212, Idaho Code, the applicant must

29-7071

Page 2

Mr. Maurice J. Perkins

Re: 29-7071

October 26, 1971

have authority to divert the water from the owner of the land on which the water lies.

A permit issued by this office is subject to all prior water rights and does not in any way convey or establish right-of-ways over private or governmental lands. Right-of-ways or easements must be obtained by the applicant through action outside of the water right proceedings.

You will be notified at a later date as to the time and place set for a hearing and/or conference to discuss the matters of protest. Legal counsel is not mandatory at any proceeding before the Department, although you may desire to employ an attorney in your behalf.

If we may be of any assistance, please contact us.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:BJ

cc: Dept. of Water Admin.
Statehouse - Annex 2
Boise, Idaho 83707

29-7071

October 26, 1971

Re: Application for Permit No. 29-7071

Mr. Rex E. Hebdon
Bancroft,
Idaho 83217

Dear Mr. Hebdon:

Enclosed is a standard letter indicating that your protest has been received. However, in light of our previous conversation on this matter, I believe some clarification may be in order. If you, as protestant, and the applicant are able to reach an agreement, it is not necessary to wait until the hearing. This agreement, in proper form, would be binding upon both parties; and in the case of a court adjudication of water rights in your area, it should be honored. If such an agreement can be reached, you could withdraw the protest by notifying us in writing, including a copy of the agreement. The processing of the application could then continue.

If this office can be of any assistance, please let me know.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:bj

Enclosure

cc: Mr. Maurice J. Perkins
Bancroft, Idaho 83217

Dept. of Water Admin. ✓
Statehouse - Annex 2
Boise, Idaho 83707

29-7071

October 26, 1971

Re: Application for Permit No. 29-7071

Mr. Rex E. Hebdon
Bancroft,
Idaho 83217

Dear Mr. Hebdon:

We are in receipt of your protest to issuance of a permit pursuant to the above referenced application. The following are the items we can consider at a conference and/or hearing 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 purposes 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?

The Department may reject an application and refuse issuance of a permit, partially approve the permit, approve the permit for a quantity of water less than applied for, or approve the permit subject to special conditions.

29-7071

Page 2
Mr. Rex E. Hebdon
Re: 29-7071
October 26, 1971

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You will be notified at a later date as to the time and place set for a conference and/or hearing to discuss the matters of protest. If we may be of any assistance, please contact us.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:BJ

cc: Dept. of Water Admin.
Statehouse - Annex 2
Boise, Idaho 83707

29-7071

October 26, 1971

Re: Application for Permit No. 29-7071

Mr. Russell Hebdon
Bancroft,
Idaho 83217

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If this office can be of any assistance, please let me know.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:bj

Enclosure

cc: Mr. Maurice J. Perkins
Bancroft, Idaho 83217

Dept. of Water Admin. ✓
Statehouse - Annex 2
Boise, Idaho 83707

29-7071

October 26, 1971

Re: Application for Permit No. 29-7071

Mr. Russell Hebdon
Bancroft,
Idaho 83217

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29-7071

Page 2
Mr. Russell Hebdon
Re: 29-7071
October 26, 1971

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You will be notified at a later date as to the time and place set for a conference and/or hearing to discuss the matters of protest. If we may be of any assistance, please contact us.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:BJ

cc: Dept. of Water Admin.
Statehouse - Annex 2
Boise, Idaho 83707

29-7071

R Keith Higgensen, Director
Idaho Department of Water Administration
240 South Holmes
Idaho Falls, Idaho

RECEIVED

OCT 20 1971

Department of Water Administration
Eastern District

Mr. R. Keith Higgensen;

We, the undersigned, do hereby protest the granting of a permit to appropriate 98 acre feet per annum of water from unnamed springs, and snowmelt, tributary of the Toponce Creek, by means of a dam and reservoir under application No. 29-7071

We protest, therefore in the threat of infringement upon already existing water rights on the unnamed springs. The water from the unused springs has been used as a constitutional use right since the late 40's. It has been used for irrigation for farm crops and stock water.

Rex E. Heddon
Russell Heddon
Bancroft, Idaho
83217
bj:

29-7071

September 27, 1971

Re: Application No. 29-7071 - Maurice J. Perkins

Caribou County Sun
P.O. Box 815
Soda Springs, Idaho 83276

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for our review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted assuming the notice is correct. If we have any corrections, we will notify you 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. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(signature of claimant)

Very truly yours,

Norman C. Young
District Engineer

Bill submitted to Boise Office 10-20-71 by CR

NCY:BJ
Enc: Legal notice

29-7071

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Maurice J. Perkins, Bancroft, Idaho

has on 9/24/71 submitted Application No. 29-7071
for a permit to appropriate 98 ~~XXXXXXXXXXXXXXXXXXXX~~ acre feet per annum
of water from unnamed springs & snowmelt, tributary of Taponce Creek
by means of dam and reservoir
within the S~~W~~¹/₄S~~W~~¹/₄, Sec. 25, T. 6S, R. 38E, E.M., Caribou County

to be ~~used from~~ stored and used from March 1 to Oct. 1
for the irrigation of 320 acres

within the S~~W~~¹/₄, 1/4SE~~1~~/₄, Sec. 25; E1/4SE~~1~~/₄, Sec. 26, T. 6S, R. 38E, E.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Dept. of Water Administration, 240 So. Holmes, Idaho Falls, Idaho, 83401, on or before October 25, 1971

R. KEITH HIGGINSON

Director

Published in the Caribou County Sun, Soda Springs, Idaho
on October 7 and October 14, 1971.

29-7071

IDENT. NO. 29-7071

WATER RIGHT
DATA ENTRY LOG

[illegible]