

No. 8949

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: Gambling, Orr, Ditch Co.

Postoffice address: Sharon

County: Bear Lake State: Idaho

2. The quantity of water claimed is 5 6/10 cubic feet per second.

3. Source of water supply: Hell Holo Spring

County of Bear Lake

4. Location of point of diversion: SE cor. NW4 NW4 Sec. 7, Tp. 12 S.R. 43 E.B.M.

5. To be used for:

I. Irrigation and domestic use:

(a) Amount of land to be irrigated: 280 acres

(b) In the following legal subdivisions: E $\frac{1}{2}$ of the E $\frac{1}{2}$ Sec. 19, and the S $\frac{1}{2}$ and NW $\frac{1}{4}$ of SW4 of Sec. 20, Tp. 12 S.R. 43 E.B.M.

6. Estimated cost of works: \$500.00

7. Description of works for diversion:

I. Kind of works: reservoir and ditches

II. Dimensions of works:

(a) Height of dam 8 feet, length of dam at top 300 feet, length of dam at bottom 10 feet. Material used in construction: Wood, earth and stone

(b) Capacity of reservoir: 280 acre feet

(c) Size of headgate: Width one foot, height one foot.

(d) Conduit ditch, width at bottom 2 feet, width at water line 3 feet, depth of water 6 inches. Average grade per mile is 50 feet. Length of conduit is 3 miles, and it crosses the following quarter sections: SE4 NW4, NE4 SW4 & SW4 SE4 Sec. 7, & E $\frac{1}{2}$ Sec. 18, NE4 Sec. 19, and SW4 Sec. 20, Tp. 12 S.R. 43 E., to land described in

5 I (b) above which is the point of intended use.

8. Time required for the completion of the construction of such work is 3 years.

9. Time required for the complete application of the water to the proposed use is 1 additional year.

BE IT KNOWN, That the undersigned hereby makes application for a permit to appropriate the public waters of the State of Idaho as herein set forth.

R.C. Gambling

Bertrand Orr.

Applicants

By Walter Hoge & Son..Agents

APPROVAL OF STATE ENGINEER

The number of this permit is 6219.

Date of first receipt of application: 9 .00 A.M. May 27, 1910

Returned to applicant for correction: May 27, 1910

Corrected application received: June 9, 1910

Recorded in Book 18. Page 6219. Approved June 20, 1910

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho and hereby grant the same, subject to the following limitations and conditions:

Work to begin on or before August 19, 1910, and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before December 20, 1911.

The whole of said work to be completed on or before June 20, 1913.

The time for proof of beneficial use of water appropriated in accordance

herewith, to extend to June 20, 1914.

Witness my hand this twentieth day of June, 1910.

D.G. Martin

State Engineer

6219

Satisfactory proof of completion of works made June 20, 1913.

Certificate of proof of completion of works issued June 21, 1913.

PERMIT NO. 6219.

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom It May Concern:

This is to certify that Gambling, Orr Ditch Co., of Sharon, County of Bear Lake, and State of Idaho, the holder of Permit No. 6219, issued upon Application No. 8949, bearing date of priority of May 27, 1910, authorizing the diversion of 5-6/10 second feet of the waters of Hell Hole Spring, County of Bear Lake, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho, relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 5.6 second feet of the waters of Hell Hole Spring; that the point of diversion of said waters is in the SE 1/4 of NW 1/4 NW 1/4 Sec. 7, Twp. 12 S., R. 43 E., B. M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: E 1/2 of the E 1/2 Sec. 19, and the S 1/2 & NW 1/4 of SW 1/4 of Sec. 20, Twp. 12 S., R. 43 E., B. M., containing 280 acres.

Witness my hand this 21st day of June, A.D. 1913.

F.P.King,

State Engineer of the State of Idaho.

On proper request of the holder of the above numbered Permit I have this 15th day of October, 1914, extended the time for Beneficial Use of Water thereunder to the 15th day of July, 1915.

Herbert Wing,

Deputy State Engineer.

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, No. 6219.

Comes now Gambling-Orr Ditch Company, and represents to the State Engineer of the State of Idaho.

That he is the owner and holder of Permit to appropriate the public waters of the State of Idaho, No. 6219, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows; SE $\frac{1}{4}$ NE $\frac{1}{4}$; E $\frac{1}{2}$ SE $\frac{1}{4}$, Section 19, NW $\frac{1}{4}$ Section 20, Township 12 S. R. 43 East, Boise Mer., making a total of 280 acres.

That an additional amount of water is not asked for and that the rights of others will not be adversely affected by such change.

Signed at Paris, Idaho, this 8th day of February, 1915.

Bertrand O. Orr, for the

Gambling-Orr Ditch Company.

Date of receipt at office of State Engineer Feb. 10, 1915.

APPROVAL OF STATE ENGINEER.

I. Herbert Wing, Acting State Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the public waters of the State of Idaho, No. 6219. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

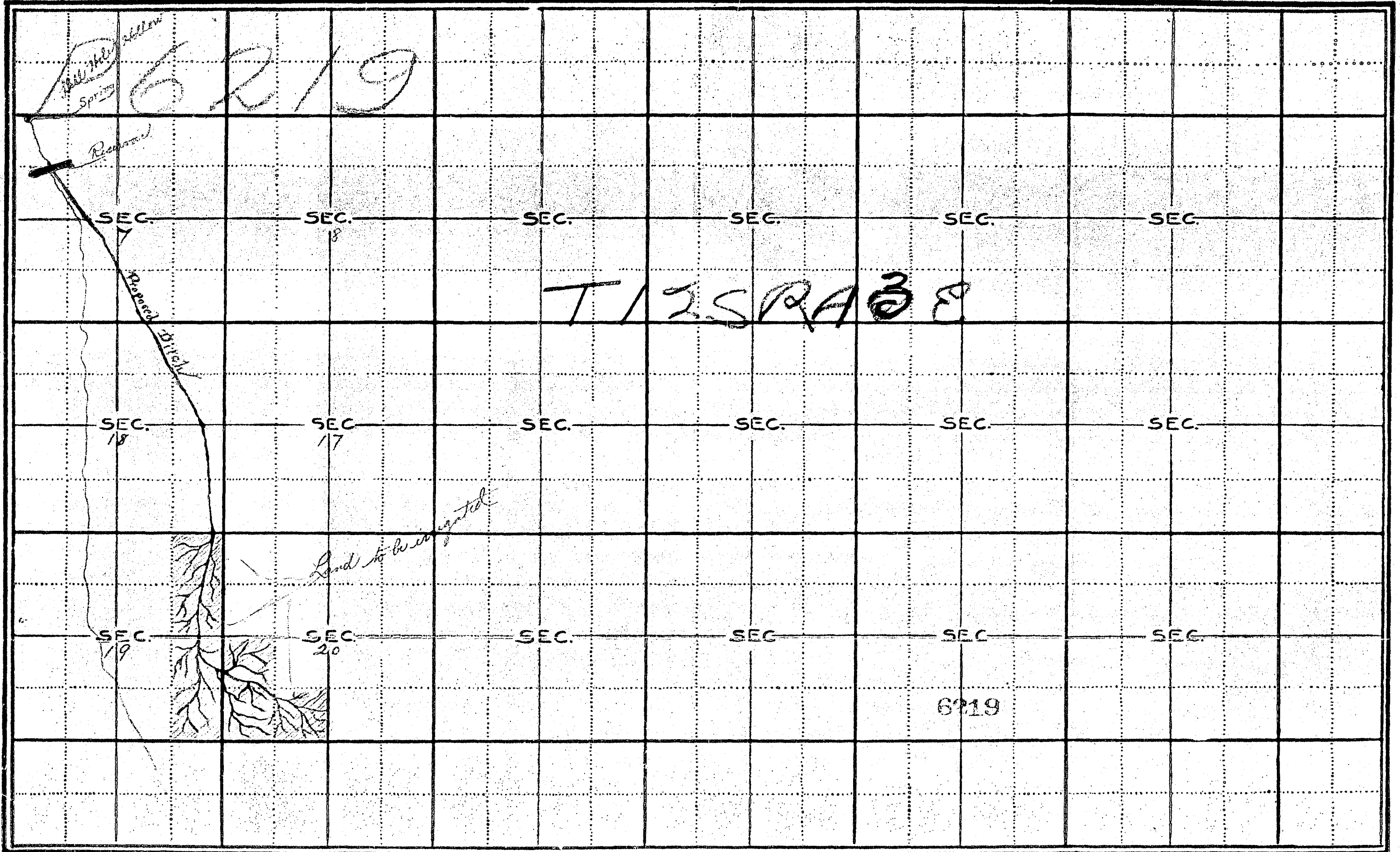
Witness my hand this 15th day of February, 1915.

Herbert Wing,

Acting State Engineer.

Licenses issued for *Sec. 20* second feet

Page 2030



Name of Applicant GAMBELING-ORR-DITCH COMPANY, Sharon, Idaho. W. Smith Hoge, Agent, Paris, Idaho.

TOWNSHIP 12 SOUTH RANGE 43 EAST BOISE MER.

HELL HOLE SPRING
RESERVOIR

SEC. 7

SEC. 8

SEC. 9

SEC. 10

SEC. 11

SEC. 12

SEC. 18

SEC. 17

SEC. 16

SEC. 15

SEC. 14

SEC. 13

SEC. 19

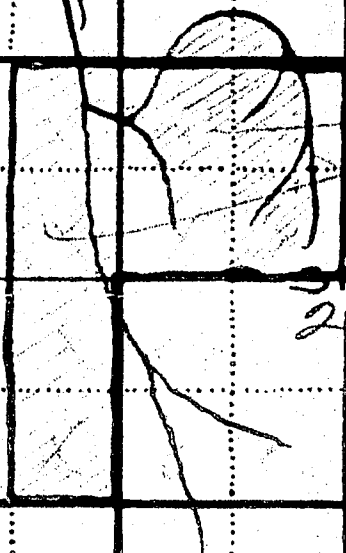
SEC. 20

SEC. 21

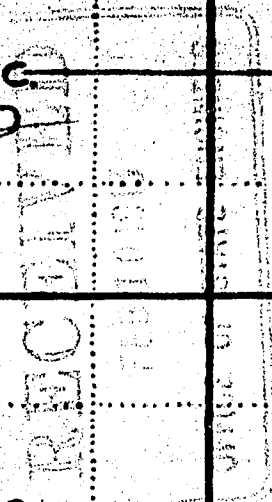
SEC. 22

SEC. 23

SEC. 24



LANDS TO BE IRRIGATED



James L. Hoge

6219

State of Idaho
ENGINEERING DEPARTMENT
BOISE

JAS. STEPHENSON, JR.,
STATE ENGINEER

Permit No. 6219

Boise, Idaho, July 11, 1910

Gambling, Orr Ditch Co.

Attlor Hoge,

Paris, Idaho

Dear Sir:

I enclose herewith above numbered permit. **BE SURE TO NOTE LIMITATIONS AND CONDITIONS OF SAME** as given under approval of State Engineer on the third page.

JAS. STEPHENSON, Jr.,
State Engineer.

6219

Notice of Publication

Notice is hereby given that at 10 A. M., on the 20th day of June 1913, at Paris County of Bear Lake, State of Idaho, before Smith Hoge, Notary Public, proof will be submitted of the completion of works for the diversion of 5.6/10 cubic feet per second of the waters of HELL HOLE SPRING

in accordance with the terms and conditions of a certain permit heretofore issued by the State Engineer of the State of Idaho.

1. The name of the person or corporation holding said permit is GAMBLING - ORR DITCH COMPANY,

2. The postoffice address of such person or principal place of business of such corporation is S H A R O N, County of BEAR LAKE, State of Idaho.

3. The number of such Permit is 6219 and the date set for the completion of such work is June 20, 1913.

4. Said water to be used for Domestic and Irrigation purposes.

5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is 5.6 cubic feet per second.

6. The amount of lands for which said water is available is 280 acres, particularly described as follows:

E $\frac{1}{2}$ of the E $\frac{1}{2}$ of Section 19, and the S $\frac{1}{2}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section
20 Twp. 12 S. R. 43 East, Boise Meridian,

6219

A. E. ROBINSON, State Engineer

Notice of Publication

Notice is hereby given that at 10 A. M., on the 20th day of June, 1913, at Paris County of Bear Lake, State of Idaho, before Smith Hoge, Notary Public, proof will be submitted of the completion of works for the diversion of 5-6/10 cubic feet per second of the waters of HILL HOLE SPRING in accordance with the terms and conditions of a certain permit heretofore issued by the State Engineer of the State of Idaho.

1. The name of the person or corporation holding said permit is GAMBLING - ORR DITCH COMPANY.

2. The postoffice address of such person or principal place of business of such corporation is S H A R O N, County of BEAR LAKE, State of Idaho.

3. The number of such Permit is 6219, and the date set for the completion of such work is June 20, 1913.

4. Said water to be used for Domestic and Irrigation purposes.

5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is 5.6 cubic feet per second.

6. The amount of lands for which said water is available is 220 acres, particularly described as follows:

1/4 of the 1/4 of Section 12, and the 1/4 and NW 1/4 SW 1/4 of Section
20 Twp. 12 S. R. 43 East, Boise Meridian.

6219

A. E. ROBINSON, State Engineer

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE.

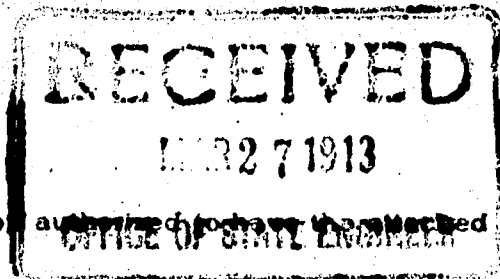
(Date) March 25th 1913.

(P. O.) Sharon, Idaho.

To the State Engineer,

Boise, Idaho.

Dear Sir,



You are hereby authorized to have the attached notice published at my expense in the

THE POST

of

PARIS IDAHO

, published in the

county in which the works are situated.

GAMBLING-ORR DITCH COMPANY,

By, *Robt. C. Gambling*

(In case of canals or other works designed to divert and carry more than 50 cubic feet of water per second, the following certificate must be signed by a well known and competent engineer.)

I hereby certify that the facts set forth in the attached notice are true.

Engineer

6219

State of Idaho

OFFICE OF STATE ENGINEER
BOISE

F. P. KING,
STATE ENGINEER

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Robert C. Gambling,
Agent for Gambling-Orr Ditch Co.
Sharon, Idaho.

Boise, Idaho, March 28, 1913

Dear Sir:

Under the terms of your permit No. 6219, you are required to complete your diversion works on or before _____. I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, a Certificate of Completion will be issued to you.

The certificate to be issued under this proof will not give a perpetual right to the use of water for which application was made, as it only confirms the completion of works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Yours truly,

F. P. KING,
State Engineer

6219

March 28, 1913.

Permit 6219.

Robert C. Gambling,
Sharon, Idaho

Sir:

In regard to your proof of completion of works under above permit would say that, at the last session of the legislature a law was passed doing away with publication of notice of proof of completion of works where the amount of water is 6.4 second foot or less. Am herewith enclosing you letter of instructions and blank affidavit required in such cases. The regular \$5.00 fee should accompany the affidavit.

Very truly yours,

F. P. KING,

State Engineer.

F. 201-2

By _____

6219

OFFICE OF STATE ENGINEER

Permit No. 6219

Proof of Completion of Works

Affidavit of Holder

STATE OF IDAHO,

} ss.

County of Bear Lake

Robert C. Gambling, Agent for

Gambling - Orr Ditch Company, being first duly sworn upon his oath deposes and says:

First: That he is the holder and owner of Permit to appropriate the Public Waters of the State of Idaho, No. 6219 and that his postoffice address is Sharon, Bear Lake County, State of Idaho.

Second: That under the terms and conditions of said permit, construction thereunder was required to be completed by June 20th, 1913.

Third: That the use for which said water is intended is Irrigation and domestic.

Fourth: That on the date above mentioned, the works constructed under said permit were (or ~~were not~~) fully completed and consisted of the following:

I. Kind of works: Reservoir, and ditch.

(Reservoir, dam, ditch, flume, pipe or otherwise.)

II. Dimensions of work:

(a) Height of dam 3 feet, length of dam at top 350 feet, length of dam at bottom 10 feet. Material used in construction Earth, stone and concrete.

(State whether wood, earth, stone or concrete.)

(b) Capacity of reservoir 5-6/10 acre feet.

(c) Size of headgate: 6 1/4 inch steel pipe.

(d) Conduit ditch width at bottom 2 feet, width at water line 3 feet, depth of water 6 in. ~~100~~; diameter of pipe _____ inches;

((State whether ditch, flume or pipe.))

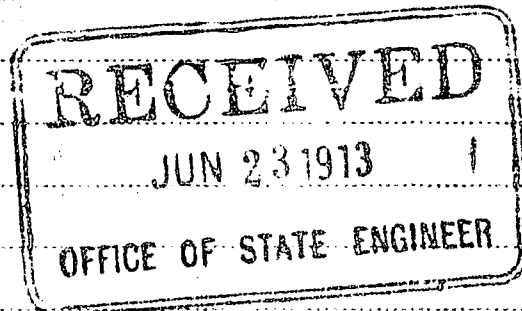
average grade per mile is 100 feet. Length of conduit is 3 miles.

Fifth. That said works are capable of conducting to the place of intended use

5-6/10 second feet of water.

Sixth. That water appropriated under said permit is available for 250 acres of land described as follows: E 1/2 of the E 1/4 Sec. 19, and the S 1/2 and NW 1/4 SW 1/4 of Sec. 20, Township 12 S. R. 43 E. B. M.,

Seventh. Remarks: That



GAMBLING ORR DITCH COMPANY.

Subscribed and sworn to before me this 20th day of June, 1913

My commission expires Dec. 1, 1915.

Notary Public.

June 23, 1913.

Permit 6219

Robert C. Gambling,
Sharon, Idaho.

Sir:

Am herewith enclosing you receipt for fee for
proof of completion of works under above permit.
The certificate will be mailed to you soon.

Very truly yours,

F. P. KING,

State Engineer.

R5628

By _____

6219

July 1, 1913.

Permit 6219

Robert C. Gambling,
Sharon, Idaho.

Sir:

Am herewith enclosing you certificate
of completion of works issued under above
permit.

Very truly yours,

F. P. ZING,

State Engineer.

CCW6219

By _____

6219

State of Idaho

Gambling, Orr Ditch Co.

F. P. KING.
STATE ENGINEER

ENGINEERING DEPARTMENT
BOISE

Mr. R. C. Gambling, and
Sharon, Idaho.

March 3, 1914.

Dear Sir:

I enclose herewith blank notice of proof of Application of Water to Beneficial Use under your permit No. 6219 which kindly fill out and return to me at least 60 days before the date upon which you wish to submit proof. The date of the proof is set out in your permit, and if proof is submitted subsequent to that your priority will be advanced a time equal to the difference of the time between the date proof should have been submitted and the date it is submitted.

Yours truly,

F. P. KING.

State Engineer.

6219

Montpelier, Idaho, June 18, 1914.-

Hon. W. P. Hind, State Engineer.

Boise, Idaho.-

Dear Sir:

We wish to have you grant us an extension of one year's time in which to make proof of the beneficial use of water granted us under Permit No. 5219. While we have completed the work on this ditch, yet the range stock have trampled the banks so badly that we have not been able to use the water as we should. However, if you will grant us the extension asked for, we shall so enlarge the ditch that the use of the water can be proven as required in our application for water-right.

We wish you to send us, also, a certified copy of Permit No. 5219, together with your bill to same, and we will remit the amount by return mail.

Very truly yours,

Gambiling Orr Ditch Company:

By

B. C. Gambiling

RECEIVED

JUN 18 1914

OFFICE OF STATE ENGINEER

5219

June 18, 1914.

Permit 6219.

Mr. R. C. Gambling,
Montpelier, Idaho.

Sir:

Replying to your letter of the 16th inst. would
say that you should make application for extension of time
in duplicate upon the enclosed forms.

Very truly yours,

F. K. KING,

State Engineer.

2F3

By _____

6219

July 6, 1914.

Permit 6219.

Mr. R. C. Gambling,
Sharon, Idaho.

Sir:

On June 18th blanks for extension of time were mailed you at Montpelier and on June 20th a certified copy of the above numbered permit was mailed to the same address, that being the address on your letter requesting same. These letters have today been returned to this office, unclaimed. I am remailing them, addressing you at Sharon. Trusting they will be in time for your requirements, I am

Very truly yours,

F. P. KING,

State Engineer.

Enc.

By _____

6219

Boise, Idaho, July 30, 1914.

Permit 6219.

Mr. Robt C. Gambling,
Sharon, Idaho.

Sir:--

We are in receipt of your application for extension of time for proof of beneficial use proof. This application should be made in duplicate and you should state the date to which it is desired extension to run. I enclose fresh blank.

Very truly yours,

F. P. KING,

State Engineer.

By _____

Enc. AET-P3.

W/C.

6219

OFFICE OF STATE ENGINEER

Permit No. 6219

Application for Extension of Time for Beneficial Use Proof.

STATE OF IDAHO,
County of Bear Lake } ss.

Gerritson On Ditch Co. of Sharon
State of Idaho, being first duly sworn upon his oath deposes and says:

THAT he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 6219

THAT under the terms and conditions of said permit, proof of beneficial use thereunder was required to be made by June 20, 1914

THAT he has heretofore put to beneficial use 1.8 second feet of water and has irrigated 20 acres.

THAT, for the following reasons, he is unable to put to beneficial use within the required time, the remainder of the water appropriated under his permit, to-wit That range cattle have trampled the banks of the ditch to such an extent that it would not carry the necessary amount of water

RECEIVED
AUG 20 1914

WHEREFORE, He asks that the State Engineer extend the time for the making of proof of beneficial use under said permit to July 20, 1914

And further, deponent saith not.

Robert C. Gerritson

Subscribed and sworn to before me this 24th day of July, 1914

Chas. Linford
Notary Public.

My commission expires Jan 1st 1915

Date of receipt at office of State Engineer AUG 20 1914

APPROVAL OF STATE ENGINEER.

I, E. P. King, State Engineer of the State of Idaho, hereby extend the time for the making of proof of beneficial use under Permit to appropriate the Public Waters of the State of Idaho, No. 6219 to July 20, 1914

Witness my hand this 24th day of July, 1914

State Engineer.

6219

OFFICE OF STATE ENGINEER

Permit No. 6219

Application for Extension of Time for Beneficial Use Proof.

STATE OF IDAHO

County of Bear Lake ss.

Gardner Irr. Ditch Co, of Sharon
State of Idaho, being first duly sworn upon his oath deposes and says:

THAT he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 6219

THAT under the terms and conditions of said permit, proof of beneficial use thereunder was required to be made by June 20, 1914

THAT he has heretofore put to beneficial use 1 1/2 second feet of water and has irrigated 20 acres.

THAT, for the following reasons, he is unable to put to beneficial use within the required time, the remainder of the water appropriated under his permit, to-wit: That range cattle have trampled the banks of the ditch to such an extent that it would not carry the necessary amount of water

WHEREFORE, He asks that the State Engineer extend the time for the making of proof of beneficial use under said permit to July 20, 1915

And further, deponent saith not.

Subscribed and sworn to before me this 24th day of July, 1914

Robert C. Gardner
Chas. L. Loford
Notary Public

My commission expires Jan 1st 1915

Date of receipt at office of State Engineer.....

APPROVAL OF STATE ENGINEER.

I, F. P. King, State Engineer of the State of Idaho, hereby extend the time for the making of proof of beneficial use under Permit to appropriate the Public Waters of the State of Idaho, No. 6219 to As above filed on June 20

Witness my hand this..... day of....., 191.....

State Engineer.

6219

September 2, 1914.

Permit 6219.

Robert C. Gambling,
Sharon, Idaho.

Sir:

In view of the fact that you had written us
in regard to getting an extension of time, your
application will be reconsidered. Am enclosing
herewith fresh blanks upon which to file application.

Very truly yours,

F. P. KING,

State Engineer.

2F3

By _____

6219

OFFICE OF STATE ENGINEER

Permit No. 6219

Application for Extension of Time for Beneficial Use Proof.

STATE OF IDAHO,

County of Bear Lake

ss.

GAMBLING-ORR DITCH COMPANY

Robert C. Gambling, for the _____ of Sharen, IdahoState of Idaho, being first duly sworn upon his oath deposes and says:

THAT he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 6219

THAT under the terms and conditions of said permit, proof of beneficial use thereunder was required to be made by June 20th, 1914

THAT he has heretofore put to beneficial use approximately 1 of ^{one} second foot of water and has irrigated 20 to 25 acres acres.

THAT, for the following reasons, he is unable to put to beneficial use within the required time, the remainder of the water appropriated under his permit, to-wit:

Destruction of our canal by range cattle.

WHEREFORE, He asks that the State Engineer extend the time for the making of proof of beneficial use under said permit to July 15th, 1915.

And further, deponent saith not.

Subscribed and sworn to before me this 14th day of September, 1914

Notary Public.

My commission expires December 1, 1915.

Date of receipt at office of State Engineer Sept. 16, 1914

APPROVAL OF STATE ENGINEER.

Herbert Wing, Deputy

I, ~~Ex-Rising~~ State Engineer of the State of Idaho, hereby extend the time for the making of proof of beneficial use under Permit to appropriate the Public Waters of the State of Idaho, No. 6219, to July 15, 1915.

Witness my hand this 13th day of October, 1914.

Deputy State Engineer.

6219

Boise, Idaho, October 15, 1914.

Mr. Robert C. Gambling.
Sharon, Ida.

Sir:--

Your Application for Extension has been duly
approved and duplicate copy of same is herewith
returned.

Very truly yours.

Herbert Wing.

Deputy State Engineer.

By _____

6219

BEAR LAKE COUNTY ABSTRACT COMPANY

W. S. HOGG, Manager

BONDED FOR \$10,000.00

ABSTRACTS, LOANS,
DEEDS AND
CONVEYANCING
U. S. LAND OFFICE
BUSINESS
ATTENDED TO

U. S. COMMISSIONER
AND NOTARY PUBLIC
IN OFFICE

REAL ESTATE & INVESTMENTS

Paris, Idaho

February 1, 1915.

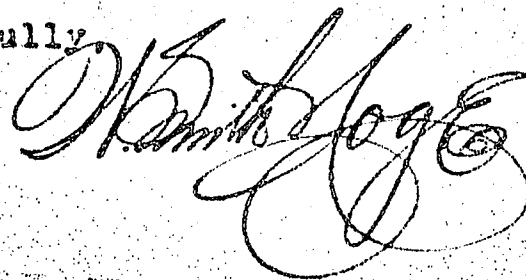
State Engineer,
Boise, Idaho.

Dear Sir:

Herewith I hand you Application of Gambling
Orr Ditch Company, for transfer of water to other lands in con-
nection with their Permit, together with Original Permit and
our Personal check drawn in your favor in the sum of \$1.00.

This I presume will be insufficient to cover the cost of
all requirements asked for but if you will notify me by return
mail I will forward the additional amount required, and most
respectfully request that this matter be given prompt attention
in as much as Mr Orr only has a limited ^{time} to furnish requirements
of the General Land Office.

Respectfully,



PL 219

6219

OFFICE OF THE ENGINEER

Boise, Idaho, February 6, 1915.

Permit 6219.
Gambling, Orr Ditch Co.

Wm. Smith Hoge,
Paris, Idaho.

Sir:--

Yours of the first inst., enclosing
above numbered permit received. In reply would
say that the permit holder should file application
for amendment of permit upon the enclosed blank.
This application should be accompanied by maps in
duplicate, drawn in accordance with the rules and
regulations on back of blank. There is no charge
for the change.

Very truly yours,

Acting State Engineer.

Enc. P. 6219-AT-CH. \$1.00-AB-ZMF.

W/G.

6219

BEAR LAKE COUNTY ABSTRACT COMPANY

W. SMITH HOSE, Manager

BONDED FOR \$10,000.00

ABSTRACTS, LOANS,
DEEDS AND
CONVEYANCING
U. S. LAND OFFICE
BUSINESS
ATTENDED TO

U. S. COMMISSIONER
AND NOTARY PUBLIC
IN OFFICE

**REAL ESTATE
& INVESTMENTS**

Paris, Idaho

February 8th 1915.

Herbert Wing, Acting State Engineer,
Boise, Idaho.

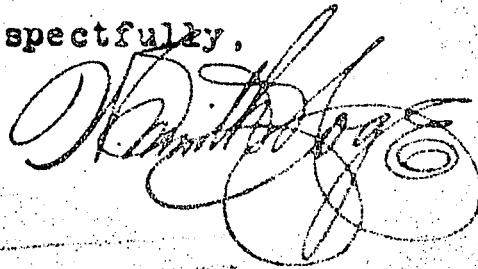
Dear Sir:

As per your letter of the 6th with reference to Permit No. 6219, Gambling Orr Ditch Co., I have had executed and return herewith A pplication for Ammendment of said Permit, together with maps in duplicate showing said proposed change.

Also herewith I hand you the old Permit as I am not quite satisfied whether you issue a new Permit or amend the old one.

As Mr Orr is making this change in his Permit for the purpose of making Proof on his Desert Land Entry covering the NW $\frac{1}{4}$ of Sec. 20, and as his time is limited will you kindly give this matter your prompt attention and oblige,

Very respectfully,



RECEIVED

FEB 10 1915

STATE OF IDAHO ENGINEER

6219

February 16, 1915.

Permit 6219.

Mr. W. Smith Hoge,
Paris, Idaho.

Sir:

The application for amendment of above permit
has been approved and recorded in this office.
Same is herewith returned with duplicate map.

Very truly yours,

Herbert Wing,

Acting State Engineer.

AA-H

By _____

P.S. Am also returning original permit.

6219

State of Idaho
ENGINEERING DEPARTMENT
BOISE

STATE ENGINEER

Gambling, Orr Ditch Co.
Sharon, Idaho.

May 17, 1915.

Dear Sir:

I enclose herewith blank notice of proof of Application of Water to Beneficial Use under your permit No. 6219 which kindly fill out and return to me at least 60 days before the date upon which you wish to submit proof. The date of the proof is set out in your permit, and if proof is submitted subsequent to that your priority will be advanced a time equal to the difference of the time between the date proof should have been submitted and the date it is submitted.

Yours truly,

J. E. Smith,

State Engineer.

6219

NOTICE FOR PUBLICATION

Notice of Proof of Application of Water to Beneficial Use

Notice is hereby given that at 10 a. m. on the 15th day of July, 1910, at Paris, ~~Idaho~~, County of Bear Lake, State of Idaho, before Smith Hoge, a Notary Public, proof will be submitted of the application to beneficial use of 5.6 cubic feet per second of the waters of Hell Hole Spring, in accordance with the terms and conditions of Permit No. 6219 heretofore issued by the State Engineer of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are.....

GAMBLING-ORR DITCH COMPANY, SHARON, IDAHO

2. The use to which said water has been applied is.....Irrigation and Domestic.

3. The amount applied to beneficial use is.....5.6 cubic feet per second.

4. The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated)

SE 1/4 NE 1/4 E 1/4 SE 1/4 Sec. 19, NW 1/4 Sec. 20, Twp. 12 S. R. 43 East,

Boise Meridian, making a total of 280 acres.

5. The name of the canal or ditch or other works by which said water is conducted to such place of use is.....

GAMBLING ORR DITCH COMPANY'S CANAL

6. The right to take the water from such works is based upon Permit No. 6219.....

7. The source of supply from which such water is diverted is.....Hell Hole Spring.

8. The date of the priority which said user is prepared to establish is.....May 27, 1910

J. H. SMITH

J. H. SMITH,
State Engineer.

July 15

OK

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) May 22th 1915.

(P. O.) Paris, Idaho.

**To the State Engineer,
Boise, Idaho.**

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
PARIS POST, of PARIS IDAHO, published in the
county in which the works are situated.

GAMBLING ORR DITCH COMPANY

By Bertrand Orr

(In case of canals or other works designed to divert and carry more than 50 cubic feet of water per second, the following certificate must be signed by a well known and competent engineer.)

I hereby certify that the facts set forth in the attached notice are true.

Engineer.

July 12
May 27, 1915.

Permit 6219. Gambling Orr Ditch Co.

Mr. Bertrand Orr,
Paris, Idaho.

Sir:

Am just in receipt of final proof notices
under above permit. The notice for publication
will be mailed to the Paris Post in time for the
required four weeks publication prior to July 15th
and deposition blanks will be mailed to Smith Hoge.

Very truly yours,

J. H. SMITH,

State Engineer.

By _____

6219

(P. O.)

(Date)

Paris Idaho
June 4/15

State Engineer, Boise.

Dear Sir:

I have your letter of June 2 enclosing Notice of Proof of Beneficial Use of Water under Permit No. 6919 which will be published as you request, beginning with our issue of

June 11
W. H. Holcomb.

6219

STATE OF IDAHO
ENGINEERING DEPARTMENT

F. P. KING,
STATE ENGINEER

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE

Gambling-Orr Ditch Co.

Bertrand Orr,

c/o Smith Hoge,

Paris, Idaho.

BOISE, IDAHO, June 23, 1915.

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of application of water to beneficial use under your Permit No. **6219.**

DEPOSITION OF PERMIT HOLDER,

DEPOSITIONS OF TWO WITNESSES.

In submitting this proof the following instructions should be CAREFULLY followed out, since failure to do so may result in the loss of your rights:

1. On **July 15th**, the date set for the proof of application of water to beneficial use, the enclosed deposition forms (one for permit holder and one each for two witnesses) should be filled out and sworn to, at **Paris, before Smith Hoge, N.P.**

2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice and fee of \$2.00 for each 40-acre tract, or fraction, to which water has been applied. When these have been received together with report of examining engineer, if everything is properly executed, License will issue.

Yours truly,

J. H. SMITH, ~~State Engineer~~

State Engineer.

6219

PERMIT No. 6219

Proof of Application of Water to Beneficial Use

DEPOSITION OF HOLDER

JUL 17 1915

STATE OF IDAHO

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. Bertran Orr, age 35 years, farmer, Sharon, Idaho.
for the Gambling-Orr Ditch Company.

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business (if a foreign corporation, give name and postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans. We are not incorporated.

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. Permit No. 6219, date of Permit May 27, 1910, date of priority May 27, 1910.

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Hell Hole Spring, point of diversion SE corner of NW 1/4 Sec. 7,
Township 12 South Range 43 East Boise Meridian.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use.

Ans. Reservoir, earth stone and cement, and ditch, 5.6 cubic feet per
second, Gambling-Orr Ditch Company's Ditch.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigation on E 1/2 NW 1/4, NE 1/4 SE 1/4, W 1/4 Sec. 12, and NW 1/4 NW 1/4 Sec.
20, Tp. 12 S. R. 43 E. B. M.

Ques. 7. If for other than irrigation purposes, state how applied, amount of horse power generated, etc.

Ans.

Ques. 8. What is the minimum amount of water required for the use specified above?

Ans. 5.6 cubic feet per second.

6219

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. I am one of the original locators.

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. Each year from 1913 to the present, alfalfa irrigating hay and pasture, all the water the spring furnished, during the irrigation season of each of each year.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. None.

(Sign) Bertrand Orr

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in the city of Paris, County of

Bear Lake, State of Idaho, on this 15th day of July

A. D. 1915.

Notary Public.
residing at Paris, Idaho.

Permit No. 6219.....

Proof of Application of Water to Beneficial Use**DEPOSITION OF WITNESS**

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. John Gambling, age 28, Sharon, Idaho, farmer, Sharon, Idaho.

Ques. 2. Are you acquainted with Bertrand Orr, for the Gambling-Orr, Ditch Company, the holder of Permit No. 6219? How long have you known him and where does he reside?

Ans. Twenty years. Sharon, Idaho.

Ques. 3. Have you read or heard read said Permit No. 6219, and are you familiar with its provisions and conditions?

Ans. Yes sir.

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Hell Hole Spring, point of diversion in SE corner of NW 1/4 Sec. 7, T2. 12 S. R. 43 E. B. M., works consist of a earth stone and cement reservoir and a ditch from same to land.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. 5.6 cubic feet. I have seen all the water that the comes from said spring being thus conducted.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigation. On E 1/2 NE 1/4, NE 1/4 SE 1/4, W 1/2 SW 1/4, SE 1/4 Sec. 19, and NW 1/4 NW 1/4 Sec. 20, T2. 12 S. R. 43 E. B. M.

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. #

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. hill land, and the amount required would be at least 5.6 cubic feet per second.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. Yes sir. I am an owner in the company and own some of the land.

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. Each season since completion of works, all of the water the spring furnishes, and all during the irrigation seasons.

(Sign)

John G. Smith

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, in the City of Paris, County of Bear Lake, State of Idaho, on this 15th day of July, A. D. 1915.

[Signature]
residing at Paris, Idaho. Notary Public.

My Commission Expires December 1, 1915.



Permit No. 6219...

Proof of Application of Water to Beneficial Use

DEPOSITION OF WITNESS

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. Horace W. Austin, age 26 years, rancher, Sharon, Idaho.

Ques. 2. Are you acquainted with Bertran Orr, of the Cantling-Orr Ditch Company, the holder of Permit No. 6219? How long have you known him and where does he reside?

Ans. Yes sir.

Ques. 3. Have you read or heard read said Permit No. 6219 and are you familiar with its provisions and conditions?

Ans. Yes sir.

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Hell Hole Spring, point of diversion in SE corner of NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 7, T. 12 S., R. 43 E., N. M., works are composed of earth stone and cement, and a ditch which conveys the water to the land.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. 5.5 cubic feet. I have seen them have the water on the land during the irrigation seasons.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigation. E $\frac{1}{2}$ NW $\frac{1}{4}$; NE $\frac{1}{4}$ SE $\frac{1}{4}$; W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 19 and NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 20, Township 12 South Range 43 East Boise Meridian.

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. 0

6219

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. It is hill land, and the amount required to irrigate the same would be all they ask for.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No sir. none whatever.

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. I have seen the water on the land each season, and have seen that they were using all that came from the spring.

(Sign)

Herschel A. Austin

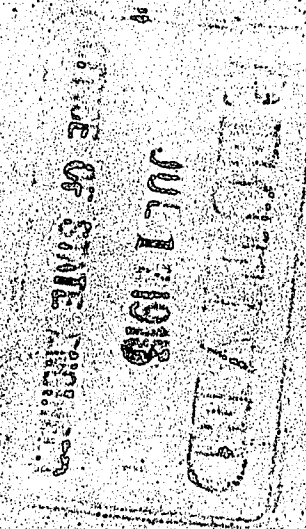
I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, in the city of Paris, County of Bear Lake

State of Idaho, on this 15th day of July, A. D. 1915.

[Signature]
Notary Public.

My Commission Expires Dec. 1, 1915.

residing at Paris, Idaho.



Publishers Certificate

Notice for Publication

Notice of Proof of Application of Water to Beneficial Use

Notice is hereby given that at 10 a. m. on the 15th day of July, 1915, at Paris, County of Bear Lake, State of Idaho, before Smith Hoge, a Notary Public, proof will be submitted of the application to beneficial use of 5-6 cubic feet per second of the waters of Hell Hole Spring, in accordance with the terms and conditions of Permit No. 6219 heretofore issued by the State Engineer of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are Gambling-Orr Ditch Company, Sharon, Idaho.

2. The use to which said water has been applied is Irrigation and Domestic.

3. The amount applied to beneficial use is 5-6 cubic feet per second.

4. The place where said water is used is SE 1/4 NE 1/4 E 1/4 SE 1/4 Sec. 19, NW 1/4 Sec. 20, Twp. 12 S. R. 43 East, Boise Meridian, making a total of 280 acres.

5. The name of the canal or ditch or other works by which said water is conducted to such place of use is Gambling-Orr Ditch Company's Canal.

6. The right to take the water from such works is based upon Permit No. 6219.

7. The source of supply from which such water is diverted is Hell Hole Spring.

8. The date of the priority which said user is prepared to establish is May 27, 1910.

J. H. Smith
State Engineer

THIS IS TO CERTIFY:

That the attached notice of proof of application was published in THE PARIS POST, a weekly newspaper published in the County of Bear Lake and state of Idaho, for a period of five weeks, consecutively, the first publication thereof, being on the 11th day of June A.D., 1915, and the last insertion on the 9 day of July A.D., 1915.

IN WITNESS WHEREOF I have hereunto set my hand, this 15th day of July A.D., 1915.

THE PARIS POST PUBLISHING Co.

By *W. R. Helmer*
Editor and Manager.

6219

Sworn and subscribed to before me this, the 15th day of July, A.D., 1915.

Smith Hoge
Notary Public.

July 20, 1915.

Permit 6219-

Mr. Bertram Orr,
Sharon, Idaho.

Sir:--

In checking the depositions received for proof of use of water under above permit I find a discrepancy in the lands to be irrigated. The west half of the southeast quarter of section 19 is not included in the permit. The lands described in the permit are as follows: SE $\frac{1}{4}$ of NE $\frac{1}{4}$ and E $\frac{1}{2}$ of SE $\frac{1}{4}$, Sec.19, and NW $\frac{1}{4}$ of Sec.20, T.12 S., R. 43 East. Your deposition gives the following lands: E $\frac{1}{2}$ of NE $\frac{1}{4}$, NE $\frac{1}{4}$ of SE $\frac{1}{4}$ and W $\frac{1}{2}$ of SE $\frac{1}{4}$, Sec.19, and NW $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec.20, T.12 S., R.43 East.

Please ascertain which is correct and, if the description in the permit is wrong the necessary blank will be mailed to you. If the depositions are wrong, make affidavit to that effect.

Check for fees, in the sum of \$12 will be held pending receipt of completed proof.

Very truly yours,

J.H.SMITH,

State Engineer.

By _____

6219

December 20, 1915.

Permit 6219--

Mr. Bertram Orr,
Sharon, Idaho.

Sir:--

In looking through the files I find that on July 20th we wrote you relative correct description of lands under your above permit and have received no reply.

I am herewith returning the check in the sum of \$12.00. You will be further advised as to fees required when the report of our examining engineer has been made.

Very truly yours,

J. H. SMITH,

State Engineer.

Ch\$12

By _____

6219

May 29, 1916.

Re Permit 6219.

Mr. Bertram Orr,
Sharon, Idaho.

Sir:--

The report of our examining engineer, which has just been filed, shows that you have beneficially used the water under the above permit on parts of seven forties. The fees for your proof of beneficial use will, therefore, amount to \$14.00 and, upon receipt of the amount, license will be issued.

I would state that, when you have used the water on the balance of the land, you can make another proof of beneficial use and obtain license for the balance of the water used. The only difference will be that your date of priority, in the second license, will be brought down a length of time equal to the time lapsing between the date proof should have been made and the date proof is actually made. Thus, under the terms of the permit, proof of beneficial use was due June 20, 1914. If your second proof should be made three years later than said date, your date of priority for the second license would be three years later than May 27, 1910, the date of the filing of the application, and so on.

Very truly yours,

J. H. SMITH,

State Engineer.

By _____

6219

Sharon ¹¹/₁₂ 1876

Mr J. H. Smith Dear Sir

Please find I enclosed check for
\$14 for our water licence and would
like my water changed back to
the original land that it
called for first as I have give
it my Desert Entry and would
like the water for the water Entry
and we would like an extension
of time on the balance of our
work or we are a little cramped
for money to push our work as
we would like to thank you
for your favors I remain yours

Bertland Orr

Sharon
Idaho

REPORT OF ENGINEER

1. State name of applicant and number of permit: Bertram Orr- Permit 6219.
2. State source of water supply: Hell Hole Spring- 5.6
3. Location of point of diversion: S.E. Cor. of NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 7. T. 12 S. R. 43 E. B. M.

4. State whether or not the works of diversion are fully completed and in accordance with terms of permit: Yes.

5. Describe works as they exist, giving dimensions and capacities of same: Dam, 2' high, of wood & earth. - 275' long on top. Reservoir of about 200 ac. ft. capacity. 6" pipe thru dam for headgate. Ditch, 1.5' wide on bottom, 2.5' on water line, 1' deep. Grade about 52' to two miles. Each carry 5 sec. ft.

6. State whether or not water has been turned into works of diversion: Yes, but beneficial use has not been made.

7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation):

E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 19 and NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 20, T. 12 S. R. 43 East B. M. NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 19, 12 acres plowed. SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 19, 40 acres hay; SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 19 - pasture - NW $\frac{1}{4}$ Sec. 20, all pastured - T. 12 S. R. 43 E. Balance of land desired (see map) all in cultivation but none irrigated as yet, due to lack of ditching. Entitled to two inches of water, as shown on map (cross-hatched).

8. Submit map on enclosed plat, showing location and details of above description.

Remarks: About 60 acres have been flooded from the end of the ditch - Mr. Orr under the impression that all had been done that was necessary for beneficial proof - Lands may be readily irrigated if feeder ditches were built.

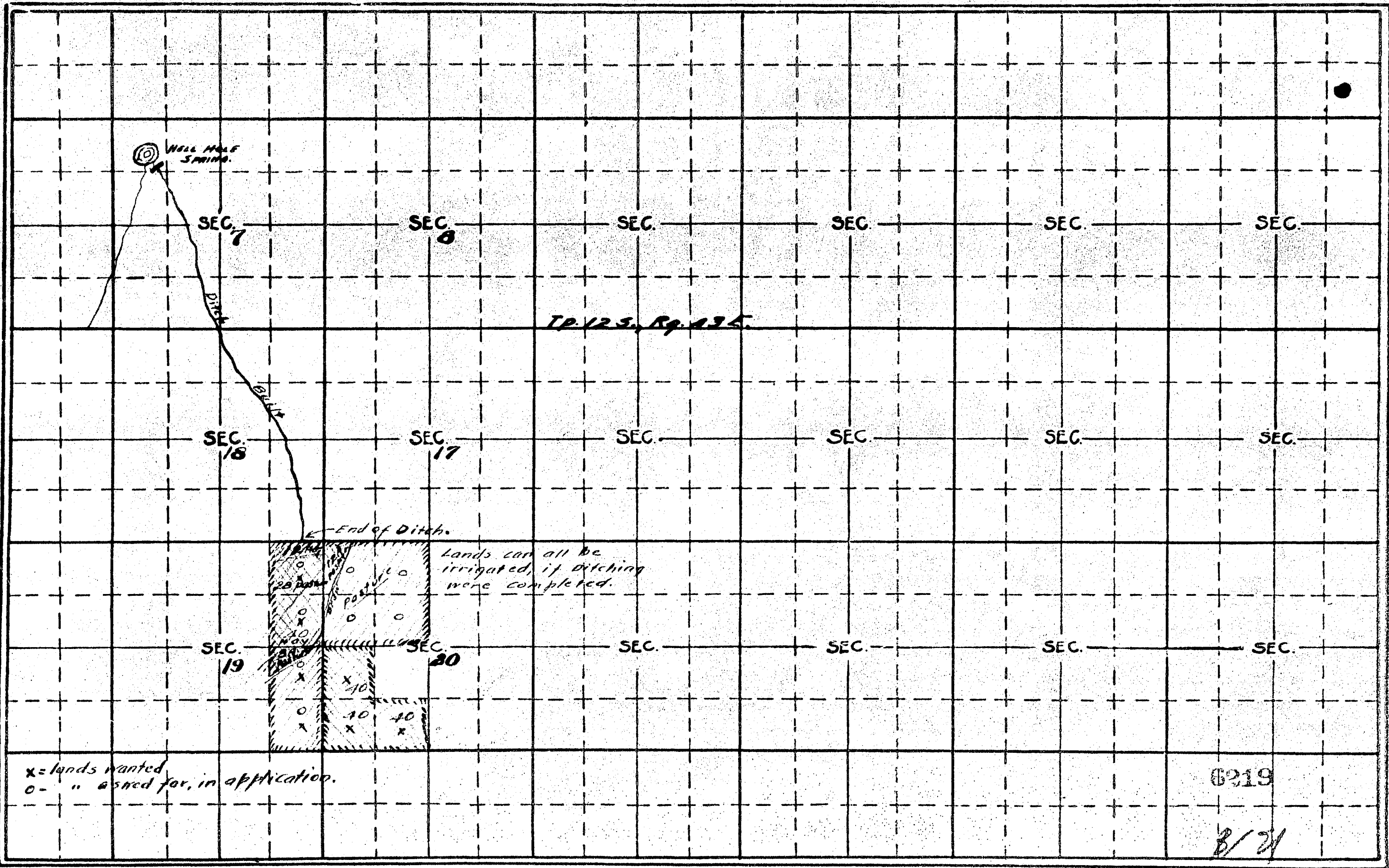
This examination was made on the 20th day of May 1916.

(Signed)

Examiner.

Name of Applicant - *Bethmann, Mrs. A.C. (widow)* - # 6219.

SCALE: 2 INCHES = 1 MILE. DRAW PLAN IN INK.



6219

B/21

June 16, 1916.

Re Permit 6219.

Cambling-Orr Ditch Co.
Mr. Berteam Orr,
Sharon, Idaho.

Sir:--

Just in receipt of your letter enclosing check for fees for final proof under above permit. In reply would say that, inasmuch as the original list of lands was not the one advertised and upon which proof was made, the license could not be issued for same. However, after you have received license for the lands under cultivation, as advertised, you can proceed under Section 3264, of the Revised Codes, for transfer of water right.

The license will, accordingly be issued for the amended land list and will be mailed to you soon. Am herewith enclosing receipt for fees.

Very truly yours,

J. H. SMITH,

State Engineer.

By _____

R8353

6219

August 3, 1916.

No Permit 6219.

Mr. Bertram Orr,
Sharon, Idaho.

Sir:--

Enclosing herewith water license issued
under above permit.

Very truly yours,

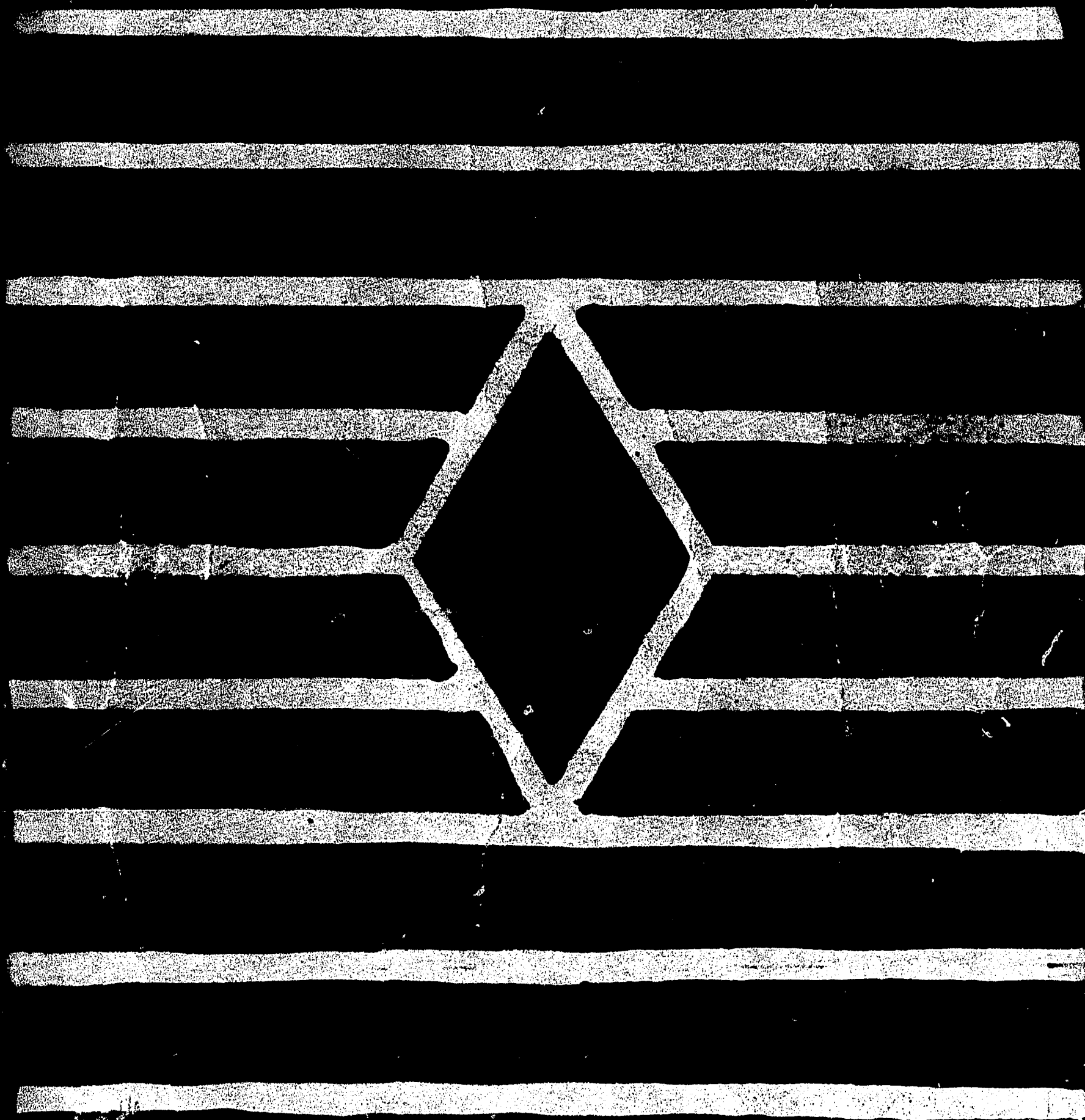
J. H. SMITH,

State Engineer.

By _____

WL

6219



May 16, 1968

Wayne M. Winegar
Weber Basin Water Conservancy District
Rt 2, Box 223
Layton, Utah 84041

Dear Wayne:

I have checked the records of the office concerning Permit 6219 as requested in your recent letter. The license issued by the office in 1916 covers a right to divert 2 second feet of water from Bell Hole Spring at the SE corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 7, T. 12 S., R. 43 E., B.M. The water is used to irrigate 100 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 19; NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 20, T. 12 S., R. 43 E., B.M.

With regard to your inquiry concerning an Idaho tax exemption certificate, the tax commission has indicated that such exemption certificates are not available to an organization such as the boy scout council. Perhaps the law in Idaho is different than you experience in Utah. I would suggest that you write directly to the Idaho Tax Commission, 317 Main Street, Boise, Idaho, 83702, attention Mr. Homer Ross concerning this matter.

Sincerely yours,

R. Keith Higginson
State Reclamation Engineer

RKH:mr

6219
11-2039



WEBER BASIN WATER CONSERVANCY DISTRICT

R. F. D. No. 2 • BOX 223 • LAYTON, UTAH 84041 • PHONE (801) 826-1877

May 6 1968

RECEIVED

MAY 8 1968

Re: Camp Bartlett
Department of Reclamation

President
KEITH G. JENSEN
Huntsville

Sec.-Manager
WAYNE M. WINEGAR
Layton

Directors
JOSEPH F. BREEZE
Ogden
ELMER CARVER
Plain City
EZRA T. CLARK
Bountiful
BLAINE D. FISHER
Clearfield
J. CLIFTON LINFORD
Kaysville
S. J. OLSEN
Morgan
RALPH A. RICHARDS
Oakley
FRANCIS V. SIMPSON
Hooper

Mr. Keith Higginson
Idaho State Engineer
Idaho State Capitol
Boise, Idaho

Dear Keith,

Some four years ago the Lake Bonneville Boy Scout Council, by donation and every other legal means, acquired several hundred acres for a summer camp approximately 15 miles West and North of Montpelier. The camp is progressively being developed and improved, and is a real asset to the Boy Scout movement.

A small irrigation reservoir was located on the property at about Township 11 South, Range 43 East. This was fed by springs above and filled at run-off time. One of the springs which feeds the reservoir was used for culinary purposes the last couple of years. The reservoir itself is an integral part of the camp and arrangements had been made with the Gambling-Orr Ditch Co. to maintain the depth of the storage.

It became apparent that a more permanent water right was needed if the camp were to be successful. As a result, the entire 200 acre ranch of a Mr. Orr was purchased. Our understanding was that he has a water right under Idaho permit No. 6219, approved June 20, 1910 for Gambling-Orr Ditch Co., of 5-6/10 c.f.s. to be used to irrigate approximately 40 acres. This 40 acres is now deeded to the Lake Bonneville Boy Scout Council.

Would you please advise us as to what needs to be done to have this right transferred to the Council, and an explanation as to what our right actually constitutes. Your cooperation will be very much appreciated.

Keith, our Council also needs an Idaho tax exemption certificate, which would be comparable to one issued to church or educational institutions. I am aware that this is out of your department, but would appreciate this if you can.

Kindest personal regards,

Wayne M. Winegar
Wayne M. Winegar

cc: Lake Bonneville Scout Council
Attn: Jed Stringham

Mr. Homer Ross
ATTN: Mr. Homer Ross
6217
11-2039

County: Bear Lake.
Stream: Hell Hole Spring.
Amount: two cu.ft.
Use: Irrigation.
Priority: 5-27-10/

2030

STATE OF IDAHO

Water License No. 6219.

WATER DISTRICT No. 5-K

WHEREAS, On the 27th day of May, A. D. 1910, Gambling, Orr Ditch Company,

of Sharon, County of Bear Lake, State of Idaho, duly made application (No. 8949) to me for a permit to use 5.6 cubic feet per second of the waters of Hell Hole Springs - in Water District No. 5 - K.

County of Bear Lake, State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the 20th day of June, A. D. 1910, Permit No. 6219 was issued to said applicant for the diversion of said water and providing for the completion of the works of diversion therein described on or before the 20th day of June, A. D. 1913, and for the application to beneficial use of said water on or before the 20th day of June, A. D. 1914, and,

WHEREAS, On the 20th day of June, A. D. 1913, Gambling, Orr Ditch Company,

the holder of said permit, duly made proof of the completion of adequate works for the diversion of 5.6 cubic feet per second of said waters, as evidenced by my Certificate No. 6219 dated June 21 1913, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 5.6 cubic feet per second of said water. with date of priority of May 27th, 1910, and

WHEREAS, On the 13th day of October, A. D. 1914, the time for beneficial use of water under said permit was extended to the 15th day of July, A. D. 1916, and,

WHEREAS, On the 16th day of July, A. D. 1915, Gambling, Orr Ditch Company,

the holder of said permit, duly made proof of the application to beneficial use of two (2) cubic feet per second of said water:

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to

GAMBLING, ORR DITCH COMPANY,

of SHARON, County of Bear Lake, State of Idaho, the holder and owner of said Permit No. 6219, a perpetual right, dating from May 27th, 1910 to the use of two (2) Cubic feet per second of the waters of Hell Hole Spring

in the County of Bear Lake and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at the S.E. Cor. of the NW $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec. 7, T. 12 S., R. 43 E. B. M.

and conducted to and upon 100 acres as follows; 40 acres in NE $\frac{1}{4}$ of NE $\frac{1}{4}$; 40 acres in SE $\frac{1}{4}$ of NE $\frac{1}{4}$, 8 acres in NE $\frac{1}{4}$ of S $\frac{1}{4}$ Sec. 19, and 12 acres in NW $\frac{1}{4}$ of NW $\frac{1}{4}$ Sec. 20, T. 12 S., R. 43 E. B. M.

for the purpose of irrigation and domestic use. subject, however, to the laws of the State of Idaho, applicable to a license for the use of the waters of the State; and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 29th day of July A. D. nineteen hundred and sixteen

J. H. SMITH

(Seal)

State Engineer:

11 2039

CHANGE IN NATURE OF USE

Water Right No. 11-2039

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use
BOY SCOUTS OF AMERICAName of applicant LAKE BONNEVILLE BOY SCOUT COUNCIL Phone (801) 479-5460Post Office address 1200 East, 5400 South Ogden, Utah 84403

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to _____ (Name)

in case of _____ vs _____

dated in _____ in _____ county of _____
(Name of court)b. License No. 11-2039 issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant. If the applicant is not the original holder of the water right, explain how it was acquired Applicant purchased
land and water rights3. Source of water Hell Hole Spring tributary to North Creek4. Date of priority May 27, 1910

5. Water is used for the following purposes:

* Not specified in license

amount 2.0 cfs for Irrigation purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)6. Total amount of water under right: a. 2.0 cubic feet per second

&/or

b. 200 acre feet per annum7. Location of original point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 7Township 12S Range 43E, B.M., in Bear Lake County

Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
12S	43E	19	40			40									8				88
12S	43E	20						12											12

Total number of acres to be irrigated 1009. Describe any other water rights used for the same purpose as described above None10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? No If yes, describe in item D, REMARKS.

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____
3. Place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	

Total number of acres to be irrigated _____

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

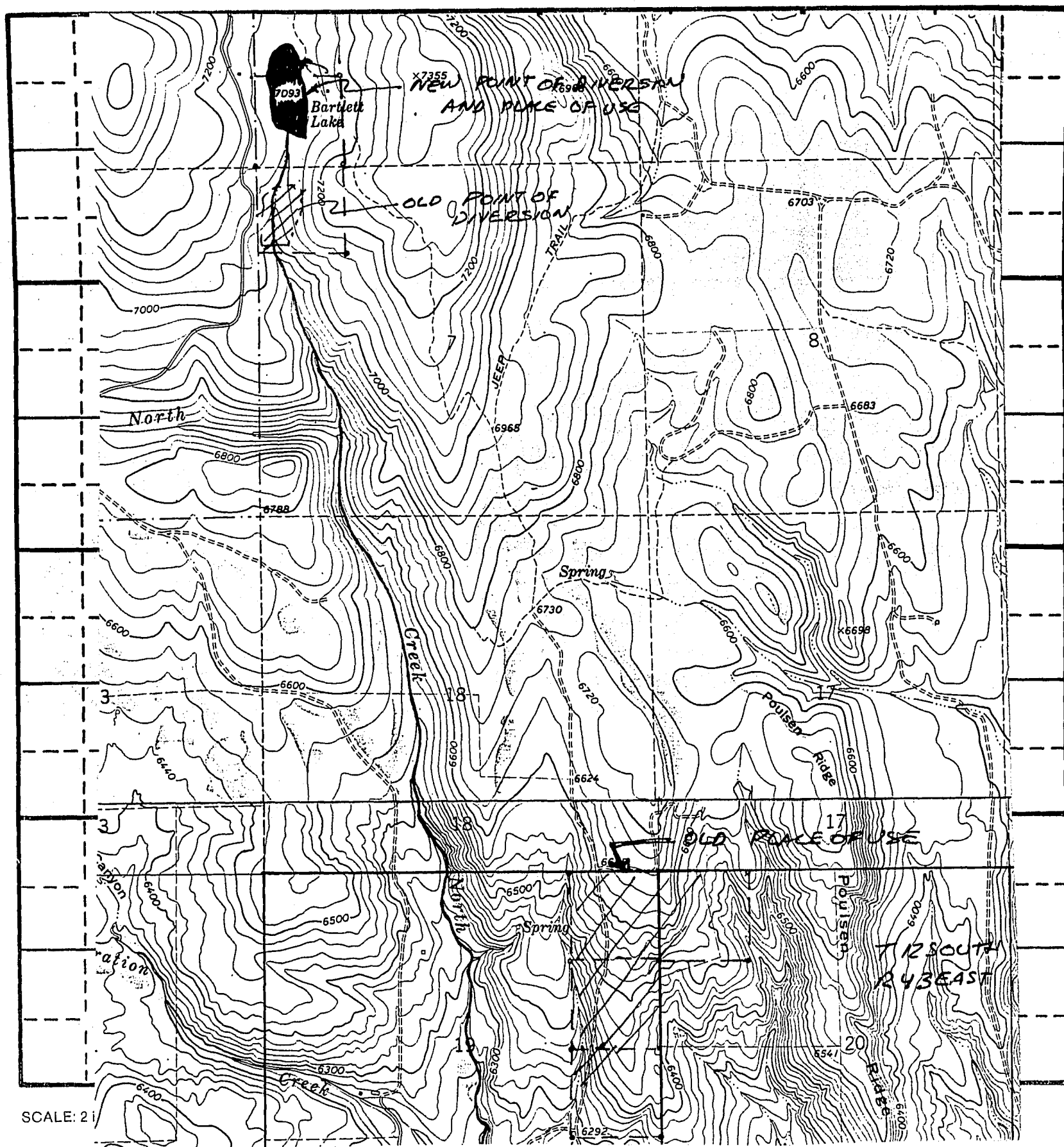
1. General Information for recreation use
- a. Amount of water to be diverted 2.0 c.f.s. &/or 200 AF acre feet
- b. Description of diverting works Earth Dam (14' high) on stream
- c. Describe the reasons for the proposed changes The reservoir is no longer used to provide water to the lands under the water right license. It is used for recreational use at the Boy Scout Camp at the reservoir.
2. Change in point of diversion
- Point of diversion SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 6 Township 12S
Range 43E, B.M., Bear Lake County
Additional points Note: The original place of use was an apparent error.
3. Change in place of use
- a. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? X Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed change.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer
This transfer will remove the referenced water rights from the land.
The land will no longer be irrigated by this water right.

c. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
12S	43E	6										X	X						

Total number of acres to be irrigated N/A

4. Describe any other water rights used for the same purpose as described above. 11-4218
11-7279 / 11-7280
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



D. REMARKS

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willfull misrepresentations made in this application may result in voiding its approval.

Thomas D. Brief A.S.E.
(Signature of Applicant)

Subscribed and sworn to before me this 5th day of November, 19 85

Calvin Wray
(Notary Public)

My commission expires 5-29-1991

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 11-2039
and said application is hereby APPROVED, subject to the following limitations and conditions:
Use of water under this right is subject to control by the watermaster of State
Water District No. 11, Bear River.

Witness my hand this 3rd day of March, 19 86

J. Glen Saylor
Chief, Operations Bureau

Received by <u>cw</u>	11-05-85	FOR DEPARTMENT USE ONLY
<u>cw</u>	2-24-82	
<u>cw</u>	11-02-81	
Prelim. check by <u>HWJ</u>	Fee <u>\$50.00</u>	Protest filed by _____
Receipted by <u>cw</u>	Date <u>2-24-82</u> #20109	
Published in <u>News Examiner, Montpelier</u>	Copies of protest forwarded by _____	
Pub. dates <u>11/27 + 12/5 1985</u>	Hearing held by _____ Date _____	
Watermaster recommendation requested on <u>NA</u>	Recommended for <u>approval</u> denial	
_____ rec'd.	by <u>REC Jim</u>	

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Application For Transfer of Water Right
Supplemental Information for
CHANGE IN NATURE OF USE

1. Fully complete Form 222. Type or print in ink "CHANGE IN NATURE OF USE" at the top of page 1. If no change in point of diversion or place of use is desired, so note under items C.2 and/or C.3 C.

2. Describe fully the new use to which the water is intended to be applied:

a. Nature of use: Recreation use at a Boy Scout Camp.

Use includes: Fishing, Boating, Swimming

b. Rate of flow: 2.0 cfs

c. Hours per day and days per year that the flow will be diverted: 24 hrs.
up to 200 AF

d. Season of use: Year round use of 200 AF stored water

e. Return flows from the use: (quantity and quality of return flows, and location of discharge):

Discharge will be at the rate of 2.0 cfs or greater (or the rate of inflow)
thru the spillway channel.

3. Describe positive and negative effects on other waterusers predicted to result from the proposed change in nature of use. This use will have a positive effect
on any downstream water users when the reservoir fills the inflow will equal
the outflow less evaporation and seepage loss. These losses should be far less
than the previous consumptive use of 2.0 cfs. There will be more water available
in the creek during the irrigation season.

Nº 2975

DEC 05 1985

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Bear Lake } ss.

Therese Stamm

being duly sworn,

deposes and says:

That he is the Editor of THE NEWS-EXAMINER, a weekly newspaper published at Montpelier, in the County of Bear Lake and State of Idaho; and said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Montpelier; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for 2 consecutive weeks in the regular and entire issue of said paper during the period and time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

November 27, 1985, and ending
with the issue of December 5, 1985

Therese Stamm
Fees, \$ 30.03

Subscribed and sworn to before me this 31st day
of Dec, 1985

Ken D. Allen

Notary Public, Residing at Montpelier, Idaho

My Commission Expires June 2, 1986

RECEIVED

DEC 17 1985

Department of Water Resources
Eastern District Office

LEGAL NO. 2975
NOTICE OF PROPOSED CHANGE
OF WATER RIGHT
NO. 11-2039
Notice is hereby given that Lake Bonneville
Boy Scout Council, Ogden, Utah, has applied
to the Department of Water Resources for a
change in the point of diversion, place of use,
and nature of use of the waters of Hell Hole
Spring tributary to North Creek. The right
sought to be changed is evidenced by License
No. 11-2039 and is recorded as follows:
AMOUNT: 2.0 cfs PRIORITY: May 27, 1910
POINT OF DIVERSION: NW 1/4 NW 1/4 Sec 7
T 12S R 43E B.M., Bear Lake County.
The water is used to irrigate 100 acres
within the E 1/4 NE 1/4, NE 1/4 SE 1/4, Sec. 19,
NW 1/4 NW 1/4 Sec 20 T 12S R 43E.
TO BE CHANGED
AS FOLLOWS
The water will be diverted within the
SW 1/4 SW 1/4 Sec 6 T 12S R 43E for
recreational purposes, within the W 1/4 SW 1/4
Sec 6 T 12S R 43E.
Any protest against approval of the above
proposed change of water right must be filed
with the Idaho Department of Water Resources,
150 Shoup Ave., Suite 15, Idaho Falls,
Idaho 83402, on or before December 16,
1985.
A. Kenneth Dunn
Director
11-27, 12-5
33 LINES

Warranty Deed

THIS INDENTURE, made the 26th day of January, In the year of our Lord, one thousand nine hundred and Sixty eight between DENNIS MATTHEWS CARLSEN and EDITH E. CARLSEN, husband and wife, of the County of Bear Lake, State of Idaho, part i.e.s. of the first part, and LAKE BONNEVILLE COUNCIL, BOY SCOUTS OF AMERICA, a corporation of the County of of the State of Utah, the part .Y. of the second part:

WITNESSETH, That the said part i.e.s. of the first part, for and in consideration of the sum of Fifteen Thousand DOLLARS, lawful money of the United States of America to them in hand paid by the said part .Y. of the second part, the receipt whereof is hereby acknowledged, ha .va. granted, bargained, sold, aliened, remised, released, conveyed and confirmed, and by these presents do..... GRANT, BARGAIN, SELL, ALIEN, REMISE, RELEASE, CONVEY and CONFIRM unto the said part of the second part, and to its successors heirs and assigns forever, all that certain place or parcel of land, situated in the County of Bear Lake, State of Idaho, and known and described as follows, to-wit:

The Northeast quarter of the Northeast quarter of Section Nineteen (19) Township 12 South, Range 43 East of Boise Meridian, Idaho, and containing 40 acres of land, more or less. Together with any and all water and water rights thereunto belonging or in any wise appertaining, and particularly all the water in what is known as "Hell Hole Reservoir" and the Tributaries THEREOF.

Together with all and singular the tenements, hereditaments and appurtenances thereof, belonging, or in any wise appertaining, and the rents, issues and profits thereof, and also all the estate, right, title, interest, property, possession, claim and demand whatsoever, as well in law as in equity of the said part i.e.s. of the first part, of, in or to said premises, and every part and parcel thereof, with the appurtenances.

TO HAVE AND TO HOLD, all and singular the said premises, together with the appurtenances, unto the said part y..... of the second part, and to its successors..... heirs and assigns, forever, and said part ies..... of the first part, and their heirs, the said premises, in the quiet and peaceable possession of the said part y..... of the second part, its/^{successors} heirs, and assigns against the said part ies..... of the first part, and their..... heirs and against any and all persons whatsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, The said part ies..... of the first part have..... hereunto set their..... hand s..... and seal s..... the day and year first above written.

Signed, Sealed and Delivered in the Presence of

J. E. Haddock

Dennis Matthews Carlson (SEAL)
Edith E. Carlson (SEAL)

United States of America

STATE OF IDAHO
County of Bear Lake

ss.

On this 26th..... day of January..... in the year of our Lord one thousand nine hundred and Sixty eight, before Me, *P. Hugh Shepherd* a Notary Public, within and for said County and State personally appeared DENNIS MATTHEWS CARLSEN and EDITH E. CARLSEN, husband and wife, personally known to me to be the person s..... whose name s..... are..... subscribed to the within instrument, and duly acknowledged to me that they..... executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year in this certificate above written.

P. Hugh Shepherd
Notary Public for Idaho
Residing at *Paris, Idaho*

Notary Commission Expires Oct 10th 1970

ent of m. ly. y. 1

SAFETY VICE PRESIDENT
G. R. MOSS
VICE-PRESIDENTS
LP FRANK K. BARTLETT
E. LAMAR BUCKNER
DOUGLAS J. FIFE
GEORGE H. HORSLEY
REGINALD HUNSAKER
HOWARD E. WATTS

CUB SCOUTING

BOY SCOUTS

EXPLORING



LAKE BONNEVILLE COUNCIL BOY SCOUTS OF AMERICA 1200 EAST 5400 SOUTH, OGDEN, UTAH 84403 PH. 399-5593

TREASURER
DOREN B. BOYCE
COMMISSIONER
EARL MADSEN
SCOUT EXECUTIVE
LYNN M. AUSTIN

January 25, 1968

Agreement entered into between Dennis M. Carlsen & Edith E. Carlsen, husband and wife and the Lake Bonneville Council, Boy Scouts of America, a Utah corporation with offices at Ogden, Utah.

Inasmuch as the Lake Bonneville Council, Boy Scouts of America, has loaned Dennis M. & Edith E. Carlsen the sum of \$40,000.00 to be used for the purchase of certain real property;

And inasmuch as Dennis M. & Edith E. Carlsen have deeded to the Lake Bonneville Council, Boy Scouts of America, the Northeast Quarter of the Northeast Quarter of Section 19, Township 12 South, Range 43 East of the Boise Meridian, Idaho, along with complete water and water rights to the "Hell-Hole" reservoir - property valued at \$15,000.00, it is therefore agreed that;

1. The remaining \$25,000.00 due the Lake Bonneville Council, BSA, shall be paid as follows:

\$15,000.00 to be paid before February 15, 1968--such amount to be applied to both the principal and interest as accrued at 7½% per annum since the loan date of August 28, 1967.

The remaining principal to be paid in 15 equal annual installments due November 15 each year, beginning in 1968 and continuing thereafter until paid in full. Interest at the rate of 7½% per annum shall be paid on the unpaid balance on the installment anniversary date in addition to the principal. The borrower is given the privilege of paying additional amounts or the entire balance in full at any time without penalty.

2. The Lake Bonneville Council, B.S.A., agrees to lease the above mentioned property to Dennis M. & Edith E. Carlsen on a 10-year lease for the amount of \$1.00 annually plus any and all taxes levied against the land. Carlsen and his heirs shall have the option of additional 10-year leases for the same consideration until he forfeits such option by failing to renew the lease agreement or until ownership of adjacent properties pass from him or his heirs. The Lake Bonneville Council will notify Carlsen 60 days prior to termination date of each 10-year lease period.

3. Carlsen shall have the privilege of using overflow waters from the above mentioned reservoir on the leased 40 acres property for the purpose of continuing water rights on that property--also providing that he may use excess water on adjacent properties WITHOUT JEOPARDIZING WATER RIGHTS PERTAINING TO LEASED LAND. Overflow and excess water is to be determined solely by the Lake Bonneville Council, Boy Scouts of America.

4. The Lake Bonneville Council, B.S.A., will assume full responsibility for the upkeep of the reservoir as well as the ingress and egress ditches required to carry water from its source to said leased property.
5. If it becomes feasible in the future, the Lake Bonneville Council will grant Carlsen permission to construct a pipeline, at his own expense, to transport said excess water from the reservoir to leased property.

Signed for Lake Bonneville Council, B.S.A.

Position

Signed: Dennis M. Carlsen

Edith E. Carlsen

Notary Public

My Commission expires

Margaret C. Hickman
12 Jan 1971.
Logan, Utah.

Transfer No. _____

Water Right No. 11-2039

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use

Name of applicant Lake Bonneville Council, Boy Scouts of America Phone 479-5460
 Post Office address 1200 East, 5400 South, Ogden, Utah 84403

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____ (Name)
 in case of _____ vs _____
 dated in _____ in _____ county of _____
 (Name of court)
- b. License No. 11-2039 issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant Applicant has obtained the water right thru purchase of the land.

3. Source of water Hell Hole Spring tributary to North Creek

4. Date of priority May 27, 1910

5. Water is used for the following purposes:

- amount 2.0 cfs. for Irrigation purposes from 4/1 to 11/1
 amount _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 (month/day — both dates inclusive)

6. Total amount of water under right: a. 2.0 cubic feet per second
 &/or
 b. _____ acre feet per annum

7. Location of original point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 7
 Township 12S Range 43E, B.M., in Bear Lake County
 Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
<u>12S</u>	<u>43E</u>	<u>19</u>	<u>40</u>			<u>40</u>									<u>8</u>				<u>88</u>
"	"	<u>20</u>						<u>12</u>											<u>12</u>

Total number of acres to be irrigated 100

9. Describe any other water rights used for the same purpose as described above _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? No If yes, describe in item D, REMARKS.

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____
3. Place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	

Total number of acres to be irrigated _____

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

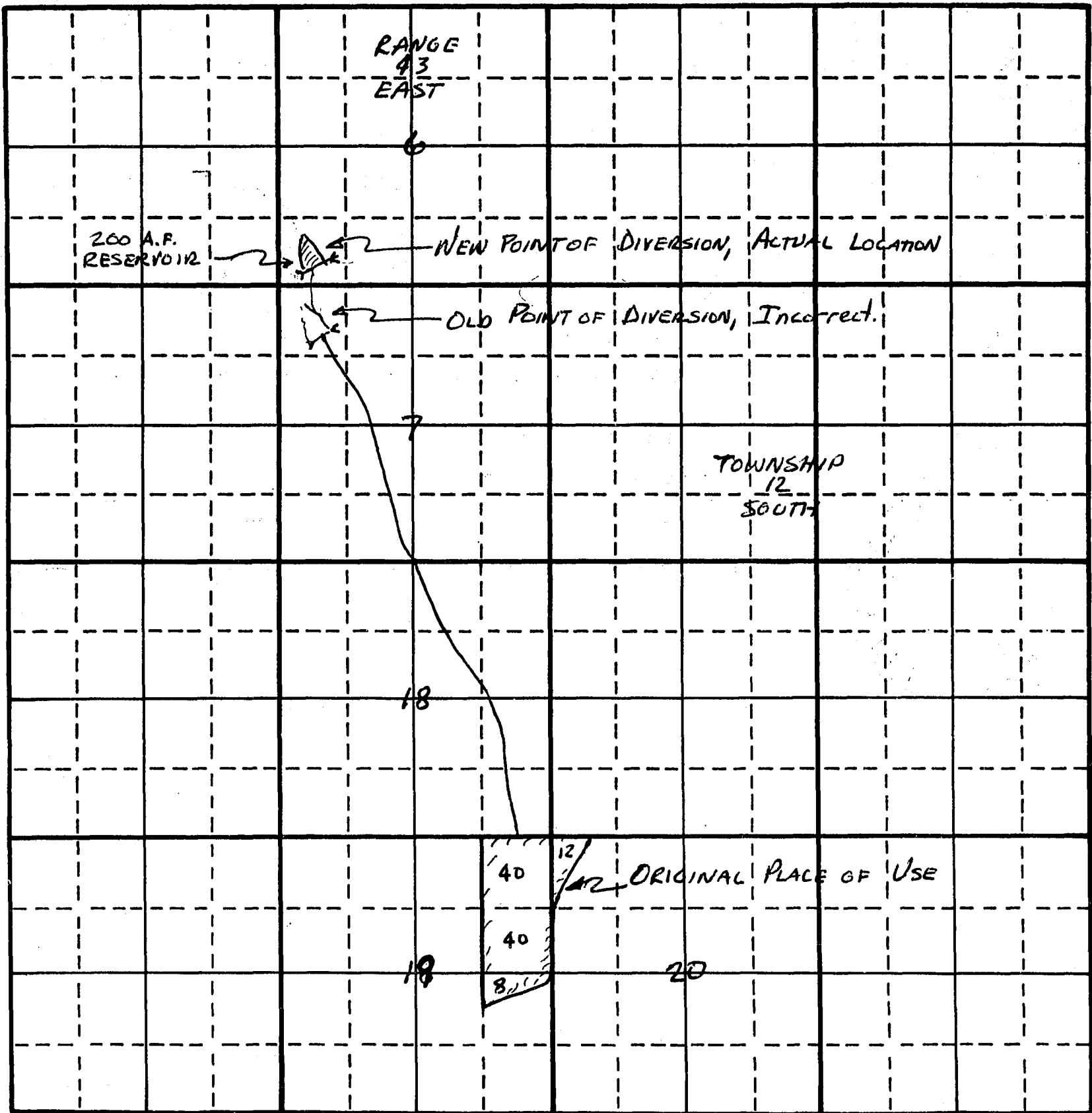
1. General Information
 - a. Amount of water to be diverted 2.0 cfs. c.f.s. &/or _____ acre feet
 - b. Description of diverting works 12' High dam with spillway and small reservoir (200 A.F.)
 - c. Describe the reasons for the proposed changes Applicant now owns the reservoir site and the place of use. They wish to sell the land under the place of use and retain the reservoir for recreational purposes
2. Change in point of diversion
 - * Point of diversion SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 6 Township 12S
Range 43E, B.M., Bear Lake County
Additional points _____
Water is to be used for the following purposes:
amount: 2.0 cfs. for Diversion to Storage purposes from 1/1 to 12/31
** amount: 200 A.F. for Storage for recreation purposes from 1/1 to 12/31
3. Change in place of use
 - a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes _____ No _____. If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.
 - b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer
The lands under place of use will no longer be irrigated from this source.

c. Describe the land or place of use to which the right will be transferred:

TWP.	RANGE	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	43E	6											X						

Total number of acres to be irrigated _____

4. Describe any other water rights used for the same purpose as described above. None
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

D. REMARKS

* THE Change in point of diversion is necessary because the original water right license indicated the wrong location for the dam and reservoir.
** THE 200 A.F. Storage amt. was indicated in the original Engineers report for the water right exam.

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willfull misrepresentations made in this application may result in voiding its approval.

Elmer H. Ward
(Signature of Applicant)
Vice President Properties

Subscribed and sworn to before me this 27th day of October, 1981

Lela M. Gehrig
(Notary Public)

My commission expires Jan 23, 1982

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____
and said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19____.

FOR DEPARTMENT USE ONLY			
Received by <u>CW</u>	Date <u>2-24-82</u>	Protest filed by _____	
Prelim. check by _____	Fee <u>50.00</u>	_____	
Receipted by <u>CW</u>	Date <u>2-24-82</u>	_____	
Published in _____	<u>#20109</u>	Copies of protest forwarded by _____	
Pub. dates _____		Hearing held by _____	Date _____
Watermaster recommendation requested on _____		Recommended for _____	approval _____ denial _____
_____ rec'd. _____		by _____	_____

No. 89835 ✓

WARRANTY DEED

THIS INDENTURE, made the 22nd day of August, in the year of our Lord, one thousand nine hundred and sixty-seven between PAUL T. WALTON and GNEIL WALTON, husband and wife, of Salt Lake City, County of Salt Lake, State of Utah, parties of the first part, and DENNIS MATTHEWS CARLSEN and EDITH E. CARLSEN, husband and wife, of Logan County of Cache, State of Utah, parties of the second part:

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of VALUABLE CONSIDERATION DOLLARS, lawful money of the United States of America to them in hand paid by the said parties of the second part, the receipt of which is hereby acknowledged, have granted, bargained, sold, aliened, remised, released, conveyed and confirmed, and by these presents do GRANT, BARGAIN, SELL, ALINE, REMISE, RELEASE, CONVEY and CONFIRM unto the said parties of the second part, and to their heirs and assigns forever, all that certain piece or parcel of land, situated in the County of Bear Lake, State of Idaho, and known and described as follows, to-wit:

The Southwest Quarter of Section 20, Township 12 South, Range 43 East of the Boise Meridian, Idaho.

Also: The East half of the Northeast Quarter and the East Half of the Southeast Quarter of Section 19, Township 12 South, Range 43 East of Boise Meridian, Idaho.

Also: The Northwest Quarter of Section 20 in Township 12 South, Range 43 East of the Boise Meridian, Idaho.

= Also: The North half of the Northwest Quarter and the Southwest Quarter of the Northwest Quarter of Section 29, Township 12 South, Range 43 East of the Boise Meridian, Idaho.

Containing 600 acres in all, more or less, with all water and water rights thereto, including private reservoir.

\$44.00 Cancelled Documentary Stamps affixed.

Together with all and singular the tenements, hereditaments and appurtenances thereof, belonging, or in any wise averting, and the rents, issues and profits thereof, and also all the estate, right, title, interest, property, possession, claim and demand whatsoever, as well in law as in equity of the said parties of the first part, of, in or to said premises, and every part and parcel thereof, with the appurtenances.

TO HAVE AND TO HOLD, all and singular the said premises, together with the appurtenances, unto the said parties of the second part, and to their heirs and assigns, forever, and said parties of the first part, and their heirs, the said premises, in the quiet and peaceable possession of the said parties of the second part, their heirs, and assigns against the said parties of the first part, and their heirs and against any and all persons whatsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seals the day and year first above written.

Paul T. Walton (SEAL)

Gneil Walton (SEAL)

United States of America

STATE OF IDAHO

SS.

County of Bear Lake

On this 22nd day of August in the year of our Lord one Thousand nine hundred and sixty-seven before me, a Notary Public within and for said County and State personally appeared Paul T. Walton and Gneil Walton, husband and wife, personally known to me to be the persons whose names subscribed to the within instrument, and duly acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year in this certificate above written.

Gary Williams

(SEAL)

NOTARY PUBLIC for Idaho
Residing at Montpelier, Idaho
My Comm. expires: 1971

Recorded at the request of Dennis M. Carlsen; 12:45 p.m.; August 22, 1967, Book 51 of Deeds; Page 192.

By Amos B. Hulme, Deputy
Fee: \$1.80

Amos B. Hulme, Recorder

STATE OF IDAHO)

COUNTY OF BEAR LAKE)

I, JOHN P. Eborn, Clerk Auditor and Recorder of Bear Lake County, Idaho, do hereby certify that the within and foregoing is a full, true and correct copy of the original Warrant Deed as the same appears on Record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of this office at Paris, Idaho, this 1st day of December, 1981

John P. Eborn
Clerk, Auditor & Recorder, Bear Lake County, Idaho



LAKE BONNEVILLE COUNCIL - BOY SCOUTS OF AMERICA
1200 East 5400 South, Ogden, Utah 84403 (801) 479-5460

October 25, 1985

RECEIVED

OCT 28 1985

Department of Water Resources
Eastern District Office

Steve McCormick
Department of Water Resources
150 Shoup - Suite 15
Idaho Falls, Idaho 83402

Dear Steve:

In response to your letter of October 9, 1985, pertaining to application for transfer of license No. 11-2039.

In looking over my files and talking with our Properties Chairman, Elmer Ward, we still have some unanswered questions pertaining to this transfer.

We are very concerned that this be correctly done so all our affairs are in good order. I note that we have been corresponding for some time trying to get this matter correct. It seems to me that we need to make an appointment with you and see if we can get this cleared up. I will be happy to bring my complete file up and have you show us what needs to be done.

May I suggest we meet at your office and that you hold the \$50.00 filing fee until we can get together to talk. I suggest a meeting on Tuesday, November 5, 1985, at about 11:00 AM (weather permitting), at your office.

If this date is not convenient please let me know. Otherwise I will see you on November 5th.

Thank You,

Tom Bird

Tom Bird
Assistant Scout Executive

TB/cr



A United Way Agency

11-2039 *Lge*
for

May 6, 1968

Mr. Keith Higginson
Idaho State Engineer
Idaho State Capitol
Boise, Idaho

Re: Camp Bartlett

Dear Keith,

Some four years ago the Lake Bonneville Boy Scout Council, by donation and every other legal means, acquired several hundred acres for a summer camp approximately 15 miles West and North of Montpelier. The camp is progressively being developed and improved, and is a real asset to the Boy Scout movement.

A small irrigation reservoir was located on the property at about Township 11 South, Range 43 East. This was fed by springs above and filled at run-off time. One of the springs which feeds the reservoir was used for culinary purposes the last couple of years. The reservoir itself is an integral part of the camp, and arrangements had been made with the Gambling-Orr Ditch Co. to maintain the depth of the storage.

- It became apparent that a more permanent water right was needed if the camp were to be successful. As a result, the entire 200 acre ranch of a Mr. Orr was purchased. Our understanding was that he has a water right under Idaho permit No. 6219, approved June 20, 1910 for Gambling-Orr Ditch Co., of 5-6/10 c.f.s. to be used to irrigate approximately 40 acres. This 40 acres is now deeded to the Lake Bonneville Boy Scout Council.

20 cfs.

Would you please advise us as to what needs to be done to have this right transferred to the Council, and an explanation as to what our right actually constitutes. Your cooperation will be very much appreciated.

Keith, our Council also needs an Idaho tax exemption certificate, which would be comparable to one issued to church or educational institutions. I am aware that this is out of your department, but would appreciate this if you can.

Kindest personal regards,

Wayne M. Winegar
Wayne M. Winegar

cc: Lake Bonneville Scout Council
Attn: Jed Stringham

STATE OF IDAHO

11-2039

Water License No. 6219.

WATER DISTRICT NO. 5-K

WHEREAS, On the 27th day of May, A. D. 1910, Gambling, Orr Ditch Company,

of Sharon, County of Bear Lake, State of Idaho, duly made application (No. 8949) to me for a permit to use 5.6 cubic feet per second of the waters of Hell Hole Spring, - in Water District No. 5 - K.

County of Bear Lake, State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the 20th day of June, A. D. 1910, Permit No. 6219 was issued to said applicant for the diversion of said water and providing for the completion of the works of diversion therein described on or before the 20th day of June, A. D. 1913, and for the application to beneficial use of said water on or before the 20th day of June, A. D. 1914, and,

WHEREAS, On the 20th day of June, A. D. 1913, Gambling, Orr Ditch Company,

the holder of said permit, duly made proof of the completion of adequate works for the diversion of 5.6 cubic feet per second of said waters, as evidenced by my Certificate No. 6219 dated June 21 1913, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 5.6 cubic feet per second of said water, with date of priority of May 27th, 1910, and

WHEREAS, On the 13th day of October, A. D. 1914, the time for beneficial use of water under said permit was extended to the 1st day of July, A. D. 1916, and,

WHEREAS, On the 16th day of July, A. D. 1915, Gambling, Orr Ditch Company,

the holder of said permit, duly made proof of the application to beneficial use of two (2) cubic feet per second of said water:

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to

GAMBLING, ORR DITCH COMPANY,

of SHARON, County of Bear Lake, State of Idaho, the holder and owner of said Permit No. 6219, a perpetual right, dating from May 27th, 1910 to the use of two (2) cubic feet per second of the waters of Hell Hole Spring

in the County of Bear Lake and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at the S.E. Cor. of the NW $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec. 7, T. 12 S., R. 43 E. B. M.

and conducted to and upon 100 acres as follows; 40 acres in NE $\frac{1}{4}$ of NE $\frac{1}{4}$; 40 acres in SE $\frac{1}{4}$ of NE $\frac{1}{4}$, 8 acres in NE $\frac{1}{4}$ of S $\frac{1}{2}$ Sec. 19, and 12 acres in NW $\frac{1}{4}$ of NW $\frac{1}{4}$ Sec. 20, T. 12 S., R. 43 E. B. M.

for the purpose of irrigation and domestic use, subject, however, to the laws of the State of Idaho, applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

Form 21 Bertram Orr- Sharon, Idaho.

REPORT OF ENGINEER

1. State name of applicant and number of permit. Bertram Orr- Permit 6219.
2. State source of water supply. Hell Hole Spring- 5.6
3. Location of point of diversion: S.E. Cor. of NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 7, T. 12 N. R. 43 E. B.M.

4. State whether or not the works of diversion are fully completed and in accordance with terms of permit: Yes.

5. Describe works as they exist, giving dimensions and capacities of same: Dam, 2' high of gravel & earth - 275' long on top. Reservoir of about 200 ac. 11 capacity. 6" pipe 1.6 mi down for headgate. Ditch, 1.5' wide on bottom, 2.0' on sides, 1' deep. Grade about 12' to 1 mi. East, carrying enough.

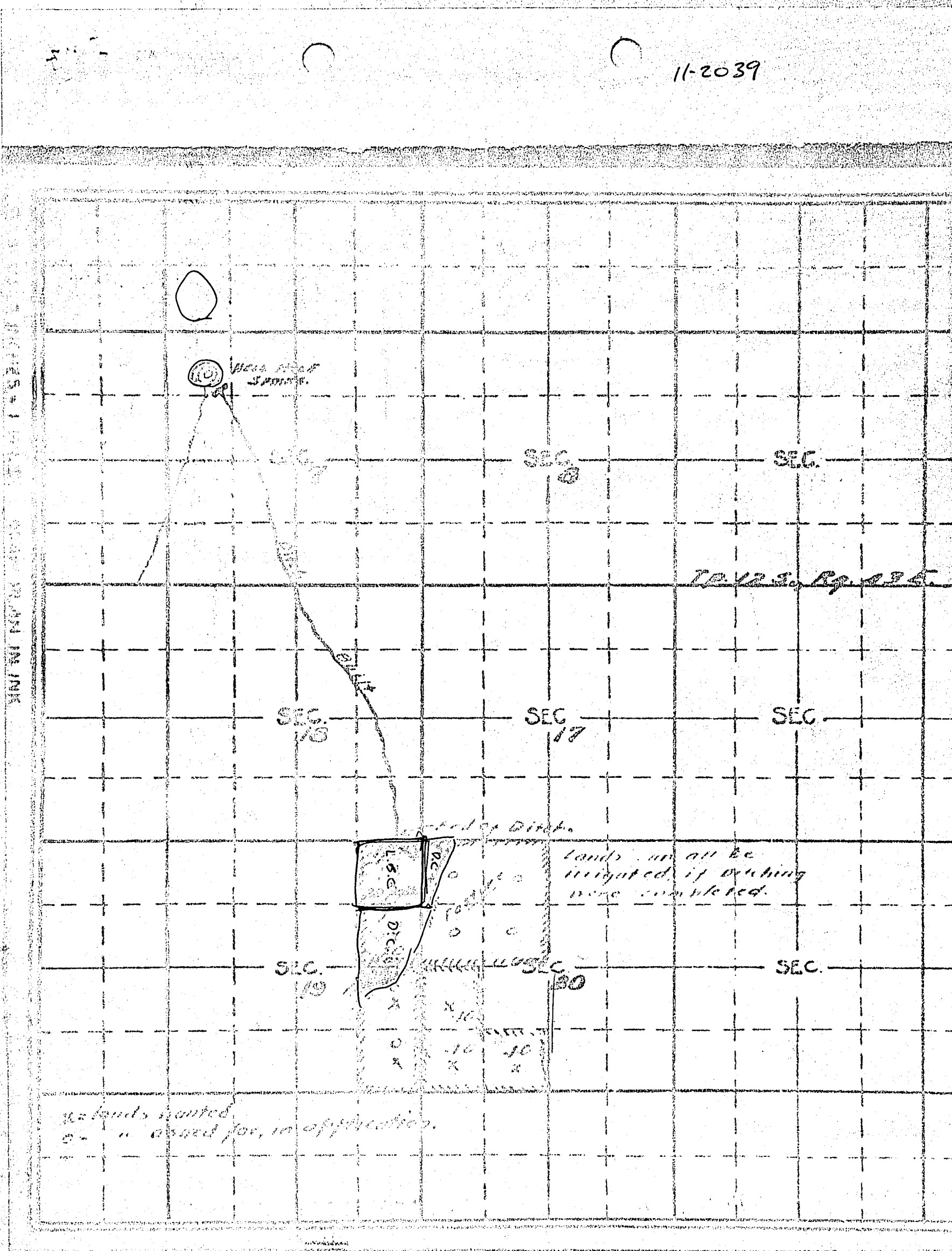
200 ac capacity

6. State whether or not water has been turned into works of diversion: Yes, but beneficial use has not been made.

7. Give exact location of lands to be irrigated. (Give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation):

E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 12 and NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 20, T. 12 N. R. 43 East B.M. 40" NW $\frac{1}{4}$ Sec. 19, 120 ac - plowed. 50" NW $\frac{1}{4}$ Sec. 19, 120 ac hay; 50" NW $\frac{1}{4}$ Sec. 19 - pasture - NW $\frac{1}{4}$ Sec. 20, all pasture - 120 ac. 120 ac. 120 ac. Balance of land remains bare except all in cultivation but never irrigated - as yet due to lack of water. Cost to be incurred by water company.

11-2039



November 16, 1984

Tom Bird
Lake Bonneville Boy Scout Council
1200 East 5400 South
Ogden, UT 84403

RE: Application for Transfer #11-2039

Dear Mr. Bird:

Review of the water right files has revealed the referenced application to be on hold.

A corrected or amended application was mailed to your office May, 1982. This application was to be signed and notarized and returned to this office to insure continued review of the proposed transfer.

Please inform us whether or not you wish to continue with the transfer application. The corrected application sent earlier must be returned as soon as possible if processing is to continue.

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

Sincerely,

STEVE McCORMICK, P.E.
Water Resource Engineer

SM/cz

October 9, 1985

RE: Application for Transfer of License No. 11-2039

Lake Bonneville Council
Boy Scouts of America
1200 East 5400 South
Ogden, UT 84403

Dear Sirs:

The Department has on file an application for transfer for License No. 11-2039.

Review of the Department files has revealed claim to a water right No. 11-4218 was filed by the Council to record the water right for the lake. The application for transfer is apparently not necessary.

The Department will return the application to the Council along with the \$50.00 filing fee if we do not receive a response within two weeks from the date of this notice.

Should you wish to proceed with the application for transfer, an amended application must be filed. This could best be accomplished by making an appointment with me in Idaho Falls to review the application.

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

Sincerely,

STEVE McCORMICK, P.E.
Water Resource Engineer

SM:cw

Enclosures

CONVERSATION MEMORANDUM

DATE November 4, 1985

FILE 11-2039

NAME OF PARTY Bear Lake County Assessor

EMPLOYEE Steve McCormick

RE: The County Assessors office shows the following land ownerships:

NENE Sec. 19, T. 12S, R. 43E Lake Bonneville Council

SENE " " " " Dennis Carlson

NESE " " " " "

NWNW Sec. 20 " " "

Dennis Carlson

138 N. Main

Logan, Utah 84321

CONVERSATION MEMORANDUM

DATE November 5, 1985FILE 11-2039 TransferNAME OF PARTY Tom Bird, Lake Bonneville Council, B.S.A.EMPLOYEE Steve McCormick

RE: I met with Tom Bird to discuss the Application for Transfer already on file.

The result of our discussion is that the council will apply to transfer the nature of use from irrigation to recreation.

The application proposes to remove the water right from the licensed place of use to the existing reservoir site. It also corrects an error in the original licensed point of diversion from the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 7 to the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 6, T. 12S, R. 43E.

The reservoir site is now owned by the Lake Bonneville Boy Scouts Council, evidence of ownership to be sent.

The place of use is owned partially by the council (40 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 19 T. 12S, R 43E) and partially by Dennis Carlson (40 Ac in SENE, 8 Ac in NESE, Sec 19, and 12 Ac in NWNW Sec. 20)

All of the land was purchased by Dennis Carlson from Paul Walton on August 22, 1967. The council was in possession of the reservoir site at that time and wanted to insure it retained the water rights.

The letter dated January 25, 1968 outlines the arrangement between Dennis Carlson and the council. The council had loaned Dennis Carlson \$40,000 apparently to purchase the land from Mr. Walton.

The agreement allowed for Dennis Carlson to deed the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 19, T. 12S R. 43E to the council along with "complete water and water rights to the Hell-Hole Reservoir". It also allowed for Mr. Carlson to lease the land back from the council and use the water rights at the council's discretion.

It indicated an amount of 5.7 cfs on 10 acres

CONVERSATION MEMORANDUM

DATE November 5, 1985FILE 11-2039 TransferNAME OF PARTY Tom Bird, Lake Bonneville Council, B.S.A.EMPLOYEE Steve McCormick

RE: The warranty deed dated January 26, 1968 indicates this. It
deeds the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 19 along with "particularly all the water in what
is known as Hell-Hole Reservoir".

The letter from Wane Winehar to Keith Higginson dated 5-6-1968
appears to be in error. It indicates an amount of 5.6 cfs on 40 acres
when it should be 2.0 cfs on 100 acres.

The intent of the council, according to Mr. Bird, was to retain
all the water rights to the reservoir.

The transfer application proposes to change the nature of use
thus removing the irrigation water rights from the lands in Sections 19 & 20.
It will also correct the point of diversion.

11-2039

CALCULATIONS FOR CHANGE IN NATURE OF USE.

IRRIGATION.

$$\text{Total rate} = 2.00 \text{ cfs.}$$

$$\text{Total volume diverted} = 300 \text{ AF/ANNUAL. Volume}$$

$$\text{Total consumptive use} = 120 \text{ AF/ANNUAL.}$$

Rate

$$\text{licensed diversion rate} = 2.0 \text{ cfs}$$

$$\text{estimated irrigation requirement} = 3.0 \text{ AF/AC/ANNUAL.}$$

$$\text{licensed place of use} = 100 \text{ AC.}$$

$$(3.0 \text{ AF/AC/ANNUAL})(100 \text{ AC}) = 300 \text{ AF/ANNUAL}$$

Consumption

$$\text{consumptive irrigation}$$

$$\text{requirement at Montpelier} = 1.2 \text{ AF/AC/ANNUAL.}$$

$$\text{licensed place of use} = 100 \text{ AC.}$$

$$(1.2 \text{ AF/AC/ANNUAL})(100 \text{ AC}) = 120 \text{ AF/ANNUAL}$$

Recreational Storage.

$$\text{Total rate} = \leq 2.0 \text{ cfs.}$$

$$\text{Total volume stored} = 280 \text{ AF/ANNUAL.}$$

$$\text{Total consumptive use} = 80 \text{ AF/ANNUAL.}$$

Rate of impoundment.

$$\text{on stream storage}$$

$$1/16 \text{ to } 4/14 - \text{entire flow of stream.}$$

$$4/15 \text{ to } 10/15 - \text{limit to } 2.0 \text{ cfs.}$$

$$\text{will approach } 0.0 \text{ cfs after reservoir has filled.}$$

Calculations for change in nature use,
page 2.

11-2039

Volume

- reservoir capacity is 200 AF
- given 40% of capacity is lost thru seepage & evaporation
- $.40 \times 200 = 80 \text{ AF}$
- $200 \text{ AF} + 80 \text{ AF} = \underline{280 \text{ AF}}$

Consumption.

- limited to evaporation & seepage loss = 80 AF/ANNUUM

Limiting parameters for change in nature use

- rate of impoundment can not exceed 2.0 cfs from $4/15$ to $10/15$
- loss due to seepage & evaporation can not exceed 100 AF/ANNUUM or 50% of reservoir capacity.

prepared by Ernest Carlson.
Jan 9, 1986.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

No 11-2039

Notice is hereby given that Lake Bonneville Boy Scout Council, Ogden, Utah, has applied to the Department of Water Resources for a change in the point of diversion, place of use, and nature of use of the waters of Hell Hole Spring tributary to North Creek. The right sought to be changed is evidenced by License No. 11-2039 and is recorded as follows:

AMOUNT: 2.0 cfs PRIORITY: May 27, 1910

POINT OF DIVERSION: NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 7 T 12S R 43E B.M.,
Bear Lake County.

The water is used to irrigate 100 acres within the E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec 19, NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 20 T 12S R 43E.

TO BE CHANGED AS FOLLOWS

The water will be diverted within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 6 T 12S R 43E for recreational purposes, within the W $\frac{1}{2}$ SW $\frac{1}{4}$ Sec 6 T 12S R 43E.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402, on or before December 16, 1985.

A. Kenneth Dunn

Director

Published in the News Examiner, Montpelier, November 27, and December 5, 1985

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

NOVEMBER 20, 1985

The News-Examiner
P. O. Box 278
Montpelier, Idaho 83254

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 DECEMBER 16, 1985.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

TO: File
FROM: Jim 2-27-86
RE: Transfer Review 3225

Overlap Review

P/U - Before Transfer:

T R S R 43 E	S. 19	N E N E (40)
		S E N E (40)
		N E S E (8)
	S. 20	N W N W (12)

Per review of micro fische - No other fts found
for above identified lands.

Transfer Analysis Sheet prepared by region shows
Rts. 11-7279, 11-7280

Transfer Application shows: 11-4218 in addition to
11-7279 & 11-7280

1. Permit 11-7279 - is for a spr. tributary to
the lake, it also shows a volume to be
stored in the lake.
2. Permit 11-7280 - is not related to the
lake being reviewed under this transfer.
3. Claim - 11-4218 is for the storage in the
lake.

~~Barrett~~ Misc. REVIEW

The lake, shown as Bartlett Lake on the
U.S.G.S. map is located at head of North Creek

Drainage. It is located in the natural water course.

Right 11-2039 Review

The source for 11-2039 is Hell Hole Springs tributary to North Creek. The relationship of the springs to the lake is not clear. The Field Report ^{identifies} confirms that a diverting Dam w/ reservoir capacity of 200 ac-ft was part of the works used ~~to cover~~ under the water right.

It can probably be safe to assume that Hell Hole Springs was the ^{beginning} ~~beginning~~ beginning of North Creek and the lake was created by the construction of the above referenced Dam.

REVIEW OF D11-2039 (DAM Safety File)

From the review of this file it is apparent that Bartlett lake shown on the U.S.C.S map and the Reservoir behind FIFE Dam (name of dam identified in the dam safety file) is one and the same.

The dam safety file shows reservoir capacity to be about 75 ac-ft. Not 200 ac-ft as indicated in water right file. The drainage area above the reservoir is 0.3 sq mi, therefore, the reservoir is located ^{at the head of} ~~probably on~~ the natural channel of North Creek.

Analysis

The change in nature of use as proposed by the transfer will not change the manner in which the water has been used in the reservoir. The significant ~~can~~ change caused by the transfer is the ~~also~~ discontinuance of irrigation. Water released from the reservoir after the desired level is obtained will flow downstream and is available for other users.

No conditions of approval are required other than since the reservoir is located within a water district ~~(inactive)~~ the water master control condition.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: HWS

1. Right number 11-2039 Applicant Lake Bonneville Boy Scout Council
2. Type of right: ☐ Decree ☒ License ☐ Claim
3. Purpose of transfer: ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☒ Other Change nature of use
4. Check:
- a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use
- b. ☒ Description of original point of diversion.
- c. ☒ Description of original place of use.
5. Amount of land &/or water transferred:
- a. ☒ All of right.
- b. ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).
- c. ☒ Check description of point(s) of diversion.
- d. ☒ Check description of place of use.
- e. ☒ Check map (shows p.d. and p.u. after transfer).
- f. ☐ Check for correct signature, notarization, and fee.
- g. ☒ Check proof of ownership of right &/or land from which water is transferred. *12-16-85*
approves ownership of right in Boy Scout Council
- h. ☒ Check for expansion in use of right. Comments _____
- i. ☒ Check for existing water rights from same source, on land water is being transferred to.
Right number(s) Permit 11-7279 + 11-7280 for same storage area but diff. spring sources
- j. ☒ Is use within a Watermaster District? ☐ Yes ☒ No
If yes, what district? _____

FINAL PROCESSING REVIEW BY: Ernest Carlson

1. Watermaster recommendation requested on N.A.
2. Is transfer published correctly? ☒ Yes ☐ No
3. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny
3. Conditions* The rate of diversion to storage shall not exceed 2.00 cfs. No consumption uses of water under this right are
4. By RPC Date 1/20/86 **RECEIVED** JAN 24 1986

JEM 2-27-86 - use 05(11, Bear River)
* All uses within Watermaster Districts require special conditions.

Received on

TOM BIRD
Assistant Scout Executive

Boy Scouts of America
Lake Bonneville Council

1200 East 5400 South
Ogden, Utah 84403
479-5460

Home: 399-5408

Department of Water Resources



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 7, 1986

RE: Transfer of Water Right No. 11-2039

Boy Scouts of America
Lake Bonneville Boy Scout Council
1200 E. 5400 S.
Ogden, UT 84403

Gentlemen:

Enclosed is a copy of your approved Application for Transfer of the above referenced water right (Transfer No. 3225). Be sure to note the condition of approval as listed on the final page.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure