

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant ROY WALKER Phone 208-547-3439
Post office address STAR ROUTE BAILEY CREEK, SODA SPRINGS, IDAHO 83276
2. Source of water supply BAILEY CREEK which is a tributary of BEAR RIVER
3. Location of point of diversion is SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 5 Township 10S
Range 42E B.M. BEAR LAKE County, additional points of diversion if any: LOT 18 of SEC. 5, T-10S, R 42E, B.M.
4. Water will be used for the following purposes:
Propagation RH 8-18-80
Amount 3 AF for FISH CULTURE purposes from MAR 1 to DEC 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. _____ cubic feet per second and/or b. THREE acre-feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. EXCAVATION OF STREAM CHANNEL SHOWN ON ATTACHED DRAWING TO A 5 foot Depth at center with creation of a 3 foot high dam.
b. Height of storage dam 3 feet, active reservoir capacity 1 acre-feet; total reservoir capacity 3 acre-feet, materials used in storage dam: EARTH AND ROCK
Period of year when water will be diverted to storage MARCH 1 to DEC 1 inclusive.
(Month/Day) (Month/Day)
c. Proposed well diameter is NONE inches; proposed depth of well is _____ feet.
7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year - maximum 5 years).
8. Description of proposed uses:
a. If water is not for irrigation:
(1) Give the place of use of water: SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 5 Township 10S
Range 42E B.M.
(2) Amount of power to be generated: _____ horsepower under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____.
(5) If water is to be used for other purposes describe: FISH CULTURE, 300-400 RAINBOW TROUT

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

c. Describe any other water rights used for the same purposes as described above. _____

9. a. Who owns the property at the point of diversion ROY G. AND ALICE B. WALKER

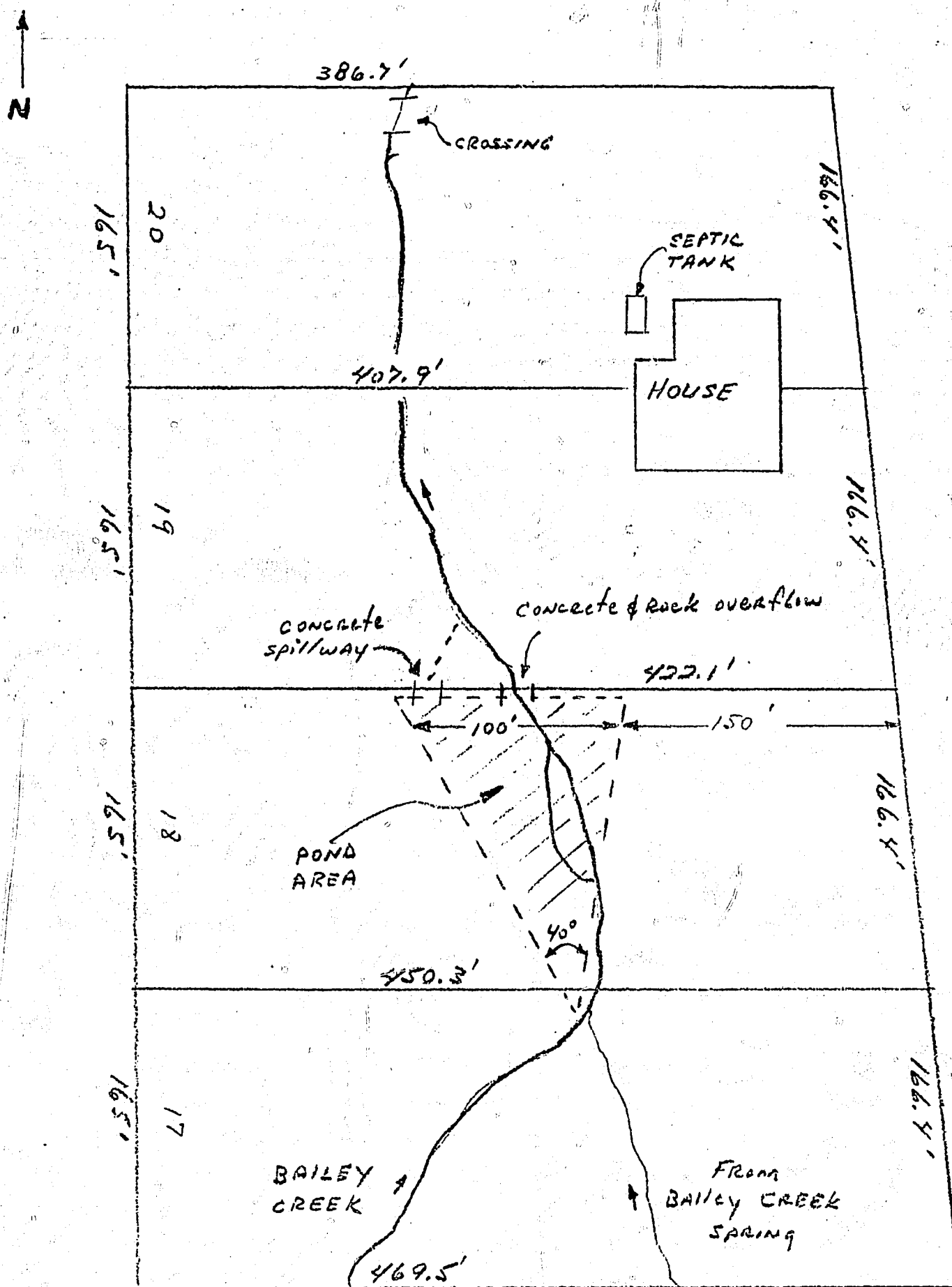
b. Who owns the land to be irrigated or place of use ROY G. AND ALICE B. WALKER

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

10. Remarks The pond area proposed will be used as a small fishing area. The present area is heavily covered with brush and willows.

The 3 foot high dam will include a concrete and rock spill way in addition to a concrete weir with fish retaining screen at the discharge point.

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



PROPOSED

POND AREA FOR

LOT 18 of NW 1/4, SECTION 5

T 10S, R 42E, B.M. BEAR LAKE CO.

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

Roy A. Walker

(Applicant)

5/28/80

Proposed Priority 5/30/80
Received by kw Date 5/30/80 Time 11:45
Preliminary check by / Fee \$ 20.00
Receipted by kw Date 6/1/80 # 14850
Publication prepared by kw Date 6/5/80
Published in The News Examiner
Publication dates 6/12 & 6/19/80
Publication approved kw Date 7-01-80
Protests filed by: Utah Power withdrawn 7-29-80
Copies of protests forwarded by kw
Hearing held by _____ Date _____
Recommended for approval denial by RH jm

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 11-7185, and said application is hereby approved.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before August 1, 19 85.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: (1) Return water shall be treated to insure that the effluent meets
Idaho Water Quality Standards.

Witness my hand this 25th day of August, 19 80.

L. Glen Sayton
Chief, Operations Bureau

IN THE OFFICE OF THE IDAHO DEPARTMENT OF WATER RESOURCES

APPLICATION NO. 11-7185

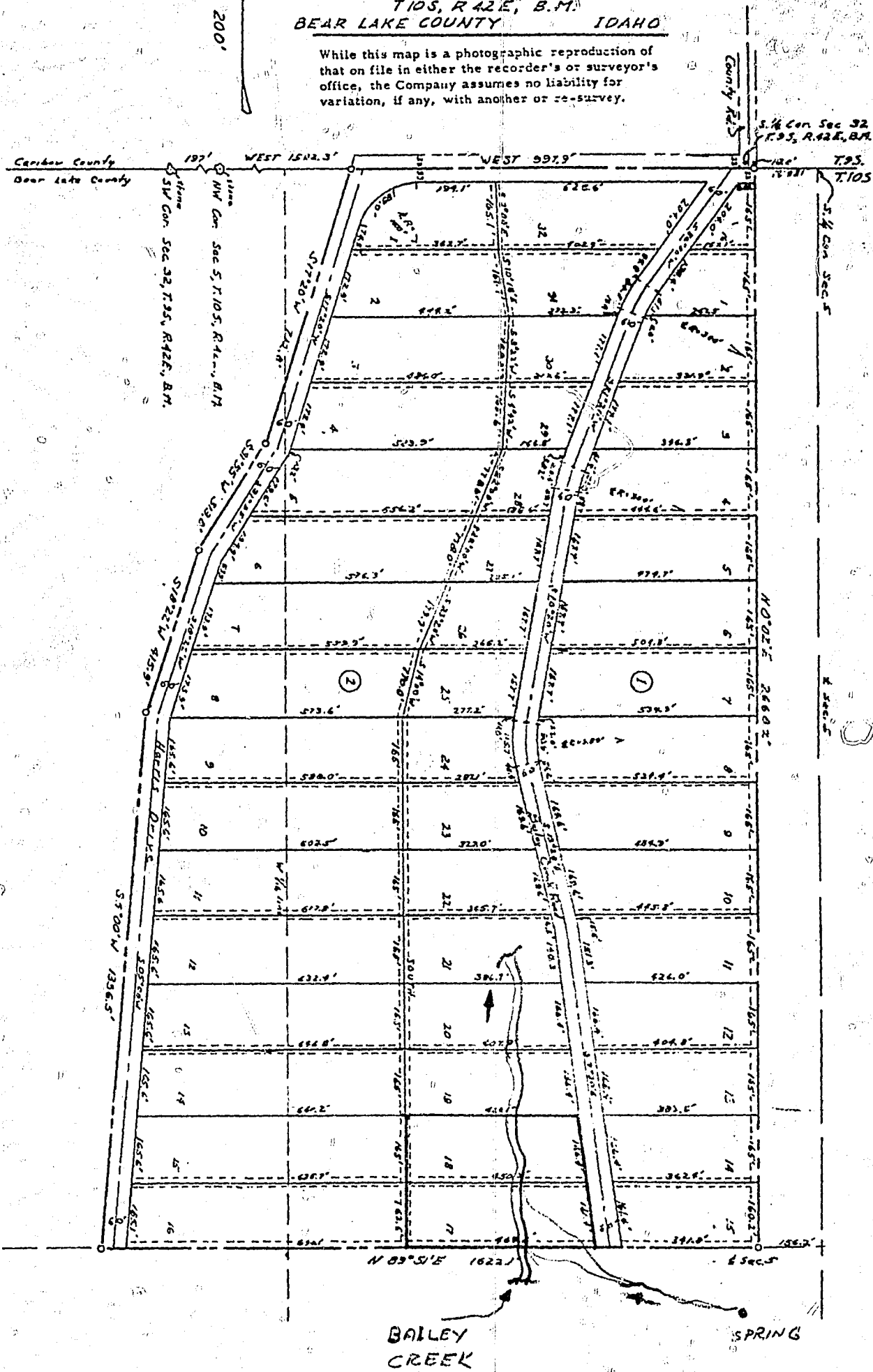
BY Memo K. Morgan
Attorneys for Protestant
Utah Power & Light Company
1407 West North Temple
Salt Lake City, Utah 84116

Scale: 1" = 200'

BAILEY CREEK ACRES SUBDIVISION

NW 1/4, SECTION 5
T10S, R42E, B.M.
BEAR LAKE COUNTY IDAHO

While this map is a photographic reproduction of that on file in either the recorder's or surveyor's office, the Company assumes no liability for variation, if any, with another or re-survey.

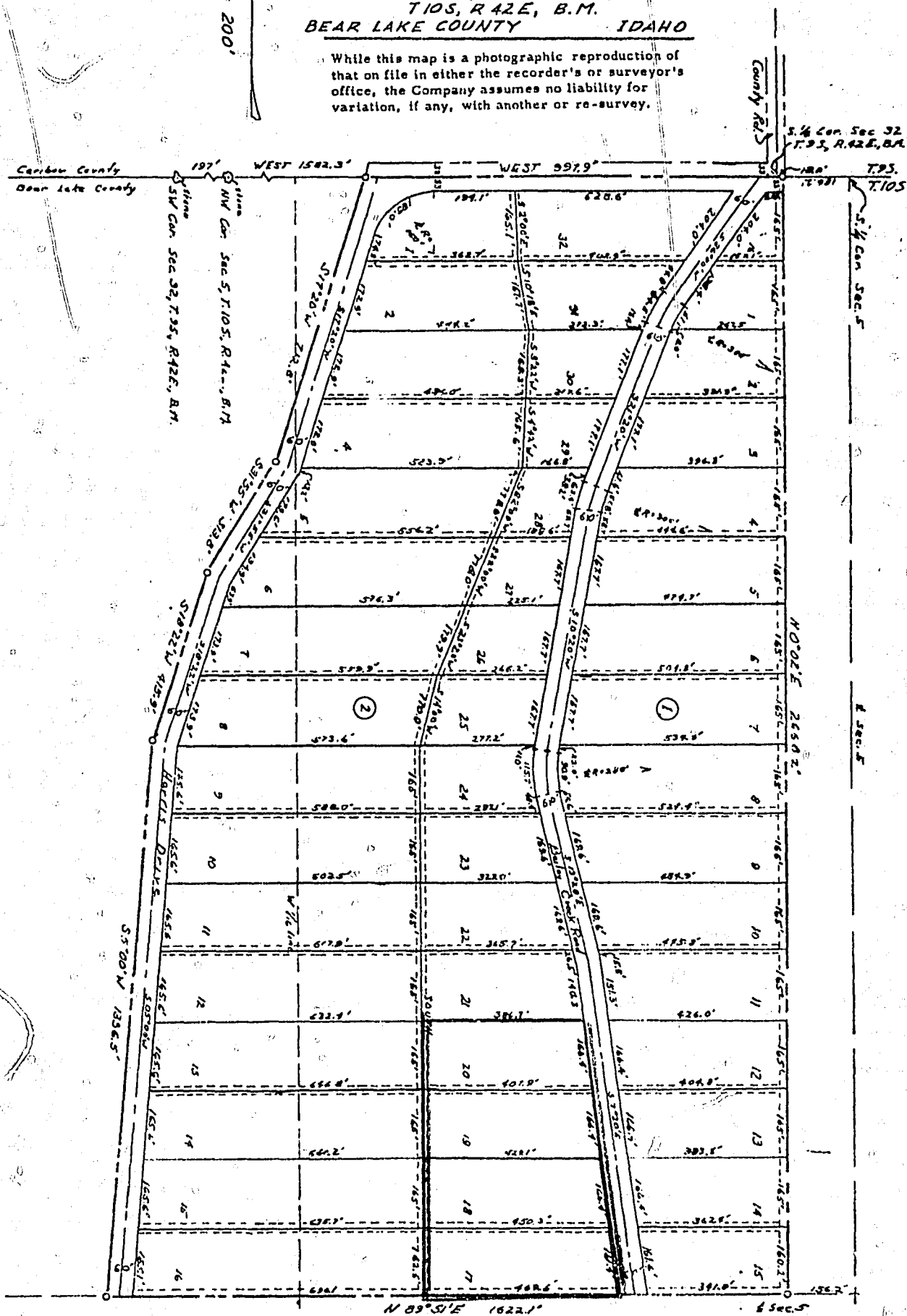


BAILEY CREEK ACRES SUBDIVISION

NW 1/4, SECTION 5
T10S, R42E, B.M.
BEAR LAKE COUNTY IDAHO

While this map is a photographic reproduction of
that on file in either the recorder's or surveyor's
office, the Company assumes no liability for
variation, if any, with another or re-survey.

Scale: 1" = 200'



Warranty Deed

THIS INDENTURE, Made this 30th day of April
in the year of our Lord One Thousand Nine Hundred and Eighty, between Ortwin H. Wolting and
Julia Ruth Wolting, husband and wife,

of Orange, County of Orange, State of California
the parties of the first part, and Roy G. Walker and Alice B. Walker, husband and wife

of Star Route, Soda Springs, County of Caribou, State of Idaho
the parties of the second part:

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of
SIXTEEN THOUSAND AND NO/100-----DOLLARS,
lawful money of the United States of America, to them in hand paid by the said parties of the second part, the receipt
whereof is hereby acknowledged

, do by these presents, Grant, Bargain, Sell and Convey and Confirm unto said parties
of the second part, and to their heirs and assigns forever: All that certain lots,
piece or parcel of land situate, lying and being in the County of Bear Lake, State of Idaho, bounded
and more particularly described as follows, to-wit:

Lots 17 and 18, Block 1, Bailey Creek Acres Subdivision, according
to the official plat thereof, as recorded in the office of the County
Recorder of Bear Lake County, Idaho, under recorder's instrument No.
88233.

121713

BEAR LAKE COUNTY RECORDER
ROY A. GUNLERSON

'80 MAY 13 AM 10 19

Jo. Benten 4.00
DEPUTY FEE

Together with all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and
the rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges thereunto incident
unto the said parties of the second part, and to their heirs and assigns forever. And the 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 all and every person or persons whomsoever, 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

Warranty Deed

THIS INDENTURE, Made this 16th day of November
in the year of our Lord One Thousand Nine Hundred and Seventy-nine, between
ORTWIN H. WOLTING and JULIA RUTH WOLTING, husband and wife,
of Orange, County of Orange, State of California
the parties of the first part, and
ROY G. WALKER and ALICE B. WALKER, husband and wife,
of _____, County of _____, State of _____
the parties of the second part:

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of
NINETY SIX THOUSAND FIVE HUNDRED AND 00/100 ----- DOLLARS,
lawful money of the United States of America, to them in hand paid by the said parties of the second part, the receipt
whereof is hereby acknowledged

do by these presents, Grant, Bargain, Sell and Convey and Confirm unto said parties
of the second part, and to their heirs and assigns forever: All that certain lot
piece or parcel of land situate, lying and being in the County of Bear Lake State of Idaho, bounded
and more particularly described as follows, to-wit:

Lots 19 and 20, Block 1, Bailey Creek Acres Subdivision, according to the
official plat thereof, as recorded in the office of the County Recorder
of Bear Lake County, Idaho, under recorder's instrument No. 88233.

121009

BEAR LAKE COUNTY RECORDER
ROY A. JOHNSON

'80 JAN 31 PM 4 44

J. B. Jensen \$4.00
DEPUTY FEE

Together with all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and
the rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges thereunto incident
unto the said parties of the second part, and to their heirs and assigns forever. And the 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 all and every person or persons whomsoever, lawfully claiming
or to claim the same, shall and will warrant and by these presents forever defend.

Nº 1324

AFFIDAVIT OF PUBLICATION

RECEIVED

JUL 1 1980

Department of Water Resources
Eastern District Office

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

Michael A. Hagen
being duly sworn,

deposes and says:

That he is the Publisher 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 two 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

June 12, 1980, and ending
with the issue of June 19, 1980.

Fees, \$26.83

Subscribed and sworn to before me this 27th day
of June, 1980.

James Demuth
Notary Public, Residing at Montpelier, Idaho

My Commission Expires September, 1981.

NOTICE OF APPLICATION FOR
WATER RIGHT

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

11-7185

WALKER, ROY
STAR RT. BAILEY CREEK, SODA
SPRINGS, ID 83276

Source: BAILEY CREEK tributary to
BEAR RIVER

Date Filed: 05-30-1980

Amount: 3.0 AC-FT

Diversion Point: SENW LOT 18 Sec 05 T
10S R 42E, BEAR LAKE Co.

Use: FISH PROP. (3.0 AC-FT) from
03-01 to 12-01

Place of Use: SENW Sec 05 T 10S R 42E

Diversion Means: EARTHEN DAM

If issued, the permit(s) will be
subject to all prior water rights.
Protests against the granting of any
permit must be filed with the Director
of the Idaho Department of Water
Resources, 1515 Lincoln Road, Idaho
Falls, Idaho 83401 on or before JUNE
30, 1980.

(s) C. Stephen Allred

C. STEPHEN ALLRED

Director

Published 6-12 & 6-19-80.

Jn 12-19

11-2185

WALKER, ROY

STAR RT. BAILEY CREEK, SODA SPRINGS, ID 83276

Source: BAILEY CREEK tributary to BEAR RIVER

Date Filed: 05/30/1980

Amount: 3.0 AC-FT

Diversion Point: SENW LOT 18 Sec 05 T 10S R 42E, BEAR LAKE Co.

Use: FISH PROP. (3.0 AC-FT) from 03/01 to 12/01

Place of Use: SENW Sec 05 T 10S R 42E

Diversion Means: EARTHEN DAM.

NOTICE OF APPLICATION FOR WATER RIGHT

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

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho 83401 on or before JUNE 30, 1980.

C. STEPHEN ALLRED

Director

Published 6/12 & 6/19/80.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

JUNE 6, 1980

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 JUNE 30, 1980.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

June 11, 1980

RE: Application for Permit No. 11-7185

Roy Walker
Star Route
Bailey Creek
Soda Springs, ID 83276

Dear Mr. Walker:

Attached herewith is Departmental Receipt No. 14850 in the amount of \$20.00 for the above referenced application.

Sincerely,

KAY WALKER
Secretary

July 2, 1980

RE: Application for Permit No. 11-7185 WALKER

Mr. Thomas W. Forsgren
Attorney
Utah Power & Light Company
P.O. Box 899
Salt Lake City, Utah 84116

Dear Mr. Forsgren:

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

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

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

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

Very truly yours,

RONALD D. CARLSON
Eastern Region Supervisor

RDC:cw

cc: IDWR - State Office

July 2, 1980

RE: Application for Permit No. 11-7185

Roy Walker
Star Route, Bailey Creek
Soda Springs, Idaho 83276

Dear Mr. Walker:

Enclosed is a copy of a protest filed against the issuance of a permit pursuant to your Application No. 11-7185. The Department suggests you contact the protestant directly in an effort to determine the nature of the protest and to attempt to resolve the protest.

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

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

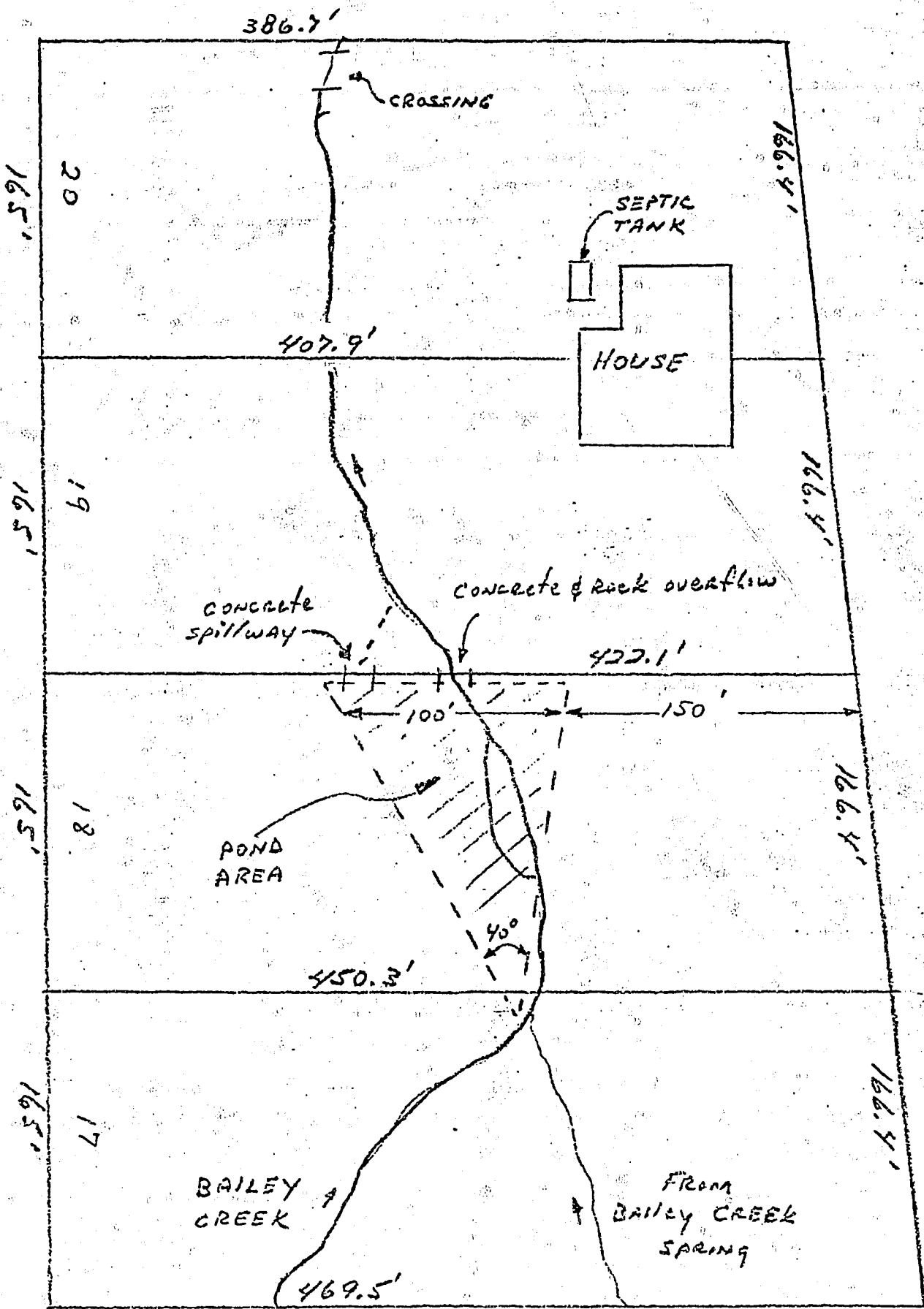
Very truly yours,

RONALD D. CARLSON
Eastern Region Supervisor

RDC:cw

Enclosure

cc: IDWR - State Office



PROPOSED
POND AREA FOR
LOT 18 of NW 1/4, SECTION 5
T 10S, R 52E, B.M. BEAR LAKE CO.



John V. Evans
Governor

C. Stephen Allred
Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

July 2, 1980

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7188

RE: Application for Permit No. 11-7185

Roy Walker
Star Route, Bailey Creek
Soda Springs, Idaho 83276

Dear Mr. Walker:

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

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5. Will the proposed use under this permit conflict with the local public interest?

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

Very truly yours,

RONALD D. CARLSON
Eastern Region Supervisor

RDC:cw

Enclosure

cc: IDWR - State Office

Star . ute Bailey Creek
Soda Springs, Idaho

83276

July 11, 1980

Thomas W. Forsgren
Attorney for Utah Power and Light
1407 West North Temple
Salt Lake City, Utah 84116

Dear Sir ;

You have protested the application by Roy Walker to obtain a permit from the State of Idaho to enlarge a section of Bailey Creek for the purpose of creating a small fishing reservoir. It is requested that you withdraw your protest.

The protest which you have filed with the State of Idaho states that my application wishes to appropriate 3.0 acre feet of water and that a point of diversion will affect your water rights. I agree. It would, but this is not the intent of my application. The only intention is to widen and deepen the existing water channel. No appropriations are intended and certainly no point of diversion is involved.

I have enclosed a copy of the letter from the State of Idaho which states the criterium which they will use in deciding the case, if we can not resolve our differences in 20 days. The only point of contention which I can see is Item No. 1 , which will decide if the quantity of water will reduce existing water rights. It is my belief that if existing brush and willows are removed from this area when the reservoir is created, that there may be a saving of water. However, even if there is not, the amount of water being stored is extremely small.

Please reconsider this matter. It is not my intent to change existing water rights or appropriate water which is not mine. Bailey Creek simply flows through my property and I would like to have a small fish pond.

Sincerely,

Roy Walker
Roy Walker

cc : Sidney G. Baucom
Ronald D. Carlson - Idaho Dept. of Water
Resources

RECEIVED

JUL 14 1980

Department of Water Resources
Eastern District Office

Star Route Bailey Creek
Soda Springs, Idaho

July 11, 1980

Thomas W. Forsgren
Attorney for Utah Power and Light
1407 West North Temple
Salt Lake City, Utah 84116

Dear Sir ;

You have protested the application by Roy Walker to obtain a permit from the State of Idaho to enlarge a section of Bailey Creek for the purpose of creating a small fishing reservoir. It is requested that you withdraw your protest.

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Please reconsider this matter. It is not my intent to change existing water rights or appropriate water which is not mine. Bailey Creek simply flows through my property and I would like to have a small fish pond.

Sincerely,

Roy Walker
Roy Walker

cc : Sidney G. Baucom
Ronald D. Carlson - Idaho Dept. of Water
Resources

UTAH POWER & LIGHT COMPANY

1407 WEST NORTH TEMPLE STREET

P. O. BOX 899

SALT LAKE CITY, UTAH 84110

July 21, 1980

Mr. Ronald D. Carlson
Eastern Region Supervisor
Department of Water Resources
State of Idaho
1515 Lincoln Road
Idaho Falls, Idaho 83401

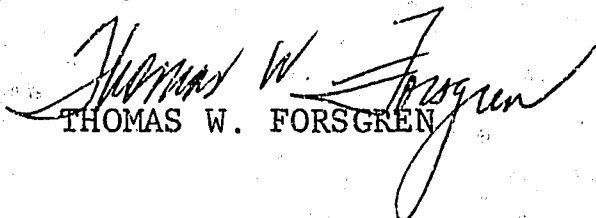
Re: Application for Permit No. 11-7185

Dear Mr. Carlson:

I am in receipt of Mr. Roy Walker's letter dated July 11, 1980, a copy of which is enclosed, in which he indicates that his only intent by the application is to construct a small reservoir. He indicates that he does not intend and will not divert any water for consumptive or other purposes from the reservoir. In light of these representations, we have no objections to the department issuing the subject permit.

If you have questions regarding the above, please contact us at your convenience.

Very truly yours,


THOMAS W. FORSGREN

TWF:ckb

RECEIVED

JUL 22 1980

Department of Water Resources
Eastern District Office

July 29, 1980

RE: Application for Permit No. 11-7185

Department of Fish and Game
636 Pershing Ave.
Pocatello, ID 83201

Gentlemen:

We are enclosing a copy of an application that may be of interest to your agency. Please review the application and submit any comments you may have to our Department as soon as possible.

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

Respectfully submitted,

ERNEST CARLSEN
Sr. Resource Analyst

EC:kw
Enclosure

July 29, 1980

RE: Application for Permit No. 11-7185

Roy Walker
Star Route, Bailey Creek
Soda Springs, ID 83276

Dear Mr. Walker:

This is to advise you that Utah Power and Light has withdrawn their protest against approval of the above referenced application. The Department will take no further action in setting a hearing in this matter and has resumed the processing of your application.

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

Very truly yours,

ERNEST CARLSEN
Sr. Resource Analyst

EC:kw

July 29, 1980

RE: Application for Permit No. 11-7185 - Roy Walker

Utah Power & Light Co.
ATTN: Thomas W. Forsgren
1407 West North Temple
Salt Lake City, UT 84116

Dear Mr. Forsgren:

This is to acknowledge receipt of your withdrawal of protest against approval of the above referenced application. The Department will take no further action in setting a hearing in this matter.

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

Very truly yours,

ERNEST CARLSEN
Sr. Resource Analyst

EC:kw

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

11 7185

INITIAL REVIEW BY: Steve McCormick

APPLICATION NUMBER: Roy Walker
11-7185

CHECK:

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

Field check by: _____
Date: _____
Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

☒ No SC. App required. Re: 42-3806 Id. Code SR

SEND COPIES TO:

- ☐ Idaho State Health Department. Copies sent by: _____ Date: _____
☒ Idaho Fish and Game Department. kw 7/29/80
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other _____

PROCESSING:

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

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 7-01-80 ✓
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☐ Yes ☒ No Measuring device required.
☐ Yes ☒ No Access port required.
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what district? _____
☒ 5-30-1980. Date of priority recommended.

Special conditions of approval or cover letter. _____

Condition Code 02.

By: Ernest Carlson Date: 8-12-1980

STATE OFFICE REVIEW:

Cons items 3

SLW/LOB

09B

- ☐ See attached sheet for more information.

By: mi Date: 8/21/80

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

WALKER, ROY
STAR RT. BAILEY CREEK
SODA SPRINGS, ID 83276

SEPTEMBER 24, 1980

RE: PERMIT NO. 11-7185

DEAR PERMIT HOLDER:

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

PLEASE BE ADVISED THAT YOUR PLANS FOR FISH PROPAGATION MAY BE SUBJECT TO REGULATIONS OF THE IDAHO DEPARTMENT OF FISH AND GAME. WE SUGGEST THAT YOU CHECK WITH THEM BEFORE STARTING CONSTRUCTION.

WE HAVE ENCLOSED A FORM ENTITLED "MAKING PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT INTO A LICENSE.

SINCERELY,

DAVID R. TUTTILL, JR., P.E.
SUPERVISOR, WATER ALLOCATION SECTION

ENCLOSURE



STATE OF IDAHO

DEPARTMENT OF FISH AND GAME

REGION 5
636 PERSHING, SUITE B
POCATELLO, IDAHO 83201

AUGUST 14, 1980

Sale

Mr. Ernest Carlson, Senior Resource Analyst
Idaho Department of Water Resources
1515 Lincoln Road
Idaho Falls, Idaho 83401

Re: Application for Permit #11-7185

Dear Mr. Carlson,

We have reviewed the proposal for three acre feet of water from Bailey Creek for fish cultural purposes and have the following comments:

Mr. Walker wants to build a pond on Bailey Creek where he hopes to raise fish. Consequently, this application carries with it an indirect proposal to develop a private fish pond. This fish culture proposal will be reviewed and either approved or be denied by our office.

We recommend that this permit be denied as we feel it is in violation of Idaho Code 36-706 regarding the construction of ponds on streams. In addition, it may be in violation of Idaho Code 36-906 regarding fish passage structures.

Thank you for the opportunity to review this proposal at this time.

Sincerely,

IDAHO DEPARTMENT OF FISH AND GAME
Jerry M. Conley, Director

Bill Davidson
Bill Davidson, Supervisor
Region 5

RECEIVED

AUG 15 1980

Department of Water Resources
Eastern District Office

EQUAL OPPORTUNITY EMPLOYER

RECEIVED

AUG 20 1980

Department of Water Resources

AHO

FISH AND GAME

AUGUST 14, 1980

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Department of Water Resources
Eastern District Office

EQUAL OPPORTUNITY EMPLOYER

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 11-7185.

Name(s) of Permit Holder: ROY WALKER

Post Office Address: STAR Route BAILEY Creek

Soda Springs, Idaho 83230 Tel. No. 208-547-3439

Source of Water: BAILEY Creek

Extent of Use: ☐ Domestic (number of households)
☐ Stockwater (number and type of stock)
☐ Irrigation (acres)
☒ Other Fish Farm - Dept. of Fish & Game

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

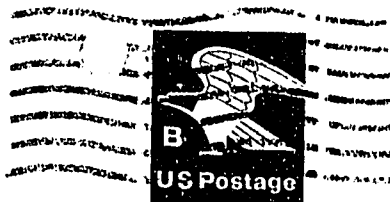
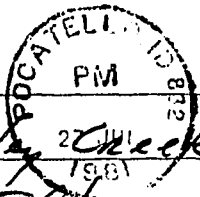
Access Port: Required? ☐ Yes ☒ No Installed? ☐ Yes ☒ No

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

7/23/81
Date

ROY W. Walker
Signature of Permit Holder

Ray Walker
STAR Route Bailey Creek
Soda Springs, Idaho 83230



Department of Water Resources

JUL 29 1981

RECEIVED



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

August 11, 1981

RE: Permit No. 11-7185

Roy Walker
Star Route Bailey Creek
Soda Springs, Idaho 83230

Dear Mr. Walker:

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

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

If you have any questions regarding the field examination, please contact our eastern regional office.

Very truly yours,

BOBBIE R. STEPHENS
Principal Clerk

cc: IDWR - State Office

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 11-7185 Priority May 30, 1980 Amount 0.20 acre feet

THIS IS TO CERTIFY, that Roy Walker
of Soda Springs, Idaho, has complied with the terms and conditions of Permit
No. 11-7185 issued pursuant to Application for Permit dated May 30, 1980,
and has submitted proof to the Department of Water Resources on June 29, 1981,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of n/a of water from Bailey Creek,
tributary to Bear River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Recreation</u>	<u>from January 1 to December 31</u>	<u>at n/a cfs and</u>	<u>0.20 acre feet</u>
<u>Storage</u>	<u>from to at cfs and</u>		
	<u>from to at cfs and</u>		

(both dates inclusive)

Subject, however, to the condition that no more than 0.20 acre feet of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
0.20 acre feet per year, said waters to be diverted within the SE 1/4 NW 1/4, Section 5, Twp.
10S, Rge. 42E in the County of Bear Lake

Description and location of place of use:

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	
10S	42E	5								X									

Total number of acres irrigated _____

Recreation use is for fish culture.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 27TH day of October, 19 82.

Acting for the Director

Roman C Young

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

11-7185
Permit No.

CONTACT WITH PERMIT HOLDER

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

EXAMINATION

Date 9-10-81 Accompanied by Mrs. Walker Total Q measured 0.2 af
If source is surface water, estimate total flow of source NA
Methods of measurement Tape measure Meets Permit requirements?

Measurement calculations: pond dimensions;
= 63' long x 60' wide x 2.5' deep (av.)
= 9450 cf
43,560 cf = 0.2 af ✓

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
	NA							

System Description Bailey creek enters pond via trash rack and exits over riprapped concrete spillway. Pond has 100 plus rainbow trout.

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

RECOMMENDED AMOUNTS

Irrigation requirement = AFA/Acre

USE	Q (cfs)	V (afa)	FROM	TO
Fish propagation		0.2 ✓	3-1	12-1
Total				

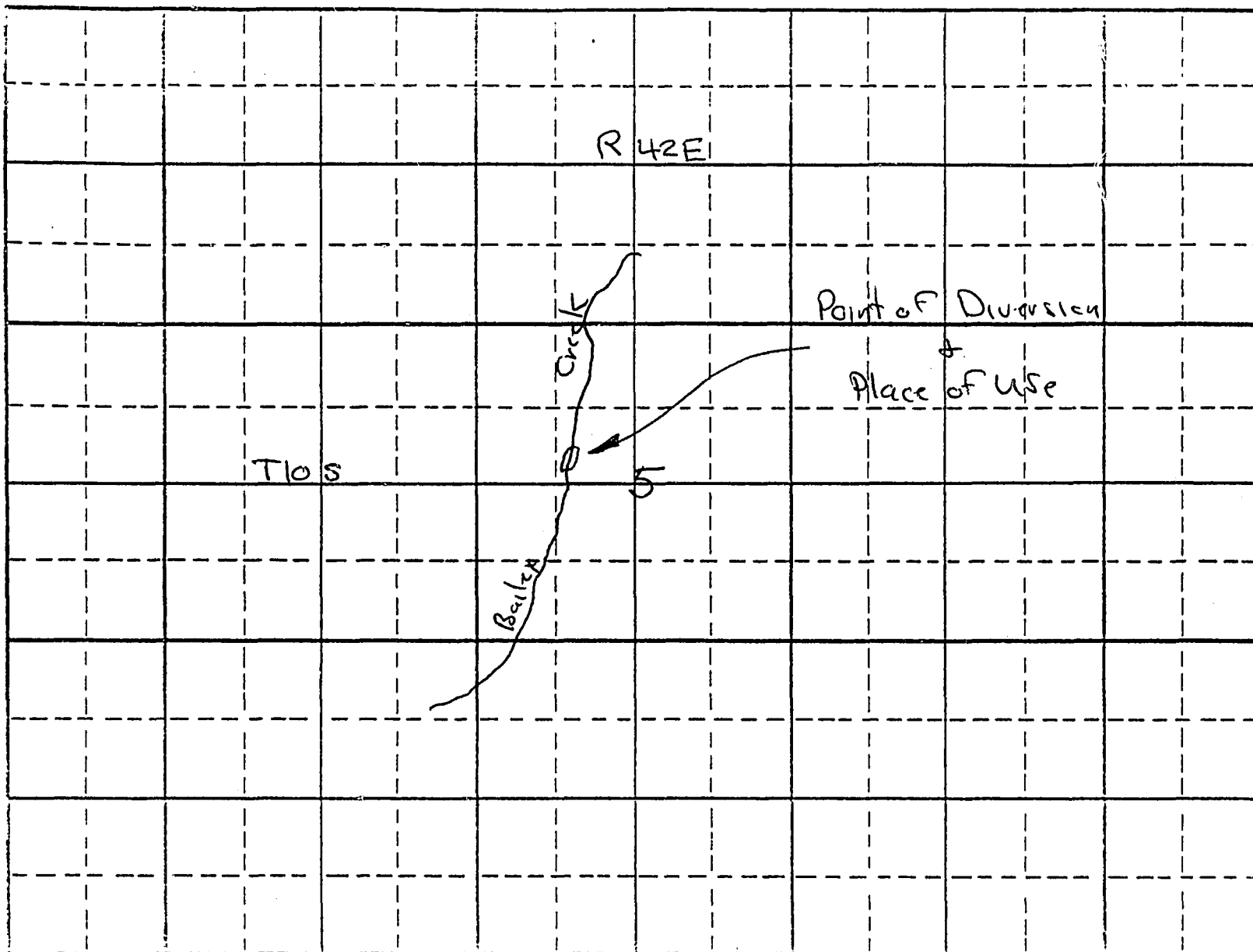
Remarks

Due to small amount, Jim Johnson recommends the use be changed to Recreation without requiring an amendment

Permit holder stated that proposed pond will be used for fishing. (see remarks). The change from fish propagation to Recreation does not constitute change in nature of use.

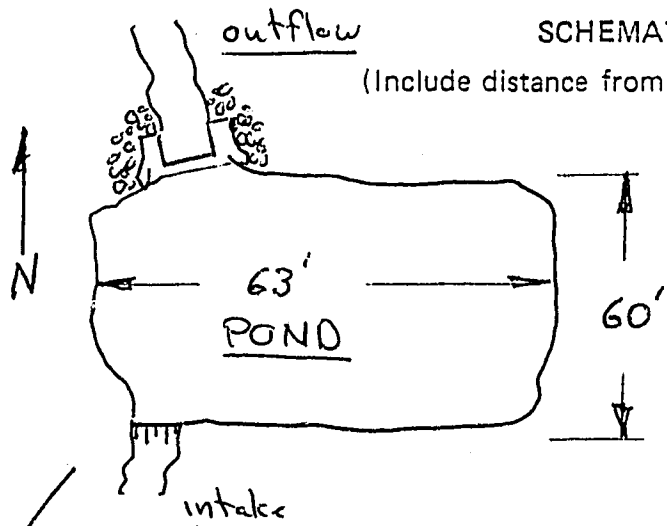
Jim
10-6-82
DRT

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

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



Point(s) of diversion: SE 1/4 NW 1/4 Section 5 T10S R42E

Place(s) of Use

TWP.	RGE.	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
✓ 10S	42E	5								X									1

Recommended Amendments:

- ☐ Change P.D. as reflected above
☐ Change P.U. as reflected above

- ☐ Add P.D. as reflected above
☐ Add P.U. as reflected above

☒ None
☐ Other

Examiner's Signature

Checked by

Approved by

Date

Date

Date

3-16-82

3-29-82

9/13/82



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

September 17, 1982

RE: Permit No. 11-7185

Roy Walker
Star Route, Bailey Creek
Soda Springs, ID 83276

Dear Mr. Walker:

A representative of this Department has made an examination of the works covered by your Permit No. 11-7185, and has found the following:

Amount of water that can be recognized as beneficially used under Idaho law: 0.20 acre feet Source: Bailey Creek

The maximum quantity diverted shall not exceed 0.20 acre feet per year.

Point(s) of diversion: SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 5, Twp. 10S, Rge. 42E, Bear Lake County

Beneficial use: Recreation use within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 5, Twp. 10S, Rge. 42E

Priority date established: May 30, 1980

Conditions (if any):

If you do not concur with these findings please contact us within 10 days, otherwise a water license will be issued as set forth above.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:kw

November 26, 1982

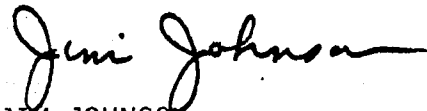
RE: Permit No. 11-7185

Roy Walker
Star Route, Bailey Creek
Soda Springs, ID 83276

Dear Mr. Walker:

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

Sincerely,



JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosure