

RECEIVED

JUN 9 1981

Department of Water,
Eastern District (

AFFIDAVIT OF PUBLICATION

U RSD A Y , M A Y 21, 1981 . A - 11

STATE OF IDAHO,
County of Bear Lake } ss.

MARGE HAUCH

being duly sworn,

deposes and says:

That he is the Office Manager 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

May 14

1981, and ending

May 21

1981

with the issue of

Fees, 111.28

Subscribed and sworn to before me this 29th day

of May, 1981

Ken D. Culbert

Notary Public, Residing at Montpelier, Ida

My Commission Expires June 2, 1982

45E. BEAR LAKE Co.
Use: STOCKWATER (0.02 CFS)
from 06-01 to 09-30

STOCKWATER STORAGE
(0.1 AC-FT) from 01-01 to 12-31
STOCKWATER FROM STORAGE
(0.1 AC-FT) from 06-01 to 09-30

Place of Use: NWNW Sec 08 T 12S R 45E
Diversion Means: STOCKPOND.

11-7245 OKW
U.S. DEPT. OF AGRI.
FOREST SERVICE, FEDERAL BLDG.,
324 25TH ST., OGDEN, UT 84401
Source: MIDNIGHT MOUNTAIN
SPRING tributary to DRY FORK MILL
CREEK

Date Filed: 04-16-1981
Amount: 0.02 CFS
Diversion Point: NENW Sec 21 T 13S R
42E. BEAR LAKE Co.
Use: STOCKWATER (0.02 CFS)
from 01-01 to 12-31

Place of Use: NENW Sec 21 T 13S R 42E
Diversion Means: HEADBOX & PIPE-
LINE.

11-7246 OKW
U.S. DEPT. OF AGRI.
FOREST SERVICE, FEDERAL BLDG.,
324 25TH ST., OGDEN, UT 84401
Source: UNNAMED STREAM tributary
to WEST ELBOW HOLLOW

Date Filed: 04-16-1981
Amount: 0.02 CFS 0.1 AC-FT
Diversion Point: NESW Sec 03 T 13S R
45E. BEAR LAKE Co.
Use: STOCKWATER (0.02 CFS)
from 06-01 to 09-30

STOCKWATER STORAGE
(0.1 AC-FT) from 01-01 to 12-31
STOCKWATER FROM STORAGE
(0.1 AC-FT) from 06-01 to 09-30

Place of Use: NESW Sec 03 T 13S R 45E
Diversion Means: STOCKPOND.

11-7247 OKW
U.S. DEPT. OF AGRI.
FOREST SERVICE, FEDERAL BLDG.,
324 25TH ST., OGDEN, UT 84401
Source: UNNAMED STREAM tributary
to TWIN SPRING CREEK

Date Filed: 04-16-1981
Amount: 0.02 CFS 0.1 AC-FT
Diversion Point: NESE Sec 02 T 13S R
45E. BEAR LAKE Co.
Use: STOCKWATER (0.02 CFS)
from 06-01 to 09-30

STOCKWATER STORAGE
(0.1 AC-FT) from 01-01 to 12-31
STOCKWATER FROM STORAGE
(0.1 AC-FT) from 06-01 to 09-30

Place of Use: NESE Sec 02 T 13S R 45E
Diversion Means: STOCKPOND.

11-7248 OKW
U.S. DEPT. OF AGRI.
FOREST SERVICE, FEDERAL BLDG.,
324 25TH ST., OGDEN, UT 84401
Source: UNNAMED STREAM tributary
to SOUTH ELBOW HOLLOW

Date Filed: 04-16-1981
Amount: 0.02 CFS 0.1 AC-FT
Diversion Point: SENE Sec 10 T 13S R
45E. BEAR LAKE Co.
Use: STOCKWATER (0.02 CFS)
from 06-01 to 09-30

STOCKWATER STORAGE
(0.1 AC-FT) from 01-01 to 12-31
STOCKWATER FROM STORAGE
(0.1 AC-FT) from 06-01 to 09-30

Place of Use: SENE Sec 10 T 13S R 45E
Diversion Means: STOCKPOND.

11-7249 OKW
U.S. DEPT. OF AGRI.
FOREST SERVICE, FEDERAL BLDG.,
324 25TH ST., OGDEN, UT 84401
Source: UNNAMED STREAM tributary
to FISH HAVEN CREEK

LEGAL NO. 1649

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:

U.S. DEPT. OF AGRI.

Proposed Priority

4/16/81

Received by kw Date 4/16/81 Time _____

Preliminary check by HWT Fee \$ 2520. 30⁰⁰

Receipted by kw Date 5/18/81 # 17600

Publication prepared by kw Date 5/7/81

Published in News Examiner

Publication dates 5/14 & 5/21/81

Publication approved kw Date 6/22

Protests filed by: None

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by EMC RL

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. 11-7247, and said application is hereby approved.

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

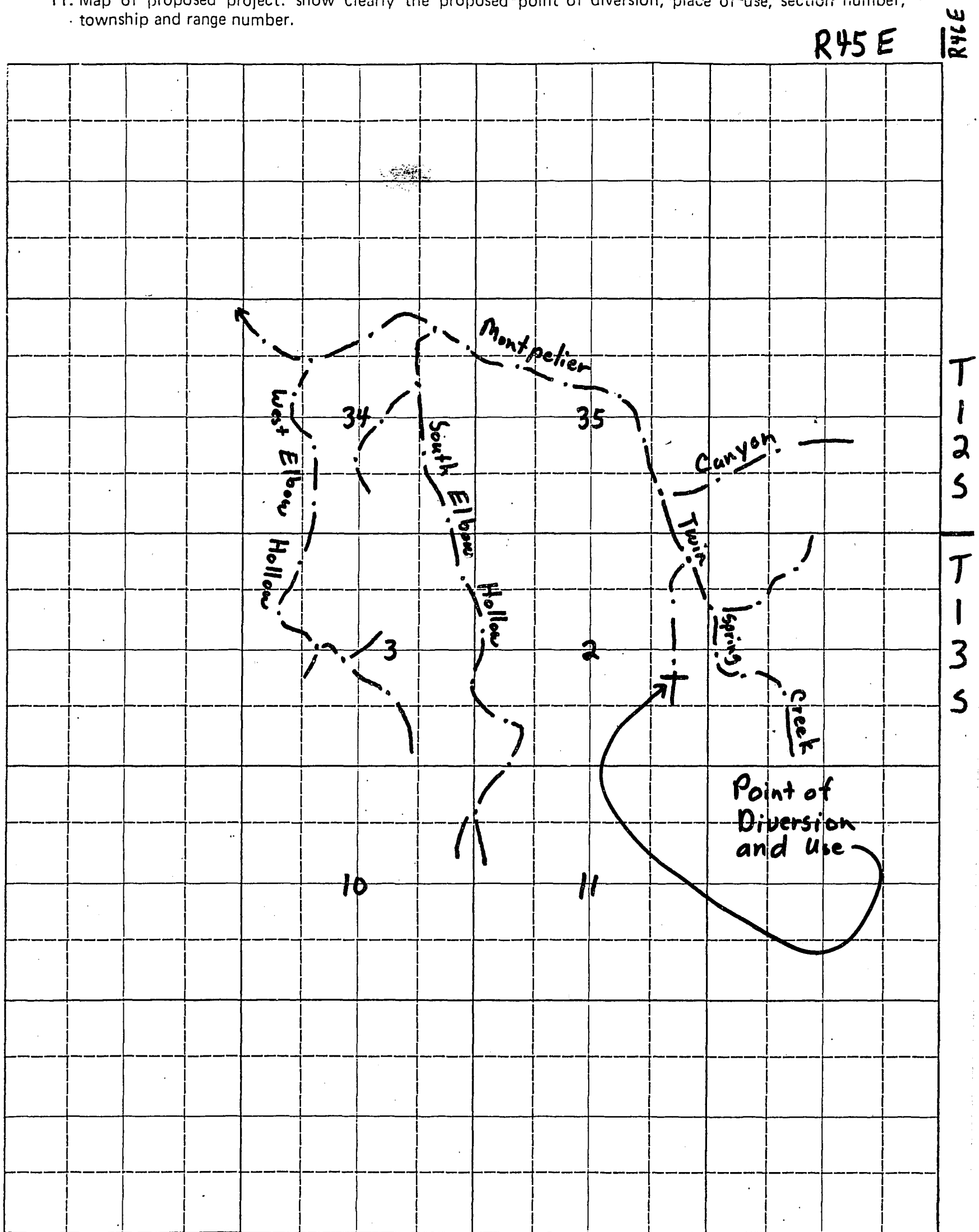
- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before July 1, 19 86.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: Use of water under this permit is subject to control by the watermaster of State Water District # 11-H, Montpelier Creek.

Witness my hand this 10 day of July, 19 81.

David R. T. Stahlf

Acting Chief, Operations Bureau

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



Scale: 2 inches equal 1 mile.

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

Paul J. Baird
 (for) L. KENT MAYS, JR. (Applicant) Deputy Regional Forester,
 Resources

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. N.A.

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

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

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

10. Remarks This water development is located on Montpelier - Elk Valley Cattle Allotment which has 50 water developments for watering 5924 cattle, and big game, upland game, and non-game wildlife.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant United States of America, Forest Service Phone (801) 626-3561
Post office address 324 25th Street, Ogden, Utah 84401

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

3. Location of point of diversion is NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 2 Township 13S

Range 45 E B.M. Bear Lake County, additional points of diversion if any: _____

002-058

4. Water will be used for the following purposes:

Amount .1AF for Storage for Stockwater purposes from January 1 to December 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .1AF for Stockwater from Storage purposes from June 1 to Sept 30 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .02cfs for Stockwater purposes from June 1 to Sept 30 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. .02 cubic feet per second and/or b. .1 acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Stockpond

b. Height of storage dam 8 feet, active reservoir capacity .1 acre-feet; total reservoir capacity .1 acre-feet, materials used in storage dam: existing soil

Period of year when water will be diverted to storage January 1 to December 31 inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is N.A. inches; proposed depth of well is _____ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 2 Township 13S

Range 45 E B.M.

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

(3) List number of each kind of livestock to be watered 5924 cattle

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

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

11-224Z

U.S. DEPT. OF AGRI.

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

Source: UNNAMED STREAM tributary to TWIN SPRING CREEK

Date Filed: 04/16/1981

Amount: 0.02 CFS 0.1 AC-FT

Diversion Point: NESE Sec 02 T 13S R 45E, BEAR LAKE Co.

Use: STOCKWATER	(0.02 CFS)	from 06/01 to 09/30
STOCKWATER STORAGE	(0.1 AC-FT)	from 01/01 to 12/31
STOCKWATER FROM STORAGE	(0.1 AC-FT)	from 06/01 to 09/30

Place of Use: NESE Sec 02 T 13S R 45E

Diversion Means: STOCKPOND.

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

11 7247

INITIAL REVIEW BY: HLJ

APPLICATION NUMBER: 002-058

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.

☒ Map.
☒ Signature.

☒ Fee.

☒ Yes ☒ No

☒ Yes ☒ No

☒ Yes ☒ No

☒ Yes ☒ No*

Field check required.

Critical groundwater area.

Request dam safety information. Sent by: _____ Date: _____

In form to receipt.

Field check by: _____

Date: _____

Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department.
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other WD 11-H

Copies sent by: _____

Date: _____

PROCESSING:

☐ Yes ☒ No

☐ Yes ☒ No

☒ Yes ☒ No*

☐ Yes ☒ No

Platted by: _____ Map No. _____

Other rights on same place of use. _____

In form for advertising.

Final date for protests: June 1

Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 6-4-81
☒ 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? 11-H

April 16, 1981 Date of priority recommended.

Special conditions of approval or cover letter. _____

By: Ernest Carlson

Date: June 28 1981

STATE OFFICE REVIEW:

3/10/82 25 (11-H Montpelier A.)

☐ See attached sheet for more information.

By: [Signature]

Date: 7/7/81



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

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

July 17, 1981

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

Dear Sirs,

RE: Permit No.'s 11-7235/7236, 11-7241 thru 11-7244, 11-7246 thru 11-7252, 13-7307 thru 13-7319, 13-7321, 13-7324 thru 13-7334, 77-7139

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

Sincerely,

David R. Tuthill, Jr.

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

DRT:lr

Enclosure

002-058

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. 11-7247.

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

Post Office Address: Federal Building, 324 25th Street

Ogden, Utah 84401

Tel. No. (801) 625-5360

Source of Water: unnamed creek, Tributary Twin Spring Cr.

Extent of Use: ☐ Domestic (number of households)
☒ Stockwater 5924 cattle (number and type of stock)
☐ Irrigation (acres)
☐ Other

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

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

February 18, 1982
Date

Richard F. Jander
Signature of Permit Holder



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 3, 1982

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

Gentlemen:

Re: (See attached lists of water right numbers)

I acknowledge receipt of the statement of beneficial use postcards for the water rights listed on the attached pages.

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.

Sincerely,

RITA I. FLECK
Sr. Secretary

State of Idaho
Department of Water Resources



WATER RIGHT LICENSE

License No. 11-7247 Priority 04/16/1981 Amount 0.02 CFS 0.10 AF

THIS IS TO CERTIFY, that U.S. Dept. of Agri., Forest Service

of Ogden, Utah, has complied with the terms and conditions of Permit No. 11-7247 issued pursuant to Application for Permit dated 04/16/1981, and has submitted proof to the Department of Water Resources on 02/22/1982, that he has applied water to a beneficial use; and examination by the Department indicates that the works have a capacity for the diversion of 0.02 cfs of water from an unnamed stream tributary to Twin Spring Creek, and that the permit holder has applied to a beneficial use and established a right to use water as follows:

RATE OF DIVERSION	VOLUME	BENEFICIAL USE	PERIOD OF USE
0.02 cfs	0.10 af	Stockwater	06/01 - 09/30
N/A	0.10 af	Storage for Stockwater	01/01 - 12/31
N/A	0.10 af	Stockwater from Storage	06/01 - 09/30

Location of point of diversion: NESE, Sec. 2, Twp 13S, Rge 45E, Bear Lake Co.

Location of place of use:

TWP.	RGE.	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
13S	45E	2													X				

Total number of acres irrigated _____

Use of water under this license is subject to control by the watermaster of State Water District No. 11H, Montpelier Creek.

Subject to all prior water rights.

NOTE: Modifications to or variance from the use of water as shown on this license must be made in accordance with 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 9TH day of MAY, 1986.

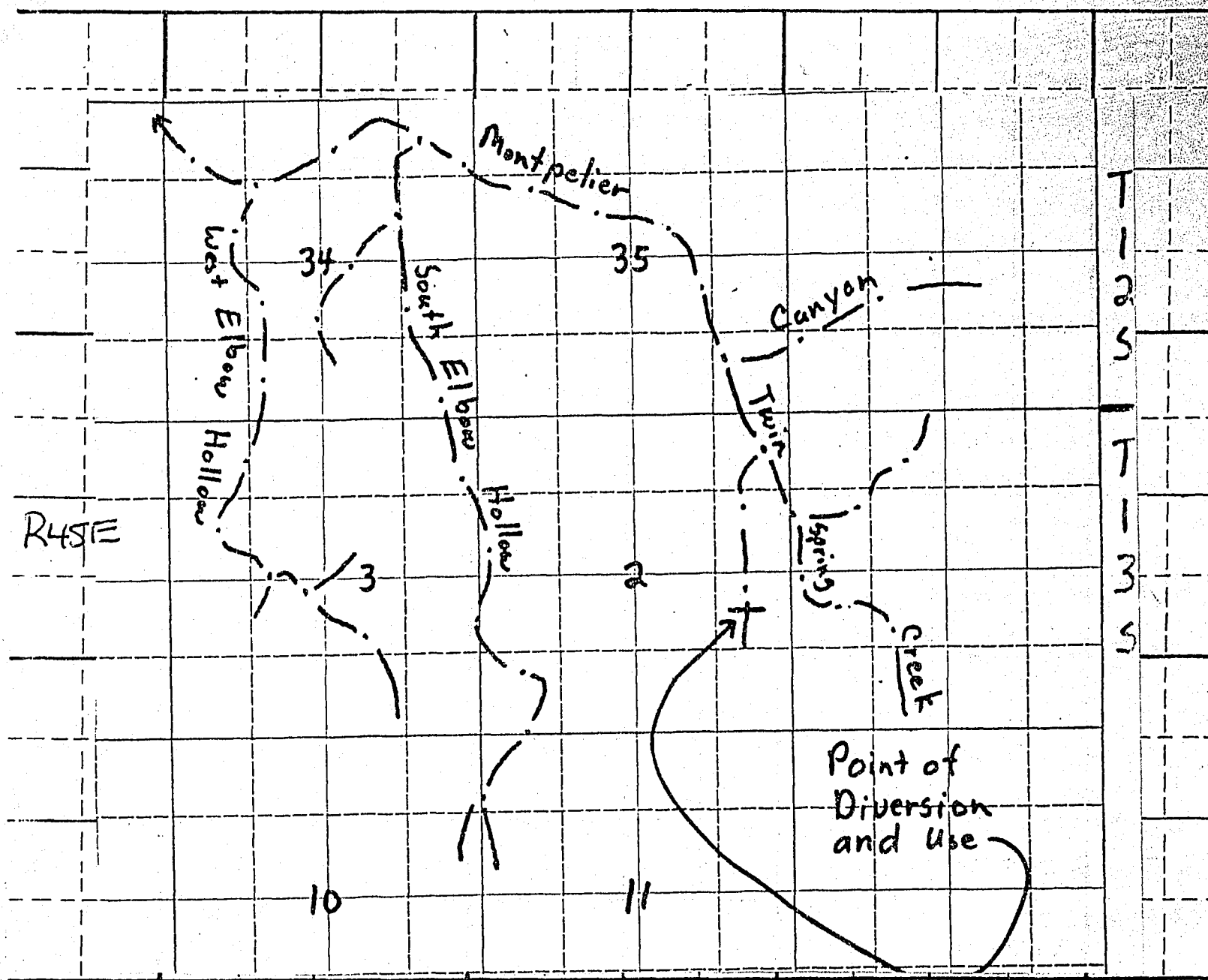
Acting for the Norman C. Young
Director

(Date, time, location)

Allow 0.02 cfs + 0.10 afa

use "unnamed stream" as source
to be consistent with entry of
all rights - "unnamed creek" is
not a valid source per coder's notebook

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

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

Point(s) of diversion: NE 1/4 SE 1/4 Sect. 2 T13S R45E

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	
13S	45E	2													X				

Recommended Amendments:

☐ Change P.D. as reflected above

☐ Add P.D. as reflected above

☒ None

☐ Change P.U. as reflected above

☐ Add P.U. as reflected above

☐ Other

Examiner's Signature

Checked by

Approved by

H. Jones
Keith Walker
K. Walker

Date

Date

Date

8-27-84

8 Nov 1984

5-5-86



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

May 13, 1986

RE: Permit Nos. 11-7186/7189/7190/7191/7192/7193/7194/7195/7202/
7212/7213/7214/7227/7228/7229/7230/7231/7232/
7233/7235/7236/7238/7239/7241/7242/7243/7244/
7245/7246/7247/7248/7249/7250/7251/7252

U.S. Dept. of Agri.
Forest Service
Federal Bldg.
324 25th St.
Ogden, UT 84401

Gentlemen:

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

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosures