

No 1349

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

ss.

County of Franklin

J. Walter Ross
being duly sworn,

deposes and says:

That he is the *Co-Publisher* of THE PRESTON CITIZEN, a weekly newspaper published at Preston, in the County of Franklin and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Preston; 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 of 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, 19*81*, and ending

with the issue of *May 21*, 19*81*.

Fee \$ *1749*

Subscribed and sworn to before me this *28th* day

of *May*, 19*81*.

Kevin D. Allen

Notary Public, Residing at Preston, Idaho

My Commission Expires *June 7*, 19*82*

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:

11-7252

U.S. DEPT. OF AGRICULTURE
FOREST SERVICE, FEDERAL
BLDG., 324 25TH ST., OGDEN, UT
84401

Source: SPRING tributary to SWAN
LAKE

Date Filed: 04/16/1981

Amount: 0.02 CFS

Diversion Point: SWSW Sec 24 T 16S
R 42E, FRANKLIN Co.

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

Place of Use: SWSW Sec 24 T 16S R
42E

Diversion Means: HEADBOX &
PIPELINE

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho 83401 on or before JUNE 1, 1981.

A. KENNETH DUNN

Director

Published 5/14 & 5/21/81

Legal No. 1349-35L - Pub. May 14,
21, 1981

RECEIVED
JUN 8 1981

Department of Water Resources
Eastern District Office

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 # 17660
Publication prepared by KW Date 5/7/81
Published in Preston Citizen
Publication dates 5/14 & 5/21/81
Publication approved KW Date 6/23
Protests filed by: none

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

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. 11-7252, and said application is hereby approved.

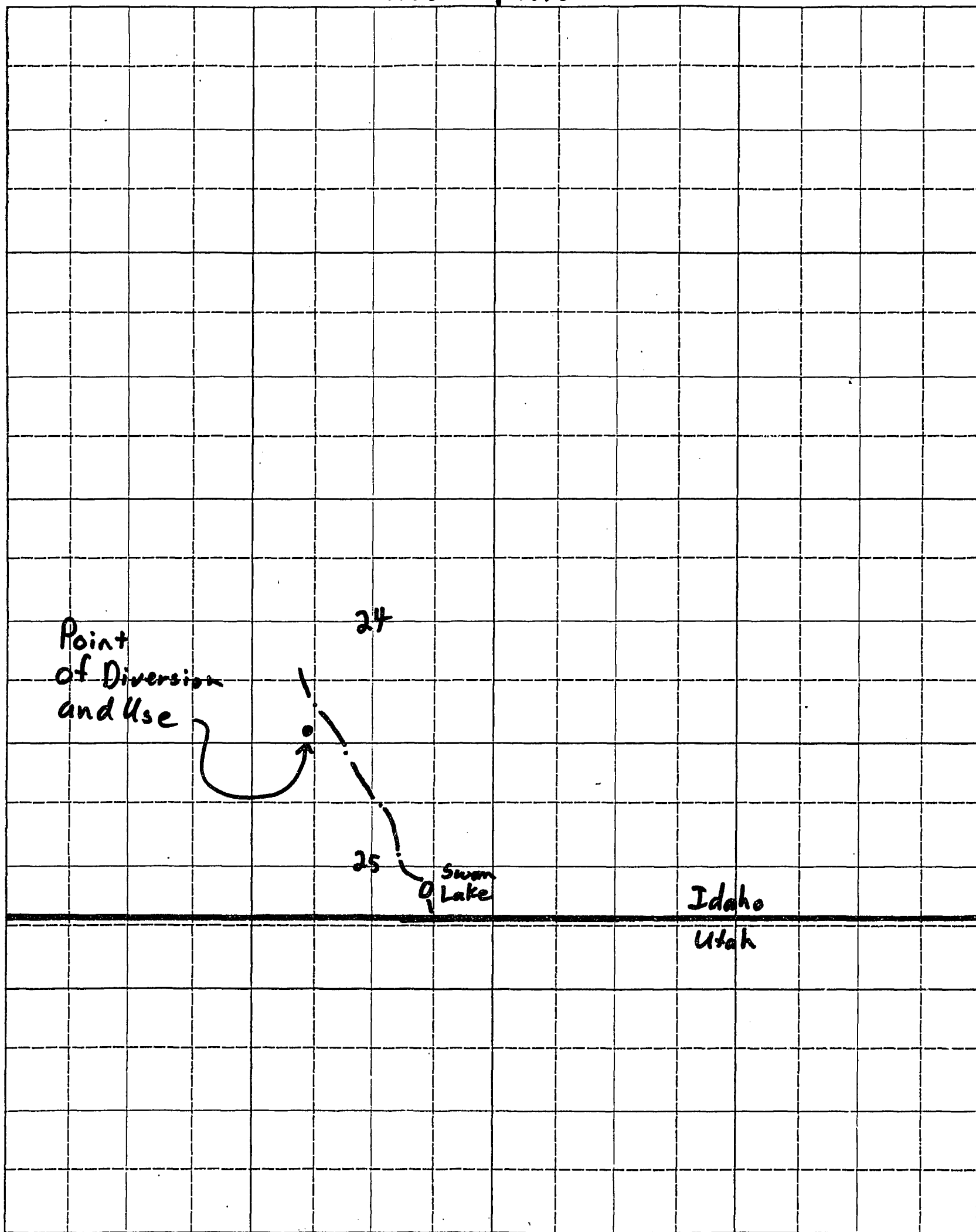
1. Approval of said application is subject to the following limitations and conditions:
- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
 - b. Proof of construction of works and application of water to beneficial use shall be submitted on or before July 1, 19 86.
 - c. The rate of diversion, if water is to be 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, Bear River.

Witness my hand this 13TH day of July, 19 81.

Norman C. Young
Administrator, Resources Admin. Div.

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

R42E | R43E



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. Bernal
(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 Fish Haven Cattle Allotment which has 7 water developments for watering 344 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 Spring which is a tributary of Sunn Lake
3. Location of point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 24 Township 16 S
Range 42E B.M. Franklin County, additional points of diversion if any: 026-092

4. Water will be used for the following purposes:

Amount .02 cfs for Stockwater purposes from January 1 to December 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

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

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Circular Metal headbox with PUC pipe leading to a heavy metal cattle watering trough.
b. Height of storage dam N.A. feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____
Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)
c. Proposed well diameter is N.A. inches; proposed depth of well is _____ feet.

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

8. Description of proposed uses:

a. If water is not for irrigation:
(1) Give the place of use of water: SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 24 Township 16 S
Range 42E 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 344 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.

11-2252

U.S. DEPT. OF AGRI.

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

Source: SPRING tributary to SWAN LAKE

Date Filed: 04/16/1981

Amount: 0.02 CFS

Diversion Point: SWSW Sec 24 T 16S R 42E, FRANKLIN Co.

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

Place of Use: SWSW Sec 24 T 16S R 42E

Diversion Means: HEADBOX & PIPELINE.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

MAY 7, 1981

The Preston Citizen
P. O. Box 472
Preston, Idaho 83263

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 1, 1981.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

Department of Water Resources



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

026-092

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. 11-7257.

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 Sp, Tributary Swan Lake

Extent of Use: ☐ Domestic (number of households)
☒ Stockwater 344 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 J. Sanders
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. 11-7252 Priority 04/16/1981 Amount 0.02 CFS 4.6 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. 11-7252 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 a spring

tributary to Swan Lake, 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	4.6 af	Stockwater	01/01 - 12/31

Location of point of diversion: SWSW, Sec. 24, Twp 16S, Rge 42E, Franklin 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	
16S	42E	24										X							

Total number of acres irrigated _____

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

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, 19 86.

Acting for the Director

Norman C. Young

11-7252
Permit No.

UNITED STATES OF AMERICA - FOREST SERVICE
CONTACT WITH PERMIT HOLDER

DATE _____

INITIALS

RECEIVED

~~FEB 20 1986~~

Department of Water Resources

☐ Appointment letter mailed:

☐ Telephone call made
(List Telephone No. used)

☐ Appointment scheduled for:
(Date, time, location)

EXAMINATION

Date 3-22-83 Accompanied by Tom Robison Total Q measured 0.02 cfs

Source Unnamed Spring Tributary to Swan Lake Supp. annubar measurement sheet used? No

If source is surface water, estimate total flow of source

Methods of measurement _____ Meets permit requirements?

Measurement calculations:

Verification of project location & completion made
with U.S. Forest Service personnel

Allow 0.02 cfs and 4.6 afa: $\frac{344 \text{ cattle} \times 12 \text{ gal/day} \times 365 \text{ days}}{325850 \text{ gal/ac-ft}} = 4.6 \text{ afa}$

[illegible]

System Description Circular headbox - water piped to one water trough

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

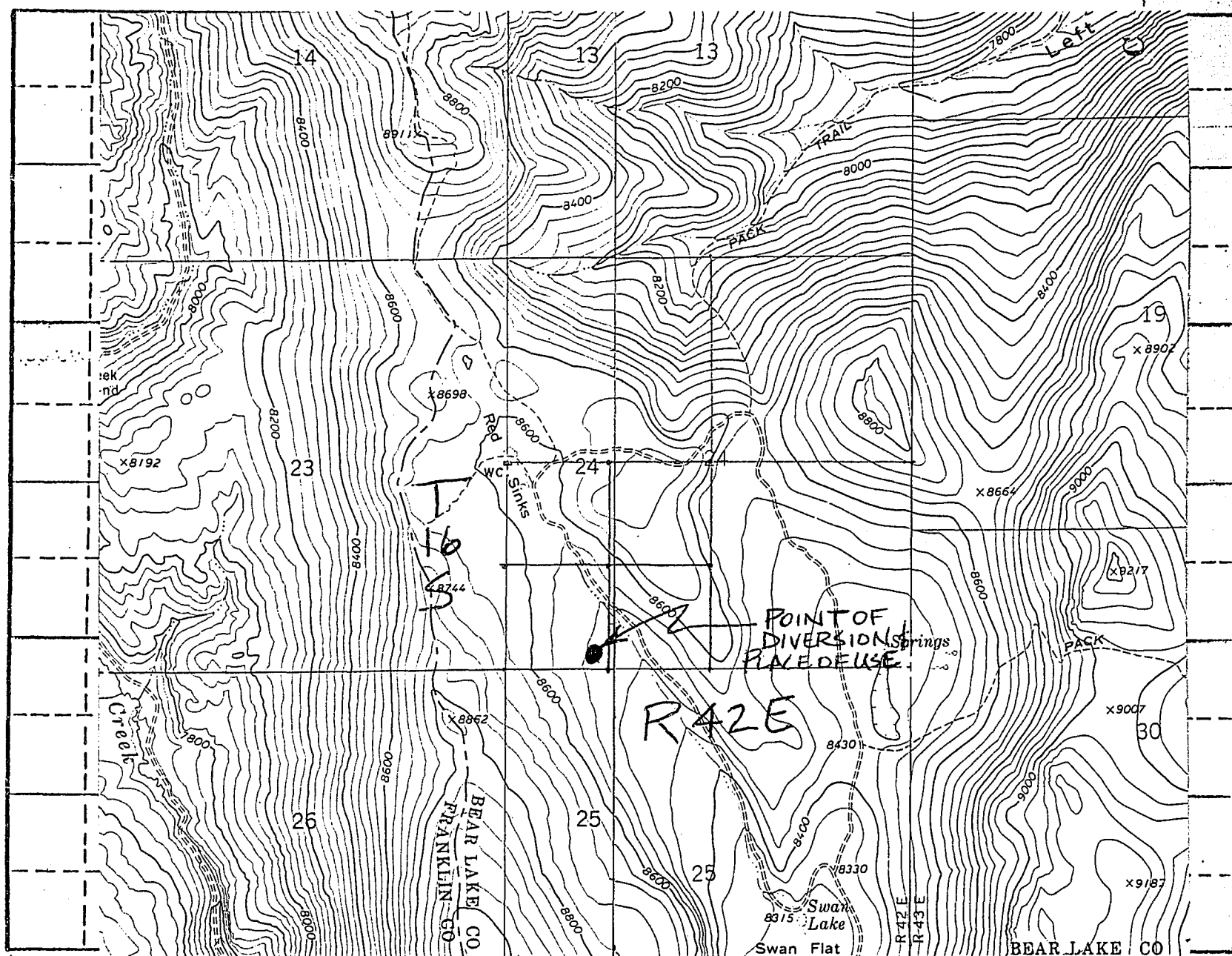
RECOMMENDED AMOUNTS

Irrigation requirement = AFA/Acre

	USE	Q. (cfs)	V (afa)	FROM	TO
Stockwater	✓	0.02 ✓	4.6 ✓	1/1 ✓	12/31 ✓
Total		0.02 ✓	4.6 ✓		

Remarks Stock water for 344 cattle ✓

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

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

Point(s) of diversion: SW 1/4 SW 1/4, Section 24, T 16 S, R 42 E, Boise Meridian, Franklin Co.

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	
16S	42E	24											S						

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

W. Jones

Gay Spackman

Gay Walker

Date

Date

Date

2-14-86

2-11-86

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