

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 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 Tributary Stream which is a tributary of Mill Creek
3. Location of point of diversion is NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 28 Township 13 S.
Range 42E B.M. Bear Lake County, additional points of diversion if any: None (012-175)
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)
(~~acre~~ acre-feet per annum) Stockwater
Amount .1AF for from Storage purposes from June 1 to September 30 (both dates inclusive)
(~~acre~~ acre-feet per annum)
Amount .02cfs for Stockwater purposes from June 1 to September 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: NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 28 Township 13 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 800 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.

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

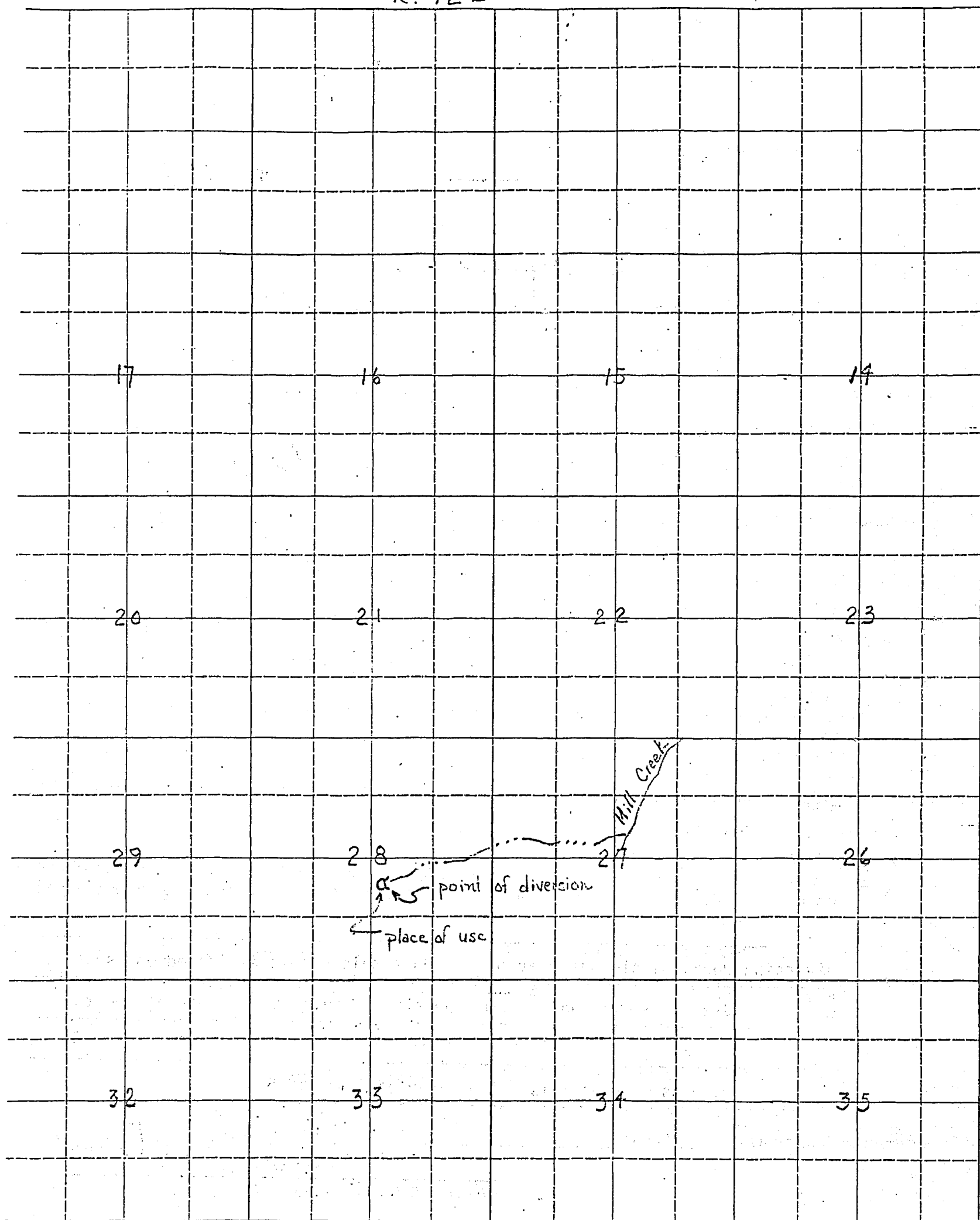
b. Who owns the land to be irrigated or place of use Same

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 to be located on the Paris-Liberty C&H Allotment. It will water an estimated 800 cattle in addition to big game, upland game and non-game wildlife species

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

R. 42 E



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

Ted V. Ruske

(for) J. S. TIXIER (Applicant) Regional Forester

Proposed Priority 4/23/85

Received by CW Date 4-23-85 Time 2:00p

Preliminary check by ALJ Fee \$ 30.00

Receipted by CW Date 6-10-85 # 33317

Publication prepared by AT Date 5-8-85

Published in News Examiner

Publication dates 5-16-85 5-23-85 5-30-85

Publication approved CW Date 6-06-85

Protests filed by: none

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by EMC KIW

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. 11-7352, 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 June 1, 19 90.
- 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: Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.
Use of water under this permit is subject to control by the watermaster of State Water District 11, Bear River.

Witness my hand this 19th day of June, 1985.

A. Glen Sayton
Chief, Operations Bureau

Nº 2834

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

County of Bear Lake

ss.

Theresa 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

May 23, 19*85*, and ending with the issue of *May 30*, 19*85*.

Theresa Stamm
Fees, *98.28*

Subscribed and sworn to before me this *31st* day

of *May*, 19*85*
Denise Green

Notary Public, Residing at Montpelier, Idaho

My Commission Expires *September*, 19*85*

RECEIVED

JUN 6

Department of Water Resources
Eastern District Office

11-7348
S. DEPT. OF AGRI.
FOREST SERVICE, FEDERAL BLDG.,
324 25TH ST., OGDEN, UT 84401
Source: SPRING trib. to DRY CREEK
Date Filed: 04/23/1985
Diversion Pt: SESW Sec 16 T 11S R 46E
Use: STOCKWATER (0.02 CFS)
STOCKWATER STORAGE (0.1 AF)
STOCKWATER FROM STORAGE (0.1 AF)
In: SESW Sec 16 T 11S R 46E

11-7349
U.S. DEPT. OF AGRI.
FOREST SERVICE, FEDERAL BLDG.,
324 25TH ST., OGDEN, UT 84401
Source: SPRING trib. to BAILEY CREEK
Date Filed: 04/23/1985
Diversion Pt: NWSE Sec 07 T 10S R 42E
Use: STOCKWATER (0.02 CFS)
STOCKWATER STORAGE (0.1 AF)
STOCKWATER FROM STORAGE (0.1 AF)
In: NWSE Sec 07 T 10S R 42E

11-7350
U.S. DEPT. OF AGRI.
FOREST SERVICE, FEDERAL BLDG.,
324 25TH ST., OGDEN, UT 84401
Source: UNNAMED STREAM trib. to BAILEY CREEK
Date Filed: 04/23/1985
Diversion Pt: SESW Sec 07 T 10S R 42E
Use: STOCKWATER (0.02 CFS)
STOCKWATER STORAGE (0.1 AF)
STOCKWATER FROM STORAGE (0.1 AF)
In: SESW Sec 07 T 10S R 42E

11-7351
U.S. DEPT. OF AGRI.
FOREST SERVICE, FEDERAL BLDG.,
324 25TH ST., OGDEN, UT 84401
Source: SPRING trib. to BAILEY CREEK
Date Filed: 04/23/1985
Diversion Pt: NWNE Sec 07 T 10S R 42E
Use: STOCKWATER (0.02 CFS)
In: NWNE Sec 07 T 10S R 42E

11-7352
U.S. DEPT. OF AGRI.
FOREST SERVICE, FEDERAL BLDG.,
324 25TH ST., OGDEN, UT 84401
Source: UNNAMED STREAM trib. to MILL CREEK
Date Filed: 04/23/1985
Diversion Pt: NWSE Sec 28 T 13S R 42E
Use: STOCKWATER (0.02 CFS)
STOCKWATER STORAGE (0.1 AF)
STOCKWATER FROM STORAGE (0.1 AF)
In: NWSE Sec 28 T 13S R 42E

11-7353
U.S. DEPT. OF AGRI.
FOREST SERVICE, FEDERAL BLDG.,
324 25TH ST., OGDEN, UT 84401
Source: SPRING trib. to PREUSS CREEK
Date Filed: 04/23/1985
Diversion Pt: SENW Sec 23 T 11S R 45E
Use: STOCKWATER (0.02 CFS)
STOCKWATER STORAGE (0.1 AF)
STOCKWATER FROM STORAGE (0.1 AF)
In: SENW Sec 23 T 11S R 45E

11-7354
U.S. DEPT. OF AGRI.
FOREST SERVICE, FEDERAL BLDG.,
324 25TH ST., OGDEN, UT 84401
Source: UNNAMED STREAM trib. to MILL CREEK
Date Filed: 04/23/1985
Diversion Pt: NWNE Sec 12 T 13S R 42E
Use: STOCKWATER (0.02 CFS)
STOCKWATER STORAGE (0.1 AF)
STOCKWATER FROM STORAGE (0.1 AF)
In: NWNE, Sec 12 T 13S R 42E

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before June 10, 1985.
KEN DUNN, Dir.
5-23, 5-30

11-7352

U.S. DEPT. OF AGRI.

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

Source: UNNAMED STREAM trib. to MILL CREEK

Date Filed: 04/23/1985

Diversion Pt: NWSE Sec 28 T 13S R 42E

Use: STOCKWATER (0.02 CFS)
STOCKWATER STORAGE (0.1 AF)
STOCKWATER FROM STORAGE (0.1 AF)

In: NWSE Sec 28 T 13S R 42E

11-7352
U.S. DEPT. OF AGRI.
FOREST SERVICE, FEDERAL BLDG.,
324 25TH ST., OGDEN, UT 84401
Source: UNNAMED STREAM trib. to
MILL CREEK
Date Filed: 04/23/1985
Diversion PT: NWSE Sec 28 T 13S R 42E
Use: STOCKWATER (0.02 CFS)
STOCKWATER STORAGE (0.01 AF) 0.1 AF
STOCKWATER FROM STORAGE
(0.1 AF)
In: NWSE Sec 28 T 13S R 42E

*telecom w/
Claire
5-15-85
will change
run 5/23 & 5/30
LDP 6-10-85
at*



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

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

June 3, 1985

News-Examiner
P.O. Box 278
Montpelier, ID 83254

RE: Applications for Permit No. 11-7348/7349/7350/7352/7353/7354

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced applications. The legal notice was to have been published in your paper on May 16 and 23, 1985.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

CHERYL THOMPSON
Secretary

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: HWD
CHECK:

APPLICATION NUMBER: 11 7352
(012-175)

- ☒ 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 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: _____

SEND COPIES TO:

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

PROCESSING:

- ☐ Yes ☒ No Platted by: _____ Map No. _____
☐ Yes ☒ No Other rights on same place of use. _____
☒ Yes ☐ No* In form for advertising. _____
☐ Yes ☒ No Final date for protests: 6-8-85
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 6-6-85
☐ 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
4-23-85 Date of priority recommended.
Special conditions of approval or cover letter. _____

By: Ernest Carlson Date: June 11, 1985
STATE OFFICE REVIEW: 617 26 05(11, Bear River)

☐ See attached sheet for more information.
By: KW Date: 6/18/85

RECEIVED
JUN 18 1985



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

July 2, 1985

RE: Permit Nos. 11-7348/7349/7350/7351/7352/7353/7354, 24-7167/
7168

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

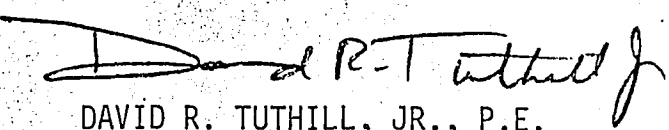
Gentlemen:

Enclosed are copies of your approved Applications for Permit. We direct your attention to the conditions of approval on the fourth pages.

Please note the requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permits were issued and you must proceed diligently until the projects are completed. The enclosed blue cards must be completed and returned to this office as soon as you commence construction, no later than one year from the date the permits were approved.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop these permits into licenses.

Sincerely,


DAVID R. TUTHILL, JR., P.E.
Supervisor, Water Allocation Section

DRT:sc

Enclosures

PLACE
TEN CENT
STAMP
HERE



RECEIVED

IDAHO DEPARTMENT OF WATER RESOURCES
DEC 16 1985 STATEHOUSE
BOISE, IDAHO 83720

Department of Water Resources

012-175

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. 11-7352.

Name(s) of Permit Holder: United States of America - Forest ServicePost Office Address: Federal Building, 324 25th StreetOgden, Utah 84401Tel. No. (801) 625-5360Source of Water: Mill Cr

Extent of Use: ☐ Domestic (number of households)
☒ Stockwater 200 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

Dec. 12, 1985
DateRandall R. Hale
Signature of Permit Holder

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 11-07352

Priority: April 23, 1985

Maximum Diversion Rate:

0.02 CFS

Maximum Diversion Volume:

3.9 AF

This is to certify, that US DEPT OF AGRICULTURE
FOREST SERVICE
FEDERAL BLDG SUITE 282
250 S 4TH AVE
POCATELLO ID 83201

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated April 23, 1985; and
has submitted Proof of Beneficial Use on December 16, 1985. An examination indicates
that the works have a diversion capacity of .020 cfs of water from:

UNNAMED STREAM

tributary to MILL CREEK

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	06/01 to 09/30	0.02 CFS	3.7 AF
STOCKWATER STORAGE	01/01 to 12/31		0.1 AF
STOCKWATER FROM STORAGE	06/01 to 09/30		0.1 AF
Totals		0.02 CFS	3.9 AF

LOCATION OF POINT(S) OF DIVERSION:

NWSE , Sec. 28, Township 13S, Range 42E
BEAR LAKE County

PLACE OF USE: STOCKWATER
TWN RGE SEC

13S 42E 28 NWSE

PLACE OF USE: STOCKWATER FROM STORAGE, same as STOCKWATER use

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

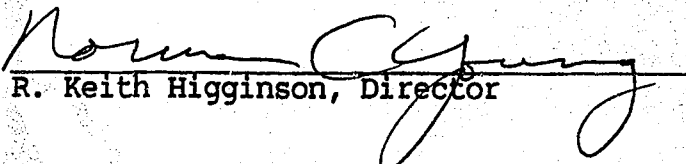
WATER RIGHT LICENSE
WATER RIGHT NO. 11-07352

CONDITIONS/REMARKS:

5. This right, when considered with all other rights common to the same grazing allotment, shall be limited to the quantity of water beneficially used by the number of stock within the allotment.
6. Use of water under this water right will be regulated by the watermaster of State Water District No. 11.
7. Place of use is located within the Paris-Liberty C & H Allotment.
8. Water used under this right also includes water for wildlife.
9. Stockwater use is for 800 range cattle.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 8TH day of JUNE, 1993.

Acting for


R. Keith Higginson, Director



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

FEBRUARY 19, 1986

U.S. FOREST SERVICE
324 25TH STREET
OGDEN UT 84401

RE: Permit No. 11-7352

Dear Permit Holder:

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

Before a license can be issued, a field examination must be made by a representative of this department.

A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office by phone at 525-7161 or in person in the third floor State Office Building, 150 Shoup, Idaho Falls, Idaho.

Sincerely,
s/HAROLD W. JONES
Sr. Resource Agent

Permit No. 11-7352

Current Address: Federal Building, Suite 282, 250 South 4th Avenue
Pocatello, ID. 83201

Address: 431 clay street, Montpelier, Id Phone No. 847-0375

Relationship to Permit Holder: Range Tech

3. Source: Unnamed Intermittent Stream tributary to Mill Creek

1. Other water rights with the same place of use: _____

2. Other water rights with the same point of diversion: _____

1. Point(s) of Diversion:

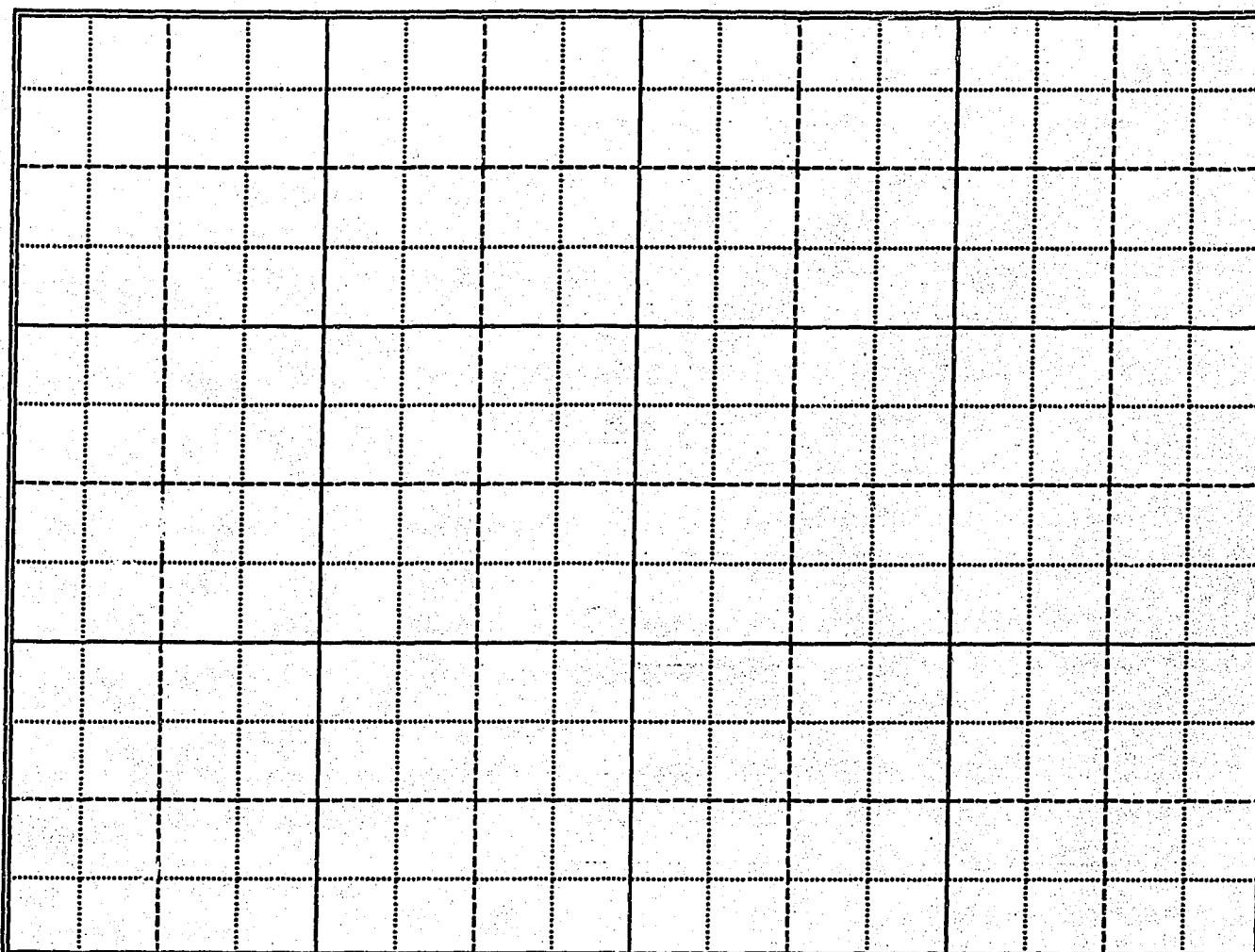
[illegible]

2. Place(s) of Use:

Indicate Method of Determination

[illegible]

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = _____

____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4. N/A

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

*Code to correspond with No. on map and aerial photo

D. **FLOW MEASUREMENTS** See Memorandum U.S.F.S. Field Exam Dtd Feb 26 1981

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. **Measurements:** See Memorandum U.S.F.S. Field Exam Dtd Feb 26, 1981

E. NARRATIVE/REMARKS/COMMENTS

0.1 af stock pond supplying water to
wildlife year round and 800 Range cattle
from 6/1 to 9/30.

Have conditions of permit approval been met? ☒ yes ☐ no

F. FLOW CALCULATIONS

Measured Method:

____ Additional Computation Sheets Attached

de minimus $Q = 0.02$ cfs

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

de minimus $V =$ _____

H. RECOMMENDATIONS

1. Recommended Amounts *see Remarks*

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Stockwater (S)	_____	_____	_____	_____
Wildlife (W)	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals:			_____	_____

2. Recommended Amendments

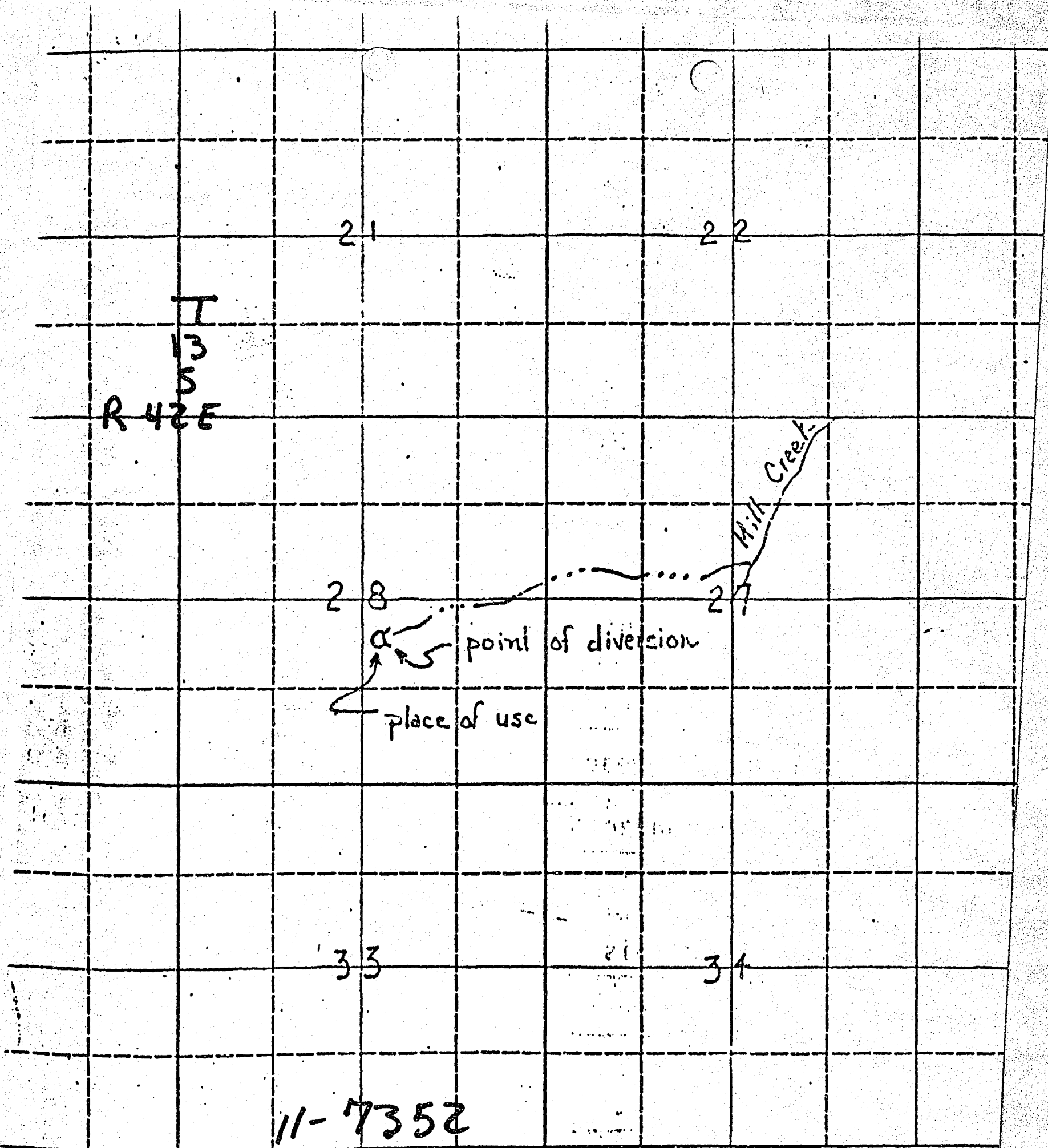
☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

I. AUTHENTICATION

Field Examiner's Name Gary Buss Date 12-31-92

Reviewer _____ Date _____

SEAL



equal 1 mile.

KNOWN that the undersigned hereby makes application for permit to appropriate the water of Idaho as herein set forth. United States of America - Forest Service



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

June 9, 1993

US DEPT OF AGRICULTURE
FOREST SERVICE
FEDERAL BLDG SUITE 282
250 S 4TH AVE
POCATELLO ID 83201

RE: WATER RIGHT NO. 11-07352

Dear Water Right Holder(s):

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

Sincerely,

Brenda Chapman

for JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure