

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 11-7407

Department of Water Resources

To appropriate the public waters of the State of Idaho

1. Name of applicant Donald D. Hennings Phone 847-2195
Post office address P.O. Box 248 Montpelier, ID 83254
2. Source of water supply Spring which is a tributary of Sinks
3. Location of point of diversion is NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of SE $\frac{1}{4}$, Govt. Lot _____
Sec. 18 Township 11S Range 44E B.M. Beav Lake County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.02 cfs for stockwater purposes from 1-1 to 12-31 (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 is (a) 0.02 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Collection box to 1" pipe
to water trough.

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
d. Is ground water with a temperature of greater than 85°F being sought? _____
e. If well is already drilled, when? _____; Drilling firm _____;
Well was drilled for (well owner) _____
7. Time required for the completion of the works and application of the water to be proposed beneficial use is
1 years (minimum 1 year).

8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. 50 Range Cattle.*
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. _____
- e. Other; describe fully. _____

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

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	
11S	44E	18															S		

Total number of acres to be irrigated _____

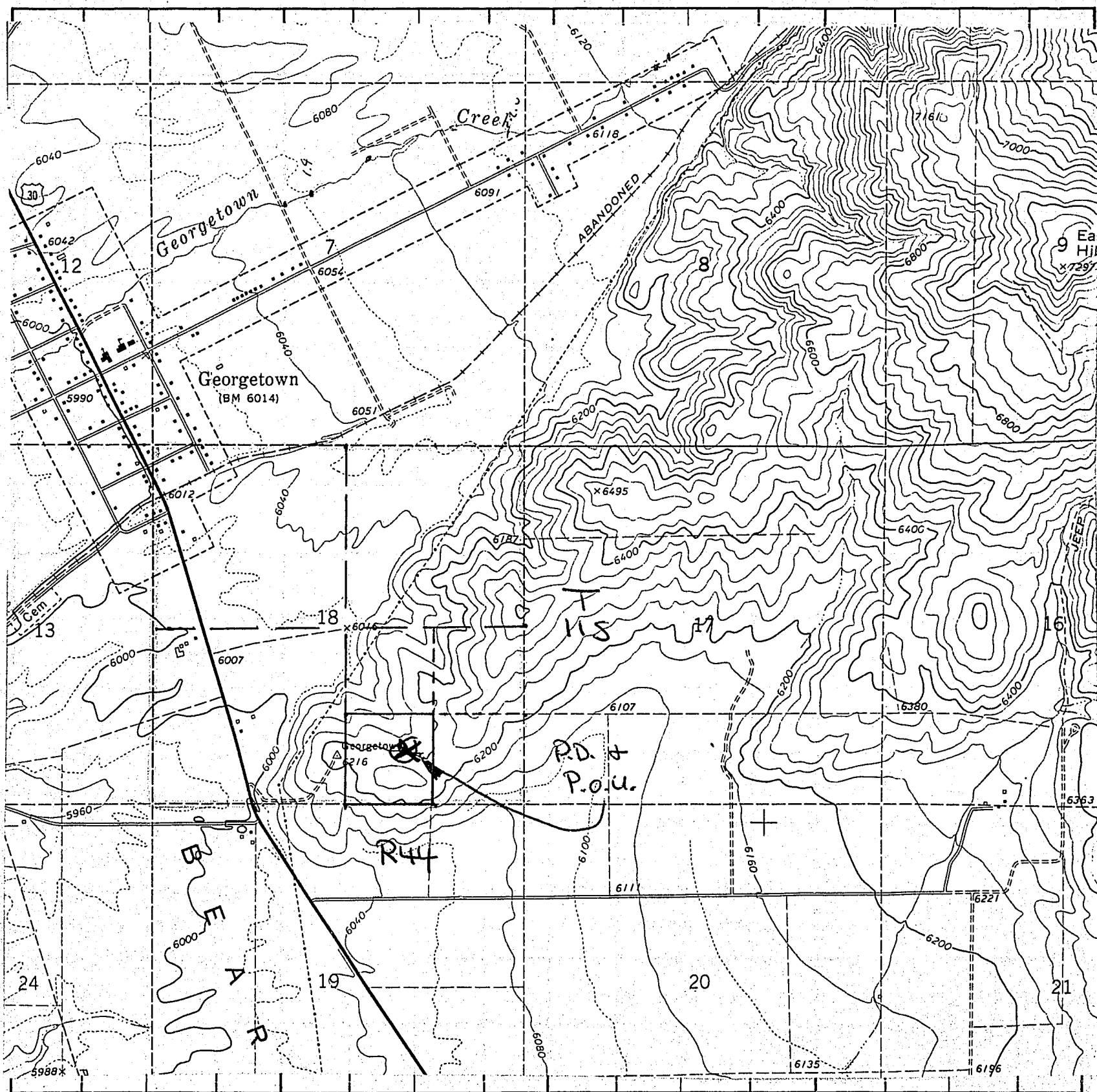
10. Describe any other water rights used for the same purposes as described above. _____

11. a. Who owns the property at the point of diversion? Applicant
- b. Who owns the land to be irrigated or place of use? Applicant
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: Already in place

* per telecon with applicant 12/13/93. cz.

13. 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.

Donald D. Hensings
(Applicant)

Received by WM Date 10/26/93 Time 2:02pm ck #61304 \$30.00
Preliminary check by _____
Fee \$ 30.00 Receipted by HWT # E019260 Date 10-26-93
Publication prepared by RB Date 11-18-93 Published in News Examiner
Publication approved RB Date 12-6-93

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. _____, and said application is hereby _____.

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 _____, 19 ____.
- 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. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other:

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 11-07407

Proposed Priority: October 26, 1993 Maximum Diversion Rate: 0.02 CFS

This is to certify, that DONALD D HENNINGS
PO BOX 248
MONTPELIER ID 83254-0248
has applied for a permit to appropriate water from:

SPRING tributary of SINKS

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
STOCKWATER	01/01 to 12/31	0.02 CFS

LOCATION OF POINT(S) OF DIVERSION: NESWSE , Sec. 18, Township 11S, Range 44E
BEAR LAKE County

PLACE OF USE: STOCKWATER
TWN RGE SEC
11S 44E 18 SWSE

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before December 1, 1994.
2. Subject to all prior water rights.
3. Stockwater use is for 50 range cattle.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the signature of the Director, affixed at Boise, this

18th day of January, 1994.

R. Keith Higginson
for R. Keith Higginson, Director

15-Nov-1993

DONALD D HENNINGS
PO BOX 248
MONTPELIER ID 83254

RE: Application No. 11-07407

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in the NEWS EXAMINER on 11-18 & 25-93. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in about five weeks. State Office Personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

Harold W. Jones
Harold W. Jones ^{rb}
Water Right Supervisor

HWJ:rb

11-07407

HENNINGS, DONALD D
PO BOX 248
MONTPELIER, ID 83254

Source: SPRING

Tributary: SINKS

Diversion Pt: NESWSE Sec 18 T 11S R 44E in BEAR LAKE County.

Use: STOCKWATER (.020 CFS)
Total Diversion: (.020 CFS)

Date Filed: 10/26/1993

In: BEAR LAKE County
T11S R44E S18 SWSE

No 4694

AFFIDAVIT OF PUBLICATION

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

Rosa S. Moosman
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 17, 1993, and ending
with the issue of November 24, 1993.

Rosa S. Moosman
Fees, \$65.84

Subscribed and sworn to before me this 30th day
of November, 1993

Henry Brown
Notary Public, Residing at Montpelier, Idaho

My Commission Expires August 15, 1997

NOTICE OF APPLICATION FOR WATER RIGHT

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

11-07399

BEAR LAKE WEST PROPERTY OWNERS ASSN.

Source: GROUNDWATER

Diversion Pt: NENWNW Sec 22 T 16S R 43E in BEAR LAKE County

Use: DOMESTIC (.330 CFS)

Total Diversion: (.330 CFS)

Date Filed: 7/7/1992

In: BEAR LAKE County

T16S R43E S21 NENE NWNE

NENW NWNW S22 NWNW

11-07407

HENNINGS, DONALD D.

P.O. BOX 248

MONTPELIER, ID 83254

Source: SPRING

Tributary: SINKS

Diversion Pt: NESWSE Sec 18 T

11S R 44E in BEAR LAKE County

Use: STOCKWATER (.020 CFS)

Total Diversion: (.020 CFS)

Date Filed: 10/26/1993

In: BEAR LAKE County

T11S R44E S18 SWSE

11-07408

BOWCUTT, MICHAEL C.

AMERICAN EMBASSY

UNIT 15550

APO, AP 962050001

Source: GROUNDWATER

Diversion Pt: NWNENE Sec 18 T

12S R 43E in BEAR LAKE County

Use: DOMESTIC (.040 CFS)

Total Diversion: (.040 CFS)

Date Filed: 10/26/1993

In: BEAR LAKE County

T12S R43E S18 NENE

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Eastern Region, 900 N. Skyline, Idaho Falls, Idaho, 83402 on or before DECEMBER 6, 1993.

R. KEITH HIGGINSON, Director

Legal No. 4694 — Publish Nov. 17, 24, 1993



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

January 18, 1994

DONALD D HENNINGS
PO BOX 248
MONTPELIER ID 832540248

PERMIT APPROVAL NOTICE

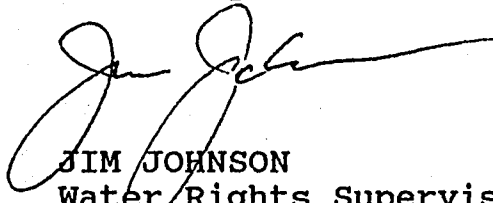
RE: PERMIT NO. 11-07407

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permit.

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed you should complete and submit this form immediately.

Sincerely,


JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosures

06/93

State of Idaho
DEPARTMENT OF WATER RESOURCES

For Office Use Only
Amt. of Fee \$ 25.00
Date 12-29-94
Receipt No. 0031897
Received by RT

DEC 29 1994

ASSIGNMENT OF PERMIT
To change the ownership of a permit Department of Water Resources

I, Donald D Hennings, hereby assign to Robert Sloan
(Permit Holder)
of 31134 US Hwy 30 Montpelier, ID 83254 (208) 847-0210
(Full Address and Phone Number)

All my right, title, and interest in and to Permit No. 11-07407 to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to Permit No. N/A to appropriate the public waters of the State of Idaho.

Describe portion of the permit assigned listing the number of acres in each 40 acre subdivision, point of diversion location, and the amount of water in cubic feet per second.

N/A

Made this 27th day of December, 1994.

Donald D Hennings
Donald D Hennings

State of Idaho)
County of Blaine) ss

On this 27th day of December, 199 4, personally appeared before me the signer of the above instrument, duly acknowledged to me that he/she/they executed the same.

Dorothy S. Julian
Notary Public

SEAL

Dorothy S. Julian
Signature

My commission expires: 7-13-98

database updated 12/29/94 csg.

07/90

STATE OF IDAHO

 Amt. of Fee \$ 50⁰⁰
 Date 12-28-94
 Receipt No. 0031897
 Received by RT

RECEIVED

DEC 29 1994

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 11-07407 Telephone No. (208) 847-02102. Name(s) of Permit Holder(s): Robert L. AND/OR SHIRLEY SHAW3. Post Office Address: 31134 US Hwy 30, Montpelier ID 832544. Source of Water: Spring

a. If ground water, well driller's name: _____ Date drilled: _____

b. Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft.): _____

5. Extent of Use:

Domestic _____ (No. of households) Irrigation _____ (No. of acres)

Stockwater 50 (No. and type of stock) Other _____CATTLE6. Total rate and/or volume for which proof is submitted .02 cfs _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? Yes No Installed? Yes NoOR
Flow Measurement Port: Required? Yes No Installed? Yes No8. Fee Enclosed: \$ 50⁰⁰ (See License Examination Fee Schedule)

9. Person to contact to accompany the Department representative during the field examination:

Name Robert Shaw Telephone No. (208) 847-0210Address 31134 US Hwy 30 Montpelier ID 83254

10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

 Date Dec 27, 1994

 Signature (and title if on behalf of a company or organization) Robert Shaw

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 11-07407)
)
IN THE NAME OF ROBERT SLOAN) ORDER OF
) REINSTATEMENT
)

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before December 1, 1994; and,

WHEREAS, the Department notified the permit holder on September 30, 1994, by certified mail that proof was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use; and,

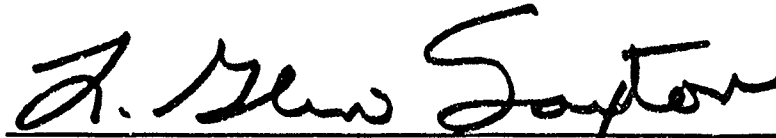
WHEREAS, the Department notified the permit holder on December 8, 1994, that the permit had lapsed for failure to submit an acceptable proof of beneficial use or extension of time; and,

WHEREAS, Section 42-218a, Idaho Code, provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting an acceptable proof of beneficial use on December 29, 1994;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 11-07407 be REINSTATED with an advance in priority to November 23, 1993.

Dated this 12th day of January, 1995.



L. GLEN SAXTON
Chief, Water Allocation Bureau

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Original Application	11-07407	Donald D Hennings	0.02
Full Assignment	11-07407	Robert Sloan	0.02



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

A. KEITH HIGGINSON
DIRECTOR

July 1, 1994

ROBERT SLOAN
31134 HWY 30
MONTPELIER ID 83254

RE: Permit No. 11-07407

Dear Mr. Sloan:

In response to your request of Shelley Keen today, I have enclosed a partially completed 'Assignment of Permit' form on the above permit for Mr. Donald Hennings' notarized signature.

The department requires a \$20.00 filing fee for assignments of permits submitted on or after July 1, 1994.

Please send the completed form and filing fee to my attention at the above address.

If you have any further questions, please feel free to contact me directly at (208) 327-7944.

Sincerely,

CINDY ZIMMERMAN
Water Resource Agent

c: Donald D Hennings

September 30, 1994

DONALD D HENNINGS
PO BOX 248
MONTPELIER ID 832540248

RE: PERMIT NO. 11-07407 PROOF DUE NOTICE

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before December 1, 1994. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

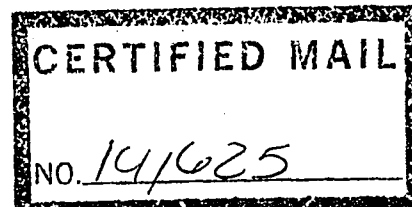
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures



December 8, 1994

DONALD D HENNINGS
PO BOX 248
MONTPELIER ID 832540248

LAPSE NOTICE

RE: PERMIT NO. 11-07407

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated September 30, 1994. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifty dollar (\$50.00) fee.

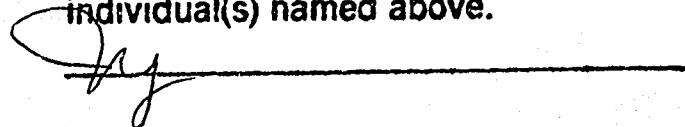
Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

L. GLEN SAXTON
Chief, Water Allocation Bureau

Enclosures

CERTIFICATION OF MAILING

I hereby certify that on 12/9/94
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.





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

January 11, 1995

ROBERT L SLOAN
31134 US HWY 30
MONTPELIER ID 83254

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 11-07407

Dear Permit Holder:

The Department acknowledges receipt of the correspondence and assignment of permit form transferring ownership of the above referenced water right to you. We have have modified our computer records to reflect this change in ownership. The department also acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit.

Enclosed is an order reinstating your permit since proof of beneficial use was received after the proof due date. Please note that the priority date has been advanced to November 23, 1993.

The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the EASTERN Regional Office in Idaho Falls, at (208)252-7161.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

Enclosure