

RECEIVED
6/85
OCT 06 1994

STATE OF IDAHO

Ident No. _____

APPLICATION FOR PERMIT

11-7412

Department of Water Resources

To appropriate the public waters of the State of Idaho

1. Name of applicant USDI - Bureau of Land Management Phone (208) 524-7500

Post office address 940 Lincoln Rd., Idaho Falls Idaho 83401

2. Source of water supply ~~unknown~~ spring which is a tributary of Sheep Creek

3. Location point of diversion is SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of SW $\frac{1}{4}$, Govt. Lot 3

Sec. 18, Township 13 S., Range 46 E., B.M. Bear Lake County: additional

points of diversion if any: none

4. Water will be used for the following purposes:

Amount .05 for livestock purposes from 05/20 to 10/30 (both dates inclusive)
(cfs or acres-foot per annum)

Amount .01 for wildlife purposes from 01/01 to 12/31 (both dates inclusive)
(cfs or acres-foot per annum)

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

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

5. Total quantity to be appropriated is (a) 0.05 and/or (b) N/A
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Headbox and pipeline to two troughs

b. Height of storage dam N/A feet; active reservoir capacity N/A acre-feet; total
reservoir capacity N/A acre-feet; period of year when water will be diverted to storage:

N/A to N/A inclusive.

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

d. Is ground water with a temperature greater than 90°F being sought? N/A

7. Time required for the completion of the works and application of the water to the proposed beneficial use is

two 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. N/A
- b. Stockwatering; list number and kind of livestock. 200 range cattle, 400 sheep
- c. Municipal; show name of municipality. N/A
- d. Domestic; show number of household. N/A
- e. Other; describe fully. Wildlife: 20 grouse, 50 deer, non game wildlife including small mammals and birds

9. Description of place of use:

- a. If water is for irrigation, indicated acreage in each subdivision in the tabulation table.
- 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 instruction for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
13 S.	48 E.	18										S	S						
												LT, 3	LT, 4						

WT = water trough

Total number of acres to be irrigated N/A

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? USDI - BLM

b. Who owns the land to be irrigated or place of use? USDI - BLM

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

12. Remarks: Preuss Range Allotment, #04160 - Permittee: Harry J. Armstrong

Rich Muma
District Manager
Signature

Received by HWT Date 4-20-94 Time 4:18pm Preliminary check by _____
Fee \$ 30.00 Received by HWT # E019716 Date 4-20-94
Publication prepared by LB Date 5-5-94 Published in News Examiner
9-15-94
Publication approved LB Date 10-4-94

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:

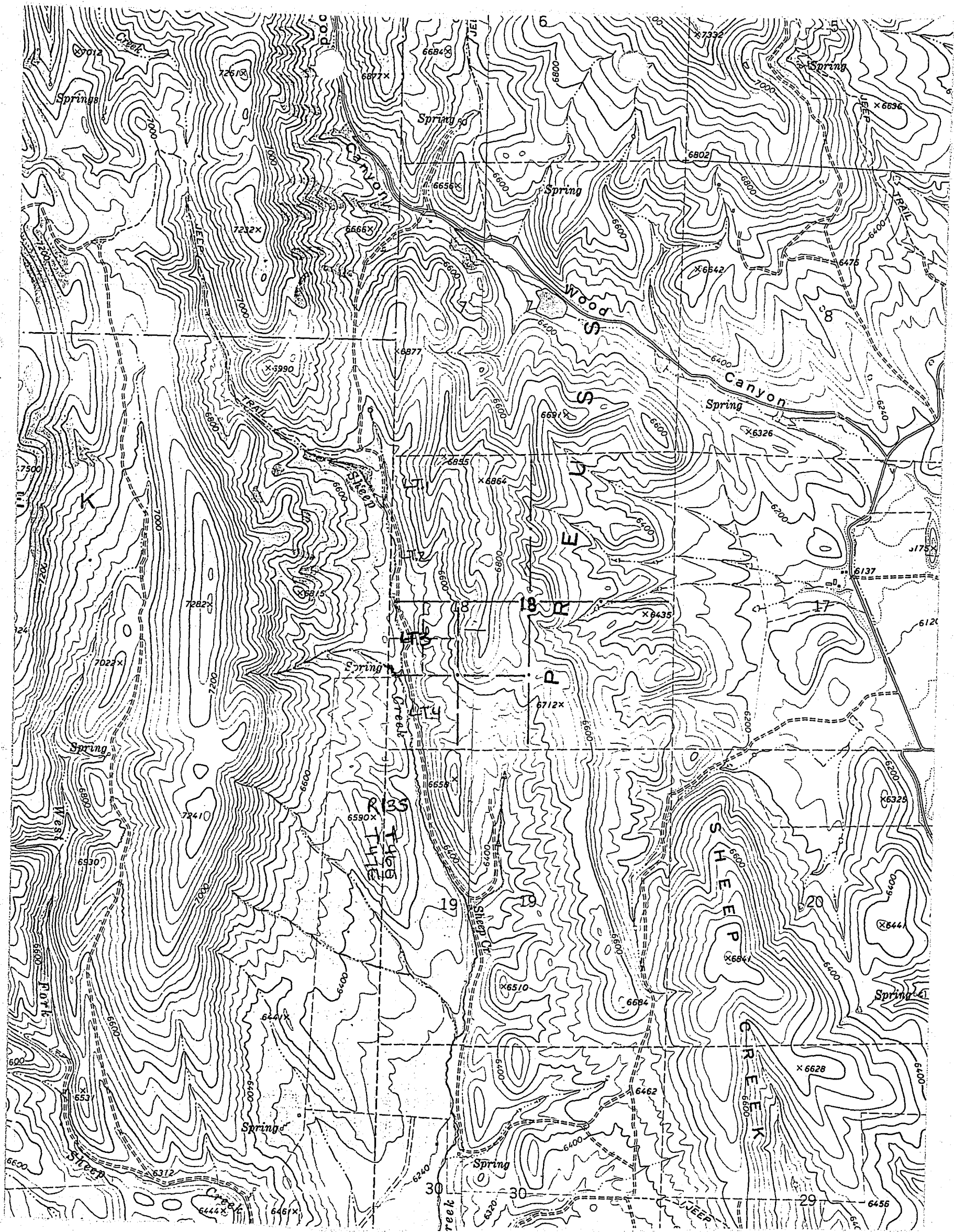
a. SUBJECT TO ALL PRIOR WATER RIGHTS.

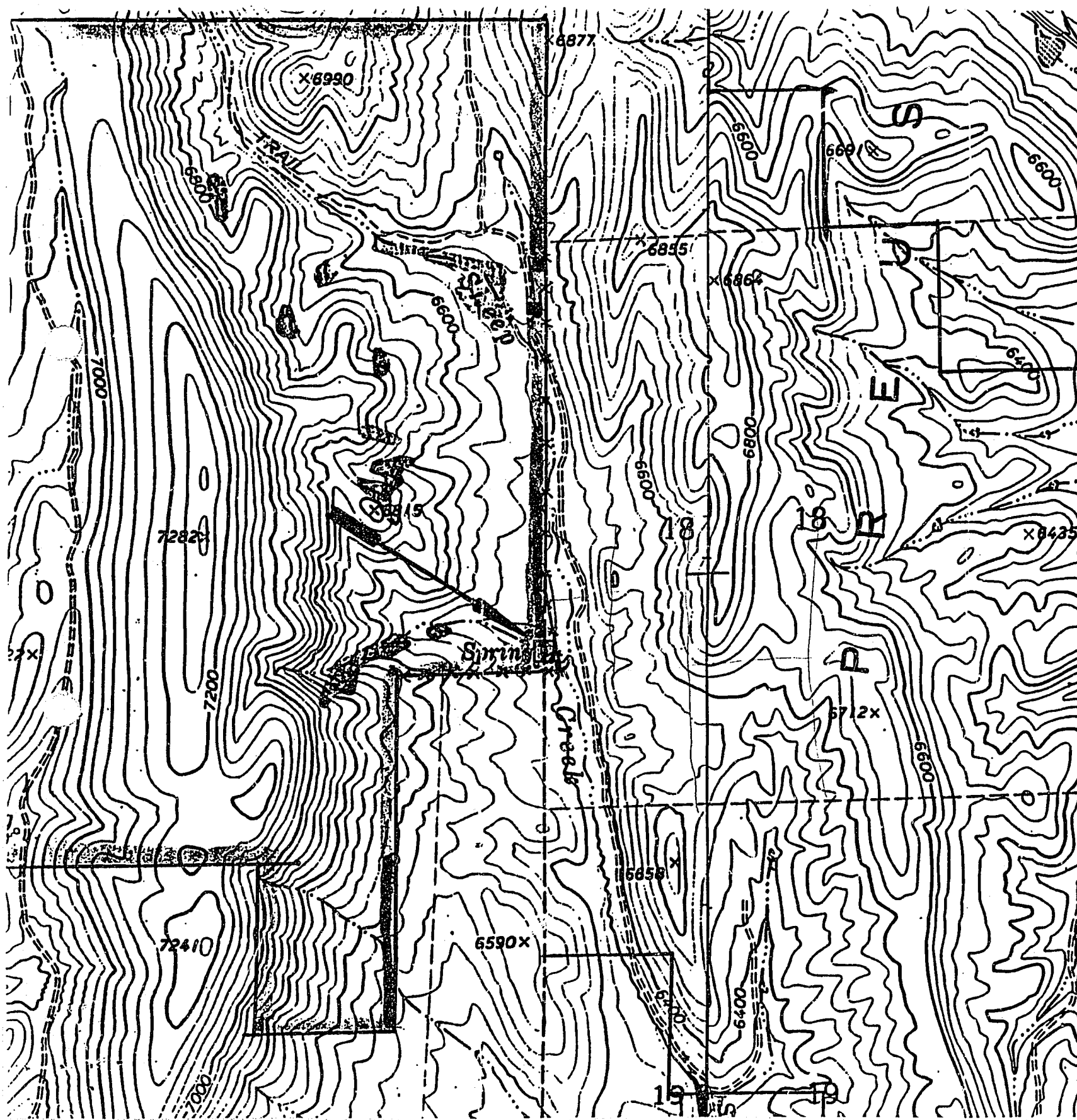
b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.

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:





- - Preuss Range Allot.
- - Sheep Creek Hills Allot.
- x - x - Existing Fence
- - Spring Proposed for Development

Geneva & Montpelier Canyon
7.5 Minute Quads.

R.46 E, T. 13 S, Sec. 18, NWSW

Map Prepared by C. Chad
9/25/91

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 11-07412

Proposed Priority: April 20, 1994 Maximum Diversion Rate: 0.05 CFS

This is to certify, that US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
940 LINCOLN RD
IDAHO FALLS ID 83401

has applied for a permit to appropriate water from:

SPRING tributary of SHEEP CREEK

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	05/20 to 10/30	0.05 CFS
WILDLIFE	01/01 to 12/31	0.01 CFS
	Totals	0.05 CFS

LOCATION OF POINT(S) OF DIVERSION: Lot 3(SWNWSW), Sec. 18, Township 13S, Range 46E
BEAR LAKE County

PLACE OF USE: STOCKWATER

TWN RGE SEC
13S 46E 18 Lot 3(NWSW) Lot 4(SWSW)

PLACE OF USE: WILDLIFE, same as STOCKWATER use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before November 1, 1996.
2. Subject to all prior water rights.
3. Use of water under this right is subject to control by the watermaster of State Water District No. 11F.
4. Place of use is located within Preuss Range Allotment No. 04160. Stockwater use is for 200 range cattle and 400 sheep.

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

7th day of November, 1994.

R. Keith Higginson
for R. Keith Higginson, Director

04-May-1994

USDI BLM
940 LINCOLN RD
IDAHO FALLS ID 83401

RE: Application No. 11-07412

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 May 5 & 12, 1994. 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
Water Right Supervisor

HWJ:rb

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 MAY 23, 1994.

R. KEITH HIGGINSON, Director

Published: 5/ 5/1994 & 5/12/1994

11-07412

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
940 LINCOLN RD
IDAHO FALLS, ID 83401

Source: SPRING

Tributary: SHEEP CREEK

Diversion Pt: SWNWSW Sec 18 T 13S R 46E in BEAR LAKE County.

Use: STOCKWATER (.050 CFS)
WILDLIFE (.010 CFS)
Total Diversion: (.050 CFS)

Date Filed: 4/20/1994

In: BEAR LAKE County
T13S R46E S18

NWSW

SWSW

*Was not published
will resubmit*

NOTICE OF APPLICATION FOR WATER RIGHT

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region
900 N Skyline

Idaho Falls, Idaho 83402
(208) 525-7161

MAY 2, 1994

THE NEWS-EXAMINER
P.O. BOX 278
MONTPELIER, ID 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. 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 MAY 23, 1994.

Yours truly,

Rita Bodell
Rita Bodell
Secretary

Encl.

The permit(s) will be subject to all prior water rights. Protests must be filed with the applicant and the Director, Dept. of Water Resources, along with a \$25.00 filing fee, Eastern Region, 900 N Skyline, Idaho Falls, Idaho 83402 on or before OCTOBER 3, 1994.

R. KEITH HIGGINSON, Director

Published: 9/15/1994 & 9/22/1994

11-07412

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
940 LINCOLN RD
IDAHO FALLS, ID 83401

Source: SPRING

Tributary: SHEEP CREEK

Diversion Pt: SWNWSW Sec 18 T 13S R 46E in BEAR LAKE County.

Use: STOCKWATER	(.050 CFS)
WILDLIFE	(.010 CFS)
Total Diversion:	(.050 CFS)

Date Filed: 4/20/1994

In: BEAR LAKE County
T13S R46E S18

NWSW

SWSW

NOTICE OF APPLICATION FOR WATER RIGHT

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region
900 N Skyline

Idaho Falls, Idaho 83402
(208) 525-7161

SEPTEMBER 6, 1994

THE NEWS-EXAMINER
P.O. BOX 278
MONTPELIER, ID 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. 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 OCTOBER 3, 1994.

Yours truly,

Rita Bodell
Secretary

Encl.

No 4843

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Bear Lake

ss.

Rosa A. Mossman
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

September 14, 1994, and ending
with the issue of September 21, 1994

Rosa A. Mossman
Fees, \$42.44

Subscribed and sworn to before me this 28th day
of September, 1994

[Signature]
Notary Public, Residing at Montpelier, Idaho

My Commission Expires August 15, 1998

RECEIVED

OCT 03 1994

Department of Water Resources
Eastern District Office

NOTICE OF APPLICATION FOR WATER RIGHT

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

11-07412

US DEPT OF INTERIOR
BUREAU OF LAND MANAGE-
MENT

940 LINCOLN RD
IDAHO FALLS, ID 83401

Source: SPRING

Tributary: SHEEP CREEK

Diversion Pt: SWNWSW Sec 18 T13S

R46E in BEAR LAKE County

Use: STOCKWATER (050 CFS)

WILDLIFE (010 CFS)

Total diversion: (050 CFS)

Date Filed: 4/20/1994

In: BEAR LAKE County

T13S R46E S18 NWSW-SWSW

The permit(s) will be subject to all prior water rights. Protests must be filed with the applicant and the Director, Dept. of Water Resources, along with a \$25.00 filing fee, Eastern Region, 900 N Skyline, Idaho Falls, Idaho 83407 on or before OCTOBER 3, 1994.

R. KEITH HIGGINSON, Director
Legal No. 4843 - Published Sep-
tember 14 and 21, 1994.



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

November 7, 1994

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
940 LINCOLN RD
IDAHO FALLS ID 83401-

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 11-07412

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.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Johnson', written over the typed name and title.

JIM JOHNSON, Manager
Water Right Permits Section

JJ:dc

Enclosures

Form 217
11/91

RECEIVED

NOV 04 1996
Department of Water Resources

OFFICE USE ONLY
Amt. of Fee \$ 50.00
Date 10/31/96
Receipt No. E002716
Receipt by [Signature]

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form 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, when necessary, or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 11-07412 Telephone No. (208) 524-7500

2. Name(s) of Permit Holder(s): U.S.D.I., Bureau of Land Management

3. Mailing Address: 1405 Hollipark Drive, Idaho Falls, ID 83401

4. Source of Water: Unnamed Spring

If **GROUNDWATER**, Well Driller's Name: _____ Date Drilled: _____

OPTIONAL:

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

5. Extent of Use (as authorized by the permit):

Domestic _____ (No. of households) Stockwater 200 Range Cattle & 400 Sheep (No. and type of stock)

Irrigation _____ (No. of acres) Other _____

6. Total rate and/or volume for which proof is submitted 0.05 cfs OR _____ acre/feet

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

Measuring device: Required? _____ Yes X No Installed? _____ Yes X No

OR
Flow Measurement Port: Required? _____ Yes X No Installed? _____ Yes X No

8. Fee Enclosed: \$ 50.00 (See License Fee Schedule on back of Instruction Sheet)

9. Person to contact to accompany the Department representative during field examination of the water system.

Terry Smith (208) 236-6860
Name Telephone No.

1111 N. 8th, Pocatello, ID 83201
Address

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.

10/31/96
Date

[Signature] - Ecologist
Signature (and title, if on behalf of a company or organization)

August 31, 1996

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
940 LINCOLN RD
IDAHO FALLS ID 83401

PROOF DUE NOTICE

RE: PERMIT NO. 11-07412

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 November 1, 1996. (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.

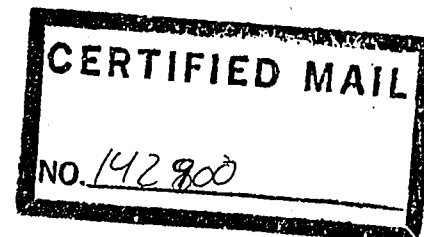
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental 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





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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

November 15, 1996

USDI BUREAU OF LAND MANAGEMENT
1405 HOLLIPARK DR
IDAHO FALLS ID 83401

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 11-07412

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. 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.

Please be advised that Section 42-248, Idaho Code, which became effective on July 1, 1996, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Please contact any office of the department for the proper form to file a change of ownership of a water right and/or a change in the address of the owner. Failure to maintain current records with the department could result in the assessment of a monetary penalty.

If you have questions concerning the field examination, contact the **EASTERN** Regional Office in Idaho Falls, at (208)525-7161.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region