

Identification No. 13 7093

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

APPROVED

1. Name of applicant KIRK PASKINS
post office address Star Route, Preston, Idaho 83263
2. Source of water supply Un-named Springs which is a tributary of sinks
3. a. Location of point of diversion is SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 31 Township 13 South
Range 40 E B.M. Franklin County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
~~Stockwatering land~~
Amount .02 for domestic purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .02 for Stock purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. ~~XXX~~ .04 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. 4" perforated pipe draining
into catch basin in spring and piped to holding tank where
livestock drink from overflow. Home to be built near point
of diversion to use water for domestic purposes.
b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is one years.
b. Estimated construction cost is \$ 2,000.00
8. Description of proposed uses:
a. If water is not for irrigation:
(1) Give the place of use of water: SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 31 Township 13S
Range 40E B.M.
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered 60 head of cattle

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water one.
(5) If water is to be used for other purposes describe: _____

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

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	

Total number of acres to be irrigated _____

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

9. a. Who owns the property at the point of diversion KIRK PASKINS

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

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

10. Remarks Spring is located on property of applicant and was developed in summer of 1972. 2,500 gallon holding tank constructed in Fall of 1974.



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.

Kirk Paskins
(Applicant)

Section 31,
T. 13 S.,
Range 40 E.

Point of Diversion →

31

The image shows a map of Section 31, T. 13 S., Range 40 E. The map is a grid of 36 squares (6x6). A point is marked with a dot in the 5th column from the left and the 5th row from the top. An arrow points from the text "Point of Diversion" to this dot. The number "31" is written below the dot.

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.

Tirkaskins
(Applicant)

Proposed Priority 11-19-1974

Received by MB Date 11-19-74 Time 11:15 A

Preliminary check by LF Fee \$ 10.⁰⁰

Receipted by MB Date 11-21-74 # 13166

Publication prepared by MB Date 11-22-74

Published in The Shoshone Citizen

Publication dates Nov 28 & Dec 5, 1974

Publication approved W Date 12-04-74

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by W BDE

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 13-7093, 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 February 1, 1976.

c. Other: _____

2. Denial of said application is for the following reasons: _____

Witness my hand this 2 day of January 1975 ..

P. Karl Higley
Director

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. Packings and

☒ Source Tributary to ?
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated 100 Acres
☒ Map
☒ Signature
☒ Fee None

(1) JH 11-21-74

In form to receipt Yes

(2) " "

Send Copies to:

Idaho State Health Department
Idaho Fish and Game Department
Bureau of Land Management

(3) " "

Request Special Use Permit from U.S.F.S.
Request Easement from B.L.M.
Request Information from Applicant

(4) " "

In form for advertising Yes

(5) " "

NA Platted on Map No.

(6) " "

Located within Water District No. 13-6

(7) " "

NA Critical groundwater area: yes no

(8) " "

NA Groundwater levels:

 Declining, Stable, Increasing

(comment)

(9) " "

Other rights on the same place of use NO

(10) " "

Comments: No other recorded surface rights.

(11) MB 12-4-74

Affidavit of Publication received (date) Dec. 4, 1974

(12) MB 12-16-74

Final date for protests December 16, 1974

Protests received: yes no X

(13) DC 12/16/74

All requested information received from agencies or applicant: yes no

(14) " "

Action recommended:

☒ Approve Deny

11/19/74 Proposed Priority

 Reason for Reduction

NO Measuring device required

 See attached sheet for other conditions of approval

☒ No special conditions for approval

(15) District E

By DC Date

RECEIVED
DEC 19 1974
Department of Water Resources

No 2770

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

County of Franklin

ss.

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 *two* 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 28, 19 *74*, and ending

with the issue of *December 5*, 19 *74*

Fees, \$ *13.30*

Subscribed and sworn to before me this *2nd* day of *December*, 19 *74*.

Robert D. Ladd

Notary Public, Residing at Preston, Idaho

My Commission Expires *March*, 19 *78*.

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Kirk Paskins, Star Route, Preston, Idaho has on 11-19-74 submitted Application No. 13-7093 for a permit to appropriate 0.04 cubic feet per second of water from unnamed springs tributary of sinks by means of pump, pipeline and holding pond within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 31, T. 13S, R. 40E, B.M., Franklin County; to be used from Jan. 1 to Dec. 31 for domestic purposes for one family and stockwatering purposes for 60 head of cattle within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 31, T. 13S, R. 40E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before December 16, 1974.

R. KEITH HIGGINSON
Director

Published in the Preston Citizen, Preston, Idaho on November 28 and December 5, 1974.

Legal No. 2770 — Pub.
Nov. 28, Dec. 5, 1974.

November 22, 1974

RE: Application for Permit No. 13-7093 & 13-7094

Mr. Kirk Paskins
Star Route
Preston, ID 83263

Dear Mr. Paskins:

Attached herewith is departmental receipt No. 13166 in the amount of \$20.00 for the above referenced applications.

Very truly yours,

LOREN O. HOLMES
Asst. to District Engineer

LOH:MB

Attachment

NOTICE OF APPLICATION FOR WATER PERMIT

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Star Route, Preston, Idaho

has on 11-19-74 submitted Application No. 13-7093

for a permit to appropriate 0.04 cubic feet per second ~~XXXXXXXXXXXXXXXXXXXX~~

of water from unnamed springs tributary of sinks

by means of pump, pipeline and holding pond

within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 31, T. 13S, R. 40E, B.M., Franklin County;

to be used from Jan. 1 to Dec. 31

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R. KEITH HIGGINSON

Director

Published in the Preston Citizen, Preston, Idaho

on November 28 and December 5, 1974

CW-L. MB-Y. CW-A

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R. KEITH HIGGINSON
Director

Published in the Preston Citizen, Preston, Idaho on November 28 and December 5, 1974.

Legal No. 2770 — Pub.
Nov. 28, Dec. 5, 1974.

XXXXXXXXXXXXXXXXXXXXXXXXX RESOURCES

November 22, 1974

RE: Application for Permit No. 13-7092 Bennett
" " " No. 13-7093 Paskins
" " " No. 13-7094 "

The Preston Citizen
Box 472
Preston, ID 83263

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. 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.

Very truly yours,

RONALD D. CARLSON
Acting District Engineer

Bill submitted 12-4-74 by MB

RDC:MB

Enc: Legal Notice (3)

January 6, 1975

Re: Permit No. 13-7093

Mr. Kirk Paskins
Star Route
Preston, Idaho 83263

Dear Mr. Paskins:

Enclosed is a copy of your approved Application for Permit No. 13-7093. We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:jfr

Enclosure

December 1, 1975

CERTIFIED MAIL

138091

Re: Permit No. 13-7093

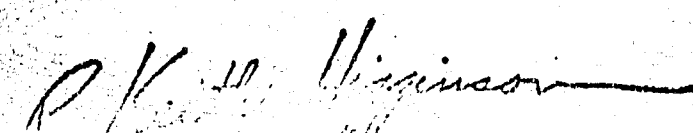
Kirk Paskins
Star Route
Preston, Idaho 83263

Dear Mr. Paskins:

One of the conditions of approval of your water Permit No. 13-7093 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before February 1, 1976. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.



R. KEITH HIGGINSON
Director

PKH:jg
Enc: Proof affidavit

1. The following service is requested (check one):
☐ Show to whom and date delivered.....
☐ Show to whom, date, & address of delivery.....
☒ DELIVER ONLY TO ADDRESSEE and show to whom and date delivered.....
☐ DELIVER ONLY TO ADDRESSEE and show to whom, date, & address of delivery.....

2. ARTICLE DESCRIBED IN:

3. ARTICLE DESCRIPTION:
 REGISTERED NO. 138091 INSURED NO.

(Always obtain signature of addressee or agent)
 I have received the article described above.
 SIGNATURE: *[Signature]*

DATE OF DELIVERY	POSTMAN
DEC 14 1975	

4. ADDRESS CORRECTION:

5. UNABLE TO DELIVER BECAUSE:

CARRIER INITIALS

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Place your name, address, and ZIP Code in the boxes below.
Use only permanent ink. Do not use correction fluid.
Do not use stamps or stickers in these boxes.

STANDARD FORM NO. 1001
U.S. GOVERNMENT PRINTING OFFICE: 1970

RECEIVED BY THE POSTAL SERVICE
DATE: 10/1/71
TIME: 10:00 AM

RECEIVED

JAN 14 1976

Department of Water Resources

Identification No. _____

Permit No. 13-7093

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder KIRK PASKINS
b) Post Office Address Star Route, Preston, Idaho 83263
2. Permit Number 13-7093
3. Date of Priority that you are prepared to establish June 1, 1975
4. a) Source from which water was appropriated Unnamed Springs
b) Location of the point of diversion: SE ¼ NW ¼, Section 31
Township 13 South, Range 40 East Boise Meridian, Other points of diversion:
None
5. a) The amount of water and use to which the water has been applied:
Amount .02 Stockwater for ing and Domestic purposes from Jan. 1 to Dec. 31 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated .02 cfs and/or acre-feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: estimate by Permit Holder
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder: None
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use:

b) Describe the agreement or understanding by which you take water from the works: None
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) 4" perforated pipe diving into Catch Basin
in spring and piped to holding tank where livestock drink from
overflow. 1" pipe from tank to residence.
b) Describe the type and size of measuring device which you have installed at your point of diversion: Tank into 4" and 1" pipe.
c) Give well driller's name and address and the date the well was completed: None
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: Domestic and livestock - see No. 4.

1-19-76

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: _____

T	R	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	

Total number of acres irrigated None

10. Remarks: _____

The above information is a true statement of the extent to which the above numbered permit has been developed.

1-12-76

(Date)

Lark Pastine

(Signature)

State of IDAHO)

) ss.

County of Franklin)

On this 12th day of January, 19 76, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

[Signature]
Notary Public residing at Preston, Idaho

My commission expires Lifetime

January 19, 1976

Re: Permit No. 13-7093

Kirk Paskins
Star Route
Preston, Idaho 83263

Dear Mr. Paskins:

We acknowledge receipt of the affidavit 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. 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 District Office in Idaho Falls.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JG



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 13-7093 Priority Nov. 19, 1974 Amount 0.04 cfs

THIS IS TO CERTIFY, that KIRK PASKINS
of Preston, Idaho, has complied with the terms and conditions of Permit
No. 13-7093 issued pursuant to Application for Permit dated November 19, 1974,
and has submitted proof to the Department of Water Resources on January 14, 1976,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.04 cfs of water from unnamed springs,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Domestic</u>	from <u>Jan. 1</u> to <u>Dec. 31</u>	at <u>0.02</u> cfs and	<u>1.2 acre feet</u>
<u>Stockwater</u>	from <u>Jan. 1</u> to <u>Dec. 31</u>	at <u>0.02</u> cfs and	<u>1.4 acre feet</u>
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 0.04 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
2.6 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 31,
Twp. 13 S, Rge. 40 E, B. M. in the County of Franklin

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
13 S	39 E	36													X				(domestic)
13 S	40 E	31								X									(stockwater)

Total number of acres irrigated _____

NOTE: Modifications to or variance from this license must be made within the limits of 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 15 day of
November, 19 76.

Director

RECEIVED

~~JAN 20 1976~~

Department of Water Resources
Eastern District Office

Other uses: _____

Other Points of Diversions:

6. Lands to be irrigated or place of use.

[illegible]**TOTAL ACREAGE**

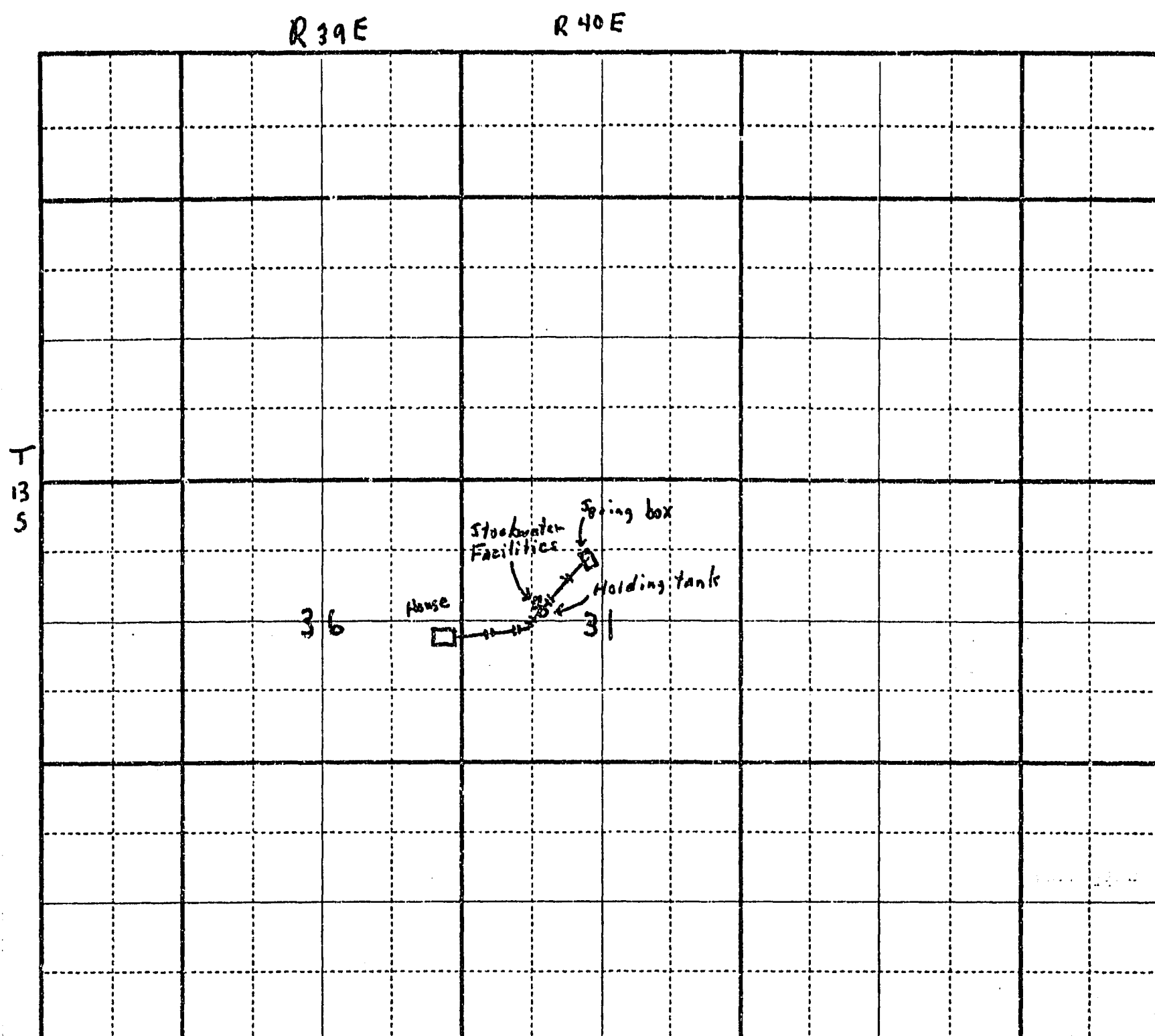
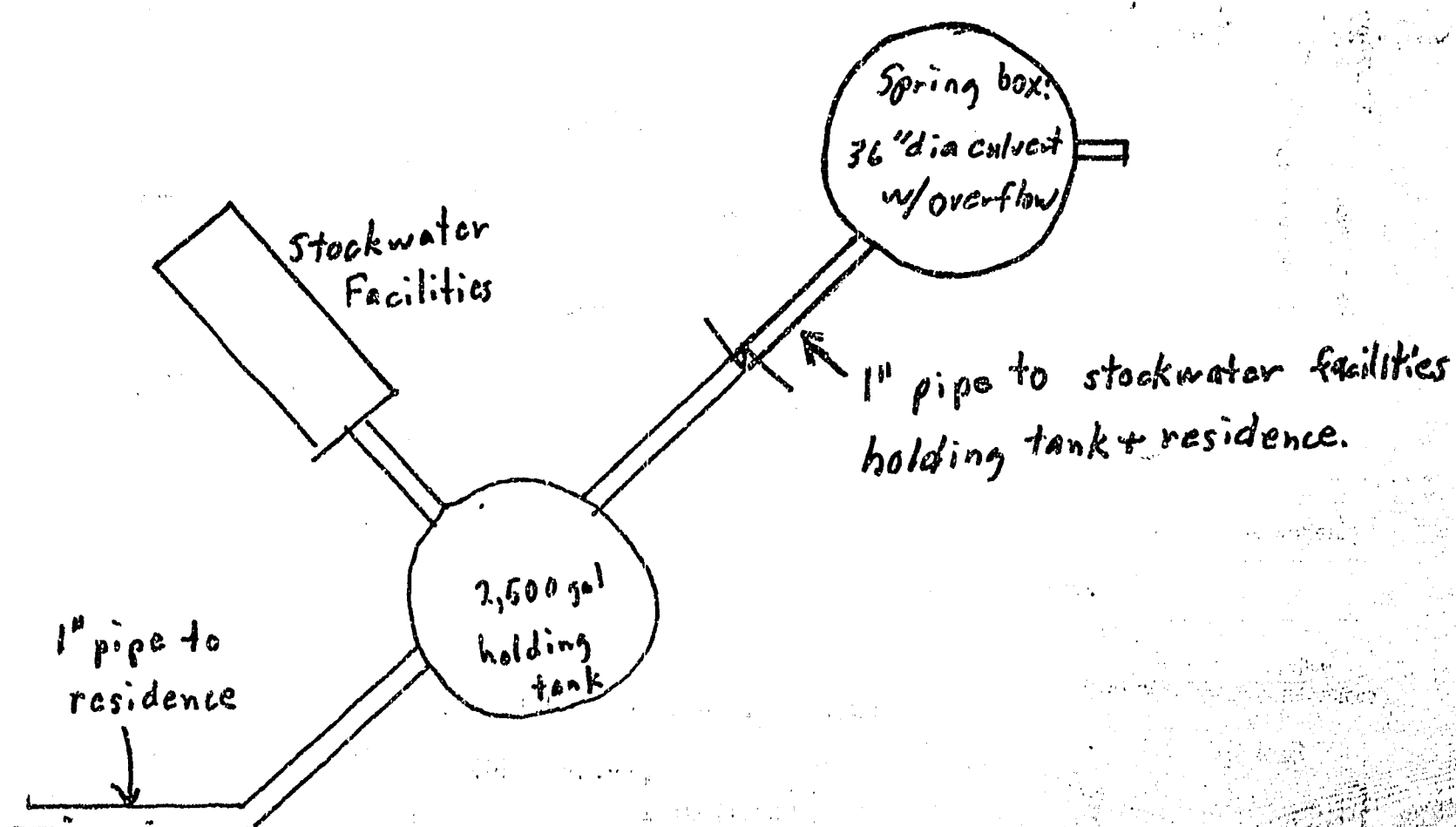


Diagram of System



DATE OF EXAM 7/20/76

ACREAGE
Found 11/2
Recommended _____

Irrigation Requirement 11/2 Ac Ft/Ac

USE
Irrigation Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____
Domestic Q= 0.2 c.f.s. V= 1.2 AF/Ann. from Jan 1 to Dec 31
Livestock Q= 0.2 c.f.s. V= 0.8 AF/Ann. from Jan 1 to Dec 31
Total Q= 0.04 c.f.s. 2.0 AF/Ann

Is water co-mingled? yes _____ no X

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Exchange? yes _____ no X

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of injection:
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of exchange:
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Total Q measured No measurement Method of measurement _____

Total Q recommended 0.04 cfs Meter No. _____ Type _____ Condition _____

Total V recommended 2.0 AF/ann

Recommended Amendments:

P.D. _____
X Place of Use House - NE 1/4 of SE 1/4 of Sec. 36, T135, R39E - Sec. rough draft amendment.
Other _____
None _____

MEASUREMENT CALCULATION:

$$Q_{\text{stockwater}} = (\text{bo head})(.0134) = 0.80$$

SYSTEM DESCRIPTION:

36" steel culvert used as spring box w/ 1" overflow
and 1" dia. line to stock water facilities and
reservoir

REMARKS:

System shown by Jean Perkins

Examiner's Signature William D. Graham Date 7/27/76

Checked by Ernest M. Carlson Date Oct 22, 1976

Approved by _____ Date _____

October 27, 1976

Mr. Kirk Paskins
Star Route
Preston, Idaho 83263

Dear Mr. Paskins:

A representative of this Department has made an examination of the works covered by your Permit No. 13-7093 and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 0.04 cfs Source: unnamed springs

The maximum quantity diverted shall not exceed 2.6 acre feet per
year.

Point of diversion: SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 31, Twp. 13 S, Rge. 40 E, B.M.

Beneficial use: Domestic purposes in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 36, Twp.
13 S, Rge. 39 E, B.M. and stockwatering purposes in the SE $\frac{1}{4}$ NW $\frac{1}{4}$,
Sec. 31, Twp. 13 S, Rge. 40 E, B.M.

Priority date established: November 19, 1974

If you do not concur with these findings please contact us within 10 days, otherwise a
water license will be issued as set forth above.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

November 16, 1976

Re: Permit No. 13-7093

Kirk Paskins
Star Route
Preston, ID 83263

Dear Mr. Paskins:

Enclosed herewith is a copy of the water right license issued on the above referenced permit.

Sincerely,

D. DARLENE REICH
Water Rights Supervisor

DDR:mef

Enc.

