

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 WILLIAM R. SPACKMAN Phone 747-3246
Post office address Box 14, Weston, Idaho 83286
2. Source of water supply Unnamed Spring which is a tributary of Cottonwood Creek
3. Location of point of diversion is NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 13 Township 13 S
Range 39E B.M. Franklin County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .02 for Culinary 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:

- 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. Catch Basin at Spring into
1 $\frac{1}{4}$ " pipe.
- b. Height of storage dam _____ 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 _____ 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 2 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 NE $\frac{1}{4}$ of Section 24 Township 13S
Range 39E B.M.
- (2) Amount of power to be generated: _____ horsepower under _____ feet of head.
- (3) List number of each kind of livestock to be watered _____
- (4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____.
- (5) If water is to be used for other purposes describe: Supply Culinary Water to on
residence.

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. None

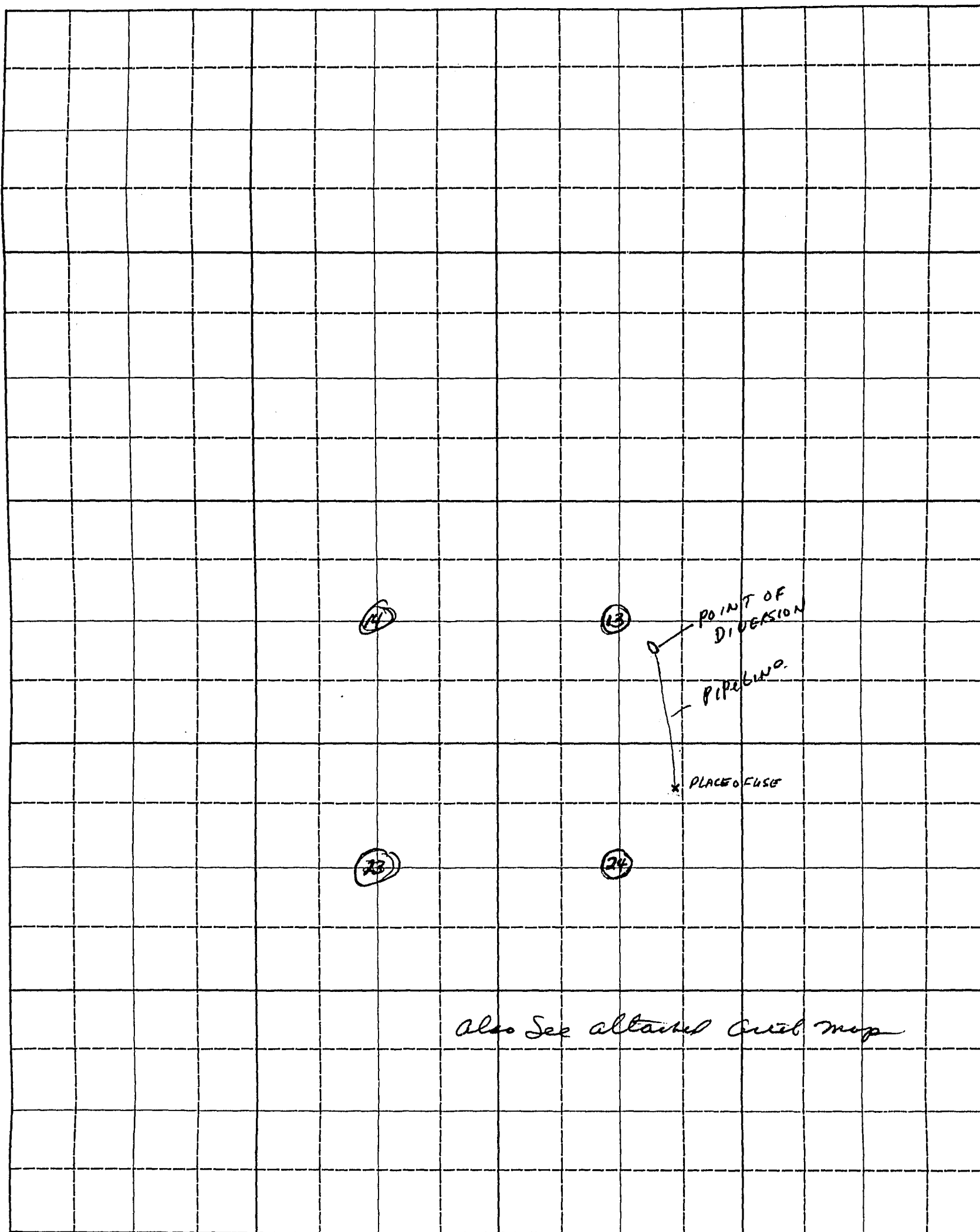
9. a. Who owns the property at the point of diversion WILLIAM H. GRIFFETHS

b. Who owns the land to be irrigated or place of use WILLIAM R. SPACKMAN

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing WILLIAM H. GRIFFETHS is the Grandfather of the applicant and has granted him permission to use the water and transport it by pipeline to his new residence.

10. Remarks Spring is tributary to Battle creek and not cottonwood creek as mentioned earlier

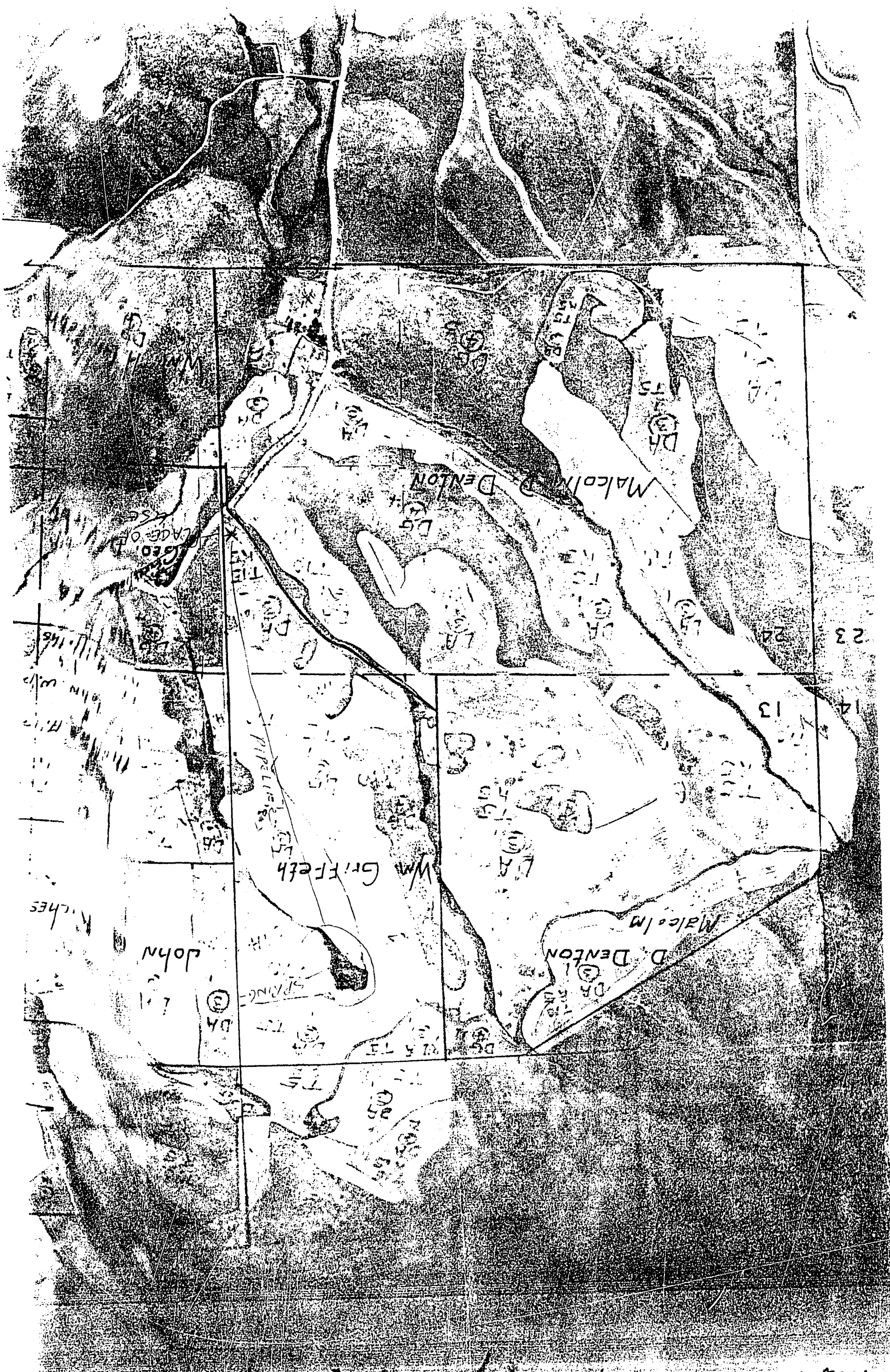
11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

William R. Spackman
(Applicant)



Proposed Priority 1-5-79

Received by dh pu Date 1-5-79 12:00 Noon Time 10:40 A

Preliminary check by EMC Fee \$ 20.00

Receipted by dh Date 1-5-79 # 12830

Publication prepared by dh Date 1-5-79

Published in PRESTON CITIZEN

Publication dates JAN 11 & 18 - 1979

Publication approved QJ- Date 1-3-79

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by J.J.

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. 13-7244, 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 March 1, 19 81.
- 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: The issuance of this permit in no way grants any right-of-way or easement across the land of another.

Witness my hand this 6th day of February, 19 79.

L. Glen Saxton
Chief, Operations Bureau

NO 793

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

JAN 11, 1979, and ending

with the issue of JAN 18, 1979.

Fee \$ 2072

Subscribed and sworn to before me this 25th day of Jan, 1979.

Kevin D. Allen

Notary Public, Residing at Preston, Idaho

My Commission Expires June 7, 1982

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:

13 - 7244

SPACKMAN, WILLIAM R.

BOX 14, WESTON, ID 83286

Source: UNNAMED SPRING tributary to COTTONWOOD CREEK

Date Filed: 01/05/1979

Amount: 0.02 CFS

Diversion Point: NWSE Sec 13 T 13S R 39E, FRANKLIN Co.

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

Place of Use: NWNE Sec 24 T 13S R 39E

Diversion Means: HEADBOX AND 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, 1515 Lincoln Rd., Idaho Falls, Idaho 83401 on or before JANUARY 29, 1979.

C. STEPHEN ALLRED
Director

Legal No. 793-28L-Pub. Jan. 11 and 18, 1979.

RECEIVED

JAN 31

Department of Water Resources
Eastern District Office

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. _____

☒ Source
☒ 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
☒ Map
☒ Signature
☒ Fee

(1) EMC 01/05/78

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

Request Dam Safety Information

(4) " "

In form for advertising YES.

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) _____

Critical groundwater area: yes _____ no _____

(8) _____

Groundwater levels:

_____ Declining, _____ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use

(10) _____

Comments: _____

(11) dh 1-31-79

Affidavit of Publication received (date) 1-31-79

(12) dh 1-31-79

Final date for protests JAN 29, 1979

Protests received: yes _____ no X

(13) dh 1-31-79

All requested information received from agencies or applicant: yes ✓ no _____

(14) RDC 1/31/79

Action recommended:

✓ Approve _____ Deny

1/5/79 Proposed Priority

_____ Reason for Reduction _____

_____ Measuring device required

_____ See attached sheet for other conditions of approval

✓ No special conditions for approval

RECEIVED
FEB 02 1979

Department of Water Resources

(15) District E By RDC Date 1/31/79

"Pinned" BOB



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WATER DISTRICT NO. 1

John V. Evans
Governor

C. Stephen Allred
Director

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 522-5404

December 13, 1978

RE: Application for Permit in the name of William Spackman

Mr. J. Dennis Williams
Attorney at Law
P.O. Box 191
Preston, Idaho 83263

Dear Mr. Williams:

The Department of Water Resources has reviewed Mr. Spackman's application for permit and determined that the legal description of the point of diversion under Item 3 is not consistent with the point of diversion illustrated on the plat map and the attached aerial photograph. We are, therefore, returning the application for the necessary corrections, along with check No. 92-171 for \$20.00.

We will be glad to initiate the processing of the corrected application once it is received in our office with the statutory filing fee of \$20.00. Should there be any questions concerning this matter, please feel free to contact me.

Respectfully submitted,

ERNEST M. CARLSEN
Water Resource Analyst

EMC:cw

Enclosures: Check No. 92-171
App/per

RECEIVED

DEC 12 1978

Department of Water Resources
Eastern District Office

TELEPHONE:
(208) 852-2680

WILLIAMS & CASTLETON

LAW OFFICES

24 NORTH STATE - P. O. BOX 191

PRESTON, IDAHO 83268

J. DENNIS "J. D." WILLIAMS
LOWELL D. CASTLETON

December 11, 1978

STATE OF IDAHO
Department of Water Resources
1515 Lincoln Road
Idaho Falls, Idaho 83401

Re: Water Application for Permit
William Spackman
Our File No. 114.3

Dear Sir:

Enclosed please find an application for water permit for
William R. Spackman. Also, enclosed is a check for \$20.00
to cover filing fee.

Thank you for your assistance.

Yours very truly,

WILLIAMS & CASTLETON

J. Dennis Williams/bm

J. DENNIS (J. D.) WILLIAMS
Attorney at Law

JDW/bm

Enclosure

WILLIAMS & CASTLETON

LAW OFFICES

24 NORTH STATE - P. O. BOX 191

PRESTON, IDAHO 83263

J. DENNIS "J. D." WILLIAMS
LOWELL D. CASTLETON

January 4, 1979

TELEPHONE:
(208) 852-2680

Mr. Ernest M. Carlsen
Water Resource Analyst
State of Idaho
Department of Water Resources
1515 Lincoln Road
Idaho Falls, Idaho 83401

Re: Spackman - Application for Water Permit
Our File No. 114.3

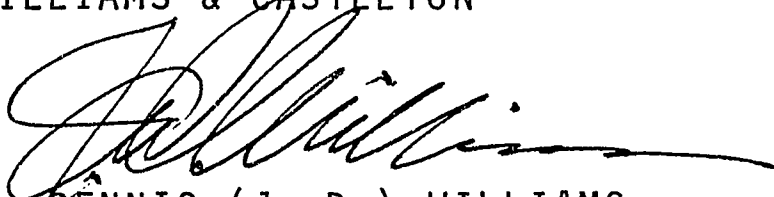
Dear Mr. Carlsen:

Enclosed is the corrected Application for Permit submitted
on behalf of William R. Spackman.

We appreciate your assistance in bringing this matter to
our attention.

Yours very truly,

WILLIAMS & CASTLETON


J. DENNIS (J. D.) WILLIAMS
Attorney at Law

JDW/kc

Enclosures

RECEIVED

JAN 5 1979

Department of Water Resources
Eastern District Office

January 5, 1979

Mr. J. D. Williams, Attorney
Williams and Castleton
P. O. Box 191
Preston, Idaho 83263

Dear Sir:

Re: Application for Permit - Wm. Spackman

Attached please find Departmental receipt No. 12830 in the
amount of \$20.00 for the above referenced application.

Very truly yours,

RONALD D. CARLSON
Supervisor
Eastern Region

RDC:dh

Attachment

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:

13-2244

SPACKMAN, WILLIAM R.

BOX 14, WESTON, ID 83286

Source: UNNAMED SPRING tributary to COTTONWOOD CREEK

Date Filed: 01/05/1979

Amount: 0.02 CFS

Diversion Point: NWSE Sec 13 T 13S R 39E, FRANKLIN Co.

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

Place of Use: NWNE Sec 24 T 13S R 39E

Diversion Means: HEADBOX AND 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, 1515 Lincoln Rd., Idaho Falls, Idaho 83401 on or before JANUARY 29, 1979.

C. STEPHEN ALLRED

Director

Published 1/11 & 1/18/79.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

1515 Lincoln Road
Idaho Falls, ID 83401
(208) 523-7186

JANUARY 5, 1979

Preston Citizen
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 JANUARY 29, 1979.

Yours truly,

RONALD D. CARLSON
Supervisor

Encl.

January 29, 1979

The Preston Citizen
Box 472
Preston, Idaho 83263

Dear Sirs:

Re: Application for Permit No. 13-7244 - Spackman

Would you please send an affidavit of publication and certified bill in connection with the above referenced application. The legal notice was to have been published on January 11 and 18, 1979. Your cooperation in this matter is greatly appreciated.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:dh

STAFF REVIEW - STATE OFFICE

1. ✓ Name vs. Signature
2. SQR Source
3. ✓ Point of Diversion
4. .02 Amnt. & Period of Use
5. ✓ Descrip. of Diverting Wrks.
6. 2 Time req. for Proof of B/U
7. ✓ Place of Use for other than irrig.
8. N/A Place of Use for irrigation (add acres)
9. ✓ Property Owner at Pt. of Div. & ^{other} Pl. of Use A
10. ✓ Map
11. 20 Fee & Rec't. No.

Copies Sent To:

<u>NO</u> Idaho Health Department	<u>NO</u> U.S.F.S.
<u>NO</u> Idaho Fish & Game Dept.	<u>NO</u> Dept. of Lands
<u>NO</u> Bureau of Land Management	<u>NO</u> Other

Dam Safety Information N/A (Goes to Permit Section)

Check:

Critical G.W. Area no yes ✓ no

Other rights on same land N/A

Withdrawals of all protests received N/A yes no

Conditions:

ID Power Co. Letter - Snake R. NO
ID Power Co. Letter - G.W. & Tribs. NO
Snake River Condition NO
Payette River Letter NO
Priority Date 1/5/79

Water Quality #16 NO
Water Quality #10 NO
intrastate NO interstate NO

Meas. Dev. or Sc. Meas. NO
Totalizing meter NO
Supplemental NO
Right-of-Way Cond. Yes
Watermaster Cond. NO
Wtr. Dist No. NO
Meas. Dev. Cond. for apps within a Water Dist. NO

Jim Reviewer

2/5/79 Date



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

February 7, 1979

Re: Permit No. 13-7244

William R. Spackman
Box 14
Weston, Idaho 83286

Dear Mr. Spackman:

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

SPACKMAN, WILLIAM R.
BOX 14
WESTON, ID 83286

138783

DECEMBER 31, 1980

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 13-7244 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE MARCH 01, 1981. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY 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. A REQUEST FOR EXTENSION OF TIME FORM IS ENCLOSED FOR YOUR CONVENIENCE. PLEASE NOTE THAT A FEE OF \$15.00 MUST BE SUBMITTED WITH THIS FORM.

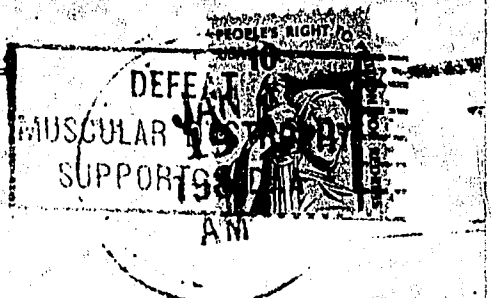
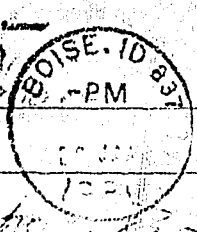
EITHER THE BENEFICIAL USE POST CARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE MENTIONED DATE, OTHERWISE, THE PERMIT WILL LAPSE AND BE OF NO FURTHER FORCE OR EFFECT WITHIN 60 DAYS.

SINCERELY,

RITA FLECK
SR. SECRETARY

ENCLOSURES

Bill Smith
State House
Boise, Idaho 83720



RECEIVED



JAN 21 1981

IDAHO DEPARTMENT OF WATER RESOURCES
Department of Water Resources STATEHOUSE
BOISE, IDAHO 83720

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. 13-7244

Name(s) of Permit Holder: William R. Spackman

Post Office Address: 274 5th St. N. Pocatello, Idaho

83203 Tel. No. 852-7421

Source of Water: Spring

Extent of Use: ☐ Domestic _____ (number of households)
☐ Stockwater _____ (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 developed.

Jan 12, 1981
Date

William R. Spackman
Signature of Permit Holder



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

February 10, 1981

RE: Permit No. 13-7244

William R. Spackman
27-A Star Route
Preston, Idaho 83263

Dear Mr. Spackman:

We acknowledge receipt of the proof of beneficial use card submitted 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 eastern regional office.

Very truly yours,

HAROLD W. JONES
Sr. Resource Agent

cc: IDWR - State Office

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

Licenses of Water Right No. 13-7244 Priority January 5, 1979 Amount .02 cfs

THIS IS TO CERTIFY, that WILLIAM R. SPACKMAN
of Weston, Idaho, has complied with the terms and conditions of Permit
No. 13-7244 issued pursuant to Application for Permit dated January 5, 1979,
and has submitted proof to the Department of Water Resources on January 21, 1981,
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 .02 cfs of water from spring,
tributary to Cottonwood Creek, 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
Domestic (1 unit)	from <u>January 1</u> to <u>December 31</u>	at <u>.02</u> cfs and	<u>1.2</u> acre feet
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than .02 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
1.2 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13, T. 13S,
R. 39E 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 $\frac{1}{4}$	
13S	39E	24		X															

Total number of acres irrigated _____

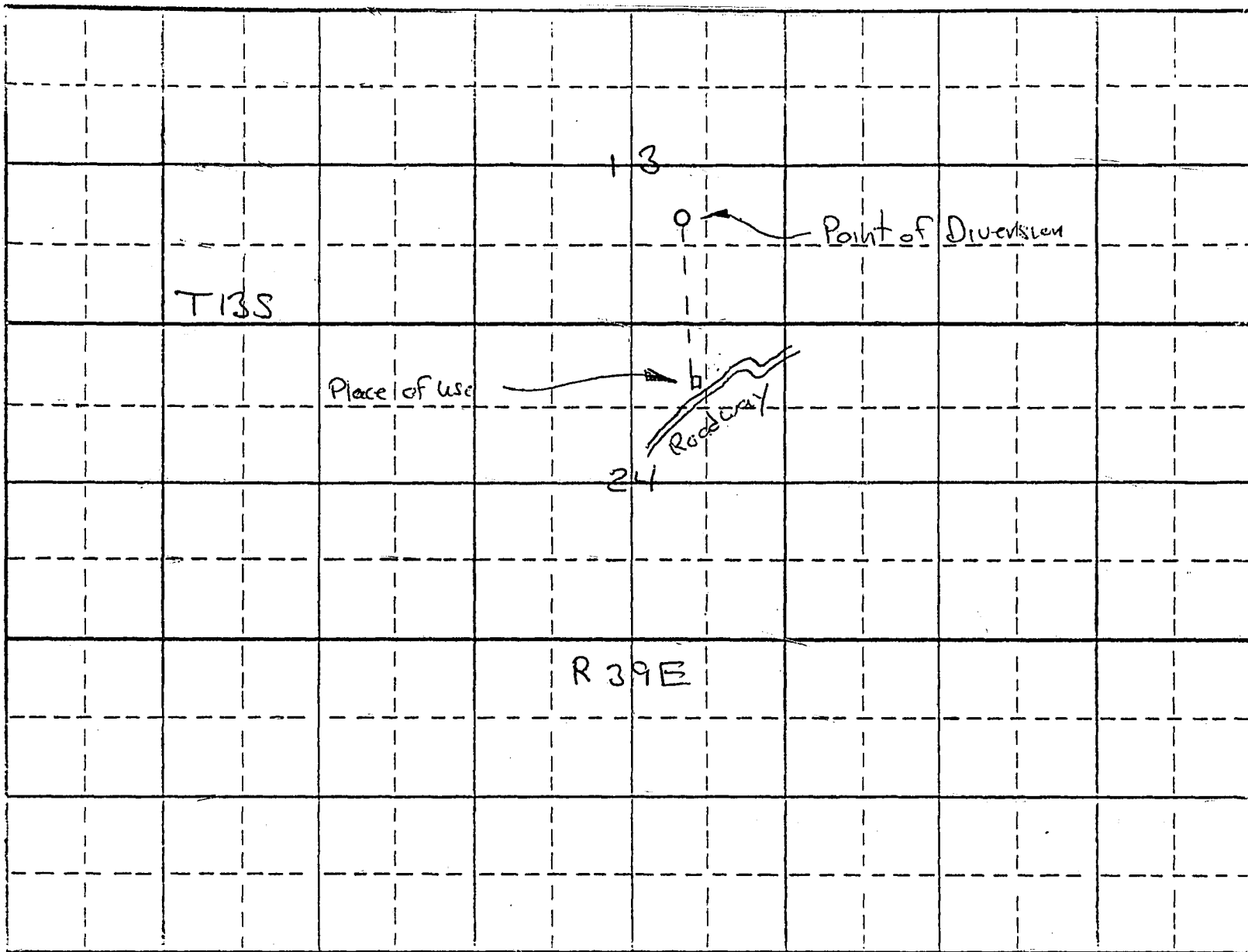
NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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 24TH day of
May, 19 82.

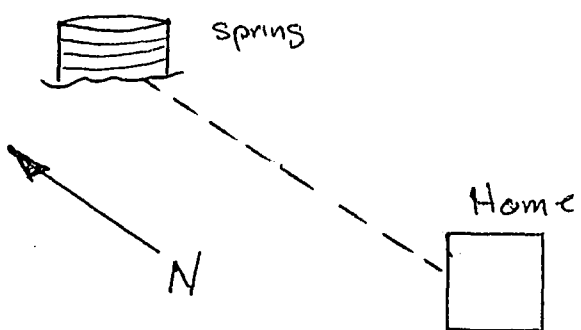
Acting for the Director Norman C Young

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

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



Point(s) of diversion: NW 1/4 SE 1/4 Sect. 13 T13S R39E

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	
13S	39E	24	X																

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

Examiner's Signature

Checked by

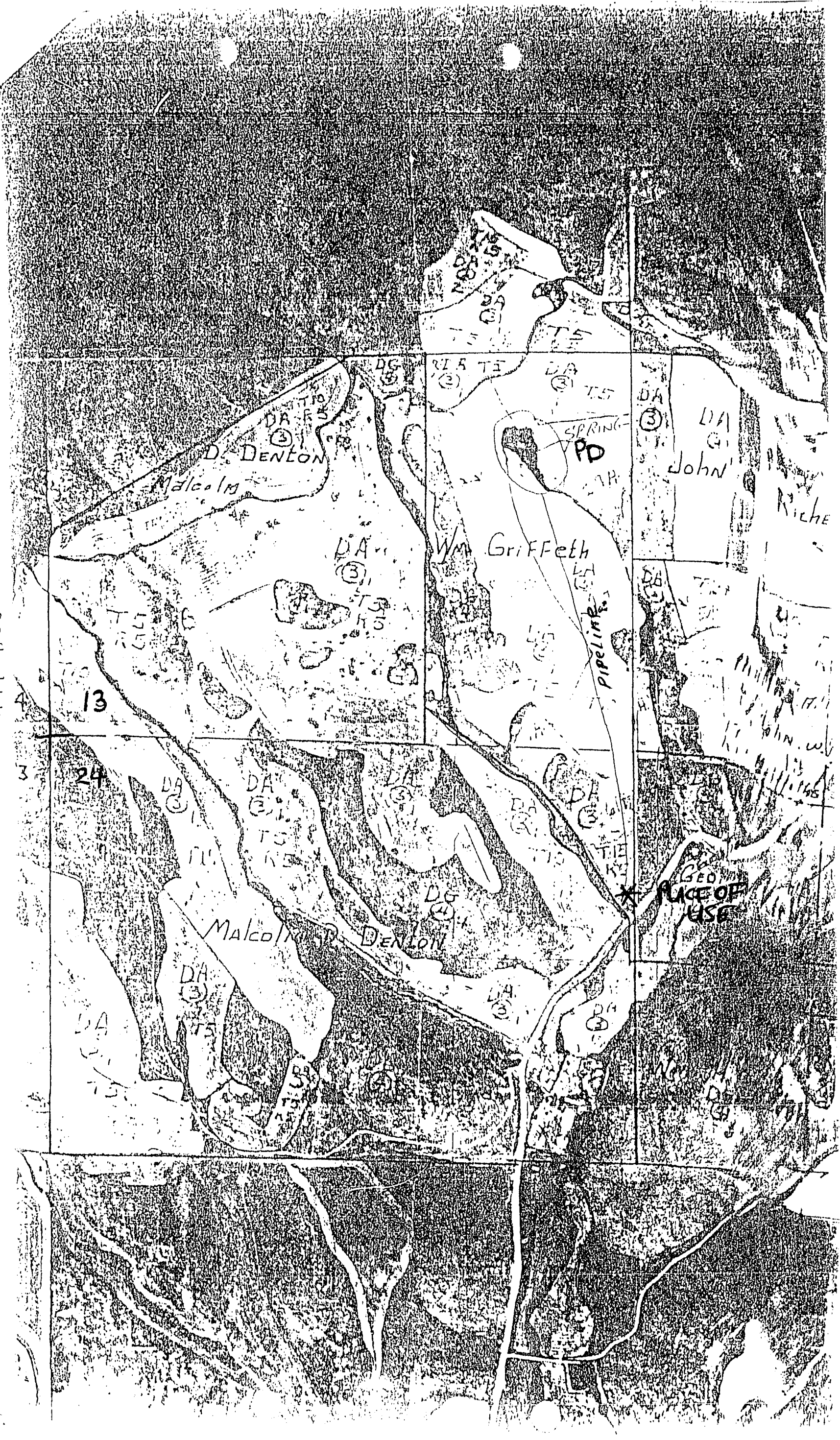
Approved by

Date 3-31-82

Date 3-31-82

Date 4-29-82

13-7244 HGT



June 9, 1982

RE: Permit No. 13-7244

William R. Spackman
27-A Star Routed
Preston, ID 83263

Dear Mr. Spackman:

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

Sincerely,



JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosure