

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

~~AMENDED~~

Original
~~AMENDED~~

1. Name of applicant Bob Henderson Phone 852-0220

Post office address Route #2, Box 395, Preston, Idaho 83263

2. Source of water supply unnamed stream which is a tributary of Bear River

3. Location of point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 25 Township 14S

Range 39E B.M. Franklin County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.12 for Irrigation purposes from 4/1 to 11/1 (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. 0.12 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Pump, pipeline & sprinkler system

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 five 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: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____

Range _____ 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: _____

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	
14S	39E	25																8	8.0
14S	40E	30											2.5						2.5

Total number of acres to be irrigated 10.5

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

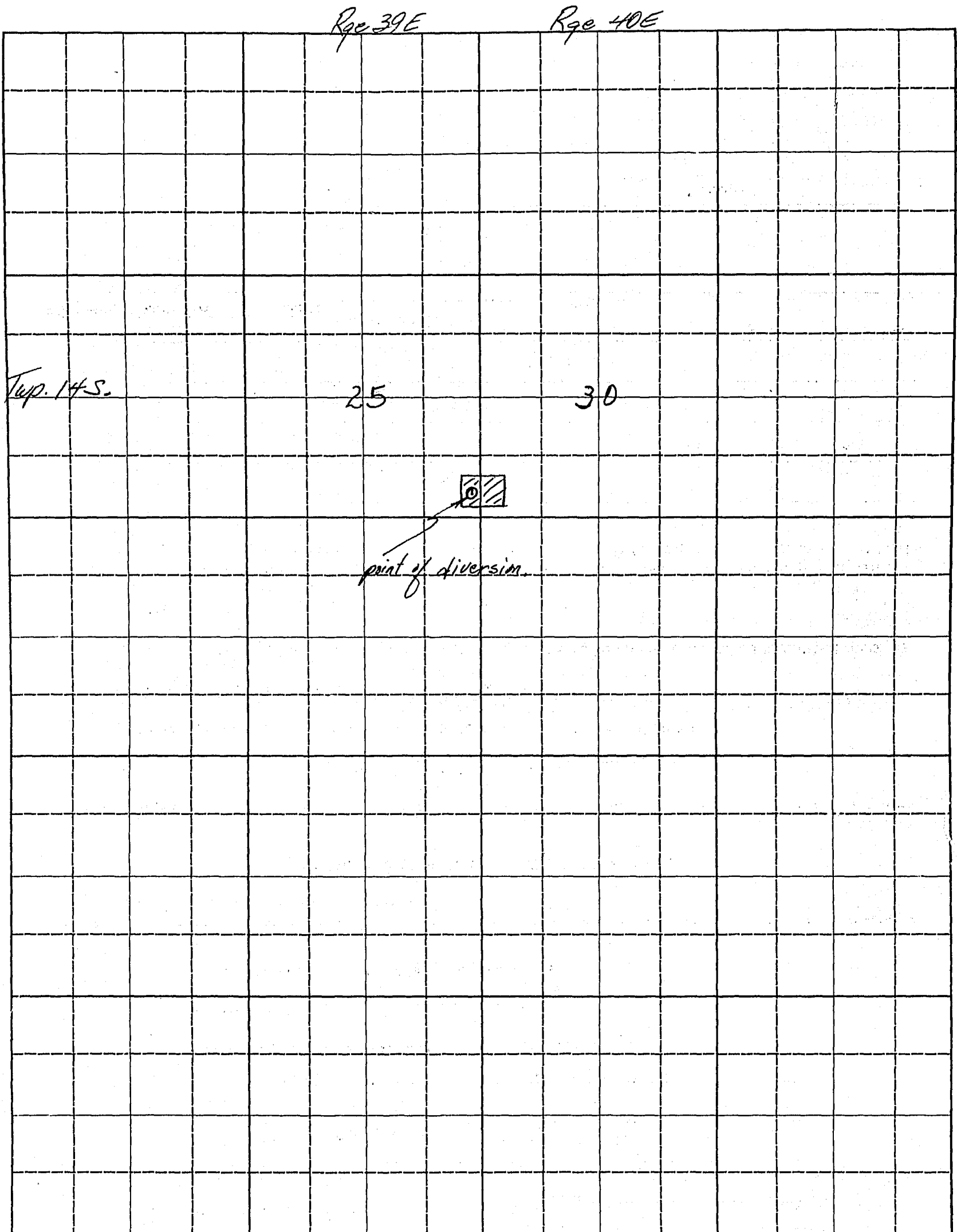
9. a. Who owns the property at the point of diversion Applicant

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 _____

10. Remarks _____

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.

x B. Henderson
(Applicant)

Received by dh Date 6-6-79 Time 11:00 a.m.
Preliminary check by EMC Fee \$ 20.00 97-76
Receipted by dh Date 6-11-79 #11927
Publication prepared by dh Date 6-15-79
Published in Preston Citizen
Publication dates June 21 & 28, 1979
Publication approved Q7 Date 7/6/79
Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by _____

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. Other:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

AMENDED

AMENDED

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant BOB HENDERSON Phone 852-0220

Post office address Rt. #2, Box 395, Preston, Idaho 83263

2. Source of water supply Unnamed stream which is a tributary of Bear River

3. Location of point of diversion is SE, $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 25 Township 14S

Range 39E B.M. Franklin County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

as per tel/con 12/15/80 HWJ

Amount 0.22 cfs for irrigation purposes from 4/1 to 11/1 (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:

as per tel/con 12/15/80 HWJ

a. 0.22 cfs cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Pump, pipeline and sprinkler system

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 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: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____

Range _____ 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: _____

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

[illegible]

Total number of acres to be irrigated 10.5

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

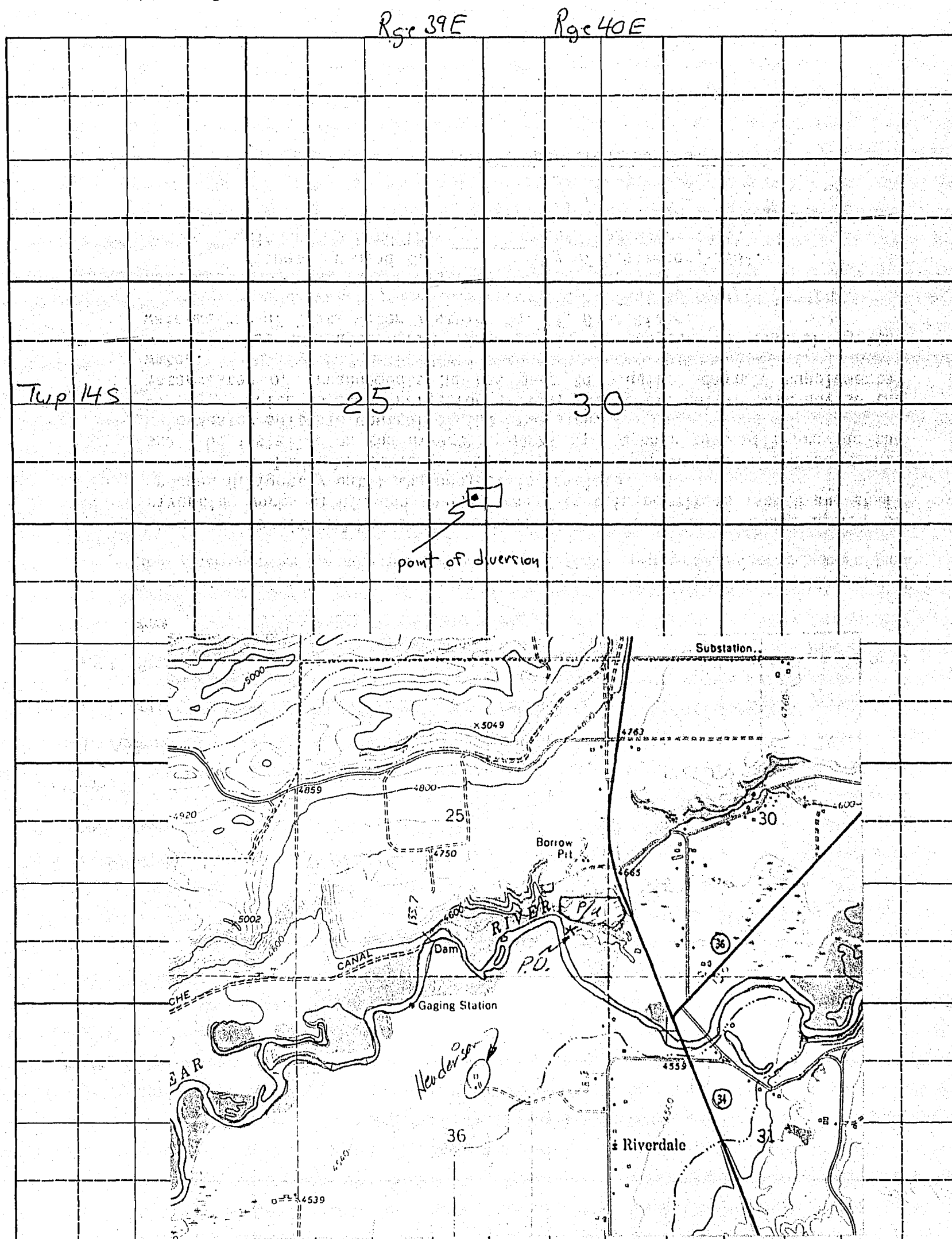
9. a. Who owns the property at the point of diversion Applicant

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

10. Remarks

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.

Bob Henderson
(Applicant)

Proposed Priority 12/17/80

Received by KW Date 12/17/80 Time 10:15

Preliminary check by HWT Fee \$ 20.00 amendment fee

Received by KW Date 12/19/80 # 16126

Publication prepared by KW Date 1/2/81

Published in Preston Citizen

Publication dates 1/8 & 1/15/81

Publication approved KW Date 2/18/81

Protests filed by: Utah Power & Light Withdrawn 8/10/84

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by EMC KW

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. 13-7254, 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 September 1, 19 89.

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.

A lockable device, subject to the approval of the Department, shall be installed on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

Prior to diversion of water under this permit, the permit holder shall annually show to the satisfaction of the Watermaster of State Water District No. 11, that he has available an adequate supplemental supply of water for the irrigation season. Failure to comply in any year can result in cancellation of the permit.

Use of water under this permit is subject to control by the watermaster of State Water District No. 11, Bear River.

Witness my hand this 20th day of September, 1984.

A. Glen Saxton
Chief, Operations Bureau

No 907

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

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

June 21, 1979, and ending

with the issue of June 28, 1979.

Fee \$ 13.62

Subscribed and sworn to before me this 29th day

of June 29, 1979.

Kevin O. Allen

Notary Public, Residing at Preston, Idaho

My Commission Expires June 7, 1982

RECEIVED

JUL 8 1979

Idaho Department of Water Resources
Preston District Office

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:

13-7254

HENDERSON, BOB
ROUTE 2, BOX 395, PRESTON, ID
83263

Source: UNNAMED DRAIN
TRIBUTARY TO BEAR RIVER

Date Filed: 06/06/1979

Amount: 0.12 CFS

Diversion Point: SESE Sec 25 T 14S R
39E, FRANKLIN CO.

Use: IRRIGATION (0.12 CFS) from
04/01 to 11/01

Place of Use: SESE Sec 25 T 14S R
39E SWSW Sec 30 T 14S R 40E FOR
11 ACRES

Diversion Means: PUMP AND

SPRINKLER SYSTEM

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 JULY 9, 1979.

C. STEPHEN ALLRED

Director

Published 6/21 and 6/28/79

Legal No. 907-34L - Pub. June 21
and 28, 1979.

JK - D

No 1262

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 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 8, 1981, and ending with the issue of JAN 15, 1981.

Fee \$ 15.50

Subscribed and sworn to before me this 31st day of Jan, 1981.

Kevin O. Allen

Notary Public, Residing at Preston, Idaho

My Commission Expires June 7, 1982

RECEIVED

FEB 4 1981

Department of Water Resources
Eastern District Office

NOTICED OF PROPOSED AMENDING OF APPLICATION OF WATER PERMIT No. 13-7254

Notice is hereby given that Application for Permit No. 13-7254 in the name of Bob Henderson was filed for the diversion of 0.12 cfs of water from an unnamed drain tributary of Bear River with the point of diversion within the SESE, Sec. 25, T. 14S, R. 39E, B.M., Franklin County, to be used for the irrigation of 10.5 acres from April 1 to November 1 within the SESE, Sec. 25, T. 14S, R. 39E and SWSW, Sec. 30, T. 14S, R. 40E, B.M.

The applicant now proposes to amend Application for Permit No. 13-7254 amending the source of water to an unnamed stream tributary of Bear River and amending the amount of water to 0.22 cfs.

Any protest to the proposed amending of Application for Permit No. 13-7254 must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho 83401 on or before January 26, 1981.

C. STEPHEN ALLRED
Director

Legal No. 1262 -31L- Publish Jan. 8 and Jan. 15, 1981.

ok kw
2/18/81

IN THE MATTER OF THE APPLICATION ;
OF BOB HENDERSON TO APPROPRIATE ;
0.22 CFS OF WATER FROM THE BEAR ; PROTEST OF
RIVER FOR IRRIGATION PURPOSES ;
FROM APRIL 1 TO NOVEMBER 1 OF ; UTAH POWER & LIGHT COMPANY
EACH YEAR. ;

COMES NOW the protestant UTAH POWER & LIGHT COMPANY (Utah Power) and protests the Application of Bob Henderson

1. Utah Power holds Water Rights decreed in the matter of Utah Power & Light Company vs. The Last Chance Canal Company, Limited, et al, In Equity No. 203, July 14, 1920, and Utah Power & Light Company vs. Richmond Irrigation Company, et al, February 21, 1922, as well as other rights in the Bear River.

2. The Bear River below Stewart Dam is fully appropriated.

3. Bob Henderson filed an Application with the Office of the Idaho Department of Water Resources numbered 13-7254 seeking to appropriate 0.22 cubic feet per second of water at points of diversion specified in said Application.

4. The granting of the Application of Bob Henderson
for the appropriation of 0.22 cubic
feet per second of water would adversely affect the aforementioned
water rights of Utah Power & Light Company.

WHEREFORE, protestant prays that the Application of
Bob Henderson be denied inasmuch as there is
no unappropriated water in the proposed source and the proposed use
will impair existing rights.

DATED this 19th day of January, 1981.

SIDNEY G. BAUCOM
THOMAS W. FORSGREN

BY Thomas W. Torgesen
Attorneys for Protestant
Utah Power & Light Company
1407 West North Temple
Salt Lake City, Utah 84116

RECEIVED
JAN 21 1981

Department of Water Resources
Eastern District Office

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: Steve McCormick

APPLICATION NUMBER: HENDERSON

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ 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. BEAR R. _____
☐ Other WATER METER OF CHAIRMAN _____

PROCESSING:

- ☒ Yes ☐ No Platted by: SM Map No. DD-44
☐ Yes ☐ No Other rights on same place of use. _____
☒ Yes ☐ No* In form for advertising.
Final date for protests: JULY 9, 1979
☒ Yes ☐ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 7-6-79
☒ 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
6-6-79 Date of priority recommended.
Special conditions of approval or cover letter. _____

Case #12, 26.
Photo to each irrigation owner the permit holder must deliver the
watermaster or watermaster to have made to approve and sign
supplement to Contract

By: Ernest Carlson Date: August 22, 1984

STATE OFFICE REVIEW:

- ☐ See attached sheet for more information.
By: _____ Date: _____

May 15, 1979

Bob Henderson
Route 2, Box 395
Preston, Idaho 83263

Dear Mr. Henderson:

As per your request, the Department has completed an application for permit to appropriate 0.12 cfs of water from an unnamed drain tributary to the Bear River in your behalf. Please carefully review this application to insure it is consistent with your intentions, initialling any changes you may make.

When you feel the form is in correct order, sign where indicated at the bottom of the third page and return it to this office, accompanied by the statutory filing fee of \$20.00. Should you have any questions regarding this matter, please feel free to contact the eastern regional office.

Very truly yours,

BILL RHOADS
Senior Analyst

BR:dh

Enclosure

May 30, 1979

Bob Henderson
Route 2, Box 395
Preston, Idaho 83263

Dear Mr. Henderson:

As per your request, we have retyped your application for permit which we completed in this office. Please carefully review this application to insure its accuracy. When you feel it is in correct form, sign where provided at the bottom of the third page and return the application to this office, accompanied by the statutory filing fee of \$20.00.

Should you have any questions regarding this matter, please feel free to contact our eastern regional office.

Very truly,

DONNA HENRIQUES
Secretary

Enclosure

June 11, 1979

Bob Henderson
Route 2, Box 395
Preston, Idaho 83263

Dear Sir:

Re: Application for Permit

Attached herewith is Departmental receipt No. 11927 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:

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 JULY 9, 1979.

C. STEPHEN ALLRED

Director

Published 6/21 & 6/28/79.

13-2254

HENDERSON, BOB

ROUTE 2, BOX 395, PRESTON, ID 83263

Source: UNNAMED DRAIN tributary to BEAR RIVER

Date Filed: 06/06/1979

Amount: 0.12 CFS

Diversion Point: SESE Sec 25 T 145 R 39E, FRANKLIN Co.

Use: IRRIGATION (0.12 CFS) from 04/01 to 11/01

Place of Use: SESE Sec 25 T 145 R 39E SWSW Sec 30 T 145 R 40E
FOR 11 ACRES

Diversion Means: PUMP & SPRINKLER SYSTEM

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

JUNE 15, 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 billings to this office before JULY 9, 1979.

Yours truly,

RONALD D. CARLSON
Supervisor

Encl.

June 18, 1979

Russell D. Stoker, Watermaster
Water District # 11
279 East 3rd North
Soda Spring, Idaho 83276

Dear Mr. Stoker:

Re: Application for Permit No. 13-7254

We are enclosing a copy of an application that may be of interest to your water district. Please review the application and submit any comments you may have to our Department as soon as possible. The last date of protest is July 9, 1979 and we are required to take final action shortly thereafter.

If we may be of further assistance, please feel free to contact us.

Very truly yours,

RONALD D. CARLSON
Supervisor
Eastern Region

RDC:dh

Enclosure

JUL 10 1979

IN THE OFFICE OF THE IDAHO DEPARTMENT OF WATER RESOURCES

APPLICATION NO. 13-7254

BY Wm. A. Pryor
Attorneys for Protestant
Utah Power & Light Company
1407 West North Temple
Salt Lake City, Utah 84116

July 11, 1979

Thomas W. Forsgren, Attorney
Utah Power and Light Company
1407 West North Temple
Salt Lake City, Utah 84116

Dear Sir:

Re: App/Permit No. 13-7254 - Bob Henderson

The protest you submitted against the approval of the above referenced application for permit was received in this office after the final protest date of July 9, 1979. Since your protest was not received during the statutory protest period, it cannot be accepted at this time.

In returning your protest, we wish to advise you that any permit issued by the Department is, and will be, subject to all prior water rights and that we will give your concerns consideration during our administrative review of the application.

Very truly yours,

RONALD D. CARLSON
Supervisor
Eastern Region

RDC:dh

Enclosure

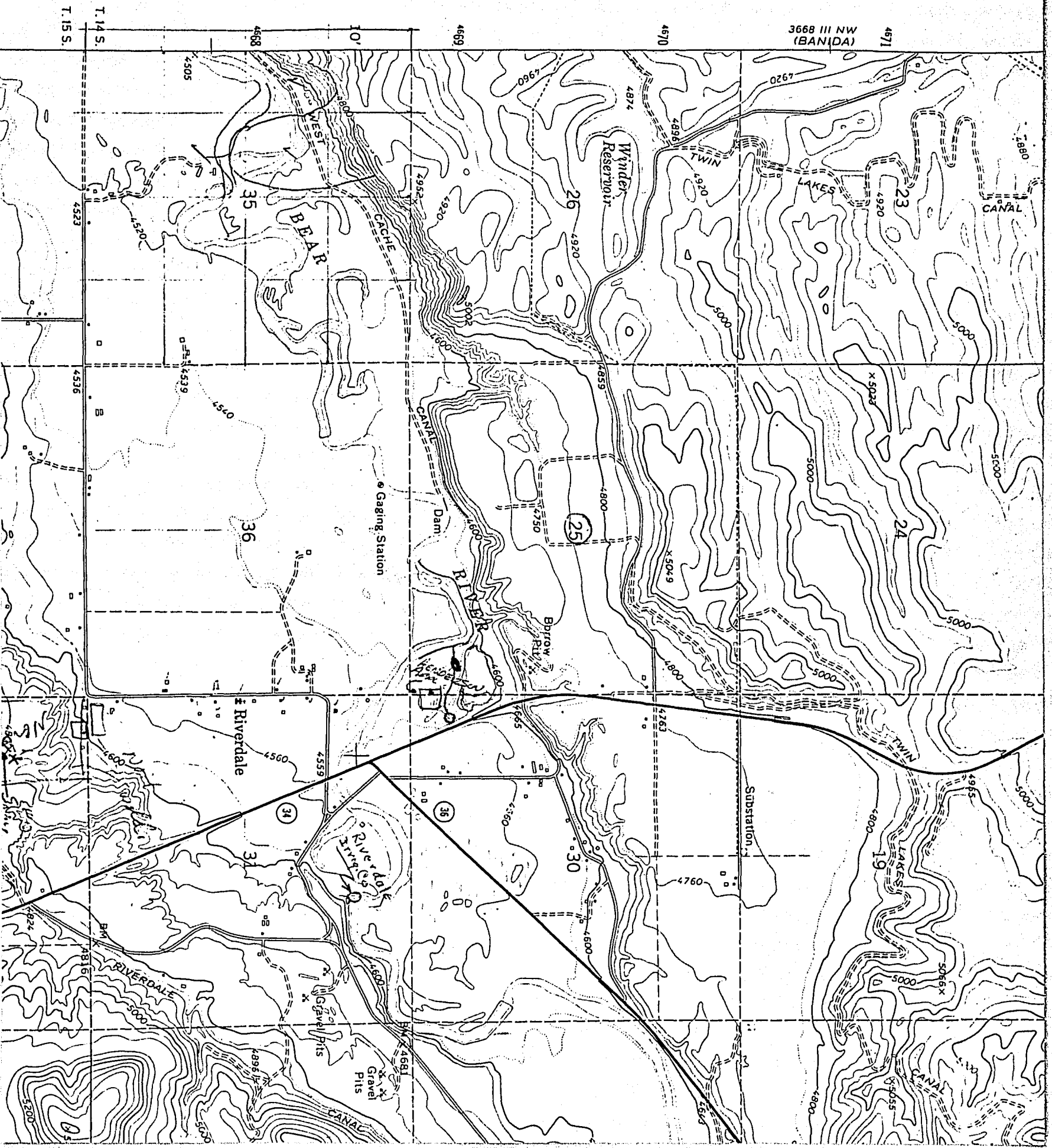
MEMO TO FILE

DATE: July 10, 1979

SUBJ: Pre-Permit Exam - 13-7254

While conducting a pre-permit exam, the agent should determine if the unnamed drain was constructed by the applicant to develop a new source of water or whether the drain was already existing. It should be verified ^{whether} ~~that~~ the drain is tributary to Bear River. The applicant should be questioned concerning other water rights for the same place of use.

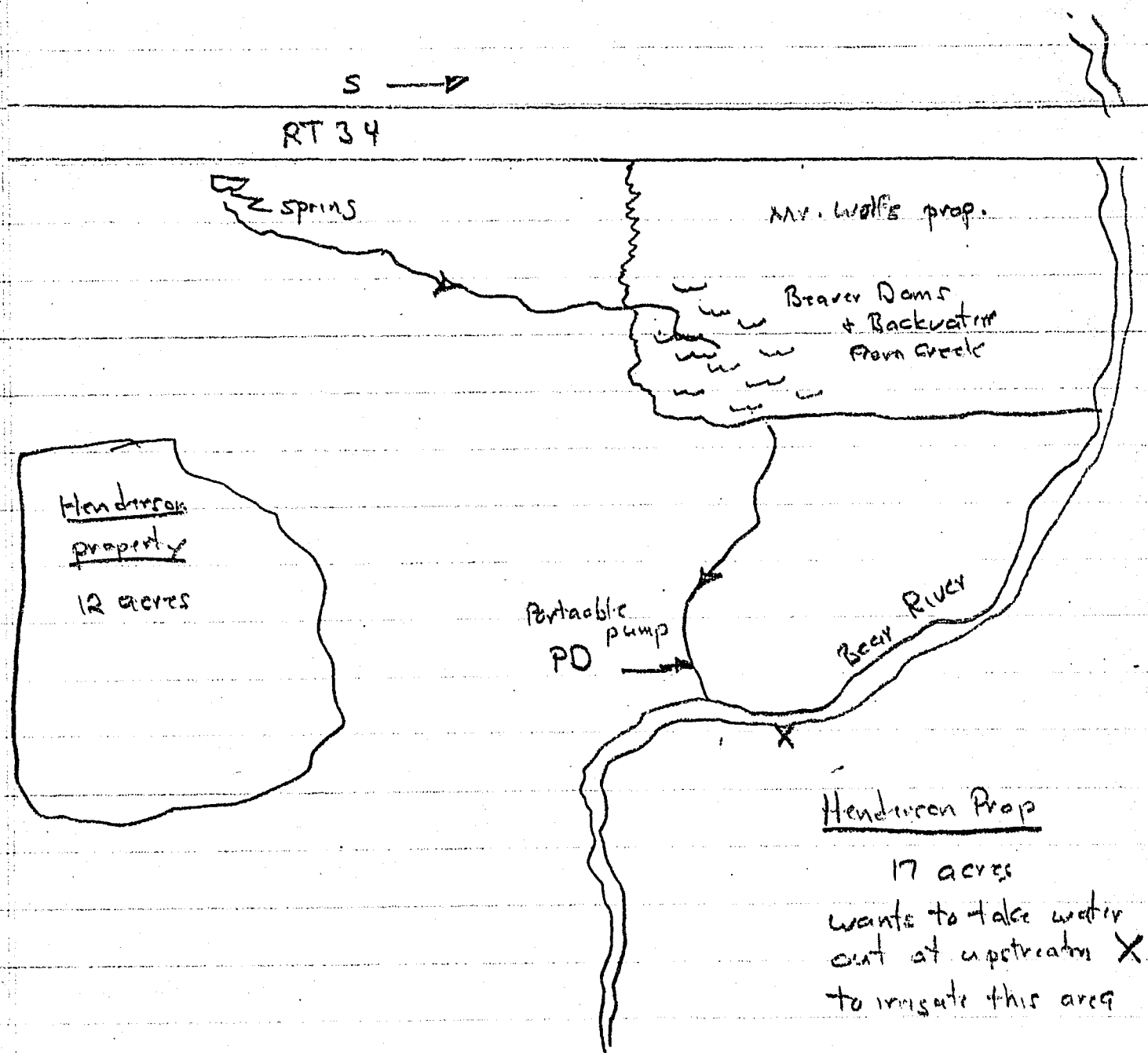
ERNIE



13-7254

Question - Is applicant using River water or standing Marsh water

Answer - Source of water is spring coming out of base of highway (RT 34) before it crosses River (400 yards)



NOTICE OF PROPOSED AMENDING OF APPLICATION OF WATER PERMIT

NO. 13-7254

Notice is hereby given that Application for Permit No. 13-7254 in the name of Bob Henderson was filed for the diversion of 0.12 cfs of water from an unnamed drain tributary of Bear River with the point of diversion within the SESE, Sec. 25, T. 14S, R. 39E, B.M., Franklin County; to be used for the irrigation of 10.5 acres from April 1 to November 1 within the SESE, Sec. 25, T. 14S, R. 39E and SWSW, Sec. 30, T. 14S, R. 40E, B.M.

The applicant now proposes to amend Application for Permit No. 13-7254 amending the source of water to an unnamed stream tributary of Bear River and amending the amount of water to 0.22 cfs.

Any protest to the proposed amending of Application for Permit No. 13-7254 must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho, 83401 on or before January 26, 1981.

C. STEPHEN ALLRED

Director

Published in the Preston Citizen 1/8 & 1/15/1981.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave.
Idaho Falls, Idaho 83401
(208) 525-7161

JANUARY 2, 1981

The Preston Citizen
P. O. Box 472
Preston, Idaho 83263

Gentlemen:

Enclosed you will find a legal notice which we wish to have published in 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 billings to this office before JANUARY 26, 1981.

Yours truly,

DONALD D. CARLSON
Supervisor
Eastern Region

Incl.

January 26, 1981

RE: Application for Permit No. 13-7254 HENDERSON (Amended)

Russell D. Stoker, Watermaster
Water District No. 11
379 E. 3rd North
Soda Springs, Idaho 83276

Dear Mr. Stoker:

We are enclosing a copy of an application that may be of interest to your water district. Please review the application and submit any comments you may have to our Department as soon as possible.

If we may be of further assistance, please feel free to contact us.

Respectfully submitted,

ERNEST CARLSEN
Sr. Resource Analyst

EC:cw:kw

Enclosure

January 26, 1981

RE: Application for Permit No. 13-7254 HENDERSON

Thomas W. Forsgren
Attorney
Utah Power & Light
P.O. Box 899
Salt Lake City, Utah 84116

Dear Mr. Forsgren:

Your protest against the approval of the above referenced application has been received and a copy has been sent to the applicant. The Department suggests you contact the applicant directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purpose intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?

If this office can be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw:kw

cc: IDWR - State Office

January 26, 1981

Bob Henderson
Rt. #2, Box 395
Preston, Idaho 83263

Dear Mr. Henderson:

Enclosed is a copy of a protest filed against the issuance of a permit pursuant to your Application No. 13-7254. The Department suggests you contact the protestant directly in an effort to determine the nature of the protest and to attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purpose intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?

If this office can be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw:kw

Enclosure

cc: IDWR - State Office

M E M O

TO: File
FROM: Ernie Carlsen *Emc*
RE: Application for Permit No. 13-7254
DATE: October 6, 1982

On October 6, 1982, Mr. Bob Henderson showed me the proposed source under this application. The unnamed stream is part of a slough which is fed by irrigation waste water and a spring. The beavers have dammed the slough off so that much of it backs onto his property, but any water leaving the slough does flow directly into the Bear River. I advised Mr. Henderson that appropriation of the water from the slough or unnamed stream would be the same as if he simply ~~pump~~^{placed} a pump directly in the river and that it would be subject to regulation by the watermaster for Water District No. 11 if approved. I explained to Mr. Henderson the Department's present policy of not granting any new permits for consumptive use out of the Bear River between April 1 and November 1, and that it would be highly unlikely for the Department to take an exception to this by approving his application.

I suggested to Mr. Henderson that he contact Jodi Williams, the attorney for Utah Power and Light, to try and make some arrangements for the use of water out of the Bear River and in so doing see if they would be willing to withdrawn their protest of his application. I indicated we would retain Mr. Henderson's application in our office for another couple of weeks before writing the decision so he would have sufficient time to contact Utah Power and Light. I also explained to him his alternatives should his application be denied, such as drilling a well or arranging to rent storage water for all of his irrigation needs. He indicated he would contact Utah Power and Light and see what arrangements could be made sometime during the next two weeks.

If we have not had some correspondence from either Mr. Henderson or Utah Power and Light by the third week of October we should proceed with drafting the decision on Mr. Henderson's application.

CONVERSATION MEMORANDUM

DATE Nov. 4, 1982FILE 13-7254NAME OF PARTY Carlie BurtonEMPLOYEE Ernest

RE: Mr. Burton is an attorney for Utah Power & Light working in their ~~not~~ resource section. He has spoke with Mr. Henderson about the above application and ~~feels~~ does not feel the appropriation is large enough to warrant protesting. He is going to examine the possibility of getting the Bkr. to withdraw their protest. We should ~~let~~ ~~having~~ get an answer sometime ~~in~~ before December.

July 31, 1984

RE: Application for Permit No. 13-7254 AMENDED-BOB HENDERSON

Jodi Williams, Attorney
Utah Power & Light
P.O. Box 899
Salt Lake City, Utah 84116

Dear Ms. Williams:

To recommend final action on the above captioned application, an administrative hearing must be held to examine the issues of protest against granting the permit. August 29, 1984 has initially been selected for the date of the hearing which will be held in Preston.

Certified notices confirming the date, place and time will be mailed two weeks before the hearing. Please notify this office prior to the mailing of these notices if you can not attend a hearing on the date specified.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

July 31, 1984

RE: Application for Permit No. 13-7254 AMENDED

Bob Henderson
Rt. #2, Box 395
Preston, ID 83263

Dear Mr. Henderson:

To recommend final action on the above captioned application, an administrative hearing must be held to examine the issues of protest against granting the permit. August 29, 1984 has initially been selected for the date of the hearing which will be held in Preston.

Certified notices confirming the date, place and time will be mailed two weeks before the hearing. Please notify this office prior to the mailing of these notices if you can not attend a hearing on the date specified.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

Copy: Russell Stoker

LEGAL OFFICES
SIDNEY G. BAUCOM
EXECUTIVE VICE PRESIDENT
AND
GENERAL COUNSEL

ROBERT GORDON
VICE PRESIDENT
585-4258

THOMAS W. FORSGREN
585-4261

SAM F. CHAMBERLAIN
585-4972

RALPH L. JERMAN
585-4253

ROSEMARY RICHARDSON
585-4268

UTAH POWER & LIGHT COMPANY

P. O. BOX 899
SALT LAKE CITY, UTAH 84110

RECEIVED

AUG 13 1984

Department of Water Resources
Eastern District Office

August 7, 1984

HELEN J. EDWARDS
585-4255

DAVID LLOYD
585-2885

EDWARD HUNTER
585-4971

JODY L. WILLIAMS
585-2851

DAVID A. WESTERBY
585-4265

THOMAS V. RASMUSSEN
585-2878

MARK G. WHITLOCK
CLAIMS SPECIALIST
585-4027

Mr. Ernest Carlsen
Asst. Regional Supervisor
State of Idaho
Department of Water Resources
150 Shoup
Idaho Falls, Idaho 83401

Re: Applications for Permit Nos. 11-7330, 11-7441
11-7332 (Utah Process Agency) and 13-7254 (Bob
Henderson)

Dear Mr. Carlsen,

Carly Burton and myself, representing Utah Power & Light Company would be unable to attend hearings in Preston on August 29, 1984 on the Bob Henderson protest and on August 30, 1984 in Soda Springs regarding the Utah Process Agency protest. We would be available on Tuesday, September 4th through Thursday, September 6th, if it is possible to schedule hearings on these dates.

You should have, in your files, copies of letters I have sent to both applicants requesting that they contact me so that we can hopefully resolve these disputes without the necessity of a hearing.

Very truly yours,

Jody L. Williams
Jody L. Williams

JLW:sca

cc: Bob Henderson
Utah Process Agency

LEGAL OFFICES
SIDNEY G. BAUCOM
EXECUTIVE VICE PRESIDENT
AND
GENERAL COUNSEL

ROBERT GORDON
VICE PRESIDENT
585-4258

THOMAS W. FORSGREN
585-4281

SAM F. CHAMBERLAIN
585-4972

RALPH L. JERMAN
585-4258

ROSEMARY RICHARDSON
585-4288

UTAH POWER & LIGHT COMPANY

P. O. BOX 899
SALT LAKE CITY, UTAH 84110

August 2, 1984

HELEN J. EDWARDS
585-4255

DAVID LLOYD
585-2885

EDWARD HUNTER
585-4971

JODY L. WILLIAMS
585-2851

DAVID A. WESTERBY
585-4285

THOMAS V. RASMUSSEN
585-2878

MARK G. WHITLOCK
CLAIMS SPECIALIST
585-4027

Mr. Bob Henderson
Rt. 2
Box 395
Preston, Idaho 83263

Re: Application No. 13-7254

Dear Mr. Henderson,

The Idaho Department of Water Resources is in the process of scheduling a hearing on Utah Power & Light's protest to your above-referenced water application. Utah Power & Light would like to meet with you prior to the setting of the hearing to determine if it is possible to resolve this protest without a hearing. Would you please contact me at your earliest convenience.

Thank you.

Very truly yours,

Jody L. Williams
Jody L. Williams

JLW:sca

cc: Ernest Carlson

RECEIVED

AUG 6 1984

Department of Water Resources
Eastern District Office

CONVERSATION MEMORANDUM

DATE August 14, 1984

FILE #13-7254, Bob Henderson

NAME OF PARTY Jodi Williams

EMPLOYEE Ernest

RE: Jodi Williams, attorney for Utah Power & Light, advised me by telephone
this afternoon that her company would be withdrawing its protest
of Mr. Henderson's application. Carley Burton, the company's
hydrologist had examined Mr. Henderson's proposal and they decided
his project would not adverse water rights for Utah Power & Light
during those years when there was sufficient natural flow was available.
Mr. Williams indicated there were no stipulations or conditions
associated with the withdrawal.

LEGAL OFFICES
SIDNEY G. BAUCOM
EXECUTIVE VICE PRESIDENT
AND
GENERAL COUNSEL

ROBERT GORDON
VICE PRESIDENT
535-4258

THOMAS W. FORSGREN
535-4261

SAM F. CHAMBERLAIN
535-4972

RALPH L. JERMAN
535-4253

ROSEMARY RICHARDSON
535-4203

UTAH POWER & LIGHT COMPANY

P. O. BOX 899
SALT LAKE CITY, UTAH 84110

RECEIVED

AUG 16 1984

Department of Water Resources
Eastern District Office

August 13, 1984

HELEN J. EDWARDS
535-4255

DAVID LLOYD
535-2885

EDWARD HUNTER
535-4971

JODY L. WILLIAMS
535-2851

DAVID A. WESTERBY
535-4265

THOMAS V. RASMUSSEN
535-2873

MARK G. WHITLOCK
CLAIMS SPECIALIST
535-4027

Mr. Ernest Carlsen
Asst. Regional Supervisor
State of Idaho
Department of Water Resources
150 Shoup
Idaho Falls, Idaho 83401

Re: Bob Henderson Water Protest
Application No. 13-7254

Dear Mr. Carlson,

Utah Power & Light has reviewed the application of Mr. Henderson above-referenced and has discussed his water usage and development plan with him. UP&L is hereby withdrawing its protest to his application.

Very truly yours,

Jody L. Williams
Jody L. Williams

JLW:sca

cc: Mr. Bob Henderson

August 27, 1984

RE: Application for Permit No. 13-7254 HENDERSON

Jodi Williams
Attorney
Utah Power & Light Company
P.O. Box 899
Salt Lake City, UT 84110

Dear Ms. Williams:

This is to acknowledge receipt of your withdrawal of protest against approval of the above referenced application. The Department will take no further action in setting a hearing in this matter.

If you have any questions concerning this matter, please feel free to contact this office.

Very truly yours,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

August 27, 1984

RE: Application for Permit No. 13-7254

Bob Henderson
Rt. #2, Box 395
Preston, ID 83263

Dear Mr. Henderson:

This is to advise you that Jodi Williams, Utah Power and Light Company, has withdrawn their protest against approval of the above referenced application. The Department will take no further action in setting a hearing in this matter and has resumed the processing of your application.

If you have any questions concerning this matter, please feel free to contact this office.

Very truly yours,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

13-7254

INITIAL REVIEW BY: Skip

APPLICATION NUMBER: Henderson

CHECK:

- ☒ 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.

Field check by: _____

Date: _____

Comments: _____

- ☒ 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.

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department.
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☒ Other U.S.D. 11

Copies sent by: _____

Date: _____

PROCESSING:

- ☐ Yes ☒ No
☐ Yes ☒ No
☒ Yes ☐ No*
☒ Yes ☐ No

Platted by: _____ Map No. _____

Other rights on same place of use. _____

In form for advertising.

Final date for protests: Jan - 26

Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 2-4-1981
☒ 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. Bear River.

12-17-80 Date of priority recommended.

Special conditions of approval or cover letter. _____

Code 01D, 26.

Prior to each irrigation season, the permit holder must advise the watermaster of any changes to the permit made to acquire additional supplemental water.

By: Ernest Carter

Date: August 22, 1984

STATE OFFICE REVIEW:

L17

26 05 (11, Bear River)

☐ See attached sheet for more information.

By: KW

Date: 8-30-84

AUG 30 1984

Department of Water Resources

needs a special cover letter see para- attached.

Please be ^{Bear} advised that there is insufficient natural flow available in the ~~River~~ River and tributaries to provide water for a new appropriation throughout the entire season of use. During the spring run-off each year, there may be a period of time in which the prior rights to the use of the natural flow and storage are filled leaving water available for your permit. As the natural flow diminishes, however, there may be no water available for your right unless you arrange for an additional source of water as a supplemental supply.

As a suggestion
you might be able to rent water prior to the origination

Bear Lake
from Utah
Power and Light
Company
(Continue on attached sheet)



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

September 21, 1984

RE: Permit No. 13-7254

Bob Henderson
Rt. 2, Box 395
Preston, ID 83263

Dear Mr. Henderson:

Enclosed is a copy of your approved Application for Permit. We direct your attention to the conditions of approval on the fourth page.

Please be advised that there is insufficient natural flow available in the Bear River and tributaries to provide water for a new appropriation throughout the entire season of use. During the spring run-off each year, there may be a period of time in which the prior rights to the use of the natural flow and storage are filled leaving water available for your permit. As the natural flow diminishes, however, there may be no water available for your right unless you arrange for an additional source of water as a supplemental supply.

As a suggestion, you might be able to rent water from Bear Lake via Utah Power and Light Company. This rented water would be exchanged for the water used in your irrigation system. In other words, the rented water would be used downstream to fill other water rights in place of the water that you divert in periods when all prior water rights are not satisfied. This option is available to you under this permit because your initial filing was made on June 6, 1979, prior to the administrative closure of the Bear River Basin to new irrigation uses which was effective as of February 1, 1982, as per the attached Administrator's Memorandum.

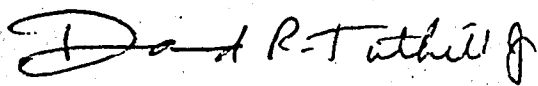
The 1982 Idaho Legislature added a requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must proceed diligently until the

Bob Henderson
September 21, 1984
Page 2

project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction, no later than one year from the date the permit was 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 this permit into a license.

Sincerely,



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

DRT:sc
Enclosures

June 30, 1989

BOB HENDERSON
ROUTE 2, BOX 395
PRESTON, ID 83263

138348

PROOF DUE NOTICE

RE: PERMIT NO. 13-07254

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 September 1, 1989. (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,

Rita Fleck
Secretary/Records Manager

Enclosures

MEMORANDUM

DATE: November 17, 1989
TO: ACCOUNTING SECTION - Pearl
FROM: Nina Shields or Rita Fleck
RE: REFUND - Permit No. 13-7254

Please prepare a refund of \$100.00 (receipt No. C010520). Attached is a copy of a letter which explains why the refund is necessary along with the receipt.

Also, please reference the water right identification number on any papers returned to me for the file. Thanks.

Attachments: Letter
Receipt



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

November 17, 1989

Robert G. Henderson
3655 N 1600 E
Preston, Idaho 83263

Re: Permit No. 13-7254

Dear Mr. Henderson:

On August 29, 1989, the department received the proof of beneficial use form for this permit. The permit and proof indicates the water will be used for irrigation purposes.

You indicated by phone that the rate of diversion was at 9 gallons per minute which would be 0.02 cfs. There is no license exam fee for 0.02 cfs. Therefore, I have initiated the process to refund the \$100 fee you submitted with your proof. This refund process takes 2-4 weeks.

Note the condition of approval of your permit which requires you to install a lockable device, subject to the approval of the Department, which will provide the watermaster suitable control of the diversion. The next step is for the department to conduct a field examination for licensing purposes. At the time the field examination is conducted, a lockable device must be installed. Failure to comply is reason for the department to cancel the permit.

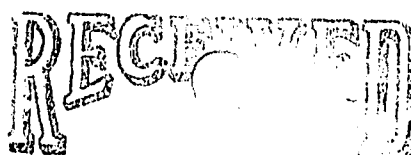
If you have any questions concerning this matter, please feel free to contact the Eastern Regional office in Idaho Falls at 525-7161.

Sincerely,

Nina Shields
Clerical Assistant

C: Region

Form 217
03/86



AUG 29 1989

REFUNDED
For Office Use Only
Fee Received 100.00
Date 8/29/89
Receipt # 0615520
Received by CP
Reviewed by MS-10/18/89
Sent to region

STATE OF IDAHO Department of Water Resources

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has 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.

Permit No. 13-07254

Name(s) of Permit Holder: ROBERT K. HENDERSON

Post Office Address: 3655 N 1600 E PRESTON Idaho 83263

Telephone No. 208-852-0220

Source of Water: irrigation waste and a spring

Extent of Use:

Domestic (number of households) Stockwater (number and type of stock)

Irrigation 12 (acres) Other/Remark by phone call to

Robert Henderson 941 per minute make 02

Total rate and/or volume for which proof is submitted cfs acre-feet

Show the date water was first diverted and beneficially used under this permit: June 11, 1979

Measuring Device: Required? X Yes No
Installed? Yes No

Fee enclosed \$ 100.00
(See License Examination Fee Schedule)

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

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

Rob Henderson 1-208-852-0220
(Name) (Telephone Number)

3655 N 1600 E Preston Idaho 83263
(Address)

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.

8-26-1989
Date

Rob Henderson
Signature of Permit Holder (and title, if appropriate)

WHITE - State Auditor
YELLOW - Remittance Advice
PINK - State Auditor then Agency
GOLDENROD - Agency Copy

EXPENDITURE VOUCHER

STATE OF IDAHO
Office of State Auditor

AUDITOR USE

AGENCY USE

7363
Date 11/20/39
Code 193002

VENDOR: If you require additional information regarding this payment, please contact the State agency listed below.

AGENCY NAME: DEPT. OF WATER RESOURCES

Document No.	
File-Audit	Date
Warrant No.	

PAY
TO

ROBERT G. HENDERSON
3655 N. 1600 E.
PRESTON, ID 83263

CHECK ONE:

(1) MISCELLANEOUS EXPENDITURE

() STATE CONTRACT

() PURCHASE ORDER

() MISCELLANEOUS
ENCUMBRANCE REQUISITION

PAYMENT: () PARTIAL () FINAL

Encumbrance Reference No.

LINE No.	PROGRAM	FUND	ACCT.		DESCRIPTION	LINE AMOUNT	AGENCY USE
			Maj	Min			
1	06 30 122	1238	8831		PERMIT #13-7254 PER RITA FLECK 11/17/89 100.00	100.00	
TOTAL						100.00	

NOTE: Final payment must be accompanied by a receiving copy

TO STATE AUDITOR

Request is hereby made that a warrant be authorized and drawn in payment of the item or items described above. I hereby certify that the items described were ordered by proper authority; that they are necessary in the public service, that the items have been received and accounted for, and that the account as stated is correct and just.

AUDITOR'S CERTIFICATE

I hereby certify that the above account is in proper form; that totals carried hereon are correct; that receipts when required by law or regulation of the State Board of Examiners covering items for which reimbursement is asked are submitted herewith; and that there are funds in the state treasury and balances in appropriation accounts out of which the same may be lawfully paid.

Date

Head of Agency or Institution

State Auditor

RECEIVED

DEC 21 1989

Department of Water Resources
Eastern District OfficeSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USEFor Office Use Only
Amt. of Fee \$ 100.00
Date 27 Dec 1989
Receipt No. EO11406
Received by Kew
MS-3-7-90*duplicate*

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.

Permit No. 13-7254 Telephone No. 852-0220Name(s) of Permit Holder(s): Robert G. HendersonPost Office Address: 3655 N 1600 E Preston, Idaho 83263Source of Water: Unnamed streamIf ground water, well driller's name: — Date drilled: —

Extent of Use:

Domestic — (No. of households) Irrigation 10.5 (No. of acres)Stockwater — (No. and type of stock) Other —Total rate and/or volume for which proof is submitted 0.22 cfs — acre/feetShow date water was first diverted and beneficially used under this permit: Aug 1980

One of the following may be a condition of approval of your permit:

Measuring device: Required? Yes ☒ No — Installed? Yes ☒ No —

OR

Flow Measurement Port: Required? Yes ☒ No — Installed? Yes ☒ No —Fee Enclosed: \$ — (See License Examination Fee Schedule)

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

Name Same as above Telephone No. —Address —

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.

21 Dec 1989
DateRobert G. Henderson
Signature (and title if on behalf of a company or organization)

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 13-07254

Priority: December 17, 1980

Maximum Diversion Rate:

0.22 CFS

Maximum Diversion Volume:

36.8 AF

This is to certify, that BOB HENDERSON

3655 N 1600 E

PRESTON ID 83263

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated December 17, 1980; and has submitted Proof of Beneficial Use on December 21, 1989. An examination indicates that the works have a diversion capacity of 0.530 cfs of water from:

UNNAMED STREAM

tributary to BEAR RIVER

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>
IRRIGATION	04/15 to 10/15	0.22 CFS	36.8 AF

LOCATION OF POINT(S) OF DIVERSION:

SESE, Sec. 25, Township 14S, Range 29E
FRANKLIN County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
14S	39E	25	SESE	8		8
	40E	30	SWSW	2.5		2.5

Total number of acres irrigated: 10.5

CONDITIONS OF APPROVAL AND 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 that 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.
5. Use of water under this water right will be regulated by the watermaster of State Water District No. 11.
6. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

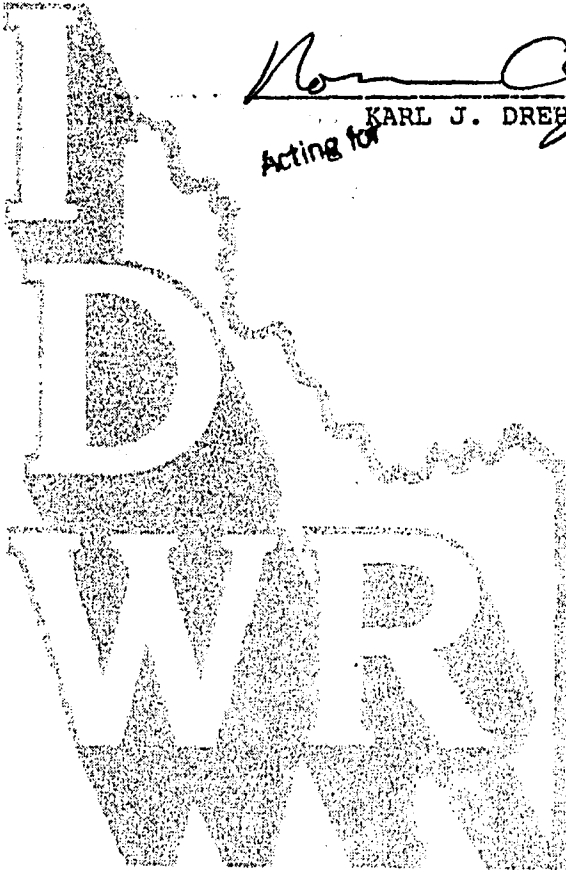
WATER RIGHT NO. 13-07254

CONDITIONS OF APPROVAL AND REMARKS

7. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.

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 17th day of MARCH, 19 77.


KARL J. DREHER, Director
Acting for



RECEIVED

FROM: KEITH C. WILSON

DEC 23 1989

27 DECEMBER 1989

TO: RITA FLECK

Department of water resources

SUBJECT: PROOF OF BENEFICIAL USE 13-7254

1. 29 AUGUST 1989 - PROOF OF BENEFICIAL USE RECEIVED WITH A CHECK FOR \$100.00.
2. CHECK RECEIPTED #C010520
3. 1 SEPTEMBER 1989 - PROOF REQUIRED ON 13-7254
4. PHONE CALL TO PERMIT HOLDER TO DETERMINE RATE OF FLOW FOR WHICH PROOF WAS BEING SUBMITTED. NOTE ON PROOF: "by phone call to Rita Fleck at 9 gal per minute makes 0.02"
5. 17 NOVEMBER 1989 - LETTER TO MR. HENDERSON EXPLAINING THAT REFUND PROCESS HAD BEEN INITIATED.
6. ROBERT HENDERSON RECEIVED REFUND OF \$100.00
7. 21 DECEMBER 1989 - MR. HENDERSON CAME INTO THIS OFFICE BECAUSE HE FELT THAT THE ORIGINAL PROOF WAS INCORRECT AND THAT HE NEEDED TO PAY THE PROOF FEE.

MR. HENDERSON INDICATED RATE OF FLOW WAS 9 GAL/MIN/NOZZLE WITH APPROXIMATELY 26 SPRINKLERS.

$Q = 234 \text{ GAL/MIN} = 0.52 \text{ CFS}$ FOR 26 SPRINKLERS OPERATING AT 9 GPM.

THE EXAMINATION PROOF FEE OF \$100.00 NEEDS TO BE PAID.

LEFT MESSAGE FOR RITA INFORMING HER OF THE SITUATION.

COMPLETED SECOND PROOF AND HAD MR. HENDERSON SUBMIT A CHECK IN THE AMOUNT OF \$100.00

8. 22 DECEMBER 1989 - PHONE CALL TO RITA. SHE INDICATED THAT SHE HAD RECEIVED MY MESSAGE AND SHE WOULD GET BACK TO ME WITH AN ANSWER.

I RETURNED THE CHECK TO THE FILE FOLDER UNTIL I RECEIVED AN ANSWER.

9. 27 DECEMBER 1989 - REMEMBERED THE CHECK HAD NOT BEEN RECEIPTED. RECEIPTED THIS DATE ON RECEIPT #E011406

I RECOMMEND THAT THE CHECK WITH THE SECOND PROOF AND THE FIRST PROOF BE ACCEPTED WITH NO LOSS IN PRIORITY.


KEITH C. WILSON

RECEIVED
NOV 29 1996
Department of Water Resources

Permit No. 13-7254

1. Owner: BOB HENDERSON Phone No. (208) 852-0220

Current Address: 3655 N 1600 E, PLESTON, ID 83263

2. Accompanied by: OWNER EXAM DATE: 7/19/95

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: UNNAMED SPRING → STREAM tributary to BEAR RIVER

B. OVERLAP REVIEW

1. Other water rights with the same place of use: NONE

2. Other water rights with the same point of diversion: NONE

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

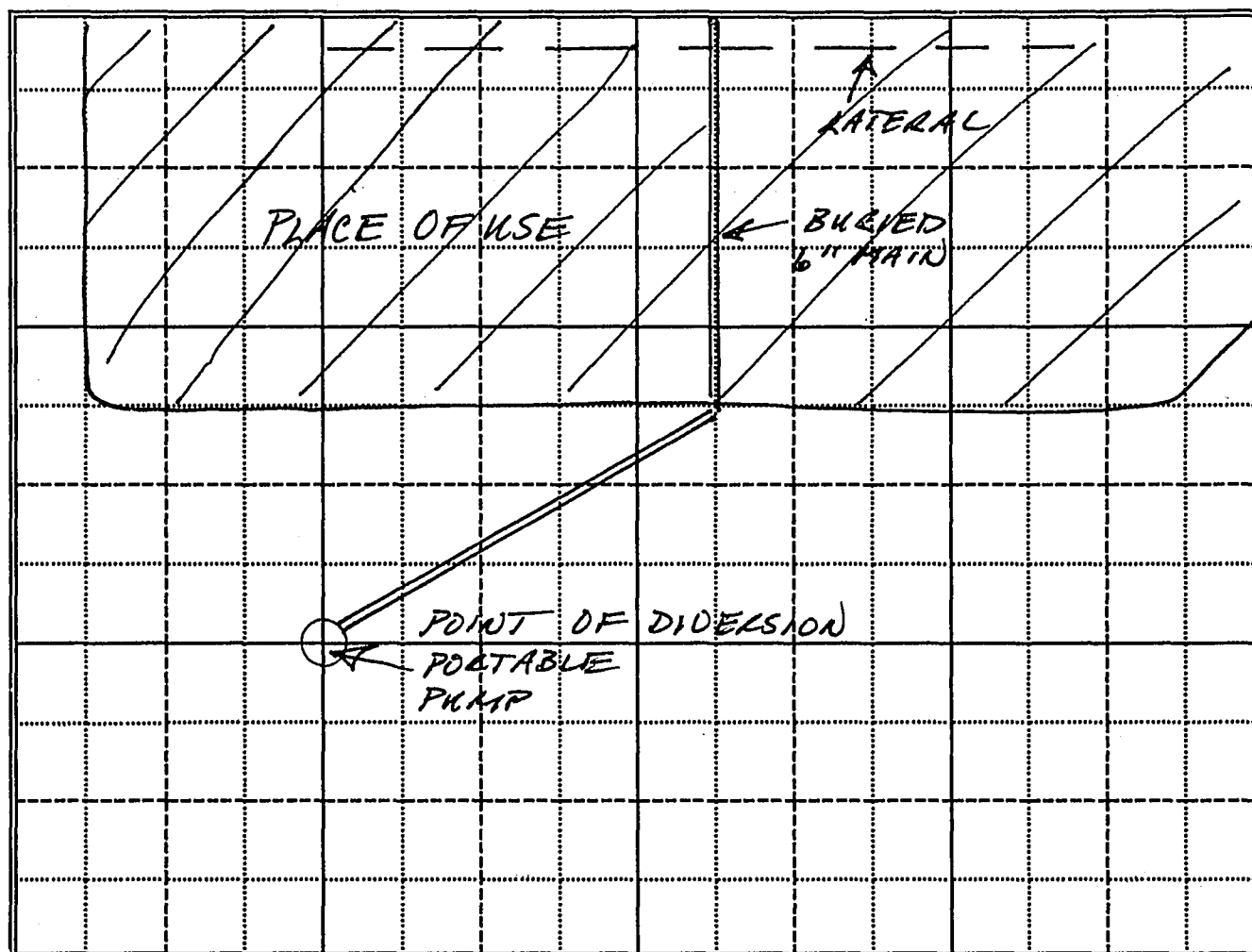
[illegible]

2. Place(s) of Use:

Indicate Method of Determination *ON SITE INSPECTION*

[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.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
CASE DIESEL	PORTABLE	55	GREEN/BLANK	BECKLEY	4"
				ORANGE/SILVER	H-4ED C2804T
					BH#2376

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements: _____

E. NARRATIVE/REMARKS/COMMENTS

On 7/19/95 a field exam was conducted for Bob Henderson on permit # 13-7254.

This permit is for the diversion of water from a stream (spring) for the purpose of irrigation. A 55 HP portable diesel pump lifts water approximately 100' via a 6" main line to the top of the irrigated field. A single main 5" wheel line is then used to distribute water over the field. Some hand line is used on the bottom of the field.

Wheel Line: 28 Bunch 3/4" Hozzel

Hand Line: 8 Bunch 3/4" Hozzel

Current Test: 40 PSI

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

F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method:

FROM GPM NOZZEL CHART.

$$6.64 \text{ GPM} \times 36 \text{ BIRDS} = \frac{239.04}{448.8} = 0.53 \text{ CFS}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 10.5 \times 2.5 = 26.25$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.22 \times 183 \times 1.9835 = 79.85$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 26.25 \quad 36.8 \text{ cfs}$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS PERMIT LIMITS TO 0.22 CFS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRRIGATION	4/15	10/15	0.22	26.2
Totals:			0.22 CFS	26.2 AFA 36.8

2. Recommended Amendments

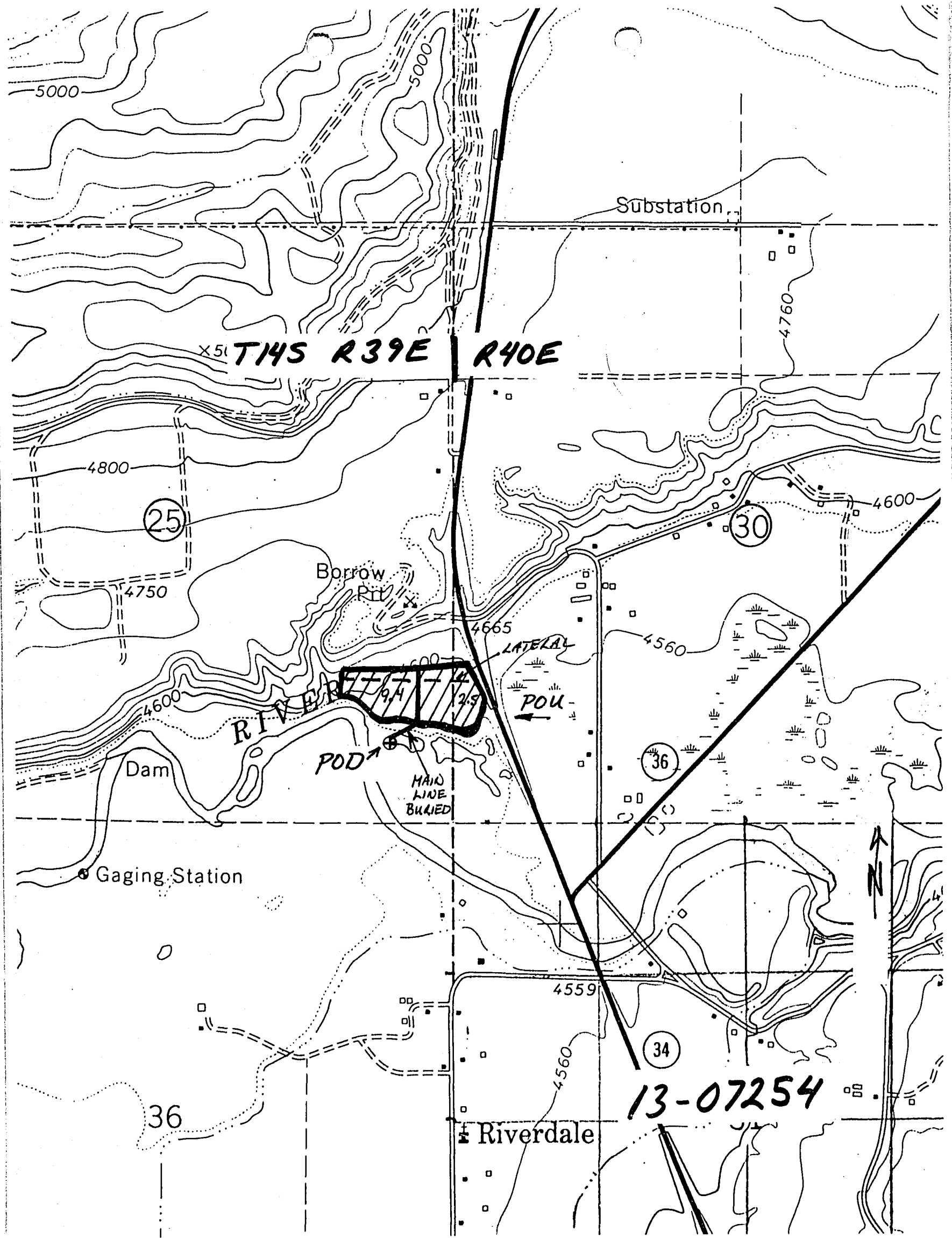
☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

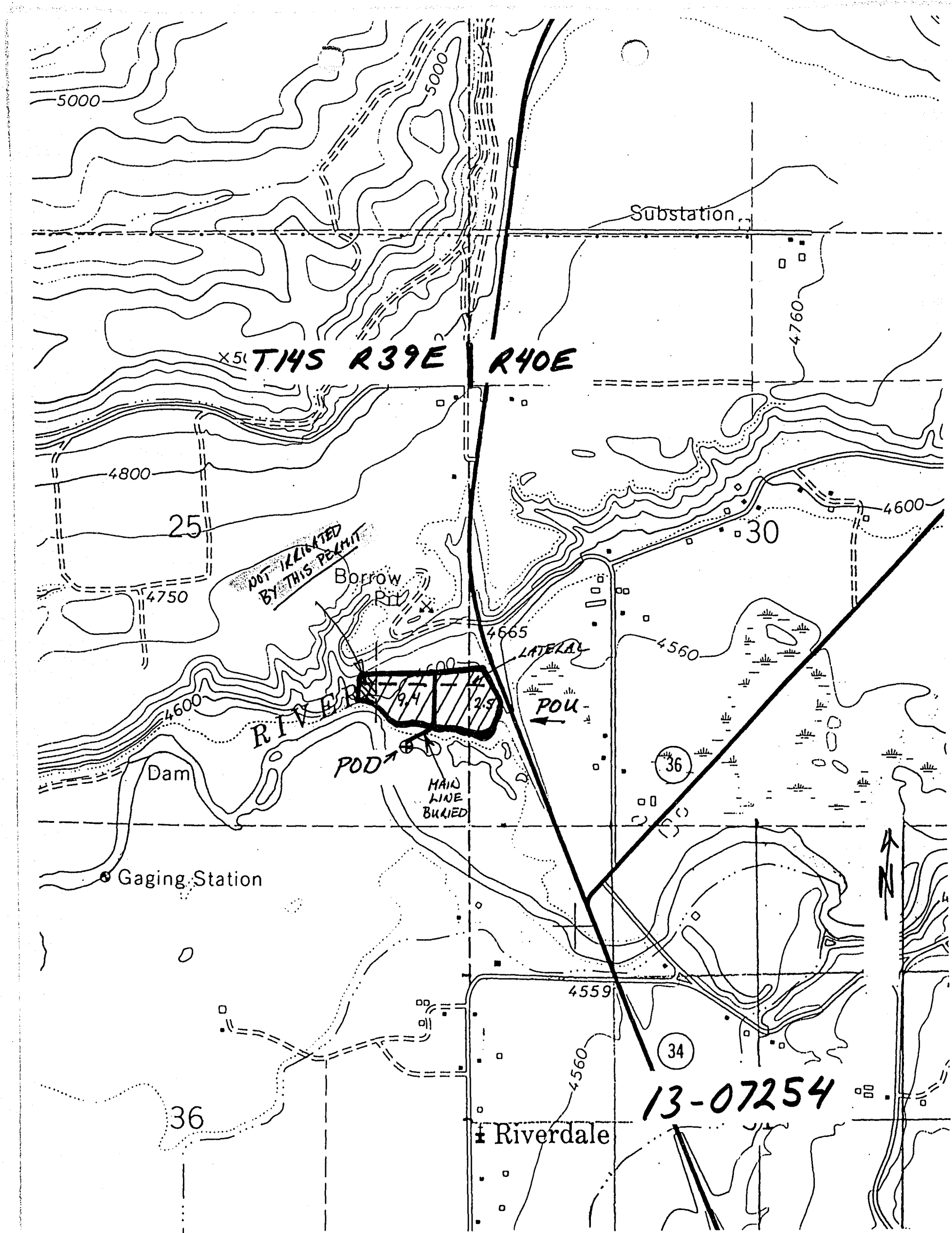
I. AUTHENTICATION

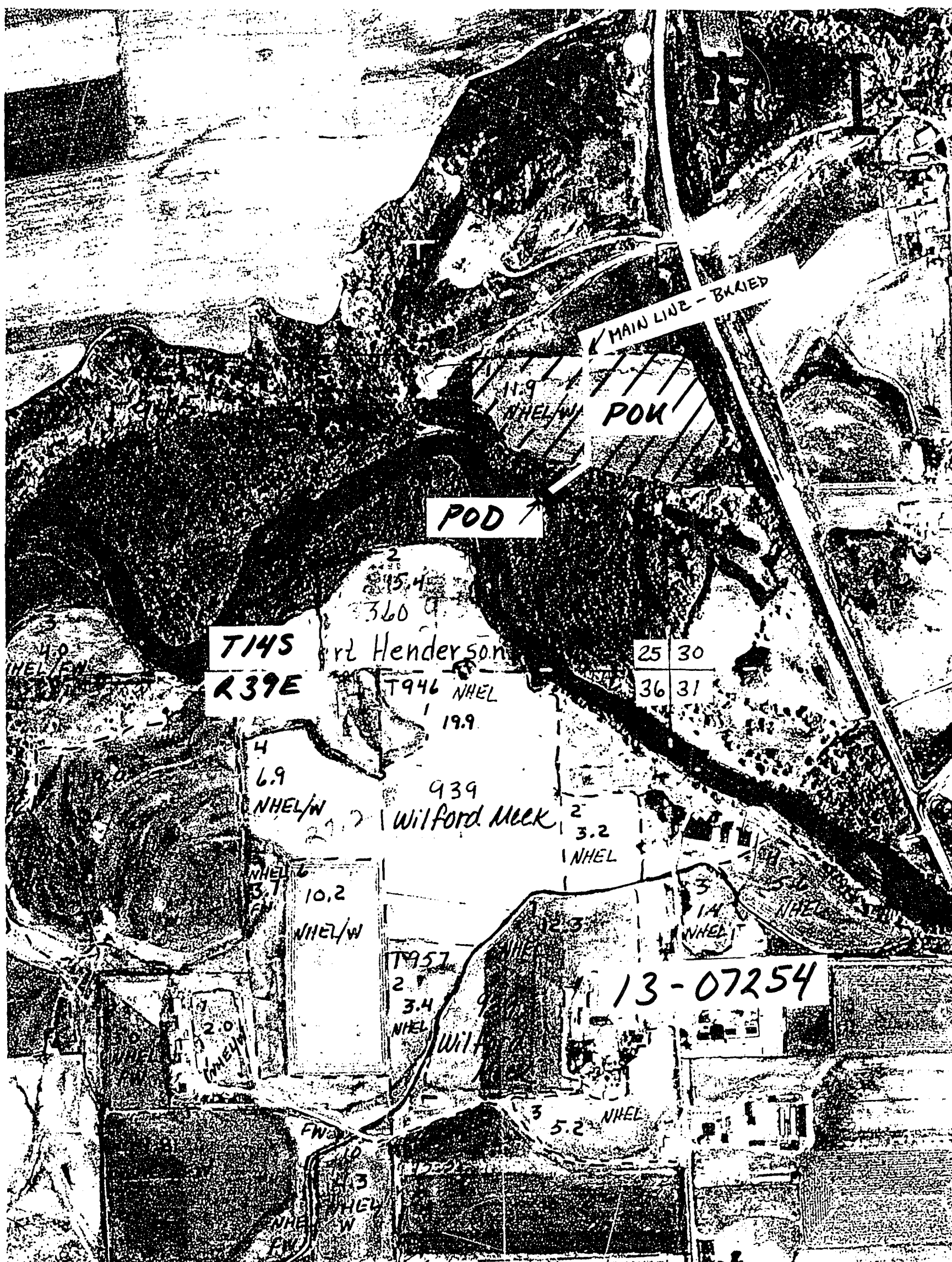
Field Examiner's Name DONALD SIMPKINS Date 1/3/96

Reviewer [Signature] Date 11-12-96

SEAL







1881

FIELD EXAM NOTES

EXAM # 13-7254

DATE OF EXAM 7/19/95

PERMITEE NAME BOB HENDERSON

OTHER WATER RIGHTS SAME POD NO

OTHER WATER RIGHTS SAME POU NO Helena Ditch - 39 Hrs 17 W. to Perry 70 days.

Mtr
PUMP #1 HP 55 MAKE Case SERIAL # for Partum

COLOR AND DESCRIPTION Green / 3" 1/2" 1/2" 1/2"

OUTPUT DIAMETER 4" SYSTEM PRESSURE PSI WELL DEPTH PSI

STATIC H2O WELL DEPTH DYNAMIC PUMP 3' 1/2" 1/2" 1/2"

PSI GAGE TYPE CHECK VALVE [Y] [N] GATE VALVE [Y] [N]

Turbine
PUMP #2 HP 450 MAKE Berkley SERIAL # 2804 T BH # 2376

COLOR AND DESCRIPTION Orange - 1/2" 1/2" 1/2"

OUTPUT DIAMETER 4" SYSTEM PRESSURE PSI WELL DEPTH PSI

STATIC H2O WELL DEPTH DYNAMIC PUMP PSI

PSI GAGE TYPE CHECK VALVE [Y] [N] GATE VALVE [Y] [N]

BOOSTER PUMP #1 HP MAKE SERIAL # COLOR AND DESCRIPTION

BOOSTER PUMP #2 HP MAKE SERIAL # COLOR AND DESCRIPTION

CIRCLE PIVOT [Y] [N] NUMBER OF TOWERS PIVOT LENGTH
PRESSURE [H] [L]

what 5"
HAND LINES (Y) [N] NUMBER OF LINES 1 LENGTH OF LINES 36

RAIN BIRDS PER LINE 28 NOZZEL DIAMETER 3/16
Int 36 birds 3/16 Head at 40 PSI

SURFACE WATER TYPE OF MEASUREING DEVICE

AA METER PIGMY METER WEIR OR FLUME BUCKET/WATCH 1

13-7254

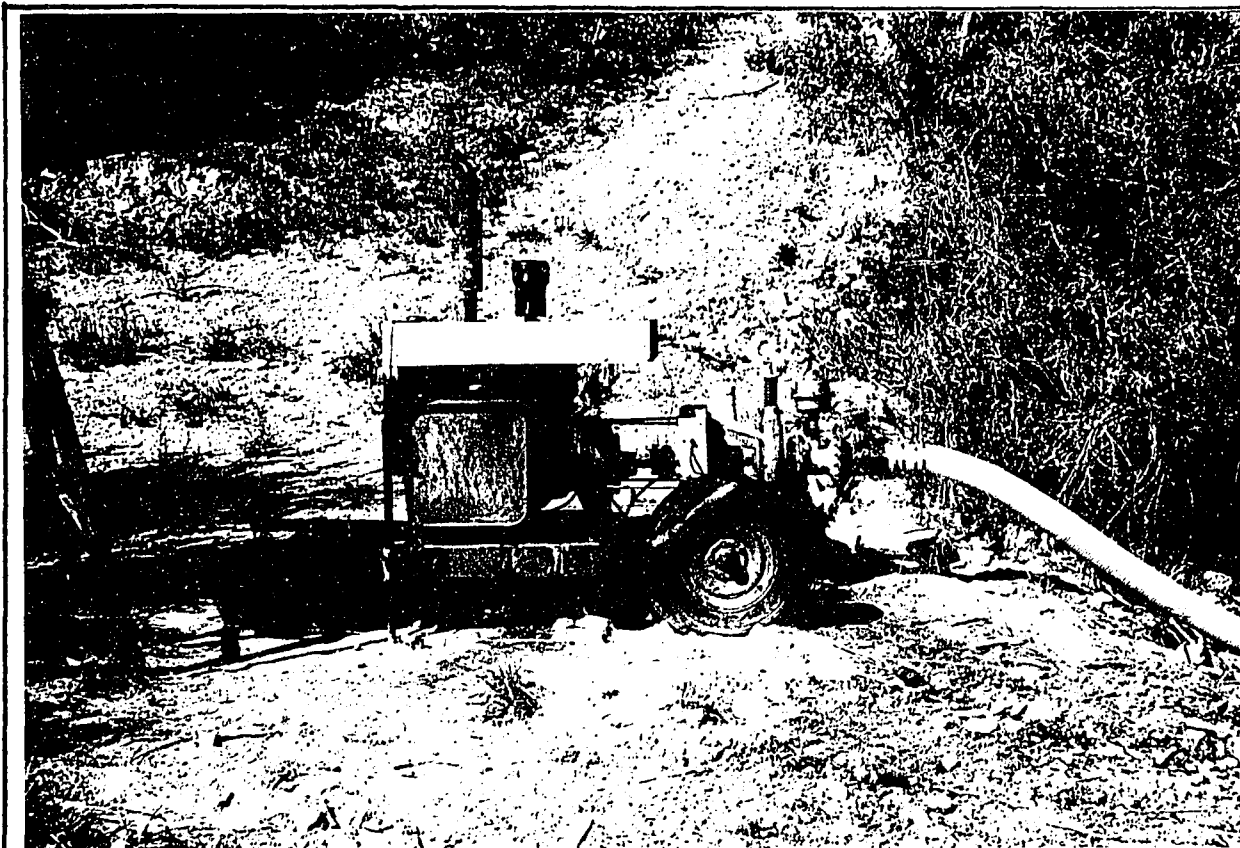
USE BACK OF PAGE FOR SKETCH AND MEASUREMENTS OF SYSTEM

River at—												
Angle coef- ficient	Dist. from initial point	Width	Depth	Obser- vation depth	Rev- olu- tions	Time in sec- onds	VELOCITY		Adjusted for hor. angle or -----	Area	Discharge	
							At point	Mean in ver- tical				
	0											.80
	6	.75	.375		40	55	.753			0.28125	0.211	.85
	12	.5	.4		36	40	.775			0.2	0.155	
	18	.5	.375		40	49	.840			0.1875	0.1575	.90
	24	.75	.35		30	45	.683			0.2625	0.1819	.92
											0.70 cfs.	.94
												.96
												.97
												.98
												.99
0												1.00
												.99
												.98
												.97
												.96
												.94
												.92
												.90
												.85
												.80
.0	.10	.20	.30	.40	.50	.60	.70	.75				

13-7254

BOB HENDERSON
IRRIGATION

10/2



VIEW OF
PORTABLE
PUMP
SYSTEM

5" INTAKE
4" OUTPUT
TURBINE
PUMP



VIEW OF
SPRING/POND
AREA

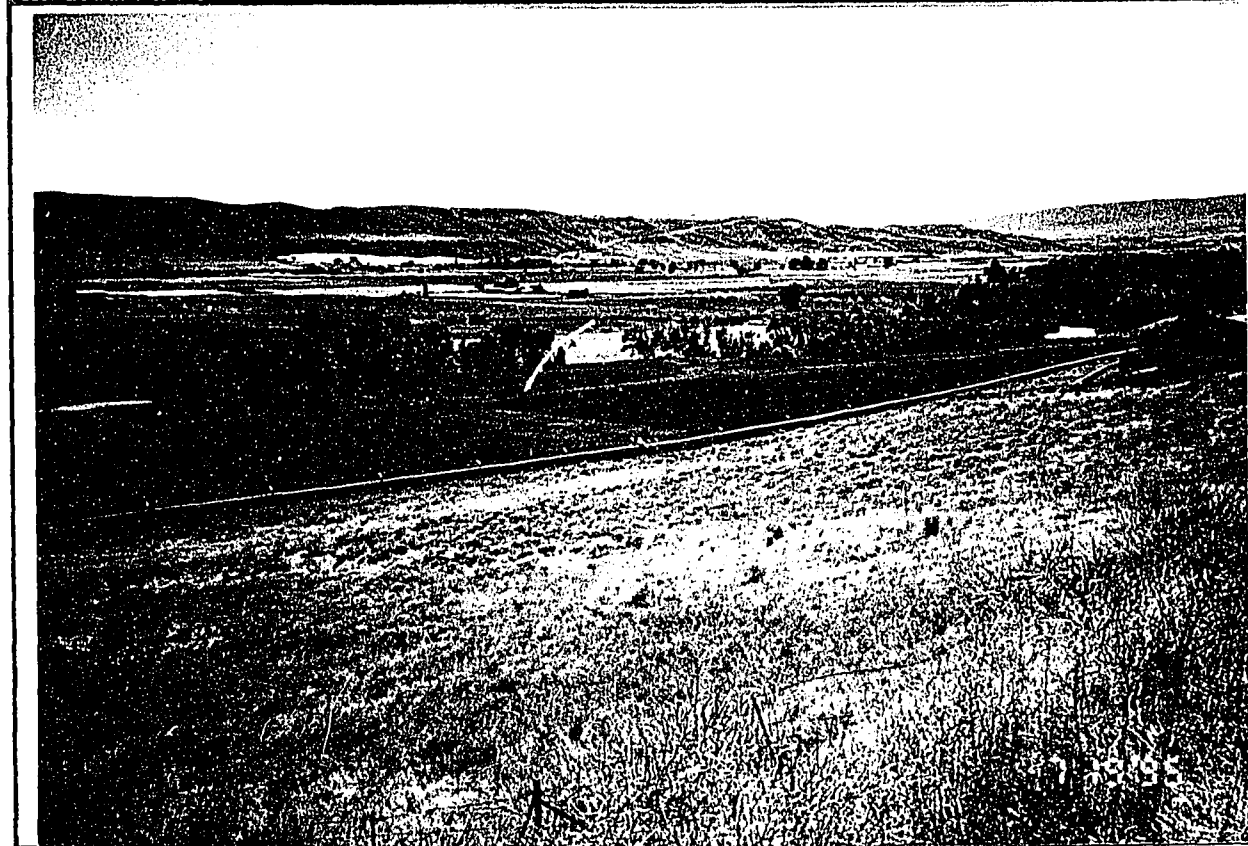
POINT OF
DIVERSION

13-07254

2 of 2



VIEW OF
WHEAT FIELD
AND WHEEL
LINES.



VIEW OF
WHEAT FIELD
AND WHEEL
LINE

13-07254

***FOR CLARITY
OF ANY
PHOTOGRAPHS
MICROFILMED,
SEE FILE.***



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

March 18, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

BOB HENDERSON
3655 N 1600 E
PRESTON ID 83263

RE: WATER RIGHT NO. 13-07254

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of this order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review the preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The Department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen". The signature is written in dark ink and is positioned above the typed name.

Shelley W. Keen
Water Rights Supervisor

SK:ph

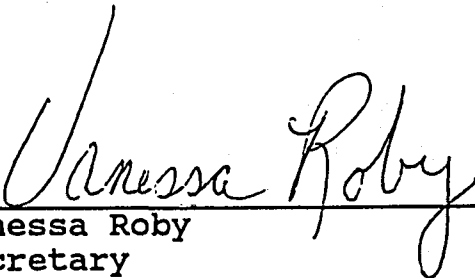
Enclosure

CERTIFICATE OF MAILING

I hereby certify that on the 18th day of March, 1997, I mailed
a true and correct copy, postage prepaid, of the foregoing
PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 13-07254

BOB HENDERSON
3655 N 1600 E
PRESTON ID 83263



Vanessa Roby
Secretary