

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 TONY R. and/or TRINY GUILLEN Phone 852-0801
Post office address Rt. #2 Preston, Idaho 83263

2. Source of water supply Spring which is a tributary of Sinks

3. Location of point of diversion is SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 28 Township 14S

Range 40E B.M. Franklin County, additional points of diversion if any: _____

SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21, T. 14S. R. 40E

4. Water will be used for the following purposes:

Amount 0.04cfs for Domestic purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.08cfs for Irrigation purposes from 4/1 to 11/1 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.02cfs for Stockwater purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

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

5. Total quantity to be appropriated:

a. 0.13cfs cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Collection box, diverting pipe to
holding tank

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 1 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: SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 21 Township 14S
Range 40E 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 40 head range cattle

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water one.

(5) If water is to be used for other purposes describe: _____

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
14S	40E	21																2	2
		28	2																2

Total number of acres to be irrigated 4

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 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

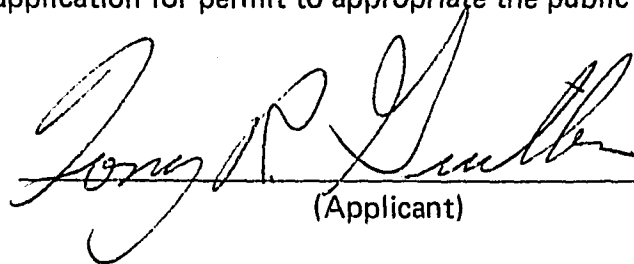
11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

The map is a 20x20 grid. Handwritten labels are as follows:

- R40E**: Located in the upper right quadrant, approximately at column 12, row 18.
- T14S**: Located in the middle left quadrant, approximately at column 5, row 12.
- 21**: Located in the middle right quadrant, approximately at column 10, row 15.
- 28**: Located in the lower middle quadrant, approximately at column 10, row 10.
- Point of Diversion**: Two labels with arrows pointing to a specific location on the grid, approximately at column 12, row 12.
- Place of Use**: A label with an arrow pointing to the same location as the 'Point of Diversion' labels.

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.


(Applicant)

Proposed Priority 10/20/81

Received by Kew Date 10-20-81 Time 2:55 p
Preliminary check by S.M. Fee \$ 30.00
Receipted by (u) Date 10-20-81 # 19123
Publication prepared by Forrie Date 10-21-81
Published in Preston Citizen
Publication dates 10-29 & 11-5-81
Publication approved (u) Date 12-07-81
Protests filed by: NONE

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. 13-7351, 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 November 1, 19 84.
- 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:

Witness my hand this 13th day of October, 1983.

J. Glen Saxton
Chief, Operations Bureau

No 1514

AFFIDAVIT OF PUBLICATION

DEC 7 1981

Department of Water Resources
Eastern District Office

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

Oct 29, 1981, and ending
with the issue of Nov 5, 1981.

Fee \$ 2188

Subscribed and sworn to before me this 30th day
of November, 1981.

Ken O. 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.

13-7351

GUILLEN, TONY R. &/or TRINITY
RT. #2, PRESTON, ID 83263
Source: SPRING tributary to SINKS
Date Filed: 10/20/1981

Amount: 0.13 CFS
Diversion Point: SENE Sec 28 T 14 S
R 40E SESE Sec 21 T 14S R 40E,
FRANKLIN Co.

Use: IRRIGATION (0.08 CFS) from
04/01 to 11/01, DOMESTIC (0.04 CFS)
from 01/01 to 12/31, STOCKWATER
(0.02 CFS) from 01/01 to 12/31

Place of Use: SESE Sec 21 T 14S R
40E NENE Sec 28 T 14S R 40E FOR 4
ACRES

Diversion Means: COLLECTION
BOX TO HOLDING TANK

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, 150 Shoup Ave., Idaho Falls, Idaho 83402 on or before NOVEMBER 16, 1981.

A. KENNETH DUNN
Director

Published 10/29 & 11/5/81
Legal No. 1514 -35L- Publish
October 29, November 5, 1981.

13-2351

GUILLEN, TONY R. &/or TRINY

RT. #2, PRESTON, ID 83263

Source: SPRING tributary to SINKS

Date Filed: 10/20/1981

Amount: 0.13 CFS

Diversion Point: SENE Sec 28 T 14S R 40E SESE Sec 21 T 14S R 40E,
FRANKLIN Co.

Use: IRRIGATION	(0.08 CFS)	from 04/01 to 11/01
DOMESTIC	(0.04 CFS)	from 01/01 to 12/31
STOCKWATER	(0.02 CFS)	from 01/01 to 12/31

Place of Use: SESE Sec 21 T 14S R 40E NENE Sec 28 T 14S R 40E
FOR 4 ACRES

Diversion Means: COLLECTION BOX TO HOLDING TANK

*Preston City
Called Sally OK
CW*

NOTICE OF APPLICATION FOR WATER RIGHT

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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, 150 Shoup Ave., Idaho Falls, Idaho 83402 on or before NOVEMBER 16, 1981.

A. KENNETH DUNN

Director

Published 10/29 & 11/5/81.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave.
Idaho Falls, Idaho 83402
(208) 525-7161

OCTOBER 22, 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 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 NOVEMBER 16, 1981.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

November 17, 1981

RE: Application for Permit No. 13-7351 GUILLEN
No. 13-7352 "

Preston Citizen
Box 472
Preston, Idaho 83263

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application(s). The legal notice was to have been published in your paper on October 29 and November 5, 1981.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

COLLEEN WRAY
Adm. Secretary

February 18, 1982

RE: Application for Permit No. 13-7351

Tony R. &/or Triny Guillen
Rt. #2
Preston, Idaho 83263

Dear Mr. & Mrs. Guillen:

Standard regional processing of your application for permit has been completed and no protests were received within the specified time period. However, since your application requests the appropriation of a surface water source, as a matter of policy, a pre-permit field inspection will be performed prior to recommending final action.

The application will be retained in this office until a member of our staff has had an opportunity to conduct the inspection which we expect to be during the 1982 irrigation season. Since you may want to be present, we will attempt to contact you at the time of the inspection.

Feel free to contact me if you have any questions regarding this matter.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

DATE: 8-26-83
(of exam)ACCOMPANIED BY: Tony GuillenTOTAL MEASURED: 7 gpmMETHOD OF MEASUREMENT: Bucket + stopwatch S/N _____

APPLICANT CONTACTED

YES: ☒ DATE 8-26-83

NO: DATE _____

REASON: _____

REASON FOR EXAM: (2 gallons / 18 secs flow from stock tank overflow)
to check flow and see if Springs trib. to ditch in areaACCESS (location direction): Station Creek Rd to gravel turn off
+ then private Rd.LOCATION: Point of Diversion Confirmed
Place of Use Confirmed☐ Yes☐ No

(See sketch)

☐ Yes☐ No

(See sketch)

GENERAL OBSERVATIONS:

DATA FOR ADMINISTRATIVE DECISIONS

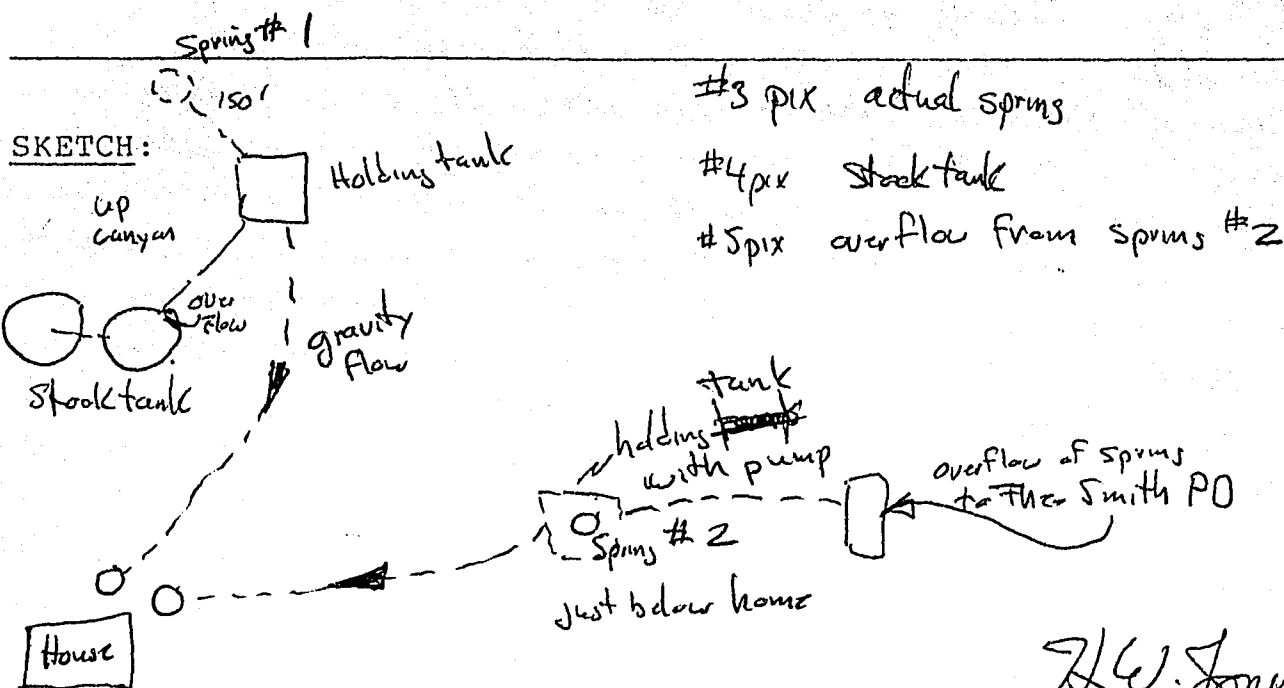
A: Source (Describe in detail i.e., flow, apparent confluence, etc)

Spring #1 (Flow approx 7 gpm) Flow does not now reach ditch but sinks
near stock tanks. Mr Guillen says Spring flow does reach ditch during
springtime runoff only. Spring #2 (Flow 6 gpm) is shared by Mr Guillen
+ Theo Smith (Permit # 13-7371) Spring flow unreliable + has dried up.

B: OTHER USES OF SOURCE:

Spring #2 overflow reaches road +
flows along road + sinks

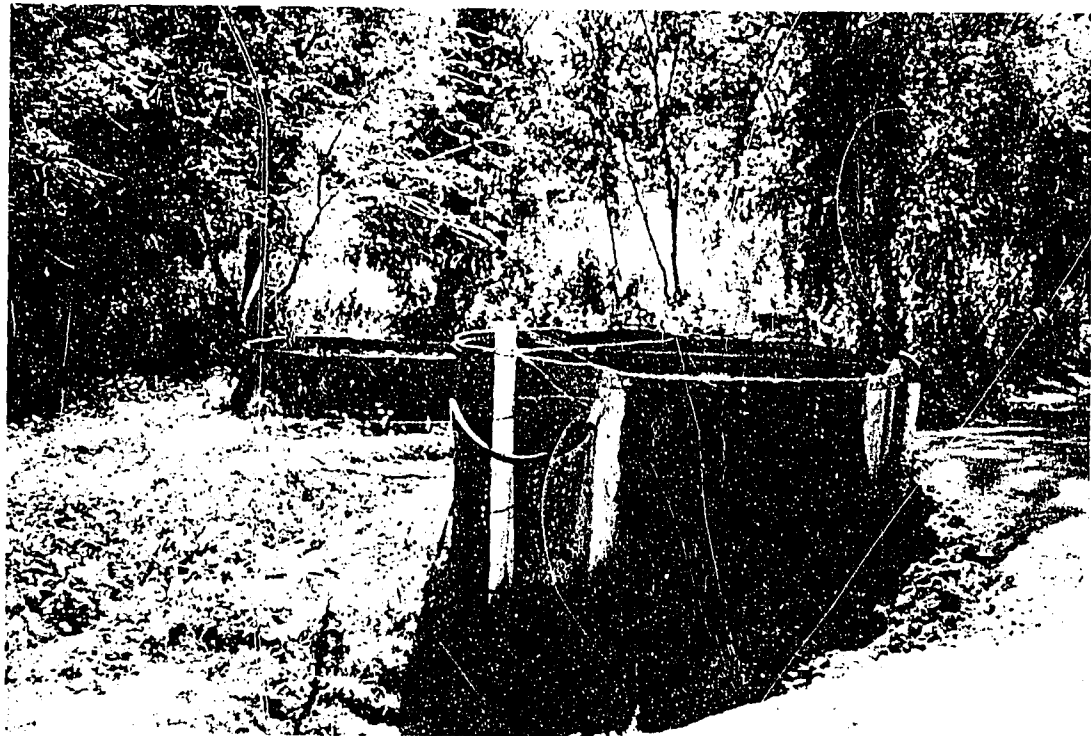
C: WORK IN AREA RELATED TO APPLICATION:

W. Jones
SIGNATURE

Pix #3
(#1 Spring Location)

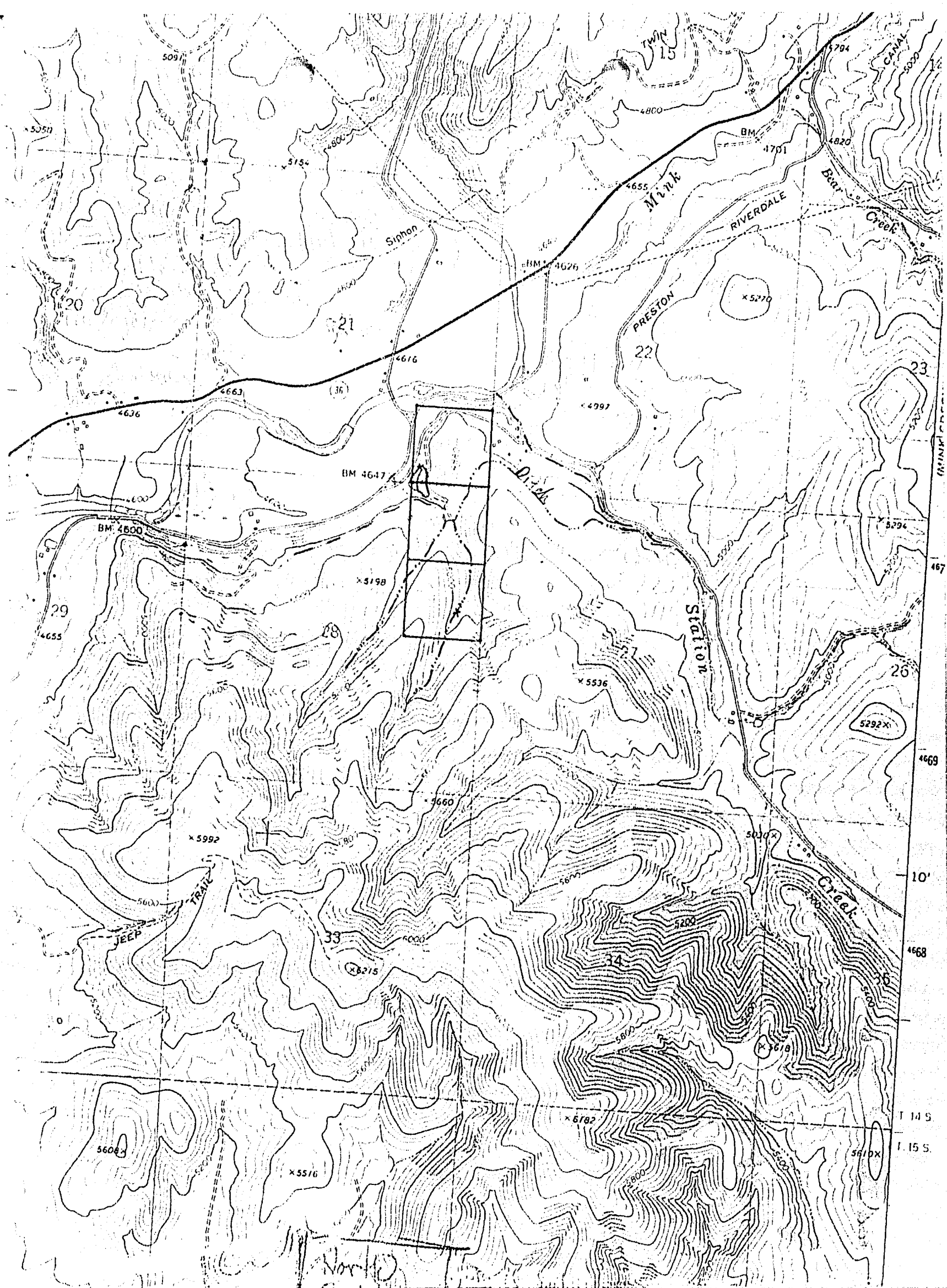


Pix #4
stock tanks

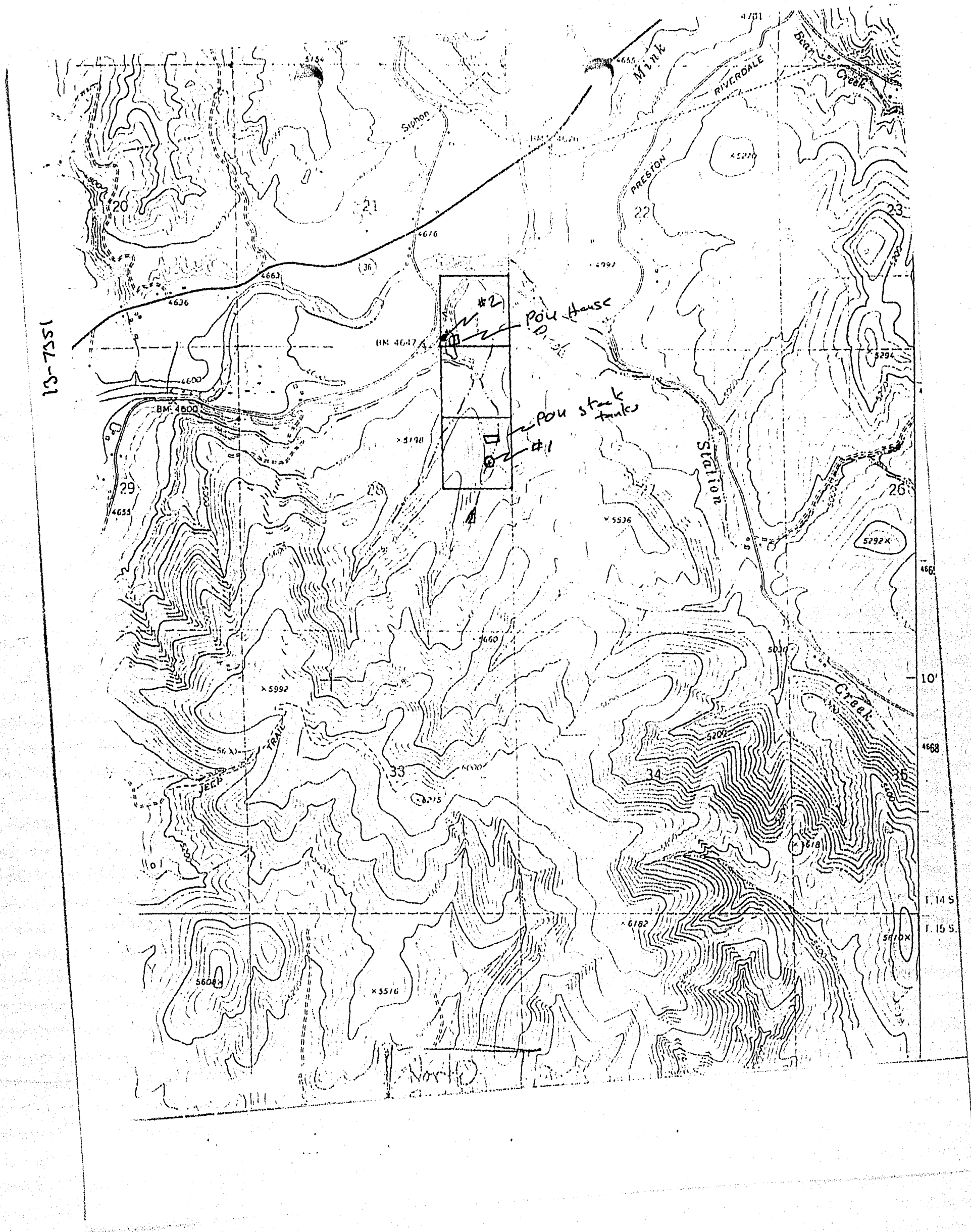


Pix #5
overflow from
Spring #2





13-7551



ACTION REQUIRED

FROM: Ernest

TO: File

Need to inspect source of water supply to confirm description given on application. Inspection should include measurement of spring & flow and verification of legal description. Aerial map reveals that upper spring (SENE 028) could be tributary to a ditch or canal.

Done
HWS

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

13 7351

INITIAL REVIEW BY: Steve McCormick

APPLICATION NUMBER: 13-7351

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. Copies sent by: _____ Date: _____
☐ Idaho Fish and Game Department. _____
☐ Idaho Department of Lands. _____
☐ U.S. Bureau of Land Management. _____
☐ U.S. Forest Service. _____
☐ Other _____

PROCESSING:

- ☐ Yes ☒ No Platted by: _____ Map No. _____
☐ Yes ☒ No Other rights on same place of use. _____
☒ Yes ☐ No* In form for advertising.
Final date for protests: November 16 1981
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 12-7-81
☒ 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? _____
10-20-81 Date of priority recommended.
Special conditions of approval or cover letter. _____

By: Ernest Carlson Date: 9/8/83

STATE OFFICE REVIEW:

216

☐ See attached sheet for more information.
By: KW Date: 10/5/83

RECEIVED
SEP 08 1983

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

GUILLEN, TONY R. & TRINY
RT. #2
PRESTON, ID 83263

OCTOBER 25, 1983

RE: PERMIT NO. 13-7351

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH PAGE.

WE HAVE ENCLOSED INSTRUCTIONS ENTITLED "MAKING PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT. ALSO ENCLOSED FOR YOUR CONVENIENCE IS THE STATEMENT OF BENEFICIAL USE POSTCARD THAT MUST BE SUBMITTED WHEN YOUR PROJECT IS COMPLETED.

SINCERELY,

DAVID R. TUTHILL, JR., P.E.
SUPERVISOR, WATER ALLOCATION SECTION

ENCLOSURE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

138153

GUILLEN, TONY R. & TRINY
RT. #2
PRESTON, ID 83263

PROOF DUE NOTICE

AUGUST 31, 1984

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 13-7351 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE NOVEMBER 01, 1984. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST). ENCLOSED IS A POSTCARD WHICH 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, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. AN EXTENSION OF TIME REQUEST FORM IS ENCLOSED FOR YOUR CONVENIENCE.

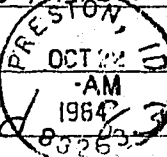
EITHER THE BENEFICIAL USE POSTCARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE DESCRIBED PROOF DUE DATE. IF NEITHER IS RECEIVED, THE DEPARTMENT WILL SEND YOU A LAPSE NOTICE. WITHIN SIXTY (60) DAYS OF THE MAILING OF THE LAPSE NOTICE, THE PERMIT WILL NO LONGER BE OF ANY FORCE NOR EFFECT.

SINCERELY,

RITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES

Tony R. Guillen
RT #2
Preston, ID 83263



RECEIVED



OCT 24 1984

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

Department of Water Resources

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. 13-7351.

Name(s) of Permit Holder: Guillen, Tony and Tracy

Post Office Address: RR2 Preston Id 83263

Tel. No. 8520801

Source of Water: Spring

Extent of Use: ☐ Domestic (number of households)
☒ Stockwater 20 Cattle and Horses (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 been developed.

10-19-84
Date

[Signature]
Signature of Permit Holder