

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Jim Draw

To appropriate the public waters of the State of Idaho

1. Name of applicant USDI, Bureau of Land Management Phone 529-1020
Post office address 940 Lincoln Road Idaho Falls, ID 83401

2. Source of water supply Unnamed spring which is a tributary of sinks

3. Location of point of diversion is SW 1/4 of NW 1/4 of Section 28 Township 12 S.
SW 1/4 of AS PER PHONE/CON WITH KAREN ASLOTT 10/10/89

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

4. Water will be used for the following purposes:

Amount 0.03 cfs for livestock purposes from 5/16 to 9/30 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.01 cfs for wildlife 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)

5. Total quantity to be appropriated:

a. 0.04 0.03 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. spring headbox and pipeline to
trough

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: SW 1/4 of NW 1/4 of Section 28 Township 12 S.

Range 40 E. 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 100 range cows with calves

(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: Grouse, deer and other wildlife as
found in the area

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. _____

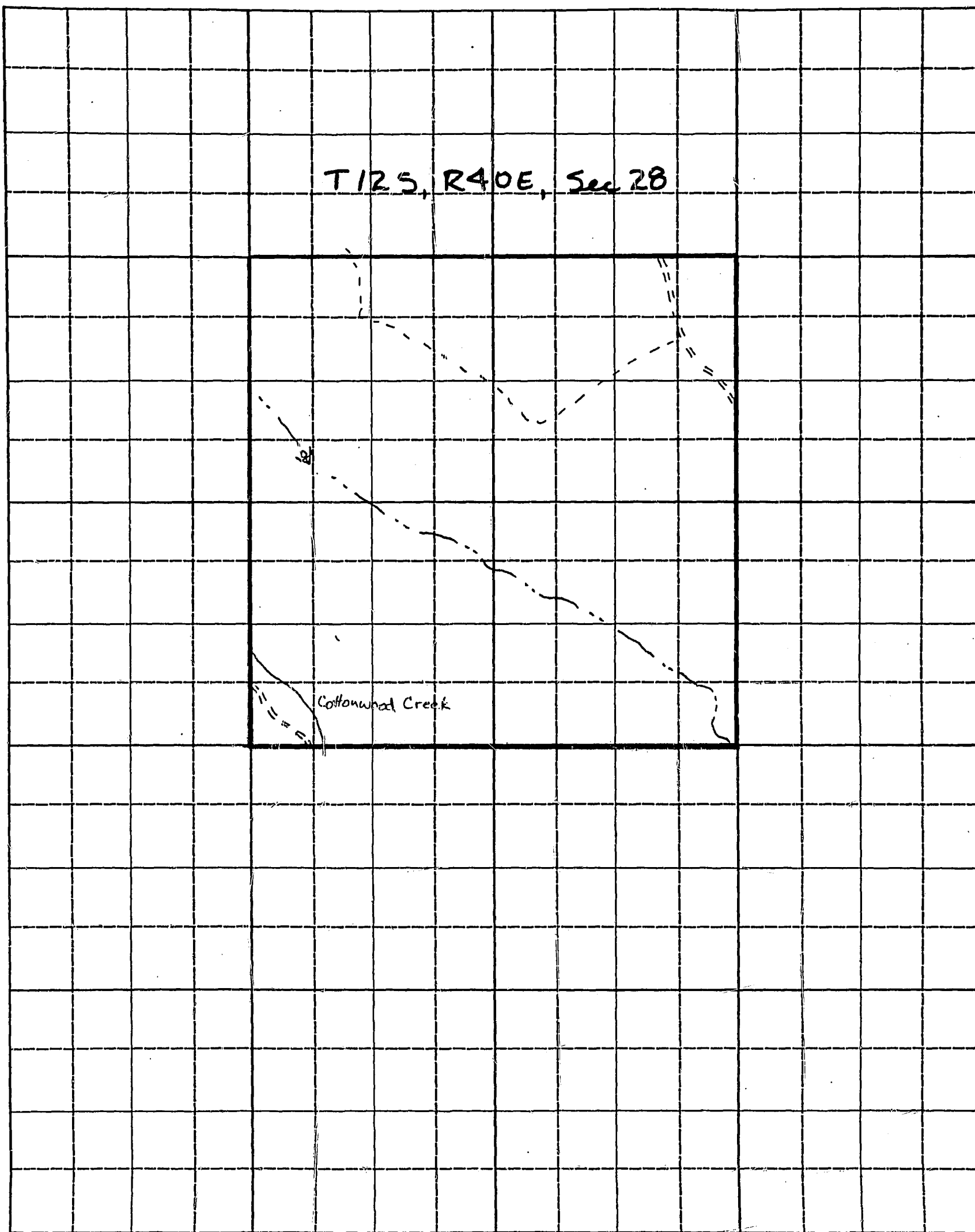
9. a. Who owns the property at the point of diversion United States of America

b. Who owns the land to be irrigated or place of use United States of America

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 Diversion and trough built by permittee in summer of 1988. Will
supply water to cattle in allotment # 4128. JDR #3060. Development
will be called Jim's Draw Spring.

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.

DISTRICT MANAGER

L. H. Ferguson
(Applicant)

Received by HWS Date 8-31-89 Time _____
Preliminary check by PRM Fee \$ 30.00
Receipted by HWS Date 8-31-89 # E010082
Publication prepared by AB Date _____
Published in Preston Citizen
Publication dates 11-2, 9-89
Publication approved KW Date 12-20-89
Protests filed by: none

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

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

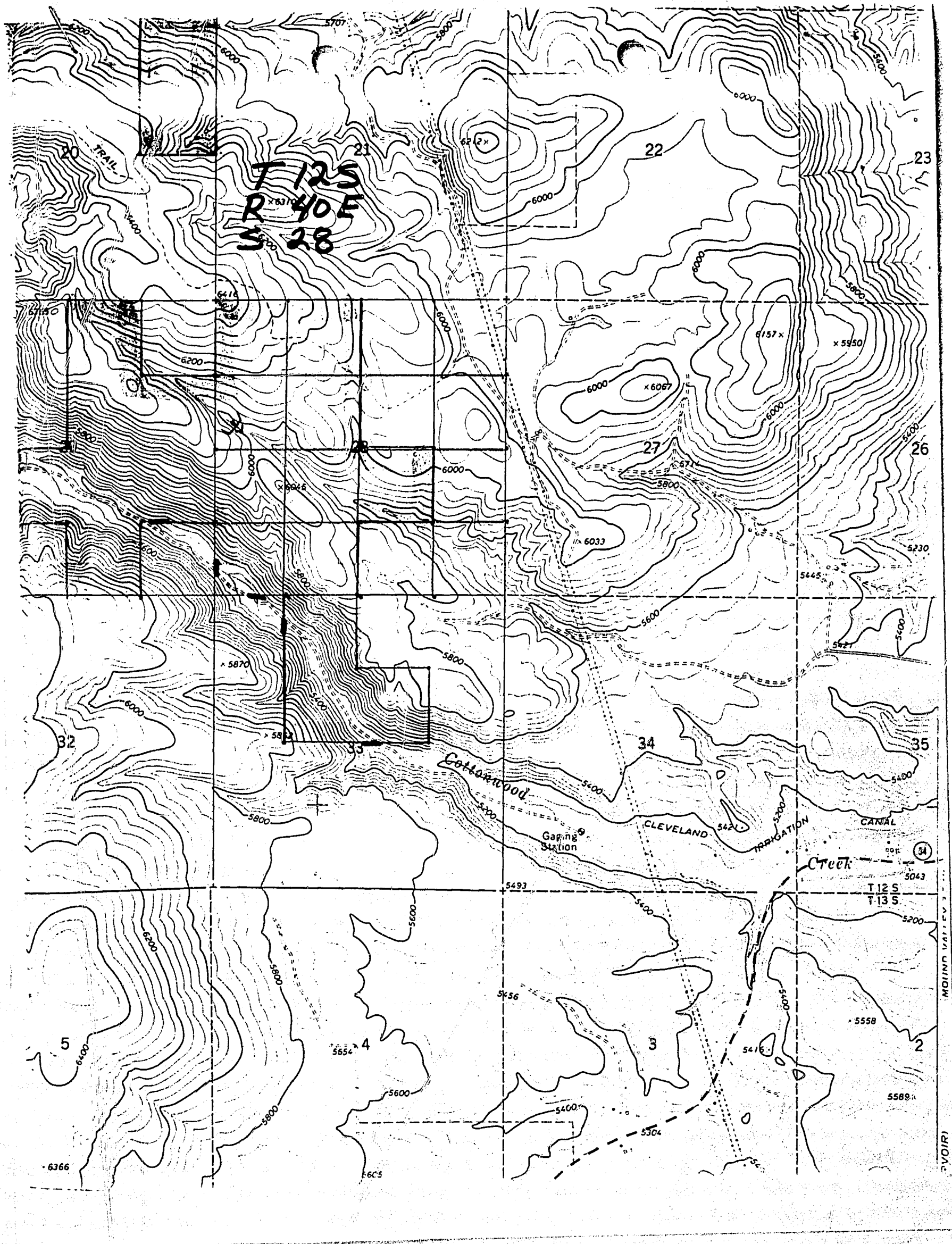
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

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: _____

Witness my hand this _____ day of _____, 19 ____.

Director



875

No 2847

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

Nov 1, 1987, and ending
with the issue of Nov 8, 1987

Fee \$ 49.46

Subscribed and sworn to before me this 8 day
of Nov, 1987

Kelly Mahulke
Notary Public, Residing at Preston, Idaho

My Commission Expires Aug 14, 1995

RECEIVED

DEC 01 1989

Department of Water Resources

NOTICE OF APPLICATION FOR WATER RIGHT

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

13-07465
WEST SIDE SCHOOL DIST. NO. 202
775 N. WEST SIDE HWY.
DAYTON, ID 83232
Source: GROUNDWATER
Diversions Pt: NWNW Sec 23 T 15S R 38E
Use: IRRIGATION (.160 CFS)
Date Filed: 9/29/1989
In: T15S R38E S23 NWNW
8.0 ACRES TOTAL
13-07466

USDI, BLM
940 LINCOLN RD.
IDAHO FALLS, ID 83401
Source: UNNAMED SPRING
Tributary: SINKS
Diversions Pt: SWSWNW Sec 28 T 12S R 40E
Use: STOCKWATER (.030 CFS)
WILDLIFE (.010 CFS)
Date Filed: 8/31/1989
In: T12S R40E S28 SWNW
The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Eastern Region, 150 Shoup Avenue, Suite 15, Idaho Falls, Idaho 83402 on or before NOVEMBER 20, 1989.

R. KEITH HIGGINSON
Director

Legal No. 2847 — Publish Nov. 1, 8, 1989.

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 13-07466

Proposed Priority: August 31, 1989 Maximum Diversion Rate: 0.03 CFS

This is to certify, that U.S. DEPT. OF INTERIOR
BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE, ID 83706

has applied for a permit to appropriate water from:

SPRING tributary of SINKS

and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
STOCKWATER	05/16 to 09/30	0.03 CFS
WILDLIFE	01/01 to 12/31	0.01 CFS
	Totals	0.03 CFS

LOCATION OF POINT(S) OF DIVERSION: SWSWNW Sec. 28, Township 12S, Range 40E
FRANKLIN County

PLACE OF USE: STOCKWATER

TWN RGE SEC

12S 40E 28 SWNW

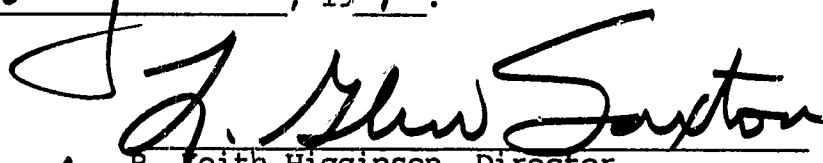
PLACE OF USE: WILDLIFE, same as STOCKWATER use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before February 1, 1991.
2. Subject to all prior water rights.

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

17th day of January, 19 90.


for R. Keith Higginson, Director

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Eastern Region, 150 Shoup Avenue, Suite 15, Idaho Falls, Idaho 83402 on or before NOVEMBER 20, 1989.

R. KEITH HIGGINSON, Director

Published 11/02/1989 & 11/09/1989

13-07466

USDI, BLM
940 LINCOLN RD.
IDAHO FALLS, ID 83401

Source: UNNAMED SPRING

Tributary: SINKS

Diversion Pt: SWSWNW Sec 28 T 12S R 40E

Use: STOCKWATER (.030 CFS)
WILDLIFE (.010 CFS)

Date Filed: 8/31/1989

In: T12S R40E S28 SWNW

25-Oct-1989

USDI, BLM
940 Lincoln Rd.
Idaho Falls, ID 83401

RE: Application No.'s 13-7466, 29-7870, 29-7871, 29-7872,
29-7873, 34-7518, 34-7519, 35-8823, 35-8824, & 35-8827

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your applications. Please refer to the application number above in all further correspondence.

This office is currently in the process of advertising the application in the local papers. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before final action is taken. If the protest is not resolved by the involved parties this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our state office in about five weeks. Department personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When final processing of the application is complete, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

Harold W. Jones
Water Rights Supervisor

HWJ/rb

07-Dec-1989

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

RE: Application for Permit No. 13-7465 & 13-7465

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application. The legal notice was to have been published in your paper on November 2 & 9, 1989.

Your cooperation in this matter is greatly appreciated.

Sincerely,

Rita Bodell
Office Secretary

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 327-7900
January 18, 1990

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE, ID 83706

PERMIT APPROVAL NOTICE

RE: PERMIT NO. P13-07466

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

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. Also enclosed for your convenience is a form entitled "Proof of Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

Form 217
08/89

For Office Use Only
Amt. of Fee \$ _____
Date _____
Receipt No. _____
Received by _____

RECEIVED
MAR 15 1990

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

RECEIVED
MAR 8 - 1990

Department of Water Resources **PROOF OF BENEFICIAL USE** MAR 8 - 1990

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. 13-07466 (Jim's Draw) Telephone No. (208) 529-1020

Name(s) of Permit Holder(s): USDI Bureau of Land Management

Post Office Address: Idaho State Office, 3380 Americana Terrace, Boise, id 83706

Source of Water: Unnamed Spring

If ground water, well driller's name: _____ Date drilled: _____

Extent of Use:
Domestic _____ (No. of households) Irrigation _____ (No. of acres)
Stockwater 100 Range (No. and type of stock) Other 20 Deer, Grouse
Cattle

Total rate and/or volume for which proof is submitted .03 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: 8/1/89

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

Measuring device: Required? Yes x No Installed? Yes No

OR

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

Fee Enclosed: \$ _____ (See License Examination Fee Schedule)

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

Dan Kotansky BLM (208) 529-1020

Name Telephone No.

940 Lincoln Rd. Idaho Falls, Idaho 83401

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.

3/7/90
Date

Gary R. Bass Acting District Mgr.
Signature (and title if on behalf of a company or organization)

April 18, 1990

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE, ID 83706

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 13-07466

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 13-07466

Priority: August 31, 1989

Maximum Diversion Rate:

0.03 CFS

Maximum Diversion Volume:

0.6 AF

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

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated August 31, 1989; and
has submitted Proof of Beneficial Use on March 8, 1990. An examination indicates
that the works have a diversion capacity of 0.030 cfs of water from:

SPRING

tributary to SINKS

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>
STOCKWATER	05/16 to 09/30	0.02 CFS	0.5 AF
WILDLIFE	01/01 to 12/31	0.01 CFS	0.1 AF
	Totals	0.03 CFS	0.6 AF

LOCATION OF POINT(S) OF DIVERSION:

SWSWNW, Sec. 28, Township 12S, Range 40E
FRANKLIN County

PLACE OF USE: STOCKWATER

TWN RGE SEC

12S 40E 28

SWNW

PLACE OF USE:

WILDLIFE, same as STOCKWATER use

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 which 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.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

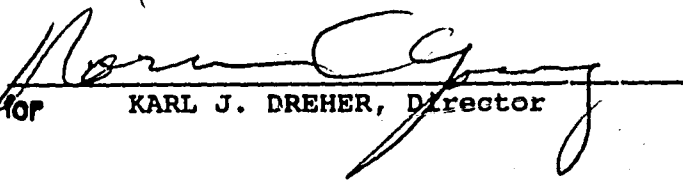
WATER RIGHT NO. 13-07466

CONDITIONS OF APPROVAL AND REMARKS

5. This right, when considered with all other rights common to the same grazing allotment, shall be limited to the quantity of water beneficially used by the number of stock within the allotment.

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 14TH day of FEBRUARY, 1996.

Acting for


KARL J. DREHER, Director



Phone: (208) 524-7500

EXAM DATE: 9-26-95

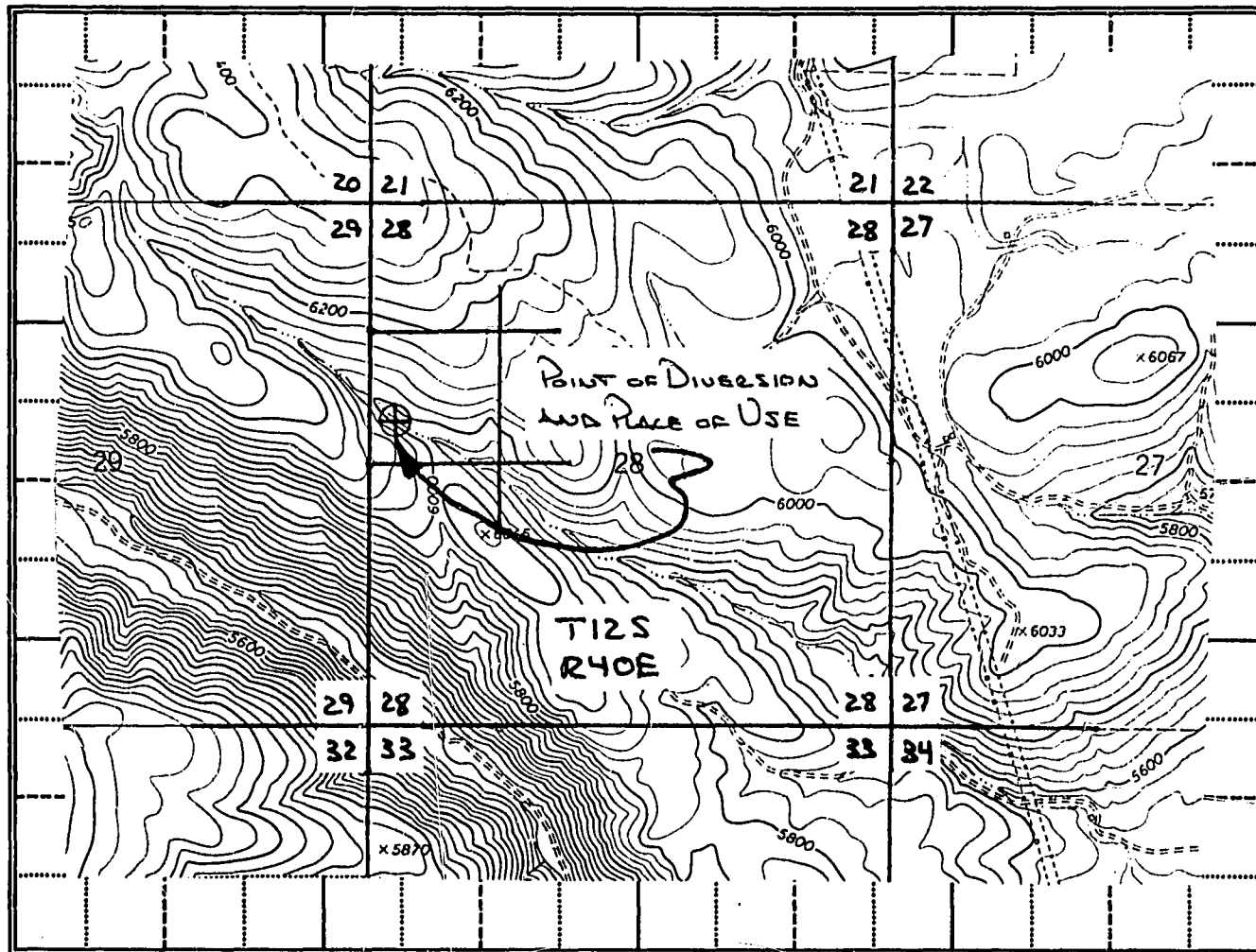
Relationship to Permit Holder: ECOLOGIST

2. Other water rights with the same point of diversion: —

Indicate Method of Determination *Same*

[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

*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

COLLECTION BOX WITH SHORT PIPELINE TO STOCKWATER TROUGH TO
SERVE UP TO 100 RANGE CATTLE PLUS VARIED WILDLIFE SPECIES

Jim's Draw Spring, JDR # 3060

No overlap with 13-02320

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

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

AS PER IDWR STD, CFS FOR 100 RANGE CATTLE = 0.02 CFS

DE MINIMUS WILDLIFE USE = 0.01 CFS

COMBINED AMOUNT = 0.02 CFS + 0.01 CFS = 0.03 CFS

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

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

$V = \text{Smaller of } V_{IR} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

IDWR STD FOR 100 RANGE CATTLE = 1.3 AFA * $\frac{138 \text{ DAYS/YR}}{365} = 0.49 = 0.5 \text{ AFA}$

DE MINIMUS VOL FOR WILDLIFE = 0.1 AFA

TOTAL = 0.5 AFA + 0.1 AFA = 0.6 AFA

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion	Annual Volume
	From	To	Q (cfs)	V (afa)
Stockwater	5-16	9-30	0.02	0.5
Wildlife	1-1	12-31	0.01	0.1
Totals:			0.03	0.6

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 Paul Meyer Date 12-13-95

Reviewer _____ Date _____

SEAL

MEMORANDUM

DATE: February 7, 1996
TO: File No. 13-07466
FROM: Cindy Zimmerman *CZ*
SUBJECT: Telephone Conversation

=====

I talked today with Paul Meyer regarding several BLM stockwater field exams he did in September 1995 and sent to the state office in January 1996. These exams contained a short narrative of the system but no notes on the nature and date of the records used to verify beneficial use as required in Permit Processing Memo No. 8 dated 11/7/95.

Paul stated that he did not personally witness the diversion or any "as built's" of the systems. Paul had contacted Deena Teal, an ecologist with BLM, and gave her a listing of the permits. Ms. Teal field verified each site for Paul and the SRBA claims.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

February 15, 1996

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

RE: WATER RIGHT NO. 13-07466/29-07877/29-07878/29-07879/
29-08071/35-08644/35-08646/35-08650

Dear Water Right Holder(s):

Enclosed are copies of the Water Right Licenses issued on the above referenced permits. If you have any questions, please contact me within 10 days of receipt of these licenses.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure