

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 137481

To appropriate the public waters of the State of Idaho

1. Name of applicant Twin Lakes Canal Company Phone 852-3475
Post office address P.O. Box 187, Preston, Idaho 83263
2. Source of water supply Deep Creek which is a tributary of Bear River
3. Location of point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of NE $\frac{1}{4}$, Govt. Lot _____
Sec. 26 Township 14 S Range 38 E B.M. Franklin County; additional
points of diversion if any: Diverted near intersection of South siphon with Deep Creek
4. Water will be used for the following purposes:
Diversion to
Amount 10 CFS for Storage purposes from Oct. 1 to Apr. 20³⁰ (both dates inclusive)
(cfs or acre-feet per annum) Irrigation
Amount 4040 for Storage for purposes from Oct. 1 to Apr. 20³⁰ (both dates inclusive)
(acre-feet per annum) Storage
Amount 4040 for Irrigation from purposes from May 1 to Sept. 30 (both dates inclusive)
(acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(acre-feet per annum)
5. Total quantity to be appropriated is (a) 10 and/or (b) 4040
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. The water will be pumped from
Deep Creek into a pipe that will carry it into the South dam of
Twin Lakes.
 - b. Height of storage dam 22^{*}/30 feet; active reservoir capacity 14000^{*} acre-feet; total
reservoir capacity 14000^{*} acre-feet; period of year when water will be diverted to storage:
10/1^{*} to 4/30^{*} inclusive.
 - c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
 - d. Is ground water with a temperature of greater than 90°F being sought? No
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
18 Months years (minimum 1 year).

* Changes as per telecon w/ Michael Kunz 12 Feb 1991 - Kcw

8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. _____
- e. Other; describe fully. _____

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
			See Attached land list for acreage																

Total number of acres to be irrigated 33,920

10. Describe any other water rights used for the same purposes as described above. Decree on waters of Mink Creek dating back to April 1, 1901, Ammended Oct. 11, 1920 (Water Dist 13N)

11. a. Who owns the property at the point of diversion? Twin Lakes Canal Company
- b. Who owns the land to be irrigated or place of use? Stockholders of Twin Lakes Canal Co.
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

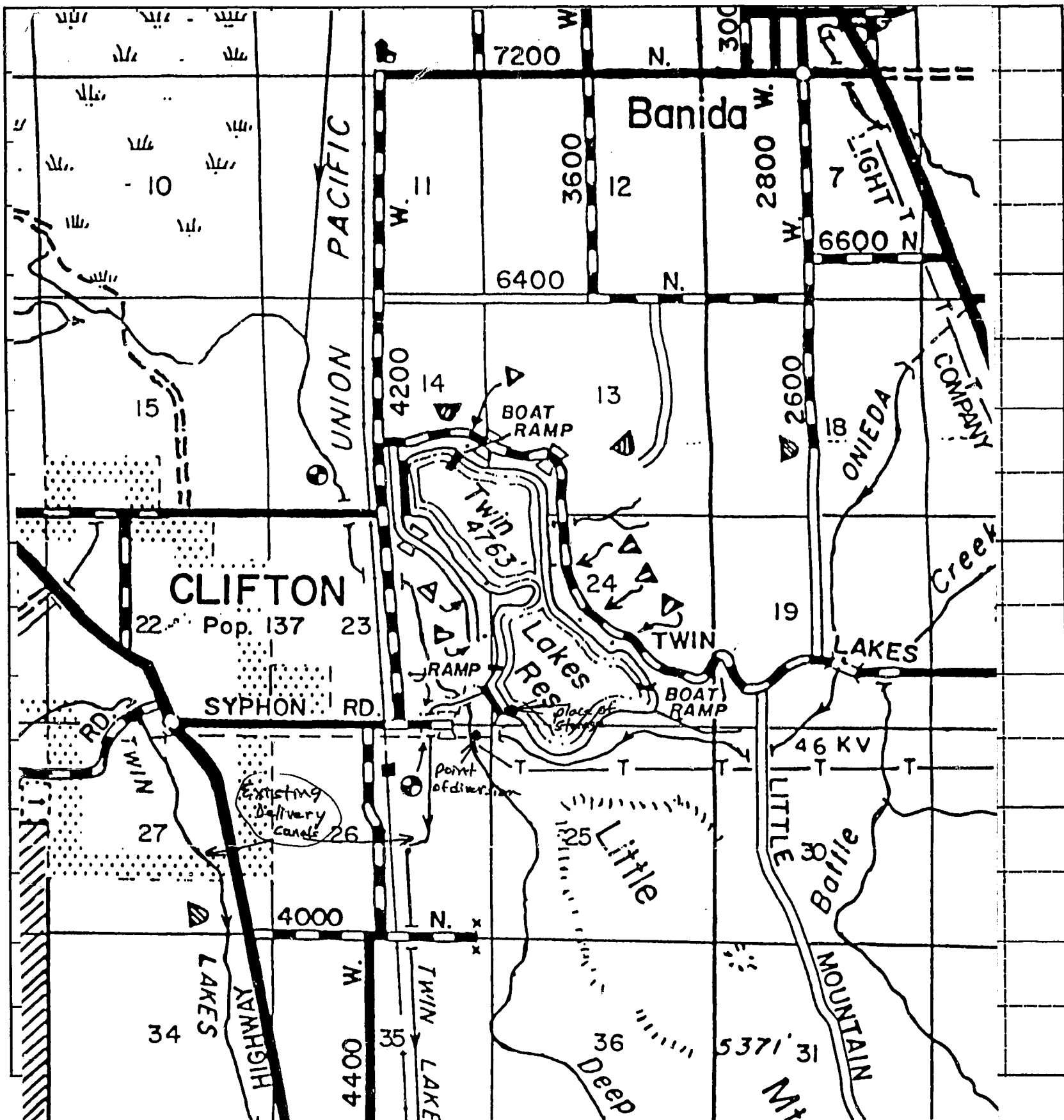
12. Remarks: The water would be stored in the off-season into Twin Lakes, then be used along with our other rights to provide water to 200 stockholders watering ^{33,920*} 16,000 acres of land.

Company Officer List : President LaVern Talbot

Vice Pres Bruce Naylor

Secretary: Michael Kunz

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



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.

Laver Tolbot

President (Applicant)
of Twin Lakes Canal Company

Received by OW Date 12-6-90 Time 12:45 Preliminary check by RCW
Fee \$ 225⁰⁰ 129⁰⁰ Receipted by HWT # EO15515 Date 12-6-90
Publication prepared by LB Date 3-7-91 Published in Preston Citizen
Publication approved OW Date 4-26-91

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. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other:

Twin Lakes Canal Company - Page 1

LAND LIST ATTACHMENT

Description and location of place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
14S	38E	14					40	40	40	40	40	40	40	40					320
14	38	15	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	22	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	23	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	25	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	26	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	27	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	34	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	35	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	36	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
15S	38E	1	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	2	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	3	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	10	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	11	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	12	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	13	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	14	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	15	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	22	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	23	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	24	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	25	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	26	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	27	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	34	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	35	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	36	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
16S	38E	1	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	2	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640

Total number of acres irrigated 18,880 this year

Twin Lakes Canal - Page 2

LAND LIST ATTACHMENT

Description and location of place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
16 S	38 E	3	40	40	40	40									40	40	40	40	320
"	"	10	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	11	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	12	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	13	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	14	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	15	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	23	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	24	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	25	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	26	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
15 S	39 E	7	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	18	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	19	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	29	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	30	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	31	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	32	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
16 S	39 E	5	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	6	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	7	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	18	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	19	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	30	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640

Total number of acres irrigated 15,040 this page

Total 33,920.

RECEIVED

875

APR 01 1991 NO 3360

AFFIDAVIT OF PUBLICATION

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

3/7, 1991, and ending

with the issue of 3/14, 1991

Fee \$ 70.52

Subscribed and sworn to before me this 14 day

of March, 1991

Kelly Mickelson

Notary Public, Residing at Preston, Idaho

My Commission Expires Aug 14, 1995

NOTICE OF APPLICATION FOR A WATER RIGHT

The Following application has been filed to appropriate the public waters of the State of Idaho:

13-07481

TWIN LAKES CANAL CO.

P.O. BOX 187

PRESTON, ID 83263

Source: DEEP CREEK Tributary:

BEAR RIVER

Diversion Pt: NENENE Sec 26 T

14S R 38E

Use: IRRIGATION STORAGE

(4040.00 AF) IRRIGATION FROM

STORAGE (4040.00 AF) DIVERSION

TO STORAGE (10.00 CFS) Total Di-

version (10.00 CFS) (4040.00 AF)

Date Filed: 11-14-90

In: T14S R 38E S14 W1/2, S15, S22,

S23, S25, S26, S27, S34, S35, S36;

T15S R38E S1, S2, S3, S10, S11,

S12, S13, S14, S15, S22, S23, S24, S25,

S26, S27, S34, S35, S36;

T16S R38E S1, S2, S3 E1/2, S10,

S11, S12, S13, S14, S15, S23, S24, S25,

S26;

T15S R39E S7, S18, S19, S29, S30,

S31, S32;

T16S R39E S5, S6, S7, S18, S19,

S30

33,920 ACRES TOTAL

The permit 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 MARCH 25, 1991.

R. KEITH HIGGINSON,

Director

Legal No. 3360, Publish March 7, 14, 1991.

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 13-07481

Proposed Priority: December 6, 1990 Maximum Diversion Rate: 10.00 CFS

This is to certify, that TWIN LAKES CANAL CO
PO BOX 187
PRESTON ID 83263

has applied for a permit to appropriate water from:

DEEP CREEK tributary of BEAR RIVER

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

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
IRRIGATION STORAGE	10/01 to 04/30		4040.0 AF
IRRIGATION FROM STORAGE	05/01 to 09/30		4040.0 AF
DIVERSION TO STORAGE	10/01 to 04/30	10.00 CFS	
Totals		10.00 CFS	

LOCATION OF POINT(S) OF DIVERSION: NENENE Sec. 26, Township 14S, Range 38E
FRANKLIN County

PLACE OF USE: IRRIGATION FROM STORAGE									
TWN	RGE	SEC	ACRES	ACRES	ACRES	ACRES	TOTAL		
14S	38E	14	NENW 40	NWNW 40	SWNW 40				
			SESW 40	SESW 40	NWSW 40				
			SWSW 40	SESW 40					
			NENE 40	NWNE 40	SWNE 40				
	15		SENE 40	NENW 40	NWNW 40				
			SWNW 40	SESW 40	NESW 40				
			NWSW 40	SWSW 40	SESW 40				
			NESE 40	NWSE 40	SWSE 40				
	22		SESE 40						
			NENE 40	NWNE 40	SWNE 40				
			SENE 40	NENW 40	NWNW 40				
			SWNW 40	SESW 40	NESW 40				
			NWSW 40	SWSW 40	SESW 40				
			NESE 40	NWSE 40	SWSE 40				
			SESE 40						
			NENE 40	NWNE 40	SWNE 40				
	23		SENE 40	NENW 40	NWNW 40				
			SWNW 40	SESW 40	NESW 40				
			NWSW 40	SWSW 40	SESW 40				
			NESE 40	NWSE 40	SWSE 40				
			SESE 40						
			NENE 40	NWNE 40	SWNE 40				
			SENE 40	NENW 40	NWNW 40				
			SWNW 40	SESW 40	NESW 40				
	25		NWSW 40	SWSW 40	SESW 40				
			NESE 40	NWSE 40	SWSE 40				
			SESE 40						
			NENE 40	NWNE 40	SWNE 40				

Permit To Appropriate Water

NO. 13-07481

PLACE OF USE: IRRIGATION FROM STORAGE

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>		<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
26			SESE	40			640
			NENE	40			
			SENE	40			
			SWNW	40			
			NWSW	40			
			NESE	40			
27			SESE	40			640
			NENE	40			
			SENE	40			
			SWNW	40			
			NWSW	40			
			NESE	40			
34			SESE	40			640
			NENE	40			
			SENE	40			
			SWNW	40			
			NWSW	40			
			NESE	40			
35			SESE	40			640
			NENE	40			
			SENE	40			
			SWNW	40			
			NWSW	40			
			NESE	40			
36			SESE	40			640
			NENE	40			
			SENE	40			
			SWNW	40			
			NWSW	40			
			NESE	40			
15S 38E 1			SESE	40			640
			NENE	40			
			SENE	40			
			SWNW	40			
			NWSW	40			
			NESE	40			
2			SESE	40			640
			NENE	40			
			SENE	40			
			SWNW	40			
			NWSW	40			
			NESE	40			
3			SESE	40			640
			NENE	40			
			SENE	40			
			SWNW	40			

Permit To Appropriate Water

NO. 13-07481

<u>PLACE OF USE:</u>		IRRIGATION FROM STORAGE					
<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>		<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
			NWSW 40		SWSW 40	SESW 40	
			NESE 40		NWSE 40	SWSE 40	
			SESE 40				640
10			NENE 40		NWNE 40	SWNE 40	
			SENE 40		NENW 40	NWNW 40	
			SWNW 40		SENW 40	NESW 40	
			NWSW 40		SWSW 40	SESW 40	
			NESE 40		NWSE 40	SWSE 40	
			SESE 40				640
11			NENE 40		NWNE 40	SWNE 40	
			SENE 40		NENW 40	NWNW 40	
			SWNW 40		SENW 40	NESW 40	
			NWSW 40		SWSW 40	SESW 40	
			NESE 40		NWSE 40	SWSE 40	
			SESE 40				640
12			NENE 40		NWNE 40	SWNE 40	
			SENE 40		NENW 40	NWNW 40	
			SWNW 40		SENW 40	NESW 40	
			NWSW 40		SWSW 40	SESW 40	
			NESE 40		NWSE 40	SWSE 40	
			SESE 40				640
13			NENE 40		NWNE 40	SWNE 40	
			SENE 40		NENW 40	NWNW 40	
			SWNW 40		SENW 40	NESW 40	
			NWSW 40		SWSW 40	SESW 40	
			NESE 40		NWSE 40	SWSE 40	
			SESE 40				640
14			NENE 40		NWNE 40	SWNE 40	
			SENE 40		NENW 40	NWNW 40	
			SWNW 40		SENW 40	NESW 40	
			NWSW 40		SWSW 40	SESW 40	
			NESE 40		NWSE 40	SWSE 40	
			SESE 40				640
15			NENE 40		NWNE 40	SWNE 40	
			SENE 40		NENW 40	NWNW 40	
			SWNW 40		SENW 40	NESW 40	
			NWSW 40		SWSW 40	SESW 40	
			NESE 40		NWSE 40	SWSE 40	
			SESE 40				640
22			NENE 40		NWNE 40	SWNE 40	
			SENE 40		NENW 40	NWNW 40	
			SWNW 40		SENW 40	NESW 40	
			NWSW 40		SWSW 40	SESW 40	
			NESE 40		NWSE 40	SWSE 40	
			SESE 40				640
23			NENE 40		NWNE 40	SWNE 40	

Permit To Appropriate Water

NO. 13-07481

<u>PLACE OF USE:</u>			IRRIGATION FROM STORAGE			<u>TOTAL</u>
<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	
24			SENE 40	NENW 40	NWNW 40	640
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			
			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
25			SESE 40			640
			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			
			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
26			NWSW 40	SWSW 40	SESW 40	640
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			
			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			
			NENE 40	NWNE 40	SWNE 40	
27			SENE 40	NENW 40	NWNW 40	640
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			
			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
34			SESE 40			640
			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			
			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
35			NWSW 40	SWSW 40	SESW 40	640
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			
			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			
			NENE 40	NWNE 40	SWNE 40	
36			SENE 40	NENW 40	NWNW 40	640
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			
			NENE 40	NWNE 40	SWNE 40	

Permit To Appropriate Water

NO. 13-07481

<u>PLACE OF USE:</u>		<u>IRRIGATION FROM STORAGE</u>							
<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>		<u>ACRES</u>		<u>ACRES</u>		<u>TOTAL</u>
39E	7		SESE	40			SWNE	40	640
			NENE	40			NWNW	40	
			SENE	40			NESW	40	
			SWNW	40			SESW	40	
			NWSW	40			SWSE	40	
			NESE	40					
	18		SESE	40			SWNE	40	640
			NENE	40			NWNW	40	
			SENE	40			NESW	40	
			SWNW	40			SESW	40	
			NWSW	40			SWSE	40	
			NESE	40					
	19		SESE	40			SWNE	40	640
			NENE	40			NWNW	40	
			SENE	40			NESW	40	
			SWNW	40			SESW	40	
			NWSW	40			SWSE	40	
			NESE	40					
	29		SESE	40			SWNE	40	640
			NENE	40			NWNW	40	
			SENE	40			NESW	40	
			SWNW	40			SESW	40	
			NWSW	40			SWSE	40	
			NESE	40					
	30		SESE	40			SWNE	40	640
			NENE	40			NWNW	40	
			SENE	40			NESW	40	
			SWNW	40			SESW	40	
			NWSW	40			SWSE	40	
			NESE	40					
	31		SESE	40			SWNE	40	640
			NENE	40			NWNW	40	
			SENE	40			NESW	40	
			SWNW	40			SESW	40	
			NWSW	40			SWSE	40	
			NESE	40					
	32		SESE	40			SWNE	40	640
			NENE	40			NWNW	40	
			SENE	40			NESW	40	
			SWNW	40			SESW	40	
			NWSW	40			SWSE	40	
			NESE	40					
16S 38E	1		SESE	40			SWNE	40	640
			NENE	40			NWNW	40	
			SENE	40			NESW	40	
			SWNW	40					

Permit To Appropriate Water

NO. 13-07481

<u>PLACE OF USE:</u>		IRRIGATION FROM STORAGE				
<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
2			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
3			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NESE 40	NWSE 40	
			SWSE 40	SESE 40		320
10			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
11			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
12			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
13			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
14			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
15			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	

Permit To Appropriate Water

NO. 13--07481

<u>PLACE OF USE:</u>			<u>IRRIGATION FROM STORAGE</u>							
<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>		<u>ACRES</u>		<u>ACRES</u>		<u>TOTAL</u>	
			NESE	40	NWSE	40	SWSE	40		
			SESE	40					640	
		23	NENE	40	NWNE	40	SWNE	40		
			SENE	40	NENW	40	NWNW	40		
			SWNW	40	SENE	40	NESW	40		
			NWSW	40	SWSW	40	SESW	40		
			NESE	40	NWSE	40	SWSE	40		
			SESE	40					640	
		24	NENE	40	NWNE	40	SWNE	40		
			SENE	40	NENW	40	NWNW	40		
			SWNW	40	SENE	40	NESW	40		
			NWSW	40	SWSW	40	SESW	40		
			NESE	40	NWSE	40	SWSE	40		
			SESE	40					640	
		25	NENE	40	NWNE	40	SWNE	40		
			SENE	40	NENW	40	NWNW	40		
			SWNW	40	SENE	40	NESW	40		
			NWSW	40	SWSW	40	SESW	40		
			NESE	40	NWSE	40	SWSE	40		
			SESE	40					640	
		26	NENE	40	NWNE	40	SWNE	40		
			SENE	40	NENW	40	NWNW	40		
			SWNW	40	SENE	40	NESW	40		
			NWSW	40	SWSW	40	SESW	40		
			NESE	40	NWSE	40	SWSE	40		
			SESE	40					640	
39E	5		NENE	40	NWNE	40	SWNE	40		
			SENE	40	NENW	40	NWNW	40		
			SWNW	40	SENE	40	NESW	40		
			NWSW	40	SWSW	40	SESW	40		
			NESE	40	NWSE	40	SWSE	40		
			SESE	40					640	
		6	NENE	40	NWNE	40	SWNE	40		
			SENE	40	NENW	40	NWNW	40		
			SWNW	40	SENE	40	NESW	40		
			NWSW	40	SWSW	40	SESW	40		
			NESE	40	NWSE	40	SWSE	40		
			SESE	40					640	
		7	NENE	40	NWNE	40	SWNE	40		
			SENE	40	NENW	40	NWNW	40		
			SWNW	40	SENE	40	NESW	40		
			NWSW	40	SWSW	40	SESW	40		
			NESE	40	NWSE	40	SWSE	40		
			SESE	40					640	
		18	NENE	40	NWNE	40	SWNE	40		
			SENE	40	NENW	40	NWNW	40		

Permit To Appropriate Water

NO. 13-07481

PLACE OF USE: IRRIGATION FROM STORAGE

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
19			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
30			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640

Total number of acres irrigated: 33920

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **November 1, 1993**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Use of water under this right is subject to control by the watermaster of State Water District No. 13L.
5. Permanent measuring devices must be installed in such a manner that the amount of water entering the reservoir and the amount of water released from the reservoir can be measured.
6. The storage of water under this right is contingent upon the certification of the dam and authorization of storage per the dam safety provisions of the Idaho Code.
7. The issuance of this permit in no way grants any right-of-way or easement across the land of another.
8. The diversion of water from Deep Creek is under the jurisdiction of Water District 11, Bear River, Watermaster.

PAGE 9

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 13-07481

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

25th day of October, 1991.

for J. Glen Santor
R. Keith Higginson, Director

15 January 1991

Twin Lakes Canal Company
P.O. Box 187
Preston, Idaho 83263

RE: Application for Permit

Dear Sir:

Enclosed is a copy of the application for permit that was submitted to this office. The following items need additional information:

Item #4 - Diversion to storage and Storage for irrigation end on April 20 of each year. Why not divert and store water until April 30, since Irrigation from storage does not start until the first of May?

Item #6b - Needs the description of the storage facility.

Item #9 & Item #12 - Do not agree on the number of acres irrigated. Item #9 indicates 33,920 acres and Item #12 has 16,000 acres. Which is correct?

Because of the nature of this application this office also needs to be informed if any modifications are to be made to the storage facility.

Please review the enclosed copy of the application especially the items referred to above. After you have reviewed the application contact this office on or before 13 February 1991, so that any necessary changes can be made and processing can begin.

Your prompt response will be appreciated.

Sincerely,

Keith C. Wilson
Senior Resource Agent

FROM: KEITH C. WILSON

13 FEBRUARY 1991

TO: FILE APP. FOR PERMIT TWIN LAKES CANAL CO.

SUBJECT: OVERLAPPING RIGHTS PLACE OF USE

11-0247	- SPRINGS	11-0280	- BEAR RIGER
11-0836B	- MINK CREEK	11-0841	- MINK CREEK
11-0863	- BATTLE CREEK	11-0864	- HAW BUSH SPRING, TANK SPRING, SPRINGS
11-0882	- DAVIS & MICHAEL CK.	11-0883	- FIVE MILE CREEK
11-0884	- FIVE MILE CREEK	11-0885	- SPERRY HOLLOW
11-0886	- N. CANYON HOLLOW	11-0887B	- DEEP CREEK
11-0888	- DEEP CREEK	11-0890	- WESTON CREEK
11-0891	- WESTON CREEK		
13-0137	- G.W.	13-0148	- CLIFTON CREEK
13-0149	- CLIFTON CREEK	13-0150	- CLIFTON CREEK
13-2026	- UNNAMED STREAM	13-2224	- G.W.
13-2058	- UNNAMED STREAM	13-2234	- G.W.
13-2097	- THERRAL CAMPBELL SP.	13-2235	- G.W.
13-2113	- WESTON SLOUGH	13-2238	- G.W.
13-2124	- G.W.	13-2243	- G.W.
13-2125	- G.W.	13-2248	- G.W.
13-2145	- WESTON VILLAGE DRAIN UNNAMED STREAM	13-2249	- G.W.
13-2154	- WESTON DAYTON SLOUGH	13-2251	- UNNAMED STREAM
13-2159	- ATKINSON CREEK	13-2254	- G.W.
13-2162	- FIVE MILE CREEK	13-2256	- G.W.
13-2164	- UNNAMED STREAM	13-2264	- DEEP CREEK
13-2166	- UNNAMED STREAM	13-2289	- MINK CREEK
		13-2292	- DAYTON WESTON SLOUGH
13-2168	- FIVE MILE CREEK	13-2295	- UNNAMED STREAM
13-2170	- UNNAMED STREAM	13-2299	- UNNAMED STREAM
13-2171	- G.W.	13-7009	- G.W.
13-2173	- SPRINGS UNNAMED DRAIN	13-7033	- DEEP CREEK
13-2192	- UNNAMED STREAM	13-7048	- BEAR RIVER
13-2193	- SPRING	13-7077	- SPRINGS
13-2195A/B-	G.W.	13-7085	- FIVE MILE CREEK
13-2201	- G.W.	13-7091	- UNNAMED DRAIN
13-2204	- FIVE MILE CREEK	13-7103	- G.W.
13-2206	- UNNAMED DRAIN	13-7105	- PONDS
13-2207	- SPRINGS	13-7108	- SPRING
13-2209	- G.W.	13-7110	- UNNAMED DRAIN
13-2212	- G.W.	13-7128	- G.W.
13-2214	- G.W.	13-7132	- UNNAMED STREAM
13-2215	- G.W.	13-7140	- SPRINGS
13-2216	- G.W.	13-7148	- G.W.
		13-7151	- ATKINSON STEADMAN SPRING
13-2217	- G.W.	13-7349	- G.W.
13-2220	- G.W.		
13-2223	- G.W.		

SD-33	LAST NAME: TWIN					STATE	
S	FIRST	O	W	WATER	PRIORITY	TOTAL	USE
E	NAME	N	N	RIGHT NO.	DATE	DIVERSION	CODE
L					SOURCE		DESC
	TWIN LAKES CANAL CO.						
		C		11-00836B	05/01/1882	MINK CREEK	4.000
							01 IRR
							01 IRR
							01 IRR
		C		11-00841	04/01/1901	MINK CREEK	300.000
							01 IRR
							55 DIV S

(ENTER=CONTINUE)

(GOLD 7=THIS QUERY)

(MENU _____)

SD-33	LAST NAME: TWIN					STATE	
S	FIRST	O	W	WATER	PRIORITY	TOTAL	USE
E	NAME	N	N	RIGHT NO.	DATE	DIVERSION	CODE
L					SOURCE		DESC
	TWIN LAKES CANAL CO.						
		C		13-02289	08/19/1940	MINK CREEK	2300.000
							02 IRR S
							03 IRR FS
		C		13-02296	03/25/1956	MINK CREEK	5.560
							01 IRR
		C		13-07415	00/00/0000		0.000
		C		13-07459	01/25/1989	GROUNDWATER	5.000
							01 IRR
							02 IRR S
							03 IRR FS
							55 DIV S

(ENTER=CONTINUE)

(GOLD 7=THIS QUERY)

(MENU _____)

SD-80

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS POINT OF DIVERSION QUERY

DATE: 02/14/91
TIME: 08:31:01

STATE

TOWNSHIP: 14S

RANGE : 38E

SECTION : 26

TRACT : NE

LOT : —

NO RECORDS FOUND...ENTER MENU OPTION AND/OR PRESS ENTER TO CONTINUE
(ENTER=RUN)

(MENU _____)

NOTICE OF APPLICATION FOR A WATER RIGHT

The Following application has been filed to appropriate the
public waters of the State of Idaho:
13-07481

TWIN LAKES CANAL CO.
P.O. BOX 187
PRESTON, ID 83263

Source: DEEP CREEK Tributary: BEAR RIVER

Diversion Pt: NENENE Sec 26 T 14S R 38E

Use: IRRIGATION STORAGE (4040.00 AF)
IRRIGATION FROM STORAGE (4040.00 AF)
DIVERSION TO STORAGE (10.00 CFS)

Total Diversion(10.00 CFS)
(4040.00 AF)

Date Filed: 11-14-90

In: T14S R38E S14 W1/2, S15, S22, S23, S25, S26, S27, S34,
S35, S36;

T15S R38E S1, S2, S3, S10, S11, S12, S13, S14, S15, S22,
S23, S24, S25, S26, S27, S34, S35, S36;

T16S R38E S1, S2, S3 E1/2, S10, S11, S12, S13, S14, S15,
S23, S24, S25, S26;

T15S R39E S7, S18, S19, S29, S30, S31, S32;

T16S R39E S5, S6, S7, S18, S19, S30

33,920 ACRES TOTAL

The permit 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 MARCH 25, 1991.

R. KEITH HIGGINSON, Director

Published 3/7/1991 & 3/14/1991

DK

26-Feb-1991

THE PRESTON CITIZEN
PO BOX 472
PRESTON ID 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. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before March 25, 1991.

Yours truly,

Rita Bodell
Secretary/Office Coordinator

Encl.

27-Feb-1991

TWIN LAKES CANAL CO
PO BOX 187
PRESTON ID 83263

RE: Application No. 13-07481

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in Preston Citizen on March 7 & 14, 1991. 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 the application is approved or denied. If the protest is not resolved voluntarily, 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. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, 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

27-Feb-1991

JIM MENDE
DEPT OF FISH & GAME
1345 BARTON RD
POCATELLO ID 83204

RE: Application NO. 13-07481

Dear Sir:

We are enclosing a copy of the applications that may be of interest to your department. Please review the applications and submit any comments you may have to our Department as soon as possible. The last date of protest is March 25, 1991, and we are required to take final action shortly thereafter.

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

Respectfully submitted,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb
enc.

This topographic map depicts the area around Clifton, New Mexico, with a focus on the proposed Twin Lakes Reservoir. The city of Clifton, with a population of 137, is situated to the west of the reservoir. The Union Pacific Railroad runs north-south through the center of the map. Highway 15 is shown to the west, and Highway 27 runs east-west through the city. The proposed reservoir, labeled 'TWIN LAKES Res.', is located on the eastern side of the city, with a dam and two boat ramps. The map includes a grid with elevations and section numbers (12, 13, 14, 15, 18, 19, 22, 23, 24, 25, 26, 27, 31, 34, 35, 36). The proposed reservoir is labeled 'TWIN LAKES Res.' with a maximum depth of 47.63 feet. The map also shows the Little Mountain, Little Deep, and the ONIEDA Creek. The proposed reservoir is labeled 'TWIN LAKES Res.' with a maximum depth of 47.63 feet. The map includes a grid with elevations and section numbers (12, 13, 14, 15, 18, 19, 22, 23, 24, 25, 26, 27, 31, 34, 35, 36).

T. J. Tello
(Applicant)
President
of Twin Lakes Canal Company



mittee, has gone into its second printing and is available for \$15.75, according to Gloria Kent.

The book features stories from the Arimo area and was compiled by Mrs. Kent, Kathryn Paine and Persis Thomas. Mrs. Kent and Mrs. Thomas are handling sales of the book.

The first printing consisted of 400 copies which were printed by Mike Boyce, McCammon.

The books can be mailed to friends and family members at a cost of \$1.48 above purchase price for book rate, and \$2.90 for first class, Mrs. Kent said, plus the envelope cost.

IN GERMANY

Army Spec. David L. Jensen, a cannon crewman has arrived for duty in Baumholder, Germany.

He is the son of M. David and Anita L. Jensen of Preston.

The specialist is a 1981 graduate of Preston High School.



OCTAGON HOUSE is often visited by deer in this arm of the Bear River during winter months. View is upstream from Riverdale and can be seen from the old road that leads from the Highway 34-36 "ramp" above the river valley. -- John Sant Photo

-Public Notices-

NOTICE OF APPLICATION FOR A WATER RIGHT

The Following application has been filed to appropriate the public waters of the State of Idaho:

13-07481
TWIN LAKES CANAL CO.
P.O. BOX 187
PRESTON, ID 83263

Source: DEEP CREEK Tributary:
BEAR RIVER
Diversion Pt: NENENE Sec 26 T
14S R 38E

Use: IRRIGATION STORAGE
(4040.00 AF) IRRIGATION FROM
STORAGE (4040.00 AF) DIVERSION
TO STORAGE (10.00 CFS) Total Di-
version (10.00 CFS) (4040.00 AF)
Date Filed: 11-14-90
In: T14S R 38E S14 W1/2, S15, S22,

S23, S25, S26, S27, S34, S35, S36;
T15S R38E S1, S2, S3, S10, S11,
S12, S13, S14, S15, S22, S23, S24, S25,
S26, S27, S34, S35, S36;
T16S R38E S1, S2, S3 E1/2, S10,
S11, S12, S13, S14, S15, S23, S24, S25,
S26;
T15S R39E S7, S18, S19, S29, S30,
S31, S32;
T16S R39E S5, S6, S7, S18, S19,
S30

33,920 ACRES TOTAL

The permit will be subject to all pri-
water rights. Protests must be filed wi-
the Director, Dept. of Water Resource
Eastern Region, 150 Shoup Aven-
Suite 15, Idaho Falls, Idaho 83402 on
before MARCH 25, 1991.

R. KEITH HIGGINSON
Direct

Legal No. 3360, Publish March 7, 1
1991.

anted

says

ords of letters sent and re-
mounts paid to creditors. If
ures a judgment against the
se or family member, it's
and invalid and can be set
astleton.
on is sued, they need to send
lers and write a letter to the
g the soldier can't appear
he is on active duty. Further
on is entitled under the Act



Memories of a

March 18, 1991

314 Skyline Drive
Pocatello Id, 84304

Director, Department of Water Resources
Eastern Region
150 Shoup Ave, Suite 15
Idaho falls, Idaho 83402

RECEIVED

MAR 20 1991

Department of Water Resources
Eastern District Office

Dear Director,

I would like to protest the water rights filing #13-07481, by Twin Lake Canal Co, published in the Preston Citizen March 6, 1991.

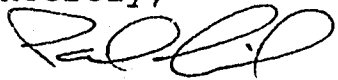
My farm west of Preston uses water from Deep Creek, tributary to Bear River, via the Deep Creek Canal Co., which empties into West Cache Canal. Water is pumped out of the West Cache Canal.

By the Dietrich Decree of 1882, the Deep Creek Canal Co. has a water right of 8 second feet, 24 hours a day, 365 days a year. In addition, West Cache Canal Co. has a water right of 25 c.f.s. out of Deep Creek. In addition, Eldon Bingham has transferred 2.5 c.f.s. from West Cache to Deep Creek to irrigate his farm. This totals 34.5 c.f.s. which should be running in Deep Creek at Bingham's wier.

During most of the year, there is not 34.5 c.f.s. in Deep Creek. Any further upstream diversions from Deep Creek would further decrease the stream's water flow.

I protested an earlier attempt be the Twin Lakes Canal Co. to drill a well near Deep Creek. As I understand it, that protest remains under consideration.

Sincerely,



Paul Link

cc: Eldon Bingham
Dav Frew
J. Taylor Cox
West Cache Canal Co.

RECEIVED

March 20, 1991

MAR 21 1991

Idaho Department Of Water Resources
Eastern Region
150 Shoup Ave. Suite 15
Idaho Falls, Idaho 83402

Department of Water Resources
Eastern District Office

Dear Sirs;

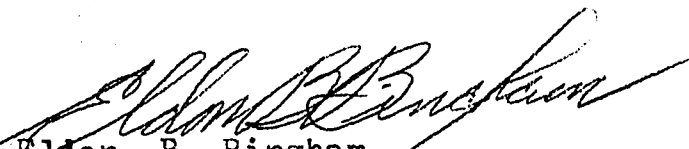
I regret I must protest this application, number 13-07481, by Twin Lakes Canal Co. to appropriate water from Deep Creek, Franklin County, Idaho.

This filing is ambiguous in that it does not limit the diversion to just off season storage.

In high water years, year around diversion would not be a problem, but in short water years Deep Creek does not contain enough water at our point of diversion to satisfy our rights. Not to mention the rights of those who should divert below us.

Also, at the present time there is no program for policing the diversions from the Deep Creek drainage system. This is a definite problem the Department should consider before granting more diversions from this water source.

Very truly yours


Eldon B. Bingham
2679 W 1500 N
Preston, Id 83263

Acting for K. K. Skousen, Owner

NOTICE OF APPLICATION FOR
A WATER RIGHT

The Following application has been
filed to appropriate the public waters of
the State of Idaho:

13-07481

TWIN LAKES CANAL CO.

P.O. BOX 187

PRESTON, ID 83263

Source: DEEP CREEK Tributary

BEAR RIVER

Diversion Pt: NENENE Sec 26 T

14S R 38E

Use: IRRIGATION STORAGE

(4040.00 AF) IRRIGATION FROM

STORAGE (4040.00 AF) DIVERSION

TO STORAGE (10.00 CFS) Total Di-

version (10.00 CFS) (4040.00 AF)

Date Filed: 11-14-90

FE: 344SR 38E S14 W12 S15 S22,

S23, S25, S26, S27, S34, S35, S36;

T15S R38E S1, S2, S3, S10, S11,

S12, S13, S14, S15, S22, S23, S24, S25,

S26, S27, S34, S35, S36;

T16S R38E S1, S2, S3 E1/2, S10,

S11, S12, S13, S14, S15, S23, S24, S25,

S26;

T15S R39E S7, S18, S19, S29, S30,

S31, S32;

T16S R39E S5, S6, S7, S18, S19,

S30

33,920 ACRES TOTAL

The permit 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 MARCH 25, 1991.

R. KEITH HIGGINSON,

Director

Legal No. 3360, Publish March 7/14,

1991

March 28, 1991

RE: Application for Permit No. 13-7481 TWIN LAKES CANAL

Eldon B. Bingham
2679 W 1500 N
Preston, ID 83263

Dear Mr. Bingham:

Your protest against 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.

Unless this office is advised that either the matter has been resolved or there exists extenuating circumstances, our objective is to schedule a conference and/or hearing in the near future to consider the protest. 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 (Sec. 42-203, Idaho Code): the following are the principle items the Department can consider in either approving or denying the application for permit (Sec. 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?
6. That it is contrary to conservation of water resources within the State of Idaho.

Edlon B. Bingham
March 28, 1991
Page 2

The protestant must be prepared to present proof of allegations involving one or more of the six items.

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

Very truly yours,

HAROLD W. JONES
Water Rights Supervisor

HWJ:CW

pc: IDWR - State Office

March 28, 1991

RE: Application for Permit No. 13-7481 TWIN LAKES CANAL

Paul Link
314 Skyline Drive
Pocatello, ID 83204

Dear Mr. Link:

Your protest against 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.

Unless this office is advised that either the matter has been resolved or there exists extenuating circumstances, our objective is to schedule a conference and/or hearing in the near future to consider the protest. 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 (Sec. 42-203, Idaho Code): the following are the principle items the Department can consider in either approving or denying the application for permit (Sec. 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?
6. That it is contrary to conservation of water resources within the State of Idaho.

Paul Link
March 28, 1991
Page 2

The protestant must be prepared to present proof of allegations involving one or more of the six items.

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

Very truly yours,

HAROLD W. JONES
Water Rights Supervisor

HWJ:CW

pc: IDWR - State Office

March 28, 1991

Twin Lakes Canal Company
PO Box 187
Preston, ID 83263

Gentlemen:

Enclosed are copies of protests filed against the issuance of a permit pursuant to application No. 13-7481. The Department suggests you contact the protestants directly in an effort to determine the nature of the protests and to attempt to resolve the protests.

Unless this office is advised that either the matter has been resolved or there exists extenuating circumstances, our objective is to schedule a conference and/or hearing in the near future to consider the protests. At a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for permit (Sec. 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?
6. That it is contrary to conservation of water resources within the State of Idaho.

Twin Lakes Canal Company
March 28, 1991
Page 2

The applicant must be prepared to present evidence and/or testimony addressing each of the six items. Although representation by legal counsel is not mandatory at a proceeding before the Department, you may retain an attorney in your behalf.

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

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ:CW

pc: IDWR - State Office

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

May 3, 1991

RE: Application for Permit No. 13-07481 TWIN LAKES CANAL CO.

Mr. Paul Link
314 Skyline Drive
Pocatello ID 83209

Dear Mr. Link:

This letter acknowledges receipt of the withdrawal of protest against the above referenced application. The Department has now resumed processing of this application.

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

Very truly yours,

HAROLD W. JONES
Water Rights Supervisor

HWJ: CW

RECEIVED

APR 30 1991

April 27, 1991

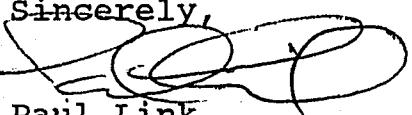
Idaho Department of Water Resources
Idaho Falls, Id

Department of Water Resources
Eastern District Office

Dear Sirs,

I have received information from Twin Lakes Canal Co. pursuant to their application for a permit to divert water from Deep Creek, west of Preston. I had protested this filing several weeks ago. Since they plan to divert water only during the winter season, and not year-around, I wish to withdraw my complaint.

Sincerely,


Paul Link
314 Skyline Dr.
Pocatello Id 83209

cc: Michael Kunz
Twin Lakes Canal Co
P.O. Box 187
Preston Id 83263

Eldon Bingham

RECEIVED

APR 25 1991

Department of Water Resources
Eastern District Office

Mr. Harold Jones
Idaho Dept. of Water Resources
150 Shoup Ave.
Idaho Falls, ID 83402

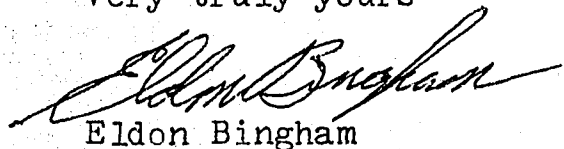
Dear Mr. Jones,

As per our telephone conversation, this letter will withdraw my objection to Twin Lakes Canal Company diverting water by pump from deep creek here in Franklin County; Such diversion to be done only during the NON IRRIGATION SEASON.

Again, as I indicated in our telephone conversation, My concern has to be related to the question of policing. Who is going to keep the system honest? Its like a malignant cancer, spreading out of control. We need some help with this problem.

Thank you for your assistance.

Very truly yours



Eldon Bingham
2679 W 1500 N
Preston, ID 83263

Dated April 23, 1991



State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

May 3, 1991

RE: Application for Permit No. 13-07481 TWIN LAKES CANAL CO.

Mr. Eldon Bingham
2679 W 1500 N
Preston ID 83263

Dear Mr. Bingham:

This letter acknowledges receipt of the withdrawal of protest against the above referenced application. The Department has now resumed processing of this application.

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

Very truly yours,

HAROLD W. JONES
Water Rights Supervisor

HWJ:CW

Letter Protest

RECEIVED

MAR 29 1991

Department of Water Resources
Eastern District Office

March 21, 1991

1207 South, 400 East
Trenton, Utah 84338

Director, Department of Water Resources
Eastern Region
150 Shoup Ave, Suite 15
Idaho Falls, Idaho 83402

Dear Director,

West Cache Irrigation Company would like to protest the water rights filing # 13-07481, by Twin Lake Canal Co, published in the Preston Citizen March 6, 1991.

The demand for water along the Deep Creek already exceeds the natural flow. West Cache Irrigation Company has a 25 c.f.s right on the Deep Creek. The Company uses that water for early irrigation, and to supplement the main canal during the regular season. There are already illegal diversions up stream from the company's diversion point and on tributaries to Deep Creek. Plentiful water during the 1980's made it so the Company did not have to "demand" it's right be protected. That situation will now have to change.

It is frustrating and expensive to maintain a diversion structure and canal only to find the water is being illegally used upstream when it is needed most.

Please be advised that West Cache Irrigation Company expects this current filing to be denied, and that for this irrigation season all junior rights on the Deep Creek be informed that they will be required to shut down if the flow of the Deep Creek is below 25 c.f.s. If priority dates are not enforced, legal action will have to follow.

Respectfully,

Joseph Larsen
West Cache Irrigation Company Board of Directors
Joseph Larsen, President

COPY



State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

May 3, 1991

RE: Application for Permit No. 13-07481
TWIN LAKES CANAL CO.

Joseph Larsen, President
West Cache Irrigation Company
1207 S 400 E
Tremonton, UT 84338

Dear Mr. Larsen:

On May 29, 1991, the Department received your letter in reference to the above captioned application. It is necessary to return your letter as it arrived in this office after the last date of protest and, therefore, cannot be considered as a timely protest.

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

Very truly yours,

HAROLD W. JONES
Water Rights Supervisor

HWJ:CW



State of Idaho
DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

May 3, 1991

RE: Application for Permit No. 13-07481

Twin Lakes Canal Company
PO Box 187
Preston, ID 83263

Gentlemen:

This letter is to advise you that the protests filed by Paul Link and Eldon Bingham against approval of the above referenced application for permit has been withdrawn. The Department is continuing the processing of this application.

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

Very truly yours,

HAROLD W. JONES
Water Right Supervisor

HWJ:CW

APPLICATION FOR PERMIT REVIEW

Application #: 13-7481
Date: 5-21-91

Reviewer: Pam Skaggs *PS*

- ✓ Existing:
- ✓ No - 26A-P17
 - Complete in 1 year - P16
 - Yes
 - Proof not submitted - P16
 - Proof submitted - N/A
 - Groundwater:
 - GT. 0.2 cfs - 01G-P03, 01C-P03 (existing well)
 - LT. 0.2 cfs - N/A
 - Drilling Permit:
 - Approved w/permit - P99
 - Not included - 046-P23 (All GW, even existing wells)
 - ✓ Location:
 - ✓ Water Districts - WD No. 13L
 - ✓ Surface water - 005, 005-01H-P01 (LT.2 w/pump)
005-01S-P02 (GT.2)
 - Groundwater - P05
 - Irrigation Districts - 023
 - Canal Co. Areas - 023
 - Drainage Districts - 024
 - Boise Front (63) - 058 (Groundwater)
 - ✓ Swan Falls Flag - (1, Blank or Other)
 - Trust - 051-052-053-P74 (Cons.), 041 (DCMI, w/Irr or Irr & Dom)
 - Non Trust - 048-049
 - River Basins:
 - (Surface Water) Water District Control Condition &....
 - Boise (63) - 05A & 11E
 - Payette (65) - 047-P04, 059-1
 - Snake (01, 02 & 03) - 11A-P04 (01), (IT DOES NOT Cond.)
 - ✓ Use:
 - Fish Propagation - 06A, 09E-P10 APPEAR THE DAM
042 (req.), 00 OR RESERVOIR WILL
044 (Policy 5G) BE AFFECTED BY
Power - THIS NEW RIGHT.
Mining - 06A or 010, 01
✓ Storage - 18A for multiple I HAVE NO COMMENT (In WD),
18B-P09 (Size)
Rec. & Aesthetic - 027 (Non-Consumptive) THIS RIGHT IS
Domestic - 021 (restricted) SUPPLEMENTAL TO
✓ Ownership: OLD DECREE
✓ Non land owner - 004 RIGHTS.
Protested: DAN # IS 13-0841
Agreement - 020
 - ✓ Beneficial Use Due Date: - 06-01-1993
 - Other Conditions Recommended 45.3 Data 2 ✓ *OK per J. Luke Nuno 8-6-91*
Route to Dam Safety ✓

APPLICATION FOR PERMIT REVIEW

Application #: 13-7481
Date: 5-21-91

Reviewer: Pam Skaggs *PS*

- ✓ Existing:
- ✓ No - 26A-P17
 - Complete in 1 year - P16
 - Yes
 - Proof not submitted - P16
 - Proof submitted - N/A
 - Groundwater:
 - GT. 0.2 cfs - 01G-P03, 01C-P03 (existing well)
 - LT. 0.2 cfs - N/A
 - Drilling Permit:
 - Approved w/permit - P99
 - Not included - 046-P23 (All GW, even existing wells)
 - ✓ Location:
 - ✓ Water Districts - WD No. 131
 - ✓ Surface water - 005, 005-01H-P01 (LT.2 w/pump)
005-01J-P02 (GT.2)
 - Groundwater - P05
 - Irrigation Districts - 023
 - Canal Co. Areas - 023
 - Drainage Districts - 024
 - Boise Front (63) - 058 (Groundwater)
 - ✓ Swan Falls Flag - (1, Blank or Other)
 - Trust - 051-052-053-P74 (Cons.), 041 (DCMI, w/Irr
 - Non Trust - 048-049 or Irr & Dom)
 - River Basins:
 - (Surface Water) Water District Control Condition &....
 - Boise (63) - 05A & 11E
 - Payette (65) - 047-P04, 059-P71
 - SNAKE (01, 02 & 03) - 11A-P04 (01), 061-P07 (02/03 No W.D. Cond.)
 - ✓ Use:
 - Fish Propagation - 06A, 09E-P10 & 010 (WQ/Choose One),
042 (req.), 002-P06 (MD), 07A (Spec.),
044 (Policy 5G)
 - Power - Use Power Review
 - Mining - 06A or 010, 09E-P10 & 054 (req.)
 - ✓ Storage - 18A for multiple measuring devices (In WD),
18B-P09 (Size)
 - Rec. & Aesthetic - 027 (Non-Consumptive)
 - Domestic - 021 (restricted areas)
 - ✓ Ownership:
 - ✓ Non land owner - 004
 - Protested:
 - Agreement - 020

✓ Beneficial Use Due Date: - 06-01-1993
Other Conditions Recommended 45, 3, Data 2 ✓ Copy J. Luke Nemo 8-6-91
Route to Dam Safety ✓



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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

May 24, 1991

Twin Lakes Canal Co.
P.O. Box 187
Preston, ID 83263

Re: Application for Permit No. 13-7481

Notice of Information Required by Water Appropriation Rule 4,5,3.

Dear Applicants:

The above application was recently forwarded to the state office for final review and processing. The required advertising for this application was completed at our regional office in Idaho Falls.

Upon our review it appears that you were not given notice about additional information required by Water Appropriation Rule 4,5,3. The additional information must be submitted for all applications which proposed diversion of more than 5.0 cfs or storage of more than 500 acre-feet. The project described under your application proposes diversion of 10.0 cfs for storage of more than 4000 acre-feet. The filing therefore is subject to the additional information requirements of Rule 4,5,3. In particular, you must submit the information outlined in Rules 4,5,3,1. through 4,5,3,5 (copy attached).

It was not obvious from review of your application whether or not you intend to increase the existing capacity of the reservoir. If you intend to increase capacity, then you may need to submit an engineering plan to the department's Dam Safety Division. The information which you submit to satisfy Water Appropriation Rule 4,5,3. should clarify our question concerning reservoir capacity and will determine whether an engineering plan is required.

A guideline for assisting you with submittal of the additional information has been enclosed. Please note that the guideline was designed for large irrigation diversions and that some of the examples shown will not apply to your situation. However, you must still address each one of the rules and provide appropriate information related to the storage project.

The information must be submitted within 30 days of the date of this notice. Failure to submit the required information within the time period allowed may be cause for the Department to void the application. The Department may grant an extension of time in which to submit the information upon request and a showing of good cause. Requests for extension of time must be in writing.

Please contact me at this office or call me directly at 327-7864 if you have any questions concerning the contents of this notice and/or the information requested under Rule 4,5.

Sincerely,



Tim Luke

Sr. Water Resource Spec.

Preston, Idaho
19 May 1991

RECEIVED
JUN 21 1991

Department of Water Resources
Tim Luke, Sr. Water Resource Spec.
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720-9000

Department of Water Resources

Dear Mr. Luke:

We are in receipt of your letter of 24 May 1991 concerning our application for permit # 13-7481. As you are asking for further information about our application and proposed project, we respectfully request an extension for thirty days so we can prepare the necessary material.

We make this request for the following reasons:

1. Our company was not informed about the requirements of rule 4,5,3 by your Eastern Idaho office during the entire time we were submitting our application and corrections.
2. Our board meets only on a monthly basis, and it was not until the first part of June that I was able to discuss the matter with them in our meeting.
3. In early June we suffered a major break of our main canal which took a tremendous number of days for our workers and watermasters to repair.
4. We need the additional time to put together the information about flow rates, costs, design, etc.

We therefor request an extension until July 24, 1991.

Sincerely yours,

Michael D. Kunz
Michael D. Kunz, Secretary
Twin Lakes Canal Company
P.O. Box 187
Preston, ID 83263



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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

June 21, 1991

Michael D. Kunz
Twin Lakes Canal Co.
P.O. Box 187
Preston, ID 83263

RE: Application for Permit No. 13-7481/Extension of Time to Submit
Rule 4,5,3. Information

Dear Mr. Kunz:

I have received your letter requesting additional time in which to submit the additional information required by rule 4,5,3. As you stated in your letter, I was not able to find that the Department had requested this information in any preliminary stages of review and/or correspondence. I apologize for the Department's oversight on this matter.

Pursuant to your request, the Department will allow you an additional 45 days in which to submit the required information. Thank you for your cooperation on this matter.

Sincerely,

Tim Luke
Sr. Water Resource Spec.

Exhibit A

TWIN LAKES CANAL COMPANY
1990 OPERATING FINANCIAL REPORT

	1989	1990
Cash on Hand Beginning of Year	3,761.78	2,300.03
Saving on Hand	<u>119,188.55</u>	<u>101,651.23</u>
Total on Hand Beginning of Year	122,950.33	103,951.26
INCOME		
Assessment of Stock	171,061.00	169,576.20
Interest	4,107.29	3,132.61
Land Rent	1,313.00	1,313.00
Misc Inc.	2,069.82	2,855.00
Power Refund		<u>371.01</u>
Total Income for Year	178,551.11	177,247.82
EXPENSES		
Bridge Expense		4,760.00
Car Expense	14,452.64	9,616.11
Chemicals	-	11,706.10
Contract Work	790.00	100.00
Directors Fee	1,230.00	1,170.00
Insurance	10,389.56	14,467.15
License & Dues	190.00	166.70
Machine Hire	40,695.00	11,932.50
Meters		4,604.98
Miscellaneous Expense	15,490.96	3,610.34
Office Expense	768.06	1,172.68
Phone	602.81	393.16
Power	29,184.25	36,400.99
Pumphouse replacement Valves	-	14,800.00
Repairs	3,261.58	670.00
Retirement		1,634.00
Supplies	12,898.82	9,017.70
Taxes --Property & Employee	5,163.28	6,448.37
Wages	<u>62,433.22</u>	<u>59,532.87</u>
Total Expenses for Year	197,550.18	192,203.65
Cash on Hand at end of Year	2,300.03	11,120.26
Savings on Hand	<u>101,651.23</u>	<u>77,875.17</u>
Total on Hand at End of Year	103,951.26	88,995.43

RECEIVED
AUG 05 1991

Application for Permit No. 13-7481 Department of Water Resources,
Requirements of Rule 4,5,3

Rule 4,5,3,1. Effect on Existing Rights:

1. To our knowledge, no users exist on Deep Creek during the period we would be using the water (Oct 1 thru Apr 30). It spills into Bear River a few miles West of Preston, Idaho.
2. This does not apply, since it is a surface water source.
3. Twin Lakes Canal Company is already storing water and delivering it to our stockholders in Franklin County. This permit is to provide an additional amount of water to be stored during the non-irrigation season. It will be stored in an existing reservoir (Twin Lakes) and distributed through our normal system of canals and pipes. Such operation will not have any impact on other water users in the area.

Rule 4,5,3,2. Sufficiency of Water Supply:

1. Our peak water demand would be the full 10 cfs the permit is being made for. The water would be stored for use during the regular irrigation season. The total amount appropriated from this permit is estimated to be 4040 acre feet per year.
2. The source of the surface water is called Deep Creek. This water comes from a large drainage area North of Clifton, Idaho. We have searched in vain for detailed flow data on this creek. Experienced water people have estimated that it runs from a low of 15 cfs to a high of 20 cfs depending on the year and season. It was a source of water when the first settlers came to the area, and it continues to produce stable amounts of water.

Rule 4,5,3,3. Good faith, delay, or Speculation:

1. Twin Lakes Canal Company does indeed own the land at the proposed diversion site. We also own the land over which the water will be diverted to be stored in our reservoir. No other property owners are involved.
2. Does not apply. No other government agencies or approvals are needed for the development of this project.

Rule 4,5,3,4. Financial Resources:

- 1 and 2. Enclosed as Exhibit A is a copy of our annual financial

report for the year 1990. It also contains comparative information for 1989. We finance our operation through stock assessments to our users. We have approximately 210 users on our system who hold 13,000 shares of stock. Assessments would be raised to pay for construction costs.

Cost of construction is estimated to be \$35,625. This is broken down to:

Pumps, 2 60 HP with panels,	\$14,160.
1900' 15" 100 psi PVC pipe	\$12,065.
Pipe installation	\$ 1,900.
Pumping structure	\$ 5,000.
Outlet structure	\$ 2,500.

Total Cost Estimate \$35,625.

Rule 4,5,3,5. Conflict with local public interest:

1. Does not apply. No conflict could exist with any local individual, tribal reservation, government, or other agency. The diversion point is on private land, as is the storage facility. The stored water would be delivered through existing irrigation facilities. There would be no affect whatsoever on local public interest.

30 July 1991

RECEIVED
AUG 05 1991

Department of Water Resources

Tim Luke
Sr. Resource Specialist
Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720-9000

Re: Application for Permit No. 13-7481

Dear Mr. Luke:

The enclosed are the additional requirements that you have requested for our water permit 13-7481. These items were not included in our original application because your Eastern Idaho office did not inform us of them.

We have answered the requirements of water appropriation rule 4,5,3 to the best of our ability. If any part needs further clarification, please contact us. You can reach me at 852-3475 or at P. O. Box 187, Preston, ID 83263.

We hope that the enclosed information is satisfactory.

Sincerely yours,



Michael D. Kunz, Secretary
Twin Lakes Canal Company

MEMORANDUM

TO: FILE

FROM: TIM LUKE *TL*

RE: APP. NO. 13-7481/Rule 4,5,3. Info

DATE: 8-6-91

Applicants are required to submit information outlined under Water Appropriation rule 4,5,3. for projects which propose diversion of more than 5.0 cfs and/or irrigation of more than 200 acres.

The applicants have submitted the rule 4,5,3. information pursuant to our request. As reported by the applicants, the proposed use involves diversion of water from Deep Creek to existing storage facilities during the non-irrigation season. Deep Creek adds an additional source of water to the storage facilities.

The applicants have addressed all of the questions and the information submitted appears to be acceptable. I believe the information submitted is in compliance with the rules and recommend continued processing the filing.

2



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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 30, 1991

TWIN LAKES CANAL CO
PO BOX 187
PRESTON ID 83263

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 13-07481

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.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed. You will receive a "Proof Due Notice" from this Department approximately 60 days prior to the completion date requiring you to file either a Proof of Beneficial Use form stating that the project has been completed or file a Request for an Extension of Time in which to file the proof statement.

If the diversion dam is 10 feet or more in height, or has an impounding capacity of 50 acre-feet or more, certain dam safety requirements must be met. Please contact the regional office nearest you for details.

Sincerely,

PAMELA SKAGGS
Technical Records Specialist

PS:blm

Enclosures

Form 217
11/91

RECEIVED

OCT 12 1993

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

OFFICE USE ONLY

Amt. of Fee \$ 600.00
Date 10-12-93
Receipt No. 0028767
Receipt by J. Mansant

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form 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, when necessary, or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 13-07481 Telephone No. 852-3475
2. Name(s) of Permit Holder(s): Twin Lakes Canal Company
3. Mailing Address: P.O. Box 187, Preston, ID 83263
4. Source of Water: Deep Creek, tributary to Bear River

If GROUNDWATER, Well Driller's Name: _____ Date Drilled: _____

OPTIONAL:

Pump horsepower: 25 hp & 50 hp Pressure (psi): 43 Dynamic pumping level (ft.): 100

5. Extent of Use (as authorized by the permit):

Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)

Irrigation 33,920 (No. of acres) Other _____

6. Total rate and/or volume for which proof is submitted 10 cfs OR 4040 acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

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

OR
Flow Measurement Port: Required? ☐ Yes ☒ No Installed? ☐ Yes ☒ No

8. Fee Enclosed: \$ 600.00 (See License Fee Schedule on back of Instruction Sheet)

9. Person to contact to accompany the Department representative during field examination of the water system.

Jack Moser 747-3924
Name Telephone No.

1875 North 4000 West, Dayton, ID 83232
Address

10. 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.

1 Oct 1993
Date

Michael D. King, Secretary, Twin Lakes Canal Co.
Signature (and title, if on behalf of a company or organization)

August 31, 1993

TWIN LAKES CANAL CO
PO BOX 187
PRESTON ID 83263

PROOF DUE NOTICE

RE: PERMIT NO. 13-07481

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 November 1, 1993. (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.

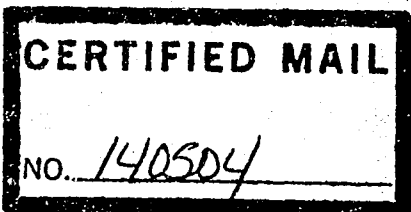
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental 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,

Karen L. Gustafson
Secretary/Records Manager

Enclosures



October 15, 1993

TWIN LAKES CANAL CO
PO BOX 187
PRESTON ID 83263

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 13-07481

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,

Karen L. Gustafson
Senior Secretary

c: IDWR - Region