

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 13 7494

To appropriate the public waters of the State of Idaho

1. Name of applicant Three 'C' Land & Livestock Phone 852-0168
Post office address 7378 E Mink Creek Rd. Preston, Id 83263
2. Source of water supply Spring which is a tributary of Strawberry Creek
3. Location of point of diversion is NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of SW $\frac{1}{4}$, Govt. Lot _____
Sec. 31 Township 13S Range 41E B.M. Franklin County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.04 for Domestic purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.02 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)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.06 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. collection box with mainline
to one domestic home and stock troughs
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
 - c. Proposed well diameter is NA 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
3 years (minimum 1 year).

AND

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. 50 range Cattle
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. one
- 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	
13S	41E	31												D					
														S					

Total number of acres to be irrigated _____

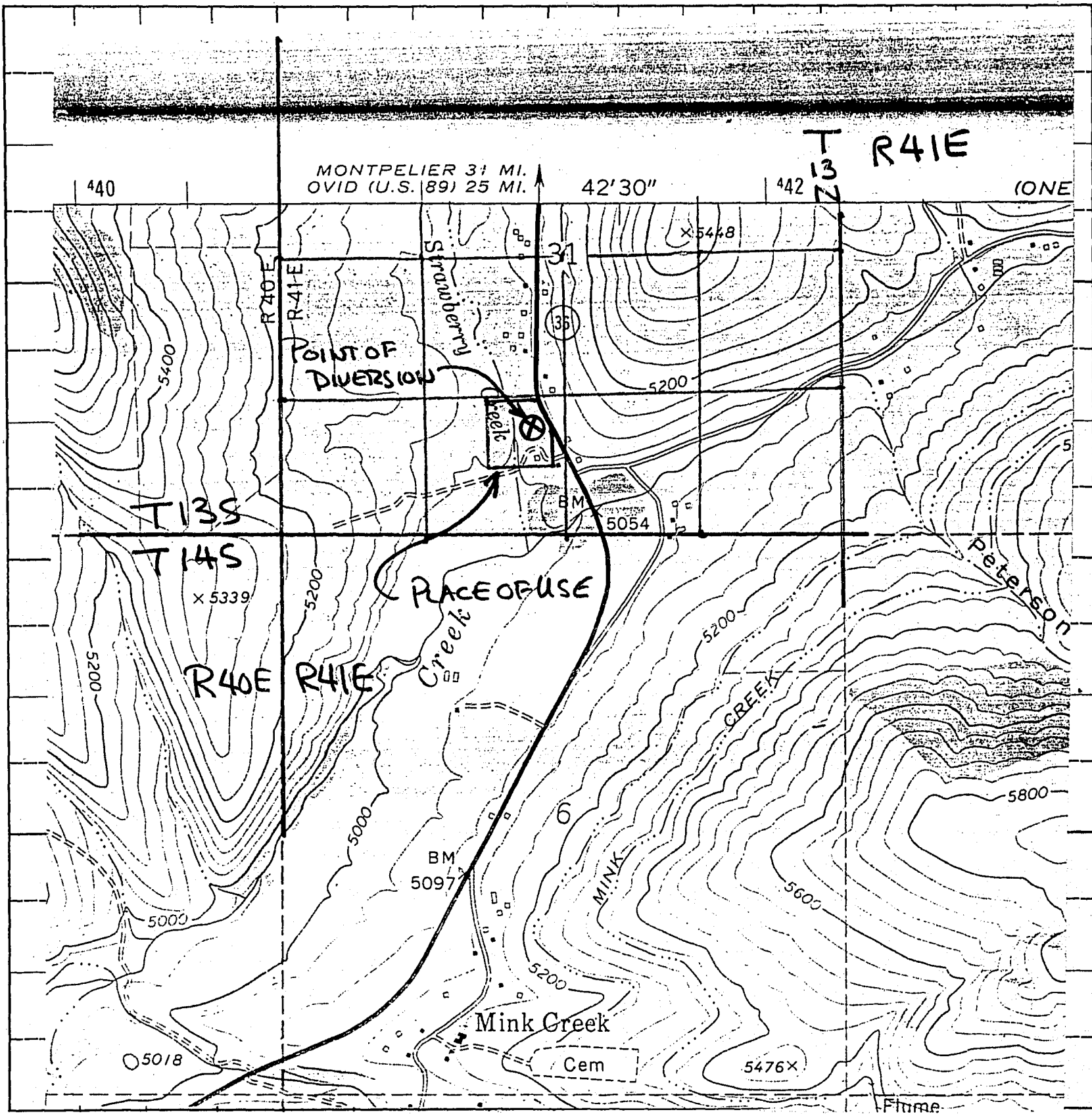
10. Describe any other water rights used for the same purposes as described above. NONE

11. a. Who owns the property at the point of diversion? Applicants
- b. Who owns the land to be irrigated or place of use? "
- 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: Lloyd Christensen - Sec
John Christensen - Pres
Lee Christensen

13-7494

13. 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.

J. Lloyd Christensen
(Applicant) Sec.

ASSISTED BY Kcw 15 April 1992
Received by Kcw Date 15 April 92 Time 1615 hrs Preliminary check by AMD
Fee \$ 300 Receipted by Kcw # 5017146 Date 15 April 1992
Publication prepared by LB Date 5-7-92 Published in Preston Citizen
Publication approved LB Date 6-4-92

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:

875

No 4557

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Franklin

J. WALTER ROSS

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

5-6, 19 92, and ending

with the issue of 5-6, 19 92

Fee \$ 64.67

Subscribed and sworn to before me this 6 day

of May, 19 92

Notary Public, Residing at Preston, Idaho

My Commission Expires Aug 14, 19 95

NOTICE OF APPLICATION FOR WATER RIGHT

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

13-07494

THREE C LAND & LIVESTOCK
7378 E. MINK CREEK RD.
PRESTON, ID 83263
Source: SPRING
Tributary: STRAWBERRY CREEK
Diversion Pt: NESESW Sec 31 T 13S R 41E in FRANKLIN County.

Use: STOCKWATER (.020 CFS)
DOMESTIC (.040 CFS)
Total Diversion: (.060 CFS)

Date Filed: 4/15/1992

In: FRANKLIN County

T13S R41E S31 SESW

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 MAY 25, 1992.

R. KEITH HIGGINSON, Director

NOTICE OF APPLICATION FOR TRUST WATER RIGHT

22-07734

SIDDOWAY, JAMES EARL
P.O. BOX 297
TETON, ID 83451

Source: GROUNDWATER
Diversion Pt: SESE Sec 32 T 07N R 41

E in FREMONT County.

Use: IRRIGATION (3.200 CFS)

Total Diversion: (3.200 CFS)

Date Filed: 4/15/1992

In: BINGHAM County

T07N R41E S32 NESE NWSE
SWSE SESE
160.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, Statehouse Mail, Boise, Idaho 83720 on or before MAY 25, 1992.

R. KEITH HIGGINSON, Director

Legal No. 4557 - Publish May 6, 1992.

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 13-07494

Proposed Priority: April 15, 1992 Maximum Diversion Rate: 0.06 CFS

This is to certify, that **THREE C LAND & LIVESTOCK**
7378 E MINK CREEK RD
PRESTON ID 83263

has applied for a permit to appropriate water from:

SPRING tributary of **STRAWBERRY CREEK**

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	01/01 to 12/31	0.02 CFS
DOMESTIC	01/01 to 12/31	0.04 CFS
	Totals	0.06 CFS

LOCATION OF POINT(S) OF DIVERSION: NESESW, Sec. 31, Township 13S, Range 41E
FRANKLIN County

PLACE OF USE: STOCKWATER
TWN RGE SEC

13S 41E 31 SESW

PLACE OF USE: DOMESTIC
TWN RGE SEC

13S 41E 31 SESW

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **September 1, 1995**.
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. 13N.
5. Domestic use is for 1 home.
6. Stockwater use is for 50 range cattle.

PAGE 2

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 13-07494

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

7th day of August, 1992

R. Keith Higginson
R. Keith Higginson, Director
for

13-07494

THREE C LAND & LIVESTOCK
7378 E MINK CREEK RD
PRESTON, ID 83263

Source: SPRING

Tributary: STRAWBERRY CREEK

Diversion Pt: NESESW Sec 31 T 13S R 41E in FRANKLIN County.

Use: STOCKWATER	(.020 CFS)
DOMESTIC	(.040 CFS)
Total Diversion:	(.060 CFS)

Date Filed: 4/15/1992

In: FRANKLIN County	
T13S R41E S31	SESW

NOTICE OF APPLICATION FOR WATER RIGHT

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region
150 Shoup Ave., Suite 15

Idaho Falls, Idaho 83402
(208) 525-7161

APRIL 29, 1992

THE PRESTON CITIZEN
P.O. 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 MAY 25, 1992.

Yours truly,

Rita Bodell
Secretary

Encl.

05-May-1992

J LLOYD CHRISTENSEN
THREE C LAND & LIVESTOCK
7378 E MINK CREEK RD
PRESTON ID 83263

RE: Application No. 13-7494

Dear Water Right Applicant:

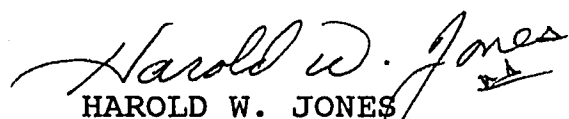
The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in the Preston Citizen on 5-7 & 14-92. The advertisement will be published for two consecutive weeks, and a period of ten days following the second 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

04-May-1992

DEAN C SMITH
WATER DIST 13N
3168 E HWY 36
PRESTON ID 83263

RE: Application No. 13-7494

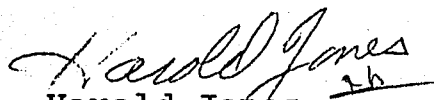
Dear Watermaster:

Please find enclosed a copy of the above referenced application.
Please review the application and submit any comments you may
have to our Department as soon as possible.

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

Thank you for your cooperation in this matter.

Respectfully submitted,


Harold Jones
Water Rights Supervisor

HJ/rb
Enclosure



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

August 10, 1992

THREE C LAND & LIVESTOCK
7378 E MINK CREEK RD
PRESTON ID 83263

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 13-07494

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.

Sincerely,

BRENDA L. MILLER
Water Resource Agent

BLM:cz

Enclosures

Form No. 204
7/94

For Office Use Only
\$50 Fee Received by RT
Date 9-1-95
Receipt No. 1033483

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

REQUEST FOR EXTENSION OF TIME
TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT

AUG 31 1995

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time under the provisions of Section 42-204, Idaho Code in which to complete development of a water right.

Permit No. 13-07494

Name(s) of Permit Holder: 3-C Land + Livestock - or - Three C Land + Livestock

Mailing Address: 7378 E. Mink Creek Rd. Preston Id. 83263

Date Proof is Due: Sept. 1 95 Telephone No. 852-0168

Describe what work has been completed toward the development of this water right:
(This must be filled out! If no work has been completed, show "none".)

Spring head has been dug out. Pipe has been ordered.

Costing \$ not billed yet.

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

We need to cross Strawberry Creek, which serves as a waste water channel from Irrigation. The installation of our system should be done after the irrigation season.

Permit holder(s) request an extension to September 1st, 19 96

FEE: \$50.00

3-C Land + Livestock
(Signature)* John Christensen (President)
Joey Lloyd (Secretary)

*If other than permit holder, Power of Attorney must be supplied.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to September 1, 1996.

Signed this 7th day of September, 19 95

Z. Shaw Saylor
Chief, Water Allocation Bureau

June 30, 1995

THREE C LAND & LIVESTOCK
7378 E MINK CREEK RD
PRESTON ID 83263

PROOF DUE NOTICE

RE: PERMIT NO. 13-07494

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before September 1, 1995. (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.

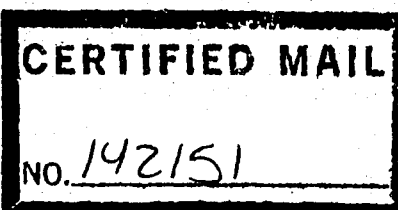
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental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

JULIE L. YARBROUGH
Senior Secretary

Enclosures



8-29-95

Dear Mr. Saxton

Inclosed please find a request for an extension of time to complete the construction of the diverting works of the water that flows as a natural spring from the land purchased by 3 C Land & Livestock.

as we have proceeded developing this property a need for more water is apparent. It looks like there is more water in the spring than we filed for.

Please send the appropriate forms to do this filing.

Sincerely, J. Lloyd Christiansen, ~~Sec~~

3 C Land and Livestock
7378 E. Ninth Street Ad
Preston, Ida.

RECEIVED

AUG 31 1995

Department of Water Resources



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

September 8, 1995

Three C Land & Livestock
7378 E Mink Creek Rd.
Preston, ID 83263

RE: Permit No. 13-07494

Dear Permit Holder:

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to **September 1, 1996**. Please note that the department has granted this extension based on **due diligence**. It is important that you work diligently toward the completion of this project during the construction period allowed since the department **will not** be able to grant additional extensions based on due diligence.

If you have any questions or if I can be of any assistance, please feel free to contact me at (208)327-7900.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

Enclosure

C: IDWR - Regional Office



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

September 8, 1995

J. Lloyd Christensen
3-C Land & Livestock
7378 Mink Creek Rd.
Preston, ID 83263

RE: Water Right No. 13-07494

Dear Water Right Holder:

This letter is in response to your letter dated August 29, 1995, concerning enlarging the above referenced water right permit. Once the water right application has been advertised and a permit issued, it cannot be enlarged. If you intend to use additional water from the spring, you will need to file a new application for permit at the Eastern Regional Office in Idaho Falls.

If you have any questions regarding filing a new application, please contact the Eastern Region at (208)525-7161.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

RECEIVED

SEP 03 1996

FOR OFFICE USE ONLY

Amt. of Fee \$: 50.00
Receipt No. 0030931
Receipt By: JW
Date Received: 11-7-96

STATE OF IDAHO
Department of Water Resources
DEPARTMENT OF WATER RESOURCES

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 be accompanied by a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 137494 Telephone No. 208-852-0168
2. Name(s) of Permit Holder(s): Three C Land + LIVESTOCK
3. Mailing Address: Freston, ID 83263 7378 E. Mink Creek Rd.
4. Source of Water: Spring If GROUNDWATER (well), Date Drilled: mo. ____ / yr. ____
- a. Well Driller: ____ Drilling Permit Number: ____ - ____ - ____ - ____
- b. OPTIONAL:
Pump Horsepower: ____ Pressure (psi): ____ Dynamic pumping level (ft): ____

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): 1040 CFS Stockwater (No. and type of stock): 1020 CFS

Irrigation (No. of acres): ____ Other: ____

6. Total rate of diversion and/or volume for which proof is submitted: .01 cfs OR ____ acre feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)

(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required?	Yes ____ or No ____
Has the measuring device been installed?	Yes ____ or No ____
Flow Measurement Port: Is a flow measurement port required?	Yes ____ or No ____
Has the measurement port been installed?	Yes ____ or No ____

8. Fee Enclosed: \$ ____ (See Fee Schedule on back of the instructions for filing proof of beneficial use)

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

Name: J. Lloyd Christensen Telephone Number: 208-852-0168

Address: 7378 E. Mink Creek Rd. Preston, Idaho 83263

10. The information given on this form 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.

Signature of permit holder: J. Lloyd Christensen Date: 8-25-96
(include your title, if on behalf of company or organization)

June 30, 1996

THREE C LAND & LIVESTOCK
7378 E MINK CREEK RD
PRESTON ID 83263

PROOF DUE NOTICE

RE: PERMIT NO. 13-07494

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before September 1, 1996. (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,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

CERTIFIED MAIL

NO. 142 808



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**

October 9, 1996

Three C Land & Livestock
7378 E Mink Creek Rd.
Preston, ID 83263

RE: Permit No. 13-07494

Dear Permit Holder:

I have returned a copy of the Proof of Beneficial Use Statement you submitted in connection with the above referenced water right. The proof form is not acceptable until it is accompanied by the appropriate license examination fee.

The Department has determined, from pertinent sections of the Idaho Code, that the permit holder must meet two requirements in order to be exempt from the license examination fee. They are:

1. The water right must use a **groundwater** (well) source, and;
2. The rate of diversion must be .04 cfs or 4.0 AF or less.

You do not meet requirement #1 since you divert water from a surface water source (spring.) Therefore, a license examination fee of \$50.00 applies to the permit.

Please return the copy of the proof form along with the \$50.00 license examination fee to my attention within thirty (30) days of receipt of this letter.

If you have any questions, please contact me at (208)327-7900.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

Enclosure

November 15, 1996

THREE C LAND & LIVESTOCK
7378 E MINK CREEK RD
PRESTON ID 83263

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 13-07494

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,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region