

RECEIVED
MAR 25 1986

Ident. No. 13-07514

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: CUB RIVER ACRES INC
Address: C/O WALTER ROSS
PO BOX 208
PRESTON ID 83263
208-852-0155
2. Source: SPRING
3. Location of Point of Diversion: SENESE Sec. 18, Township 15S, Range 41E
FRANKLIN County
4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
DOMESTIC	01/01	12/31	0.200		
5. Total quantity to be appropriated is:
0.200 CFS (and/or) AF
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc.
Pipe from spring to 30,000 gal storage tank, then pipe to sites.
 - 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 inches; proposed depth of well is
feet.
 - d. Is groundwater with a temperature greater than 85F being sought? NO
 - e. If well is already drilled, when?
Drilling Firm
Well was drilled for
7. Time required for the completion of the works and application of
the water to the proposed beneficial use is 1 year(s).
8. Place of Use: DOMESTIC

TWN RGE SEC
15S 41E 18

NESW
SESW
NENW

LT 3 (NWSW)

LT 4 (SWSW)

LT 1 (NWNW)

LT 2 (SWNW)

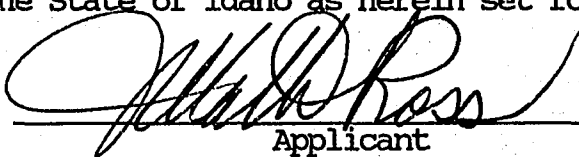
Ident. No. 13-07514
Page 2

9. a. Who owns the property at the point of diversion?
APPLICANT
b. Who owns the land to be irrigated or place of use?
APPLICANT
c. If the property is owned by a person other than the applicant,
describe the arrangement enabling the applicant to make this filing.

10. Remarks: 15 47
* Domestic use is for ~~6 summer~~ homes and ~~56~~ campsites.

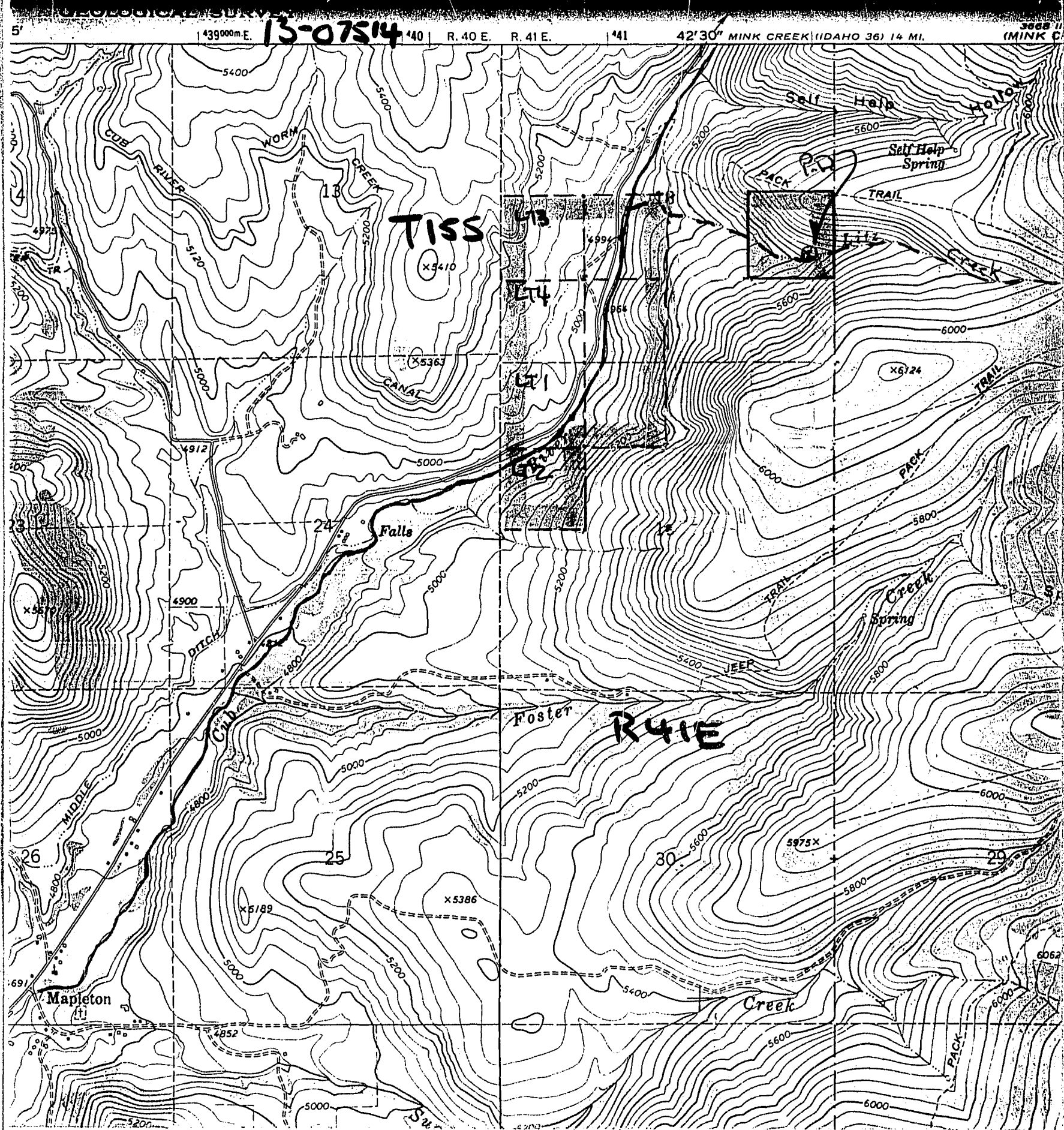
11. Map of proposed point of diversion and place of use attached? ☒

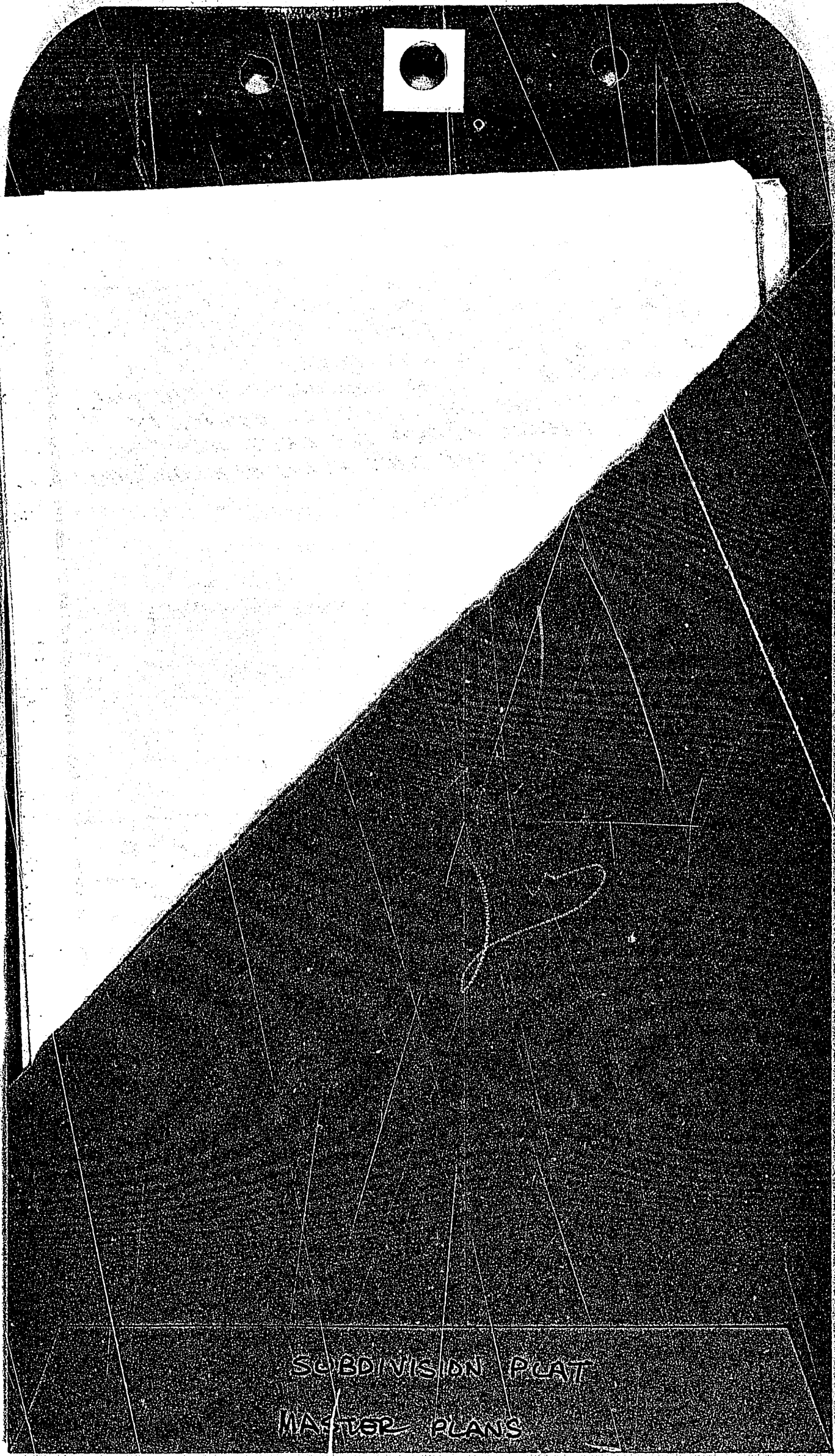
BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.


Applicant

Received by WY Date 12/30/93 Time 11:37 Preliminary check by CR# 0233 \$30.00
Fee \$ 30.00 Receipted by HWJ # EO19401 Date 12-30-1993
Publication prepared by LB Date 1-20-27 Published in Preston Citizen
Publication approved _____ Date _____

* per Telecom w/applicant 4/17/96 e.g.



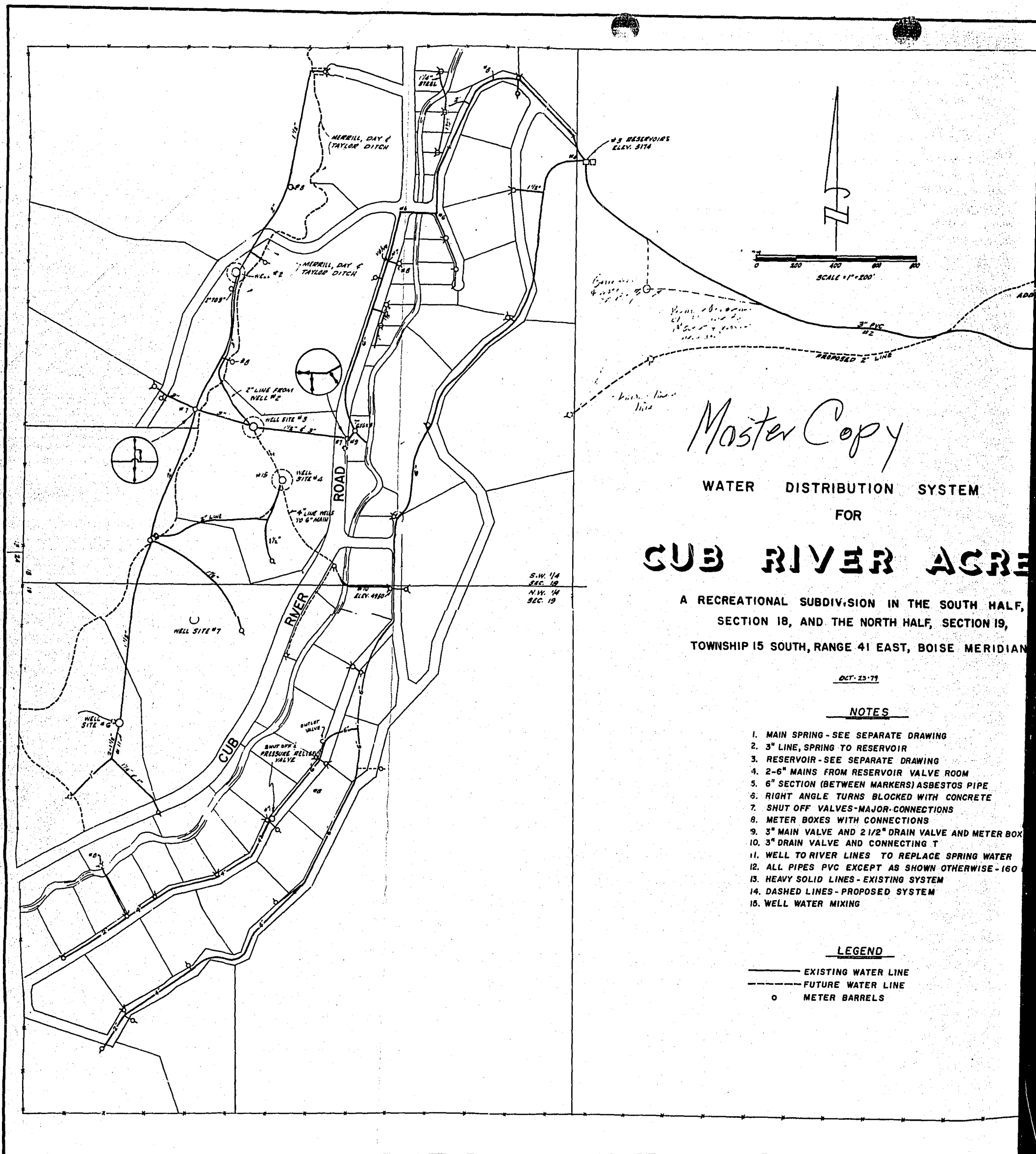


SUBDIVISION PLAT
MASTER PLANS



**MAP(~~S~~) TOO
LARGE TO FILM -
SEE FILE...**





Master Copy

WATER DISTRIBUTION SYSTEM
FOR
CUB RIVER ACRES

A RECREATIONAL SUBDIVISION IN THE SOUTH HALF,
SECTION 18, AND THE NORTH HALF, SECTION 19,
TOWNSHIP 15 SOUTH, RANGE 41 EAST, BOISE MERIDIAN

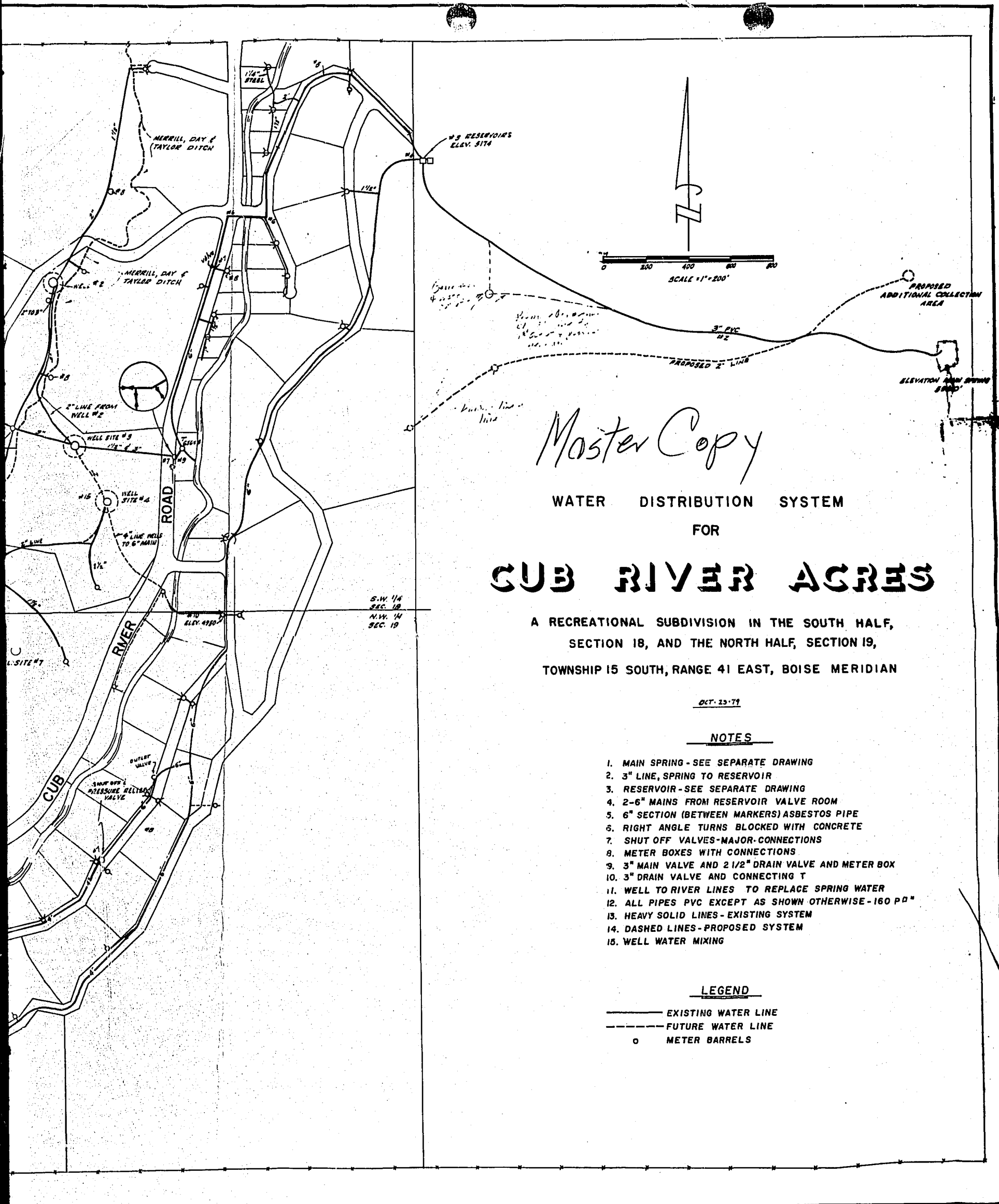
OCT. 25-79

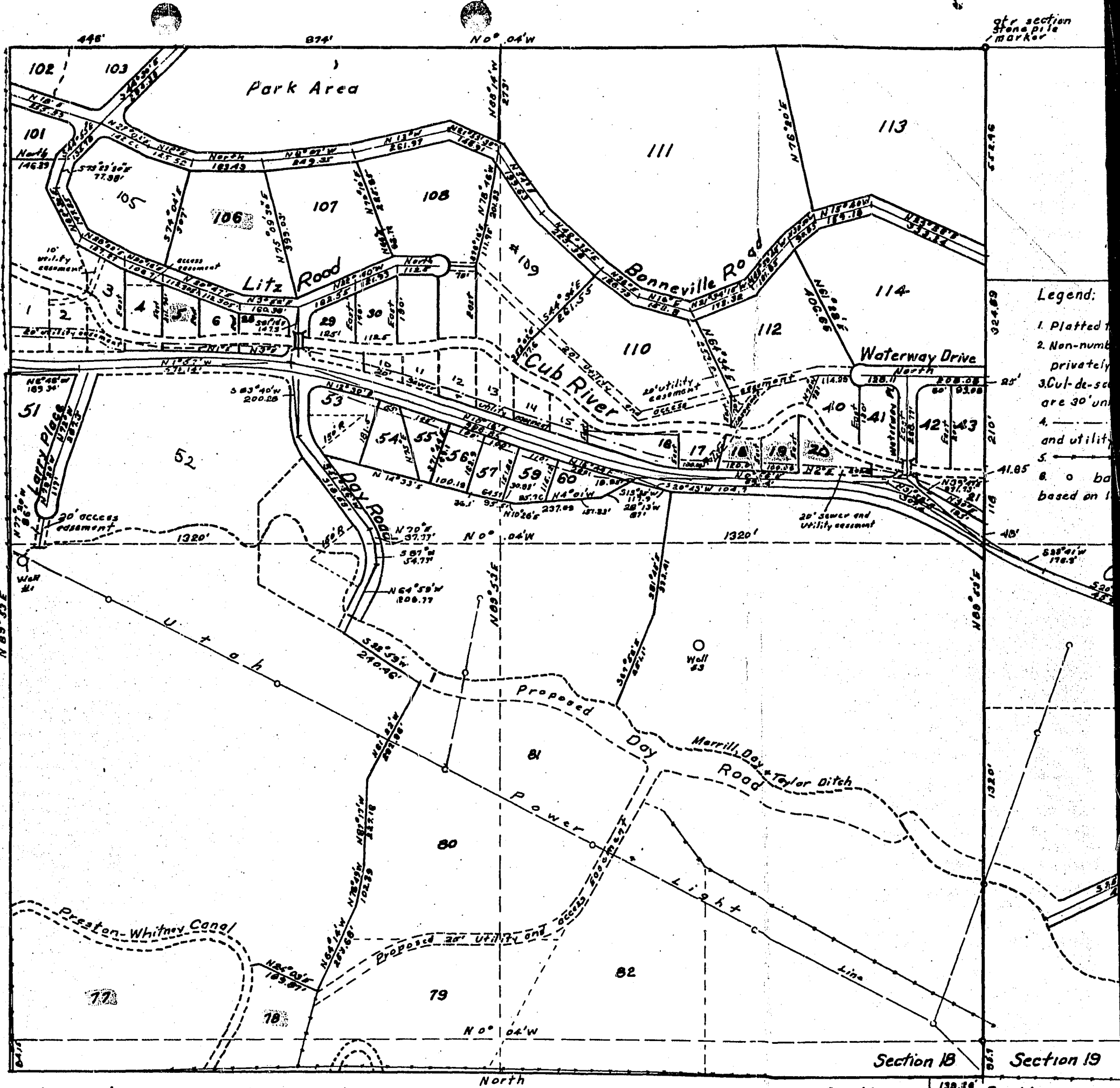
NOTES

1. MAIN SPRING - SEE SEPARATE DRAWING
2. 3" LINE, SPRING TO RESERVOIR
3. RESERVOIR - SEE SEPARATE DRAWING
4. 2-6" MAINS FROM RESERVOIR VALVE ROOM
5. 6" SECTION (BETWEEN MARKERS) ASBESTOS PIPE
6. RIGHT ANGLE TURNS BLOCKED WITH CONCRETE
7. SHUT OFF VALVES-MAJOR CONNECTIONS
8. METER BOXES WITH CONNECTIONS
9. 3" MAIN VALVE AND 2 1/2" DRAIN VALVE AND METER BOX
10. 3" DRAIN VALVE AND CONNECTING T
11. WELL TO RIVER LINES TO REPLACE SPRING WATER
12. ALL PIPES PVC EXCEPT AS SHOWN OTHERWISE - 160
13. HEAVY SOLID LINES - EXISTING SYSTEM
14. DASHED LINES - PROPOSED SYSTEM
15. WELL WATER MIXING

LEGEND

- EXISTING WATER LINE
- - - FUTURE WATER LINE
o METER BARRELS





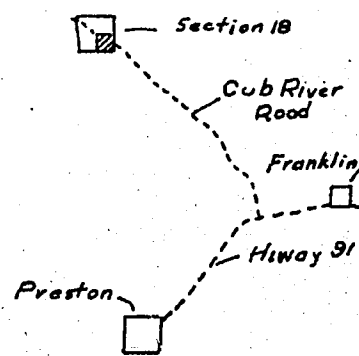
Plat of Cub River Acres Division number One

in S.W. 1/4 Section 18, T. 15 S., R. 41 E. B.M.

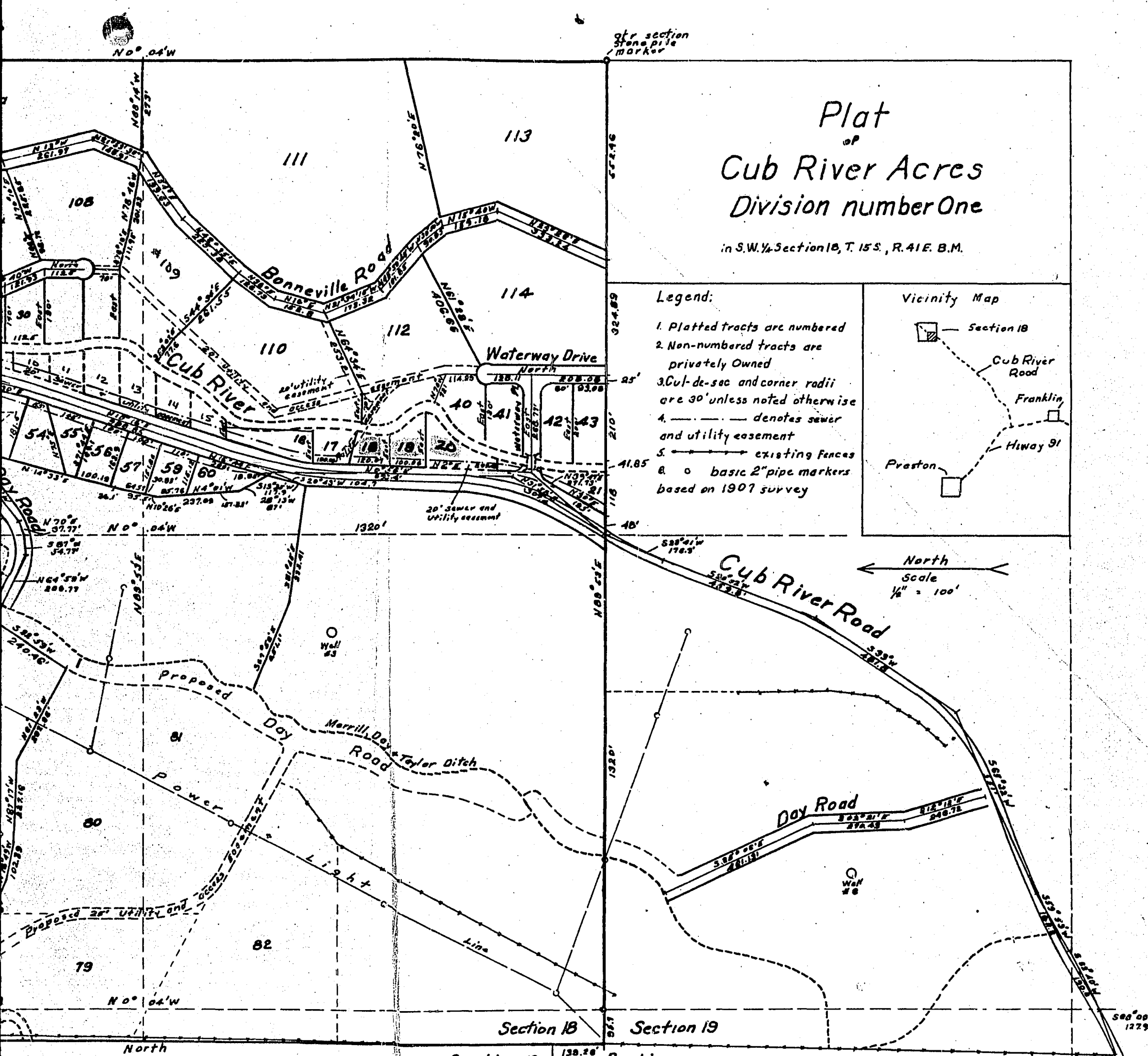
Legend:

1. Platted tracts are numbered
2. Non-numbered tracts are privately Owned
3. Cul-de-sac and corner radii are 30' unless noted otherwise
4. --- denotes sewer and utility easement
5. --- existing fences
6. o basic 2" pipe markers based on 1907 survey

Vicinity Map



North
Scale
1/4" = 100'



not submitted Stephen C. Bastian 6-3-74

PLAT OF CUB RIVER ACRES
DIVISION NUMBER ONE
IDAHO CODE

CUB RIVER ACRES

— DIVISION NUMBER TWO —

PART OF THE N.W. 1/4 SEC. 19, T.15S., R. 41E. E.B.M.

Franklin County,

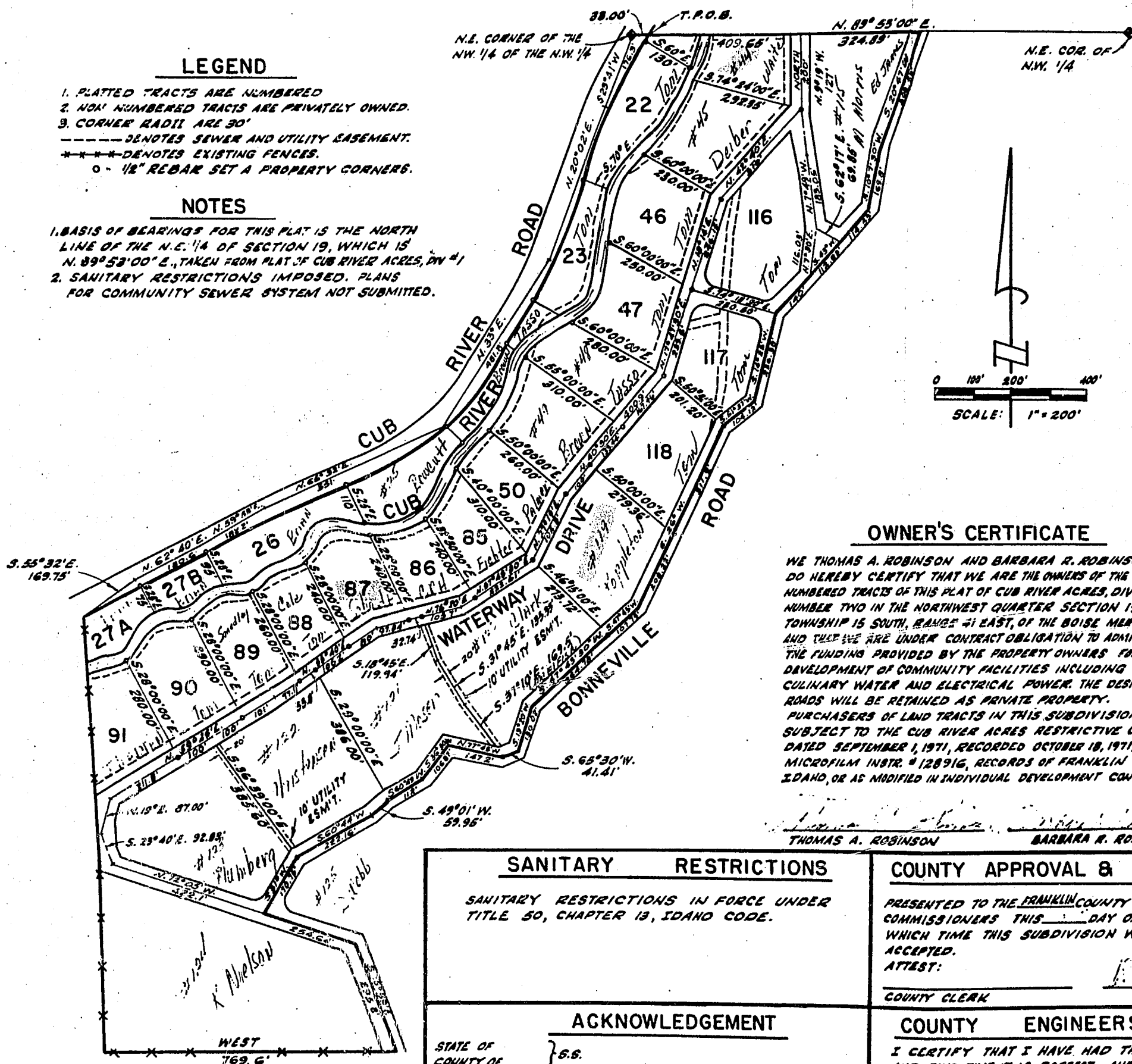
Idaho

LEGEND

1. PLATTED TRACTS ARE NUMBERED
2. NON-PLATTED TRACTS ARE PRIVATELY OWNED.
3. CORNER RADII ARE 30'
- DENOTES SEWER AND UTILITY EASEMENT.
- *** DENOTES EXISTING FENCES.
- o - 1/2" REBAR SET A PROPERTY CORNER.

NOTES

1. BASIS OF BEARINGS FOR THIS PLAT IS THE NORTH LINE OF THE N.E. 1/4 OF SECTION 19, WHICH IS N. 89° 53' 00" E., TAKEN FROM PLAT OF CUB RIVER ACRES, DIV. #1
2. SANITARY RESTRICTIONS IMPOSED. PLANS FOR COMMUNITY SEWER SYSTEM NOT SUBMITTED.



OWNER'S CERTIFICATE

WE THOMAS A. ROBINSON AND BARBARA R. ROBINSON DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE NUMBERED TRACTS OF THIS PLAT OF CUB RIVER ACRES, DIVISION NUMBER TWO IN THE NORTHWEST QUARTER SECTION 19, TOWNSHIP 15 SOUTH, RANGE 41 EAST, OF THE BOISE MERIDIAN, AND THAT WE ARE UNDER CONTRACT OBLIGATION TO ADMINISTER THE FUNDING PROVIDED BY THE PROPERTY OWNERS FOR THE DEVELOPMENT OF COMMUNITY FACILITIES INCLUDING ROADS, CULINARY WATER AND ELECTRICAL POWER. THE DESIGNATED ROADS WILL BE RETAINED AS PRIVATE PROPERTY. PURCHASERS OF LAND TRACTS IN THIS SUBDIVISION ARE SUBJECT TO THE CUB RIVER ACRES RESTRICTIVE COVENANTS DATED SEPTEMBER 1, 1971, RECORDED OCTOBER 18, 1971, UNDER MICROFILM INSTR. # 128916, RECORDS OF FRANKLIN COUNTY IDAHO, OR AS MODIFIED IN INDIVIDUAL DEVELOPMENT CONTRACTS.

THOMAS A. ROBINSON

BARBARA R. ROBINSON

SANITARY RESTRICTIONS

SANITARY RESTRICTIONS IN FORCE UNDER TITLE 50, CHAPTER 13, IDAHO CODE.

COUNTY APPROVAL & ACCEPTANCE

PRESENTED TO THE FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS THIS _____ DAY OF _____, 1978, AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED.

ATTEST:

COUNTY CLERK

CHAIRMAN

ACKNOWLEDGEMENT

STATE OF

COUNTY OF

SS.

ON THIS _____ DAY OF _____, 1978, PERSONALLY APPEARED BEFORE ME THE SIGNERS OF THE ABOVE OWNERS' DECLARATION, WHO DULY ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC

COUNTY ENGINEERS APPROVAL

I CERTIFY THAT I HAVE HAD THIS PLAT EXAMINED AND FIND THAT IT IS CORRECT AND ACCEPTABLE.

DATE: _____

COUNTY ENGINEER

CUB RIVER ACRES

— DIVISION NUMBER TWO —

PART OF THE N.W. 1/4 SEC. 19, T.15S., R.41E. E.B.M.

Franklin County,

Idaho

SURVEYOR'S CERTIFICATE

I, MICHAEL L. LUND, A REGISTERED CIVIL ENGINEER IN THE STATE OF IDAHO, DO HEREBY CERTIFY THAT THIS PLAT OF CUB RIVER ACRES LOCATED IN FRANKLIN COUNTY, IDAHO HAS BEEN CORRECTLY DRAWN TO THE DESIGNATED SCALE AND IS A TRUE AND CORRECT REPRESENTATION OF THE FOLLOWING DESCRIBED TRACT OF LAND INCLUDED IN THIS SUBDIVISION, BASED ON DATA COMPILED FROM THE COUNTY RECORDERS OFFICE AND FROM INFORMATION PREPARED BY WENDELL H. SMITH A DULY REGISTERED CIVIL ENGINEER, IN 1974.

SIGNED THIS 5 DAY OF JULY, 1978.

Michael L. Lund
MICHAEL L. LUND, CERT. NO. 9385

BOUNDARY DESCRIPTION

BEGINNING AT THE NORTH EAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER, SECTION 19, T.15S., R.41E., E.B.M.; THENCE N.89°53'E. ALONG SAID SECTION LINE 33.00 FEET TO THE EAST SIDE OF CUB RIVER ROAD, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE N.89°53'E. 734.64 FEET TO THE CENTERLINE OF BONNEVILLE ROAD; THENCE ALONG THE CENTERLINE OF BONNEVILLE ROAD THE FOLLOWING COURSES: S.20°47'W., 308.55 FEET; S.10°07'30"W., 169.8 FEET; S.43°W., 367.36 FEET; S.14°25'W., 236.38 FEET; S.51°37'W., 104.12 FEET; S.26°W., 520.12 FEET; S.47°45'W., 107.79 FEET; S.47°43'30"W., 264.78 FEET; S.19°20'W., 130.02 FEET; S.65°30'W., 41.41 FEET; N.77°45'W., 147.2 FEET; S.36°30'W., 106.87 FEET; S.60°49'W., 112.0 FEET; S.49°01'W., 59.95 FEET; S.60°44'W., 222.16 FEET; S.31°W., 170.75 FEET TO THE CENTERLINE OF WATERWAY DRIVE; THENCE S.72°05'E., 254.64 FEET; THENCE S.19°53'E., 295.6 FEET TO AN EXISTING FENCE; THENCE ALONG SAID FENCE WEST 769.6 FEET TO THE SOUTHWEST CORNER GOVERNMENT LOT 2, THENCE NORTHERLY ALONG THE EXISTING FENCE LINE MARKING THE WEST BOUNDARY OF SECTION 19, 1140 FEET, MORE OR LESS, TO THE SOUTHEASTERLY BOUNDARY LINE OF CUB RIVER ROAD; THENCE ALONG THE EASTERLY SIDE OF CUB RIVER ROAD TO THE TRUE POINT OF BEGINNING.

OWNER'S CERTIFICATE

WE THOMAS A. ROBINSON AND BARBARA R. ROBINSON DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE NUMBERED TRACTS OF THIS PLAT OF CUB RIVER ACRES, DIVISION NUMBER TWO IN THE NORTHWEST QUARTER SECTION 19, TOWNSHIP 15 SOUTH, RANGE 41 EAST, OF THE BOISE MERIDIAN, AND THAT WE ARE UNDER CONTRACT OBLIGATION TO ADMINISTER THE FUNDING PROVIDED BY THE PROPERTY OWNERS FOR THE DEVELOPMENT OF COMMUNITY FACILITIES INCLUDING ROADS, CULINARY WATER AND ELECTRICAL POWER. THE DESIGNATED ROADS WILL BE RETAINED AS PRIVATE PROPERTY. PURCHASERS OF LAND TRACTS IN THIS SUBDIVISION ARE SUBJECT TO THE CUB RIVER ACRES RESTRICTIVE COVENANTS DATED SEPTEMBER 1, 1971, RECORDED OCTOBER 18, 1971, UNDER MICROFILM INSTR. #128916, RECORDS OF FRANKLIN COUNTY IDAHO, OR AS MODIFIED IN INDIVIDUAL DEVELOPMENT CONTRACTS.

THOMAS A. ROBINSON

BARBARA R. ROBINSON

SANITARY RESTRICTIONS

ANY RESTRICTIONS IN FORCE UNDER IDAHO CODE, CHAPTER 13, IDAHO CODE.

COUNTY APPROVAL & ACCEPTANCE

PRESENTED TO THE FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS THIS DAY OF 1978, AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED.

ATTEST:

COUNTY CLERK

CHAIRMAN

COUNTY CLERK'S CERTIFICATE

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE CUB RIVER ACRES SUBDIVISION.

Michael L. Lund
COUNTY CLERK

ACKNOWLEDGEMENT

I, S.S., ON THIS DAY OF 1978, PERSONALLY APPEARED BEFORE ME THE SIGNERS OF THE ABOVE INSTRUMENT, WHO DULY ACKNOWLEDGED TO ME THAT THEY SIGNED THE SAME.

NOTARY PUBLIC

COUNTY ENGINEERS APPROVAL

I CERTIFY THAT I HAVE HAD THIS PLAT EXAMINED AND FIND THAT IT IS CORRECT AND ACCEPTABLE.

DATE:

COUNTY ENGINEER

COUNTY RECORDERS NUMBER

STATE OF IDAHO, COUNTY OF FRANKLIN, RECORDED AND FILED AT THE REQUEST OF

DATE TIME

BOOK PAGE

INSTR. #

State of Idaho
Department of Water Resources
Permit To Appropriate Water
NO. 13-07514

Proposed Priority: December 22, 1993 **Maximum Diversion Rate:** 0.20 CFS

This is to certify, that **CUB RIVER ACRES INC**
C/O WALTER ROSS
PO BOX 208
PRESTON ID 83263-0208
has applied for a permit to appropriate water from:
SPRING tributary of **LITZ 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>
DOMESTIC	01/01 to 12/31	0.20 CFS

LOCATION OF POINT(S) OF DIVERSION: SENESE , Sec. 18, Township 15S, Range 41E
FRANKLIN County

PLACE OF USE: DOMESTIC

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>			
15S	41E	18	NESW	Lot 3(NWSW)	Lot 4(SWSW)
			SESW		
		19	NENW	Lot 1(NWNW)	Lot 2(SWNW)

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before May 1, 1997.
2. Subject to all prior water rights.
3. Use of water under this right may be affected by an agreement between the protestant and the right holder.
4. Use of water under this right is subject to control by the watermaster of State Water District No. 13A.
5. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works prior to diversion of water under this right.
6. The issuance of this right does not grant any right-of-way or easement across the land of another.
7. This right is diverted from the same spring as Right 13-07028 and when combined with Right 13-07028 shall not exceed a diversion rate of 0.20 cfs.
8. Whenever the flow in the Cub River Drainage is not sufficient to fill all rights prior in time to this right, groundwater must be pumped and diverted into Cub River under Right No. 13-07021 to allow the continued diversion from the spring.
9. Place of use is located within Lots 1-4, 6, 8, 11-13, 21, 29-33, 40-42, 46, 52, 55, 65, 73, 75, 79-82, 101, 105, 107-108, 110-111, Cub River Subdivision #1; and Lots 22-23, 25-27, 45, 47-50, 86, 88-91, 104, 112-118, 120-126, Cub River Subdivision #2.

Permit To Appropriate Water

NO. 13-07514

CONDITIONS OF APPROVAL AND REMARKS

10. Domestic use is for 15 homes and 47 campsites.
11. Domestic use does not include lawn, garden, landscape, or other types of irrigation.

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

22nd day of April, 1996

Karl J. Dreher
for Karl J. Dreher, Director

D
W
R

18-Jan-1994

CONAN FOSTER
WATER DIST 13-A
1508 S 2400 E
PRESTON ID 83263

RE: Application No.'s

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 W. Jones *rb*
Harold W. Jones
Water Right Supervisor

HWJ:rb
enc.

18-Jan-1994

WALTER ROSS
CUB RIVER ACRES INC
PO BOX 208
PRESTON ID 83263

RE: Application No. 13-07514

Dear Water Right Applicant:

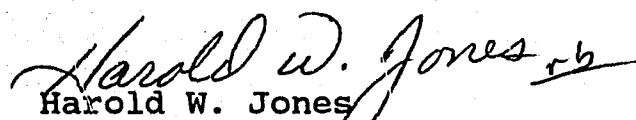
The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in the PRESTON CITIZEN on 1-20 & 1-27-94. The advertisement will be published for two consecutive weeks, and a period of ten days following the second 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 Right Supervisor

HWJ:rb

18-Jan-1994

ID DEPT OF FISH & GAME
REGION 6
1515 LINCOLN RD
IDAHO FALLS ID 83401

RE: Application No. 13-07514

Dear Sir:

We are enclosing a copy of the application(s) that may be of interest to your department. Please review the application(s) and submit any comments you may have to our Department as soon as possible. The last date of protest is 2-7-94, 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
Harold W. Jones ^{rb}
Water Right Supervisor

HWJ:rb
enc



IDAHO FISH & GAME
SOUTHEAST REGION
1345 Barton Road
Pocatello, Idaho 83204-1819

Cecil D. Andrus / Governor
Jerry M. Conley / Director

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JAN 3 1 1994

January 27, 1994

Department of Water Resources
Eastern District Office

Harold W. Jones
Water Right Supervisor
Idaho Department of Water Resources
900 N. Skyline Dr.
Idaho Falls, ID 83402-1718

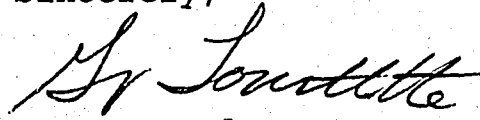
Re: Application 13-07514 - Cub River Acres, Inc.

Dear Harold:

Department personnel have reviewed the application by Walter Ross on behalf of Cub River Acres to appropriate 0.2 cfs of water from a spring near Litz Creek for domestic use and have no objections to the permit issuance.

Thank you for the opportunity to comment on this matter.

Sincerely,


Greg Tourtlotte
Regional Supervisor

GT/JL/jh

cc: Natural Resources Policy Bureau
Jim Lukens

State of Idaho, Department of Water Resources

26-Jan 1994

Harold W. Jones.

Water Right Supervisor

RECEIVED

JAN 27 1994

Department of Water Resources
Eastern District Office

Application No's 13-07514

Cut River acres Inc.

% Walter Rose

Box 208 Preston 83263

Dear Sir

Concerning Application for Permit

This spring is being used for other homes and lots, At the time this use took place a well was drilled the water from the well was to be put back in Cut River and taken out of the spring, The wells were used for several years then it was decided the water from Cut River was falling the well and being pumped back to Cut River This was an agreement between Cut River Irrigation and Thomas Robinson, Cut River Irrigation said River Water Master was to take care and see that pumps were turned on and when to turn off, There was no funds for this it was an agreement between the two parties so they should take care of it Not the R. Water Master

over

This is My Understanding and I don't
feel This Issue is a Expense other water users
should Be Involved In, Pumps should Be
Run during The water season and shut off
after The water season I have no filling
on this spring for These homes Lots at this Point
And For This application In My Opinion
There is no water In Cut River to be
filed on.

In my opinion The way the Pumps are
set up and of Cut River Irrigation
Made The Agreement Cut River Irrigation
should Be Responsible for the Pump being
turned on and turned off, If This is
not done the water being used at The
spring should be taken from Cut R. Irrigation
42.50 cfs Decree.

In My Opinion There is No Water from
led spring application 13-07514 to Be
filed on for Permit or water to Be used.

Thank You

Jan 26-1994

Ernan Foster
Water Dist 13-#
River Watermaster

PROTEST TO APPLICATION FOR WATER PERMIT

To: Director, Idaho Department of Water Resources
Eastern Region
900 North Skyline
Idaho Falls, ID 83402

Cub River Irrigation Company, Inc. and Preston Whitney Irrigation Company, Inc., as Protestants state as follows:

1. The names and addresses of Protestants are Cub River Irrigation, Inc., c/o Steven R. Fuller, Attorney at Law, P.O. box 191, Preston, Idaho 83263 and Cub River Irrigation, Inc., c/o Steven R. Fuller, Attorney at Law, P.O. Box 191, Preston, Idaho 83263.

2. The application protested is No. 13-07514 made by Cub River Acres, Inc., c/o Walter Ross, P.O. Box 208, Preston, Idaho, for a permit to appropriate .200 cfs from an unnamed spring, a tributary to Litz Creek, diversion point SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 18, Township 15 South, Range 41 East in Franklin County, Idaho.

3. The objections to the approval of such application are as follows:

(a) The unnamed spring is in fact a tributary to Cub River.

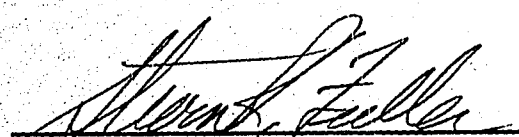
(b) Cub River Irrigation Company and Preston Whitney Irrigation Company have decreed water rights to the waters of Cub River and its tributaries which are prior in right to that of the applicant.

(c) There are no waters of Cub River or any of its tributaries, including the waters to which said application is claimed to apply, which are not now adversely held and already covered by existing rights.

DATED this 4th day of February, 1994.

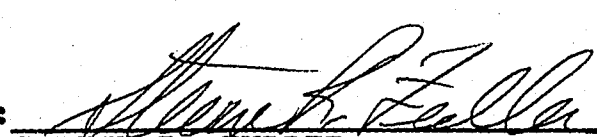
CUB RIVER IRRIGATION CO.

By:


STEVEN R. FULLER
Attorney for Protestant
P.O. Box 191
Preston, ID 83263
(208) 852-2680

PRESTON WHITNEY IRRIGATION CO

By:


STEVEN R. FULLER
Attorney for Protestant
P.O. Box 191
Preston, ID 83263
(208) 852-2680

STEVEN R. FULLER
ATTORNEY AND COUNSELOR AT LAW
24 NORTH STATE • P.O. BOX 191 • PRESTON, IDAHO 83263

ALSO, MEMBER OF UTAH BAR

February 4, 1994

RECEIVED
FEB 7 1994

TELEPHONE
(208) 852-2680
FAX (208) 852-2683

Department of Water Resources
Eastern District Office

TO: ATTN: RITA
DEPARTMENT OF WATER RES.
EASTERN REGION
900 N. SKYLINE
IDAHO FALLS, ID 83402

Please Note:

This form letter is used to expedite communications. You need direct your attention **only** to the items marked.

RE: CUB RIVER ACRES, INC. DIVERSION PROTEST

- XX Enclosed is information/pleadings relating to the above matter.
- _____ For your information.
- _____ Please review and file in your records.
- _____ Please record in the county records and return.
- _____ Please file in the court record of the above case.
- _____ Please review and call us to discuss over the telephone.
- _____ Please sign and return _____ all but one copy.
_____ all copies.
- _____ Enclosed is the information you requested.

Enclosures: PROTEST TO APPLICATION FOR WATER PERMIT



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - FAX: (208) 525-7177

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

14-Mar-1994

STEVEN R FULLER
ATTORNEY & COUNSELOR AT LAW
24 N STATE
PO BOX 191
PRESTON ID 83263

RE: Application for Permit No. 13-07514

Dear Mr. Fuller:

Your protest on behalf of your clients Cub River Irrigation Co., Inc. and Preston Whitney Irrigation Co., Inc. 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 applications for permit (Sec. 42-203, Idaho Code): the following are the principle items the Department can consider in either approving or denying the applications for permit (Sec. 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing 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. Is the proposed use contrary to conservation of water resources within the State of Idaho?

Steven R. Fuller
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.

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ:rb
pc: IDWR - State Office



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - FAX: (208) 525-7177

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

14-Mar-1994

WALTER ROSS
CUB RIVER ACRES INC
PO BOX 208
PRESTON ID 83263

RE: Application for Permit No. 13-07514

Dear Applicant:

Enclosed is a copy of a protest filed against the issuance of a permit. The Department suggests you contact the protestant directly in an effort to determine the nature of the protest and to attempt to resolve the protest.

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 a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for transfer (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 conflict with the local public interest?
6. Is the proposed use contrary to conservation of water resources within the State of Idaho?

Walter Ross
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:rb

pc: IDWR - State Office
Enc.

J. Walter Ross
236 East First North
Preston, Idaho 83263

RECEIVED
MAR 17 1994

Department of Water Resources
Eastern District Office

March 16, 1994

Harold W. Jones
Department of Water Resources
900 North Skyline Drive
Idaho Falls ID 83402-1718

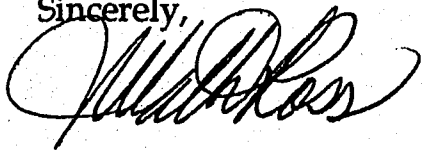
RE: Application for Permit No. 13-07514

Dear Mr. Jones:

I have met with the Cub River Irrigation Co. and the Preston-Whitney Irrigation Co. and I think we have reached a mutual understanding on our permit.

It is my understanding the protests will be lifted at such time that we install a meter on our system and that we allow and pay for the rivermaster to read the device.

Sincerely,



J. Walter Ross

DILLION:
R O S C H
D A W
B O C K &
c h a r t e r e d

Attorneys

Josephine P. Beeman
Les Bock
Allan R. Bosch
C. A. Daw
Lee B. Dillon
Dana L. Hofstetter
Robert Wreggelsworth

September 25, 1995

RECEIVED
SEP 26 1995

Department of Water Resources
Eastern District Office

Harold Jones
Idaho Department of Water Resources
900 N. Skyline Drive
Idaho Falls, Idaho 83402

Re: Cub River Acres, Inc. Application 13-07514
Protest by Cub River Irrigation Co. and Preston-Whitney Irrigation Co.
DBDB File No. 1815-WA01

Dear Mr. Jones:

Cub River Acres, Inc. met recently to review the basis for the protest by Cub River Irrigation Co. and the Preston-Whitney Irrigation Co. to application 13-07514. As you know, Cub River Acres, Inc. has three water right records at IDWR:

- (1) license 13-07028 for .2 cfs (with a maximum diversion volume of 10.8 acre feet per year) for domestic purposes from a spring tributary to Litz Creek; priority date is March 27, 1972;
- (2) license 13-07021 for .2 cfs from two wells to provide replacement water to the Cub River when the Cub River flow is not sufficient to allow a 1972 diversion from the spring; and
- (3) pending application 13-07514 for .2 cfs (with a possible maximum diversion volume of 37.8 acre feet per year) for domestic purposes from a spring tributary to Litz Creek.

Cub River Acres, Inc. wants to confirm that it has an adequate diverted volume for domestic water for its 80 lots. A water right with a diverted volume of 48 acre feet (80 x .6 acre feet) would satisfy the IDWR standard for inhouse domestic use for the 80 lots.

The original application for 13-07028 only listed 18 lots (6 for homes; 12 for campsites), so 10.8 acre feet show as the maximum diverted volume on the license.

Application 13-07514 attempts to increase the diverted volume to cover the 62 lots not included in license 13-07028. The original application for 13-07514 states that the domestic use is for six summer homes and 56 campsites. The 62 lots in application 13-07514 and the 18 lots in license 13-07028 total 80 lots. The 62 lots would require a diverted volume of 37.2 acrefeet per year.

Fidelity Building
242 N. 8th St.
Suite 200
Boise, ID 83702

tel. (208) 344-8990
fax (208) 344-9140

Internet E-mail to:
dbdb@micron.net

Harold Jones
Page 2
September 25, 1995

The diversion rate of .2 cfs under license 13-07028 will provide a volume of approximately .4 acre feet a day. The annual volume would be approximately 146 acre feet which is much greater than the 48 acre feet of diverted volume needed annually for 80 lots. In other words, the .2 cfs under license 13-07028 is more than adequate to provide the diverted volume for all 80 lots. Since license 13-07028 only lists 18 lots, application 13-07514 seeks to provide the diverted volume for the remaining 62 lots, but the .2 cfs listed with application 13-07514 is not necessary to provide the diverted volume for the 80 lots.

The Cub River Irrigation Company objects to the additional .2 cfs for application 13-07514. As you have explained to me, and I in turn explained to Cub River Acres, Inc., application 13-07514 could be conditioned to clarify that its .2 cfs is the same as (and is not in addition to) the .2 cfs diverted under license 13-07028.

Pursuant to our conversation on Tuesday, September 20, 1995, I understand that IDWR will condition application 13-07514 to clarify that the .2 cfs is the same .2 cfs diverted under license 13-07028. I also understand that this condition resolves the Cub River Irrigation Company and the Preston-Whitney Irrigation Company objection.

Thank you again for your willingness to discuss the field work and calculations related to both license 13-07028 and application 13-07514. Please do not hesitate to call me if there is something more I can do to facilitate the approval of application 13-07514 for Cub River Acres, Inc.

Sincerely,

Dillion, Bosch, Daw & Bock
Chartered

By: *Josephine P. Beeman*
Josephine P. Beeman *By W. Clive*

JPB:dc

cc: Walter Ross, President, Cub River Acres, Inc.
Steve Fuller, counsel for Cub River Irrigation Company
and the Preston-Whitney Irrigation Company

RECEIVED

DEC 11 1995

Department of Water Resources
Eastern District Office

CONDITIONAL WITHDRAWAL OF PROTEST
OF APPLICATION FOR WATER PERMIT

To: Director, Idaho Department of Water Resources
Eastern Region
900 North Skyline
Idaho Falls, ID 83402

Re: Application for Water Right No. 13-07514
by Cub River Acres, Inc.

Preston Whitney Irrigation Company, Inc. as Protestant, hereby conditionally withdraws its protest for the above application for water right upon the following terms:

1. It is the understanding of Protestant that Cub River Acres, Inc. has installed a measuring device on their water system which can be monitored by the Cub River Water Master.

According to officials of Cub River Acres, Inc., Application for Water Right No. 13-07514 was to be an amendment to License No. 13-07028 done for the purpose of correcting the original License to include additional camp sites which were omitted in the original filing.

2. It is further the understanding of Protestants that the Application for Water Right No. 13-07514 was not intended as an application for additional water right beyond the 0.20 cfs water right license granted to Cub River Acres, Inc. in water right License No. 13-07028.

3. Protestant does not object to the amendment of the original License No. 13-07028 so long as the total appropriation under License No. 13-07028 and Application for Water Right No. 13-07514 does not exceed 0.20 cfs and the prior rights of Protestants are not impaired.

Dated this 1 day of December, 1995.

Preston Whitney Irrigation Co.

By: R. Carl Swannick
Title: President

cc: Cub River Acres, Inc.
c/o Walt Ross

RECEIVED

DEC 11 1995

STEVEN R. FULLER
ATTORNEY AND COUNSELOR AT LAW
24 NORTH STATE • P.O. BOX 191 • PRESTON, IDAHO 83263

Department of Water Resources
Eastern District Office

ALSO, MEMBER OF UTAH BAR

TELEPHONE
(208) 852-2680
FAX (208) 852-2683

December 7, 1995

TO: ATTN: RITA
DEPARTMENT OF WATER RES.
EASTERN REGION
900 NORTH SKYLINE
IDHAO FALLS ID 83402

Please Note:

This form letter is used to expedite communications. You need direct your attention only to the items marked.

RE: CUB RIVER ACRES, INC./WATER PROTEST

- XX Enclosed is information/pleadings relating to the above matter.
- For your information.
- Please review and file in your records.
- Please record in the county records and return.
- Please file in the court record of the above case.
- Please review and call us to discuss over the telephone.
- Please sign and return all but one copy.
 all copies.
- Enclosed is the information you requested.

Enclosures: CONDITIONAL WITHDRAWAL OF PROTEST OF APPLICATION FOR WATER PERMIT BY PRESTON WHITNEY IRRIGATION COMPANY.

January 2, 1996

CUB RIVER ACRES INC
C/O WALTER ROSS
PO BOX 208
PRESTON ID 83263

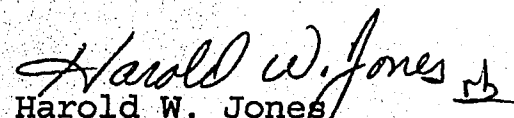
RE: Application for Permit No. 13-07514

Dear Applicant:

This letter is to advise you that the protest filed by Preston Whitney Irrigation Company against approval of the above referenced application has been withdrawn.

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

Very truly yours,

Harold W. Jones 
Harold W. Jones
Water Right Supervisor

HWJ/rb

January 2, 1996

STEVEN R FULLER
PRESTON WHITNEY IRRIGATION CO
PO BOX 191
PRESTON ID 83263

RE: Application for Permit No. 13-07514 - CUB RIVER ACRES INC.

Dear Protestant:

This letter acknowledges receipt of the withdrawal of protest from Preston Whitney Irrigation Company against the above referenced application.

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

Very truly yours,

Harold W. Jones rb
Harold W. Jones
Water Right Supervisor

HWJ/rb

RECEIVED

FEB 28 1996

STEVEN R. FULLER
ATTORNEY AND COUNSELOR AT LAW
24 NORTH STATE • P.O. BOX 191 • PRESTON, IDAHO 83263

Department of Water Resources
Eastern District Office

TELEPHONE
(208) 852-2680
FAX (208) 852-2683

ALSO, MEMBER OF UTAH BAR

February 27, 1996

TO: DIRECTOR IDWR
EASTERN REGION
900 NORTH SKYLINE
IDAHO FALLS ID 83402

Please Note:

This form letter is used to expedite communications. You need direct your attention **only** to the items marked.

RE: CUB RIVER ACRES, INC./APP. FOR WATER RIGHT

- XX Enclosed is information/pleadings relating to the above matter.
- _____ For your information.
- _____ Please review and file in your records.
- _____ Please record in the county records and return.
- _____ Please file in the court record of the above case.
- _____ Please review and call us to discuss over the telephone.
- _____ Please sign and return _____ all but one copy.
_____ all copies.
- _____ Enclosed is the information you requested.

Enclosures: ORIGINAL CONDITIONAL WITHDRAWAL OF PROTEST OF APPLICATION FOR WATER PERMIT.

CONDITIONAL WITHDRAWAL OF PROTEST
OF APPLICATION FOR WATER PERMIT

RECEIVED

FEB 28 1996

Department of Water Resources
Eastern District Office

To: Director, Idaho Department of Water Resources
Eastern Region
900 North Skyline
Idaho Falls, ID 83402

Re: Application for Water Right No. 13-07514
by Cub River Acres, Inc.

Cub River Irrigation Company, Inc. as Protestant, hereby conditionally withdraws its protest for the above application for water right upon the following terms:

1. It is the understanding of Protestant that Cub River Acres, Inc. has installed a measuring device on their water system which can be monitored by the Cub River Water Master.

According to officials of Cub River Acres, Inc., Application for Water Right No. 13-07514 was to be an amendment to License No. 13-07028 done for the purpose of correcting the original License to include additional camp sites which were omitted in the original filing.

2. It is further the understanding of Protestants that the Application for Water Right No. 13-07514 was not intended as an application for additional water right beyond the 0.20 cfs water right license granted to Cub River Acres, Inc. in water right License No. 13-07028.

3. Protestant does not object to the amendment of the original License No. 13-07028 so long as the total appropriation under License No. 13-07028 and Application for Water Right No. 13-07514 does not exceed 0.20 cfs and the prior rights of Protestants are not impaired.

Dated this 26 day of Jan, 1995.

Cub River Irrigation Co.

By:

Gale E. Brown

Title:

President

cc: Cub River Acres, Inc.
c/o Walter Ross, Jr.

March 4, 1996

CUB RIVER ACRES INC
C/O WALTER ROSS
PO BOX 208
PRESTON ID 83263

RE: Application for Permit No. 13-07514

Dear Applicant:

This letter is to advise you that the protest filed by Cub River Irrigation Co. against approval of the above referenced application has been withdrawn.

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

Very truly yours,

Harold W. Jones
Harold W. Jones
Water Right Supervisor

HWJ/rb

March 4, 1996

CUB RIVER IRRIGATION COMPANY
C/O STEVEN R FULLER
PO BOX 191
PRESTON ID 83263

RE: Application for Permit No. 13-07514 - CUB RIVER ACRES

Dear Protestant:

This letter acknowledges receipt of the withdrawal of protest from
Cub River Irrigation against the above referenced application.

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

Very truly yours,


Harold W. Jones
Water Right Supervisor

HWJ/rb

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Eastern Region, 900 N Skyline, Idaho Falls, Idaho 83402 on or before FEBRUARY 7, 1994.

R. KEITH HIGGINSON, Director

Published: 1/20/1994 & 1/27/1994

13-07514

CUB RIVER ACRES INC
C/O WALTER ROSS
PO BOX 208
PRESTON, ID 83263

Source: SPRING

Tributary: LITZ CREEK

Diversion Pt: SENESE Sec 18 T 15S R 41E in FRANKLIN County.

Use: DOMESTIC (.200 CFS)
Total Diversion: (.200 CFS)

Date Filed: 12/22/1993

In: FRANKLIN County
T15S R41E S18
S19

NESW
NENW

NWSW
NWNW

SWSW
SWNW

SESW

875

3722

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Franklin } ss.

J. WALTER ROSS

being duly sworn,

deposes and says:

That he is the **CO-PUBLISHER** of THE PRESTON CITIZEN, a weekly newspaper published at Preston, in the County of Franklin and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Preston; that the advertisement, a copy of which is attached hereto, was published in said

newspaper once a week for 2 consecutive weeks in the regular and entire issue of said paper during the period of time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

1-20, 1994, and ending

with the issue of 1-27, 1994

Fee \$ 40.10

Subscribed and sworn to before me this 27 day

of Jan, 1994.

Notary Public, Residing at Preston, Idaho

My Commission Expires Aug 14, 1995.

NOTICE OF APPLICATION FOR WATER RIGHT

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

13-07514
CUB RIVER ACRES INC
C/O WALTER ROSS
PO BOX 208
PRESTON, ID 83263

Source: SPRING
Tributary: LITZ CREEK
Diversion Pt: SENESE Sec 18 T15S
R41E in FRANKLIN County.
Use: DOMESTIC (.200 CFS)
Total Diversion: (.200 CFS)
Date Filed: 12/22/1993
In: FRANKLIN County
T15S R41E S18 NESW NWSW
SWSW SESW
S19 NENW NWNW SWNW

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Eastern Region, 900 N Skyline, Idaho Falls, Idaho 83402 on or before FEBRUARY 7, 1994.

R. KEITH HIGGINSON,
Director

Legal No. 3722 — Published January 20 and 27, 1994.

RECEIVED
MAR 25 1996

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

March 27, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

CUB RIVER ACRES INC
C/O WALTER ROSS
PO BOX 208
PRESTON ID 83263-0208

RE: Application for Permit No. 13-07514

Dear Mr. Ross;

The above referenced application has been sent to the State Office for final review and processing; however, before the application process can continue, I will need some additional information.

The application lists a domestic use for 6 homes and 56 campsites, but a subdivision plat identifying the location of these homes was not included with the application. I need the subdivision plat to clarify where water will be diverted. Please provide a subdivision plat identifying the location of the point of diversion, the location of any common or non-domestic areas, as well as the size of each lot.

I will hold further processing on your application for 14 days pending your response. Please submit this information as quickly as possible within the 14-day period to prevent any further undue delay in processing your application.

If you have any questions, you may contact me directly at (208) 327-7944.

Sincerely,

A handwritten signature in cursive script that reads 'Cindy Zimmerman'.

Cindy Zimmerman
Water Resource Agent

J. Walter Ross
236 East First North
Preston, Idaho 83263

RECEIVED

APR 08 1996

Department of Water Resources

Dear Cindy

I hope this information
is enough so you can proceed
with our Permit no. 13-07514

Any questions Please
Call me at 852-0155

Thanks

J. Walter Ross

APR-11-1996 09:58

THE PRESTON CITIZEN

P.01

Prepared By
Approved By

DIVISION #1		Camp Sites	Summer Homes	Perm. Homes	Ranch w/ P. Homes
Lot #					
1	111			1	
2	31	1			
3	75				1
4	29	1			
5	30	1			
6	51			1	
7	79	1			
8	80	1			
9	32		1		
10	13	1			
11	18	1			
12	8	1			
13	10		1		
14	46	1			
15	55		1		
16	81	1			
17	3	1			
18	101	1			
19	2	1			
20	1	1			
21	12	1			
22	9			1	
23	19			1	
24	52	1			
25	33	1			
26	40	1			
27	11	1			
28	105			1	
29	106			1	
30	108			1	
31	174				1
32	73				1
33	21	1			
34	106		1		
35	110	1			
36	41	1			
37	5		1		
38	70				1
39	65				1
40	6	1			

22604



Date 4/11/96
 From Walter Ross
 CCUB RIVER ARRES
 Phone # 208 852 0155
 Fax # 208 852 0158

Post-It Fax Note 7671
 To: CUBA ZAMERMAN
 Co. Dept.
 Phone #
 Fax #

13 APR 96

APR-11-1996 09:58

THE PRESTON CITIZEN

P.02

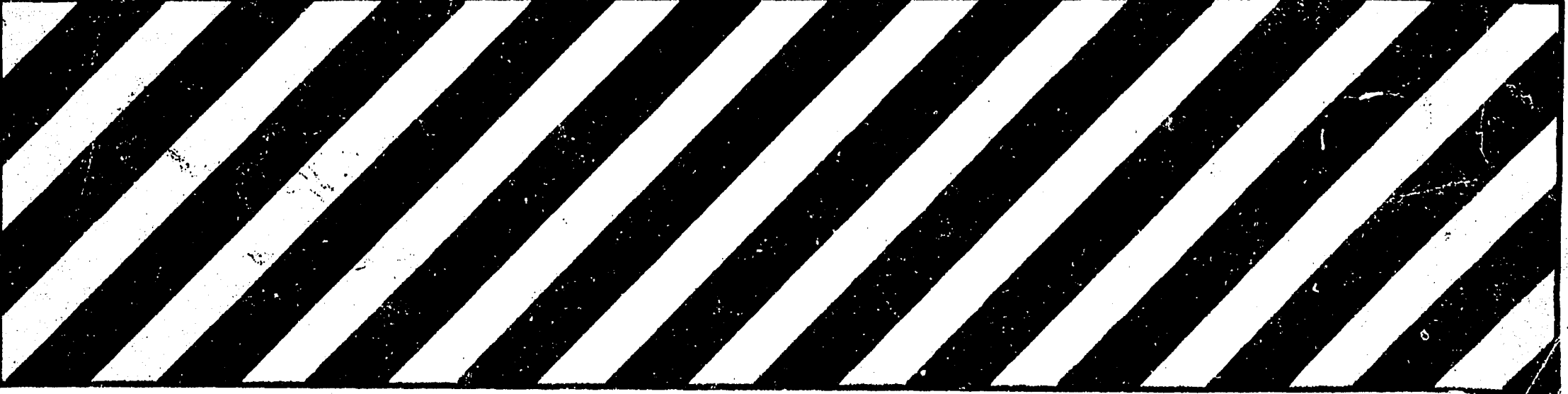
Entered By
Approved By

		1		2		3		4	
		DIVISION #1		Camp		Summer		Perm	
		Lot #		5/33		Henes		Henes	
								Ranch	
								w/	
								P. Henes	
1		420		1					
2		26		1					
3		82		1					
4		4		1					
5		76							
6		107						1	
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40				27		5		8	
				26		2		4	
								3	

DIVISION #2		Camp Sites	Summer Homes	Palm Homes	Ranch w/ P. Homes
	Lot #				
1	25	1			
2	126	1			
3	122	1			
4	119		1		
5	116	1			
6	27	1			
7	45			1	
8	44			1	
9	85		1		
10	112	1			
11	115			1	
12	90	1			
13	91	1			
14	268	1			
15	121	1			
16	124	1			
17	49	1			
18	50	1			
19	118	1			
20	123	1			
21	86	1			
22	42	1			
23	23	1			
24	88	1			
25	87		1		
26	89	1			
27	114	1			
28	117		1		
29	48	1			
30	22	1			
31	104	1			
32	113			1	
33	125	1			
34	120		1		
35					
36					
37					
38					
39					
40		25	5	4	
		25	3	3	TOTAL P.03



**MAP(~~S~~) TOO
LARGE TO FILM -
SEE FILE...**





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

April 22, 1996

CUB RIVER ACRES INC
C/O WALTER ROSS
PO BOX 208
PRESTON ID 83263-0208

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 13-07514

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permit.

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed, you should complete and submit this form immediately.

Be sure to note the special condition requiring you to install a lockable device that will provide the watermaster control on your diversion.

Sincerely,

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

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosures

FOR OFFICE USE ONLY
Amt. of Fee \$: 50.00
Receipt No. CD35413
Receipt By: JL
Date Received: 4/29/96

STATE OF IDAHO
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. 13-07514 Telephone No. (208) 852-0155
2. Name(s) of Permit Holder(s): CUB RIVER ACRES INC.
3. Mailing Address: Box 208 PRESTON, ID 83263
4. Source of Water: LITZ CREEK 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): 15 Stockwater (No. and type of stock): _____
Irrigation (No. of acres): _____ Other: 47 CAMPSITES
6. Total rate of diversion and/or volume for which proof is submitted: .20 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: \$ 50.00 (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. WALTER ROSS Telephone Number: 208 852-0155
Address: 7750 State St PRESTON ID 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. Walter Ross, President
(include your title, if on behalf of company or organization)

Date:

4/25/96

May 2, 1996

CUB RIVER ACRES INC
C/O WALTER ROSS
PO BOX 208
PRESTON ID 832630208

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 13-07514

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