

RECEIVED
Form 202
10/92
JUN 06 1994

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 13-1516

To appropriate the public waters of the State of Idaho

1. Name of applicant GARY GARNER Phone 208-747-3341
Post office address BOX 66, CLIFTON, ID. 83228
2. Source of water supply Spring which is a tributary of None
3. Location of point of diversion is NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of SW $\frac{1}{4}$, Govt. Lot _____
Sec. 27 Township T14S. Range R38E B.M. Franklin County; additional
points of diversion if any: None
4. Water will be used for the following purposes:
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)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.02 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. Water Trough for cattle
spring/pipeline to trough
 - 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 ground water with a temperature of greater than 85°F being sought? _____
 - e. If well is already drilled, when? _____; Drilling firm _____;
Well was drilled for (well owner) _____
7. Time required for the completion of the works and application of the water to be proposed beneficial use is
done
1 years (minimum 1 year).

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. 60 Cattle
- 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	
14S	38E	27												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? GARY GARNER

b. Who owns the land to be irrigated or place of use? GARY GARNER

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: _____

[illegible]

Larry Lawrence
(Applicant)

Received by DC Date 4/7/94 Time 2:10pm Preliminary check by DC
Fee \$ 30 Receipted by DC # FOI 9661 Date 4/7/94
Publication prepared by LB Date 5-8-94 Published in Shasta Citizen
Publication approved LB Date 6-1-94

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:

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 13-07516

Proposed Priority: April 7, 1994

Maximum Diversion Rate:

0.02 CFS

This is to certify, that GARY GARNER

PO BOX 66

CLIFTON ID 83228-0066

has applied for a permit to appropriate water from:

SPRING

tributary of SINKS

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

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

STOCKWATER

01/01 to 12/31

0.02 CFS

LOCATION OF POINT(S) OF DIVERSION:

NESESW , Sec. 27, Township 14S, Range 38E
FRANKLIN County

PLACE OF USE: STOCKWATER

TWN RGE SEC

14S 38E 27

SESW

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 1995.
2. Subject to all prior water rights.
3. Stockwater use is for 60 range cattle.

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 June, 1994

R. Keith Higginson
for R. Keith Higginson, Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

RECEIVED
MAY 04 1994

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 13-7516 Telephone No. 208-747-3341

2. Name(s) of Permit Holder(s): GARY GARNER

3. Post Office Address: Box 66, Clifton Id. 83228-0066

4. Source of Water: Spring

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

b. Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft.): _____

5. Extent of Use:

Domestic _____ (No. of households) Irrigation _____ (No. of acres)
Stockwater 60 (No. and type of stock) Other _____

6. Total rate and/or volume for which proof is submitted 0.02 cfs
10 G.P.M. cfs _____ 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: \$ 50.00 (See License Examination Fee Schedule)

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

GARY GARNER 208-747-3341
Name Telephone No.
233 W. 100 N. CLIFTON ID. 83228
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.

April 7, 94 Gary Garner (owner)
Date Signature (and title if on behalf of a company or organization)

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 13-07516

Priority: April 7, 1994

Maximum Diversion Rate:
Maximum Diversion Volume:

0.02 CFS
0.8 AF

This is to certify, that GARY GARNER
PO BOX 66

CLIFTON ID 83228-0066 has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated April 7, 1994; and
has submitted Proof of Beneficial Use on April 7, 1994. An examination indicates
that the works have a diversion capacity of 0.020 cfs of water from:

SPRING tributary to SINKS

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	0.02 CFS	0.8 AF

LOCATION OF POINT(S) OF DIVERSION: NESESW, Sec. 27, Township 14S, Range 38E
FRANKLIN County

PLACE OF USE: STOCKWATER
TWN RGE SEC
14S 38E 27 SESW

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 9TH
day of July, 1996.

Acting for

KARL J. DREHER, Director

13-07516

GARNER, GARY
PO BOX 66
CLIFTON, ID 83228

Source: SPRING

Tributary: SINKS

Diversion Pt: NESESW Sec 27 T 14S R 38E in FRANKLIN County.

Use: STOCKWATER (.020 CFS)
Total Diversion: (.020 CFS)

Date Filed: 4/ 7/1994

In: FRANKLIN County
T14S R38E S27 SESW

No 3765

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

5-4, 1994, and ending
with the issue of 5-11, 1994

Fcc S 4712

Subscribed and sworn to before me this 11 day
of May, 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:

13-07515

GARNER, GARY
P.O. BOX 66

CLIFTON, ID 83228

Source: SPRING

Tributary: OXFORD CREEK

Diversion Pt: NWNWNW Sec 30 T
13S R38E in FRANKLIN County.

Use: DOMESTIC (.040 CFS)

RECREATION (1.00 AF)

Total Diversion: (.040 CFS)

Date Filed: 4/7/1994

In: FRANKLIN County T13SR38E
S30 NWNW

13-07516

GARNER, GARY

P.O. BOX 66

CLIFTON, ID 83228

Source: SPRING

Tributary: SINKS

Diversion Pt: NESESW Sec 27 T
14S R 38E in FRANKLIN County.

Use: STOCKWATER (.020 CFS)

Total Diversion: (.020 CFS)

Date Filed: 4/7/1994

In: FRANKLIN County T14SR38E
S27 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, 900 N.
Skyline, Idaho Falls, Idaho 83402 on
or before MAY 23, 1994.

R. KEITH HIGGINSON, Director

Legal No. 3765 — Publish May 4,
11, 1994.



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 7, 1994

GARY GARNER
PO BOX 66
CLIFTON ID 832280066

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 13-07516

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. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed you should complete and submit this form immediately.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosures

July 5, 1994

GARY GARNER
PO BOX 66
CLIFTON ID 832280066

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 13-07516

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.

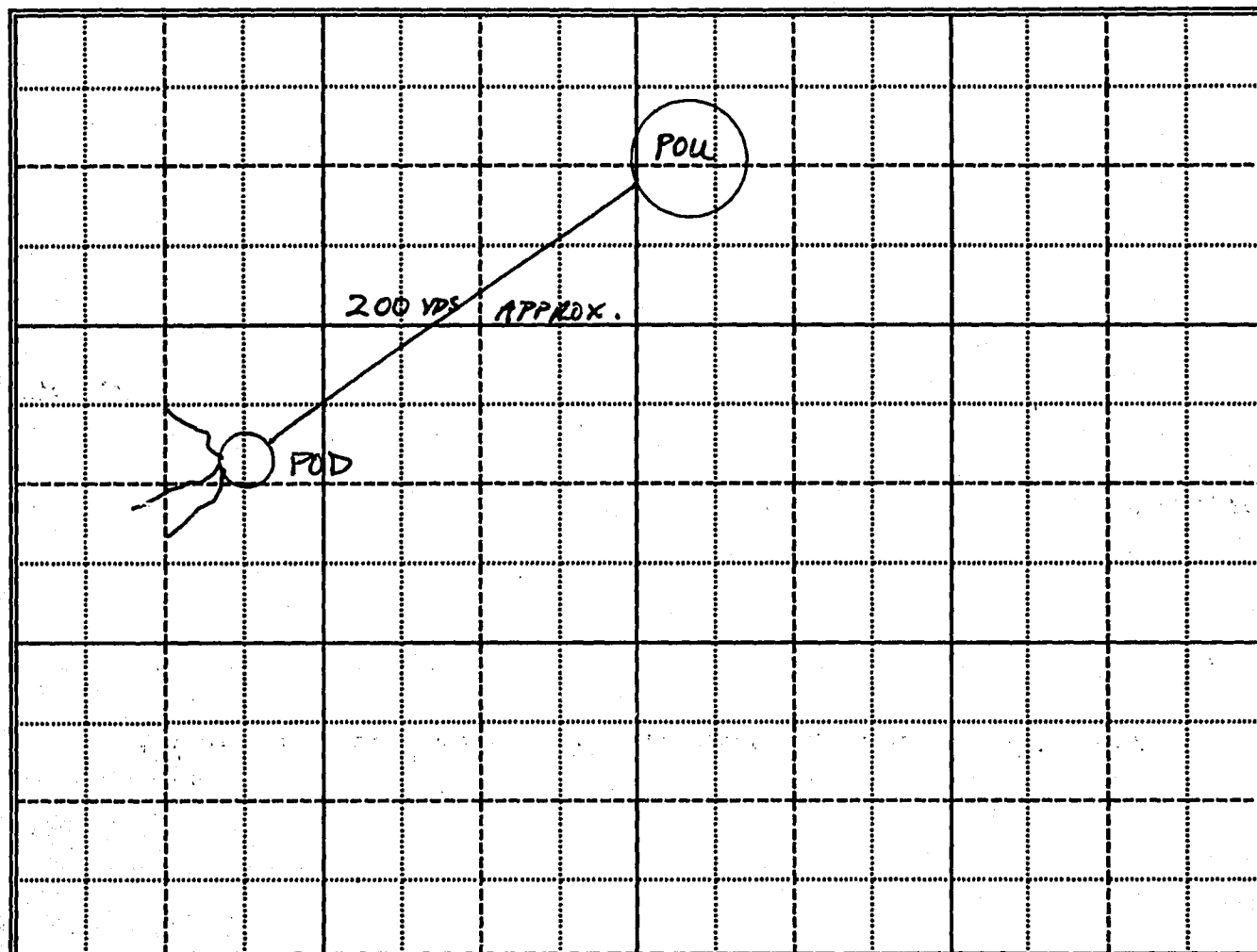
Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

[illegible]

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe I.D. as applicable. *SEE PHOTOS*



Scale: 1" = _____

____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
N/A					

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
N/A						

2. Measurements: SEE NARRATIVE

E. NARRATIVE/REMARKS/COMMENTS

ON 5/4/95 AT APPROXIMATELY 1300 HRS A FIELD EXAM
WAS CONDUCTED ON FIELD PERMIT #13-07516.

THE SYSTEM CONSISTS OF AN UNDERGROUND COLLECTION
SYSTEM PLACED NEAR THE SPRING; WATER IS THEN TRANSPORTED
TO A STOCK WATERING TANK VIA A 3/4" PLASTIC PIPE
WHICH IS BURIED. STOCK TANK IS APPROXIMATELY
4' IN DIAMETER X 24" DEEP.

FLOW MEASUREMENTS WERE TAKEN WITH A GALLON JUG
AND A STOP WATCH. 3 MEASUREMENTS WERE TAKEN, ALL
WERE VERY SIMILAR. 1 gal. in 28 sec.

$$\frac{60 \text{ SEC}}{28 \text{ sec/gal}} = \frac{2.14 \text{ GPH}}{448.8} = 0.0047 \text{ CFS}$$

SPRING IS BEING AFFECTED BY PAST 7 YRS OF DROUGHT,
RANCHER SAID IT USUALLY FLOWS AT A GREATLY HIGHER ^{RATE} ~~VOLUME~~.

THE FOLLOWING CALCULATIONS ARE BASED ON LOW SPRING FLOWS
CREATED BY DROUGHT CONDITIONS.

$$\frac{60 \text{ sec}}{14 \text{ sec/gal.}} = \frac{4.285 \text{ GPH}}{448.8} = 0.00954 = 0.01 \text{ CFS}$$

ASSUMED SPRING NORMAL FLOW

$$4.285 \text{ GPH} \times 60 \times 24 \text{ HRS} = 6,170 \text{ GALLON IN 24 HR PERIOD}$$

$$\text{RANGE COWS} = 12 \text{ GALS/DAY} \times 60 = 720 \text{ GALLONS/DAY}$$

THEREFORE, 0.01 CFS IS SUFFICIENT TO WATER 60 COWS
BASED ON FLOWS OVER A 24 HR PERIOD.

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

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

SEE NARRATIVE PAGE.

$$\frac{60 \text{ SEC}}{14 \text{ SEC/CL}} = \frac{4,285 \text{ GPM}}{448.8} = 0.00954 = 0.01 \text{ CFS}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}}$$

2. Volume Calculations for Other Uses:

$$60 \text{ COWS} \times 0.0134 = 0.804 \text{ AFA}$$

H. RECOMMENDATIONS*PERMIT LIMITS TO 0.01 CFS*

1. Recommended Amounts

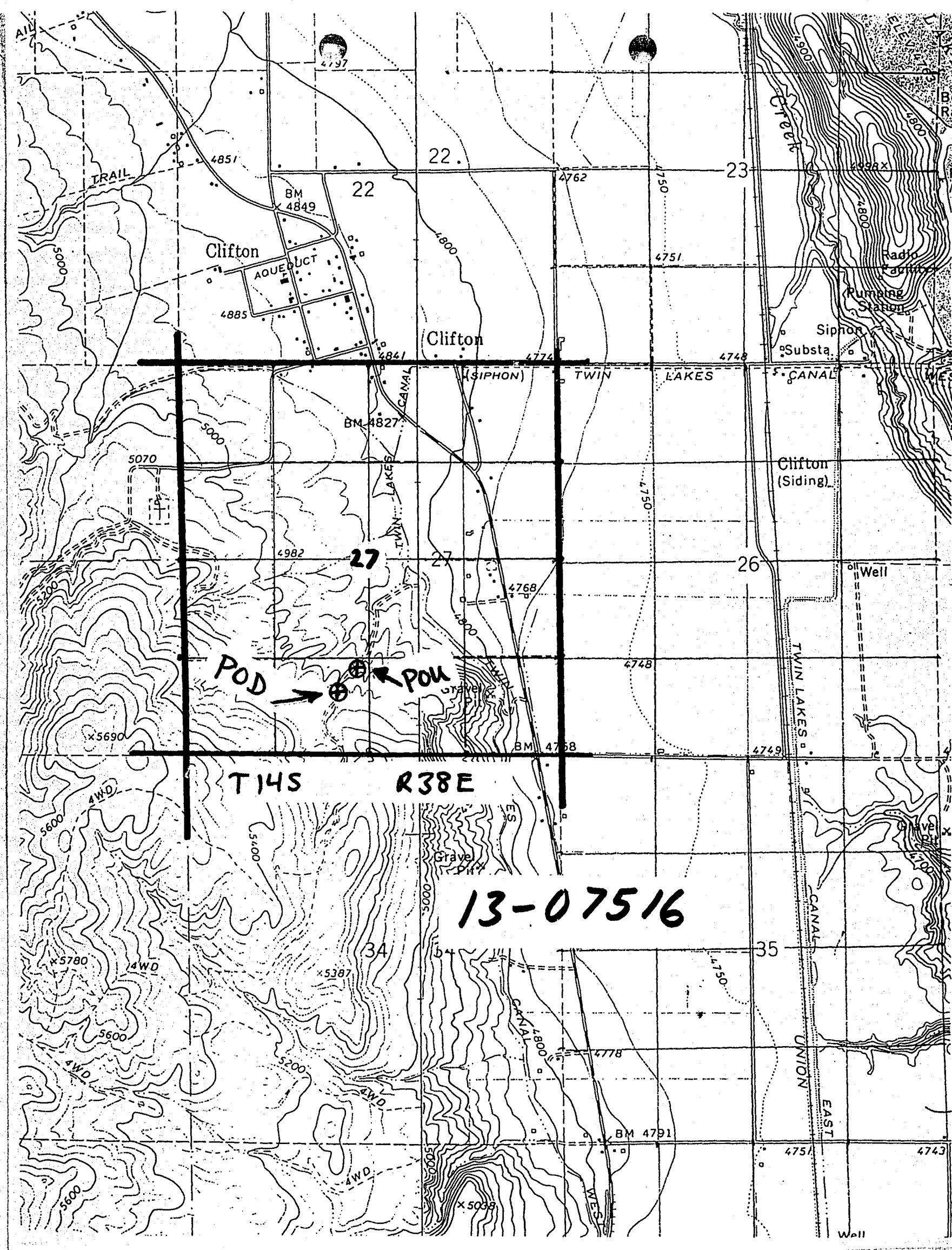
Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<i>STOCKWATER</i>	<i>1/1</i>	<i>12/31</i>	<i>0.01</i>	<i>0.8</i>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals:			<i>0.01 cfs</i>	<i>0.8 AFA</i>

2. Recommended Amendments

____ Change P.D. as reflected above ____ Add P.D. as reflected above ____ None
____ Change P.U. as reflected above ____ Add P.U. as reflected above ____ Other

I. AUTHENTICATIONField Examiner's Name *DON SIMPKINS* Date *12/14/95*Reviewer *[Signature]* Date *2-15-96*

SEAL



GARY GARNER
CLIFTON, ID

212

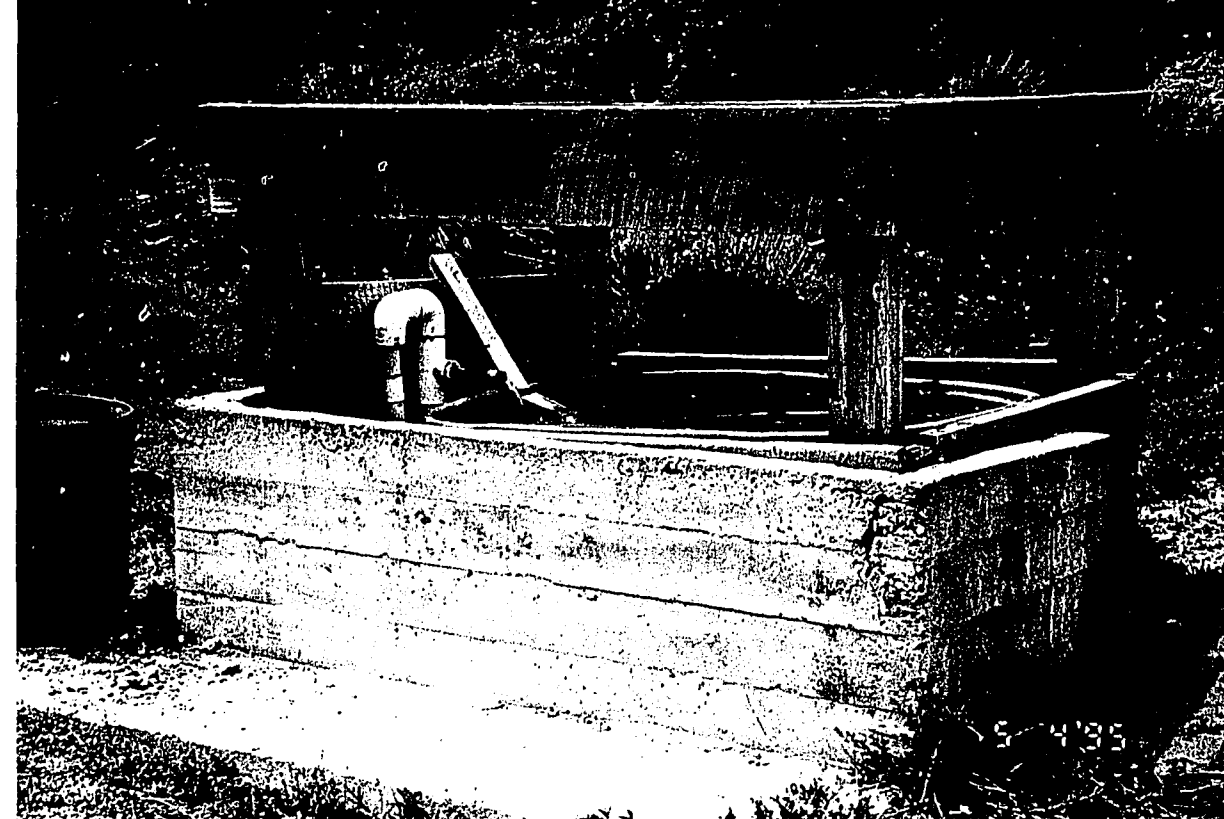


POINT OF
DIVERSION
BURIED
PICKUP

13-07516

GARY CARNER
CLIFTON, ID.

10/2

	VIEW OF DRAW WHERE POINT OF DIVERSION AND PLACE OF USE ARE LOCATED.
	PLACE OF USE
	13-07516

***FOR CLARITY
OF ANY
PHOTOGRAPHS
MICROFILMED,
SEE FILE.***

MEMORANDUM

TO: File 13-07516

FROM: Sharla

DATE: July 8, 1996

RE: Recommendation Adjustment(s)

The final license recommendations for Right 13-07516 are based on the following.

H. RECOMMENDATIONS

Beneficial Use	Period of Use	Rate of Div	Annual Vol
Stockwater	1/1 - 12/31	0.02 cfs	0.8 afa

The examiner stated that the spring usually flows at a higher rate than the flow was at the time of his exam. The flow had been affected by several years of drought. The license should not be curtailed because of drought conditions. It will be issued for the rate requested in the application.

Examiner: Don Simpkins
Exam date: May 4, 1995



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

July 10, 1996

GARY GARNER
PO BOX 66
CLIFTON ID 832280066

RE: WATER RIGHT NO. 13-07516

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,

A handwritten signature in dark ink, appearing to be 'Shelley W. Keen', written over a horizontal line.

Acting for

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure