

Nº 226

AFFIDAVIT OF PUBLICATION

APR 2 1982

Idaho Department of Water Resources
Eastern District Office

STATE OF IDAHO,

County of Oneida

Carol A. Hummel being duly sworn,
deposes and says: That she is the Secretary of THE
IDAHO ENTERPRISE, a weekly newspaper published at Malad,
in the County of Oneida and State of Idaho; that said paper has
been and is in general circulation in the county aforesaid, and in
the vicinity of Malad; 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

March 25, 1982, and ending
with the issue of April 1, 1982

Carol A. Hummel

Fee \$ 19.78

Subscribed and sworn to before me this 15th day

of April, 1982

Carol A. Hummel

Notary Public, Residing at Malad, Idaho

My Commission Expires July, 1982

NOTICE OF
APPLICATION FOR
WATER RIGHTS
NOTICE IS HEREBY
GIVEN that the following
application(s) have been
submitted for permit to
appropriate the public
waters of the State of
Idaho:

No. 15-7082

JONES, CAROL &, OR
DEON D.

RT. 1 BOX 133, MALAD,
ID 83252

Source: SPRING tribu-
tary to DEVIL CREEK

Date Filed: 03-12-1982

Amount: 0.10 CFS

Diversion Point: NESW
Sec 08 T 14S R 36E,
ONEIDA Co.

Use: IRRIGATION (0.10
CFS) from 04-01 to 11-01
STOCKWATER (0.03
CFS) from 01-01 to 12-31

Place of Use: NESW Sec
08 T 14S R 36E FOR 5
ACRES

Diversion Means: DITCH
& DAM

If issued, the permit(s)
will be subject to all prior
water rights. Protests
against the granting of
any permit must be filed
with the Director of the
Idaho Department of
Water Resources, 150
Shoup Ave., Idaho Fall,
Idaho 83402 on or before
APRIL 12, 1982.

A. KENNETH DUNN
Director

Published 3-25 & 4-1-82

3-25, 4-1 12

Lines: 46

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Carol Jones or Deon D. Jones Phone 766-2552

Post office address Rt. 1, Box 133, Malad, ID 83252

2. Source of water supply unnamed spring which is a tributary of Devil Creek

3. Location of point of diversion is NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 8 Township 14S

Range 36E B.M. Oneida County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .10 for irrigation purposes from 4/1 to 11/1 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.03 ^{cfs} 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:

a. .10 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. ditch & dam.

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial

use is 1 years (minimum 1 year - maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 8 Township 14 S

Range 36 E B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered 70 head of Range Cattle

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____.

(5) If water is to be used for other purposes describe: _____

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
14S	36E	8									5								5

Total number of acres to be irrigated 5

c. Describe any other water rights used for the same purposes as described above. none

9. a. Who owns the property at the point of diversion Applicant

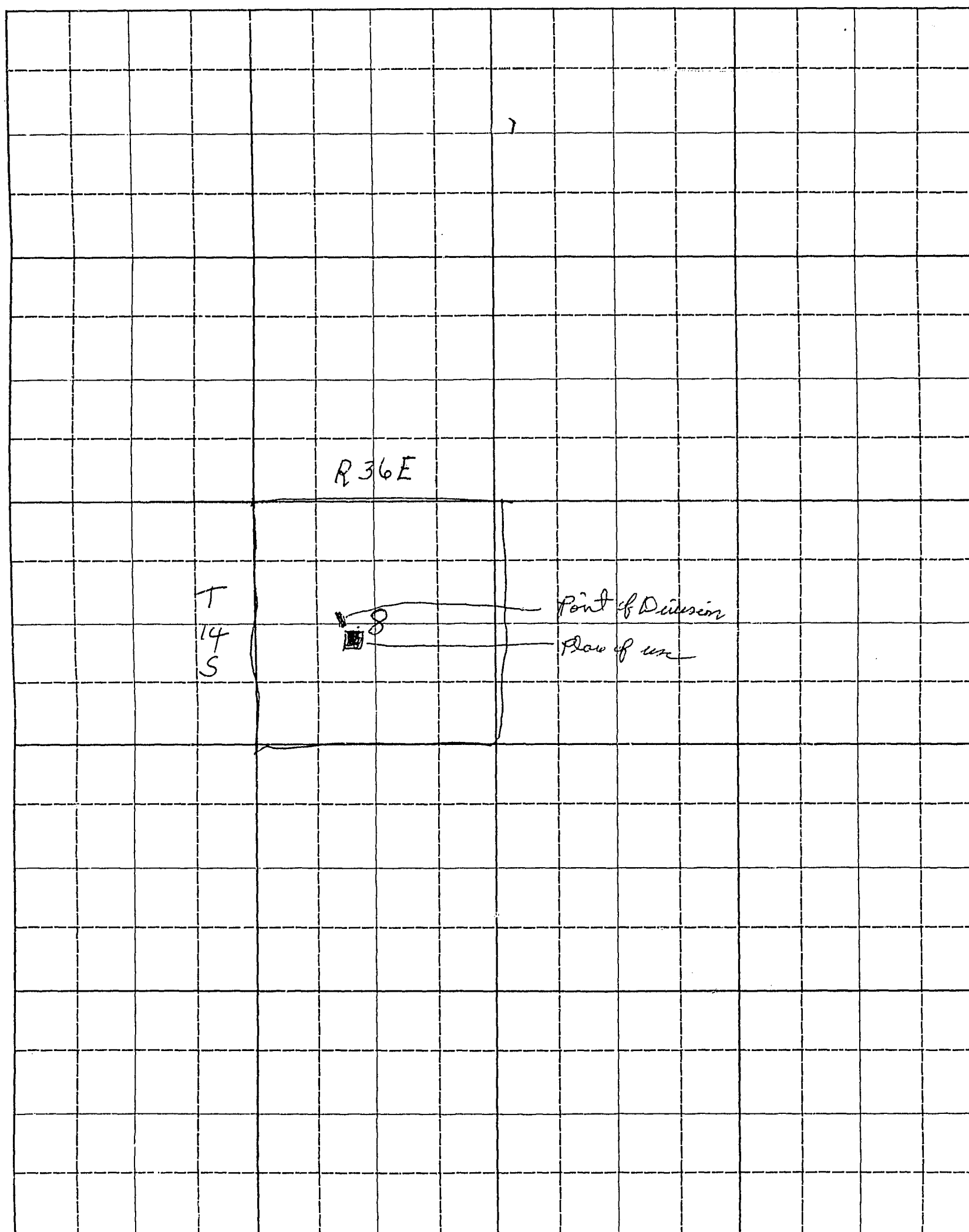
b. Who owns the land to be irrigated or place of use Applicant

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 _____

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number,

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



Scale: 2 inches equal 1 mile.

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

Carol W. Jones
(Applicant)

Proposed Priority 3/12/1982

Received by BO Date 3-12-82 Time 2:18 p.m.

Preliminary check by HWS Fee \$ 30.00

Received by OW Date 3-17-82 # 20155

Publication prepared by BO Date 3-8-82

Published in Idaho Enterprise

Publication dates 3-25 and 4-1-82

Publication approved OW Date 4-02-82

Protests filed by: None

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by ENC KC

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. 15 AC82, and said application is hereby APPROVED.

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 June 1, 19 83.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: _____

Witness my hand this 12 th day of May, 19 82.

A. Glen Saxton
Chief, Operations Bureau

15-2082

JONES, CAROL &/or DEON D.

RT. 1 BOX 133, MALAD, ID 83252

Source: SPRING tributary to DEVIL CREEK

Date Filed: 03/12/1982

Amount: 0.10 CFS

Diversion Point: NESW Sec 08 T 14S R 36E, ONEIDA Co.

Use: IRRIGATION	(0.10 CFS)	from 04/01 to 11/01
STOCKWATER	(0.03 CFS)	from 01/01 to 12/31

Place of Use: NESW Sec 08 T 14S R 36E FOR 5 ACRES

Diversion Means: DITCH & DAM

C

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho 83402 on or before APRIL 12, 1982.

A. KENNETH DUNN

Director

Published 3/25 & 4/1/82.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

MARCH 19, 1982

The Idaho Enterprise
P. O. Box 205
Malad City, Idaho 83252

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. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. 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 APRIL 12, 1982.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

Q

March 23, 1982

RE: Application for Permit No. 15-7082 JONES

Idaho Department of Fish & Game
636 Pershing
Pocatello, Idaho 83201

Gentlemen:

We are enclosing a copy of an application that may be of interest to your agency. Please review the application and submit any comments you may have to our Department as soon as possible. The last date of protest is April 12, 1982, 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,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

Enclosure



IDAHO DEPARTMENT OF FISH AND GAME
REGION 5

636 Pershing • Suite B
Pocatello • Idaho • 83201

March 25, 1982

File
eme

RECEIVED
MAR 31 1982

Department of Water Resources
Eastern District Office

Mr. Ernest Carlson, Assistant Regional Supervisor
Idaho Department of Water Resources
150 Shoup
Idaho Falls, Idaho 83401

Re: Application for Permit #15-7082 by
Jones on Devils Creek

Dear Mr. Carlson,

We have reviewed the application by Carol and Deon Jones to appropriate .10 cfs of water for irrigation and .03 cfs for stock water from Devils Creek.

We feel that because of the location and the small amount of water to be used, this proposal will not significantly impact fish and wildlife resources in this area.

Sincerely,

Jerry Mallet

Jerry Mallet
Region 5 Supervisor

• EQUAL OPPORTUNITY EMPLOYER •

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

15 7082

INITIAL REVIEW BY: HWT

APPLICATION NUMBER: 15-7082

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.

Field check by: _____

Date: _____

Comments: _____

☒ Yes ☒ No Field check required.

☒ Yes ☒ No Critical groundwater area.

☒ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____

☒ Yes ☒ No* In form to receipt.

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☒ Idaho State Health Department.
☒ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other _____

Copies sent by: WWT Date: 2-23-82

PROCESSING:

☐ Yes ☒ No Platted by: _____ Map No. _____

☐ Yes ☒ No Other rights on same place of use. _____

☒ Yes ☐ No* In form for advertising.

☐ Yes ☒ No Final date for protests: April 19, 1982

☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

☒ Affidavit of publication received. Date: 4-02-82

☒ Application published correctly. If not, record action taken: _____

☒ Fee amount, receipt date & number, recorded on application.

☒ Publication dates and paper, recorded on application.

☒ Protests, dates, withdrawal, etc., recorded on application.

☒ Recommendation & initial, recorded on application.

☐ Yes ☒ No Measuring device required.

☐ Yes ☒ No Access port required.

☐ Yes ☒ No Will water be delivered by watermaster? If yes, what district? _____

3-12-82 Date of priority recommended.

☒ Special conditions of approval or cover letter. _____

By: Ernest Carlson Date: April 17, 1982

STATE OFFICE REVIEW:

☐ See attached sheet for more information.

By: STW/Carol Date: 5-5-82

RECEIVED
APR 23 1982

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

JONES, CAROL & DEON D.
RT. 1 BOX 133
MALAD, ID 83252

MAY 26, 1982

RE: PERMIT NO. 15-7082

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH PAGE.

WE HAVE ENCLOSED A FORM ENTITLED "MAKING PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT INTO A LICENSE.

SINCERELY,

DAVID R. TOTHILL, JR., P.E.
SUPERVISOR, WATER ALLOCATION SECTION

ENCLOSURE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

138374

JONES, CAROL & DEON D.
RT. 1 BOX 133
MALAD, ID 83252

PROOF DUE NOTICE

MARCH 31, 1983

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 15-7082 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE JUNE 01, 1983. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST). ENCLOSED IS A POSTCARD WHICH 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, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. AN EXTENSION OF TIME REQUEST FORM IS ENCLOSED FOR YOUR CONVENIENCE.

EITHER THE BENEFICIAL USE POSTCARD OR A 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,

RITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES

DEPARTMENT OF WATER RESOURCES 15-7082

The Idaho Department of Water Resources will consider this card a statement that the permit holder(s) has completed development to the extent shown below of Permit No. _____

Name(s) of Permit Holder: Cauldren

Post Office Address: Box 133

Malden Idaho Tel. No. 766-2552

Source of Water: _____ (number of households)
 Extent of Use: ☐ Domestic _____ (number and type of stock)
☒ Stockwater _____ (acres)
☒ Irrigation _____
☐ Other _____

Measuring Device: Required? ☐ Yes ☒ No Installed? ☐ Yes ☒ No
 Access Port: Required? ☐ Yes ☒ No Installed? ☐ Yes ☒ No

The above information is a true statement of the extent to which the above numbered permit has been developed.

5-16-83
 Date

Cauldren
 Signature of Permit Holder

Carol D. Dwyer

Ret Bot 133

Melinda Dwyer

83252



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

State of Idaho
Department of Water Resources
WATER RIGHT LICENSE

License of Water Right No. 15-7082 Priority March 12, 1982 Amount 0.03 cfs
THIS IS TO CERTIFY, that Carol Jones or Deon D. Jones
of Malad, Idaho, has complied with the terms and conditions of Permit
No. 15-7082 issued pursuant to Application for Permit dated March 12, 1982,
and has submitted proof to the Department of Water Resources on May 20, 1983,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.03 cfs of water from a spring,
tributary to Devil Creek, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>April 1</u> to <u>November 1</u>	at <u>0.03</u> cfs and	<u>12.7</u> acre feet
Stockwater	from <u>January 1</u> to <u>December 31</u>	at <u>0.03</u> cfs and	<u>1.4</u> acre feet
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 0.03 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
14.1 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 8,
Twp 14S, Rge 36E in the County of Oneida

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
14S	36E	8									5								5

Total number of acres irrigated 5

CONDITIONS OF APPROVAL

a. 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 right may be forfeited by five years of non-use.

b. The right to the use of the water hereby confirmed is restricted and appurtenant to lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.

c. Any water right confirmed in this license 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 license 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 license.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 19TH day of MAY, 19 86.

Acting for the Director

Norman C Young

Qlw

RECEIVED
FEB 6 1984

State of Idaho DEPARTMENT OF WATER RESOURCES FIELD REPORT

Department of Water Resources

15-7082

Permit No. _____

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☐ Appointment letter mailed:			
☐ Telephone call made: (List Telephone No. used)			
☐ Appointment scheduled for: (Date, time, location)			

EXAMINATION

Date 9-1-83 Accompanied by Carol Jones Total Q measured 0.03 cfs ✓
If source is surface water, estimate total flow of source _____
Methods of measurement bucket + stopwatch Meets Permit requirements? _____

Measurement calculations: $V = \frac{\text{Imps}}{5 \text{ acres}} \times 3.5 \text{ af/ig}$ $\approx 17.5 \text{ af} \checkmark$	15 gpm measured or 0.03 cfs $\checkmark$	Imps. Sacs with 0.03 cfs stock water with 0.03 cfs
$V = 0.03 \text{ cfs} \times 1.9835 \times 214 \text{ d}$ $\approx 12.73 \text{ af} \checkmark$	stock $V = 1.7 \text{ af}$ for 70 head	Total 0.03 cfs

[illegible]

System Description Spring flow to pipe then to ditch + gravity flow irrigation

**Code with map on reverse side. Disregard code if only one.*

RECOMMENDED AMOUNTS

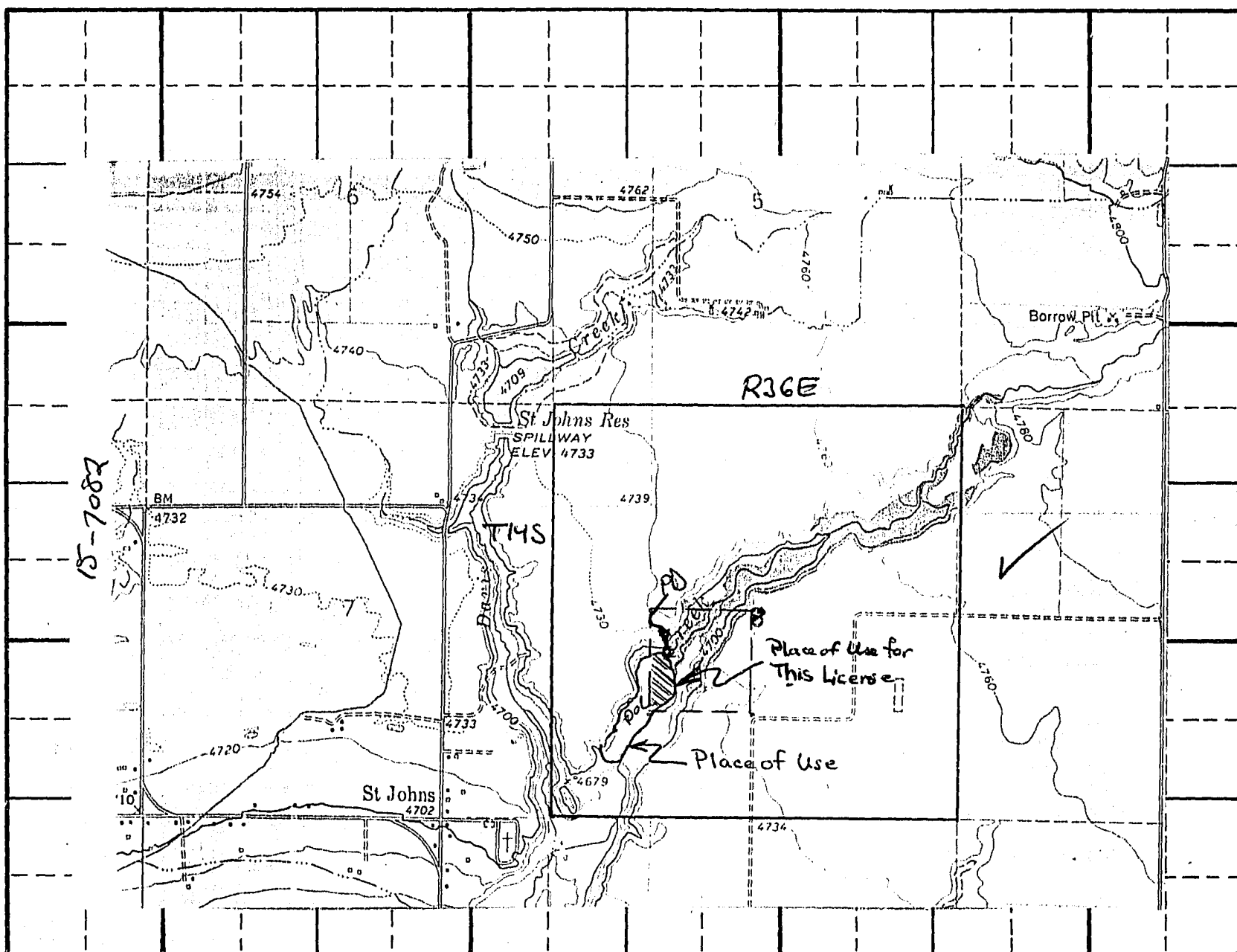
Irrigation requirement = 3.5 AFA/Acre ^{214 days}

USE	Q (cfs)	V (afa)	FROM	TO
Irrigation ✓	0.03 ✓	12.7 ✓	4-1 ✓	11-1 ✓
Stock ✓	0.03 ✓	1.4 ✓	1-1 ✓	12-31 ✓
Total	0.03 cfs ✓	14.1 afa ✓		

Remarks No overlapping rights on record ✓

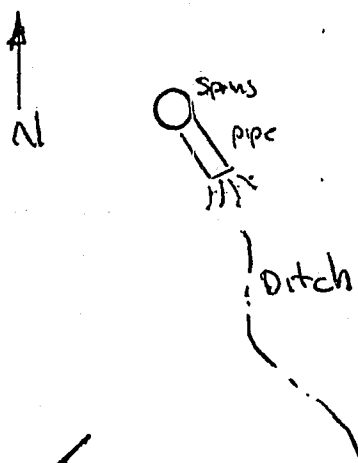
More land is irrigated than the 5 acres on this license

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)



Point(s) of diversion: ✓ NESW Sect. 8 T14S R36E

Place(s) of Use ✓

TWP.	RGE.	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
14S	36E	8									5								5 ✓
											X								

Recommended Amendments:

- ☐ Change P.D. as reflected above
☐ Change P.U. as reflected above

- ☐ Add P.D. as reflected above
☐ Add P.U. as reflected above

- ☒ None
☐ Other

Examiner's Signature

Checked by

Approved by

Date 1-03-84

Date 2 Feb 1984

Date 4-23-86

PERMIT NO. 187082 Carel Jones
(Name)
Accompanied by: C. Jones
EXAMINATION: DATE: 9-1-83

Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No.

Measuring Device Type: Bucket + Stopwatch
Meter # _____ Annubar # _____ Size # _____

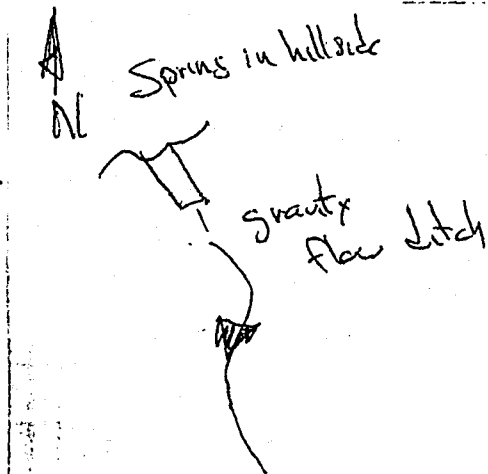
Remarks: Spring to pipe to ditch on Sacre
alfalfa field

Measurement calculations:

15 gpm by bucket + stopwatch
Stack water ok
Truss — OK

SCHEMATIC DIAGRAM OF SYSTEM

Mainline Diameter _____ Length _____





State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

May 2, 1986

RE: Permit No. 15-7082

Carol or Deon D. Jones
Rt. 1, Box 133
Malad, ID 83252

Dear Permit Holder(s):

Enclosed is a draft copy of the license proposed to be issued on the above referenced water right.

If you do not concur with the information shown on the draft license, please advise the Department within ten (10) days. If you have any questions, please let us know; otherwise, the license will be issued as identified on the draft copy.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

May 22, 1986

RE: Permit No. 15-7082

Carol or Deon D. Jones
Rt. 1, Box 133
Malad, ID 83252

Dear Permit Holders:

Enclosed herewith is a copy of the Water Right License issued on the above referenced Permit.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:sc

Enclosure