

RECEIVED
JUN 27 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 15-7145

Department of Water Resources To appropriate the public waters of the State of Idaho

1. Name of applicant U.S. FOREST SERVICE, CARIBOU NATIONAL FOREST Phone (208) 766-4743
Post office address P.O. Box 142, MALAD, IDAHO 83252
2. Source of water supply Unnamed springs & Secret Spring which is a tributary of Sinks
3. Location of point of diversion is SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of NE $\frac{1}{4}$, Govt. Lot _____
Sec. 19 Township 13 S. Range 36 E. B.M. Oneida County; additional
points of diversion if any: SE NW NE Sect. 19 T13S R36E *
4. Water will be used for the following purposes:
Amount 0.04 ~~0.02 cfs~~ for stockwater purposes from 5/1 to 9/30 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.04 ~~0.02 cfs~~ for stockwater purposes from 5/1 to 9/30 (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) 0.04 cfs. and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. Spring head box, 1 1/2" metal main line, 1 1/2" black plastic feeder line to troughs.
* Changes as per tel-con with USFS 5-19-94 HWJ
 - b. Height of storage dam N/A 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 N/A inches; proposed depth of well is _____ feet.
 - d. Is ground water with a temperature of greater than 85°F being sought? No
 - 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
1 year years (minimum 1 year).
L Jim 6/29/94

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. 350 Cows with calves / beef 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.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
13S.	36E.	19	S			S									S			S	*
13S.	36E.	20											S						
13S.	36E.	29					S	S											
13S.	36E.	30								S									

Total number of acres to be irrigated N/A

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

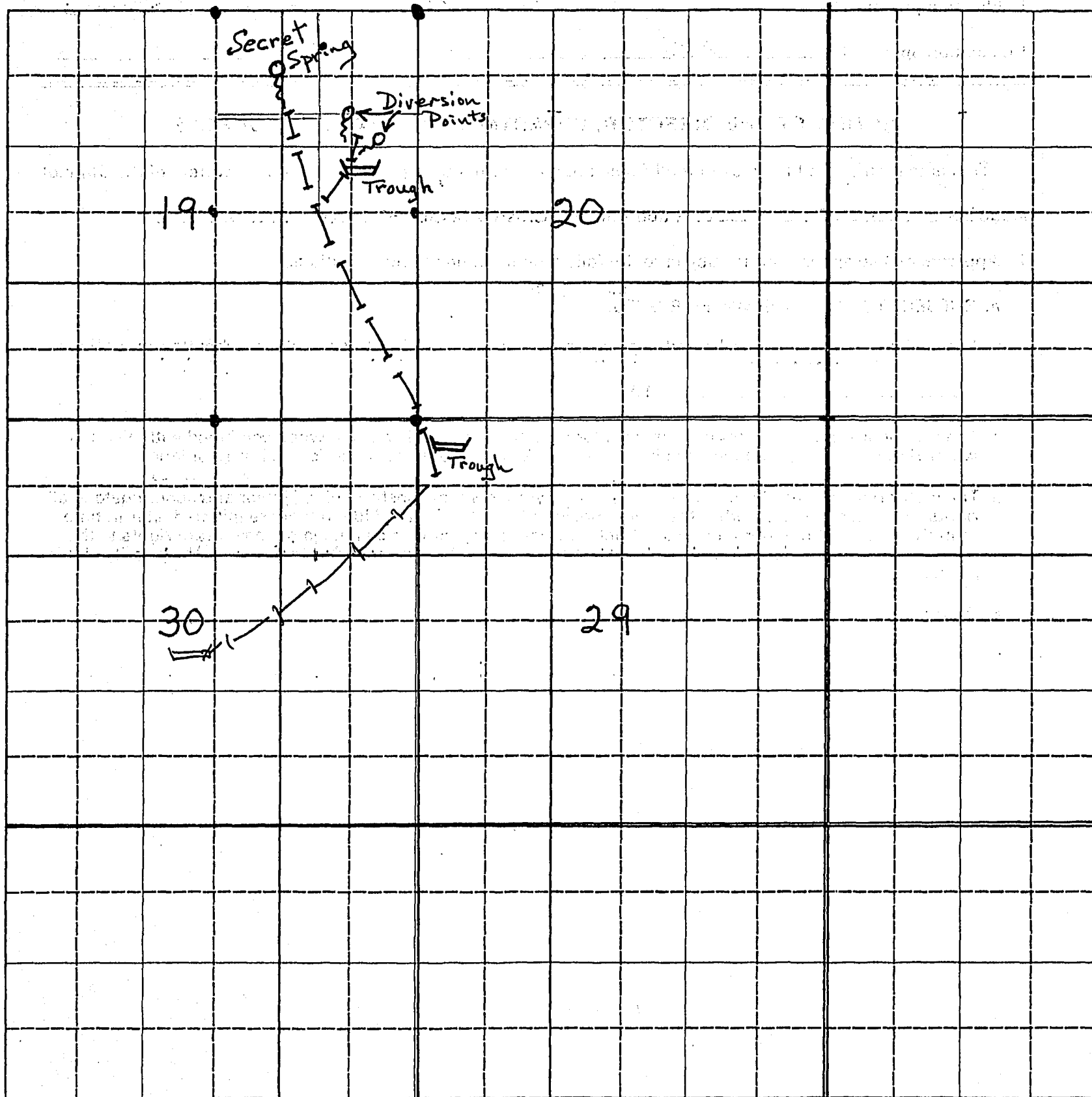
11. a. Who owns the property at the point of diversion? USDA, United States Forest Service

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

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. N/A

12. Remarks: _____

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.

Richard M. Van Belkum
(Applicant)
for USDA, Forest Service

Received by RB Date 5-17-94 Time 4:07 Preliminary check by _____
Fee \$ 30.00 Receipted by RB # E019815 Date 5-17-94
Publication prepared by RB Date 6-29-94 Published in TD Enterprise
Publication approved RB Date 6-10-94

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:

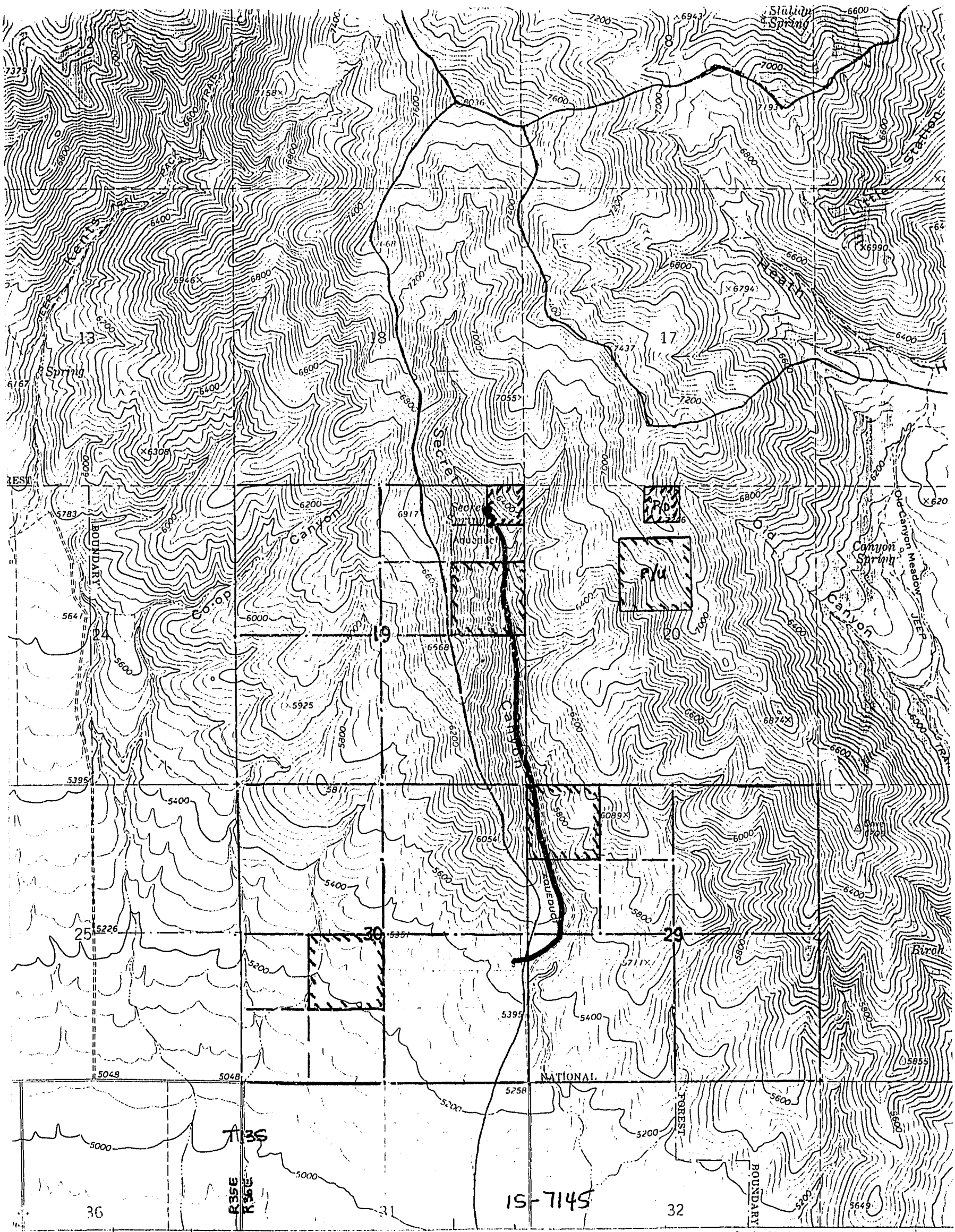
a. SUBJECT TO ALL PRIOR WATER RIGHTS.

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. 15-07145

Proposed Priority: May 17, 1994 Maximum Diversion Rate: 0.04 CFS

This is to certify, that US DEPT OF AGRICULTURE
FOREST SERVICE
CARIBOU NATIONAL FOREST
PO BOX 142
MALAD ID 83252-0142

has applied for a permit to appropriate water from:

SECRET SPRING tributary of SINKS
SPRINGS tributary of SINKS

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	05/01 to 09/30	0.04 CFS

LOCATION OF POINT(S) OF DIVERSION: SENENE , Sec. 19, Township 13S, Range 36E
SENWNE , Sec. 19, Township 13S, Range 36E
ONEIDA County

PLACE OF USE: STOCKWATER
TWN RGE SEC
13S 36E 19 SENE
29 NWNW
30 NESW

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before July 1, 1995.
2. Subject to all prior water rights.
3. Stockwater use is for 350 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

8th day of July, 1994

R. Keith Higginson
for R. Keith Higginson, Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region
900 N Skyline

Idaho Falls, Idaho 83402
(208) 525-7161

MAY 23, 1994

THE IDAHO ENTERPRISE
P.O. BOX 205
MALAD CITY, ID 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. 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 JUNE 20, 1994.

Yours truly,

Rita Bodell
Secretary

Encl.

23-May-1994

US FOREST SERVICE
CARIBOU NATIONAL FOREST
PO BOX 142
MALAD ID 83252

RE: Application No. 15-07145

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 IDAHO ENTERPRISE on June 2, & 9, 1994. 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
Harold W. Jones *rb*
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 JUNE 20, 1994.

R. KEITH HIGGINSON, Director

Published: 6/ 2/1994 & 6/ 9/1994

15-07145

US DEPT OF AGRICULTURE
FOREST SERVICE
CARIBOU NATIONAL FOREST
PO BOX 142
MALAD, ID 83252

Source: SPRINGS

Diversion Pt: SENENE Sec 19 T 13S R 36E in ONEIDA County.
 SENWNE Sec 19 T 13S R 36E in ONEIDA County.

Use: STOCKWATER (.040 CFS)
 Total Diversion: (.040 CFS)

Date Filed: 5/17/1994

In: ONEIDA County	
T13S R36E S19	SENE
S29	NWNW
S30	NESW

Nº 1664

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Oneida } ss.

Donna Schisen

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 June 2, 19 94, and ending with the issue of June 9, 19 94.

Donna Schisen

Subscribed and sworn to before me this 3 day of June, 19 94.

Susan Guttman
Notary Public, Residing at Malad, Idaho

My Commission Expires 2-9-2000

NOTICE OF APPLICATION FOR WATER RIGHT

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

15-07145
US DEPT OF AGRICULTURE
FOREST SERVICE
CARIBOU NATIONAL FOREST
PO BOX 142
MALAD, ID 83252
Source: SPRINGS

Diversion Pt: SENENE Sec 19 T
13S R 36E
in ONEIDA County.
SEWNNE Sec 19 T
13S R 36E
in ONEIDA County.

Use: STOCKWATER (.040 CFS)
Total Diversion: (.040 CFS)

Date Filed: 5/17/1994
In: ONEIDA County
T13S R36E S19
S29
S30

SENE
NWNW
NESW

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 JUNE 20, 1994.

R. Keith Higginson, Director
Published: 6/2/1994 & 6/9/1994
1664



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

July 11, 1994

US DEPT OF AGRICULTURE
FOREST SERVICE
CARIBOU NATIONAL FOREST
PO BOX 142
MALAD ID 832520142

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 15-07145

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,

A handwritten signature in black ink, appearing to read 'Jim Johnson', with a long horizontal line extending to the right.

JIM JOHNSON, Section Manager
Water Right Permits Section

JJ:dc

Enclosures

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUL 03 1995

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder has 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. 15-07145 Telephone No. (208) 766-4743
2. Name(s) of Permit Holder(s): USDA FOREST SERVICE
3. Mailing Address: P.O. Box 142, Malad, Id. 83252
4. Source of Water: SPRINGS If GROUNDWATER (well), Date Drilled: mo. N/A / yr.
 - a. Well Driller: N/A 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): Stockwater (No. and type of stock): 350 cow/calf pairs
Irrigation (No. of acres): Other:
6. Total rate of diversion and/or volume for which proof is submitted: 0.04 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 X
Has the measuring device been installed? Yes or No X

Flow Measurement Port: Is a flow measurement port required? Yes or No X
Has the measurement port been installed? Yes or No X

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: RICHARD VANBEBBER Telephone Number: 208-766-4743
Address: P.O. Box 142 MALAD CITY, IDAHO 83252

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: Richard M. VanBebber Date: June 28, 1995
(include your title, if on behalf of company or organization)
Rangeland Mgmt. Specialist
USDA - Forest Service

Form 217
11/91

RECEIVED

NOV 17 1994

OFFICE USE ONLY

Amt. of Fee \$ _____

Date _____

Receipt No. _____

Receipt by _____

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

1. Permit No. 15-07145 Telephone No. 208-766-4743
2. Name(s) of Permit Holder(s): USDA - FOREST SERVICE
3. Mailing Address: P.O. Box 142 MALAD, IDAHO 83252
4. Source of Water: SECRET SPRING SPRINGS

If GROUNDWATER, Well Driller's Name: N/A Date Drilled: N/A

OPTIONAL:

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

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

Domestic _____ (No. of households) Stockwater 350 CATTLE (No. and type of stock)

Irrigation _____ (No. of acres) Other _____

6. Total rate and/or volume for which proof is submitted 0.04 cfs OR _____ acre/feet

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

Measuring device: Required? ____ Yes X No Installed? ____ Yes X No

OR

Flow Measurement Port: Required? ____ Yes X No Installed? ____ Yes X No

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

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

RICHARD VANBERGER 208-766-4743
Name Telephone No.

P.O. Box 142 MALAD, IDAHO 83252
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.

Nov 15, 1994 Richard M. VanBelle Rangeland Mgmt. Specialist
Date Signature (and title, if on behalf of a company or organization)
USDA-FOREST SERVICE



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

November 23, 1994

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

US Dept. of Agriculture
Caribou National Forest
P.O. Box 142
Malad, ID 83252-0142

RE: Permit No. 15-07145

Dear Permit Holder:

Returned is a copy of the proof of beneficial use you submitted in connection with the above referenced permit. Unfortunately, the proof can not be accepted as filed.

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 exam 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.

As you can see, you do not meet requirement #1 since you use Secret Spring (surface) for your source. Therefore, a license examination fee of \$50.00 applies to the permit.

Please return the copy of the proof form and the license examination fee within thirty (30) days of receipt of this letter.

If you have any questions or if I can be of any assistance, please feel to contact me.

Sincerely,

Julie L. Yarbrough
JULIE L. YARBROUGH
Senior Secretary

Enclosure

April 30, 1995

US DEPT OF AGRICULTURE
FOREST SERVICE
CARIBOU NATIONAL FOREST
PO BOX 142
MALAD ID 832520142

PROOF DUE NOTICE

RE: PERMIT NO. 15-07145

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 July 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.

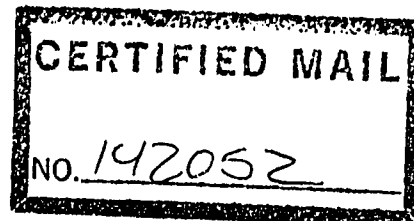
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental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



August 1, 1995

US DEPT OF AGRICULTURE
FOREST SERVICE
CARIBOU NATIONAL FOREST
PO BOX 142
MALAD ID 832520142

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 15-07145

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