

Ident. No. _____

To appropriate the public waters of the State of Idaho

1. Name of applicant BUREAU OF LAND MANAGEMENT Phone (208) 766-4766
Post office address 138 SOUTH MAIN MALAD, IDAHO 83252
2. Source of water supply MEADOW BROOK SPRING which is a tributary of ROCK CREEK
3. Location of point of diversion is SW SE NE NE SE SE 1/4 of 1/4 of 1/4, Govt. Lot 20
Sec. 19 Township 14S Range 32E B.M. ONEIDA County; additional
points of diversion if any: NONE Changes as Per tele-con with Kerry Schwartz: 8-14-90
HWS
4. Water will be used for the following purposes:
Amount .03 for LIVESTOCK purposes from 4/16 to 10/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .01 for WILDLIFE purposes from 1/01 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) .03 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. WATER IS PUMPED TO A 10,000 GALLON RUBBER
STORAGE BLADDER WITH A BRIGGS & STRATTON ENGINE THROUGH A PERFORATED COLLECTION BOX
LOCATED IN THE STREAM CHANNEL. THE WATER GRAVITY FLOWS THROUGH 200 FEET OF PVC PIPE
TO TWO ALUMINUM 500 GALLON STORAGE TROUGHS.
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 90°F being sought? N.A.
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
ONE 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. 350 CATTLE
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. _____
- e. Other; describe fully. 50 MULE DEER, 200 MOURNING DOVES, 80 SAGE GROUSE, 100 RABBITS

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	32E	19													S				
14S	32E	20						S							W				

Total number of acres to be irrigated _____

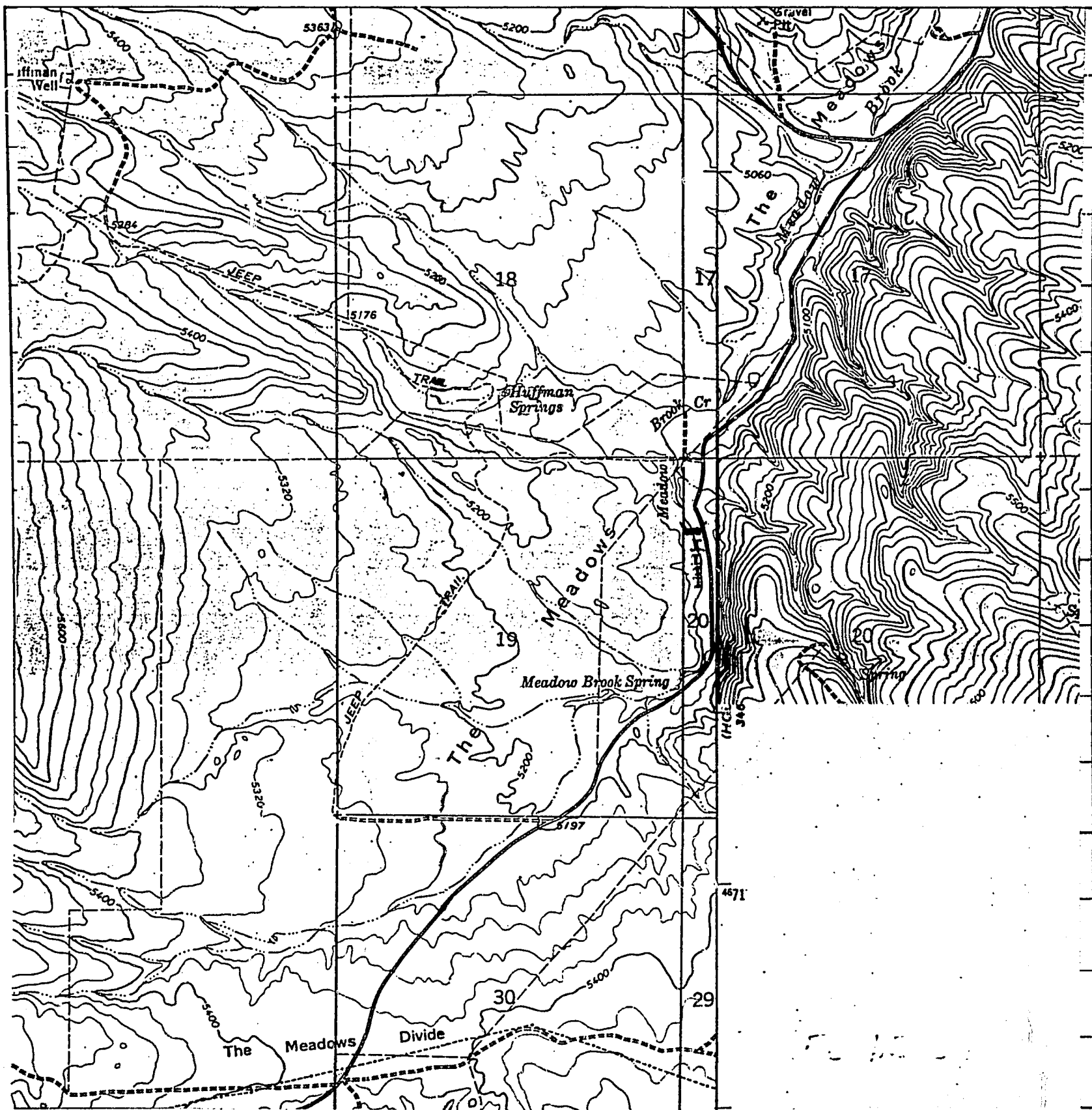
10. Describe any other water rights used for the same purposes as described above. NONE

11. a. Who owns the property at the point of diversion? BUREAU OF LAND MANAGEMENT
- b. Who owns the land to be irrigated or place of use? BUREAU OF LAND MANAGEMENT
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. AN EXCLOSURE HAS BEEN BUILT TO EXCLUDE CATTLE FROM THE RIPARIAN AREA AND STREAM CHANNEL. CURLEW HORSE AND CATTLE ASSOCIATION WILL MAINTAIN THE EXCLOSURE AND THE IMPROVEMENT PROJECT.

* POINT OF DIVERSION IS LISTED AS THE SPRINGHEAD. HOWEVER, THE BLM HAS DIVERTED THE WATER AT T.14S., R.32E., SECTION 20; SWNWNW.

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.

John R. Christensen
(Applicant)
Title - Area Manager

Received by OW Date 8-03-90 Time 11:45A Preliminary check by _____
Fee \$ 30.42 Received by AWJ # E015076 Date 8-3-90
Publication prepared by RB Date 9-20-90 Published in ID Enterprise
Publication approved OW Date 10/24/90

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:

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATION)
FOR PERMIT NO. 17-07135 IN THE NAME) RECOMMENDED ORDER
OF BUREAU OF LAND MANAGEMENT)
_____)

This matter having come before the Idaho Department of Water Resources (Department) in the form of a protested application for permit and the Department having held a conference in matter, the Director of the Department of Water Resources makes the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1. On August 3, 1993, the Bureau of Land Management (applicant) submitted Application for Permit No. 17-07135 to the Department. The application proposed the diversion of 0.03 cfs of water from Meadow Brook Spring tributary to Rock Creek for stock and wildlife use.

2. The Department published notice of the application in the Idaho Enterprise in Oneida County, Idaho, on September 20 and 27, 1990. On October 3, 1990, Don Eliason submitted a protest.

3. On April 27, 1993, the Department conducted a conference to discuss the issues of the protest. Both the applicant and protestant agreed to allow the Department to issue a recommended order based on the information presented at the conference.

4. The applicant has historically allocated 350 head of cattle to open graze the area around Meadow Brook Spring with unrestricted access to the spring for stockwater. This is reflected by Claim to a Water Right No. 17-04066 on file with the Department.

5. The applicant, under present management plans, will fence the riparian area around Meadow Brook Spring and restrict cattle access to instream water. The applicant also plans to pump water

from the spring into a storage bladder and then fill water troughs fitted with flow controls.

6. During peak use the applicant will fill a 10,000 gallon storage bladder once each day from April 16 to October 31.

7. The protestant diverts water from Rock Creek for irrigation below Meadow Brook Spring for use on 96 acres.

8. The protestant states the only recorded use on Rock Creek is Claim to a Water Right No. 17-04053 for 1.97 cfs on 96 acres with a priority date of June 1, 1910.

9. The protestant states he diverts water in two areas. The upper diversion is a pump and sprinkler operation and the lower diversion is a canvas dam across Rock Creek to flood irrigation. The protestant did not provide actual measured flow in cfs used or flows in Rock Creek, but stated he used all the water.

CONCLUSIONS OF LAW

1. The use proposed by this application reflects a change in the nature of diversion from instream watering of stock as claimed on Claim to a Water Right No. 17-04066 to float controlled water troughs and will not affect the total quantity of water used.

2. The use proposed by this application is considered de minimus and the impacts of the use have already been in place for many years.

3. Claim to a Water Right No. 17-04053 is an unconfirmed water use filed under provisions of Section 42-243, Idaho Code.

4. The Department should approve the application and issue the permit.

ORDER

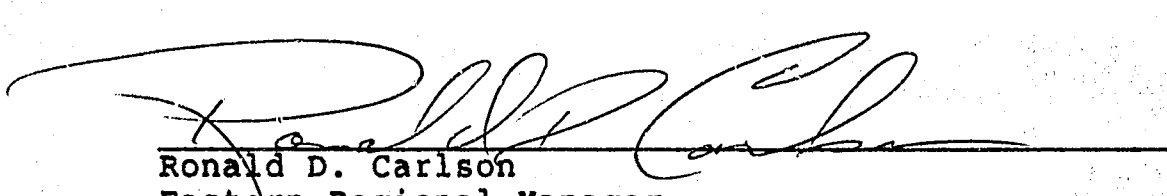
IT IS THEREFORE, HEREBY ORDERED that Application for Permit No. 17-07135 is APPROVED subject to the following conditions:

1. Use of water under this right is subject to all prior water rights.

2. Stockwater use is for 350 head of cattle. Wildlife use is for deer, birds and small animals.

3. Proof of construction of works and application of water to beneficial use shall be submitted on or before the date shown in the Final Order.

Dated this 9th day of September, 1993.



Ronald D. Carlson
Eastern Regional Manager

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on this 9th day, of September, 1993, I mailed a true and correct copy, postage prepaid, of the foregoing Recommended Order to the following:

BLM

138 S Main
Malad, ID 83252

Pleasant View Livestock

200 W Upper St
Malad, ID 83252

Don Eliason

Holbrook, ID 83243

USDA Forest Svc
Lee Liefert

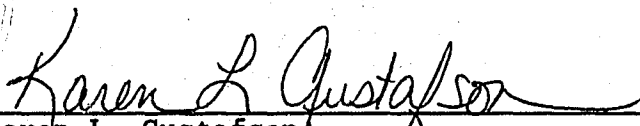
250 S 4th Ave
Pocatello, ID 83201

Dept of Lands

3563 Ririe Hwy
Idaho Falls, ID 83401

David Deschamps
St Johns Irr Co

Malad, ID 83252


Karen L. Gustafson
Secretary/Records Manager

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATION)
FOR PERMIT NO. 17-07135 IN THE NAME) FINAL ORDER
OF BUREAU OF LAND MANAGEMENT)
_____)

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2. The Department published notice of the application in the Idaho Enterprise in Oneida County, Idaho, on September 20 and 27, 1990. On October 3, 1990, Don Eliason submitted a protest.

3. On April 27, 1993, the Department conducted a conference to discuss the issues of the protest. Both the applicant and protestant agreed to allow the Department to issue a recommended order based on the information presented at the conference.

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4. The Department should approve the application and issue the permit.

ORDER

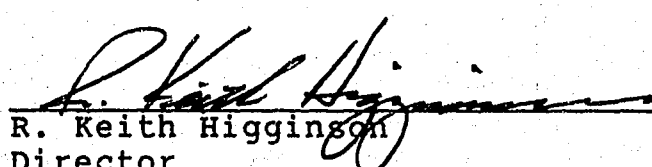
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1. Use of water under this right is subject to all prior water rights.

2. Stockwater use is for 350 head of cattle. Wildlife use is for deer, birds and small animals.

3. Proof of construction of works and application of water to beneficial use shall be submitted on or before November 1, 1994.

Dated this 12TH day of OCTOBER, 1993.



R. Keith Higginson
Director

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on this 13th day, of October, 1993, I mailed a true and correct copy, postage prepaid, of the foregoing Final Order to the following:

BLM

138 S Main
Malad, ID 83252

Pleasant View Livestock

200 W Upper St
Malad, ID 83252

Don Eliason

Holbrook, ID 83243

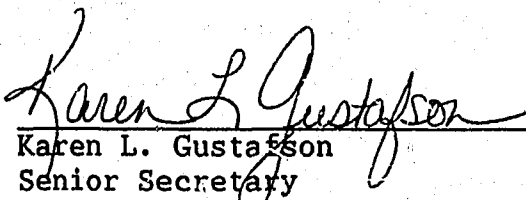
USDA Forest Svc
Lee Liefert
250 S 4th Ave
Pocatello, ID 83201

Dept of Lands

3563 Ririe Hwy
Idaho Falls, ID 83401

David Deschamps
St Johns Irr Co

Malad, ID 83252


Karen L. Gustafson
Senior Secretary

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 17-07135

Proposed Priority: August 3, 1990

Maximum Diversion Rate:

0.03 CFS

This is to certify, that US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706

has applied for a permit to appropriate water from:

MEADOW BROOK SPRING

tributary of ROCK CREEK

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
STOCKWATER	04/16 to 10/31	0.03 CFS
WILDLIFE	01/01 to 12/31	0.01 CFS
	Totals	0.03 CFS

LOCATION OF POINT(S) OF DIVERSION:

SWNWNW , Sec. 20, Township 14S, Range 32E
ONEIDA County

PLACE OF USE: STOCKWATER

TWN RGE SEC

14S 32E 19
20

NESE
NWNW

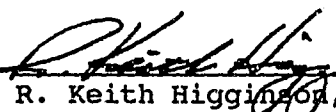
PLACE OF USE: WILDLIFE, same as STOCKWATER use

CONDITIONS/REMARKS:

1. See Final Order for conditions of approval.

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

12TH day of October, 1993.


R. Keith Higginson, Director

22-Aug-1990

BUREAU OF LAND MANAGEMENT
138 SOUTH MAIN
MALAD, ID 83252

RE: Application for Permit No. 17-7134 & 17-7135

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 SEPTEMBER 20 & 27, 1990. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our state office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

October 9, 1990

Bureau of Land Management
138 S. Main
Malad, ID 83252

Gentlemen:

Enclosed is a copy of a protest filed against the issuance of a permit pursuant to application No. 17-7135. 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 requiring additional time, our objective is to schedule a conference and/or hearing to consider the protests within 60 days. At a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for permit (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 under this permit conflict with the local public interest?
6. That it is contrary to conservation of water resources within the State of Idaho.

Bureau of Land Management
October 9, 1990
Page 2

The applicant must be prepared to present evidence and/or testimony addressing each of the five 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.

Very truly yours,

HAROLD W. JONES
Water Rights Supervisor

HWJ:CW

Enclosure

cc: IDWR - State Office

October 9, 1990

RE: Application for Permit No. 17-07135 BLM

Mr. Don Eliason
Holbrook
ID 83243

Dear Mr. Eliason:

Your protest 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 requiring additional time, our objective is to schedule a conference and/or hearing to consider the protests within 60 days. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for permit (Sec. 42-203, Idaho Code): the following are the principle items the Department can consider in either approving or denying the application for permit (Sec. 42-203, Idaho Code):

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

Mr. Don Eliason
October 9, 1990
Page 2

The protestant must be prepared to present proof of allegations involving one or more of the five items.

If this office can be of further assistance, please contact us.

Very truly yours,

HAROLD W. JONES
Water Rights Supervisor

HWJ:CW

Enclosure

cc: IDWR - State Office

17-07135

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE, ID 83706

Source: MEADOW BROOK SPRING

Tributary: ROCK CREEK

Diversion Pt: SWNWNW Sec 20 T 14S R 32E

Use: STOCKWATER (.030 CFS)
WILDLIFE (.010 CFS)
Total Diversion: (.030 CFS)

Date Filed: 8/ 3/ 1990

In: T14S R32E S19 NESE
S20 NWNW

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Eastern Region, 150 Shoup Avenue, Suite 15, Idaho Falls, Idaho 83402 on or before OCTOBER 8, 1990.

R. KEITH HIGGINSON, Director

Published 9/20/1990 & 9/27/1990

RECEIVED

OCT 3 1990

Department of Water Resources
Eastern District Office

October 2, 1990

Director, Dept. of Water Resources
Eastern Region
150 Shoup Avenue, Suite 15
Idaho Falls, Idaho 83402

This letter is to protest the BLM permit for water rights on the Meadow Brook Spring.

The number on the legal notice in the Idaho Enterprise, dated September 27, 1990 is 17-07135.

Sincerely

Don Eliason

Don Eliason
Holbrook, Idaho
83243

Mr. Eliason called & explained that he's using water in Rock Creek
& feels this appk. will advise his rts

WLF 10-590

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION)
FOR PERMIT OF WATER RIGHT NO.) NOTICE OF
17-07135 BUREAU OF LAND MANAGEMENT) PREHEARING CONFERENCE

On August 30, 1990, the Bureau of Land Management filed with the Department of Water Resources an application for permit of water right, No. 17-07135 to appropriate the public waters of the State of Idaho. On October 3, 1990, the Department received a protest against approval of said application from Don Eliason.

The Department has set the matter of protest for a prehearing conference to be conducted at 1:30 p.m. on Tuesday, April 27, 1993, in the Jury Room of the Oneida County Courthouse, Malad, Idaho.

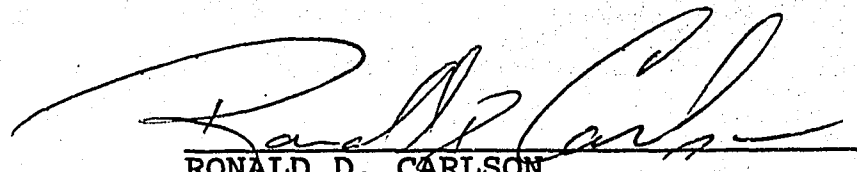
Agenda items for this prehearing conference will include:

1. Identify spokesman and/or counsel representing the protestant.
2. Review of the application.
3. Identify issues of protest.
4. Designate date for identifying witnesses.
5. Designate target date for conducting administrative hearing if resolution is not possible during the prehearing conference.

The prehearing conference will be held in accordance with the provisions of the adopted Rules of Practice and Procedure of the Department of Water Resources.

If you require special accommodations for a disability in order to participate in or attend the prehearing conference, please advise the department within ten (10) days prior to the prehearing conference.

Dated this 29th day of March 1993.


RONALD D. CARLSON
Eastern Regional Manager

AFFIDAVIT OF PUBLICATION

No. 1265

RECEIVED

OCT 4 1990

Department of Water Resources
Eastern District Office

STATE OF IDAHO,
County of Oneida

Sandra Strub 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
September 20, 1990, and ending
with the issue of September 27, 1990
Sandra Strub

Fee \$ 71.69

Subscribed and sworn to before me this 3rd day
of October, 1990

Susan J. Wittman
Notary Public, Residing at Malad, Idaho

My Commission Expires 2-9, 1994

NOTICE OF APPLICATION FOR WATER RIGHT

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

15-07124

COLTON, LA VERN

COLTON, JOYCE T.

344 W. 500 N.

Malad, Id 83252

Source: SPRING

Tributary: SINKS

Diversion Pt:

NWNESW Sec 10 T 13S R 36E

Use: STOCKWATER (.030 CFS)

Total Diversion: (.030 CFS)

Date Filed: 8/13/1990

In: T13S R36E S10

NESW

17-07134

U.S. DEPT. OF INTERIOR

BUREAU OF LAND MANAGMENT

IDAHO STATE OFFICE

3380 AMERICANA TERRACE

BOISE, ID 83708

Source: ROCK SPRING

Tributary: SINKS

Diversion Pt:

SWSESW Sec 36 T 13S R 33E

Use: STOCKWATER (.010 CFS)

Wildlife (.010 CFS)

Total Diversion: (.010 CFS)

Date Filed: 8/3/1990

In: T13S R33E S36 SENW NWSW

17-07135

U.S. DEPT. OF INTERIOR

BUREAU OF LAND MANAGMENT

IDAHO STATE OFFICE

3380 AMERICANA TERRACE

BOISE, ID 83708

Source: MEADOW BROCK SPRING

Tributary: ROCK CREEK

Diversion Pt:

SWNWNW Sec 20 T 14S R 32E

Use: STOCKWATER (.030 CFS)

WILDLIFE (.010 CFS)

Total Diversion: (.030 CFS)

Date Filed: 8/3/1990

In: T14S R32E S19 NESE

S20 NWNW

The permit(s) will be subject to all
prior water rights. Protests must be
filed with the Director, Dept. of Water
Resources, Eastern Region, 150
Shoup Avenue, Suite 15, Idaho Falls,
Idaho 83402 on or before OCTOBER
8, 1990.

R. KEITH HIGGINSON,
Director

No. 1265

9-20-27 T2

PS Form 3877, Oct. 1963 FOR REGISTERED, INSURED, C.O.D., CERTIFIED, RETURN RECEIPT FOR MERCHANDISE, AND EXPRESS MAIL

NAME AND ADDRESS OF SENDER		Indicate type of mail		Check appropriate block for Registered Mail:			Affix stamp here if issued as certificate of mailing or for additional copies of this bill.						
		☐ Registered	☒ Return Receipt For Merchandise	☐ With Postal Insurance	☐ Without Postal Insurance	POSTMARK AND DATE OF RECEIPT							
Line	Number of Article	Name of Addressee, Street, and Post-Office Address	Postage	Fee	Handling Charge	Act. Value (If Regis.)	Insured Value	Due Sender If C.O.D.	R. R. Fee	S. D. Fee	S. H. Fee	Rest. Del. Fee	Remarks
1	1110	BLM 138 S. Main Malad 83252	.29	1.00									pre hearing 12-7-35
2	1111	DON ELIASON Holbrook 83243											
3	1112	Pleasantview Livestock 200 W. Upper St. John - Malad											12-7-43
4	1113	Dept of Lands 3563 Rivie Hwy - Idaho Falls											
5	1114	USDA FS Lee Lietert 250 S 4th Ave. Pocatello 83201											
6	1115	USDA FS - Caribou Natl Forest 250 S 4th Ave - Pocatello 83201											15-7-39
7	1116	David Deschamps St John Irr. Co. - Malad 83252											
8													
9													
10													
11													
12													
13													
14													
15													

Total number of Pieces Listed by Sender
Seven

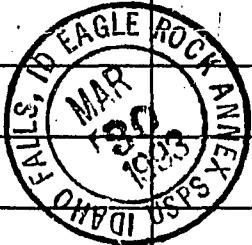
Total Number of Pieces Received at Post Office
Seven

POSTMASTER, PER (Name of receiving employee)
[Signature]

The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for nonnegotiable documents under Express Mail document reconstruction insurance is \$50,000 per piece subject to a limit of \$500,000 per occurrence. The maximum indemnity payable on Express Mail merchandise insurance is \$500. The maximum indemnity payable is \$25,000 for Registered Mail, \$500 for COD and \$500 for Insured Mail. Special handling charges apply only to Third- and Fourth-Class parcels.

FORM MUST BE COMPLETED BY TYPEWRITER, INK OR BALL POINT PEN

U.S. GOVERNMENT PRINTING OFFICE: 1960-255-304



\$ 16.03

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

3. Article Addressed to:
BUREAU OF LAND MANAGEMENT
138 S MAIN
MALAD ID 83252

4a. Article Number
1110

4b. Service Type
☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

7. Date of Delivery
3-31-93

5. Signature (Addressee)
D. Van Beek

6. Signature (Agent)

8. Addressee's Address (Only if requested and fee is paid)

I also wish to receive the following services (for an extra fee):
 1. ☐ Addressee's Address
 2. ☐ Restricted Delivery
 Consult postmaster for fee.

PS Form 3811, December 1991 * U.S.G.P.O. : 1992-307-530

DOMESTIC RETURN RECEIPT

Is your RETURN ADDRESS completed on the reverse side?

Thank you for using Return Receipt Service

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

3. Article Addressed to:
DON ELIASON
HOLBROOK ID 83243

4a. Article Number
1111

4b. Service Type
☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

7. Date of Delivery

5. Signature (Addressee)
Carol Eliason

6. Signature (Agent)

8. Addressee's Address (Only if requested and fee is paid)

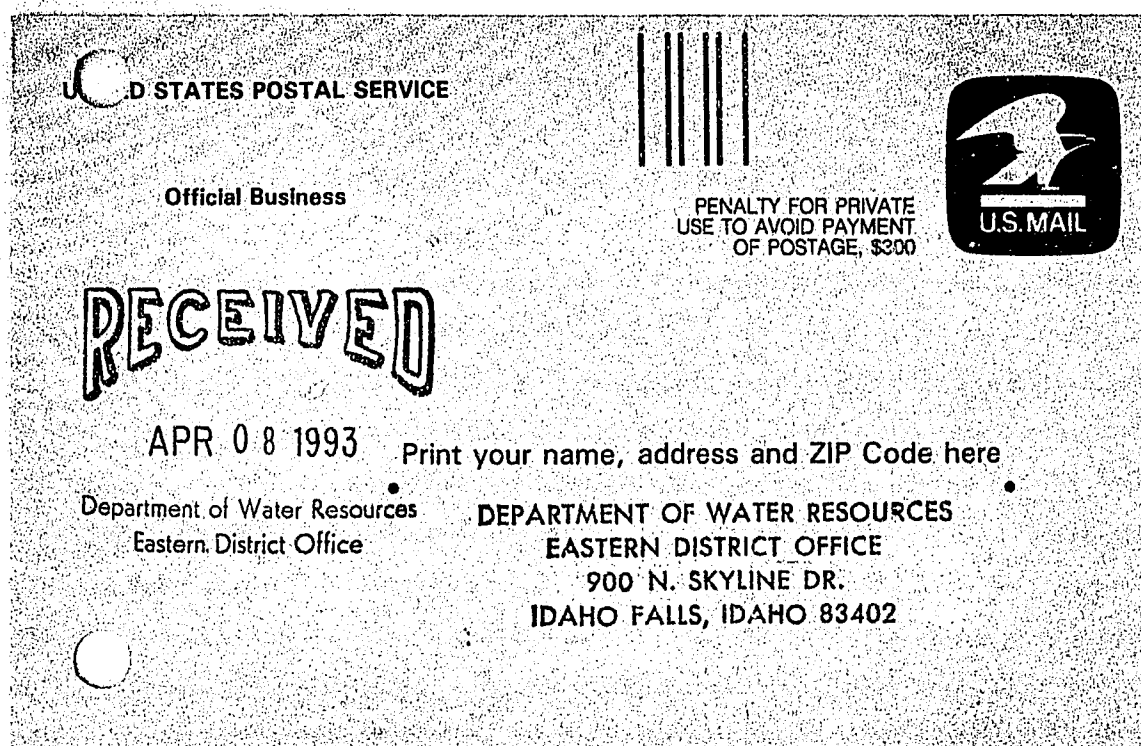
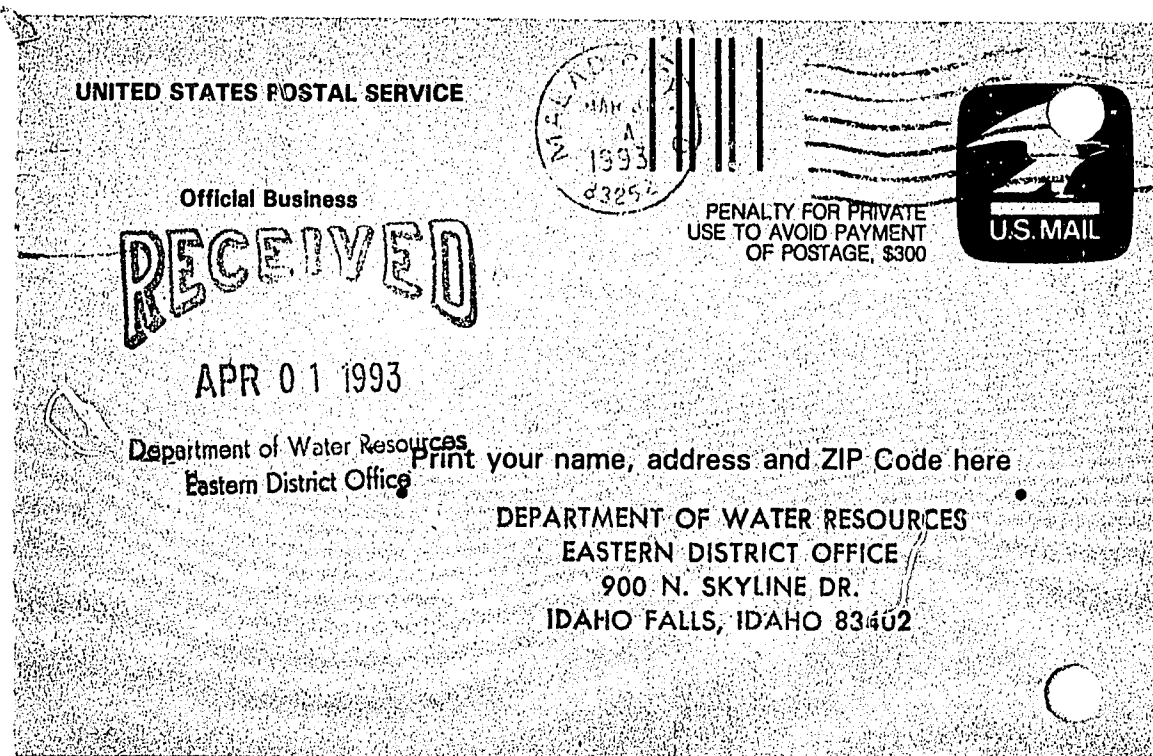
I also wish to receive the following services (for an extra fee):
 1. ☐ Addressee's Address
 2. ☐ Restricted Delivery
 Consult postmaster for fee.

PS Form 3811, December 1991 * U.S.G.P.O. : 1992-307-530

DOMESTIC RETURN RECEIPT

Is your RETURN ADDRESS completed on the reverse side?

Thank you for using Return Receipt Service



COPY

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM TO A WATER RIGHT

Notice is hereby given that Don Eliason and Sons
(Name of Claimant)
Holbrook, Idaho 83243 Telephone No. 698-3333
(Mailing Address) (Zip Code)

(1) Date of priority: (When was the water first applied to a beneficial use) June 1, 1910

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Rock Creek tributary to Sinks

		(Both dates inclusive)	
(cfs, af)	(Domestic, Irrigation, Stock, Etc.)	(Mo., Day)	(Mo., Day)
Quantity <u>1.92 cfs</u>	Use <u>Irrigation</u>	Period of Use From <u>5-1</u>	To <u>10-15</u>
Quantity <u>0.07 cfs</u>	Use <u>Stockwater</u>	Period of Use From <u>1-1</u>	To <u>12-31</u>
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____

(4) 1.97 cfs TOTAL QUANTITY USED.
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE ¼ NW ¼, Sec. 9 Twp. 14S Rge. 32E B.M., County of Oneida
Additional points of diversion: SESW, Sec. 10, T. 14S, R. 32E.

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Pump and sprinkler on section 9 and flood irrigation from diversion dam in section 10

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

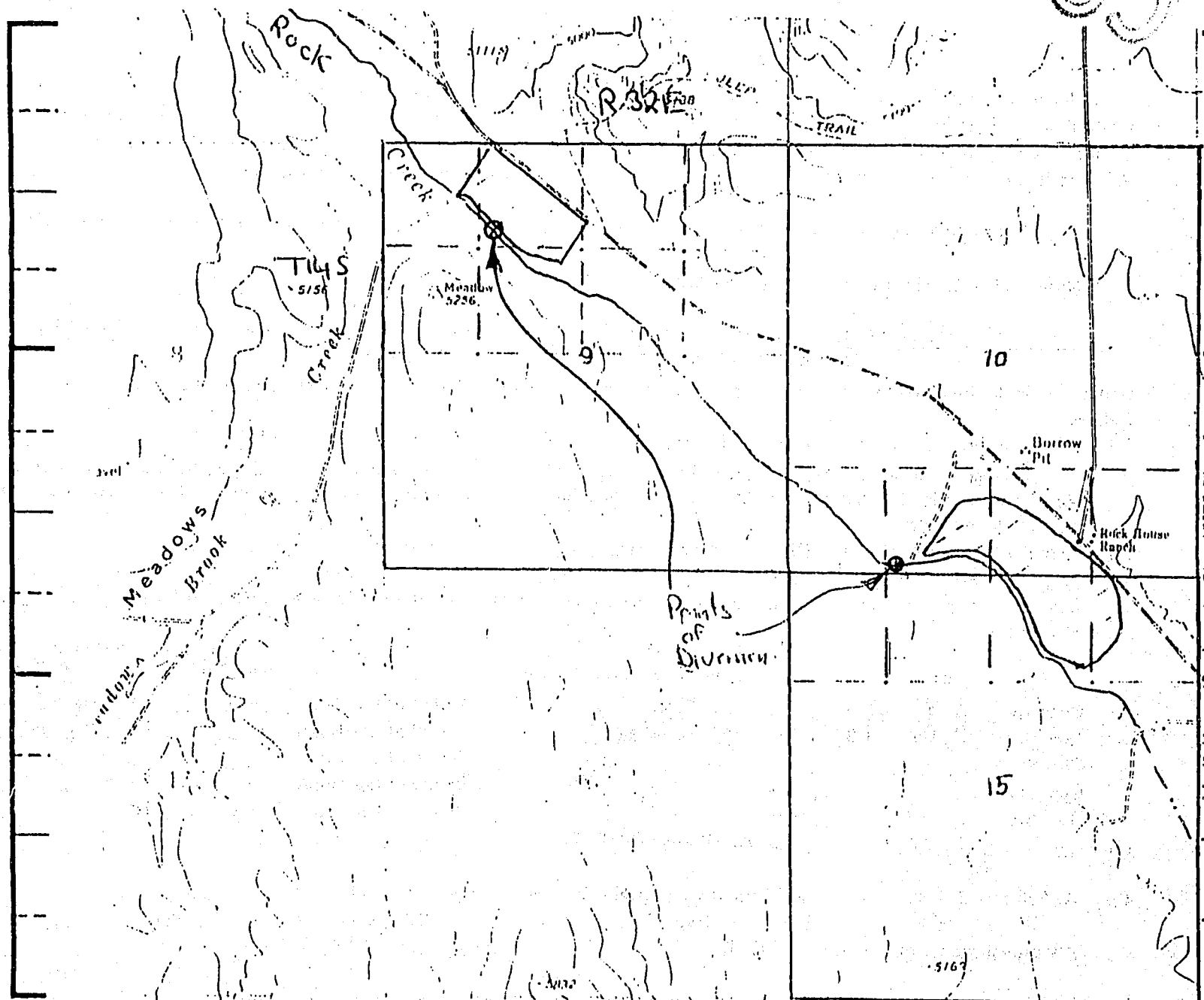
No. of acres 96

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Stockwater

NOTE: Include here the type and number of stock watered: 240 head cattle

(7) If you are claiming water as a member of an organization, list name of organization:

(8) Remarks



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho

County of

Oneida

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Don Eliason
(Claimant)

Sworn to before me this 15th day of March, 1983.

Cindy Williams
Notary Public
Residing at Malad, Idaho

My commission expires

4-5-86

Assist by HWT

FOR DEPARTMENT USE ONLY

Received by

Date

Exception filed by:

Forwarded to

Date

Prelim. check by

Date

\$30.00 fee received by

Date

Published in

Dates

Idaho Enterprise

4/7, 4/14/83

3-29-83

3-29-83 #25577

Malad, Idaho

TUESDAY, APRIL 27, 1993
1:30 P.M.

Officer: Ernie Carlsen, Skip Jones.

Name	Representing	Address
Matthew Rendace	BLM	138 S. Main Malad
Don Eliason		308 N Halstead R.D. Halstead ID
Carol Eliason		" " " " "
Foster Lysen		135 SANDPIPER RD MAUSD ID
Steven K. Davis	BLM	Rt. 3, Box 1, Burley ID 83318
Ron Koe	BLM	138. S. Main Malad

IN THE MATTER OF APPLICATION }
FOR PERMIT 12-7135 IN THE }
NAME OF BUREAU OF LAND }
MANAGEMENT. }

STIPULATION &
AGREEMENT.

WE THE UNDERSIGNED AGREE TO THE DEPARTMENT
OF WATER RESOURCES ISSUING A PROPOSED
MEMORANDUM DECISION, ~~AND~~ BASED ON INFORMATION
PRESENTED AT THE CONFERENCE ON 27 APRIL 1993
IN MALADE INFORMATION IN THE ~~FILES~~ RECORDS
OF IDWR. We understand this DOES NOT WAIVE
OUR RIGHT TO APPEAL THE PROPOSED DECISION.

Ronald W. Kay
BLM. AREA MANAGER

Don Eliason
DON ELIASON.



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

September 9, 1993

Re: In the matter of Application for Permit No. 17-07135 in the name of Bureau of Land Management

Dear Interested Party:

The accompanying order is a "recommended order" issued by the department pursuant to Section 67-5243, Idaho Code. The provisions of this order will not become effective until the Director issues a final order in this matter.

Each party to these proceedings who appeared at the hearing may file a petition for reconsideration, briefs and exceptions to the recommended order and may request oral argument before the Director of the department as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a recommended order with the hearing officer issuing the order within fourteen (14) days of the service date of the order. The hearing officer will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of this recommended order, (b) the service date of a denial of a petition for reconsideration from this recommended order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this recommended order, any party may in writing support or take exceptions to any part of a recommended order and may file briefs in support of the party's position on any issue in the proceeding. Written briefs in support of or taking exceptions to the recommended order shall be filed with the Director. Opposing parties shall have twenty-one (21) days to respond.

ORAL ARGUMENT

The Director may schedule oral argument in the matter before

issuing a final order. Oral argument on exceptions to a recommended order shall be heard at the discretion of the Director. If oral arguments are to be heard, the Director will, within a reasonable time, notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the recommended order shall be served on all other parties to these proceedings in accordance with Rules of Procedure 302 and 303.

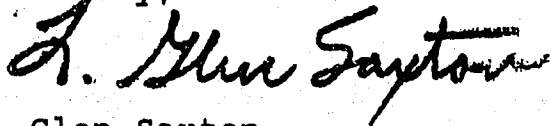
FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The agency may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

APPEAL OF FINAL ORDER TO DISTRICT COURT

A party aggrieved by a final order of the Director is entitled to judicial review in compliance with sections 67-5271 through 67-5279, Idaho Code.

Sincerely,



L. Glen Saxton
Chief, Water Allocation Bureau

Enclosures



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

October 13, 1993

Re: In the matter of application for permit no. 17-07135 filed in the name of Bureau of Land Management

Dear Interested Party:

The accompanying order is a "final order" issued by the department pursuant to section 67-5246 or 67-5247, Idaho Code.

Section 67-5246 provides as follows:

(1) If the presiding officer is the agency head, the presiding officer shall issue a final order.

(2) If the presiding officer issued a recommended order, the agency head shall issue a final order following review of that recommended order.

(3) If the presiding officer issued a preliminary order, that order becomes a final order unless it is reviewed as required in section 67-5245, Idaho Code. If the preliminary order is reviewed, the agency head shall issue a final order.

(4) Unless otherwise provided by statute or rule, any party may file a petition for reconsideration of any order issued by the agency head within fourteen (14) days of the issuance of that order. The agency head shall issue a written order disposing of the petition. The petition is deemed denied if the agency head does not dispose of it within twenty-one (21) days after the filing of the petition.

(5) Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

(a) the petition for reconsideration is disposed of; or

(b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

(6) A party may not be required to comply with a final order unless the party has been served with or has actual knowledge of the order. If the order is mailed to the last known address of a party, the service is deemed to be sufficient.

(7) A nonparty shall not be required to comply with a final order unless the agency has made the order available for public inspection or the nonparty has actual knowledge of the order.

(8) The provisions of this section do not preclude an agency from taking immediate action to protect the public interest in accordance with the provisions of section 67-5247, Idaho Code.

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a final order within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(4) Idaho Code.

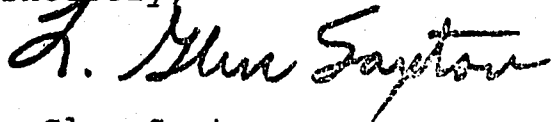
APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, any party aggrieved by a final order or orders previously issued in a matter before the department may appeal the final order and all previously issued orders in the matter to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days a) of the service date of the final order, b) of an order denying petition for reconsideration, or c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration, whichever is later. See section 67-5273, Idaho Code. The filing of an appeal to district court does not in itself stay the effectiveness or enforcement of the order under appeal.

Sincerely,



L. Glen Saxton
Chief, Water Allocation Bureau

RECEIVED

OCT 24 1994

PROOF OF BENEFICIAL USE

Department of Water Resources

1. Permit No. 17-07135 Telephone No. (208) 766-4766
2. Name(s) of Permit Holder(s): Bureau of Land Management
3. Mailing Address: 138 South Main Street Malad, ID 83252
4. Source of Water: spring If GROUNDWATER (well), Date Drilled: mo. _____ / yr. _____
- a. Well Driller: _____ Drilling Permit Number: _____ - _____ - _____ - _____
- b. **OPTIONAL:**
Pump Horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft): _____
5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): _____ Stockwater (No. and type of stock): 360 cattle

Irrigation (No. of acres): _____ Other: _____
6. Total rate of diversion and/or volume for which proof is submitted: .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 ✓
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: Dana Larsen, Range Management Spec. Telephone Number: (208) 766-4766

Address: 138 South main Street Malad, ID 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: Ronald W. Key Area Manager Date: 10/20/94
(Include your title, if on behalf of company or organization)

August 31, 1994

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706

PROOF DUE NOTICE

RE: PERMIT NO. 17-07135

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 November 1, 1994. (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.

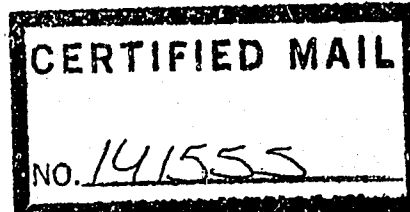
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental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



November 4, 1994

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 17-07135

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

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 17-07135

RECEIVED

JAN 14 1997

Department of Water Resources

Date of Priority: August 3, 1990

Maximum Diversion Rate:

0.03 CFS

Maximum Diversion Volume:

2.6 AF

Comes now
US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the
State of Idaho No. 17-07135, and requests that the permit be changed as follows:

Source: MEADOW BROOK CREEK

tributary to ROCK CREEK

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	04/16 to 10/31	0.03 CFS	2.6 AF
WILDLIFE	01/01 to 12/31	0.01 CFS	2.6 AF
	Totals	0.03 CFS	2.6 AF

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 20, Township 14S, Range 32E
ONEIDA County

PLACE OF USE: STOCKWATER

TWN RGE SEC

14S 32E 20

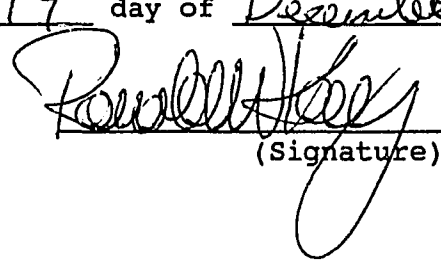
SWNW

PLACE OF USE:

WILDLIFE, same as STOCKWATER use

Permit holder asserts that no one will be injured by such change and that such change
will be made at permit holder's own risk.

Signed at Mabel, this 19 day of December, 1986.


(Signature)

PAGE 2

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 17-07135

RECEIVED
JAN 14 1997
Department of Water Resources

FOR DEPARTMENT USE ONLY

Preliminary check by Ket Fee = 50.00 Received by Ket # C037571 Date 1-14-97

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 17-07135 with the following;

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.

Witness my hand this 21st day of JANUARY, 19 97.

[Signature]
Acting for KARL J. DREHER, Director

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 17-07135

Priority: August 3, 1990

Maximum Diversion Rate:

0.03 CFS

Maximum Diversion Volume:

2.6 AF

This is to certify, that US DEPT OF INTERIOR

BUREAU OF LAND MANAGEMENT

IDAHO STATE OFFICE

3380 AMERICANA TERRACE

BOISE ID 83706

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated August 3, 1990; and has submitted Proof of Beneficial Use on October 24, 1994. An examination indicates that the works have a diversion capacity of 0.300 cfs of water from:

MEADOW BROOK CREEK

tributary to ROCK CREEK

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	04/16 to 10/31	0.03 CFS	2.6 AF
WILDLIFE	01/01 to 12/31	0.01 CFS	2.6 AF
Totals		0.03 CFS	2.6 AF

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 20, Township 14S, Range 32E
ONEIDA County

PLACE OF USE: STOCKWATER

TWN RGE SEC

14S 32E 20

NWNW

PLACE OF USE:

WILDLIFE, same as STOCKWATER use

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.

State of Idaho
Department of Water Resources

PAGE 2

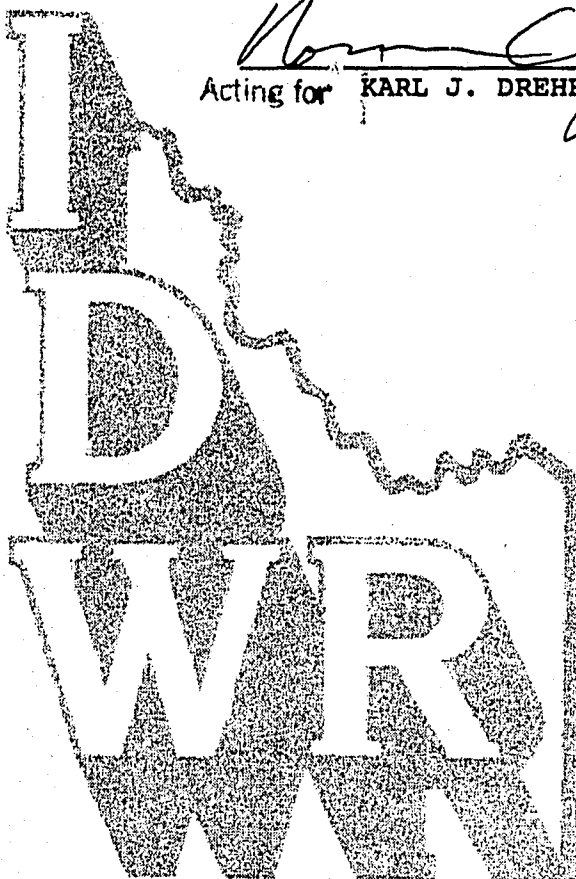
WATER RIGHT LICENSE

WATER RIGHT NO. 17-07135

CONDITIONS OF APPROVAL AND REMARKS

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 21ST
day of JANUARY, 1997.


Acting for KARL J. DREHER, Director



Department of Water Resources

Permit No. 17-07135

A. GENERAL INFORMATION

1. Owner: U.S. DEPT. OF INTERIOR (BLM) Phone No. (208) 766-3766

Current Address: IDAHO STATE OFFICE, 3380 AMERICANA TERRACE, BOISE, ID 83706

2. Accompanied by: N/A EXAM DATE: 6/13/95

Address: N/A Phone No. N/A

Relationship to Permit Holder: N/A

3. Source: MEADOW BROOK SPRING tributary to ROCK CREEK

B. OVERLAP REVIEW

1. Other water rights with the same place of use: NONE

2. Other water rights with the same point of diversion: NONE

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

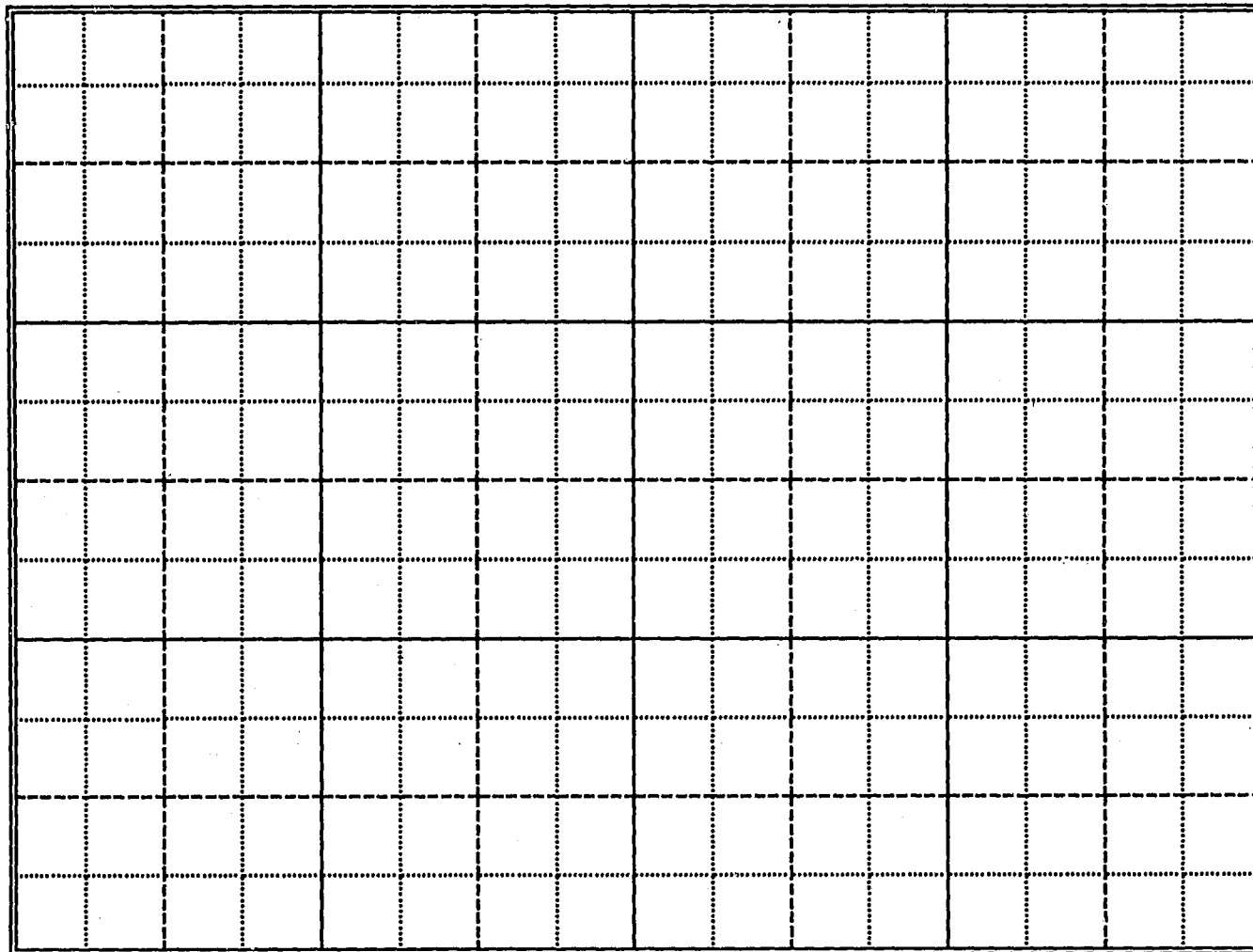
[illegible]

2. Place(s) of Use:

Indicate Method of Determination

[illegible]

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



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

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

D. FLOW MEASUREMENTS

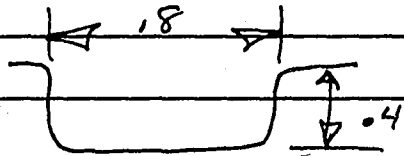
1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
<i>PY6HY METER</i>				<i>090171</i>		

2. Measurements: _____

E. NARRATIVE/REMARKS/COMMENTS

MEASUREMENT OF SPRING FLOW



$$AREA = .32 \times .952 = 0.30 \text{ CFS}$$

$$\begin{array}{l} 43 \text{ SEC.} \\ 40 \text{ REV.} \end{array} \} = .952$$

WATER IS USED FOR WILDLIFE AND STOCK WATER (360 HEAD)

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

F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method:

$$Q = 0.30 \text{ CFS}$$

$$360 \text{ STOCK} \times .00022 = 0.079 \text{ CFS}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

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

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

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$$

2. Volume Calculations for Other Uses:

$$360 \text{ HEAD} \times 0.0134 = 4.82 \text{ AFA (NEED)}$$

$$\begin{array}{l} \text{DAYS USED} \\ 0.30 \text{ CFS} \times 1.9835 \times 198 \text{ DAYS} \\ = 117.8 \text{ AFA} \end{array}$$

SPRING FLOW

$$0.30 \text{ CFS} \times 1.9835 \times 365 = 217.19 \text{ AFA PRODUCED}$$

H. RECOMMENDATIONS

1. Recommended Amounts PERMIT LIMITS TO 0.03 CFS

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
STOCK WATER	4/16	10/31	0.079 0.03	4.8 AFA
WILDLIFE	1/1	12/31	0.01	4.8 AFA
Totals:			0.03 CFS	4.8 AFA

2. Recommended Amendments

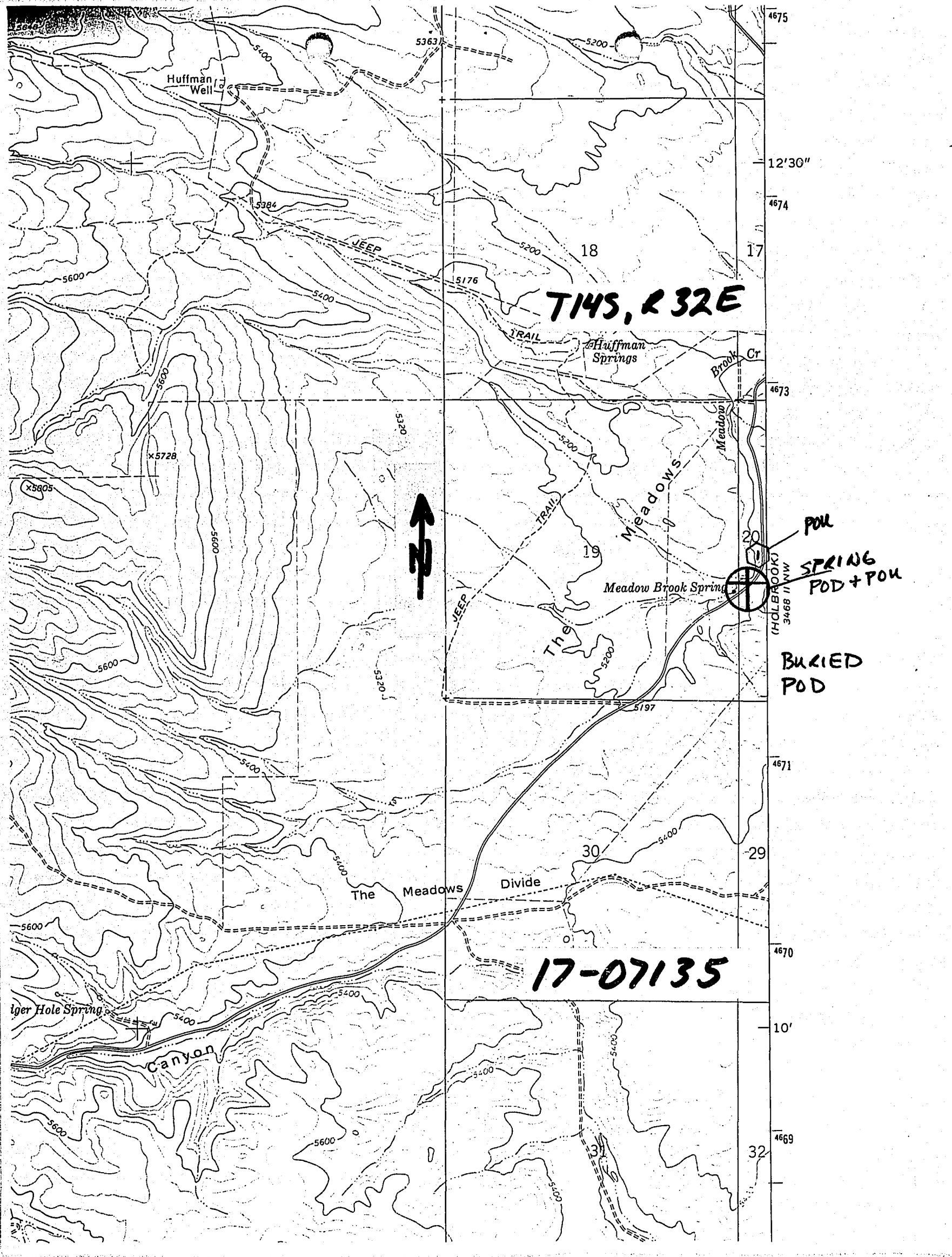
☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

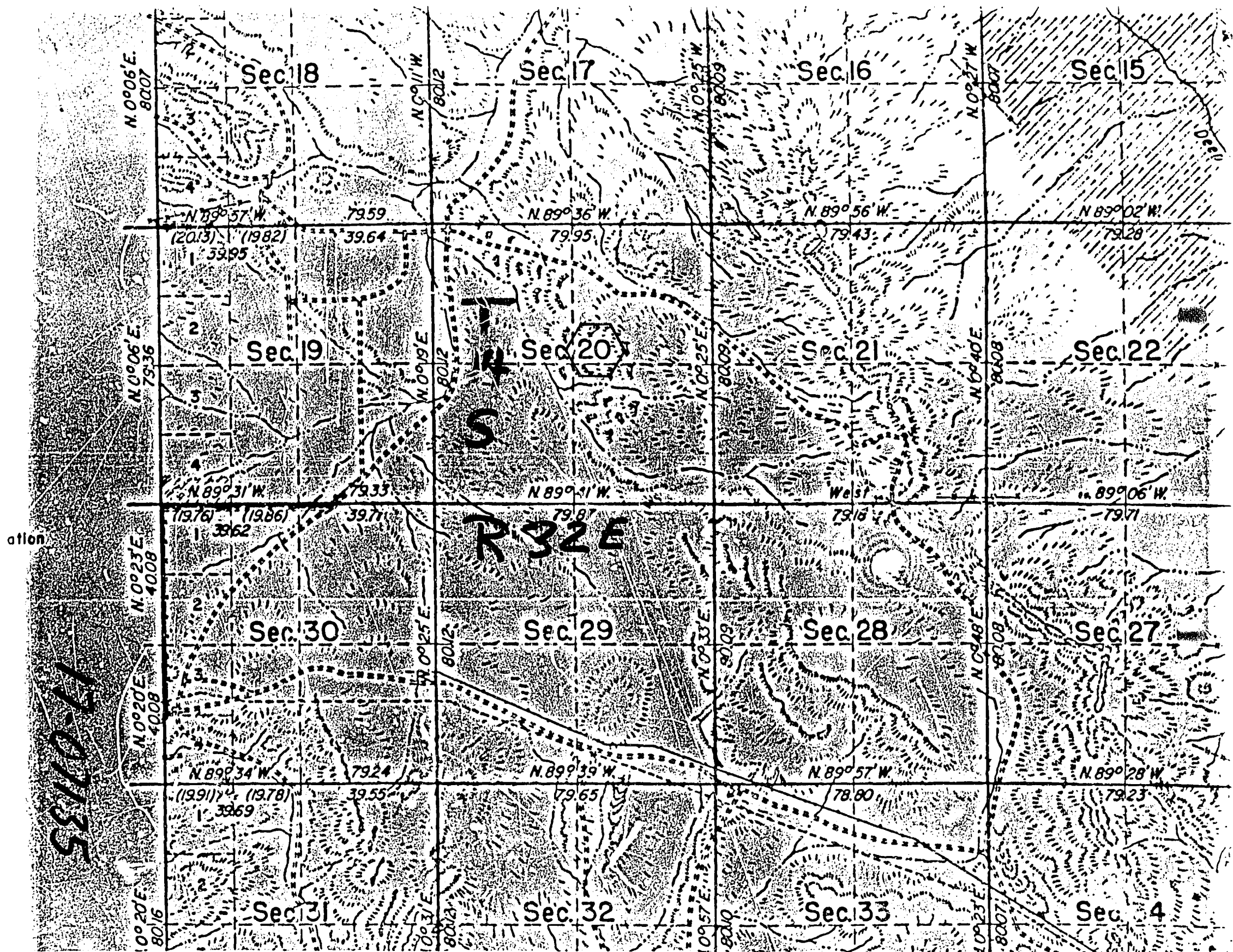
I. AUTHENTICATION

Field Examiner's Name SIMPSON Date 1/17/96

Reviewer J. W. Jones Date 2-27-96

SEAL



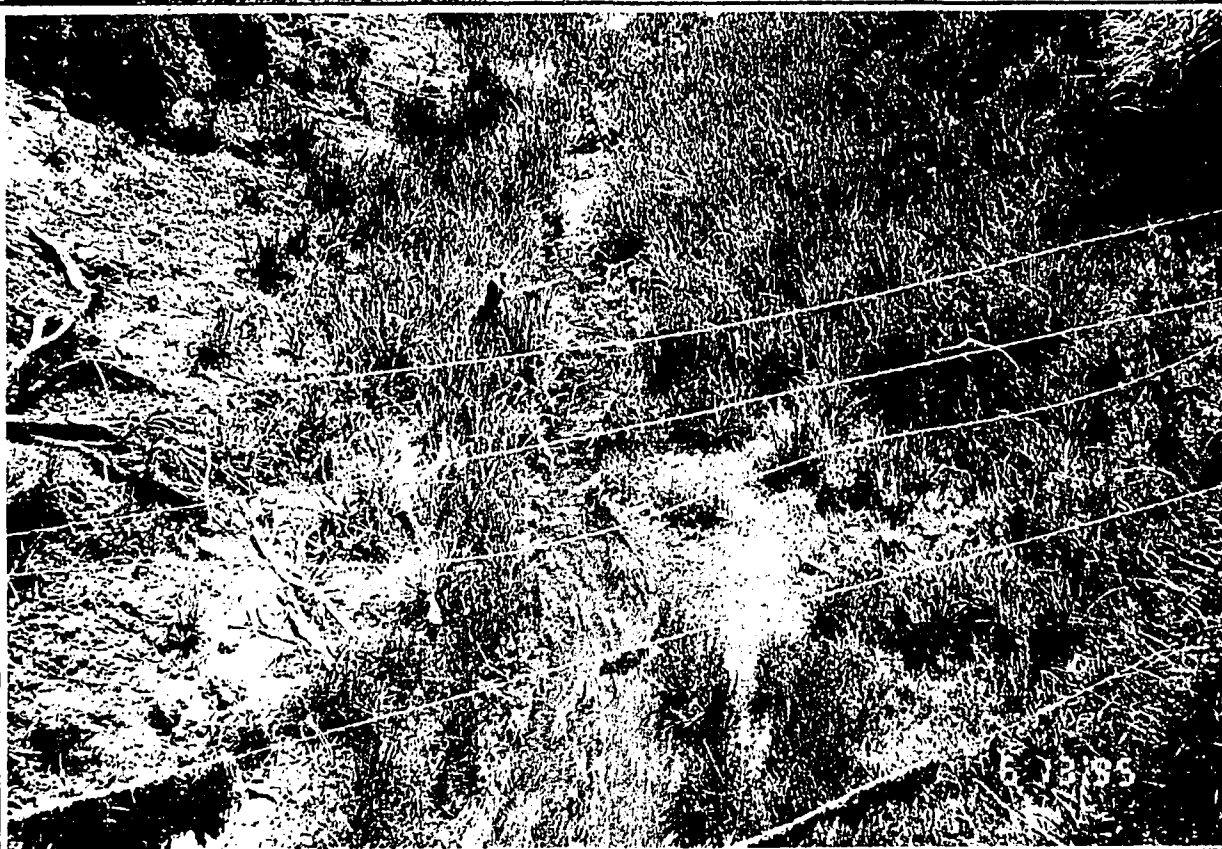


BLM
STOCKWATER / WILDLIFE

1 of 2



SPRING
SOURCE
POINT OF
DIVERSION
BURIED
PIPE COLLECTION
SYSTEM



SPRING FLOW
PLACE OF
MEASUREMENT

17-07135

BLM
STOCKWATER / WILDLIFE

2 of 2



PLACE OF
USE
STOCKWATER

17-07135

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

MEMORANDUM

TO: File 17-07135

FROM: Sharla

DATE: July 11, 1996

RE: Recommendation Adjustment(s)

The final license recommendations for Right 17-07135 are based on the following:

A. GENERAL INFORMATION

3. Source: Meadow Brook Spring tributary to Meadow Brook Creek

H. RECOMMENDATIONS

Beneficial Use	Period of Use	Rate of Div	Annual Vol
Stockwater	4/16 - 10/31	0.03 cfs	2.6 afa
Wildlife	1/1 - 12/31	0.01 cfs	2.6 afa

The annual volume for stockwater (350 cows as stated in Final Order) is calculated as: $350 \times 12 \text{ gpd} \times 198 \text{ days} = 831,600 \text{ gallons} / 325,850 = 2.6 \text{ af}$.

The map attached to the field exam shows the place of use (trough) in the SWNW or NWSW, S20. The written description on the front of the exam shows it in the NWNW as was originally filed. The original point of diversion listed in the application was SENESE, S19. In a telecon it was changed to the SWNWNW, S20. This would be an accurate description for Meadow Brook Creek. However, the spring is located in the NESE, S19 and the source of water it would naturally flow into is Meadow Brook Creek, which in turn flows into Rock Creek. The tributary for this license will be listed as Meadow Brook Creek.

Examiner: Don Simpkins

Exam date: June 13, 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 26, 1996

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706

RE: WATER RIGHT NO. 17-07135

Dear Water Right Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to depict your water right as it has actually been developed.

The enclosed Application for Amendment contains information that will be included on the license when it is issued. The amendment reflects a change in the location of the point(s) of diversion. Please review carefully and if you concur, sign the amendment and return with the \$50.00 filing fee within 60 days.

The last page of the Application for Amendment form contains a list of Conditions of Approval and Remarks proposed for the license when it is issued. These conditions of approval and remarks may be modified upon further administrative review.

If you do not concur, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208) 327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

September 26, 1996

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706

RE: WATER RIGHT NO. 17-07135

Dear Water Right Holder(s):

I previously forwarded to you an Application for Amendment so that you could amend your permit to depict your water right as it has been actually developed. I have not yet received the amendment. If I do not receive it within sixty days, I will assume you no longer have any interest in the permit and cancellation proceedings will begin.

Enclosed for your convenience is another amendment form. Please note that the filing fee for this amendment is \$50.00. If you have any questions, please call me at (208) 327-7946.

Sincerely,

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

Shelley W. Keen
Water Rights Supervisor

SK:ph

Enclosure

MEMORANDUM

DATE: October 28, 1996

TO: File 17-07135

FROM: Shelley W. Keen *SWK*

RE: Point of diversion location

James Kumm of the BLM called on 10/25/96 to discuss the point of diversion location for Right 17-07135. He said he is pretty certain that it is in Section 20, not Section 19, but he is not sure which 40-acre tract. Mr. Kumm is going to use GPS equipment to determine the point of diversion, and then he will get back in touch with me.

MEMORANDUM

DATE: December 4, 1996

TO: File 17-07135

FROM: Shelley W. Keen *SWK*

RE: GPS Data from BLM

James Kumm of the BLM called today to tell me that he has corrected GPS data for the point of diversion location for Right 17-07135. He said he stood two feet from the collection culvert and got the following reading:

Latitude 42°11'29.55" W
Longitude 112°45'0.35" N

I told James I would compare his data to our tract description and get back to him.



State of Idaho
DEPARTMENT OF WATER RESOURCES

1361 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

December 10, 1996

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
138 S MAIN ST
MALAD ID 83252

ATTN: JAMES KUMM

RE: Water Right No. 17-07135

Dear James:

Thanks for providing me with the GPS data for the point of diversion for Water Right No. 17-07135. The latitude and longitude information you provided corresponds to a location within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 20, T14S, R32E. The permit will still have to be amended because the permitted point of diversion was the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 20, T14S, R32E.

I have enclosed a revised amendment form for you to review. If you agree with the water right description as it is now presented, please sign the form and return it with the \$50.00 filing fee within 30 days.

If you have any questions, please contact me at 208-327-7946.

Respectfully,

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

Shelley Walter Keen
Water Rights Supervisor

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

January 21, 1997

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706

RE: WATER RIGHT NO. 17-07135

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved Application for Amendment. Should you have any questions regarding these documents, please contact me.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:ph

Enclosure