

Form 202
10/92

RECEIVED

JUN 16 1993

Department of Water Resources
STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

1707144

RECEIVED

APR 30 1993

Department of Water Resources
Eastern District Office

To appropriate the public waters of the State of Idaho

- U.S. Bureau of Land Management (Steve Dans) (208) 678-5514
1. Name of applicant Idaho Department of Lands (Pat Brown) Phone (208) 523-5398
BLM-RR3, Box 1 Burley, ID 83318
Post office address IDL-3563 Ririe Highway Idaho Falls, ID 83401
2. Source of water supply Groundwater (Crazy Canyon Well) which is a tributary of ---
3. Location of point of diversion is SE 1/4 of SE 1/4 of NE 1/4, Govt. Lot --
Sec. 36 Township 13S Range 30E B.M. Oneida County; additional
points of diversion if any: above well drilled with D.P. # 17-92-E-003
* change as per tele-con with Steve Dans (BLM) on 5-5-93
4. Water will be used for the following purposes:
* 0.23
Amount .39 for stockwater purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 2.0 for stockwater storage purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .01 for Wildlife purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 2.0 for Wildlife Storage purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
0.23
5. Total quantity to be appropriated is (a) .39 cubic feet per second and/or (b) 2.0 acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Well, pump, pipe, ...
troughs, 40,000 gallon steel storage tank, and reservoir
b. Height of storage dam 9 feet; active reservoir capacity 2.0 acre-feet; total
reservoir capacity 2.0 acre-feet; period of year when water will be diverted to storage:
1/1 to 12/31 inclusive.
Existing
c. Proposed well diameter is 6" inches; proposed depth of well is 795 feet.
d. Is ground water with a temperature of greater than 85°F being sought? No
e. If well is already drilled, when? 6-10-92; Drilling firm Jack Cushman Drilling;
Well was drilled for (well owner) Idaho Department Of Lands
7. Time required for the completion of the works and application of the water to be proposed beneficial use is
1 years (minimum 1 year).

8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. 1000-1700 range cattle
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. _____
- e. Other; describe fully. Various Wildlife

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	
13S	31E	30			S W														
		31					S W	S W			S W								
14S	30E	1						S W											
		2															S W		
		12								S W	S W								
		13								S W									
		23	S W																
		26								S W									
14S	31E	18			S W														

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. 41-7077

11. a. Who owns the property at the point of diversion? Idaho Department of Lands
- b. Who owns the land to be irrigated or place of use? U.S. 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. Remarks: _____

[illegible]

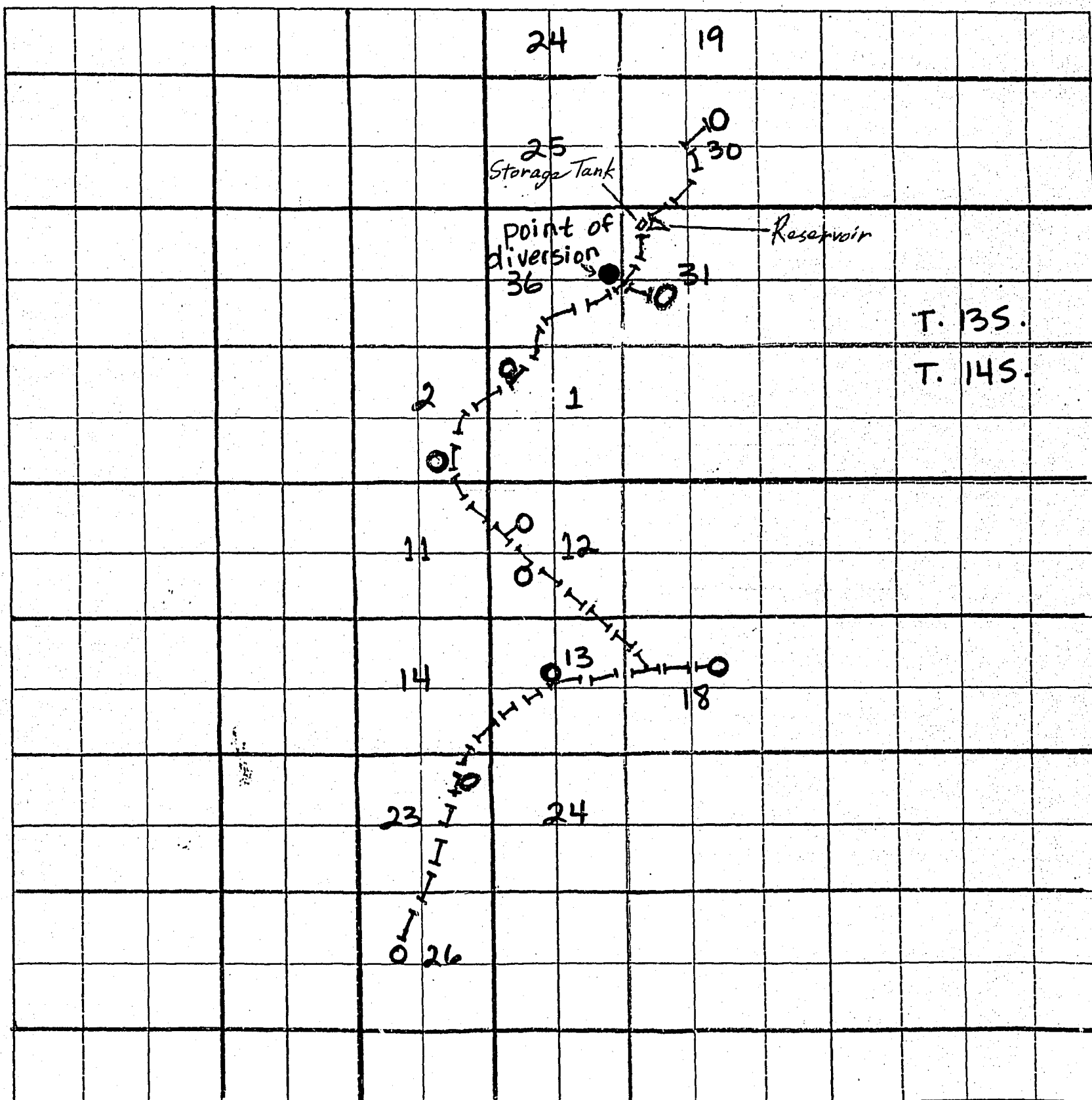
BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

BLM Associate District Manager
(Applicant)

, IDL Area Supervisor

 Pipe
 Trough

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

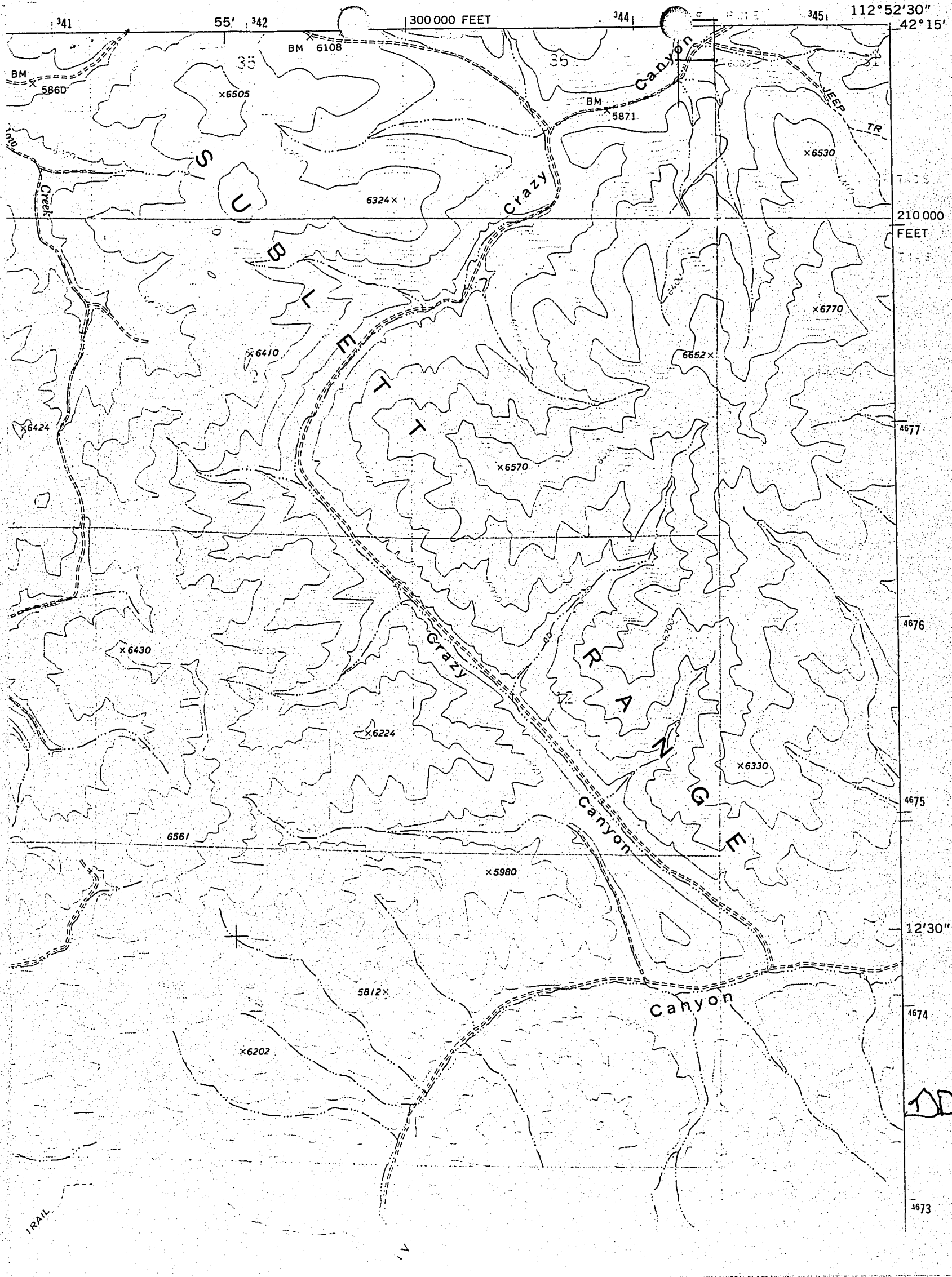


Scale: 1/4 inches equal 1 mile.

1

R. 30E. R. 31E.

7.5 MINUTE SERIES (TOPOGRAPHIC)



Received by WM Date 4/15/93 Time 12:40pm Preliminary check by CK #3840 4/16/93 WM
Fee \$ 45~~81~~ Receipted by HWT # E018468 Date 4-19-93
Publication prepared by RB Date 5-20-93 Published in ID Enterprise
Publication approved RB Date 6-14-93

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. 17-07144

Proposed Priority: April 19, 1993 Maximum Diversion Rate: 0.23 CFS

This is to certify, that US DEPT OF INTERIOR
STATE OF IDAHO
BUREAU OF LAND MANAGEMENT
PO BOX 1
BURLEY ID 83318

has applied for a permit to appropriate water from: GROUNDWATER
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>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	0.23 CFS	
STOCKWATER STORAGE	01/01 to 12/31		1.8 AF
WILDLIFE	01/01 to 12/31	0.01 CFS	
WILDLIFE STORAGE	01/01 to 12/31		0.2 AF
	Totals	0.23 CFS	

LOCATION OF POINT(S) OF DIVERSION: SESENE , Sec. 36, Township 13S, Range 30E
ONEIDA County

PLACE OF USE: STOCKWATER
TWN RGE SEC

13S 31E 30	SWNE		
31	NENW	NWNW	NESW
14S 30E 1	NWNW		
2	SWSE		
12	SESW	NESW	
13	SESW		
23	NENE		
26	SESW		
31E 18	SWNE		

PLACE OF USE: WILDLIFE, same as STOCKWATER use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before July 1, 1994.
2. Subject to all prior water rights.
3. Prior to the diversion of water under this right a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
4. Stockwater use is for 1000 range cattle.
5. Point of diversion is locally known as Crazy Canyon Well.

PAGE 2

State of Idaho
Department of Water Resources

Permit To Appropriate Water

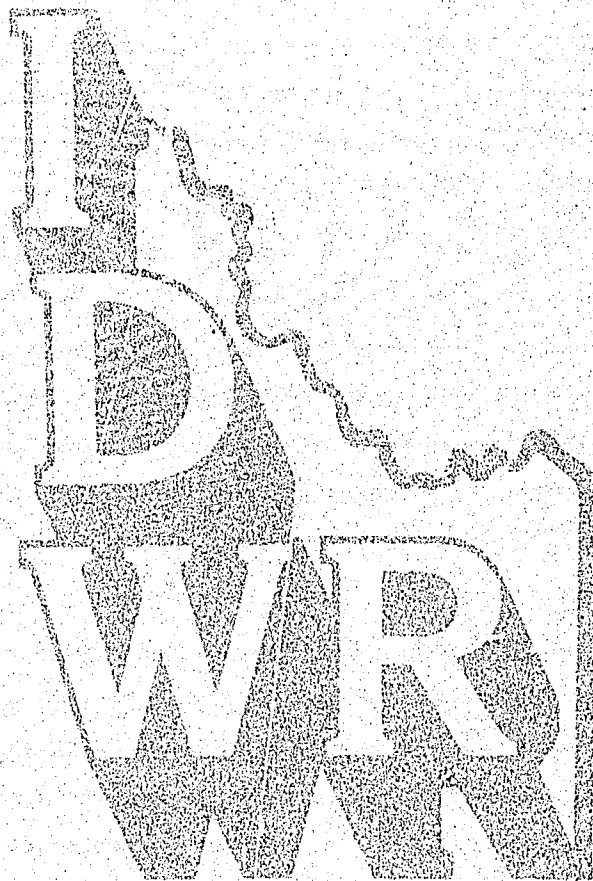
NO. 17-07144

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

13th day of July, 1993.

R. Keith Higginson
R. Keith Higginson, Director

for



17-07144

STATE OF IDAHO
US DEPT OF INTERIOR
DEPT OF LANDS
3563 RIRIE HWY
IDAHO FALLS, ID 83401

Source: GROUNDWATER

Diversion Pt: SESENE Sec 36 T 13S R 30E in ONEIDA County.

Use: STOCKWATER	(.230 CFS)
STOCKWATER STORAGE	(1.800 CFS)
WILDLIFE	(.010 CFS)
WILDLIFE STORAGE	(.020 CFS)
Total Diversion:	(.230 CFS)

Date Filed: 4/19/1993

In: ONEIDA County			
T13S R31E S30	SWNE		
S31	NENW	NWNW	NESW
T14S R30E S01	NWNW		
S02	SWSE		
S12	SENE	NESW	
S13	SENE		
S23	NENE		
S26	SENE		
R31E S18	SWNE		

17-May-1993

US BUREAU OF LAND MANAGEMENT
RR3 BOX 1
BURLEY ID 83318

RE: Application No. 17-07144

Dear Water Right Applicant:

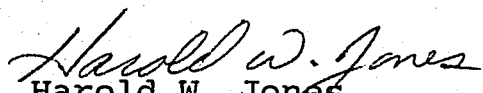
The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in the Idaho Enterprise on May 20 & 27, 1993. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

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

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

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

Sincerely,


Harold W. Jones
Water Right Supervisor

HWJ:rb

17-May-1993

ID DEPT OF LANDS
3563 RIRIE HWY
IDAHO FALLS ID 83401

RE: Application No. 17-07144

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 May 20 & 27, 1993. 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.

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

Sincerely,

Harold W. Jones
Harold W. Jones
Water Right Supervisor

HWJ:rb

LEGAL NOTICE

15-07140

CHRISTENSEN, GARY
CHRISTENSEN, CONNIE
ESTEP, NORVEL
ESTEP, DIANNA
823 N 1ST W
TREMONTON, UT 84337
Source: UNNAMED SPRING
Tributary: BIRCH CREEK
Diversion Pt: NESESE Sec 27 T
12S R 35E in ONEIDA County
Use: DOMESTIC (1,060 CFS)
Total Diversion: (1,090 CFS)
Date Filed: 4/28/1993
In: ONEIDA County
T12S R36E S27 SESE
240.0 ACRES TOTAL

17-07144

STATE OF IDAHO
US DEPT OF INTERIOR
DEPT OF LANDS
3563 RIRIE HWY
IDAHO FALLS, ID 83401
Source: GROUNDWATER
Diversion Pt: SESENE Sec 36 T
13S R 30E in ONEIDA County
Use: STOCKWATER (1,230 CFS)
STOCKWATER STORAGE
(1,800 CFS)
WILDLIFE (1,010 CFS)
WILDLIFE STORAGE
(1,020 CFS)
Total Diversion: (1,230 CFS)
Date Filed: 4/19/1993
In: ONEIDA County
T13S R31E S30 SWNE
S31 NENW NWNW NESW
T14S R30E S01 NWNW
S02 SWSE
S12 SENW NESW
S13 SENW
S23 NENE
S26 SENW
R31E S18 SWNE

17-07145

N BAR S RANCH
695 W 1100 N
SALT LAKE CITY, UT 84054
Source: GROUNDWATER
Diversion Pt: NESW Sec 25 T 16S
R 36E in ONEIDA County
Use: IRRIGATION (4,800 CFS)
Total Diversion: (4,800 CFS)
Date Filed: 5/6/1993
In: ONEIDA County
T16S R36E S23 SWNE SENE
SENE NESW NESE NWSE
240.0 ACRES TOTAL

The permit(s) will be subject to all
prior water rights. Protests must be
filed with the Director, Dept. of Wa-
ter Resources, Eastern Region, 900
N Skyline, Idaho Falls, Idaho 83402
on or before JUNE 7, 1993.
R. KEITH HIGGINSON, Director
Published: 5/20/1993 & 5/27/1993
Legal #1549
2T/5/20/27/93

Nº 1549

PUBLICATION

being duly sworn,
Secretary of THE
newspaper published at Malad,
State of Idaho; that said paper has
in the county aforesaid, and in
advertisement, a copy of which is
said newspaper once a week for
the regular and entire issue of said
time of publication, and was
per and not a supplement; that
and regularly published for more
weeks prior to the date of first
in the issue beginning with
0 19 93 and ending
May 27 19 93
J. Ray
on this 28th day
19 93
Law J. Wetteman
Public, Residing at Malad, Idaho
2-9 19 94

Drilling Permit No. 17-92-E-003
Water Right Permit No. _____
Injection Permit No. _____

State of Idaho
Department of Water Resources

APPLICATION FOR DRILLING PERMIT

1. Applicant (please print) State of Idaho Department of Lands
2. Mailing Address 1215 W. State Street, Boise, Idaho 83720
Telephone (208) 334-0200
☒ Well Owner ☐ Well Operator ☐ Other, specify _____
3. Proposed well location SE 1/4 NE 1/4, or Gov't Lot No. -----
Sec. 36, Twp. 13S, Rge. 30E, County Oneida
Street Address of Well Site _____
Lot, block and subdivision _____
4. Proposed use of well:
☒ Domestic: The use of water for homes, organization camps, public campgrounds, livestock and for any other purpose in connection therewith, including irrigation of up to 1/2 acre of land, if the total use is not in excess of 13,000 gpd; or any other uses, if the total use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.
Domestic does not include water for multiple ownership subdivisions, mobile home parks, commercial or business establishments, unless the use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.
☐ Non-Domestic: Any beneficial use not included within the definition of domestic.
☐ Injection
☐ Monitoring - A well bore schematic and map is required for each well.
No. of proposed wells: _____
5. Well construction information:
A. ☒ New well ☐ Deepen ☐ Replace - See Condition 9
B. Proposed Surface Diameter 8 inch Proposed Maximum Depth 700 feet
C. Anticipated bottom hole temperature:
☒ 85°F or less (Cold water well)
☐ 85°F to 212°F (Low temp. geothermal well)
☐ 212° or more (Geothermal well)
6. Construction Start Date 4-29-92
7. Anticipated Well Driller Jack Cushman [phone (208) 785-1588]
NOTE: The actual well driller must be identified prior to drilling.
8. Applicant's signature RWB Date 5/26/92
Title Eastern Idaho Area Supervisor, Idaho Department of Lands
(Owner, Firm Representative, Other)

ACTION OF THE DEPARTMENT OF WATER RESOURCES

This Permit is

Approved

Date

6-18-92

If approved, this permit authorizes the construction or modification of a well subject to the following conditions. READ CAREFULLY

GENERAL CONDITIONS:

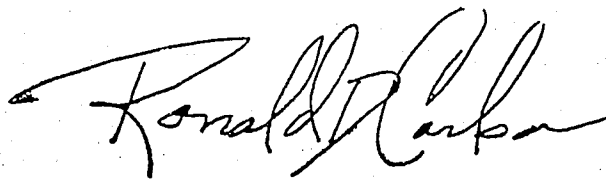
1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation. Injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from the above approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
3. This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Approval of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
8. If a bottom hole temperature of 85° or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
9. If this permit is for a replacement well, the well being replaced must be abandoned in accordance with Department Rules and Regulations.

SPECIFIC CONDITIONS:

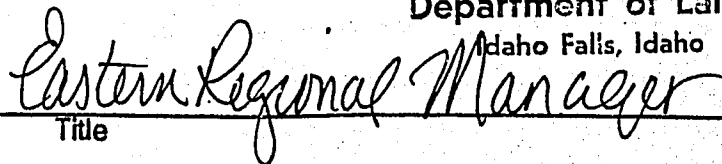
RECEIVED

MAY - 8 1992

Department of Lands
Idaho Falls, Idaho



Signature of Authorized Department Representative


Title

Receipt No.

EO17525
EO17526

Received by 

Fee

35.00

Date

6-18-92

EXTENSION OF DRILLING PERMIT

Extension approved by

Approval Date

This extension is good for 60 days beyond the above extension approval date.



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 13, 1993

STATE OF IDAHO
US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
PO BOX 1
BURLEY ID 83318

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 17-07144

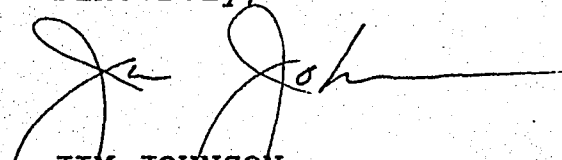
Dear Permit Holder:

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.

Be sure to note the special condition requiring you to install a measuring device. Enclosed, for your reference, is a list of measuring device options.

Sincerely,



JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosures

Form 217
11/91

RECEIVED
JUL - 6 1994

Department of Water Resources,
Eastern District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

OFFICE USE ONLY
Amt. of Fee \$ 100.00
Date 6 July 94
Receipt No. EC020005
Receipt by KCW

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. 17-07144 Telephone No. (208) 677-6626

2. Name(s) of Permit Holder(s): U.S. Bureau of Land Management

3. Mailing Address: Rt. #3 Box 1; Burley, Idaho 83318

4. Source of Water: Groundwater (Crazy Canyon Well)

If GROUNDWATER, Well Driller's Name: Jack Cushman Drilling Date Drilled: Started April 29, '92
Finished June 10, '92

OPTIONAL:

Pump horsepower: 7.5 Pressure (psi): roughly 90 Dynamic pumping level (ft.): roughly 645

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

Domestic (No. of households) Stockwater 1,000 range cattle (No. and type of stock)

Irrigation (No. of acres) Other various wildlife

6. Total rate and/or volume for which proof is submitted 0.23 cfs OR acre/feet

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

Measuring device: Required? Yes XX No Installed? Yes No

OR

Flow Measurement Port: Required? XX Yes No Installed? XX Yes No

8. Fee Enclosed: \$ 100.00 (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.

Steve Davis (208) 677-6626
Name Telephone No.

Rt. #3 Box 1; Burley, Idaho 83318
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.

June 27, 1994
Date

Mamie R. Boydy Assoc. District Mgr.
Signature (and title, if on behalf of a company or organization)

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 17-07144)
IN THE NAME OF BUREAU OF LAND MANAGEMENT) **ORDER OF**
REINSTATEMENT

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before July 1, 1994; and,

WHEREAS, the Department notified the permit holder on April 30, 1994, by certified mail that proof was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use; and,

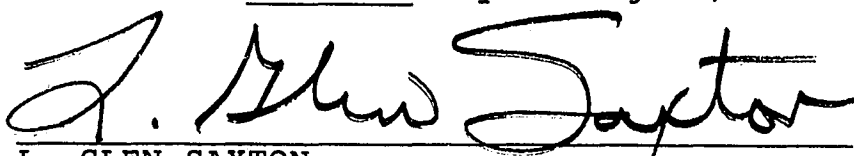
WHEREAS, the Department notified the permit holder on July 6, 1994, that the permit had lapsed for failure to submit an acceptable proof of beneficial use or extension of time; and,

WHEREAS, Section 42-218a, Idaho Code, provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting an acceptable proof of beneficial use on July 6, 1994;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 17-07144 be REINSTATED with an advance in priority to April 24, 1993.

Dated this 1st day of August, 1994.


L. GLEN SAXTON
Chief, Water Allocation Bureau

April 30, 1994

STATE OF IDAHO
US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
PO BOX 1
BURLEY ID 83318

PROOF DUE NOTICE

RE: PERMIT NO. 17-07144

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, 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.

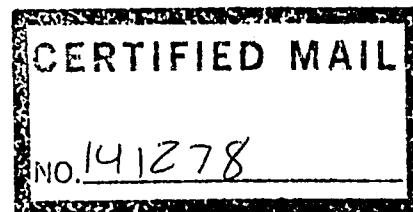
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental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



July 6, 1994

STATE OF IDAHO
US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
PO BOX 1
BURLEY ID 83318

LAPSE NOTICE

RE: PERMIT NO. 17-07144

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated April 30, 1994. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifteen dollar (\$15) fee.

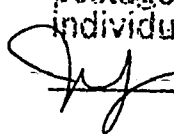
Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

L. GLEN SAXTON
Chief, Water Allocation Bureau

Enclosures

CERTIFICATION OF MAILING

I hereby certify that on 7-6-94
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.



August 1, 1994

BUREAU OF LAND MANAGEMENT
RT 3 BOX 1
BURLEY ID 83318

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 17-07144

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.

Enclosed is an order reinstating your permit since the Proof of Beneficial Use form was submitted after the proof due date. Please note that the priority date has been advanced to April 24, 1993.

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

Enclosure

c: IDWR - Region

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 17-07144

RECEIVED
SEP 08 1998

Department of Water Resources

Date of Priority: April 24, 1993

Maximum Diversion Rate: 0.05 CFS
Maximum Diversion Volume: 14.0 AF

Comes now
US DEPT OF INTERIOR
STATE OF IDAHO
BUREAU OF LAND MANAGEMENT
PO BOX 1
BURLEY ID 83318

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. 17-07144, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	0.05 CFS	13.4 AF
STOCKWATER STORAGE	01/01 to 12/31		0.6 AF
WILDLIFE	01/01 to 12/31	0.01 CFS	7.2 AF
WILDLIFE STORAGE	01/01 to 12/31		0.6 AF
	Totals	0.05 CFS	14.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SENE, Sec. 36, Township 13S, Range 30E
ONEIDA County

PLACE OF USE: STOCKWATER

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	
13S	30E	24	SESE
	31E	29	SWNW
		30	NESW
		31	Lot 2 (SWNW)
14S	30E	1	NWNW
		2	SWSE
		12	SENE
		13	SWNE
		14	NESE
		26	NWNE
	31E	18	SENE

PLACE OF USE:

WILDLIFE, same as STOCKWATER use

PAGE 2

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 17-07144

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 _____, this _____ day of _____, 19____.

Matthew Rindone (Permit)
(Signature)

PAGE 3

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 17-07144

FOR DEPARTMENT USE ONLY

Preliminary check by SWK Fee = 500 Received by LS # 6413341 Date 9/19/98

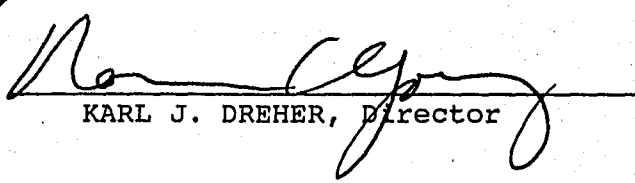
ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 17-07144 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 shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right, when considered with all other rights common to the same grazing allotment, is limited to the quantity of water beneficially used by the number of stock within the allotment.
6. Source known locally as Crazy Canyon Well.

Witness my hand this 14TH day of September, 1998.


KARL J. DREHER, Director

State of Idaho
Department of Water Resources
Water Right License
WATER RIGHT NO. 17-07144

Priority: April 24, 1993

Maximum Diversion Rate:
Maximum Diversion Volume:

0.05 CFS
14.0 AF

This is to certify, that US DEPT OF INTERIOR
STATE OF IDAHO

BUREAU OF LAND MANAGEMENT
PO BOX 1
BURLEY ID 83318

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated April 19, 1993; and
has submitted Proof of Beneficial Use on July 6, 1994. An examination indicates
that the works have a diversion capacity of 0.050 cfs of water from a GROUNDWATER
source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	0.05 CFS	13.4 AF
STOCKWATER STORAGE	01/01 to 12/31		0.6 AF
WILDLIFE	01/01 to 12/31	0.01 CFS	7.2 AF
WILDLIFE STORAGE	01/01 to 12/31		0.6 AF
Totals		0.05 CFS	14.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SENE, Sec. 36, Township 13S, Range 30E
ONEIDA County

PLACE OF USE: STOCKWATER

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	
13S	30E	24	SESE
	31E	29	SWNW
		30	NESW
		31	Lot 2 (SWNW)
14S	30E	1	NWNW
		2	SWSE
		12	SENW
		13	SWNE
		14	NESE
		26	NWNE
	31E	18	SENW

PLACE OF USE:

WILDLIFE, same as STOCKWATER use

State of Idaho
Department of Water Resources

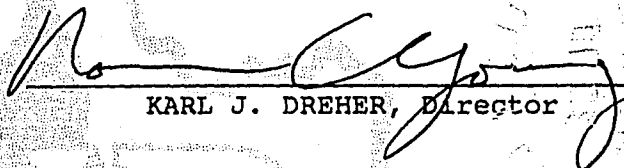
Water Right License

WATER RIGHT NO. 17-07144

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 shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right, when considered with all other rights common to the same grazing allotment, is limited to the quantity of water beneficially used by the number of stock within the allotment.
6. Source known locally as Crazy Canyon Well.

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 14TH day of September, 1998.


KARL J. DREHER, Director

WR

Permit No. 17-07144

3. Source: GROUNDWATER tributary to N/A

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

1. Point(s) of Diversion:

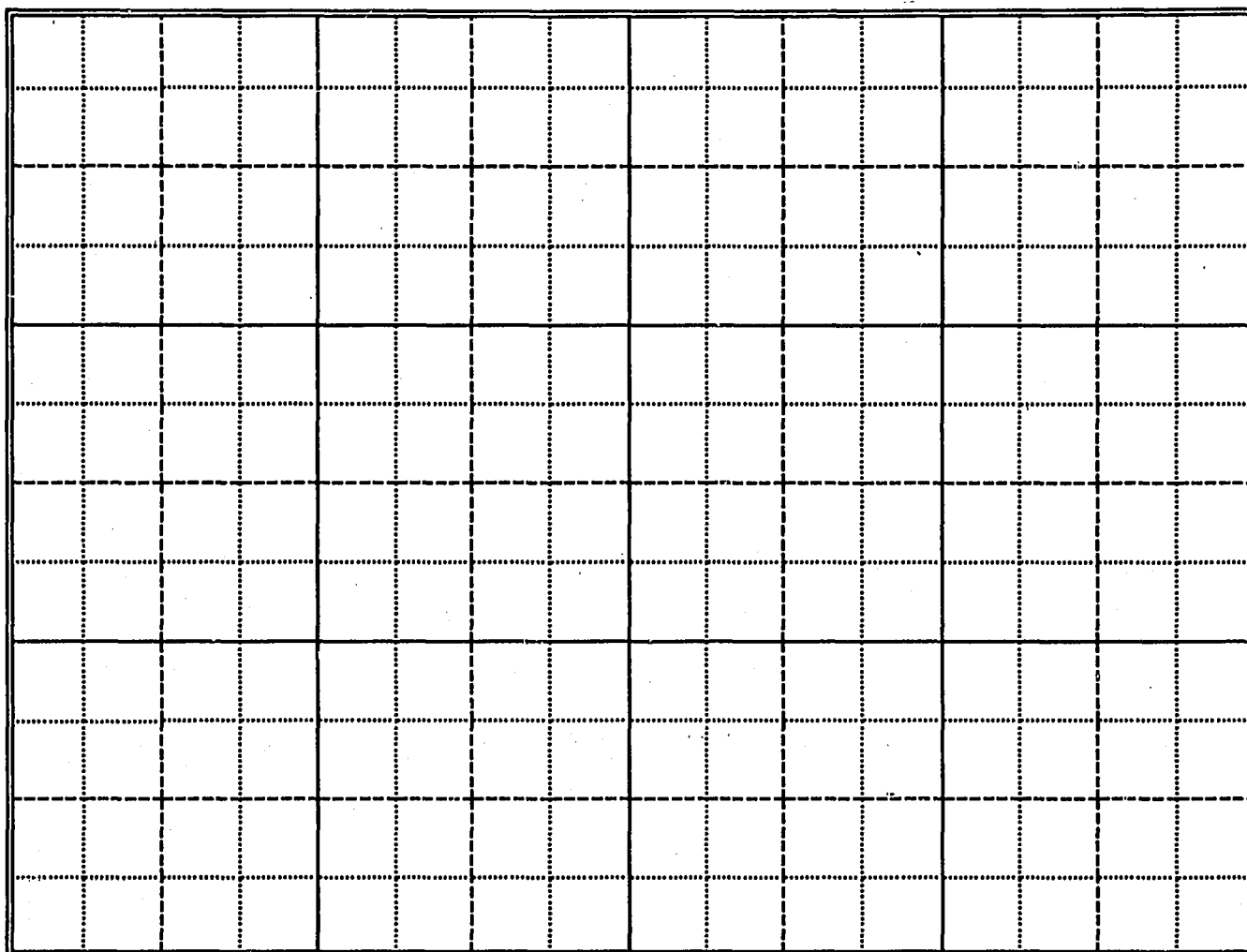
2. Place(s) of Use:

Indicate Method of Determination

[illegible]

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

SEE PHOTOS + 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
	<i>Gas power Generator</i>	<i>7.5</i>		<i>submersible</i>	

*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

2. Measurements: *THEORETICAL*

E. NARRATIVE/REMARKS/COMMENTS

C₂ CONTINUED:

2. Place(s) of Use: CONTINUED

Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14S	30E	26								S									
14S	31E	18			S														

SYSTEM DELIVERS WATER FROM A WELL TO A SYSTEM
 MANIFOLD. WATER IS NORMALLY PUMPED TO A STORAGE
 TANK HIGHER ON MOUNTAIN; WATER CAN ALSO BE PUMPED
 TO A STORAGE POND WHICH IS LOCATED BELOW STORAGE
 TANK. FROM THIS POINT WATER IS DELIVERED TO
 NUMEROUS STOCK WATERING TROUGH S.

2" PVC LINE TO 40,000 GL. STORAGE TANK.
 TANK IS 4' HIGH BY APPROX. 40' DIAMETER

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

F. FLOW CALCULATIONS☒ Additional Computation Sheets Attached

Measured Method:

$$Q = 0.05 \text{ CFS}$$

*** PUMP CAPACITY LIMITS Q**

$$\text{STOCKWATER } 1,000 \times .00022 = 0.22 \text{ CFS}$$

G. VOLUME CALCULATIONS**1. Volume Calculations for Irrigation:**

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

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

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

2. Volume Calculations for Other Uses:

$$\text{STORAGE TANK } 40,000 \text{ GLS } (0.12 \text{ AF})$$

$$\text{STORAGE POND APPROXIMATE } 162,925 \text{ GLS } (1/2 \text{ AF})$$

$$202,925 \text{ GLS} / 325,850 = 0.62 \text{ AFA}$$

$$\text{STOCKWATER } 1,000 \times .0134 = 13.4 \text{ AFA}$$

H. RECOMMENDATIONS**1. Recommended Amounts**

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
STOCKWATER	1/1	12/31	0.05	
STOCKWATER STORAGE	1/1	12/31		.6
WILD LIFE	1/1	12/31	~~0.05~~ 0.01	
WILD LIFE STORAGE	1/1	12/31		.2
Totals:			0.05 CFS	0.6 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. AUTHENTICATIONField Examiner's Name SIMPKINS Date 1/17/96

Reviewer _____ Date _____

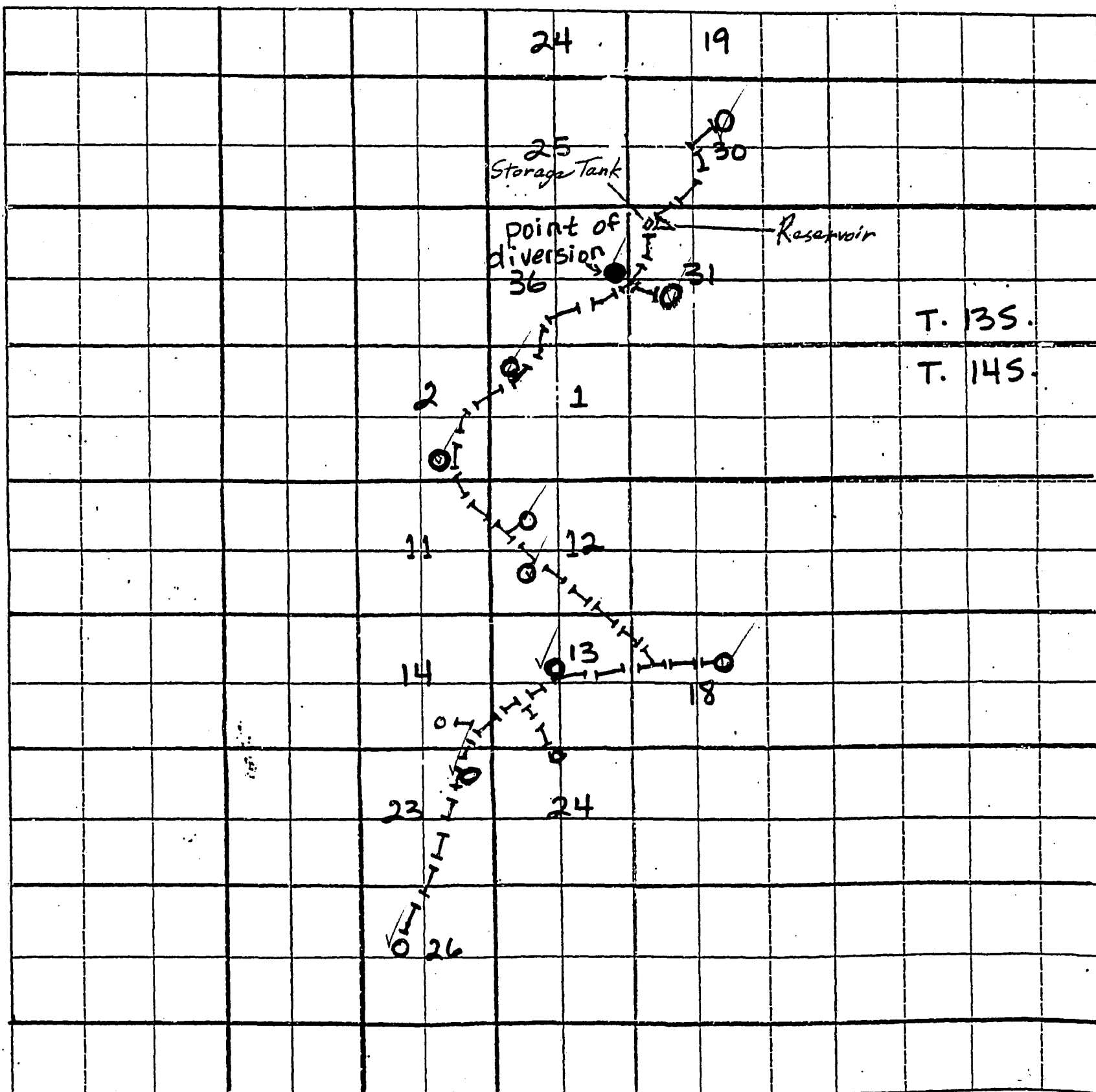
SEAL

Crazy Canyon Well

17-07144

— Pipe
○ Trough

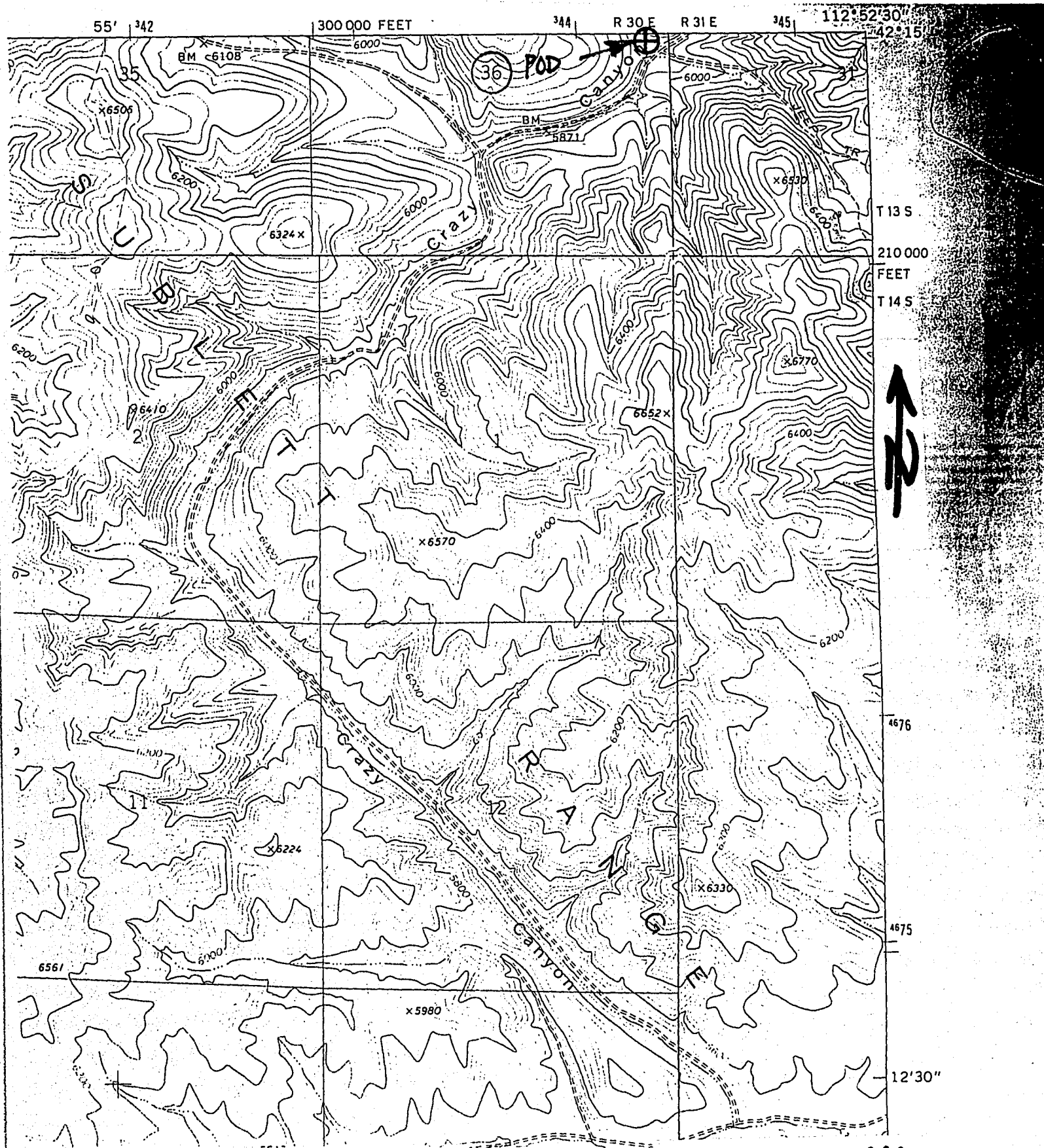
13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 1/4 inches equal 1 mile.

R. 30E. R. 31E.

T13S, R30E



17-07144

THEORETICAL PUMP FLOW CALCULATIONS

Formula:

$$Q_{cfs} = [(Hp)(8.814)(Eff)] \div [Lift + (psi \times 2.308)]$$

Hp = Horsepower = 7.5
Eff = Efficiency = .7 (Usually 70%)
Lift: (Static Level + Assumed Draw down)
Static Water Level = 640 ft.
Assumed Draw down = + 10 ft.
Lift = 650

OR

Measured Dynamic Water Level = _____ ft.

psi = Operating Pressure = 90 psi

$$Q_{cfs} = [\frac{7.5}{Hp} \times 8.814 \times \frac{.7}{Eff}] \div [\frac{650}{Lift} + (\frac{90}{psi} \times 2.308)]$$

$$Q_{cfs} = [\underline{46.27}] \div [\underline{857.72}]$$

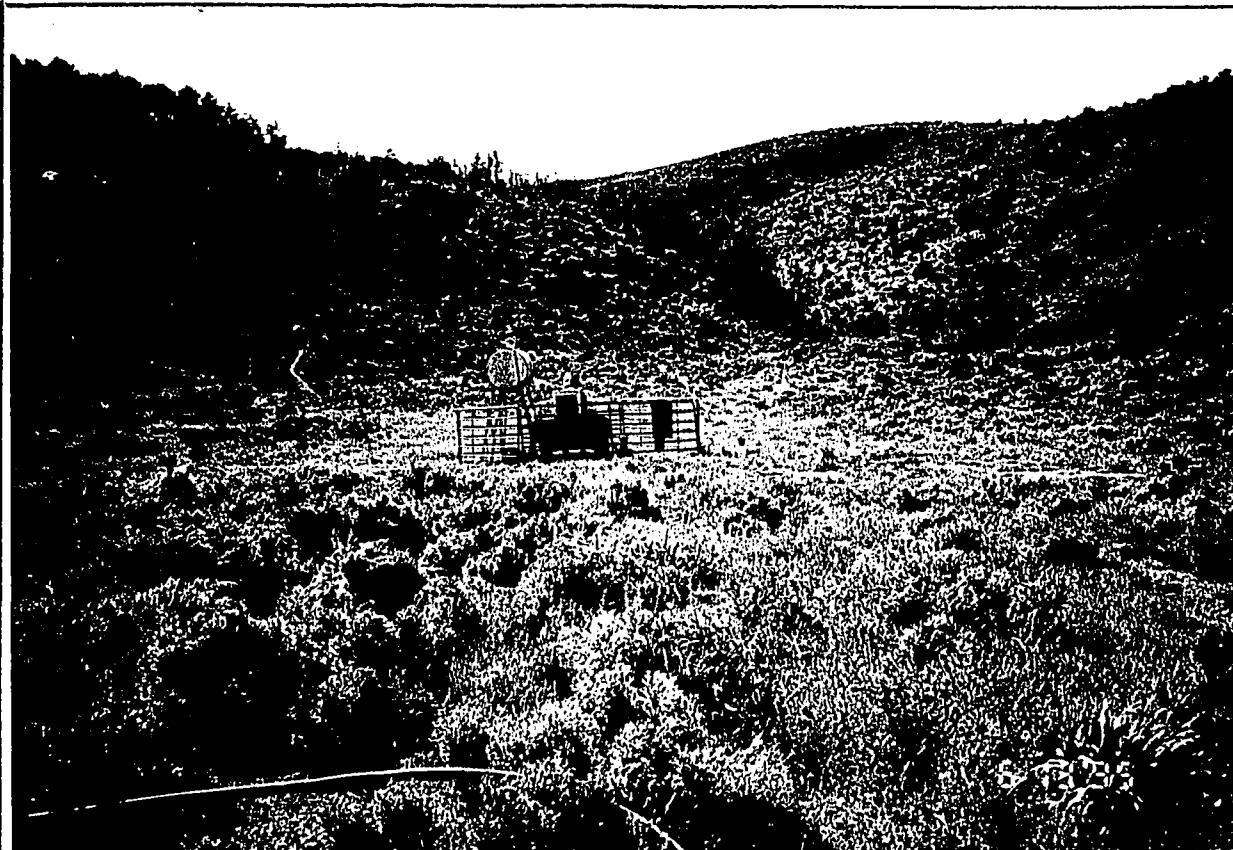
$$Q_{cfs} = \underline{0.05} \text{ cfs}$$

PERMIT NO. 17-07144

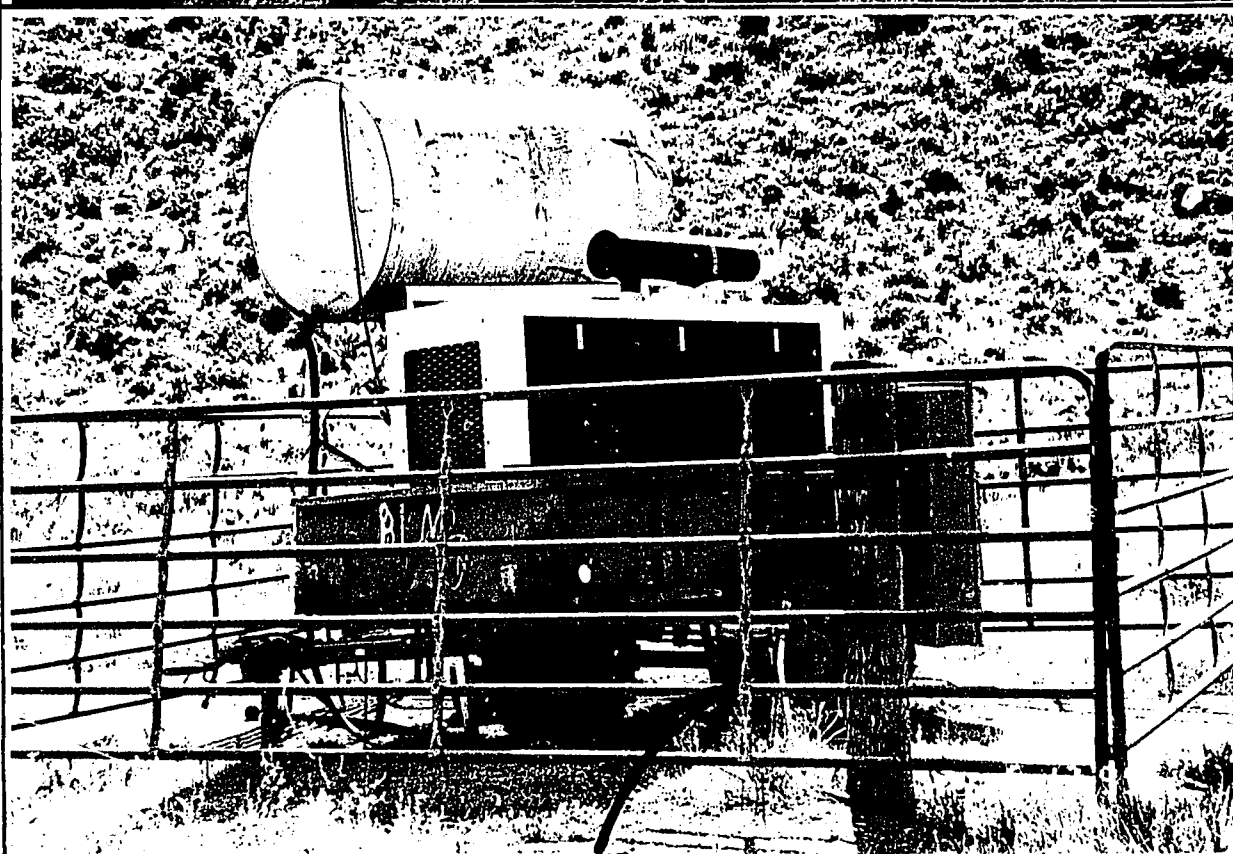
BLM
STOCKWATER / WILDLIFE

1 of 3

POINT OF
DIVERSION



POD
NEW
WELL

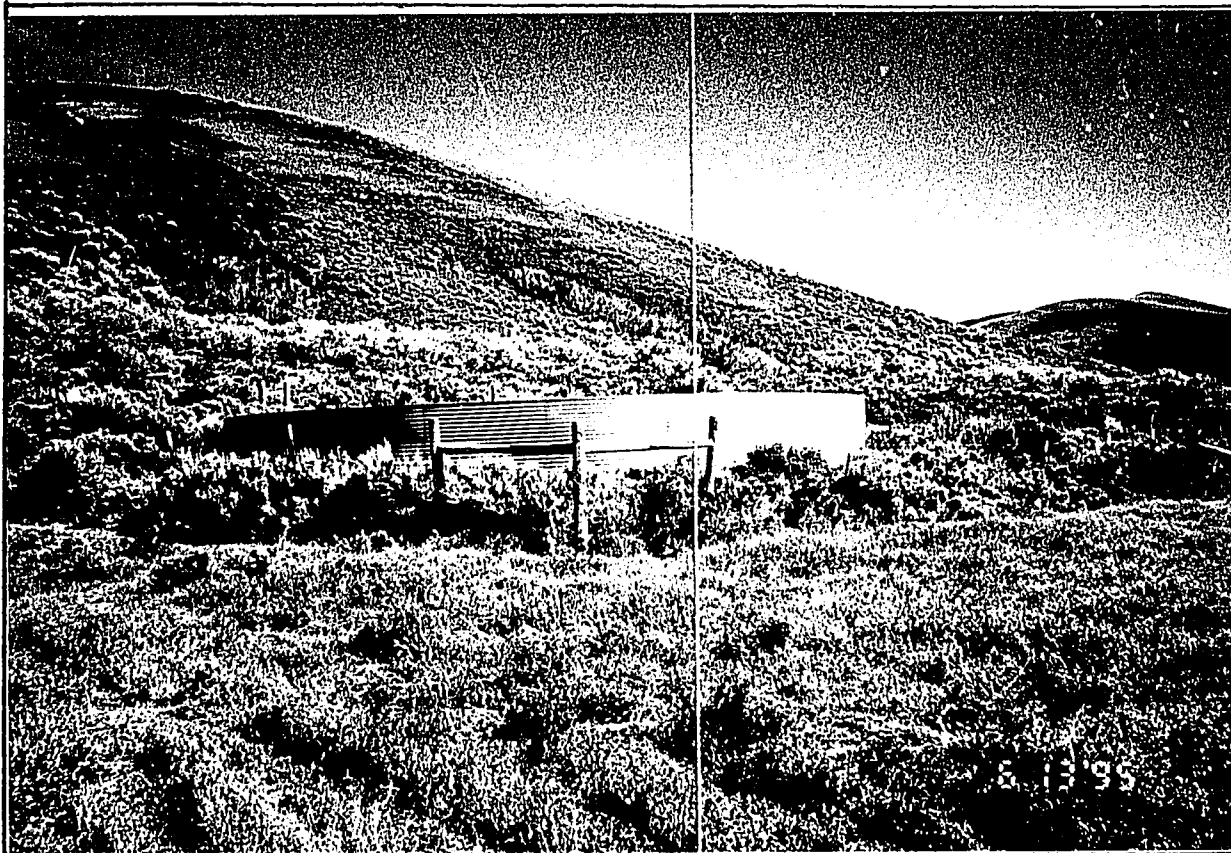


WELL

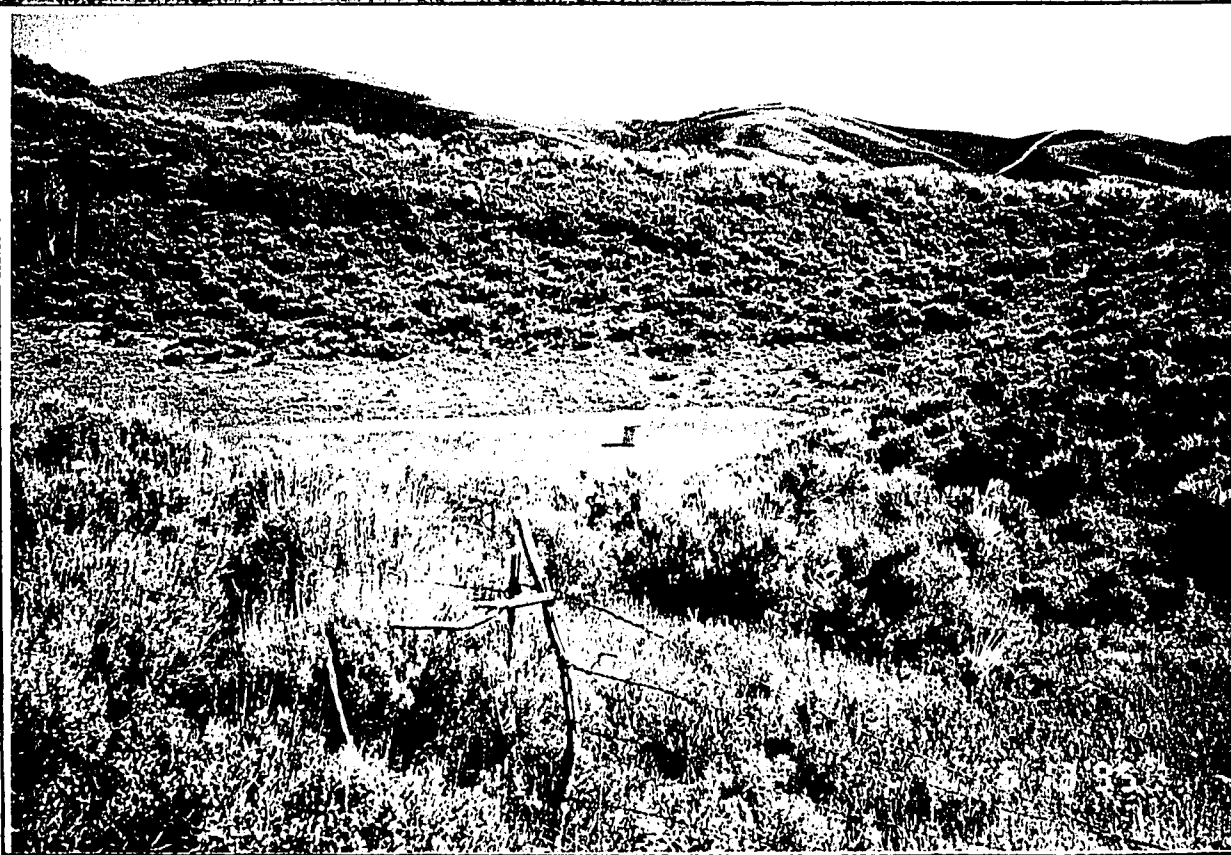
17-07144

BLM
STOCKWATER / WILDLIFE

2513



STORAGE
TANK
4' X 40' DIA.
ABOVE
RESERVOIR
ABOVE WELL



STORAGE
RESERVOIR
ABOVE
WELL

17-07144

BLM
STOCKWATER / WILDLIFE

3/3



PIPE
MANIFOLD
NEAR
WELL



ONE OF
MANY PLACES
OF USE
STOCK WATER
TROUGH

17-07144

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

MEMORANDUM

TO: File 17-07144

FROM: Sharla

DATE: May 8, 1998

RE: Licensing Recommendation Adjustments

The adjustments to licensing recommendations for Permit No. 17-07144 are as follows:

C. DIVERSION AND DELIVERY SYSTEM

2. PLACE(S) OF USE - All $\frac{1}{4}$ s listed by the examiner AND SWSE, S14 and NENW, S24, T14S, R30E

H. RECOMMENDATIONS

Stockwater	1/1 - 12/31	0.05 cfs	13.4 afa
Stockwater Storage	1/1 - 12/31		0.6 afa
Wildlife	1/1 - 12/31	0.01 cfs	7.2 afa
Wildlife Storage	1/1 - 12/32		0.6 afa

The same storage volume is shown for both wildlife and stockwater; the volume for wildlife is limited by the rate of flow but is not additive to the stockwater volume.

The place(s) of use was verified using the map submitted with the exam report which was a copy of the map attached to the application when it was filed; two additional place(s) of use were indicated by the examiner in red.

desc.'s listed in 8/10/98 letter - same pipeline system as 41-07077. Stock storage desc. added per letter.

Examiner: Don Simpkins
Exam Date: June 13, 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

May 12, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

US DEPT OF INTERIOR
STATE OF IDAHO
BUREAU OF LAND MANAGEMENT
PO BOX 1
BURLEY ID 83318

RE: WATER RIGHT NO. 17-07144

Dear Permit Holder(s):

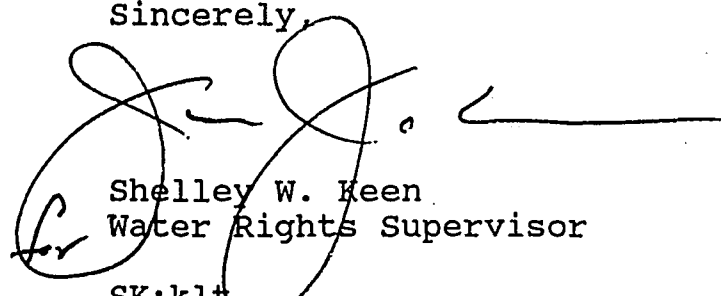
The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms that a water right has been established in compliance with the terms of the permit. The examiner who verified your water use reported that the place(s) of use is in a location other than what was described on your permit. Therefore, before a license can be issued, your permit must be amended to depict your water right as it was actually developed.

The enclosed Application for Amendment form depicts the place(s) of use and other information as it will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$50.00 filing fee within 60 days.

Also, please note that some of the proposed 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:klt

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

July 13, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

US DEPT OF INTERIOR
STATE OF IDAHO
BUREAU OF LAND MANAGEMENT
PO BOX 1
BURLEY ID 83318

RE: WATER RIGHT NO. 17-07144

Dear Permit 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 actually been developed.

As of this date, I have not received this amendment. If I do not receive the amendment within 14 days, a Water Right License will be issued for less than could have been allowed. In case the amendment form I sent you has been misplaced, a new one is enclosed. 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,

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

July 17, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

BUREAU OF LAND MANAGEMENT
MATT RENDACE
138 SOUTH MAIN
MALAD ID 83252

RE: Water Right 17-07144

Dear Matt:

Thank you for your phone call inquiring about the Application for Amendment that was mailed to your Burley office.

I have enclosed a copy of the Application for Amendment for your convenience and moved the due date out to September 3, 1998 per our discussion.

As we discussed, I will be able to update our database to reflect your current address upon receipt of a written notice of that information.

If you have any questions regarding this matter, please call me at 208-327-7941.

Sincerely,

Kari Lynn Townsend
Secretary

/k

Enclosure



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Malad Resource Area
138 South Main Street
Malad City, Idaho 83252-1346

RECEIVED

AUG 12 1998

Department of Water Resources

In Reply Refer To:

August 10, 1998

Shelley W. Keen
Water Rights Supervisor
Department of Water Resources
1301 North Orchard Street
P.O. Box 83720
Boise, Idaho 83720-0098

Dear Shelley:

The Point of Diversion (POD) and the Points of Use (POU) were recently located for the Sublette Trough Pipeline (**Water Right No. 41-07077**). The locations were determined by the use of a Global Positioning Unit. The enclosed maps were then produced to show locations of the POD and the POU's.

The water from Sublette Troughs Spring (**Water Right No. 41-07077**) is pumped to a reservoir and gravity feeds the pipeline.

Locations:

POD T. 13 S., R. 30 E., Sec. 24 SESWSE

POU's

T. 13 S., R. 30 E., Sec. 24 SESE

T. 13 S., R. 31 E., Sec. 29 SWNW
Sec. 30 NESW
Sec. 31 ~~NESW~~ Lot 2

T. 14 S., R. 30 E., Sec. 1 NWNW
Sec. 2 SWSE
Sec. 12 SENW
Sec. 13 SWNE
Sec. 14 NESE
Sec. 26 NWNE

NESW

T. 14 S., R. 31 E., Sec. 18 SENW

Storage Reservoir

T. 13 S., R. 31 E., Sec. 30 ~~SWSW~~ SESW

The Crazy Canyon Well (**Water Right No. 17-07144**) supplies water for the same pipeline. Water is pumped from the well to the storage

reservoir in Sec. 30 T.13 S., R. 31 E. The water then gravity flows to all the troughs on the pipeline. The POU's listed above, also apply to this water right.

If you require additional information please contact James Kumm of my staff at 208-766-4766.

Sincerely,)

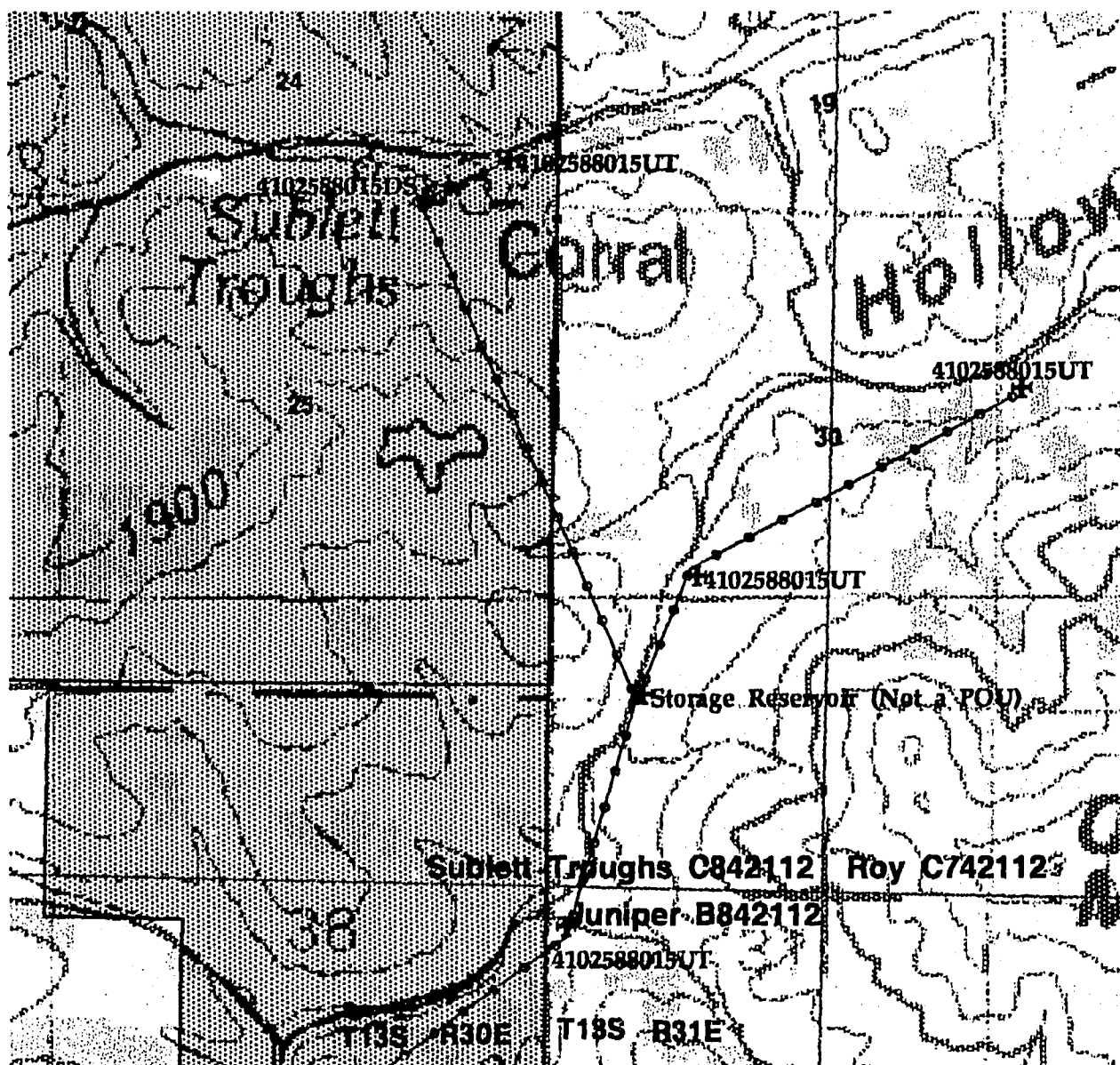
Matthew Kenda (Steele)

Jeff Steele
Malad Resource Area Manager

Enclosures:

cc: Steve Davis

**SRBA CLAIMS: BASIN 41
Roy C742112 and
Juniper B842112 and
Sublett Troughs C842112
Map 1 of 3**



Map 2

**SRBA CLAIM THAT IS NOT FOR
INSTREAM USE**

- ✚ Point Determined by GPS
- ✚ Digitized Point
- ▨ Area Determined by GPS (reservoir, etc)
- ▨ Digitized Area (reservoir, etc)
- ▨ Pipeline Determined by GPS
- ▨ Digitized Pipeline (Not Actual Route)
- ▨ Ditch Determined by GPS
- ▨ Digitized Ditch (Not Actual Route)
- ▨ 7.5' Quad Boundary
- Surface Ownership
 - ▨ BIA
 - ▨ BLM
 - ▨ DOI
 - ▨ MIL
 - ▨ NPS
 - ▨ PRIVATE
 - ▨ STATE
 - ▨ USFS
 - ▨ USFWS
 - ▨ WATER
 - ▨ Public Land Survey System

RECEIVED

AUG 17 1998

Department of Water Resources

10 DIGIT # - BLM Identification
for Claim

D - Point of Diversion (POD)

U - Place of Use (POU)

DU - POD and POU

(Represented by one point
since they are very close
and not distinguishable
on a 1:24000 map)

S - Spring

Sm - Stream

W - Well

T - Trough

R - Reservoir

P - Pond

L - Lake

PI - Playa

1:24000

No warranty is made by the
Bureau of Land Management
for use of the data for purposes
not intended by the BLM.

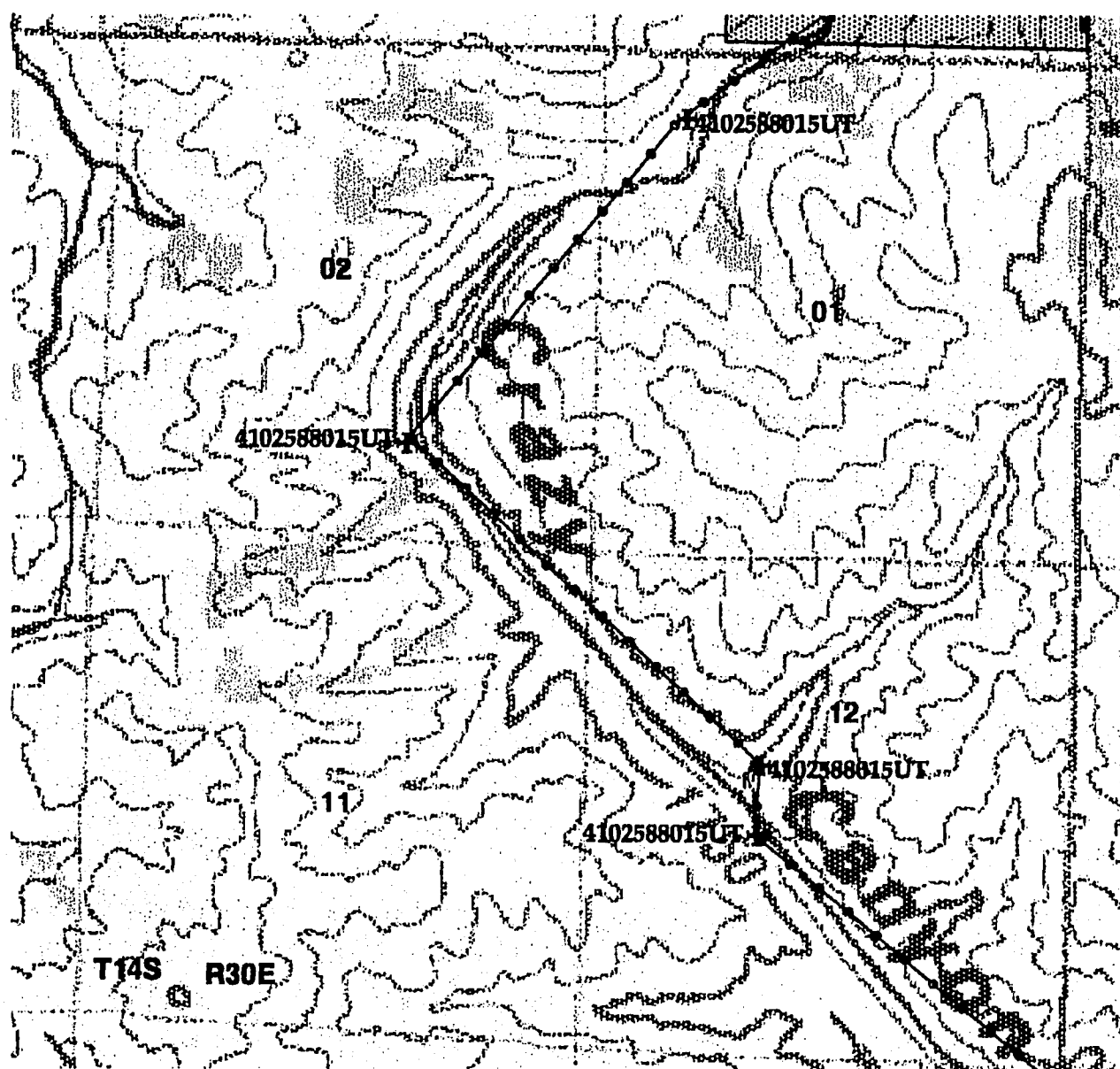
bufo: /gis/projects/water/rights/z12
/plots b41/srba4102588015a.apr
UTM ZONE 12 - DATUM NAD27

N



SRBA CLAIMS: BASIN 41
Juniper B842112
Map 2 of 3

**SRBA CLAIM THAT IS NOT FOR
 INSTREAM USE**



- ✚ Point Determined by GPS
- ✚ Digitized Point
- ▨ Area Determined by GPS (reservoir, etc)
- ▨ Digitized Area (reservoir, etc)
- Pipeline Determined by GPS
- Digitized Pipeline (Not Actual Route)
- Ditch Determined by GPS
- Digitized Ditch (Not Actual Route)
- Surface Ownership
- ▨ BIA
- ▨ BLM
- ▨ DOI
- ▨ MIL
- ▨ NPS
- ▨ PRIVATE
- ▨ STATE
- ▨ USFS
- ▨ USFWS
- ▨ WATER
- ▨ Public Land Survey System

10 DIGIT # - BLM Identification
 # for Claim

D - Point of Diversion (POD)

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DU - POD and POU

(Represented by one point
 since they are very close
 and not distinguishable
 on a 1:24000 map)

S- Spring

Sm - Stream

W - Well

T - Trough

R - Reservoir

P - Pond

L - Lake

Pl - Playa

1:24000

No warranty is made by the
 Bureau of Land Management
 for use of the data for purposes
 not intended by the BLM.

Map 3

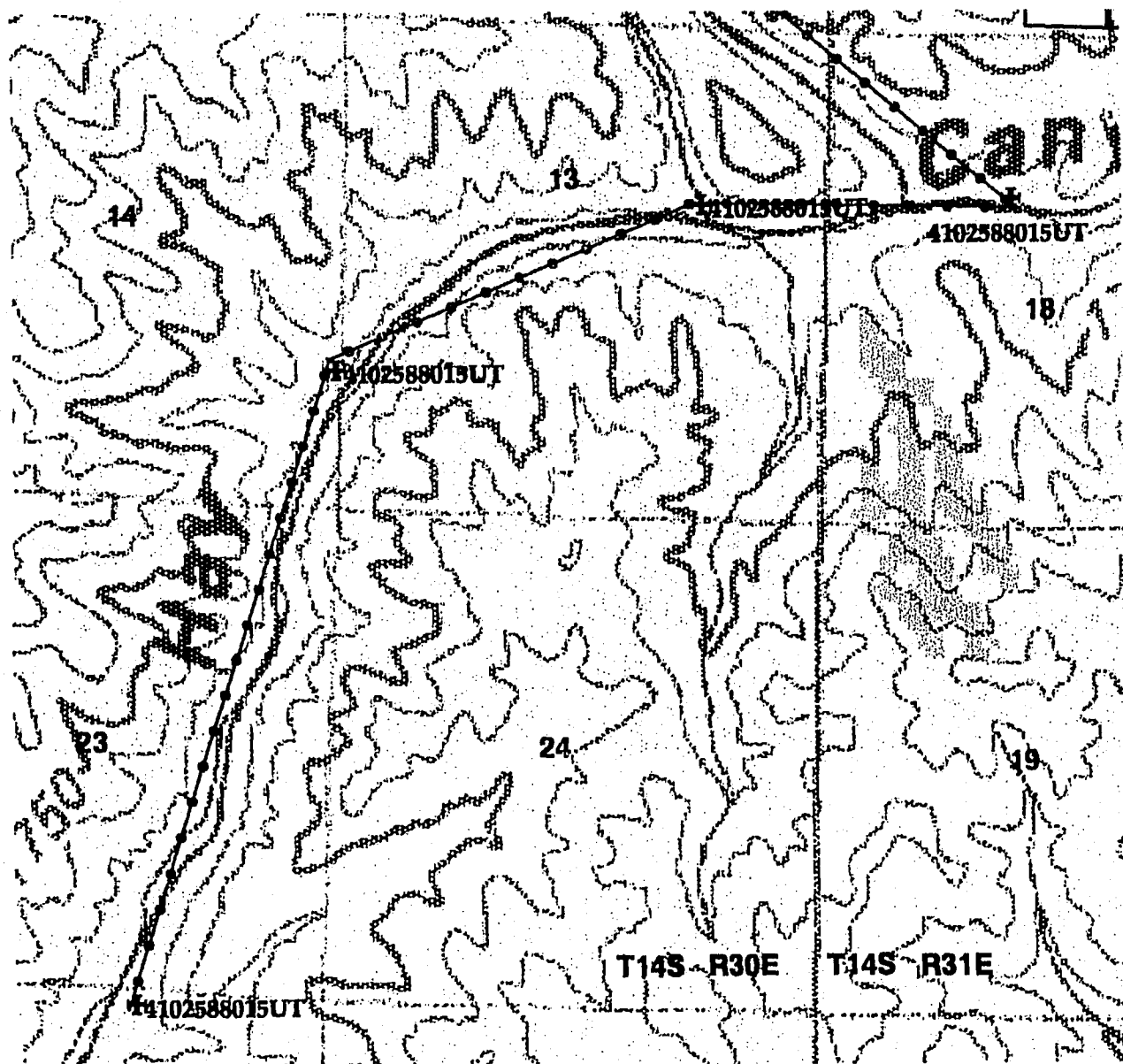
bufo: /gis/projects/water/rights/s12
 /plots b41/srba4102588015.mpr
 UTM ZONE 12 - DATUM NAD27



SRBA CLAIMS: BASIN 41
Juniper B842112
Map 3 of 3

**SRBA CLAIM THAT IS NOT FOR
 INSTREAM USE**

Map 2



- ✚ Point Determined by GPS
- ✚ Digitized Point
- ▨ Area Determined by GPS (reservoir, etc)
- ▨ Digitized Area (reservoir, etc)
- ▨ Pipeline Determined by GPS
- ▨ Digitized Pipeline (Not Actual Route)
- ▨ Ditch Determined by GPS
- ▨ Digitized Ditch (Not Actual Route)
- ▨ Surface Ownership
- ▨ BIA
- ▨ BLM
- ▨ DOI
- ▨ MIL
- ▨ NPS
- ▨ PRIVATE
- ▨ STATE
- ▨ USFS
- ▨ USFWS
- ▨ WATER
- ▨ Public Land Survey System

- 10 DIGIT # - BLM Identification
- # for Claim
- D - Point of Diversion (POD)
- U - Place of Use (POU)
- DU - POD and POU
- (Represented by one point since they are very close and not distinguishable on a 1:24000 map)
- S- Spring
- Sm - Stream
- W - Well
- T - Trough
- R - Reservoir
- P - Pond
- L - Lake
- PI - Playa

1:24000

No warranty is made by the
 Bureau of Land Management
 for use of the data for purposes
 not intended by the BLM.

bufo: /gis/projects/water/rights/x12
 /plots b41/mrb4102588015e.apr
 UTM ZONE 12 - DATUM NAD27





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

August 19, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

US DEPT OF INTERIOR
STATE OF IDAHO
BUREAU OF LAND MANAGEMENT
PO BOX 1
BURLEY ID 83318

RE: WATER RIGHT NO. 17-07144

Dear Permit Holder(s):

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms that a water right has been established in compliance with the terms of the permit. The examiner who verified your water use reported that the place(s) of use is in a location other than what was described on your permit. Therefore, before a license can be issued, your permit must be amended to depict your water right as it was actually developed.

The enclosed Application for Amendment form depicts the place(s) of use and other information as it will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$50.00 filing fee within 60 days.

Also, please note that some of the proposed 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,

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

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

Return Service Requested

US DEPT OF INTERIOR
STATE OF IDAHO
BUREAU OF LAND MANAGEMENT
MALAD RESOURCE AREA
138 SOUTH MAIN ST
MALAD CITY ID 83252-1346

8.19.98 letter mailed to Malad City even though
database shows Burley address. This
was done per Shelley Keen's request.

Heq
8.19.98



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Malad Resource Area
138 South Main Street
Malad City, Idaho 83252-1346

In Reply Refer To:

September 4, 1998

Shelley W. Keen
Water Rights Supervisor
State of Idaho
Department of Water Resources
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

Dear Mr. Keen:

Enclosed are the applications for amendment for water right no.'s 41-07077 and 17-07144 and \$ 100.00 to pay for the processing. If you require additional information please contact James Kumm of my staff at (208) 766-4766.

Sincerely,

Matthew Rendall (Acting)

Jeff Steele
Acting Malad Area Manager

Enclosure

cc: Steve Davis



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

September 15, 1998

US DEPT OF INTERIOR
STATE OF IDAHO
BUREAU OF LAND MANAGEMENT
RT 3 BOX 1
BURLEY ID 83318

RE: Water Rights 17-07144/41-07077

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed licenses confirming that water rights have been established in accordance with the permits referenced above. The licenses are preliminary orders issued by the Department pursuant to section 67-5243, Idaho Code. They can and will become final orders without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as further described below.

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department 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(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review the preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department 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 Department in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department 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 Department 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.

Section 67-5246(5), Idaho Code, provides as follows:

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.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district

court by filing a petition in the district court of the county in which:

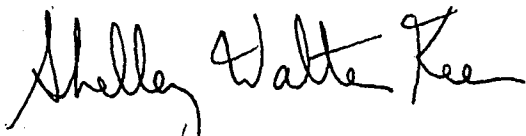
- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

For your records I have also enclosed copies of your Applications for Amendment of Permit, which were approved.

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

Sincerely,



Shelley W. Keen
Water Rights Supervisor

SWK:klt

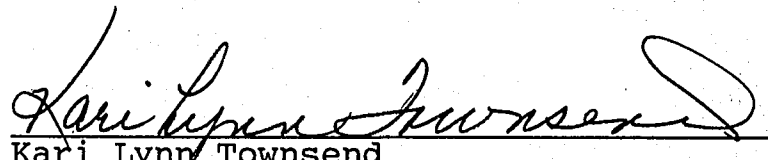
Enclosures

CERTIFICATE OF MAILING

I hereby certify that on the 15th day of **September, 1998**, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDERS (Approved Licenses)** to the person(s) listed below:

Water Rights 17-07144/41-07077

**US DEPT OF INTERIOR
STATE OF IDAHO
BUREAU OF LAND MANAGEMENT
RT 3 BOX 1
BURLEY ID 83318**


Kari Lynn Townsend
Secretary