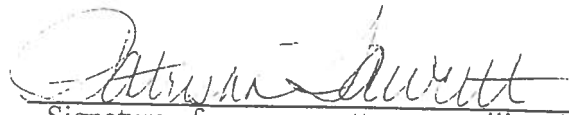


SRBA
IDAHO

CERTIFICATE OF MAILING

I certify that on 10/19, 2000, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:
Bureau of Land Management
Idaho State Office
1387 S Vinnell Way
Boise ID 83709-1657
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
4. One Copy to:
Each party in the subcase or attorney of record:
5. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

09/21/2000

RIGHT NUMBER: 72-7240

NAME AND ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE, ID 83709

SOURCE: GOOSEBERRY CREEK TRIBUTARY: Warm Spring Creek

QUANTITY: 0.02 CFS
0.6 AFY

PRIORITY DATE: 10/03/1982

POINT OF DIVERSION: T11N R21E S3 NWSWN Within CUSTER County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01-01 12-31	0.02 CFS
		0.3 AFY
WILDLIFE	01-01 12-31	0.02 CFS
		0.3 AFY

PLACE OF USE:

<u>STOCKWATER Within CUSTER County</u>			
T11N R21E S5	SWNE	T12N R21E S32	NESE
<u>WILDLIFE Within CUSTER County</u>			
T11N R21E S5	SWNE	T12N R21E S32	NESE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

BLM RECORD ID = 7204588220



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

October 18, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE ID 83709-1657

RE: SRBA Claim(s) 72-07240, 72-07245

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

Southern

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5721
WATER RIGHT NO. 72-07240

This is to certify that: US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
RT 2 BOX 610
SALMON ID 83467

RECEIVED
JUN 15 2000
Department of Water Resources
Southern Region

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	0.02 CFS	0.3 AF
WILDLIFE	01/01 to 12/31	0.02 CFS	0.3 AF
Totals		0.02 CFS	0.6 AF

SOURCE

GOOSEBERRY CREEK

TRIBUTARY OF

WARM SPRING CREEK

Priority: 10/03/1982

LOCATION OF POINT(S) OF DIVERSION:

NWSWNW , Sec. 3, Township 11N, Range 21E
CUSTER County

PLACE OF USE: STOCKWATER

TWN RGE SEC

11N 21E	5	SWNE
12N 21E	32	NESE

PLACE OF USE: WILDLIFE, same as STOCKWATER use

CONDITIONS OF APPROVAL AND REMARKS

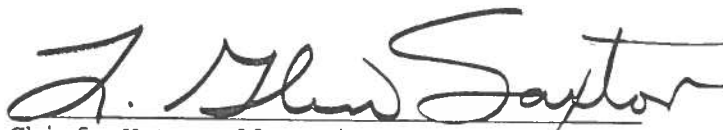
1. This right, when considered with all other rights common to the same grazing allotment, is limited to the quantity of water beneficially used by the number of stock within the allotment.
2. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

TRANSFER NO. 5721
WATER RIGHT NO. 72-07240

CONDITIONS OF APPROVAL AND REMARKS

3. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
4. Place of use is also known as BLM Record ID 7204588220.

Dated this 9th day of June, 2000.


Chief, Water Allocation Bureau

COPY

700 MAY 26 PM 12:04
FILED

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
_____)

Water Rights: 72-07240

NOTICE OF ADMINISTRATIVE
PROCEEDING

IDWR has received an application for an Administrative Proceeding for the above water right(s).

The Administrative Proceeding contemplates a change in the water right(s) as indicated below:

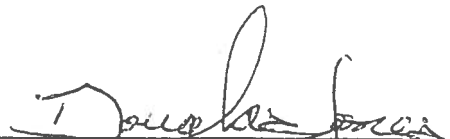
- ☐ Substitution of Party (waiting for documentation)
☐ Substitution of Party/Split Water Right
☒ I.C. § 42-222 transfer 5721

☒ point of diversion ☒ place of use

☐ period of use ☐ nature of use

IDWR projects the Administrative Proceeding shall be completed not later than: May 21, 2001.

Dated 5/24/00



Signature of IDWR Representative

72-07240

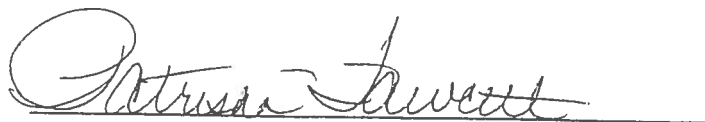
INSTRUCTIONS FOR MAILING

Mail this form to the Clerk of the SRBA Court and to the parties identified in the Certificate of Mailing. **FAX filings will not be accepted by the SRBA Clerk of the Court.**

CERTIFICATE OF MAILING

I certify that on 5/26, 2000, I mailed the original and copies of this form to the following persons, postage prepaid, and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls ID 83303-2707
2. One copy to:
Claimant or attorney of record:
R Lee Leininger
US Dept of Justice
550 W Fort St MSC 033
Boise ID 83724
3. One copy to:
Claimant or attorney of record:
4. One copy to:
Each party in the subcase, or attorney of record:



Signature of person or attorney mailing the form

of 3

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
APR 12 2000
Transfer No. 5721
RECEIVED
APR 06 2000
Department of Water Resources
Southern Region

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of applicant Bureau of Land Management Phone 208 756-5400
Post Office address Route 2 Box 610 Salmon ID 83467

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☒ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes A new headbox has been installed in Gooseberry Crk. just upstream of the old one. Two POU's are already on other licenses (72-02272 and 72-07244). Two other POU's simply need correcting based on GPS data.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>72-07240</u>	<u>10/3/82</u>	<u>.02/0.3</u>	<u>Stockwater</u>	<u>Y.</u> to <u>12/31</u>
<u>72-07240</u>	<u>10/3/82</u>	<u>.02/0.3</u>	<u>Wildlife</u>	<u>Y.</u> to <u>12/31</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred .02 cubic feet per second and/or 0.3 acre-feet per annum.
3. Source of water Gooseberry Creek tributary to Warm Spring Creek
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	<u>NW</u>	<u>SW</u>	<u>NW</u>	<u>3</u>	<u>11N</u>	<u>21E</u>	<u>Custer</u>	<u>Gooseberry Creek</u>

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE %	NW %	SW %	SE %	NE %	NW %	SW %	SE %	NE %	NW %	SW %	SE %	NE %	NW %	SW %	SE %	
<u>11N</u>	<u>21E</u>	<u>5</u>			<u>SW</u>														
<u>12N</u>	<u>21E</u>	<u>32</u>													<u>SW</u>				

Total acres _____

RECEIVED

JUN 29 1999

Department of Water Resources
Southern Region

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

A. Subcase 72-07240

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior,
Bureau of Land Management, Idaho State Office

Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

Larry A. Brown 208 387-0835; R. Lee Leininger, 202 305-0242; Paul F. Holleman, 202 305-0494

United States Department of Justice: Environment and Natural Resource Division; General Litigation Section
550 West Fort Street, MSC 033; Boise, Idaho 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: United States of America

Address: 1387 South Vinnell Way Boise, ID 83709-1657

Name: Bureau of Land Management

Address:

Name:

Address:

Name:

Address:

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☐ **Quantity**
Should be: _____
4. ☐ **Priority Date**
Should be: _____
5. ☒ **Point(s) of Diversion**
Should be: See attached
6. ☐ **Instream Flow Description**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☒ **Place of Use**
Should be: See attached

11. I object because:

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTION(S):**

The legal descriptions reported in the Director's Report for this claim are inaccurate. See attached for revised legal description for the POD and POU.

F.

VERIFICATION (Must be Completed)

State of Idaho)

) ss.

County of Ada)

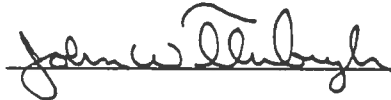
Gary A. Madenford, Water Rights Team Leader, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: June 1, 1999



John W. Thornburgh
Notary Public for Idaho
Residing at: Boise
My Commission Expires: 05-16-2003

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on June 2nd, 1999, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: United States of America

Address: 1387 South Vinnell Way Boise, ID 83709-1657

Name: Bureau of Land Management

Address:

Name:

Address:

Name:

Address:

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of Objector or attorney mailing on Objector's behalf

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: JAN-26-1999
PAGE: A-919-----
RIGHTS FROM: SOURCE: SPRING TRIBUTARY: GOOSEBERRY CREEK

RIGHT NUMBER: 72-07240

NAME & ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE ID 83709-1657*-PODIPON IN ALLURATE*

SOURCE: SPRING

TRIBUTARY: GOOSEBERRY CREEK

QUANTITY: 0.02 CFS
0.6 AFY

PRIORITY DATE: 10/03/1982

POINT OF DIVERSION: T11N R21E ~~S04~~~~NESENE~~

Within CUSTER County

PURPOSE AND
PERIOD OF USE:PURPOSE OF USE
STOCKWATERPERIOD OF USE
05-25 07-05QUANTITY
0.02 CFS
0.3 AFY
0.02 CFS
0.3 AFY

WILDLIFE

01-01 12-31

PLACE OF USE:

STOCKWATER

Within CUSTER County

T11N R21E ~~S04~~ S05

SWNE

*T12N R21E S32**NESE*

WILDLIFE

Within CUSTER County

T11N R21E ~~S04~~ S05

SWNE

*T12N R21E S32**NESE*

EXPLANATORY MATERIAL:

BASIS OF CLAIM - LICENSE

BLM RECORD ID - 7204588220

STOCKWATER, 200 RANGE CATTLE; WILDLIFE, VARIABLE AMOUNT

RECEIVED

MAR 03 1997

In Re SRBA

Case No. 39576

AMENDED NOTICE of CLAIM
for Water Right number:

A72-07240

Department of Water Resources

NAME and
ADDRESS:United States of America acting through
Bureau of Land Management
Idaho State Office
1387 South Vinnell Way
Boise, ID 83709 - 1657

BLMIDENT:

7204588220

SOURCE:

Source	Tributary
SPRING (GOOSEBERRY)	GOOSEBERRY CREEK

QUANTITY:

0.02

CFS

or VOLUME:

0

Acre Fee

The quantity of water under this right for stockwater shall not exceed 13,000 gallons per day

PRIORITY DATE:

10/3/82

POINT of
DIVERSION:

Twnship	Range	Section	T1	T2	T3	LOT	within the	County of
11N	21E	9		NE	NE	0		CUSTER

PURPOSE
and
PERIOD
OF USE:

Purpose of Use	Period of Use (from - to):		Rate in CFS	or	Volume in Ac
04	0101	1231	0.02		0
16	0101	1231	0.02		0

CONSUMPTIVE
USE:

de minimis stockwater use

DATE:

01-Mar-97 2:53 PM

OTHER PROVISIONS NECESSARY FOR DEFINITION or ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

PLACE
of USE:

Water Use	Twn	Rge	Sec	T1	T2	LOT	within the	County of
04	11N	21E	9	SW	NE	0		CUSTER
16	11N	21E	9	SW	NE	0		CUSTER



A7207240

IN THE DISTRICT COURT OF
THE FIFTH JUDICIAL DISTRICT OF THE STATE OF
IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

CIVIL CASE NUMBER: 39576

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER
FROM THE SNAKE RIVER BASIN WATER SYSTEM

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT.
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706
TELEPHONE: 208-334-1401

PRIORITY DATE: 1982-10-03
IDWR NUMBER: 7207240
BLM NUMBER: 7204588220
BASIS OF CLAIM: PERMIT
BASIN NUMBER: 72

SOURCE	TRIBUTARY TO
----- SPRING (GOOSEBERRY)	----- GOOSEBERRY CREEK

DESCRIPTION OF DIVERSION WORKS

TROUGH, PIPE

PURPOSE OF USE	DIVERSION RATE	DIVERSION VOLUME	PERIOD OF USE FROM	TO
-----	-----	-----	-----	-----
STOCKWATER	0.020	0.00	0101	1231
WILDLIFE	0.020	0.00	0101	1231
TOTAL:	0.020 CFS	0.00 AF		

NON-IRRIGATION USES

S/200 RANGE

				POINT OF DIVERSION			
TWP	RNG	SEC	TRACT1	TRACT2	TRACT3	LOT	COUNTY
-----	-----	-----	-----	-----	-----	-----	-----
11N	21E	09		NE	NE	00	CUSTER

PLACE OF USE							IRRIGATED OWNED	ACRES
TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY		
-----	-----	-----	-----	-----	-----	-----	-----	-----
11N	21E	09	SW	NE	00	CUSTER	YES	0.0
11N	21E	09	SW	NE	00	CUSTER	YES	0.0
TOTAL ACRES IRRIGATED:								0.0

MICROFILMED
NOV 02 1994

BLM NUMBER: 7204588220

PAGE: 2

TOTAL CONSUMPTIVE USE IS: DE MINIMUS ACRE FEET PER ANNUM

OTHER WATER RIGHTS

NONE

REMARKS

PREVIOUSLY FILED WITH THE DEPARTMENT OF WATER RESOURCES

RECEIVED
MICHIGAN
NOV 1 1994

MIC

AJ0769NP
No. R72-0724D

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 02/16/94
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	US DEPT OF INTERIOR BUREAU OF LAND MANAGEMENT IDAHO STATE OFFICE 3380 AMERICANA TERRACE BOISE ID 83706 (208) 334-1401	10/03/1982	STOCKWATER WILDLIFE	05-25 07-15 01-01 12-31	0.02 CFS 0.02 CFS	
TOTAL DIVERSION:					0.02 CFS	

Water Source: SPRING

Tributary to: GOOSEBERRY CREEK

Stage: LICENSE

Point(s) of Diversion:

T11N R21E S04

NESENE

CUSTER County

Place of use Legal Description for: STOCKWATER

NE	NESE	SE	SESE
T R S : Lt Ac Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac Lt Ac			
11N 21E 9 : S			

Place of use Legal Description for: WILDLIFE

NE	NESE	SE	SESE
T R S : Lt Ac Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac Lt Ac			
11N 21E 9 : W			

POU County: CUSTER

Non-irrigation Uses: STOCKWATER, 200 RANGE CATTLE; WILDLIFE, VARIABLE AMOUNT

Other Rights: NONE

Conditions of Approval:

- L12 - THIS RIGHT AND OTHER RIGHTS COMMON TO THE SAME GRAZING
- ALLOTMENT SHALL BE LIMITED TO THE QUANTITY OF WATER BENEFICIALLY
- USED BY THE NUMBER OF STOCK WITHIN THE ALLOTMENT.

Remarks: BLM RECORD ID = 7204588220

Dates: Exam Made Date: Verified Date:

Misc: Water District Number: Field Inspection Flag: Presumption Flag:

MICROFILMED
NOV 02 1994
NOV 02 1994

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 72-07240

Priority: October 3, 1982

Maximum Diversion Rate:

0.02 CFS

Maximum Diversion Volume:

0.6 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 October 1, 1982; and
has submitted Proof of Beneficial Use on May 3, 1988. An examination indicates
that the works have a diversion capacity of .020 cfs of water from:

SPRING

tributary to GOOSEBERRY 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	05/25 to 07/05	0.02 CFS	0.3 AF
WILDLIFE	01/01 to 12/31	0.02 CFS	0.3 AF
	Totals	0.02 CFS	0.6 AF

LOCATION OF POINT(S) OF DIVERSION:

NESENE , Sec. 4, Township 11N, Range 21E
CUSTER County

PLACE OF USE: STOCKWATER
TWN RGE SEC

11N 21E	4	NESE
	5	NENW
	9	SWNE
12N 21E	32	SESE

PLACE OF USE: WILDLIFE, same as STOCKWATER use

CONDITIONS/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.

MICROFILMED
NOV 12 1994
MAY 25 1993

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 72-07240

CONDITIONS/REMARKS:

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.
5. This right, when considered with all other rights common to the same grazing allotment, shall be limited to the quantity of water beneficially used by the number of stock within the allotment.
6. Stockwater use is for 200 range cattle.

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 5TH day of MARCH, 1993.

Acting for R. Keith Higginson, Director

MICROFILMED
NOV 17 1994

217240120

MAY 25 1993

STATE OF IDAHO

Ident. No. 72-7240

504

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant USDI BLM Phone 756-2201
- Post office address PO BOX 430 Salmon Idaho 83407
2. Source of water supply (Gooseberry Spring) which is a tributary of Gooseberry Creek
3. Location of point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 9 Township 11N
- Range 21E B.M. Custer County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

- Amount 0.02 for livestock purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount 0.02 for wild life purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

- a. 0.02 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

- a. Description of ditches, flumes, pumps, headgates, etc. 1 trough, 1 1/4" pipe
- b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____
- Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

- (1) Give the place of use of water: SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 9 Township 11N

Range 21E B.M.

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

- (3) List number of each kind of livestock to be watered 200 cattle

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

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

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[illegible]

c. Describe any other water rights used for the same purposes as described above.

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

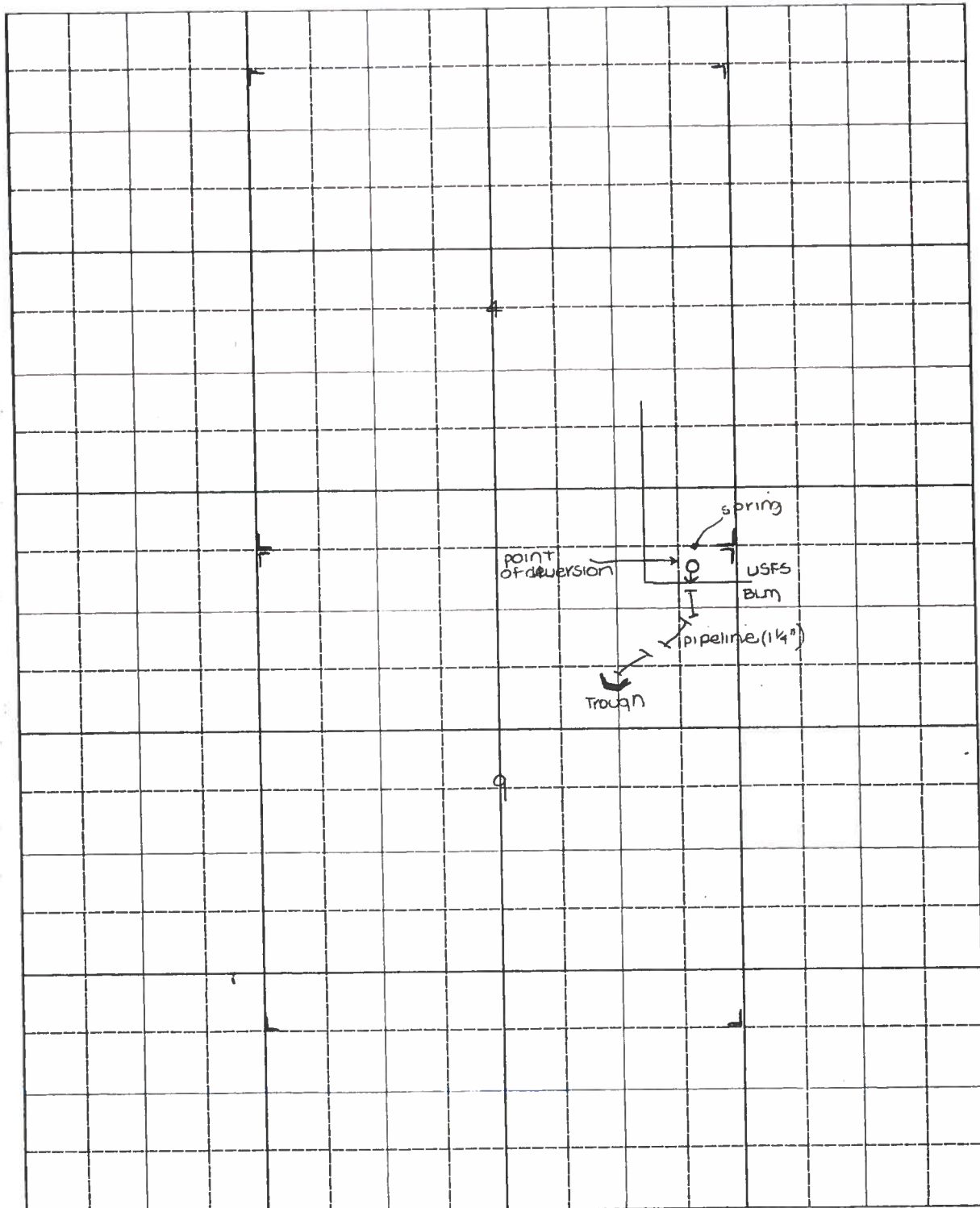
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing coop agreement between govt agencies

10. Remarks

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11. 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.

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.

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Kenneth S. Walker
(Applicant)
District Manager

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Proposed Priority 10/01/1982 Received by merge Date 12-27-82 Time 12:00P
Preliminary check by JP Fee \$ 30.00 ID. 910-PH2-0018
Received by 14 Date 4-12-83 # 26473
Publication prepared by merge Date 1/1/83
Published in Custer Publishing Co
Publication dates 1/20 + 1/27/83
Publication approved merge Date 1/28/83
Protests filed by: None
Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by ADM RC

FOR ORIGINAL

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. 72-7240, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before May 1, 19 88.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.

Witness my hand this 2nd day of May, 1983.

A. Glen Saxton
Chief, Operations Bureau

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4-77

N
N

20'

32

33

34

T 12 N

T 11 N

N

(ANTELOPE FLAT)

5

Gooseberry

USFS Boundary

4

Pod Creek

8

228

POD + POW
A72-02194

9

10

17'30"

228

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17

16

15

A. AJ CLAIM: # A72-07240 PRIORITY DATE: 10-03-1982 STAGE: P L
B. WR RECORD: # 72-07240 PRIORITY DATE: 10-03-1982 STAGE: L

C. FIELD EXAM REQUIRED?
DUE TO PRIORITY DATE DISCREPANCY? (Y/N) DATABASE EXAMINER
N N

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(X)
IF YES EXPLAIN.

NOTES: priority date claimed as licensed

basis of claim is license

RECOMMENDED PRIORITY DATE:
10-03-1982

REVIEWED BY RF DATE 02-09-94

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A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A72-07240	11N	21E	9		NE	NE		CUSTER

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE NONE

WR RECORDS IN SAME 40 ACRE TRACT

NONE

SOURCE: SPRING (GOOSEBERRY)

TRIB: GOOSEBERRY CREEK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
72-07240	11N	21E	4	NE	SE	NE		CUSTER

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX R PREFIX

NONE

A72-02272
A72-02272A
A72-07244

NONE

SOURCE: SPRING

TRIB: GOOSEBERRY CREEK

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY?	(Y/N)	DATABASE	FIELD EXAMINER
DUE TO SOURCE DISCREPANCY?	(Y/N)	Y	<u>N</u>
		Y	<u>N</u>

NOTES:

recommended POD as licensed, claimed POD is prior to licensing
ten acre tract confirmed on OP 4-77
A72-02272A - disallowed on 10/26/93
POD located on USFS land, use of POD is through co-op agreement
between USFS + BLM

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RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:		1/4		LOT	COUNTY	DIVERSION NAME
TWP.	RGE.	SEC.	1/4	1/4		
11N	21E	4	NE	SE	NE	Quincy
—	—	—	—	—	—	—
—	—	—	—	—	—	—
—	—	—	—	—	—	—
—	—	—	—	—	—	—
—	—	—	—	—	—	—
—	—	—	—	—	—	—
SOURCE: Spring	TRIB: Gooseberry Creek					
REVIEWED BY: <u>JS</u> DATE: 02-15-94						
SYSTEM DESCRIPTION:						

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A. ROOT WATER RIGHT NUMBERS: A72-07240

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	HR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
11N	21E	9	SW	NE		US DEPT OF INTERIOR	A72-07240 /	72-07240 /			
			SW	NE		US DEPT OF INTERIOR	A72-07244 /	72-07244 /			
			SW	NE		US DEPT OF INTERIOR	R72-02272 /	- /			
			SW	NE		US DEPT OF INTERIOR	R72-07244 /	- /			
11N	21E	9	SW	NE		US DEPT OF INTERIOR	A72-07240 /	72-07240 /			
			SW	NE		US DEPT OF INTERIOR	A72-07244 /	72-07244 /			
			SW	NE		US DEPT OF INTERIOR	R72-02272 /	- /			
			SW	NE		US DEPT OF INTERIOR	R72-07244 /	- /			
TOTAL ACRES							A72-07240				

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y () N (X)

IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED? DATABASE FIELD EXAMINER POU COUNTY: CUSTER

DUE TO POU DISCREPANCY? (Y/N)

Y

N

PRESUMPTION FLAG:

NOTES:

R72-07244 - claim different source & POB
R72-02272 - claim different source & POB
recommended POU as claimed only, remainder of licensed POU
not claimed

RECOMMENDATIONS:

TOTAL ACRES:

REVIEWED BY:

RE

DATE:

03-15-94

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A. AJ CLAIMED USES:

PURPOSES
A72-07240 STOCKWATER
A72-07240 WILDLIFE

MONTH/DAY
FROM 04-01 TO 12-31
FROM 01-01 TO 12-31

05-25-07-05

DIVERSION QUANTITY
.020 CFS
.020 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

.020 CFS

B. WR RECORDED USES:

PURPOSES
72-07240 STOCKWATER
72-07240 WILDLIFE

MONTH/DAY
FROM 05-25 TO 07-05
FROM 01-01 TO 12-31

DIVERSION QUANTITY
.020 CFS
.020 CFS
.30 AF/A
.30 AF/A

TOTAL DIVERSION RATE/VOLUME CLAIMED

.020 CFS .60 AF/A

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

FIELD	EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	N
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	N
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	Y

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N(X)

RECOMMEND TO WR STANDARDS OR OTHER?

Y(X) N() Explain in notes, below.

NOTES:

*recommended period of use as licensed
recommended diversion quantity as claimed, licensed diversion volume
not claimed
non-irrigation use includes wildlife, variable amount*

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