

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

10/29/2020

Water Permit 72-7478

Owner Type **Name and Address**
Current Owner MICKY ROSKELLEY
24080 HIGHWAY 75
CHALLIS, ID 83226-1604
(208) 940-1328

Status: Lapsed

Source

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
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Source and Point(s) of Diversion

Place Of Use

Conditions of Approval:

Comments:

Dates and Other Information

Water District Number: TBD
Mitigation Plan: False

Combined Use Limits

N/A

SubCase:

N/A

Water Supply Bank:

N/A

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 72-07478

Proposed Priority: December 30, 1991 Maximum Diversion Rate: 0.05 CFS

This is to certify, that **MICK ROSKELLEY**
HC 67 BOX 2051
CHALLIS ID 83226

has applied for a permit to appropriate water from:

SPRING

tributary of **MUD SPRING CREEK**

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

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

STOCKWATER	01/01 to 12/31	0.01 CFS
DOMESTIC	01/01 to 12/31	0.04 CFS

Totals 0.05 CFS

LOCATION OF POINT(S) OF DIVERSION:

NESENW , Sec. 29, Township 13N, Range 19E
CUSTER County

PLACE OF USE: STOCKWATER

TWN RGE SEC

13N 19E 28	NWNW	SWNW	NWSW
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PLACE OF USE: DOMESTIC

TWN RGE SEC

13N 19E 28	SWNW
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CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **August 1, 1998**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. The issuance of this right in no way grants any right-of-way or easement across the land of another.
5. Domestic use is for 1 home.
6. Stockwater use is for 22 horses and 100 sheep.

RECEIVED

SEP 01 1993

Department of Water Resources
Southern Region Office

72-7478

State of Idaho
Department of Water Resources

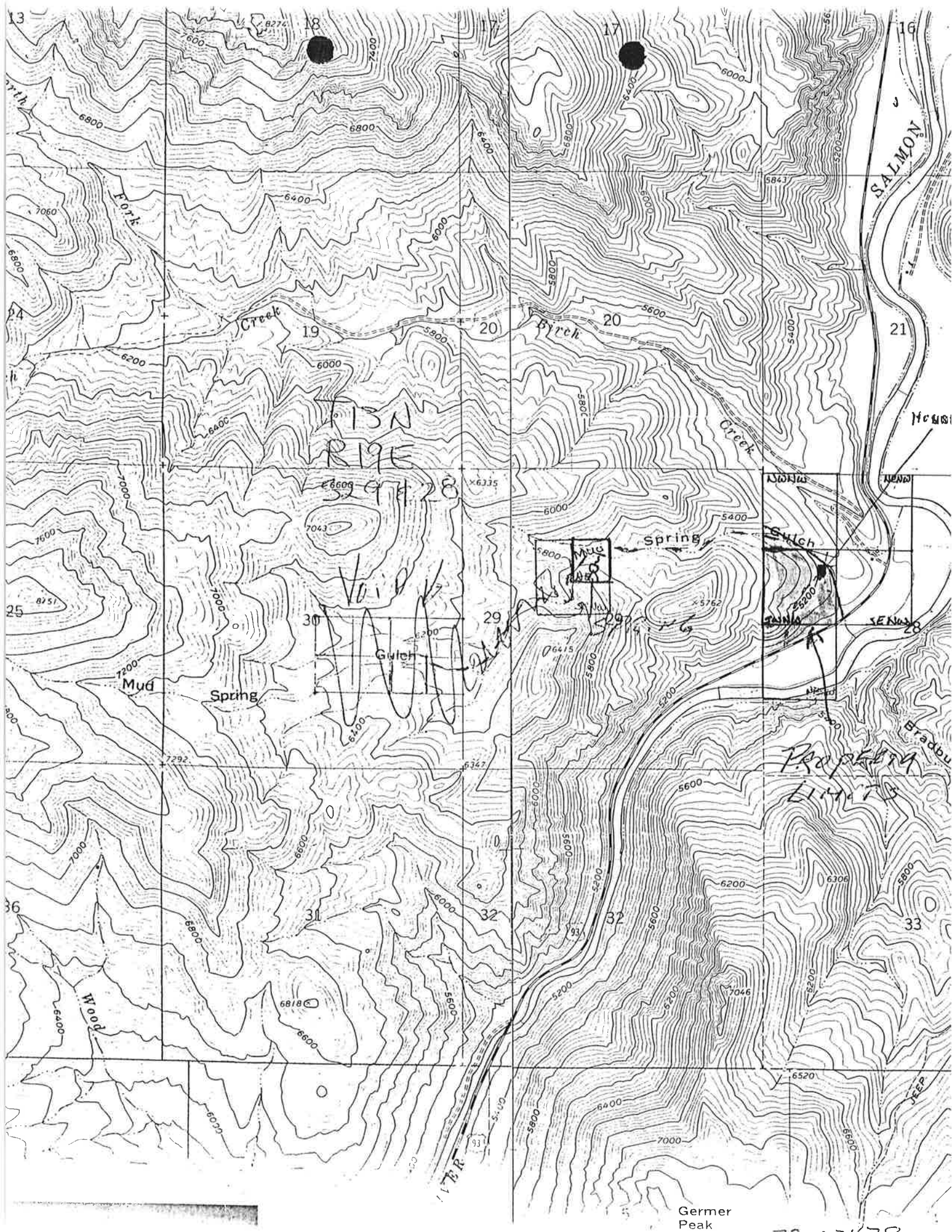
Permit To Appropriate Water

NO. 72-07478

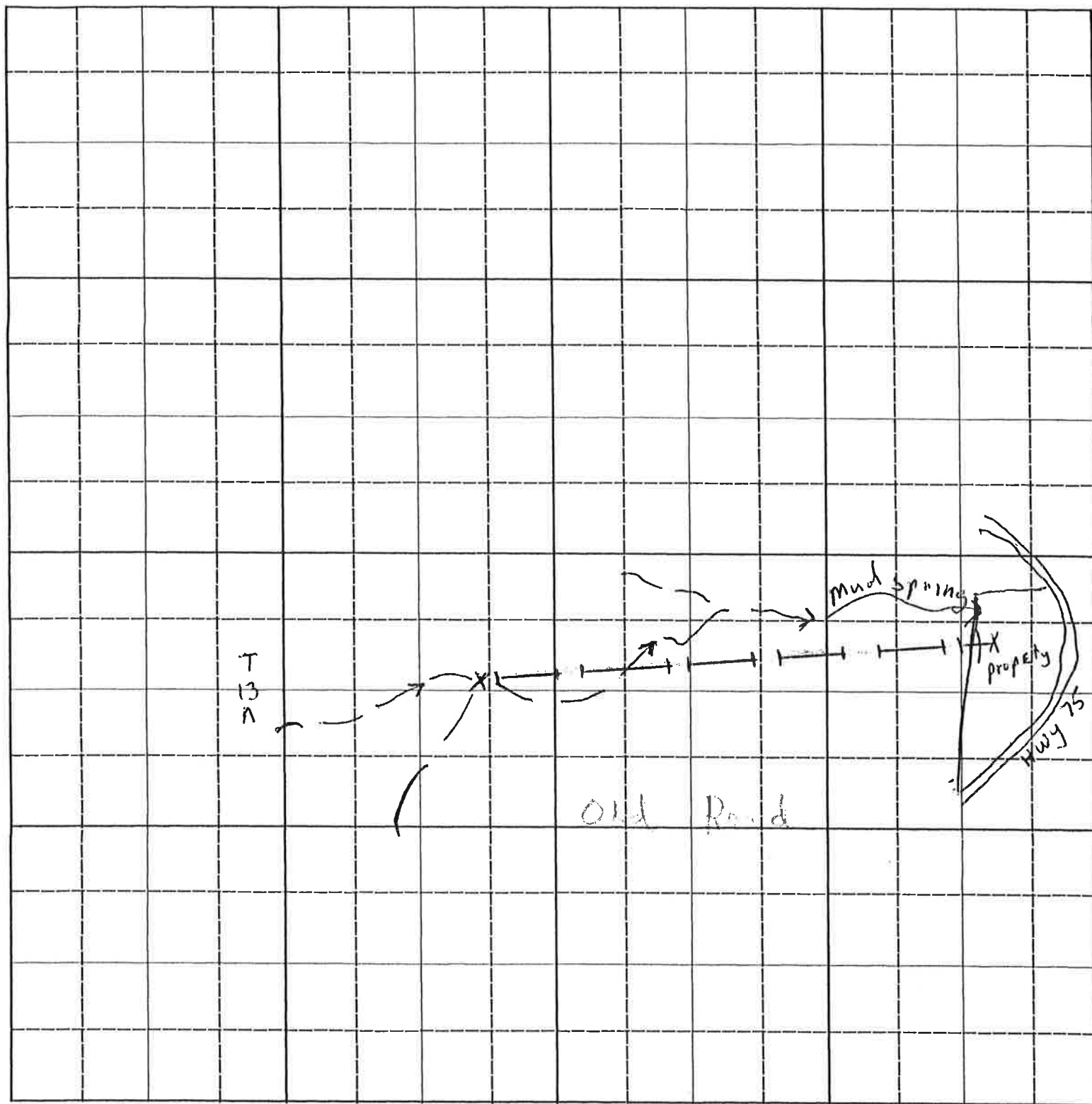
This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the signature of the Director, affixed at Boise, this

10 th day of August, 1993.

R. Keith Higginson
for R. Keith Higginson, Director



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.

Michael J. Kelley
(Applicant)



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

28-Jul-1993

R. KEITH HIGGINSON
Director

MARK JOHNSON MGR
BLM SALMON DISTRICT OFFICE
PO BOX 430
SALMON ID 83467

RECEIVED

AUG 05 1993

Department of Water Resources
Southern Region Office

RECEIVED

JUL 30 1993

Department of Water Resources

RE: Application for Permit No. 72-07478 (Roskelley)

Dear Mr. Johnson:

This office acknowledges receipt of the withdrawal of your protest against the above referenced application.

Since you were the only protestant, the issue of the protest has been resolved and the Department is now prepared to proceed with the normal processing of the application which includes regional review prior to being forwarded to our State Office.

The Department will continue review of the application without further contact with you unless information is requested.

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

Very truly yours,

Loren O. Holmes, P.E.
Southern Region Manager

LH:MB

RECEIVED

AUG 03 1993

Department of Water Resources
Eastern District Office

82-07478-22



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

28-Jul-1993

R. KEITH HIGGINSON
Director

MICK ROSKELLEY
HC 67 BOX 2051
CHALLIS ID 83226

RE: Protested Application for Permit No. 72-07478

Dear Mr. Roskelley:

We have received a withdrawal of the protest filed by the Bureau of Land Management against approval of the above referenced application.

Since they were the only protestant, the issue of the protest has been resolved and the Department is now prepared to proceed with the normal processing of the application which includes regional review prior to being forwarded to our State Office.

If you have any questions or if this office can be of further assistance, please feel free to contact us.

Very truly yours,

Loren O. Holmes, P.E.
Southern Region Manager

LH:MB

RECEIVED

JUL 15 1992

Department of Water Resources
Southern Region Office

RECEIVED

JUL 6 1992

Department of Water Resources

RECEIVED

JUL 10 1992

Department of Water Resources
Eastern District Office

JUNE 18 1992

To The Bureau of Land Management;

In regards to the letter you sent me , approving my water permit #72-07478.
I am giving written acceptance and concurrence with the agreements
identified in such letter recieved June 10, 1992.#7250.

The BLM also agreed to disregard the \$30.00 a year renewal fee since
the BLM at some future date, will be providing a connection to access
the diverted water for development of a water source for wildlife, not
to exceed .02 cfs.

Thank You;

Micky Roskelley

Micky Roskelley

72-7478



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Salmon District Office

P.O. Box 430

Salmon, Idaho 83467



IN REPLY REFER TO:

RECEIVED

June 10, 1992

7250
RECEIVED

JUN 17 1992

Mickey Roskelly
HC67, Box 2051
Challis, ID 83226

Department of Water Resources
Eastern District Office

Department of Water Resources
Southern Region Office

Dear Mr. Roskelly:

The Bureau of Land Management (BLM) wishes to resolve our protest to your application for permit No. 72-07478 for domestic and stockwater use. At our meeting on site on March 25, 1992, a number of issues were discussed and verbally agreed upon. Implementation of these verbal agreements will result in resolution of the BLM's protest. I would like to review and document those verbal agreements.

Mr. Roskelly, you have agreed to modify the requested amount of diversion to more accurately reflect actual and expected use. The domestic use claim will be modified to .04 cfs (cubic feet per second) which is approximately eighteen (18) gallons per minute. The livestock use claim will be .02 cfs, which is approximately nine (9) gallons per minute and 13,000 gallons per day.

The BLM will process the right-of-way application you are required to file prior to development of the spring. Prior to issuance of the BLM right-of-way appropriate environmental review, cultural clearances and rare species clearances will be conducted. The right-of-way may be approved, refused, or granted with conditions by the BLM. In exchange for an acceptable spring development right-of-way, you will grant a permanent administrative access right-of-way to the BLM lands adjacent to and accessible through your private property.

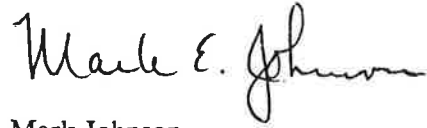
A connection will be provided on your diversion facilities above the cistern such that the BLM may, at some future date, access the diverted water for development of a water source for wildlife. BLM withdrawals from your diversion facilities will not exceed .02 cfs. Your diversion capacity will be developed to accommodate your requested diversion amounts and the .02 cfs of the BLM up to the point of BLM withdrawal from your diversion.

Water production at the spring in excess of your domestic and livestock claim will be left at the source for continued maintenance of existing vegetation. Collection facilities for your diversion will be constructed only in the existing trench and access, and natural channel below this trench will not be disturbed. Diverted water in excess of your domestic and livestock needs will be allowed to return to BLM land for support of vegetation and wildlife.

These conditions and agreements reflect our understanding of an acceptable resolution to the BLM protest of your water permit claim. A copy of this letter is being provided to Harold Jones at the Idaho Department of Water Resources (IDWR). Please provide the BLM and IDWR with your written acceptance and concurrence with the agreements identified herein.

If you have any questions or require further clarification, please contact David Blackstun or myself at 756-5400. I have no doubt that we can effectively work together to accommodate both our interests.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark E. Johnson". The signature is fluid and cursive, with the first name "Mark" being the most prominent.

Mark Johnson
Challis Area Manager

cc: Mr. Harold Jones
Idaho Department of Water Resources
150 Shoup Ave., Suite 15
Idaho Falls, ID 83402

Ident. No. 72-07478RECEIVED
Form 202
6/85

DEC 23 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED

Department of Water Resources
Southern Region Office

To appropriate the public waters of the State of Idaho

DEC 30 1991

Department of Water Resources
Southern Region Office

1. Name of applicant Mick Roskelley Phone 208-897-2243
Post office address HC 67 Box 2051 Challis Idaho 83226
2. Source of water supply unnamed Spring which is a tributary of Mud Spring Creek
3. Location of point of diversion is N 1/4 of SE 1/4 of 29 Govt. Lot 13
Sec. 29 Township 13 N Range 19 E B.M. Custer County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.04 for Domestic purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.01 for Stockwater purposes from Jan 1 to Dec 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) 0.05 cfs and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. development of Spring
with a pipe line to a storage tank at place of
use.
b. Height of storage dam N/A feet; active reservoir capacity N/A acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
d. Is ground water with a temperature of greater than 90°F being sought? No
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).

8642-72

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. 22 Horse 100 sheep.
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. One -
- e. Other; describe fully. _____

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
13N	19E	28						D	NE					D					
								S	S			S		D					

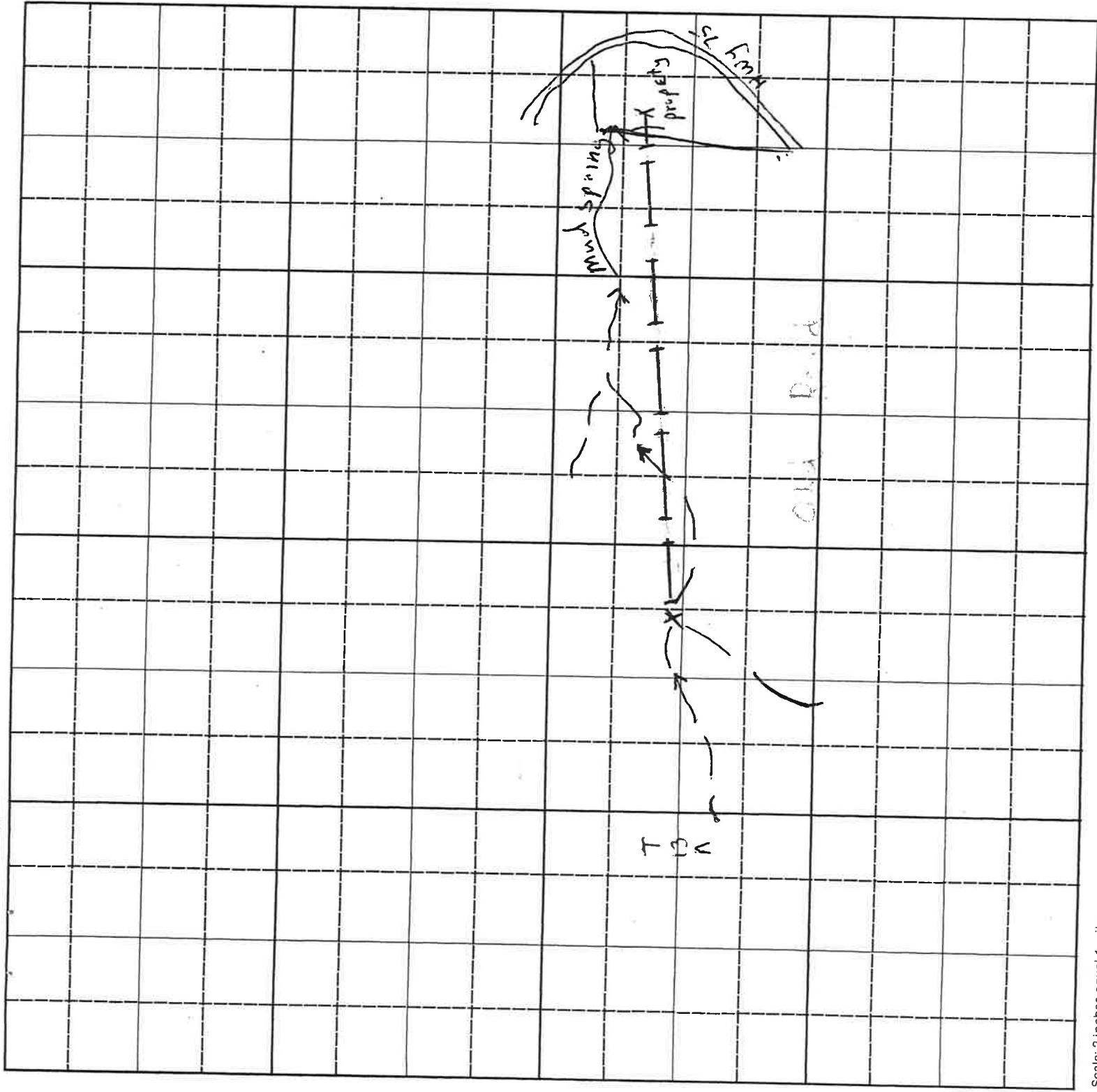
Total number of acres to be irrigated _____

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

11. a. Who owns the property at the point of diversion? BLM
- b. Who owns the land to be irrigated or place of use? Mick Roskelly
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. Easement will be requested from BLM for construction of pipeline.

12. Remarks: Old Permit Number # 72-07452.

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.

Michael Spelling
(Applicant)

Received by DRJ Date 12/30 Time 11:00 Preliminary check by JF Stanton
Fee \$ 30 Receipted by DRJ # 5014012 Date 12/30/91
Publication prepared by MB Date 1/9/92 Published in Challis Messenger
Publication approved M Baldwin Date 2-21-92

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.

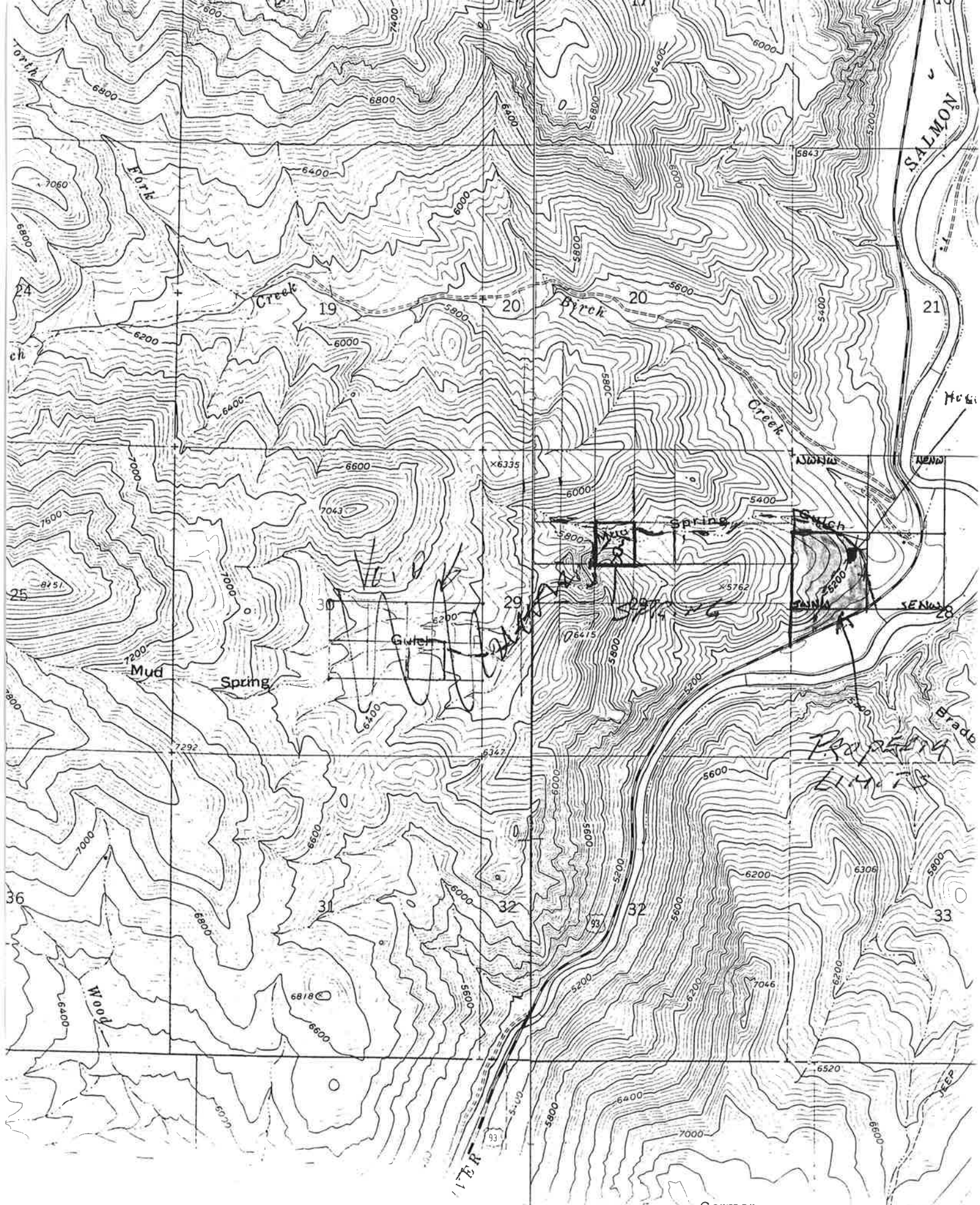
b. Proof of construction of works and application of water to beneficial use shall be submitted on or before

_____, 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:



Germer
Peak

72-07478

