

IDAHO DEPARTMENT OF WATER RESOURCES  
Proof Report

7/1/2020

Water Permit 72-7318

**Owner Type**      **Name and Address**  
Current Owner      UNITED STATES OF AMERICA ACTING THROUGH  
                                 USDI BUREAU OF LAND MANAGEMENT  
                                 IDAHO STATE OFFICE  
                                 1387 S VINNELL WAY  
                                 BOISE, ID 83709-1657  
                                 (208) 373-4000

**Priority Date:** 7/21/1983

**Status:** Closed

**Source**      **Tributary**  
SPRING      BROKEN WAGON CREEK

<b>Beneficial Use</b>	<b>From</b>	<b>To</b>	<b>Diversion Rate</b>	<b>Volume</b>
STOCKWATER	5/16	10/15	0.040 CFS	4.5 AF
WILDLIFE	1/01	12/31	0.010 CFS	0.9 AF
	<b>Total Diversion</b>		0.050 CFS	5.4 AF

**Source and Point(s) of Diversion**

SPRING      NWNE      Sec. 35, Twp 11N, Rge 20E, CUSTER County

**Place Of Use**

STOCKWATER within CUSTER County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10N	21E	6				X													
10N	21E	8															X		
11N	20E	30															X		
11N	20E	31								X				X					
11N	20E	36		X															

WILDLIFE Same as STOCKWATER

**Conditions of Approval:**

1. R37 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. ALSO KNOWN AS BROKEN WAGON PIPELINE EXT. #1.

**Comments:**

1. skreen      2/24/2005      Status Change  
On February 24, 2005, the status for this water right record was changed to Not Claimed. This right was established prior to 11/19/1987, it was not claimed in the Snake River Basin Adjudication under this number, and it was not a deferrable domestic or stockwater right.

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2. mciscell 6/10/2013 POD  
Bulk Generate Shape From PLS

**Dates and Other Information**

Permit Proof Due Date: 12/1/1988  
Permit Proof Made Date: 1/1/1900  
Permit Approved Date: 12/7/1983  
Field Exam Date: 11/13/1985  
Water District Number: TBD  
Mitigation Plan: False

**Combined Use Limits**

N/A

**SubCase:**

N/A

**Water Supply Bank:**

N/A

RECEIVED  
DEC 19 1983  
Department of Water Resources  
Boise Region Office

State of Idaho  
Department of Water Resources  
WATER RIGHT LICENSE

License of Water Right No. 72-7318 Priority July 21, 1983 Amount 0.05 cfs

THIS IS TO CERTIFY, that U.S. Dept. of Interior, Bureau of Land Mgmt.  
of Boise, Idaho, has complied with the terms and conditions of Permit  
No. 72-7318 issued pursuant to Application for Permit dated July 21, 1983,  
and has submitted proof to the Department of Water Resources on May 16, 1984,  
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a  
capacity for the diversion of \_\_\_\_\_ of water from a spring,  
tributary to Broken Wagon Creek, and that the permit holder has applied to a beneficial use and  
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Stockwater	from <u>May 16</u> to <u>October 15</u>	at <u>0.04</u> cfs and	<u>4.5</u> acre feet
Wildlife	from <u>January 1</u> to <u>December 31</u>	at <u>0.01</u> cfs and	<u>0.9</u> acre feet
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 0.05 cfs of water be diverted at any one time, and  
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose  
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed  
5.4 acre feet per year, said waters to be diverted within the NW 1/4 NE 1/4 Section 35,  
Twp 11N, Rge 20E in the County of Custer

Description and location of place of use:

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
10N	21E	6				X													
		8															X		
11N	20E	36		X															
11N	21E	30															X		
		31							X				X						

Total number of acres irrigated \_\_\_\_\_

72-7318

## CONDITIONS OF APPROVAL

- a. Modifications to or variance from this license must be made within the limits of Section 42-222, **Idaho Code**, or the applicable Idaho Law. This right may be forfeited by five years of non-use.
- b. The right to the use of the water hereby confirmed is restricted and appurtenant to lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.
- c. Any water right confirmed in this license 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 license 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 license.

Also known as Broken Wagon Pipeline Extension #1.

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.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 26<sup>TH</sup> day of DECEMBER, 19 86.

\_\_\_\_\_  
Director

*Norman C Young*

Ident. No. \_\_\_\_\_

RECEIVED

## STATE OF IDAHO

1986 OCT 20 AM 7:45

APPLICATION FOR AMENDMENT  
(For Licensing Purposes)

BLM-1050

Comes now U.S. Dept. of Interior, Bureau of Land Mgmt. Phone                      of (address) 3380 Americana Terrace Boise, ID 83706, and represents to the Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 72-7318, and requests that the permit be changed as follows:

1a. Point of diversion: NW 1/4 NE 1/4, Section 35, Township 11N, Range 20E, B.M., County of Custer. Other points of diversion: \_\_\_\_\_

1b. Source: spring tributary to Broken Wagon Creek

## 2a. Period and nature of use:

Amount 0.04 for Stockwater purposes from 5/16 to 10/15 (both dates inclusive)  
(cfs or acre feet per annum)  
Amount 0.01 for Wildlife 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)

2b. The maximum quantity diverted shall not exceed 0.05 cfs or 5.4 acre feet per year.

## 3. Place of use or land to be irrigated:

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
10N	21E	6				X													
		8															X		
11N	20E	36		X															
11N	21E	31							X				X						
		30															X		

Total number of acres to be irrigated = \_\_\_\_\_

4. Date of priority: July 21, 1983

5. Conditions (if any):

Also known as Broken Wagon Pipeline Extension #1.

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 Salmon, this 24 day of October, 1986.

Jerry W. Goodman  
(Signature)  
**District Manager**

FOR DEPARTMENT USE ONLY

ID-910-BP1-0015

Preliminary check by kw Fee = \$20.00

Received by af Date 12-8-86 #40871

**ACTION OF THE DEPARTMENT OF WATER RESOURCES**

I, A. KENNETH DUNN, of the Department of Water Resources hereby Approve the above Application for Amendment for Permit No. 72-7318.

Witness my hand this 26<sup>TH</sup> day of DECEMBER, 1986.

Acting for the Director

Norman C. Young