

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

Ident. No. 75-14898
RECEIVED
APR 02 2018

DEPARTMENT OF
WATER RESOURCES
Phone 208.303.0022

1. Name of applicant(s) SAMUEL W WING, TREVA K WING Name connector (check one): ☐ and ☐ or ☒ and/or
Mailing address PO BOX 686 City SALMON
State ID ZIP 83467 Email firefighter-636@hotmail.com
2. Name of representative, if any _____ Phone _____
Mailing address _____ City _____
State _____ ZIP _____ Email _____
- a. ☐ Send all correspondence for this application to the representative and not to the applicant OR
☐ Send original correspondence to the applicant and copies to the representative.
- b. ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant OR
☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation.
3. Source of water supply MOOSE CREEK which is a tributary of DUMP CREEK
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
23N	20E	24			NE	NE	LEMHI	MOOSE CREEK	

5. Water will be used for the following purposes:
- Amount 0.04 for DOMESTIC purposes from 01/01 to 12/31 (both dates inclusive)
(cfs or acre-feet per year)
- Amount 0.02 for IRRIGATION purposes from 04/01 to 10/31 (both dates inclusive)
(cfs or acre-feet per year)
- Amount 0.02 for STOCKWATER purposes from 01/01 to 12/31 (both dates inclusive)
(cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)
6. Total quantity to be appropriated is (a) 0.08 cubic feet per second (cfs) and/or (b) _____ acre-feet per year (af).
7. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source. 2 HP PUMP, SPRINKLERS, STORAGE TANK FOR DOMESTIC WATER
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 12. For dams 10 feet or more in height AND having a storage capacity of 50 acre-feet or more, submit a separate [Application for Construction or Enlargement of a New or Existing Dam](#). Application required? ☐ Yes ☐ No
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
- d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☐ No
- e. If well is already drilled, when? _____; drilling firm _____;
well was drilled for (well owner) _____; Drilling Permit No. _____

For Department Use

Received by TR Date 4/2/2018 Time 10:50 Preliminary check by _____
Fee \$ 100.00 Received by TR Receipt No. C104892 Date 4/2/2018

8. Description of proposed uses (if irrigation only, go to item 9):
- Hydropower; show total feet of head and proposed capacity in kW. _____
 - Stockwatering; list number and kind of livestock. 5 HORSES
 - Municipal; must complete and attach the Municipal Water Right Application Checklist.
 - Domestic; show number of households 1
 - Other; describe fully. _____
9. Description of place of use:
- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
 - 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	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
23N	20E	24	D																
		24	1.0																1.0
		<u>24</u>	<u>S</u>																

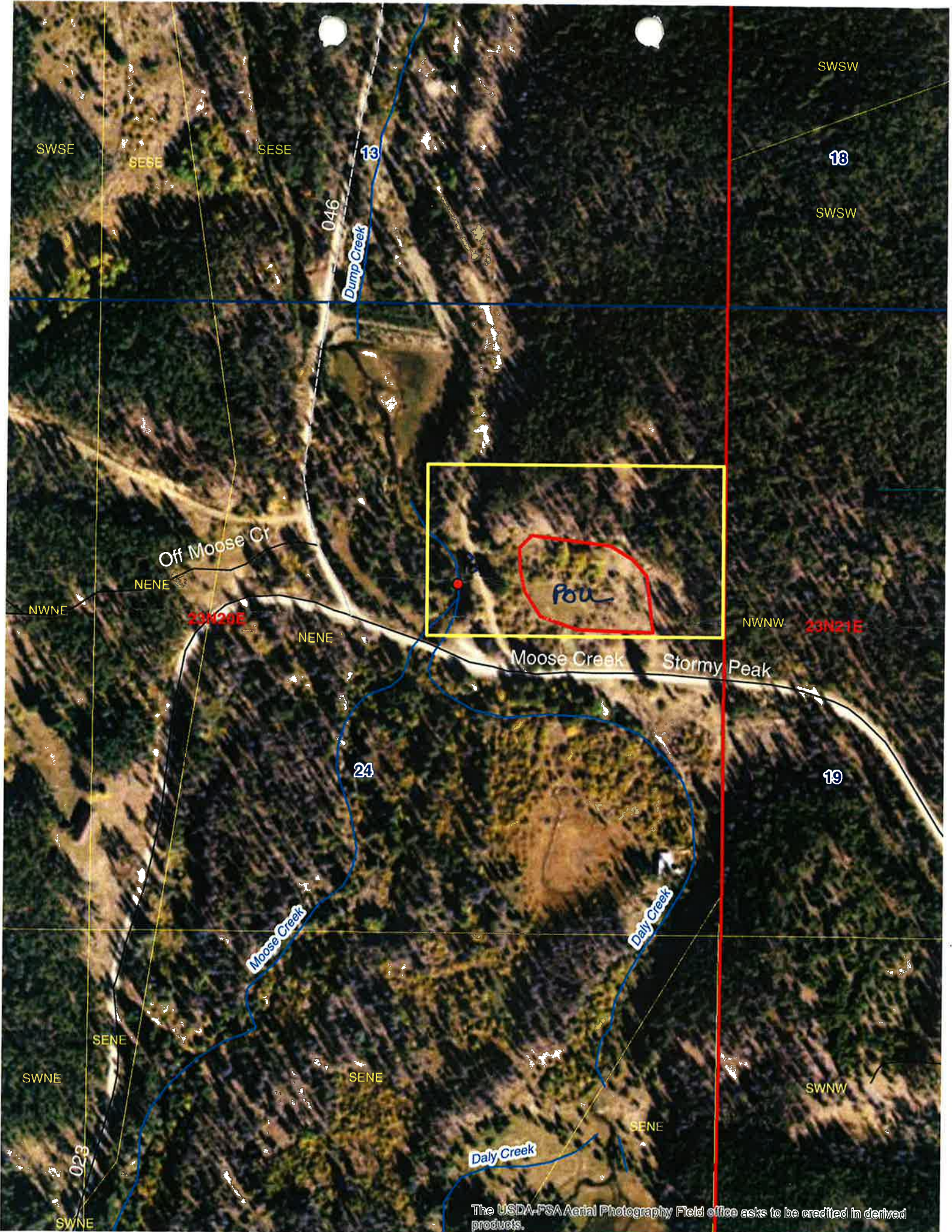
Total number of acres to be irrigated: 1.0

10. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? no other rights
11. a. Who owns the property at the point of diversion? applicant
- b. Who owns the land to be irrigated or place of use? applicant
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____
12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. Property aka T1575, a fraction of Moose Creek Hydraulic Placer Survey 3057 - Lemhi taxlot layer is not correct in this area. Application map depicts correct location of parcel. Requesting full five year development as this is a recreation property.
13. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year).
14. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map or maps clearly identifying the proposed point of diversion, place of use, section #, township & range. The map scale shall not be less than two (2) inches equal to one (1) mile.

The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Treva Wing
 Signature of Applicant
Treva WING
 Print Name (and title, if applicable)

Samuel Wing
 Signature of Applicant
Samuel Wing
 Print Name (and title, if applicable)



Claims Located: Lemhi Gold Placer, amended, July 1, 1901.
Moose Creek Hydraulic Placer, amended, June 23, 1900.
Mineral Survey No 3057. **PATENTED**

LOT No —
Hailey

Land District.

PLAT

OF THE CLAIM OF

John E. Mullen

KNOWN AS THE

LEMHI GOLD PLACER
AND MOOSE CREEK HYDRAULIC
PLACER CLAIMS

IN EUREKA MINING DISTRICT,
LEMHI COUNTY, IDAHO.

Containing an Area of Acres.

Scale of 600 Feet to the inch.

Variation 20° 40' E.

SURVEYED

May 11 to 26, 1924 BY

Fred T. Crandall

U.S. Mineral Surveyor,

The Original Field Notes of the Survey of the Mining Claim of
John E. Mullen

known as the

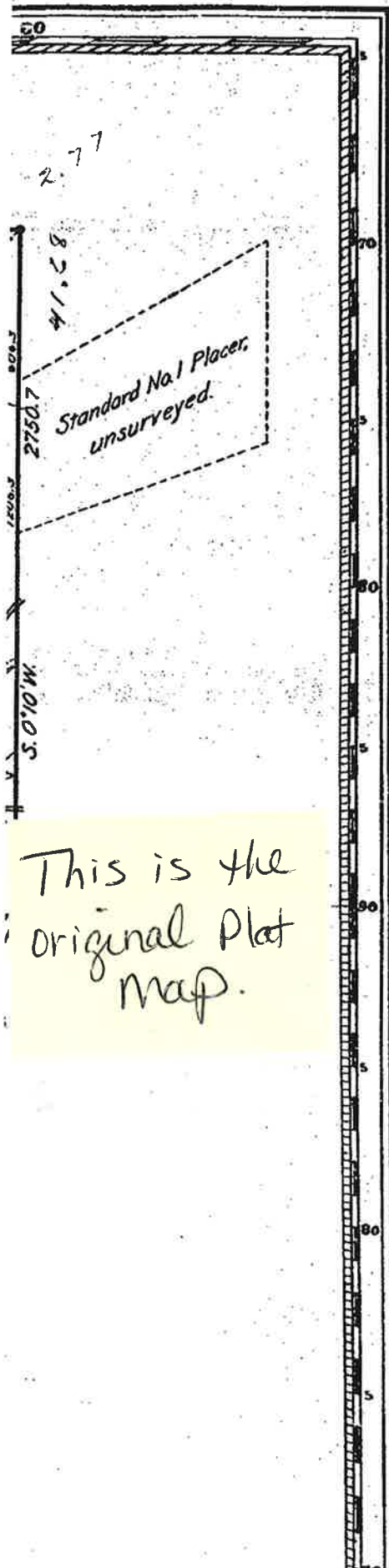
LEMHI GOLD PLACER GROUP

from which this plat has been made under my direction, have been examined and approved, and are on file in this Office; and I hereby certify that they furnish such an accurate description of said Mining Claim as will, if incorporated into a patent, serve fully to identify the premises, and that such reference is made therein to natural objects or permanent monuments as will perpetuate, and fix the locus, thereof.

I further certify that Five Hundred Dollars worth of labor has been expended or improvements made upon said Mining Claim by claimant or his grantors, and that said improvements consist of Placer Workings, a Cut and a Pit.

that the location of said improvements is correctly shown upon this plat, and that no portion of said labor or improvements has been included in the estimate of expenditures upon any other claim.

And I further certify that this is a correct plat of said Mining Claim made in conformity with said original field notes of the



This is the
original Plat
map.

Lemhi Gold Placer.

Sur. No. 1671.

Lemhi Gold Placer.

Sur. No. 3057.

2.77

41.28

Standard No. 1 Placer.
unsurveyed.

Square Deal Placer.
unsurveyed.

MOOSE CREEK
PLACER
HYDRAULIC
WORKING'S CREEK
DISCOY CREEK
CABINS
GUT
CABIN
HAWKEYE CR.

Gold Gravel Placer.
Sur. No. 1671.

wey Placer.
No. 1671.

"SHUFFLY" MILL.

7.22
17.45

Placer.
rd.

Hersley, Jean

From: Hersley, Jean
Sent: Thursday, May 10, 2018 11:26 AM
To: rhlegals@custertel.net
Subject: Legal Notice
Attachments: Recorder Herald.doc

Please see attached notice. Thank you.

*Jean Hersley
Idaho Dept Water Resources
Technical Records Specialist II
208-287-4942*

Legal Notice Department

Recorder Herald
PO Box 310
Salmon ID 83467

RE: Legal Ad for your paper

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notices which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office, PO Box 83720, Boise, Idaho, 83720-0098 before June 4, 2018. Your cooperation is appreciated.

Sincerely

Jean Hersley
Technical Records Specialist II
IDWR State Office
322 E Front St
Boise ID 83720
208-287-4942
jean.hersley@idwr.idaho.gov

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

75-14898

SAMUEL W WING
TREVA K WING
PO BOX 686
SALMON, ID 83467

Point of Diversion NENE S24 T23N R20E LEMHI County

Source MOOSE CREEK Tributary DUMP CREEK

Use: DOMESTIC

01/01 to 12/31

0.04 CFS

Use: IRRIGATION

04/01 to 10/31

0.02 CFS

Use: STOCKWATER

01/01 to 12/31

0.02 CFS

Total Diversion:

0.08 CFS

Date Filed: 4/2/2018

Place Of Use: IRRIGATION STOCKWATER DOMESTIC

T23N R20E S24 NENE

This application proposes the diversion and use of water from a tributary of the Salmon River Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because the diversion rate and acre will be applied to the subordination amounts specified in the decree for the Wild & Scenic River listed above.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the State office at (208) 287-4800; or for a full description of the right(s), please see

<https://idwr.idaho.gov/apps/ExtSearch/WRApplicationResults/>. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, State Office, 322 E Front St, PO Box 83720, Boise, ID 83720 together with a protest fee of \$25.00 for each application on or before 6/4/2018. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 5/17/2018 and 5/24/2018



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

May 10, 2018

SAMUEL W WING
TREVA K WING
PO BOX 686
SALMON, ID 83467

Application For Permit No. 75-14898

Dear Applicant(s):

The Department of Water Resources has received your water right application. Please refer to the number referenced above in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the RECORDER HERALD on 5/17/2018 and 5/24/2018. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the permit.

Please contact this office if you have any questions regarding the application.

Sincerely,

A handwritten signature in cursive script that reads "Jean Hersley".

Jean Hersley
Technical Records Specialist



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

May 10, 2018

STEVEN SPENCER
UNITED STATES FOREST SERVICE
161 EAST MALLARD DRIVE, SUITE 110
BOISE, ID 83706

RE: Application for Permit 75-14898

Dear Interested Party:

The Department of Water Resources is seeking written comment and/or recommendations from you regarding the above referenced application for permit. A full description concerning property location may be found at: www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp.

Please note, the Department has documented that the place of use is located on land that is adjacent to federal land in NENE of Section 24, Township 23N, Range 20E so a condition will be added to clarify that the place of use does not include federal land.

This office can publish notice of the application as soon as the initial review is completed; therefore, your prompt response to this request is appreciated. If you desire to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication.

Please contact this office if you have any questions regarding the application.

Sincerely,

A handwritten signature in cursive script that reads "Jean Hersley". The signature is written in dark ink and is positioned above the printed name.

Jean Hersley
Technical Records Specialist II

Enclosure(s)



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

May 10, 2018

IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY
900 NORTH SKYLINE SUITE B
IDAHO FALLS ID 83402

RE: Applications for Permit No. 75-14898

Dear Interested Party:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right applications. You can find copies of the applications at: <http://www.idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>.

This office can publish notice of the applications as soon as the initial review is completed; therefore, your prompt response to this request is appreciated. If your agency desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication.

Please contact this office if you have any questions regarding the applications.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Jean Hersley'.

Jean Hersley
Technical Records Specialist II

Enclosure(s)



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

May 10, 2018

IDAHO DEPT FISH AND GAME
ATTN: JEFF RICHARDS
99 HWY 93 N
SALMON ID 83467

RE: Applications for Permit No. 75-14898

Dear Interested Party:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right applications. You can find a copy of the applications at:

<http://www.idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>.

This office can publish notice of the applications as soon as the initial review is completed; therefore, your prompt response to this request is appreciated. If your agency desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication.

Please contact this office if you have any questions regarding the application.

Sincerely,

Jean Hersley
Technical Records Specialist II

Hersley, Jean

From: Hersley, Jean
Sent: Thursday, May 10, 2018 11:28 AM
To: Yenter, Cindy; Clark, Cynthia Bridge
Subject: Application for Permit 75-14898

The application will be advertised on May 17 and 24. The protest end date is June 4. Please let me know if you have any comments or concerns. Documents will be scanned by end of the day.

*Jean Hersley
Idaho Dept Water Resources
Technical Records Specialist II
208-287-4942*

MEMORANDUM

Date: May 8, 2018
To: Application for Permit 75-14898
From: Dave Betts
Re: Applicants' Response to LPI letter

Copy of Email

From: Yenter, Cindy
Sent: Monday, May 07, 2018 1:48 PM
To: Skaggs, Pam
Cc: Betts, David; twing@lemhicountyidaho.org
Subject: 75-14898 Wing
Attachments: DOC073.pdf

Attached please find response to W&S letter.

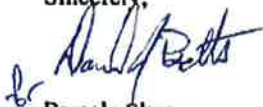
Cindy Yenter
Idaho Dept of Water Resources
Salmon Field Office
102 S Warpath, Salmon ID 83467
cindy.yenter@idwr.idaho.gov
208-742-0655
208-731-0901 cell

Applicants' Response (Clipped from Attached PDF)

Within 30 days, please submit any additional information you believe IDWR may need to evaluate and determine the local public interest in the water you propose to divert and use. If IDWR has not received a response from you within 30 days, IDWR will assume you have no comment regarding the local public interest, and processing of your application will resume with the information currently on file. Processing will include public notice and the potential for formal protests by other interested parties. Applications that are not in the local public interest will be denied. If you wish to withdraw your application before it is processed, please notify IDWR in writing.

If you have any questions, please call me at 208-287-4951, or email me at pam.skaggs@idwr.idaho.gov.

Sincerely,


Pamela Skaggs
Water Rights Supervisor

Enclosure: Copy of Application

We have no additional comments

Thank-you

Jana Wing
5/7/18

Betts, David

From: Betts, David
Sent: Friday, May 04, 2018 12:57 PM
To: 'firefighter-636@hotmail.com'
Subject: Processing your Application for Permit: 75-14898
Attachments: LPI_Ltr_75_14898_Wing.pdf; AppPermit_75_14898_Wing.pdf

Dear Samuel and Treva Wing,

I have attached a copy of the letter to you regarding your Application for Permit for a Water Right. The letter was sent by mail yesterday, May 3.

In order to give you an opportunity to respond to the attached letter there is a 30-day waiting period before your application can move on to the next step. If we receive a response to the letter from you before the 30-day waiting period is over, we can proceed with your application at that time.

I am also attaching a copy of your application for reference.

Dave Betts
Water Resource Agent
Water Rights Section
Idaho Department of Water Resources
Phone: (208) 287-4826



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

May 3, 2018

Treva and Samuel Wing
PO BOX 686
Salmon ID 83467

RE: Application to Appropriate Water in the Upper Salmon River Basin 75-14898

Dear Water Right Applicant:

The Department of Water Resources' (IDWR) records show you filed an application to establish a new use of water in the upper Salmon River basin. Idaho Code § 42-203A(5) requires IDWR to determine whether each water right application satisfies all the criteria necessary for appropriating water in Idaho. One statutory criterion requires IDWR to determine the local public interest relative to the proposed water use. Idaho Code § 42-202B(3) defines the local public interest as "the interests that the people in the area directly affected by a proposed water use have in the effects of such use on the public water resource." The local public interest has many facets, including the effects of a proposed water use on aquatic habitat for fish and wildlife resources.

The upper Salmon River basin is home to stocks of chinook salmon, sockeye salmon, steelhead trout, and bull trout, all of which are listed as threatened or endangered under the Endangered Species Act (ESA). Since the early 1990s, local water users, conservation districts, and federal and state agencies have cooperated to implement conservation measures intended to protect and restore habitat for ESA-listed species in the upper Salmon River watershed. For example, at the request of local water users the Idaho Legislature directed the Idaho Water Resource Board (IWRB) to establish a minimum stream flow in the lower Lemhi River for fish passage. The minimum stream flow is maintained through a water supply bank and temporary or permanent acquisition of additional water supplies by willing buyers from willing sellers.

Pursuant to the Snake River Water Rights Agreement of 2004, Idaho has been developing a long term conservation plan for the benefit of ESA-listed species in the Lemhi River basin. Improving conditions in flow-limited river reaches and streams is a fundamental component of the Lemhi plan. In addition to IDWR, numerous state agencies, including the Office of Species Conservation, Idaho Department of Fish and Game, Idaho Department of Environmental Quality, Idaho Soil and Water Conservation Commission, and Idaho Department of Lands, have committed and continue to commit significant resources toward this objective under the following programs:

- Columbia Basin Water Transactions Program
- National Marine Fisheries Service Pacific Coastal Salmon Recovery Fund
- U. S. Fish & Wildlife Service Aquatic Species Conservation Fund
- Salmon and Clearwater River Basins Habitat Fund
- 2008 Columbia Basin Fish Accords

Letter to Upper Salmon River Basin Water Right Applicants

A myriad of habitat restoration projects are being constructed/implemented in other parts of the upper Salmon River basin. These projects have been coordinated with the local communities and water users through the Upper Salmon River Basin Watershed Program and predecessor programs, including the model watersheds. Furthermore, the Snake River Water Rights Agreement of 2004 contemplates the development of additional conservation plans for other upper Salmon River basin watersheds. Accordingly, the Comprehensive State Water Plan revised by the IWRB contains policies for the Salmon River basin that focus on the protection and restoration of instream habitat for ESA-listed species through voluntary participation in conservation programs.

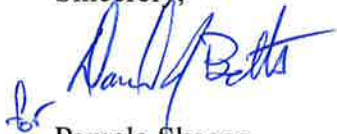
Because of the ESA-listed species recovery efforts in the upper Salmon River basin, IDWR must determine on a case-by-case basis whether it is in the local public interest to authorize proposed water uses that would further deplete flow-limited stream reaches.

Pursuant to Rule 40.04.c of the Water Appropriation Rules (IDAPA 37.03.08.040.04.c), the applicant has the ultimate burden of persuasion regarding the items that must be evaluated in connection with each water right application. Before proceeding further with your application, IDWR requests you submit additional information about how your proposal invokes any local public interest concerns for ESA species recovery.

Within 30 days, please submit any additional information you believe IDWR may need to evaluate and determine the local public interest in the water you propose to divert and use. If IDWR has not received a response from you within 30 days, IDWR will assume you have no comment regarding the local public interest, and processing of your application will resume with the information currently on file. Processing will include public notice and the potential for formal protests by other interested parties. Applications that are not in the local public interest will be denied. If you wish to withdraw your application before it is processed, please notify IDWR in writing.

If you have any questions, please call me at 208-287-4951, or email me at pam.skaggs@idwr.idaho.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Pamela Skaggs", with a small "br" written to the left of the signature.

Pamela Skaggs
Water Rights Supervisor

Enclosure: Copy of Application

MEMORANDUM

Date: April 20, 2018
To: Application for Permit 75-14898
From: Dave Betts
Re: Application Review

Applicant

Samuel and Treva Wing submitted an application for permit on April 2, 2018. Although there are discrepancies in Lemhi County's property information, there is sufficient evidence to identify Samuel W Wing as the owner of the land where the proposed point of diversion (POD) and place of use (POU) were identified.

At the time of application the Lemhi County Parcel Map placed the proposed POD and POU within a parcel belonging to James A Smith. A parcel belonging to Samuel W Wing is immediately north of the Smith property. Both parcels are subdivisions from the Moose Creek Hydraulic Placer Claim. A copy of the Plat for the Moose Creek Hydraulic Placer Claim (Mining Survey 3057) was submitted by the applicants. A Public Land Order (Sept 8, 1975) from the BLM describes the exclusion and dimensions of both parcels. A copy of the Public Land Order has been included in this file.

In contrast to the county parcel map, PLSS data for the quarter-quarter sections outlined the original Moose Creek Hydraulic Placer Claim to the south, south-east. Shifting the location of the parcels belonging to Smith and to Wing (the applicants) to align with the PLSS's boundaries for the Moose Creek Hydraulic Placer Claim places the proposed POD and POU within the adjusted property boundaries of the applicants. Images illustrating the difference between the county parcels and the PLSS data are included in the file.

The discrepancies between the PLSS and county parcel maps were given to a member of the IDWR's GIS staff who then forwarded the information to the Lemhi County assessors.

Source & POD

The application proposes to divert water from Moose Creek in the NENE of Section 24, T 23N R 20E, in Lemhi County, which is within a Wild and Scenic area and subject to those processing steps.

The proposed diversion is a 2 HP pump, sprinklers and storage tank for domestic water.

Water Use

The proposed uses are for Domestic, Stockwater, and Irrigation of 1.0 acre of land. The applicant requested the standard irrigation season from 04/01 to 10/31.

POU

The proposed places of use are in the same quarter-quarter as the POD.

The shapefiles for the POUs include the outer boundaries of the applicants' property for the

proposed domestic and stockwater uses, and an interior polygon of the proposed land for irrigation. The 1.0 acre shape of the proposed irrigated land was copied from the map submitted with the application.

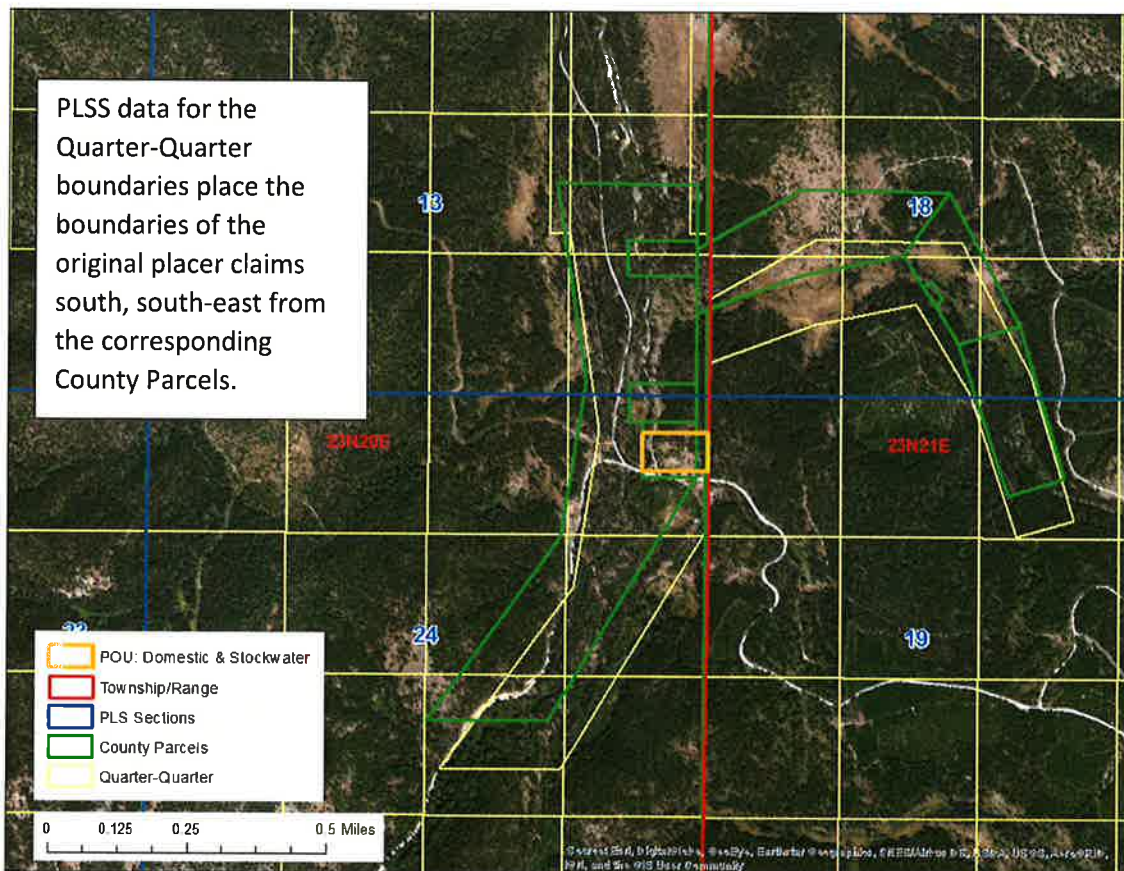
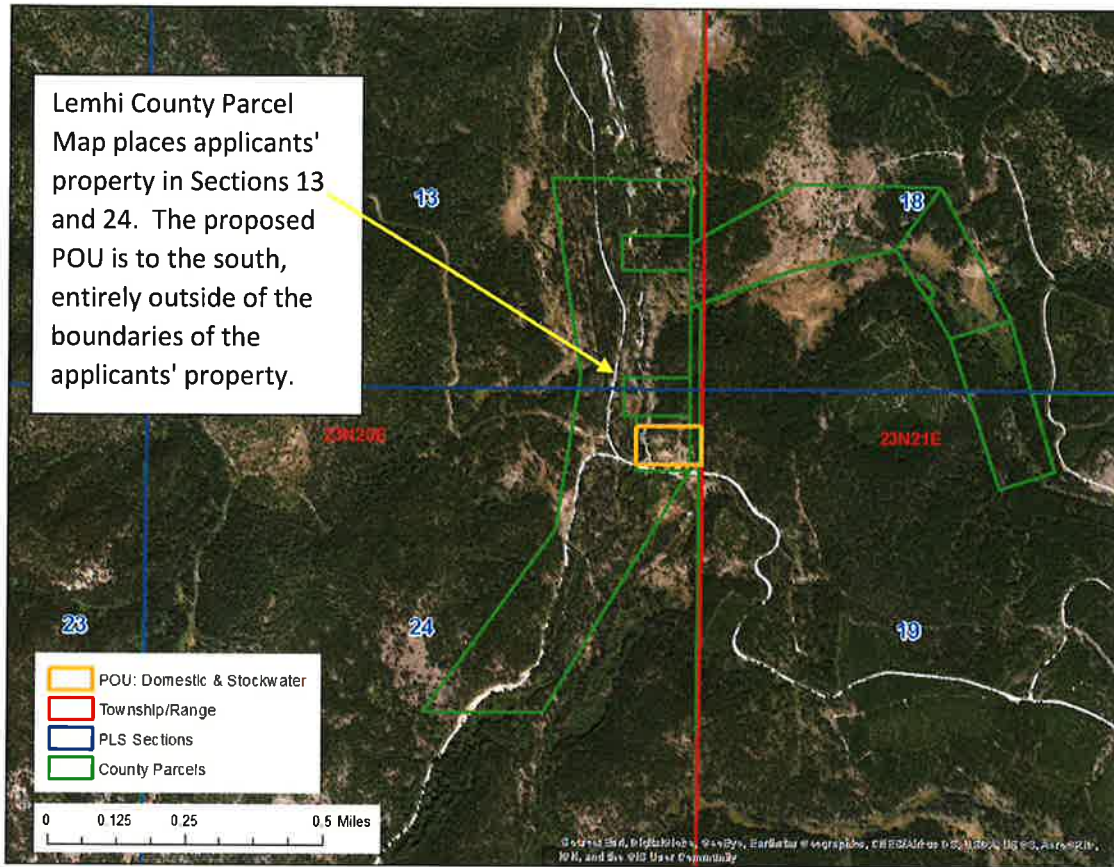
POU/POD overlap analysis

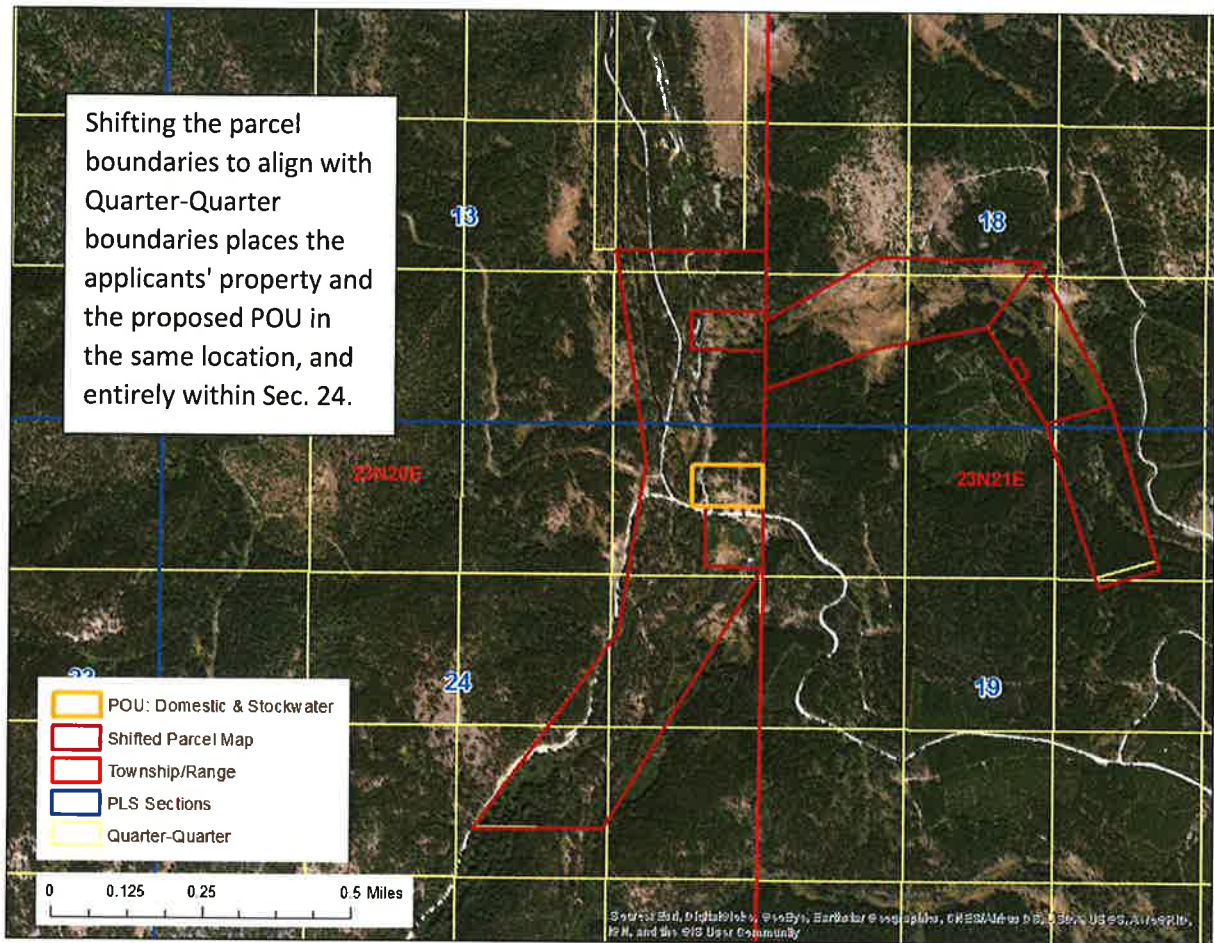
The POU overlaps with generally described federal stockwater right 75-11119 POU. Portions of the quarter-quarter are owned by Salmon-Challis National Forest. This application is for the Wings' privately owned land in the same quarter-quarter.

There are no overlapping PODs identified within the NENE of Section 24. Right 75-11119 is also from Moose Creek at a point nearly 5 miles downstream. Advertising will determine if there are any concerns regarding available supply.

Conditions

This permit should include standard conditions for domestic, stockwater, and irrigation use. The application proposes the diversion and use of water from a tributary of the Salmon Wild & Scenic River so conditions pertinent to this will be added to the permit. The applicants' property is bordered by federal land on three sides in NENE, so a condition will be added to clarify that the place of use does not include federal land.







UNITED STATES
DEPARTMENT OF THE INTERIOR

1-CODE OF FEDERAL REGULATIONS
TITLE 43--PUBLIC LANDS: INTERIOR

CHAPTER II--BUREAU OF LAND MANAGEMENT
APPENDIX--PUBLIC LAND ORDERS

PUBLIC LAND ORDER 5522

(Idaho 5054)

IDAHO

8/28/1975

WITHDRAWAL FOR NATIONAL FOREST WATERSHED PROTECTION SITE

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Subject to valid existing rights, the following described national forest land is hereby withdrawn from appropriation under the mining laws, 30 U.S.C. Ch. 2, but not from leasing under the mineral leasing laws, in aid of programs of the Department of Agriculture:

Salmon National Forest

Boise Meridian

Coiner Watershed Protection Site

T. 23 N., R. 20 E. (Unsurveyed)

Sections 12, 13, and 24 Lemhi Gold Placer and Moose Creek Hydraulic Placer Claims Mineral Survey 3057. Excepting therefrom the following described property:

A fraction of the Moose Creek Hydraulic Placer Mineral Survey No. 3057, more particularly described as follows, to wit: Commencing at Corner No. 6 of the Moose Creek Hydraulic Placer portion of Mineral Survey No. 3057, run thence S. 6°10' W., 525.1 feet to the point of beginning,

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9/5/1975, FR Doc 75-23551

State Office, Idaho

Sent to Fed. Reg.
Edward T. Lawrence

and the northeasterly corner of the tract of land hereby described; continuing thence S. 0°10' W., 335.9 feet; thence N. 89°50' W., 650.0 feet, more or less, to a point in the center of Moose Creek; thence northerly along the center of Moose Creek 355.9 feet; thence S. 89°50' E., 650.0 feet to the point of beginning. Containing 5.0 acres.

A fraction of the Moose Creek Hydraulic Placer, Mineral Survey No. 3057, more particularly described as follows, to wit: Beginning at Corner No. 7 of the said Moose Creek Hydraulic Placer, run thence N. 89°50' W., 503.9 feet; thence N. 0°10' E., 518.7 feet; thence S. 89°50' E., 503.9 feet to a point on the easterly boundary of the Moose Creek Hydraulic Placer; thence S. 0°10' W., along the easterly boundary of the Moose Creek Hydraulic Placer a distance of 518.7 feet to the point of beginning. Containing 6.0 acres.

A fraction of the Moose Creek Hydraulic Placer, Mineral Survey No. 3057, more particularly described as follows, to wit: Commencing at Corner No. 7 of said Moose Creek Hydraulic Placer, run thence N. 0° E., 518.7 feet to the point of beginning and the southeast corner of the tract of land herein described; continuing thence N. 0°10' E., 360.0 feet; thence N. 89°50' W., 624.9 feet, more or less, to a point in the center of Moose Creek; thence southerly along the center of Moose Creek 369.0 feet, more or less, to a point which lies N. 89°50' W., from the point of beginning; thence S. 89°50' E., 622.5 feet to the point of beginning. Containing 5.0 acres.

The area described aggregates 271.02 acres more or less in Lemhi County.

2. The withdrawal made by this order does not alter the applicability of those public land laws governing the use of the national forest land under lease, license, or permit, or governing the disposal of their mineral or vegetative resources other than under the mining laws.

(sgd) Jack O. Horton

Assistant Secretary of the Interior

AUG 28 1975

Hersley, Jean

From: Yenter, Cindy
Sent: Monday, April 09, 2018 2:22 PM
To: Hersley, Jean
Subject: RE: 75-14898 Wing addition of pou

Thanks... the applicant kept original and will mail it. sorry I did not date stamp it. I will call her. This has some weird taxlot rectification issues and we were curious if that would cause review problems. Please have agent contact me or applicant if there are questions.

From: Hersley, Jean
Sent: Monday, April 09, 2018 2:14 PM
To: Yenter, Cindy <Cindy.Yenter@idwr.idaho.gov>
Subject: RE: 75-14898 Wing addition of pou

Would you please put the original in the mail? I will get this to Pam and she can assign it and we'll get the ball rolling for processing.

*Jean Hersley
Idaho Dept Water Resources
Technical Records Specialist II
208-287-4942*

From: Yenter, Cindy
Sent: Monday, April 09, 2018 1:30 PM
To: Hersley, Jean <Jean.Hersley@idwr.idaho.gov>
Subject: 75-14898 Wing addition of pou

Jean, do you need the original or is this sufficient?

*Cindy Yenter
Idaho Dept of Water Resources
Salmon Field Office
102 S Warpath, Salmon ID 83467
cindy.yenter@idwr.idaho.gov
208-742-0655
208-731-0901 cell*



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

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GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

~~May 26, 2017~~
April 2, 2018

SAMUEL W WING
TREVA K WING
PO BOX 686
SALMON ID 83467

RE: Application for Permit No. 75-14898

Dear Applicant(s):

The Department of Water Resources received your water right application on April 2, 2018. Preliminary review of the application indicates that it is incomplete and cannot be accepted for processing. The required information is described below.

- The Place of Use for the stockwater use. Item # 9. You listed the domestic and irrigation place of use only.

Please add the stockwater place of use, initial and date the additions and return to the Department. We are holding your application for 30 days to allow you to complete the necessary items. If the requested information is not received within 30 days, the department will return your application unprocessed.

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

Sincerely,

A handwritten signature in cursive script that reads "Jean Hersley".

Jean Hersley
Technical Records Specialist II