



United States
Department of
Agriculture

Forest
Service

Salmon-Challis
National Forest
Salmon/Cobalt Ranger District

311 McPherson St.
Salmon, ID 83467
208 756-5200

File Code: 2540/2810

Date: November 5, 2013

James Cefalo
Idaho Department of Water Resources
900 North Skyline Drive, Suite A
Idaho Falls, ID 83402-1718

RECEIVED

NOV 13 2013

Department of Water Resources
Eastern Region

Dear Mr. Cefalo:

Water Rights #75-14072 and #75-14073 were decreed on 11/17/2008 to private users, with both the point of diversion and point of use located on National Forest System (NFS) lands. The holders of these water rights had Plans of Operation (agreements) in place with the Salmon-Challis National Forest at that time. The plans expired at the end of 2008, and no new Plans have been approved for operators Ken Seymour (believed to be deceased), Richard Wright, James Chadwick, or Donnie Hudson since then. If incidental water use has occurred since 2008, which our evidence suggests otherwise, it has been without an approved Plan of Operation from the Forest Service.

Inspection reports in our files indicate that no water use has occurred on the claims since before 2006. A 2010 inspection of the ditch for conveyance of water from Rabbit Creek to the operator's claims found several locations where the ditch was breached due to spring runoff, and water could not reach the claims. Further, pipe (left in place by the operators) from the ditch to the operating site is broken or punctured and not capable of conveying water to the claims. Copies of inspection reports and photos of the site are attached.

Since the operators have not used the water for the purposes identified in the water right for over seven years and there is no FS-approved Plan for the operators, we wish to request forfeiture of these two water rights. Please contact Julie Hopkins, Minerals Management Specialist, at 208-756-5279, juliehopkins@fs.fed.us, if you require further information.

Sincerely,

JAY WINFIELD
District Ranger

cc: Bill Macfarlane, Dave Deschaine



**DOCUMENTATION OF INSPECTION
OF MINING OPERATION**
Ref. FSM 2810

Forest Salmon-Challis District SCRD Inspection Date 8/22/13
 Name of Claim of Mining Operation Rabbit Placer Name of Claimant of Operator Hudson/Chadwick

	YES	NO		YES	NO
1. Mining or exploration work following approved operating plan?		☒	3. Timber removal in accordance with operating plan?	<u>N/A</u>	
a. Erosion control measures satisfactory?		☒	4. Public safety and fire prevention in accordance with operating plan?	<u>N/A</u>	
b. Erosion control measures satisfactory?		☒	5. State or other Federal Agency contract needed?		☒
c. Stream protection adequate?	☒		6. Is any follow-up action required? (If yes, describe under "Remarks" section.)	☒	
d. Water quality satisfactory?	☒				
e. Reclamation work adequate and timely?		☒			
f. Bond adequate for level of operation?		☒			
2. Road construction in accordance with plan?	<u>N/A</u>				
a. Maintenance adequate?	" "	" "			

Remarks (Describe any deficiencies or items needing attention.)

Operators have been given ample opportunity to provide information necessary to make their plan "complete" but have failed to do so.

No activity appears to have occurred since site cleanup and construction of the bridge in 2012, which is good because they have no plan.

Broken/punctured pipe still at site, along w/ other refuse.

INSPECTOR Julie A. Hopkins DATE 8/22/13
 TITLE Minerals Mgt. Specialist
 OPERATOR Not available for signature DATE _____

WHITE - DISTRICT
 YELLOW - OPERATOR
 PINK - SUPERVISOR'S OFFICE

**DOCUMENTATION OF INSPECTION
OF MINING OPERATION**
Ref. FSM 2810

Forest Salmon-Challis District Salmon-Cobalt Inspection Date 9-25-12

Name of Claim of Mining Operation Blue Moon & Smith Name of Claimant of Operator Hudson-Chadwick
(Rabbit Creek)

	YES	NO		YES	NO
1. Mining or exploration work following approved operating plan?		N/A	3. Timber removal in accordance with operating plan?		N/A
a. Erosion control measures satisfactory?			4. Public safety and fire prevention in accordance with operating plan?		N/A
b. Erosion control measures satisfactory?			5. State or other Federal Agency contract needed?		N/A
c. Stream protection adequate?			6. Is any follow-up action required? (If yes, describe under "Remarks" section.)		
d. Water quality satisfactory?		✓		✓	
e. Reclamation work adequate and timely?		✓			
f. Bond adequate for level of operation?		✓			
2. Road construction in accordance with plan?		N/A			
a. Maintenance adequate?		✓			

Remarks (Describe any deficiencies or items needing attention.)

1e - Reclamation not complete, but operators have cleaned up the site and repaired the bridge.

1f - Bond inadequate for reclamation and will be reviewed and recalculated during analysis of plan submitted July 2011.

6 - Complete Draft Bond estimate and initiate NEPA on newly submitted plan. Incorporate costs for complete reclamation.

INSPECTOR Julie A. Hopkins DATE 9-25-12
TITLE Minerals Mgt. Specialist
OPERATOR Not available for signature DATE _____

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**DOCUMENTATION OF INSPECTION
OF MINING OPERATION
Ref. FSM 2810**

Forest Salmon-Challis District Salmon-Cobalt Inspection Date 8/18/12

Name of Claim of Mining Operation Rabbit Placer Name of Claimant of Operator Hudson/Chadwick

	YES	NO		YES	NO
1. Mining or exploration work following approved operating plan?			3. Timber removal in accordance with operating plan?		
a. Erosion control measures satisfactory?			4. Public safety and fire prevention in accordance with operating plan?		
b. Erosion control measures satisfactory?			5. State or other Federal Agency contract needed?		
c. Stream protection adequate?			6. Is any follow-up action required? (If yes, describe under "Remarks" section.)		
d. Water quality satisfactory?					
e. Reclamation work adequate and timely?					
f. Bond adequate for level of operation?					
2. Road construction in accordance with plan?					
a. Maintenance adequate?					

Remarks (Describe any deficiencies or items needing attention.)

Operator asked if they could repair & raise bridge to accomplish clean-up. Approved if no excavation.

Notified Mr. Chadwick that ditch supplying water would need repairs & we will discuss that once clean-up has been accomplished.

No excavation approved today - only clean-up of site & repair of bridge.

INSPECTOR Julie A. Hupkins DATE 8/18/12
 TITLE Minerals Mgt. Specialist
 OPERATOR _____ DATE _____

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**DOCUMENTATION OF INSPECTION
OF MINING OPERATION
Ref. FSM 2810**

Forest Salmon-Challis District Salmon-Cobalt Inspection Date 8/8/12

Name of Claim of Mining Operation Rabbit Placer Name of Claimant of Operator Hudson/Chadwick

	YES	NO		YES	NO
1. Mining or exploration work following approved operating plan?		☒	3. Timber removal in accordance with operating plan?	<u>N/A</u>	
a. Erosion control measures satisfactory?	☒		4. Public safety and fire prevention in accordance with operating plan?	☒	
b. Erosion control measures satisfactory?	☒		5. State or other Federal Agency contract needed?	☒	
c. Stream protection adequate?	☒		6. Is any follow-up action required? (If yes, describe under "Remarks" section.)	☒	
d. Water quality satisfactory?	☒				
e. Reclamation work adequate and timely?		☒			
f. Bond adequate for level of operation?		☒			
2. Road construction in accordance with plan?	<u>N/A</u>				
a. Maintenance adequate?		☒			

Remarks (Describe any deficiencies or items needing attention.)

① Operating plan expired 2008 - reclamation never completed.

New plan submitted 7/2011. In Sept. 2011, we informed them we would not begin processing new plan until certain clean-up activities were completed.

Per Jim Chadwick on 8/6/12, he was there last week and "hauled out 2 wheelbarrow loads" of debris. Attached photos indicate no activity over last 5-6 yrs.

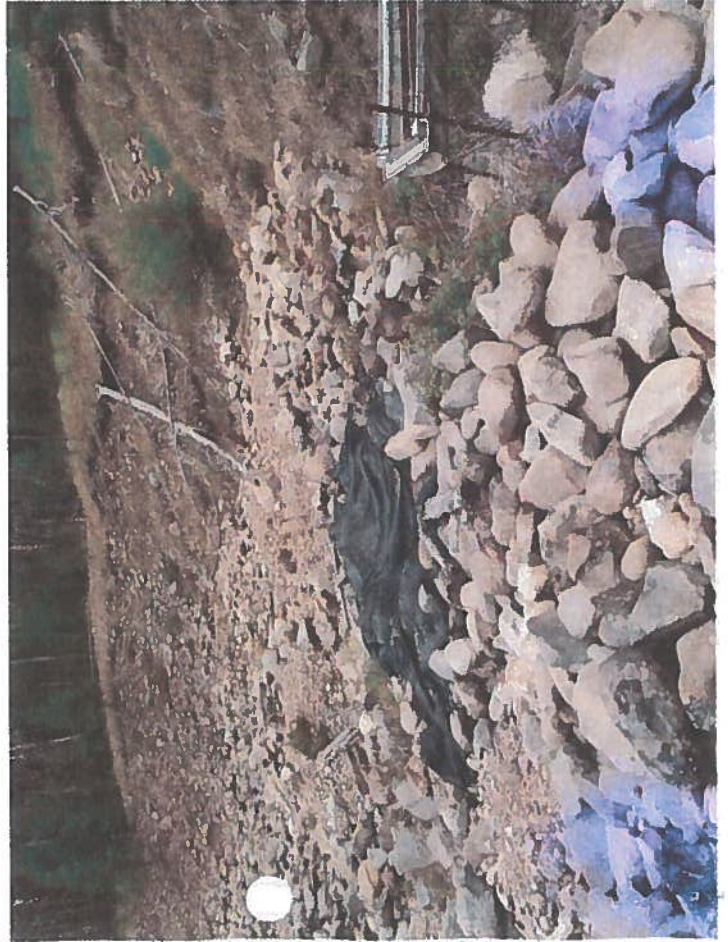
INSPECTOR Julie A. Hopkins DATE 8/8/12

TITLE Minerals Mgt. Specialist

OPERATOR _____ DATE _____

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⑥ Operator was mailed a Notice of Non-Compliance on 8/2/12. Final Reclamation due by 9/15/2012.







**DOCUMENTATION OF INSPECTION
OF MINING OPERATION**
Ref. FSM 2810

Forest Salmon-Challis District Salmon-Cobalt Inspection Date 9/16/2010

Name of Claim of Mining Operation Rabbit/Paradise Name of Claimant of Operator Hudson/Seymour

	YES	NO		YES	NO
1. Mining or exploration work following approved operating plan?		☒	3. Timber removal in accordance with operating plan?	<u>N/A</u>	
a. Erosion control measures satisfactory?	☒		4. Public safety and fire prevention in accordance with operating plan?	<u>N/A</u>	
b. Erosion control measures satisfactory?	☒		5. State or other Federal Agency contract needed?	<u>N/A</u>	
c. Stream protection adequate?	☒		6. Is any follow-up action required? (If yes, describe under "Remarks" section.)	☒	
d. Water quality satisfactory?	☒				
e. Reclamation work adequate and timely?		☒			
f. Bond adequate for level of operation?		☒			
2. Road construction in accordance with plan? <u>N/A</u>					
a. Maintenance adequate? <u>"</u>					

Remarks (Describe any deficiencies or items needing attention.)

No operations have taken place over the last several years. Pipe, trash, and segments of pond liner along the diversion ditch need to be removed, as well as sluice boxes, @ both claims. Inspection in 2006 revealed no current work & recommended reclamation begin immediately. Letters have been drafted to Mr. Hudson and Seymour's partner, Richard Wright, requesting reclamation be completed by sometime in FY2011

INSPECTOR

Julie Hopkins

DATE

9/16/2010

TITLE

Minerals Mgt. Specialist

OPERATOR

DATE

WHITE - DISTRICT
YELLOW - OPERATOR
PINK - SUPERVISOR'S OFFICE

DOCUMENTATION OF INSPECTION
OF MINING OPERATION

Ref. FSM 2810

Forest Salmon-Challis District Salmon/Cobalt Inspection Date 7/6/06 10:00 AMName of Claim of Mining Operation Rabbit Placer & Paradise Placer Name of Claimant Donnie Hudson - Rabbit Placer
Name of Operator Ken Seymour / Dick Wright - Paradise Placer

	YES	NO		YES	NO
1. Mining or exploration work following approved operating plan?	☒	☐	3. Timber removal in accordance with operating plan?	☐	☐
a. Erosion control measures satisfactory?	☐	☐	4. Public safety and fire prevention in accordance with operating plan?	☐	☐
b. Erosion control measures satisfactory?	☐	☐	5. State or other Federal Agency contract needed?	☐	☐
c. Stream protection adequate?	☐	☐	6. Is any follow-up action required? (If yes, describe under "Remarks" section.)	☐	☐
d. Water quality satisfactory?	☐	☐			
e. Reclamation work adequate and timely?	☐	☐			
f. Bond adequate for level of operation?	☐	☐			
2. Road construction in accordance with plan?	☐	☐			
a. Maintenance adequate?	☐	☐			

Remarks (Describe any deficiencies or items needing attention.)

No one on the site during time of the inspection. No Activity was noted in either claim area. It appeared that No Activity has occurred for 1-2 years.

The headgate on Rabbit Creek is fully functional. No water was going through either claim area.

The next course of action is to contact Mr. Hudson, Mr. Seymour & Mr. Wright as to their future plans. If exploration is complete, reclamation should begin immediately.

INSPECTOR

TITLE

OPERATOR

DATE

DATE

WHITE - DISTRICT
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**DOCUMENTATION OF INSPECTION
OF MINING OPERATION**
Ref. FSM 2810

Forest Salmon-Challis District Salmon/Cobalt Inspection Date 7/17/03 1300

Name of Claim of Mining Operation Paradise Placer & Rabbit Placer Name of Claimant Ken Seymour/Dick Wright
of Operator Dannie Hudson

	YES	NO		YES	NO
1. Mining or exploration work following approved operating plan? <u>1)</u>			3. Timber removal in accordance with operating plan?		
a. Erosion control measures satisfactory?			4. Public safety and fire prevention in accordance with operating plan?		
b. Erosion control measures satisfactory?			5. State or other Federal Agency contract needed?		
c. Stream protection adequate?			6. Is any follow-up action required? (If yes, describe under "Remarks" section.)		
d. Water quality satisfactory?					
e. Reclamation work adequate and timely?					
f. Bond adequate for level of operation?					
2. Road construction in accordance with plan?					
a. Maintenance adequate?					

Remarks (Describe any deficiencies or items needing attention.)

(2003 Field Season)
1) Accompanied on the site inspection by Cindy Goulet. Inspected Rabbit Placer -
Dannie Hudson's operation first. There was no sign of recent activity. Water was
not going through the sluice equipment.

Inspected Paradise Placer - Ken Seymour/Dick Wright. There was also no sign of
recent (2003 Field Season) activity. Because Mr. Seymour and Mr. Wright did not sign their
2003 Evaluation Form - any operations would have resulted in 'Non-Compliance'.

The next steps to contact Mr. Hudson, Mr. Seymour & Mr. Wright as to their
performance of operations during 2003.

INSPECTOR [Signature]
TITLE Minerals Mgmt. Spec.

DATE 7/17/03

OPERATOR _____

DATE _____

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**DOCUMENTATION OF INSPECTION
OF MINING OPERATION
Ref. FSM 2810**

Forest Salmon-Challis District Salmon/Cobalt Inspection Date 9-4-02

Name of Claim of Mining Operation Paradise Placer & Rabbit Placer Name of Claimant of Operator Ken Seymour / Dick Lighthart and Donnie Hudson

	YES	NO		YES	NO
1. Mining or exploration work following approved operating plan?			3. Timber removal in accordance with operating plan?		
a. Erosion control measures satisfactory?			4. Public safety and fire prevention in accordance with operating plan?		
b. Erosion control measures satisfactory?			5. State or other Federal Agency contract needed?		
c. Stream protection adequate?			6. Is any follow-up action required? (If yes, describe under "Remarks" section.)		
d. Water quality satisfactory?					
e. Reclamation work adequate and timely?					
f. Bond adequate for level of operation?					
2. Road construction in accordance with plan?					
a. Maintenance adequate?					

Inspection conducted by Minerals Mgmt Specialists Russ Bjorklund & Dave Sabo
Remarks (Describe any deficiencies or items needing attention.)

1/ No one onsite during the inspection. Reviewed Rabbit Placer operation first. Water from Rabbit Creek was running through the ditch and pipes into the sluice box. This is not permitted when the operator is not onsite. The water was diverted down a side channel.

- Reviewed Paradise Placer and identified one exploratory pit open. It appears samples were taken & processed on site. No water was going through this operation. Russ and Dave concluded that a letter documenting this inspection and as a reminder of the July 8, 2002 letter be sent to Ken and Donnie.

INSPECTOR

Russ Bjorklund

DATE

9/4/02

TITLE

Minerals Mgmt Specialist

OPERATOR

- Copy Mailed -

DATE

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