

Ident. No. 73-12167

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

RECEIVED**NOV 06 2009**Department of Water Resources
208-879-6260
Eastern Region1. Name of applicant(s) Bureau of Land Management Challis Field OfficeName connector (check one): ☐ and ☐ or ☐ and/orPhone 208-879-6260Mailing address: 1151 Blue Mountain RoadCity ChallisState IdahoZip 83266Email: id_so_information@blm.gov2. Source of water supply Mahogany Creekwhich is a tributary of Pahsimeroi River

3. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
10N	23E	11			NW	SW	Custer	Mahogany Creek	

4. Water will be used for the following purposes:

Amount 0.02 CFS for stock water purposes from 01/01 to 12/31 (both dates inclusive)
(cfs or acre-feet per year)Amount 0.02 CFS for wildlife 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)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)5. Total quantity to be appropriated is (a) 0.02 cubic feet per second (cfs) and/or (b) _____ acre-feet per year (af).

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source. A 1' long 3" radius screened cylinder connects to a 2" pipe which feeds a 3'x3'x2' bubbler which feeds a 1.5" pipe which delivers water to troughsb. Height of storage dam N/A feet; active reservoir capacity N/A acre-feet; total reservoir capacity N/A acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 12.c. Proposed well diameter is N/A inches; proposed depth of well is N/A feet.d. Is ground water with a temperature of greater than 85°F being sought? N/Ae. If well is already drilled, when? N/A; drilling firm N/AWell was drilled for (well owner) N/A; Drilling Permit No. N/A7. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year).

8. Description of proposed uses (if irrigation only, go to item 9):

a. Hydropower; show total feet of head and proposed capacity in kW. N/Ab. Stockwatering; list number and kind of livestock. 1000c. Municipal; show name of municipality or the applicant's qualifications as a municipal provider. N/Ad. Domestic; show number of households. N/Ae. Other; describe fully. N/A

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	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10N	23E	2															S/W		
11N	23E	36						S/W											
11N	23E	24			S/W														
11N	23E	12																S/W	

Total number of acres to be irrigated: N/A

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? 73-11956, 73-2098

11. a. Who owns the property at the point of diversion? United States of America BLM administered
- b. Who owns the land to be irrigated or place of use? United States of America BLM administered
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: N/A
12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. The point of diversion structure connects to a 1.5" pipe which delivers water to 4 troughs which are used stock and wildlife.

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.

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.

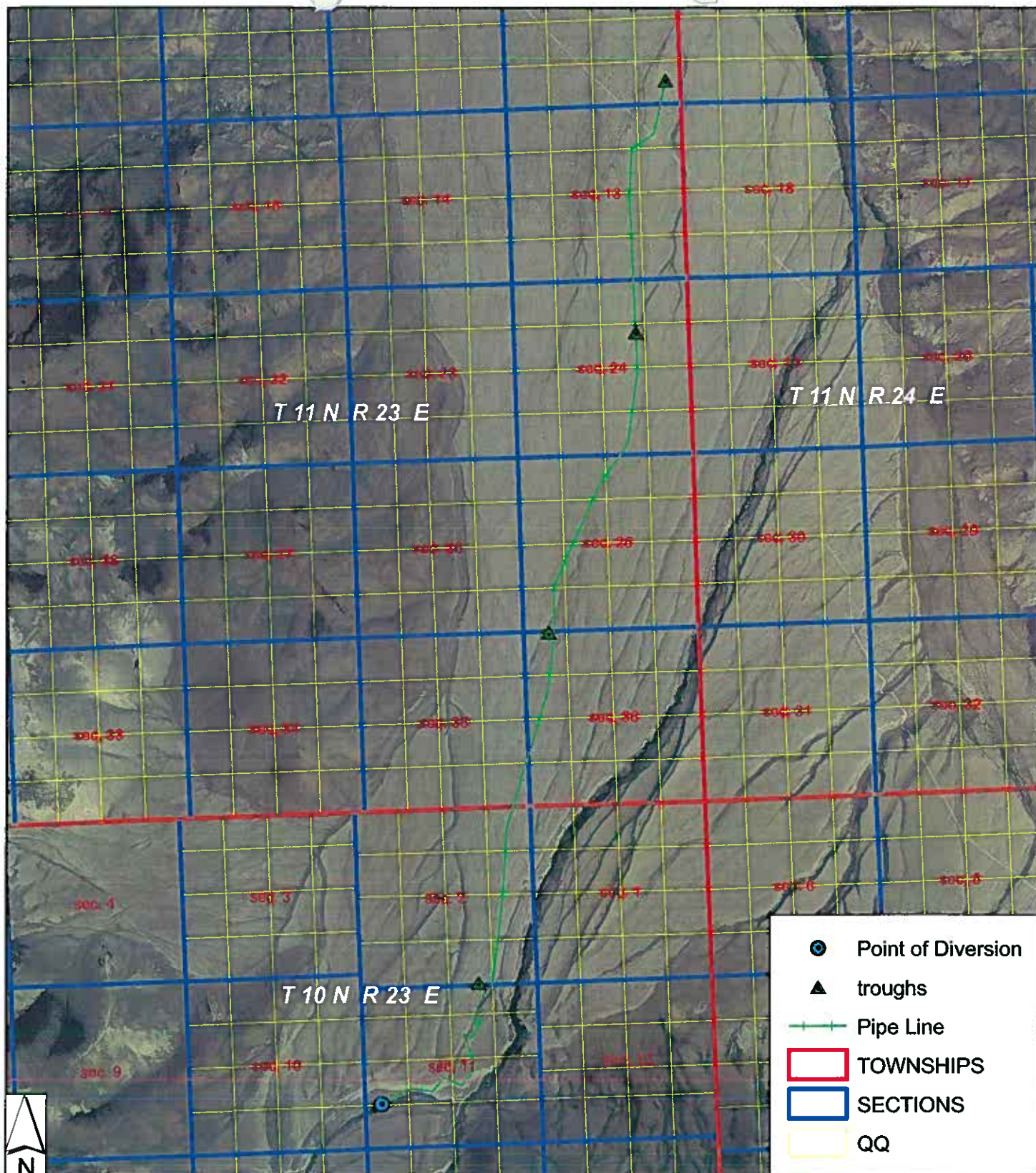
David Rosenkrance
Signature of Applicant
for David Rosenkrance Field Manager
Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)

For Department Use:

Received by BTKRN Date 11/6/09 Time 9:45 Preliminary check by _____
Fee \$ 100.00 Received by BTKRN Receipt No. E035443 Date 11/6/09



Map of Mahogany Creek Pipeline Project

1
Miles

Nate Arave Oct. 2009

NAD 83, UTM Zone 11N



Original data was compiled at various scales from various sources. Spatial information may not meet National Mapping Accuracy Standards. The information may be updated without notification. No warranty is made by the Bureau of Land Management as to the accuracy, reliability or completeness of the data.

1:50,000

1 inch equals 0.79 miles

73-12167



73-12167



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region, 900 North Skyline Drive, Suite A • Idaho Falls, Idaho 83402-1718
Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

November 10, 2009

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

BLM CHALLIS FIELD OFFICE
1151 BLUE MOUNTAIN ROAD
CHALLIS, ID 83226

Application For Permit No. 73-12167

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 CHALLIS MESSENGER on November 19 and 26, 2009. 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,

Sharla Cox
Administrative Assistant

Enclosure(s)



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region, 900 North Skyline Drive, Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

November 10, 2009

TED L O NEAL
81 FUREY LN
MAY, ID 83253

RE: Application for Permit of 73-12167

Dear Watermaster:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR's regional offices can finish reviewing an untested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Sharla Cox
Administrative Assistant

Enclosure(s)



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

November 10, 2009

LEGAL NOTICE DEPARTMENT
CHALLIS MESSENGER
PO BOX 405
CHALLIS, ID 83226

RE: Application For Permit No(s): 73-12167

Dear Legal Notice Department:

Please publish the enclosed legal notice 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 before December 7, 2009. Your cooperation is appreciated.

Sincerely,

Sharla Cox
Administrative Assistant

Enclosure(s)

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

73-12167

BLM CHALLIS FIELD OFFICE
1151 BLUE MOUNTAIN ROAD
CHALLIS, ID 83226

Point of Diversion NWSW S11 T10N R23E CUSTER County Source MAHOGANY CREEK Tributary PAHSIMEROI RIVER

Use: STOCKWATER 01/01 to 12/31 0.02 CFS

Use: WILDLIFE 01/01 to 12/31 0.02 CFS

Total Diversion: 0.02 CFS

Date Filed: 11/6/2009

Place Of Use: STOCKWATER

T10N R23E S2 SWSE

T11N R23E S12 SESE

T11N R23E S24 SWNE

T11N R23E S36 NWNW

Place Of Use: WILDLIFE

T10N R23E S2 SWSE

T11N R23E S12 SESE

T11N R23E S24 SWNE

T11N R23E S36 NWNW

This application proposes the diversion and use of water from Mahogany Creek tributary to the Pahsimeroi River tributary of the Salmon 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 it is for stockwater purposes.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Idaho Code § 42-211. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with a protest fee of \$25.00 for each application on or before December 7, 2009. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Published on November 19 and 26, 2009

OLG Analysis 3

Type	WR #	Owner	Source	TRS	NESE	SWSE	SESE	Total
Right	73 11636	UNITED S'	PAHSIMEF	10N23E2	X		X	0
App	73 12167	BLM CHAL	MAHOGAN	10N23E2		X		0
App	73 12167	BLM CHAL	MAHOGAN	10N23E2		X		0
Type	WR #	Owner	Source	TRS	NWNW Total			
TClaim	73 11968	UNITED S'	MAHOGAN	11N23E36	X		0	
TClaim	73 11968	UNITED S'	MAHOGAN	11N23E36	X		0	
App	73 12167	BLM CHAL	MAHOGAN	11N23E36	X		0	
App	73 12167	BLM CHAL	MAHOGAN	11N23E36	X		0	
Type	WR #	Owner	Source	TRS	SWNE	NWSE	Total	
Right	73 11956	RIO B LLC	MAHOGAN	11N23E24		X	0	
TClaim	73 11968	UNITED S'	MAHOGAN	11N23E24	X		0	
TClaim	73 11968	UNITED S'	MAHOGAN	11N23E24	X		0	
App	73 12167	BLM CHAL	MAHOGAN	11N23E24	X		0	
App	73 12167	BLM CHAL	MAHOGAN	11N23E24	X		0	
Type	WR #	Owner	Source	TRS	SESE	Total		
Right	73 11956	RIO B LLC	MAHOGAN	11N23E12	X	0		
TClaim	73 11968	UNITED S'	MAHOGAN	11N23E12	X	0		
TClaim	73 11968	UNITED S'	MAHOGAN	11N23E12	X	0		
App	73 12167	BLM CHAL	MAHOGAN	11N23E12	X	0		
App	73 12167	BLM CHAL	MAHOGAN	11N23E12	X	0		