STARTING LEFT SIDE OF FILE

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 65-13852

Proposed Priority: March 23, 1999 Maximum Diversion Rate: 0.02 CFS

This is to certify, that **STATE OF IDAHO**
DEPT OF LANDS
954 W JEFFERSON
BOISE ID 83720
has applied for a permit to appropriate water from:
SPRING tributary of **SOLDIER CREEK, NORTH FORK**

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

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION
STOCKWATER	06/01 to 09/30	0.02 CFS

LOCATION OF POINT(S) OF DIVERSION: SESESE , Sec. 4, Township 09N, Range 02E
BOISE County

PLACE OF USE: STOCKWATER

TWN	RGE	SEC	
09N	02E	4	SESE

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **July 1, 2004.**
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. Use of water under this water right will be regulated by the watermaster of State Water District No. 65A.
5. Upon specific notification by the Department, the right holder shall install a lockable device of a type acceptable to the Department in a manner that will provide the watermaster suitable control of the diversion.
6. 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.
7. The issuance of this right does not grant any right-of-way or easement across the land of another.
8. Source is locally known as Salmon Spring.
9. Place of use is locally known as FS #04 02 17050122650 0002.
10. Stockwater use is for 220 range cattle.

MICROFILMED

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 65-13852

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

29th day of June, 1999.

for Karl J. Dreher, Director

MICROFILMED
AUG 10 1999

FORM 202
2/98 (Internet)

Ident. No. 65-13852

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED
JUN 24 1999
DEPARTMENT OF WATER RESOURCES

1. Name of Applicant United States of America, Forest Service Phone (208) 387-0835
   Mailing address 380 E. Parkcenter, Suite 330 Boise, ID 83706
2. Source of water supply [redacted] Spring which is a tributary of North Fork Soldier Ck.
3. Location of point of diversion is Township 09N Range 02E Sec. 04, in the SE 1/4. *
   SE 1/4, SE 1/4, Govt. Lot —, B.M., Boise County;
   additional points of diversion if any:
4. Water will be used for the following purposes:
   Amount 0.02 cfs for livestock purposes from 6/1 to 9/30 (both dates inclusive)
   (cfs or acre-feet per annum)
   Amount ____ for ____ purposes from ____ to ____ (both dates inclusive)
   Amount ____ for ____ purposes from ____ to ____ (both dates inclusive)
   Amount ____ for ____ purposes from ____ to ____ (both dates inclusive)
   Amount ____ for ____ purposes from ____ to ____ (both dates inclusive)
   Amount ____ for ____ purposes from ____ to ____ (both dates inclusive)
5. Total quantity to be appropriated is (a) 0.02 cfs and/or (b) ____
   cubic feet per second; acre feet per annum
6. Proposed diverting works:
   a. Describe type and size of devices used to divert water from the source headbox + trough
   b. Height of storage dam ____ feet; active reservoir capacity ____ acre-feet; total reservoir capacity ____ acre-feet
   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? n/a
   e. If well is already drilled, when? ____; Drilling firm ____;
   Well was drilled for (well owner) ____; Drilling Permit No. ____
7. Time required for completion of works and application of water to proposed beneficial use is 5 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.
   b. Stockwatering; list number and kind of livestock. 220 Cattle
   c. Municipal; show name of municipality. n/a
   d. Domestic; show number of households. n/a
   e. Other; describe fully. n/a

MICROFILMED

* per Topo - SE 4/12/99

. 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	
9N	2E	4																5	

Total number of acres to be irrigated _____

0. Describe any other water rights used for the same purposes as described above. n/A

1. a. Who owns the property at the point of diversion? USDA Forest Service

b. Who owns the land to be irrigated or place of use? USDA Forest Service

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

. Remarks: F.S. ID # 04 02 170501226 5 0 0032

Locally Known as Salmon Spring } Comments

~~Receipt [illegible]~~

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.)

BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

MICROFILMED

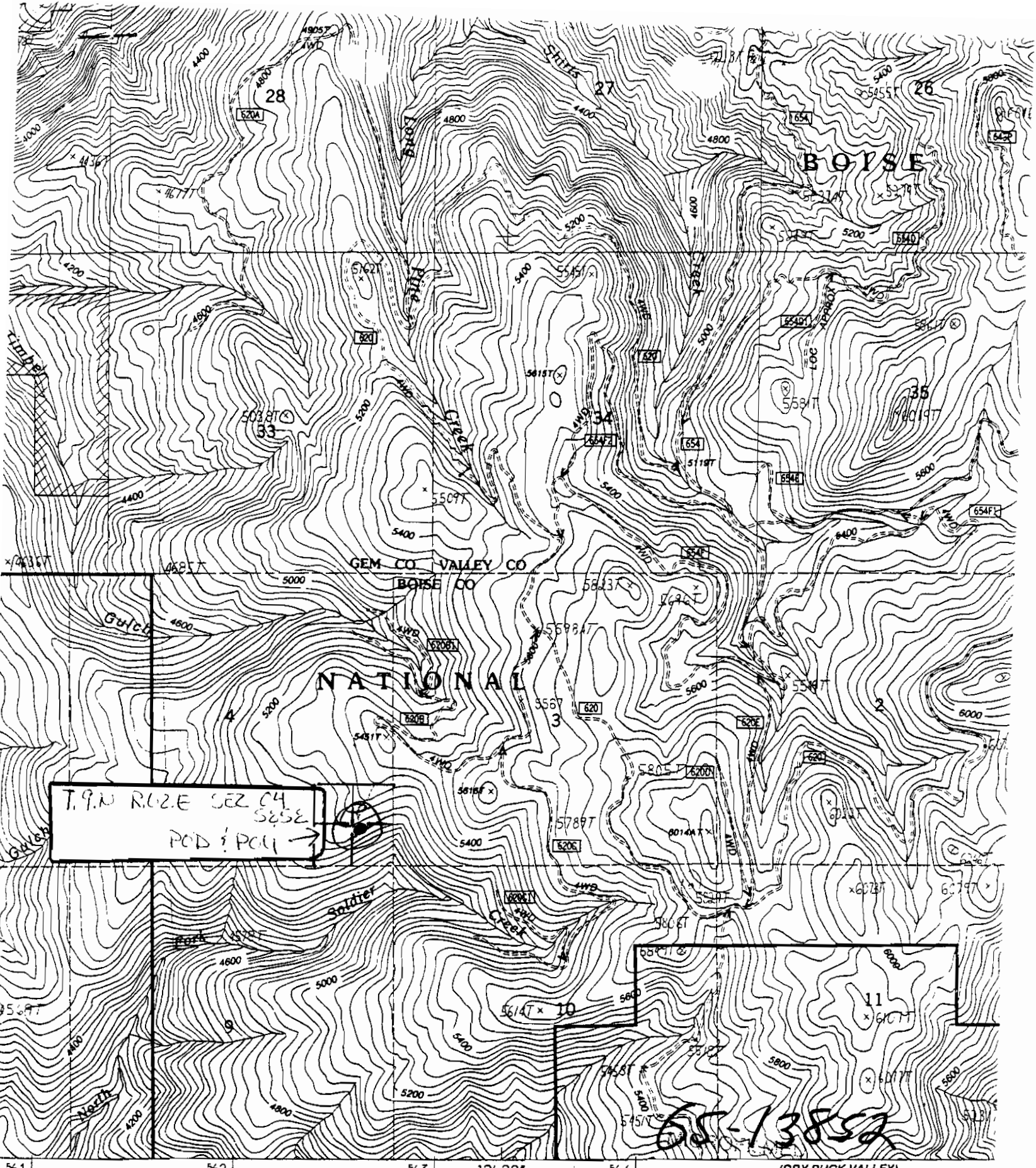
AUG 10 1999

Signature of Applicant (and title, if applicable)

d by KG Date 3/23/99 Time 2:19 Preliminary check by SL

50.00 Receipted by KG # W024909 Date 3/23/99

on prepared by [illegible] Date 4-15-99 Published in Id. World 4-21 & 28 99



P PREPARED BY THE U.S. GEOLOGICAL SURVEY
. . . . . USGS, NOS/NOAA
HOTOGRAPHS TAKEN 1980
1981 MAP EDITED 1985
. . . . . TRANSVER MERCATOR
AL TRANSVERSE MERCATOR . . . . . ZONE 11
LD TICKS . . . . . IDAHO, WEST ZONE

. . NATIONAL GEODETIC VERTICAL DATUM OF 1929
1927 NORTH AMERICAN DATUM

govt lots N½N½ only
-SL 4/12/99

SCALE 1:24 000

1000 0 1000 2000 3000 4000

1 .5 0

CONTOUR INTERVAL 40 FEET
SUPPLEMENTARY CONTOUR INTERVAL 20 FE

National Forest Boundary
Primary Highway

06/93

RECEIVED
JUN 23 1999
Department of Water Resources

State of Idaho
DEPARTMENT OF WATER RESOURCES

DEPT. OF LANDS
99 JUN 16 AM 9:26
BOISE, IDAHO

ASSIGNMENT OF APPLICATION FOR PERMIT

To change the ownership of an application for permit

I, USDA-Forest Service, Boise NF (Applicant), hereby assign to Idaho Department of Lands

of 954 W.Jefferson, Boise, ID 83720 (Full Address)

All my right, title, and interest in and to Application for Permit No. 65-13852 to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to Application for Permit No. _____ to appropriate the public waters of the State of Idaho.

Describe portion of the permit assigned listing the number of acres in each 40 acre subdivision, point of diversion location, and the amount of water in cubic feet per second.

Made this 2 day of June, 19 99.

Applicant(s)

State of Idaho)
ss
County of Ada)

On this 2nd day of June, 1999, personally appeared before me the signer of the above instrument, duly acknowledged to me that he/she/they executed the same.

SEAL

Notary Public

Signature

My commission expires: 6/30/2000

NOW STARTING RIGHT SIDE OF FILE

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

June 29, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

STATE OF IDAHO
DEPT OF LANDS
954 W JEFFERSON
BOISE ID 83720

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 65-13852

Dear Permit Holder:

The Department of Water Resources (IDWR) has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a **preliminary order** issued by IDWR pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.**

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a "Proof Due Notice" approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

Also, please note that water right owners are required to report any change of water right ownership and/or change of mailing address to the department within 120 days of the change. Failure to report these changes could result in a $100 late filing fee. Contact any office of the department or visit the department's homepage on the Internet to obtain the proper reporting form.

If you have any questions, please call me at 208-327-7946.

Sincerely,

Shelley Walter Keen

Shelley W. Keen
Water Rights Supervisor

SK:klt
Enclosures

MICROFILMED
AUG 16 1999

CERTIFICATE OF MAILING

I hereby certify that on the **29th** day of **June, 1999**, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDER (Approved Permit)** to the person(s) listed below:

Water Right No. 65-13852

STATE OF IDAHO
DEPT OF LANDS
954 W JEFFERSON
BOISE ID 83720

Kari Lynn Townsend
Secretary

MICROFILMED
JUL 1 0 1999

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. **A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of the order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from a preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

MICROFILMED

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with a preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

(a) the petition for reconsideration is disposed of; or
(b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

i. A hearing was held,
ii. The final agency action was taken,
iii. The party seeking review of the order resides, or
iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MICROFILMED
AUG 11 1999

01-99

State of Idaho
Department of Water Resources

RECEIVED
JUN 11 1999
WATER RESOURCES
WESTERN REGION

RECOMMENDATION OF WATERMASTER

Application No: 65-13549 / 13850 / 13851 / 13852 / 13854 / 13855

Applicant's Name: USDA - Forest Service

Watermaster's Recommendation:

a) ✓ I do not oppose approval of this application.

b) ___ I do not oppose approval of this application if it is conditioned as follows: _____

c) ___ I oppose approval of this application for the following reasons:

d) Additional Comment : _____

Dated this 3 day of June, 1999.

Water District No: 65A

Watermaster's Signature

Use reverse side of page if you need more space.

MICROFILMED

ok ✓

NOTE TO FILES

6/18/99

USDA Forest Service Applications:

65-13849 through 65-13852

and

65-13854 through 65-13871

RECEIVED
JUN 24 1999
Department of Water Resources

All in water district 65A (Squaw Ck) ;

enclosed by Watermaster's 6/11/99 RESPONSE.

See attached WM forms.

Recommend approval of all these with:

1) standard conditions, including subject to watermaster control

2) priority 3/23/99

3) "future mitigation" appears n/a for de minimus use (unless dept. adds that condition regardless of degree of consumptive use).

MICROFILMED
AUG 1 0 1999

-Steve Lorton

RECEIVED

MAY 10 1999

WATER RESOURCES
WESTERN REGION

The Idaho World

P.O. Box 99
Garden Valley, ID 83622
(208) 462-3487

State of Idaho)
)
County of Boise)

Deanna Stevenson, being duly sworn, deposes and says: that she is the Editor of THE IDAHO WORLD, a weekly newspaper published at Idaho City, in the County of Boise and the State of Idaho; the said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Idaho City; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for two (2) consecutive weeks in the entire and regular issue of every number of said paper during the period and time of publication and was published in the newspaper and not a supplement; that said paper has been established and regularly and continuously published for more than seventy eight weeks past previous to the first publication of this notice. Such notice was published with the issue beginning with Apr 21, 1999 and ending with the issue of Apr 28, 1999.

Deanna Stevenson

State of Idaho)
)
County of Boise)

On this 7 day of May in the year 1999, before me, a notary public, personally appeared Deanna Stevenson known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Tami Weber

Notary Public for Idaho
Residing at Garden Valley, Idaho
My commission expires 2/10/05

TAMI WEBER NOTARY PUBLIC STATE OF IDAHO

MICROFILMED

MAY 10 1999

NOTICE OF APPLICATION FOR WATER RIGHT

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

65-13834

SCHOOL DISTRICT NO 71
GARDEN VALLEY SCHOOL
PO BOX 710
1076 BANKS LOWMAN RD
GARDEN VALLEY, ID 83622

Source: GROUNDWATER

Diversion Pt: NWNW Sec 26 T 09N R 04E in BOISE County.
NENE Sec 27 T 09N R 04E in BOISE County.

Use: IRRIGATION (0.800 CFS)
Total Diversion: (0.800 CFS)

Date Filed: 1/26/1999

In: BOISE County
T09N R04E S22 SESE
S26 NWNW
S27 NENE

20.0 ACRES TOTAL

Applicant agrees to mitigate consumptive use in the future as needed.

65-13845

US DEPARTMENT OF AGRICULTURE
FOREST SERVICE
380 E PARKCENTER STE 330
BOISE, ID 83706

Source: SPRING Tributary: DEER CREEK

Diversion Pt: NENENE Sec 7 T 08N R 04E In BOISE County.

Use: STOCKWATER (0.020 CFS)
Total Diversion: (0.020 CFS)

Date Filed: 3/23/1999

In: BOISE County
T06N R04E S07 NENE

65-13849

US DEPARTMENT OF AGRICULTURE
FOREST SERVICE
380 E PARKCENTER STE 330
BOISE, ID 83706

Source: SPRING Tributary: SHIRTS CREEK

Diversion Pt: LOT 1 (SENENE)Sec 2 T 09N R 02E in BOISE County.
NESENE Sec 2 T 09N R 02E in BOISE County.

Use: STOCKWATER (0.020 CFS)
Total Diversion: (0.020 CFS)

Date Filed: 3/23/1999

In: BOISE County
T09N R02E S02 Lot 1 (NENE) SENE

65-13850

US DEPARTMENT OF AGRICULTURE
FOREST SERVICE
380 E PARKCENTER STE 330
BOISE, ID 83706

Source: SPRING Tributary: SHIRTS CREEK

Diversion Pt: NWNESE Sec 2 T 09N R 02E in BOISE County.

Use: STOCKWATER (0.020 CFS)
Total Diversion: (0.020 CFS)

Date Filed: 3/23/1999

In: BOISE County
T09N R02E S02 NESE

65-13851

US DEPARTMENT OF AGRICULTURE
FOREST SERVICE
380 E PARKCENTER STE 330
BOISE, ID 83706

Source: SPRING Tributary: TIMBER GULCH

Diversion Pt: NESENW Sec 3 T 09N R 02E in BOISE County.

Use: STOCKWATER (.020 CFS)
Total Diversion: (0.020 CFS)

Date Filed: 3/23/1999

In: BOISE County
T09N R02E S03 SENW

65-13852
US DEPARTMENT OF AGRICULTURE
FOREST SERVICE
380 E PARKCENTER STE 330
BOISE, ID 83706

Source: SPRING Tributary: SOLDIER CREEK, NORTH FORK

Diversion Pt: SESESE Sec 4 T 09N R 02E in BOISE County.

Use: STOCKWATER (0.020 CFS)
Total Diversion: (0.020 CFS)

Date Filed: 3/23/1999

In: BOISE County
T09N R02E S04 SESE

65-13853
US DEPARTMENT OF AGRICULTURE
FOREST SERVICE
380 E PARKCENTER STE 330
BOISE, ID 83706

Source: CAMP CREEK Tributary: PAYETTE RIVER, SOUTH FORK

Diversion Pt: NESWNE Sec 26 T 10N R 10E in BOISE County.

Use: DOMESTIC (0.040 CFS)
Total Diversion: (0.040 CFS)

Date Filed: 3/23/1999

In: BOISE County
T10N R10E S26 SWNE

65-13854
US DEPARTMENT OF AGRICULTURE
FOREST SERVICE
380 E PARKCENTER STE 330
BOISE, ID 83706

Source: SPRING Tributary: SQUAW CREEK

Diversion Pt: SWNWSW Sec 36 T 13N R 01E in BOISE County.

Use: STOCKWATER (0.020 CFS)
Total Diversion: (0.020 CFS)

Date Filed: 3/23/1999

In: BOISE County
T13N R01E S36 NWSW

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 together with a protest fee of $25.00 for each application on or before MAY 10, 1999. The protestant must also send a copy of the protest to the applicant.
KARL J. DREHER, Director

Published in The Idaho World April 21 and 28, 1999

RECEIVED
MAY 10 1999
WATER RESOURCES
WESTERN REGION

State of Id. .o
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

April 26, 1999

SCOTT GRUNDER
STATE OF IDAHO
DEPT OF FISH & GAME
3101 S POWERLINE RD
NAMPA ID 83686

Re: Applications for Permit in the Name of the US Forest Service

Dear Sir:

Enclosed are copies of applications for permit which may be of interest to your agency. Please review the applications and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter. However, if your agency desires to file a formal protest against the approval of this application(s), your written protest along with the $25.00 protest fee must be received in this office by May 10, 1999.

If you have any questions regarding the application, please contact this office.

Sincerely,

Gary Spackman

Gary Spackman

GS:st

Encl.

MICROFILMED

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

April 23, 1999

ERIC HERR
WATER DISTRICT 65A
8917 BUTTE RD
SWEET ID 83670

Re: Applications for Permit in the Name of the US Forest Service

Dear Sir:

Enclosed are copies of applications for permit within your district. Also enclosed are forms for your recommendation concerning these applications for permit.

Please review the applications and submit any comments you may have within two weeks. If you have any questions or need information, feel free to contact this office.

Sincerely,

Gary Spackman

GS:st

Encl.

MICROFILMED

65-13852

US DEPARTMENT OF AGRICULTURE
FOREST SERVICE
380 E PARKCENTER STE 330
BOISE, ID 83706

Source: SPRING Tributary: SOLDIER CREEK, NORTH FORK

Diversion Pt: SESESE Sec 4 T 09N R 02E in BOISE County.

Use: STOCKWATER (0.020 CFS)
Total Diversion: (0.020 CFS)

Date Filed: 3/23/1999

In: BOISE County
T09N R02E S04 SESE

MICROFILMED
NOV 10 1999