

T19N R23E SEC 24

MICROFILMED

MAR 20 2003

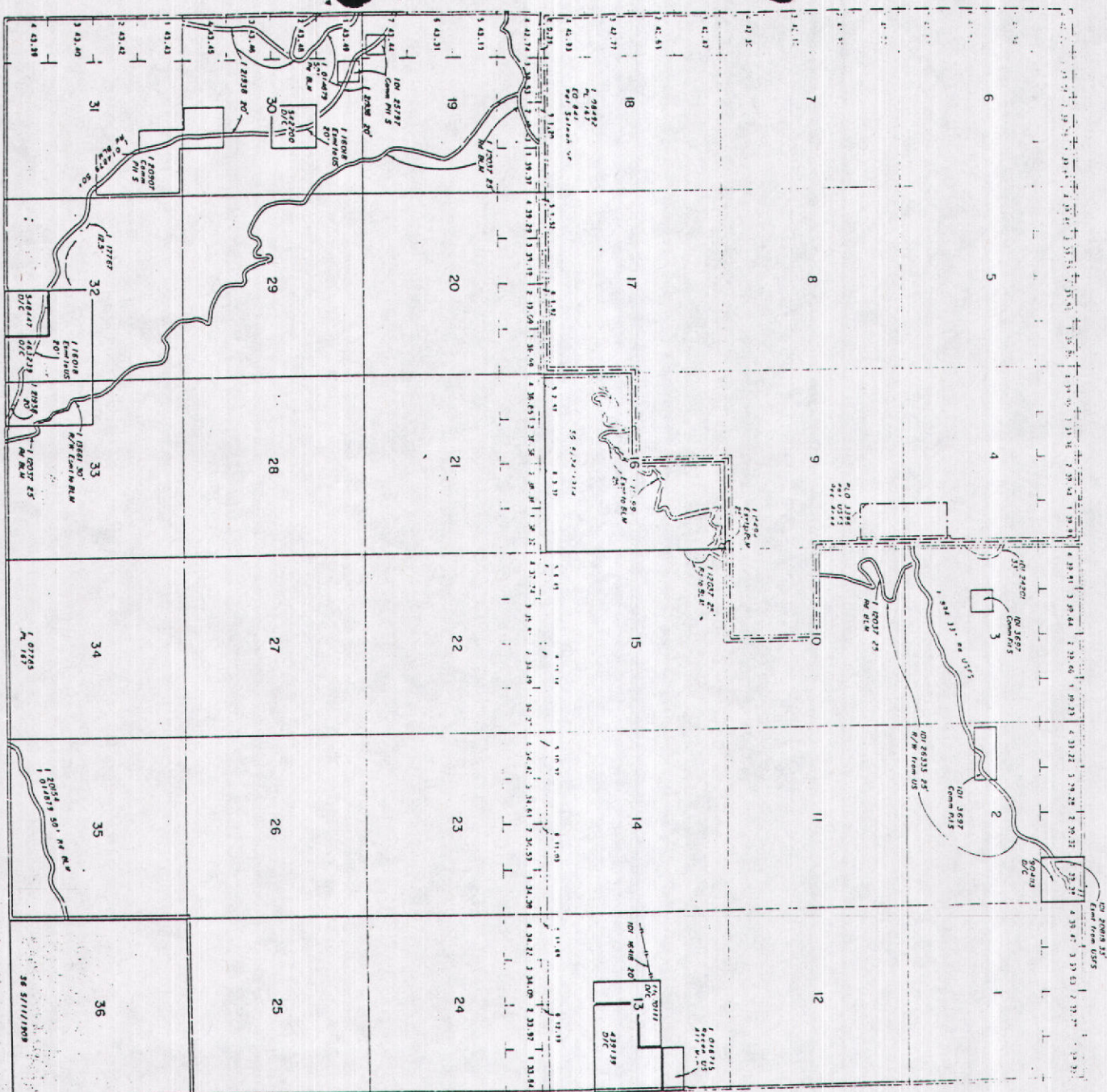
LEAH COUNTY 059
SALVO DISTRICT SEC 3

MT PLAT

Subdivision

1 07225 Cat 11 Act of Cong 7/23/1951
Completed 8/27/1950 All in surface water by USFS
1 07225 Cat 11 Act of Cong 7/23/1951
Completed 12/1/1950 All in surface water by USFS

MICROFILMED
MAR 20 2003



FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LAMOS REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS.

CURRENT TO	CURRENT TO
------------	------------

USE PLATS:

THE NOTATION SHOWN ON WITHDRAWALS REPRESENT THE LAST ACTION TAKEN BUT MAY NOT BE THE EFFECTIVE DATE. SEE THE HISTORICAL INDEX FOR THE DATE OF THE ORIGINAL WITH-

Lat. 44° 56' 23" N
Long. 113° 35' 30" W
SHOWN ON MAP

Bates Mier

Sec. 16.

Sec. 15.

Sec. 14.

Sec. 13.

--Retraced--

T19N
R23E



APPLICATION FOR PERMIT
74-15042

The following application(s) have been filed to appropriate the public waters of the State of Idaho: 74-15042.

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
SALMON DISTRICT
50 HWY 93 S
SALMON ID 83467

Point(s) of Diversion, NENESE
S24 T19N R23E, LEMHI County
Source SPRING, Tributary To
SINKS.

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: 12/19/2002
Place Of Use: STOCKWATER
and WILDLIFE

T19N R23E S24 NESE

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 Resource, 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 January 21, 2003. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

1-2-2tc

Affidavit of Publication

RECEIVED
FEB 11 2003

Department of Water Resources
Eastern Region

STATE OF IDAHO }
County of Lemhi } ss.

RICKY G. HODGES being first duly sworn, deposes and says he is one of the publishers (printers) of The Recorder Herald, a newspaper published weekly at Salmon, Lemhi County, Idaho, and of general circulation therein. That the **PERMIT NO. 74-042**, a true printed copy of which is attached to the margin hereof, has been and was correctly printed and published in the regular and entire issue of every number of said newspaper and not in any supplement thereof or thereto for **TWO (2)** consecutive issue(s), commencing with the issue dated **1-2-2003** and ending with the issue dated **1-9-2003**.

STATE OF IDAHO }
County of Lemhi } ss.

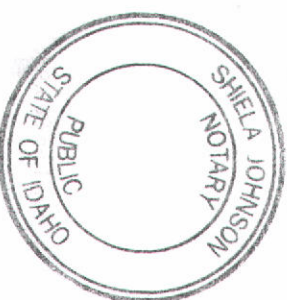
On this **10th day of February** in this year of 2003 before me, A Notary Public, personally appeared RICKY G. HODGES, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Residing At Salmon, Idaho

Notary Public for Idaho

My Commission expires: 01-02-2007

Publication Fee \$63.96



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MAR 20 2003

FOR OFFICE USE ONLY
Amt. of Fee \$: 50
Receipt No. 5028594
Receipt By: KW
Date Received: 3/24/03

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

RECEIVED
MAR 27 2003

Department of Water Resources

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner.

1. Permit No. 74-15042 Telephone No. 756-5400

2. Name of Permit Holder(s): BLM

3. Mailing Address: 50 Hwy 93 S.
City Salmon State ID Zip 83467

4. Source of Water: Spring If GROUNDWATER (well), Date Drilled: mo. _____ / yr. _____

Well Driller: _____ Drilling Permit Number: _____

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): _____ Stockwater (No. and type of stock): 415 cattle

Irrigation (No. of acres): _____ Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: .02 cfs OR _____ acre-feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)

(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required?

Yes _____ or No Y

Has the measuring device been installed?

Yes _____ or No X

8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: _____ Telephone Number: _____

Address: _____

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: Alan Bittner NRS Date: 3/18/03
(include your title, if on behalf of company or organization)

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AUG 11 2003

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MAR 27 2003

Department of Water Resources
Bismarck, ND

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 74-15042

Priority: December 18, 2002

Maximum Diversion Rate: 0.02 CFS

This is to certify, that US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
SALMON DISTRICT
50 HWY 93 S
SALMON ID 83467

has applied for a permit to appropriate water from:

Source: SPRING

Tributary: SINKS

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
STOCKWATER	01/01 to 12/31	0.02 CFS
WILDLIFE	01/01 to 12/31	0.02 CFS

LOCATION OF POINT(S) OF DIVERSION:

SPRING NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 24, Twp 19N, Rge 23E, B.M., LEMHI County

PLACE OF USE: STOCKWATER

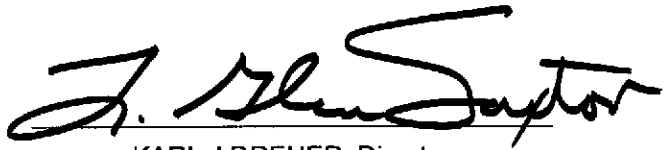
Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
19N	23E	24																	X

PLACE OF USE: WILDLIFE same as Stockwater

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **March 01, 2004**.
2. Subject to all prior water rights.
3. 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.
4. Stockwater use is for 415 range cattle.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 12th day of March, 2003


for
KARL J DREHER, Director

MICROFILMED
MAR 20 2003

MAR - 3 2003

Department of Water Resources

Ident. No.

74-15042

STATE OF IDAHO
OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

- (BLM)
- Name of Applicant Bureau of Land Management Phone 208 756-5400
Mailing address 50 Highway 93 South
 - Source of water supply Spring which is a tributary of Sinks
 - Location of point of diversion is Township 19 N Range 23 E Sec. 24 in the NE 1/4.
NE 1/4, SE 1/4, Govt. Lot 1, B.M., Lemhi County;
additional points of diversion if any: _____
 - Water will be used for the following purposes:
Amount .02 for Livestock purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .02 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)
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)
 - Total quantity to be appropriated is (a) .02 and/or (b) _____
cubic feet per second acre feet per annum
 - Proposed diverting works:
 - Describe type and size of devices used to divert water from the source Buried HEAD Box
 - Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet
 - Proposed well diameter is _____ inches; proposed depth of well is _____ feet
 - Is ground water with a temperature of greater than 85°F being sought? NO
 - If well is already drilled, when? _____; Drilling firm _____
Well was drilled for (well owner) _____; Drilling Permit No. _____
 - Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)
 - 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. 415
 - Municipal; show name of municipality. _____
 - Domestic; show number of households. _____
 - Other; describe fully. WILDLIFE

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MAR 20 2003

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	
19N	23E	24													Std				

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. None11. a. Who owns the property at the point of diversion? BLMb. Who owns the land to be irrigated or place of use? BLM

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

12. Remarks: _____

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8 1/2"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.



Signature of Applicant (and title, if applicable)

Received by HWT Date 12-08-02 Time _____ Preliminary check by _____
 Fee \$ 100.00 Received by HWT # E 028391 Date 12-18-02
 Publication prepared by SC Date 1/2 & 1/9/03 Published in Recorder Herald
 Publication approved _____ Date 2/11/03

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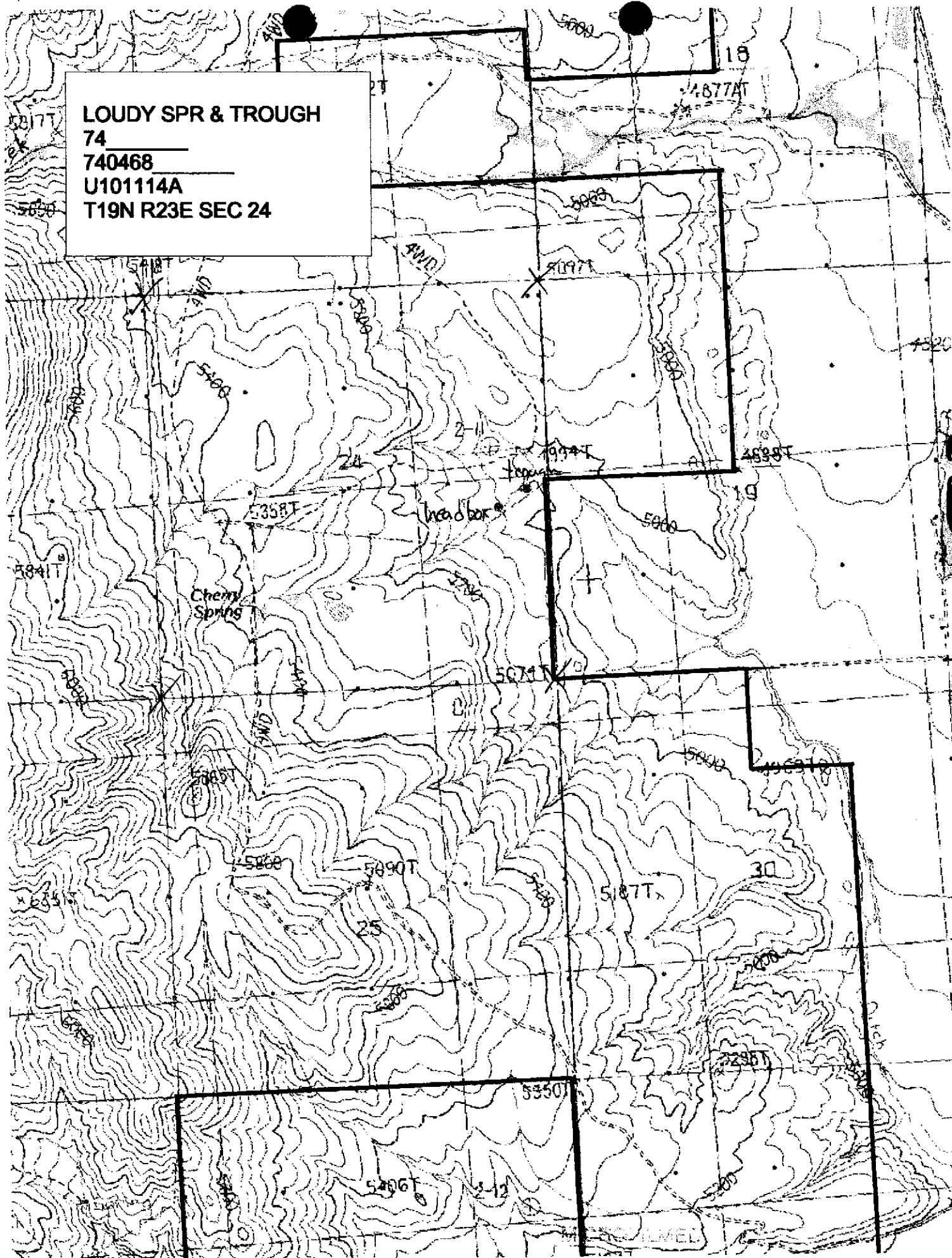
MAR 26 2003

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T19N R23E SEC 24

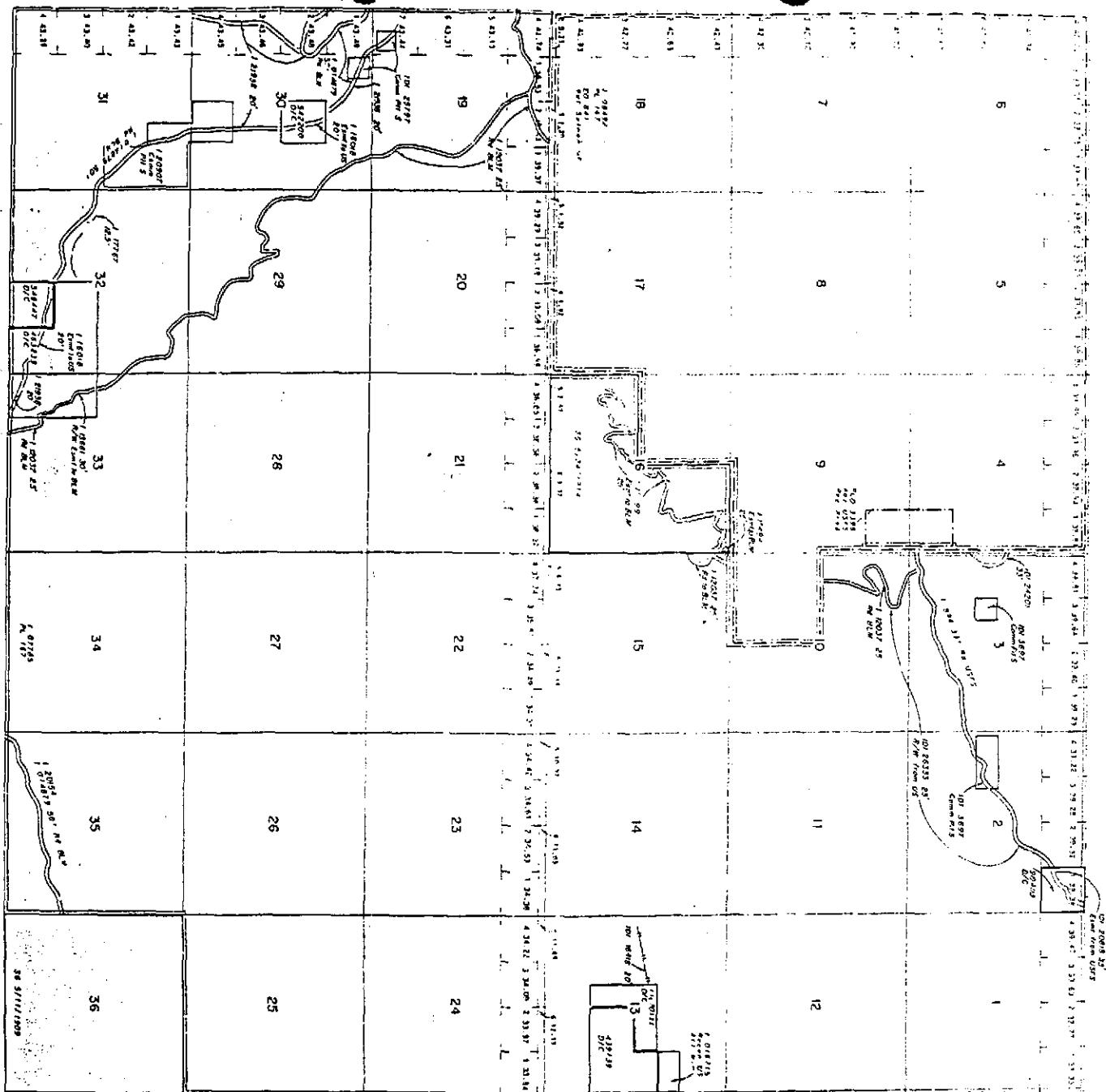


2002 01 20

TOWNSHIP 19 NORTH RANGE 23 EAST OF THE BOISE MERIDIAN, IDAHO

LEMMING COUNTY 059

SECTION 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36



MT PLAT

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

INDEX TO SUBMITTED PLATS

PLAT NO.	DATE	OWNER	SECTION
1	1911	W. H. HARRIS	1
2	1911	W. H. HARRIS	2
3	1911	W. H. HARRIS	3
4	1911	W. H. HARRIS	4
5	1911	W. H. HARRIS	5
6	1911	W. H. HARRIS	6
7	1911	W. H. HARRIS	7
8	1911	W. H. HARRIS	8
9	1911	W. H. HARRIS	9
10	1911	W. H. HARRIS	10
11	1911	W. H. HARRIS	11
12	1911	W. H. HARRIS	12
13	1911	W. H. HARRIS	13
14	1911	W. H. HARRIS	14
15	1911	W. H. HARRIS	15
16	1911	W. H. HARRIS	16
17	1911	W. H. HARRIS	17
18	1911	W. H. HARRIS	18
19	1911	W. H. HARRIS	19
20	1911	W. H. HARRIS	20
21	1911	W. H. HARRIS	21
22	1911	W. H. HARRIS	22
23	1911	W. H. HARRIS	23
24	1911	W. H. HARRIS	24
25	1911	W. H. HARRIS	25
26	1911	W. H. HARRIS	26
27	1911	W. H. HARRIS	27
28	1911	W. H. HARRIS	28
29	1911	W. H. HARRIS	29
30	1911	W. H. HARRIS	30
31	1911	W. H. HARRIS	31
32	1911	W. H. HARRIS	32
33	1911	W. H. HARRIS	33
34	1911	W. H. HARRIS	34
35	1911	W. H. HARRIS	35
36	1911	W. H. HARRIS	36

1. 1911, Sec. 1, 182 feet of town 19 North, Range 23 East, Lemming County, Idaho, by W. H. Harris.

2. 1911, Sec. 2, 182 feet of town 19 North, Range 23 East, Lemming County, Idaho, by W. H. Harris.

3. 1911, Sec. 3, 182 feet of town 19 North, Range 23 East, Lemming County, Idaho, by W. H. Harris.

4. 1911, Sec. 4, 182 feet of town 19 North, Range 23 East, Lemming County, Idaho, by W. H. Harris.

5. 1911, Sec. 5, 182 feet of town 19 North, Range 23 East, Lemming County, Idaho, by W. H. Harris.

6. 1911, Sec. 6, 182 feet of town 19 North, Range 23 East, Lemming County, Idaho, by W. H. Harris.

7. 1911, Sec. 7, 182 feet of town 19 North, Range 23 East, Lemming County, Idaho, by W. H. Harris.

8. 1911, Sec. 8, 182 feet of town 19 North, Range 23 East, Lemming County, Idaho, by W. H. Harris.

9. 1911, Sec. 9, 182 feet of town 19 North, Range 23 East, Lemming County, Idaho, by W. H. Harris.

10. 1911, Sec. 10, 182 feet of town 19 North, Range 23 East, Lemming County, Idaho, by W. H. Harris.

11. 1911, Sec. 11, 182 feet of town 19 North, Range 23 East, Lemming County, Idaho, by W. H. Harris.

12. 1911, Sec. 12, 182 feet of town 19 North, Range 23 East, Lemming County, Idaho, by W. H. Harris.

13. 1911, Sec. 13, 182 feet of town 19 North, Range 23 East, Lemming County, Idaho, by W. H. Harris.

14. 1911, Sec. 14, 182 feet of town 19 North, Range 23 East, Lemming County, Idaho, by W. H. Harris.

15. 1911, Sec. 15, 182 feet of town 19 North, Range 23 East, Lemming County, Idaho, by W. H. Harris.

16. 1911, Sec. 16, 182 feet of town 19 North, Range 23 East, Lemming County, Idaho, by W. H. Harris.

17. 1911, Sec. 17, 182 feet of town 19 North, Range 23 East, Lemming County, Idaho, by W. H. Harris.

18. 1911, Sec. 18, 182 feet of town 19 North, Range 23 East, Lemming County, Idaho, by W. H. Harris.

19. 1911, Sec. 19, 182 feet of town 19 North, Range 23 East, Lemming County, Idaho, by W. H. Harris.

20. 1911, Sec. 20, 182 feet of town 19 North, Range 23 East, Lemming County, Idaho, by W. H. Harris.

21. 1911, Sec. 21, 182 feet of town 19 North, Range 23 East, Lemming County, Idaho, by W. H. Harris.

22. 1911, Sec. 22, 182 feet of town 19 North, Range 23 East, Lemming County, Idaho, by W. H. Harris.

23. 1911, Sec. 23, 182 feet of town 19 North, Range 23 East, Lemming County, Idaho, by W. H. Harris.

24. 1911, Sec. 24, 182 feet of town 19 North, Range 23 East, Lemming County, Idaho, by W. H. Harris.

25. 1911, Sec. 25, 182 feet of town 19 North, Range 23 East, Lemming County, Idaho, by W. H. Harris.

26. 1911, Sec. 26, 182 feet of town 19 North, Range 23 East, Lemming County, Idaho, by W. H. Harris.

27. 1911, Sec. 27, 182 feet of town 19 North, Range 23 East, Lemming County, Idaho, by W. H. Harris.

28. 1911, Sec. 28, 182 feet of town 19 North, Range 23 East, Lemming County, Idaho, by W. H. Harris.

29. 1911, Sec. 29, 182 feet of town 19 North, Range 23 East, Lemming County, Idaho, by W. H. Harris.

30. 1911, Sec. 30, 182 feet of town 19 North, Range 23 East, Lemming County, Idaho, by W. H. Harris.

31. 1911, Sec. 31, 182 feet of town 19 North, Range 23 East, Lemming County, Idaho, by W. H. Harris.

32. 1911, Sec. 32, 182 feet of town 19 North, Range 23 East, Lemming County, Idaho, by W. H. Harris.

33. 1911, Sec. 33, 182 feet of town 19 North, Range 23 East, Lemming County, Idaho, by W. H. Harris.

34. 1911, Sec. 34, 182 feet of town 19 North, Range 23 East, Lemming County, Idaho, by W. H. Harris.

35. 1911, Sec. 35, 182 feet of town 19 North, Range 23 East, Lemming County, Idaho, by W. H. Harris.

36. 1911, Sec. 36, 182 feet of town 19 North, Range 23 East, Lemming County, Idaho, by W. H. Harris.

THE NOTATION SHOWN ON WITHIN PLATS REPRESENT THE LAST ACTION TAKEN BUT MAY NOT BE THE EFFECTIVE DATE. SEE THE HISTORICAL INDEX FOR THE DATE OF THE ORIGINAL WITHIN PLATS.

COMMENT NO.	COMMENT TO
1	
2	
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1911, Sec. 1, 182 feet of town 19 North, Range 23 East, Lemming County, Idaho, by W. H. Harris.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 1, 2003

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
50 HWY 93 S
SALMON ID 83467

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 34-13788, 74-15041, & 74-15042

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use forms submitted for the above referenced permits. I am enclosing copies of the proofs you filed. The next step in the process of developing a water right is for the department to contact you to schedule a field examination to determine and confirm the use being made of the water, and that it meets the permitted beneficial uses.

Be advised that Section 42-248, Idaho Code, requires you or the owner of these water rights to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions concerning the field examination, please contact the Eastern Regional Office of the department in Idaho Falls at (208) 525-7161.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Enclosures

c: IDWR - Regional Office

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MAY 1 1 2003

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 74-15042

Reviewed By: dgibson

Date: April 30, 2003

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?	X		Drilling permit required?		X
License examination fee required?	X		Drilling permit No.:		
Appropriate fee submitted?	X		Drilling permit upgrade needed?		
Receipt No.:	E028391, E028594		Well driller's report filed?		X
Additional Amount Due:			Measuring device required?		X
Name and address same as permit?	X		Measuring device installed?		
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received	03/24/2003
Date proof due	- 03/01/2004
Lapse notice sent	-
No. of days late	= 0
Holiday allowance	+
Priority date	+ 12/18/2002
New priority date	= 12/18/2002

Deficiencies of Actions Items

Acknowledge proof.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 13, 2003

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
SALMON DISTRICT
50 HWY 93 S
SALMON ID 83467

RE: Permit No. 74-15042

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources 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 the Department pursuant to Section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Enclosed is a form entitled 'Instructions for Proof of Beneficial Use.' Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled 'Proof of Beneficial Use.' If your project is already completed, you should complete and submit this form immediately.

Please note that a separate stream channel alteration permit must be obtained from the Department prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed a least sixty days prior to the commencement of work in the stream.

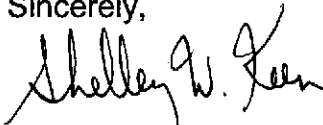
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MAR 20 2003

Also, please note that water right owners are required to report any change of water right ownership and/or 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 forms and instructions.

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

Sincerely,

A handwritten signature in black ink that reads "Shelley W. Keen". The signature is written in a cursive style with a large, stylized 'S' and 'K'.

Shelley W. Keen

Water Rights Supervisor

Enclosure(s)

MICROFILMED
MAR 28 2007

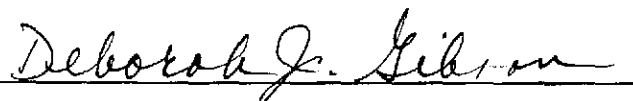
CERTIFICATE OF SERVICE

I hereby certify that on March 13, 2003 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO.

74-15042

**US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
SALMON DISTRICT
50 HWY 93 S
SALMON ID 83467**

A handwritten signature in cursive script, reading "Deborah J. Gibson", is written over a horizontal line.

**Deborah J. Gibson
Administrative Assistant**

RECORDED
MAR 20 2003

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

(To be used in connection with actions when a hearing was not held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing 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 this 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 fourteen (14) 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 this 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 with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director 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 Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director 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 Director 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.

MEMORANDUM

Date: March 12, 2003
To: Water Right File 74-15042
From: dgibson
Re: Permit Review

This is a stockwater right for use by 415 head of range cattle and wildlife. The diversion works is a buried head box and piping to a trough.

A government lot was identified on the application in both the POD and POU, however, after further checking with the department records that information was found to be incorrect. The government lot designated on the application has been removed from the permit.

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MAR 20 2003

Sec. 16.

Sec. 15.

Sec. 14.

Sec. 13.

Retraced

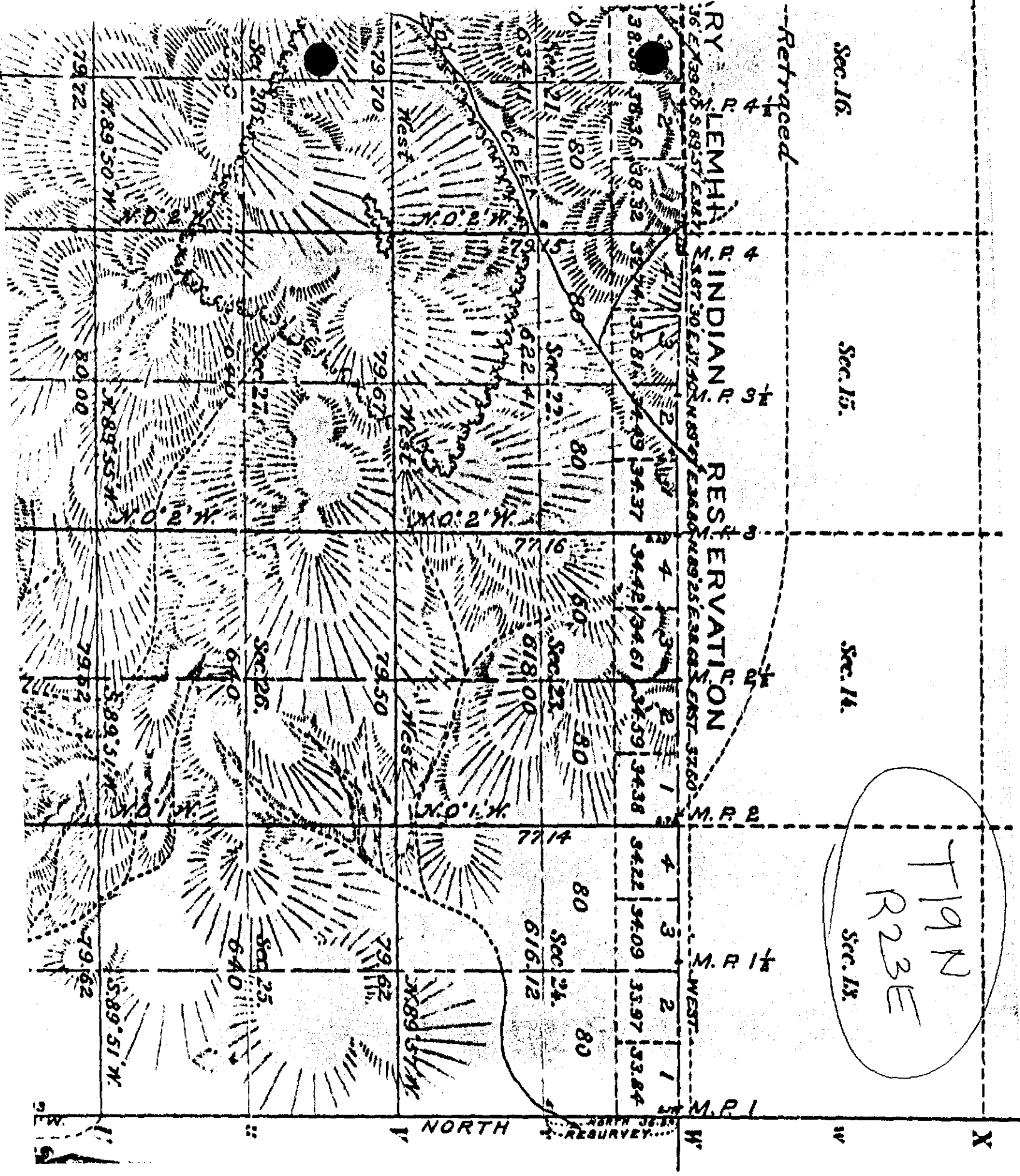
RY
LEMMH
INDIAN
RESERVATION

T19N
R23E

MICROFILMED

MAR 20 2003

Accepte



RECEIVED

MAR - 3 2003

Department of Water Resources

Dist for Staffing
Submitted for advertising 12-19-02

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT ANALYSIS PERMIT

BLM
INITIAL REVIEW BY HWT DATE 12-19-02 APPLICATION NO. 74-15042

REQUIRED INFORMATION:

- ☒ Name (if applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
☒ Address
☒ Source (See USGS Quad for names of water sources)
☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivision, local name, flow and/or volume)
☒ County
☒ Quantity (flow and/or volume)
☒ Period of Use
☒ Nature of proposed use (Include description of use.)
☒ Description of diverting works
☒ Time required for beneficial use of water
☒ Place of use or acres irrigated
☒ Map
☒ Signature (If applicant is corp., partnership, or municipality, title of signatory is required)
☒ Fee
☐ Yes ☐ No* In form to receipt

ADDITIONAL INFORMATION:

- ☐ Overlapping place of use (Describe source & relationship to present application on the back)
☐ Overlapping point of diversion
☐ Yes ☒ No Critical groundwater area
☐ Yes ☒ No Groundwater management area
☐ Yes ☒ No Send dam safety information
☐ Yes ☒ No Send fish farm requirement letter
☐ Yes ☒ No Power residency affidavit
☐ Yes ☒ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet)
☐ Yes ☒ No Public Water System
☐ Yes ☒ No Planning section review
☐ Yes ☒ No Moratorium Hold file
☐ See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested _____

PROCESSING:

- ☒ Yes ☒ No In form for advertising
☒ Yes ☒ No Statewide advertising
☒ Yes ☒ No Fee amount, receipt date & No. recorded on application

SEND COPIES TO:

- ☐ Id Dept of Environmental Quality ☐ U.S. BLM
☐ Id Dept of Fish & Game ☐ U.S. Forest Service
☐ Id Dept of Lands ☐ Water District
☐ Adjudication Bureau Unit ☐ Other _____

☒ Yes ☐ No Affidavit of publication received

☒ Yes ☐ No Application published correctly. If not, record action taken

Date of priority recommendation: 12-08-2002
By: [Signature] Date: 2-20-2003
STATE OFFICE REVIEW: _____

LOCAL PUBLIC INTEREST:

_____ City	_____ Id Fish & Game	_____ Irrigation District
_____ County	_____ Id Health & Welfare	_____ Canal Company
_____ Reservations	_____ Div. Of Environment	_____ Other _____

COMMENTS

[illegible]

APPLICATION FOR PERMIT
74-15042

The following application(s) have been filed to appropriate the public waters of the State of Idaho: 74-15042.

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
SALMON DISTRICT
50 HWY 93 S

SALMON ID 83467

Point(s) of Diversion, NENESE S24 T19N R23E, LEMHI County Source SPRING, Tributary To SINKS.

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: 12/19/2002

Place Of Use: STOCKWATER and WILDLIFE

T19N R23E S24 NESE

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 Resource, 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 January 21, 2003. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

1-2-2tc

Affidavit of Publication

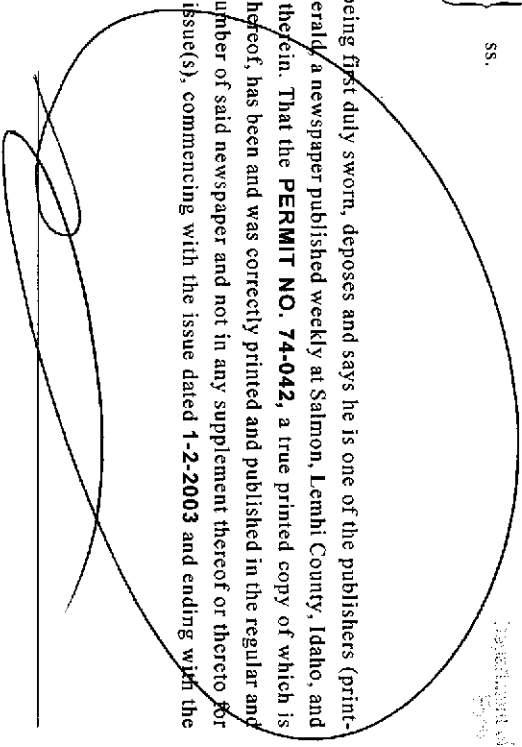
RECEIVED

FEB 11 2003

Department of Water Resources
Eastern Region

STATE OF IDAHO }
County of Lemhi } ss.

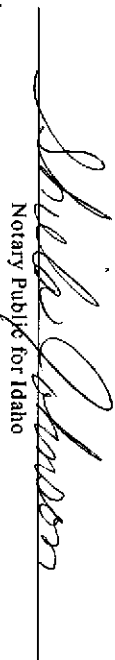
RICKY G. HODGES being first duly sworn, deposes and says he is one of the publishers (printers) of The Recorder Herald, a newspaper published weekly at Salmon, Lemhi County, Idaho, and of general circulation therein. That the PERMIT NO. 74-042, a true printed copy of which is attached to the margin hereof, has been and was correctly printed and published in the regular and entire issue of every number of said newspaper and not in any supplement thereof or thereto for TWO (2) consecutive issue(s), commencing with the issue dated 1-2-2003 and ending with the issue dated 1-9-2003.



STATE OF IDAHO }
County of Lemhi } ss.

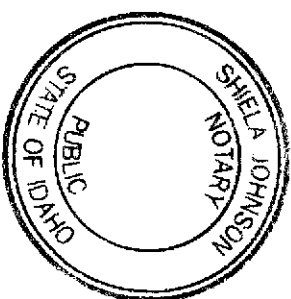
On this 10th day of February in this year of 2003 before me, A Notary Public, personally appeared RICKY G. HODGES, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Residing At Salmon, Idaho


Notary Public for Idaho

My Commission expires: 01-02-2007

Publication Fee \$63.96



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SEP 20 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 20, 2002

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
SALMON DISTRICT
50 HWY 93 S
SALMON ID 83467

RE: Application for Permit No 74-15041 and 74-15042

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your water right application. Please refer to the above referenced number 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 January 2 and 9, 2003. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

If the application is protested you will be sent a copy of the protest(s). 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, it will be forwarded to our State Office in Boise for final processing. The State Office will notify you of any action taken on the application and will send you a copy of the permit if approved.

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

Sincerely,


Harold W Jones
Water Right Supervisor

HWJ:sc

NOTED

JAN 20 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 20, 2002

Legal Notice Department
RECORDER-HERALD
PO BOX 310
SALMON ID 83467

RE: Application for Permit No. 74-15041 and 74-15042

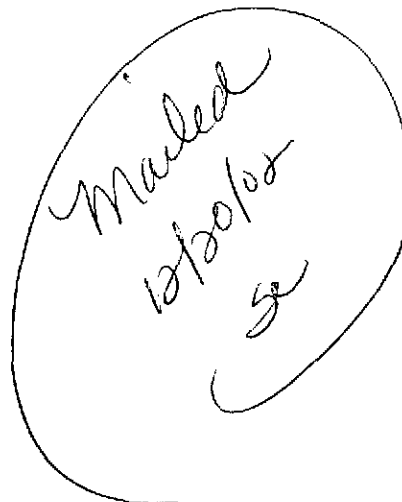
Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice 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 before January 21, 2003. Your cooperation is appreciated.

Sincerely

Sharla Cox
Administrative Assistant



MICROFILMED

MAY 2 8 2003

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

74-15042

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
SALMON DISTRICT
50 HWY 93 S
SALMON ID 83467

Point(s) of Diversion NENESE S24 T19N R23E, LEMHI County
Source SPRING, Tributary To SINKS

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: 12/19/2002

Place Of Use: STOCKWATER and WILDLIFE

T19N R23E S24 NESE

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 Resource, 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 January 21, 2003. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on January 2 and 9, 2003

WATER

MAR 2 0 2003