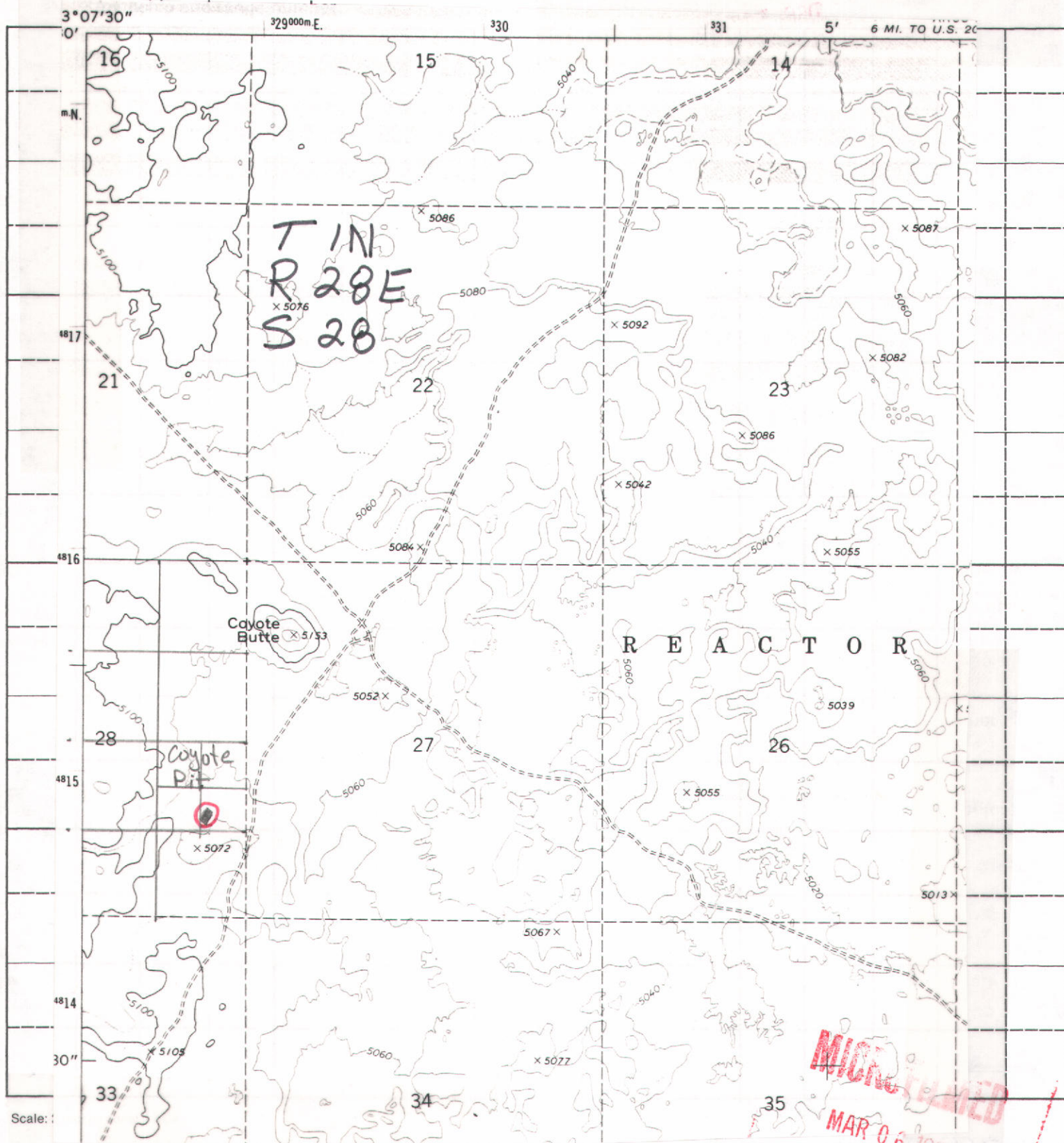


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number,

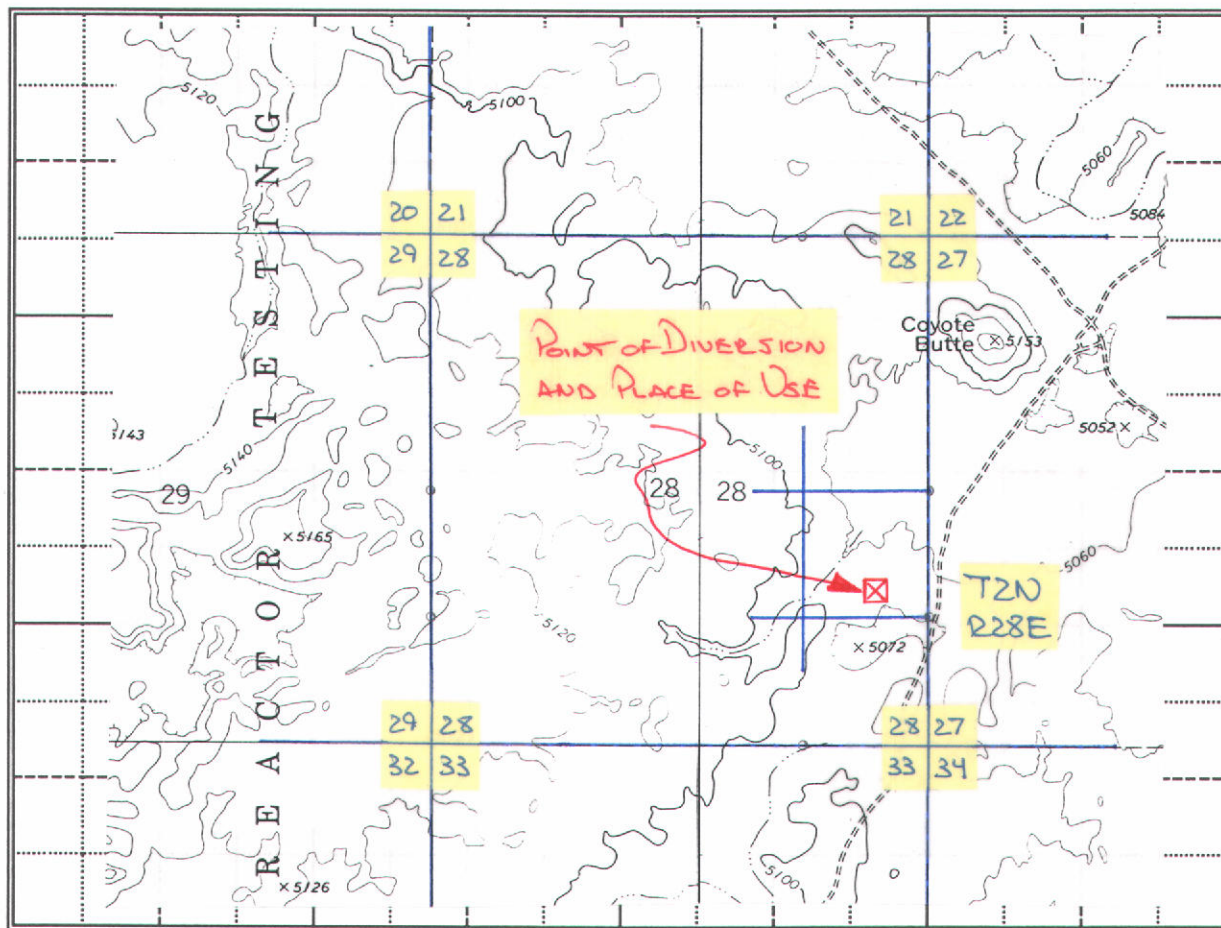


BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

District
Manager

[Signature]
(Applicant)

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = _____

____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
1					

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

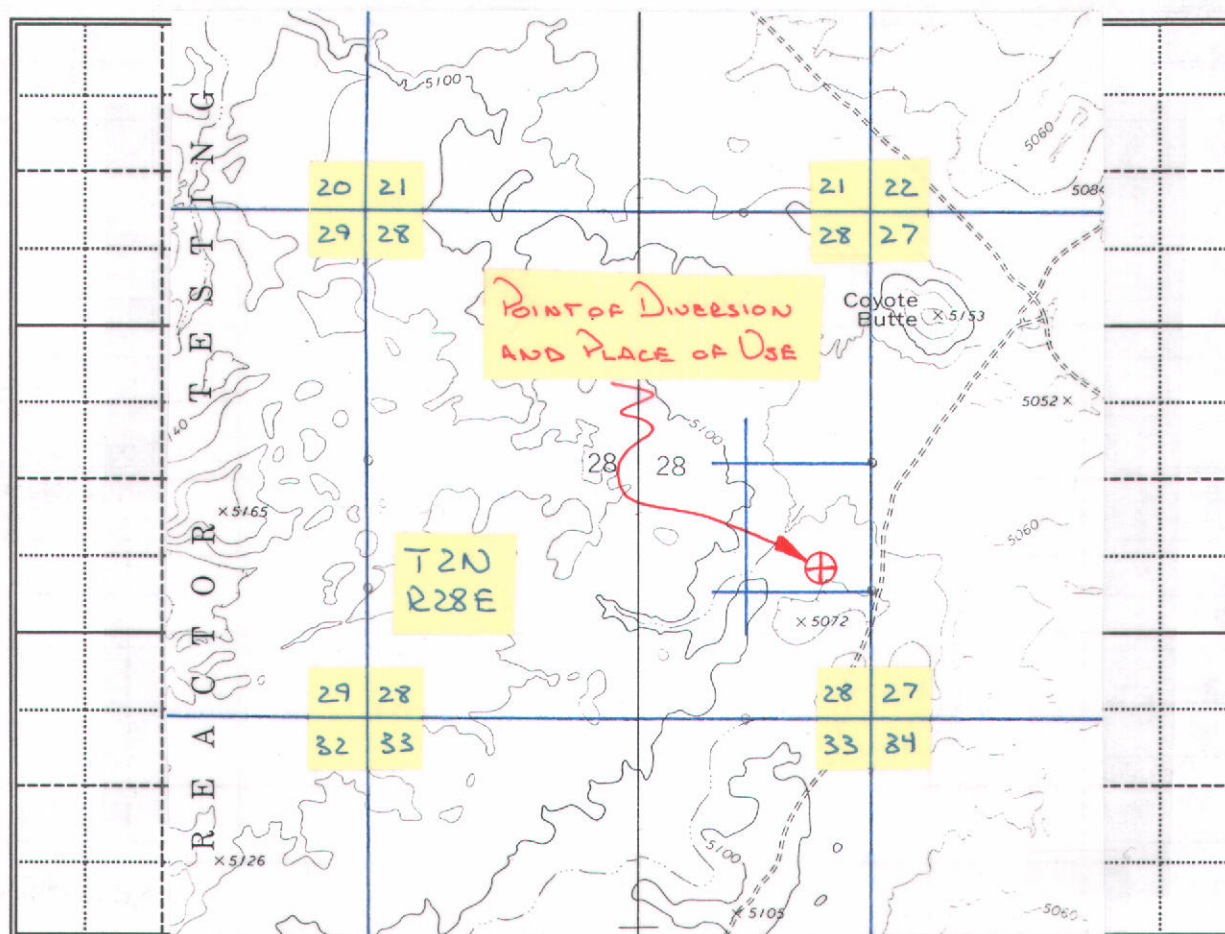
2. Measurements: 8' x 30' x 40'

MICROFILMED

EB 20 1998

RECEIVED

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = _____

____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
—					

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
—						

2. Measurements:

MICROFILMED

FEB 20 1998

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 35-08824

Priority: August 31, 1989

Maximum Storage Volume:

0.1 AF

This is to certify, that US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
1405 HOLLIPARK DR
IDAHO FALLS ID 83401

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated August 31, 1989; and
has submitted Proof of Beneficial Use on January 23, 1990. An examination indicates
that the works have a storage capacity of 0.100 af of water from:

UNNAMED STREAM tributary to SINKS

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER STORAGE	04/12 to 10/31		0.1 AF
WILDLIFE STORAGE	01/01 to 12/31		0.1 AF
	Totals		0.1 AF

LOCATION OF POINT(S) OF DIVERSION:

NESE , Sec. 28, Township 02N, Range 28E
BUTTE County

PLACE OF USE: STOCKWATER STORAGE

TWN RGE SEC

01N 28E 28

NESE

CONDITIONS OF APPROVAL AND REMARKS

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. 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.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 29th
day of January, 1990.

MICROFILMED

FEB 2 1990


Acting for KARL J. DREHER, Director

RECEIVED

APR 05 1996

Department of Water Resources

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 35-08824

RECEIVED

APR 01 1996

Department of Water Resources
Eastern District Office

Date of Priority: August 31, 1989

Maximum Storage Volume:

0.4 AF

Comes now US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
~~940 LINCOLN RD~~ 1405 Hollipark Drive
IDAHO FALLS ID 83401

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 35-08824, and requests that the permit be changed as follows:

Source: UNNAMED STREAM

tributary to SINKS

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER STORAGE	04/16 to 10/31		0.4 AF
WILDLIFE STORAGE	01/01 to 12/31		0.4 AF
	Totals		0.4 AF

LOCATION OF POINT(S) OF DIVERSION:

NESE , Sec. 28, Township 02N, Range 28E
BUTTE County

PLACE OF USE: STOCKWATER STORAGE

TWN RGE SEC

02N 28E 28 NESE

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at BLM, this 15th day of March, 1996.


(Signature)

MICROFILMED

FEB 20 1998

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 35-08824

FOR DEPARTMENT USE ONLY

Preliminary check by SWK Fee = 5000 Received by NB # E022016 Date 4/1/96

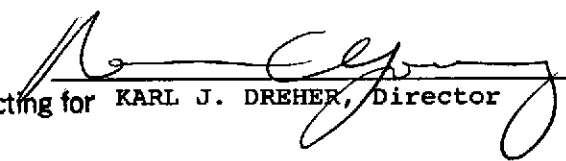
ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 35-08824 with the following;

CONDITIONS OF APPROVAL AND REMARKS

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. 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.

Witness my hand this 29TH day of January, 1998.


Acting for KARL J. DREHER, Director

MICROFILMED
FEB 20 1998

RECEIVED

JAN 23 1990

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

Department of Water Resources

For Office Use Only

Amt. of Fee \$

Date

Receipt No.

Received by

Reviewed By - *DS*
2/7/90

The Idaho Department of Water Resources will consider this form as 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 or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 35-08824

Telephone No. (208) 529-1020

Name(s) of Permit Holder(s): USDI, Bureau of Land Management

Post Office Address: Idaho State Office, 3380 Americana Terrace, Boise, ID 83706

Source of Water: Innamed Stream

If ground water, well driller's name: _____

Date drilled: _____

Extent of Use:

Domestic _____ (No. of households)

Irrigation _____ (No. of acres)

Stockwater 680 Range
Cattle (No. and type of stock)

Other Wildlife

Total rate and/or volume for which proof is submitted _____ cfs .4 acre/feet

Show date water was first diverted and beneficially used under this permit: 1/1/90

One of the following may be a condition of approval of your permit:

Measuring device: Required? Yes ☒ No Installed? Yes ☐ No

OR

Flow Measurement Port: Required? Yes ☒ No Installed? Yes ☐ No

Fee Enclosed: \$ _____ (See License Examination Fee Schedule)

Person to contact to accompany the Department representative during the field examination:

Dan Kotansky

(208) 529-1020

Name

Telephone No.

BLM, 940 Lincoln Road, Idaho Falls, ID 83401

Address

The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

RECORDED

MAR 06 1990

1-17-90
Date

D. Kotansky
Signature (and title if on behalf of a company or organization)

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 35-08824

Proposed Priority: August 31, 1989

Maximum Storage Volume:

0.4 AF

This is to certify, that **U.S. DEPT. OF INTERIOR
BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE, ID 83706**

has applied for a permit to appropriate water from:

UNNAMED STREAM

tributary of **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>	<u>ANNUAL VOLUME</u>
STOCKWATER	04/16 to 10/31		0.4 AF
WILDLIFE	01/01 to 12/31		0.4 AF
	Totals		0.4 AF

LOCATION OF POINT(S) OF DIVERSION:

SENESE

Sec. 28, Township 01N, Range 28E
BUTTE County

PLACE OF USE: STOCKWATER

TWN RGE SEC

01N 28E 28

NESE

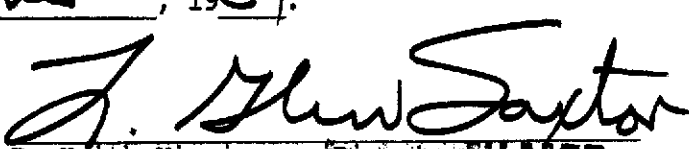
PLACE OF USE: WILDLIFE, same as STOCKWATER use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before January 1, 1992.
2. Subject to all prior water rights.
3. Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.

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

28th day of December, 1989.

for 
R. Keith Higginson, Director

MICROFILMED

MAR 06 1990

RECEIVED

SEP 20 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

35-8824

Ident. No. _____

#4866
Coyote Pit

To appropriate the public waters of the State of Idaho

Department of Water Resources

1. Name of applicant USDI, Bureau of Land Management Phone (208) 529-1020
Post office address 940 Lincoln Road, Idaho Falls, ID 83401
2. Source of water supply Unnamed Stream which is a tributary of Sinks
3. Location of point of diversion is SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of SE $\frac{1}{4}$, Govt. Lot _____
Sec. 28 Township 1N Range 28E B.M. Butte County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount .42 for livestock purposes from 4/16 to 10/31 (both dates inclusive)
(acre-feet per annum)
Amount .42 for wildlife purposes from 01/01 to 12/31 (both dates inclusive)
(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)
5. Total quantity to be appropriated is (a) _____ and/or (b) .42
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. _____
Pit reservoir 4 X 50 X 100 with 2 : 1 side slopes
 - b. Height of storage dam 0 feet; active reservoir capacity .5 acre-feet; total
reservoir capacity .5 acre-feet; period of year when water will be diverted to storage:
Jan 1 to Dec 31 inclusive.
 - c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
 - d. Is ground water with a temperature of greater than 90°F being sought? No
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
2 years (minimum 1 year).

MAR 02 1990

a. Hydropower; show total feet of head and proposed capacity in KW. _____
680 Cattle

b. Stockwatering; list number and kind of livestock. _____

c. Municipal; show name of municipality. _____

d. Domestic; show number of households. _____

e. Other; describe fully. _____

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.

[illegible]

10. Describe any other water rights used for the same purposes as described above.

b. Who owns the land to be irrigated or place of use? U.S.D.I. Bureau of land management

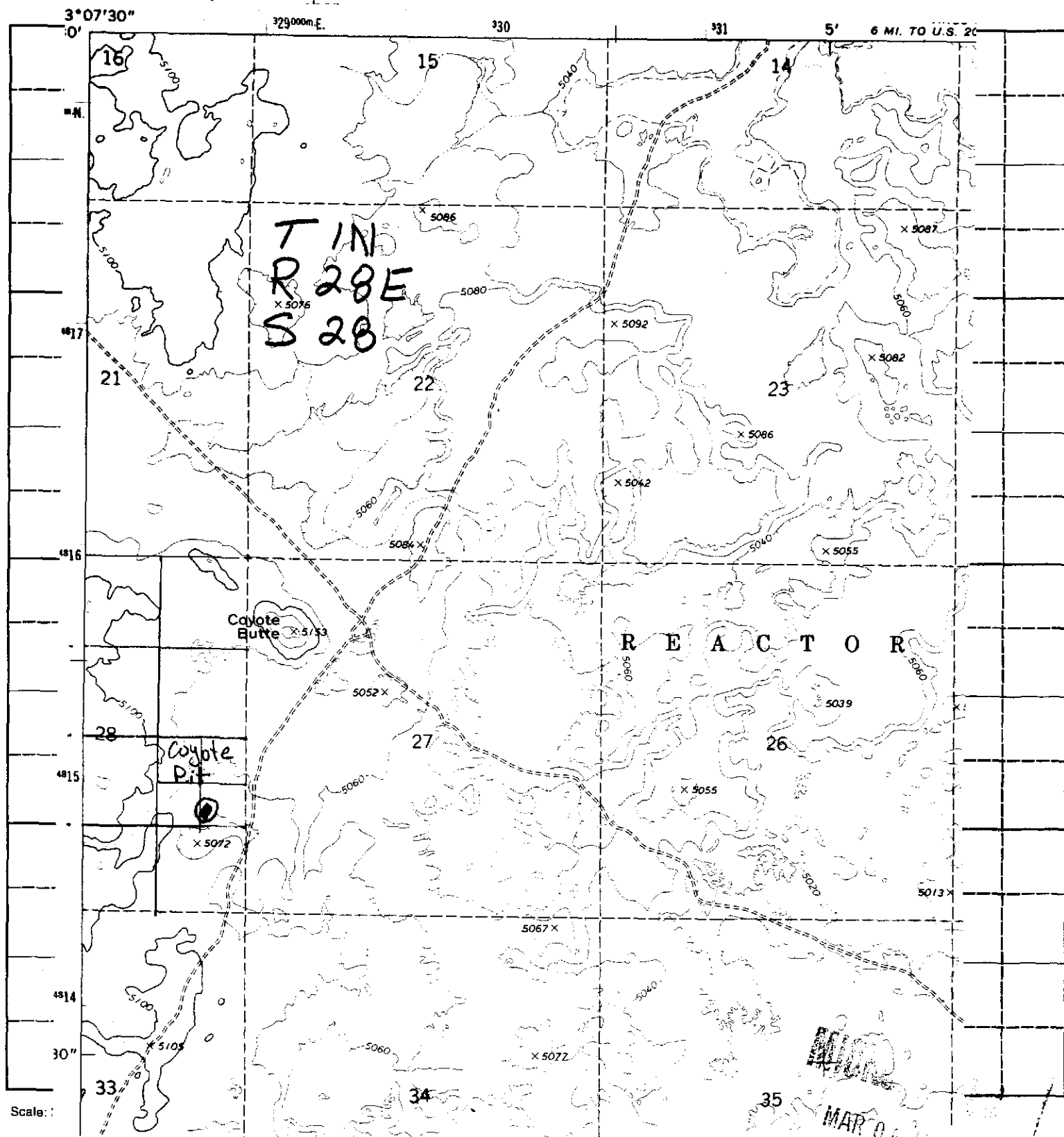
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing.

applicant to make this filing.

12. Remarks: Wildlife will also use this water

1963 9 2 1159

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number,



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

District
Manager

[Signature]
(Applicant)

RECEIVED
MAR 06 1990

e. Other:

- d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

19

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

1. Approval of said application is subject to the following limitations and conditions:

Idaho No. _____, and said application is hereby _____
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

Received by Mr. [Signature] Date 9/20/88 Time 12:30p. Preliminary check by KW
Fee \$ 30.00 Received by HWS # 200082 Date 8-31-89
Publication prepared by RB Date 11-29-89 Published in Area Adviser
Publication approved RB Date 11-20-89

AFFIDAVIT OF PUBLICATION

I, Colleen Babcock
of the Arco Advertiser, a weekly newspaper of
general circulation, published weekly at Arco, Idaho,
since March, 1909, do solemnly swear that a copy of
this notice, per clipping attached, was published
weekly in the regular and entire issue of said
newspaper, and not in any supplement thereof,
for 2 consecutive weeks, commencing with
the issue dated Nov. 2, 1989
and ending with the issue dated Nov. 9, 1989
Colleen Babcock

STATE OF IDAHO
COUNTY OF BUTTE

On this 10 day of November
in the year of 1989, before me, a Notary Public,

personally appeared

Colleen Babcock

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.

Thomas P. Cannon
Notary Public for Idaho

Residing at Arco, ID

My commission expires: 12-17-91

NOTICE OF APPLICATION FOR WATER RIGHT

The following applications have been
filed to appropriate the public waters of
the State of Idaho:

34-07518
USDI, BLM
940 LINCOLN RD.
IDAHO FALLS, ID 83401
Source: UNNAMED STREAM
Tributary: SINKS
Diversión Pt: SWSWNW Sec 20 T 01N
R 28E
Use: STOCKWATER (.42 AF)
WILDLIFE (.42 AF)
Date Filed: 8/31/1989
In: **34-07519**

USDI, BLM
940 LINCOLN RD.
IDAHO FALLS, ID 83401
Source: UNNAMED STREAM
Tributary: SINKS
Diversión Pt: SESWSW Sec 19 T 01N
R 28E
Use: STOCKWATER (.42 AF)
WILDLIFE (.42 AF)
Date Filed: 8/31/1989
In: TO1N R28E S19 SWSW
35-08823

USDI, BLM
940 LINCOLN RD.
IDAHO FALLS, ID 83401
Source: UNNAMED STREAM
Tributary: SINKS
Diversión Pt: NESESE Sec 28 T 01N R
28E
Use: STOCKWATER (.42 AF)
WILDLIFE (.42 AF)

Date Filed: 8/31/1989
In: TO1N R28E S28 SESE
35-08824

USDI, BLM
940 LINCOLN RD.
IDAHO FALLS, ID 83401
Source: UNNAMED STREAM
Tributary: SINKS
Diversión Pt: SENESE Sec 28 T 01N R
28E
Use: STOCKWATER (.42 AF)
WILDLIFE (.42 AF)
Date Filed: 8/31/1989
In: TO1N R28E S28 NESE
35-08827

USDI, BLM
940 LINCOLN RD.
IDAHO FALLS, ID 83401
Source: UNNAMED STREAM
Tributary: SINKS
Diversión Pt: SWSENW Sec 5 T 01N R
28E
Use: STOCKWATER (.42 AF)
WILDLIFE (.42 AF)
Date Filed: 8/31/1989
In: TO1N R28E S05 SENW

The permits will be subject to all prior
water rights. Protests may be submitted
based on the criteria of Sec. 42-203A,
Idaho Code and/or the new public inter-
est criteria of Sec. 42-203C, Idaho Code.
Protests must be filed with the Director,
Dept. of Water Resources, 150 Shoup
Ave., Suite 15, Idaho Falls, Idaho 83402
on or before NOVEMBER 20, 1989.

R. Keith Higginson
Director

Published 11/02/1989 & 11/09/
1989

MICROFILMED

MAR. 06 1990

RECEIVED

NOV 13 1989

Department of Water Resources
Eastern District Office



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

November 10, 1997

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
1405 HOLLIPARK DR
IDAHO FALLS ID 83401

RE: WATER RIGHTS 35-08823/35-08824

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed licenses confirming that water rights have been established in accordance with the permits referenced above. The licenses are preliminary orders issued by the Department pursuant to section 67-5243, Idaho Code. They can and will become final orders 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 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 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 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. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this 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 the 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.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with the 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.

For your records I have also enclosed a copy of your Application for Amendment of Permit, which was approved.

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

Sincerely,

A handwritten signature in cursive script, reading "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:klt

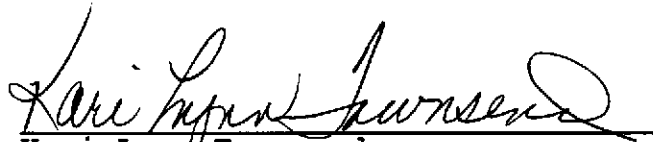
Enclosure

CERTIFICATE OF MAILING

I hereby certify that on the 30th day of January, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDERS (Approved Licenses)** to the person(s) listed below:

WATER RIGHTS 35-08823/35-08824

**US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
1405 HOLLIPARK DR
IDAHO FALLS ID 83401**


Kari Lynn Townsend
Secretary

FILED
JAN 28 1998

WR5809NP
No. L35-08824

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 01/20/98
PAGE: 2

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	US DEPT OF INTERIOR BUREAU OF LAND MANAGEMENT 1405 HOLLIPARK DR IDAHO FALLS ID 83401	08/31/1989	STOCKWATER STORAGE WILDLIFE STORAGE	04/12 10/31 01/01 12/31		0.10 AFA 0.10 AFA 0.10 AFA
TOTAL DIVERSION:						

Water Source: UNNAMED STREAM

Tributary to: SINKS

Stage: LICENSE

Point(s) of Diversion Capacity: 0.10 AFA

Point(s) of Diversion: T02N R28E S28

~~NE~~ NESE

BUTTE County

Place of use Legal Description for: STOCKWATER STORAGE

NE				NW				SW				SE			
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac
01N 28E 28 :															

Pou County: BUTTE

Conditions of Approval:

- ✓ R37 - 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.

Dates: App. Received: 08/31/1989 Priority Date: 08/31/1989
Proof Due Date: 01/01/1992 Proof Made Date: 01/23/1990
Exam Made Date: 07/16/1996 Exam Sent to S.O.: 11/26/1997
Licensed Date:

Misc: Water District Number: Field Exam Fee: N (Not Required)

Audit: 01/20/98 SCURTIS

MEMORANDUM

TO: Files 35-08823 and 35-08824

FROM: Sharla

DATE: January 20, 1998

RE: Recommendation Adjustment(s)

The final license recommendations for Permit Nos. 35-08823 and 35-08824 are based on the following:

H. RECOMMENDATIONS

Stockwater Storage	4/16 - 10/31	0.1 afa
Wildlife Storage	1/1 - 12/31	0.1 afa
	TOTAL	0.1 afa

The uses are storage, not direct flow. The uses should have been caught at the time the permits were issued. No amendment is necessary to correct this error. The size of the ponds as verified by the on-site inspection has been reduced, however, we will not solicit new amendments. Instead, we will process the original amendments, as they were required for changes in the point of diversion &/or place of use legal descriptions only.

Examiner: Paul Meyer
Exam Date: July 16, 1996

RECEIVED

FEB 20 1998

LICENSE REVIEW CHECKLIST

PERMIT NO. 35-08824

DATE 1/14/98

REVIEWER: SHARLA

NAME Change OK

Address Change

SOURCE

Is change clarification of originally intended source?

POINT OF DIV ✓ TWP.

If not, prepare Notice of Intent to Void

Amendment required yes

PLACE OF USE ✓

Amendment required yes

Does map agree with written description? ✓ yes no

OVERLAPS P/D P/U
Overlap file pulled & reviewed

RATE OF DIV

Permitted Rate 4 cfs
Fee limit cfs N/A
Measured .1 cfs
Theoretical cfs

Recommended Total Div Rate .1 cfs

ANNUAL VOLUME/ NATURE OF USES

*storage implied
on app
no amend
need for
this part
of change*

Use	cfs	Volume Calc
<u>Stock Stor</u>	<u> </u>	<u> </u> af
<u>Wild Stor</u>	<u> </u>	<u>.1</u> af
<u> </u>	<u> </u>	<u> </u> af
<u> </u>	<u> </u>	<u> </u> af
<u>SUBTOTAL</u>	<u> </u>	<u>.1</u> af

Flow rate cfs X days X 1.98 = af

Total volume recommended af

(SUBTOTAL or Flow Rate, whichever is less)

REMARKS

CONDITIONS

 Watermaster Control WD#
 GW Measurement/Measuring Device
 Overlap
 Use-specific conditions

Advancement of Priority Date Required yes ✓ no

SRBA Claim Filed
Adjustment Memo yes

1st Amend Letter P37 P38
2nd Amend Letter P47

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

*RE-EXAM

RECEIVED

DEC 01 1997

A. GENERAL INFORMATION

UNITED STATES DEPARTMENT OF INTERIOR
BUREAU OF LAND MANAGEMENT
1405 HOLLIPARK DRIVE, IDAHO FALLS, ID 83401

Permit No. 35-08824

PHONE: (208) 524-7500

2. Accompanied by: DEENA TEAL EXAM DATE: 7-16-1996

Address: _____ Phone No. _____

Relationship to Permit Holder: ECOLOGIST / WATER RIGHTS ANALYST

3. Source: UNNAMED STREAM tributary to SINKS

B. OVERLAP REVIEW

1. Other water rights with the same place of use: _____

2. Other water rights with the same point of diversion: _____

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SE	NE	SE	28	2N	28E	BOOTE	USGS, CUSITE

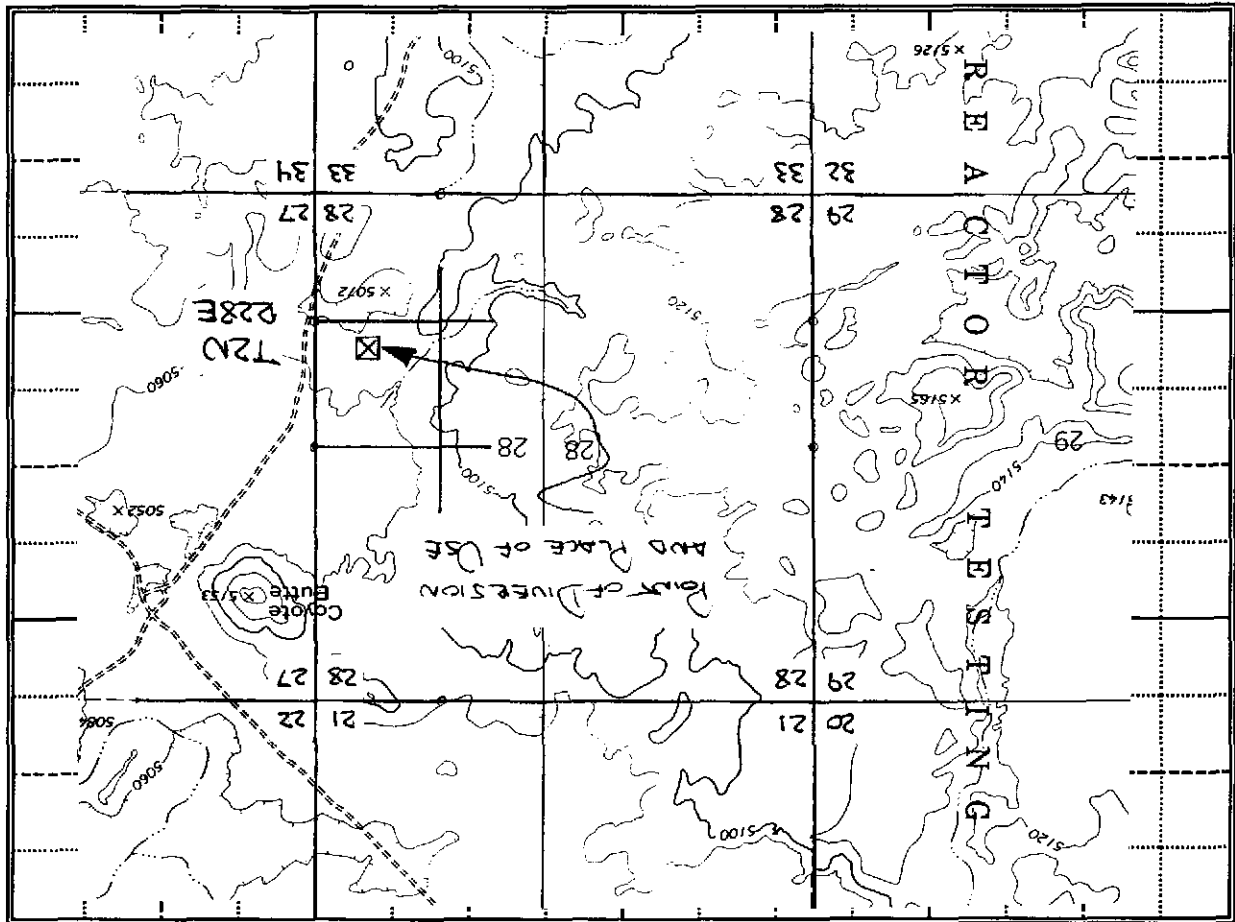
2. Place(s) of Use:

Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
2N	28E	28													S				

RECEIVED
FEB 20 1998

3. Delivery System Diagram: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe l.d. as applicable.



Scale: 1" = _____
 Copy of USGS Quadrangle Attached Showing location(s) of _____
 point(s) of diversion and place(s) of use (required).
 Aerial Photo Attached _____
 (required for irrigation of 10+ acres)
 Photo of Diversion and System Attached _____

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: 8' x 30' x 40'

E. NARRATIVE/REMARKS/COMMENTS

MAN-MADE STOCK POND 8' x 30' x 40' FOR STOCK WATER
AND WILDLIFE USES. STOCK UP TO 680 HD RANGE
CATTLE, WILDLIFE FOR VARIOUS SPECIES THROUGHOUT
YEAR

PERIOD OF USE: STOCK 4-12 TO 10-31
WILDLIFE 1-1 TO 12-31

* AMEND AS SHOWN

* FIELD VERIFICATION CONDUCTED ONSITE 7-16-1996.
AS WE WERE WELL WITHIN BOUNDARY OF INEEL,
NO PHOTOGRAPHS WERE TAKEN, NO GPS DATA COLLECTED!

* NOTE THAT PERIOD OF USE IS CHANGED TO MATCH
35-08823. ~~ADDITION~~ THERE IS NO DIFFERENTIATION
MADE BETWEEN 35-08823 & 35-08824 IN TERMS OF
MANAGEMENT. RECOMMEND THAT PERIODS OF USE BE
THE SAME.

Have conditions of permit approval been met? ☐ yes ☐ no

100-10-100
FEB 20 1998

F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method:

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$$

$$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} =$$

2. Volume Calculations for Other Uses:

$$8' \times 30' \times 40' \times \frac{2}{1} \times \frac{43.560}{1} = 0.11 \text{ AF}$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use

Secured

Whistle

From

4-12

1-1

Period of Use

To

10-31

12-31

Totals:

Rate of Diversion

Q (cfs)

Annual Volume

V (af)

2. Recommended Amendments

☒ Change P.D. as reflected above

☐ Add P.D. as reflected above

☒ Other

☒ Review of Use

I. AUTHENTICATION

Field Examiner's Name

Date

Date 11-26-97

Reviewer

SEAL

From: DWR01::DWR70::PMEYER
To: SKEEN *SWK*
CC: PMEYER
Subj: Re-exams for BLM...

"Little Forester" 20-NOV-1997 11:28:14.17

Shelley,

Per your request, I dig up the two numbers of the BLM re-exams that I'll be sending over.

The numbers are: 35-08823 and 35-08824

Later!

--Paul

MICROFILMED
FEB 20 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

February 15, 1996

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
940 LINCOLN RD
IDAHO FALLS ID 83401

RE: WATER RIGHT NO. 35-08823/35-08824/35-08645

Dear Water Right Holder(s):

The above referenced water rights are in the process of being licensed. However, before licenses can be issued, your permits must be amended to depict your water rights as they have actually been developed.

The enclosed Applications for Amendment contain information that will be included on the licenses when they are issued. The amendments reflect a change in the location of the point(s) of diversion and the place(s) of use description. Please review carefully and if you concur, sign the amendments and return with the \$150.00 (\$50.00 each) filing fee within 60 days.

The last page of the Applications for Amendment form contain a list of CONDITIONS/REMARKS proposed for the licenses when they are issued. These conditions/remarks may be modified upon further administrative review.

If you do not concur, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208) 327-7946.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

RECEIVED
FEB 16 1996

WR0749NP
No. 85-08824

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 02/12/96
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	US DEPT OF INTERIOR BUREAU OF LAND MANAGEMENT 940 LINCOLN RD IDAHO FALLS ID 83401 (208) 524-7500	08/31/1989	STOCKWATER STORAGE WILDLIFE STORAGE	04-16 10-31 01-01 12-31		0.40 AFA 0.40 AFA ----- TOTAL DIVERSION: 0.40 AFA

Water Source: UNNAMED STREAM

Tributary to: SINKS

Stage: LICENSE

Point(s) of Diversion Capacity: 0.40 AFA

Point(s) of Diversion: T02N R28E S28 NESE BUTTE County

Place of use Legal Description for: STOCKWATER STORAGE

	NE				NW				SW				SE			
	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
T R S	: Lt	: Ac	: Lt	: Ac	: Lt	: Ac	: Lt	: Ac	: Lt	: Ac	: Lt	: Ac	: Lt	: Ac	: Lt	: Ac
---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
02N 28E 28	:		:		:		:		:		:		:	S	:	

Pou County: BUTTE

Conditions of Approval:

- This right, when considered with all other rights common to the
- same grazing allotment, shall be limited to the quantity of water
- beneficially used by the number of stock within the allotment.

Dates: App. Received: 08/31/1989 Priority Date: 08/31/1989
Proof Due Date: 01/01/1992 Proof Made Date: 01/23/1990
Exam Made Date: 09/26/1995 Exam Sent to S.O.: 01/16/1996
Licensed Date:

Misc: Water District Number: Field Exam Fee: N (Not Required)

Audit: 02/12/96 CZIMMERM

B/U FIELD EXAM REVIEW
Cindy Zimmerman

01/96

Permit #: 35-02824 Name: BLM Date: 1/23/90 ✓ Lots _____

NAME Chng Same ✓ Or Address Change?

SOURCE ✓ Clarify source _____
Prelim. Order to Void - Source change.

P/D ✓ Amendment Needed? SENESC, S28, T02N, R28E P39
Overlap(s) _____

P/U ✓ Amendment Needed? NESE, S28, T02N, R28E P41
Overlap(s) _____
(Gov't special ¶'s) *P/D & P/U Amend? P37

RATE Permit/fee limits 0.4 AF / 0.4 AF
Measured Q= _____ cfs/Theoretical Q= _____ cfs

Recommended capacity _____ cfs
Recommended rate _____ cfs

VOLUME ✓ Season: (____/____) 4/16-10/31 = 305 days
Calculations: $\frac{(50 \times 90) + (43,560 \times 8) \times 0.5}{(680 \times 12 \times 198) + 325,850} = 0.4$
limited to permitted volume.
Flow limit: _____ x _____ x 1.9835 = _____ AF
Recommended volume 0.4 AF

USES ✓ Same Nature of Use? _____ P46
Amendment Needed? _____

REMARKS Multiple p/d's in 1/4? W32

CONDITIONS R37 Measuring (R01)/Locking (R02) Devices
Watermaster Control (R04) - WD # _____
Irrigation rate/volume overlap
GW irrigation replaces surface water (050)
GW irrigation supplements surface water (065)
Water Quality
Other _____

PRIORITY App Rcd 8/31/89 Due 1/1/92 Rc'd 1/23/90
Receipt# None Fee OK? (Yes) No
Order to Reinstate Needed? Yes (No) Done?
If Yes, Advanced? Yes/No to: _____
Priority 8/31/89 Examined 9/26/95

COMMENTS: Amend Township

USE	CFS	DIV VOL
<u>Stake Stor</u>	<u>—</u>	<u>0.4</u>
<u>WL Stor</u>	<u>—</u>	<u>0.4</u>
<u>TOTAL</u>	<u>—</u>	<u>0.4</u>

SRBA Overlap A/R35-02824
Adjustment Memo _____

LICENSE LTR: P49
#1 AMEND LTR: P48/P38
#2 AMEND LTR: P42/P47

MEMORANDUM

DATE: February 7, 1996
TO: File No. 35-8824
FROM: Cindy Zimmerman *CJ*
SUBJECT: Telephone Conversation

=====

I talked today with Paul Meyer regarding several BLM stockwater field exams he did in September 1995 and sent to the state office in January 1996. These exams contained a short narrative of the system but no notes on the nature and date of the records used to verify beneficial use as required in Permit Processing Memo No. 8 dated 11/7/95.

Paul stated that he did not personally witness the diversion or any "as built" of the systems. Paul had contacted Deena Teal, an ecologist with BLM, and gave her a listing of the permits. Ms. Teal field verified each site for Paul and the SRBA claims.

UNRECORDED
FEB 24 1996

Form 219
5/92

JAN 13 1996

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

COYOTE RIVER
JDR # 4866

A. GENERAL INFORMATION

Permit No. 35-08824

United States Department of Interior
Bureau of Land Management
940 Lincoln Road, Idaho Falls, ID 83401

Phone: (208) 524-7500

2. Accompanied by: DEAN T. ELL

EXAM DATE: 9-26-95

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: UNNAMED tributary to SINKS

B. OVERLAP REVIEW

1. Other water rights with the same place of use: _____

2. Other water rights with the same point of diversion: _____

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SE	NE	SE	28	2N	28E	BUTTE	USGS, IN-OFFICE

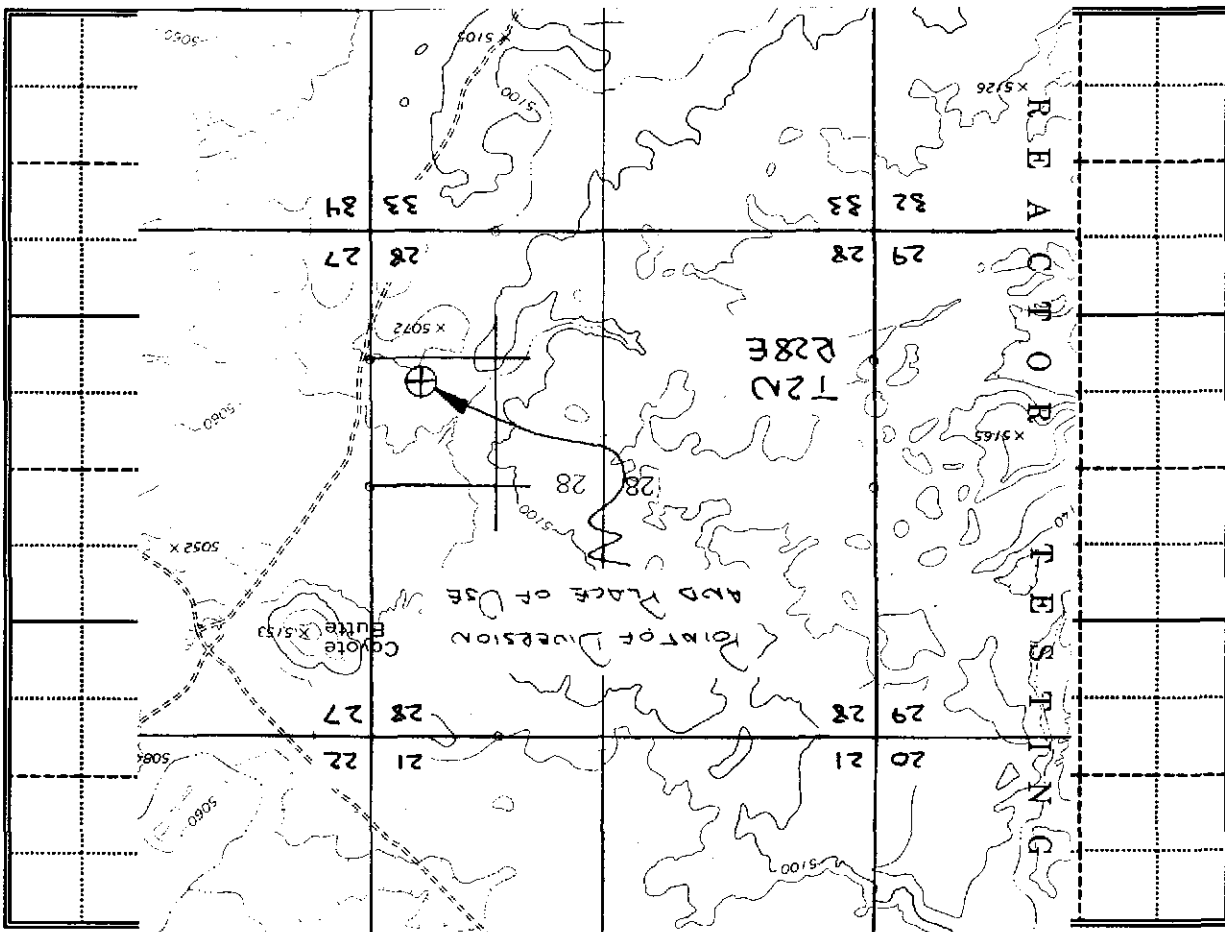
2. Place(s) of Use:

Indicate Method of Determination SAME

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
2N	28E	28													S/W				

RECEIVED
FEB 20 1996

3. Delivery System Diagram: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = _____
 _____ Copy of USGS Quadrangle Attached Showing location(s) of _____
 _____ point(s) of diversion and place(s) of use (required).
 _____ Aerial Photo Attached of _____
 _____ (required for irrigation of 10+ acres)
 _____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements:

E. NARRATIVE/REMARKS/COMMENTS

MAN-MADE STOCKWATER AND WILDLIFE POND - 8' x 50' x 90'

STOCKWATER USE FOR UP TO 680 RANGE CATTLE 4-1 TO 10-31

WILDLIFE USE FOR NUMEROUS VARIED SPECIES 1-1 TO 12-31

COYOTE D.F., JDR # 4866

* AMEND TOWNSHIP TO T 2N AS SHOWN!

Have conditions of permit approval been met? ☐ yes ☐ no

RECEIVED
FEB 26 2008

RECEIVED
FEB 20 1998

SEAL

Reviewer _____ Date _____

Field Examiner's Name John Meyer Date 12-28-95

I. AUTHENTICATION

☒ Change P.D. as reflected above
☐ Change P.U. as reflected above
☐ Add P.D. as reflected above
☐ Add P.U. as reflected above
☐ None
☐ Other

2. Recommended Amendments

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Stockwater	4-16		0.42
Wetlands	1-1		0.42
	12-31		0.42
	10-31		0.42
Totals:			0.42

1. Recommended Amounts

H. RECOMMENDATIONS

Allow 0.42 as permitted

$$\left(\frac{8' \times 50' \times 90}{2} \right) \times \left(\frac{1}{43560} \right) = 0.41 \text{ AF}$$

2. Volume Calculations for Other Uses:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$$
$$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$$
$$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} =$$

1. Volume Calculations for Irrigation:

G. VOLUME CALCULATIONS

F. FLOW CALCULATIONS

Measured Method: _____
Additional Computation Sheets Attached

February 12, 1990

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE, ID 83706

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 35-08824

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

MICROFILMED

MAR 06 1990

S T A T E O F I D A H O
D E P A R T M E N T O F W A T E R R E S O U R C E S

Statehouse
Boise, Idaho 83720
(208) 327-7900
December 29, 1989

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE, ID 83706

P E R M I T A P P R O V A L N O T I C E

RE: PERMIT NO. P35-08824

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

Please note the requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction, no later than one year from the date the permit was approved.

We have enclosed 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 license.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

FILED
MAR 06 1990

26-Oct-1989

Douglas Rosenkrance
Watermaster District 34
Rt. 1, Box 24
Mackay, ID 83251

RE: Applications for Permit No. 35-8823, 35-8824, & 35-8827

Dear Sir:

This office is currently in the process of publishing notice that the above application for permit was filed with the Department of Water Resources. Since the application may be of interest to you, a copy is enclosed for your examination. Comments concerning the application should be addressed to the applicant with a copy forwarded to this office. Protests objecting to granting a permit should be directed to this Department and received as soon as possible. Final action will be taken by this office shortly after this date, provided there are no protests lodged against the applications.

Respectfully submitted,

Harold W. Jones
Water Rights Supervisor

HWJ/rb
Enclosure

RECORDED
MAR 06 1990

25-Oct-1989

USDI, BLM
940 Lincoln Rd.
Idaho Falls, ID 83401

RE: Application No.'s 13-7466, 29-7870, 29-7871, 29-7872,
29-7873, 34-7518, 34-7519, 35-8823, 35-8824, & 35-8827

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your applications. Please refer to the application number above in all further correspondence.

This office is currently in the process of advertising the application in the local papers. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before final action is taken. If the protest is not resolved by the involved parties this 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 about five weeks. Department personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When final processing of the application is complete, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

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

Sincerely,

Harold W. Jones
Water Rights Supervisor

HWJ/rb

MAR 06 1990

35-08824

USDI, BLM
940 LINCOLN RD.
IDAHO FALLS, ID 83401

Source: UNNAMED STREAM

Tributary: SINKS

Diversion Pt: SENESE Sec 28 T 01N R 28E

Use: STOCKWATER (.42 AF)
 WILDLIFE (.42 AF)

Date Filed: 8/31/1989

In: T01N R28E S28 NESE