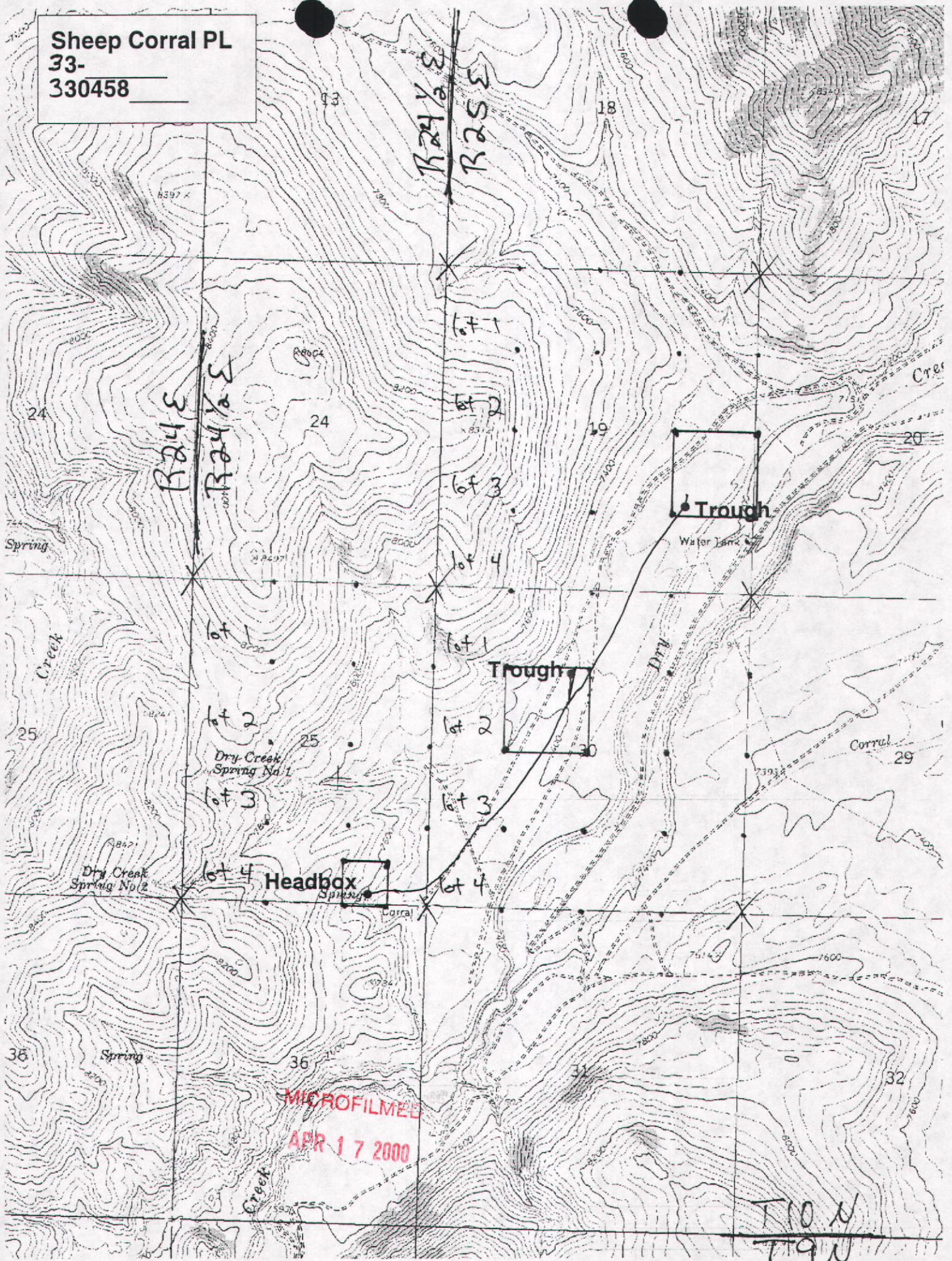


Sheep Corral PL
33-
330458

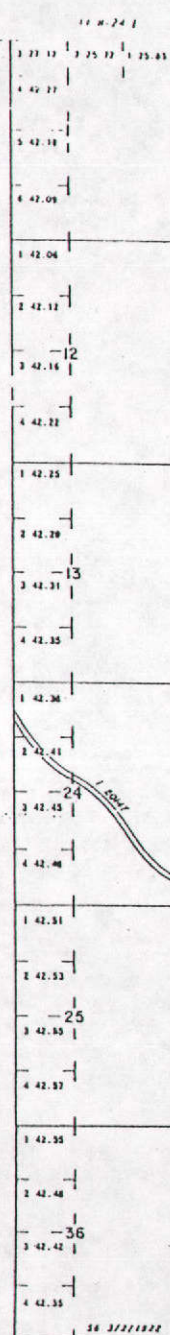


THE BOISE MERIDIAN, IDAHO

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

RECEIVED

MT PLAT

[illegible]

Lat. $44^{\circ} 9' 27''$ N
Long. $113^{\circ} 50' 00''$ W

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

CURRENT TO	CURRENT TO

USE PLATS:

Bales Mar

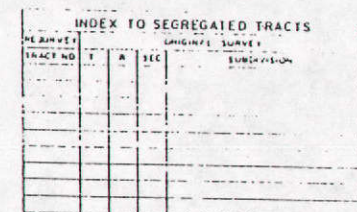
T. IQM

SCALE in Chains

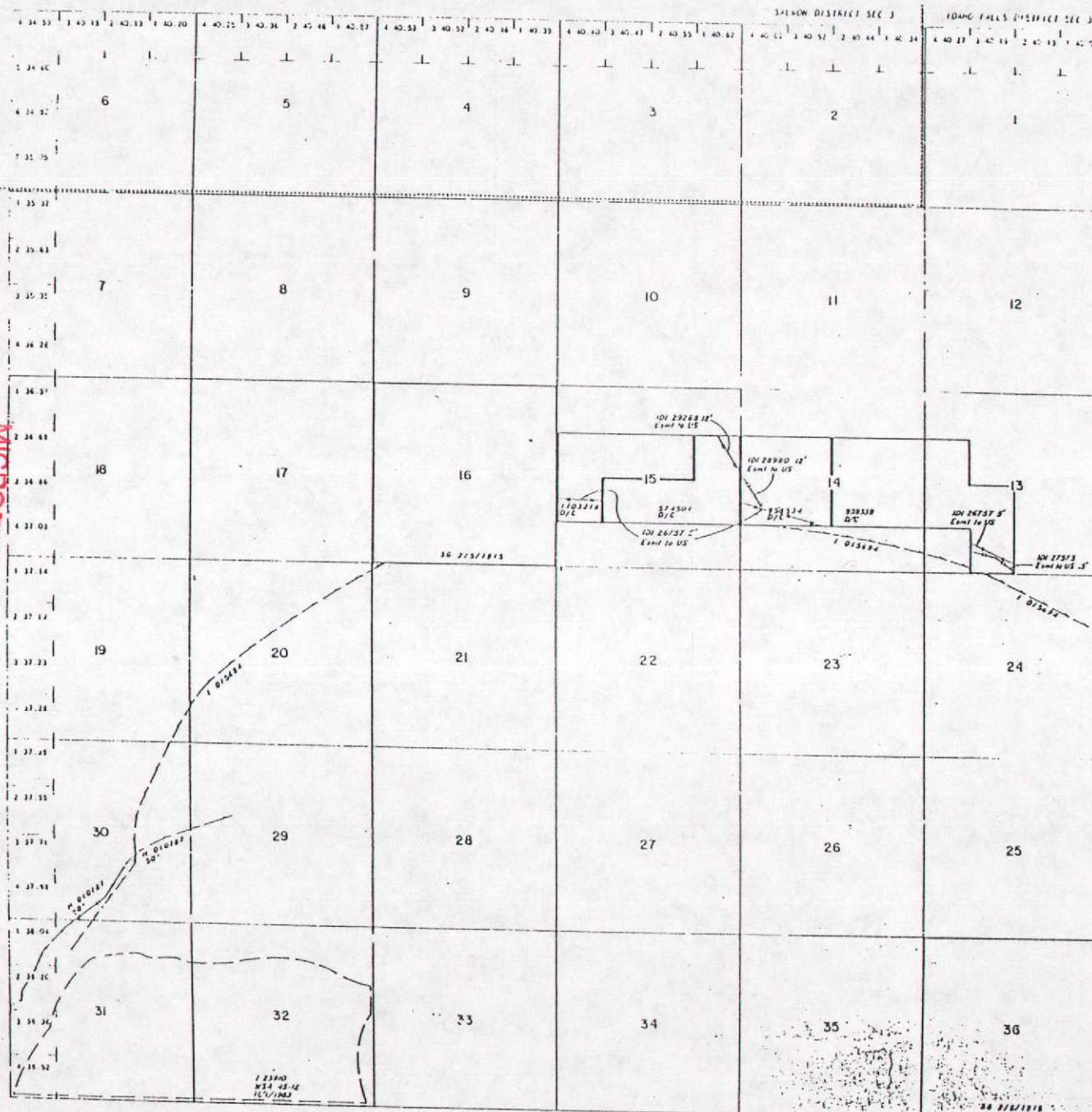
WARNING STATEMENT
This plot is the Bureau's Record of Title, and should be used
only as a guide to the fact and not as a basis for action.

THE NOTATION SHOWN ON WITHDRAWALS REPRESENT THE LAST ACTION TAKEN BUT MAY NOT BE THE EFFECTIVE DATE, SEE THE DATE OF THE ORIGINAL WITHDRAWAL.

MICROFILMED
APR 17 2000



MICROFILMED



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

CURRENT TO	CURRENT TO

USE PLATS:

Lat. 44° 27' N
Long. 113° 23' W

SCALE in Celsius

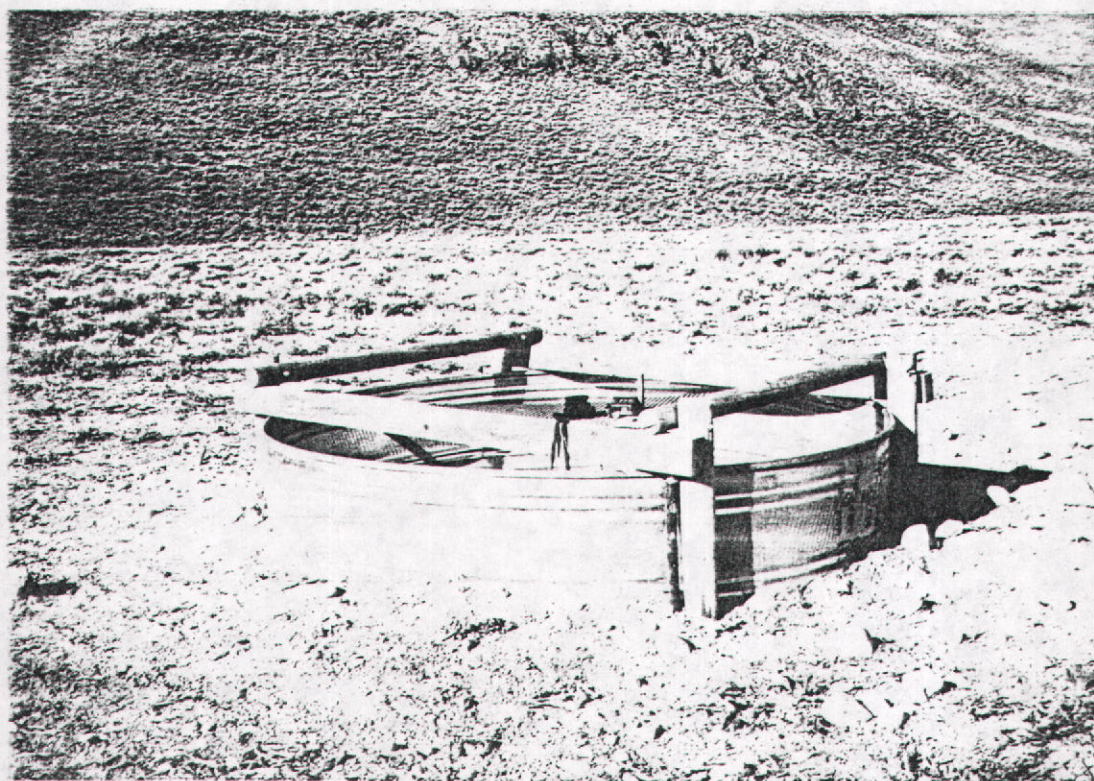


WARNING STATEMENT

Title plot is the Bureau's Record of Title, and should be used only as a graphic display of the township survey data. Any title hereon do not reflect title changes which may have been effected by lateral movements of strips or all is subject to main

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 WITHDRAWAL ORDER

Bake Mar
T. 104
R. 25-



MICROFILMED
APR 17 2000

33-
330458
Sheep Corral PL
Headbox

MICROFILMED

APR 17 2000

33-
330458
Sheep Corral PL
Headbox + Spring



APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS

Reviewed by Sharla Curtis on 3/16/00

Salmon
No. 33-07231 Name: Bum Corp. Officers N/A Ad ok ☒ Govt Lots

AREA OF CONCERN: No/Yes sc/wld Moratorium GWMA TRUST/NON-TRUST
non cons. ok

GROUNDWATER: (✓Flow Chart)

DRILLING PERMIT

All wells - 046(P23)
Basin 34 - 085
Irr. w/in WD - P05
WMD - North/East/West
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 067

~~WMD~~

Supp irr (irr = only use) - 065-104
Supp irr (+ other uses) - 100-105
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M

LOCATION:

Boise Front LoGeo - 058 (<85 GW)
Mitigation - 121
42-248 Area - P84 (20s-70s, 81-86)
Swan Falls Flag
Trust - 051(P74) (consumptive uses)
Non-Trust - 048-049 (consumptive uses or non-cons. > 1.0 cfs)

USES:

STORAGE - 18A-01H(P01), 01P-18B(P09)-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
STOCKWATER - R37 (BLM/USFS)
MINING - 054-081(P10)
FISH PROP - 029(70'S only)-007-042-081(P10)
HEAT/COOL - R07(injection well)
FIRE PROT. - 077

BENEFICIAL USE DUE: 4 / 01 / 2001

MISC CONDITIONS/REMARKS:

Protested - 020-W19
Development Period
≤ 1 yr - P16
> 1 yr - 26A(P17)
Ownership - 004
Non-consumptive - 027
Water Quality - 081-R07

SURFACE WATER: (✓Flow Chart)

F&G contacted - Yes/No Response
In/Above MSF - WB9
PLANNING SECTION REVIEW/RESPONSE
In-stream development - P52
WD - R04 (WD#)
≤ 0.20 cfs/others - 01H(P01), 01P or No MD
> 0.20 cfs - 01J(P08)

SPRINGS/SINK, INACTIVE WD & REST OF STATE

≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M or No MD

RIVER BASINS: (SW special considerations)

SNAKE R (01) - W22(P04), N/A
(02,03) - 007 (w/ remark WB9 if above Weiser)
Payette R (65) - 047(P04) (Payette Lake)
Salmon R (70's) - 029 (fish-screens) *N/A spring*
Weiser R (67) - 086-087

USES:

POWER - 17H-17K (+uses)-08A-025(P18)-01N-081(P10)
MUNICIPAL
Restricted area - 022,075
Irr., GW supp to SW - 102
DOMESTIC
Surface water - WB5 (Big Wood or Boise above Star Bridge)
27A (Payette R)
> 1 in restricted area - 070-071-075 (no parks/common areas, etc)
Irr use listed separate - WB5
Moratorium approvable - W03 (2500 gpd - meets domestic definition
i.e. D/convenience store)

Multiple p/d's per 1/4 - W32
Subd lot desc (pd) - W59
Subd lot desc (pu) - W60
Use definitions - W02 example - 1000 S/50 range
Pre-1987 development - 068-074 (allow 120 days for proof due)
Single p/d intended - 076

IRRIGATION SEASON (Per updated map)

OTHER CONDITIONS/REMARKS

Project known as Sheep Corral Pipeline

COMMENTS

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

RECEIVED

MAR 16 2001
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. 33-7231 Telephone No. 756-5400
2. Name of Permit Holder(s): USDI - 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):
1000 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 X
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: Alan Bittner Telephone Number: 756-5423
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 Biologic Technician Date: 2/6/01
(include your title, if on behalf of company or organization)

MICROFILMED

MAR 29 2001

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 33-07231

Priority: February 4, 2000

Maximum Diversion Rate:

0.02 CFS

This is to certify, that US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
RT 2 BOX 610
SALMON ID 83467

has applied for a permit to appropriate water from:
SPRING 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>
STOCKWATER	01/01 to 12/31	0.02 CFS
WILDLIFE	01/01 to 12/31	0.02 CFS
	Totals	0.02 CFS

LOCATION OF POINT(S) OF DIVERSION:

SWSESE , Sec. 25, Township 10N, Range 24E
CUSTER County

PLACE OF USE: STOCKWATER

TWN RGE SEC

10N 25E 19 NESE
30 SENW

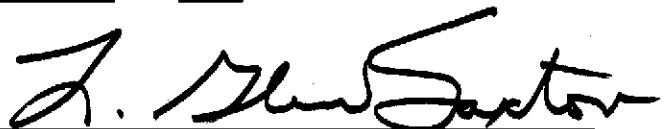
PLACE OF USE: WILDLIFE, same as STOCKWATER use

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of application of water to beneficial use shall be submitted on or before April 1, 2001.
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 1000 range cattle.
5. Project is known as Sheep Corral Pipeline.

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

20th day of March, 2000.



Karl J. Dreher, Director

MICROFILMED for

APR 17 2000

RECEIVED

FEB 07 2000

RECEIVED

MAR 13 2000

Department of Water Resources

STATE OF IDAHO
OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Ident. No. 33-07231
Eastern Region

1. Name of Applicant Bureau of Land Management Phone 208 756-5423
Mailing address Route 2 Box 610 Salmon, ID 83467
2. Source of water supply Spring which is a tributary of Sinks
3. Location of point of diversion is Township 10 N Range 24 1/2 E Sec. 25 in the SW 1/4, SE 1/4, SE 1/4, Govt. Lot _____, B.M., Carter County; additional points of diversion if any: _____
4. Water will be used for the following purposes:

Amount <u>.02</u> for <u>Stockwater</u>	purposes from <u>1/1</u> to <u>12/31</u>	(both dates inclusive)
(cfs or acre-feet per annum)		
Amount <u>.02</u> for <u>Wildlife</u>	purposes from <u>1/1</u> to <u>12/31</u>	(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)		
5. Total quantity to be appropriated is (a) .02 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 Culvert headbox
 - 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? No
 - 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 1 years (minimum 1 year)
8. Description of proposed uses (If irrigation only, go to Item 9): project is complete
 - a. Hydropower; show total feet of head and proposed capacity in KW. _____
 - b. Stockwatering; list number and kind of livestock. 1000 cattle
 - c. Municipal; show name of municipality. _____
 - d. Domestic; show number of households. _____
 - e. Other; describe fully. Wildlife

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APR 17 2000

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	N E				N W				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10N	25E	19													S+W				
10N	25E	30							S+W										

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. Beneficial Use
claim is 33-1072011. a. Who owns the property at the point of diversion? US DOI BLMb. Who owns the land to be irrigated or place of use? US DOI 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: Known as Sheep Corral Pipeline.

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.

Alan Bittner

Signature of Applicant (and title, if applicable)

Received by HWS Dated 2-7-2000 Time _____ Preliminary check by _____
 Fee \$ 50.00 Received by HWS # E085594 Date 2-7-2000
 Publication prepared by SC Date 2/17 & 2/24/00 Published in Challis Messenger
 Publication approved SC Date 3/1/00

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APR 17 2000

BLM Water Right Field Verification Form for SRBA

BLM id

330458

IDWR No: 33-

7.5 min. quad:

Short Gk

Project Name: Sheep Corral Ph

Project No:

Priority Date:

Allot Name:

Allot No:

Div Means:

Source:

Spring

Trib:

Sinks

TotDivRate:

TotDivVol: .02 cfs

initial
POU

Tn	Rg	Sec	T1	T2	T3	Lot
10N	24	25	SW	SE	SE	

initial
POU

Tn	Rg	S	T1	T2	Lot
10N	25	19	NE	SE	

10N 25E 30 SE NW

Use: From: To: DivRate:

04 1/1 12/31 .02

16 1/1 12/31 .02

one square = _____ acres

Field Investigation Info:

Source type: stream - spring - reservoir - well - playa - pond - lake - other

Investigator(s)

Miller Bittner

Other type:

Developed?

Y N

Date/Time

11/16/99

For reservoirs, playas, ponds, lakes, estimate (high water):

Claim Verification Location(s):

Dimensions:

Length

Width

Avg Depth

Channel IN: Artificial - Natural

OUT:

Artif - Natural

Does water arise/sink on public land?

Arise - Sink

Photo

1, 2 Headbox

Info

3 Trough

4 "

For streams and springs:

Flow:

CFS, or

GPM

How measured?

Site Description

GPS:

Y N

GPS file name:

B111618a

Lat.

Long

Enclosure = WP2-5

Good Spring

New pipeline development feeding 2 - 1000 gal round troughs

Dominant vegetations: cottonwood/aspen - willows - sedges/rushes

Percent bare ground?

Water present?

Y N

Water class: perennial - intermittent - ephemeral - flowing - standing - groundwater

Where water is not present, what are the indicators that water was present?

Evidence of livestock/wildlife use at site:

Recommendation:

pursue

amend - drop the water claim.

Water Rights Coordinator (sign/date)

Alan Bittner

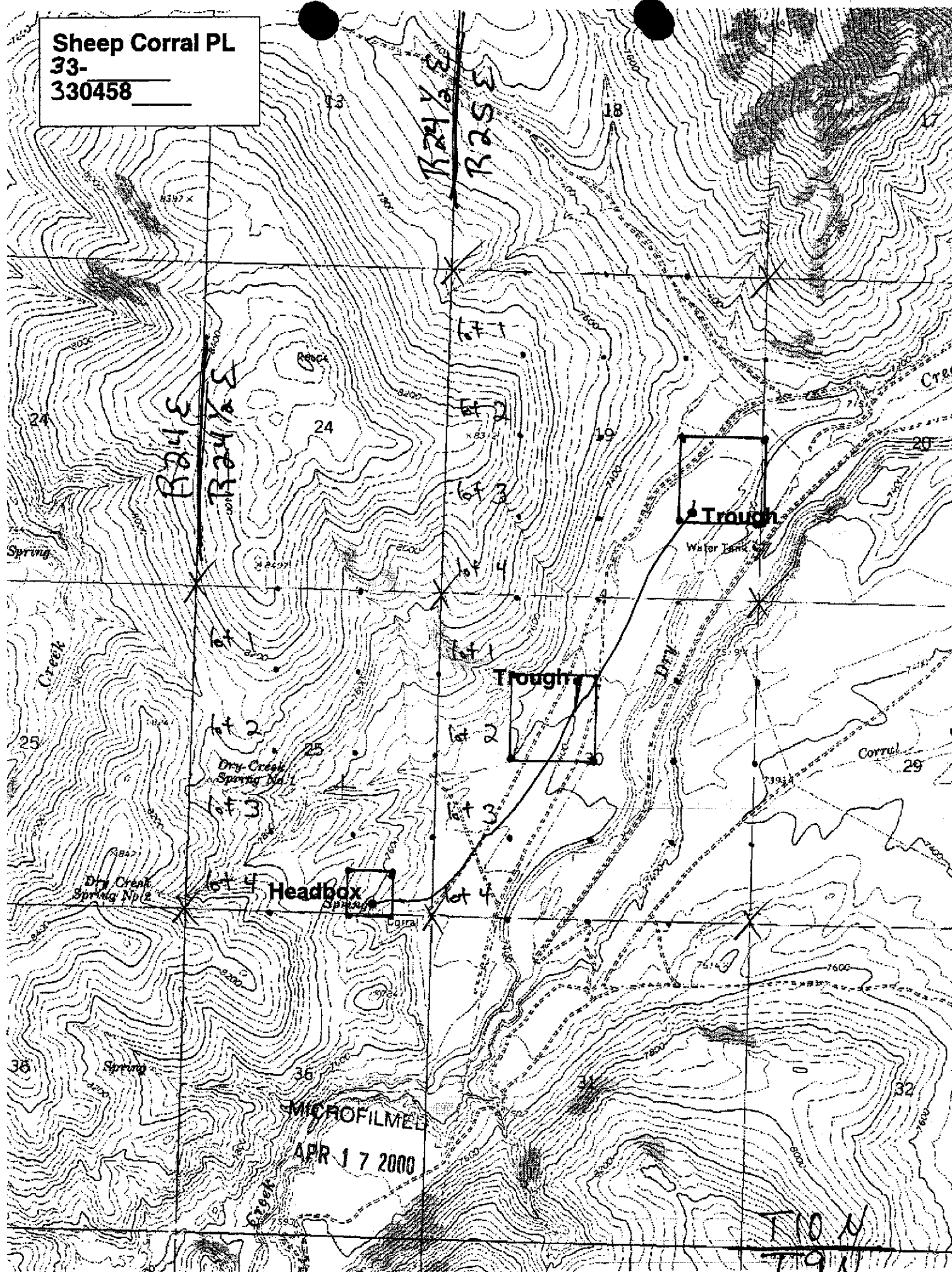
11/26/99

* Note: Spring claim is 33-10720
3304682842

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APR 17 2000

Sheep Corral PL
33-
330458



THE BOISE MERIDIAN, IDAHO

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

SA KDN 612840Z J 300

MT__PLAT

[illegible]

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

CURRENT TO	CURRENT TO

USE PLATE;

Solve for
T. ...

MICROFILMED
APR 17 2000

SCALE in Charts

20 30 40 50 60 70 80 90 100

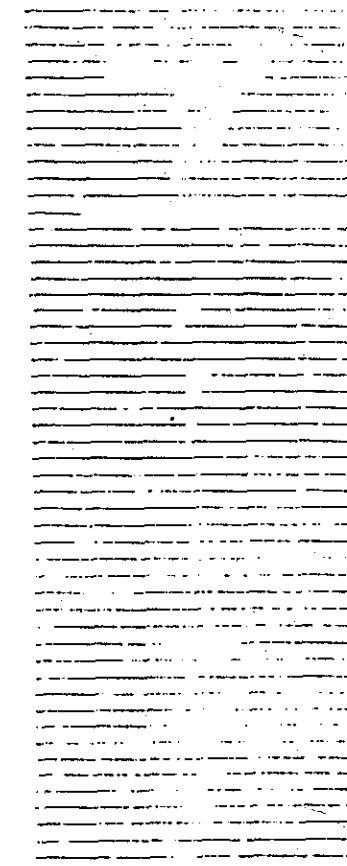
40

WABIRKZ 13A124107

This plot is the Bureau's Armed and Dile, and should be more
made as a double check of the other two plots.

THE NOTATION SHOWN ON WITHDRAWALS REPRESENT THE LAST ACTION TAKEN BUT MAY NOT BE THE EFFECTIVE DATE. SEE

MT PLAT

[illegible]

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

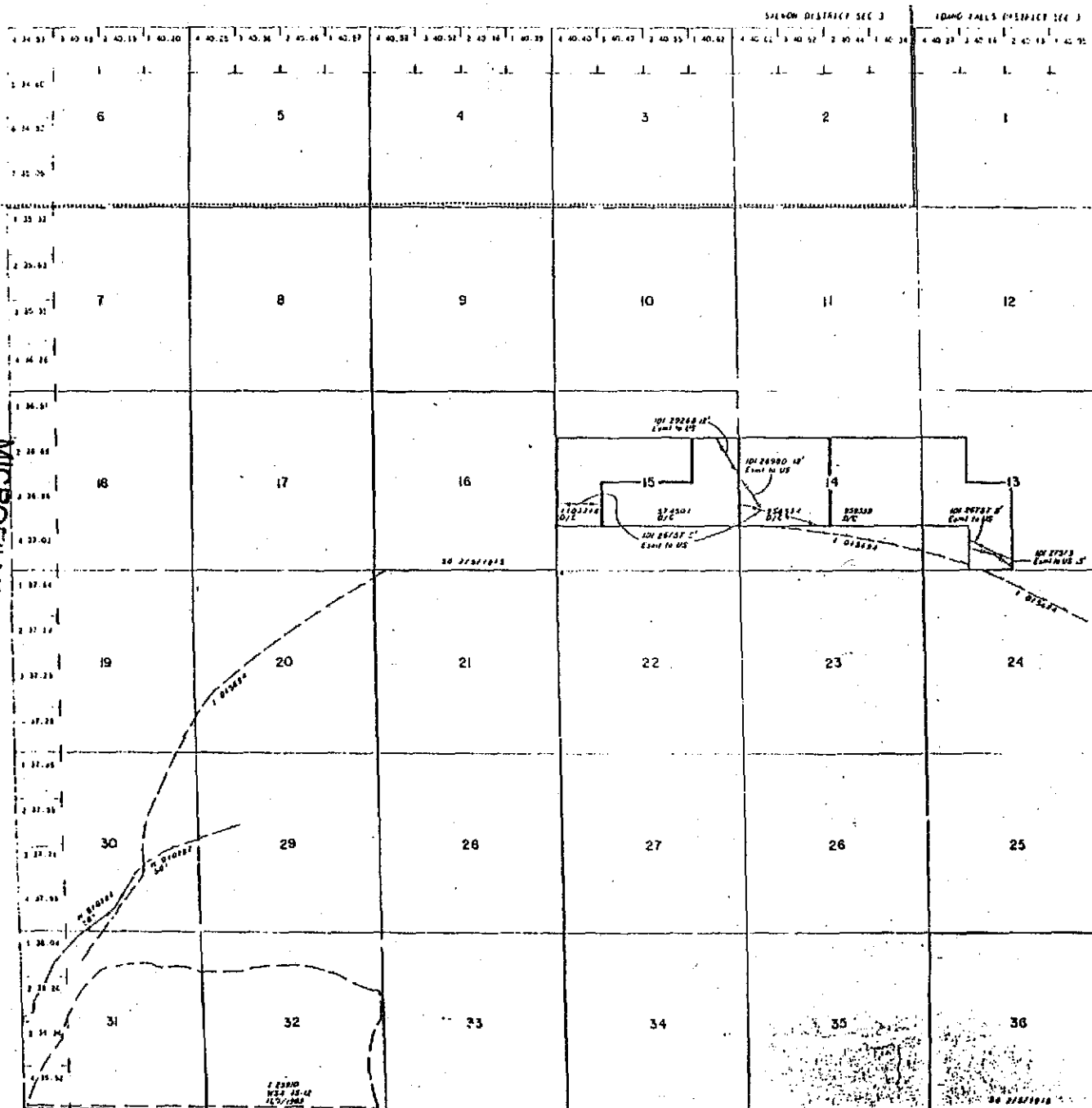
EXPIRY TO	CURRENT TO
USE PLAS:	

Lat. 44° 52' N
Long. 113° 23' W

T. 104
R. 74.

APR 17 2000

MICROFILMED

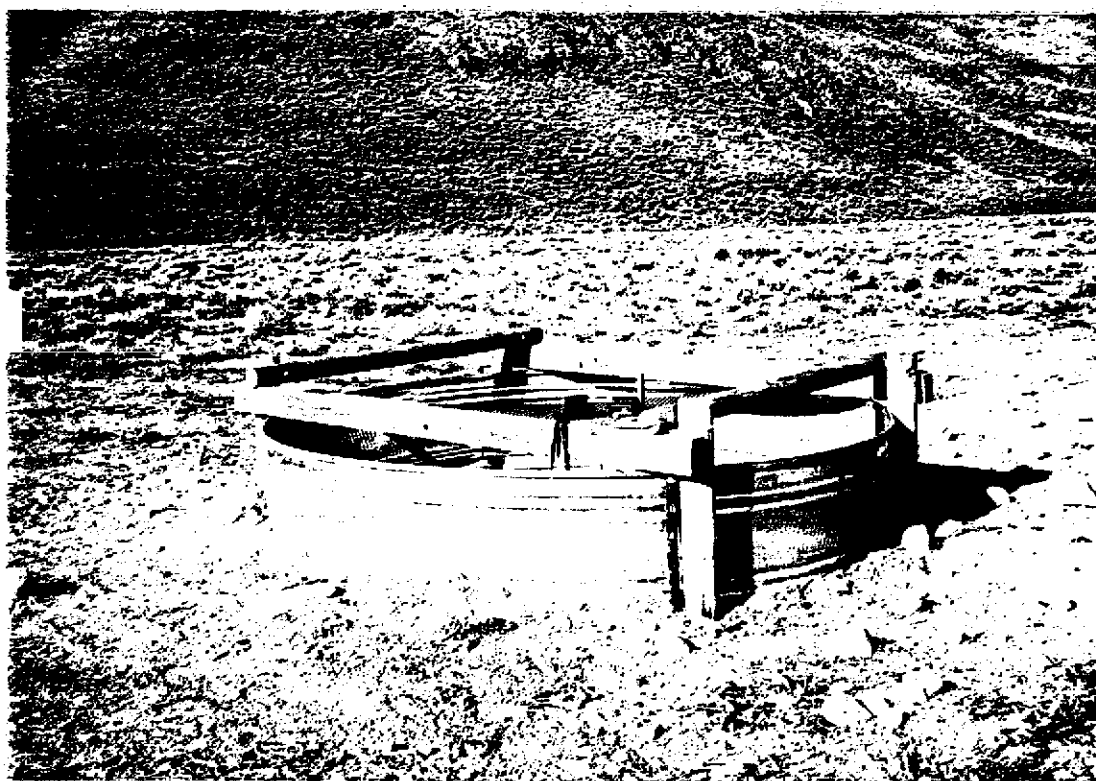


SCALE 1a Choices

10 6 9 10 10 10 6

WARNING FLAG-100

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 WITHDRAWAL ORDER



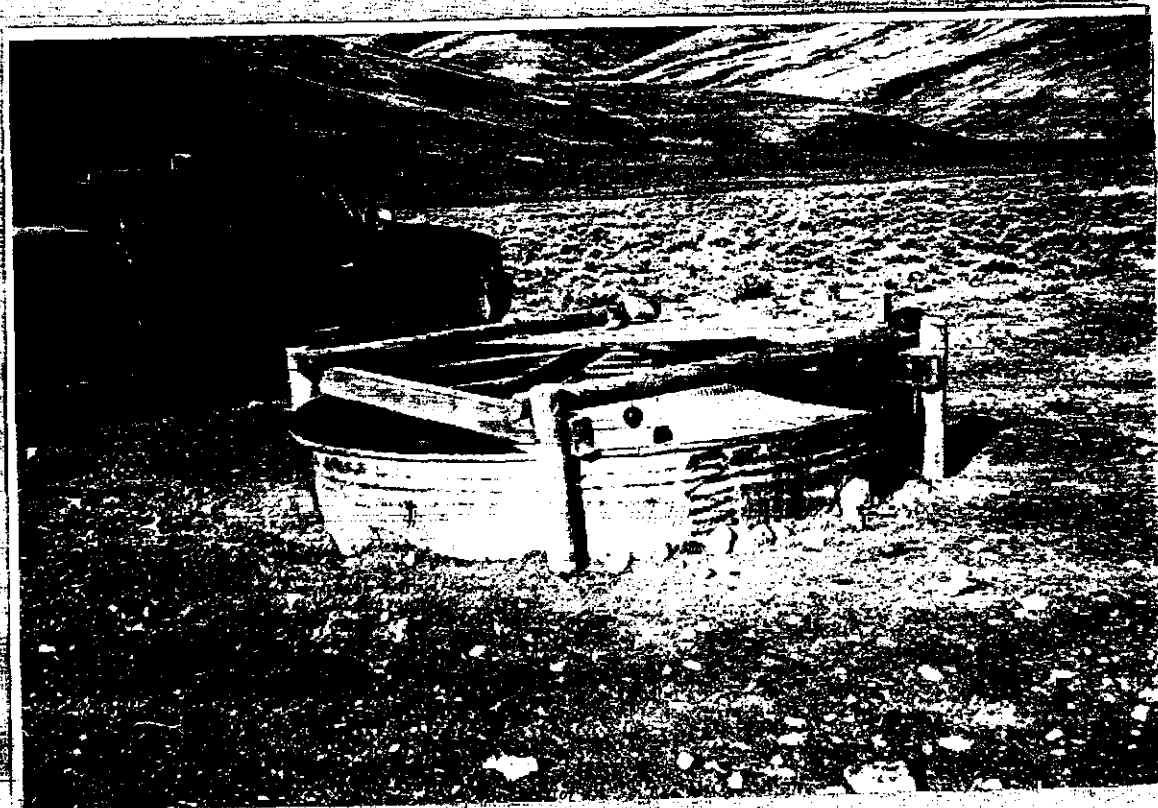
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APR 17 2000

33-
330458
Sheep Corral PL
Headbox + Spring

33-
330458
Sheep Corral PL
Headbox

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APR 17 2000





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

March 23, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

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

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NOS. 33-07231, 73-07132, 73-07133, and 75-07673

Dear Permit Holder:

The department acknowledges receipt of the proofs of beneficial use forms submitted for the above referenced permits. 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.

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 Gibson
Administrative Assistant
Water Allocation Bureau

c: IDWR - Regional Office

MICROFILMED
MAR 29 2001

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 33-7231

Reviewed By: dgibson

Date: March 23, 2001

	<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.:		E026530	Well driller's report filed?		
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		03/09/2001
Date proof due	-	04/01/2001
Lapse notice sent	-	
No. of days late	=	0
Holiday allowance	+	
Priority date	+	02/04/2000
New priority date	=	02/04/2000

Deficiencies of Actions Items

Acknowledge proof.

MICROFILMED

MAR 29 2001

January 31, 2001

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
RT 2 BOX 610
SALMON, ID 83467

PROOF DUE NOTICE

RE: PERMIT NO. 33-7231

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before April 01, 2001. (See last page of your approval permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed field examination report prepared by a certified water right examiner may be used to submit the required proof.

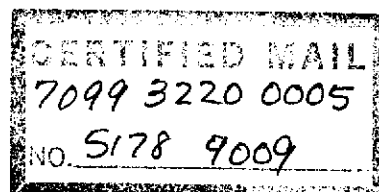
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Enclosures



MICROFILMED

MAR 29 2001



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

March 20, 2000

DIRK KEMPTHORNE
GOVERNOR

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
RT 2 BOX 610
SALMON ID 83467

KARL J. DREHER
DIRECTOR

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 33-07231

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.

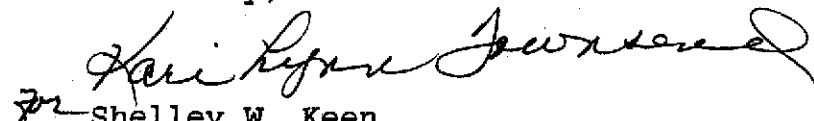
The permit is a preliminary order issued by IDWR pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

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.

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,


for Shelley W. Keen
Water Rights Supervisor

SK:klt
Enclosures

MICROFILMED

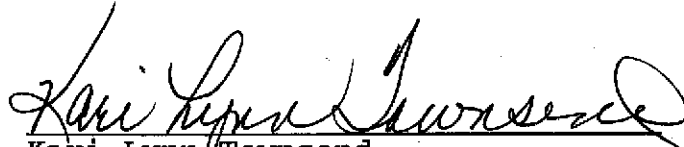
APR 17 2000

CERTIFICATE OF MAILING

I hereby certify that on the 20th day of March, 2000, 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. 33-07231

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
RT 2 BOX 610
SALMON ID 83467


Kari Lynn Townsend
Secretary

MICROFILMED

APR 17 2000

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.

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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.

APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS

Reviewed by Sharla Curtis on 3/16/00

Salmon
No. 33-07231 Name: Bum Corp. Officers N/A Ad ok ✓ Govt Lots —

AREA OF CONCERN: No/Yes 50/Invald Moratorium non cons ok GWMA — TRUST/NON-TRUST —

GROUNDWATER: (✓Flow Chart)

DRILLING PERMIT

All wells - 046(P23)
Basin 34 - 085
Irr. w/in WD - P05
WMD - North/East/West
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 067

~~WMD~~

Supp irr (irr = only use) - 065-104
Supp irr (+ other uses) - 100-105
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M

LOCATION:

Boise Front LoGeo - 058 (<85 GW)
Mitigation - 121
42-248 Area - (P84 (20s-70s, 81-86))
Swan Falls Flag -
Trust - 051(P74) (consumptive uses)
Non-Trust - 048-049 (consumptive uses or non-cons. > 1.0 cfs)

USES:

STORAGE - 18A-01H(P01), 01P-18B(P09)-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
STOCKWATER - R37 (BLM/USFS)
MINING - 054-081(P10)
FISH PROP - 029(70'S only)-007-042-081(P10)
HEAT/COOL - R07(injection well)
FIRE PROT. - 077

BENEFICIAL USE DUE: 4/01/2001

MISC CONDITIONS/REMARKS:

Protested - 020-W19
Development Period
≤ 1 yr - P16
> 1 yr - 26A(P17)
Ownership - 004
Non-consumptive - 027
Water Quality - 081-R07

SURFACE WATER: (✓Flow Chart)

F&G contacted - Yes/No Response
In/Above MSF - WB9
PLANNING SECTION REVIEW/RESPONSE
In-stream development - P52
WD - R04 (WD#)
≤ 0.20 cfs/others - 01H(P01), 01P or No MD
> 0.20 cfs - 01J(P08)

SPRINGS/SINK, INACTIVE WD & REST OF STATE

≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M or No MD

RIVER BASINS: (SW special considerations)

Snake R (01) - W22(P04), N/A
(02,03) - 007 (w/ remark WB9 if above Weiser)
Payette R (65) - 047(P04) (Payette Lake)
Salmon R (70's) - 029 (fish screens) *N/A spring*
Weiser R (67) - 086-087

USES:

POWER - 17H-17K (+uses)-08A-025(P18)-01N-081(P10)
MUNICIPAL
Restricted area - 022,075
Irr., GW supp to SW - 102
DOMESTIC
Surface water - WB5 (Big Wood or Boise above Star Bridge)
27A (Payette R)
> 1 in restricted area - 070-071-075 (no parks/common areas, etc)
Irr use listed separate - WB5
Moratorium approvable - W03 (2500 gpd - meets domestic definition
i.e. D/convenience store)

Multiple pds per 1/4 - W32
Subd lot desc (pd) - W59
Subd lot desc (pu) - W60
Use definitions - W02 example - 1000 5/50 range
Pre-1987 development - 068-074 (allow 120 days for proof due)
Single pd intended - 076

IRRIGATION SEASON — (Per updated map)

OTHER CONDITIONS/REMARKS

Project known as Sheep Corral Pipeline

COMMENTS

RECEIVED

MAR 13 2000

Department of Water Resources

Dist for Staffing _____
Submitted for advertising _____

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

INITIAL REVIEW BY HLW DATE 2-8-2000 APPLICATION NO. 33-07231

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 33-10720
☐ 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 Health & Welfare | ☐ U.S. BLM |
| ☐ Id Dept of Fish & Game | ☐ U.S. Forest Service |
| ☐ Id Dept of Lands | ☐ Water District |
| ☐ Adjudication Bureau Unit | ☐ Other _____ |

FINAL REGIONAL PROCESSING REVIEW:

☒ Yes	☐ No	Affidavit of publication received
☒ Yes	☐ No	Application published correctly. If not, record action taken
☒ Yes	☐ No	Publication dates & paper, recorded on application
☐ Yes	☒ No	Protests received
		Final date for protest _____
☐ Yes	☐ No	Protests, dates, resolution of protest, recorded on application
☐ Yes	☐ No	Recommendations attached
☐ Yes	☐ No	Measuring device required
☐ Yes	☐ No	Access port required
☐ Yes	☐ No	Will water be delivered by watermaster? If yes, what District _____
☐ Yes	☐ No	Special conditions of approval or cover letter below.

Date of priority recommend _____

By: _____

Date: _____

STATE OFFICE REVIEW: _____

By: _____

Date: _____

ADDITIONAL INFORMATION: _____

LOCAL PUBLIC INTEREST:

Comments received from:

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

Project impacts/implications report

COMMENTS

AFFIDAVIT OF PUBLICATION

State of Idaho, County of Custer, ss:

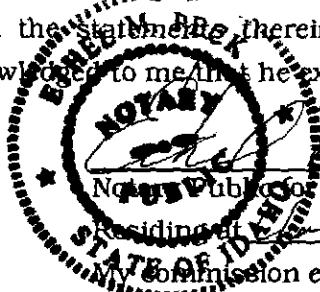
I, Ruth E. Burchill, representing the Challis Messenger, a weekly newspaper, published at Challis, Idaho, do solemnly swear that the notice hereto attached and made a part hereof, was published in the regular and entire issue of the Challis Messenger for 2 consecutive weeks, commencing with the issue dated Feb 17 ~~19~~00 and ending with the issue dated Feb 24 ~~19~~00.

Ruth E. Burchill

STATE OF IDAHO

COUNTY OF CUSTER

On this 24th day of Feb in the year of 2000 before me, a Notary Public, personally appeared Ruth E. Burchill 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.


Notary Public for Idaho
Residing at Challis, Id
Commission expires: 3-19-2004

NOTICE OF APPLICATION FOR WATER RIGHT

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

33-07231

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT

RT 2 BOX 610
SALMON, ID 83467

Source: SPRING

Tributary: SINKS

Diversion Pt: SWSESE Sec 25 T
10N R 24E in CUSTER County.

Use: STOCKWATER (0.020 CFS)

WILDLIFE (0.020 CFS)

Total Diversion: (0.020 CFS)

Date Filed: 2/4/2000

In: CUSTER County

T10N R25E S19 NESE
S30 SENW

Please note that the exact point of diversion is T10N R24 1/2 EBM SEC 25 SWSESE.

Any protests against the proposed application must be filed with the Dept. of Water Resources, 900 N Skyline Dr., Ste A, Idaho Falls, ID 83402, together with a protest fee of \$25 on or before MARCH 6, 2000, to be considered by the Department in its decision to grant or deny any part of the proposed application. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director
Pub: Feb. 17 & 24, 2000.

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APR 17 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

February 9, 2000

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
RT 2 BOX 610
SALMON ID 83467

RE: Applications for Permit #33-07231, 73-07132, 73-07133, 74-07393, and 75-07672

Dear Applicant:

This office is currently in the process of advertising the application in the Challis Messenger (33-07231, 73-07132, and 73-07133) and the Recorder Herald (74-07393 and 75-07672) on February 17 and 24, 2000. The advertisement will be published once a week 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 the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

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

Sincerely,

Harold W. Jones
Water Right Supervisor

HWJ::sc

MICROFILMED

APR 17 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

FEBRUARY 9, 2000

Legal Notices Department
CUSTER PUBLISHING CO.
P.O. BOX 405
CHALLIS, ID 83226

Dear Legal Dept.:

Enclosed you will find legal notices which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before MARCH 6, 2000.

Yours truly,

Sharla Cox
Senior Secretary

Encl.

*mailed
2/9/00
SC*

MICROFILMED

APR 17 2000

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BUREAU OF LAND MANAGEMENT
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SALMON, ID 83467

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Tributary: SINKS

Diversion Pt: SWSESE Sec 25 T 10N R 24E in CUSTER County.

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

Date Filed: 2/ 4/2000

In: CUSTER County	
T10N R25E S19	NESE
S30	SENW

Please note that the exact point of diversion is T10N R24 1/2 EBM SEC 25 SWSESE.

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Published: 2/17/2000 & 2/24/2000

KARL J. DREHER, Director

MICROFILMED
APR 17 2000