

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR PERMIT

Ident. No. 33-07227

*as per # to locate*  
**APPROVED**

To appropriate the public waters of the State of Idaho

1. Name of applicant Bureau of Land Management Phone 208 756-5400  
Post office address P.O. Box 430, Salmon, Idaho 83467

2. Source of water supply Spring which is a tributary of Sinks

3. Location of point of diversion is NE  $\frac{1}{4}$  of NW  $\frac{1}{4}$  of NE  $\frac{1}{4}$ , Govt. Lot \_\_\_\_\_  
Sec. 12 Township 11N. Range 24E. B.M. Custer County; additional  
points of diversion if any: \_\_\_\_\_

4. Water will be used for the following purposes:

Amount .01 for Livestock purposes from 5/21 to 10/31 (both dates inclusive)  
(cfs or acre-feet per annum)

Amount .01 for Wildlife purposes from 11/1 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)

5. Total quantity to be appropriated is (a) .02 .01 \* and/or (b) \_\_\_\_\_  
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Spring box with 100 feet of 1 1/4 inc  
inch plastic pipe leading to trough.

b. Height of storage dam \_\_\_\_\_ feet; active reservoir capacity \_\_\_\_\_ acre-feet; total  
reservoir capacity \_\_\_\_\_ acre-feet; period of year when water will be diverted to storage:  
\_\_\_\_\_ to \_\_\_\_\_ 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? \_\_\_\_\_

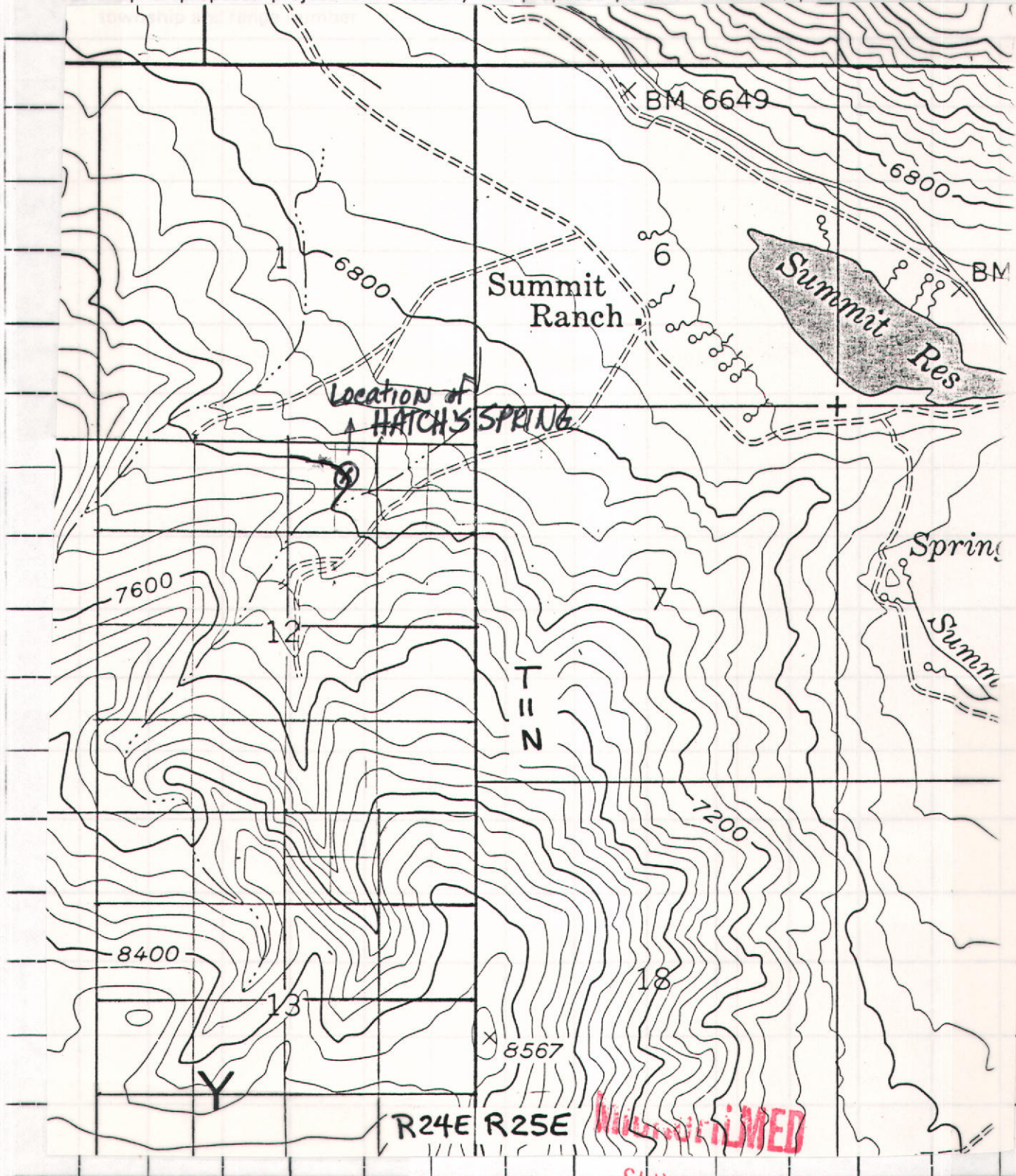
7. Time required for the completion of the works and application of the water to the proposed beneficial use is  
1 years (minimum 1 year).

\* As per telephone conversations with Lyle Lewis (BLM Hydrologist in Salmon) 15:30 hours  
13 April 89, DMD

**MICROFILMED**

SEP 12 1989

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



Scale: 2 inches equal 1 mile.

SEP 12 1989

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

Roy Jackson  
(Applicant)



RECEIVED  
JUL 01 1998  
Department of Water Resources

**IDAHO DEPARTMENT OF WATER RESOURCES**

1301 N. Orchard St.  
P.O. Box 83720  
Boise, ID 83720-0098  
(208) 327-7900

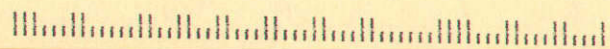
**TO**

L33-07227  
US DEPT OF INTERIOR  
BUREAU OF LAND MANAGEMENT  
PO BOX 430  
SALMON

ID 83467

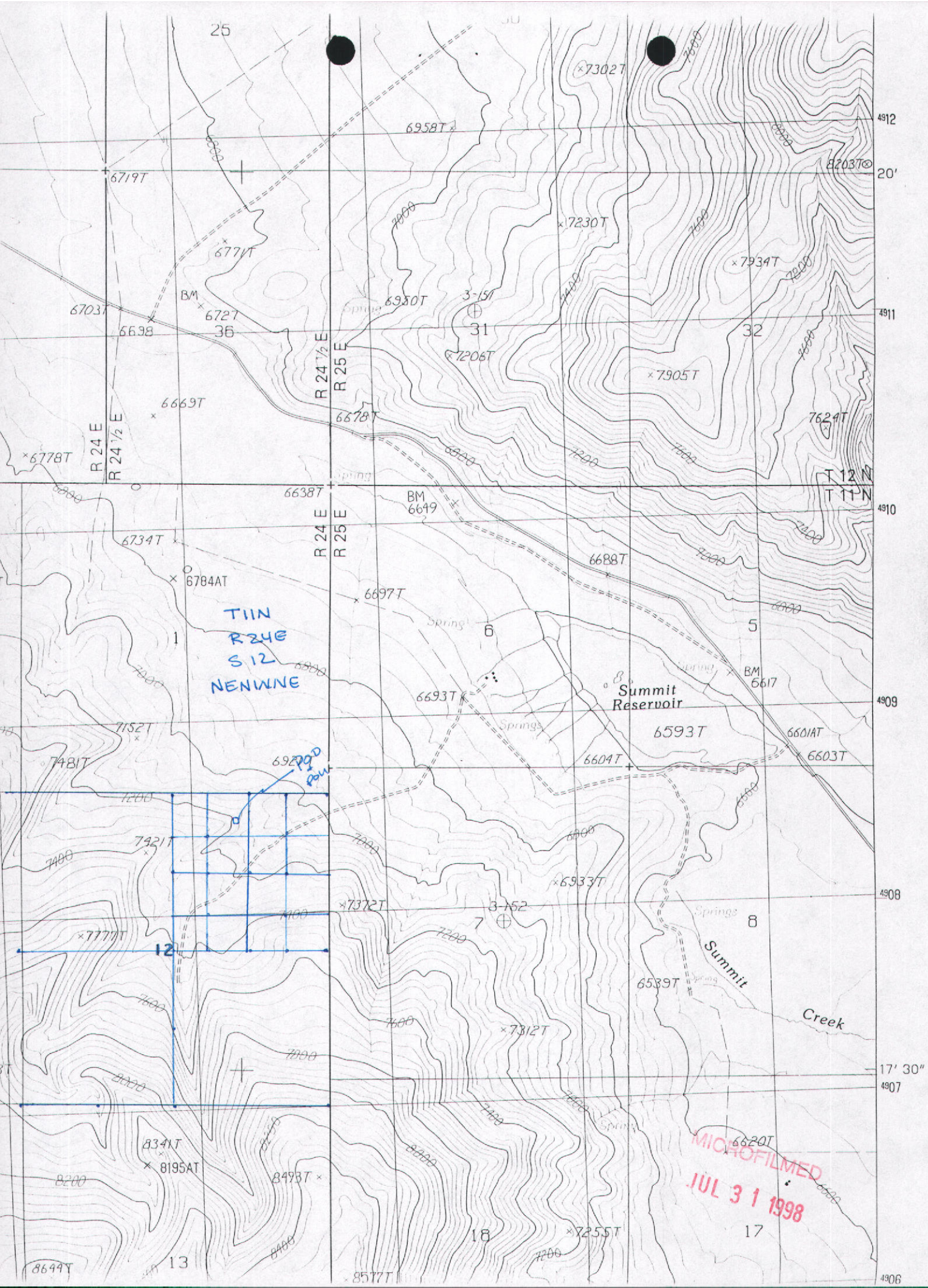
BURE430 834673002 1497 07 06/27/98  
FORWARD TIME EXP RTN TO SEND  
: BUREAU OF LAND MANAGEMENT-SALMON F O  
RR 2 BOX 610  
SALMON ID 83467-9812

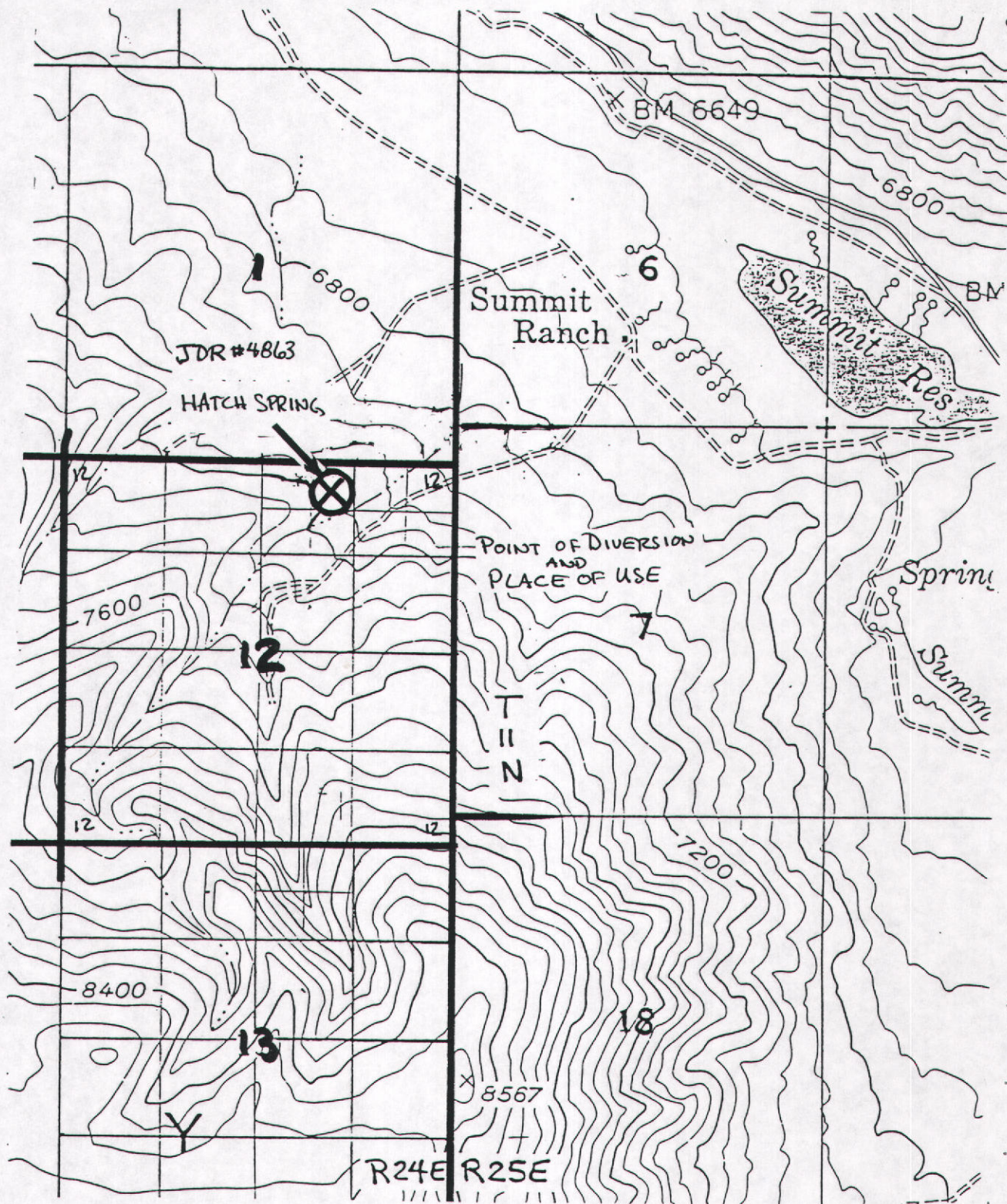
RETURN TO SENDER



*WR 2 database updated  
7.1.98  
Ket*

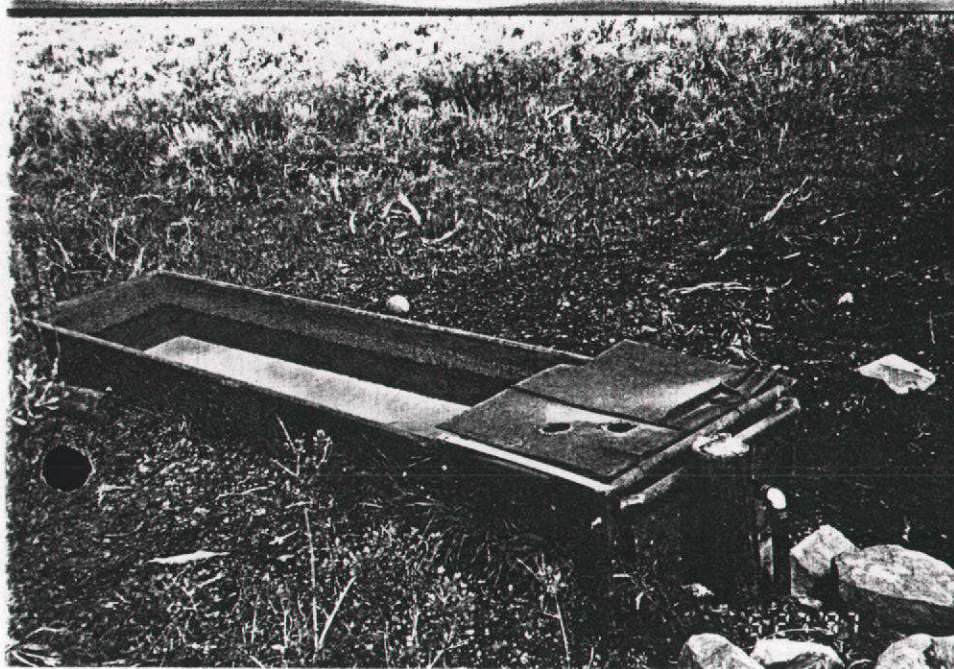
MICROFILMED  
JUL 31 1998



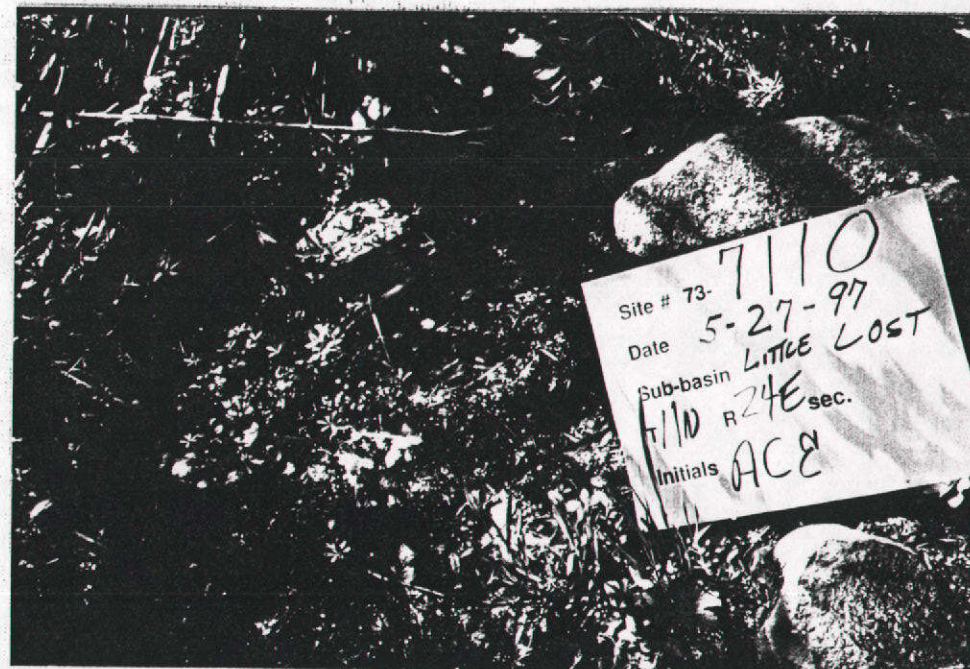


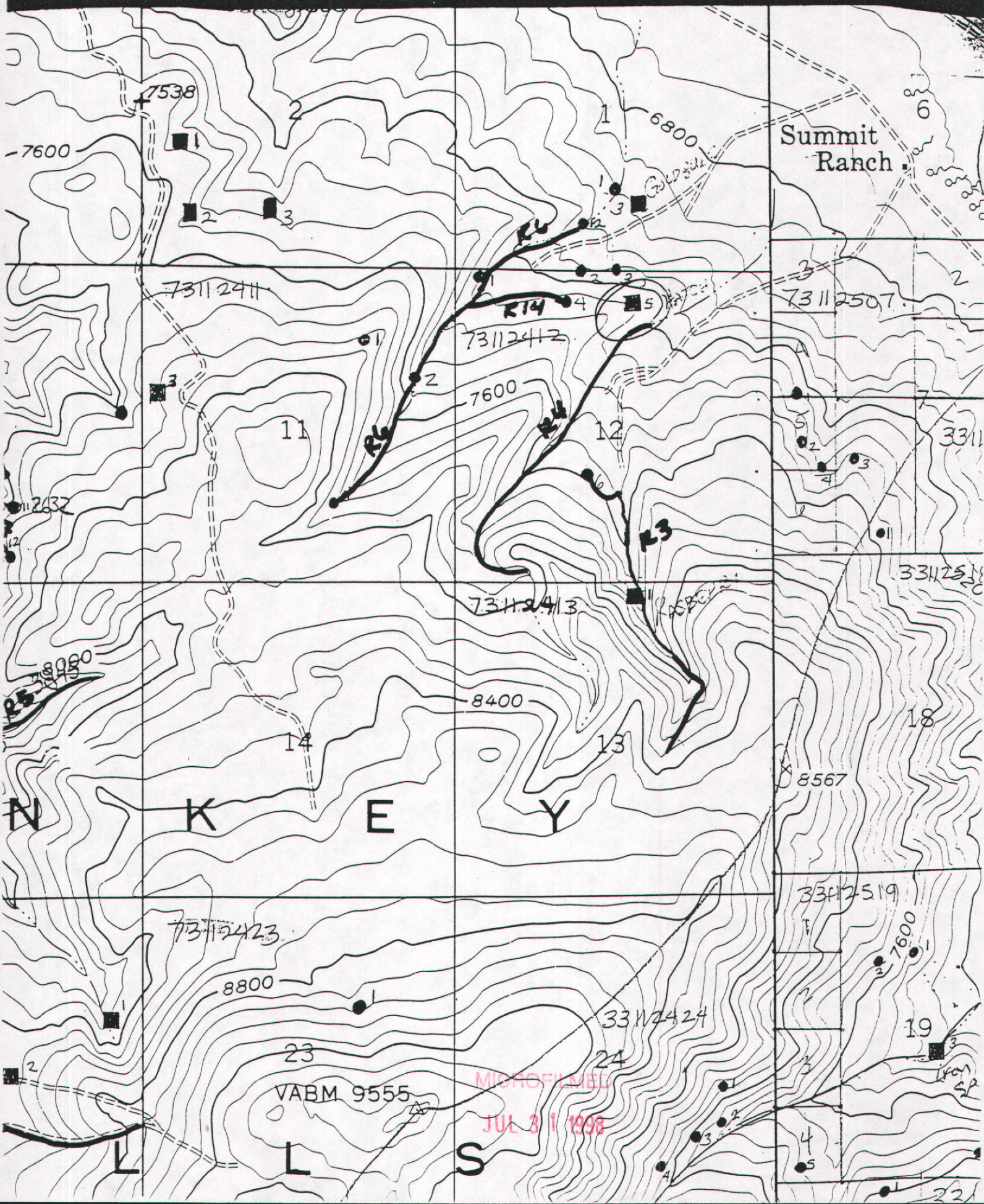
73-07110

MICROFILMED  
JUL 31 1998



MICROFILMED  
JUL 31 1998





73-07110

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

Source: SPRING

Tributary: SINKS

Diversion Pt: NENWNE Sec 12 T 11N R 24E

Use: STOCKWATER ( .010 CFS)  
WILDLIFE ( .010 CFS)

Date Filed: 3/23/1989  
3/03/1989

In: T11N R24E S12 NWNE

73-07110

U.S. DEPT. OF INTERIOR  
BUREAU OF LAND MANAGE-  
MENT

IDAHO STATE OFFICE  
3380 AMERICANA TERRACE  
BOISE, ID 83706

Source: SPRING

Tributary: SINKS

Diversion Pt: NENWNE Sec 12 T  
11N R 24E

Use: STOCKWATER ( .010 CFS)  
WILDLIFE ( .010 CFS)

Date Filed: 3/03/1989  
In: T11N R24E S12 NWNE

INDEXED

SEP 12 1989

State of Idaho  
Department of Water Resources  
**Water Right License**  
WATER RIGHT NO. 33-07227

Priority: March 23, 1989

Maximum Diversion Rate:

0.01 CFS

Maximum Diversion Volume:

3.2 AF

This is to certify, that US DEPT OF INTERIOR

BUREAU OF LAND MANAGEMENT

PO BOX 430

SALMON ID 83467

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated March 23, 1989; and has submitted Proof of Beneficial Use on July 27, 1990. An examination indicates that the works have a diversion capacity of 0.010 cfs of water from:

SPRING

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            | 05/21 to 10/31       | 0.01 CFS                 | 3.2 AF               |
| WILDLIFE              | 11/01 to 12/31       | 0.01 CFS                 | 3.2 AF               |
|                       | Totals               | 0.01 CFS                 | 3.2 AF               |

LOCATION OF POINT(S) OF DIVERSION:

NENWNE , Sec. 12, Township 11N, Range 24E  
CUSTER County

PLACE OF USE: STOCKWATER

TWN RGE SEC

11N 24E 12

NWNE

PLACE OF USE:

WILDLIFE, same as STOCKWATER use

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

MICROFILMED

JUL 31 1998

State of Idaho  
Department of Water Resources

# Water Right License

WATER RIGHT NO. 33-07227

## CONDITIONS OF APPROVAL AND REMARKS

5. 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.
6. Source known locally as Hatch Spring.

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 22<sup>ND</sup> day of JUNE, 1998.

  
Acting for KARL J. DREHER, Director

MICROFILMED

JUL 31 1998

**RECEIVED**  
JUL 27 1990

For Office Use Only  
Amt. of Fee \$ \_\_\_\_\_  
Date \_\_\_\_\_  
Receipt No. \_\_\_\_\_  
Received by \_\_\_\_\_

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

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. 73-07110 33-07227 Telephone No. (208) 756-5400

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

Post Office Address: P.O. Box 430; Salmon, ID 83467

Source of Water: spring

If ground water, well driller's name: \_\_\_\_\_ Date drilled: \_\_\_\_\_

Extent of Use:  
Domestic \_\_\_\_\_ (No. of households) Irrigation \_\_\_\_\_ (No. of acres)  
Stockwater 700 Cat (No. and type of stock) Other Wildlife

Total rate and/or volume for which proof is submitted .01 cfs \_\_\_\_\_ acre/feet

Show date water was first diverted and beneficially used under this permit: July 1987

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:

Lyle Lewis  
Name

756-5403  
Telephone No.

P.O. Box 430, Salmon, ID 83467

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.

DEC 18 1990

7/23/90  
Date

Roy Jackson District Manager  
Signature (and title if on behalf of a company or organization)

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR PERMIT

73-2110  
Ident. No. 33-07227

APPROVED  
BIR # to locate

To appropriate the public waters of the State of Idaho

1. Name of applicant Bureau of Land Management Phone 208 756-5400  
Post office address P.O. Box 430, Salmon, Idaho 83467

2. Source of water supply Spring which is a tributary of Sinks

3. Location of point of diversion is NE  $\frac{1}{4}$  of NW  $\frac{1}{4}$  of NE  $\frac{1}{4}$ , Govt. Lot  
Sec. 12 Township 11N. Range 24E. B.M. Custer County; additional  
points of diversion if any: \_\_\_\_\_

4. Water will be used for the following purposes:

Amount .01 for Livestock purposes from 5/21 to 10/31 (both dates inclusive)  
(cfs or acre-feet per annum)

Amount .01 for Wildlife purposes from 11/1 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)

5. Total quantity to be appropriated is (a) .02 .01 \* and/or (b) \_\_\_\_\_  
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Spring box with 100 feet of 1 1/4 inch  
inch plastic pipe leading to trough.

b. Height of storage dam \_\_\_\_\_ feet; active reservoir capacity \_\_\_\_\_ acre-feet; total  
reservoir capacity \_\_\_\_\_ acre-feet; period of year when water will be diverted to storage:  
\_\_\_\_\_ to \_\_\_\_\_ 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? \_\_\_\_\_  
SEP 12 1989

7. Time required for the completion of the works and application of the water to the proposed beneficial use is  
1 years (minimum 1 year).

\* As per telephone conversations with Lyle Lewis (BLM Hydrologist in Salmon) 15:30 hours  
13 April 89, DMD

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

- a. Hydropower; show total of head and proposed capacity in KW. \_\_\_\_\_
- b. Stockwatering; list number and kind of livestock. 700 cows
- c. Municipal; show name of municipality. \_\_\_\_\_
- d. Domestic; show number of households. \_\_\_\_\_
- e. Other; describe fully. Wildlife: deer, elk, antelope, bear, grouse, non-game birds and animals.

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 | RANGE | SEC. | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | TOTALS |
|-----|-------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|     |       |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |        |
| 11N | 24E   | 12   |     | S   |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |

Total number of acres to be irrigated \_\_\_\_\_

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

11. a. Who owns the property at the point of diversion? U.S.A.

b. Who owns the land to be irrigated or place of use? U.S.A.

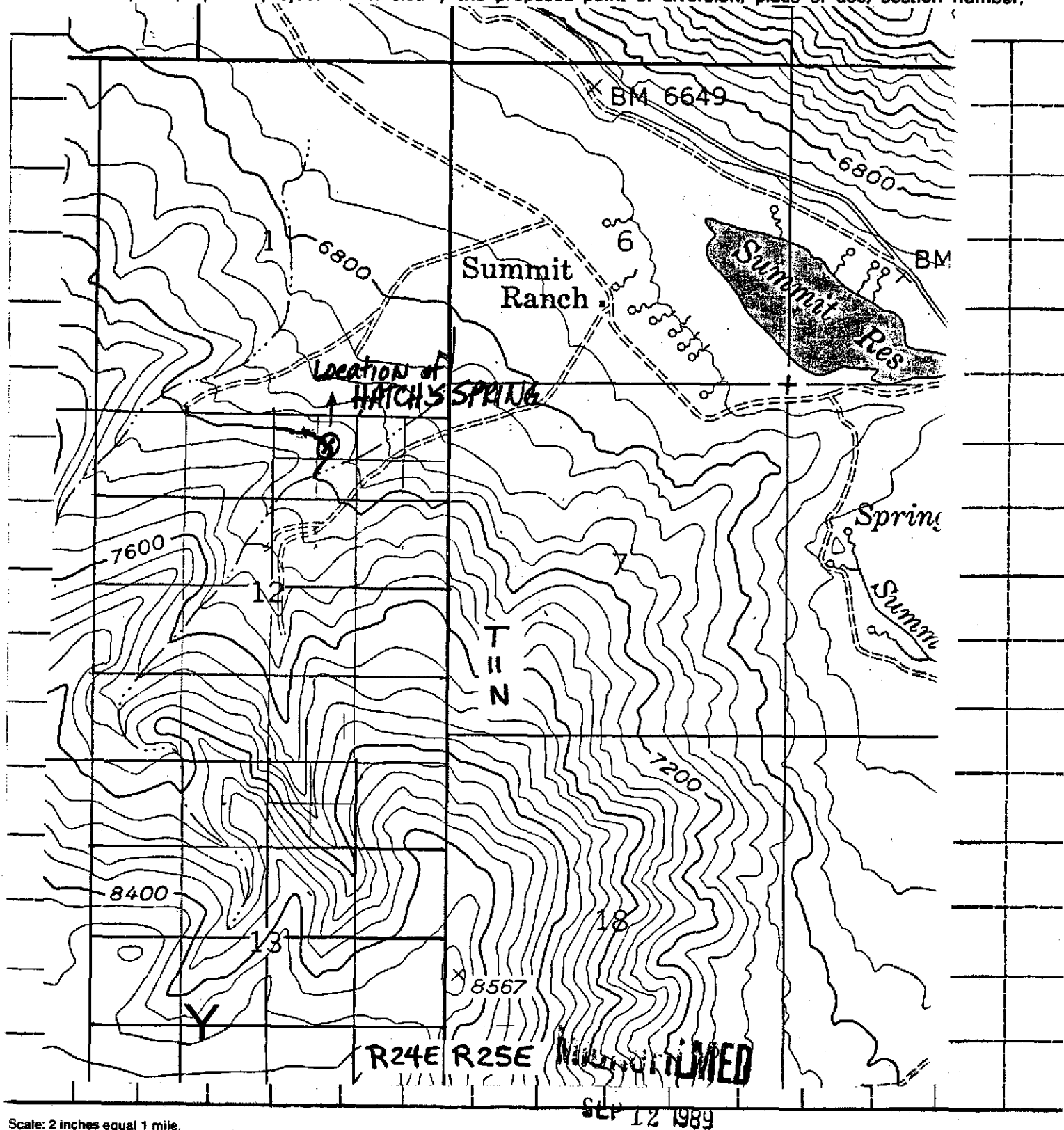
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. \_\_\_\_\_

12. Remarks: JDR #4863

**MICROFILMED**

SEP 12 1989

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

*Roy Jackson*  
(Applicant)

Proposed Priority 3/23/89

Received by cu Date 3-23-89 Time 1:05p Preliminary check by AMD

Fee \$ 30<sup>00</sup> Received by HWS # E00 6390 Date 3-23-89

Publication prepared by AB Date 4-21-89 Published in Custer Publishing

Publication approved cu Date 5-16-89

### ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 73-7110, and said application is hereby APPROVED.

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before August 1, 19 90.

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.

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.

e. Other:

Witness my hand this 10<sup>th</sup> day of July, 1989.

A. Shw Saylor

MICROFILMED

SEP 12 1989

# AFFIDAVIT OF PUBLICATION

State of Idaho, County of Custer, ss:

I, Margaret Parks, Publisher of  
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 May 4 1989 and ending with the  
issue dated May 11 1989

Margaret Parks

STATE OF IDAHO

COUNTY OF CUSTER

On this 12<sup>th</sup> day of May in  
the year of 1989, before me, a Notary Public,

personally appeared Margaret Parks,  
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.

Ethel M. Park  
Notary Public for Idaho  
Residing at Challis  
My commission expires: 3-21-89

## NOTICE OF APPLICATION FOR WATER RIGHT

The Following applications  
have been filed to appropriate the  
public waters of the State of Ida-  
ho:

73-07109

U.S. DEPT. OF INTERIOR  
BUREAU OF LAND MANAGE-  
MENT

IDAHO STATE OFFICE  
3380 AMERICANA TERRACE  
BOISE, ID 83706  
Source: SPRING  
Tributary: SINKS  
Diversion Pt: SWNNWN Sec 4 T  
12N R 24E  
Use: STOCKWATER (.010 CFS)  
WILDLIFE (.010 CFS)  
Date Filed: 3/23/1989  
In: T12N R24E S04 NWNW

73-07110

U.S. DEPT. OF INTERIOR  
BUREAU OF LAND MANAGE-  
MENT

IDAHO STATE OFFICE  
3380 AMERICANA TERRACE  
BOISE, ID 83706  
Source: SPRING  
Tributary: SINKS  
Diversion Pt: NENWNE Sec 12 T  
11N R 24E  
Use: STOCKWATER (.010 CFS)  
WILDLIFE (.010 CFS)  
Date Filed: 3/23/1989  
In: T11N R24E S12 NWNE

73-07111

U.S. DEPT. OF INTERIOR  
BUREAU OF LAND MANAGE-  
MENT

IDAHO STATE OFFICE  
3380 AMERICANA  
BOISE, ID 83706  
Source: SPRING  
Tributary: SINKS  
Diversion Pt: NWNWNE Sec 13  
T 11N R 24E  
Use: STOCKWATER (.010 CFS)  
WILDLIFE (.010 CFS)  
Date Filed: 3/23/1989  
In: T11N R24E S13 NWNE

The permit(s) will be subject to  
all prior water rights. Protests  
must be filed with the Director,  
Dept. of Water Resources, East-  
ern Region, 150 Shoup Avenue,  
Suite 15, Idaho Falls, Idaho  
83402 on or before MAY 22,  
1989.

R. KEITH HIGGINSON, Director  
b: May 4 & 11, 1989.

MICROFILMED

SEP 12 1989

**IDAHO DEPARTMENT OF WATER RESOURCES**

1301 N. Orchard St.

P.O. Box 83720

Boise, ID 83720-0098

(208) 327-7900

**TO**

LOG-07227

US DEPT OF INTERIOR

BUREAU OF LAND MANAGEMENT

PO BOX 400

SALMON

ID 83467

BUREAU 834673002 1497 07 06/27/98

FORWARD TIME EXP RTN TO SEND

BUREAU OF LAND MANAGEMENT-SALMON F 0

RR 2 BOX 610

SALMON ID 83467-9812

RETURN TO SENDER





State of Idaho

## DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098  
Phone: (208) 327-7900 FAX: (208) 327-7866

June 23, 1998

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

US DEPT OF INTERIOR  
BUREAU OF LAND MANAGEMENT  
PO BOX 430  
SALMON ID 83467

RE: WATER RIGHT NO. 33-07227

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license 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 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.

NOTED

JUL 31 1998

## 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.

NOT RECORDED

JUL 23 1 1998

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.

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

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen". The signature is written in dark ink and is positioned above the typed name and title.

Shelley W. Keen  
Water Rights Supervisor

SK:klt

Enclosure

RECEIVED

JUL 31 1998

CERTIFICATE OF MAILING

I hereby certify that on the 23rd day of June, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 33-07227

US DEPT OF INTERIOR  
BUREAU OF LAND MANAGEMENT  
PO BOX 430  
SALMON ID 83467

  
Kari Lynn Townsend  
Secretary

MICROFILMED

JUL 31 1998

## MEMORANDUM

**TO: File 33-07227**

**FROM: Sharla**

**DATE: June 16, 1998**

**RE: Recommendation Adjustment(s)**

The adjustments to licensing recommendations for Permit No. 33-07227 are as follows:

### H. RECOMMENDATIONS

|            |              |          |         |
|------------|--------------|----------|---------|
| Stockwater | 5/21 - 10/31 | 0.01 cfs | 3.2 afa |
| Wildlife   | 1/1 - 12/31  | 0.01 cfs | 3.2 afa |
|            | TOTALS       | 0.01 cfs | 3.2 afa |

The examiner did not list volumes for the two uses. Stockwater volume is based on 700 cattle for the season identified; the wildlife volume is standardly given the same volume as stockwater, non-additive, for Forest Service and BLM rights.

Examiner: Bob Foster  
Exam Date: May 26, 1998

MICROFILMED

JUL 31 1998

# LICENSE REVIEW CHECKLIST

PERMIT NO.

73-07110  
33-07227  
Change/OK

DATE 6/15/98

REVIEWER: SHARLA

NAME

Address

OK  
OK

SOURCE

OK

Does change clarify orig. intended source? If no, Void permit

POINT OF DIV

OK

☐ Change (P39 /P47)

☐ Add (P45/P42)

Feds - P40

W32 (multiple in 1/4)

W36 (overlap)

W59 (subd. desc)

NEWLINE  
11N, 24E, S12 = Basin 33

Overlaps:

Right(s):

File reviewed ☐ Profile reports printed ☐

PLACE OF USE

OK

☐ Change (P41/P47)

☐ Add (P41/P42)

Feds - P43

W60 (subd. desc)

W27 (ppu acre limit)

Overlaps:

Right(s):

File reviewed ☐ Profile reports printed ☐

PD & PU amend (P37) Feds - P48

RATE OF DIV

Permitted Rate .01 cfs

Fee limit .04 cfs NO FEE

Measured --- cfs

Theoretical --- cfs

Recommended Total Div Rate .01 cfs

WATER USES

OK

Change (P46)

Stock

.01 cfs

4.4 af

Irrig -

overlap (R58-R61, R62-R65, R66-R69)

Wild

.01 cfs

4.4 af

4.2

supp. gw (WB7/065/079)

---

--- cfs

--- af

overlap spec. combined rts (W35)

---

--- cfs

--- af

<1acre (W31)

---

--- cfs

--- af

Domestic

(W01/WB5/070/071/075)

TOTALS

.01 cfs

9.4 af

Power

(W42 or W43/025/027/R22 or R23)

Fish (042)

Fire (077) Wtr Quality (081/R07)

Flow rate .01 cfs X 164 days X 1.98 = 3.2 af

REMARKS

ADD'L CONDITIONS ☐ Watermaster Control WD# ---

☐ GW Measurement/Measuring Device

R37

Others Trust (052/R55 - remove 051)

Non-trust (048/049)

Advance Priority ☐ yes ☒ no

SRBA Claim N/A

Adjust Memo volume

Amend letters ---

700 X 12 X  
164 days  
325,850 =  
4.2 af

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**BENEFICIAL USE FIELD REPORT**

RECEIVED

JUN 12 1998

Department of Water Resources

Should be 33-07227

**A. GENERAL INFORMATION**

Permit No. 73-07116

1. Owner: USDI- BUREAU OF LAND MANAGEMENT Phone No. (208) 756-5400

Current Address: PO Box 430 Salmon ID. 83467

2. Accompanied by: \_\_\_\_\_ EXAM DATE: 5-26-98

Address: \_\_\_\_\_ Phone No. \_\_\_\_\_

Relationship to Permit Holder: \_\_\_\_\_

3. Source: Spring tributary to Sinks

**B. OVERLAP REVIEW**

1. Other water rights with the same place of use: NONE

2. Other water rights with the same point of diversion: NONE

**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 |
|-----------|-----------|-----|-----|-----|------|------|------|--------|---------------------------------|
|           |           | NE  | NW  | NE  | 12   | 11N  | 24E  | CUSTER | USGS Quad / BLM Project File    |
|           |           |     |     |     |      |      |      |        |                                 |
|           |           |     |     |     |      |      |      |        |                                 |
|           |           |     |     |     |      |      |      |        |                                 |

**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 |        |
| 11N | 24E | 12  |    | S  |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     | 12  |    | W  |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |

MICROFILMED  
JUL 31 1998

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: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

NOT RECORDED

JUL 31 1998

E. NARRATIVE/REMARKS/COMMENTS

- (1) SYSTEM CONSISTS OF developed spring with approx. 100' of 1 1/4" plastic ~~from~~ pipe to ONE (1) trough. (see copies of BLM photos).
- (2) source also known as HATCH Spring
- (3) Exam conducted at Salmon BLM office utilizing BLM Project File AND USGS QUAD DONKEY Creek
- (4) IDWR BASIN should be changed from BASIN 73 to BASIN 23 AS PLACE OF USE AND point OF diversion fall within BASIN 23 boundary

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

MICROFILMED  
JUL 31 1998

**F. FLOW CALCULATIONS**

\_\_\_\_\_ Additional Computation Sheets Attached

Measured Method:

**G. VOLUME CALCULATIONS**

## 1. Volume Calculations for Irrigation:

 $V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$  \_\_\_\_\_ $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$  \_\_\_\_\_ $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$  \_\_\_\_\_

## 2. Volume Calculations for Other Uses:

**H. RECOMMENDATIONS**

## 1. Recommended Amounts

| Beneficial Use    | Period of Use |              | Rate of Diversion<br>Q (cfs) | Annual Volume<br>V (afa) |
|-------------------|---------------|--------------|------------------------------|--------------------------|
|                   | From          | To           |                              |                          |
| <u>STOCKWATER</u> | <u>5-21</u>   | <u>10-31</u> | <u>0.01 cfs</u>              | _____                    |
| <u>Wildlife</u>   | <u>11-1</u>   | <u>12-31</u> | <u>0.01 cfs</u>              | _____                    |
| _____             | _____         | _____        | _____                        | _____                    |
| _____             | _____         | _____        | _____                        | _____                    |
| _____             | _____         | _____        | _____                        | _____                    |
| Totals:           |               |              | <u>0.01 cfs</u>              | _____                    |

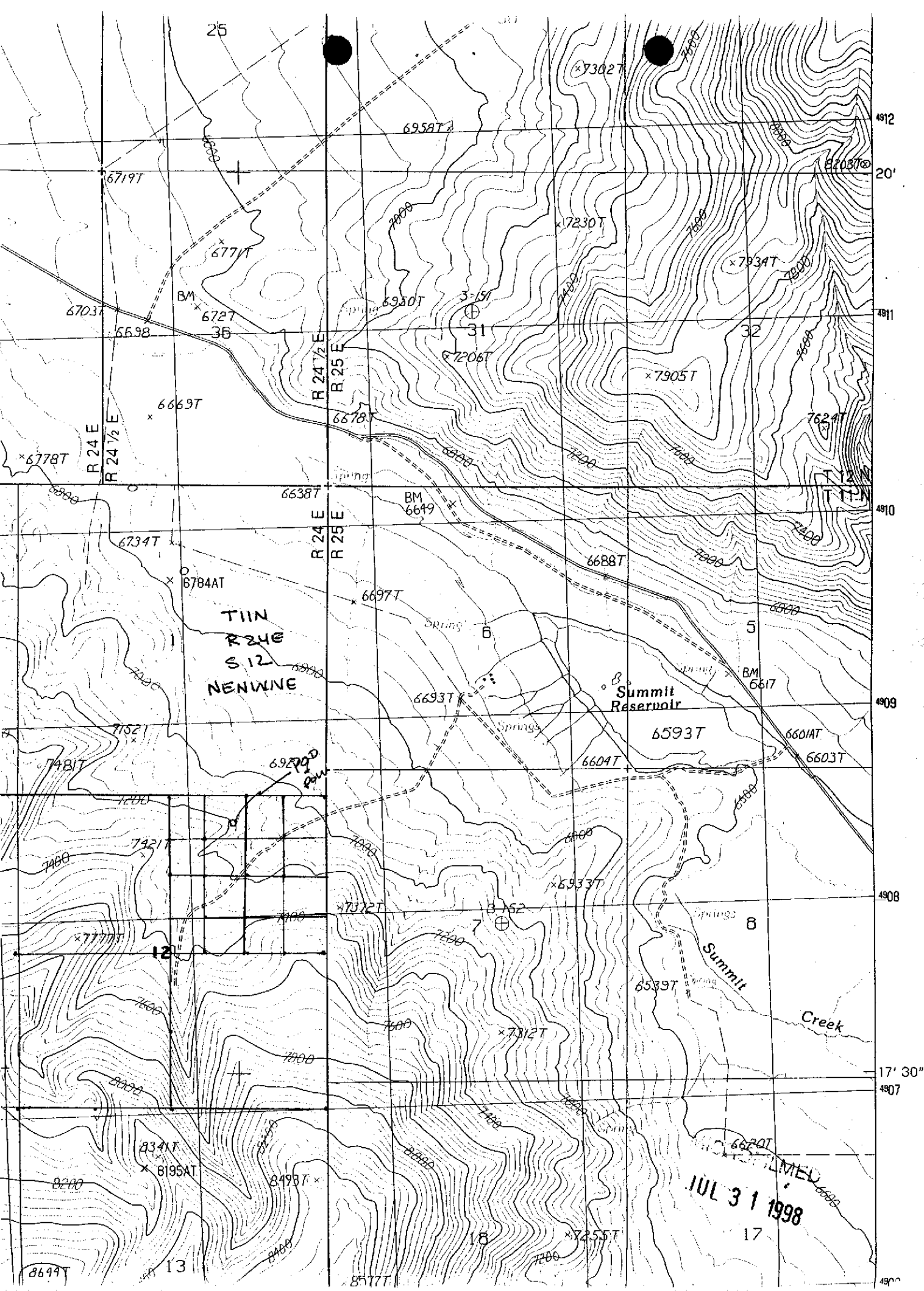
## 2. Recommended Amendments

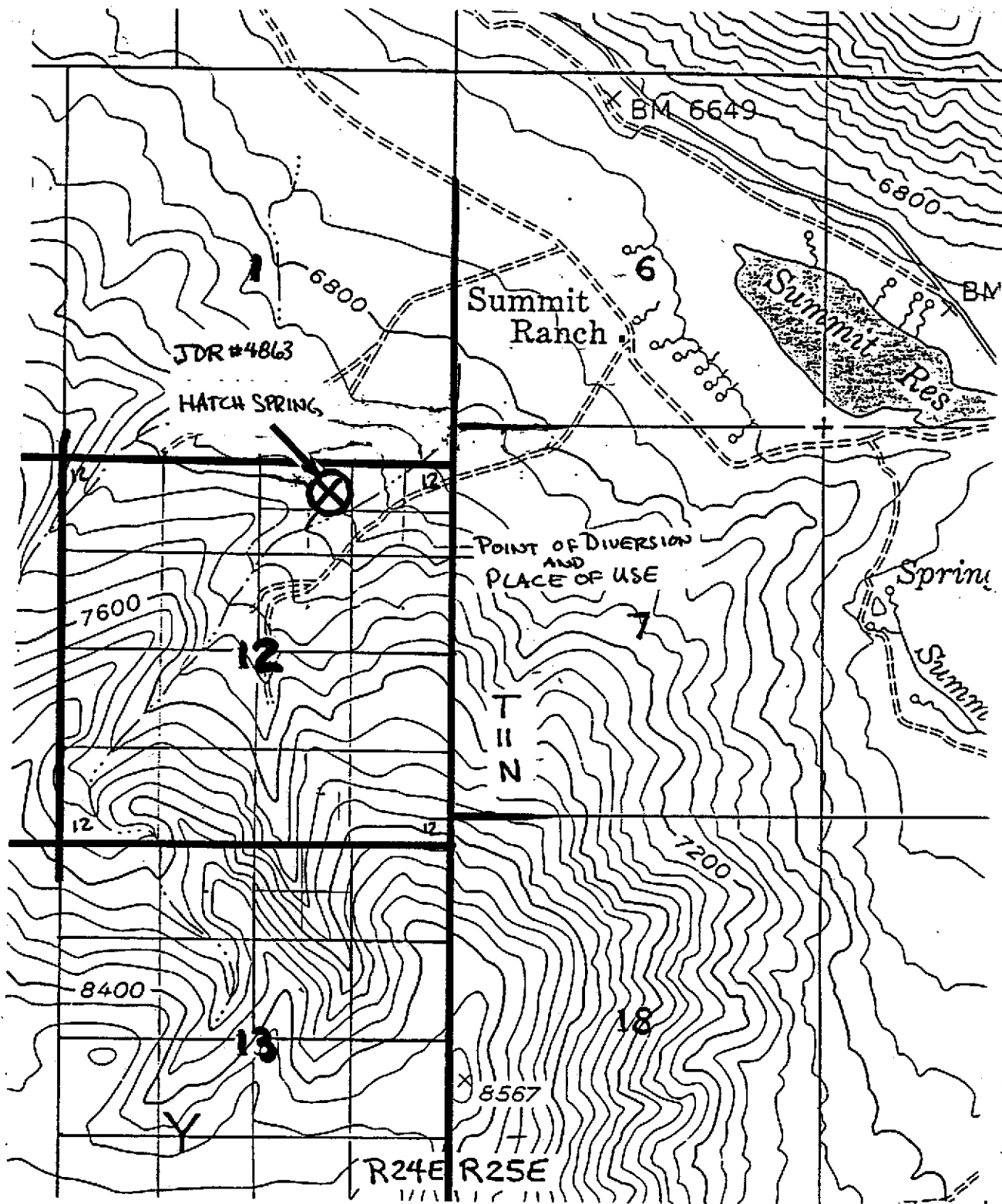
\_\_\_\_\_ Change P.D. as reflected above    \_\_\_\_\_ Add P.D. as reflected above    \_\_\_\_\_ None  
\_\_\_\_\_ Change P.U. as reflected above    \_\_\_\_\_ Add P.U. as reflected above    ☒ Other SEE NARRATIVE #4

**I. AUTHENTICATION**Field Examiner's Name Robert E. Foster Date 5-26-98

Reviewer \_\_\_\_\_ Date \_\_\_\_\_

MICROFILMED  
JUL 31 1998  
SEAL





73-07110

MICROFILMED

JUL 31 1998

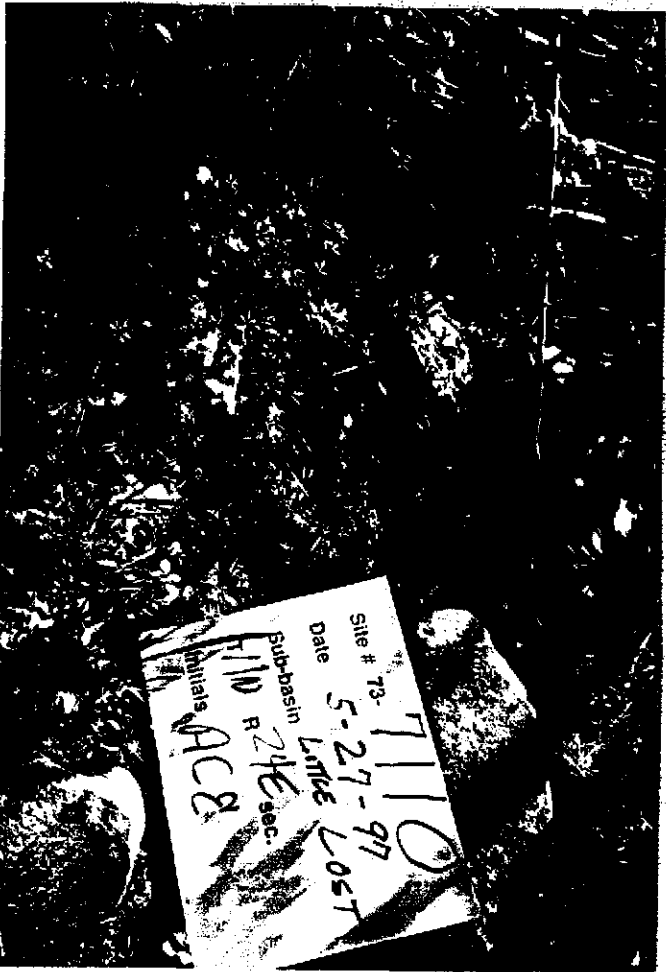
**Basin 33**  
**Individual Water Right Summary**  
**Challis Resource Area**

**BLM # 3304588041      IDWR # A33-**

This is a water development known as Hatch's Spring. It consists of a developed spring and one trough. The application for permit has IDWR # 73-7110. A copy of the water right permit or license cannot be located. This claim was originally given a Basin 73 (73-07110) number. However, it is in Basin 33 and needs a new IDWR number. The POD legal location is the same as the POU legal location which is T11N, R24E, Sec. 12 NWNE. BLM should PURSUE this claim because there is a water source at the site.

UNRECORDED

JUL 31 1998



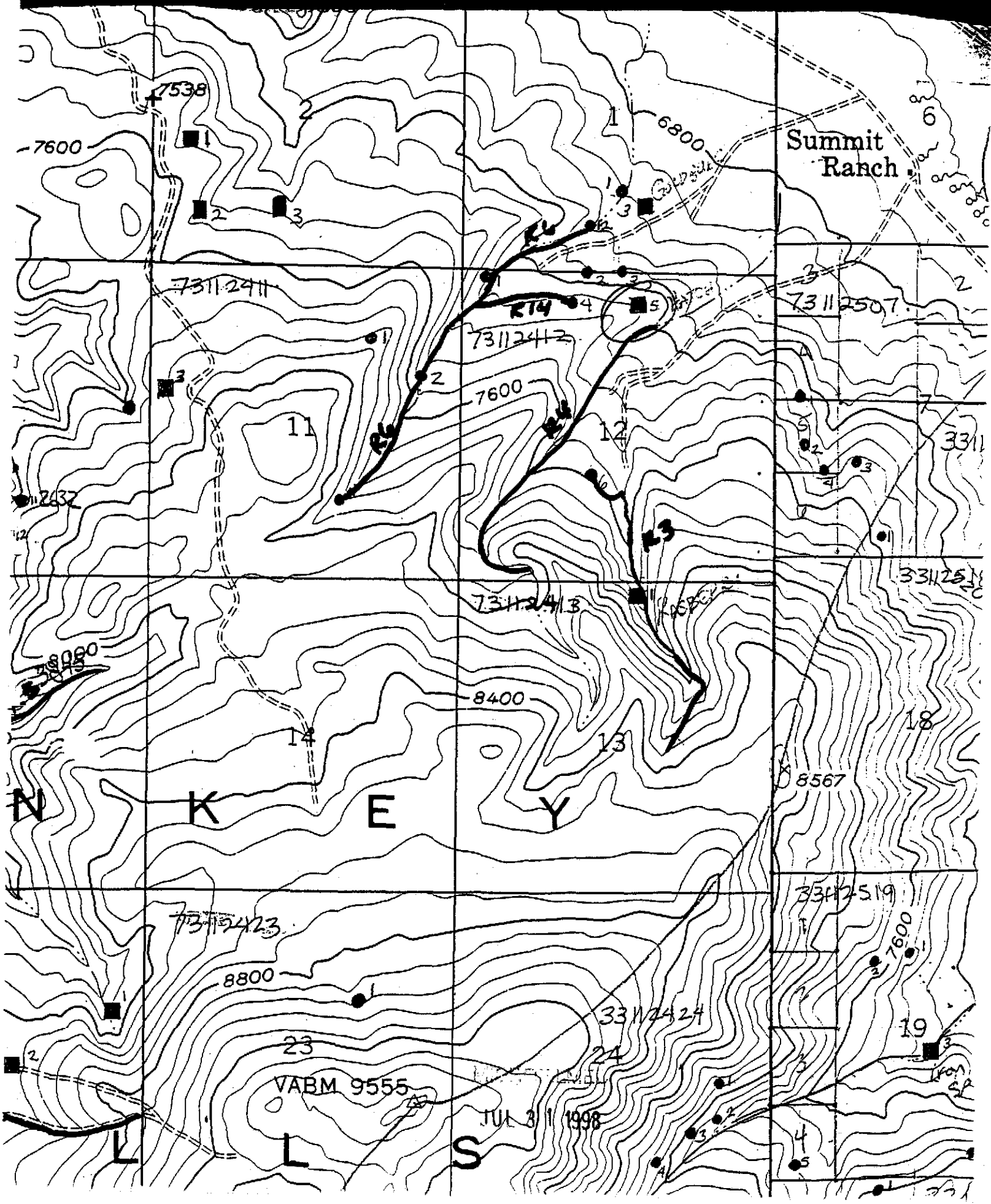
JUL 3 1 1998  
 5-27-97

10  
5-27-97  
PAHSIMEROI  
OVERVIEW-ENCLOSURE

73-7110  
5-27-97  
PAHSIMEROI  
TROUGH

73-7110  
5-27-97  
PAHSIMEROI  
SHEET-WATER-ORIGIN

73-7110  
5-27-97  
PAHSIMEROI  
WATER-ORIGIN-LOOKING UP



December 7, 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. 73-07110

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**

DEC 18 1990

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 73-7110

Date: 11-27-90

General Considerations:

g Name same as permit  
g Signature the same as permit holder  
N Address change \_\_\_\_\_ If yes, prepare a data entry  
g Proof received timely  
\_\_\_\_\_ Reinstated

Source of Water:

g Surface water  
g Groundwater  
\_\_\_\_\_ 1. well log in file  
g 2. drilling permit  
\_\_\_\_\_ A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

g Rate of diversion appropriate for uses  
g Is rate or volume and fee appropriate?  
g Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

g Is a measuring device or access port required?  
g Has one been installed?  
g Waiver or modification of measuring device requested

Remarks:

*Proof acceptable*

Priority Calculation:

Date proof received \_\_\_\_\_

Date proof due \_\_\_\_\_

No. of days late \_\_\_\_\_

Priority date \_\_\_\_\_

NEW PRIORITY DATE \_\_\_\_\_

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

138851  
May 31, 1990

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

PROOF DUE NOTICE

RE: PERMIT NO. 73-07110

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 August 1, 1990. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete 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,

Rita Fleck  
Secretary/Records Manager

Enclosures

**MICROFILMED**

DEC 18 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) 334-7900  
July 12, 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.        73-07110

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.

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. Also enclosed for your convenience is a form entitled "Proof of Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor  
Water Right Permits Section

GS: SC  
Enclosures

**MICROFILMED**

SEP 12 1989

No. 202a

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

3-27-89 RB  
Submitted for advt 15-89 HWS

FINAL REVIEW BY Samuel M. Sumner DATE 13 May 89 APPLICATION NUMBER 73-7110

REQUIRED INFORMATION

BLM

- ☒ 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 subdivisions, 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 signator 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 Field check required  
Field check by \_\_\_\_\_  
☐ Yes ☒ No Field report attached  
☐ Yes ☒ No Critical groundwater area  
☐ Yes ☒ No Groundwater management area  
☐ Yes ☒ No Send dam safety information  
☐ Yes ☒ No Send power requirement letter  
☐ Yes ☒ No Send fish farm requirement letter  
☐ Yes ☒ No Power residency affidavit  
☐ Yes ☒ No Power efficiency form  
☒ Yes ☐ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)  
☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)  
☐ See reverse side for additional information

\*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested

RECEIVED  
JUN 20 1989

Department of Water Resources

PROCESSING

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

D COPIES TO

☐ Idaho Dept. of Health & Welfare ☐ U.S. BLM  
☒ Idaho Dept. of Fish & Game ☐ U.S. Forest Service  
☐ Idaho 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 5-22-89

☐ 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 Dist. 7B

☐ Yes ☐ No Special conditions of approval or cover letter below.

☐ See below for additional information

Date of priority recommended 3-23-89

By HWS Date 6-15-89

STATE OFFICE REVIEW

P/16

☐ See below for additional information

By FW Date 7-6-89

ADDITIONAL INFORMATION

N/A source sinks



**IDAHO FISH & GAME**

REGION 6  
1515 Lincoln Road  
Idaho Falls, ID 83401  
(208) 522-7783

May 18, 1989

Mr. Harold W. Jones  
Department of Water Resources  
150 Shoup Avenue-Suite 15  
Idaho Falls, Idaho 83402

RE: Applications for Permit No. 31-7526, 31-7528, 32-7162, 32-7163, 73-7109,  
73-7110, 73-7111.

Dear Harold:

All the above referenced water right applications are for spring developments for livestock water on Targhee National Forest. We foresee no conflict with wildlife and request that the springs be fenced to protect them from livestock damage and provide wildlife water and habitat.

Thank you for the opportunity to review the applications.

Sincerely,

Herbert A. Pollard II  
Regional Supervisor  
Region 6

HAP:TC:dnb

cc: U.S. Fish and Wildlife Service (Lobdell)  
Bureau of Program Coordination  
Bureau of Wildlife

Cecil D. Andrus / Governor  
Jerry M. Conley / Director



Working for wildlife since 1938

**MICROFILMED**

SEP 12 1989

**RECEIVED**

MAY 19 1989

Department of Water Resources  
Eastern District Office

April 26, 1989

Department of Fish & Game  
1515 Lincoln Rd.  
Idaho Falls, ID 83401

RE: Applications for Permit No. 31-7526, 31-7528, 32-7162,  
32-7163, 73-7109, 73-7110, 73-7111

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 by May 22, 1989. 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

**MICROFILMED**

SEP 12 1989

April 24, 1989

U.S. Dept. of Interior  
Bureau of Land Management  
Idaho State Office  
3380 Americana Terrace  
Boise, ID 83706

RE: Applications for Permit No.'s 73-7109, 73-7110, 73-7111

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. The application has been assigned the above identification No. Please refer to this number in all further correspondence.

This office is currently in the process of advertising the application in the Custer Publishing Co. 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 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.

If the application is not protested, it will be forwarded to our state office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, 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

**MICROFILMED**

SEP 12 1989

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Eastern Region  
150 Shoup Ave., Suite 15

Idaho Falls, Idaho 83402  
(208) 525-7161

APRIL 21, 1989

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

Gentlemen:

Enclosed you will find a legal notice 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 MAY 22, 1989.

Yours truly,

Rita Bodell  
Secretary

Encl.

**MICROFILMED**

SEP 12 1989

NOTICE OF APPLICATION FOR WATER RIGHT

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

**MICROFILMED**

SEP 12 1989

73-07110

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

Source: SPRING

Tributary: SINKS

Diversion Pt: NENWNE Sec 12 T 11N R 24E

Use: STOCKWATER ( .010 CFS)  
WILDLIFE ( .010 CFS)

Date Filed: 3/23/1989  
~~3/03/1989~~

In: T11N R24E S12 NWNE

**73-07110**

U.S. DEPT. OF INTERIOR  
BUREAU OF LAND MANAGE-  
MENT  
IDAHO STATE OFFICE  
3380 AMERICANA TERRACE  
BOISE, ID 83706  
Source: SPRING  
Tributary: SINKS  
Diversion Pt: NENWNE Sec 12 T  
11N R 24E  
Use: STOCKWATER ( .010 CFS)  
WILDLIFE ( .010 CFS)  
Date Filed: 3/03/1989 -  
In: T11N R24E S12 NWNE

**INDEXED**

SEP 12 1989

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Eastern Region, 150 Shoup Avenue, Suite 15, Idaho Falls, Idaho 83402 on or before MAY 22, 1989.

R. KEITH HIGGINSON, Director

Published 5/04/1989 & 5/11/1989

**MICROFILMED**

SEP 12 1989