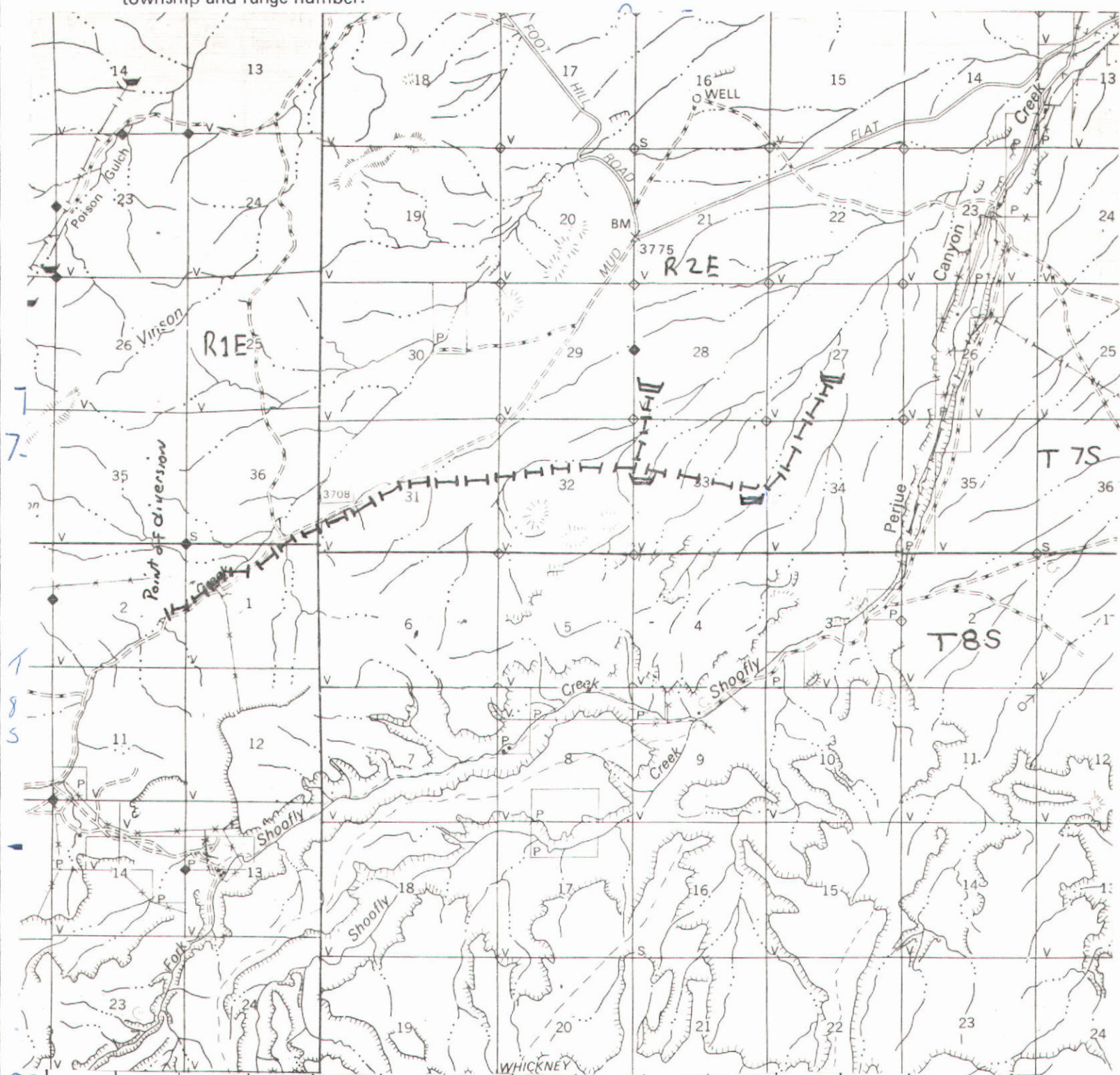


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Trough locations	T 7S	R 2E	SW ¹ / ₄	SW ¹ / ₄	Sec 28	✓
			SW ¹ / ₄	NW ¹ / ₄	Sec 33	
			NE ¹ / ₄	SE ¹ / ₄	Sec 33	
			NE ¹ / ₄	SW ¹ / ₄	Sec 27	

Scale: 1 inch = equal 1 mile.

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.

C. Vernon Dugh
(Applicant)
AREA MGR.

RECEIVED

Troughs 2/11/22
Dougher 2/11/22

PROOF OF PUBLICATION

STATE OF IDAHO, County of Owyhee, s.s.

I, MICK HODGES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by MICK HODGES, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper once a week and every week for 2 consecutive weeks, the first publication being on the 22 day of September, 1982, and the last publication being on the 29 day of September, 1982;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy - eight consecutive weeks prior to the first publication of the attached notice.

Mick Hodges
PUBLISHER

Subscribed and sworn to before me this 29 day of

September, 1982.

Kyle L. Hodges
NOTARY PUBLIC

My commission expires

3 86

(SEAL)

RECEIVED

SEP 30 1982

Department of Water Resources
Western Regional Office

NOTICE OF APPLICATION FOR WATER RIGHT

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

57-7334

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT.,
FEDERAL BLDG. BOX 042,
550 W. FORT ST., BOISE, ID
83724

Source: POISON CREEK
SPRING tributary to POISON
CREEK

Date Filed: 05/28/1982

Amount: 0.03 CFS

Diversion Point: NESE Sec 02
T 08S R 01E, OWYHEE Co.

Use: STOCKWATER (0.03
CFS) from 01/01 to 12/31

WILDLIFE (0.03 CFS) from
01/01 to 12/31

Place of Use: SWSW Sec 28 T
07S R 02E SWNW NESE Sec

33 T 07S R 02E NESW Sec 27 T
07S R 02E

Diversion Means: PIPE &
THROUGHS

57-7335

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT.,
FEDERAL BLDG. BOX 042,
550 W. FORT ST., BOISE, ID
83724

Source: UNNAMED SPRING
tributary to HARD TRIGGER
CREEK

Date Filed: 05/28/1982

Amount: 0.11 CFS

Diversion Point: SWNW Sec
17 T 01S R 04W, OWYHEE Co.

Use: STOCKWATER (0.10
CFS) from 01/01 to 12/31

WILDLIFE (0.01 CFS) from
01/01 to 12/31

Place of Use: SWSW SWNW
Sec 05 T 01S R 04W NESW

NENE Sec 32 T 01N R 04W
SWSW Sec 21 T 01N R 04W

SENW Sec 16 T 01N R 04W
Diversion Means: COLLEC-

TION SYSTEM, HEADBOX,
PIPELINE & THROUGHS

57-7336

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT.,
FEDERAL BLDG. BOX 042,
550 W. FORT ST., BOISE, ID
83724

Source: UNNAMED STREAM
tributary to RABBIT CREEK

Date Filed: 05/28/1982

Amount: 0.45 CFS

Diversion Point: NWNE Sec 06
T 03S R 02W, OWYHEE Co.

Use: STOCKWATER (0.35
CFS) from 01/01 to 12/31

WILDLIFE (0.10 CFS) from
01/01 to 12/31

Place of Use: SESE Sec 29 T 02S
R 02W NENW Sec 21 T 02S R

02W SESE Sec 05 T 02S R 02W
SWNW Sec 33 T 01S R 02W

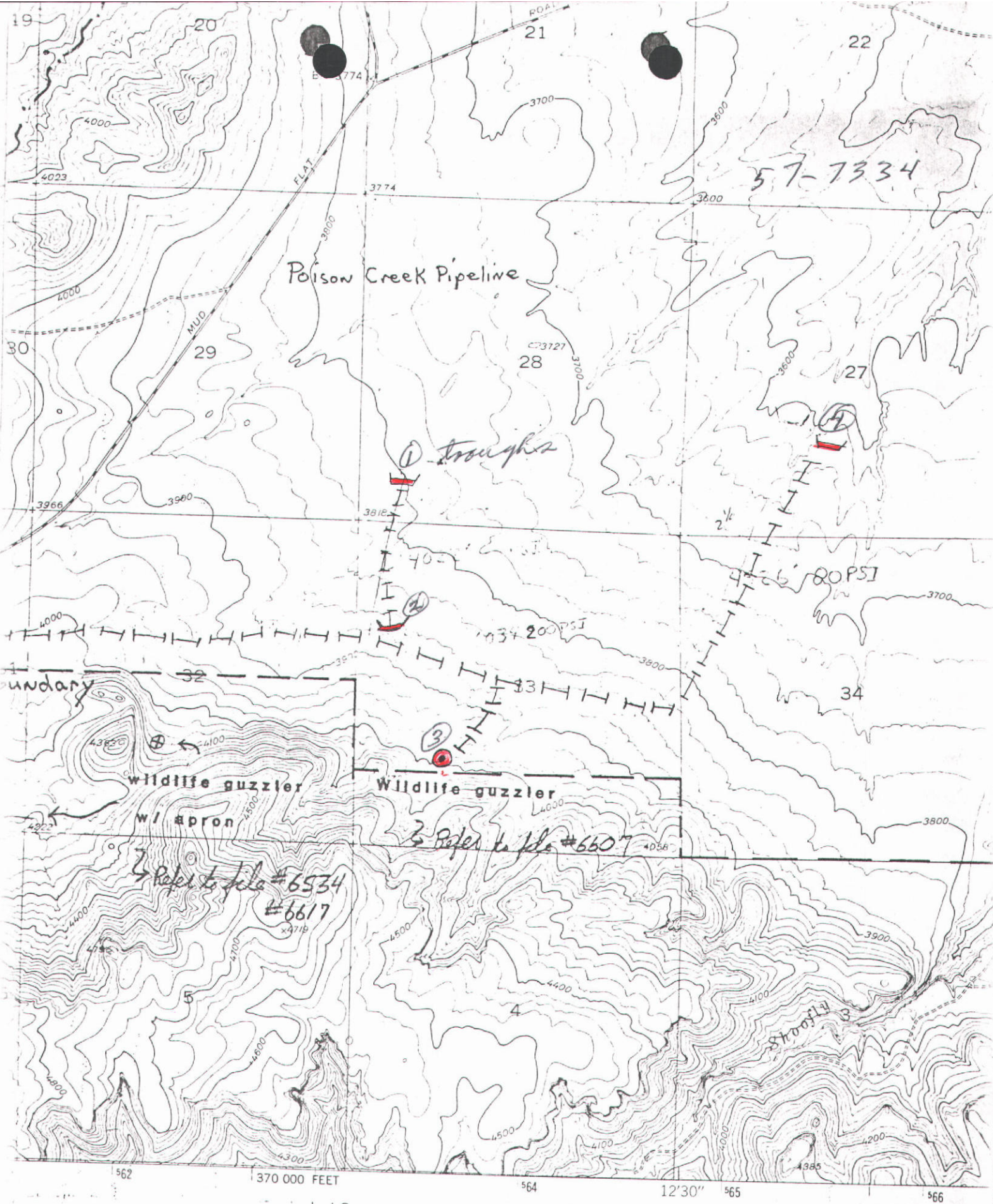
Diversion Means: COLLEC-
TION SYSTEM, HEADBOX,

PIPELINE & TROUGHS

The permits will be subject
to all prior water rights. Pro-
tests must be filed with the Dir-
ector, Dept. of Water Resources,
Western Region, Statehouse,
Boise, Idaho 83720 on or before
OCTOBER 11, 1982.

KEN DUNN, Dir.

Published in the Owyhee
Nugget, Marsing, Owyhee
County, Idaho 9/22 & 9/29/82



MICROFILMED

FILED
10:00 A.M. P.M.

FEB 16 1988

BARBARA JAYO, CLERK
JOANN McDANIEL

JIM JONES
Attorney General

PHILLIP J. RASSIER
JOSEPHINE P. BEEMAN
Deputy Attorneys General
Department of Water Resources
Statehouse
Boise, Idaho 83720
Telephone: (208) 334-7920

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF OWYHEE

BURGHARDT CO.,
an Idaho corporation

Plaintiffs,

vs.

PAUL BLACK, and MATTIE BLACK,
individually and as husband and
wife, and MICHAEL L. BLACK and
JOSETTA ANN BLACK, husband
and wife,

Defendants.

PAUL BLACK and MATTIE BLACK
individually and as husband and
wife, and MICHAEL L. BLACK and
JOSETTA ANN BLACK, husband
and wife,

Counter-plaintiffs,

vs.

BURGHARDT CO., an Idaho corpora-
tion and A. KENNETH DUNN, as
Director, Idaho Department of
Water Resources, ALBERT BLACK
and spouse, BRUNEAU CATTLE CO.,
COLYER CATTLE CO., ROBERT B.

Civil No. 4310

DECREE

RECEIVED

MAY 16 1988

Department of Water Resources

STATE OF IDAHO }
County of Owyhee }

I hereby certify that the foregoing instru-
ment is a true and correct copy of the
original on file in this office

Dated 5-16-88

Barbara Jayo, Clerk of the District Court

Joann McDaniel
Deputy Clerk

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
INDICATES TOTAL		SOURCE: SPRING			TRIBUTARY TO: POISON CREEK			
57-7334	U.S. DEPT. OF INTERIOR BUREAU OF LAND MGMT. IDAHO STATE OFFICE 3380 AMERICANA TERRACE BOISE ID 83706	05-28-1982	STOCKWATER	04-01 11-15	1.80 AFA .03 CFS	NESE S02 T085 R01E	NESW S27 T07S R02E SWSW S28 T07S R02E NESW SWNW S33 T07S R02E	LICENSE
OTHER USES: S/135 HEAD RANGE, W/VAR. AMT.			WILDLIFE	01-01 12-31	1.80 AFA .03 CFS		SAME AS OTHER USE	
REMARKS: SOURCE ALSO KNOW AS POISON CREEK SPRING.					* 1.80*AFA * .03*CFS			
INDICATES TOTAL		SOURCE: SPRINGS			TRIBUTARY TO: SHOOFLY CREEK			
57-1218	BLACK, PAUL BLACK, MATTIE BOX 273 GRAND VIEW ID 83624	08-16-1883	IRRIGATION	03-15 11-15	.22 CFS	NENW S26 T07S R02E SESW S26 T07S R02E	NWSE(04) SWSE(05) S23 T07S R02E NENW(03) NWNE(02) S26 T07S R02E	BENEFICIAL USE
OTHER USES: S/100 HEAD RANGE							* 14 ACRES*	
OTHER RIGHTS: 57-1217			STOCKWATER	01-01 12-31	2.70 AFA .05 CFS		SAME AS OTHER USE	
					* ---*AFA * .22*CFS			

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No 57-7334 Priority May 28, 1982 Amount 0.03 cfs

THIS IS TO CERTIFY, that U.S. Dept. of Interior, Bureau of Land Management
of Boise, Idaho, has complied with the terms and conditions of Permit
No. 57-7334 issued pursuant to Application for Permit dated March 2, 1982,
and has submitted proof to the Department of Water Resources on April 18, 1985,
that he has applied water to a beneficial use, an examination by the Department indicates that the works have a
capacity for the diversion of 0.03 cfs of water from a spring,
tributary to Poison Creek, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Stockwater</u>	from <u>January 1</u> to <u>December 31</u>	at <u>0.03</u> cfs and	<u>1.8 acre feet</u>
<u>Wildlife</u>	from <u>January 1</u> to <u>December 31</u>	at <u>0.03</u> cfs and	<u>1.8 acre feet</u>
_____ from _____ to _____ at _____ cfs and _____			

(both dates inclusive)

Subject, however, to the condition that no more than 0.03 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1.8 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 2,
Twp 8S, Rge 1E in the County of Owyhee

Description and location of place of use:

Twp.	Range	Sec	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
7S	2E	27									X								
		28											X						
		33						X		X									

Total number of acres irrigated _____

CONDITIONS OF APPROVAL

a. Modifications to or variance from this license must be made within the limits of Section 42-222, **Idaho Code**, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

b. The right to the use of the water hereby confirmed is restricted and appurtenant to lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho

c. Any water right confirmed in this license 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 license 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 license.

Source also known as Poison Ck. Spring.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 18TH day of FEBRUARY, 19 86.

Norman C Young
Director

STATE OF IDAHO

Licensing

RECEIVED

APPLICATION FOR AMENDMENT OF A PERMIT 1985

To change the point of diversion and/or the place of use Department of Water Resources

Comes now U.S. Dept. of Interior, Bureau of Land Mgmt. Phone _____
of (address) 3380 Americana Terrace Boise, ID 83706, 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. 57-7334, and requests that the permit and permit map be changed as follows:

No change

1. Point of diversion: NE 1/4 SE 1/4, Section 2, Township 8S, Range 1E, B.M.,
County of Owyhee. Other points of diversion: _____

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

No change

Amount 53 cfs for Livestock + Wildlife purposes from January 1 to December 31 (both dates inclusive)
(cfs or acre feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

3. Place of use or land to be irrigated:

TWP	RGE	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7S	2E	27									X								
		28											X						
		33							X		X								

Total number of acres to be irrigated = _____

4. a. Who owns the property at the point of diversion? _____
b. Who owns the land to be irrigated or the place of use? _____
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the
applicant to make this filing: _____

Show 40-acre subdivisions, townships, ranges and ditches.

Not Necessary

[illegible]

Signed at Boise, this 16 day of October, 1985.

Mike Pellant
(Signature)

Acting Bureau Area Mgr

ID-910-BF6-0015

Preliminary check by kw Fee = \$20.00 ✓

Received by tg Date 1-30-86 # 37444

Publication prepared by J/A Date _____

Published in

Publication dates

I, A. KENNETH DUNN, of the Department of Water Resources hereby

Approve the above Application for Amendment for Permit No. 57-7334.

Witness my hand this 18th day of February, 19 86

Director

13

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

*U.S. Department of the Interior*1. Name of applicant Bureau of Land Management Phone 334-1582Post office address 3948 Development Ave., Boise, Idaho 837052. Source of water supply Poison Cr. Spring which is a tributary of POISON CREEK3. Location of point of diversion is NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 2 Township 8SRange 1E B.M. Owyhee County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .03 cfs for Livestock purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)Amount .03 cfs for WILDLIFE 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:

a. .03 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 37,000 linear feet of 1 1/4" plastic pipe to be installed with 4-500 gallon water troughs for storage.b. Height of storage dam N.A. feet, active reservoir capacity N.A. acre-feet; total reservoir capacity N/A acre-feet, materials used in storage dam: _____Period of year when water will be diverted to storage 1/1 to 12/31 inclusive.
(Month/Day) (Month/Day)c. Proposed well diameter is N.A. inches; proposed depth of well is N.A. feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial

use is 5 years (minimum 1 year - maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____Range _____ B.M. See item #11, map of proposed project(2) Amount of power to be generated: N.A. horsepower under _____ feet of head.(3) List number of each kind of livestock to be watered 135 cows(4) Name of municipality to be served N.A., or number of families to be supplied with domestic water N.A.(5) If water is to be used for other purposes describe: wildlife waterBUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
BOISE, IDAHO

FEB 17 1982

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

c. Describe any other water rights used for the same purposes as described above. N.A.

9. a. Who owns the property at the point of diversion BLM

b. Who owns the land to be irrigated or place of use BLM

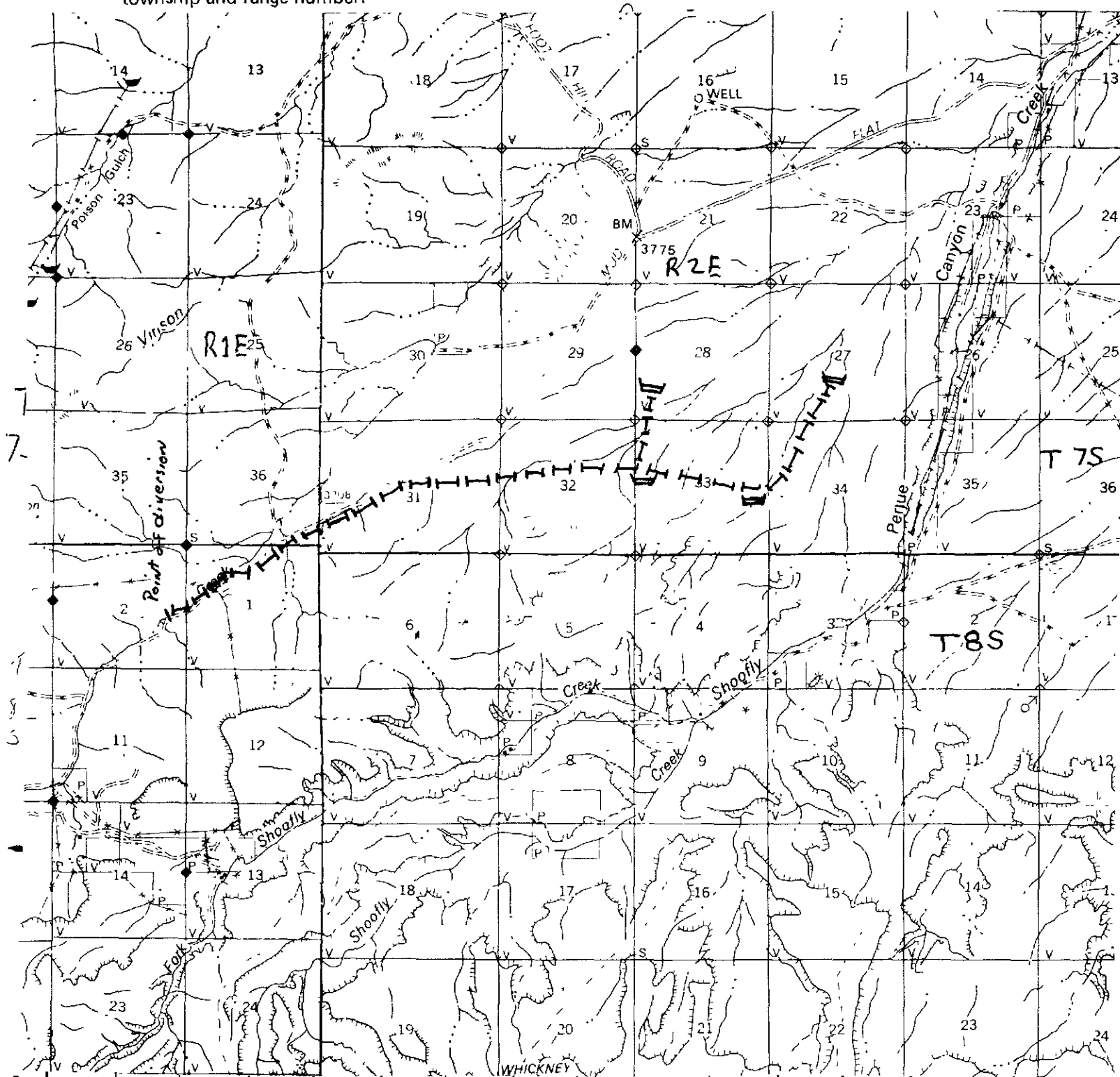
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing N.A.

10. Remarks Project No.-6320

Project Name - Poison Creek Pipeline

Attachment No. - 0802

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Trough locations	T 7S	R 2E	SW ¹ / ₄	SW ¹ / ₄	Sec 28	✓
			SW ¹ / ₄	NW ¹ / ₄	Sec 33	
			NE ¹ / ₄	SE ¹ / ₄	Sec 33	✓
			NE ¹ / ₄	SW ¹ / ₄	Sec 27	✓

Scale 1 inch equal 1 mile.

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.

C. Vernon Pugh
(Applicant)

APPROVED,

Page 2 of 2
- 100 -

PROPOSED PERMIT 5/28/1982

Received by JP Date 5/28/82 Time 3:30 PM
Preliminary check by JP Fee \$ 30.00 ID- 910-PH2-0018
Receipted by _____ Date _____ # 24423 7-1-82
Publication prepared by JP Date 9/10/82
Published in Campania huggot
Publication dates 9/23 & 9/30/82
Publication approved JP Date 9/30/82
Protests filed by: None
Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for (approval) denial by PBS JP

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. 57-7334, and said application is hereby APPROVED.

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

- SUBJECT TO ALL PRIOR WATER RIGHTS.
- Proof of construction of works and application of water to beneficial use shall be submitted on or before October 1, 19 87.
- 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.
- Other: 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.

Witness my hand this 21st day of October, 1982.

J. Glen Saylor
Chief, Operations Bureau

INTER-DEPARTMENT MEMO 71

DATE June 7, 1982

FROM

Dave T. L. 111

TO

Southern, Eastern, Western Regions

SUBJECT

111 Filings of Water Rights

P. O. 11-110-781-001: for 111 filings of water rights was received May 28, 1982.
This filing will be processed priority into May 28, 1982, for applications received
on or before May 28, 1982, under P. O. 11-6 111-1015.

PROOF OF PUBLICATION

STATE OF IDAHO, County of Owyhee, s.s.

I, MICK HODGES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by MICK HODGES, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper once a week and every week for 2 consecutive weeks, the first publication being on the 22 day of September, 1982, and the last publication being on the 29 day of September, 1982;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy - eight consecutive weeks prior to the first publication of the attached notice.

Mick Hodges
PUBLISHER

Subscribed and sworn to before me this 29 day of

September, 1982.

Kyle L. Hodges
NOTARY PUBLIC

My commission expires 3 86

(SEAL)



Department of Agriculture
Water Resources Division

NOTICE OF APPLICATION FOR WATER RIGHT

The following applications have been filed to appropriate

**U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT.,
FEDERAL BLDG. BOX 042,
550 W. FORT ST., BOISE, ID
83724**

Source: POISON CREEK
SPRING tributary to POISON
CREEK

Date Filed: 05/28/1982

Amount: 0.03 CFS

Diversion Point: NESE Sec 02
T 08S R 01E, OWYHEE Co.

Use: STOCKWATER (0.03
CFS) from 01/01 to 12/31

WILDLIFE (0.03 CFS) from
01/01 to 12/31

Place of Use: SWSW Sec 28 T
07S R 02E SWNW NESE Sec

33 T 07S R 02E NESW Sec 27 T
07S R 02E

Diversion Means: PIPE &
THROUGHS

57-7335

**U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT.,
FEDERAL BLDG. BOX 042,
550 W. FORT ST., BOISE, ID
83724**

Source: UNNAMED SPRING
tributary to HARD TRIGGER
CREEK

Date Filed: 05/28/1982

Amount: 0.11 CFS

Diversion Point: SWNW Sec
17 T 01S R 04W, OWYHEE Co.

Use: STOCKWATER (0.10
CFS) from 01/01 to 12/31

WILDLIFE (0.01 CFS) from
01/01 to 12/31

Place of Use: SWSW SWNW
Sec 05 T 01S R 04W NESW

NENE Sec 32 T 01N R 04W
SWSW Sec 21 T 01N R 04W

SENW Sec 16 T 01N R 04W
Diversion Means: COLLEC-

TION SYSTEM, HEADBOX,
PIPELINE & THROUGHS

57-7336

**U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT.,
FEDERAL BLDG. BOX 042,
550 W. FORT ST., BOISE, ID
83724**

Source: UNNAMED STREAM
tributary to RABBIT CREEK

Date Filed: 05/28/1982

Amount: 0.45 CFS

Diversion Point: NWNE Sec 06
T 03S R 02W, OWYHEE Co.

Use: STOCKWATER (0.35
CFS) from 01/01 to 12/31

WILDLIFE (0.10 CFS) from
01/01 to 12/31

Place of Use: SESE Sec 29 T 02S
R 02W NENE Sec 21 T 02S R

02W SESE Sec 05 T 02S R 02W
SWNW Sec 33 T 01S R 02W

**U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT.,
FEDERAL BLDG. BOX 042,
550 W. FORT ST., BOISE, ID
83724**

The permits will be subject
to all prior water rights. Pro-

February 18, 1986

RE: Permit No. 57-7334

Bureau of Land Mgmt.
3380 Americana Terrace
Boise, ID 83706

Gentlemen:

Enclosed herewith is a copy of your Water Right License issued on the above referenced permit along with a copy of your approved application for amendment.

Should you have any questions regarding these documents, please feel free to contact our office.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc
Enclosures

FILED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

Statehouse
Boise, Idaho 83720
(208) 334-2190

OCTOBER 10, 1985

BUREAU OF LAND MGMT. U.S. DEPT. OF INTERIOR
IDAHO STATE OFFICE
3700 AMERICANA TERRACE
BOISE ID 83706

RE Permit No. 57-7324

Dear Permit Holder:

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this department.

A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office by phone at 334-2190 or in person in the third floor State Towers Building, 450 West State Street, Boise.

Sincerely,
Judy Pense
Secretary

RECEIVED
OCT 11 1985

October 8, 1985

RE: Permit No. 57-7334

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

Dear Permit Holder(s):

A representative of this Department made an examination of the works covered by your Permit No. 57-7334 and has found the following:

Amount of water that can be recognized as beneficially used under Idaho law: 0.03 cfs Source: a spring (also known as Poison Creek Spring) trib to Poison Creek

The maximum quantity diverted shall not exceed 1.9 acre feet per year.

Point(s) of diversion: NESE, Sec. 2, Twp 8S, Rge 1E

Beneficial Use: Stockwater and wildlife within NESW, Sec. 27; SWSW, Sec. 28; SWNW, NESW, Sec. 33; Twp 7S, Rge 2E

Priority date established: May 28, 1982 (late fee)

Conditions (if any):

In order for the Department to issue the above license, it will be necessary for you to amend the permit to correspond with the findings of the field examiner. We are enclosing a partially completed amendment form for your use in this matter.

Please sign the amendment application and return it to this office along with a \$20.00 filing fee within 30 days in order that we might issue your license as set forth above. If you do not concur with these findings or have any questions, please contact us within the 30-day period.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc
Enclosure

RECEIVED
FEB 11 1986

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

RECEIVED
SEP 27 1985

57-1334
Permit No.

Department of Water Resources

1 Measurement Calculations

a) Field Measurement Calculations (Include theoretical capacities and system capacity)

Used 1 gallon jug 1 gallon 5 sec. = 12 GPM $\times .002229 =$
.026 cfs = Recommend .03 cfs $\times 135 \text{ hd/range} \times 12 = \frac{1620}{54000} =$
.03 cfs $\times 1620 \text{ GP/da} \times .001118 = 1.8 \text{ AFA} \times$
Recommend for Wildlife $\times .03 \text{ cfs-per permit} \times 1 \text{ AFA}$
1.24 cfs

b) Volume Calculations for Irrigation:

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

c) Volume Calculations for Other Uses:

See 1a

2. Overlap Review

- a) Other water rights with same place of use: none
- b) Other water rights with same point of diversion: none
- c) Analysis.

RECOMMENDED AMOUNTS

30 day #3

Permit No.	Priority	Amount	App. Date	Date Proof Submitted	System Capacity
57-7334	5/28/82	.03	10/21/82	4/18/85	0.03 cfs

3. Permit Holder: U.S. Dept. of Interior, Bureau of Land Management
Idaho State Office, 3380 Americana Terrace,
 Address: 3948 Development Ave Boise, Idaho 83706

5. Source: Spring tributary to Poison Creek

Beneficial Use	Period of Use From	To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
Stockwater	4/1	12-31 (per permit)	0.03	1.8 AF
Wildlife	1/1	12/31	0.03	1.8 AF

Allowable Maximums: 0.03 cfs 1.8 AF

7. Point(s) of Diversion: ✓

No.	Govt. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County
		NE	SE		2	8S	1E	owhee

8. Place(s) of Use

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7S	2E	27										X							
		28												X					
		33							X		X								
Total Acres _____																			

Total Acres

9. Recommended Conditions/Remarks: Source also known as Poison Ck.
Spring.

10. 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

11. Examiner's Signature John K. Moyer

Date 4/18/85

Checked in Regional Office by GLS

Date 9/26/85

Approved in State Office by K. Walker

Date 10-3-85

SEP 24 1965

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Gray # 6320

Department of Health & Family Welfare

Permit No. 57-7334

Phone No. _____

1. Owner: Bureau of Land Management Phone No. _____
Current Address: 3948 Development Ave Boise, Ida 83705
2. Accompanied by: Boyagular BLM EXAM. DATE: 3/28/85
Address: Same as above Phone No. _____
Relationship to Permit Holder: _____
3. Source: Spring tributary to Poison creek.

4.	Well/Diversion* No.	Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

*Code with points of diversion, system diagram & photos on reverse side. Disregard if only one.

5. System Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)
 4 inch PVC pipes buried under stream bed in
 Pocahontas creek - Spring indicated on topog map.
 12" CMP Stand pipe with turn off valve. Holding
 stand pipe - 5 ft CMP with 2-2" PVC over flow pipe
 into pocahontas creek. 12,000 ft - 1 1/4" PVC 80 PSI; 17000 ft 1 1/4"
 PVC 200 PSI; 12,000 ft 1 1/4" PVC 200 PSI. (4 troughs)

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

7. Measurements ☐ Additional data/computation sheets attached

1 gallon 5 sec = 12 GPM x .002228 = .02674 allow .03 sec

$$\frac{1.5 \text{ hd/range} \times 12}{2 \text{ hr period}} = \frac{1620}{54000} = 0.03 \text{ csf}$$

Wildlife

$1620 \text{ GPa} \times .001118 = 1.8 \text{ AF17 Recommended} \neq \text{AF}$

- | 8. Point(s) of Diversion: | Indicate Method of Determination |
|---------------------------|----------------------------------|
|---------------------------|----------------------------------|

[illegible]

9. Place(s) of Use: Irrigation - give acres served by system at time of exam.
Indicate Method of Determination BLM indicated P.U.

[illegible]

10. Other water rights on these lands none
11. Other water right diverted from same p.d. none
12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.

See attached location map of system.

13. ☐ Photo of Diversion & System Attached ☐ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached
14. Remarks Sketch of card shows 300 hd/range.
Permit 135 hd/range.
Proj # 0320 Proj. name Poison creek pipeline
allotment # 0802 Campers in each tank
for wildlife approach.
15. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None

☒ Change P.U. as reflected above YES³³ ☐ Add P.U. as reflected above ☐ Other
16. Examiner's/Consultant's Signature John K. Noyes Date 4/18/85
Consultant's License Number _____
IDWR Director's Authorization to Conduct
Beneficial Use Examination 4/17/85
Date

CONSULTANT SEAL



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

SEPTEMBER 1, 1985

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

DEAR PERMIT HOLDER:

*should not
have been
sent for
this fill.
KW
10/3/85*

ACCORDING TO OUR RECORDS, YOU ARE THE HOLDER OF A WATER PERMIT ON WHICH PROOF OF BENEFICIAL USE OF WATER WAS NOT SUBMITTED BEFORE JULY 1, 1985, WHICH INDICATES YOUR PROJECT IS NOT COMPLETE. THEREFORE, YOU NEED TO BE AWARE OF CHANGES IN IDAHO LAW, EFFECTIVE JULY 1, 1985, WHICH IMPACT ALL WATER PERMITS ISSUED BY THIS DEPARTMENT.

SPECIFICALLY, PURSUANT TO SECTION 42-203D, IDAHO CODE, THE DEPARTMENT MUST REVIEW ALL PERMITS FOR WHICH DEVELOPMENT OF WATER USE WAS NO COMPLETED ON OR BEFORE JULY 1, 1985, TO DETERMINE IF THEY MEET THE NEW REQUIREMENTS OF CHAPTER 2, TITLE 42, IDAHO CODE. RULES AND REGULATIONS GOVERNING THE RE-EVALUATION OF PERMITS ARE NOT YET FINALIZED. HOWEVER, IF YOU COMPLETED THE DEVELOPMENT UNDER YOUR PERMIT BEFORE JULY 1, 1985, YOU SHOULD SUBMIT A PROOF OF BENEFICIAL USE STATEMENT, STATING THAT THE PROJECT WAS COMPLETED BEFORE JULY 1, 1985 SO THAT YOUR PERMIT WILL NOT BE SUBJECT TO THE REVIEW REQUIREMENTS OF SECTION 42-203D, WHICH READS AS FOLLOWS:

42-203D. REVIEW OF PERMITS - OPPORTUNITY FOR HEARING. - (1)THE DEPARTMENT SHALL REVIEW ALL PERMITS ISSUED PRIOR TO THE EFFECTIVE DATE [JULY 1, 1985] OF THIS SECTION, EXCEPT TO THE EXTENT A PERMIT HAS BEEN PUT TO BENEFICIAL USE PRIOR TO JULY 1, 1985, TO DETERMINE WHETHER THEY COMPLY WITH THE PROVISIONS OF CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PROPOSED USE DOES NOT SATISFY THE CRITERIA OF CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL EITHER CANCEL THE PERMIT OR IMPOSE THE CONDITIONS REQUIRED TO BRING THE PERMIT INTO COMPLIANCE WITH CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PERMIT SATISFIES THE CRITERIA ESTABLISHED IN CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL ENTER AN ORDER CONTINUING THE PERMIT.

(2)THE DEPARTMENT SHALL PROVIDE AN OPPORTUNITY FOR HEARING IN ACCORDANCE WITH SECTION 42-1701A, IDAHO CODE, AND SECTIONS 67-5209 THROUGH 67-5215, IDAHO CODE, FOR EACH HOLDER OF A PERMIT THAT IS PROPOSED EITHER TO BE CANCELLED OR MADE SUBJECT TO NEW CONDITIONS.

YOU MAY OBTAIN PROOF OF BENEFICIAL USE FORMS FROM THE DEPARTMENT. IF YOU HAVE ANY QUESTIONS, PLEASE LET US KNOW.

SINCERELY,

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF LAND RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 331-1440

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT.
FEDERAL BLDG. BOX 042
550 W. WYOMING ST.
BOISE, ID 83724

NOVEMBER 09, 1982

RE: PERMIT NO. 57-7334, 57-7335 and 57-7336

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH PAGE.

THE 1982 IDAHO LEGISLATURE ADDED A 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 CONTINUOUSLY 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 INSTRUCTIONS ENTITLED "MAKING PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT INTO A LICENSE.

SINCERELY,

DAVID R. TUTTILL, JR., P.E.
SUPERVISOR, WATER ALLOCATION SECTION

ENCLOSURE

52-2334

U.S. DEPT. OF INTERIOR

BUREAU OF LAND MGMT., FEDERAL BLDG. BOX 042, 550 W. FORT ST., BOISE, ID 83724

Source: POISON CREEK SPRING tributary to POISON CREEK

Date Filed: 05/28/1982

Amount: 0.03 CFS

Diversion Point: NESE Sec 02 T 08S R 01E, DWYHEE Co.

Use: STOCKWATER	(0.03 CFS)	from 01/01 to 12/31
WILDLIFE	(0.03 CFS)	from 01/01 to 12/31

Place of Use: SWSW Sec 28 T 07S R 02E SWNW NESE Sec 33 T 07S R 02E NESW
Sec 27 T 07S R 02E

Diversion Means: PIPE & TROUGHS

PLACE
13 CENT
STAMP
HERE



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

MICROFILMED

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resource.
holder(s) has completed development to the

this card as a statement that the permit
is below of Permit No. 57-7334

Name(s) of Permit Holder

Bureau of Land Mgmt.

Post Office Address

3948 Development Ave.

Boise Id. 83705

Tel No. 334-1582

Source of Water

Poison Creek

Extent of Use

☐ Domestic

(number of households)

☒ Stockwater

300 cattle

(number and type of stock)

☐ Irrigation

☐ Other

(a) MICRO

Measuring Device

Required?

☐ Yes ☒ No

Installed?

☐ Yes ☒ No

Access Port

Required?

☐ Yes ☒ No

Installed?

☐ Yes ☒ No

The above information is a true statement of the extent to which the above numbered permit has
been developed

4/17/85
Date

Mike Pell
Acting Area Manager
Signature of Permit Holder

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: Jan Gaudin

APPLICATION NUMBER. 57-7334

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.
☒ Yes ☒ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☒ No* In form to receipt.

Field check by: _____

Date: _____

Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☒ Idaho State Health Department. Copies sent by: _____ Date: _____
☐ Idaho Fish and Game Department. _____
☐ Idaho Department of Lands. _____
☐ U.S. Bureau of Land Management. _____
☐ U.S. Forest Service. _____
☐ Other _____

PROCESSING:

- ☐ Yes ☒ No Platted by: _____ Map No. _____
☐ Yes ☒ No Other rights on same place of use. _____
☒ Yes ☐ No* In form for advertising.
Final date for protests. 10/11/82 ✓
☐ Yes ☐ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 9/30/82 ✓
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application. 30 /
☒ Publication dates and paper, recorded on application. 9/23 & 9/30/82 overhead request
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☐ Yes ☒ No Measuring device required.
☐ Yes ☒ No Access port required.
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what district? _____
✓ 5/28/82 3/12/82 Date of priority recommended.
Special conditions of approval or cover letter. _____

Not in Bureau GW Area

By: DBS

Date: 10/12/82

STATE OFFICE REVIEW:

SL/LT

26

- ☐ See attached sheet for more information.

By: [Signature]

Date: 10/13/82

RECEIVED
OCT 12 1982

POINT OF DIVERSION AND STREAM INDEX INFORMATION

00135400
RECEIVED

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
-------	-----	-----	-----	--------------	---------------	-------

IDAHO STREAM CODE INDEX

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
-------	-----	-----	-----	--------------	---------------	-------

IDAHO STREAM CODE INDEX

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
-------	-----	-----	-----	--------------	---------------	-------

IDAHO STREAM CODE INDEX

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
-------	-----	-----	-----	--------------	---------------	-------

IDAHO STREAM CODE INDEX

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
-------	-----	-----	-----	--------------	---------------	-------

IDAHO STREAM CODE INDEX