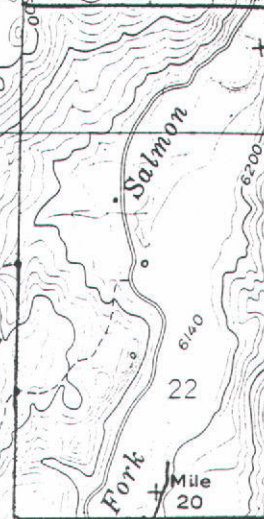


Boulder White Clouds Trailhead  
Recreation Site Well Construction  
T 9 N, R 17 E, Sec 22, SW 1/4



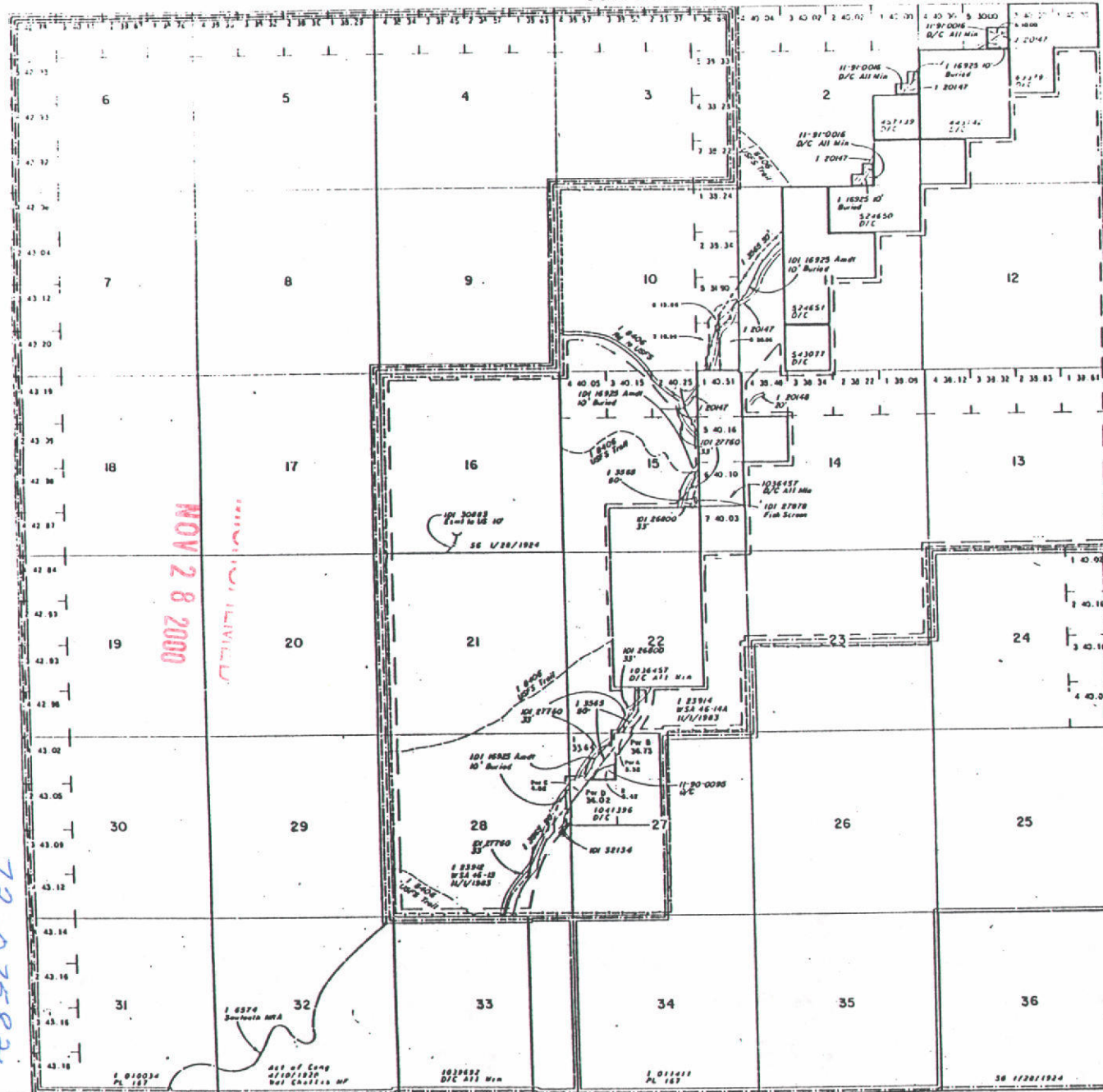
Project Site

MICROFILMED  
NOV 20 2000

12-07582

## MT PLAT

SALMON DISTRICT SEC 15 SALMON DISTRICT SEC 3



SCALE in Chains

0 10 20 30 40

WARNING STATEMENT

This plat is the Bureau's Record of Title, and should be used only as a graphic display of the township survey data. Records herein do not reflect title changes which may have been effected by lateral movements of rivers or other bodies of water, or by other means, and are not intended to be used for official survey information.

8 N-17 E

8 N-18 E

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

Boise Mer

T. 9 N

R. 17 E

8.5

11

FOR OFFICE USE ONLY  
Amt. of Fee \$: No fee  
Receipt No. 3118/03  
Receipt By: J.F.  
Date Received: 3/18/03

RECEIVED  
MAR 18 2003  
Department of Water Resources  
Southern Region

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
PROOF OF BENEFICIAL USE

RECEIVED  
MAR 14 2003  
Department of Water Resources  
Southern Region

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. 72-7582 Telephone No. 756-5400
2. Name of Permit Holder(s): USDI - Bureau of Land Management
3. Mailing Address: 50 Hwy 93 South  
City Salmon State ID Zip 83467
4. Source of Water: Groundwater If GROUNDWATER (well), Date Drilled: mo. 8 / yr. 2001  
Well Driller: JAFCD, firm # 504 Drilling Permit Number: \_\_\_\_\_
5. Use(s) (as authorized by the water right permit):  
Domestic (No. of households): 5 campground sites Stockwater (No. and type of stock): \_\_\_\_\_  
Irrigation (No. of acres): \_\_\_\_\_ Other: \_\_\_\_\_
6. Total rate of diversion and/or volume for which proof is submitted: .04 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: Allen Bittner Telephone Number: same as above  
Address: same as above - # J.F. per phone call, 3/18/2003
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: Allen Bittner NRS Date: 3/11/03  
(include your title, if on behalf of company or organization)

MICROFILMED  
APR 22 2003

\* NO Fee Required  
J.F.

State of Idaho  
Department of Water Resources  
**Permit To Appropriate Water**

NO. 72-07582

Priority: March 6, 2000

Maximum Diversion Rate:

0.04 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: GROUNDWATER

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> |
|-----------------------|----------------------|--------------------------|
|-----------------------|----------------------|--------------------------|

|          |                |          |
|----------|----------------|----------|
| DOMESTIC | 01/01 to 12/31 | 0.04 CFS |
|----------|----------------|----------|

LOCATION OF POINT(S) OF DIVERSION:

SESW , Sec. 22, Township 09N, Range 17E  
CUSTER County

PLACE OF USE: DOMESTIC

TWN RGE SEC

09N 17E 22

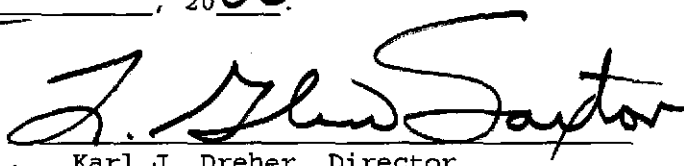
SESW

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of application of water to beneficial use shall be submitted on or before May 1, 2003.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. Domestic use is for a 5 camp-site campground at Boulder White Clouds Trailhead Recreation Site and does not include lawn, landscape, or other types of irrigation.

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

9<sup>th</sup> day of May, 2000.



Karl J. Dreher, Director

for

MICROFILMED

NOV 20 2000

RECEIVED

MAY 5 - 2000

Department of Water Resources  
STATE OF IDAHOIdent. No. 72-07582

RECEIVED

MAR 09 2000

Department of Water Resources  
Southern Region

## APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

MAR 06 2000

Department of Water Resources  
Eastern Region

1. Name of Applicant Bureau of Land Management Phone 208 756-5400  
Mailing address Route 2 Box 610 Salmon ID 83467
2. Source of water supply Groundwater which is a tributary of \_\_\_\_\_
3. Location of point of diversion is Township 9N Range 17E Sec. 22 in the \_\_\_\_\_ 1/4,  
SE 1/4, SW 1/4, Govt. Lot \_\_\_\_\_, B.M., Custer County;  
additional points of diversion if any: \_\_\_\_\_
4. Water will be used for the following purposes:  
 Amount .04 for Domestic purposes from 7/1 to 12/31 (both dates inclusive)  
 (cfs or acre-feet per annum)  
 Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
 (cfs or acre-feet per annum)  
 Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
 (cfs or acre-feet per annum)  
 Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
 (cfs or acre-feet per annum)  
 Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
 (cfs or acre-feet per annum)  
 Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
 (cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) .04 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 Hand pump attached to well casing
  - b. Height of storage dam \_\_\_\_\_ feet; active reservoir capacity \_\_\_\_\_ acre-feet; total reservoir capacity \_\_\_\_\_ acre-feet
  - c. Proposed well diameter is 6 inches; proposed depth of well is 100 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 3 years (minimum 1 year)
8. Description of proposed uses (If irrigation only, go to Item 9):
  - a. Hydropower; show total feet of head and proposed capacity in KW. \_\_\_\_\_
  - b. Stockwatering; list number and kind of livestock. \_\_\_\_\_
  - c. Municipal; show name of municipality. \_\_\_\_\_
  - d. Domestic; show number of households. Campground with 5 sites + trailhead
  - e. Other; describe fully. Incidental irrigation

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72-07582

## 9. Description of place of use:

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

b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

| TWP | RGE | SEC | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | TOTALS |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 9N  | 17E | 22  |    |    |    |    |    |    |    |    |    |    |    | D  |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |

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

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

12. Remarks: \_\_\_\_\_

Boulder White Clouds Trailhead Recreation Site

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 &amp; 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 Butte Bio Tech  
Signature of Applicant (and title, if applicable)

Received by HWT Date 3-7-2000 Time \_\_\_\_\_ Preliminary check by John Freitag  
 Fee \$ 50.00 Received by HWT # E025649 Date 3-7-2000  
 Publication prepared by MB Date 3/28/00 Published in Phallus Messenger  
 Publication approved MB Date 4/14/00

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NOV 28 2000

Boulder White Clouds Trailhead  
Recreation Site Well Construction  
T 9 N, R 17 E, Sec 22, SW 1/4

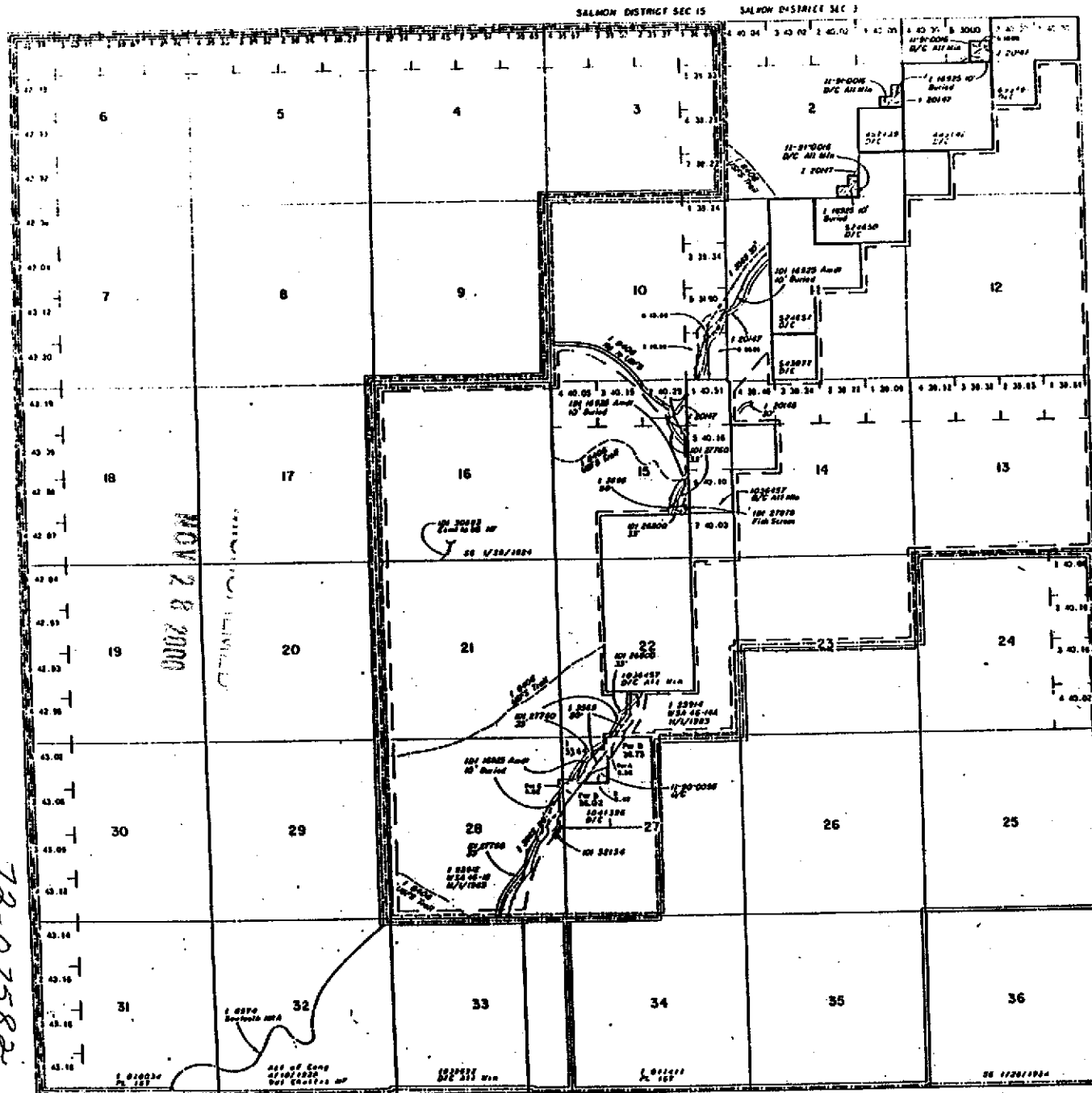
Project Site

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NOV 28 2000

12-07582

MT PLAT

[illegible]

1 D10024 (at Ft. Me) (acc of Cong 7/23/1955)  
completed 1/15/1962. All HF surface upgr by USFS

1. 010401 Det PL 167 (Act of Cong 7/23/1955)  
completed 1/15/1962. All of surface kept by USFS

12034 DELIN G CHAN Use  
Center County, Supr from Approp under IE.  
DLE, EA, & PS  
Further Supr from Approp under general mining laws  
Upper East Fork Campground  
Sec 22: SE SW  
Sec 22: NW SW  
Sec 22: SW SE

EN 27112 Open to Entry Except Public Land Laws  
Sec 15: Lot 7

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

|              |            |
|--------------|------------|
| CURRENT TO   | CURRENT TO |
| SEP - 8 1967 |            |

USE PLATO:

Lat.  $24^{\circ} 4' 45''$  N  
Long.  $114^{\circ} 21' 30''$

84-17 E 84-18 E

**Stellen Sie sich**

Y. 34

R. 17E

## 8.5

11

—



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](http://www.idwr.state.id.us)

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

April 21, 2003

USDI  
BUREAU OF LAND MANAGEMENT  
50 HWY 93 SOUTH  
SALMON ID 83467

### PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 72-7582

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 contact you to schedule a field examination to determine and confirm the use being made of the water, and that it meets the permitted beneficial use.

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, please contact the **Eastern** Regional Office of the department in Idaho Falls (208) 525-7161.

Sincerely,

Deborah J. Gibson  
Administrative Assistant  
Water Allocation Bureau

Encl.

c: IDWR - Regional Office (w/encl.)

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APR 22 2003

## ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 72-7582

Reviewed By: dgibson

Date: April 18, 2003

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

### Priority Calculation

|                     |              |
|---------------------|--------------|
| Date proof received | 03/14/2003   |
| Date proof due      | - 05/01/2003 |
| Lapse notice sent   | -            |
| No. of days late    | = 0          |
| Holiday allowance   | +            |
| Priority date       | + 03/06/2000 |
| New priority date   | = 03/06/2000 |

### Deficiencies of Actions Items

Acknowledge proof.

February 28, 2003

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

PROOF DUE NOTICE

RE: PERMIT NO. 72-7582

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 May 01, 2003. (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.

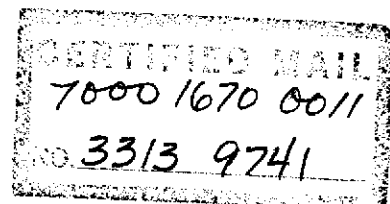
Sincerely,

Deborah J. Gibson, Administrative Assistant  
Water Allocation Bureau

Enclosures

MICROFILMED

APR 22 2003





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

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

May 10, 2000

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

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 72-07582

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.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a "Proof Due Notice" approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this right were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Groundwater Protection Section located here at this office or our regional office nearest you.

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NOV 28 2000

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,

A handwritten signature in cursive script, appearing to read "Shelley Keen".

Shelley W. Keen  
Water Rights Supervisor

SK:klt

Enclosures

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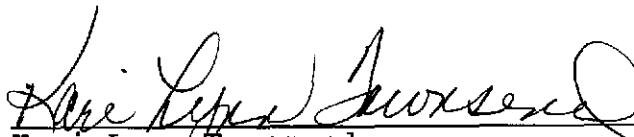
NOV 28 2000

CERTIFICATE OF MAILING

I hereby certify that on the 10th day of May, 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. 72-07582

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

  
Kari Lynn Townsend  
Secretary

MICROFILMED

NOV 28 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 fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from 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 fourteen (14) 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.

### **CERTIFICATE OF SERVICE**

All documents intended to be part of the Department record in connection with a preliminary order shall be served upon the representatives of each party of record. Every document filed with and intended to be part of the agency record must be attached to or accompanied by proof of service by the following or similar certificate.

I HEREBY CERTIFY (swear or affirm) that I have this day of \_\_\_\_\_, served the foregoing (name(s) of document(s)) upon all parties of record in this proceeding, (by delivering a copy thereof in person: (list names)) (by mailing a copy thereof, properly addressed with postage prepaid, to: (list names)).

(Signature)

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NOV 28 2000

## **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.

## **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.

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.

## **RIGHT TO HEARING**

Pursuant to Section 42-1701A(3), Idaho Code, unless the right to a hearing before the Department is otherwise provided by statute, any person aggrieved by any decision, determination, order, or action of the Department or any applicant for any permit, license, certificate, approval, registration, or similar form of permission required by law to be issued by the Department, who is aggrieved by a denial or conditional approval ordered by the Department, and who has not previously been afforded an opportunity for a hearing on the matter shall be entitled to a hearing before the Department to contest the denial or conditional approval upon filing with the Department, within fifteen (15) days after receipt of the denial or conditional approval, a written permission stating the grounds for contesting the action by the director and requesting a hearing.

## **APPEAL OF FINAL ORDER TO DISTRICT COURT**

If a preliminary order becomes final, any party aggrieved by the final order or orders previously issued in the 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 (a) a hearing was held, or (b) the final agency action was taken, or (c) the party seeking review of the order resides, or (d) 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. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal. See Sections 67-5270 through 67-5273, Idaho Code.

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NOV 28 2000

APPLICATION FOR PERMIT  
STATE OFFICE ANALYSIS

Reviewed by Sharla Curtis on 5/8/00

No. 72-07582 Name: BLM Corp. Officers N/A Ad ok ☒ Govt Lots       

AREA OF CONCERN: No/Yes S/C & wilderness trib Moratorium        GWMA        TRUST/NON-TRUST       

GROUNDWATER: (✓Flow Chart)

DRILLING PERMIT

All wells - 046 (P23)  
Basin 34 - 084  
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 ≤ 3 ac - R66/R67/R68/R69 (0.03 cfs/ac)  
> 3 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: 5/01/2003

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 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)  
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 pd's per ¼¼ - W32  
Subd lot desc (pd) - W59  
Subd lot desc (pu) - W60  
Use definitions - W02 example - 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

COMMENTS

5 Campsites @ Boulder White Clouds  
Trailhead Rec Site.

INITIAL REVIEW BY John Freitag DATE 3/20/00

☒ 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 &/or volume.)

☒ County

☒ Quantity (flow &/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?

++++PROPOSED PRIORITY DATE 03/09 ~~2000~~

☒ Overlapping place of use (Describe source & relationship to present application on the back. 72-16011 instream standards)

☒ Overlapping point of diversion.

\_\_\_ Yes ☒ No Is Source Surface Water?

    If Yes Send Copy to F&G.

    If Yes Field check/memo required.

    Field check/memo by \_\_\_\_\_

\_\_\_ Yes ☒ No Field report attached?

\_\_\_ Yes ☒ No Critical Ground water area?

\_\_\_ Yes ☒ No Groundwater management area?

\_\_\_ Yes ☒ No Measurement District or Groundwater District?

    What District? \_\_\_\_\_

\_\_\_ Yes ☒ No Send Dam safety information?

\_\_\_ Yes ☒ No Send power requirement letter?

\_\_\_ Yes ☒ No Send fish farm requirement letter?

\_\_\_ Yes ☒ No Power residency affidavit attached?

\_\_\_ Yes ☒ No Power efficiency form?

\_\_\_ Yes ☒ No Within trustwater boundary? (If yes, attach trustwater supplementary analysis sheet.

\_\_\_ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft? (If yes, attach large diversion supplementary analysis sheet.

\_\_\_ Yes ☒ No Is Application made to record Pre Nov 1987 Development?

    If Yes then request clear evidence of when use started.

**\* REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT:**

**Date Requested**

Date Sent      Comments Received

SEND COPIES TO:

|                                                                    |                |       |
|--------------------------------------------------------------------|----------------|-------|
| <input checked="" type="checkbox"/> Idaho Dept of Health & Welfare | <u>3/29/00</u> | _____ |
| <input type="checkbox"/> USDI BLM                                  | _____          | _____ |
| <input type="checkbox"/> Idaho Dept of Fish & Game                 | _____          | _____ |
| <input type="checkbox"/> USFS                                      | _____          | _____ |
| <input type="checkbox"/> Idaho Dept of Lands                       | _____          | _____ |
| <input type="checkbox"/> Water Dist. No. _____                     | _____          | _____ |
| <input type="checkbox"/> Adjudication Bureau Unit                  | _____          | _____ |
| _____                                                              | _____          | _____ |
| _____                                                              | _____          | _____ |

PROCESSING ☒ Yes ☐ No In form for Advertising?

☐ Yes ☒ No Statewide Advertising?

☒ Yes ☐ No Fee amount, receipt date & No. recorded?

☐ Yes ☐ No Has all requested additional information been received?

If not, describe action taken: \_\_\_\_\_

FINAL REGIONAL PROCESSING REVIEW

☒ Yes ☐ No Affidavit of publication received?

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

☒ Yes ☐ No Publication dates and paper recorded?

Final date for protest: \_\_\_\_\_

☐ Yes ☒ No Protests received?

☐ Yes ☒ No Protested?

Describe Resolution: \_\_\_\_\_

☐ Yes ☒ No Measuring device required?

☐ Yes ☒ No Access port required?

☐ Yes ☒ No Will water be delivered by watermaster? If yes, what dist? \_\_\_\_\_

☐ Yes ☒ No Special conditions codes: \_\_\_\_\_

☒ Yes ☐ No Is Evaluation Memo Attached?

If yes, date of Memo \_\_\_\_\_

Date of priority recommended: \_\_\_\_\_

COMMENTS:

Priority, based on stamp in  
Eastern Region on 3/6/00

RECOMMEND

☒ Approval

☐ Denial

By

AD

Date

5/3/00

RECEIVED

MAY 5 - 2000

Department of Water Resources

MEMO

FROM: Allen Merritt *Am*

DATE: May 3, 2000

TO: Permit No: 72-07581 & 72-07582

In the Name of BLM

**SUBJECT: Review and Recommendation**

These two applications are for groundwater for domestic (campground) use within the Wilderness Moratorium area. Both applications request incidental irrigation. They were processed with the understanding that irrigation of any sort would not be allowed.

Both applications appear to have been sent to Eastern Region before being forwarded to Southern. One was stamped as received in Eastern on 3/6/00 but the other one was not stamped. Both were reviewed by Skip Jones in Eastern on 3/7/00 and moneys receipted. Southern received them on 3/9/00. I recommend that the priority for both be 3/6/00.

The applications were processed without protest.

**Recommendation**

I recommend that the applications be approved subject to the following conditions:

- Authorized use under these permits is limited to culinary or camp use and does not allow irrigation of any sort. Each permit is limited to no more than 13,000 gpd.
- Wells drilled must be authorized under separate drilling permit and subject to drilling permit conditions.
- Priority for both be 3/6/00.

MICROFILMED

NOV 28 2000

# AFFIDAVIT OF PUBLICATION

State of Idaho, County of Custer, ss:

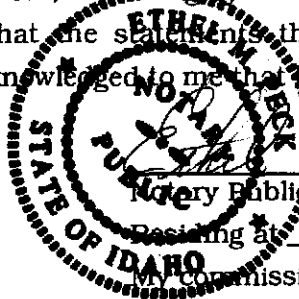
I, Ruth E. Burchill, representing the Challis Messenger, a weekly newspaper, published at Challis, Idaho, do solemnly swear that the notice hereto attached and made a part hereof, was published in the regular and entire issue of the Challis Messenger for 2 consecutive weeks, commencing with the issue dated April 6 ~~1900~~ and ending with the issue dated April 13 ~~1900~~.

Ruth E Burchill

STATE OF IDAHO

COUNTY OF CUSTER

On this 13<sup>th</sup> day of April 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

My commission expires: 3-19-2004

RECEIVED  
APR 14 2000  
Department of Water Resources  
Southern Region

## NOTICE OF APPLICATION FOR WATER RIGHT

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

72-07581

US DEPT OF INTERIOR  
BUREAU OF LAND MANAGEMENT

RT 2 BOX 610  
SALMON, ID 83467  
Source: GROUNDWATER  
Diversion Pt: LOT 2 (SESWSW)  
Sec 33 T 16N R 19E in CUSTER County.

Use: DOMESTIC (0.040 CFS)  
Total Diversion: (0.040 CFS)  
Date Filed: 3/9/2000  
In: CUSTER County T16N R19E  
S33 Lot 2 (SWSW)

72-07582

BUREAU OF LAND MANAGEMENT

RT 2 BOX 610  
SALMON, ID 83467  
Source: GROUNDWATER  
Diversion Pt: SESW Sec 22 T  
09N R 17E in CUSTER County.  
Use: DOMESTIC (0.040 CFS)  
Total Diversion: (0.040 CFS)  
Date Filed: 3/9/2000  
In: CUSTER County T09N R17E  
S22 SESW

The permit(s) will be subject to all prior water rights. Any protest must be filed with the Director, Dept. of Water Resources, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 together with a protest fee of \$25 on or before APRIL 24, 2000. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director  
Publish: April 6 & 13, 2000.

RECEIVED

OK MB  
4/14/00



**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

**1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380**

**Phone: (208) 736-3033 FAX: (208) 736-3037**

**SOUTHERN REGION**

**DIRK KEMPTHORNE**  
**GOVERNOR**

**KARL J. DREHER**  
**DIRECTOR**

March 29, 2000

ATTN GREGORY EAGER  
ID DEPT OF ENV QUALITY  
900 NO SKYLINE SUITE B  
IDAHO FALLS ID 83402

Re: Applications for Permit

Dear Mr. Eager:

Please find enclosed copies of Applications for Permit for your information and files.

If you have any questions or if this office can be of further assistance, please feel free to contact us.

Very Truly Yours,

Mary A. Baldwin  
Administrative Assistant

Enclosure(s)

MICROFILMED  
NOV 28 2000

NOTICE OF APPLICATION FOR WATER RIGHT

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

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US DEPT OF INTERIOR  
BUREAU OF LAND MANAGEMENT  
RT 2 BOX 610  
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Source: GROUNDWATER

Diversion Pt: LOT 2 (SESWSW) Sec 33 T 16N R 19E in CUSTER County.

Use: DOMESTIC ( 0.040 CFS)  
Total Diversion: ( 0.040 CFS)

Date Filed: 3/ 9/2000

In: CUSTER County  
T16N R19E S33 Lot 2 (SWSW)

72-07582

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

Source: GROUNDWATER

Diversion Pt: SESW Sec 22 T 09N R 17E in CUSTER County.

Use: DOMESTIC ( 0.040 CFS)  
Total Diversion: ( 0.040 CFS)

Date Filed: 3/ 9/2000

In: CUSTER County  
T09N R17E S22 SESW

The permit(s) will be subject to all prior water rights. Any protest must be filed with the Director, Dept. of Water Resources, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before APRIL 24, 2000. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published: 4/ 6/2000 & 4/13/2000

MICROFILMED

NOV 28 2000

MARCH 28, 2000

Legal Notices Department  
CUSTER PUBLISHING COMPANY  
PO 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 APRIL 24, 2000.

Yours truly,

Mary Baldwin  
Administrative Assistant

Enclosure

MICROFILMED  
NOV 28 2000

Memorandum

**To:** Application for Permit numbers  
72-07581 and 72-07582

**From:** John Freitag, Water Resource Agent

**Re:** Telephone conversation

**Date:** 03/22/00

---

I spoke with Allen Bittner, Bio-tech., for the BLM on 03/21/00 at approximately 1:40pm regarding two Applications for Permit #'s **72-07581** and **72-07582** he recently submitted. I was calling to inform him that in order to process his applications for two campgrounds they would have to be conditioned to "in-house" use only, no irrigation, due to the Wilderness Moratorium. I called to inform him of this because on both applications under description of proposed uses, he listed campground with 5 sites and incidental irrigation. He stated that we should continue to process both applications and that he was going to continue to irrigate the campgrounds regardless of the conditions of the permits. He also stated that he was going to contact Glen Saxton and others at the state office on this matter.

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NOV 28 2000