

Morgan Creek Recreation Site
Well Construction
T 16N, R 19E, Sec 33 SW 1/4

Project
Site

T 16N R 19E
Sec 33
SW 1/4

MICROFILMED

NOV 28 2000

12-07581

RECEIVED

MAR 18 2003

Department of Water Resources
Southern Region

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

RECEIVED
MAR 18 2003
Department of Water Resources

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner.

- Permit No. 72-7581 Telephone No. 756-5400
- Name of Permit Holder(s): USDI - Bureau of Land Management
- Mailing Address: 50 Hwy 93 South
City Salmon State ID Zip 83467
- Source of Water: Groundwater If GROUNDWATER (well), Date Drilled: mo. 11 / yr. 2001
Well Driller: Guthrie Drilling, Firm #226 Drilling Permit Number: 77-14-44
- 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: _____

- Total rate of diversion and/or volume for which proof is submitted: .04 cfs OR _____ acre-feet
- 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

- Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)
- 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

- 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)

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APR 22 2003

* NO Fee Required
Alf

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 72-07581

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
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LOCATION OF POINT(S) OF DIVERSION: Lot 2 (SESWSW), Sec. 33, Township 16N, Range 19E
CUSTER County

PLACE OF USE: DOMESTIC

TWN RGE SEC

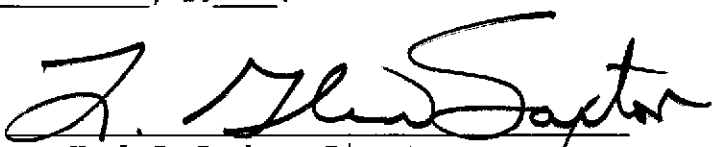
16N 19E 33 Lot 2 (SWSW)

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 Morgan Creek 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

9th day of May, 2000.


Karl J. Dreher, Director
for

MICROFILMED

NOV 28 2000

RECEIVED
MAR 09 2008
Department of Water Resources
Southern Region

Ident. No. 72-07581

STATE OF IDAHO
OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED

MAY 5 - 2000

To appropriate the public waters of the State of Idaho

Department of Water Resources

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 16N Range 19E Sec. 33 in the SE 1/4, SW 1/4, SW 1/4, Govt. Lot 2, B.M., Custer County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
Amount .04 cfs for Domestic purposes from 1/1 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 Handpump 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
 - e. Other; describe fully. Incidental irrigation

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NOV 28 2000

72-07585

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	
16N	19E	33											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: Morgan Creek 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 & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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

Alan Bittner 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 Receipted by HWT # E025649 Date 3-7-2000
 Publication prepared by MB Date 3/28/00 Published in Challis Messenger
 Publication approved MB Date 4/14/00

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NOV 28 2000

Morgan Creek Recreation Site
Well Construction
T 16N, R 19E, Sec 33 SW 1/4

Private
Site

T 16N R 19E
Sec 33
SW 1/4

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NOV 28 2000

12-07581

037 CUSTER COUNTY
SALMON DISTRICT SEC 18

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLEMT PLAT[illegible]

1 011052 Doc #L 162 1 Act of Cont 7/23/1955;
completed 11/14/1958. All in surface water by
USFS

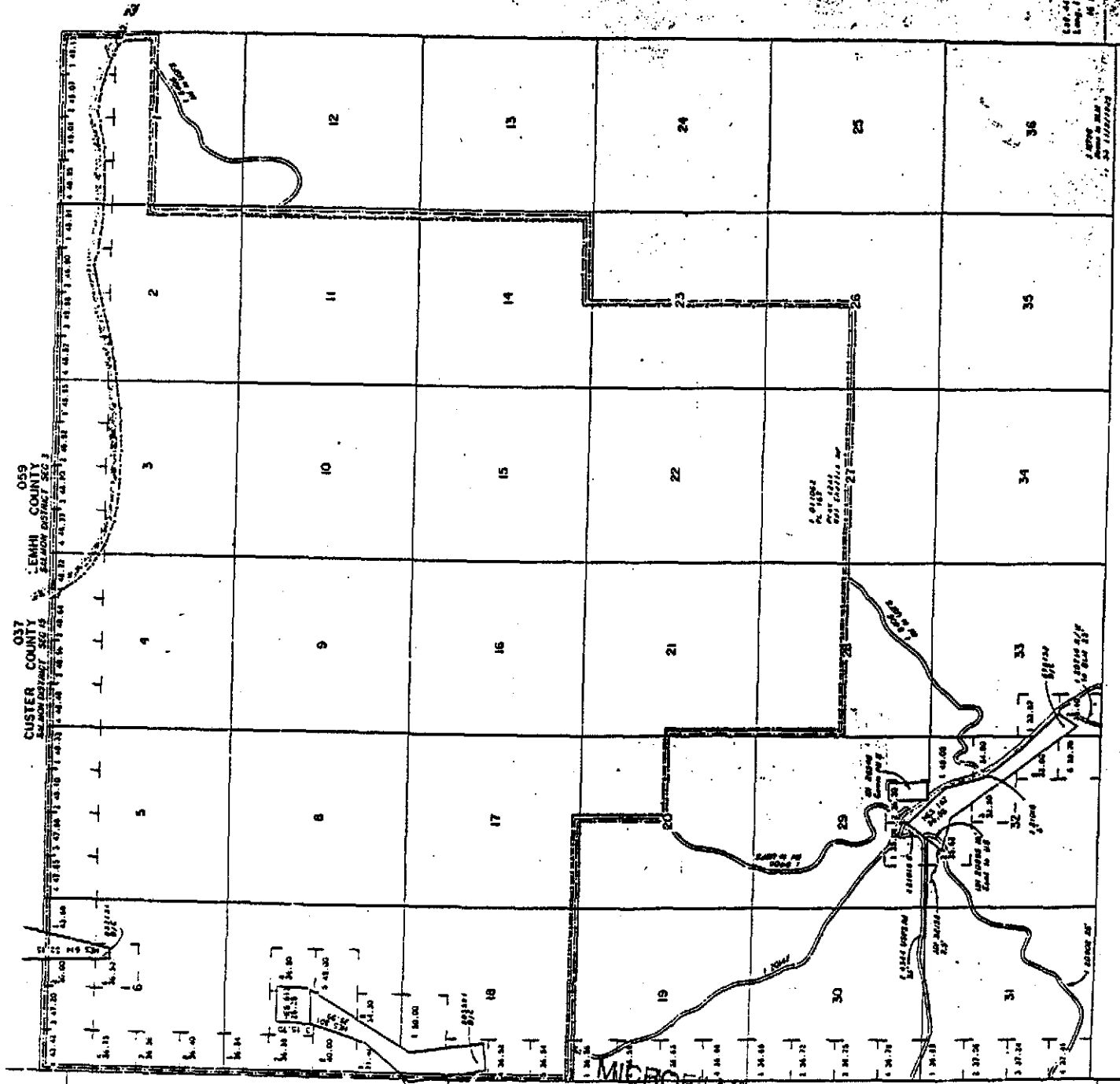
L 2830 BLN O CI 1441190
 Cedar County, East from Agasson under Mt. D.E.
 L4 & P2
 Further East from Agasson under General Mining Mine
 Morgan Creek Rec 2
 ... Sec 33; Lot 2

FOR THE PURPOSES OF EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LANDS REFER TO MAPS OF
MISCELLANEOUS DOCUMENTS

Direct to -	all
MAY 21 1967	
RECEIVED -	

ENCLOSURE

THE ACTION SHOWN ON WITHHOLDALS REPRESENT THE LAST ACTION TAKEN BUT MAY NOT BE THE EFFECTIVE DATE. SEC ON



SCALE in Centins

~~MICROFILMED~~

NOV 28 2000

72-07581



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

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. 72-7581

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.: 72-7581

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	03/18/2003
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.



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 18, 2003

Alan R. Bittner
BLM
50 Hwy. 93 South
Salmon, ID 83467

Dear Mr. Bittner:

Please find enclosed a check for \$100. I am returning your check, as per our phone conversation, because there is no fee required for Proof of Beneficial Use for permits 72-7581 and 72-7582.

Sincerely,

A handwritten signature in black ink, appearing to read 'John Freitag'.

John Freitag
Water Resource Agent Sr.

Encl.

MICROFILMED

APR 22 2003

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. 72-7581

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.

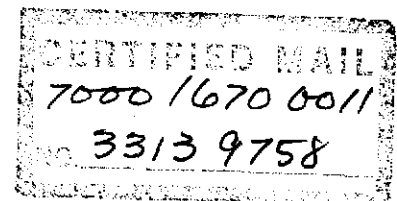
Sincerely,

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. 72-07581

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,



Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosures

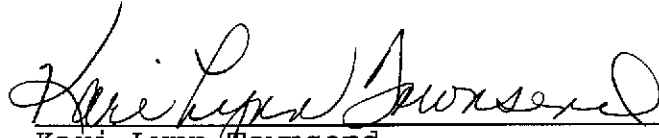
MICROFILMED
NOV 28 2000

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. 72-07581

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.

APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS

Reviewed by Sharla Curtis on 5/8/00

No. 72-07581 Name: Bum 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 ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
STOCKWATER - R37 (BLM/USFS)
MINING - 054-081(P10)
FISH PROP - 029(70'S only)-007-042-081(P10)
HEAT/COOL - R07(injection well)
FIRE PROT. - 077

BENEFICIAL USE DUE: 5 / 01 / 2003

MISC CONDITIONS/REMARKS:

Protested - 020-W19
Development Period
≤ 1 yr - P16
> 1 yr - 26(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 - no irr.
Moratorium approvable - W03 (2500 gpd - meets domestic definition
i.e. D/convenience store)

Multiple p/d's per 1/4 - W32
Subd lot desc (pd) - W59
Subd lot desc (pu) - W60
Use definitions - W02 example - 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

S/Morgan Creek Recreation Area (5 camp sites)

COMMENTS

STATE OF IDAHO
IDWR SOUTHERN REGION
APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY John Freitag DATE 3/13/00

REQUIRED INFORMATION (Ck if OK)

- ☒ 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

ADDITIONAL INFORMATION

- ☒ Overlapping place of use(Describe source & relationship to present application on the back. 72-15763 in-stream stockwater
☒ 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:

☒ Idaho Dept of Health & Welfare	<u>3/29/00</u>	_____
☐ USDI BLM	_____	_____
☐ Idaho Dept of Fish & Game	_____	_____
☐ USFS	_____	_____
☐ Idaho Dept of Lands	_____	_____
☐ Water Dist. No. _____	_____	_____
☐ 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 5/3/00

Date of priority recommended: 3/6/00

COMMENTS:

*Priority recommended based on stamp
from Eastern Region on 3/6/00 on 72-07582.
The two applications appear to have been received on
same day but only one stamped.*

RECOMMEND ☒ Approval ☐ Denial

By AB Date 5/3/00

RECEIVED

MAY 5 - 2000

MEMO

Department of Water Resources

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:

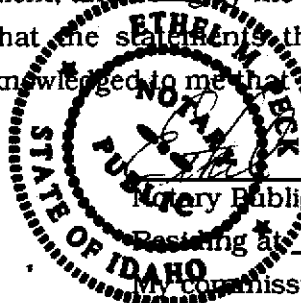
I, Ruth E. Burchill, representing the Challis Messenger, a weekly newspaper, published at Challis, Idaho, do solemnly swear that the notice hereto attached and made a part hereof, was published in the regular and entire issue of the Challis Messenger for 2 consecutive weeks, commencing with the issue dated April 6 2000 and ending with the issue dated April 13 2000.

Ruth E. Burchill

STATE OF IDAHO

COUNTY OF CUSTER

On this 13th 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. Deger, Director

Publish: April 6 & 13, 2000.

OK MB
4/14/00

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NOV 2 2000

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STATEMENT

APR 14 2000



Department of Water Resources
Southern Region

Custer Publishing, Inc.

Phone 879-4445

P.O. Box 405

Challis, Idaho 83226

*Dept. of Water
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380*

Job No.	Date	DESCRIPTION	Amount
	4-13-00	Notice of Application for Water Right 4/6+13/00 44 lines 72-07581 72-07582	\$60.72 OK mfb 4/14/00

A finance charge of 1½ percent (annual percentage rate of 18%) with a minimum charge of 50¢ will be charged to all accounts not paid within 30 days of billing.

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NOV 28 2000



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

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.

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:

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 \$25.00 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

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NOV 2 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

MAY 2 2000