

72-7489

Jimmy Smith Lake

EF-12

EF13

EF-15

EF

UNRECORDED

DEC 10 1992

EF-17

EF-11

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 72-07489

Proposed Priority: June 9, 1992 Maximum Diversion Rate: 0.80 CFS

This is to certify, that **STATE OF IDAHO**
DEPT OF FISH & GAME
PO BOX 25
BOISE ID 83707

has applied for a permit to appropriate water from:

SALMON RIVER, EAST FORK tributary of **SALMON RIVER**

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>
FISH PROPAGATION	03/15 to 11/15	0.80 CFS

LOCATION OF POINT(S) OF DIVERSION: SWSW , Sec. 1, Township 09N, Range 17E
CUSTER County

PLACE OF USE: FISH PROPAGATION
TWN RGE SEC

09N 17E 1 SWSW

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **October 3, 1994**.
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. Use of water under this right shall be non-consumptive.
5. The issuance of this right in no way grants any right-of-way or easement across the land of another.
6. Fish propagation use is for fish protection through the installation of a deflecting screen at a diversion canal entrance and a bypass pipe to flush the fish back to the Salmon River.

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

28th day of **September**, 19**92**

for 
R. Keith Higginson, Director
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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 72-7489

RECEIVED

JUN 17 1992

To appropriate the public waters of the State of Idaho

Department of Water Resources
Southern Region Office

1. Name of applicant Idaho Department of Fish and Game Phone 334-3700

Post office address 600 S. Walnut, P.O. Box 25 Boise, ID. 83707

2. Source of water supply East Fork Salmon River which is a tributary of Salmon River

3. Location of point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of SW $\frac{1}{4}$, Govt. Lot _____

Sec. 1 Township 9N Range 17E B.M. Custer County; additional

points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.8 for fish propagation purposes from 3/15 to 11/15 (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) 0.8 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Concrete structure with screen
and bypass pipe

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

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

d. Is ground water with a temperature of greater than 90°F being sought? no

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).

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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. _____
- e. Other; describe fully. Fish - screen prevents fish from entering irrigation ditch and by pass pipe returns fish and water to river

9. Description of place of use:

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
9N	17E	1											H						

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. none

11. a. Who owns the property at the point of diversion? Ray & Esther Keppner; Electrical Contractors Supply Co.

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

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. Easement Agreement EF-14 filed at Custer Co.

courthouse on 3/8/1961, vol 34, p. 19, instr. # 115088 - Ditch owners R. & E Keppner

12. Remarks: _____

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72-1489

Jimmy Smith Lake

EF-15

EF 1410000000

DEC 10 1992

EF-17

EF-13

Received by SC Date 6/9/92 Time 2:30 Preliminary check by MTS
Fee \$ 45⁰⁰ Received by SC # C024477 Date 6/10/92 *for rec'd 6/9*
Publication prepared by MB Date 7/8/92 Published in Challis Messenger
Publication approved MBaldwin Date 8-24-92

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. _____, and said application is hereby _____.

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

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

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other:

MICROFILMED

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

See attached map

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UNCLASSIFIED

DEC 10 1992

Scale: 2 inches 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.

Cynthia Robertson IDFG
(Applicant)

(Applicant)

Public Notices

The People's Right To Know

NOTICE OF APPLICATION FOR WATER RIGHT

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

71-07148

State of Idaho
Dept. of Fish and Game
P.O. Box 25
Boise, ID 83707

Source: Elk Creek Tributary:

Valley Creek

Diversion Pt: NENW Sec 16 T

11N R 12E In Custer County

Use: Fish propagation (.800 cfs)

Total Diversion: (.800 cfs)

Date Filed: 8/24/1990

In: Custer County

T11N R12E S16 NENW

71-07147

State of Idaho

Dept. of Fish and Game

P.O. Box 25

Boise, ID 83707

Source: Elk Creek Tributary:

Valley Creek

Diversion Pt: SESE Sec 11 T

11N R 12E In Custer County

Use: Fish propagation (.800 cfs)

Total Diversion: (.800 cfs)

Date Filed: 8/24/1990

In: Custer County

T11N R12E S11 SESE

71-07148

State of Idaho

Dept. of Fish and Game

P.O. Box 25

Boise, ID 83707

Source: Elk Creek Tributary:

Valley Creek

Diversion Pt: SESE Sec 3 T 11N

R 12E In Custer County

Use: Fish propagation (.800 cfs)

Total Diversion: (.800 cfs)

Date Filed: 8/24/1990

In: Custer County

T11N R12E S03 SESE

71-07149

State of Idaho

Dept. of Fish and Game

P.O. Box 25

Boise, ID 83707

Source: Salmon River Tributary:

Snake River

Diversion Pt: Lot 2 (NWN) Sec 5

T 08N R 14E In Custer County

Use: Fish propagation (.800 cfs)

Total Diversion: (.800 cfs)

Date Filed: 6/9/1992

In: Custer County

T08N R14E S05 NWN

71-07150

State of Idaho

Dept. of Fish and Game

P.O. Box 25

Boise, ID 83707

Source: Salmon River Tributary:

Snake River

Diversion Pt: Lot 2 (NWN) Sec 5

T 08N R 14E In Custer County

Use: Fish propagation (.800 cfs)

Total Diversion: (.800 cfs)

Date Filed: 6/9/1992

In: Custer County

T08N R14E S05 NWN

71-07151

State of Idaho

Dept. of Fish and Game

P.O. Box 25

Boise, ID 83707

Source: Salmon River Tributary:

Snake River

Diversion Pt: SESE Sec 10 T

07N R 14E In Custer County

Use: Fish propagation (.800 cfs)

Total Diversion: (.800 cfs)

Date Filed: 6/9/1992

In: Custer County

T07N R14E S10 SESE

71-07152

State of Idaho

Dept. of Fish and Game

P.O. Box 25

Boise, ID 83707

Source: Salmon River Tributary:

Snake River

Diversion Pt: SESE Sec 8 T 08N

R 14E In Custer County

Use: Fish propagation (.800 cfs)

Total Diversion: (.800 cfs)

Date Filed: 6/9/1992

In: Custer County

T08N R14E S08 NESE

71-07154

State of Idaho

Dept. of Fish and Game

P.O. Box 25

Boise, ID 83707

71-07184
State of Idaho
Dept. of Fish and Game
P.O. Box 25
Boise, ID 83707
Source: Groundwater
Diversion Pt: SENW Sec 31 T
10N R 14E In Custer County
Use: Domestic (.040 cfs)
Total Diversion: (.040 cfs)
Date Filed: 8/24/1990
In: Custer County
T10N R14E S31 SENW
77-07317

State of Idaho
Dept. of Fish and Game
P.O. Box 25
Boise, ID 83707
Source: Knapp Creek Tributary:
Marsh Creek
Diversion Pt: SWNW Sec 18 T
12N R 12E In Custer County
Use: Fish propagation (.800 cfs)
Total Diversion: (.800 cfs)
Date Filed: 8/24/1990
In: Custer County
T12N R12E S18 SWNW
77-07318

State of Idaho
Dept. of Fish and Game
P.O. Box 25
Boise, ID 83707
Source: Knapp Creek Tributary:
Marsh Creek
Diversion Pt: NENW Sec 18 T
12N R 12E In Custer County
Use: Fish propagation (.800 cfs)
Total Diversion: (.800 cfs)
Date Filed: 8/24/1990
In: Custer County
T12N R12E S18 NENW
72-07482

State of Idaho
Dept. of Fish and Game
P.O. Box 25
Boise, ID 83707
Source: Salmon River Tributary:
Snake River
Diversion Pt: NWNW Sec 35 T
15N R 19E In Custer County
Use: Fish propagation (.800 cfs)
Total Diversion: (.800 cfs)
Date Filed: 8/24/1990
In: Custer County
T15N R19E S26 SWSW
72-07483

State of Idaho
Dept. of Fish and Game
P.O. Box 25
Boise, ID 83707
Source: Salmon River Tributary:
Snake River
Diversion Pt: SESE Sec 19 T
12N R 19E In Custer County
Use: Fish propagation (.800 cfs)
Total Diversion: (.800 cfs)
Date Filed: 8/24/1990
In: Custer County
T12N R19E S19 NWSW
72-07484

State of Idaho
Dept. of Fish and Game
P.O. Box 25
Boise, ID 83707
Source: Salmon River Tributary:
Snake River
Diversion Pt: SWNW Sec 19 T
12N R 19E In Custer County
Use: Fish propagation (.800 cfs)
Total Diversion: (.800 cfs)
Date Filed: 8/24/1990
In: Custer County
T12N R19E S19 SWNW
72-07485

State of Idaho
Dept. of Fish and Game
P.O. Box 25
Boise, ID 83707
Source: Herd Creek Tributary:
Salmon River, East Fork
Diversion Pt: SESE Sec 18 T 09N
R 19E In Custer County
Use: Fish propagation (.800 cfs)
Total Diversion: (.800 cfs)
Date Filed: 6/9/1992
In: Custer County
T09N R19E S18 SWNE
72-07486

State of Idaho
Dept. of Fish and Game
P.O. Box 25
Boise, ID 83707
Source: Salmon River, East Fork
Tributary: Salmon River
Diversion Pt: SWNW Sec 27 T
09N R 17E In Custer County
Use: Fish propagation (.800 cfs)
Total Diversion: (.800 cfs)
Date Filed: 6/9/1992
In: Custer County
T09N R17E S27 SWNW
72-07487

State of Idaho
Dept. of Fish and Game
P.O. Box 25
Boise, ID 83707
Source: Salmon River, East Fork
Tributary: Salmon River
Diversion Pt: SENW Sec 27 T
09N R 17E In Custer County
Use: Fish propagation (.800 cfs)
Total Diversion: (.800 cfs)
Date Filed: 6/9/1992
In: Custer County
T09N R17E S27 SENW
72-07488

State of Idaho

Dept. of Fish and Game
P.O. Box 25
Boise, ID 83707
Source: Salmon River, East Fork
Tributary: Salmon River
Diversion Pt: SENW Sec 22 T
09N R 17E In Custer County
Use: Fish propagation (.800 cfs)
Total Diversion: (.800 cfs)
Date Filed: 6/9/1992
In: Custer County
T09N R17E S22 SENW
72-07489

State of Idaho
Dept. of Fish and Game
P.O. Box 25
Boise, ID 83707
Source: Salmon River, East Fork
Tributary: Salmon River
Diversion Pt: SWSW Sec 1 T 09N
R 17E In Custer County
Use: Fish propagation (.800 cfs)
Total Diversion: (.800 cfs)
Date Filed: 6/9/1992
In: Custer County
T09N R17E S01 SWSW
72-07490

State of Idaho
Dept. of Fish and Game
P.O. Box 25
Boise, ID 83707
Source: Salmon River Tributary:
Snake River
Diversion Pt: Lot 7 (SENE) Sec
26 T 11N R 16E In Custer County
Use: Fish propagation (.800 cfs)
Total Diversion: (.800 cfs)
Date Filed: 6/9/1992
In: Custer County
T11N R16E S28 NESE
72-07491

State of Idaho
Dept. of Fish and Game
P.O. Box 25
Boise, ID 83707
Source: Salmon River Tributary:
Snake River
Diversion Pt: SWNE Sec 7 T 12N
R 19E In Custer County
Use: Fish propagation (.800 cfs)
Total Diversion: (.800 cfs)
Date Filed: 6/9/1992
In: Custer County
T12N R19E S07 SWNE
72-07492

State of Idaho
Dept. of Fish and Game
P.O. Box 25
Boise, ID 83707
Source: Salmon River Tributary:
Snake River
Diversion Pt: Lot 5 (SWNE) Sec
32 T 13N R 19E In Custer County
Use: Fish propagation (.800 cfs)
Total Diversion: (.800 cfs)
Date Filed: 6/9/1992
In: Custer County
T13N R19E S28 NWN
72-07493

State of Idaho
Dept. of Fish and Game
P.O. Box 25
Boise, ID 83707
Source: Salmon River Tributary:
Snake River
Diversion Pt: SWSE Sec 18 T
13N R 19E In Custer County
Use: Fish propagation (.800 cfs)
Total Diversion: (.800 cfs)
Date Filed: 6/9/1992
In: Custer County
T13N R19E S16 SWNE
72-07494

State of Idaho
Dept. of Fish and Game
P.O. Box 25
Boise, ID 83707
Source: Salmon River Tributary:
Snake River
Diversion Pt: NWSW Sec 35 T
16N R 19E In Custer County
Use: Fish propagation (.800 cfs)
Total Diversion: (.800 cfs)
Date Filed: 6/9/1992
In: Custer County
T16N R19E S35 SWNW
72-07495

State of Idaho
Dept. of Fish and Game
P.O. Box 25
Boise, ID 83707
Source: Salmon River Tributary:
Snake River
Diversion Pt: NWSW Sec 26 T
16N R 19E In Custer County
Use: Fish propagation (.800 cfs)
Total Diversion: (.800 cfs)
Date Filed: 6/9/1992
In: Custer County
T16N R19E S26 NWSE
72-07496

State of Idaho
Dept. of Fish and Game
P.O. Box 25
Boise, ID 83707
Source: Salmon River Tributary:
Snake River
Diversion Pt: Lot 4 (SESE) Sec
24 T 15N R 19E In Custer County
Use: Fish propagation (.800 cfs)
Total Diversion: (.800 cfs)
Date Filed: 6/9/1992
In: Custer County
T15N R19E S24 SENE
72-07497

State of Idaho

Dept. of Fish and Game

P.O. Box 25

Boise, ID 83707

Source: Salmon River Tributary:

Snake River

P.O. Box 25
Boise, ID 83707
Source: Salmon River Tributary:
Snake River
Diversion Pt: Lot 3 (SESE) Sec
13 T 15N R 19E In Custer County
Use: Fish propagation (.800 cfs)
Total Diversion: (.800 cfs)
Date Filed: 6/9/1992
In: Custer County
T15N R19E S13 SESE

72-07498
State of Idaho
Dept. of Fish and Game
P.O. Box 25
Boise, ID 83707
Source: Warm Springs Creek
Tributary: Salmon River
Diversion Pt: NENE Sec 34 T
11N R 15E In Custer County
Use: Fish propagation (.800 cfs)
Total Diversion: (.800 cfs)
Date Filed: 6/9/1992
In: Custer County
T11N R15E S34 NENE
72-07499

State of Idaho
Dept. of Fish and Game
P.O. Box 25
Boise, ID 83707
Source: Warm Springs Creek
Tributary: Salmon River
Diversion Pt: NENE Sec 34 T
11N R 15E In Custer County
Use: Fish propagation (.800 cfs)
Total Diversion: (.800 cfs)
Date Filed: 6/9/1992
In: Custer County
T11N R15E S34 NENE

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 on or before August 24, 1992.
R. KEITH HIGGINSON, Director
Pub: Aug. 6 & 13, 1992.

AFFIDAVIT OF PUBLICATION

State of Idaho, County of Custer, ss:

I, Margaret Parks, Publisher of the Challis Messenger, a weekly newspaper published at Challis, Idaho, do solemnly swear that the notice hereto attached and made hereof, was published in the regular and consecutive weeks, commencing with the date of Aug 6 1992 and ending with the issue dated Aug 13 1992.

STATE OF IDAHO

COUNTY OF CUSTER

On this 20 day of Aug the year of 1992 before me, a Notary Public for Idaho,

personally appeared Margaret Parks, known or identified to me to be the person whose name subscribed to the within instrument, and he declared to me that he executed the same.

E. H. M.
Notary Public for Idaho

My commission expires

DEC 10 1992

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STATEMENT

AUG 24 1992



Department of Water Resources

Custer Publishing, Inc.

Phone 879-4445

P.O. Box 405

Challis, Idaho 83226

Dept. of Water
222 Shoshone St. East
Twin Falls, Id 83301

Job No.	Date	DESCRIPTION	Amount
544 lines	8-20-92	Notice of Application for Water Right 8/6/13/92 # 71-07146, 71-07147, 71-07148, 71-07149, 71-07150, 71-07151, 71-07152, 71-07153, 71-07154, 71-07155, 71-07156, 71-07157, 71-07158, 71-07159, 71-07161, 71-07162, 71-07163, 71-07164, 71-07317, 71-07318, 72-07482, 72-07483, 72-07484, 72-07485, 72-07486, 72-07487, 72-07488, 72-07489, 72-07490, 72-07491, 72-07492, 72-07493, 72-07494, 72-07495, 72-07496, 72-07497, 72-07498, 72-07499	\$ 312.80 OK MB 8-24-92

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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January 15, 1993

STATE OF IDAHO
DEPT OF FISH & GAME
PO BOX 25
BOISE ID 83707

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 72-07489

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the SOUTHERN Regional Office in Twin Falls at (208)736-3033.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

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FEB 05 1993

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JAN 13 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

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 a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 72-07489 Telephone No. (208) 334-3700
2. Name(s) of Permit Holder(s): Idaho Department of Fish and Game
3. Mailing Address: 600 S. Walnut, Boise, Idaho 83707
4. Source of Water: Salmon River, East Fork, tributary of Salmon River

If GROUNDWATER, Well Driller's Name: _____ Date Drilled: _____

OPTIONAL:

Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft.): _____

5. Extent of Use (as authorized by the permit):

Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)
Irrigation _____ (No. of acres) Other Fish Propagation

6. Total rate and/or volume for which proof is submitted 0.80 cfs OR _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? ____ Yes X No Installed? ____ Yes ____ No

OR

Flow Measurement Port: Required? ____ Yes X No Installed? ____ Yes ____ No

8. Fee Enclosed: \$ 100.00 (See License Fee Schedule on back of Instruction Sheet)

9. Person to contact to accompany the Department representative during field examination of the water system.

Jim Blake (208) 756-2271
Name Telephone No.

P.O. Box 1336, Highway 93 N, Salmon, Idaho 83467
Address

10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

12-10-92 Jim Blake Const Supervisor I.D.W.R. 12-10-92
Date Signature (and title, if on behalf of a company or organization)

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 72-07489 Reviewed by 10g Date 1/14/93

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?
yes Address same as permit?
yes Proof timely received? Correct Uses? yes
If not, complete calculation below.

SOURCE OF WATER

✓ Surface water source
 Ground water source
NA Drilling permit required?
 Copy in the file? Drilling Permit No.
 Amount paid for permit Correct?
 Well log in the file?

LICENSE EXAMINATION FEE

MEASURING DEVICE

yes Required?
100 Amount Submitted
yes Correct?
NA Required?
 Installed?
 Waiver requested?

PRIORITY CALCULATION

Date proof received NA
Date proof due -
No. of days late =
Priority Date +
New Priority Date

DEFICIENCIES OR ACTION ITEMS

proof acceptable

DATA ENTRY

New Address

Proof Made 1/13/93
1/15/93 10g



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

September 30, 1992

STATE OF IDAHO
DEPT OF FISH & GAME
PO BOX 25
BOISE ID 83707

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 72-07489

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

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. You will receive a "Proof Due Notice" from this Department approximately 60 days prior to the completion date requiring you to file either a Proof of Beneficial Use form stating that the project has been completed or file a Request for an Extension of Time in which to file the proof statement.

Sincerely,

BRENDA L. MILLER
Water Resource Agent

BLM:cz

Enclosures

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DEC 10 1992

APPLICATION FOR PERMIT REVIEW

Application #: 72-7489 Date: 9-19-92 Reviewer: Brenda Miller

BM

SYSTEM COMPLETED:

No - 26A-P17
 Complete in 1 year - P16
 Yes
 Proof not submitted - P16
 Proof submitted - N/A

GROUNDWATER:

GT. 0.2 cfs <flo-ch> - 01G-P03, 01C-P03 (existing well)
 - NMR <fl ch>, A of C
 LT. 0.2 cfs - No measurement required <flow chart>

Drilling Permit:

Approved w/permit - P99
 Not included - 046-46A-46B-P23 (after 7/1/87), N/A

SURFACE WATER: not in w/d - 01C-P03 (=GT.2 w/pump), NMR <flow chart>

LOCATION:

Water Districts - WD No. _____
 Surface water - R04, R04-01H-P01(LT.2 w/pump)
 - R04-01J-P08(GT.2), NMR <flow chart>
 Groundwater - P05
 Irrigation Districts - 023
 Canal Co. Areas - 023
 Drainage Districts - 024
 Boise Front (63) - 058 (Groundwater)
 Swan Falls Flag - _____ (1, Blank or Other)
 Trust - 051-052-053-P74(Consumptive Uses)
 Non Trust <1> - 048-049

RIVER BASINS:

(Surface Water) Water District Control Condition &....
 Boise (63) - 05A & 11E
 Payette (65) - 047-P04, 059-P71
 Snake (01, 02 & 03) - 11A-P04(01), 061-P07(02/03 No W.D.Cond.)

USE:

Fish Propagation - 06A, 09E-P10 & 010 (WQ/Choose One),
 042(req.), 002-P06(MD), 07A(Spec.),
 044(Policy 5G)
 Power - Use Power Review
 Mining - 06A, 010, or 09E-P10 & 054(req.)
 Storage - 18A-for multiple measuring devices(In WD),
 18B-P09(Size)
 Rec/Wildlf/Aes - 027(Non-Consumptive)
 Domestic - 021 (Boise River - upstream from L Peak)
 (restricted areas) 27A (Payette River & main tributaries)

OWNERSHIP:

Non land owner - 004

PROTESTED:

Agreement - 020

Beneficial Use Due Date: - 10-03-1994

Other Conditions:

① Fish protection comment

② Screen # EF-14

MS

FORM NO. 202A
REVISED 6-6-91

STATE OF IDAHO *Fish + Game*
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY MTS DATE 6-17, 1992
APPLICATION NO. 72-7489

REQUIRED INFORMATION

☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
☐ Address
☐ Source (see USGS quad for names of water sources)
☐ Point of diversion (10 Acres for spring, lot & block descriptions for 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
6-9- 1992

ADDITIONAL INFORMATION

☒ Overlapping place of use(Describe source & relationship to present application on the back.)
☒ Overlapping point of diversion.
☐ Yes ☒ No Field check required
☐ Yes ☐ No Field check by _____
☐ Yes ☐ No Field report attached
☐ Yes ☐ No Critical Ground water area
☐ Yes ☐ No Groundwater management area
☐ Yes ☐ No Send Dam safety information
☐ Yes ☐ No Send power requirement letter
☐ Yes ☐ No Send fish farm requirement letter
☐ Yes ☐ No Power residency affidavit.
☐ Yes ☐ No Power efficiency form
☐ Yes ☐ No Within trustwater boundary(If yes, attach trustwater supplementary analysis sheet.
☐ Yes ☐ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.
☒ See reverse side for additional information.

* REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

Date Requested _____

RECEIVE

SEP 3 1992

Department of Water Resources

PROCESSING ☒ Yes ☐ No In form for Advertising
☐ Yes ☒ No No Statewide Advertising
☒ Yes ☐ No Fee amount, receipt date & No. recorded on app.

SEND COPIES TO: ☐ Idaho Dept of Health & Welfare ☐ USDI BLM
☐ Idaho Dept of Fish & Game ☐ USFS
☐ Idaho Dept of Lands ☐ Water Dist.
☐ Adjudication Bureau Unit ☐ Other _____

FINAL REGIONAL PROCESSING REVIEW

☒ Yes ☐ No Affidavit of publication received.
☒ Yes ☐ No Application published correctly. If not, record action taken.

☒ Yes ☐ No Publication dates and paper, recorded on App.
☐ Yes ☒ No Protests received
Final date for Protest 8/24/92
☐ Yes ☒ No Protests, dates, resolution of protest, recorded on app.
☐ Yes ☒ No Recommendations attached
☐ Yes ☒ No Measuring device required
☐ Yes ☒ No Access port required
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what dist. _____
☐ Yes ☒ No Special conditions of approval or cover letter below. _____

See below for additional information

Date of priority recommended 6/9, 1992
By Loren O. Hansen Date 8/26, 1992

STATE OFFICE REVIEW

See below for additional information

By _____ Date _____, 19 ____

ADDITIONAL INFORMATION:

LOCAL PUBLIC INTEREST

Comments recieved from:

_____ City	_____ Idaho Fish & Game	_____ Irrigation Dist.
_____ County	_____ Idaho Health & welfare	_____ Canal Company
_____ Reservations	_____ Div. of Enviromental Quality	_____ Other _____

PROJECT IMPACTS/IMPLICATIONS REPORT

COMMENTS:

DATE _____, 19____

No P/D overlap

No P/U overlap

NOTICE OF APPLICATION FOR WATER RIGHT

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

72-07489

STATE OF IDAHO
DEPT OF FISH & GAME
PO BOX 25
BOISE, ID 83707

Source: SALMON RIVER, EAST FORK

Tributary: SALMON RIVER

Diversion Pt: SWSW Sec 1 T 09N R 17E in CUSTER County.

Use: FISH PROPAGATION (.800 CFS)
Total Diversion: (.800 CFS)

Date Filed: 6/ 9/1992

In: CUSTER County
T09N R17E S01 SWSW

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 on or before AUGUST 24, 1992.

R. KEITH HIGGINSON, Director

Published: 8/ 6/1992 & 8/13/1992

DEC 10 1992

Legal OK in
8/10/92 issue of CM.
MB
8-11-92

UNPROCESSED

SEP 10 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region
222 Shoshone Street East
Twin Falls, ID 83301
(208)736-3033

JULY 8, 1992

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 AUGUST 24, 1992.

Yours truly,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

DEC 10 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

08-Jul-1992

R. KEITH HIGGINSON
Director

ATTN CINDY ROBERTSON
FISHERY BIOLOGIST
IDAHO FISH & GAME
PO BOX 25
BOISE ID 83707-0025

Re: Applications for Permit Nos. 71-07146 thru 71-07166,
72-07482 thru 72-07499

Dear Ms. Robertson:

The Department of Water Resources acknowledges receipt of 39 water right applications for permit. Each application has been assigned an identification number. Please refer to this number in all further correspondence. A computer produced proof report for each application is enclosed for your information and reference.

This office will be advertising the applications with points of diversion located within Custer County in the Challis Messenger on 8/6 & 8/13/92. Application No. 71-07160 will be advertised in the Wood River Journal on 8/5 & 8/12/92 because it has a point of diversion located within Blaine County. A period of ten days following the second publication will be allowed for the submittal of protests.

If an application is protested you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

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

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DEC 1 1992

Idaho Fish & Game
Page 2
08-Jul-1992

typical processing time for an unprotested application is about eight weeks.

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

Very truly yours,

Mel Schulte
Water Right Agent

MS:MB

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DEC 10 1992



IDAHO FISH & GAME

600 South Walnut
P.O. Box 25
Boise, ID 83707-0025

June 3, 1992

Mr. Jim Johnson
Idaho Department of Water Resources
STATEHOUSE MAIL
Boise, ID 83720

Re: Water Right Application for Fish Screens

Dear Mr. Johnson:

I have enclosed 33 applications for permit and a check for \$1,485.00 for fish screens in the Salmon River Basin. These applications are for nonconsumptive uses of water. The screens prevent fish from entering irrigation ditches and becoming stranded. The fish are shunted into bypass pipes near the screens and are returned back to the stream below the irrigation ditch.

I have had several conversations with Water Resources personnel regarding the need to apply for water right permits for these fish screens and have received conflicting responses. When I filed our Department's claims for the Snake River Basin Adjudication, I was told that we should file claims for existing fish screens and applications for permit for screens that were built after 1971. Conversely, since filing our adjudication claims, I have been told that because the use of the water is nonconsumptive and no additional water is diverted down the ditches to run the screens, we do not need a water right to use them.

Could you clarify for me whether or not we need to file applications for the fish screens? If we do not need to file the enclosed applications, please return them to me with the check. If we are required to file applications, then you have them and the payment for processing them. If I can provide you with any further information regarding these applications, please call me at 334-2597. Thank you in advance for your help in this matter.

Sincerely,

Cindy Robertson

Cindy Robertson
Fishery Biologist

CR:tlv

Enclosure

cc: Jim Blake, Salmon
Lee VanDeBogart, Engineering

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

Equal Opportunity Employer



Working for wildlife - since 1938

MICROFILMED

DEC 10 1992

APPLICATIONS FOR WATER RIGHT PERMITS FOR FISH SCREENS
IN THE SALMON RIVER BASIN

<u>Screen Number</u>	<u>Cost</u>
EF-14 ✓	\$45.00
EF-20	45.00
EF-22	45.00
EF-24	45.00
EF-HC-3	45.00
S-1	45.00
S-8	45.00
S-20	45.00
S-21	45.00
S-21A	45.00
S-23	45.00
S-24	45.00
S-28	45.00
S-32	45.00
S-33	45.00
S-38	45.00
S-39	45.00
S-39A	45.00
S-40	45.00
S-41	45.00
S-42	45.00
S-43	45.00
S-44	45.00
S-45	45.00
S-47	45.00
S-PC-1	45.00
S-VC-1	45.00
S-VC-2	45.00
S-VC-3	45.00
S-VC-4	45.00
S-VC-6	45.00
S-WSC-1	45.00
S-WCS-2	45.00

RECEIVED
FEB 10 1992