

Pg 7 of 8

T#5721

Gooseberry PL #1 and #2

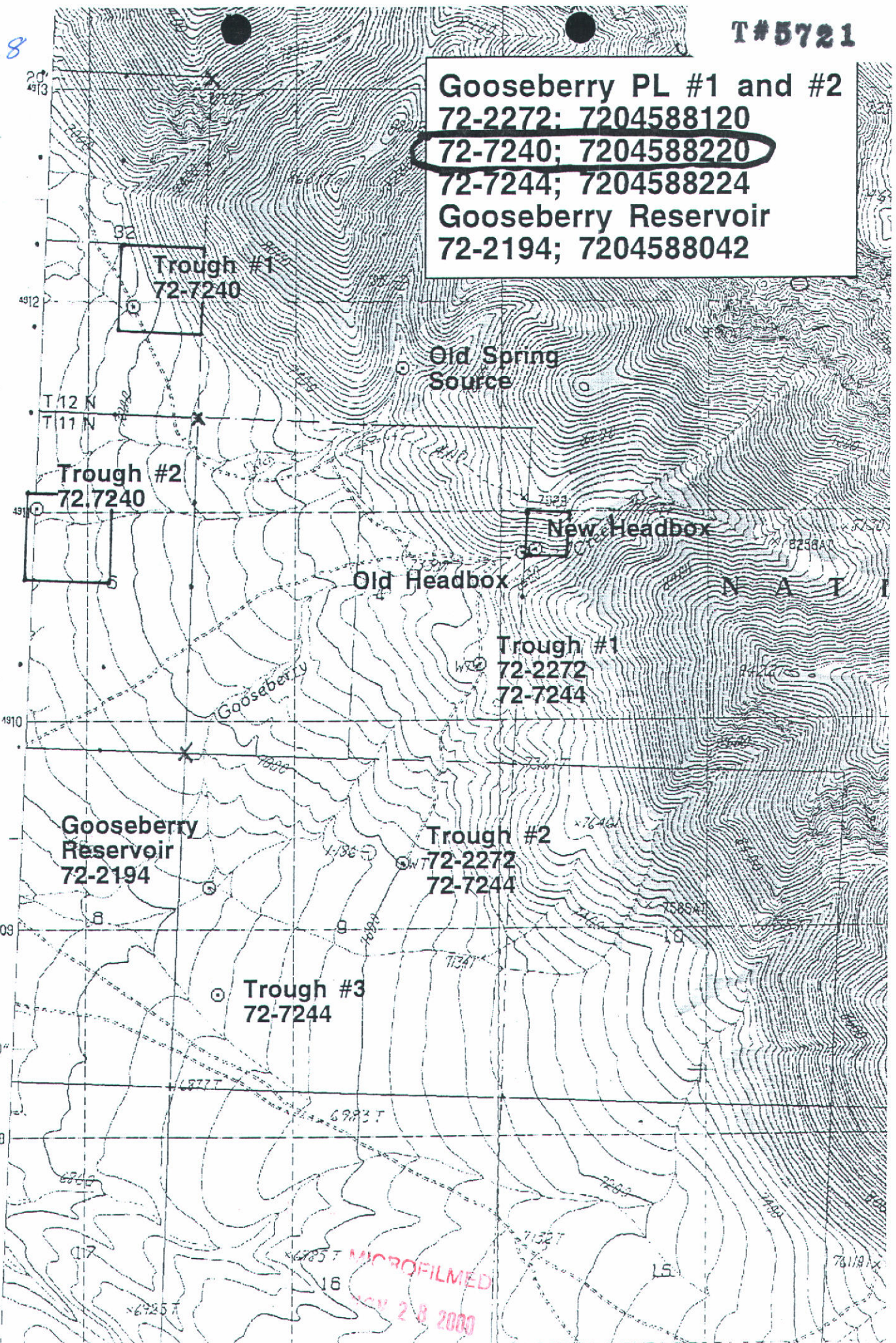
72-2272; 7204588120

72-7240; 7204588220

72-7244; 7204588224

Gooseberry Reservoir

72-2194; 7204588042



IMPROVEMENT
IDENTIFICATION

STATE

ID

OFFICE

045

IMPROVEMENT
NUMBER

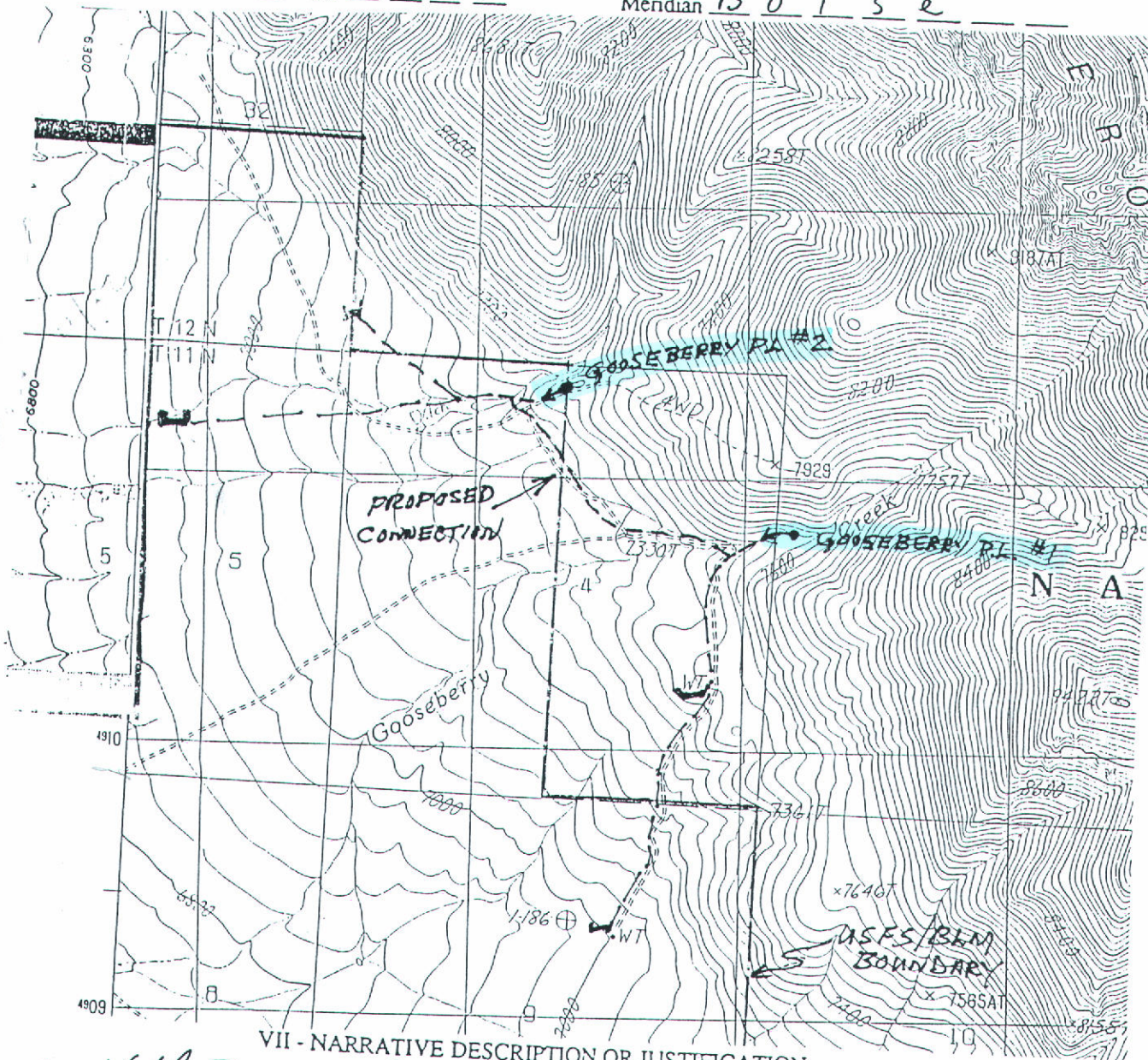
364967

VI - LOCATION PLAT

T. 12 N R. 21 E

Scale 1 inch =

Meridian B O I S E



VII - NARRATIVE DESCRIPTION OR JUSTIFICATION

manifold P.L. needed to reactivate old P.L. # 4350, which was knocked out AFTER '82 Mackay EARTH Quake. Spring Does NOT flow in the NENE sec. 9. Gooseberry P.L. manifold will connect with existing P.L. # 0754, and use Spring source in SENE sec. 4, T11N, R21W. (USFS ownership),

REPRODUCED

MAY 25 1992

by Russ Kiebe

Title

Title

Supv. Range Cons.

Date

Date

10/16/92

NATIONAL

CHALLIS

McGowan

Gooseberry Pipeline Manifold
Project ID - 040-2-24 (#4967)
Completed Line

Gooseberry manifold Line.

water troughs - PL #1

Sec. 4

T1N R 21E Sec 4. NE SE SE 1/4

T1N R 21E Sec. 9. SW NE NE 1/4

PL #2

T1N R 21E Sec. 5. NE NW NW 1/4
T2N R 21E Sec 32 NW SE SE 1/4

R 21 E

T12N
T11N

Gooseberry
PL. # 2

new
MANIFOLD
LINE

Gooseberry PL. #

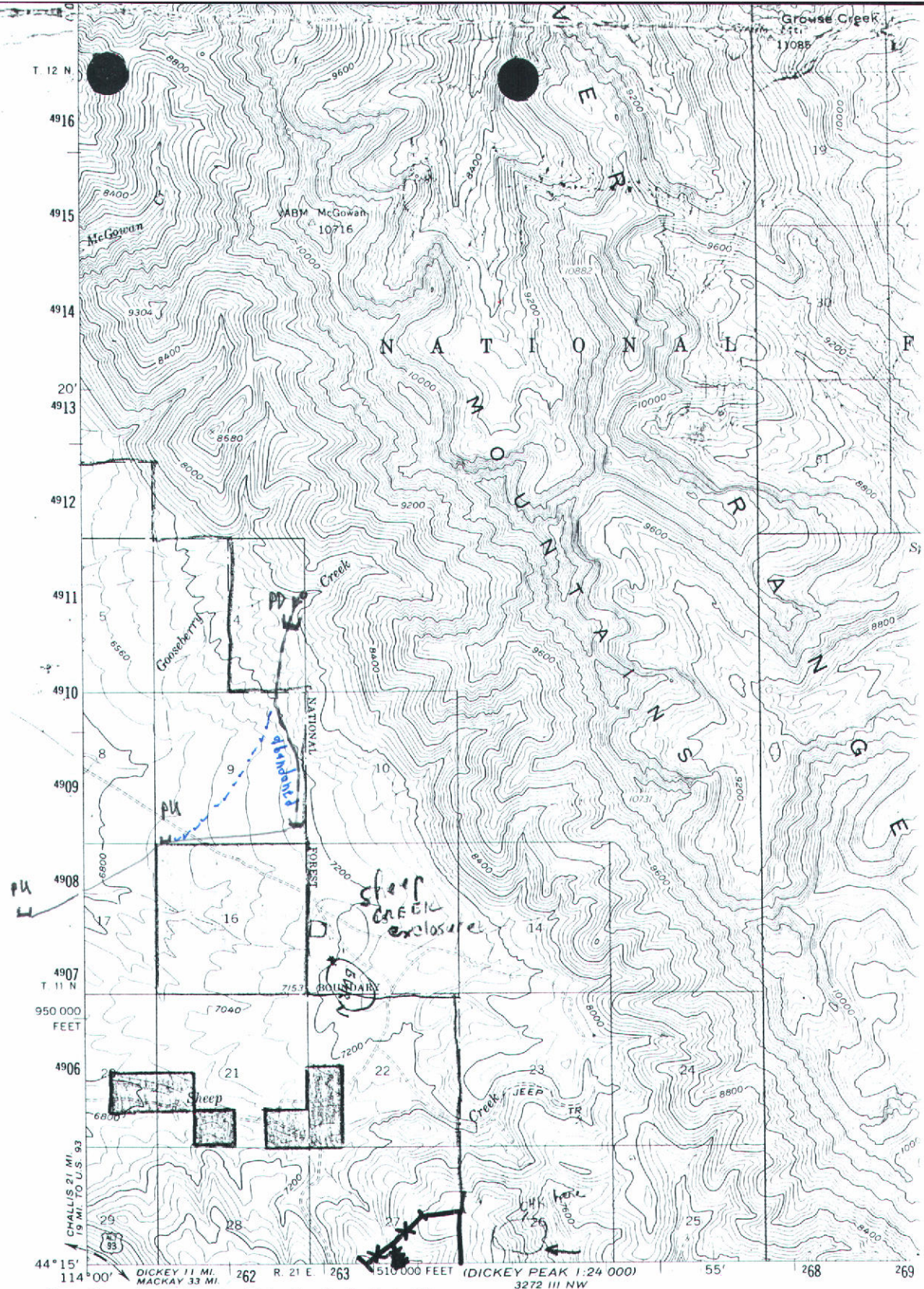
Gooseberry

USFS/BLM
Boundary

1-186
25 1993

11/5/02

3172 II NE
(HORSE BASIN)
1:24 000



Mapped, edited, and published by the Geological Survey
Control by USGS and USC&GS
Topography from aerial photographs by multiplex methods
Aerial photographs taken 1954. Advance field check 1956
Polyconic projection. 1927 North American datum
10,000-foot grid based on Idaho coordinate system, central zone
1000-meter Universal Transverse Mercator grid ticks,
zone 12, shown in blue
Unchecked elevations are shown in brown

MAY 25 1993

UTM GRID AND 1956 MAGNETIC NORTH
DECLINATION AT CENTER OF SHEET

THIS MAP CO.
FOR SALE BY U.S. GEOLOGICAL
A FOLDER DESCRIBING

WATER RIGHT NO.	NAME	OWNER	PRIORITY DATE	STG/STS	SOURCE	USE DESC	SYSTEM
72-07240	US DEPT OF INTERIOR	C	10/03/1982	L/	SPRING	STOCK WILDLF	WR
X72-07240	US DEPT OF INTERIOR	C	10/03/1982	L/	GOOSEBERRY CREEK	STOCK WILDLF	WR
72-07240	AMERICA ACTING THROUGH, UNITED STATES OF	C	10/03/1982	L/	SPRING	STOCK WILDLF	AJ
A72-07240	AMERICA ACTING THROUGH, UNITED STATES OF	C	10/03/1982	P/	SPRING	STOCK WILDLF	AJ

MICROFILMED

NOV 23 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5721
WATER RIGHT NO. 72-07240

This is to certify that: US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
RT 2 BOX 610
SALMON ID 83467

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	0.02 CFS	0.3 AF
WILDLIFE	01/01 to 12/31	0.02 CFS	0.3 AF
	Totals	0.02 CFS	0.6 AF

SOURCE

GOOSEBERRY CREEK

TRIBUTARY OF

WARM SPRING CREEK

Priority: 10/03/1982

LOCATION OF POINT(S) OF DIVERSION:

NWSWNW , Sec. 3, Township 11N, Range 21E
CUSTER County

PLACE OF USE: STOCKWATER

TWN RGE SEC

11N 21E	5	SWNE
12N 21E	32	NESE

PLACE OF USE: WILDLIFE, same as STOCKWATER use

CONDITIONS OF APPROVAL AND REMARKS

1. This right, when considered with all other rights common to the same grazing allotment, is limited to the quantity of water beneficially used by the number of stock within the allotment.
2. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

MICROFILMED

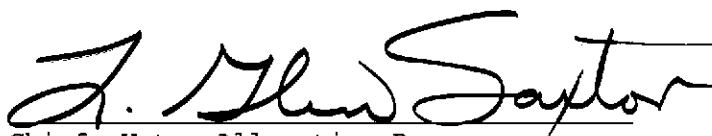
NOV 28 2000

TRANSFER NO. 5721
WATER RIGHT NO. 72-07240

CONDITIONS OF APPROVAL AND REMARKS

3. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
4. Place of use is also known as BLM Record ID 7204588220.

Dated this 9th day of June, 2000.


Chief, Water Allocation Bureau

MICROFILMED

NOV 26 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
APR 12 2000
Transfer No. 5721
RECEIVED
APR 06 2000
Department of Water Resources
Southern Region

RECEIVED APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

JUN 6 - 2000

Department of Water Resources Bureau of Land Management Phone 208 756-5400
Post Office address Route 2 Box 610 Salmon ID 83467

A. PURPOSE OF TRANSFER

- ☒ Change point of diversion
 ☐ Add diversion point(s)
 ☒ Change place of use
☐ Change nature of use
 ☒ Change period of use
 ☐ Other _____
- Describe the reason for the proposed changes A new headbox has been installed in Gooseberry Crk. just upstream of the old one. Two POU's are already on other licenses (72-02272 and 72-07244). Two other POU's simply need correcting based on GPS data.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | Right Number | Priority | Amount (cfs/ac-ft) | Nature of Use | Period of Use |
|-----------------|----------------|--------------------|-------------------|--------------------------------------|
| <u>72-07240</u> | <u>10/3/82</u> | <u>.02/0.3</u> | <u>Stockwater</u> | <u>Y₁</u> to <u>12/31</u> |
| <u>72-07240</u> | <u>10/3/82</u> | <u>.02/0.3</u> | <u>Wildlife</u> | <u>Y₁</u> to <u>12/31</u> |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
- Total amount of water being transferred .02 cubic feet per second and/or * 0.3 acre-feet per annum.
- Source of water Gooseberry Creek tributary to Warm Spring Creek
- Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	SW	NW	3	11N	21E	Custer	Gooseberry Creek

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
11N	21E	5			SW														
12N	21E	32													SW				

MICROFILMED
NOV 20 2000

PART 1

6. General Information:

a. Description of diversion system Culvert type headbox in stream. Old headbox and new headbox have always been in Gooseberry Creek, not a spring

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

None

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19____.

MICROFILMED

NOV 28 2000

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. 72-07240

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	05/25 to 07/05	0.02 CFS	0.3 AF
WILDLIFE	01/01 to 12/31	0.02 CFS	0.3 AF
	Totals	0.02 CFS	0.6 AF

SOURCE

SPRING

TRIBUTARY OF

GOOSEBERRY CREEK

Priority: 10/03/1982

LOCATION OF POINT(S) OF DIVERSION:NESENE , Sec. 4, Township 11N, Range 21E
CUSTER CountyPLACE OF USE:

STOCKWATER

				NE				NW				SW				SE																
				NENE	NWNE	SWNE	SENE					NENW	NWNW	SWNW	SENW					NESW	NWSW	SWSW	SESW					NESE	NWSE	SWSE	SESE	
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	:
11N	21E	9	:				S									:									:						:	

WILDLIFE

11N	21E	9	:				W									:									:						:
-----	-----	---	---	--	--	--	---	--	--	--	--	--	--	--	--	---	--	--	--	--	--	--	--	--	---	--	--	--	--	--	---

CONDITIONS/REMARKS:

1. BLM RECORD ID = 7204588220
STOCKWATER, 200 RANGE CATTLE; WILDLIFE, VARIABLE AMOUNT

Describe any other water rights used for the same purpose as described above:

To your knowledge has any portion of this water right undergone a period of five or more consecutive years of non-use? _____ If yes, describe:

MICROFILMED

NOV 23 1986

Page 4 of 8

TRANS NO.

T#5721

Claim No. 72-07240

Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice ☐ Warranty Deed ☐ Other _____

MICROFILMED

NOV 28 2005

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
 in case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. 72-07240 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water Spring tributary to Gooseberry Crk

4. Date or priority 10/3/82

5. Water is used for the following purpose:

amount .02/0.3 for Stockwater purposes from 5/25 to 7/5
 (cfs/ac-ft)
 amount .02/0.3 for Wildlife purposes from 1/1 to 12/31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right .02 cubic feet per second and/or 0.6 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	SE	NE	4	11N	21E	Caster	Gooseberry Crk

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
11N	21E	4													StW				
11N	21E	5							StW										
11N	21E	9							StW										
12N	21E	32																StW	

NOV 28 2000

Total acres _____

9. Describe any other water rights used for the same purpose as described above 72-07244 and

72-02272

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

MICROFILMED

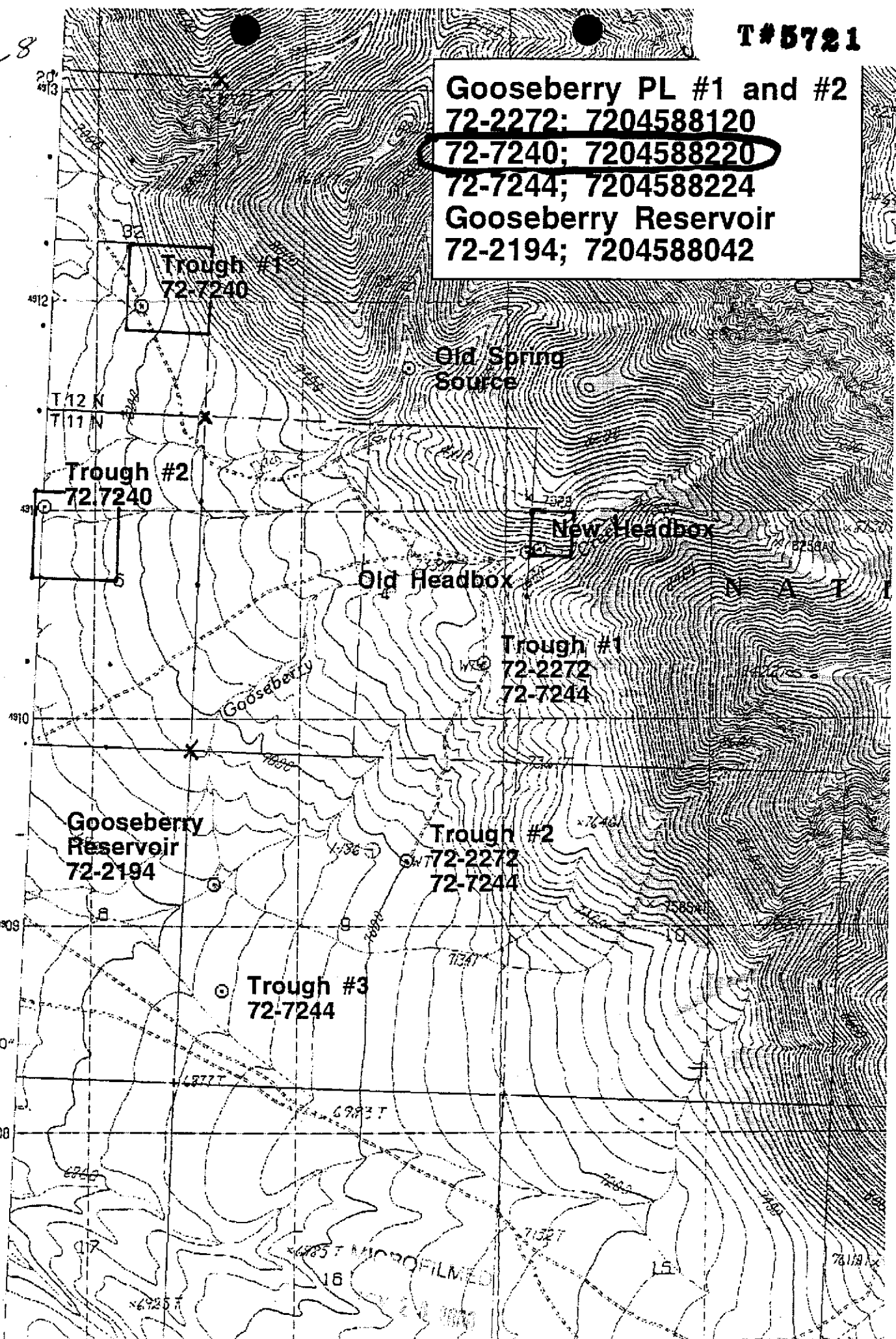
NOV 28 2000

Total acres _____

Pg 7 of 8

T#5721

Gooseberry PL #1 and #2
72-2272; 7204588120
72-7240; 7204588220
72-7244; 7204588224
Gooseberry Reservoir
72-2194; 7204588042



PART 3

B. CHANGES IN NATURE OF USE

1. New Nature of Use Stockwater Amount (cfs/ac-ft) .02/0.3 Hours/days/year Up to 365 days/yr Period of Use Yr to 12/31

2. Quantity and quality of return flows and location of discharge:

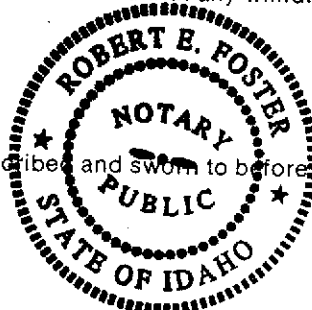
Same as before

3. Describe effects on other water uses resulting from the proposed change:

None

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.



Alan Batten

(Signature of Applicant)

Subscribed and sworn to before me this 10th day of April, 19 2000

Robert E. Foster

(Notary Public)

My commission expires 02-16-2001

FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and 1 attachments

Received by L. SKINNER Date 4/12/2000

Prelim. check by John Freitag Fee \$100.00 5022992

Received by L. SKINNER Date 4/12/2000

Published in Challis Messenger

Pub. dates 5/11 & 5/18/00

Watermaster recommendation requested on _____

_____ rec'd. _____

Copy of transfer sent to lien holder _____

Protest filed by None

Copies of protest forwarded by _____

Hearing held by _____ Date _____

Recommended for ☒ approval ☐ denial

by AB

MICROFILM
NOV 28 2000

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 72-07240

Priority: October 3, 1982

Maximum Diversion Rate: 0.02 CFS
Maximum Diversion Volume: 0.6 AF

This is to certify, that US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated October 1, 1982; and
has submitted Proof of Beneficial Use on May 3, 1988. An examination indicates
that the works have a diversion capacity of .020 cfs of water from:

SPRING tributary to GOOSEBERRY CREEK

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	05/25 to 07/05	0.02 CFS	0.3 AF
WILDLIFE	01/01 to 12/31	0.02 CFS	0.3 AF
	Totals	0.02 CFS	0.6 AF

LOCATION OF POINT(S) OF DIVERSION: NESENE , Sec. 4, Township 11N, Range 21E
CUSTER County

PLACE OF USE: STOCKWATER

TWN RGE SEC

11N 21E	4	NESE
	5	NENW
	9	SWNE
12N 21E	32	SESE

PLACE OF USE: WILDLIFE, same as STOCKWATER use

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.

RECORDED

MAY 25 1993

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 72-07240

CONDITIONS/REMARKS:

4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right, when considered with all other rights common to the same grazing allotment, shall be limited to the quantity of water beneficially used by the number of stock within the allotment.
6. Stockwater use is for 200 range cattle.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 5TH day of MARCH, 1993.

Acting for R. Keith Higginson, Director

RECORDED

MAY 25 1993

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 72-7240 IN THE
NAME OF U.S.D.I. BUREAU OF LAND MANAGEMENT

)
) ORDER OF REINSTATEMENT
)
)

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before May 1, 1988; and,

WHEREAS, the Department notified the permit holder by certified mail that proof was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use; and,

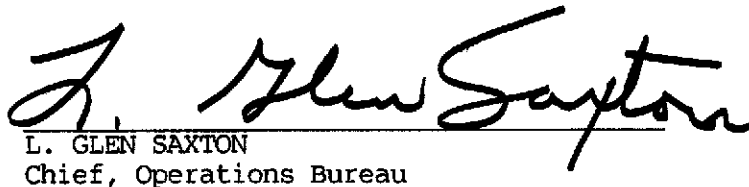
WHEREAS, on May 1, 1988 the permit lapsed for failure of the permit holder to submit proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on May 3, 1988;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 72-7240 be REINSTATED and the priority advanced to October 3, 1982.

Dated this 15th day of September, 1988.


L. GLEN SAXTON
Chief, Operations Bureau

RECEIVED

OCT 03 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of Applicant USDI BLM Phone 756-2201

Post office address PO BOX 430 Salmon Idaho 83407

2. Source of water supply Gooseberry Spring which is a tributary of Gooseberry Creek

3. Location of point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 9 Township 11N

Range 21E B.M. Custer County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.02 for livestock purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.02 for wild life 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)

5. Total quantity to be appropriated:

a. 0.02 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 1 Trough, 1 1/4" pipe

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

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

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year - maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 9 Township 11N
Range 21E B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered 200 cattle

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____

(5) If water is to be used for other purposes describe: _____

APPROVED

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

[illegible]

Total number of acres to be irrigated _____

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

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

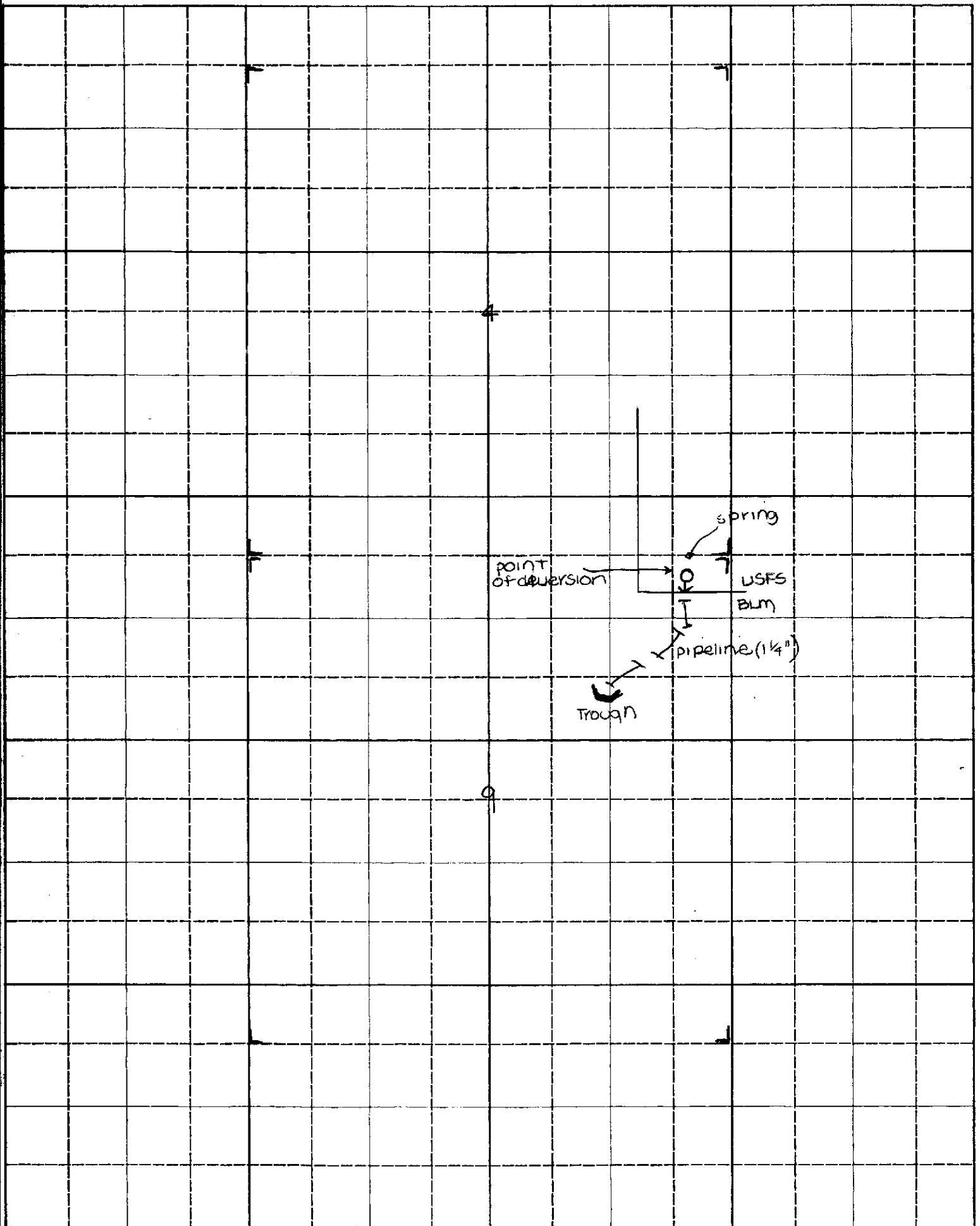
b. Who owns the land to be irrigated or place of use BLM

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing coop agreement between govt agencies

10. Remarks _____

MICROFILMED

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



Scale: 4 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.

MICROFILMED

Kenneth S. Walker
(Applicant)
District Manager

Proposed Priority 10/01/1982

Received by maey

Date 12-27-82 Time 12:00 P

ID. 910-PH2-0018

Preliminary check by maey

Fee \$ 30.00

Receipted by maey

Date 4-12-83 # 26473

Publication prepared by maey Date 1/1/83

Published in Custer Publishing Co

Publication dates 1/20 & 1/27/83

Publication approved maey Date 1/28/83

Protests filed by: None

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by ADM

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. 72-7240, and said application is hereby APPROVED.

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before May 1, 19 88.

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. Other: Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.

Witness my hand this 2nd day of May, 1983.

L. Glen Saxton
Chief, Operations Bureau

MICROFILMED

AFFIDAVIT OF PUBLICATION

State of Idaho, County of Custer, ss:

I, MARGARET PARKS

Publisher of the Challis Messenger, a weekly newspaper, published at Challis, Idaho, do solemnly swear that the notice hereto attached and made a part hereof, was published in the regular and entire issue of the Challis Messenger for 2 consecutive weeks, commencing with the issue dated JAN. 20 1983 and ending with the issue dated JAN. 27 1983.

Margaret Parks
Subscribed and sworn to before this 25th day of January 1983

Echel M. Beck
Notary Public, residing at Challis, Idaho. My commission expires on

1/26/86

72-7240
U.S. DEPT. OF INTER-
IOR
BUREAU OF LAND
MGMT., IDAHO STATE
OFFICE, 3380 AMERICANA
TERRACE, BOISE, ID 83706
Source: SPRING (GOO-
SEBERRY) trib. to GOOSE-
BERRY CREEK
Date Filed: 10/01/1982
Diversion Pt: NENE Sec
09 T 11N R 21E
Use: STOCKWATER (0.02
CFS), WILDLIFE (0.02
CFS)
In: SWNE Sec 09 T 11N R
21E

RECEIVED

JAN 31 1983

Department of Water Resources
Southern District Office



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

June 12, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

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

RE: Water Right 72-07240 (Transfer 5721)

Dear Water Right Holder(s):

Enclosed is the copy of your approved Transfer of Water Right for the above referenced water right (Transfer 5721). Please be sure to thoroughly read the Conditions and Remarks listed on the transfer. Also, please be advised that the accompanying transfer approval should be considered and treated as a **preliminary order** of the department issued pursuant to section 67-5243, Idaho Code. Enclosed are instructions for responding to **Preliminary Orders** if you are in disagreement with the approved transfer.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact the department if you have questions.

Sincerely,

Camille S. Skayge

Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

MICROFILMED

JUN 23 2000

CERTIFICATE OF MAILING

I hereby certify that on the 12th day of **June, 2000** I mailed a true and correct copy, postage prepaid, of the foregoing **TRANSFER APPROVAL** to the person(s) listed below:

RE: WATER RIGHT 72-07240 (Transfer 5721)

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


**Kari Lynn Townsend
Secretary**

NOV 28 2000

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within 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 this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director 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 Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director 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 Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

TRANSFER REVIEW SHEET

(10-99)

Transfer # 5721

Date Reviewed 06-09-2000

Right(s) 72-07240

☒ WRQ/Split Summary ☒ ^{NAP} SRBA Status NA Run POU Comparison Report

B:Change P/D C:Add P/D

D:Change P/U

E:Change Nature of Use

F:Change Period of Use

☒ Other

H:Change P/D & Add P/D

I:Change P/D & P/U

J:Add P/D & Change P/U

Proof of Ownership BLM/Public Land per region

Transfer ☒ All of Right ☐ Portion of Right

Resulting Split(s) NONE

Check Transfer Against Recorded Right:

Standard Season NA to NA Standard Volume NA

(1) ☒ Priority (2) ☒ Use (3) ☐ Season/W61 (4) ☒ Rate (5) ☐ Volume

(6) ☐ Source (7) ☐ P/D (8) ☐ P/U (9) ☒ Proof/Owner (10) ☒ Map

(11) NA Water District (12) NO Pertinent Conditions (13) NO Expansion

- (3) Allow year round stock use limited to original .3 gal volume.
- (5) I Spoke to Alan Bitner, BLM, regarding total volume. He didn't intend to reduce volume & agrees that additive volume per License & SRBA is preferable. - Coala
- (6) Shift from spring source apparently occurred long ago - to tributary Gooseberry Creek. Existing system same as rts 72-02272 + 72-07244
- (7) Change P/D to Gooseberry Creek
- (8) Change P/U

Transfer Remarks Aka BLM record 72-64588-270

Conditions R37, T07, T08

Database/Processing Notes

Standard

~~Non-Standard~~

Copy approved version to "X" prefix / Delete T / Comment to base WR

"T" Files Update Complete ☒ Approval Form ☒ Transfer Memo

Database Updated Following Approval ☒ Memo/Form Files Deleted ☒

06-09-2000

SRBA

SUBCASE SUMMARY REPORT 72-07240

[Return to SRBA Home Page](#)

SRBA

SUBCASE SUMMARY REPORT

HTML12

06-09-2000

SUBCASE: 72-07240

FILE#: 00243

CLAIMANT: USDI BLM

STATUS: ADMIN PROCEED PENDING

WATER SOURCE: SPRING, GOOSEBERRY CREEK

ISSUES: POINT(S) OF DIVERSION DESCRIPTION

PLACE OF USE OR IRRIGATED ACRES IN EACH 40 A.

****** PARTIES INVOLVED ******

USDI BLM

C ATTY: US DEPARTMENT OF JUSTICE

USDI BLM

O ATTY: US DEPARTMENT OF JUSTICE

****** ROA ENTRIES ******

06-02-1999	OBJ 01 F/B USDI BLM	RB	10-04-1999 0001
11-23-1999	NOTICE SETTING INITIAL HEARING	IS	12-02-1999 0900
12-02-1999	HEARING HELD - INITIAL HEARING	1H	12-02-1999 0900
12-02-1999	MINUTES - INITIAL HEARING		
12-08-1999	NOTICE SETTING STATUS CONFERENCE	US	03-24-2000 1000
03-24-2000	STATUS CONFERENCE CONTINUED TO 4/18 10 AM	HH	03-24-2000 1000
03-24-2000	NOTICE SETTING STATUS CONFERENCE	UV	04-18-2000 1000
04-10-2000	MOTION TO STAY SUBCASES PENDING COMPLETION OF ADMINISTRATIVE PROCEEDINGS	MG	04-17-2000
04-17-2000	ORDER GRANTING MOTION TO STAY SUBCASES		
05-26-2000	NOTICE OF ADMINISTRATIVE PROCEEDING IC 42-222 TFER 5721	AZ	05-21-2001

[Return to SRBA Home Page](#)

MICROFILMED

OCT 20 2000

IDAHO DEPARTMENT OF WATER RESOURCES
PREFIX/SPLIT QUERYDATE: 06/09/00
TIME: 15:08:06
PAGE: 1

WATER RIGHT NO.	NAME	OWNER	PRIORITY DATE	STG/STS	SOURCE	USE DESC	SYSTEM
72-07240	US DEPT OF INTERIOR	C	10/03/1982	L/	SPRING	STOCK WILDLF	WR
172-07240	US DEPT OF INTERIOR	C	10/03/1982	L/	GOOSEBERRY CREEK	STOCK WILDLF	WR
72-07240	AMERICA ACTING THROUGH, UNITED STATES OF	C	10/03/1982	L/	SPRING	STOCK WILDLF	AJ
A72-07240	AMERICA ACTING THROUGH, UNITED STATES OF	C	10/03/1982	P/	SPRING	STOCK WILDLF	AJ

IDWR TRANSFER ANALYSIS SHEET

APPLICANT Bureau of Land Management TRANSFER NO. 5721
 1. Right number(s) Route 2 Box 610 Salmon ID 83467

2. Type of right
☐ Decree ☒ License ☐ Statutory Claim
☐ SRBA Beneficial Use Claim

3. Purpose of transfer
☒ Change P/D ☐ Add P/D ☒ Change P/U
☐ Change N/U ☐ Change Source ☐ Split Right
☒ Other: Change Period of use

4. Check Existing Right:
☒ Source ☒ Priority ☒ Amount ☒ Purpose
☒ Period ☐ SRBA Claim
☒ Description of original point(s) of diversion
☒ Description of original place of use
☒ Overlapping rights on original place of use

Comments: Right 72-02272 and 72-7244
appear to be used for the same purposes and
from the same P/D as the proposed transfer.

5. Check Proposed Right for amount of land &/or water transferred:

☐ Also see attached memo for more analysis information

- a. ☒ All of right
- b. ☐ Part of right (NOTE: Part B should be filled in only if part of right is owned by the applicant)
- c. ☒ Description of point(s) of diversion
- d. ☒ Description of place of use
- e. ☒ Map showing P/D & P/U after transfer
- f. ☒ Correct notarized signature and \$100 fee
- g. ☒ Proof of ownership of right &/or land from which water is transferred BLM (public land)
- h. ☒ Expansion in use of right - Comments: None apparent

- i. X Existing rights from same source, on land water is being transferred to; right number(s): _____

3. ☒ SRBA claim(s) - Comments (NOTE: Approved transfer amends SRBA claim; differences between existing water right and SRBA claim? any ownership or other outstanding issues? Explain)

- k. ☒ Comment letters _____ Yes ☒ No _____
If yes _____ Water District # _____
_____ Lienholder, others, see #2 _____
_____ below for name and address _____

INITIAL ALLOCATION REVIEW BY L.H. Freitag DATE 04/14/00
 SRBA SUPERVISOR REVIEW BY DATE
 PUBLICATION REVIEW BY DATE

1. Legal Notice electronically sent to DW03::VAULT Yes
2. COMMENT LETTERS Copy of Pg 1 to AJ ✓ Yes 5/8/60

Watermaster recommendation requested on _____, Received on _____

Other comments letters - send to the following name(s) & address(es):

3. Transfer published correctly? ✓ Yes No
4. Affidavit of publication received? ✓ Yes No
5. Protests received? Yes ✓ No; Acknowledgement sent? Yes
6. Copies made for Region file (see attached supplemental page)? Yes

RECOMMENDED ACTION

1. Approve
2. Deny due to _____
- _____
3. Conditions (special conditions in Water Districts) _____

Also see attached memo for recommendation dated: None

4. By Date 6/2/00

JUN 6 - 2000

✓ # 5721

Department of Water Resources
FILE PROGRESS SUMMARY

APPLICANT:

WATER RIGHT NO.

72-07240

[illegible]



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

April 6, 2000

Alan Bittner
Bureau of Land Management
Route 2 Box 610
Salmon, ID 83467

Dear Mr. Bittner:

Please find enclosed two transfer applications, along with the filing fee (check #110), that you recently submitted to our office. The applications are being returned because you did not include the last page, Part 3, of either application. I have included two blank Part 3 pages for your reference and possible use.

If you have any questions, or if you need any further assistance, feel free to contact me at your convenience.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Corey Skinner', is written over a horizontal line.

Corey Skinner, P.E.
Water Resource Engineer

Enclosures

MICROFILMED

NOV 28 2000

T#5721

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 May 11 2000 and ending with the issue dated May 18 2000.

Ruth E. Burchill

STATE OF IDAHO

COUNTY OF CUSTER

On this 18th day of May 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: 4/30/04

NOTICE OF PROPOSED CHANGE OF WATER RIGHTS

Notice is hereby given that five (5) applications have been filed with the Department of Water Resources for changes to water rights in Custer County as described below:

AMENDED Transfer No. 5534 by Stephen &/or Lyndella Baughman, 3730 Pama Lane; Las Vegas NV 89120 involves two rights diverting from Darling Creek tributary to Challis Creek within SESW, S05 for irrigation of a 76 acre permissible place of use; Right No. 72-00189A (0.79 cfs) is recorded with priority date of 05/01/1879 & Right No. 72-10246A (1.03 cfs) is recorded with priority date of 04/15/1912. The purpose of this transfer is to correctly record diversion points within SWSE, S05 and NWNW, S09; all T14N, R19E.

Transfer No. 5710 by Lynn T. Stevenson, PO Box 367; CHALLIS ID 83326 involves Right No. 72-10471B (0.06 cfs) recorded with priority date of 07/22/1910 from Challis Creek tributary to Salmon River within Lot 10 (NWNW), S07 and reddiverted within NWSW, S08 for irrigation of 2.0 acres within NWSW, S08. The applicant requests to re-locate point of reddiversion to site within NENSW, (190' down the canal from original reddiversion point) S08; all T14N, R19E.

The USDI-Bureau of Land Management, Route 2, Box 610; SALMON ID 83467 has filed two (2) Applications for Transfer as follows:

Transfer No. 5721 involves Right No. 72-07240 (0.02 cfs) recorded with priority date of 10/03/1982 from Spring tributary to Gooseberry Creek within SENE, S04 for stockwater (0.02 cfs) and wildlife (0.02 cfs) uses within SWNE S09; all T11N, R21E. The applicant requests to divert a combined total of 0.02 cfs directly from Gooseberry Creek tributary to Warm Spring Creek via headbox within NWSWNW, S03, T11N, R21 E for the same year round uses within SWNE, S05, T11N, R21E and NESE, S32, T12N, R21E.

Transfer No. 5723 involves Right No. 72-07245 (0.10 afa) recorded with priority date of 10/03/1982 from Unnamed Stream tributary to Bradshaw Gulch within SWNE, S17 for uses as listed below within NESW, S16; all T11N, R19E.

USE	AMT (afa)
Stockwater Storage	0.10
Stockwater from Storage	0.10
Wildlife Storage	0.10
Wildlife from Storage	0.10

The applicant requests to correctly record the year round diversion & use within SWSWNE of a combined total of 0.10 afa for the same uses listed above; all S17, T11N, R19E.

Transfer No. 5694 by R. Richard &/or Ruth E. Burchill, PO Box 291. Challis ID 83226 involves two rights: Right No. 72-07431 (0.03 cfs) recorded with priority date of 11/30/1989 from Springs tributary to Pats Creek within SESW, S33, T15N, R18E and used for stockwater (0.02 cfs), domestic (0.03 cfs) and irrigation (0.03 cfs) of 3 acres within Lot 3 (NENW), S04, T14N, R18E. Right No. 72-10044 (1.70 cfs) recorded with priority date of 10/10/1911 from Pats Creek tributary to Challis Creek, Bear Creek tributary to Challis Creek, Challis Creek tributary to Salmon River with 4 diversion points within Lot 7, (NENW) and SWNW, S04, T14N, R18E for irrigation of 43 acres within S04, T14N, R18E. The applicants propose to divert a combined total of 0.23 cfs from a Spring tributary to Pats Creek within SESESW and Pats Creek tributary to Bear Creek within SWSESW both S33, T15N, R18E. Diversions also include White Valley Creek tributary to Bear Creek within NWNENE, S05, T14N, R18E. Combined irrigation uses (0.23 cfs) cover 13.5 acres within NW, S04, T14N, R18E with domestic (0.03 cfs) and stockwater (0.02 cfs) at the same location.

Any protest against the proposed changes must be filed with

the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite 100; Twin Falls ID 83301 together with a protest fee of \$25 on or before May 30, 2000 to be considered by the Department in its decision to grant or deny any part of the proposed change. (Each transfer requires a separate protest.) The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director
Pub: May 11 & 18, 2000.

RECEIVED
MAY 19 2000
Department of Water Resources

OK
MB
5/30/00

NOV 28 2000

STATEMENT

**Custer Publishing, Inc.**

Phone 879-4445

P.O. Box 405

Challis, Idaho 83226

Dept. of Water
1341 Fillmore St., Suite 200
Idaho Falls, Id 83301-3380

Job No.	Date	DESCRIPTION	Amount
	5-18-00	Notice of Proposed Change of Water Rights 5/11 + 18/00 126 lines 5 tabs Transfer Nos. (5534, (5710, (5721, (5723, (5694 RECEIVED MAY 19 2000 Department of Water Resources Southern Region	\$181.36 OK MB 5/30/00

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.

MICROFILMED

NOV 28 2000

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Wildlife from Storage	0.10

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Any protest against the proposed changes must be filed with the Department 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 May 30, 2000 to be considered by the Department in its decision to grant or deny any part of the proposed change. **(Each transfer requires a separate protest.)** The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the Challis Messenger on 05/11 & 05/18/00.

MICROFILMED

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**

May 8, 2000

**ATTN LEGALS
CUSTER PUBLISHING
PO BOX 405
CHALLIS ID 83226**

Ladies and Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper.

We have inserted the required publication dates. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

**Mary Baldwin
Administrative Assistant**

Enclosure

MICROFILMED

NOV 28 2000

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 72-02272

1998 JUN 26 AM 8:41

DISTRICT COURT-SRBA
TWINFALLS CO., IDAHO
FILED _____

NAME & ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE ID 83709-1657

SOURCE: GOOSEBERRY CREEK TRIBUTARY: WARM SPRING CREEK

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 02/21/1968

POINT OF DIVERSION: T11N R21E S03 NWSNW Within CUSTER County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	05-25 09-30	0.04 CFS

PLACE OF USE: STOCKWATER Within CUSTER County
T11N R21E S04 NESE
S09 SWNE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b) MICRON
Water Right 72-02272

PAGE 1
MAR-25-1998

NOV 28 2000

T#5721

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 72-07244

1998 AUG 18 AM 9:28

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

NAME AND ADDRESS: UNITED STATES OF AMERICA
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE, ID 83709-1657

SOURCE: GOOSEBERRY CREEK

TRIBUTARY: WARM SPRING CREEK

QUANTITY: 0.02 CFS
1.40 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 10/03/1982

POINT OF DIVERSION: T11N R21E S03 NWSNW Within Custer County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Wildlife	01-01 TO 12-31	0.02 CFS 0.50 AFY
	Stockwater	05-25 TO 09-30	0.02 CFS 0.90 AFY

PLACE OF USE: Stockwater Within Custer County
T11N R21E S04 NESE
S09 SWNE

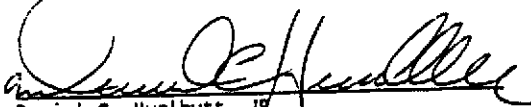
Wildlife Within Custer County
T11N R21E S04 NESE
S09 SWNE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


Daniel C. Hurlbutt, Jr.
Presiding Judge
Snake River Basin Adjudication

MICROFILMED

SRBA PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 72-07244

NOV 28 2000

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No: S022992

Date: 4/12/2000
Time: 16:10:18

Received
From: BITTNER, ALAN

Type of Payment	Program A cct	Amount
APPLICATION FOR TRANSFER	64106 229 21 1155	100.00
APPLICATION FOR TRANSFER	64106 229 21 1155	100.00

Total \$ 200.00

CHECK 110

Region: SOUTHERN

Signature: 

MICROFILMED

NOV 28 2000



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

March 8, 1993

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706

RE: WATER RIGHT NO. 72-07240

Dear Water Right Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit.

Sincerely,

PAMELA SKAGGS
Water Resource Agent

PS:cz

Enclosure

MICROFILMED

MAY 25 1993

LICENSE REVIEW CHECKLIST

Permit # 72-7240

Date 02-22-93
 Q8

	Yes	No	
NAME	☐	☒	Address Change?
PRIORITY DATE	☐	☒	Advance?
	☐	☒	Memo to Advance
	☐	☒	Order to Reinstate Needed? <u>DONE</u>
TOTAL CFS	☐	☒	No Fee paid
	☒	☐	Incorrect Fee for rate recommended?
	☒	☐	Disagree with Actual Measurement?
	☐	☒	<u>.02 cfs (WLF + STOCK)</u>
	☐	☒	Disagree with Theoretical?
	☐	☒	Limited by Capacity? <u>.02 cfs</u>
TOTAL VOLUME			Rate/ac <u> </u> AFA Irr. Season <u> </u>
			<u> </u> Standard Irr. Season
			<u> </u> Season Recommended
	☒	☐	Disagree with Examiner's Calculations?
		☒	<u>200 x 12 x 42 / 325,850 = 0.30 x 0.3 afa (STOCK + WLF)</u>
		☒	Limited by Flow? <u>.02 x 42 x 1.9835 = 1.6 > .3</u>
SOURCE	☒	☐	Changes? Clarification of <u>Originally</u>
		☒	<u>Intended source</u> Allow per J.J. 2-19-93 (Spring)
		☒	Notice of Intent to Void.
P/D	☒	☐	Verify with Map Change <u>NENE, S4 to</u>
	☒	☐	Amendment Needed? <u>NENE, S4</u>
		☒	Is Overlap Analysis a Consideration?
P/U	☒	☐	Verify with Map <u>(Add all but S9)</u>
	☒	☐	Amendment Needed? <u>SESE, S32, T12N</u>
		☒	Is Overlap Analysis a Consideration? <u>NESE, S4 / SWNE, S9 / NENE, S5 THIN</u>
USES		☒	Change(s) in Nature of Use? <u> </u>
		☒	Amendment Needed? <u> </u>
REMARKS		☒	Multiple P/Ds in 1/4 1/4? <u> </u>
	☒	☐	Non-Irr. Uses <u>STOCK/200 Cattle</u>
		☒	Special Overlap Condition <u> </u>
		☒	Other <u> </u>
CONDITIONS		☒	Measuring Device
		☒	W/Master Control
	<u>B37</u>	☐	Overlap
		☒	Water Quality
			DATES/MISC
		☐	Water Dist.
		☐	App Rec'd
		☐	Exam Made

COMMENTS: Permit limit 200 cattle
P/D & P/U legal description from map provided at completed project
attached to letter 12-23-92 (BLM).

LICENSE AMEND ☒ SPECIAL PARAGRAPH

WR0749NP
No. L72-07240

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT
(REGIONAL)

DATE: 02/22/93
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD		DIVERSION RATE	DIVERSION VOLUME
				FROM	TO		
C	US DEPT OF INTERIOR BUREAU OF LAND MANAGEMENT IDAHO STATE OFFICE 3380 AMERICANA TERRACE BOISE ID 83706	10/03/1982	STOCKWATER WILDLIFE	05-25	07-05	0.02 CFS	0.3 AFA
				01-01	12-31	0.02 CFS	0.3 AFA
				TOTAL DIVERSION:		0.02 CFS	0.6 AFA

Water Source: SPRING

Tributary to: GOOSEBERRY CREEK

Stage: LICENSE

Point(s) of Diversion Capacity: 0.02 CFS

Point(s) of Diversion: T11N R21E S04 NE SE NE

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE			
				NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
T	R	S		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
11N	21E	4	:													S			
11N	21E	5	:					S											
11N	21E	9	:			S												S	
12N	21E	32	:																

Place of use location for WILDLIFE is the same location as described for: STOCKWATER

Pou County: CUSTER

Non-Irrigation Uses: S/200-RANGE

Conditions of Approval:

- R37 - This right, when considered with all other rights common to the
- same grazing allotment, shall be limited to the quantity of water
- beneficially used by the number of stock within the allotment.

Remarks: Stockwater use is for 200 range cattle.

Dates: App. Received: 10/01/1982 Priority Date: 10/03/1982 (Priority Date Advanced.)
Proof Due Date: 05/01/1988 Proof Made Date: 05/03/1988 (Proof Received Late.)
Exam Made Date: 08/15/1990 Exam Sent to S.O.: 09/28/1992
Licensed Date:

Misc: Water District Number: Field Exam Fee: N (Not Required)

Audit: 02/22/93 SKAGGS



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Salmon District Office
P.O. Box 430
Salmon, Idaho 83467



IN REPLY REFER TO:

7250

December 23, 1992

State of Idaho
Department of Water Resources
1301 N. Orchard Street, Statehouse Mail
Boise, ID 83720-9000

RECEIVED

DEC 28 1992

Department of Water Resources

To Whom It May Concern:

After inspection by your field examiner, the Gooseberry Pipeline underwent changes due to a lack of water. The spring source for Gooseberry Pipeline #2 went dry, so a manifold (connecting pipeline) was installed to carry water from Gooseberry Pipeline #1 to the trough system in place on Gooseberry Pipeline #2.

The Gooseberry Pipeline #2 permit number, 72-7240, was then transferred to include the point of diversion for Gooseberry Pipeline #1 and all points of use on both Gooseberry #1 and #2 Pipelines.

Sincerely,

Roy S. Jackson
District Manager

Enclosures

MICROFILMED

MAY 25 1993

RANGELAND IMPROVEMENT PROJECT SYSTEM (R)

INITIAL INPUT

1. Improvement Number 364967 * 2. State ID * 3. Office 045 * 4. Completion Year 1992
 5. Improvement Name GOSSEBERRY PL MANIFD * 6. Improvement Code WM
 7. Construction Code N 8. Construction Agreement 2
 9. Type Plan 1 * 10. Type Habitat T * 11. Principal Mgt. Objective 12
 12. Primary Units 07 * 13. Geo County 037
 14. Secondary Units 0 * 15. Geo State ID
 16. Meridian 08
 17. Township 12N * 18. Range 21E * 19. Section 4
 20. Subdivision NW 21. Lat Deg 00
 23. Lat Sec 00 24. Long Deg 00 25. Long Min 00
 26. Long Sec 00 27. Project 1 000 28. Project 2 000

Improvement Details

29. Fence Type 0 30. Misc Facilities 0 31. Plant Control Method 00
 32. Chemical Type 00 33. Seeding Method 0 34. Species Benefitted 00
 35. T & E Species 00 36. Plant Spec/1 000000 37. Plant Spec/2 000000
 38. Animal Spec/1 00000000 39. Animal Spec/2 00000000 40. Water Dev/Control Code 13
 41. Water Storage 000000 42. Watershed Tillage Method 0 43. Water Filing Number 727240
 44. Undefined Field/1 000000 45. Undefined Field/2 000000
 46. Remarks MANIFDL D NEEDED TO REACTIVATE EXT M2
PL #4350 SPR SOURCE OUT BY 8Z QUAKE

Management Units

47. Line Nr 0 48. Allot Number 5610 49. Watershed Mgt Area 000
 50. Wildlife Mgt Area 0000 51. WH&B Herd Mgt Area 000

BLM Costs

52. Sub-Activity 7121 53. Contract 000000 54. Materials 343 55. Equipment 000000 56. Labor 000000 57. Work Month 000

Cooperator Contributions

58. LN 0 59. Type 3 60. Cooperator Name SAN FELIPE
CHALLIS ADVISORY BD

61. Deposited Contributions

000000
000000
000000

62. Undeposited Materials

506
000000
000000

63. Undeposited Lab & EQ

000000
000000
000000

Maintenance Record

64. Maintenance Agreement 3 65. Date Last Inspected 0000 66. Maintenance Cycle 02
 67. Primary Units 000000 68. Secondary Units 000000 69. Fiscal Year Maintained 000

Enter Maintenance Costs in Subactivity & Contributor Sections

MAY 25 1993

with test format

IMPROVEMENT
IDENTIFICATION

STATE

ID

OFFICE

045

IMPROVEMENT
NUMBER

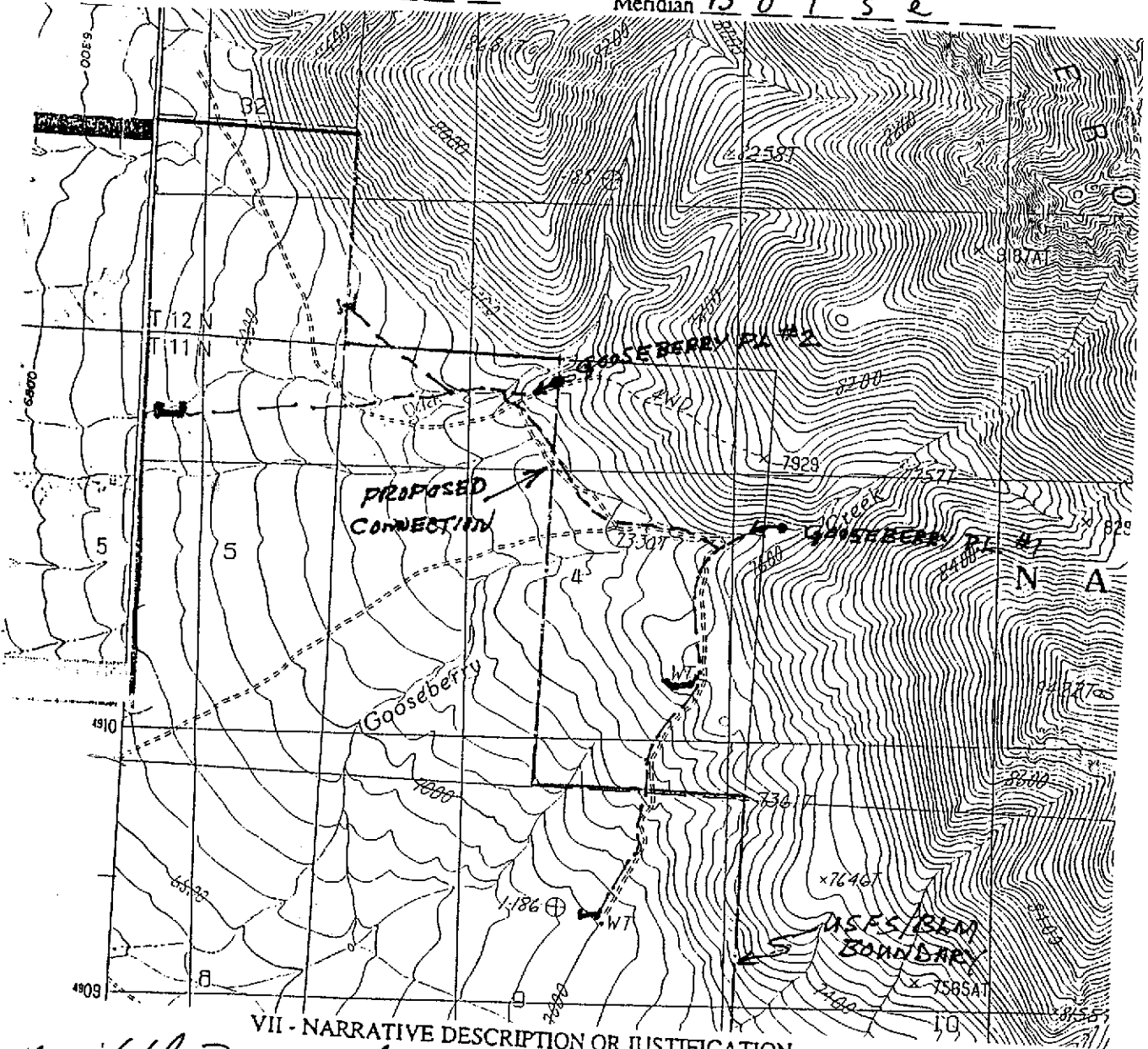
364967

VI - LOCATION PLAT

T. 12 N R. 21 E

Scale 1 inch =

Meridian B o i s e



VII - NARRATIVE DESCRIPTION OR JUSTIFICATION

manifold P.L. needed to reactivate old P.L. # 4350, which was knocked out AFTER '82 Mackay Earthquake. Spring does NOT flow in P.L. NENE sec. 9. Gooseberry P.L. manifold will connect with existing P.L. # 0754, and use spring source in SE NE sec. 4, T11N, R21W. (USFS ownership).

Drawn by Russ Kiebe

Title

Title

Supv. Range Cons.

MAY 28 1992

Date

Date

10/16/92

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

SEP 29 1992

Department of Water Resources

A. GENERAL INFORMATION

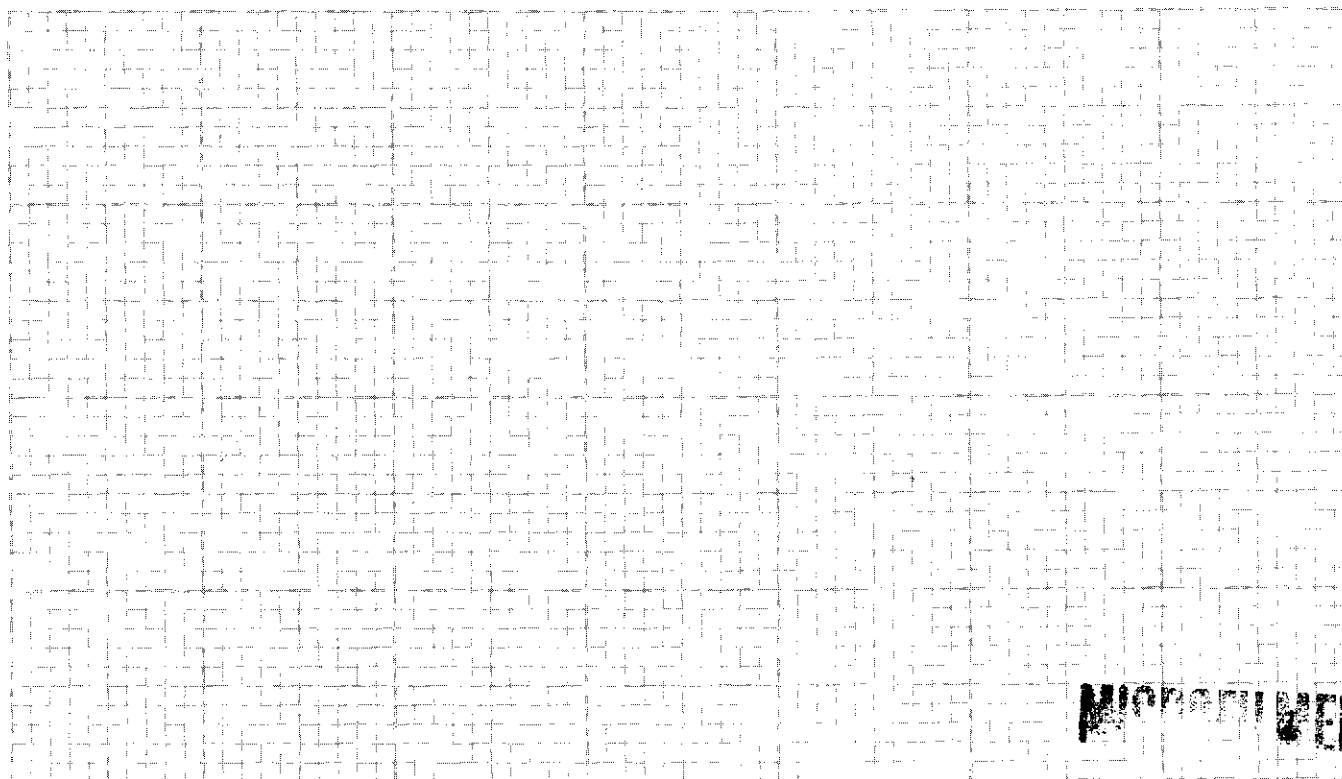
1. Owner: U.S. Bureau of Land Management Permit No. 12-7240
Current Address: P.O. Box 430, Salmon, ID 83467 Phone No. 156-5400
2. Accompanied by: Bill Osborne EXAM. DATE: 8-15-90
Address: Same Phone No. _____
Relationship to Permit Holder: Range Conservationist
3. Source: Gooseberry Creek tributary to Warm Springs Creek

B. OVERLAP REVIEW

1. Other water rights with same place of use: _____ ☐ Copies Attached
2. Other water rights with same point of diversion: 12-2272 ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☒ Alternative diagram attached



MICROFILMED

MAY 25 1993

Scale: 1" = _____

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required). ☐ Aerial Photo Attached
(required for irrigation of 10 acres or more).
☐ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

System Description (continued)

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

Existing headbox + pipeline from source has been extended to serve 2 more troughs
(pipeline serves 3 troughs). Old Trough in SE/SE S.9 was abandoned in 1982, leaving
original trough at source. Pipeline extension was built same day old Trough was abandoned.

☐ See Remarks on page 4 for continuation

- 4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

*Code to correspond with No. on map and aerial photo

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NE	SE	NE	4	11N	21E	Custer	

6. Place(s) of Use:

Indicate Method of Determination

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
11N	21E	9											S, W						
		17							S, W										

MICROFILMED

Do not use this space

MAY 25 1993

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

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

2. Measurements:

Not measured.

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

Allow amount applied for

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3); Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$.02 x 42 x 1.9835 = 1.7

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

stock - 750 x 12 gpd/hd x 42 days/ann = 1.16 AFA. Allow 1.2 AFA

Wildlife - (95 hd x 2 gpd/hd + 20 hd x 5 gpd/hd) x 365 days/ann = 0.3 AFA

MAY 25 1993

H. REMARKS AND OVERLAP REVIEW ANALYSIS

Use is for 750 range, 20 elk, 75 antelope, 20 deer.

Permit 72-7244 is served by a separate diversion 1/2 mile downstream.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Stockwater	5-25	7-5	0.02	1.2
Wildlife	1-1	12-31	0.02	0.3
Totals:			0.02	1.5

2. Recommended Amendments

☒ Change P.D. as reflected above

☐ Add P.D. as reflected above

☐ None

☒ Change P.U. as reflected above

☐ Add P.U. as reflected above

☒ Other

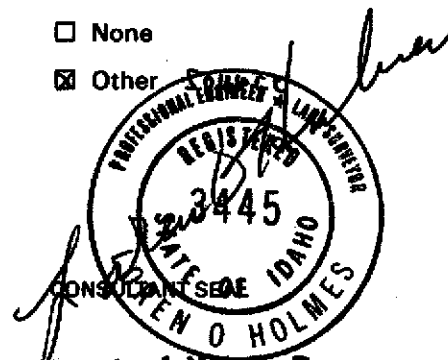
J. AUTHENTICATION

Field Examiner's Name J.E. Stanton

Signature J.E. Stanton

Certification Date 3/20/92

Field Report Preparation Date 11-23-90



K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

RECEIVED

MAY 25 1993

NATIONAL

CHALLIS

Gooseberry Pipeline Manifold
Project ID - 040-2-24 (#4967)
Completed Line

Gooseberry manifold Line.

water troughs - PL #1

Sec. 4

T11N R 21E Sec 4. NE SE SE 1/4

T11N R 21E Sec. 9. SW NE NE 1/4

PL #2

T11N R 21E Sec. 5. NE NW NW 1/4
T12N R 21E Sec 32 NW SE SE 1/4
(#8258T)

R 21 E

T12N
T11N

Gooseberry
PL. #2

New
MANIFOLD
LINE

Creek
Gooseberry PL. #2

Gooseberry

USFS/BLM
Boundary

11/5/02

RECEIVED

MAY 03 1988

STATE OF IDAHO

Department of Water Resources

DEPARTMENT OF WATER RESOURCES

For Office Use Only
Fee Received _____
Date _____
Receipt # _____
Receipt by _____
Reviewed by JS
Sent to region _____

PROOF OF BENEFICIAL USE

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

Permit No. 72-7240

Name(s) of Permit Holder: U.S.D. E. Burman & Land Mgt.

Post Office Address: P.O. Box 430 Salmon Id 83467

Telephone No. (208) 756-5400

Source of Water: Spring

Extent of Use:

Domestic 02 (number of households) Stockwater 800 cattle (number and type of stock)

Irrigation _____ (acres) Other/Remark Wildlife

Total rate and/or volume for which proof is submitted .02 cfs _____ acre-feet

Show the date water was first diverted and beneficially used under this permit: 05/17/83

Measuring Device: Required? ☒ Yes ☐ No
Installed? ☐ Yes ☒ No Fee enclosed \$ _____
(See License Examination Fee Schedule)

Flow Measurement Port: Required? ☐ Yes ☒ No
Installed? ☐ Yes ☒ No

Person to contact to accompany the Department representative during the field examination:

Steve Lewis
(Name)

208 756 5403
(Telephone Number)

P.O. Box 430 Salmon Id 83467
(Address)

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

ASSOCIATE

OCT 03 1988

5/2/88
Date

Robert W. Heidemann
Signature of Permit Holder (and title, if appropriate)

138344
CERTIFIED MAIL
February 28, 1988

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

PROOF DUE NOTICE

RE: Permit No. 72-7240

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 1, 1988. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a 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, or the permit will no longer be of any force nor effect.

Sincerely,

RITA FLECK
Secretary/Records Manager

Enclosures

RECEIVED
OCT 03 1988

DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

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

MAY 10, 1983

RE: PERMIT NO. 72-7240

DEAR PERMIT HOLDER:

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

THE 1982 IDAHO LEGISLATURE ADDED A REQUIREMENT THAT AS A PERMIT HOLDER YOU MUST COMMENCE THE EXCAVATION OR CONSTRUCTION OF DIVERTING WORKS WITHIN ONE YEAR OF THE DATE THE PERMIT WAS ISSUED, AND YOU MUST PROCEED DILIGENTLY UNTIL THE PROJECT IS COMPLETED. THE ENCLOSED BLUE CARD MUST BE COMPLETED AND RETURNED TO THIS OFFICE AS SOON AS YOU COMMENCE CONSTRUCTION, NO LATER THAN ONE YEAR FROM THE DATE THE PERMIT WAS APPROVED.

WE HAVE ENCLOSED INSTRUCTIONS ENTITLED "MAKING PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT INTO A LICENSE.

SINCERELY,

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

ENCLOSURE

MICROFILMED

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

USDI - BLM

INITIAL REVIEW BY: J.F. Stanton

APPLICATION NUMBER: 72-7240

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.

Field check by: _____

Date: _____

Comments: _____

☒ Yes ☒ No

Field check required.

☒ Yes ☒ No

Critical groundwater area.

☒ Yes ☒ No

Request dam safety information. Sent by: _____ Date: _____

☒ Yes ☒ No*

In form to receipt.

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department.
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other _____

Copies sent by: _____ Date: _____

PROCESSING:

☐ Yes ☒ No

Platted by: JS Map No. U-27

☐ Yes ☐ No

Other rights on same place of use. N/A

☒ Yes ☐ No*

In form for advertising. 2/7/83

☐ Yes ☒ No

Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

☒ Affidavit of publication received. Date: 1/31/83

☒ Application published correctly. If not, record action taken: _____

☒ Fee amount, receipt date & number, recorded on application.

☒ Publication dates and paper, recorded on application.

☒ Protests, dates, withdrawal, etc., recorded on application.

☒ Recommendation & initial, recorded on application.

☐ Yes ☒ No

Measuring device required.

☐ Yes ☒ No

Access port required.

☐ Yes ☒ No

Will water be delivered by watermaster? If yes, what district? _____

10/1/82

Date of priority recommended.

Special conditions of approval or cover letter. 26

By: ADM

Date: 2/18/83

STATE OFFICE REVIEW:

Sh/LIT

26

See attached sheet for more information

RECEIVED RECEIVED

Date: APR 22 1983

MAR 08 1983

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

Z2-Z240.

U.S. DEPT. OF INTERIOR

BUREAU OF LAND MGMT., IDAHO STATE OFFICE, 3380 AMERICANA TERRACE,
BOISE, ID 83706

Source: SPRING (GOOSEBERRY) trib. to GOOSEBERRY CREEK

Date Filed: 10/01/1982

Diversion Pt: NENE Sec 09 T 11N R 21E

Use: STOCKWATER (0.02 CFS)
WILDLIFE (0.02 CFS)

In: SWNE Sec 09 T 11N R 21E

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 and received on or before FEBRUARY 7, 1983.

A. KENNETH DUNN

Director

Published 1/20 & 1/27/83.

MICROFILMED

72-7240

U.S. DEPT. OF INTER-
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Date Filed: 10/01/1982

Diversion Pt: NENE Sec
09 T 11N R 21E

Use: STOCKWATER (0.02
CFS), WILDLIFE (0.02
CFS)

In: SWNE Sec 09 T 11N R
21E

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6-20-83

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd N.
Twin Falls, Idaho 83301
(208) 734-3578

JANUARY 11, 1983

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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. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. 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 FEBRUARY 7, 1983.

Yours truly,

Mary A. Hill
Secretary

Encl.

ENCLOSURE