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WATER RIGHT LICENSE

License No. 72-7144 Priority 03/31/1981 Amount 0.02 CFS 4.0 AF

THIS IS TO CERTIFY, that U.S. Dept. of Interior, Bureau of Land Management

of Boise, Idaho, has complied with the terms and conditions of

Permit No. 72-7144 issued pursuant to Application for Permit dated 03/31/1981, and has

submitted proof to the Department of Water Resources on 05/21/1982, that he has applied water to a

beneficial use; and examination by the Department indicates that the works have a capacity for the

diversion of 0.02 cfs of water from Poverty Spring

tributary to Birch Creek, and that the permit holder has

applied to a beneficial use and established a right to use water as follows:

RATE OF DIVERSION	VOLUME	BENEFICIAL USE	PERIOD OF USE
0.02 cfs	4.0 af	Stockwater	01/01 - 12/31
0.02 cfs	4.0 af	Wildlife	01/01 - 12/31

Location of point of diversion: SW1/4 SW1/4, Section 9, Twp 11N, Rge 18E, Custer County

Location of place of use:

TWP.	RGE.	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
11N	18E	19										X							

Total number of acres irrigated _____

Subject to all prior water rights.

NOTE: Modifications to or variance from the use of water as shown on this license must be made in accordance with Section 42-222, Idaho Code, or the applicable Idaho law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho this 2ND day of NOVEMBER, 19 84.

MICROFILMED

Acting for the

Norman C Young
Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 72-7144

RECEIVED
APPROVED
1981

To appropriate the public waters of the State of Idaho

Department of Water Resources
Southern District Office

1. Name of applicant USDI BLM Phone 756-2200
Post office address P.O. Box 430, Salmon, Id. 83467
2. Source of water supply POVERTY SPRING which is a tributary of BIRCH CR.
3. Location of point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 9 Township 11N
Range 18E B.M. CUSTER County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .02 cfs for Livestock/Wildlife purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet, 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:

a. .02 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 800 feet 1 1/4 inch plastic pipe & trough

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 1 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 SW $\frac{1}{4}$ of Section 9 Township 11N
Range 18E 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 300 cattl.

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

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

RECEIVED

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 B.L.M

b. Who owns the land to be irrigated or place of use B. J. M.

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

10. Remarks

This spring appears to meet the minimum requirements of the

Public Water Reserve Executive Order of 1926 and may be considered

to be a Federally Reserved Water Right.

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

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.

MICROFILMED

Larry R. Finlayson
District Manager (Applicant)

Proposed Priority 3/31/81 *marga* *4-13-81* Billed to # ~~10-910-010116~~
Received by ab Date 3-31-81 Time 3:00 pm *8:00 pm*
Preliminary check by JP Fee \$ 30.00
Received by ig Date 3-31-81 *ID-910-PH1-0045*
Publication prepared by marga Date 4/28/81 *#20467 10-5-81*
Published in Custer Publishing Co
Publication dates 5/4 & 5/21/81
Publication approved marga Date 5/27/81
Protests filed by: None

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for (approval) denial by AM *TR*

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. 72-7144, 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 July 1, 19 82.
- 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: _____

Witness my hand this 17th day of June, 19 81.

L. Glen Saxton
Chief, Operations Bureau

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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 MAY 14,
1981, and ending with the issued
dated MAY 21, 1981.

Margaret Parks

Subscribed and sworn to before
me this 22 day of May,
1981.

Charles M. James

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

4-30-83

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT.,
230 COLLINS RD., BOISE, ID
83702

Source: POVERTY SPRING
tributary to BIRCH CREEK.

Date Filed: 03/31/1981.

Amount: 0.02 CFS.

Diversion Point: SWSW Sec.
09 T.11N R. 18E, CUSTER Co.

Use: STOCKWATER (0.02
CFS) from 01/01 to 12/31;

WILDLIFE (0.02 CFS) from
01/01 to 12/31.

Place of Use: SWSW Sec 09 T
11N R 18E.

Diversion Means: PIPE,
TROUGH.

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MAY 27 1981

Department of Water Resources
Southern District Office





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

November 6, 1983

RE: Permit Nos. 72-7143, 57-7346, 72-7157, 43-7173, 72-7144 &
57-7352

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

Gentlemen:

Enclosed herewith are copies of your Water Right Licenses issued on the above referenced permits.

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

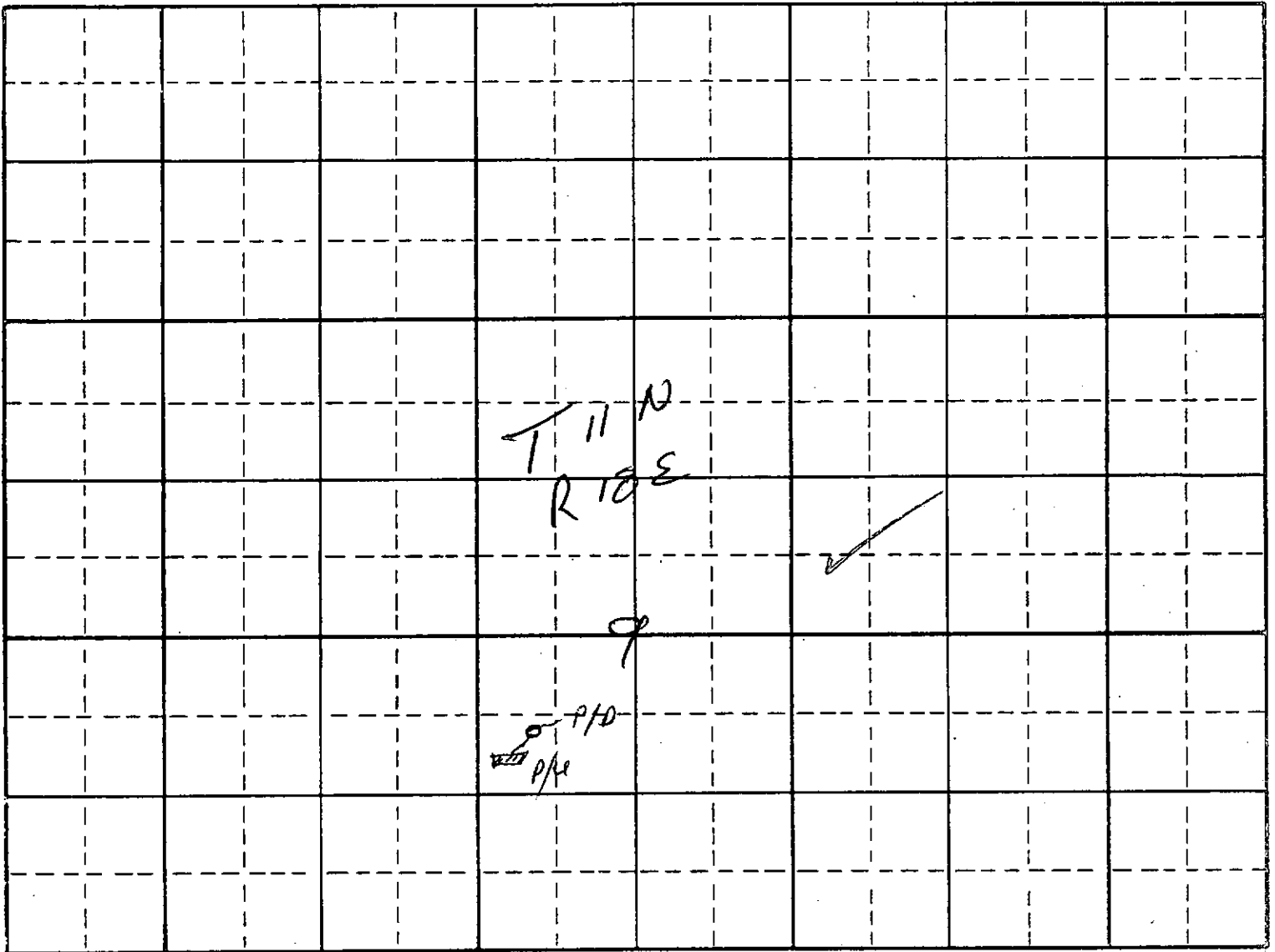
Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:sc
Enclosures

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SECRET



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

Point(s) of diversion: ✓ SW 1/4 SW 1/4; Sec. 9 T 11 N R 18 E

Place(s) of Use ✓

TWP.	RGE.	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
11 N	18 E	9											X						

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

Examiner's Signature Sam J. Jundberg

Checked by J. J. Stanton

Approved by Kay Walker

Date 12/17/1982

Date 12-17-82 24

Date 10-29-84



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

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

U. S. Department of Interior
Bureau of Land Management
P.O. Box 430
Salmon District
Salmon, Idaho 83467

Re: Permits No. 72-7142 - 72-7143 - 72-7144 - 72-7135 - 72-7133 - 72-7139

Gentlemen:

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

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

Field examinations must be done while the system is in operation. For this reason we concentrate on irrigation permits during the summer months and do examinations on permits for other uses during the non-irrigating months.

If you have any questions regarding the field examination, please contact our office.

Sincerely,

Very truly yours,
C. Stephen Allred, Director

cc: [illegible]

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DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 72-7144.

Name(s) of Permit Holder:

BLM

Post Office Address:

Box 430 Salmon ID 83467

Tel. No. (208) 756-2201

Source of Water:

POVERTY SPRING

Extent of Use:

☐ Domestic

(number of households)

☒ Stockwater

300 cattle

(number and type of stock)

☐ Irrigation

(acres)

☐ Other

Measuring Device:

Required?

☐ Yes ☒ No

Installed?

☐ Yes ☐ No

Access Port:

Required?

☐ Yes ☒ No

Installed?

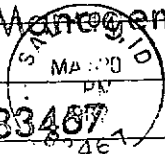
☐ Yes ☐ No

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

May 20, 1982
Date

Paul J. Kuyper Hydrologist
Signature of Permit Holder

Bureau of Land Management
P.O. Box 430
Salmon, Idaho 83487



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MAY 21 1982



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Department of Water Resources
IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

138898

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT.
230 COLLINS RD.
BOISE, ID 83702

APRIL 30, 1982

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 72-7144 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE JULY 01, 1982. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF OF BENEFICIAL USE.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU HAVE NOT PREVIOUSLY RECEIVED AN EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME PROVIDED THE DELAY IS FOR REASONABLE CAUSE AS INDICATED IN SECTION 42-204, IDAHO CODE, AMENDED. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED.

EITHER THE BENEFICIAL USE POST CARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE MENTIONED DATE, OTHERWISE, THE PERMIT WILL LAPSE AND BE OF NO FURTHER FORCE OR EFFECT WITHIN 60 DAYS.

SINCERELY,

RITA FLECK
SR. SECRETARY

ENC: 1

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State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 384-2215

June 24, 1981

U.S. Dept. of Interior
Bureau of Land Management
P.O. Box 430
Salmon, ID 83467

Dear Sirs,

RE: Permit No.'s 72-7135 thru 72-7139, 72-7141/7142, 72-7144

Enclosed is a copy of your approved Application for Permit. We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

DAVID R. TUTHILL, JR.
Supervisor, Water Allocations Section

DRT:lr

Enclosure

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State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: J. F. Ertter

USDI - BLM

APPLICATION NUMBER: 72-7144

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.

Field check by: _____

Date: _____

Comments: _____

- ☒ Fee.
☒ Yes ☒ No Field check required.
☒ Yes ☒ No Critical groundwater area.
☒ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☒ No* In form to receipt.

*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
☐ Yes ☒ No

Platted by: ADM Map No. U-74

Other rights on same place of use. _____

- ☒ Yes ☐ No*

In form for advertising.

Final date for protests: 6/1/81 ✓

- ☐ Yes ☒ No

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

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 7/27/81
☒ 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? _____

- ☒ Yes ☒ No

Date of priority recommended.

- ☒ Yes ☒ No

Special conditions of approval or cover letter. None

By: ADM

Date: 6/4/81

STAFF OFFICE REVIEW:

- ☐ See attached sheet for more information.

By: [Signature]

Date: 6/10/81

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JUN 05 1981

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:

72-7144

U.S. DEPT. OF INTERIOR

BUREAU OF LAND MGMT., 230 COLLINS RD., BOISE, ID 83702

Source: POVERTY SPRING tributary to BIRCH CREEK

Date Filed: 03/31/1981

Amount: 0.02 CFS

Diversion Point: SWSW Sec 09 T 11N R 18E, CUSTER Co.

Use: STOCKWATER	(0.02 CFS)	from 01/01 to 12/31
WILDLIFE	(0.02 CFS)	from 01/01 to 12/31

Place of Use: SWSW Sec 09 T 11N R 18E

Diversion Means: PIPE, TROUGH

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 JUNE 1, 1981.

A. KENNETH DUNN

Director

Published 5/14 & 5/21/81.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

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

APRIL 29, 1981

Custer Publishing Company
P. O. Box 405
Challis, Idaho 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. 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 JUNE 1, 1981.

Yours truly,

Mary A. Hill
Secretary

Encl.

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