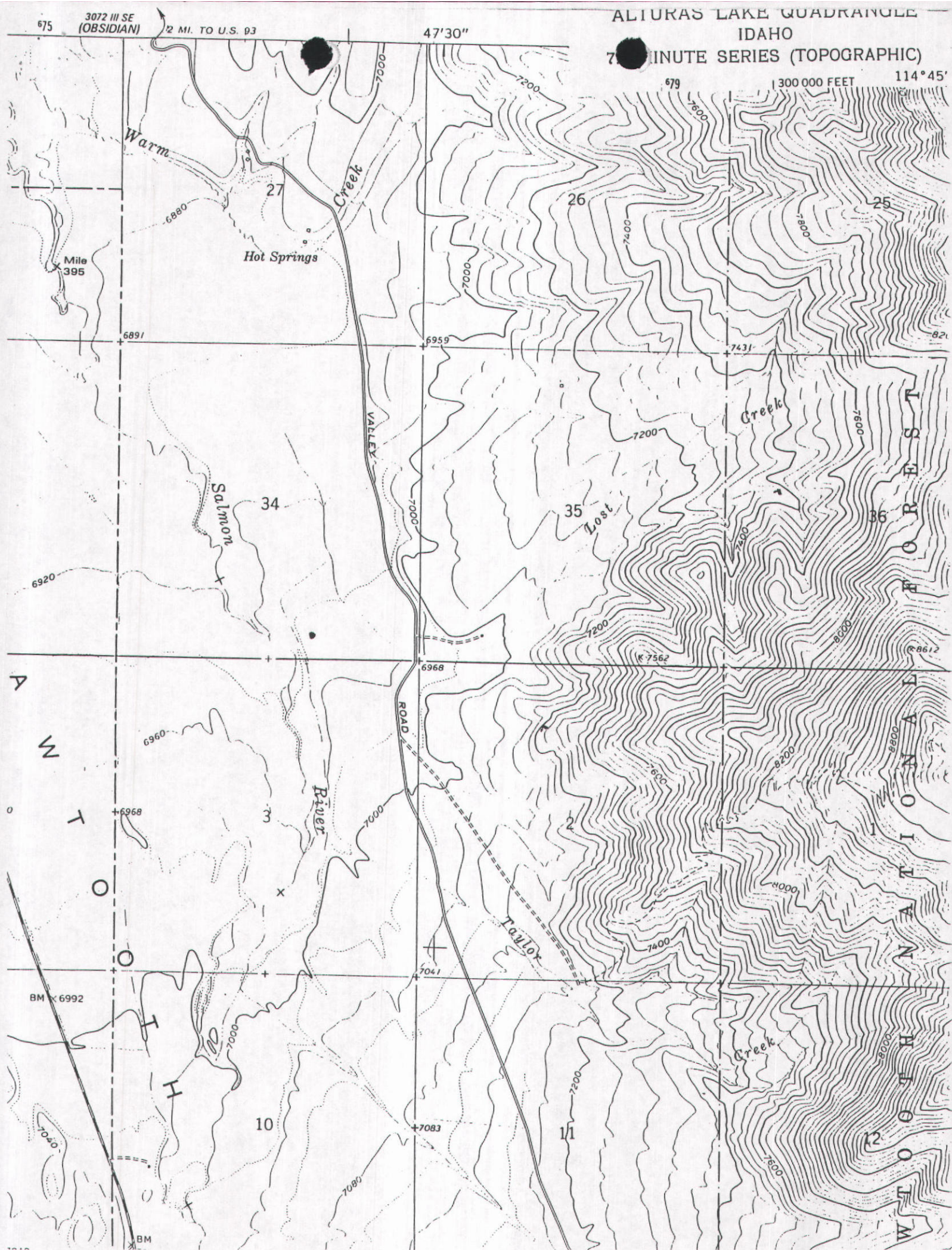
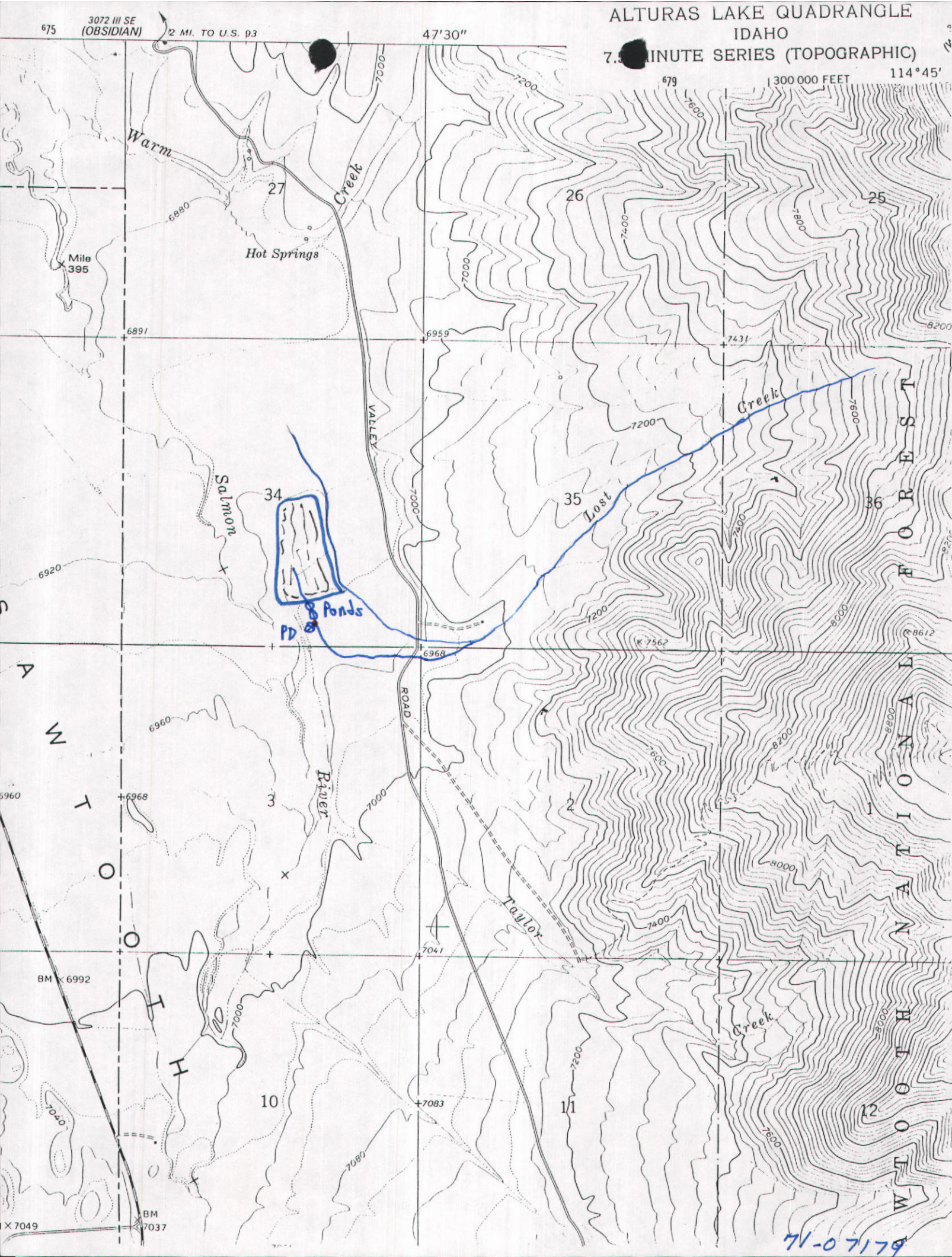
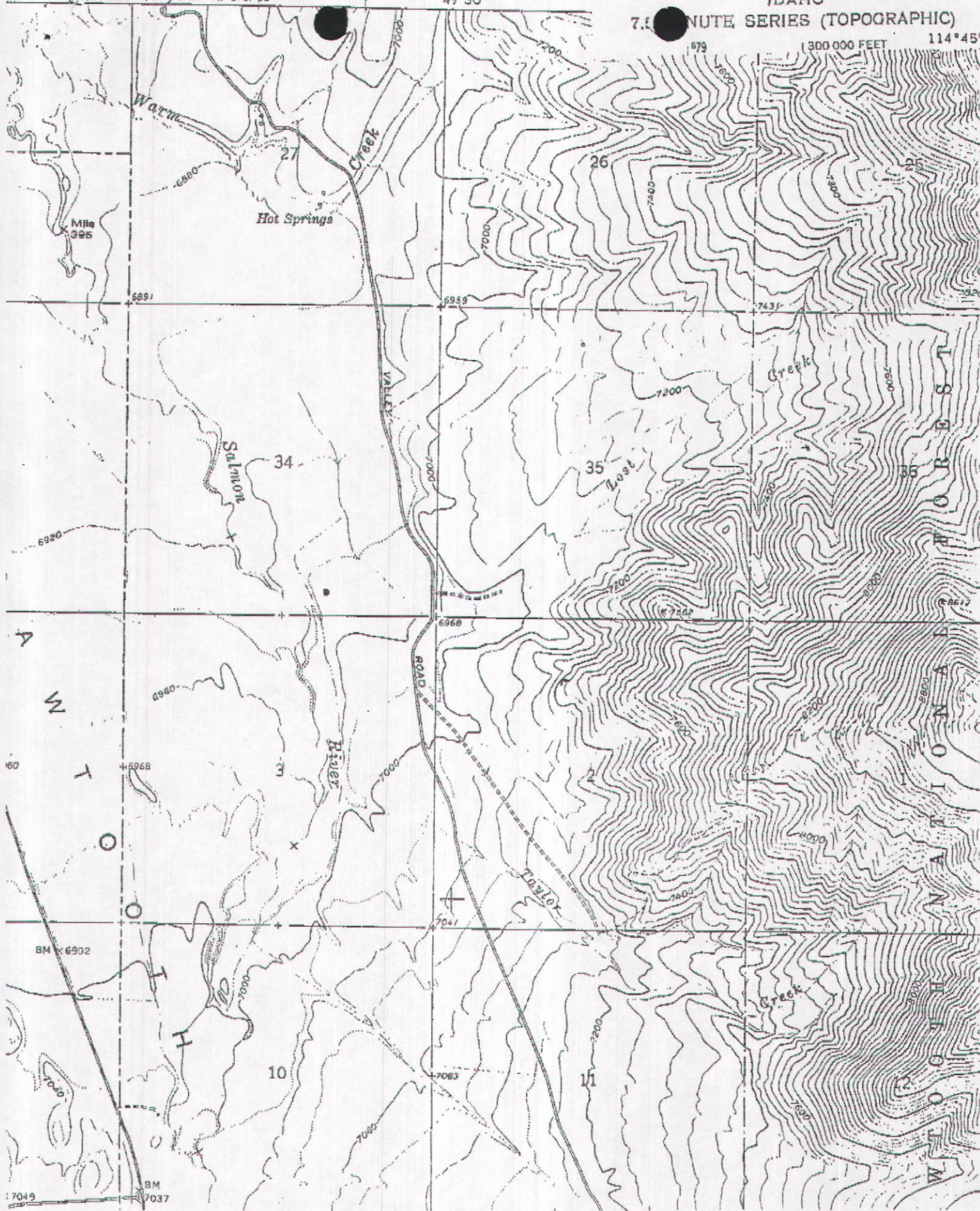


ALTURAS LAKE QUADRANGLE
IDAHO
7 MINUTE SERIES (TOPOGRAPHIC)







AMENDMENT TO APPLICATION FOR PERMIT NO. 71-07179

FORM 202

2/96

(Internet)

Ident. No. _____

STATE OF IDAHO DEPARTMENT OF WATER RESOURCES APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

202-624-2545
208-774-2900
208-788-3888

1. Name of Applicant PATRICK W. LEE and John T. Brown Phone 202-624-2545
Mailing address Box 61 Sun Valley, Idaho 83353
2. Source of water supply ground water which is a tributary of —
3. Location of point of diversion is Township 8N Range 14E Sec. 34 in the SE 1/4, SW 1/4, SE 1/4, Govt. Lot —, B.M., Custer County;
additional points of diversion if any: —
4. Water will be used for the following purposes:

Amount <u>0.5 cfs</u> for <u>diversion to storage</u>	purposes from <u>1/1</u> to <u>12/31</u>	(both dates inclusive)
(cfs or acre-feet per annum)		
Amount <u>5.5 acre-feet</u> for <u>wildlife/fish pond storage</u>	purposes from <u>1/1</u> to <u>12/31</u>	(both dates inclusive)
(cfs or acre-feet per annum)		
Amount <u>—</u> for <u>—</u>	purposes from <u>—</u> to <u>—</u>	(both dates inclusive)
(cfs or acre-feet per annum)		
Amount <u>—</u> for <u>—</u>	purposes from <u>—</u> to <u>—</u>	(both dates inclusive)
(cfs or acre-feet per annum)		
Amount <u>—</u> for <u>—</u>	purposes from <u>—</u> to <u>—</u>	(both dates inclusive)
(cfs or acre-feet per annum)		
Amount <u>—</u> for <u>—</u>	purposes from <u>—</u> to <u>—</u>	(both dates inclusive)
(cfs or acre-feet per annum)		
5. Total quantity to be appropriated is (a) 0.5 and/or (b) 5.5
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Describe type and size of devices used to divert water from the source pumped from well into storage pond
 - b. Height of storage dam NA feet; active reservoir capacity 5.5 acre-feet; total reservoir capacity 5.5 acre-feet
 - c. Proposed well diameter is 10 inches; proposed depth of well is 60 feet
 - d. Is ground water with a temperature of greater than 85°F being sought? NO
 - e. If well is already drilled, when? NO; Drilling firm —;
Well was drilled for (well owner) —; Drilling Permit No. —
7. Time required for completion of works and application of water to proposed beneficial use is 2 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
 - a. Hydropower; show total feet of head and proposed capacity in KW. —
 - b. Stockwatering; list number and kind of livestock. —
 - c. Municipal; show name of municipality. —
 - d. Domestic; show number of households. —
 - e. Other; describe fully. water will be pumped into fish pond storage

9. Description of place of use:

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

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

TWP	RGE	SEC	N E				N W				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
8	14	34																F/R	

Total number of acres to be irrigated

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

11. a. Who owns the property at the point of diversion? PATRICK W. LEE and John T. Brown

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:

12. Remarks:

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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


Signature of Applicant (and title, if applicable)

Received by Date Time Preliminary check by
Fee \$ Received by # Date
Publication prepared by Date Published in
Publication approved Date

7. MINUTE SERIES (TOPOGRAPHIC)

3072 III SE
(OBSIDIAN)

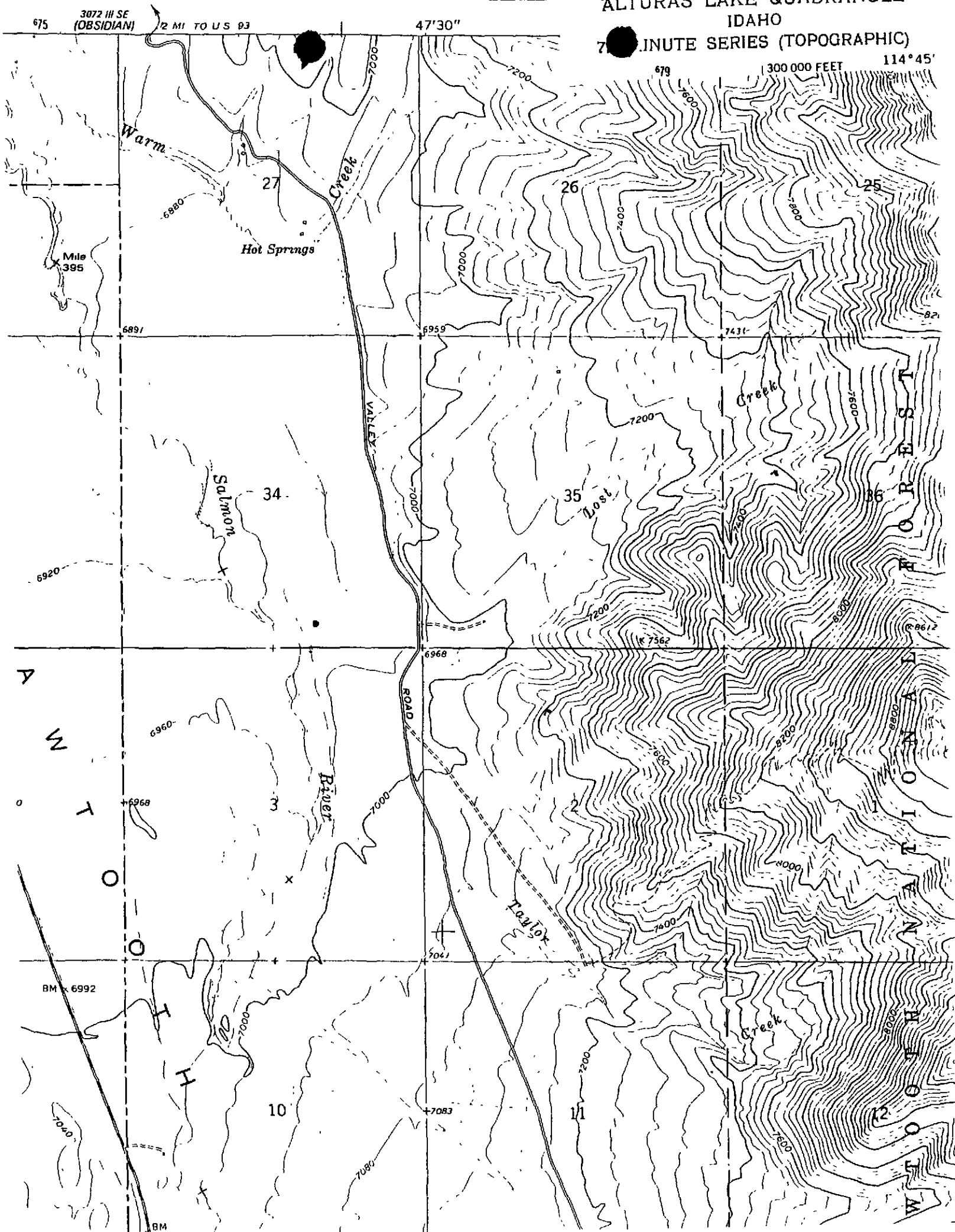
2 MI TO US 93

47'30"

7. MINUTE SERIES (TOPOGRAPHIC)

1300 000 FEET

114°45'



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Ident. No. 71-07179

RECEIVED

AUG 27 1999

Department of Water Resources

1. Name of Applicant Patrick W. Lee &/or John T. Brown Phone 788-3888
Mailing address c/o John T. Brown, PO Box 61, Sun Valley, ID 83353
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is Township 8N Range 14E Sec. 34, in the _____ 1/4
SW 1/4, SE 1/4, Govt. Lot _____, B.M., Custer County
additional points of diversion if any: _____
4. Water will be used for the following purposes: see 9/2/99 per protest agreement
Amount 1.0 cfs for Div. To Storage purposes from 1-1 to 12-31 (both dates inclusive;
(cfs or acre-feet per annum)
Amount 5.5 AFA for Storage for Wildlife purposes from " to " (both dates inclusive;
(cfs or acre-feet per annum)
Amount 1.0 cfs for Irrigation purposes from 5-1 to 9-30 (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) 1.0 and/or (b) 5.5
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Describe type and size of devices used to divert water from the source Well & pump, open discharge to 2 existing dug ponds. Pump in lower pond for gravity irrigation
 - b. Height of storage dam _____ feet; active reservoir capacity 5.5 acre-feet; total reservoir capacity 5.5 acre-feet
 - c. Proposed well diameter is 10 inches; proposed depth of well is 60 feet
 - d. Is ground water with a temperature of greater than 85°F being sought? No
 - e. If well is already drilled, when? _____; Drilling firm _____
Well was drilled for (well owner) _____; Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed beneficial use is 2 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
 - a. Hydropower; show total feet of head and proposed capacity in KW. _____
 - b. Stockwatering; list number and kind of livestock. _____
 - c. Municipal; show name of municipality. _____
 - d. Domestic; show number of households. _____
 - e. Other; describe fully. _____

8. Description of place of use:

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

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

TWP	RGE	SEC	N E				N W				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
8N	14E	34														20	30		50
8N	14E	34															~~18~~		
																	WS		

WS = Wildlife Storage

Total number of acres to be irrigated 50

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

11. a. Who owns the property at the point of diversion? Patrick W. Lee & John T. Brown
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: (wildlife storage)
12. Remarks: Well will supplement application for Lost Creek water filed separately this date.

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred)

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

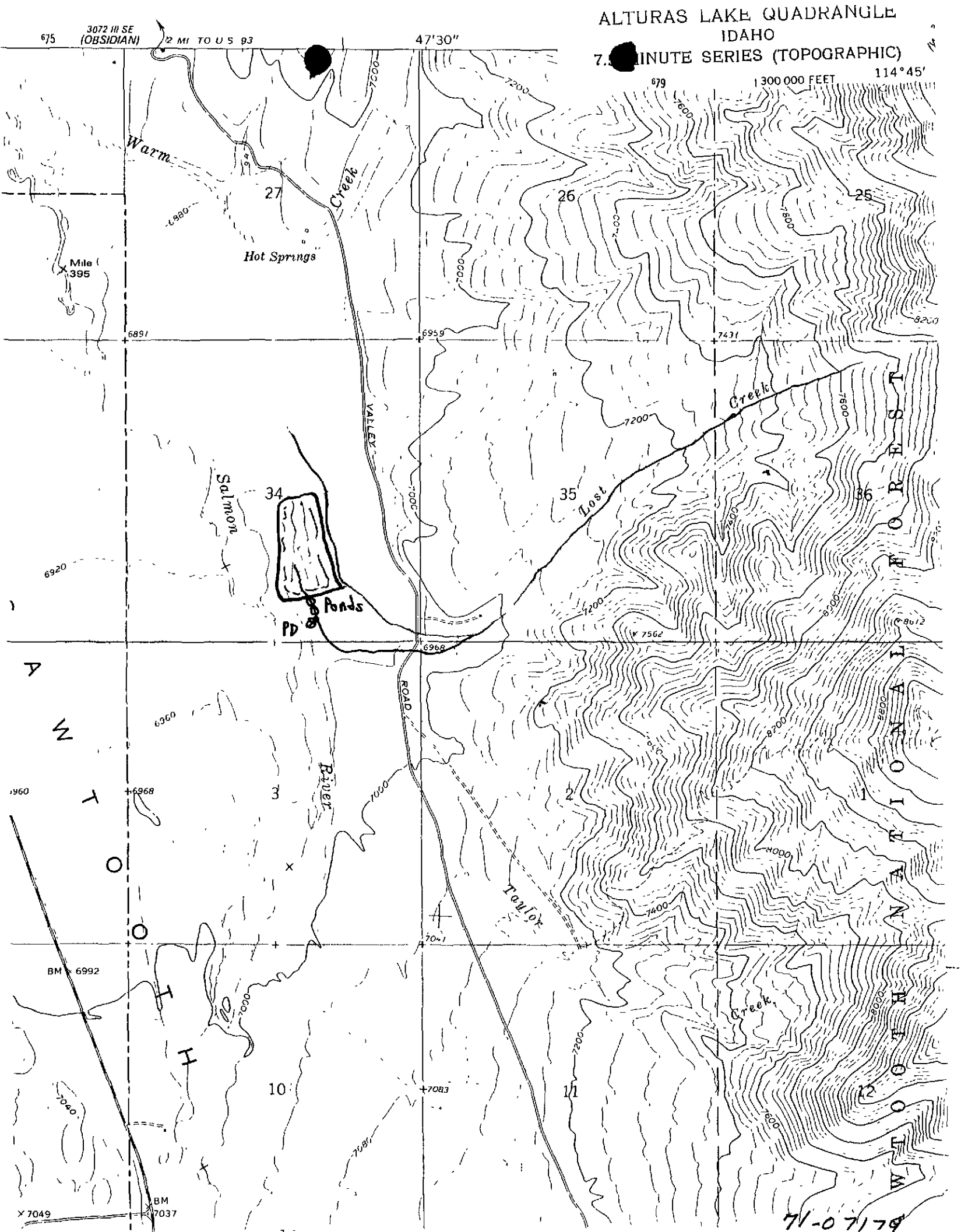


Signature of Applicant (and title, if applicable)

Received by J. P. Stanton Date 8-10-98 Time 5:05 pm Preliminary check by JL
Fee \$ 100. Receipted by JS # 5021415 Date 8-10-98
Publication prepared by MB Date 10/26/98 Published in The Challis Messenger
Publication approved MB Date 11/13/98

71-07179

ALTURAS LAKE QUADRANGLE
IDAHO
7.5 MINUTE SERIES (TOPOGRAPHIC)



DEPARTMENT OF WATER RESOURCES
1301 N. ORCHARD ST.
BOISE, ID 83706-2237

DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
1341 FILLMORE STREET, SUITE 200
TWIN FALLS ID 83301-3380



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 5, 2002

Patrick W. Lee
Box 61
Sun Valley, ID 83353

RE: APPLICATION FOR PERMIT NO. 71-07179

Dear Mr. Lee:

Your letter dated May 29, 2002 to Karl Dreher in connection with the above referenced application has been referred to me for response. In your letter you ask the Department to further consider issuing a permit in connection with the application.

You are correct that on October 27, 2000, the Idaho Supreme Court issued a decision on rehearing in *Potlatch Corp. v. United States of America*, 134 Idaho 916, 12 P.3d 1260 (2000). The Court reversed the determination of the Snake River Basin Adjudication ("SRBA") district court and held that the Wilderness Act did not create federal reserved water rights for the Frank Church River of No Return, the Selway-Bitterroot, and the Gospel-Hump Wilderness Areas. Based on the decision, the Department could issue an order rescinding its October 26, 1999 Wilderness Moratorium Order.

The Department, however, has not yet rescinded the Wilderness Moratorium Order. The reason is that the SRBA district court that ruled that the United States was entitled to unappropriated water in the wilderness areas also ruled that the United States was entitled to flows under the Wild and Scenic Rivers Act. The amount of the water right, however, has not been determined. Until it is quantified, either by ongoing negotiations of the parties or by completion of the litigation before the SRBA court, the Department has been withholding processing of applications proposing new consumptive uses of water upstream from the wild and scenic reaches.

Please feel free to periodically contact the Department to check on the status of the negotiations.

Sincerely,

L. GLEN SAXTON, P.E.
Chief, Water Allocation Bureau

c: Allen Merritt - IDWR

Glen Sutton
RECEIVED

MAY 31 2002

May 29, 2002

Department of Water Resources

Karl J. Dreher
Director
State of Idaho Department of Water Resources
1301 North Orchard Street
PO Box 83720
Boise, Idaho 83720-0098

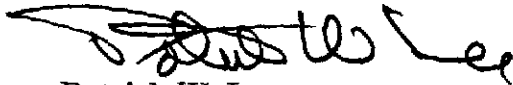
Re: Application for Permit 71-07179 - Wilderness Area Moratorium Order

Dear Mr. Dreher:

In 1998 we filed an application for a groundwater permit on property at my home in the Sawtooth Valley . After due course processing by the Department of Water Resources and input from various agencies, we were advised in the Fall of 1999 that the permit would be issued by the Department in a matter of weeks. Before a permit was issued, however, our application was put on hold pursuant to the October 1999 Wilderness Area Moratorium Order.

The issues giving rise to the Wilderness Area Moratorium Order have now been resolved and an order lifting that moratorium is appropriate and probably overdue. Our permit application has been on hold for over two and one-half years. I request that you issue an order permitting the immediate processing of our application and issuance of the requested groundwater permit.

Sincerely yours,



Patrick W. Lee

RECEIVED

DEC 13 1999

Department of Water Resources

December 8, 1999

Glen Saxton
Water Allocation Bureau Chief
Idaho Department of Water Resources
1301 North Orchard Street
P.O. Box 83720
Boise, ID 83720-0098

Re: Petition For Reconsideration Of Final Moratorium Order
As It May Be Applied To Applications For Permit
Numbers 71-07178 and 71-07179

Dear Mr. Saxton:

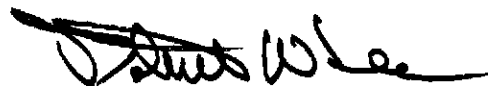
On November 8, 1999, we petitioned for reconsideration of the Final Moratorium Order issued by the Department of Water Resources in response to the decision of the Idaho Supreme Court in Potlatch Corporation, et al. vs. United States of America in the SRBA. On November 10, the Department issued an order granting our Petition For Reconsideration, allowing us an opportunity to submit additional information relating to our applications.

In response to that order granting our Petition For Reconsideration, we asked in a telephone conversation with you for scheduling of a hearing date to submit further information, a request that you agreed to. Subsequent to our conversation, the Idaho Supreme Court agreed, on November 30, to rehear the Potlatch case on which the Moratorium Order of the Department of Water Resources was based. In light of the action of the Idaho Supreme Court, it probably makes sense, in terms of utilization of your resources and final determination of the water appropriation permit applications 71-07178 and 71-07179, to postpone hearing and submission of additional information by us until the Supreme Court has heard and acted upon arguments and briefs in the Potlatch case in its February term. Accordingly, we request that the Department of Water Resources hold in abeyance further

Glen Saxton
December 8, 1999
Page 2

proceedings on our request to reconsider the Moratorium Order as it applies to our pending water appropriation permit applications until after the Supreme Court has acted on rehearing in the Potlatch case, and at that time schedule the hearing you have granted.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Patrick W. Lee", with a long horizontal flourish extending to the right.

Patrick W. Lee

cc: Jack Brown

425 8th Street, NW #342
Washington, DC 20004

November 8, 1999

VIA FACSIMILE and FIRST CLASS MAIL

Sharla Curtis
Senior Water Resource Agent
Department of Water Resources
1301 North Orchard Street
P.O. Box 83720
Boise, ID 83720-0098

Dear Ms. Curtis:

In view of the Final Moratorium Order of the Department of Water Resources dated October 26, 1999, I have amended our Application for Permit 71-07179 and submit that application herewith.

As you know, the Final Moratorium Order by its terms excludes from the moratorium all applications for non-consumptive uses. The amendment to our application submitted herewith eliminates the proposed consumptive irrigation use and limits the Application for Permit No. 71-07179 to diversion of groundwater for wildlife storage purposes -- a non-consumptive use. By our earlier agreement to the terms of your September 15, 1999 letter, Application for Permit No. 71-07178 was already limited to non-consumptive storage use. Accordingly, we request that you proceed to issue permit approval documents 71-07178 and 71-07179 as indicated in your letter of September 15, 1999, exclusive of the proposed irrigation use and limited to storage use.

Sincerely yours,



Patrick W. Lee

Attachment

FORM 202

2/96

(Internet)

Ident. No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

202-624-2545
208-774-2900
208-728-3888

1. Name of Applicant PATRICK W. LEE and John Brown none 202-624-2545
Mailing address Box 61 Sun Valley, Idaho 83353 208-774-2900
208-728-3888
2. Source of water supply ground water which is a tributary of —
3. Location of point of diversion is Township 8N Range 14E Sec. 34 in the SE 1/4, SW 1/4, SE 1/4, Govt. Lot —, B.M., Custer County;
additional points of diversion if any: —
4. Water will be used for the following purposes:
Amount 0.5 cfs for diversion to storage purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 5.5 cfs for wildlife/fish pond storage purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount — for — purposes from — to — (both dates inclusive)
(cfs or acre-feet per annum)
Amount — for — purposes from — to — (both dates inclusive)
(cfs or acre-feet per annum)
Amount — for — purposes from — to — (both dates inclusive)
(cfs or acre-feet per annum)
Amount — for — purposes from — to — (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.5 and/or (b) 5.5
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Describe type and size of devices used to divert water from the source pumped from well into storage pond
b. Height of storage dam NA feet; active reservoir capacity 5.5 acre-feet; total reservoir capacity 5.5 acre-feet
c. Proposed well diameter is 10 inches; proposed depth of well is 60 feet
d. Is ground water with a temperature of greater than 85°F being sought? NO
e. If well is already drilled, when? NO; Drilling firm —
Well was drilled for (well owner) —; Drilling Permit No. —
7. Time required for completion of works and application of water to proposed beneficial use is 2 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
a. Hydropower; show total feet of head and proposed capacity in KW. —
b. Stockwatering; list number and kind of livestock. —
c. Municipal; show name of municipality. —
d. Domestic; show number of households. —
e. Other; describe fully. water will be pumped into fish pond storage

8. Description of place of use:

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

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

TWP	RGE	SEC	N E				N W				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
8	14	34																F/A	

Total number of acres to be irrigated 10. Describe any other water rights used for the same purposes as described above. 11. a. Who owns the property at the point of diversion? PATRICK W. LEE and John T. Brownb. Who owns the land to be irrigated or place of use? samec. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: 12. Remarks:

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8 1/2"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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

Patrick W. Lee
 Signature of Applicant (and title, if applicable)

Received by Date Time Preliminary check by Fee \$ Receipted by # Date Publication prepared by Date Published in Publication approved Date



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

November 2, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

PATRICK W LEE
JOHN T BROWN
C/O JOHN T BROWN
PO BOX 61
SUN VALLEY ID 83353

RE: Water Appropriation Applications 71-07178 and 71-07179

Dear Mr. Lee and Mr. Brown:

Last week the Department of Water Resources (IDWR) mailed you a copy of the moratorium order issued October 26, 1999, for most of the Salmon River drainage. Your two water appropriation applications, 71-07178 and 71-07179, propose to establish new water rights within the area affected by the moratorium order. The moratorium order allows for processing an application only if one or more of the following criteria is met.

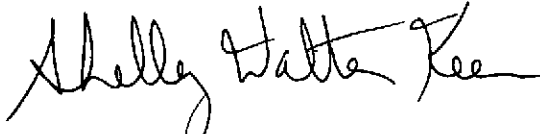
1. The application proposes a non-consumptive use of water.
2. The use of the water pursuant to the application would have no affect on other water rights due to the proposed location of use.
3. The use of the water pursuant to the application would have no affect on other water rights due to mitigation provided by the applicant.

The first exception does not apply to your applications because the irrigation use proposed in Application 71-07179 is consumptive and the wildlife storage use proposed in both applications is also consumptive. Wildlife storage is consumptive because of the increased evaporation that would occur when the water is impounded. The second exception does not appear to apply because a direct hydrologic connection between the sources named in your applications and the Salmon River is highly probable. The third exception does not apply because you have not offered a source of water to mitigate for your proposed water uses. For these reasons, I cannot continue to process your applications at this time. I will hold your applications indefinitely in conformance with the moratorium order unless you offer a mitigation plan or other information showing that your applications can be processed under the exception criteria listed above.

Patrick W. Lee
John T. Brown
November 2, 1999
Page 2

If you have any questions, please contact me at 208-327-7946.

Respectfully,

A handwritten signature in black ink, reading "Shelley Walter Keen". The signature is written in a cursive, flowing style. The first name "Shelley" is prominent, followed by "Walter" and "Keen".

Shelley Walter Keen
Water Rights Supervisor

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	PATRICK W LEE C/O JOHN T BROWN PO BOX 61 SUN VALLEY ID 83353	08/10/1998	IRRIGATION WILDLIFE STORAGE DIVERSION TO STORAGE	05/01 09/30 01/01 12/31 01/01 12/31	0.500 CFS 0.500 CFS	5.50 AFA
TOTAL DIVERSION:					0.500 CFS	
C	JOHN T BROWN PO BOX 61 SUN VALLEY ID 83353 (208) 788-3888					

Water Source: GROUNDWATER

Tributary to:

Stage: PERMIT

Point(s) of Diversion: T08N R14E S34 SWSE CUSTER County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	SUM
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 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 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 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	: SUM
08N	14E	34	:	:	:	:	:	:	:	:	:	:	:	:	:	:
														25	:	25.0
														TOTAL ACRES	:	25.0

Place of use Legal Description for: WILDLIFE STORAGE

08N 14E 34 :	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:
														W	:	:

Pou County: CUSTER

Conditions of Approval:

- 020 - Use of water under this right may be affected by an agreement between the protestant and the right holder.
- 26A - 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.
- 046 - Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- 01M - After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
- R62 - This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.

Remarks: GEN The two storage ponds used under this right also receive water from Lost Creek under Right 71-07178 and the total storage under

WR0749NP
No. P71-07179

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 11/02/99
PAGE: 2

Remarks: both rights when combined shall not exceed 5.5 af.

Dates: App. Received: 08/10/1998 Priority Date: 08/10/1998
Proof Due Date: 11/01/2001 Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: Field Exam Fee:

069 221 994

US Postal Service

Receipt for Certified

No Insurance Coverage Provided
Do not use for International Mail.

Sent to

Street & Number

Post Office, State, & ZIP Code

Postage

\$

Certified Fee

Special Delivery Fee

Restricted Delivery Fee

Return Receipt Showing to Whom,
& Date Delivered

Receipt Showing to Whom,
Date, & Addressee's Address

TOTAL Postage & Fees

\$

Postmark or Date

21-07172

PATRICK B LEE
C O JOHN T BROWN
PO BOX 61
SUN BELT

069 221 994

269 222 010

US Postal Service

Receipt for Certified Mail

No Insurance Coverage For

Do not use for International

Sent to

Street & Number

Post Office, State, & ZIP Code

Postage

Certified Fee

Special Delivery Fee

Restricted Delivery Fee

Return Receipt Showing to Whom,
Date, & Address

Date, & Addressee's Address

TOTAL Postage & Fees

Postmark or Date

71 07179

JOHN I BROWN

PO BOX 21

SUN VALLEY

01 0100

Z 269 221 993

United States Postal Service

Receipt for Certified Mail

No Insurance Coverage Provided

Do not use for International Mail

Sent to

Street & Number

Post Office, State, & ZIP Code

Postage

\$

Certified Fee

Special Delivery Fee

Restricted Delivery Fee

Return Receipt Showing to Whom & Date Delivered

Receipt Showing to Whom, Addressee's Address

TOTAL Postage & Fees

\$

Postmark or Date

71-07178

JOHN T BRUNN

PO BOX 11

SUN VALLEY

10 2000

Z 269 222 009

US Postal Service

Receipt for Certified Mail

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Return Receipt Showing to Whom, Address, & Addressee's Address

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PS Form 3800 1995

71 0717B
PATRICIA W LEE
C/O JOHN T BROWN
PO BOX 61
SUN VALLEY

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece next to the article number.

I also wish to receive the following services (for an extra fee)

1. ☐ Addressee's Address

2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

71-07179
JOHN F BROWN
PO BOX 61
SUN VALLEY

01 00000

4a. Article Number

2269 221 994

4b. Service Type

☐ Registered

☐ Insured

☒ Certified

☐ COD

☐ Express Mail

☒ Return Receipt for Merchandise

7. Date of Delivery

67

5. Signature (Addressee)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature (Agent)

James K. Vaddar

United States Postal Service

Official Business



RECEIVED

NOV 1 - 1999

Department of Water Resources

Print your name, address and ZIP Code here



PENALTY FOR PRIVATE
USE, \$300

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1801 NORTH ORCHARD STREET
BOISE, IDAHO 83706-2887

WA



SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece next to the article number.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

71-07178

JOHN T BROWN
PO BOX 21
SUN VALLEY

JD 2750

4a. Article Number

2269 221 993

4b. Service Type

- ☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☒ Return Receipt for Merchandise

7. Date of Delivery

100

5. Signature (Addressee)**8. Addressee's Address (Only if requested and fee is paid)****6. Signature (Agent)**

James K. Vasson

United States Postal Service

Official Business



RECEIVED

NOV 1 - 1999

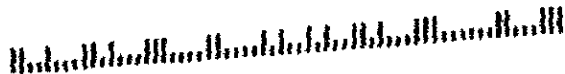
Department of Water Resources



PENALTY FOR PRIVATE
USE, \$300

Print your name, address and ZIP Code here

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1201 NORTH ORCHARD STREET
BOISE, IDAHO 83706-2287



WA

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery
(Extra charge) (Extra charge)

3. Article Addressed to:

71-07179
PATRICK W LEE
C/O JOHN T BROWN
PO BOX #1
SUN VALLEY

4. Article Number

2269222 010

Type of Service:

- ☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt
for Merchandise

Always obtain signature of addressee
or agent, and **DATE DELIVERED**.

5. Signature — Addressee

X

6. Signature — Agent

X

Chamne K. Hassan

7. Date of Delivery

8. Addressee's Address (ONLY if
requested and fee paid)



UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

RECEIVED

NOV 2 - 1999

Department of Water Resources



PENALTY FOR PRIVATE
USE, \$300

RETURN
TO



Print Sender's name, address, and ZIP Code in the space below.

STATE OF IDAHO
DEPT. OF WATER RESOURCES
1901 N. ORCHARD
BOISE, IDAHO 83706

WA



SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you with the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. (Extra charge)
2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to:

71-07178
PATRICK W LEE
C/O JOHN T BROWN
PO BOX 61
SUN VALLEY

90 833 00

4. Article Number

7269 222 009

Type of Service:

- ☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☒ Return Receipt for Merchandise

Always obtain signature of addressee or agent and **DATE DELIVERED.**

5. Signature — Address

X

6. Signature — Agent

X

Gerrine K. Vasson

7. Date of Delivery

|||||

8. Addressee's Address

request fee paid



UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address and ZIP Code in the space below.

- Complete Items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

RECEIVED

NOV 1 - 1999



Department of Water Resources

PENALTY FOR PRIVATE
USE, \$300

RETURN
TO



Print Sender's name, address, and ZIP Code in the space below.

STATE OF IDAHO
DEPT. OF WATER RESOURCES
1301 N. ORCHARD
BOISE, IDAHO 83706

WA



(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM
		NE		NW		SW		SE		NE		NW		SW		SE		
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
P7107179	T08N R14E S34 GROUNDWATER																	
	:															25		25
	:															X		
7100059	SALMON RIV :						1	1			1	1	1					
*7100059	SALMON RIV :							03			02	35	39	24				103
A7100059	SALMON RIV :							02				38	40	25				105
7100061	SALMON RIV :						1	1				1	1	1				
*7100061	SALMON RIV :							03			02	35	39	24				103
A7100061	SALMON RIV :							02				38	40	25				105
*7100061A	SALMON RIV :						40	40				40	40	40				200
7100070	SALMON RIV :														1	1	1	1
7102067	SALMON RIV :														40	40	30	25
7102078	WARM CREEK :			40			40											80
A7102078	WARM CREEK :			40			40											80
7107178	LOST CREEK :															20	30	50
7107179	GROUNDWATER :															20	30	50
-86 MAP--	C13Q-W 20 :			03			07	01	19			12	38	36	24			02
-86 MAP--	COQ-W 20 :			09			03	07	31			18	32	25	29		03	157

NOT RECORDED IN 1991

**APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS**

Reviewed by Sharla Curtis on 11/3/91

No. 71-67171 Name: 11/10/91 Corp. Officers 11/10/91 Ad ok ✓ Govt Lots ---

AREA OF CONCERN: No/Yes c-10 Moratorium --- GWMA --- TRUST/NON-TRUST ---

GROUNDWATER: (✓Flow Chart)

DRILLING PERMIT

All wells - 046(**P23**)
Basin 34 - 085
Irr w/in WD - **P05**
WMD - North/East/West
≤ 0 24 cfs/5 acres - No MD
> 0 24 cfs/5 acres - 067
~~WMD~~
Supp irr (irr = only use) - 065-079
Supp irr (+ other uses) - 100-101
≤ 0 24 cfs/5 acres - No MD
> 0 24 cfs/5 acres - 01M

LOCATION:

Boise Front LoGeo - 058 (<85 GW)
Mitigation - 121
42-248 Area - **P84** (20s-70s, 81-86)
Swan Falls Flag -
Trust - 051(**P74**) (consumptive uses)
Non-Trust - 048-049 (consumptive uses or non-cons > 1 0 cfs)

USES:

STORAGE - 18A-01H(**P01**), 01P-18B(**P09**)-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0 03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0 02 cfs/ac)
STOCKWATER - R37 (BLM/USES)
MINING - 054-081(**P10**)
FISH PROP - 029(70's only)-007-042-081(**P10**)
HEAT/COOL - R07(injection well)
FIRE/PROT - 077

SURFACE WATER: (✓Flow Chart)

F&G contacted - Yes/No Response ---
In/Above MSF - **WB9**
PLANNING SECTION REVIEW/RESPONSE ---
In-stream development - **P52**
WD - R04 (WD# ---)
≤ 0 20 cfs/others - 01H(**P01**), 01P or No MD
> 0 20 cfs - 01J(**P08**)

SPRINGS/SINK, INACTIVE WD & REST OF STATE

≤ 0 24 cfs/5 acres - No MD
> 0 24 cfs/5 acres - 01M or No MD

RIVER BASINS: (SW special considerations)

SNAKE R (01) - W22(**P04**), N/A
(02.03) - 007 (w/ remark WB9 if above Weiser)
Payette R (65) - 047(**P04**) (Payette Lake)
Salmon R (70's) - 029 (fish screens)
Weiser R (67) - 086-087

USES:

POWER - 17H-17K (+uses)-08A-025(**P18**)-01N-081(**P10**)
MUNICIPAL
Restricted area - 022,075
Irr /GW supp to SW - 102
DOMESTIC
Surface water - WB5 (Big Wood or Boise above Star Bridge)
27A (Payette R)
> 1 in restricted area - 070-071-075(no parks/common areas, etc)
Irr use listed separate - WB5

BENEFICIAL USE DUE: 11 / 01 / 2001

MISC CONDITIONS/REMARKS:

Protested - 020-W19
Development Period
≤ 1 yr - **P16**
> 1 yr - 26A(**P17**)
Ownership - 004
Non-consumptive - 027
Water Quality - 081-R07

Multiple pd's per ¼¼ - W32
Subd lot desc (pd) - W59
Subd lot desc (pu) - W60

OTHER CONDITIONS/REMARKS 11/10/91 5:50

COMMENTS ---



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

September 15, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

John T. Brown &/or
Patrick W Lee
PO Box 61
Sun Valley, ID 83353

RE: Applications for Permit Nos. 71-07178 and 71-07179

Dear Applicants:

The above referenced applications have been forwarded from our regional office in Idaho Falls to the State Office here in Boise for permit review. The protest of Idaho Fish and Game was withdrawn by letter (copy enclosed). I wanted to be sure that you had an opportunity to review their letter and to let us know that you agreed with the changes listed therein.

If you agree with the changes, the department will prepare permit approval documents as follows:

71-07178

5.5 acre feet for wildlife storage
diverted from Lost Creek

71-07179

0.5 cubic feet per second for irrigation of 25 acres (the maximum
number of acres that can be irrigated at an inch per acre with 0.5 cfs)
0.5 cfs for diversion to storage
5.5 acre feet for wildlife storage

If you accept the above changes, we need you to identify the location of the 25 acres. The application originally identified 50 acres (20 in the NWSE and 30 in the SWSE). Please identify for us which 25 acres you will irrigate from the well under 71-07179.

As soon as you let us know that you concur with these changes and identify the location of the 25 acres, we can complete our review of the applications and prepare permits for administrative approval. If you have any other questions or concerns, please contact me at 327-5452.

Sincerely,

Sharla Curtis
Senior Water Resource Agent

For letter 10/13/99
w/ your comments
as to the well
location the well

RECEIVED
AUG 27 1999
DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO
IDWR SOUTHERN REGION
APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY J.F. Stanton DATE 8-15-98

REQUIRED INFORMATION (Ck if OK)

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.
- ☒ Address
- ☒ Source (see USGS quad for names of water sources)
- ☒ Point of diversion (10 Acres for spring, lot & block descriptions for subdivisions, local name, flow &/or volume.
- ☒ County
- ☒ Quantity (flow &/or volume)
- ☒ Period of use
- ☒ Nature of proposed use (include description of use)
- ☒ Description of diverting works.
- ☒ Time required for beneficial use of water.
- ☒ Place of use or acres irrigated.
- ☒ Map
- ☒ Signature (If applicant is corp., partnership, or municipality, title of signator is required)
- ☒ Fee
- ☒ Yes ☐ No* In form to receipt?

+++ PROPOSED PRIORITY DATE 8-10 1998

ADDITIONAL INFORMATION

- ☒ Overlapping place of use(Describe source & relationship to present application on the back.
- ☒ Overlapping point of diversion.
- ☐ Yes ☒ No Is Source Surface Water?
If Yes Send Copy to F&G.
If Yes Field check/memo required.
Field check/memo by _____
- ☐ Yes ☒ No Field report attached?
- ☐ Yes ☒ No Critical Ground water area?
- ☐ Yes ☒ No Groundwater management area?
- ☐ Yes ☒ No Measurement District or Groundwater District?
What District? _____
- ☐ Yes ☒ No Send Dam safety information?
- ☐ Yes ☒ No Send power requirement letter?
- ☐ Yes ☒ No Send fish farm requirement letter?
- ☐ Yes ☒ No Power residency affidavit attached?
- ☐ Yes ☒ No Power efficiency form?
- ☐ Yes ☒ No Within trustwater boundary?(If yes, attach trustwater supplementary analysis sheet.
- ☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft? (If yes, attach large diversion supplementary analysis sheet.
- ☐ Yes ☒ No Is Application made to record Pre Nov 1987 Development?
If Yes then request clear evidence of when use started.

• REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT:

Date Requested _____

Date Sent Comments Received

SEND COPIES TO:

☐ Idaho Dept of Health & Welfare	_____	_____
☐ USDI BLM	_____	_____
☐ Idaho Dept of Fish & Game	_____	_____
☐ USFS	_____	_____
☐ Idaho Dept of Lands	_____	_____
☐ Water Dist. No. _____	_____	_____
☐ Adjudication Bureau Unit	_____	_____
_____	_____	_____
_____	_____	_____

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

☐ Yes ☐ No Has all requested additional information been received?
If not, describe action taken: _____

FINAL REGIONAL PROCESSING REVIEW

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

☒ Yes ☐ No Publication dates and paper recorded?
Final date for protest: _____
☐ Yes ☒ No Protests received?
☐ Yes ☒ No Protested?
Describe Resolution: _____

☒ Yes ☐ No Measuring device required?
☐ Yes ☒ No Access port required?
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what dist? _____
☐ Yes ☐ No Special conditions codes:

☒ Yes ☐ No Is Evaluation Memo Attached?
If yes; date of Memo 8/24/99
Date of priority recommended: 8/10/98

COMMENTS:

_____ See Memo

RECOMMEND ☒ Approval ☐ Denial

By AD Date 8/24/99

RECEIVED

AUG 27 1999

MEMO

Department of Water Resources

FROM: Allen Merritt *AM*

DATE: August 24, 1999

TO: Application for Permit No. 71-07178 & 71-07179

In the Name of Patrick W. Lee &/or John T Brown

SUBJECT: Review and Recommendation

These two applications are for a development of water for use in ponds for wildlife and irrigation of a pasture. Application 71-07178 is for water from Lost Creek and 71-07179 is for water from a well. Since the applications are related to the same project they were advertised together. The proposed site is within the Salmon River Drainage where a moratorium exists for surface water development due to impacts on Salmon. The applicant was informed of the moratorium. The applicant requested processing since Lost Creek is not tributary to the Salmon River and does not impact Salmon. The applicant provided maps, etc. to demonstrate that Lost Creek is not tributary to the Salmon River.

I decided to process both applications but provide specific notice to IDF&G, SNRA, USFWS, USNMFS & USFS (See letter 10/27/98). IDF&G initially filed a letter of protest of both applications without fee then finalized protest of the Lost Creek application. USFS commented in letter dated 11/19/98 that the Lost Creek although it sinks it influences flows in Salmon River and at times the Salmon River dries up and prevents fish passage.

IDF&G ultimately withdrew their protest in a letter dated 8/4/99 which outlines an agreement where certain things were to be done and which limited use of both applications.

RECOMMENDATION:

The issue of the moratorium needs to be reviewed by the administration. It appears to me that if these applications are approved subject to the private agreement that the "salmon fishery" issue has been addressed and IDF&G is satisfied. I recommend that the agreement be incorporated in approval and that it be issued as a preliminary order with notice being provided to the same parties as listed above. I recommend that the following be considered for conditions of approval:

- Permit 71-07178 is non-consumptive and authorized for use as follows:

 - 5.5 af Storage for Wildlife in two ponds to be constructed on-stream (On existing or reconstructed Lost Creek Channel).

- Permit 71-07178 is subject to private agreement with F&G whereby Lost Creek channel must be restored to reconnect flow to Salmon River. This work must be accomplished pursuant to an approved plan which has been reviewed by IDF&G and subject to a SCA permit and Corp of Engineers 404 permit.

- Permit 71-07179 is authorized for use as follows.

0.5 cfs for irrigation of 25 acres (1"/acre).
0.5 cfs for injection into Lost Creek for wildlife
-Total authorized diversion rate is 0.5 cfs

- Well authorized to be drilled under 71-07179 must be drilled pursuant to an approved drilling permit.
- Well must have an installed meter to measure peak discharge.



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

August 9, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

JOHN T BROWN
PO BOX 61
SUN VALLEY ID 83353

RE: Applications for Permit No. 71-07178 (Lost Creek) & No. 71-07179 (Groundwater) filed in the name of Patrick W. Lee &/or John T. Brown

Dear Applicants:

We have received a withdrawal of the protest filed by the Idaho Dept. Fish & Game against approval of Application No. 71-07178.

Since they were the only protestant, the issue of the protest has been resolved and the Department is now prepared to proceed with the normal processing of that application and companion application which includes regional review prior to being forwarded to our State Office.

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

Very truly yours,

Allen D. Merritt, P.E.
Southern Region Manager

AM:MB



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

August 9, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

JAMES R LUKENS
REGIONAL SUPERVISOR
ID DEPT FISH & GAME
PO BOX 25
BOISE ID 83707-0025

RE: Application for Permit No. 71-07178 (LEE, Patrick &/or BROWN,
John T.)

Dear Mr. Lukens:

This office acknowledges receipt of the withdrawal of your protest
against the above referenced application.

Since you were the only protestant, the issue of the protest has
been resolved and the Department is now prepared to proceed with
the normal processing of the application which includes regional
review prior to being forwarded to our State Office.

The Department will continue review of the application without
further contact with you unless information is requested.

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

Very truly yours,

Allen D. Merritt, P.E.
Southern Region Manager

AM:MB



IDAHO FISH AND GAME
600 South Walnut/PO Box 25
Boise, Idaho 83707-0025

Dirk Kempthorne/Governor
Jerry Mallet/Interim Director

August 4, 1999

James E. Stanton
Sr. Water Resource Agent
Idaho Department of Water Resources
1341 Fillmore St. Suite 200
Twin Falls, Idaho 83301

RECEIVED

AUG 09 1999

Department of Water Resources
Southern Region

RE Application No. 71-07178 & 71-07179

Dear Mr. Stanton:

Department personnel have reviewed the applications by Jack Brown and Pat Lee to develop water for two fish ponds and to provide irrigation water for grass production for up to six horses. Mike Larkin, our fisheries manager, met with Mr. Brown on 7/23/99, and came to the following agreement. (1) continue to use the existing diversion from Lost Creek to supply a base flow into the two ponds, and (2) develop a 0.5cfs well to augment the flow into the ponds during mid-summer. The overflow from the ponds would then be adequate to provide the irrigation water needed for six horses.

The remaining channels of Lost Creek could be restored into a natural channel which could reconnect to the Salmon River. Presently, Lower Lost Creek is being diverted with no water right onto the neighbor's property. Mr. Brown discussed the option of filing on this water for fish propagation and if feasible, reconnect the channel to the Salmon River. Although this is a very small stream, chinook parr frequently use this type of habitat for rearing. Mr. Larkin also recommended that Mr. Brown work with the SNRA to install a culvert in Valley Road to avoid driving through Lost Creek. With these changes we withdraw our protest.

Thanks for the opportunity to comment.

Sincerely,

James R. Lukens
Regional Supervisor

JRL:MRL;jw

cc: Mike Larkin
Gary Gadwa
Brent Snider
Pat Marcuson
Jack Brown
Becky Nourse
Natural Resources Bureau



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

December 1, 1998

JOHN T BROWN
P O BOX 61
SUN VALLEY, ID 83353

..

RE: Request for files on Applications # 71-07178, # 71-07179

Dear Mr. Brown:

Enclosed are the copies of the above referenced application files that you requested in your Memo Via Fax of November 30, 1998.

Also, the Department is waiting for the \$25.00 Protest Fee from protestant Idaho Dept of Fish and Game-Salmon Region. This is the reason you have not yet received a copy of the Protest.

If we can be of further help to you, please let us know.

Sincerely,

A handwritten signature in cursive script that reads "Allan E. Bates".

Allan E. Bates
File Clerk

Enc.

MEMO VIA FAX

TO: Records Custodian/ Id. Dept. of Water Resources-
Southern Division

FROM: John T. Brown

DATE: November 30, 1998

NO. of Pgs. 1

FAX #: 208 736-3037

Re: Application # 71-07178, #71-07179

RECEIVED

NOV 30 1998

Department of Water Resources
Southern Region

Records Custodian,

This is a public writing act request pursuant to 9-337 et. Seq. for copies of all writing and records which the IDWR has regarding the above referenced files. This request includes all notes, maps, photos, arial photos, c-mail transmissions and receipts, facsimiles and phone calls. If you claim that any documents are exempt form this request; please identify the particular documents, and the dates of those particular document, which you contend to be exempt under application of the law.

I agree to pay all costs associated with this request for copies. Please send the billing and documents to:

John T. Brown
P.O. Box 61
Sun Valley, Id. 83353
(208) 788-3888

Thank you for your assistance in this matter.

Sincerely,


John T. Brown



United States
Department of
Agriculture

Forest
Service

Sawtooth National
Recreation Area
1-800-260-5970

Star Route
Ketchum, Id. 83340
(208) 727-5000

"...to assure the preservation and protection of the natural, scenic, historic, pastoral, and fish and wildlife values and to provide for the enhancement of the recreational values associated therewith..."

File Code: 2540

Date: November 19, 1998

James Stanton
Idaho Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301-3380

RECEIVED

NOV 23 1998

Department of Water Resources
Southern Region

Dear Mr. Stanton:

Thank you for your request for comment on the pending Applications for Permit No. 71-07178 and 71-07179 of Messrs. Brown and Lee. On October 21, 1998 several of my staff, including our hydrologist, reviewed the conditions of Lost Creek in the vicinity of the property of Messrs. Brown and Lee. Mr. Jack Brown, property co-owner, accompanied them. The purpose of the review was to observe the extent and nature of the Lost Creek system, and to specifically assess if it likely has any influence on the Salmon River. It is my understanding that the applicants claim Lost Creek has no effect on the potential migration of anadromous fish in the Salmon River.

My staff observed Lost Creek from where it crosses the Valley Road (194), to near Warm Creek, approximately 1 1/2 miles north. Through most of this distance, Lost Creek maintains considerable flow even in October. However, much of the channel length has established in an abandoned irrigation ditch, resulting in narrow, but moderate quality, sedge habitats. As of the day of review, flowing water carried to just south of the line separating Section 34 from 27, approximately 3/4 mile below the pond developments. Water flow diminished rapidly after a ditch division in the north 1/4 of Section 34. Beyond the last water, even the channel faded into the upper end of an extensive wetland. This wetland shortly leads to Warm Creek and then the Salmon River. The Lost Creek source appears to be closely associated with this particular finger and southern margin of the wetland. It is our opinion that, although no channel appears to connect Lost Creek with Warm Creek or the Salmon River, it's flows do, in fact, influence conditions there. As such, it appears the moratorium would appropriately apply to this proposed development. As recently as 1992, and again in 1994, the Salmon River was dry during summer and fall within the vicinity of the development prohibiting chinook migration. Please let me know if you have further questions, and please advise us of your decision on these permit applications.

Sincerely,

Steve
Steve Rinella
Acting Area Ranger

cc: IDFG, Salmon



AFFIDAVIT OF PUBLICATION

State of Idaho, County of Custer, ss:

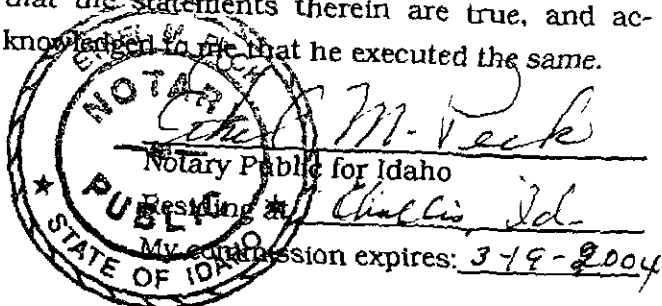
1. Ruth E. Burchill, representing the Challis Messenger, a weekly newspaper, published at Challis, Idaho, do solemnly swear that the notice hereto attached and made a part hereof, was published in the regular and entire issue of the Challis Messenger for 2 consecutive weeks, commencing with the issue dated Nov 5 1998 and ending with the issue dated Nov 12 1998.

Ruth E. Burchill

STATE OF IDAHO

COUNTY OF CUSTER

On this 12th day of Nov in the year of 1998 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.



NOTICE OF APPLICATION FOR WATER PERMIT

The following applications have been filed to appropriate the public waters of the State of Idaho:

PATRICK W. LEE &/OR

JOHN T. BROWN

PO BOX 61

SUN VALLEY ID 83353

Application for Permit No. 71-07178

Source: Lost Creek tributary to sinks

Diversion Pt(s): SW1/4SE1/4,

SE1/4SE1/4, S34, T08N, R14E; Custer

County.

Uses:

Irrigation*1.0 cfs*05/01-09/30

Storage for Wildlife*5.5 afa*01/01-12/31

Storage for Irr.*5.5 afa*05/01-09/30

Div. to Storage*1.0 cfs*01/01-12/31

Total Diversion: 1.0 cfs

In: Aesthetic Storage & Wildlife

Storage within SW1/4SE1/4 and

Irrigation of 50 acres within

W1/2SE1/4, all S34, T08N, R14E;

Custer County.

Date Filed: 08/10/98

Application for Permit No. 71-07179

Source: groundwater

Diversion Pt(s): SW1/4SE1/4, S34,

T08N, R14E; Custer County.

Uses:

Diversion to Storage*1.0 cfs*01/01-12/31

Storage for Wildlife*5.5 afa*01/01-12/31

Irrigation*1.0 cfs*05/01-09/30

In: Irrigation of 50 acres within

W1/2SE1/4 and Wildlife Storage within

SW1/4SE1/4, all S34, T08N, R14E.

Date Filed: 08/10/98

The applications propose to divert

surface water/groundwater within the

"Salmon and Clearwater River Basins"

presently under a moratorium order

dated May 15, 1992. The order allows

the Director to consider on a case-by-

case basis applications if it can be

shown the development will have no

effect on prior surface and groundwater

rights because of its location,

insignificant consumption, or mitigation

by the applicant to offset injury to other

rights. The applicant has submitted

supportive documents as part of the

application. Any protest against the

proposed applications 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 November 23, 1998 to be

considered by the Department in its
decision to grant or deny any part of

the proposed application. (Each
application requires a separate protest).

The protestant must also send a copy of
the protest to the applicant.

Karl J. Dreher, Director

Pub: Nov. 5 & 12, 1998.

Department of Water Resources
Southern Region

NOV 13 1998

RECEIVED

OK
MB
11/13/98



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

November 10, 1998

Mike Larkin
Idaho Fish & Game Dept.
PO Box 1336
Salmon, ID
83467

FAXED This Date

RE: App. for Permit 71-07178 & 07179; Your Letter Dated 11-9-98

Dear Mr. Larkin;

We have received your letter protesting the above-referenced applications. There is a \$25. protest fee per application, however, and this did not accompany the letter. The applications are being processed together at the applicant's request, but only 71-07178 is for surface water. Although not absolutely required, we have a standard protest form that we suggest be used. We will keep your letter on file for information purposes, but this cannot be considered an official protest without the fee. A protest form is enclosed for your use. The last day for protests on these applications is November 23.

Regards,

A handwritten signature in cursive script, appearing to read 'Jim'.

James E. Stanton
Sr. Water Resource Agent



IDAHO FISH AND GAME
1215 Hwy 93 N
P.O. Box 1336
Salmon, Idaho 83467
208-756-2271

Philip E. Batt/Governor
Stephen P. Mealey/ Director

November 9, 1998

RECEIVED
NOV 10 1998
Department of Water Resources
Southern Region

Mr. James E. Stanton
Sr. Water Resource Agent
Idaho Dept of Water Resources
1341 Filmore St. Suite 200
Twin Falls, Idaho 83301-3380

RE: Application No.'s 71-07178 & 71-07179

Dear Mr. Stanton.

The Idaho Department of Fish and Game, Salmon Region, is concerned the additional surface water use in this area may impact fishery resources. Chinook salmon, bull trout, as well as other resident trout species, use adjacent waters for rearing. The application does not fully explain how Lost Creek water is used now, and how this application will impact side channels of the Salmon River.

Until we have a chance to meet with the landowners and understand how this system functions now and how it will likely function in the future, we protest further development of this application

Thanks for the opportunity to comment.

Sincerely

A handwritten signature in black ink, appearing to read "Mike Larkin".

Mike Larkin
Regional Fisheries Manager
Salmon Region

CC: Dale Bregy, NMFS
Mike Donahoo, USFWS
Cindy Robertson, IDFG

NOTICE OF APPLICATIONS FOR WATER PERMIT

The following applications have been filed to appropriate the public waters of the State of Idaho:

PATRICK W LEE &/OR
JOHN T BROWN
PO BOX 61
SUN VALLEY ID 83353

Application for Permit No. 71-07178

Source: Lost Creek tributary to sinks

Diversion Pt(s): SW1/4SE1/4, SE1/4SE1/4, S34, T08N, R14E; Custer County.

Uses:

Irrigation	1.0 cfs	05/01-09/30
Storage for Wildlife	5.5 afa	01/01-12/31
Storage for Irrigation	5.5 afa	05/01-09/30
Diversion to Storage	1.0 cfs	01/01-12/31

Total Diversion: 1.0 cfs

In: Aesthetic Storage & Wildlife Storage within SW1/4SE1/4 and Irrigation of 50 acres within W1/2SE1/4, all S34, T08N, R14E; Custer County.

Date Filed: 08/10/98

Application for Permit No. 71-07179

Source: groundwater

Diversion Pt(s): SW1/4SE1/4, S34, T08N, R14E; Custer County.

Uses:

Diversion to Storage	1.0 cfs	01/01-12/31
Storage for Wildlife	5.5 afa	01/01-12/31
Irrigation	1.0 cfs	05/01-09/30

In: Irrigation of 50 acres within W1/2SE1/4 and Wildlife Storage within SW1/4SE1/4, all S34, T08N, R14E.

Date Filed: 08/10/98

The applications propose to divert surface water/groundwater within the "Salmon and Clearwater River Basins" presently under a moratorium order dated May 15, 1992. The order allows the Director to consider on a case-by-case basis applications if it can be shown the development will have no effect on prior surface and groundwater rights because of its location, insignificant consumption, or mitigation by the applicant to offset injury to other rights. The applicant has submitted supportive documents as part of the application. Any protest against the proposed applications 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 November 23, 1998 to be considered by the Department in its decision to grant or deny any part of the proposed application. (Each application 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 11/05 & 11/12/98.



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

October 26, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

PATRICK W LEE &/OR
JOHN T BROWN
PO BOX 61
SUN VALLEY ID 83353

Re: Applications for Permit Nos. 71-07178 & 71-07179

Dear Applicant(s):

This office has scheduled advertising the applications in The Challis Messenger for 11/05 & 11/12/98. 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 an 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. If a permit is issued, you will be sent a copy. A 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,

James E. Stanton
Sr. Water Resource Agent

JS:MB



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

October 27, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

ATTN MIKE LARKIN
ID DEPT OF FISH & GAME
PO BOX 1336
SALMON ID 83467

ATTN CARL PENCE
SAWTOOTH NAT REC AREA
STAR RT
KETCHUM ID 83340

US FISH & WILDLIFE SVCE
RT 1 BOX 290
RUPERT ID 83350

ATTN LUCY WARD
US FOREST SERVICE
STANLEY RANGER DIST
HC 64 BOX 9900
STANLEY ID 83278

ATTN JACQUELINE WYLAND
NAT MARINE FISHERIES SVCE
911 N E 11TH RM 260
PORTLAND OR 97232

Re: Applications for Permit No. 71-07178 & 71-07179 (Patrick W. Lee &/or John T. Brown)

Dear Agency Representative:

The Department is seeking a written Comment &/or Recommendation from your agency regarding the above referenced application for surface water and associated application for groundwater; a copy of the applications are enclosed for your information and reference.

Regional review of an unprotested application can be completed as soon as the final protest period is past; therefore, your prompt response to this request is appreciated.

If you have any questions about an application, please contact this office or the applicant.

Very truly yours,

James E. Stanton
Sr. Water Resource Agent

JS:MB

Enclosure(s)

RECEIVED

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

MAY 19 1992

Department of Water Resources
Southern Region Office

IN THE MATTER OF APPLICATIONS AND)
PERMITS FOR THE DIVERSION AND USE) MORATORIUM ORDER
WATER WITHIN THE SALMON AND)
CLEARWATER RIVER BASINS, IDAHO)

The Director of the Department of Water Resources, having responsibility for the administration of the appropriation of the water of the State of Idaho and the protection of rights to the use of water within the state and the public interest in water resources of the state and conservation of the water resources of the state enters the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1. The Salmon and Clearwater River basins are free-flowing streams of the state, generally without obstructions from dams and impoundments and serve as habitat for anadromous salmon and steelhead fish.

2. The National Marine Fisheries Service (NMFS) has listed the Snake River sockeye, spring/summer and fall chinook salmon under provisions of the Endangered Species Act (ESA). That action has resulted in the need to take measures to facilitate the recovery of the salmon. Such measures include protection of the habitat conditions as well as modification of the operation of dams which imperil fish passage through the lower Snake and Columbia Rivers.

3. Diversions of water from the Salmon and Clearwater Rivers and their tributaries have the potential of impacting the salmon and steelhead on their migration to the ocean and return to spawning areas in the river basins.

4. Flows of many streams, springs and rivers within the Salmon and Clearwater River basins are considerably below normal due to the effects of drought conditions across Southern Idaho which have prevailed within the recent six-year period.

5. Actions are necessary in the public interest to control the appropriation of water from the Salmon and Clearwater Rivers and their tributaries to the extent practicable to prevent loss of anadromous fish. Such actions, however, will only be meaningful over the long-term if other interests in the region make meaningful efforts to remove or modify the down-river obstructions to fish passage caused by the dams.

CONCLUSIONS OF LAW

1. The Director of the Department of Water Resources is authorized under the provisions of Section 42-1805(7), Idaho Code:

after notice, to suspend the issuance or further action on permits or applications as necessary to protect existing vested water rights or to ensure compliance with the provisions of chapter 2, title 42, Idaho Code, or to prevent violation of minimum flow provisions of the state water plan.

2. The granting of new water right permits within the Salmon and Clearwater River basins could impact salmon and steelhead, which action would be contrary to the local public interest in such fish resources and would be inconsistent with the conservation of water resources within the state of Idaho which the Director is charged to protect under the provisions of Section 42-203A(5), Idaho Code.

ORDER

IT IS, THEREFORE, HEREBY ORDERED THAT a moratorium is established on the processing of applications for permits to appropriate surface water resources within the Salmon and Clearwater River basins subject to the following conditions:

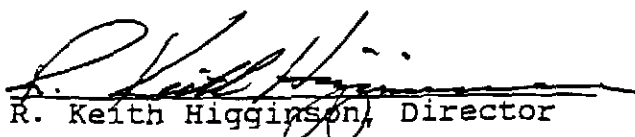
1. This moratorium shall be in effect on and after the date it is entered until withdrawn or modified by further order of the Director. A future decision to continue or rescind the moratorium will consider all efforts being made within the region toward the recovery of the salmon.

2. This moratorium applies to all applications, previously filed, or yet to be filed seeking permits to appropriate surface water within the drainage basins of the Salmon and Clearwater Rivers upstream from their mouths.

3. This moratorium does not apply to the continued development of water under previously-issued permits.

4. This moratorium does not apply to applications for minor stockwatering or domestic purposes as defined in Section 42-111, Idaho Code.

Dated this 15TH day of May, 1992.


R. Keith Higginson, Director

TO: Mary

DATE: September 21, 1998

FROM: Jim Stanton

SUBJECT: Apps. For Permit - Patrick Lee/John Brown

Allen says to advertise these apps. as possibly exempt from the moratorium. Send copies to US Fish & Wildlife Service, National Marine Fisheries Service, Sawtooth National Recreation Area, & local US Forest Service office for the Stanley area.

September 10, 1998

Mr. James E. Stanton
Sr. Water Rights Agent
Idaho Department of Water Resources
1341 Filmore Street, Suite 200
Twin Falls, Idaho 83301-3380

Hand Delivered 9/10/98

Re: Applications for Permits Nos. 71-07178 and 71-07179

Dear Mr. Stanton,

We are very disappointed to receive your letter dated September 1, 1998 in which you advise that we have not responded to your letter of August 14, 1998.

We did in fact respond with an August 20, 1998 letter and enclosures that would be evidentiary to the strong suggestion that we have a special situation that should be exempt from the moratorium orders.

With this letter we have included a copy of the August 20, 1998 letter and the enclosures that accompanied the letter.

We have attached additional enclosures with today's letter that further substantiate that Lost Creek is not tributary to the Salmon River, but rather sinks on our property before the surface waters reach the Salmon River.

1.-September 9, 1977 USFS aerial photo showing the subject property and the sinking of Lost Creek on file at SNRA Headquarters, Ketchum Idaho.

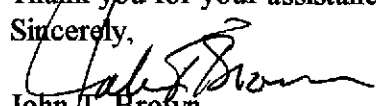
2.-August 9, 1995 365-161 431410 HAP 84F infrared photo, copied from the actual photo on file in the Natural Resources Conservation Services offices in Hailey, Idaho.

The Moratorium Order dated May 15, 1992 and attached to your letter of September 1, 1998 appears to be amended by the Amended Moratorium Order, dated April 30, 1993, which was attached to your letter of August 14, 1998.

Again we would ask that Permit Nos. 71-07178 and 71-07179 be submitted to the Director for consideration under the special case consideration outlined in Paragraph 7., a), and iii) of the Amended Moratorium Order dated April 30, 1993.

Thank you for your assistance in this matter.

Sincerely,


John T. Brown

August 20, 1998

Mr. James E. Stanton
Sr. Water Rights Agent
Idaho Department of Water Resources
1341 Filmore Street, Suite 200
Twin Falls, Idaho 83301-3380

Re: Brown/Lee Application for Permit filed 8/10/98 Custer County, Lost Creek,
T8N, R14E, SE 1/4 Sec 34

Dear Mr. Stanton,

With respect to your letter of August 14, 1998, we would like you to process the Applications together, and we will address below the suggested evidence for the review of surface claims, in light of the moratorium.

With respect to the Moratorium Order dated April 30, 1993, we ask that the Director review the surface Application pursuant to Paragraph 7, a), i), the location of use.

Lost Creek totally sinks on our property in the SE 1/4 Sec 34. While the creek is in the Salmon River Basin the creek is not tributary to the Salmon River because of the sinking aspect of the water.

Lost Creek does not at this time, or in recent history, provide a flow for the migration of anadromous fish.

1.-Copy of USGS Alturas Quadrangle map (1957, field checked 1963) which shows Lost Creek sinking in the SE1/4 and NE1/4 of Sec, 34.

2. -Water right abstract

Barton Driggs WR5809N
71-02074
indicates Lost Creek sinks

3.- Water right abstract

Sabie Pingree
AV5809NP
A71-10103
indicates Lost Creek sinks

4.- Water right abstract

USA,USDA,USFAS

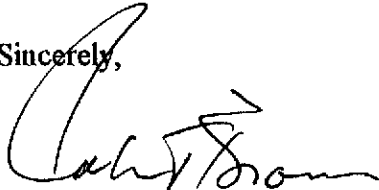
AV5809NP

A71-10855

indicates Lost Creek sinks

Thank you for your assistance in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "John T. Brown". The signature is fluid and cursive, with a large initial "J" and a stylized "B".

John T. Brown

cc: Patrick Lee

enc: USGS Maps

water abstract copies



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

September 1, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

JOHN T BROWN
PO BOX
SUN VALLEY ID 83353

Re: Applications for Permit Nos. 71-07178 & 71-07179 (Patrick W. Lee &/or John T. Brown)

Dear Applicants:

This letter is a follow-up of our correspondence of August 14, 1998 regarding further directions for processing of the above referenced applications; however, we have not received any response from you.

Enclosed is a copy of an Order establishing a Moratorium on the issuance of new consumptive use permits in the Salmon River drainage. This Order affects your applications; therefore, they will be held without action in the foreseeable future.

If you wish to withdraw the applications, please date, sign and return the enclosed withdrawal forms. The filing fee will be refunded.

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

Very truly yours,

James E. Stanton
Sr. Water Resource Agent

JS:MB

Enclosures



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

August 14, 1998

John T Brown
PO Box 61
Sun Valley, ID
83353

RE: Applications for Permit Filed 8-10-98

Dear Mr. Brown;

As we discussed when you filed these applications, the Salmon River drainage is covered by a moratorium on the approval of new consumptive-use water permits in order to protect the dwindling salmon and steelhead trout runs in that area. Since one of your applications requests the diversion of surface water for irrigation, it may be covered by the moratorium. A copy of the moratorium order is enclosed. In order for us to process your application on Lost Creek, Paragraph 7 of the order must be satisfied; your best option may be to supply evidence showing that water from Lost Creek does not enter the Salmon River. Although your groundwater application is not covered by the moratorium, we will hold both applications at this time. If you so desire, we can process the groundwater application separately. Please respond to this letter by August 31. If you have questions, feel free to contact me.

Regards,

James E. Stanton
Sr. Water Resource Agent

71-07179

August 20, 1998

Mr. James E. Stanton
Sr. Water Rights Agent
Idaho Department of Water Resources
1341 Filmore Street, Suite 200
Twin Falls, Idaho 83301-3380

RECEIVED
AUG 24 1998
Department of Water Resources
Southern Region

Re: Brown/Lee Application for Permit filed 8/10/98 Custer County, Lost Creek,
T8N, R14E, SE 1/4 Sec 34

Dear Mr. Stanton,

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With respect to the Moratorium Order dated April 30, 1993, we ask that the Director review the surface Application pursuant to Paragraph 7, a), i), the location of use.

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A71-10103
indicates Lost Creek sinks

4.- Water right abstract

USA,USDA,USFAS

AV5809NP

A71-10855

indicates Lost Creek sinks

Thank you for your assistance in this matter.

Sincerely,

John T. Brown

cc: Patrick Lee

enc: USGS Maps

water abstract copies