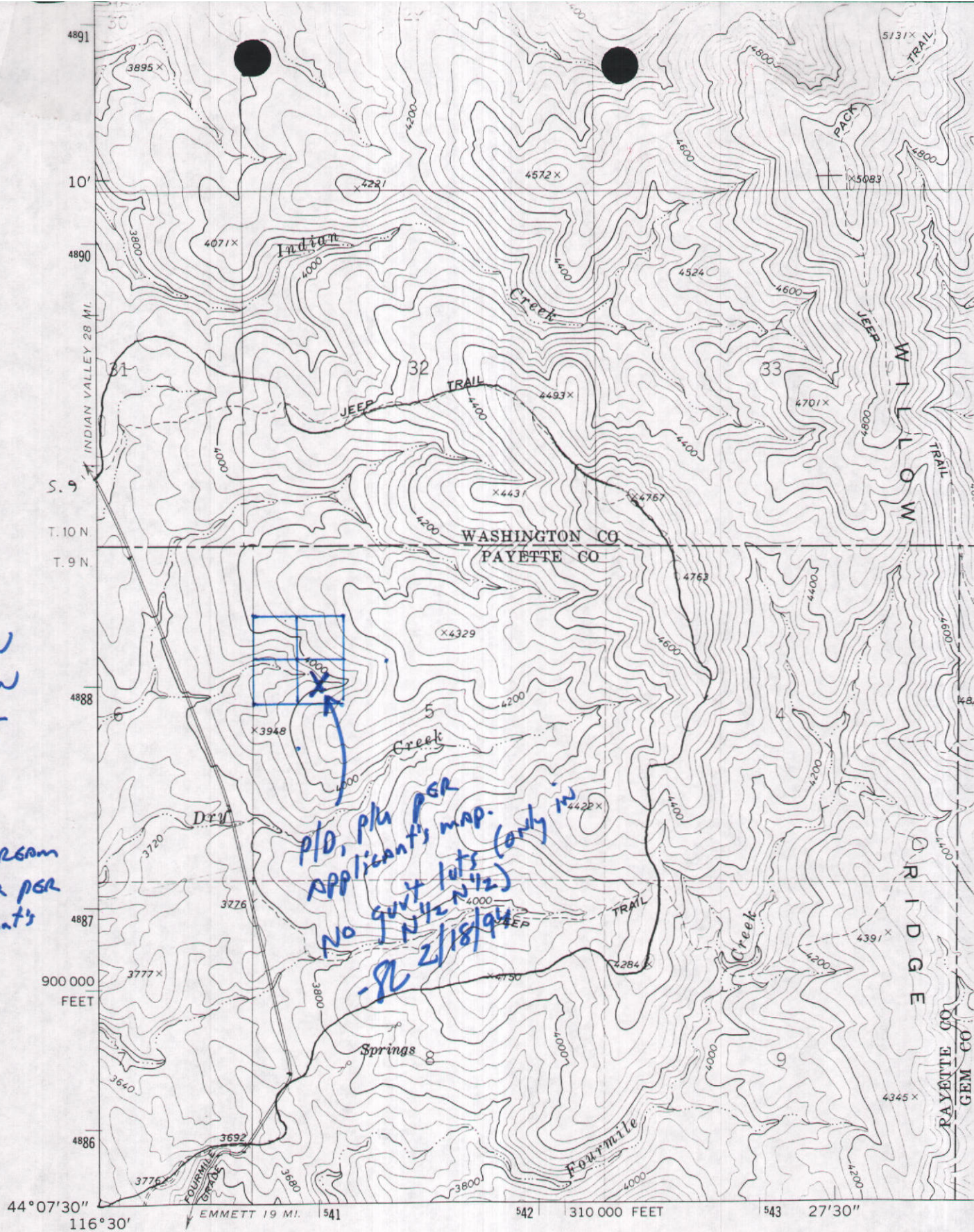


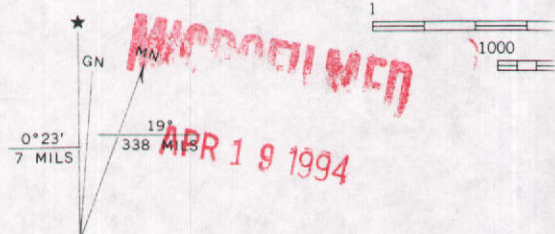


(HOG COVE BUTTE)
2672 II SE

Mapped, edited, and published by the Geological Survey
Control by USGS and USC&GS

Topography by photogrammetric methods from aerial
photographs taken 1969. Field checked 1970

Projection and 10,000-foot grid ticks: Idaho coordinate
system, west zone (transverse Mercator)
1000-meter Universal Transverse Mercator grid ticks,
zone 11, shown in blue. 1927 North American datum
Fine red dashed lines indicate selected fence lines



UTM GRID AND 1970 MAGNETIC NORTH
DECLINATION AT CENTER OF SHEET

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

T. 9 N., R. 1 W.

Map grid showing sections 3 through 22. The grid is divided into four rows of five sections each. The sections are numbered as follows:

- Row 1 (top): 6, 5, 4, 3
- Row 2: 7, 8, 9, 10
- Row 3: 13, 17, 16, 15
- Row 4 (bottom): 19, 20, 21, 22

A yellow highlight is placed on section 5, with an arrow pointing to it from the text "Pt. of Diversion & Place of Use".

Red stamp: "APPROVED APR 19 1934"

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.

Samuel V. Mathews
(Applicant)
Acting Area Manager

GENERAL CONDITION AND DESCRIPTION OF DAM: TO INVENTARIO

GOOD, THE FACILITY IS IN GOOD CONDITION, AND ADEQUATELY CONSTRUCTED. THE SPILLWAY CHANNEL IS FLAT SLOPED, AND HAS STABILIZED.

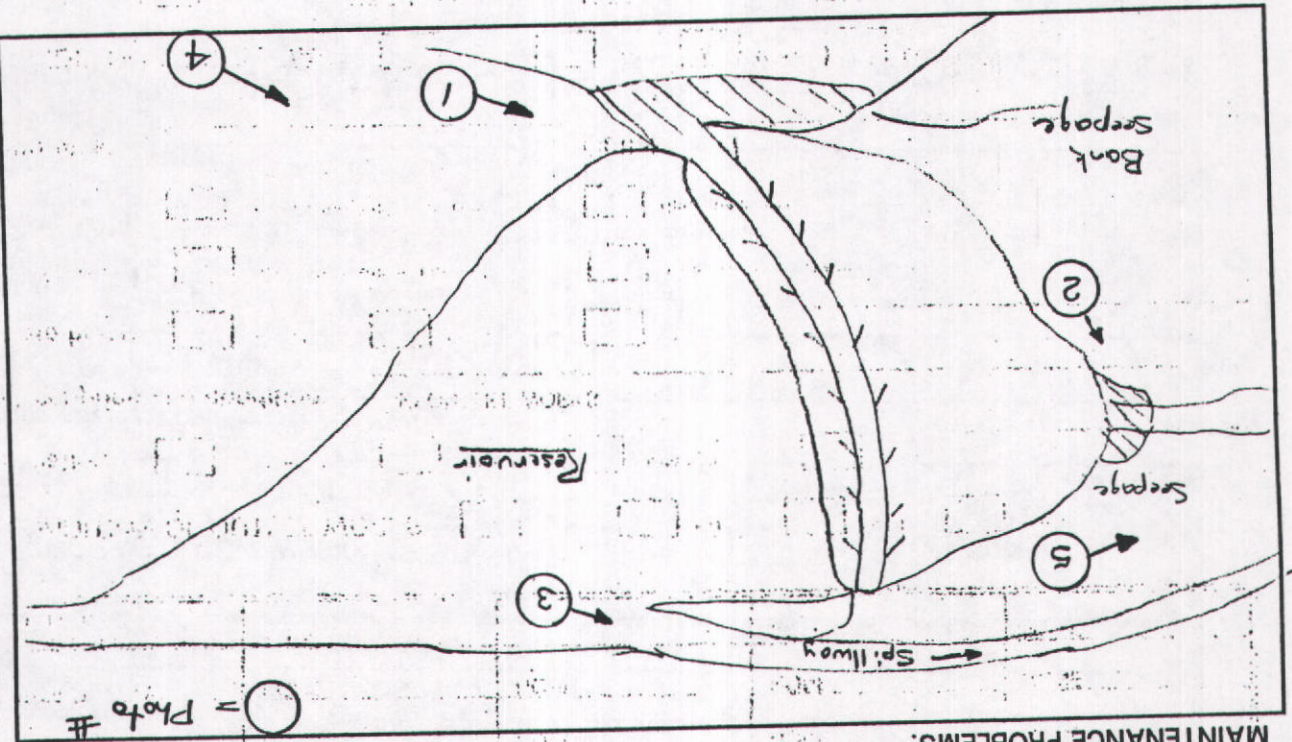
THE FACILITY WOULD BE EXEMPT FROM REGULATION AS STORAGE IS LESS THAN 10 AC-FT AND LOW RISK.

NO.	LOCATION	DATE	DESCRIPTION	REMARKS
1				
2				
3				
4				
5				

INSTRUMENTATION READINGS (Piezometers, Seepage measurement, Alignment, Elevation, etc.):

FACILITY ELEVATIONS WERE MEASURED WITH HAND LEVEL AND SURVEY ROD.

SKETCH OF DAM SHOWING LOCATION OF SPILLWAY, OUTLET WORKS AND ANY MAINTENANCE PROBLEMS:



RECOMMENDATIONS:

EXAMINE THE FACILITY ON A 5 YEAR INSPECTION INTERVAL.

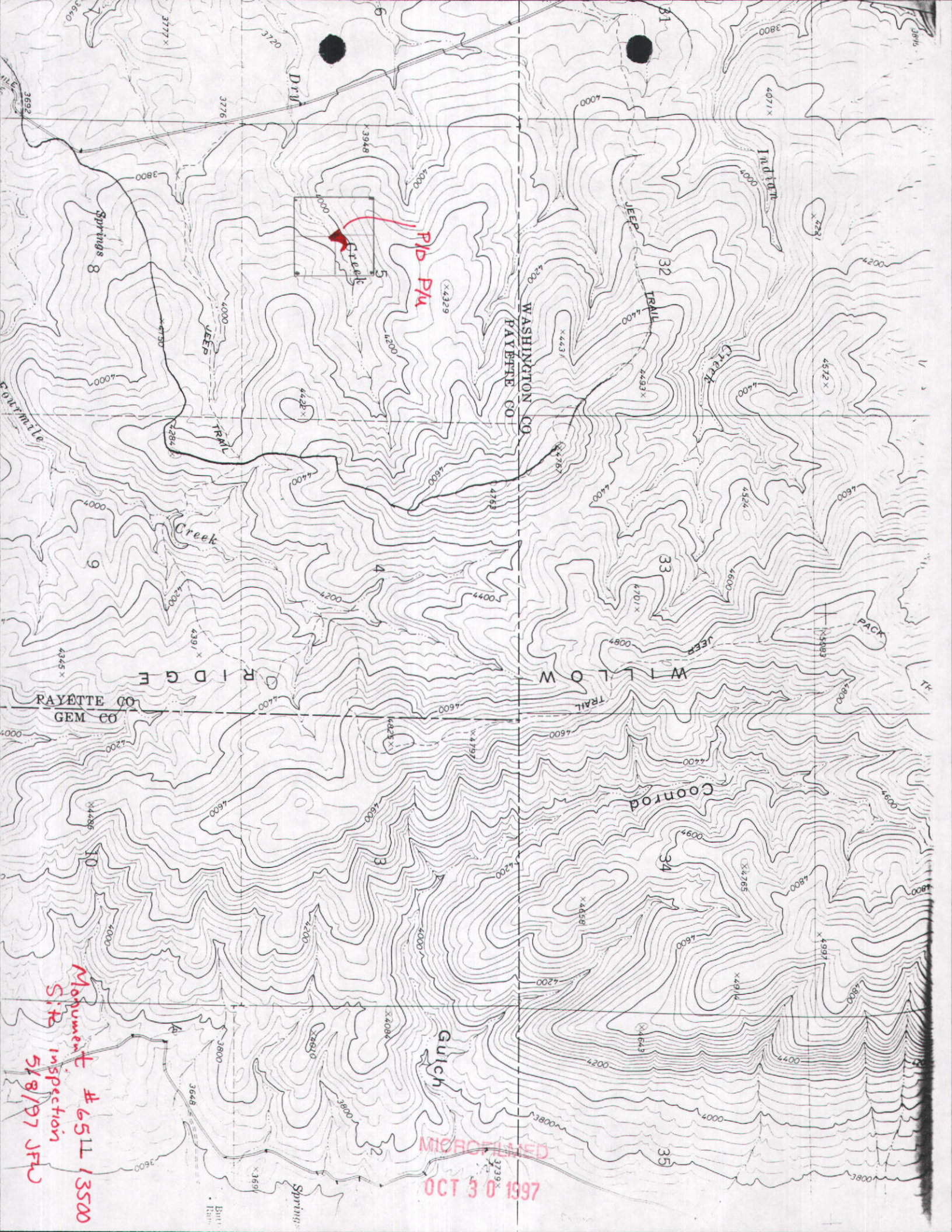
MAINTENANCE:
-CONTROL WOODY GROWTH ON THE EMBANKMENT AND TOE AREAS.
-MONITOR THE EMBANKMENT UPSTREAM SLOPE AND SPILLWAY AREAS FOR EROSION, REPAIR AS NEEDED.

NO.	LOCATION	DATE	DESCRIPTION	REMARKS
1				
2				
3				
4				
5				

Date: 5/8/97

Inspected by: Dan Tomich, Western Reg.

MICROFILMED
OCT 3 0 1997





State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DAM SAFETY PHOTOGRAPHS

DAM NAME: MONUMENT-BLM

NO: D65-13500

DATE: 5/8/97 BY: J. Westra

1. Dam upstream slope and crest, good condition.



2. Embankment downstream slope and toe.



3. Spillway channel looking downstream.



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OCT 30 1997



State of Idaho

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OCT 30 1997



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OCT 30 1997



State of Idaho

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Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DAM SAFETY PHOTOGRAPHS

DAM NAME: MONUMENT-BLM

NO: D65-13500

DATE: 5/8/97 BY: J. Westra

1. Dam upstream slope and crest,
good condition.

2. Embankment downstream slope and toe.

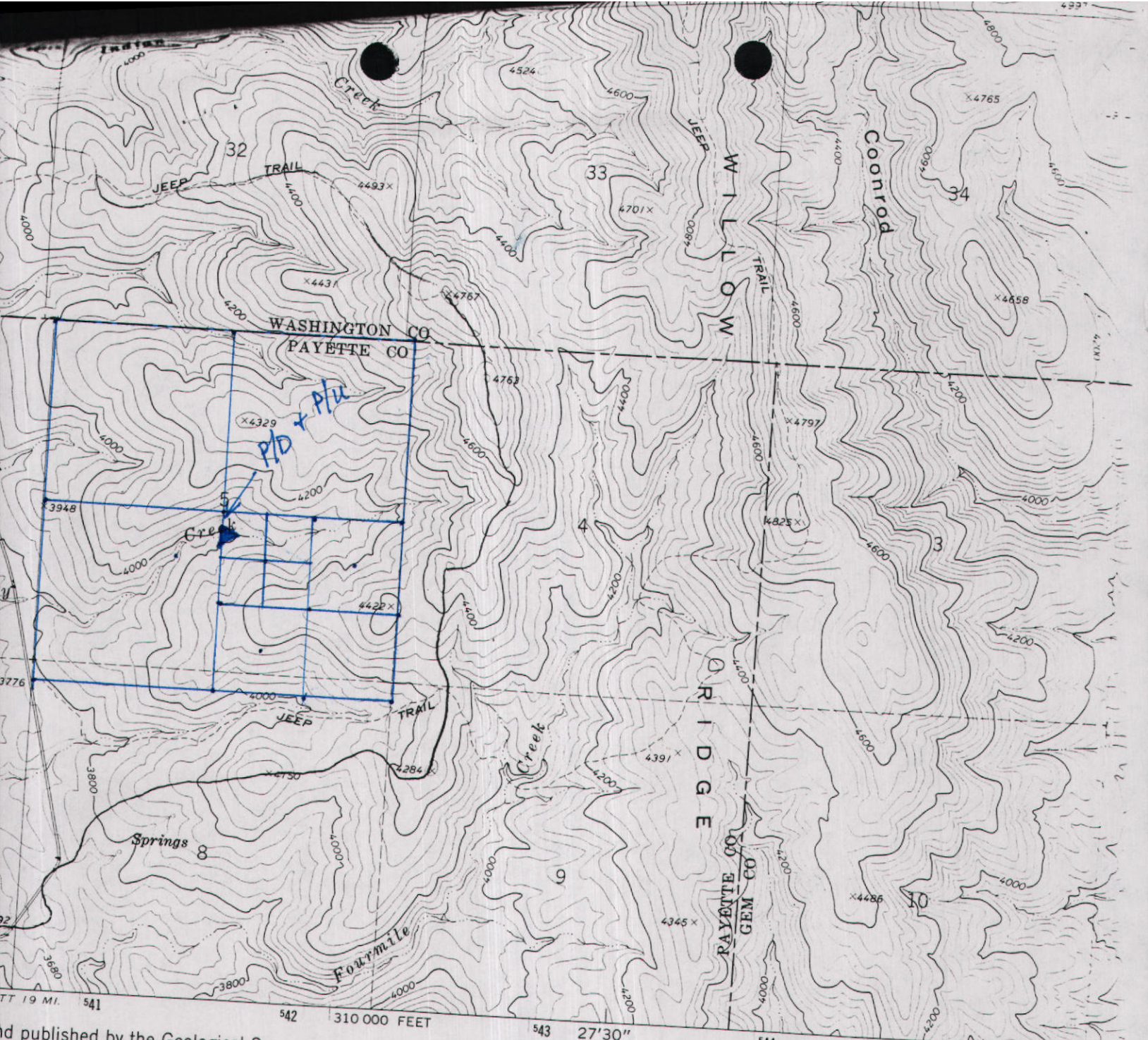
3. Spillway channel looking downstream.

4. Facility overview.

5. Drainage downstream.

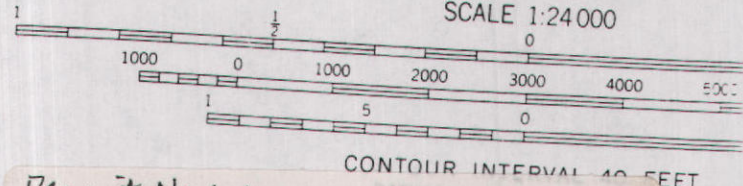
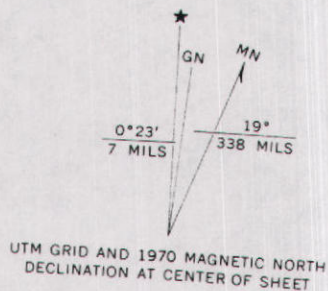


MICROFILMED
OCT 30 1997



and published by the Geological Survey
H USC&GS

grammetric methods from aerial
1969. Field checked 1970
0-foot grid ticks: Idaho coordinate
(Transverse Mercator)
Transverse Mercator grid ticks,
e. 1927 North American datum
indicate selected fence lines



Permit No: 65-13500
T9N R1W S5 NW NWSE
FD: V-7

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY 5"
FOR SALE BY U.S. GEOLOGICAL SURVEY, DENVER, COLORADO 80225.
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVA

MICROFILMED

OCT 30 1997

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 65-13500

Priority: February 16, 1994

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:

7.0 AF

This is to certify, that US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
BOISE DISTRICT OFFICE
3948 DEVELOPMENT AVE
BOISE ID 83705

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated February 16, 1994; and
has submitted Proof of Beneficial Use on February 2, 1995. An examination indicates
that the works have a diversion capacity of 0.040 cfs of water from:

DRY CREEK

tributary to BIG WILLOW CREEK

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	0.04 CFS	3.0 AF
STOCKWATER STORAGE	01/01 to 12/31		4.0 AF
WILDLIFE	01/01 to 12/31	0.04 CFS	3.0 AF
WILDLIFE STORAGE	01/01 to 12/31		4.0 AF
	Totals	0.04 CFS	7.0 AF

LOCATION OF POINT(S) OF DIVERSION:

NESW , Sec. 5, Township 09N, Range 01W
PAYETTE County

PLACE OF USE: STOCKWATER

TWN RGE SEC

09N 01W 5 NESW

PLACE OF USE:

WILDLIFE, same as STOCKWATER use

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

OCT 30 1997

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 65-13500

CONDITIONS OF APPROVAL AND REMARKS

5. Use of water under this water right will be regulated by the watermaster of State Water District No. 65.
6. This right, when considered with all other rights common to the same grazing allotment, shall be limited to the quantity of water beneficially used by the number of stock within the allotment.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 22ND day of SEPTEMBER, 1997.


Acting for KARL J. DREHER, Director

MICROFILMED

OCT 30 1997

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SEP 18 1997

State of Idaho
Department of Water Resources

Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 65-13500

Date of Priority: February 16, 1994 Maximum Diversion Rate: 0.04 CFS
Maximum Diversion Volume: 7.0 AF

Comes now US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
BOISE DISTRICT OFFICE
3948 DEVELOPMENT AVE
BOISE ID 83705

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 65-13500, and requests that the permit be changed as follows:

Source: DRY CREEK tributary to BIG WILLOW CREEK

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	0.04 CFS	3.0 AF
STOCKWATER STORAGE	01/01 to 12/31		4.0 AF
WILDLIFE	01/01 to 12/31	0.04 CFS	3.0 AF
WILDLIFE STORAGE	01/01 to 12/31		4.0 AF
	Totals	0.04 CFS	7.0 AF

LOCATION OF POINT(S) OF DIVERSION: NESW , Sec. 5, Township 09N, Range 01W
PAYETTE County

PLACE OF USE: STOCKWATER
TWN RGE SEC
09N 01W 5 NESW

PLACE OF USE:
WILDLIFE, same as STOCKWATER use

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Boise Fred D. Orren 11 day of Sept, 1997.

OCT 30 1997
(signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 65-13500

FOR DEPARTMENT USE ONLY

Preliminary check by SWK Fee = 50⁰⁰ Receipted by AT # W023064 Date 9-15-97

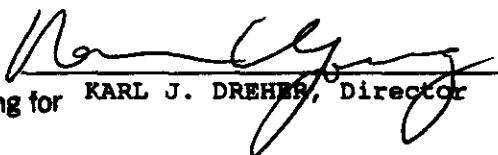
ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 65-13500 with the following;

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Use of water under this water right will be regulated by the watermaster of State Water District No. 65.
6. This right, when considered with all other rights common to the same grazing allotment, shall be limited to the quantity of water beneficially used by the number of stock within the allotment.

Witness my hand this 22ND day of SEPTEMBER, 1997.


Acting for **KARL J. DREHER, Director**

MICROFILMED
OCT 30 1997

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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FEB 06 1995

PROOF OF BENEFICIAL USE

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

1. Permit No. 65-13500 Telephone No. 384-3352

2. Name(s) of Permit Holder(s): US Dept of Interior, Boise District Office,

3. Mailing Address: 3948 Development Ave, Boise Id. 83705

4. Source of Water: Snow melt run-off If **GROUNDWATER** (well), Date Drilled: mo. / yr.

a. Well Driller: N/A Drilling Permit Number: - -

b. **OPTIONAL:**

Pump Horsepower: Pressure (psi): Dynamic pumping level (ft):

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): 0 Stockwater (No. and type of stock): 200 Range Cattle
20 Horses

Irrigation (No. of acres): 0 Other: N/A

6. Total rate of diversion and/or volume for which proof is submitted: 0.04 cfs OR 4.0 acre feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required? Yes or No ✓
Has the measuring device been installed? Yes or No ✓

Flow Measurement Port: Is a flow measurement port required? Yes or No ✓
Has the measurement port been installed? Yes or No ✓

8. Fee Enclosed: \$ \$50.00 (See Fee Schedule on back of the instructions for filling proof of beneficial use)

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

Name: Jon Haupt Telephone Number: 384-3352

Address: 3948 Development Ave

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

Signature of permit holder: Mary K. Clark acting for Area Mgr Date: Feb 2, 1995
(include your title, if on behalf of company/organization)

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 65-13500

Proposed Priority: February 16, 1994 Maximum Diversion Rate: 0.04 CFS

This is to certify, that US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
BOISE DISTRICT OFFICE
3948 DEVELOPMENT AVE
BOISE ID 83705

has applied for a permit to appropriate water from:

UNNAMED STREAM tributary of DRY CREEK

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	0.04 CFS	
STOCKWATER STORAGE	01/01 to 12/31		4.0 AF
WILDLIFE	01/01 to 12/31	0.04 CFS	
WILDLIFE STORAGE	01/01 to 12/31		4.0 AF
	Totals	0.04 CFS	

LOCATION OF POINT(S) OF DIVERSION: SESWNW , Sec. 5, Township 09N, Range 01W
PAYETTE County

PLACE OF USE: STOCKWATER

TWN RGE SEC

09N 01W 5 SWNW

PLACE OF USE: WILDLIFE, same as STOCKWATER use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before April 1, 1995.
2. Subject to all prior water rights.
3. Use of water under this right is subject to control by the watermaster of State Water District No. 65.
4. The storage of water under this right is contingent upon the certification of the dam and authorization of storage per the dam safety provisions of the Idaho Code.
5. Stockwater use is for 200 range cattle and 20 horses.

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

11th day of April, 1994.

W. Keith Higginson

APR 19 1994

for *[Signature]*
R. Keith Higginson, Director

RECEIVED

MAR 28 1994

Ident. No. 65-13500

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: BOISE DIST OFFICE BUREAU OF LAND MANAGEMENT 208-384-3352
Address: 3948 DEVELOPMENT AVE
BOISE ID 83705
2. Source: UNNAMED STREAM Trib. to: DRY CREEK
3. Location of Point of Diversion: SESWNW Sec. 5, Township 09N, Range 01W
PAYETTE County
4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
STOCKWATER	01/01	12/31	0.040		
STOCKWATER STORAGE	01/01	12/31			4.00
WILDLIFE	01/01	12/31	0.040		
WILDLIFE STORAGE	01/01	12/31			4.00
5. Total quantity to be appropriated is:
0.040 CFS (and/or) AF
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc.
EARTHFILL DAM
 - b. Height of storage dam feet; active reservoir capacity
acre-feet; total reservoir capacity acre-feet; period of
year when water will be diverted to storage: to inclusive.
 - c. Proposed well diameter is inches; proposed depth of well is
feet.
 - d. Is groundwater with a temperature greater than 85F being sought? NO
 - e. If well is already drilled, when?
Drilling Firm
Well was drilled for
7. Time required for the completion of the works and application of
the water to the proposed beneficial use is 1 year(s).
8. Place of Use: STOCKWATER

TWN RGE SEC
09N 01W 5

SWNW

APR 19 1994

Place of Use: WILDLIFE, same as STOCKWATER use

9. a. Who owns the property at the point of diversion?
APPLICANT
b. Who owns the land to be irrigated or place of use?
APPLICANT
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:

11. Map of proposed point of diversion and place of use attached? []

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.

Applicant

Received by _____ Date _____ Time _____ Preliminary check by _____

Fee \$ _____ Receipted by _____ # _____ Date _____

Publication prepared by _____ Date _____ Published in _____

Publication approved _____ Date _____

RECEIVED

APR 19 1994

Comments: Date: 2/22/1994 User-ID: TAYLOR

Subject:
Project Number

Monument Reservoir, Project #8961.

RECEIVED
APR 19 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

- Bureau of Land Management
Boise District Office
- Name of applicant 3948 Development Ave. Phone 384-3352
Post office address Boise, Idaho 83705
 - Source of water supply UNNAMED ~~UNKNOWN~~ STREAM which is a tributary of DRY CREEK
 - Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of NW $\frac{1}{4}$, Govt. Lot —
Sec. 5 Township 9N. Range 1W. B.M. Payette County; additional
points of diversion if any: —
 - Water will be used for the following purposes:
 Amount 4.0 AF for STOCK WATER STORAGE purposes from 1/01 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
 Amount .04 CFS for STOCK WATER purposes from 1/01 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
 Amount 4.0 AF for WILDLIFE STORAGE purposes from 1/01 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
 Amount .04 CFS for WILDLIFE purposes from 1/01 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
 - Total quantity to be appropriated is (a) 0.04 CFS and/or (b) 4.0
cubic feet per second acre feet per annum
 - Proposed diverting works:
 - Description of ditches, flumes, pumps, headgates, etc. EARTH FILL DAM TO RETAIN
SNOWMELT RUN-OFF.
 - Height of storage dam 19 ft. feet, active reservoir capacity 4.0 acre-feet; total
reservoir capacity 4.0 acre-feet; period of year when water will be diverted to storage.
1/01 to 12/31 inclusive.
 - Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
 - Is ground water with a temperature of greater than 90°F being sought? _____
 - Time required for the completion of the works and application of the water to the proposed beneficial use is
1 years (minimum 1 year).

APPROVED

APR 19 1994

8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower, show total feet of head and proposed capacity in KW N/A
- b. Stockwatering, list number and kind of livestock 200 Cattle 20 Horses
- c. Municipal; show name of municipality. N/A
- d. Domestic, show number of households. N/A
- e. Other; describe fully. LIVESTOCK, WILDLIFE (DEER/ELK)

9. Description of place of use.

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

TWP	RANGE	SEC.	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	
9N	1W	5						X											

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? U.S. GOVERNMENT

b. Who owns the land to be irrigated or place of use? U.S. GOVERNMENT

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: MONUMENT RESERVOIR

PROJECT # 8761

Show in
"Comments"
SV
2/18/94

MODIFIED

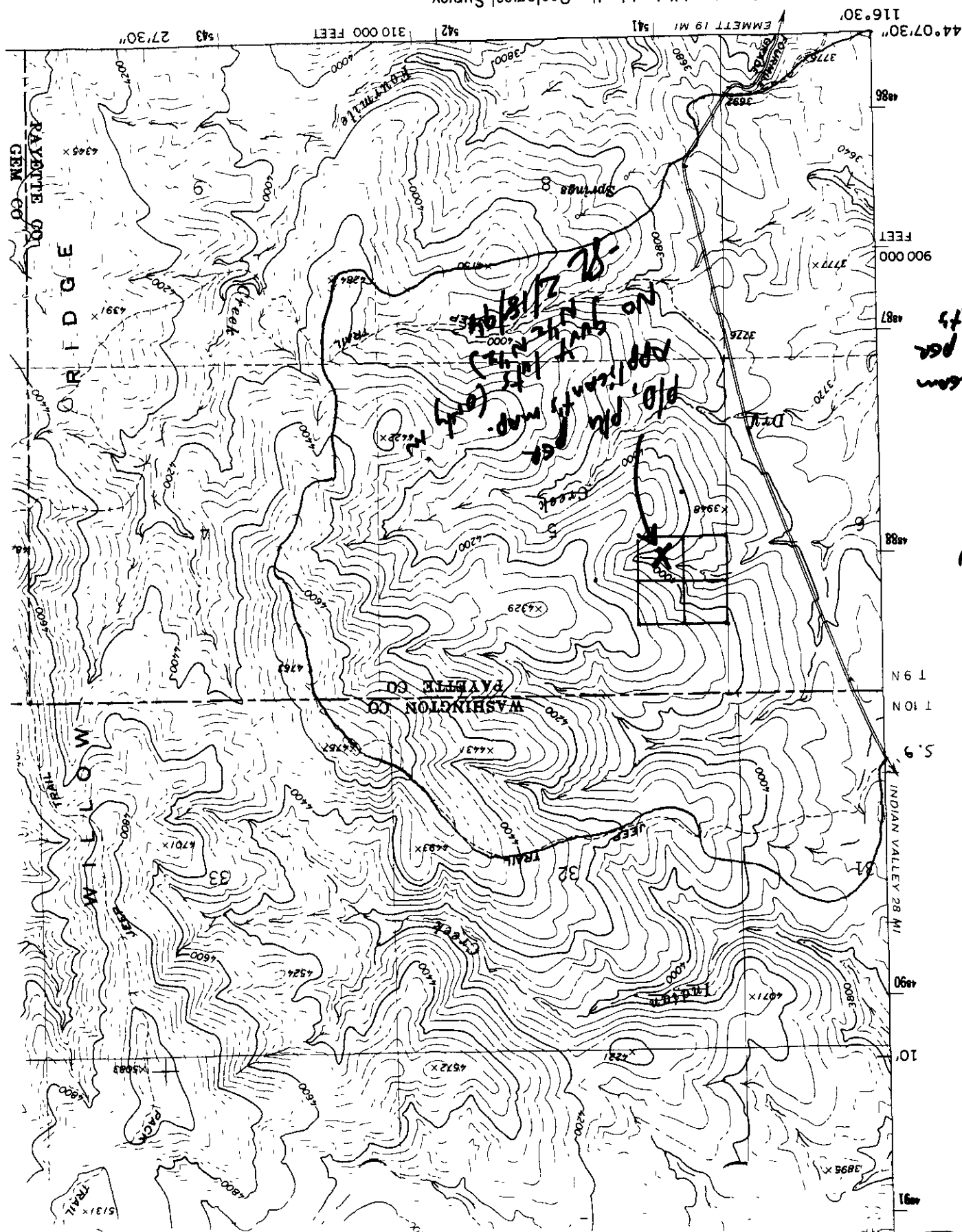
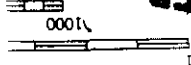
NOV 19 1994

Mapped, edited, and published by the Geological Survey
Control by USGS and USCS&GS

Topography by photogrammetric methods from aerial photographs taken 1969 Field checked 1970
Projection and 10,000-foot grid ticks Idaho coordinate system, west zone (transverse Mercator)
1000-meter Universal Transverse Mercator datum zone 11, shown in blue. 1927 North American datum
Fine red dashed lines indicate selected fence lines

APR 19 1994

UTM GRD AND 1970 MAGNETIC NORTH
DECLINATION AT CENTER OF SHEET



8N-stream
Strength per
Application
into

T90
R10
5.5

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

T. 9 N., R. 1 W.

Map grid showing sections 3 through 22. A point of diversion is marked in section 5, labeled "Pt. of Diversion & Place of Use".

	6		5		4			3	
	7		8		9			10	
	18		17		16			15	
	19		20		21			22	

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.

Samuel V. Mathews
(Applicant)
Acting Area Manager

Received by VR Date 2-16-94 Time 2:30 pm Preliminary check by SR
Fee \$ 30.00 Receipted by VR # W017186 Date 2-16-94
Publication prepared by ST Date 2-23-94 Published in Ind. Ent.
Publication approved ST Date 3-24-94

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No _____, and said application is hereby _____.

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

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

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

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

e. Other:

RECORDED

APR 19 1994



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 22, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
BOISE DISTRICT OFFICE
3948 DEVELOPMENT AVE
BOISE ID 83705

RE: WATER RIGHT NO. 65-13500

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review the preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

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

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The Department will serve a copy of the final order on all parties of record.

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

For your records I have also enclosed a copy of your Application for Amendment of Permit, which was approved.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen". The signature is written in dark ink and is positioned above the typed name.

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

OCT 30 1987

CERTIFICATE OF MAILING

I hereby certify that on the 22nd day of September, 1997, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 65-13500

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
BOISE DISTRICT OFFICE
3948 DEVELOPMENT AVE
BOISE ID 83705


Kari Lynn Townsend
Secretary

MCAP-12600

OCT 30 1997



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 9, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
BOISE DISTRICT OFFICE
3948 DEVELOPMENT AVE
BOISE ID 83705

RE: WATER RIGHT NO. 65-13500

Dear Permit Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to depict your water right as it has actually been developed.

The enclosed Application for Amendment contains information that will be included on the license when it is issued. The amendment reflects a change in the location of the point(s) of diversion and the place(s) of use description. Please review carefully and if you concur, sign the amendment and return it with the \$50.00 filing fee within 14 days.

The last page of the Application for Amendment form contains a list of Conditions of Approval and Remarks proposed for the license when it is issued. These conditions of approval and remarks may be modified upon further administrative review.

If you do not concur, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208) 327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

ENCLOSURE

OCT 30 1997

MEMORANDUM

TO: File 65-13500

FROM: Sharla Curtis

DATE: August 18, 1997

RE: Recommendation Adjustment(s)

The final license recommendations for Permit No. 65-13500 are based on the following:

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

T9N, R1W, S5 - NESW

2. Place(s) of Use:

T9N, R1W, S5 - NESW

The Dam Safety Report lists the dam & reservoir site (p/d and p/U) within the NESW, S5.

Examiner: Sandy Hemenway

Exam Date: July 20, 1995

LICENSE REVIEW CHECKLIST

PERMIT NO. 65-13500

DATE 8/15/97

REVIEWER: SHARLA

NAME	Change <u>—</u>	OK <u>✓</u>	Address Change <u>no</u>
SOURCE	<u>—</u>	<u>✓</u>	Is change/clarification of originally intended source? <u>—</u>
POINT OF DIV	<u>✓</u>	<u>—</u>	If not, prepare Notice of Intent to Void <u>—</u>
PLACE OF USE	<u>✓</u>	<u>—</u>	Amendment required <u>yes</u>

Does map agree with written description? — yes ✓ no

OVERLAPS — P/D — P/U

RATE OF DIV

Permitted Rate .04 cfs

Fee limit .20 cfs \$50⁰⁰

Measured — cfs

Theoretical — cfs

Recommended Total Div Rate .04 cfs

ANNUAL VOLUME/
NATURE OF USES —

Use	cfs	Volume Calc
<u>Stock</u>	<u>.04</u>	<u>3.0</u> af
<u>Str</u>	<u>—</u>	<u>4.0</u> af
<u>Wild</u>	<u>.04</u>	<u>3.0</u> af
<u>Str</u>	<u>—</u>	<u>4.0</u> af
SUBTOTAL	<u>—</u>	<u>7.0</u> af

Flow rate — cfs X — days X 1.98 = — af

Total volume recommended — af

(SUBTOTAL or Flow Rate, whichever is less)

REMARKS

CONDITIONS P37 Watermaster Control WD# 65

GW Measurement/Measuring Device

P37 Overlap

— Use-specific conditions

Advancement of Priority Date Required — yes ✓ no

SRBA Claim Filed N/A

Adjustment Memo Ad & plu

1st Amend Letter P37 P38

2nd Amend Letter P47

*NESW - dam
safety records
and map*

RECEIVED

AUG 11 1997

Department of Water Resources

TO: WR File #65-13500

FROM: J. Westra, Western Region

DATE: 5/8/97

RE: Point of Diversion

The dam and reservoir site was inspected on 5/8/97. The BLM survey marker (monument) on the crest of the dam listed the location as NE1/4 of SW1/4; Sec 5-09N-01W which appears correct from our inspection.

An inspection report and other data is attached.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
RECORD OF INSPECTION OF DAMName of Dam: MONUMENTFile No: D65-13500Stream: DRY CREEK☐ OffstreamName of Owner: BLM Location: 5 Sec 9N T 1W RIndividuals accompanying Inspector: NO ONERESERVOIR CHARACTERISTICS: Dam height 19.0 Photographs Y/N ☒ YStorage capacity 8 AC-FT Surface area 1 AC Hazard class 3 Size class 3CONDITION OF EMBANKMENT OR STRUCTURE: ☐ Poor ☐ Fair ☒ Good ☐ ExcellentSTRUCTURE TYPE: ☒ Earth ☐ Rockfill ☐ Concrete gravity ☐ Concrete arch☐ Concrete gravity ☐ Timber crib ☐ Other

	UPSTREAM SLOPE	CREST	DOWNSLOPE SLOPE	TOE AREA
SURFACE COVER MATERIAL	EARTH/COBBLE	EARTH	EARTH	EARTH
GROWTH	NATIVE GRASSES			BUSHES IN CREEK bed
SETTLEMENT OR CRACKS	NONE	NONE	NONE	NONE
SURFACE EROSION	NONE	NONE	NONE	NONE
DEBRIS	NONE	NONE	NONE	NONE
ANIMAL BOWHOLS	NONE	NONE	NONE	NONE
CREST WIDTH AND SLOPE GRADIENT	3:1 +		3:1 +	NONE

CONDITION OF OUTLET WORKS: ☐ Poor ☐ Fair ☐ Good ☐ ExcellentLocation: ☐ Left side ☐ Center ☐ Right side ☐ OtherDescription and condition: NO OUTLET WORKSGate hoist: ☐ Manual ☐ Electric ☐ OtherStem: ☐ Inclined from entrance to crest ☐ Vertical on tower at entrance☐ Vertical through dam from crest ☐ Downstream valve

Entrance: _____ Outlet: _____

CONDITION OF SPILLWAY: ☐ Poor ☐ Fair ☒ Good ☐ ExcellentLocation: ☐ Left abutment ☒ Right abutment ☐ Away from dam ☐ OtherBase width 12 FT Freeboard at crest 3.8 FT Side slope 2:1 Channel slope MILD Fetch 300 FTOverflow channel: ☒ Well defined ☒ Flow directed away from toe ☐ Flow could reach toeErosion control present EARTH/ROCK COBBLE Erosion present NONEMaintenance condition: Debris NONE Growth GRASS SEEDLINGSEEPAGE: Reservoir level during inspection FULL SPILLING

	TOE AREA	DOWNSLOPE SLOPE	ABUTMENTS	OTHER
PIPING OF MATERIAL EVIDENT (est. G.P.M.)	NONE	NONE	NONE	
FLOWING WATER (est. G.P.M.)	2 GPM @ CRK BED	NONE	NONE	
WASHY OR STANDING WATER	@ CRK BED	NONE	LEFT BANK	
DAMP		NONE		
EVIDENT FROM GROWTH PRESENT	LUSH GRASS	NONE	LUSH GRASS	

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GENERAL CONDITION AND DESCRIPTION OF DAM:

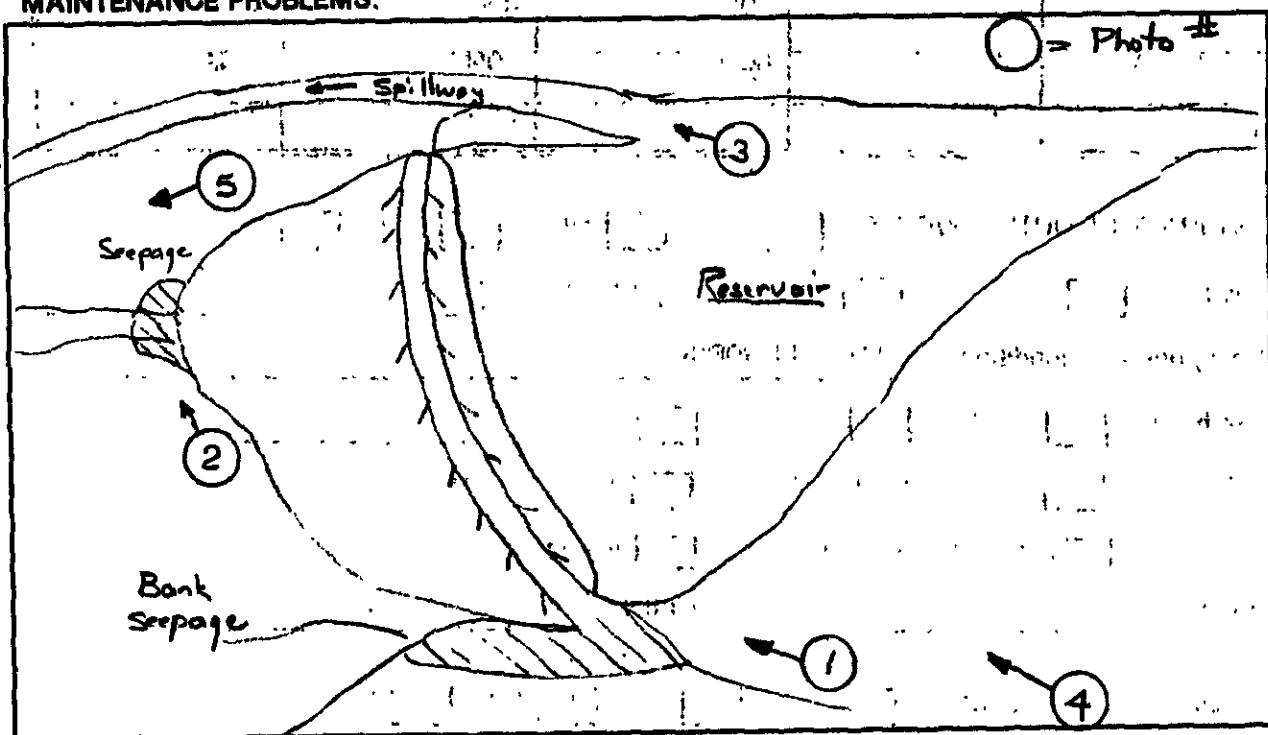
GOOD. THE FACILITY IS IN GOOD CONDITION, AND ADEQUATELY CONSTRUCTED. THE SPILLWAY CHANNEL IS FLAT SLOPED, AND HAS STABILIZED.

THE FACILITY WOULD BE EXEMPT FROM REGULATION AS STORAGE IS LESS THAN 10 AC-FT AND LOW RISK.

INSTRUMENTATION READINGS (Piezometers, Seepage measurement, Alignment, Elevation, etc.):

FACILITY ELEVATIONS WERE MEASURED WITH HAND LEVEL AND SURVEY ROD.

SKETCH OF DAM SHOWING LOCATION OF SPILLWAY, OUTLET WORKS AND ANY MAINTENANCE PROBLEMS:



RECOMMENDATIONS:

EXAMINE THE FACILITY ON A 5 YEAR INSPECTION INTERVAL.

MAINTENANCE:

- CONTROL WOODY GROWTH ON THE EMBANKMENT AND TOE AREAS.
- MONITOR THE EMBANKMENT UPSTREAM SLOPE AND SPILLWAY AREAS FOR EROSION, REPAIR AS NEEDED.

Date: 5/8/97

Inspected by: J. N. Tomich, Western Reg.

Dan Tomich, Western Reg.

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APPURTENANT FEATURES CHECKLIST

DAM NAME Monument - BLM

DAM NUMBER D65-13500

Project - 8961

FEATURE

DAM HEIGHT

STRUCTURAL

22.8 Ft

HYDRAULIC

19.0 Ft

DAM CREST LENGTH

270 Ft.

DAM CREST WIDTH

12 Ft.

UPSTREAM SLOPE

3:1

DOWNSTREAM SLOPE

3:1

OUTLET SIZE

None

SECONDARY OUTLET SIZE

—

PRINCIPAL SPILLWAY

Crest - BASEWIDTH (DIA)

12 Ft.

DEPTH

3.8 Ft

SIDESLOPES

2:1

AUXILIARY SPILLWAY

BASEWIDTH (DIA)

DEPTH

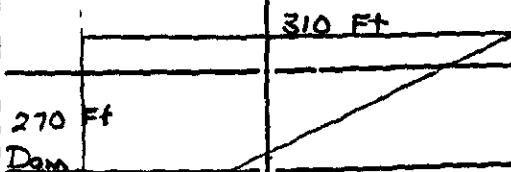
SIDESLOPES

OTHER (DESCRIBE)

BLM

— Monument location on the embankment crest - NE 1/4 Sec 5 - 9N - 1W

— Reservoir Storage - Assume Right Triangle



OCT 30 1937

DIKE

MEASURING DEVICE

HAND LEVEL + SURVEY ROD

$$\text{Surface Area} = \frac{1}{2} (310)(270) = 41.96 \approx 42$$

$$\text{Storage} = (1 \text{ ac})(19 \text{ Ft})(4) = 76 \text{ ac-ft} \approx 7.6 \text{ ac-ft}$$

DAM SAFETY HAZARD CLASSIFICATION WORKSHEET

Dam No. D65-13500

Dam Name: Monument - BLM

Date of Inspection: 5/8/97

Distance below Dam Evaluated: Several miles

Dam Ht. x Surface Area = 19 Ft X 1 ac = 19.0 ac-Ft

Terrain Characteristics: ☐ Steep ☒ Moderate ☐ Gently sloping

Total Points Class
0 to 24 - Low Hazard
25 to 99 - Significant
100 - High Hazard

Inspector: J. Westra

Hazard Class: Low

PART I - Briefly describe the area below the dam (geography, development, land use, etc.)

The drainage crosses the county road at 1/2 mile. Rangeland only below
Bettis Diversion Dam at approx 6 miles

PART II - DEVELOPMENT

	Low Density	Approx. Dist. Below Dam	Hazard Factor	Points
Residential	100			
Commercial or Industrial	80			
Uninhabited Buildings	20			
School, Hospital, Sewer or Water Treatment Plant	100			
			Subtotal	<u>0</u>

PART III - LAND USE

		Approx. Dist. Below Dam	Hazard Factor	Points
Improved cropland, Irrigated pasture, Feedlot	50			
	20			
<u>Rangeland</u>	<u>30</u>	0-5 miles	.6	12
Recreation sites (campgrounds, parks, etc.)	30			
			Subtotal	<u>12</u>

PART IV - TRANSPORTATION

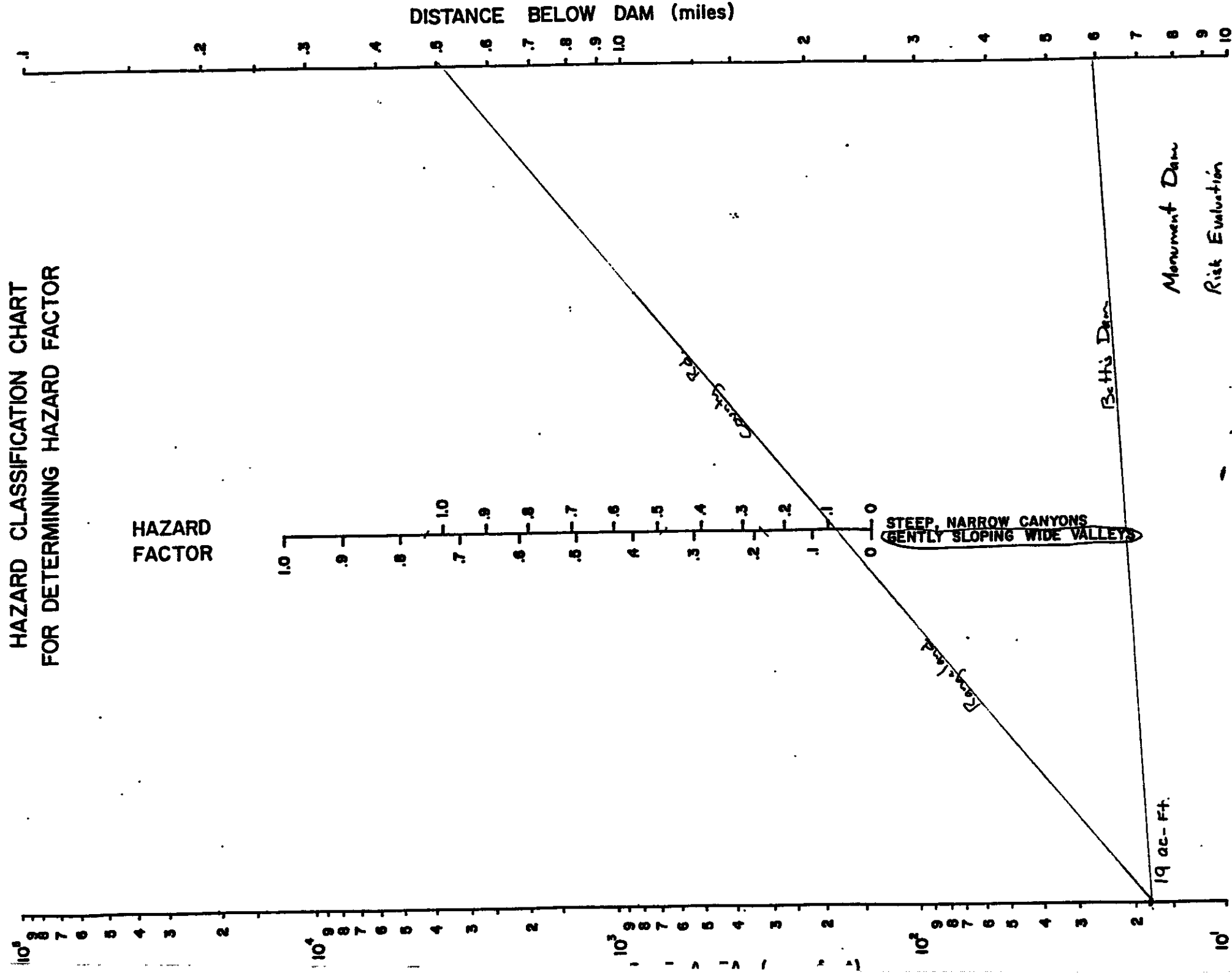
		Approx. Dist. Below Dam	Hazard Factor	Points
Roads: Type				
Highway	70			
Paved	30			
<u>Gravel</u>	<u>5</u>	1/2 mile	.6	3
Dirt	0			
Railroad	30			
			Subtotal	<u>3</u>

PART V - ENVIRONMENTAL AND MISCELLANEOUS

		Approx. Dist. Below Dam	Hazard Factor	Points
Scenic	20			
Fish & Wildlife	5-50			
Other <u>Bettis Diversion Dam</u> (dams, canals, power plants, etc.)	(20)			
			Subtotal	<u>0</u>
			Total Points	<u>15</u>

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Low

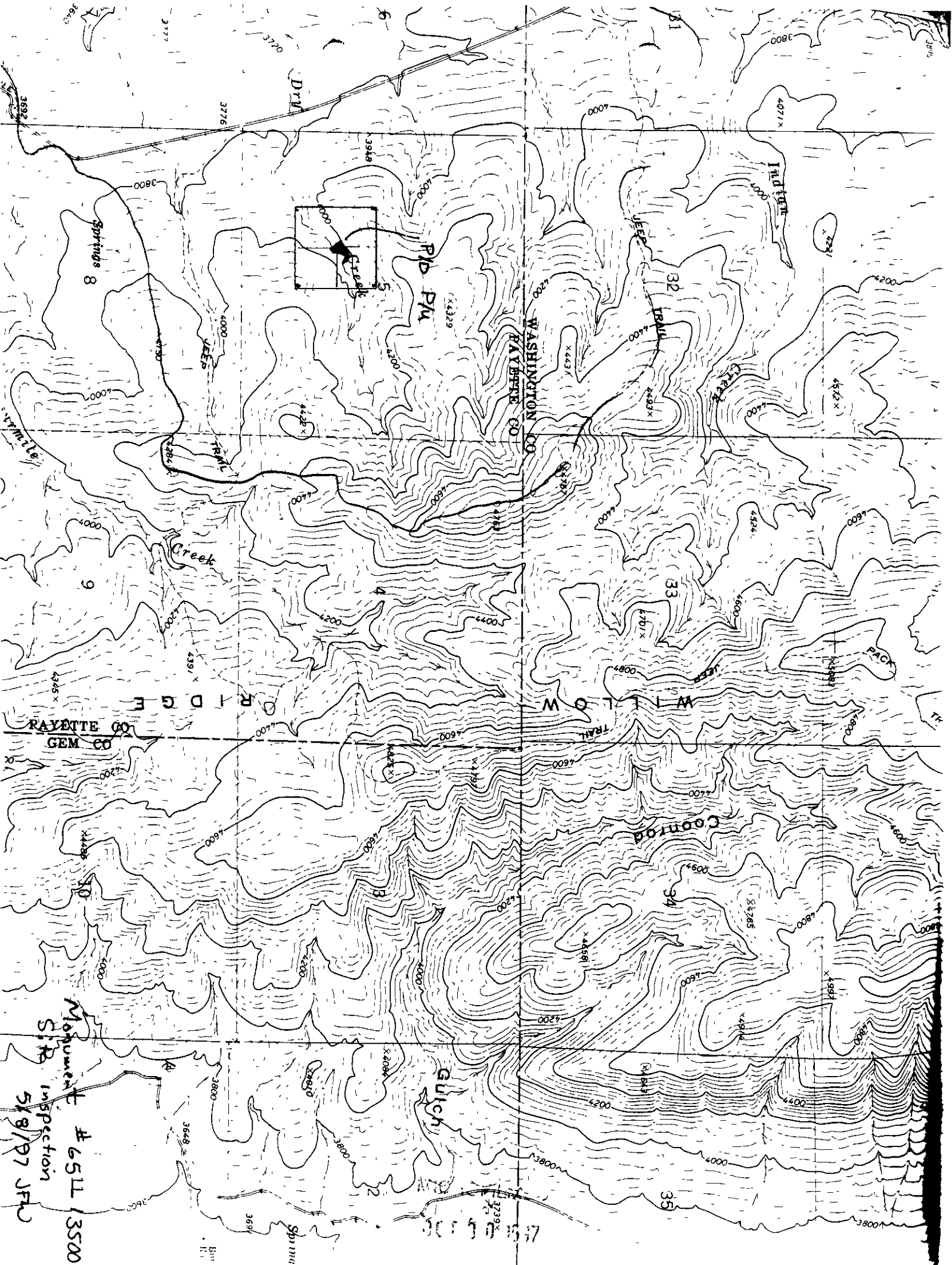
HAZARD CLASSIFICATION CHART FOR DETERMINING HAZARD FACTOR



Monument Dam
Risk Evaluation
5/8/07 -JFW.

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Pip Piu

WASHINGTON CO
RAYETTE CO

WILLOW RIDGE

RAYETTE CO
GEM CO

Gulch

Monument # 6511 3500

Site Inspection

5/8/97 JFL



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DAM SAFETY PHOTOGRAPHS

DAM NAME: MONUMENT-BLM

NO: D65-13500

DATE: 5/8/97 **BY:** J. Westra

1. DAM upstream slope and crest,
good condition.

2. Embankment downstream slope and toe.

3. Spillway channel looking downstream.



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DAM SAFETY PHOTOGRAPHS

DAM NAME: MONUMENT-BLM

NO: D65-13500

DATE: 5/8/97 **BY:** J. Westra

1. DAM upstream slope and crest,
good condition.

2. Embankment downstream slope and toe.

3. Spillway channel looking downstream.

4. Facility overview.

5. Drainage downstream.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

DEC 01 1995

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 65-13500

1. Owner: US Dept. of Interior Bureau of Land Management Phone No. (208) 384-3352

Current Address: 3948 Development Ave. Boise, Id 83705

2. Accompanied by: Jon Haupt EXAM DATE: 7/20/95

Address: 3948 Development Ave. Boise, Id. 83705 Phone No. (208) 384-3352

Relationship to Permit Holder: BLM contact person

3. Source: unnamed stream tributary to Dry Creek

B. OVERLAP REVIEW

1. Other water rights with the same place of use: none

2. Other water rights with the same point of diversion: none

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NW	NW	SE	5	9N	1W	Payette	USGS Topo. + interoffice exam

2. Place(s) of Use:

Indicate Method of Determination USGS Topo. + interoffice exam

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
9N	1W	5														S			
																SS			
																W			
																WS			

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2. Measurements:

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

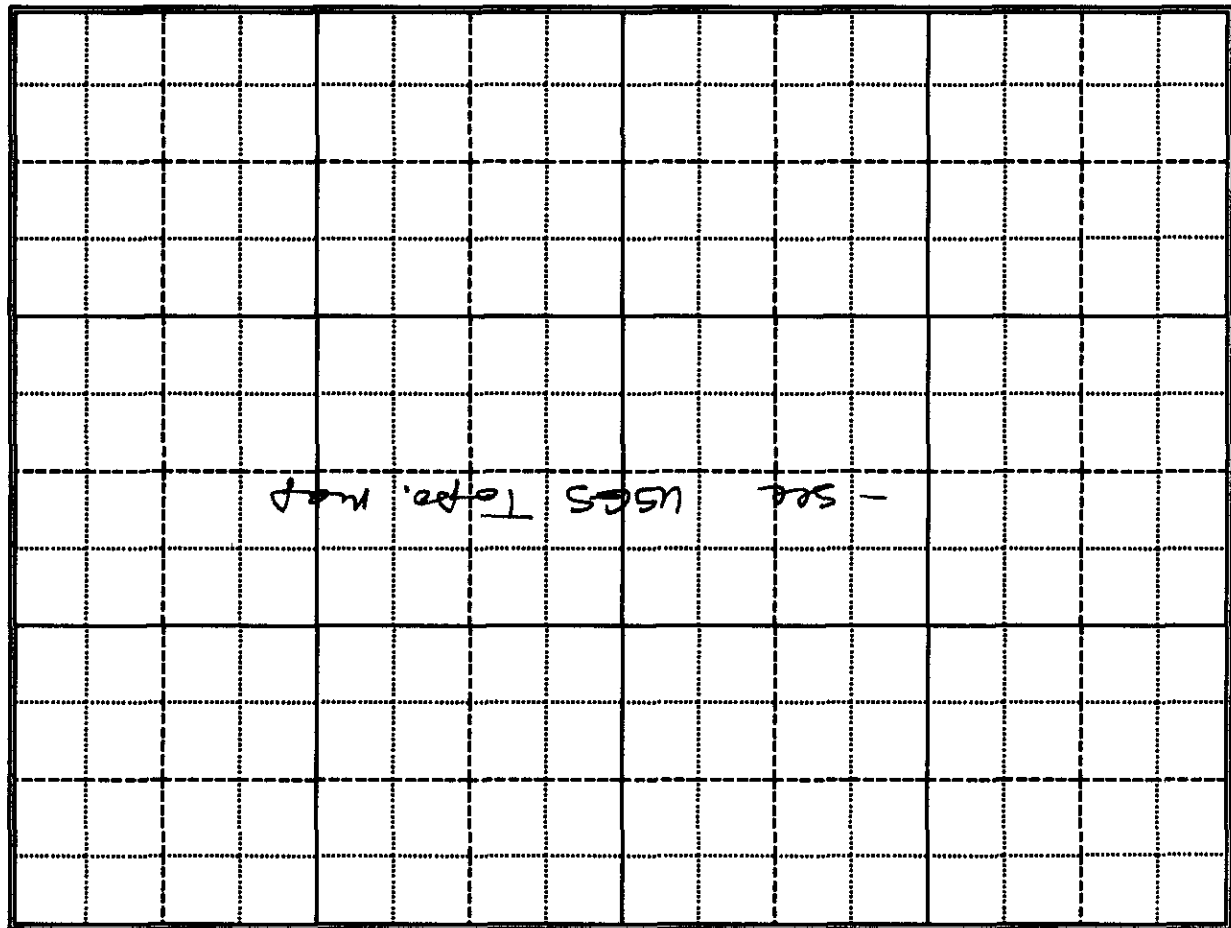
D. FLOW MEASUREMENTS

Code to correspond with No. on map and aerial photo

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

4.

Source: 1 - Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).
2/A Aerial Photo Attached (required for irrigation of 10+ acres)
3/A Photo of Diversion and System Attached
Interviewer: exam



3. Delivery System Diagram: Indicate all major components and distances between components. Indicate well size/ditch size/pipe l.d. as applicable.

E. NARRATIVE/REMARKS/COMMENTS

- No govt. lots were found.
- Stockwater use for 200 range cattle, + 20 horses, also miss. wildlife (geese, ^{wild horses} birds, deer, elk etc.)
Use is for stockwater storage + wildlife storage for the same animals as listed under stockwater, + wildlife.
- Recommend Amending the legal description for both the P/D + P/U as listed on the Permit, per interoffice exam w/ Jon Haupt at BLM.
The legal description should read as follows:
 - The point of diversion is located at:
NW NW SE, S5, T09N, R01W
 - The point of use is located at:
NW SE, S05, T09N, R01W
- The system consists of a 200' across buried area by 200', with a maximum depth of 15'.
The source of water is from snow run-off
- Common name: Monument Reservoir.

Have conditions of permit approval been met? ☐ yes ☒ no

18B John Westra, Dam Inspector has not yet finished the inspection on this dam.

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F. FLOW CALCULATIONS *N/A*

☒ Additional Computation Sheets Attached

Measured Method:

$< .1$ cfs, Allow .04 cfs per dept. procedure (interoffice exam),
for stockwater + wildlife (same water, different use).

(see attachment) Stockwater storage + wildlife storage surface area = 1.0 acre
Capacity = 6.0 Afa, Allow 4.0 Afa for stockwater storage +
4.0 Afa for wildlife storage.

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}}$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{D.R.} = \underline{\hspace{2cm}}$$

2. Volume Calculations for Other Uses:

200 range cattle: $V_{IR} = \left(\frac{\# \text{ head} \times \text{grd} \times \text{dpy}}{325,850} \right) = \frac{200 \times 12 \times 365}{325,850} = 2.68 = 2.7 \text{ Afa}$

$$V_{D.R.} = .04 \text{ cfs} \times 365 \times 1.9835 = 28.95 = 29.0$$

$$V = 2.7 \text{ Afa}$$

20 horses: $V_{IR} = \left(\frac{\# \text{ head} \times \text{grd} \times \text{dpy}}{325,850} \right) = \frac{20 \times 12 \times 365}{325,850} = .268 = .3 \text{ Afa}$

$$V_{D.R.} = .04 \text{ cfs} \times 365 \times 1.9835 = 28.95 = 29.0$$

$$V = .3 \text{ Afa}$$

$$\left. \begin{array}{l} \text{cattle} \\ V \end{array} \right\} + \left. \begin{array}{l} \text{horses} \\ V \end{array} \right\} = 3.0 \text{ Afa}$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Stockwater	1/1	12/31	.04	3.0
Stockwater storage	1/1	12/31		4.0
wildlife	1/1	12/31	.04	3.0
wildlife storage	1/1	12/31		4.0
Totals:			.04	~~3.0~~ 7.0

2. Recommended Amendments

☒ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None
☒ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

I. AUTHENTICATION

Field Examiner's Name Andy Hemminger Date 8/17/95

Reviewer _____ Date _____

SEAL

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- ① Permit:
- | | | | |
|--------------------|-----------|---------|--------|
| stockwater | 1/1-12/31 | .04 cfs | |
| stockwater storage | 1/1-12/31 | | 4.0 Af |
| wildlife | 1/1-12/31 | .04 cfs | |
| wildlife storage | 1/1-12/31 | | 4.0 Af |

200 range cattle + 20 horses .04 cfs

- ② B/u fee: \$50.00 2/2/95 pd. 0-.020 cfs 0-20 Af
- 200 range cattle + 20 horses .04 cfs or 4.0 Af

- ③ max. ~~Capacity~~ allowable:
- table 1, Recommended Diversion Rates for Stockwater (Exh. 15A)
- | | |
|----------------------------|----------------|
| 200 range cattle (101-200) | = .05 cfs |
| 20 horses (0-25) | = .02 cfs |
| | <u>.07 cfs</u> |

stockwater storage + wildlife storage:

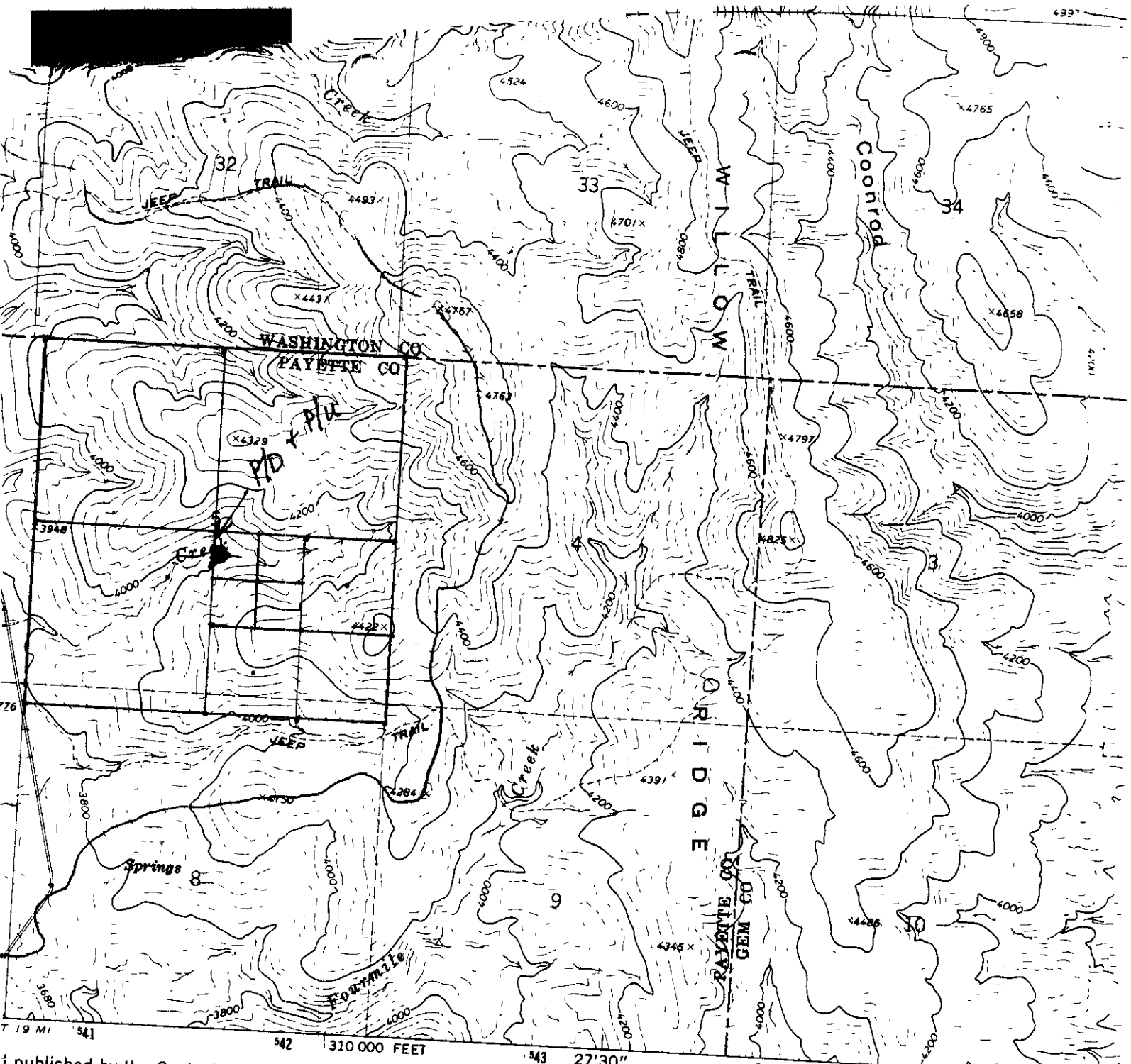
$$\text{surface area (S.A.)} = \frac{200' \times 200'}{43,560} = .918 = 1.0 \text{ acre}$$

$$\text{capacity} = \text{S.A.} \times \text{max. depth} \times 0.4 = 1.0 \times 15 \times 0.4 =$$

6 Afa

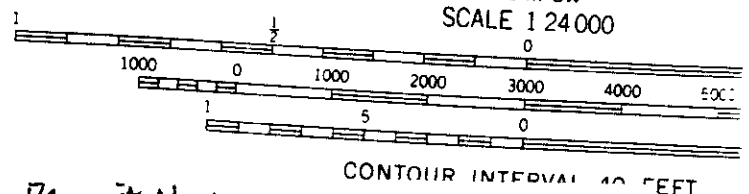
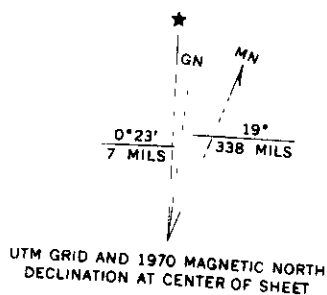
MICHAELA

OCT 30 1997



Published by the Geological Survey
USC&GS

Parametric methods from aerial
9 Field checked 1970
100-foot grid ticks, Idaho coordinate
(Transverse Mercator)
Transverse Mercator grid ticks,
1927 North American datum
Indicate selected fence lines



Permit No: 65-13500
TAN RIW 55 NW NWSE
FD: V-7

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY
FOR SALE BY U.S. GEOLOGICAL SURVEY, DENVER, COLORADO 80225
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAIL
MICRO

0013011

February 16, 1995

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
BOISE DISTRICT OFFICE
3948 DEVELOPMENT AVE
BOISE ID 83705

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 65-13500

Dear Permit Holder:

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

If you have questions concerning this matter, please feel free to contact the WESTERN Regional Office in Boise at (208)334-2190.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

RECEIVED
FEB 17 1995

January 31, 1995

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
BOISE DISTRICT OFFICE
3948 DEVELOPMENT AVE
BOISE ID 83705

PROOF DUE NOTICE

RE: PERMIT NO. 65-13500

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before April 1, 1995.

(See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

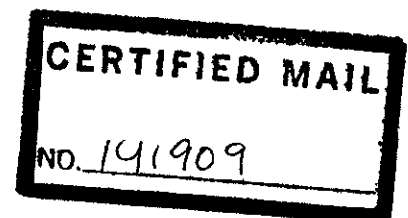
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

FEB 17 1995





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

April 12, 1994

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
BOISE DISTRICT OFFICE
3948 DEVELOPMENT AVE
BOISE ID 83705

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 65-13500

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permit.

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed you should complete and submit this form immediately.

If the diversion dam is 10 feet or more in height, or has an impounding capacity of 50 acre-feet or more, certain dam safety requirements must be met. Please contact the regional office nearest you for details.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosures

RECEIVED

APR 19 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 28, 1994

John Fend, Manager
U.S. Bureau of Land Management
Cascade Resource Area
3948 Development Ave.
Boise, ID 83705

RE: Spring Creek (proposed) Dam
Sheep Creek (proposed) Dam
Monument (proposed) Dam

D67-7954
D67-7955
D65-13500

Dear Mr. Fend:

The Department has received applications for construction of 3 small dams. The application for Sheep Creek Dam, which is to be located in Section 20, Township 11 North, Range 1 East, B.M. in Washington County indicates the dam will be less than 10 feet in height and will store less than 50 ac-ft; therefore, the dam is too small to be regulated by the Department under the Dam Safety Statutes.

The applications for Spring Creek Dam, which is to be located in Section 19, Township 12 North, Range 1 East, B.M. in Washington County, and Monument Dam, which is to be located in Section 5, Township 9 North, Range 1 West, B.M. in Payette county indicate they are large enough to be addressed by the Safety of Dams program. The location of the dams is such that the downstream risk due to sudden failure is currently determined to be low, and therefore, they will be examined approximately every 5 years to ascertain whether the downstream risk has changed. If the downstream risk below either dam becomes significant, because of development below, the dam will be placed on a two year inspection schedule. A small dam located above a low risk area is not required to be constructed to meet the construction standards set forth in the rules; however, we recommend the dam be constructed to meet the Dam Safety standards, the information supplied on the application and also the following guidelines:

- The application indicates the cutoff trench depths, to be excavated under the dams, will be a minimum of 4 feet. The trenches should be excavated to an impervious layer (clay or rock), or to a depth determined during construction.
- The material to be used for backfill of the cutoff trenches and for construction of the core of the dams ~~should be a~~ clayey material placed in lifts not exceeding ~~four feet~~ ~~four feet~~ compaction.

APR 1 9 1994

John Fend, Manager
U.S. Bureau of Land Management
Page 2

- The fill should be compacted by means of a loaded sheepsfoot or pneumatic roller to the required density to be determined in the field. An acceptable range of moisture content should be established and maintained throughout construction.
- The core material should be free of organic material, frozen or cloddy material and rocks greater than 4 inches in maximum diameter.
- The applications indicate that no low level outlet is planned at either dam. Usually a low level outlet is installed to release storage from the reservoir if an emergency situation should occur. However, because of the remote location of the dams and the small reservoir volumes, the Department does not see any reason to install an outlet at either site.

As proposed, the dams are classified as small, low risk. Rule 8,1,11 indicates that a dam so classified must be capable of passing an inflow design flood (IDF) that has a 1 in 50 chance of occurring in any given year (Q50). Since the drainage areas above the dams are relatively small, the proposed spillways are more than adequate to handle the IDF with adequate freeboard. The spillway channels should have a base width of at least 10.0 feet and a depth of at least 3.5 feet with sideslopes of 2:1.

As previously mentioned, the dams are not required to be constructed to meet the construction standards; however, if they are placed on the active inventory due to risk changes downstream, or for any other reason, modifications may be required if they are not properly constructed.

Should you have any questions, please contact John Westra, phone 334-2190 in our Western Regional Office in Boise. Please let Mr. Westra know when construction commences, so that inspections can be scheduled at specific times during construction.

Sincerely,



A. Michael Stubblefield, P.E.
Dam Safety Section

cc: IDWR - Western Region

APR 19 1994

Affidavit Publication

STATE OF IDAHO,
COUNTY OF PAYETTE

ss.

Application for Water Rights
TITLE OF PUBLICATION

SPONSOR OF PLAINTIFF

Idaho Dept. of Water Resources
PLAINTIFF OR LEGAL AGENT

I, Viola Olsen, being

duly sworn, deposes and says:

That she is the principal clerk of

THE INDEPENDENT ENTERPRISE, a weekly newspaper published at Payette, in the County of Payette and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Payette; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for two consecutive weeks in the regular and entire issue of said paper during the period and time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with March 2, 1994, and ending with the issue of March 9, 1994.

STATE OF IDAHO
COUNTY OF

On this 10th day of March in the year of 1994, before me a Notary Public, personally appeared Viola Olsen 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.

Marlene J. Rhinehart
Notary Public for Idaho

Residing at Fruitland

My commission expires: 12-1-98

STATEMENT

Independent-Enterprise
PAYETTE, IDAHO

Number of Lines 41

Number of Insertions Two

41 Lines @ 90 ... \$ 37.80

41 Lines @ 72 ... \$ 29.52

TOTAL COST
WILL BE \$ 67.32

Copy of Notice

(First Copy)

NOTICE OF APPLICATION FOR WATER RIGHT

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

65-13499

JANTZ, RONALD
5390 BUTTE ROAD
NEW PLYMOUTH, ID 83655

Source: GROUNDWATER

Diversion Pt: NWSW Sec 17 T 07N R 04W in PAYETTE County.

Use: IRRIGATION (3.000 CFS)
Total Diversion: (3.000 CFS)

Date Filed: 2/3/1994

In: PAYETTE COUNTY
T07N R04W S17 SWNW NWSW
S18 NENE SENE

156.0 ACRES TOTAL

65-13500
BUREAU OF LAND MANAGEMENT
BOISE DISTRICT OFFICE
3948 DEVELOPMENT AVE.
BOISE, ID 83705

Source: UNNAMED STREAM Tributary:
DRY CREEK

Diversion Pt: SESWNW Sec 5 T 09N R 01W in PAYETTE County.

Use: STOCKWATER STORAGE (4.00 AF)
STOCKWATER (.040 CFS)
WILDLIFE STORAGE (4.00 AF)
WILDLIFE (.040 CFS)
Total Diversion: (.040 CFS)

Date Filed: 2/16/1994

In: PAYETTE County
T09N R01W S05 SWNW

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, West Tower, 2735 Airport Way, Boise, Idaho 83705 on or before MARCH 21, 1994.

9 1994

R. KEITH HIGGINSON, Director

65-13500

BUREAU OF LAND MANAGEMENT
BOISE DISTRICT OFFICE
3948 DEVELOPMENT AVE
BOISE, ID 83705

Source: UNNAMED STREAM

Tributary: DRY CREEK

Diversion Pt: SESWNW Sec 5 T 09N R 01W in PAYETTE County.

Use: STOCKWATER STORAGE		(4.00 AF)
STOCKWATER	(.040 CFS)	
WILDLIFE STORAGE		(4.00 AF)
WILDLIFE	(.040 CFS)	
Total Diversion:	(.040 CFS)	

Date Filed: 2/16/1994

In: PAYETTE County
T09N R01W S05 SWNW

RECEIVED

APR 19 1994