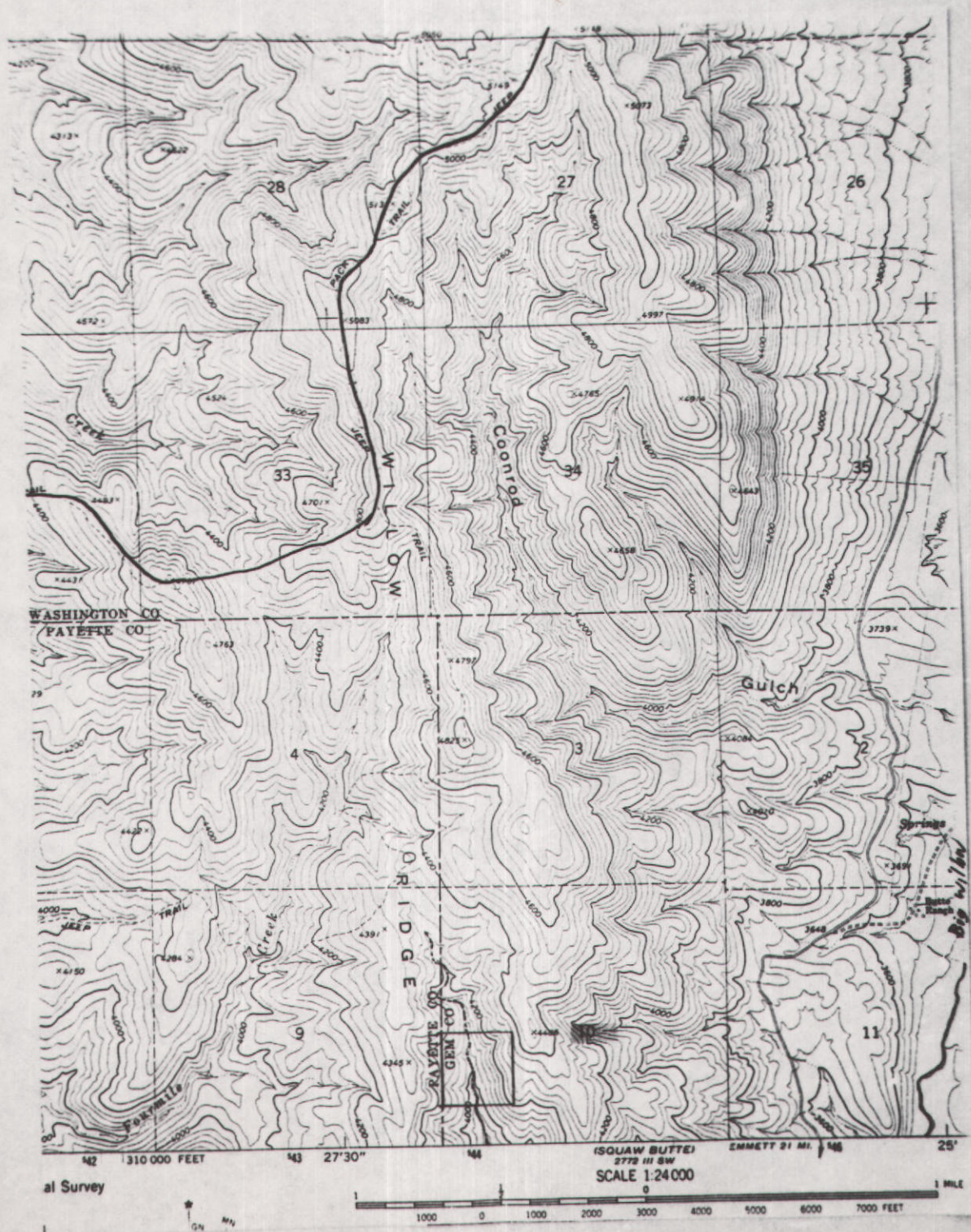




RECEIVED
JAN 14 1991

Department of Water Resources
Western Regional Office

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
SS.
COUNTY OF GEM,

Jay Friddle, being first
duly sworn, on her oath deposes and
says that she is the clerk of the Mes-
senger Index, a legal weekly news-
paper published at Emmett, in Gem
County, Idaho; that said newspaper
is in general circulation in said
county and has been published unin-
terruptedly and continuously for
more than 78 weeks prior to the
first publication of the annexed
document; and that the document
notice, process, or advertisement
hereunto annexed was published in
the regular edition of Messenger
Index for two

consecutive weekly issues thereof,
beginning with the issue of

Jan 2, 1991,

and ending with the issue of

Jan 9, 1991

Jay Friddle

Subscribed and sworn to me this

9th day of

January, 1991

Mary Ann Hansen

Notary Public

Residing at Emmett, Idaho

My Commission Expires 3-21-95

NOTICE OF APPLICATION
FOR ASSIGNMENT
NO. 65-10075

Notice is hereby given that permit No.
65-10075 in the name of U.S. Dept. of In-
terior (BLM) was filed on 10/20/90 for the
diversion of 37 CFS and 10 A.D. and 40
A.E. from Deer Gulch with a point of
diversion within 1/2 mile from the
Switzerland to be used for Stockwater,
Waste, Wildlife Storage, and Wildlife
Storage purposes from 9/1 to 10/1
within portions of 1991 River and 1991
River.

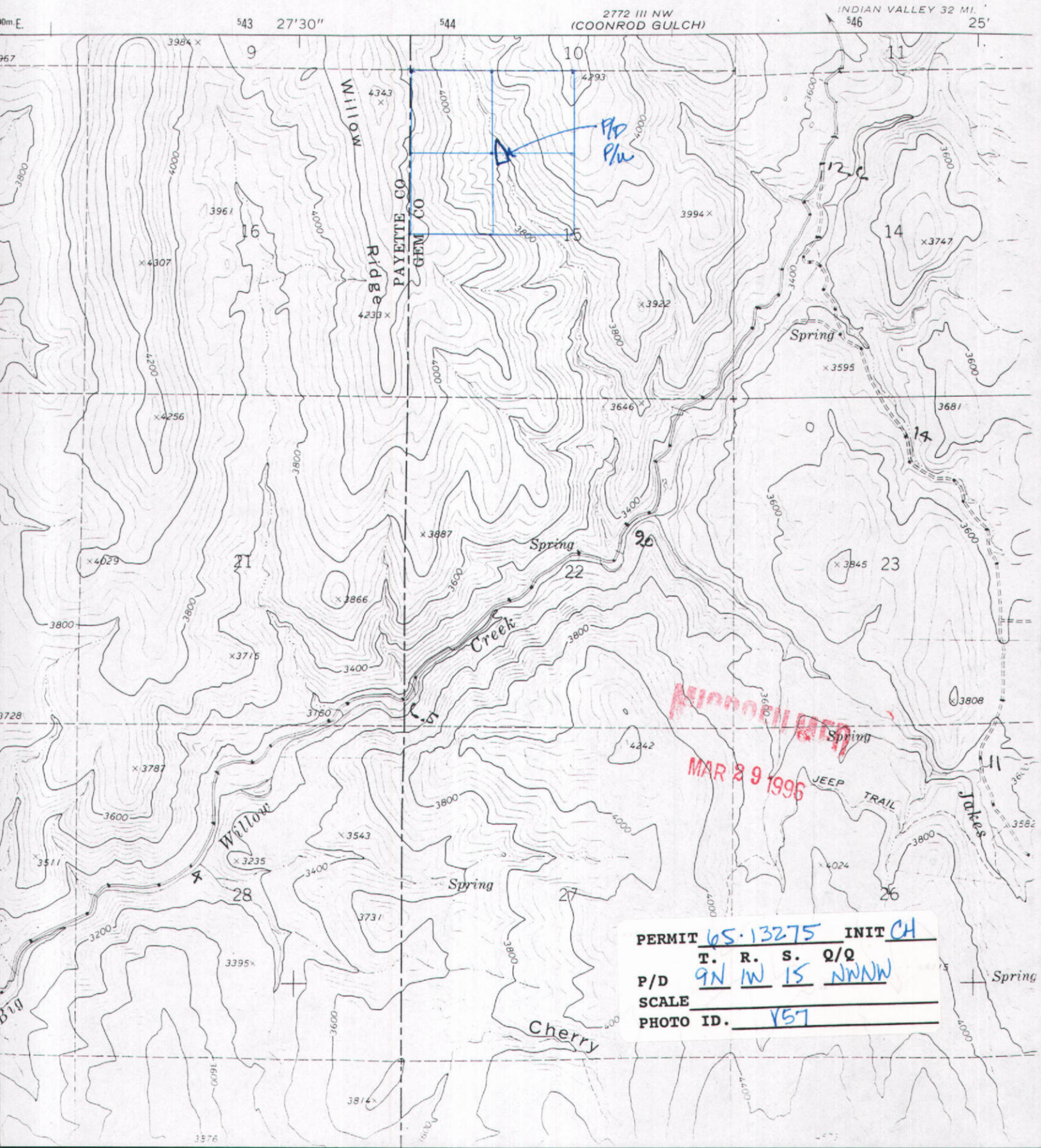
The permit holder now proposes to
amend the permit by changing the point
of diversion and place of use to 1/2 mile
from the Switzerland, and to clarify original intent
of application for permit. Storage is for
Stockwater and Wildlife use. No change
in amount of water and date of use.

Any person against the approval of the
proposed amendment must be filed with
the Department of Water Resources,
Western Region, 8705 Airport Way,
Belen, Idaho 87008 on or before Janu-
ary 22, 1991.

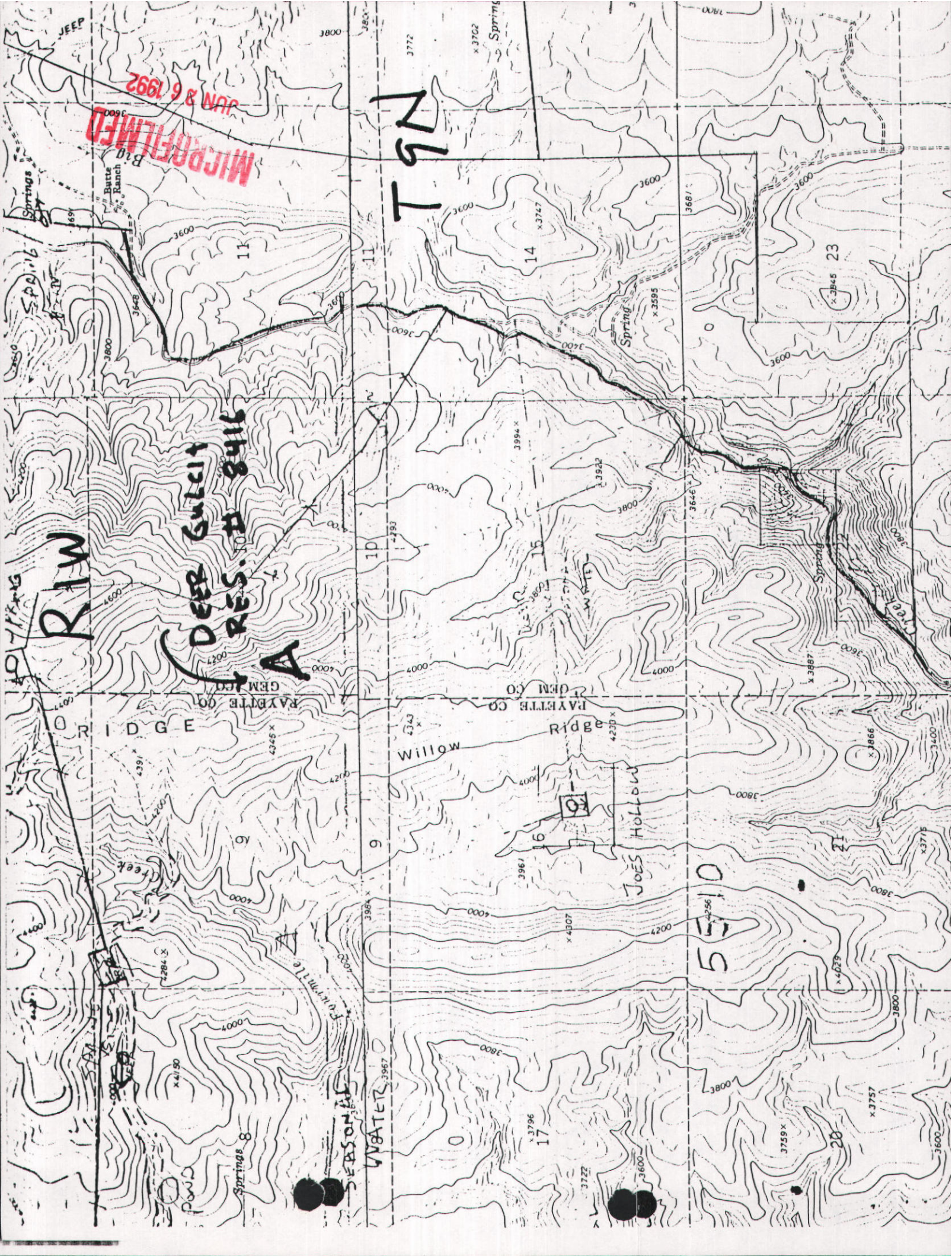
R. Keith Hinchman
Director

28
Pub. 1-23-91
Legal Notice No. 980
Published in the Messenger Index

Not fatal error
Date 2/19/91



PERMIT 65-13275 INIT CH
T. R. S. Q/Q
P/D 9N W 15 NNNW
SCALE _____
PHOTO ID. V57



R1W

DEER GULCH
RES. # 8416

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POND

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State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 65-13275

Priority: May 27, 1992

Maximum Diversion Rate:

0.07 CFS

Maximum Diversion Volume:

8.0 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 June 27, 1990; and
has submitted Proof of Beneficial Use on May 27, 1992. An examination indicates
that the works have a diversion capacity of 0.070 cfs of water from:

UNNAMED STREAM

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	0.07 CFS	
STOCKWATER STORAGE	01/01 to 12/31		4.0 AF
WILDLIFE STORAGE	01/01 to 12/31		4.0 AF
	Totals	0.07 CFS	8.0 AF

LOCATION OF POINT(S) OF DIVERSION:

NENW , Sec. 15, Township 09N, Range 01W
SENEW , Sec. 15, Township 09N, Range 01W
GEM County

PLACE OF USE: STOCKWATER

TWN RGE SEC

09N 01W 15

NENW

SENEW

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.

MAY 28 1992

State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

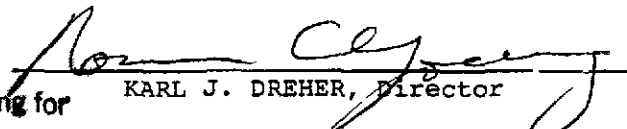
WATER RIGHT NO. 65-13275

CONDITIONS OF APPROVAL AND REMARKS

5. This right, when considered with all other rights common to the same grazing allotment, shall be limited to the quantity of water beneficially used by the number of stock within the allotment.
6. Use of water under this water right will be regulated by the watermaster of State Water District No. 65.
7. Source locally known as Deer Gulch.
8. Single point of diversion is located on or near line between NENW and SENW, S15, T09N, R01W.
9. Place of use is located within the Deer Gulch Reservoir Project No. 8416.
10. Stockwater use is for 300 range cattle.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 31st day of JANUARY, 1996.

Acting for


KARL J. DREHER, Director

JAN 31 1996

RECEIVED

JAN 29 1996

WATER RESOURCES
WESTERN REGION

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT

(For Licensing Purposes)

WATER RIGHT NO. 65-13275

RECEIVED

JAN 30 1996

Department of Water Resources

Date of Priority: May 27, 1992

Maximum Diversion Rate:

0.07 CFS

Maximum Diversion Volume:

8.0 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. 65-13275, and requests that the permit be changed as follows:

Source: UNNAMED STREAM

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	0.07 CFS	
STOCKWATER STORAGE	01/01 to 12/31		4.0 AF
WILDLIFE STORAGE	01/01 to 12/31		4.0 AF
	Totals	0.07 CFS	8.0 AF

LOCATION OF POINT(S) OF DIVERSION:

NENW , Sec. 15, Township 09N, Range 01W
SENW , Sec. 15, Township 09N, Range 01W
GEM County

PLACE OF USE: STOCKWATER

TWN RGE SEC

09N 01W 15

NENW

SENW

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, this 24 day of Jan., 19 96

MAR 29 1996

(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 65-13275

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = \$ 50 Received by [Signature] # W020249 Date 1/29/96

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. 65-13275 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. This right, when considered with all other rights common to the same grazing allotment, shall be limited to the quantity of water beneficially used by the number of stock within the allotment.
6. Use of water under this water right will be regulated by the watermaster of State Water District No. 65.
7. Source locally known as Deer Gulch.
8. Single point of diversion is located on or near line between NENW and SENW, S15, T09N, R01W.
9. Place of use is located within the Deer Gulch Reservoir Project No. 8416.
10. Stockwater use is for 300 range cattle.

Witness my hand this 31st day of January, 19 96

[Signature]
Acting for KARL J. DREHER, Director

3-2-96

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 65-13275	)	
	)	ORDER OF
IN THE NAME OF BUREAU OF LAND MANAGEMENT)	)	REINSTATEMENT

This matter having come before the Idaho Department of Water Resources (Department), the Department finds as follows:

FINDINGS OF FACT

1. On November 9, 1990, the Director of the Department of Water Resources issued Permit No. 65-13275 with a condition of approval that proof of construction of works and application of water to beneficial use be submitted on or before November 1, 1991.

2. On August 31, 1991, the Department sent a proof due notice to the permit holder.

3. On November 8, 1991, the Department sent a lapse notice to the permit holder.

4. On May 27, 1992, the permit holder submitted Proof of Beneficial Use to the Department.

5. Section 42-218a.2., Idaho Code, authorizes the Department to reinstate a lapsed permit, with the priority date advanced to the date that proof of beneficial use was received, upon submittal of evidence clearly establishing the extent of beneficial use prior to the proof due date and a showing of reasonable cause why the proof was submitted late.

6. The permit holder has submitted evidence to confirm that water has been put to beneficial use prior to the proof due date. Evidence includes job documentation reports showing the date of completion prior to the proof due date, proving that water was beneficially used.

7. The permit holder states in correspondence to the department that there was some confusion over the license examination fee schedules and the necessity on the part of the BLM to pay the fee.

RECEIVED

JUN 26 1992

CONCLUSIONS OF LAW

1. The permit holder has submitted proof of beneficial use along with supporting evidence which establishes that water was in fact beneficially used as identified on the permit.

2. The permit holder has shown sufficient cause why the proof of beneficial use was not submitted in a timely manner.

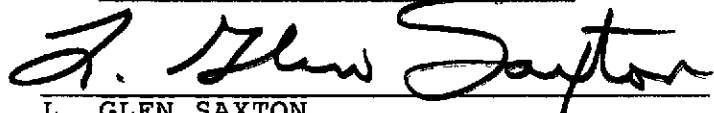
3. The permit can be reinstated with the date of priority advanced to the date proof of beneficial use was received by the Department.

ORDER

IT IS HEREBY ORDERED that Permit No. 65-13275 is REINSTATED.

IT IS FURTHER ORDERED that the date of priority of this permit is advanced to May 27, 1992.

Dated this 15th day of June, 1992.


L. GLEN SAXTON
Chief, Water Allocation Bureau

JUN 26 1992

RECEIVED

MAY 1992
STATE OF IDAHO

NOV 20 1991

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

JAN - 3

Department of Water Resources
Western Regional Office

The Idaho Department of Water Resources will consider this form as 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 or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 65-13275 Telephone No. 384-3300

Name(s) of Permit Holder(s): BUREAU OF LAND MANAGEMENT

Post Office Address: 3948 DEVELOPMENT AVE BOISE, IDAHO 83705

Source of Water: DEER GULCH - SNOW MELT

If ground water, well driller's name: _____ Date drilled: _____

Extent of Use:
Domestic _____ (No. of households) Irrigation _____ (No. of acres)
Stockwater 250-300 HD CATTLE (No. and type of stock) Other _____
& 20 head of horses DEER GULCH RESERVOIR

Total rate and/or volume for which proof is submitted 0.04 cfs 4.0 acre/feet

Show date water was first diverted and beneficially used under this permit: 6-15-91

One of the following may be a condition of approval of your permit:

Measuring device: Required? ☐ Yes ☒ No Installed? ☐ Yes ☒ No

OR

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

Fee Enclosed: \$ 50 (See License Examination Fee Schedule)

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

ED GREEN / GENE DECKER
Name

384-3375 / 384-3351
Telephone No

BLM - BOISE DISTRICT 3948 DEVELOPMENT AVE BOISE, IDAHO 83705
Address

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

RECEIVED
JUN 26 1992

11/13/91
Date

[Signature]
Signature (and title if on behalf of a company or organization)

DWR GLEN APT 2 PM

Form 211
2-68

Idaho No 65-13275

STATE OF IDAHO

APPROVED

APPLICATION FOR AMENDMENT OF A PERMIT

To change the point of diversion and/or the place of use.

Comes now Bureau of Land Management
of (address) 3948 Development Ave. Boise, Idaho 83705
Director of the Idaho Department of Water Resources

Phone 384-3304
and represents to the

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho
No. 65-13275 and requests that the permit and permit map be changed as follows

1. Point of diversion NW 1/4 NW 1/4 Section 15 Township 9N Range 1W B.M.
County of GEM Other points of diversion _____

2. Period and nature of use (irrigation, domestic, stockwatering, industrial, etc.)

Amount 4.0 for Storage for purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre feet per annum) Storage for
Amount 4.0 for from storage purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre feet per annum) from storage
Amount 0.07 for Stockwater purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre feet per annum) Stockwater
Amount 0.07 for Wildlife purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre feet per annum) Wildlife

3. Place of use or land to be irrigated:

TWP	RGE	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
* 9N	1W	15					X												

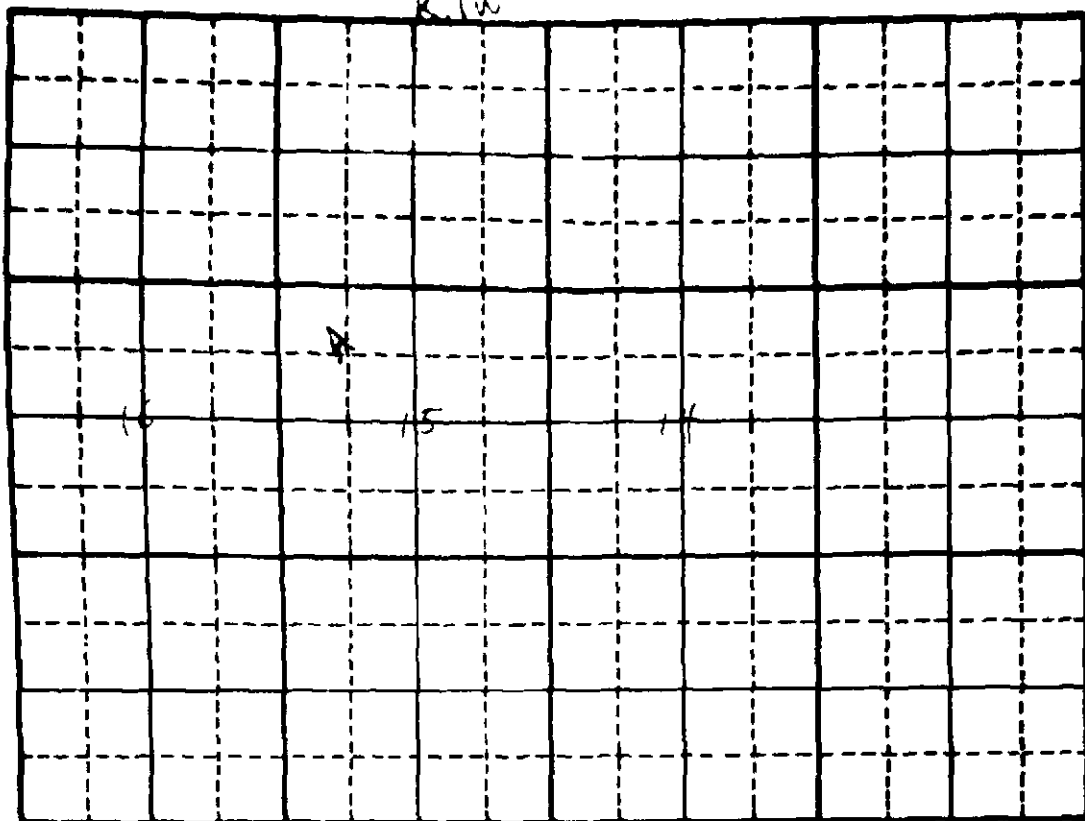
Total number of acres to be irrigated = _____

4. a. Who owns the property at the point of diversion? BLM
b. Who owns the land to be irrigated or the place of use? BLM
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing NA

* p/m also at Bld for Annual Reservoir permit with Mark
Vinson at BLM dist. office, 12/19/84

Complete the following map by showing land and point of diversion as provided by this amendment

Show 40-acre subdivisions, townships, ranges and sections



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 DISTRICT BLM, this 10th day of December, 19 90.

Edward C. H. [Signature]
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by RL Fee \$20.00 Received by RL Date 12/17/90 # W012910
Publication prepared by GG Date 12/26/90 Published in Messenger-Index
Publication dates 1/3 & 1/10/91

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, L. GLEN SAXTON, of the Department of Water Resources hereby approved the above referenced application for amendment provided the conditions as set forth in permit No. 65-13275 are met.

Witness my hand this 26th day of February, 19 91
L. Glen Saxton
Chief, Water Allocation Bureau

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 65-13275

Proposed Priority: June 27, 1990 Maximum Diversion Rate: 0.07 CFS

This is to certify, that U.S. DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
3390 AMERICANA TERRACE
BOISE, ID 83706

has applied for a permit to appropriate water from:

DEER CULCH tributary of BIG WILLOW 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	0.07 CFS	
WILDLIFE	01/01 to 12/31	0.07 CFS	
WILDLIFE STORAGE	01/01 to 12/31		4.0 AF
WILDLIFE FROM STORAGE	01/01 to 12/31		4.0 AF
Totals		0.07 CFS	

LOCATION OF POINT(S) OF DIVERSION: SWNWSW Sec. 10, Township 09N, Range 01W
GEM County

PLACE OF USE: STOCKWATER

TWN RGE SEC

09N 01W 10 NWSW

PLACE OF USE: WILDLIFE, same as STOCKWATER use

PLACE OF USE: WILDLIFE STORAGE, same as STOCKWATER use

PLACE OF USE: WILDLIFE FROM STORAGE, 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 November 1, 1991.
2. Subject to all prior water rights.
3. Use of water under this permit is subject to control by the watermaster of State Water District No. 65.
4. Stockwater is for 300 range cattle.

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

6th day of November, 1990

R. Keith Higginson
for R. Keith Higginson, Director

DAVE GULCH RESERVOIR

Form 202
6/78

Idaho No 65-13275

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

- 1 Name of applicant BUREAU OF LAND MANAGEMENT Phone 334-9200
Post office address 3748 DEVELOPMENT AVE BOISE, IDAHO 83705
- 2 Source of water supply DAVE GULCH which is a tributary of 36 MILLER CREEK
- 3 Location of point of diversion is SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Govt Lot
Sec 10 Township 9N Range 1W BM GEM County; additional
points of diversion if any _____
- 4 Water will be used for the following purposes
Amount 4.0 for STORAGE FOR purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum) STORAGE FOR WILDLIFE
Amount 4.0 for STORAGE purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum) STORAGE FOR WILDLIFE
Amount 0.07 for STORAGE purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum) WILDLIFE
Amount 0.07 for WILDLIFE purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
- 5 Total quantity to be appropriated is (a) 0.07 cubic feet per second and/or (b) 4.0 acre feet per annum
6. Proposed diverting works
 - a Description of ditches, flumes, pumps, headgates, etc EARTH FILL DAM TO BE BUILT
SNOWMELT RUNOFF
 - b Height of storage dam 18 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
1/1 to 12/31 inclusive
 - c Proposed well diameter is _____ inches, proposed depth of well is _____ feet
 - d Is ground water with a temperature of greater than 90°F being sought? _____
- 7 Time required for the completion of the works and application of the water to the proposed beneficial use is
1 years (minimum 1 year)

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

- a Hydropower, show total feet of head and proposed capacity in KW NA
- b Stockwatering, list number and kind of livestock 200-300 Head Cattle
- c Municipal, show name of municipality NA
- d Domestic, show number of households NA
- e Other, describe fully Livestock & Wildlife - thousands numbers of animals
Don't say any.

9 Description of place of use

- 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.

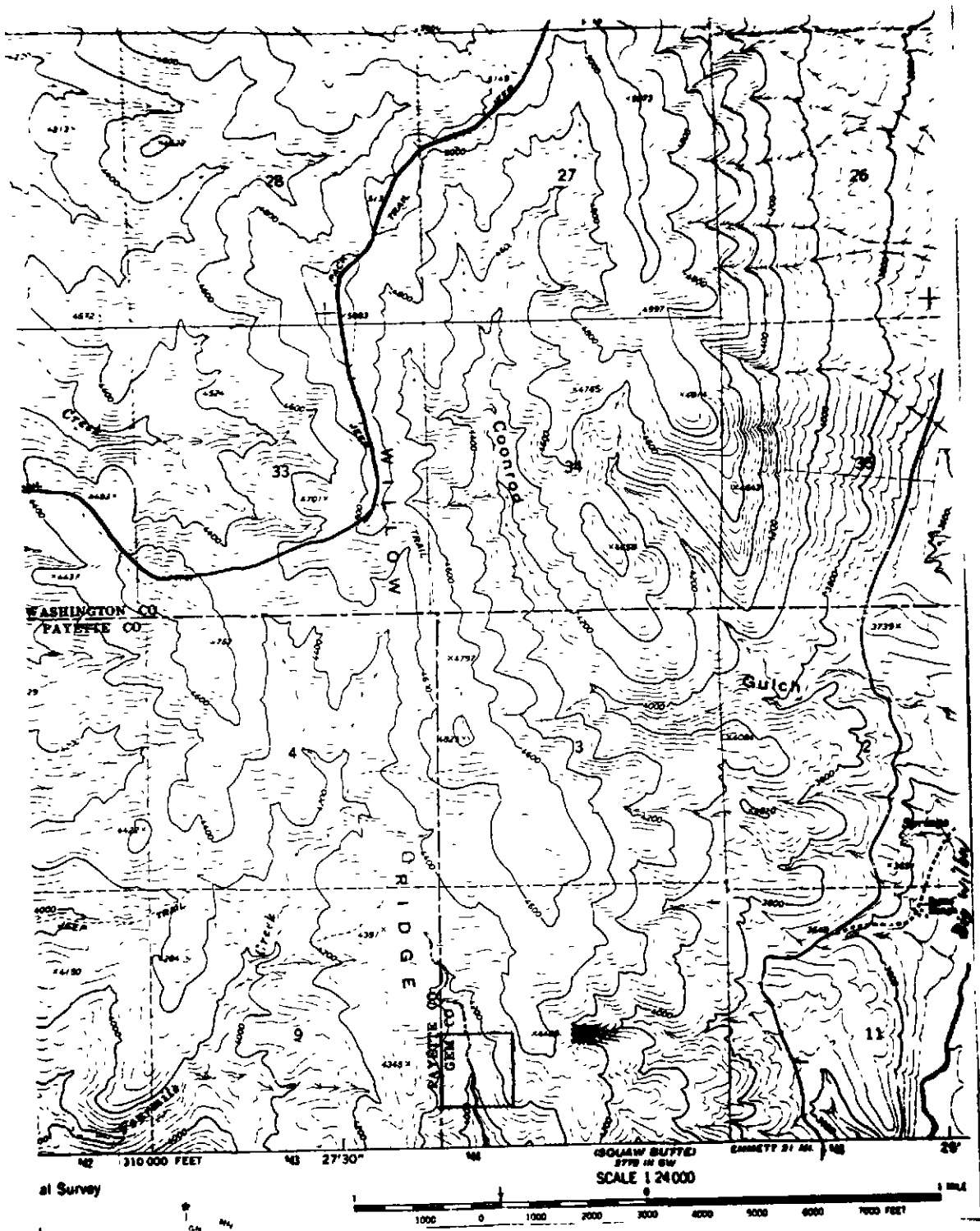
[illegible]

Total number of acres to be irrigated _____

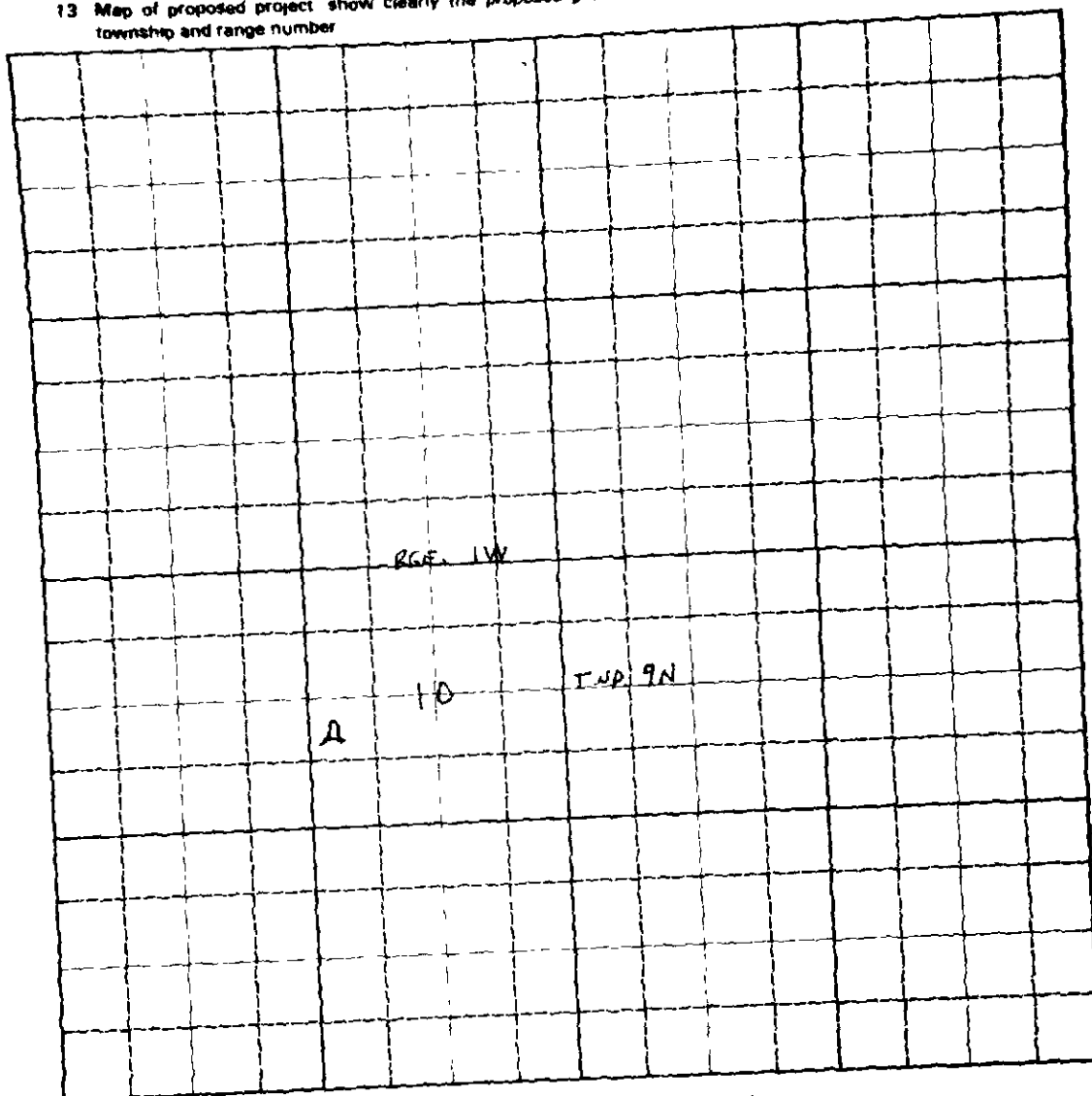
- 10 Describe any other water rights used for the same purposes as described above _____

- 11 a Who owns the property at the point of diversion? US GOVERNMENT
b Who owns the land to be irrigated or place of use? US 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 DNR GULLIT RESEARCH PROJECT # 8416



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



Scale 2 inches equal 1 mile

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

Michael J. Smith
(Applicant)
Charles M. Brown

Received by SP Date 6-27-90 Time 11:09 Preliminary check by rw
Fee \$ 30.00 Received by SP # W012502 Date 6-27-90
Publication prepared by GG Date 8- -90 Published in Messenger-Index
Publication approved at Date 9-25-90
9/6 & 9/13/90

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

RECEIVED
JAN 14 1991

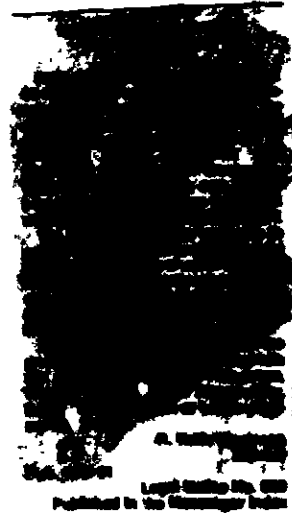
Department of Water Resources
Boise, Idaho

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
ss.
COUNTY OF GEM

John F. Lee being first
duly sworn on his oath deposes and
says that she is the clerk of the Mes-
senger Index a legal weekly news-
paper published at Emmett in Gem
County Idaho that said newspaper
is in general circulation in said
county and has been published unin-
terruptedly and continuously for
more than 78 weeks prior to the
first publication of the annexed
document and that the document
notice process or advertisement
hereunto annexed was published in
the regular edition of Messenger
Index for first
consecutive weekly issues thereof,
beginning with the issue of
Jan 1, 1991
and ending with the issue of
Jan 1, 1991
first

Subscribed and sworn to me this
14th day of
January, 1991
John F. Lee
Notary Public
Residing at Emmett, Idaho



My Commission Expires 1-21-95

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

ss

COUNTY OF GEM,

Don F. L. L. being first
duly sworn, on his oath deposes and
says that he is the ^{Clerk} ~~Printer~~ of Mes-
senger-Index, a legal weekly news-
paper published at Emmett, in Gem
County, Idaho, that said newspaper
is in general circulation in said
county and has been published unin-
terruptedly and continuously for
more than 78 weeks prior to the
first publication of the annexed
document, and that the document
notice, process, or advertisement
hereunto annexed was published in
the regular edition of Messenger-
Index for Two

consecutive weekly issues thereof,
beginning with the issue of
7-5, 1990,

and ending with the issue of
7-12, 1990.

Don F. L. L.

Subscribed and sworn to before me
this 13th day of

September, 1990

Harry Lane Harrison

Notary Public,
Residing at Emmett, Idaho.

My Commission Expires 3-21-95

RECEIVED
SEP 13 1990

Department of Water Resources
Western Regional Office

NOTICE OF APPLICATION FOR WATER RIGHT

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

65-13269

CHEEHAOLE RANCH
C/O R.J. OR MAE HUNTER
PO BOX 98
EMMETT, ID 83617
Source SQUAW CREEK
Tributary PAYETTE RIVER
Diversion Pt. NWNW Sec 16 T 07 N
R 01E

Use IRRIGATION (1,000 CFS)

Total Diversion (1,000 CFS)

Date Filed 2/21/1990

In T07N R01E S08 SESE

S09 SWSW

S16 SWNE NWSE

500 ACRES TOTAL

65-13275

U.S. DEPT OF INTERIOR

BUREAU OF LAND MANAGEMENT

IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE, ID 83705

Source DEER GULCH

Tributary BIG WILLOW GULCH

Diversion Pt. SWNWSW Sec 10 T 08N

R 01W

Use STOCKWATER (070 CFS)

WILDLIFE (070 CFS)

WILDLIFE STORAGE (400 AF)

WILDLIFE FROM STORAGE (400 AF)

Total Diversion (070 CFS) (400 AF)

Date Filed 8/27/90

In T08N R01W S10 NWSW

The permit(s) will be subject to all pri-
or water rights. Protests must be filed
with the Director, Dept. of Water
Resources, Western Region, 2735 Air-
port Way Boise Idaho 83705 on or be-
fore SEPTEMBER 24 1990.

R. KEITH HIGGINSON Director

Pub 9-5,12-90

Legal Notice No. 880

Published in the Messenger Index



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

January 31, 1996

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

RE: WATER RIGHT NO. 65-13275

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved Application for Amendment.

Should you have any questions regarding these documents, please contact me.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

REC 29 1996



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

January 2, 1996

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

RE: WATER RIGHT NO. 65-13275

Dear Water Right 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 with the \$50.00 filing fee within 60 days.

The last page of the Application for Amendment form contains a list of CONDITIONS/REMARKS proposed for the license when it is issued. These conditions/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:rl

Enclosure

JAN 2 9 1996

MEMORANDUM

DATE: January 2, 1996

TO: File 65-13275

FROM: Shelley W. Keen *swk*

RE: Flow component for wildlife

=====

The field examiner recommended that this license include a flow rate of 0.07 cfs for wildlife purposes. I am recommending that the license not include a flow component for wildlife purposes because there is no diversion of flow from the natural channel. Unlike stockwater use, wildlife use is not one of the statutory exceptions for authorizing an instream flow water right.

LICENSE REVIEW CHECKLIST

PERMIT NO. 105-13275 DATE 12-22-95



NAME Change OK ☒ Or Address Change? ☐

PRIORITY DATE ☒ Advance? YES Advanced to: 5-27-92
 Order to reinstate needed? DONE
 Incorrect fee for rate recommended? NO

SOURCE ☒ Changes or just clarification of originally intended source? UNNAMED STREAM (LOCALLY KNOWN)
 Notice of Intent to Void necessary? AS DEER GULCH

POINT OF DIV ☒ Amendment needed? CHANGE TO NENW/SENU (ON Cline)
☒ Overlaps? ☐

PLACE OF USE ☒ Amendment needed? CHANGE TO NENW + SENU 1/4'S
☒ Overlaps? ☐

DIV RATE ☐ Permit/fee limits: .07 CFS
 Meas Q = 300 cattle Theo Q = 4.0 Recommend: .07
.07 acceptable per 4-7-75 MEMORANDUM
 Combined rates exceed capacity ☐

ANNUAL VOLUME ☐ STORAGE
 Volume Limit: 4 AF Season: 1-1 to 12-31
 Calculations: 300 x .0134 = 4 GF
POND VOL = 4 GF
 Flow limit: cfs x x 1.9835 =
 Combined volumes exceed capacity/allowable ☐

USES ☐ Change in Nature of Use or additional uses? CHANGE
 Amendment necessary? NO WL FROM STOR JUST TO STOCK STORAGE
 (for this)

ADDITIONAL INFO Supplemental Groundwater ☐ PPU Scenario ☐
 Irr/Dom Combination ☐ Shared G/W System ☐

NEW REMARKS NO Multiple p/d(s) in 1/4 1/4?
W33 Other NENW-SENU - 9N-1W- S15 (one)

NEW CONDITIONS R04 Watermaster control - District 105
 Measuring/Locking Devices
 Irrigation Overlap
R37 Other Standard gov STOCK CONDITION
 Water Quality ☐ Heat/Cool/Fish verified ☐

COMMENTS: Remove Wildlife
AMEND P/D + P/U

RECOMMENDATION	CFS	VOLUME	SRBA Claim Filed	Adjustment Memo Needed
<u>Stockwater</u>	<u>.07</u>	<u>4.0</u>	<u>NO</u>	<u>YES</u>
<u>Wildlife</u>	<u>.07</u>	<u>4.0</u>		
<u>Stock Storage</u>		<u>4.0</u>		
<u>Wildlife Stor</u>		<u>4.0</u>		
<u>TOTAL</u>	<u>.07</u>	<u>8.0</u>		

LICENSE

1ST AMEND LETTER P48 + P38
 2ND AMEND LETTER P47

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

NOV 15 1995

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 65 13275

1. Owner: U.S.D.I. Bureau of Land Mgmt Phone No. 384 3304

Current Address: 3948 Development Ave Boise ID 83705

2. Accompanied by: Gene Decker EXAM DATE: 3/17/94

Address: above Phone No. 384.3351

Relationship to Permit Holder: _____

3. Source: unbamed stream tributary to Big Willow 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
			NE	NW	15	9N	1W	GEM	Single point on or near
			SE	NW	15	"	"		tract line

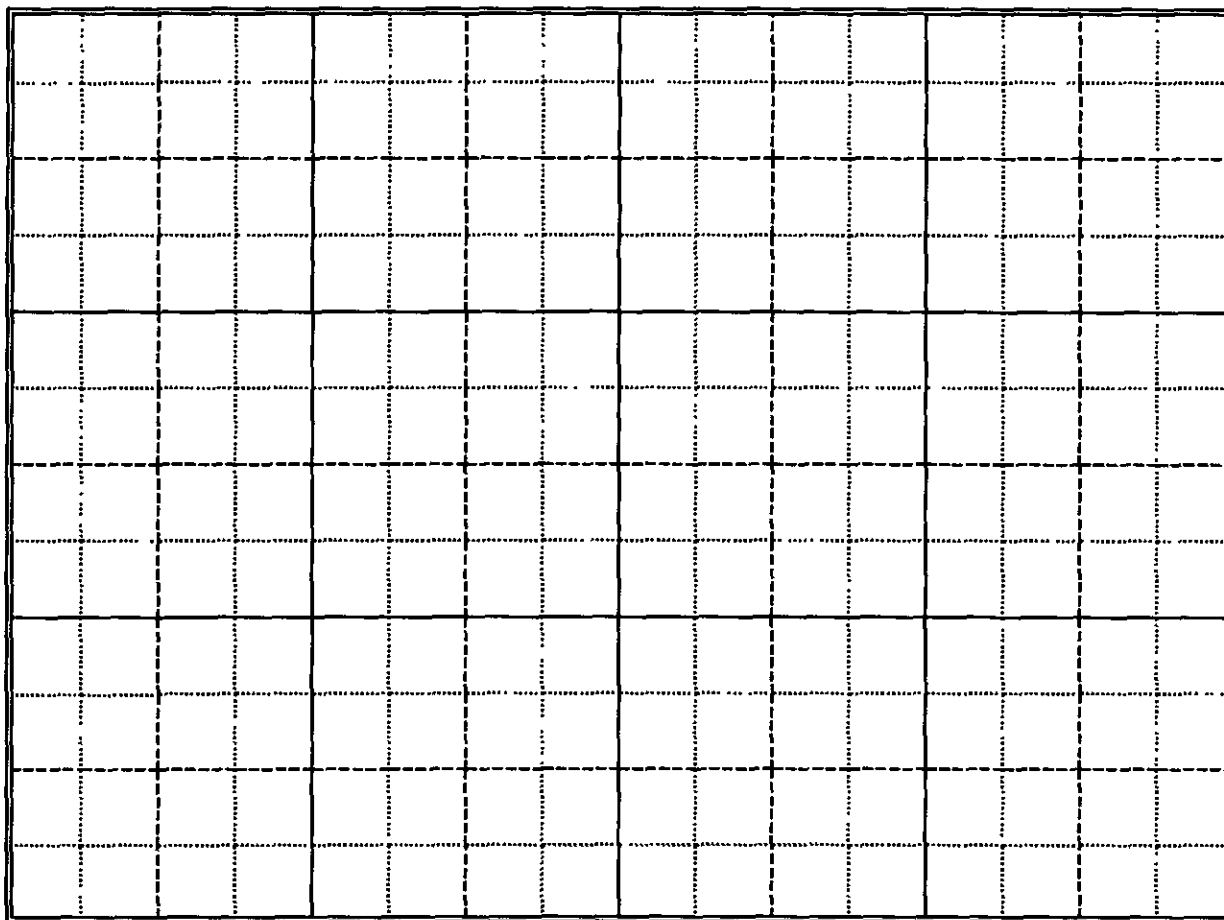
2. Place(s) of Use:

Indicate Method of Determination

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	15					S/W			S/W									

11/02/96

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



Scale: 1" = _____

_____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required)

_____ Aerial Photo Attached (required for irrigation of 10+ acres)

_____ Photo of Diversion and System Attached

4.

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

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements: None.

E. NARRATIVE/REMARKS/COMMENTS

Source = unnamed Stream known locally as
Deer Gulch

Dam = 18' ? Check w/ dam safety (No file)

No "as built" ~~map~~ survey in file. project map
shows reservoir in E $\frac{1}{2}$ NW $\frac{1}{4}$, on contour line.

Amendment req'd.

Permitting error eliminated Stockwater Storage,
although it appears on application.

Am removing the "from Storage" component and
replacing Stockwater Storage, with non-additive
volume as first-proposed.

Place of use aka Deer Gulch Res # 8416

Stockwater is for 300 range cattle.

Storage volume: Surface area 1-2 acres. Avg depth of
only 2 feet would be 4AF facility. Assume 4AF ok.

Flow: .07 cfs for live and flow-through stockwater.

No meas. feasible. Acceptable for 300 head.

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

MAR 28 1996

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

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

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

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

2. Volume Calculations for Other Uses:

$$300 \text{ head} \times .0134 = 4.02 \text{ AFA}$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
STOCKWATER	7/1	12/31	.01	4.0
WILDLIFE			.01	4.0
STOCK STORAGE				4.0
WILDLIFE STORAGE				4.0
Totals:			.07	8.0

2. Recommended Amendments

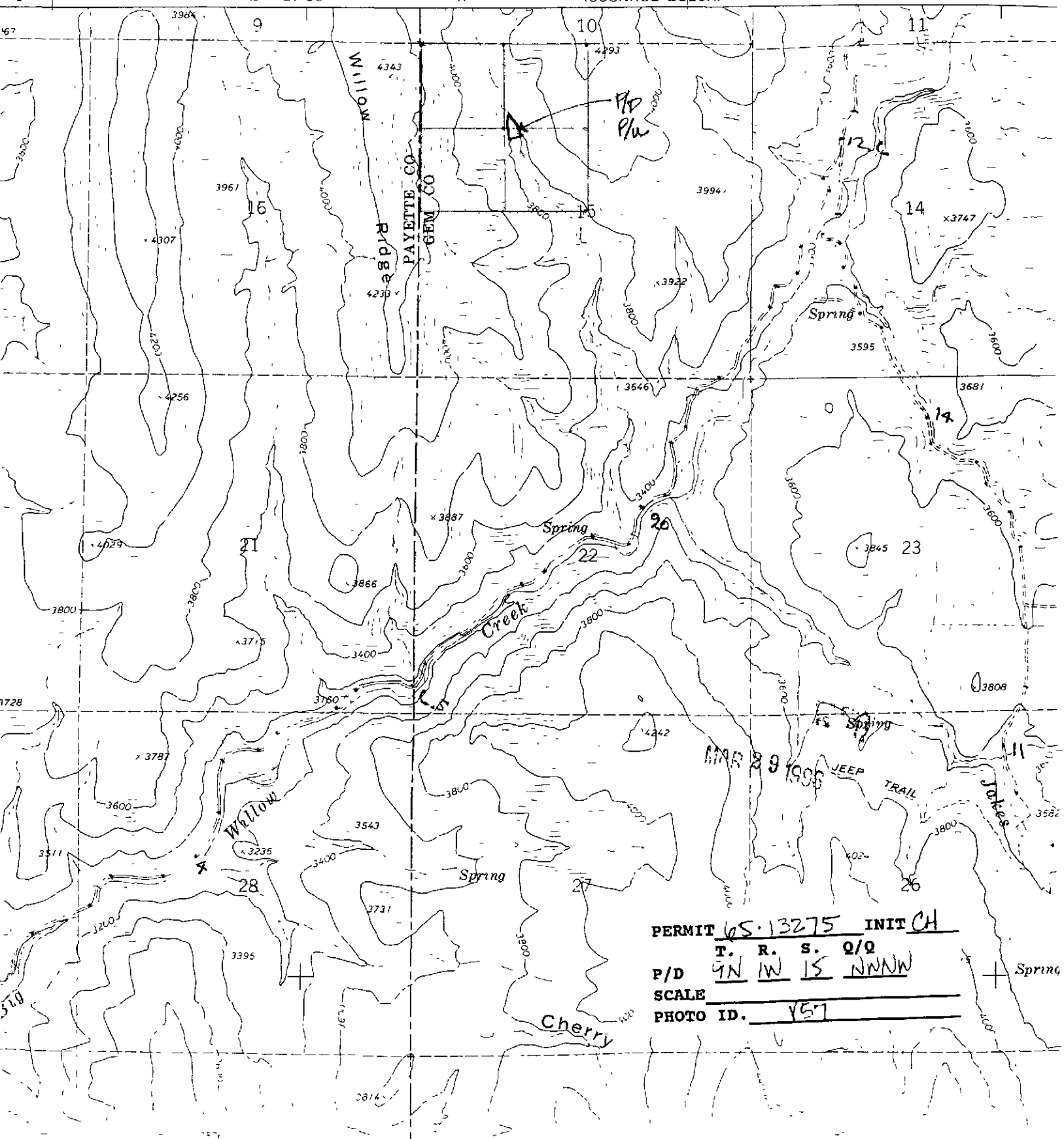
☒ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None
☒ Change P.U. as reflected above ☐ Add P.U. as reflected above ☒ Other Clarify use

I. AUTHENTICATIONField Examiner's Name Cindy J. Hodges Date 10-21-95

Reviewer _____ Date _____

SEAL

117 23 7990



PERMIT 65-13275 INIT CH
T. R. S. Q/Q
P/D YN W IS NNNN
SCALE _____
PHOTO ID. 157

June 18, 1992

U.S. DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
BOISE DISTRICT OFFICE
3948 DEVELOPMENT AVE
BOISE ID 83705

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 65-13275

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. Enclosed is an order advancing the priority of the permit since the proof was received after the proof due date. 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,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

Enclosure

JUN 26 1992

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 65-13275 Reviewed by Klg Date 6/12/92

GENERAL CONSIDERATIONS

yes Name same as permit?
yes Address same as permit?
no Proof timely received?
If not, complete calculation below.

TYPES OF USE

Stock + wildlife
Correct Uses? yes

SOURCE OF WATER

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

LICENSE EXAMINATION FEE

yes Required?
50 Amount Submitted
yes Correct?

MEASURING DEVICE

NA Required?
Installed?
Waiver requested?

PRIORITY CALCULATION

Date proof received Received Beyond
Date proof due 60 days
No. of days late advance = 40
Priority Date _____ + _____
New Priority Date 5/27/92

DEFICIENCIES OR ACTION ITEMS

proof acceptable

needs an order

DATA ENTRY

New Address data entry completed 6/15/92 Proof Made 5/27/92
Klg

RECEIVED
3:00 AM

MAY 26 89

Form 4120-6
(June 1985)

BUREAU OF LAND MANAGEMENT
BOISE DISTRICT OFFICE

FORM APPROVED
OMB NO 1001-0068
Expires January 31, 1986

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

COOPERATIVE AGREEMENT
FOR RANGE IMPROVEMENTS

FOR BLM USE ONLY

State ID
Office 014

Job Number(s)
8416

INSTRUCTIONS - Cooperator(s) to receive original, and one copy each to the District case or lease file and District job file.

Job Name(s)
DEER Gulch RESERVOIR

1. I, (We) A.L. CATTLE, INC of EMMETT, IDAHO,
of ,
of ,
and of ,

hereinafter called cooperator(s) and the United States of America, by the Bureau of Land Management, hereinafter called the Bureau, for and in consideration of the mutual benefits hereunder, and in accordance with the Taylor Grazing Act (43 U.S.C. 315, 315a-r), as amended, the National Soil Conservation Act (16 U.S.C. 590a-q(1)), as amended, the Federal Land Policy and Management Act (43 U.S.C. 1701, et. seq.), and the Public Rangelands Improvement Act (43 U.S.C. 1904) do enter into this cooperative agreement for the construction and/or maintenance of range improvements, installation of conservation works or establishment of conservation practices, hereinafter referred to collectively as improvements, for the benefit of the public lands and of the cooperator(s).

2. The improvements known as the DEER GULCH RESERVOIR

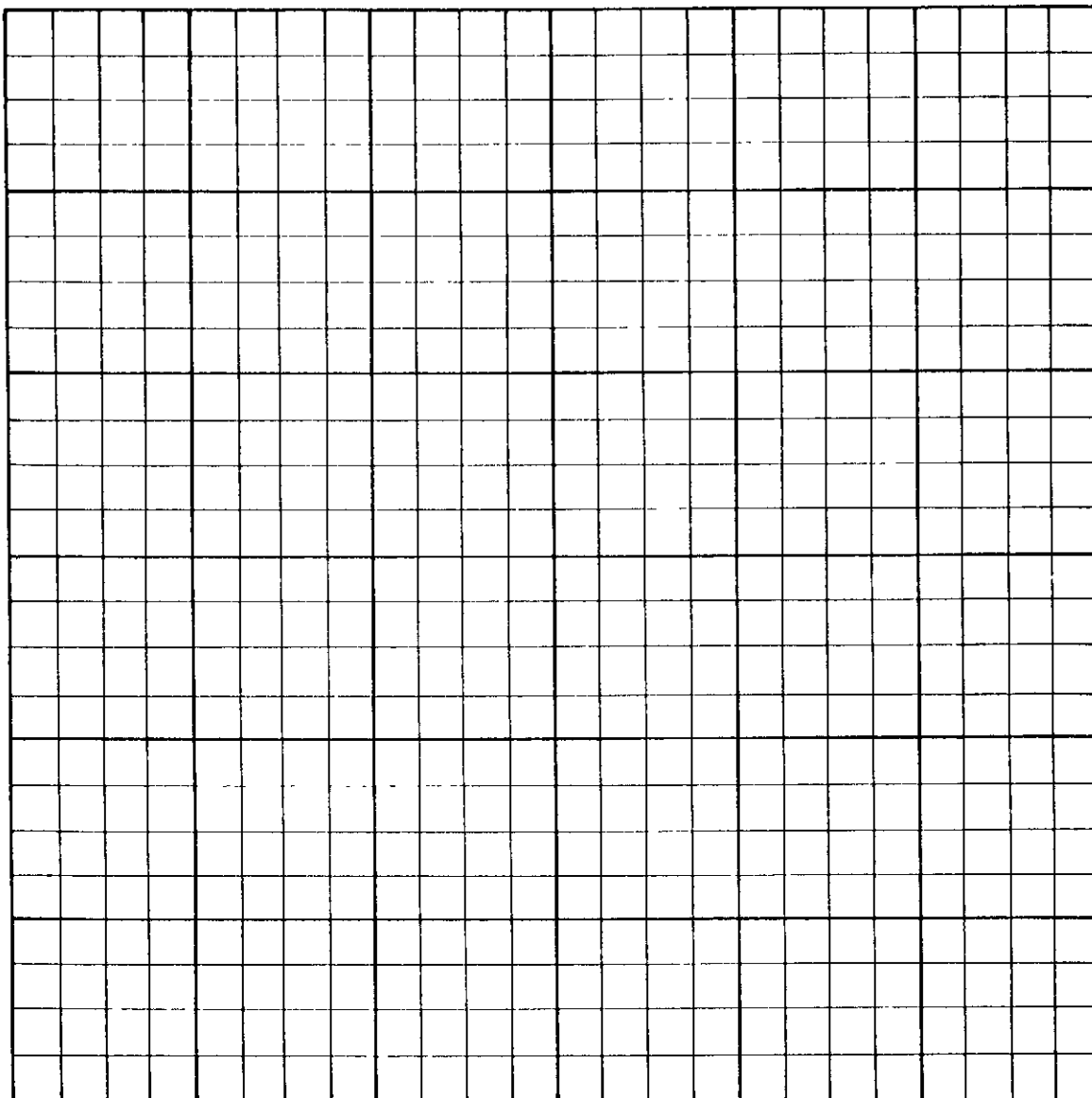
☒ will be ☐ are located upon 1/4, Sec(s) 10, T 9N, R. 1W,
BOISE Meridian, County of GEM, State of IDAHO.

3. IT IS MUTUALLY AGREED.

(a) The parties hereto will furnish labor, materials, and equipment as required, the total cost or value not to exceed the amount listed below for each of the parties respectively for the initial construction and/or installation of the improvements indicated in paragraph 2.

NAME(s) OF COOPERATOR(s)	ITEMS	TOTAL COST OR VALUE
<u>A.L. CATTLE INC.</u>	<u>MAINTENANCE</u>	<u>\$ UNKNOWN</u>
BUREAU OF LAND MANAGEMENT	<u>CONSTRUCTION</u>	<u>\$ 000⁰⁰</u>
	AGGREGATE COST	<u>\$ 3000⁰⁰</u>

LOCATION PLAT



Scale: inches equals one mile

The Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.) requires us to inform you that,

Information is being collected to develop a cooperative agreement for the construction, use, and maintenance of range improvements on its public lands.

Information will be used to document the specific participation of each cooperator on the range improvement(s) to be accomplished under the cooperative agreement. By signature, each cooperator agrees to participate in the manner specifically described in the agreement.

Response to this request is voluntary.

RECEIVED
JUN 26 1992
BUREAU OF LAND MANAGEMENT
1985-0-461-988/33059

(b) Upon notice from the authorized officer of the Bureau, cooperator(s) will promptly supply labor, materials and equipment as directed in paragraph 3. a. ~~Equipment contributed shall be returned to the contributor. Equipment contributed shall be returned promptly following completion of the work. Work will be conducted under the supervision and direction of the authorized officer and shall be pursued with diligence until completed.~~

4(a) The cooperator(s) shall be liable, jointly and severally, for the repair and maintenance of the improvements following completion, in good and serviceable condition. The cooperator(s), without further notice from the authorized officer shall do the necessary work promptly. If work is not performed as necessary, the authorized officer shall notify the cooperator(s) and specify a period within which to complete the work as required.

(b) In event the cooperator(s) default in the repair and maintenance of the improvements the authorized officer may do or cause such work to be done for and in behalf of the cooperator(s); and the necessary cost and expense thereof shall become a charge and obligation upon and shall be paid by the cooperator(s). It is further understood in case of default that any grazing permit or lease may be cancelled and may not be renewed or extended or any assignment thereof may not be approved unless and until all charges and costs owed by the cooperator(s) hereunder shall have been paid; and provided that the Bureau may pursue such other remedies, legal or administrative, as may be authorized.

(c) Repair and maintenance, as herein required, shall mean normal upkeep and maintenance necessary to preserve, protect, and prolong the useful life of the improvements, but shall not include major repairs where the damage is due to floods, earthquakes, or other acts of God, or fire not the result of fault or negligence of the cooperator(s) as determined by the authorized officer.

5. IT IS FURTHER AGREED.

(a) This agreement does not convey right, title, or interest in any lands or resources held by the United States.

(b) Title to nonstructural or nonremovable improvements authorized by this agreement shall be in the United States of America.

(c) Title to structural or removable improvements authorized by this agreement shall be shared by the United States and the cooperator(s) in proportion to the actual amount of their respective contribution to the initial construction of said improvements. The improvements may be removed, in whole or in part, during the term of this agreement or any extension thereof, by mutu-

al consent of the parties or by direction of the authorized officer, such removal shall be made by the cooperator(s). ~~Equipment contributed shall be returned to the contributor. Equipment contributed shall be returned promptly following completion of the work. Work will be conducted under the supervision and direction of the authorized officer and shall be pursued with diligence until completed.~~

responsibility for the protection or preservation of said material. Upon removal of the improvements, any salvageable materials, after deducting an amount to compensate for the actual cost of removal, shall be available for distribution to the parties then subject to this agreement in proportion to the actual amount of their respective contributions to the initial construction of the improvements. The parties shall take possession and remove their portion of the salvaged materials within one hundred and eighty (180) days after first notification in writing that such material is available; upon failure to do so within the time allowed, the materials shall be deemed to have been abandoned and title there-to shall thereupon vest in the United States.

(d) In the event lands containing improvements described under (a) or (b) above are devoted to another public purpose which precludes grazing, including disposal, the cooperator(s) shall be entitled to compensation for the adjusted value of the cooperator's contribution to the improvements.

6. If the cooperator(s) shall assign or transfer any grazing permit or lease embracing the lands upon which the improvements are constructed or in connection with which they are used, the cooperator(s) shall include in such assignment or transfer his interest in this Cooperative Agreement. Before the assignee or transferee will be recognized as successor to the cooperator(s)'s interest hereunder, such assignee or transferee will be required by the authorized officer to accept an assignment of this agreement and agree to be bound by the provisions respecting the use and maintenance of the improvements.

7. The cooperator(s) use of the improvements will be in conformance with any special conditions, the grazing permit(s) or lease(s), and regulations of the Secretary of the Interior.

8. This agreement shall not accord to cooperator(s) any preference, privilege, or consideration with respect to any grazing permit or lease not expressly provided herein or in the rules and regulations governing such grazing permit or lease.

9. Items 2, 3, and 4(a) of this agreement may be modified or cancelled by written agreement of the parties, which agreement shall become a part hereof.

10. This contract is subject to the provisions of Executive Order No. 11246 of September 24, 1965, as amended, which sets forth the nondiscrimination clauses.

JUN 26 1992

A copy of this order may be obtained from the authorized officer.

11. This agreement shall remain in effect indefinitely from date of signature unless (1) otherwise designated under item 12. Special Conditions, or (2) terminated by

mutual written consent of parties, or (3) terminated by the authorized officer after notice in writing because of the cooperator(s) default or violation, or (4) terminated by the authorized officer after notice in writing because the improvements are not compatible with adopted land use plans or classification under the public land laws.

12. Special Conditions

B.L.M. FORCE ACCOUNT CREWS WILL CONSTRUCT
RESERUDIR.

COOPERATOR(S)

THE UNITED STATES OF AMERICA

[Signature]
(Signature) (Date)

State of IDAHO

[Signature] 5/20/89
(Signature) (Date)

District BOISE

(Signature) (Date)

By [Signature]
(Signature)

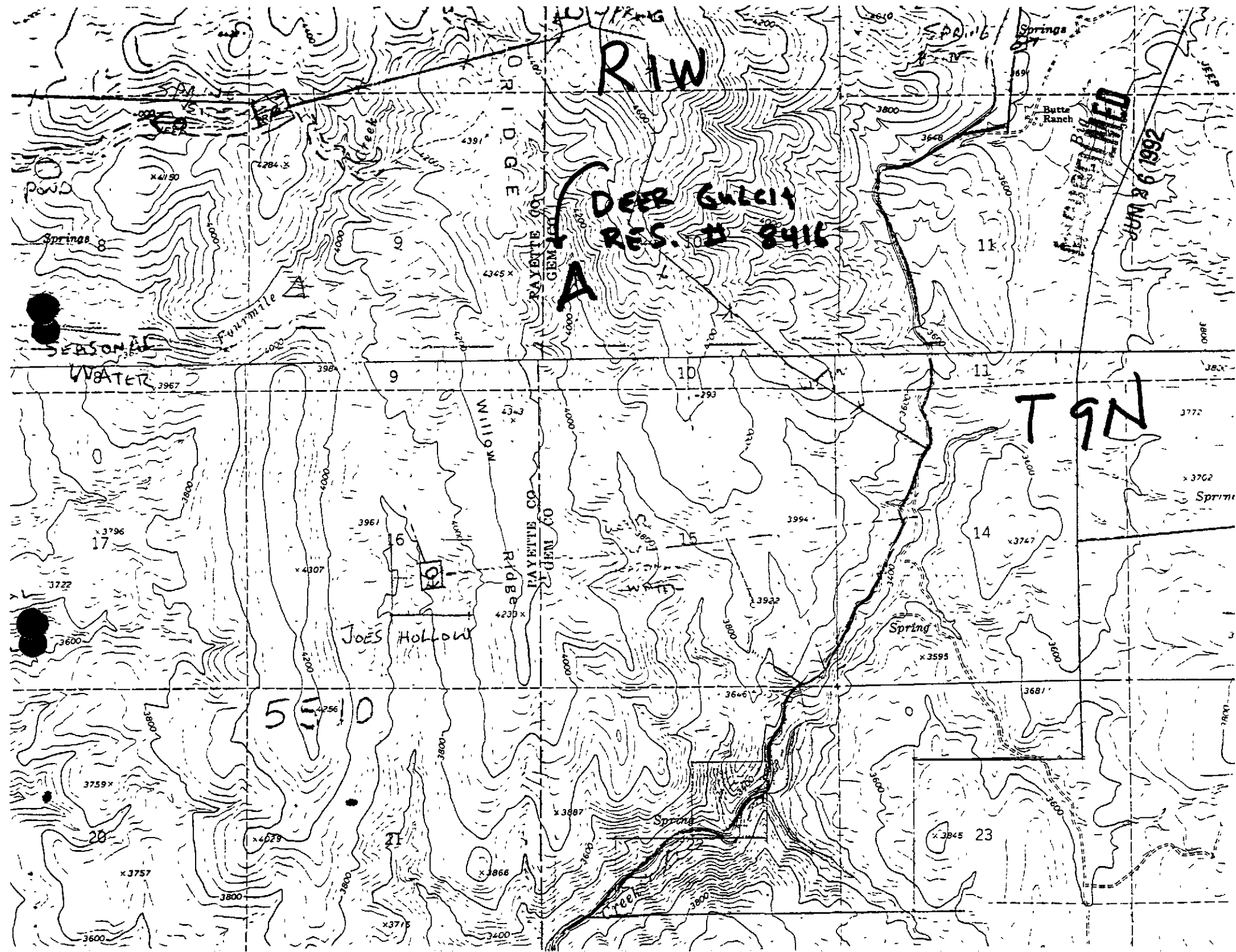
(Signature) (Date)

Cascade
(Title)

(Signature) (Date)

6/5/89 JUN 26 1992
(Date)

FILED



R1W

A
DEER CREEK
RES. # 8416

T9N

5110

RECEIVED
JUN 26 1992

40 Y P.M.G

RIDGE
PAYETTE CO
GEM CO

WILLOW
PAYETTE CO
GEM CO

JOES HOLLOW

SEASONAL
WATER

SPRING

Butte Ranch

Spring

Spring

pond

Spring

Spring



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

June 2, 1992

Mr. Mark Vinson
Bureau of Land Management
3948 Development Avenue
Boise, ID 83705

RE: Permit No. 57-07508, 65-13275, 67-07744

Dear Permit Holder:

The Department received your proofs of beneficial use statement for the above referenced permits on May 27, 1992. The permits lapsed in October and November of 1991, so the 60-day late period during which the permit can be readily reinstated has passed.

Because you failed to file the proof of beneficial use in a timely manner, and pursuant to Section 42-218a, Idaho Code, (copy enclosed) the permit can be reinstated only if you submit the following:

- a) Evidence to show that beneficial use of the water did commence and to show the extent of the use of water during the authorized permit period from the time the permit was issued until the proof due date, and
- b) Reasonable cause why the proof of beneficial use was filed late.

Your proof of beneficial use statement along with any information which may have been submitted with it, will remain on file in this office for 60 days to allow you an opportunity to assemble and submit the additional required information.

You should also be aware, that since the proof was filed late, your priority date has been penalized. Provided you supply the requested information, your priority date of will be advanced to May 27, 1992.

If you have any questions or if I can be of any further assistance, please feel free to contact me.

Sincerely,

Karen L. Gustafson
Karen L. Gustafson
Secretary/Records Manager

RECORDED

JUN 26 1992

Enclosure



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Boise District Office
3948 Development Avenue
Boise, ID 83705



IN REPLY REFER TO

7250

May 28, 1992

Karen Gustafson
State of Idaho
Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720-9000

RECEIVED
JUN 1 1992

Department of Water Resources

Re: Water right lapse

Dear Ms. Gustafson:

As per our telephone conversation of May 27, 1992, the Bureau of Land Management would like to reinstate all water rights which may have lapsed due to our confusion over the recent changes in the license examination fee schedules and the time it required us to verify license amendments.

New proofs of beneficial uses and the appropriate fees were filed on May 27, 1992, for the following claims at the Western Region IDWR office:

57-07508 ✓

65-13275 ✓

67-7744 ✓

Water right ammendment applications and the required fees were turned in the for following claims on May 27, 1992, at the Western Region IDWR office:

51-07264

51-07334

61-07501

61-07495

61-07496

If you have questions concerning these water rights, please contact Mark Vinson at 384-3461.

JUN 26 1992

Sincerely,

Rodger E. Schmitt
Associate District Manager

I certify that file No. 65-13275
has been reviewed and is ready to be MICROFILMED
and DESTROYED.

Brenda Miller
Signature

3-19-92
Date

The attached proof report is the water right as it appeared in the database
prior to the final status and deletion from the database.

WCS6000
(08-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

03/17/92 16:30:10
Page 1

Water Right Number - 65-13275

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
U.S. DEPT OF INTERIOR

1 - BUREAU OF LAND MANAGEMENT
2 - IDAHO STATE OFFICE
3 - 3948 DEVELOPMENT AVE.
City- BOISE State- ID Zip- 83705
Phone - 208-384-3304

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
06/27/1990 14 WESTERN P - PERMIT

+ - - Source - - - - - + + - - Tributary - - - - - +
DEER GULCH BIG WILLOW CREEK

+ - - - - Point of Diversion - - - - - +
Turn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)
09N 01W 15 NW NW (45) GEN

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
04 - STOCKWATER		01/01	12/31	0.070	
16 - WILDLIFE		01/01	12/31	0.070	
17 - WILDLIFE STORAGE		01/01	12/31		4.00
18 - WILDLIFE FROM STORAGE		01/01	12/31		4.00

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
0.070

Turn	Rng	Sec	Tract	Lot	Acres	Place of Use Code	Description	County
09N	01W	15	NW NW			04	STOCKWATER	(45) GEN

+ - - Diversion Means - EARTH FILL DAM TO RETAIN SNOW MELT RUNOFF

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
Stockwater use is for 300 range cattle.
Place of use is located within Deer Gulch Reservoir Project,
#8416

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

+ - - - - Conditions of Approval - - - - - +
005 - Use of water under this right is subject to control by the
- watermaster of State Water District No. 65

W30000
(08-26)

IDAH0 DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

03/17/92 16:30:10
Page 2

Water right number - 65-13275

Prefir Translation: WATER RIGHT

* - - - - Decree Plaintiff - - - *

* - - - - Decree Defendant - - - *

* - Decree Date - *
00/00/0000

* - - - - - Comments - - - - -
Date: 11/08/1991 User Id: VAULT Subject: Lapse Notice Sent
Lapse Notice Sent
Date: 11/21/1991 User Id: VAULT Subject: Proof of Beneficial Use Rcvd
Proof of Beneficial Use Rcvd
Date: 11/22/1991 User Id: VAULT Subject: Proof of Beneficial Use Rcvd
Proof of Beneficial Use Rcvd
Date: 12/28/1991 User Id: VAULT Subject: Lapse Notice Sent
Lapse Notice Sent
Date: 01/07/1992 User Id: VAULT Subject: Proof of Beneficial Use Rcvd
Proof of Beneficial Use Rcvd

* - - Audit Fields - 06/30/90 GARRETT 10/15/90 CURTIS 10/12/90 JOHNSON 10/26/90 JOHNSON 11/01/90 CURTIS
02/26/91 SKAGGS 11/08/91 COMMENTS 11/21/91 COMMENTS 11/22/91 COMMENTS 12/26/91 COMMENTS
01/07/92 COMMENTS

* - - - - - Water Rights Dates and Flags Area - - - - -

Proof Due Date - 11/01/1991	Field Exam Made - 00/00/0000	Field Exam Fee -
Approved/Denied - 11/06/1990	Protested Date - 00/00/0000	Swan Falls -
Proof Made Date - 00/00/0000	Hearing Date - 00/00/0000	Temporary Right - P
Exam to S O Date - 00/00/0000	Verified Date - 00/00/0000	DLE/Carey Act -
Order Show Cause - 00/00/0000	Receipt Number - M012502	Water District - 65
Licensed Date - 00/00/0000	Appl Received - 06/27/1990	Transfer/Amended -
Decree Date - 00/00/0000	Presumption Flag -	

217
05/88

RECEIVED

NOV - 6 1991

Department of Water Resources
Western Regional Office

STATE OF IDAHO
Permit Regional Office

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

For Office Use Only
Fee Received 9
Date 11-6-91
Receipt #
Receipt by
Reviewed by
Sent to region

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

Permit No. 57-07508

Name(s) of Permit Holder: Bureau of Land Management

Post Office Address: Boise District Office
3948 Development Ave.
Boise, Idaho 83705

Telephone No. 334-1582

Source of water: Big Sage Spring

Extent of Use:

Domestic (number of households)

Stockwater 825 cows (number and type of stock)

Irrigation (acres)

Other/Remark Wildlife

Total rate and/or volume for which proof is submitted 0.04 cfs acre-feet

Show the date water was first diverted and beneficially used under this permit: 6/90

Measuring Device: Required? Yes X No
Installed? Yes X No

Fee enclosed \$
(See License Examination Fee Schedule)

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

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

Kim Schultze
(Name)

208-334-1582
(Telephone Number)

3948 Development Ave. Boise, Idaho 83705
(Address)

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

08/22/91
Date

[Signature]
Signature of Permit Holder (and title, if appropriate)

Acting Area Mgr.



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CFCII D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

January 7, 1992

Mr. Kim Schultzmeier
Bureau of Land Management
3942 Development Avenue
Boise, ID 83705

Re: Permit No 57-07508-5-13115

Dear Permit Holder:

Returned once again is the proof of beneficial use submitted to this office on November 6, 1991 and again on January 3, 1992. I note that you have changed the cfs to .04 in order to avoid the license exam fee.

I apologize for not making myself clear in my earlier correspondence to you. However, in order to be exempt from the license exam fee, you must meet two requirements. They are:

1. You must utilize a groundwater source.
2. The total rate of diversion cannot exceed .04 cfs.

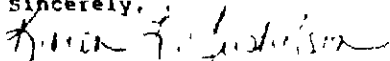
As you can see, you do not meet the first requirement since the source of water is a spring, not groundwater.

Therefore, the minimum fee requirement is \$50. I also want to advise you to apply for the appropriate amount of water. When the field exam is done, if the field examiner determines that you are using more water than you have applied for, penalties can be imposed. In conjunction with the possible penalties, at that time, you would also be required to pay the additional license exam fee before the licensing process could be completed. Please note that this permit was issued for .25 cfs. Should you decide to apply for .25 cfs the applicable fee would be \$100. If you choose to apply for .04 cfs, the applicable fee would be \$50.

Since this permit has already lapsed, it is of no further force or effect. Therefore, it is imperative that you return to corrected form and applicable fee within 20 days of the date of this mailing.

I realize that this can be confusing, so if you have any questions or if I can be of any further assistance, please feel free to contact me

Sincerely,



Karen L. Gustafson
Secretary/Records Manager



State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mall, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

December 26, 1991

Bureau of Land Management
3948 Development Avenue
Boise, ID 83705

Dear Permit Holder:

Re: Permit No. 65-13275

LAPSE NOTICE

You are hereby notified that under the provisions of Section 42-218a of the Idaho Code, the above referenced permit has lapsed. This office did not receive either an acceptable Proof of Beneficial Use submittal or an acceptable request for an extension of time to our letter of July 31, 1991. No further construction or additional development is authorized under this permit unless it is reinstated.

Your permit cannot be reinstated unless you submit the Proof of Beneficial Use or submit an Extension of Time Request showing reasonable cause for the delay. Either the completed Proof of Beneficial Use Submittal including the examination fee, or a completed field examination report; or the extension request form together with the \$15 fee, must be received by this department within sixty days of the date of mailing of this lapse notice or the permit will no longer be of any force or effect.

A proof of beneficial use form and a request for extension of time form are again enclosed for your use. Please note that only one extension of time can be granted, unless the project has not been completed because of lack of a necessary approval by a governmental agency or by litigation which brings title to the water in question.

Sincerely,

L. Glen Saxton
L. GLEN SAXTON, Chief
Water Allocation Bureau

Enclosures

NOV - 6 1991

STATE OF IDAHO

For Office Use Only
And of Fee \$ 0
Date 11-6-91
Receipt No.
Received by gt

Department of Water Resources
Western Regional Office

DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

Copi's

The Idaho Department of Water Resources will consider this form as 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 user(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 65-13275 Telephone No. 384-3304
2. Name(s) of Permit Holder(s) BUREAU OF LAND MANAGEMENT
3. Post Office Address 3948 DEVELOPMENT AVE. BOISE, ID 83705
4. Source of Water TRIBUTARY OF WILLOW CREEK
 - a. If ground water, well driller's name _____ Date drilled _____
 - b. Pump horsepower _____ Pressure (psi) _____ Dynamic pumping level (ft) _____
5. Extent of Use
 - Domestic _____ (No. of households) Irrigation _____ (No. of acres)
 - Creekwater X _____ (No. and type of stock) Other WILDLIFE
 - 50 CATTLE 10 WILDHORSES
6. Total rate and/or volume for which proof is submitted .07 cfs 4.0 acre/feet
per permit
7. Refer to the approval conditions on your permit and respond accordingly
 - Measuring device Required? Yes X No Installed? Yes No
 - Flow Measurement Port Required? Yes X No Installed? Yes No
8. Fee Enclosed \$ _____ (See License Examination Fee Schedule)
9. Person to contact to accompany the Department representative during the field examination
 - Name GENE DECKER Telephone No. 384-3351
 - Address 3948 DEVELOPMENT AVE. BOISE, IDAHO 83705
10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho

Date

10/1/91

Signature (and title if on behalf of a company or organization)

[Signature]

November 25, 1991

Bureau of Land Management
3448 Development Avenue
Boise, ID 83705

Re: Permit No. 65-13275

Dear Permit Holder:

Returned is your Proof of Beneficial Use form submitted to this office on November 20, 1991, indicating the total rate of water use to be .07 cfs.

When the total maximum rate of diversion is greater than 0.04 cfs, a license examination fee is required to be submitted with the proof. A license examination fee based on a rate of flow of .07 cfs. is \$50. Note the back of the enclosed instruction sheet/fee schedule.

I realize that as a government agency using water for wildlife purposes you have not had to pay this fee in the past. However, pursuant to Section 42-221K, Idaho Code, the department has determined that a license exam fee is applicable.

Please return this form and fee to me within 30 days of the date of mailing. Upon receipt of the proof form and fee, we will continue processing your proof by notifying the region that a field exam is needed.

If you have any questions or should you wish to discuss this further, please feel free to contact me or L. Glen Saxton.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

Enclosures



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 HIXGINS
DIRECTOR

November 21, 1991

Gene Decker
Bureau of Land Management
3948 Development Avenue
Boise, ID 83705

Re: Permit No. 65-13275

Dear Permit Holder:

Returned is your Proof of Beneficial Use form submitted to this office on November 6, 1991, indicating the total rate of water use to be .07 cfs.

When the total maximum rate of diversion is greater than 0.04 cfs, a license examination fee is required to be submitted with the proof. A license examination fee based on a rate of flow of .07 cfs is \$50. Note the back of the enclosed instruction sheet/fee schedule.

Please return this form and fee to me within 30 days of the date of mailing. Upon receipt of the proof form and fee, we will continue processing your proof by notifying the region that a field exam is needed.

If you have any questions or if I can be of any further assistance, please feel free to contact me.

Sincerely,

Karen L. Gustafson
Karen L. Gustafson
Secretary Records Manager

Enclosures

November 7, 1991

U.S. DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
3948 DEVELOPMENT AVE.
BOISE ID 83705

LAPSE NOTICE

RE: PERMIT NO. 65-13275

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated August 31, 1991. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifteen dollar (\$15) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

L. GLEN SXTON
Chief, Water Allocation Bureau

LGS:rf

Enclosures

CERTIFICATION OF MAILING

I hereby certify that on 11-8-91
a copy of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

ky

138042
August 31, 1991

U.S. DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
3948 DEVELOPMENT AVE.
BOISE, ID 83705

PROOF DUE NOTICE

RE: PERMIT NO. 65-13275

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 November 1, 1991. (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,

Rita Fleck
Secretary/Records Manager

Enclosures

February 27, 1991

RE: Permit No. 65-13275

Bureau of Land Management
3948 Development Ave.
Boise, ID 83705

Dear Water Right Holder(s):

Enclosed is a copy of your approved Application for Amendment submitted in connection with the above referenced permit.

If you have any questions concerning this document, please feel free to contact us.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosure

NOTICE OF APPLICATION FOR AMENDMENT

No. 65-13275

Notice is hereby given that permit No. 65-13275 in the name of U.S. Dept. of Interior (BLM) was filed on 6/27/1990 for the diversion of .07 CFS and 4.0 A.F. and 4.0 A.F. from Deer Gulch with a point of diversion within T9N R1W S10 SWNW to be used for Stockwater, Wildlife, Wildlife Storage, and Wildlife from Storage purposes from 1/1 to 12/31 within portions of T9N R1W S10 NWSE.

The permit holder now proposes to amend the permit by changing the point of diversion and place of use to T9N R1W S15 NWSE, and to clarify original intent of application for permit: Storage is for Stockwater and Wildlife use. No change in amount of water and dates of use.

Any protest against the approval of the proposed amendment must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 on or before January 22, 1991.

R. Keith Higginson
Director

Published in the Messenger-Index on 1/3 and 1/10/1991.

WR072JNF
(08-28)

IDaho DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

12/19/90 10:14:05
Page 1

Water Right Number - 65-15275 Adj. Vlog Translation- WATER RIGHT Old (D) Number -

--- Last Name --- --- First Name --- --- Address ---

*** C - CURRENT OWNER ***
U.S. DEPT OF INTERIOR

1 - BUREAU OF LAND MANAGEMENT
2 - IDAHO STATE OFFICE
3 - 3380 AMERICANA TERRACE
City- BOISE State- ID Zip- 83706
Phone - 208-334-9200

--- Priority Date --- --- Region --- --- Stage --- --- Status ---
06/27/1990 4 ERROR IN REGION P - PERMIT

--- Source --- --- Tributary ---
DEER GULCH BIG WILLOW CREEK

Twa	Rng	Sec	Tract	Lot	RFlg	County	Point of Diversion	Stream Index (blank if no Index Code)
09N	01W	10	SW NW SW		(45)	GEN		

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
04 - STOCKWATER		01/01	12/31	0.070	
16 - WILDLIFE		01/01	12/31	0.070	
17 - WILDLIFE STORAGE		01/01	12/31		4.00
18 - WILDLIFE FROM STORAGE		01/01	12/31		4.00

--- Total Div. Rate --- --- Total Div. Volume --- --- Total Div. Capacity --- --- Total Consumptive Use --- --- SW Usage ---
0.070

Twa	Rng	Sec	Tract	Lot	Acres	Place of Use Code	Description	County
09N	01W	10	SW SW			04	STOCKWATER	(45) GEN

Total Acres:

- Diversion Means - EXITS WILL DAM TO RETAIN SNOW MELT RUNOFF
- Non-Irrigation Use -
- Other Rights for Same Use -

--- Remarks ---
Stockwater is for 300 range cattle.

--- Old Water Right Numbers ---
No Old Water Right Numbers Found.

*Clarification is needed
in absence of Amendment*

SC
12/19/90

Original Appl was : stockwater and storage of stockwater/wildlife from storage
Appears to be distributed even on some other cases. Suggest that S/W
storage be included as intended. Clarification but not expansion. Since user will
be at reservoir, could eliminate on farm storage & show: stockwater storage 4.0
wildlife storage 4.0

For 12/17/90 Appl for Amendment

ISLAND DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

12/19/90 05:14:00

[illegible]



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mall, Boise, Idaho 83720 - (208) 327-7900

CFC H. D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

November 26, 1990

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

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 65-13275

Dear Permit Holder:

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

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.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosures

65-13275

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

Source: DEER GULCH

Tributary: BIG WILLOW CREEK

Diversion Pt: SWNWSW Sec 10 T 09N R 01W

Use: STOCKWATER	(.070 CFS)	
WILDLIFE	(.070 CFS)	
WILDLIFE STORAGE		(4.00 AF)
WILDLIFE FROM STORAGE		(4.00 AF)
Total Diversion:	(.070 CFS)	(4.00 AF)

Date Filed: 6/27/ 1990

In: T09N R01W S10 NWSW