

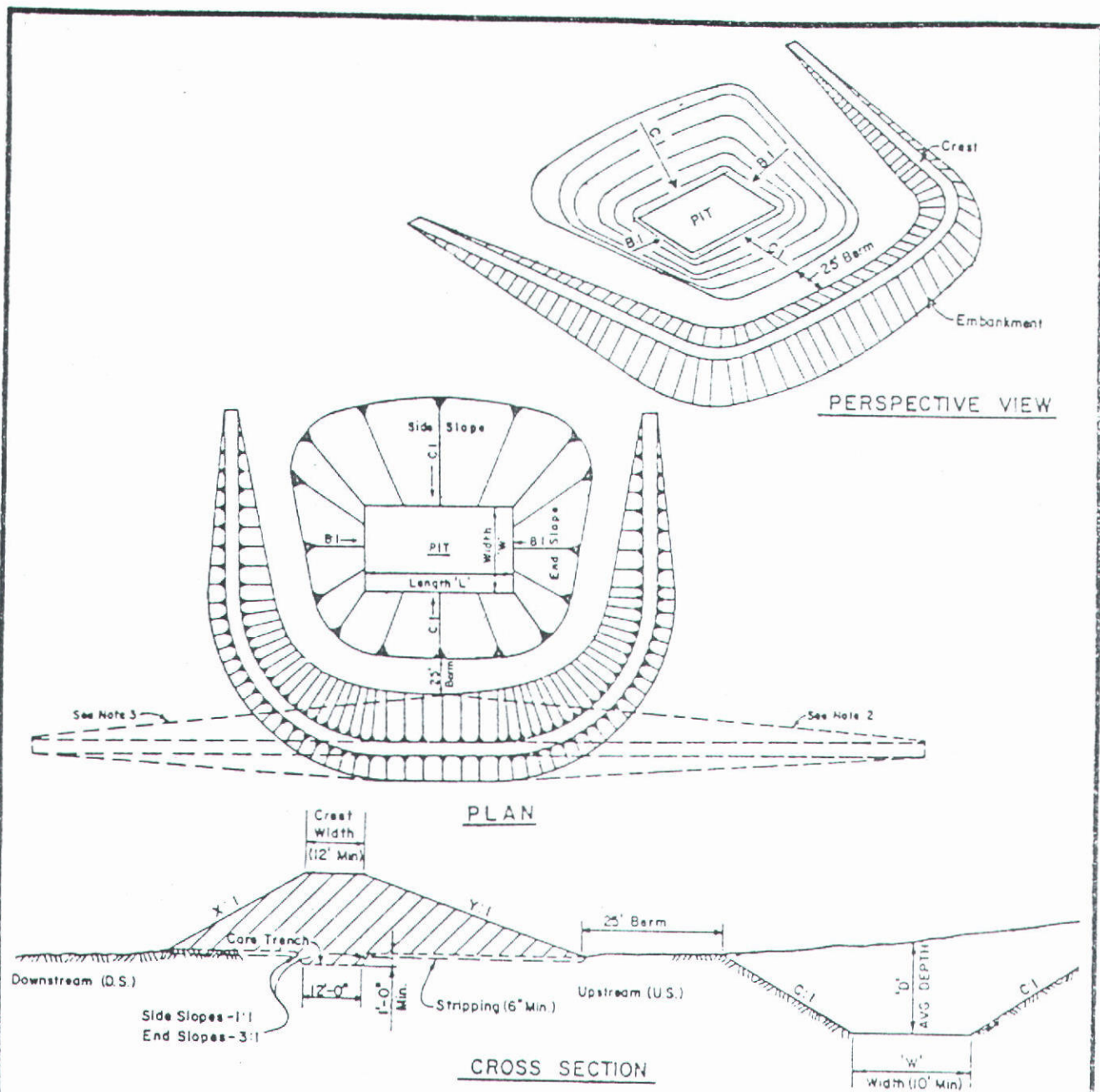


Illustration 1

NOTES:

1. Pit & Embankment Slopes & Dimensions Shall Be As Shown On The Work Summary Chart
2. Embankment May Be "U" Or "L" Shape Or Straight Line. Construct As Indicated On The Work Summary Chart.



ALWAYS THINK SAFETY

UNITED STATES DEPARTMENT OF THE INTERIOR BUREAU OF LAND MANAGEMENT DIVISION OF ENGINEERING DENVER SERVICE CENTER	
TYPICAL	
WATER RETENTION PIT	
DESIGNED <i>Donald L. King</i>	
REVIEWED <i>John R. King</i>	
APPROVED <i>Richard L. King</i>	
DRAWN J. SEDILLO	SCALE NONE
DATE APRIL 12, 1983	SHEET OF
DRAWING NO. 0220	

BLM MANUAL

NOTE: PIT RESERVOIRS ARE USED IN FLAT AREAS WHERE THERE IS A LOW SPOT IN THE TERRAIN. THE WATER COLLECTED IS MAINLY RAINFALL. MAYBE SOME RUN-OFF.

10/27/83

RULE 54(b) CERTIFICATE

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



Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

MICROFILMED
SEP 22 2003

This
Right has been
Decreed in the
SRBA.



WATER RIGHT LICENSE

License No. 67-7665 Priority 08/26/1983 Amount n/a CFS 0.2 AF

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

of Boise, Idaho, has complied with the terms and conditions of Permit No. 67-7665 issued pursuant to Application for Permit dated 08/26/1983, and has submitted proof to the Department of Water Resources on 08/26/1983, that he has applied water to a beneficial use; and examination by the Department indicates that the works have a capacity for the storage of 0.2 af of water from an unnamed stream tributary to Dry Creek, and that the permit holder has applied to a beneficial use and established a right to use water as follows:

RATE OF DIVERSION	VOLUME	BENEFICIAL USE	PERIOD OF USE
n/a	0.2 af	Storage for Stockwater	01/01 - 12/31
n/a	0.2 af	Stockwater from Storage	01/01 - 12/31
n/a	0.2 af	Storage for Wildlife	01/01 - 12/31
n/a	0.2 af	Wildlife from Storage	01/01 - 12/31

Location of point of diversion: NWNW, Sec. 9, Twp 13N, Rge 4W, Washington Co.

Location of place of use:

TWP.	RGE.	SEC.	NE%				NW%				SW%				SE%				TOTALS
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
13N	4W	9					X												

Total number of acres irrigated

Use of water under this license is subject to control by the watermaster of State Water District No. 67, Weiser River. Also known as Dymoke Reservoir.

Subject to all prior water rights.

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

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

Witness the seal and signature of the Director, affixed at Boise, Idaho this 25TH day of July, 1986.

for the Director

kw

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

1133
+10
RECEIVED

To appropriate the public waters of the State of Idaho

AUG 26 1993

1. Name of applicant U.S. Dept. of Interior, Bureau of Land Mgmt. Phone 334-1111

Post office address 3948 Development Avenue, Boise, Idaho 83705

2. Source of water supply Unnamed stream which is a tributary of Dry Creek

3. Location of point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 9 Township 13N

Range 4W B.M. Washington County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .2 for storage for stockwater purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .2 for from storage Wildlife purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount for purposes from to (both dates inclusive)
(cfs or acre-feet per annum)

Amount for purposes from to (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. cubic feet per second and/or b. .2 acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. DAM to retain & control
snowmelt & runoff

b. Height of storage dam 10 feet, active reservoir capacity .2 acre-feet; total reservoir capacity .2 acre-feet, materials used in storage dam: earthen

Period of year when water will be diverted to storage 1/1 to 12/31 inclusive.
(Month/Day) (Month/Day)

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

7. Time required for the completion of the works and application of the water to the proposed beneficial

use is 1 years (minimum 1 year - maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 9 Township 13N

Range 4W B.M.

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

(3) List number of each kind of livestock to be watered Cattle- 10

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

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

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

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

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

10. Remarks The applicants include the Bureau of Land Management and permittees in:

Allotment(s): _____

The permittees cooperating in this project include:

James M. Hart Art Fairchild
4199 Canon Vista Dr. Middle, Idaho
San Jose, CA 95127

Project No.: 0784

Dymoke

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

13N 4W

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.

Charles B. Jones Acting Area Mgr
(Applicant)

Proposed Priority 8/26/83

Received by SR Date 8-26-83 Time 9:00
Preliminary check by 665 Fee \$ 30.00 ID-910-BP3-0003
Receipted by 19 Date 12-27-83 # 33664
Publication prepared by JP Date 9/15/83
Published in Upper County News
Publication dates 9/22 9/29/83
Publication approved JP Date 10/5/83
Protests filed by: none

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by DBS tw

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. 67-7665, and said application is hereby APPROVED.

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before February 1, 19 85.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: The storage of water under this permit is contingent upon the certification of the dam and authorization of storage per the dam safety provisions of the Idaho Code.
Use of water under this permit is subject to control by the watermaster of State Water District No. 67, Weiser River.

Witness my hand this 9th day of January, 1984.

J. Glen Saxton
Chief, Operations Bureau

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Affidavit of Publication:

STATE OF IDAHO }
County of Washington } ss.

Stuart Dopf, being duly sworn deposes and says he is the publisher of the Upper Country News-Reporter, a weekly newspaper published at Cambridge, in the County of Washington, State of Idaho; that said newspaper is in general circulation in the county of aforesaid and is a legal newspaper; that the annexed, a printed copy of which is attached hereto and made a part hereof, was published

in said newspaper once a week for 2 consecutive weeks in the regular and entire issue of every number thereof during the period of time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began Sept. 22, 1982 and ended Sept. 29, 1982.

Subscribed and sworn to before me

this 10th 3rd day of October, 1983.

W. H. Liles
Notary Public in and for the State of Idaho, residing at Cambridge, Idaho 83610.

NOTICE OF APPLICATION FOR WATER RIGHT

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

67-7664

U S DEPT OF INTERIOR
BUREAU OF LAND MGMT.,
IDAHO STATE OFFICE, 3380
AMERICANA TERRACE,
BOISE, ID 83706
Source. UNNAMED STREAM
Trib to DRY CREEK
Date Filed. 8/26/1983
Diversion Pt. NWSE Sec 4 T 13N
R 4W
Use STOCKWATER STORAGE
(0.2 AF), STOCKWATER FROM
STORAGE (0.2 AF)
In NWSE Sec 4 T 13N R 4W

67-7665 JSP

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT.,
IDAHO STATE OFFICE,
3380 AMERICANA TERRACE,
BOISE, ID 83706
Source UNNAMED STREAM
Trib to DRY CREEK
Date Filed. 8/26/1983
Diversion Pt. NWNW Sec 9 T 13N
R 4W
Use. STOCKWATER STORAGE
(0.2 AF), STOCKWATER FROM
STORAGE (0.2 AF); WILDLIFE
STORAGE (0.2 AF) WILDLIFE
FROM STORAGE (0.2 AF)
In: NWNW Sec 9 T 13N R 4W

67-7669

FAIRCHILD, DEAN
MIDVALE, ID 83645
Source: GROUNDWATER
Date Filed 8/31/1983
Diversion Pt: SWSE Sec 18 T 13N
R 3W
Use: IRRIGATION (0.26 CFS)
In SWSE Sec 18 T 13N R 3W
NWNE Sec 19 T 13N R 3W FOR 13
ACRES

67-7670

U S. DEPT OF INTERIOR
BUREAU OF LAND MGMT.,
IDAHO STATE OFFICE,
3380 AMERICANA TERRACE,
BOISE, ID 83706
Source: UNNAMED STREAM
Trib to DRY CREEK
Date Filed 8/26/1983
Diversion: NWNW Sec 4 T 13N R
4W
Use STOCKWATER STORAGE
(0.2 AF), STOCKWATER FROM
STORAGE (0.2 AF), WILDLIFE
STORAGE (0.2 AF); WILDLIFE
FROM STORAGE (0.2 AF)
In: NWNW Sec 4 T 13N R 4W

The permits will be subject to all prior water rights. Protests must be filed with the Director, Dept of Water Resources, Western Region, Statehouse, Boise, Idaho 83720 on or before OCTOBER 10, 1983.

KENDUNN, Dir.

Published 9/22 & 9/29/83

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**THIS RIGHT HAS BEEN
DECREED
IN THE
SRBA**

MICROFILMED

SEP 27 1987



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

July 28, 1986

RE: Permit Nos. 37-8048/8164, 51-7182/7184/7187/7210/7216/7220/7230/
7235, 55-7195/7196, 55-7213 thru 55-7217, 55/7224
7237/7280/7291/7302/7333, 57-7163/7164/7321/7329/
7341/7344, 61-7453/7454, 63-9755, 63-10174 thru
63-10180, 63-10196/10199/10200/10201, 65-12673
thru 65-12680, 65-12682 thru 65-12686, 65-12689,
67-7642 thru 67-7647, 67-7653, 67-7657 thru
67-7665, 67-7670, 67-7672 thru 67-7675, 69-7078,
82-7138, 85-7403 thru 85-7407

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

Gentlemen:

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

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosures

MICROFILMED

State of Idaho
DEPARTMENT OF WATER RESOURCES
WATER RIGHT BENEFICIAL USE FIELD REPORT

67-7465

Permit No.

CONTACT WITH PERMIT HOLDER

DATE _____

INITIALS

MAR 18 1986

REMARKS

☐ Appointment letter mailed:

☒ Telephone call made

(List Telephone No. used)

☒ Appointment scheduled for:

(Date, time, location)

Department of Water Resources

EXAMINATION

Date 4/26/84 Accompanied by Gene Becker Total Q measured .2 g - est.

Source run stream Tributary to dry creek Supp. annubar measurement sheet used? _____

If source is surface water, estimate total flow of source

Methods of measurement estimated Meets permit requirements?

Measurement calculations:

Stor. - stock / wildlife - 2 of
10hd misc.

[illegible]

System Description Small leather dam collects spring runoff & rain fall. See attachment.

**Code with map on reverse side. Disregard code if only one.*

RECOMMENDED AMOUNTS

Irrigation requirement = $\frac{AFA}{Acre}$

USE

~~2~~ (cfs)

V (afa)

FROM

TO

USE	Q (cfs)	V (afa)	FROM	TO
Stor. for stock/wildlife		.2 a/	1-1	12-31
stock/wildlife from stor.		.2 a/	1-1	12-31

Total

Remarks See also 65-7664 & 7670. Same project but
different reservoirs. Proj. # 0784 - Dymoke Res.

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Jan Shute
665
A. Walker

Shute
645

Date _____

78-24-1
3/10/86
1/20/86

☐ Add P.U. as reflected above

☐ Add P.D. as reflected above

☒ None

Recommended Amendments:

[illegible]

Place(s) of Use

Point(s) of diversion:

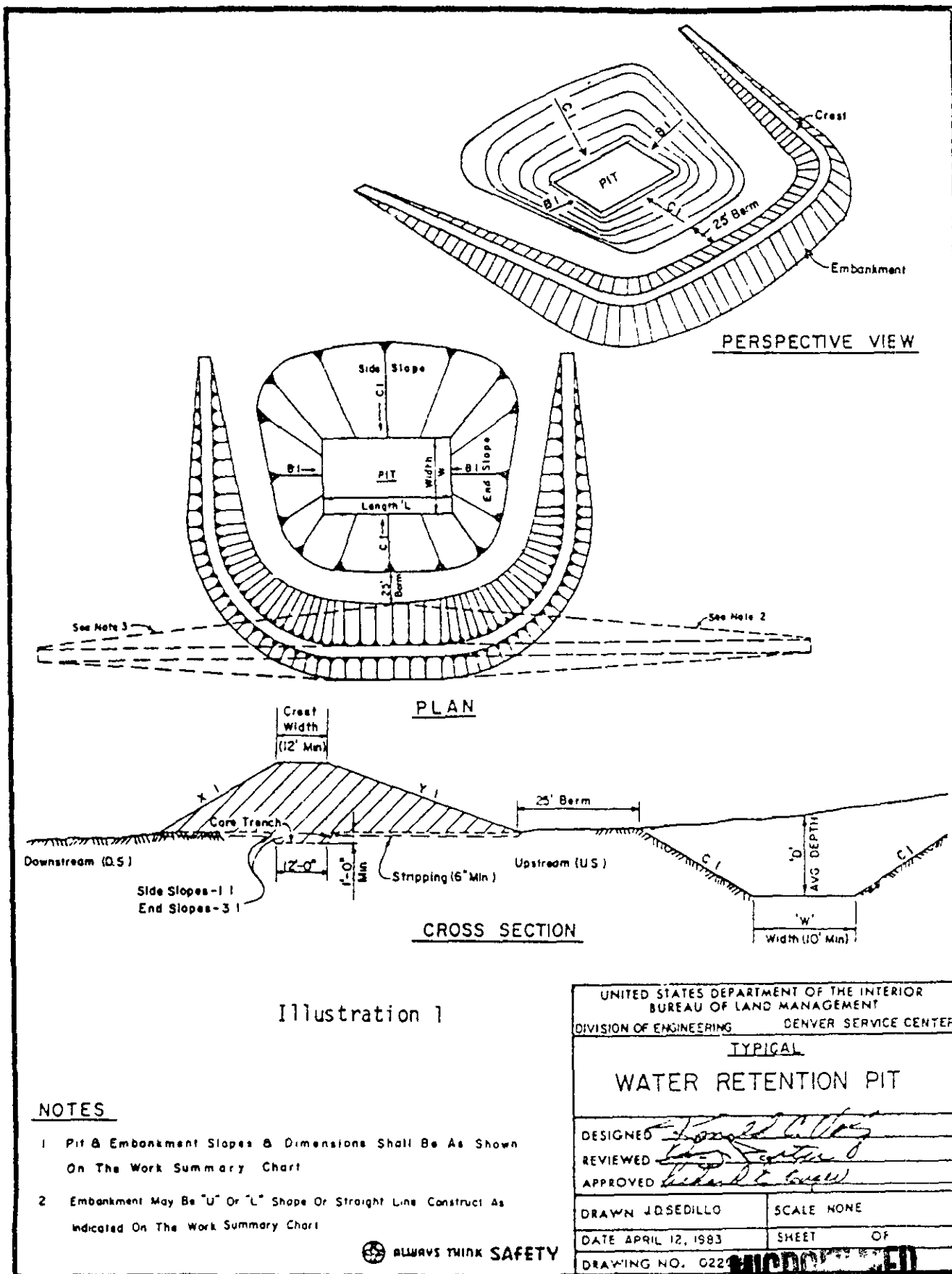
✓ NW, NW, ♂ ♀, T, 13X, R. NW, B. n.

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

SCHEMATIC DIAGRAM OF SYSTEM

			9		T. 13N		
				4			
			8. 44				

MAP (Attach Aerial Photo)



BLM MANUAL

NOTE: PIT RESERVOIRS ARE USED IN FLAT AREAS WHERE THERE IS A LOW SPOT IN THE TERRAIN. THE WATER COLLECTED IS MAINLY RAINFALL, MAYBE SOME RUN-OFF.

10/27/83

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

Statehouse
Boise, Idaho 83720
(208) 334-2190

MAY 5, 1984

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

RE: Permit No. 67-7665

Dear Permit Holder:

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

Before a license can be issued, a field examination must be made by a representative of this department.

A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office by phone at 334-2190 or in person in the third floor State Towers Building, 450 West State Street, Boise.

Sincerely,
s/Judy Pense
Secretary

ENCLOSURE

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of permit No. 67-7665.

Bureau of Land Management

Name(s) of Permit Holder: Boise District Office

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

Tel No 334-1582

Source of Water: Unnamed stream, Dymoke Res #784

Extent of Use:

- ☐ Domestic (number of households)
- ☒ Stockwater Cattle - 100 (number and type of stock)
- ☐ Irrigation (acres)
- ☒ Other Wildlife

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

Access Port: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No

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

5/12/83
Date

Charles B. Jones Acting
Signature of Permit Holder

PLACE
3 CENT
STAMP
HERE

MICROFILMED

FILED

AUG 26 1983

Department of Water Resources



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

RECEIVED

AUG 31 1983

Department of Water Resources
Western Regional Office



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

January 27, 1984

RE: Permit No's. 67-7670, 67-7664 & 67-7665

Bureau of Land Management
Idaho State Office
3380 Americana Terrace
Boise, ID 83706

Gentlemen:

Enclosed are copies of your approved Applications for Permit. We direct your attention to the conditions of approval on the fourth pages.

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 Distribution Supervisor

JJ:sc

Enclosures

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State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: 665

APPLICATION NUMBER: 67-7665

CHECK:

- ☐ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.
☐ Yes ☒ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☒ Yes ☐ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☐ No* In form to receipt.

Field check by: _____

Date: _____

Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

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

Copies sent by: _____

Date: _____

PROCESSING:

- ☐ Yes ☐ No Platted by: _____ Map No. _____
☐ Yes ☒ No Other rights on same place of use. _____
☒ Yes ☐ No* In form for advertising. _____
Final date for protests: October 10, 1983
☐ Yes ☐ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 10/4/83
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application. Upper County, Newman 30/
☒ Protests, dates, withdrawal, etc., recorded on application. 9/22 9/27/83
☒ Recommendation & initial, recorded on application.
☐ Yes ☒ No Measuring device required.
☐ Yes ☒ No Access port required.
☒ Yes ☐ No Will water be delivered by watermaster? If yes, what district? 67
8/26/83 Date of priority recommended.
Special conditions of approval or cover letter. _____

Hold for fee

By: DBS

Date: 10/24/83

STATE OFFICE REVIEW:

209

18B 05(67, Weiser River)

- ☐ See attached sheet for more information...

By: EW

Date: 1/5/84

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
-----	-----	-----	-----	-----	-----	-----
IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
-----	-----	-----	-----	-----	-----	-----
IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
-----	-----	-----	-----	-----	-----	-----
IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
-----	-----	-----	-----	-----	-----	-----
IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
-----	-----	-----	-----	-----	-----	-----
IDAHO STREAM CODE INDEX						

67-7665

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

Statehouse
Boise, Idaho 83720
(208) 334-2190

SEPTEMBER 15, 1983

Upper County News Reporter
Box 98
Cambridge, ID 83610

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before OCTOBER 10, 1983.

Yours truly,

JUDY FENSE
Secretary

Encl.

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NOTICE OF APPLICATION FOR WATER RIGHT

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

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Western Region, Statehouse, Boise, Idaho 83720 on or before OCTOBER 10, 1983.

KEN DUNN, Dir.

Published 09/22 & 09/29/83.

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6Z-2665_

U.S. DEPT. OF INTERIOR

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

Source: UNNAMED STREAM trib. to DRY CREEK

Date Filed: 08/26/1983

Diversion Pt: NWNW Sec 09 T 13N R 04W

Use: STOCKWATER STORAGE	(0.2 ^{AF} ~~GFS~~)
STOCKWATER FROM STORAGE	(0.2 AF)
WILDLIFE STORAGE	(0.2 AF)
WILDLIFE FROM STORAGE	(0.2 AF)

In: NWNW Sec 09 T 13N R 04W

1/28/86