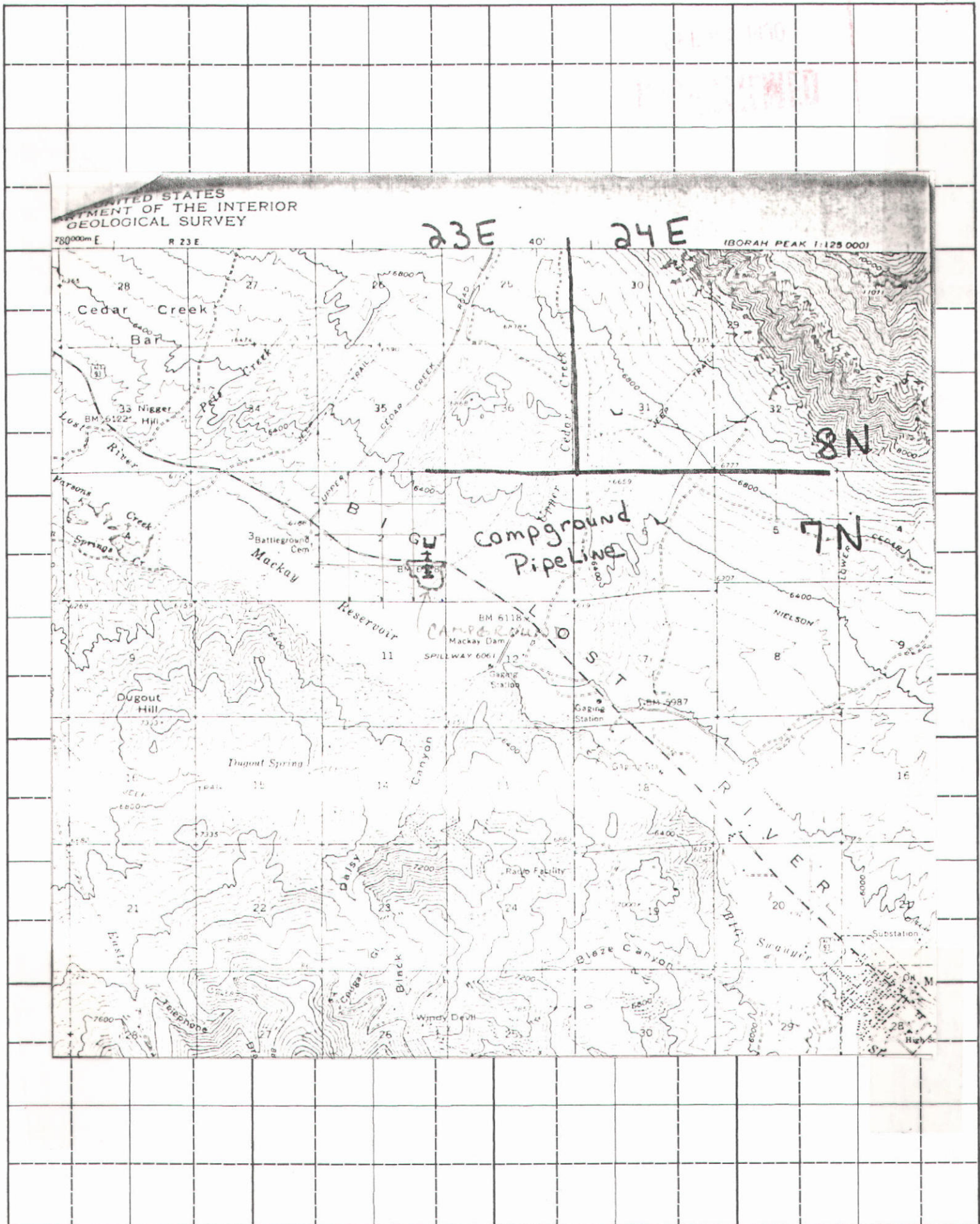


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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

MICROFILMED

SEP 25 1990

DISTRICT MANAGER

Kenneth S. Walker
(Applicant)

AFFIDAVIT OF PUBLICATION

State of Idaho, County of Custer, ss:

1. MARGARET PARKS

Publisher of the Challis Messenger, a weekly newspaper, published at Challis, Idaho, do solemnly swear that the notice hereto attached and made a part hereof, was published in the regular and entire issue of the Challis Messenger for 2 consecutive weeks, commencing with the issue dated NOV 24 1983 and ending with the issue dated DEC 1 1983

Margaret Parks
Subscribed and sworn to before this 2nd day of December 1983

Ethel M. Beck

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

Life **MICROFILMED**

SEP 25 1990

RECEIVED
DEC 05 1983

Department of Water Resources
Idaho State Office

NOTICE OF APPLICATION FOR WATER RIGHT

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

34-7446

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

Source: GROUNDWATER
Date Filed: 11/09/1983
Diversion Pt: SESE Sec 02 T
07N R 23E

Use: STOCKWATER (0.02
CFS) WILDLIFE (0.01 CFS)
DOMESTIC (0.06 CFS)
In: NESE SESE Sec 02 T 07N
R 23E

34-7451

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

Source: POISON SPRING
trib. to BIG LOST RIVER
Date Filed: 08/01/1983
Diversion Pt: NENW Sec 17
T 09N R 22E

Use: STOCKWATER (0.01
CFS) WILDLIFE (0.01 CFS)
In: SWSW Sec 14 T 10N R 21E

34-7450

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

Source: ROCK CREEK trib.
to BIG LOST RIVER
Date Filed: 08/01/1983
Diversion Pt: NESW Sec 25
T 08N R 21E

Use: STOCKWATER (0.03
CFS) WILDLIFE (0.01 CFS)
In: SESE Sec 23 T 08N R 21E
SESW Sec 24 T 08N R 21E

34-7449

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

Source: SPRING trib. to
BIG LOST RIVER
Date Filed: 08/01/1983
Diversion Pt: SWSE Sec 17 T

10N R 22E

Use: STOCKWATER (0.03
CFS) WILDLIFE (0.01 CFS)
In: SWNE Sec 19 T 10N R 22E
SESW Sec 29 T 10N R 22E
34-7448

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

Source: SAGE CREEK trib.
to BIG LOST RIVER
Date Filed: 08/01/1983
Diversion Pt: SENW Sec 25
T 09N R 20E

Use: STOCKWATER (0.03
CFS) WILDLIFE (0.01 CFS)
In: NWSE NENE Sec 22 T
09N R 21E

34-7447

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

Source: CEDAR CREEK
trib. to BIG LOST RIVER
Date Filed: 08/01/1983
Diversion Pt: SWNE Sec 10
T 09N R 22E

Use: STOCKWATER (0.03
CFS) WILDLIFE (0.01 CFS)
In: SESW Sec 10 T 09N R 22E
NESW Sec 15 T 09N R 22E

34-7452

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

Source: SPRING trib. to
BIG LOST RIVER
Date Filed: 08/01/1983
Diversion Pt: SWNW Sec 07
T 08N R 21E

Use: STOCKWATER (0.02
CFS) WILDLIFE (0.01 CFS)
In: SENW Sec 07 T 08N R 21E
NENW Sec 08 T 08N R 21E

The permit(s) will be
subject to all prior water
rights. Protests must be filed
with the Director, Dept. of
Water Resources, 150 Shoup
Ave., Suite 15, Idaho Falls,
Idaho 83402 on or before
DECEMBER 12, 1983.

KEN DUNN, Dir.
Published 11/24 & 12/1/83.

location

IVED

8 1996

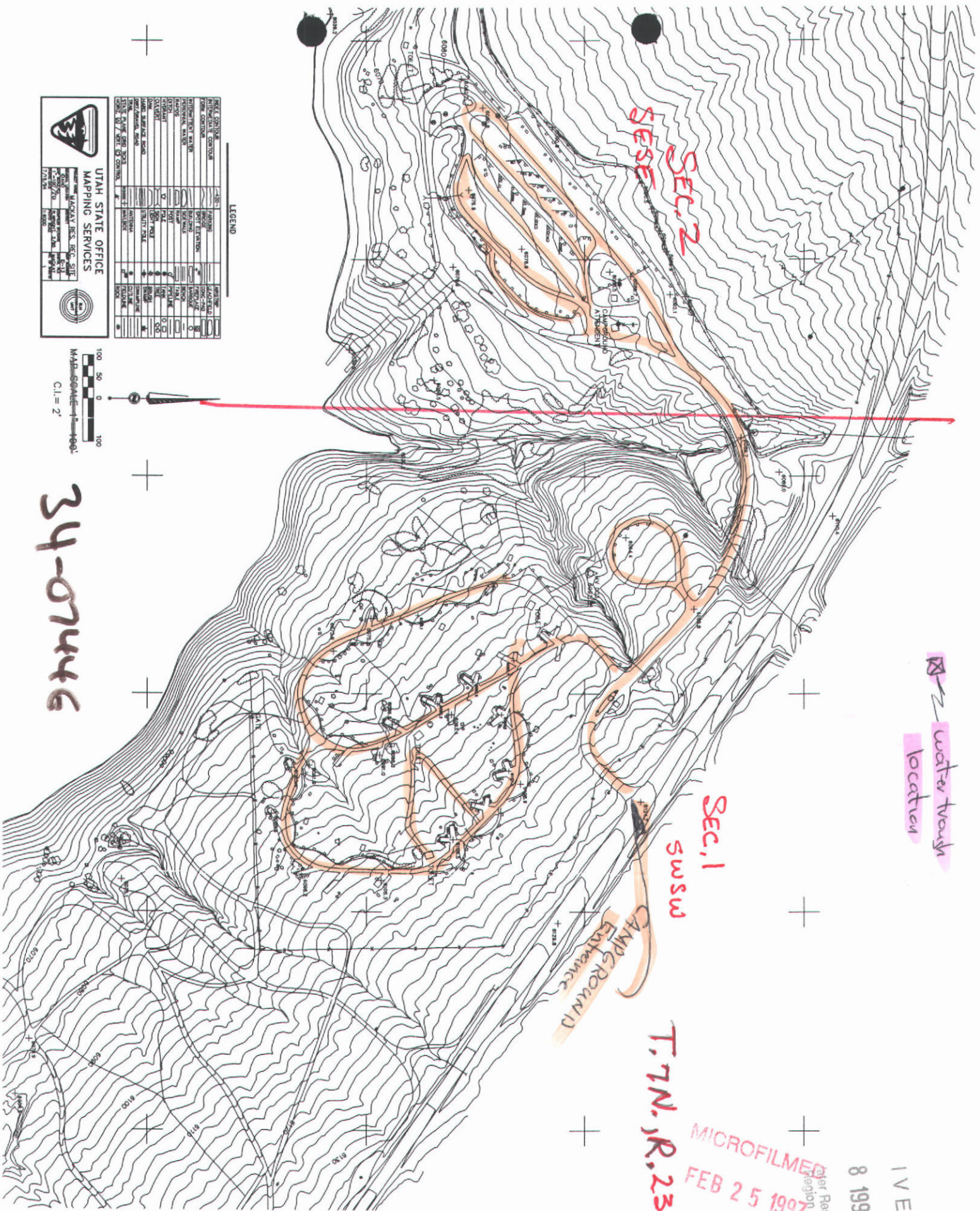
Water Resources Region

Microfilm
FEB 25 1997

T. 7N, R. 23E,

Sec. 1
SWSW

CAMP Grounds
Entrance

[illegible]

LEGEND



100 50 0 100

MAP SCALE 1" = 100'

 $C.I. = 2'$

34-0746



Campground Entrance

34-07446



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FEB 25 1997



Campground

34-07446



Stockwater trough on ^{North} East side of Rd

MICROFILMED

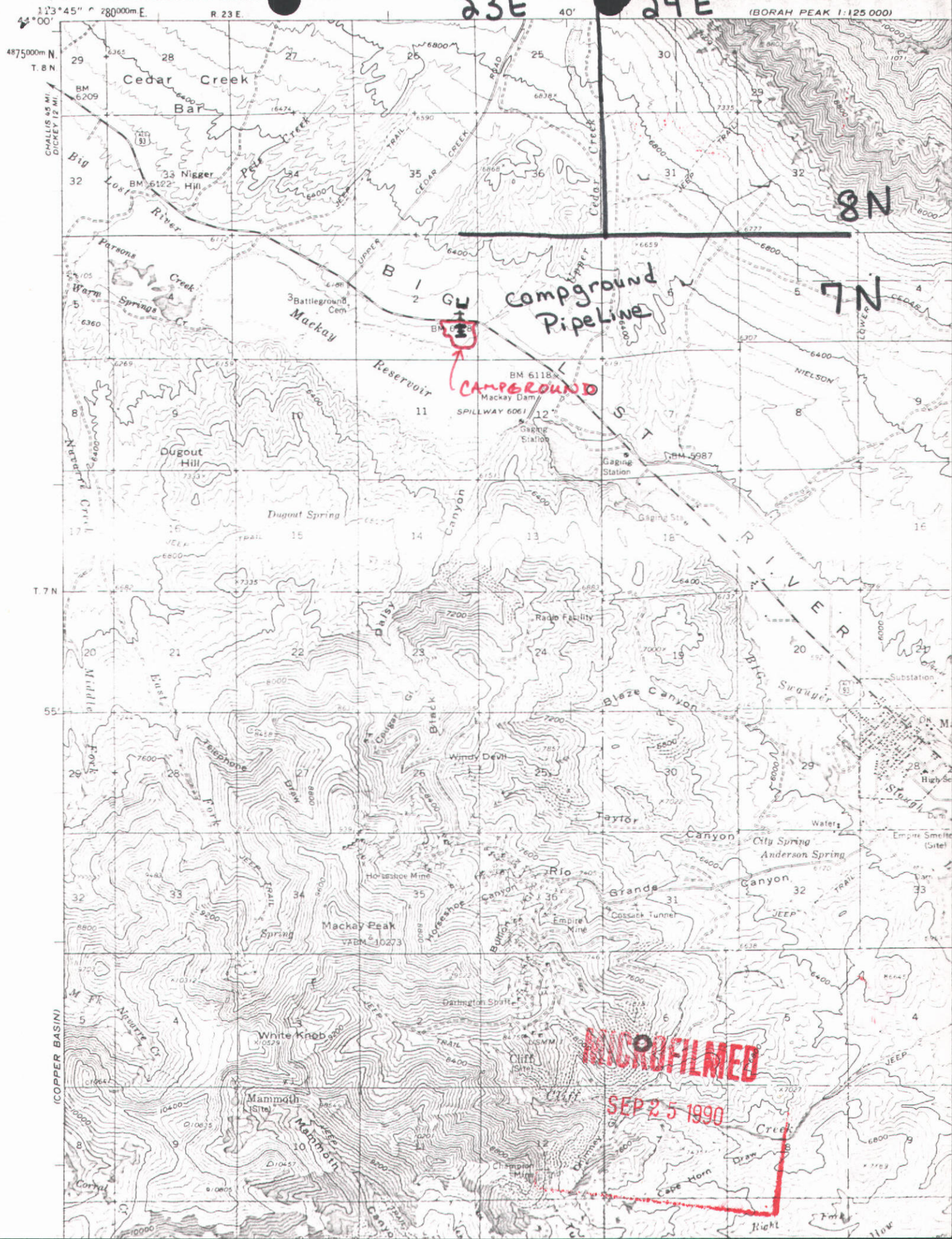
FEB 25 1997

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

23E

24E

(BORAH PEAK 1:125 000)



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 34-07446

Priority: November 9, 1983

Maximum Diversion Rate:

0.03 CFS

Maximum Diversion Volume:

4.0 AF

This is to certify, that US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
PO BOX 430
SALMON ID 83467

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated November 9, 1983; and has submitted Proof of Beneficial Use on July 24, 1995. An examination indicates that the works have a diversion capacity of 0.030 cfs of water from a GROUNDWATER 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	05/01 to 12/15	0.02 CFS	1.0 AF
WILDLIFE	01/01 to 12/31	0.01 CFS	1.0 AF
DOMESTIC	05/01 to 10/31	0.03 CFS	3.0 AF
	Totals	0.03 CFS	4.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SESE , Sec. 2, Township 07N, Range 23E
CUSTER County

PLACE OF USE: STOCKWATER

TWN RGE SEC

07N 23E	1	SWSW
	2	SESE

PLACE OF USE:

WILDLIFE, same as STOCKWATER use

PLACE OF USE:

DOMESTIC, 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.

MICROFILMED
FEB 25 1987

State of Idaho
Department of Water Resources

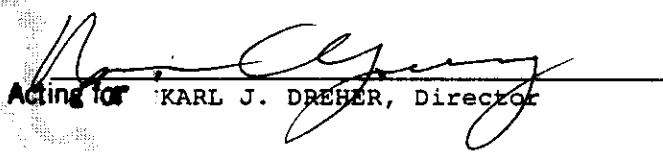
WATER RIGHT LICENSE

WATER RIGHT NO. 34-07446

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. Domestic use is for a campground.
7. Rights 34-02476 and 34-07446 in combination shall not exceed a total diversion rate of 0.03 cfs.
8. Right 34-02476 is also diverted through the point(s) of diversion described above.

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 11TH day of FEBRUARY, 1997.


Acting for KARL J. DREHER, Director

MICROFILMED

FEB 25 1997

State of Idaho
Department of Water Resources

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FEB 07 1997

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 34-07446

Department of Water Resources

Date of Priority: November 9, 1983

Maximum Diversion Rate:

0.03 CFS

Maximum Diversion Volume:

4.0 AF

Comes now US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
PO BOX 430
SALMON ID 83467

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. 34-07446, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	05/01 to 12/15	0.02 CFS	1.0 AF
WILDLIFE	01/01 to 12/31	0.01 CFS	1.0 AF
DOMESTIC	05/01 to 10/31	0.03 CFS	3.0 AF
	Totals	0.03 CFS	4.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SESE, Sec. 2, Township 07N, Range 23E
CUSTER County

PLACE OF USE: STOCKWATER

TWN RGE SEC

07N 23E 1 SWSW
2 SESE

PLACE OF USE:

WILDLIFE, same as STOCKWATER use

PLACE OF USE:

DOMESTIC, same as STOCKWATER use

MICROFILMED

FEB 25 1997

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 Salmon, Idaho, this 5th day of February, 1997.

Rex Smart
Signature

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 34-07446

FOR DEPARTMENT USE ONLY

Preliminary check by Ket Fee = \$50.00 Received by Ket # C037961 Date 2-7-97

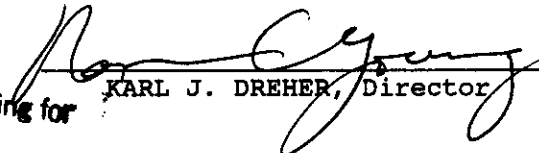
ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 34-07446 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. Domestic use is for a campground.
7. Rights 34-02476 and 34-07446 in combination shall not exceed a total diversion rate of 0.03 cfs.
8. Right 34-02476 is also diverted through the point(s) of diversion described above.

Witness my hand this 11TH day of FEBRUARY, 1997.


Acting for KARL J. DREHER, Director

MICROFILMED
FEB 25 1997

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JUL 24 1995

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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. 34-07446 Telephone No. 208 756 5403

2. Name(s) of Permit Holder(s): USDI Bureau of Land Management

3. Mailing Address: P.O. Box 430 Salmon, Idaho 83467

4. Source of Water: Groundwater If **GROUNDWATER** (well), Date Drilled: mo. 12/2 yr. 66

a. Well Driller: C. Boyd Lambert License # 154 Drilling Permit Number: not identified on log

b. **OPTIONAL:**
Pump Horsepower: 1 hp Pressure (psi): _____ Dynamic pumping level (ft): _____

5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): 17 hydrants Stockwater (No. and type of stock): wildlife
27 Horses
campground 900 Range Cows

Irrigation (No. of acres): _____ Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: .09 cfs OR _____ 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 X
Has the measuring device been installed? Yes _____ or No X

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 filing proof of beneficial use)

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

Name: Rex Smart Telephone Number: (208) 756-5459

Address: Hwy 93 South Salmon, Idaho 83467

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: David E. B. Lickertun Date: 19 July 95
(include your title, if on behalf of company)

AUG 08 1995

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 34-07446

Proposed Priority: November 9, 1983 Maximum Diversion Rate: 0.09 CFS
This is to certify, that U.S. DEPT. OF INTERIOR

BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE, ID 837060000

has applied for a permit to appropriate water from: **GROUNDWATER**
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>
STOCKWATER	05/01 to 12/15	0.02 CFS
WILDLIFE	01/01 to 12/31	0.01 CFS
DOMESTIC	05/01 to 10/31	0.06 CFS
	Totals	0.09 CFS

LOCATION OF POINT(S) OF DIVERSION: SESE Sec. 2, Township 07N, Range 23E
CUSTER County

PLACE OF USE: STOCKWATER

TWN RGE SEC

07N 23E 2 NESE SESE

PLACE OF USE: WILDLIFE, same as STOCKWATER use

PLACE OF USE: DOMESTIC, 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 August 1, 1995.
2. Subject to all prior water rights.
3. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.
5. Stockwater use is for 900 cattle and 27 horses; domestic use is for campground.

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

5th day of September, 1990.

MICROFILMED

SEP 25 1990

R. Keith Higginson
for R. Keith Higginson, Director



NOV 9 1983

Department of Water Resources
Eastern District Office

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

Ident. No. 34 7446

To appropriate the public waters of the State of Idaho

1. Name of applicant USDI, Bureau of Land Management Phone 756-2201

Post office address Box 430, Salmon, Idaho 83467

2. Source of water supply Groundwater which is a tributary of _____

3. Location of point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 2 Township 7N

Range 23E B.M. Custer County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .02 for Stockwater purposes from 5-1 to 12-15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .01 for Wildlife purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .06 for Domestic purposes from 5-1 to 10-31 (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. 0.09 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well with pump and pipelines to
trough and campgrounds

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

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

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

7. Time required for the completion of the works and application of the water to the proposed beneficial
use is 5 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: NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 2 Township 7N
SE SE
Range 23E 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 900 cattle, 27 horses,
wildlife - deer, antelope, bear, mountain lion.

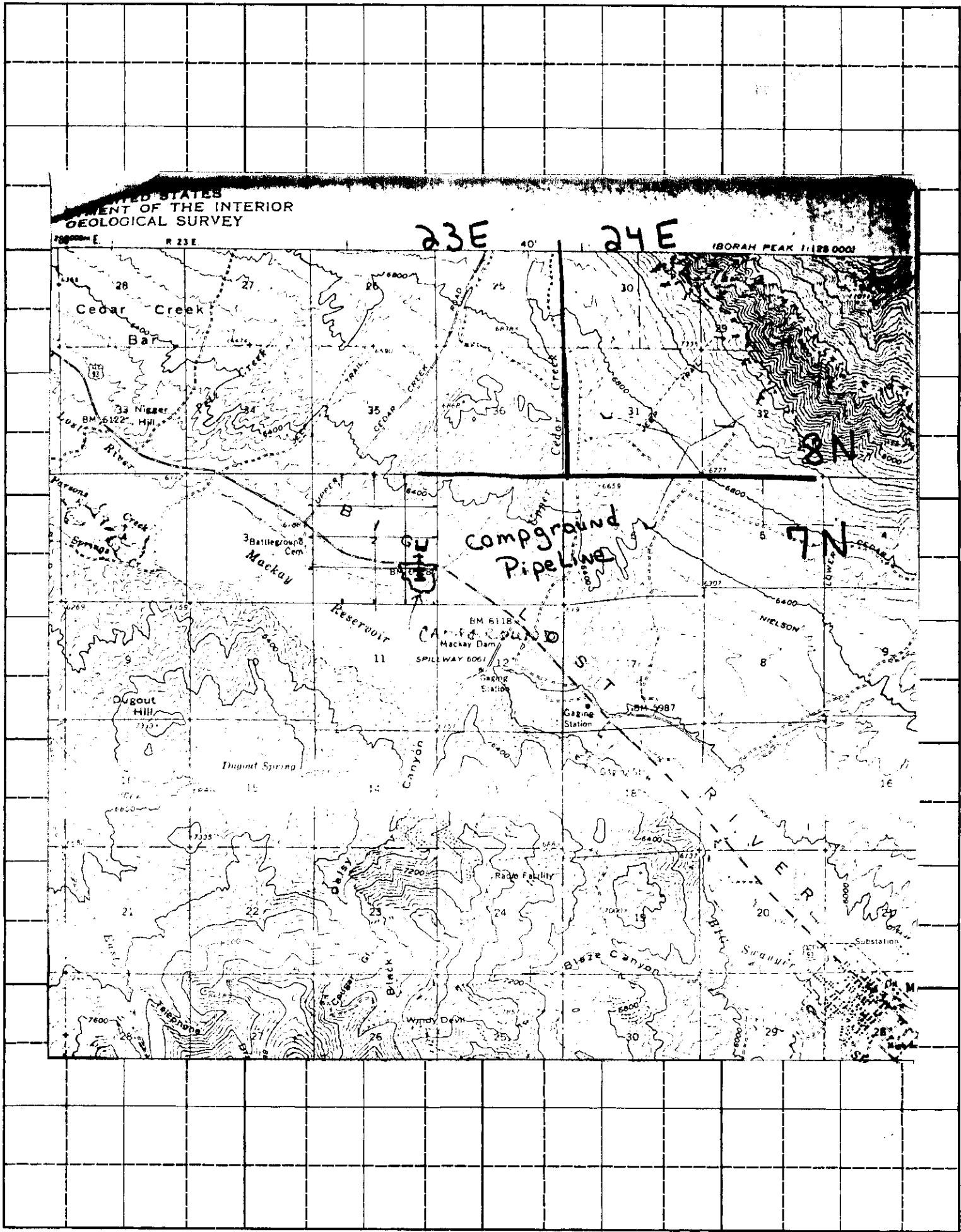
(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____.

(5) If water is to be used for other purposes describe: Wildlife, domestic use at
campgrounds and stockwater

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SEP 25 1990

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



Scale: 2 inches equal 1 mile.

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

MICROFILMED

SEP 25 1990

DISTRICT MANAGER

Kenneth L. Walker
(Applicant)

11/9/83
Proposed Priority _____

Received by kw Date 11-09-82 Time 3:00 p.
Preliminary check by KCW Fee \$ 30.00 # 32644
Received by cy Date 9-2-83
Publication prepared by BP Date 11/16/83
Published in Custer Publ. Co.
Publication dates 11/24 & 12/1/83
Publication approved BP Date 12/5/83
Protests filed by: none

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by kw

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. 34-7446, 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. Other: Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.

Witness my hand this _____ day of _____

Chief, Operations Bureau

MICROFILMED

SEP 25 1990

AFFIDAVIT OF PUBLICATION

State of Idaho, County of Custer, ss:

1. MARGARET PARKS
Publisher of the Challis Messenger, a
weekly newspaper, published at Challis,
Idaho, do solemnly swear that the notice
hereto attached and made a part hereof,
was published in the regular and entire
issue of the Challis Messenger for 7
consecutive weeks, commencing with
the issue dated NOV 24
1983 and ending with the issue
dated DEC 1 1983

Margaret Parks
Subscribed and sworn to before
this 2nd day of December

1983
Edith M. Rock

Notary Public, residing at Challis,

Idaho. My commission expires on

Life MICROFILM

SEP 25 1990

RECEIVED
SEP 26 1990

Department of Water Resources
Office



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

February 12, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
PO BOX 430
SALMON ID 83467

RE: WATER RIGHT NO. 34-07446

Dear Water Right Holders:

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 within fourteen (14) days after issuance 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.

RECORDED
FEB 25 1997

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,

MICROFILMED
FEB 25 1997

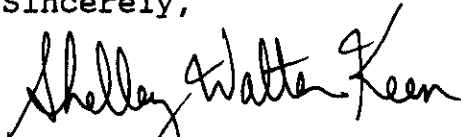
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

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.

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

Sincerely,



Shelley W. Keen
Water Rights Supervisor

SWK:pah

Enclosures

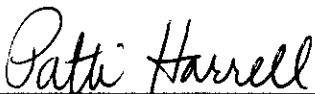
c: Southern Region

CERTIFICATE OF MAILING

I hereby certify that on the 12th day of **February, 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. 34-07446

**US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
PO BOX 430
SALMON ID 83467**



Patti Harrell
Secretary

MEMORANDUM

TO: File 34-07446

FROM: Sharla

DATE: February 5, 1997

RE: Telecon

On this date, Rex Smart from BLM called in response to our correspondence dated 1/29/97. He stated that their engineers had determined that the point of diversion is located in the SESE, Section 2. He also stated that if we needed further documentation/verification of this, they could send someone out after the spring thaw to re-confirm. I told him that probably would not be necessary.

With this information, the amendment we sent is correct and I explained that it was still needed to add the use of water in the SWSW, Section 1. He stated that he would get the form signed and returned to us as soon as possible.

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FEB 25 1997



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

January 29, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
PO BOX 430
SALMON ID 83467

RE: WATER RIGHT NO. 34-07446

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 place(s) of use description. The amendment does not reflect a change in the location of the point of diversion. Our field examiner reported, however, that the well appears to be very close to the line separating the SESE of Section 2 from the SWSW of Section 1. I would encourage you to check our point of diversion recommendation to be sure that you are in agreement.

Please review carefully and if you concur, sign the amendment and return it with the \$50.00 filing fee within sixty (60) 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

SWK:ph

Enclosure

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FEB 25 1997

MEMORANDUM

TO: File 34-07446

FROM: Sharla

DATE: January 27, 1997

RE: Recommendation Adjustment(s)

The final license recommendations for Right 34-07446 are based on the following:

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion
SESE, S2, T7N, R23E

2. Place of Use

SWSW, S1, T7N, R23E
SESE, S2, T7N, R23E

H. RECOMMENDATIONS

Stockwater	5/1 - 12/15	0.02 cfs	1.0 afa
Wildlife	1/1 - 12/31	0.01 cfs	1.0 afa
Domestic	5/1 - 10/31	0.03 cfs	3.0 afa

The examiner indicates that the recommended point of diversion was ASSUMED because the snow was too deep to see the well. The previous license was recommended in the SRBA as the SESE, S2. This is the point of diversion to be listed on the new license.

The previous license was issued with a place of use as the SESE, S2. This place of use will also be listed on 34-07446 to describe the entire place of use, since this license is used to pick up additional volume for all uses listed.

The representative from BLM notes that the season of use for the stockwater trough is May 6 through June 30. The volume has been calculated on this shortened period although the season has been listed the same as the permit. The total domestic volume is 3.3 af; the previous license was issued for 0.3 af, thus this license will be issued for the difference.

Examiner: Dennis Dunn
Exam Date: December 13, 1996

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FEB 25 1997

LICENSE REVIEW CHECKLIST

PERMIT NO. 34-07446

DATE 1/6/97

REVIEWER: SHARLA

NAME Change OK

Address Change ✓ Salmon

SOURCE Change ✓

Is change clarification of originally intended source? ✓

POINT OF DIV Change ✓

If not prepare Notice of Intent to Void ✓

PLACE OF USE Change ✓

Amendment required yes NO

Does map agree with written description? ✓ yes no

OVERLAPS

✓ P/D

✓ P/U

34-02476

.03 cfs

0.3

domestic

RATE OF DIV

Permitted Rate .09 cfs

Fee limit .20 cfs \$50.00

Measured ✓ cfs

Theoretical .03 cfs 840 gal/hr.

Recommended Total Div Rate .03 cfs

NO GOVT LOTS

ANNUAL VOLUME/

NATURE OF USES ✓

Use

Volume Calculation

$$900 - 463 = 437 + 27 = 464 \times 12 \text{ gpd}$$

Stock .02

1.0 af

Wildlife .01

1.0 af

Dom. .03

3.3 - 3.0 af

= 3.0 af

SUBTOTAL

4.0 af

(56 days wk)

Flow rate .03 cfs X 365 days X 1.98 = 21.7 af

Total volume recommended 4.0 af

(SUBTOTAL or Flow Rate, whichever is less)

REMARKS

WBS (34-02476, .03 cfs)
36 (")
21.7

CONDITIONS

Watermaster Control WD#

GW Measurement/Measuring Device

Overlap

Use-specific conditions

Advancement of Priority Date Required yes ✓ no

SRBA Claim Filed

Adjustment Memo

1st Amend Letter

2nd Amend Letter

old dom vol.
stock "
upstream
stock "
downstream

P43,
P38
P47

FEB 25 1997

3. Delivery System Diagram: Indicate all major components and distances between components. Indicate well size/ditch size/pipe l.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
		12			

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

D. FLOW MEASUREMENTS

1.

2. Measurements:

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

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FEB 25 1997

E. NARRATIVE/REMARKS/COMMENTS

BLM said line was run from well under road to water trough on north ^{east} side of Rd. The assumption made is that the well is in the snow. Snow was too deep to see well when field inspection made.

* FS & volume must be modified to reflect SROA # 34-02476. This new permit reflects extra Domestic use in Sect 1 and extra 437 cows & 27 Horses

BLM - Salmon

stock use

Dennis,

RECE

DEC 1

Department of the Interior
Bureau of Land Management
Eastern

Season of use for the water trough is May to thru June 30.

Our information shows that the well at Mackay Campground is as follows:

Depth - 82 feet

Well casing - 6 inches

Pumps - 840 gal/hr.

Various spigots and small irrigation system for trees.

Evidently we do not have a well log.

If you need additional info you can call Pete Sozzi in our office @ 756-5404.

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

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FEB 25 1997

F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method: BLM specs are 840 gallons per hour or 14 gpm
This is 0.03 cfs

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

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

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

77 hydrants at campground — use 3 people per campground
and 25 gallons per camper makes
75 gallons per hydrant.

Total 77 hydrants x 75 gallons

5775 gallons / day

184 days x 5775 gallons/day = $\frac{1,062,600 \text{ gallons}}{325,850} = 3.3 \text{ af}$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Domestic	5-01	10-31	0.03	3.3
Stockwater	5-01	12-15	0.02	1.5
Wildlife	1-01	12-31	0.01	
Totals:			0.03 cfs	4.8 af

(See SRBA 34-02476)

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

Dennis Dunn / HWT Date 12-31-96

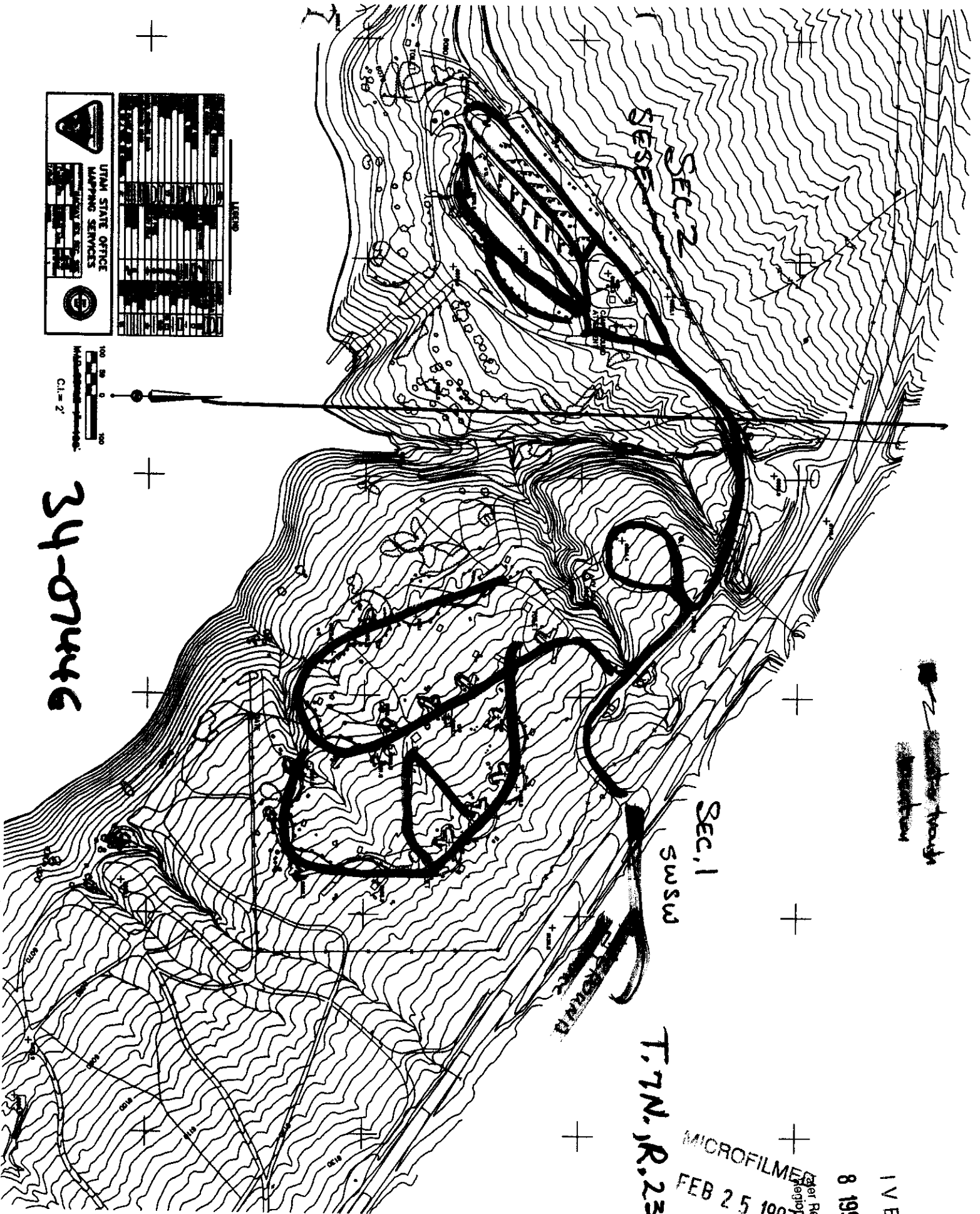
Reviewer

Date

SEAL

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FEB 25 1997



2-10-1996

IVED

8 1996

MICROFILMED
FEB 25 1997
Her Resources

T. 7N. R. 23E.

Sec. 1
SWSW

SEC. 2

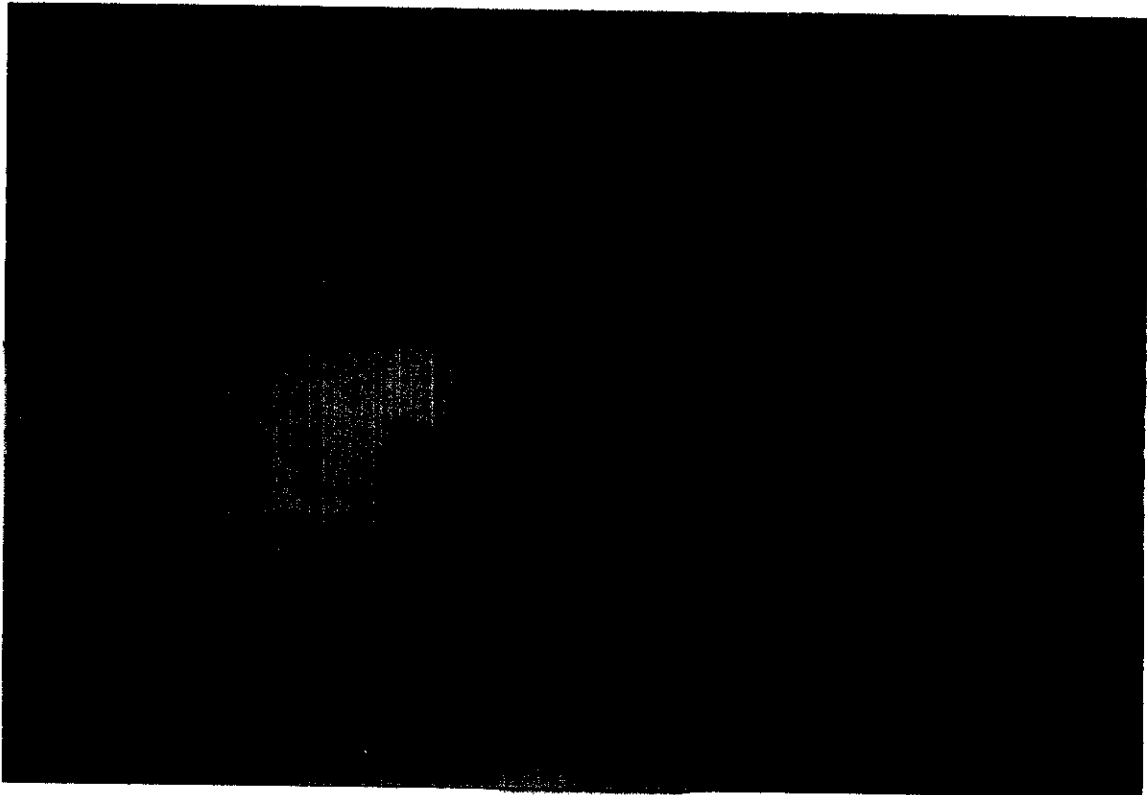
SESE



UTAH STATE OFFICE
MAPPING SERVICES

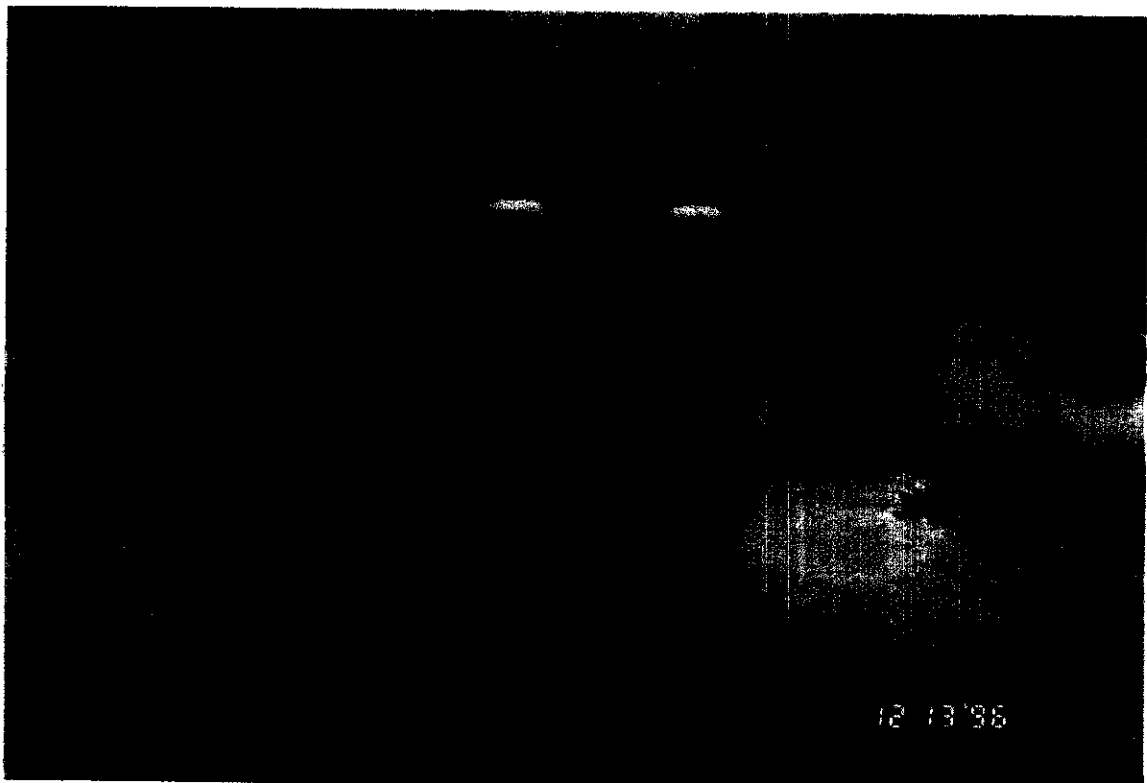


34-07446



Campground Entrance

34-07446



12 13 '86

LMED

FEB 25 1997



Campground

34-07446



Stockwater trough on ^{North} East side of Rd

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FEB 25 1997

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 34-7444 Reviewed by [Signature] Date 8-1-95

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?
yes Address same as permit?
yes Proof timely received? Correct Uses? yes
If not, complete calculation below.

Dom. stock

SOURCE OF WATER

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

LICENSE EXAMINATION FEE

MEASURING DEVICE

yes Required?
50- Amount Submitted
yes Correct?

no Required?
 Installed?
 Waiver requested?

PRIORITY CALCULATION

Date proof received	<u> </u>	<u> </u>
Date proof due	<u> </u>	<u> </u>
No. of days late	<u> </u>	<u> </u>
Priority Date	<u> </u>	<u> </u>
New Priority Date	<u> </u>	<u> </u>

DEFICIENCIES OR ACTION ITEMS

Proof acceptable

DATA ENTRY

New Address Proof Made 7-24-95

August 1, 1995

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 837060000

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 34-07446

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 EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

RECEIVED

AUG 08 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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 31, 1995

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 837060000

COPY

PROOF DUE NOTICE

RE: PERMIT NO. 34-07446

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 August 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.

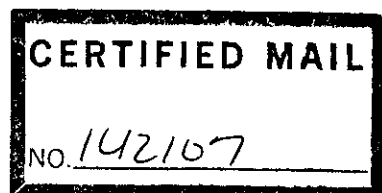
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

RECEIVED

AUG 08 1995



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 327-7900
September 6, 1990

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE, ID 837060000

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 34-07446

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.

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

Please note the requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The enclosed blue

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SEP 25 1990

card must be completed and returned to this office as soon as you commence construction, no later than one year from the date the permit was approved.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a license.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

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SEP 25 1990

PROCESSING Yes No In form for advertising
 Yes No Statewide advertising
 Yes No Fee amount, receipt date & No. recorded on application

SEND COPIES TO Idaho Dept. of Health & Welfare U.S. BLM
 Idaho Dept. of Fish & Game U.S. Forest Service
 Idaho Dept. of Lands Water District
 Adjudication Bureau Unit Other

FINAL REGIONAL PROCESSING REVIEW

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

☒ Yes No Publication dates & paper, recorded on application
☐ Yes ☒ No Protests received
 Final date for protest
☐ Yes No Protests, dates, resolution of protest, recorded on application
☐ Yes ☒ No Recommendations attached
☐ Yes ☒ No Measuring device required
☐ Yes ☒ No Access port required
☒ Yes No Will water be delivered by watermaster? If yes, what Dist. 34
☐ Yes No Special conditions of approval or cover letter below.

Date of priority recommended See below for additional information
By 11-9-1983
 Date

STATE OFFICE REVIEW P05, P23 P17 46 26
By kw See below for additional information
 Date 8/28/90

ADDITIONAL INFORMATION

App. in Trust Area - DCMI
OK to allow 5 yrs. to develop -
U.S. Gov't.

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: KEITH C WILSON APPLICATION NUMBER: 34 7446

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.

Field check by: _____

Date: _____

Comments: _____

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

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

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

Copies sent by: _____ Date: _____

PROCESSING:

- ☐ Yes ☒ No Platted by: _____ Map No. _____
☐ Yes ☒ No Other rights on same place of use. _____

- ☒ Yes ☐ No* In form for advertising.
Final date for protests: Dec 12, 1983
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 12-5-83
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☐ Yes ☒ No Measuring device required.
☐ Yes ☒ No Access port required.
☒ Yes ☒ No Will water be delivered by watermaster? If yes, what district? 34
11-09-83 Date of priority recommended.
Special conditions of approval or cover letter. _____

By: Ernest Carlson Date: May 7, 1985

STATE OFFICE REVIEW:

L05, L17 26

- ☐ See attached sheet for more information.
By: KW

Date: 6/12/85 MAY 10 1985

Department of Water Resources

RECEIVED

0117 10

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
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IDAHO STREAM CODE INDEX

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

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
-------	-----	-----	-----	--------------	---------------	-------

IDAHO STREAM CODE INDEX



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

SEPTEMBER 1, 1985

DEAR PERMIT HOLDER:

ACCORDING TO OUR RECORDS, YOU ARE THE HOLDER OF A WATER PERMIT ON WHICH PROOF OF BENEFICIAL USE OF WATER WAS NOT SUBMITTED BEFORE JULY 1, 1985, WHICH INDICATES YOUR PROJECT IS NOT COMPLETE. THEREFORE, YOU NEED TO BE AWARE OF CHANGES IN IDAHO LAW, EFFECTIVE JULY 1, 1985, WHICH IMPACT ALL WATER PERMITS ISSUED BY THIS DEPARTMENT.

SPECIFICALLY, PURSUANT TO SECTION 42-203D, IDAHO CODE, THE DEPARTMENT MUST REVIEW ALL PERMITS FOR WHICH DEVELOPMENT OF WATER USE WAS NO COMPLETED ON OR BEFORE JULY 1, 1985, TO DETERMINE IF THEY MEET THE NEW REQUIREMENTS OF CHAPTER 2, TITLE 42, IDAHO CODE. RULES AND REGULATIONS GOVERNING THE RE-EVALUATION OF PERMITS ARE NOT YET FINALIZED. HOWEVER, IF YOU COMPLETED THE DEVELOPMENT UNDER YOUR PERMIT BEFORE JULY 1, 1985, YOU SHOULD SUBMIT A PROOF OF BENEFICIAL USE STATEMENT, STATING THAT THE PROJECT WAS COMPLETED BEFORE JULY 1, 1985 SO THAT YOUR PERMIT WILL NOT BE SUBJECT TO THE REVIEW REQUIREMENTS OF SECTION 42-203D, WHICH READS AS FOLLOWS:

42-203D. REVIEW OF PERMITS - OPPORTUNITY FOR HEARING. - (1)THE DEPARTMENT SHALL REVIEW ALL PERMITS ISSUED PRIOR TO THE EFFECTIVE DATE [JULY 1, 1985] OF THIS SECTION, EXCEPT TO THE EXTENT A PERMIT HAS BEEN PUT TO BENEFICIAL USE PRIOR TO JULY 1, 1985, TO DETERMINE WHETHER THEY COMPLY WITH THE PROVISIONS OF CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PROPOSED USE DOES NOT SATISFY THE CRITERIA OF CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL EITHER CANCEL THE PERMIT OR IMPOSE THE CONDITIONS REQUIRED TO BRING THE PERMIT INTO COMPLIANCE WITH CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PERMIT SATISFIES THE CRITERIA ESTABLISHED IN CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL ENTER AN ORDER CONTINUING THE PERMIT. (2)THE DEPARTMENT SHALL PROVIDE AN OPPORTUNITY FOR HEARING IN ACCORDANCE WITH SECTION 42-1701A, IDAHO CODE, AND SECTIONS 67-5209 THROUGH 67-5215, IDAHO CODE, FOR EACH HOLDER OF A PERMIT THAT IS PROPOSED EITHER TO BE CANCELLED OR MADE SUBJECT TO NEW CONDITIONS.

YOU MAY OBTAIN PROOF OF BENEFICIAL USE FORMS FROM THE DEPARTMENT. IF YOU HAVE ANY QUESTIONS, PLEASE LET US KNOW.

SINCERELY,

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

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SEP 25 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

NOVEMBER 16, 1983

Custer County Publishing Co.
P. O. Box 405
Challis, Idaho 83226

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

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

Please send the affidavit of publication and publication billing to this office before DECEMBER 12, 1983.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

MICROFILMED

SEP 25 1990

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, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before DECEMBER 12, 1983.

KEN DUNN, Dir.

Published 11/24 & 12/1/83.

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SEP 25 1990

34-7446

U.S. DEPT. OF INTERIOR

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

Source: GROUNDWATER

Date Filed: 11/09/1983

Diversion Pt: SESE Sec 02 T 07N R 23E

Use: STOCKWATER	(0.02 CFS)
WILDLIFE	(0.01 CFS)
DOMESTIC	(0.06 CFS)

In: NESE SESE Sec 02 T 07N R 23E

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SEP 25 1990

October 26, 1983

U.S. Department of Interior
Bureau of Land Management
Box 430
Salmon, ID 83467

ATTN: Lyle Lewis

Dear Mr. Lewis:

In June of this year your office filed a claim to a water right for the use of groundwater with a priority of August 5, 1968. Though we can proceed with processing of the claim, you should be aware that Section 42-229, Idaho Code states the appropriation of groundwater after March 25, 1963 may be perfected only by means of the application, permit, and licensing procedure. It is the opinion of the Department that based on this statute the above referenced claim would be of no value in establishing a water right. The preferred means for perfecting a right to groundwater, where diversion commenced in 1968, would be to file an application for permit. Groundwater applications in the Big Lost River Drainage are being receipted by the Department; however, processing of these applications is being delayed because of the Idaho Supreme Court's Decision in November, 1982 supporting the non-subordination of water rights at Swan Falls held by Idaho Power Company, and a pending study by the Department on groundwater availability in the Big Lost Drainage.

For your convenience, enclosed is an application prepared from the information provided on the claim. We will postpone further action until November 14, 1983. At that time processing of the claim will be initiated, provided the application has not been signed and returned to this office. Should the Bureau decide to submit the application, we will void the claim and the fee already assessed against it will be applied to the application.

MICROFILMED

SEP 25 1990

Lyle Lewis
BLM
~~November~~26, 1983
Page 2

If you have any questions concerning this matter, please
feel free to contact me at the above telephone number.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

Enclosures

MICROFILMED

SEP 25 1990

RECEIVED
JUN 13 1983

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources
Eastern District Office

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that USDI, Bureau of Land Management
(Name of Claimant)
Box 430; Salmon, Idaho 83467 Telephone No. (208) 756-2201
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) August 5, 1968

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
ground water tributary to Big Lost River

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs, af)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>.02</u>	Use	<u>Livestock</u>	Period of Use From	<u>05/01</u> To <u>12/15</u>
Quantity	<u>.01</u>	Use	<u>Wildlife</u>	Period of Use From	<u>01/01</u> To <u>12/31</u>
Quantity	<u>.06</u>	Use	<u>Domestic</u>	Period of Use From	<u>05/01</u> To <u>10/31</u>
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
(4)	<u>.09</u>	TOTAL QUANTITY USED.			
(cfs, af)					

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SE 1/4 SE 1/4, Sec. 2 Twp. 7N. Rge. 23E. B.M., County of Custer
Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. A well with an electric pump. A 1 1/2" plastic pipeline running from the well 1,050' to a trough. A 1 1/2" plastic pipe runs from the well to 15 spigots with-
in the campground.

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			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	
<u>7N</u>	<u>23E</u>	<u>2</u>													<u>X</u>			<u>X</u>	

No. of acres

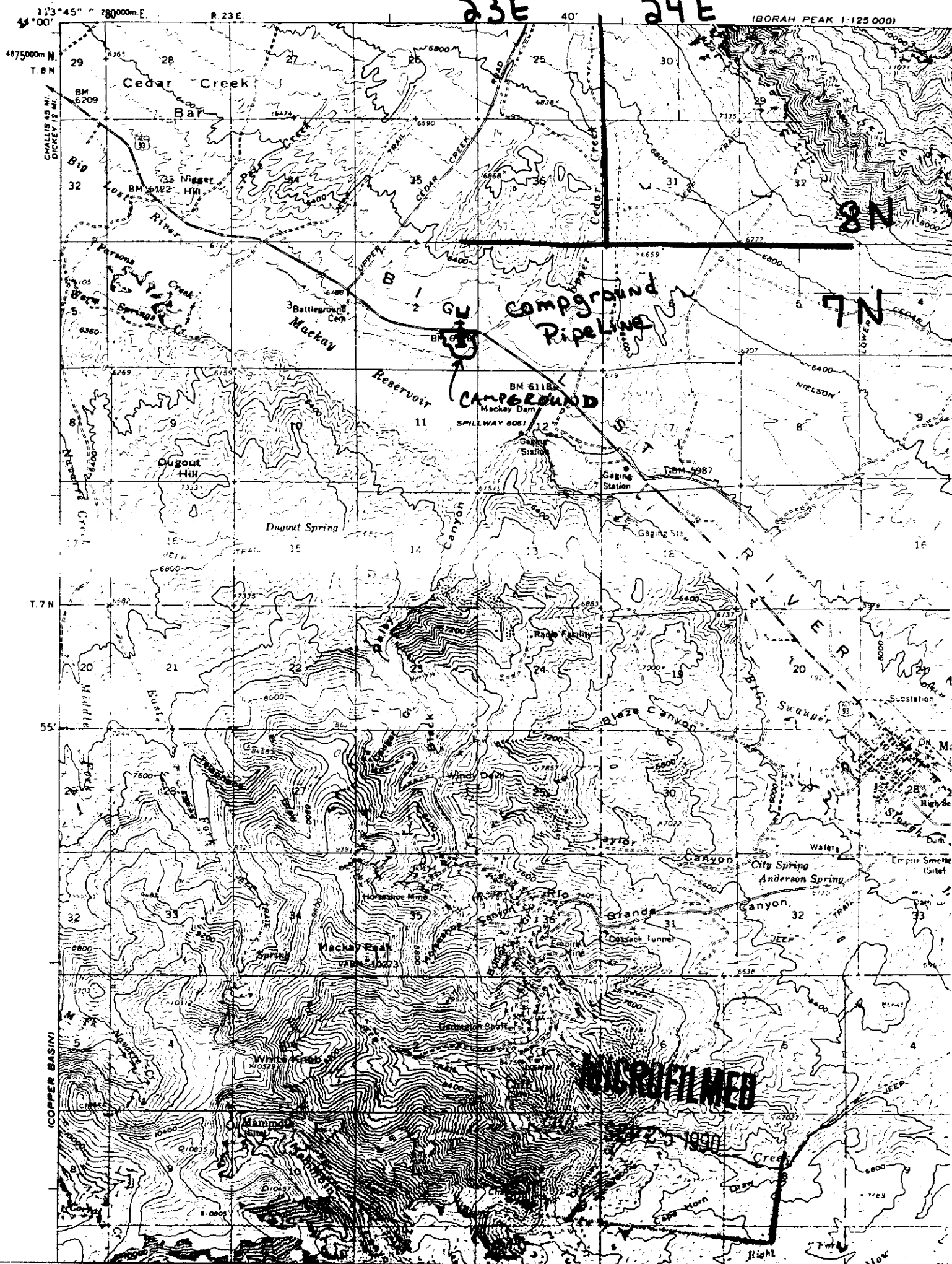
B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Wildlife - deer, antelope, bear, mountain lion. Water is also used for domestic use at a developed campground.

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SEP 25 1990

NOTE: Include here the type and number of stock watered: 900 cattle, 27 horses

(7) If you are claiming water as a member of an organization, list name of organization:



IDENT. NO. 34 7446

WATER RIGHT
DATA ENTRY LOG

[illegible]