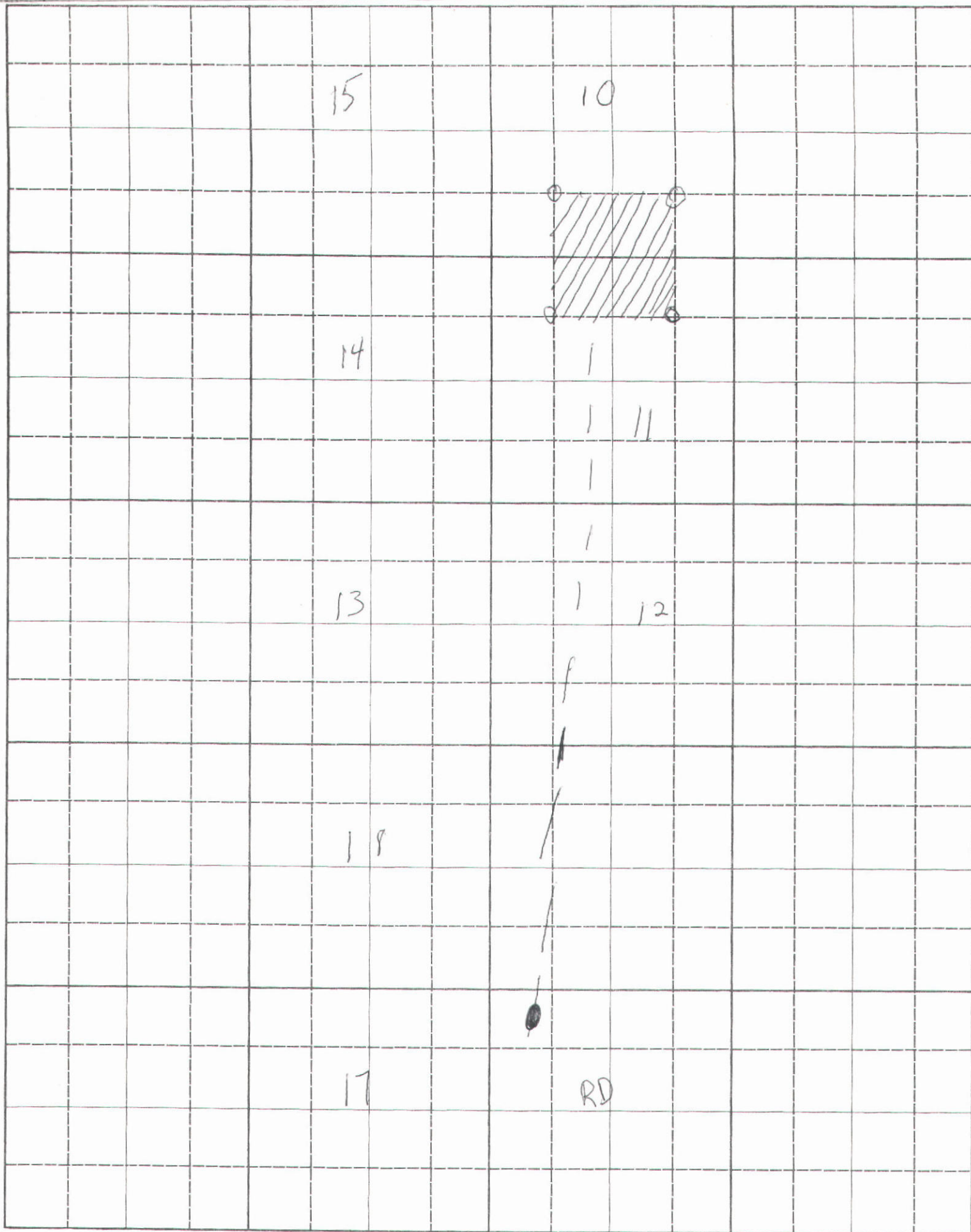


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

The map is a topographic representation of a landscape with contour lines indicating elevation. Handwritten annotations include:

- Place of Use:** A rectangular area with diagonal hatching, labeled "Place of Use" with an arrow pointing to it.
- Point of Diversion:** A point marked with a cross and labeled "Point of Diversion" with an arrow pointing to it.
- Section Numbers:** Numbers 10, 11, 12, 13, 14, 17, and 18 are written on the map, likely corresponding to land sections.
- Township and Range:** The text "T10N" and "R22E" are written on the right side of the map.
- Other Labels:** "Arent", "CHAL", "MIS", "RANGE", "Dickey", "Peak", "Water Tank", "Pond", "Spring", "6600", "6700", "6800", "6900", "7000", "7100", "7200", "7300", "7400", "7500", "7600", "7700", "7800", "7900", "8000", "8100", "8200", "8300", "8400", "8500", "8600", "8700", "8800", "8900", "9000", "9100", "9200", "9300", "9400", "9500", "9600", "9700", "9800", "9900", "10000", "10100", "10200", "10300", "10400", "10500", "10600", "10700", "10800", "10900", "11000", "11100", "11200", "11300", "11400", "11500", "11600", "11700", "11800", "11900", "12000", "12100", "12200", "12300", "12400", "12500", "12600", "12700", "12800", "12900", "13000", "13100", "13200", "13300", "13400", "13500", "13600", "13700", "13800", "13900", "14000", "14100", "14200", "14300", "14400", "14500", "14600", "14700", "14800", "14900", "15000", "15100", "15200", "15300", "15400", "15500", "15600", "15700", "15800", "15900", "16000", "16100", "16200", "16300", "16400", "16500", "16600", "16700", "16800", "16900", "17000", "17100", "17200", "17300", "17400", "17500", "17600", "17700", "17800", "17900", "18000", "18100", "18200", "18300", "18400", "18500", "18600", "18700", "18800", "18900", "19000", "19100", "19200", "19300", "19400", "19500", "19600", "19700", "19800", "19900", "20000", "20100", "20200", "20300", "20400", "20500", "20600", "20700", "20800", "20900", "21000", "21100", "21200", "21300", "21400", "21500", "21600", "21700", "21800", "21900", "22000", "22100", "22200", "22300", "22400", "22500", "22600", "22700", "22800", "22900", "23000", "23100", "23200", "23300", "23400", "23500", "23600", "23700", "23800", "23900", "24000", "24100", "24200", "24300", "24400", "24500", "24600", "24700", "24800", "24900", "25000", "25100", "25200", "25300", "25400", "25500", "25600", "25700", "25800", "25900", "26000", "26100", "26200", "26300", "26400", "26500", "26600", "26700", "26800", "26900", "27000", "27100", "27200", "27300", "27400", "27500", "27600", "27700", "27800", "27900", "28000", "28100", "28200", "28300", "28400", "28500", "28600", "28700", "28800", "28900", "29000", "29100", "29200", "29300", "29400", "29500", "29600", "29700", "29800", "29900", "30000", "30100", "30200", "30300", "30400", "30500", "30600", "30700", "30800", "30900", "31000", "31100", "31200", "31300", "31400", "31500", "31600", "31700", "31800", "31900", "32000", "32100", "32200", "32300", "32400", "32500", "32600", "32700", "32800", "32900", "33000", "33100", "33200", "33300", "33400", "33500", "33600", "33700", "33800", "33900", "34000", "34100", "34200", "34300", "34400", "34500", "34600", "34700", "34800", "34900", "35000", "35100", "35200", "35300", "35400", "35500", "35600", "35700", "35800", "35900", "36000", "36100", "36200", "36300", "36400", "36500", "36600", "36700", "36800", "36900", "37000", "37100", "37200", "37300", "37400", "37500", "37600", "37700", "37800", "37900", "38000", "38100", "38200", "38300", "38400", "38500", "38600", "38700", "38800", "38900", "39000", "39100", "39200", "39300", "39400", "39500", "39600", "39700", "39800", "39900", "40000", "40100", "40200", "40300", "40400", "40500", "40600", "40700", "40800", "40900", "41000", "41100", "41200", "41300", "41400", "41500", "41600", "41700", "41800", "41900", "42000", "42100", "42200", "42300", "42400", "42500", "42600", "42700", "42800", "42900", "43000", "43100", "43200", "43300", "43400", "43500", "43600", "43700", "43800", "43900", "44000", "44100", "44200", "44300", "44400", "44500", "44600", "44700", "44800", "44900", "45000", "45100", "45200", "45300", "45400", "45500", "45600", "45700", "45800", "45900", "46000", "46100", "46200", "46300", "46400", "46500", "46600", "46700", "46800", "46900", "47000", "47100", "47200", "47300", "47400", "47500", "47600", "47700", "47800", "47900", "48000", "48100", "48200", "48300", "48400", "48500", "48600", "48700", "48800", "48900", "49000", "49100", "49200", "49300", "49400", "49500", "49600", "49700", "49800", "49900", "50000", "50100", "50200", "50300", "50400", "50500", "50600", "50700", "50800", "50900", "51000", "51100", "51200", "51300", "51400", "51500", "51600", "51700", "51800", "51900", "52000", "52100", "52200", "52300", "52400", "52500", "52600", "52700", "52800", "52900", "53000", "53100", "53200", "53300", "53400", "53500", "53600", "53700", "53800", "53900", "54000", "54100", "54200", "54300", "54400", "54500", "54600", "54700", "54800", "54900", "55000", "55100", "55200", "55300", "55400", "55500", "55600", "55700", "55800", "55900", "56000", "56100", "56200", "56300", "56400", "56500", "56600", "56700", "56800", "56900", "57000", "57100", "57200", "57300", "57400", "57500", "57600", "57700", "57800", "57900", "58000", "58100", "58200", "58300", "58400", "58500", "58600", "58700", "58800", "58900", "59000", "59100", "59200", "59300", "59400", "59500", "59600", "59700", "59800", "59900", "60000", "60100", "60200", "60300", "60400", "60500", "60600", "60700", "60800", "60900", "61000", "61100", "61200", "61300", "6140



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.

Bert Howard
(Applicant)

RECORDED

AFFIDAVIT OF PUBLICATION

State of Idaho, County of Custer, ss.

I, 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 January 14, 1982 and ending with the issue dated January 21, 1982

Margaret Parks

Subscribed and sworn to before this 21st day of January, 1982

Ethel M. Peck

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

January 21, 1986

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

34-7407

HOWARD, BEN
BOX 303, CHALLIS, ID
83226

Source: SPRING tributary to SINKS

Date Filed: 12/31/1981

Amount: 0.06 CFS

Diversion Point: NWNW Sec 17 T 10N R 22E, CUSTER Co.

Use: IRRIGATION (0.06 CFS) from 05/01 to 11/01 and STOCKWATER (0.06 CFS) from 01/01 to 12/31

Place of Use: SWNW NWSW Sec 11 T 10N R 21E SENE NESE Sec 10 T 10N R 21E FOR 160 ACRES.

Diversion Means: PIPE-LINE

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho 83402 on or before FEBRUARY 1, 1982.

A. KENNETH DUNN
Director
Pub. 1/14 & 1/21/82

RECEIVED

JAN 25 1982

Department of Water Resources
Eastern District Office

MICROFILMED

STOCKWATER
34-7124

201

R21E

32

10 11



②

③

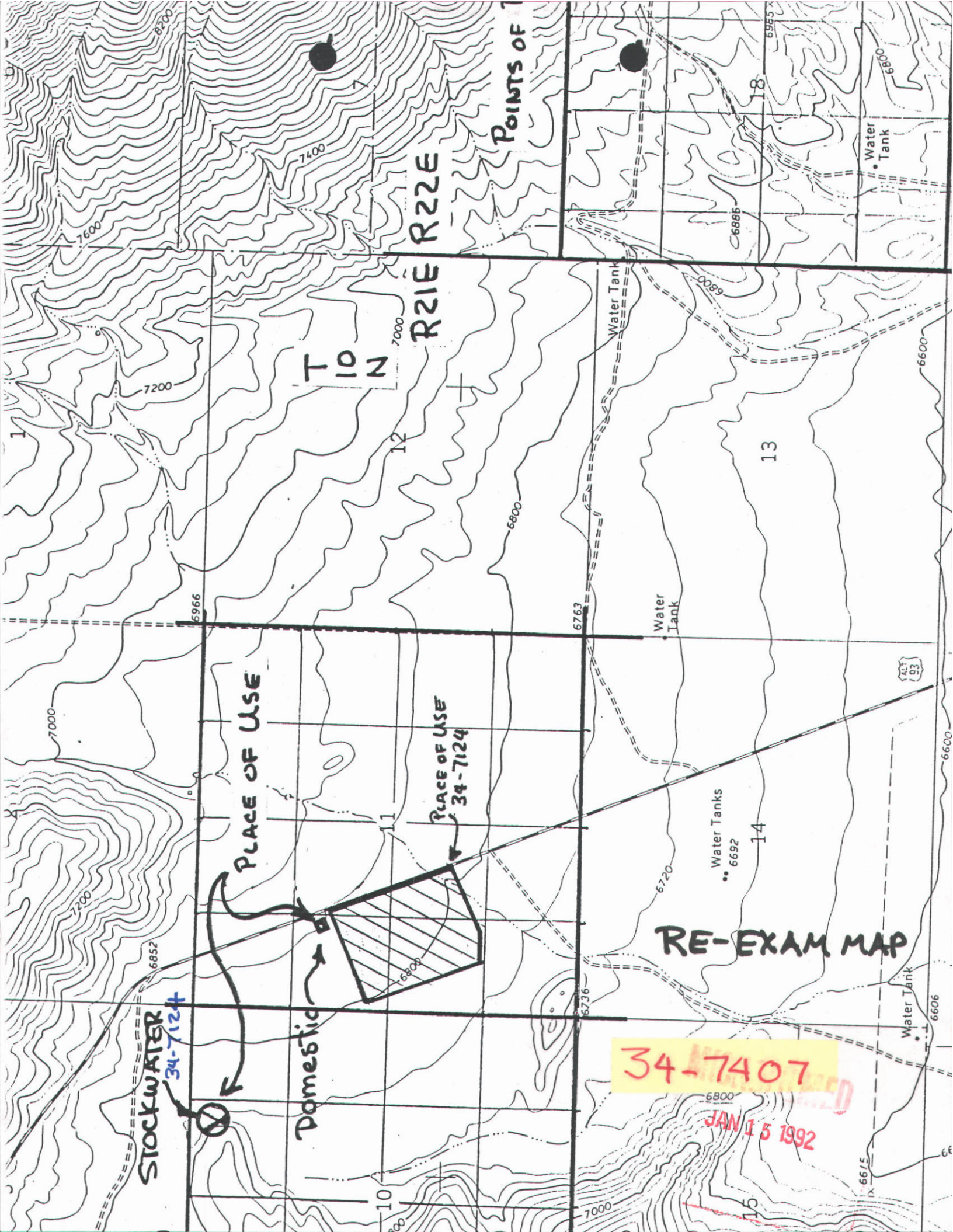
DOMESTIC
PLACE OF USE

PLACE OF USE
34-7124
IRRIGATION

RE-EXAM
AERIAL
34-7407

10 11

15 14



Stockwater

34-7124

PLACE OF USE

Domestic

PLACE OF USE
34-7124

RE-EXAM MAP

34-7407

JAN 15 1992

POINTS OF

R21E R22E

T 10 N

Water Tank

Water Tank

Water Tanks
6692

Water Tank

FEAR)

POINTS OF DIVERSION

R21E R22E

102

34-7407

RE-EXAM MAP

JAN 15 1992



Use

Water Tank

~~Water Tank~~

Water Tank

Site A

Poison Spring

Spring site B

81

13

12

12'30"

4899

4899

4897

4900

A topographic map showing contour lines. The map includes labels 'S', 'N', 'O', 'E', and '0076'. The 'S' and 'N' markers are located on the left side of the map, with 'S' above 'N'. The 'O' and 'E' markers are on the right side, with 'O' above 'E'. The '0076' label is near the bottom center. The contour lines are drawn in a way that suggests a valley or a series of ridges.

1200

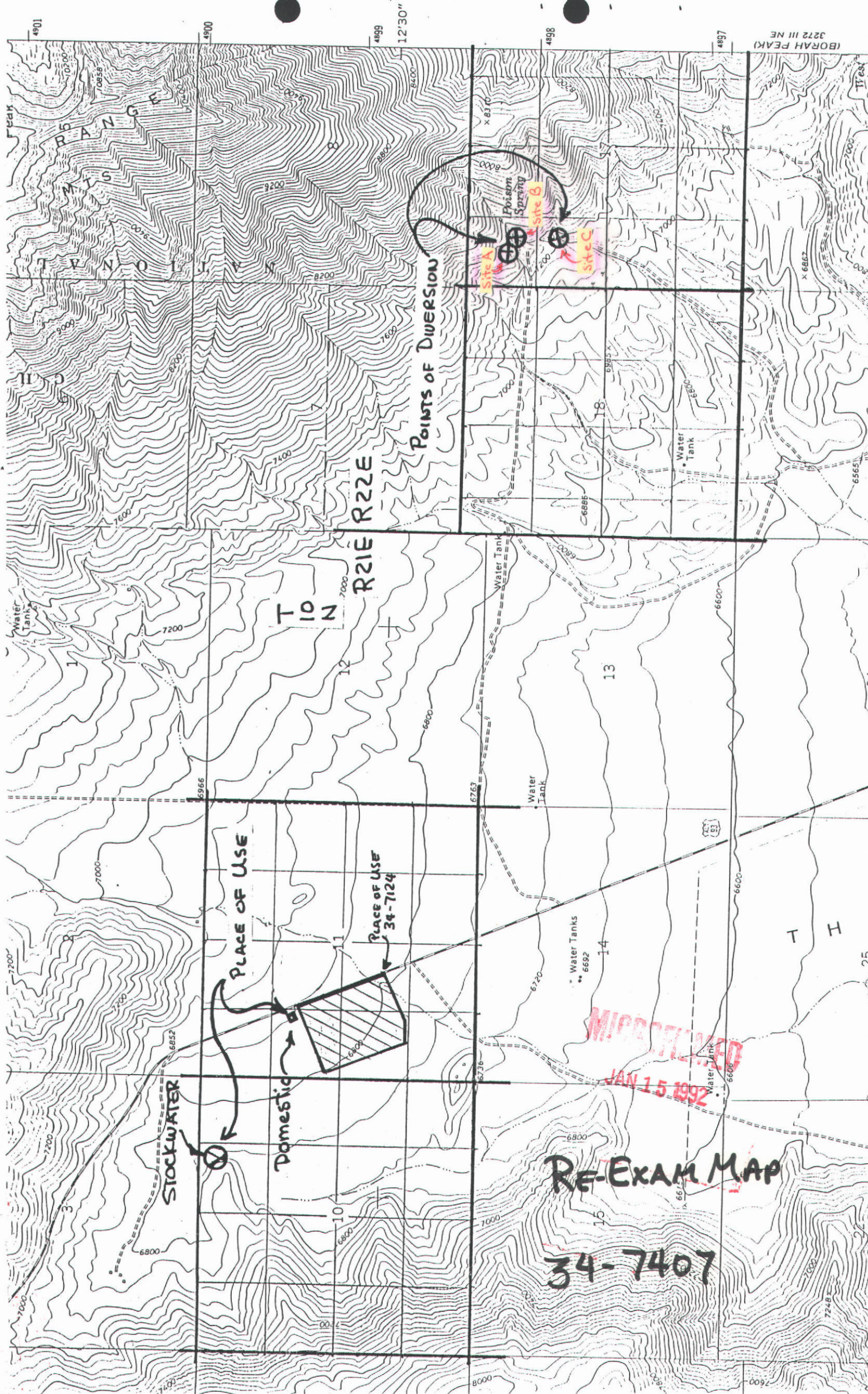
10

1

5



9



4901

4900

4899

12'30"

4898

4897

(BORAH PEAK)
3272 III NE

R22E

R21E

T 10 N

PLACE OF USE

PLACE OF USE
34-7124

Domestic

STOCKWATER

POINTS OF DIVERSION

Site A

Site B

Poison Spring

Water Tank

Water Tank

Water Tanks
6692

91

Water Tank

RE-EXAM MAP

34-7407

MICROFILMED
JAN 15 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

(SEE RE-EXAM dtd
30 Oct 1990)

A. GENERAL INFORMATION

Permit No. 34-7407

1. Owner: BEN HOWARD

Phone No. 845-2649

Current Address: BRUNEAU, Idaho

2. Accompanied by: OWNER

PARTIAL: 8-3-88
EXAM. DATE: _____

Address: _____

Phone No. _____

Relationship to Permit Holder: _____

3. Source: POISON CREEK tributary to SINKS

B. OVERLAP REVIEW

1. Other water rights with same place of use: ~~34-7407~~ 34-7124

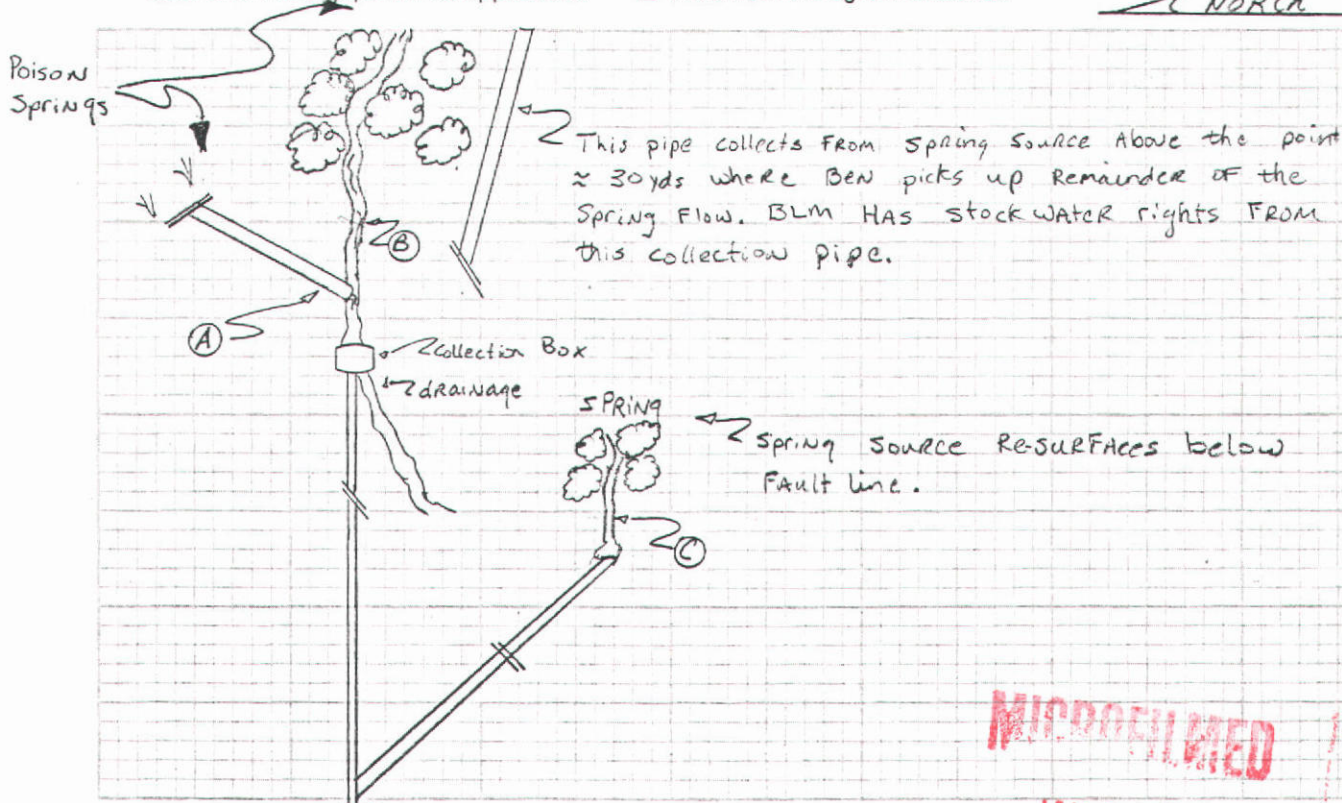
☐ Copies Attached

2. Other water rights with same point of diversion: 34-7124

☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. Diversion System Diagram: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: X = _____

2. ☒ Copy of U.S.G.S. 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 or more).

☒ Photo of Diversion and System Attached see photos with # 35-7124
(required for all but single household domestic groundwater, and stockwater).

34-7407

T-10N

R-22E

487c

06

Original Aerial Photo - SEE
RE-EXAM FOR CORRECTIONS.

HOME - D

Robert Howard

40 70
2900

JAN 15 1992

34-7407

T-10N

R-22E

Original Map - SEE RE-EXAM
FOR CORRECTED MAP

Home

21 32 16

P.D. #1

Point of Diversion

Main Line

Water Tanks
• 6692

ALT 93

Water Tank
• 6606

T H O

RECEIVED
JAN 15 1992

(BORAH PEAK)

West Spring

24

25

26

27

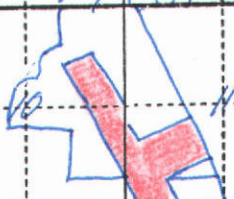
NAME OF APPLICANT NHAP REVIEW - #34-7407

Form No. 0

FROM PERMIT: 10N-21E (2"=1MI)

10 40 40 11
40 40

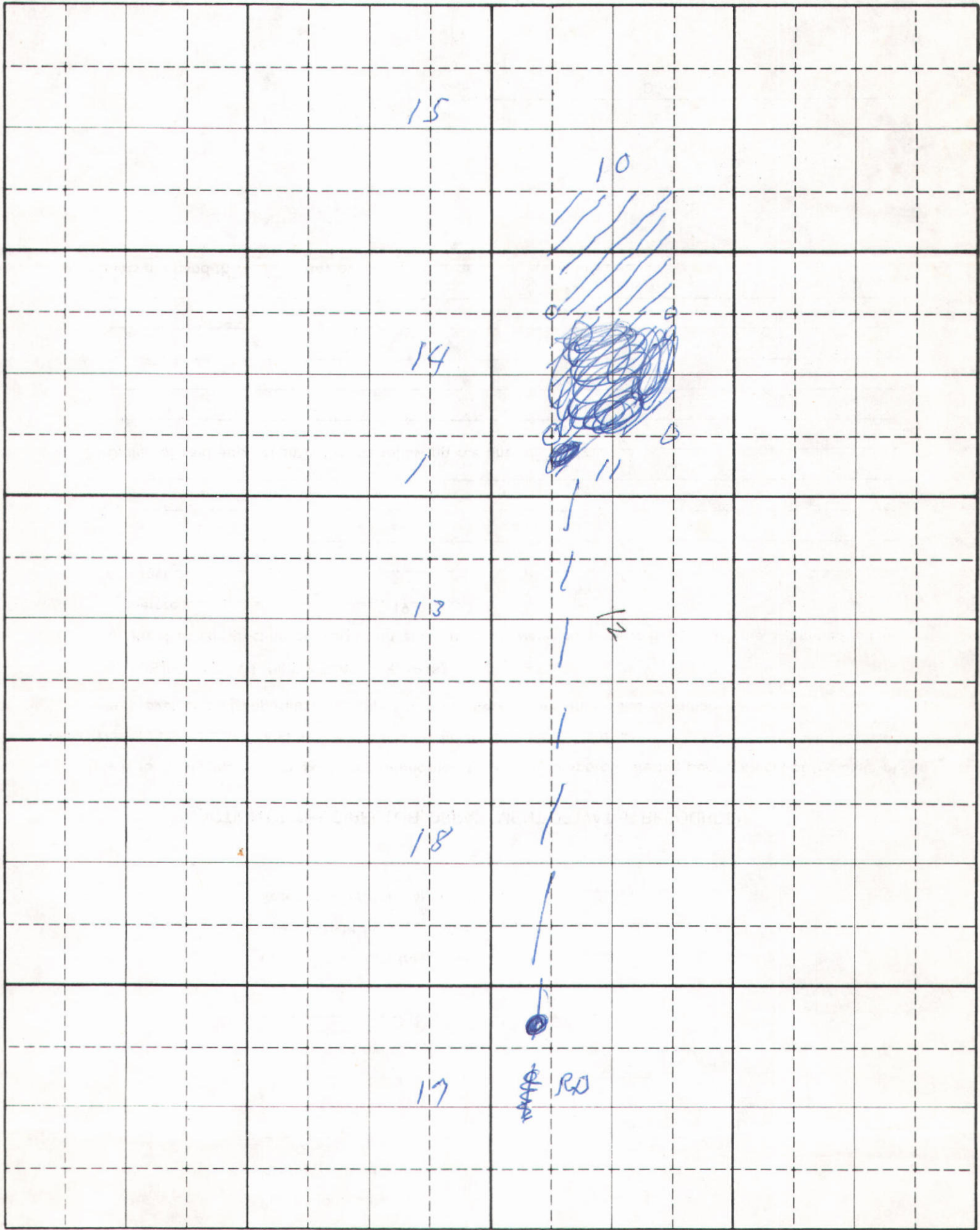
FROM NHAP: 229-44 (8/26/84) 1"=1MI



NHAP SHOWS IRRIGATION
USE ONLY IN SE SEC. 11;
REMAINDER OF AREA
IS GRAY, BUT W/ DEFINED
BOUNDARIES.

RECEIVED
JAN 15 1992

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.

Ben Howard
(Applicant)

MICROFILMED

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 34-07407

Priority: December 31, 1981

Maximum Diversion Rate: 0.02 CFS
Maximum Diversion Volume: 0.6 AF

This is to certify, that BEN HOWARD
HC 85 BOX 119

BRUNEAU ID 83604

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated December 31, 1981; and has submitted Proof of Beneficial Use on January 26, 1988. An examination indicates that the works have a diversion capacity of .120 cfs of water from:

POISON SPRING

tributary to SINKS

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>
DOMESTIC	01/01 to 12/31	0.02 CFS	0.6 AF

LOCATION OF POINT(S) OF DIVERSION:

NENWNW , Sec. 17, Township 10N, Range 22E
SENWNW , Sec. 17, Township 10N, Range 22E
NESWNW , Sec. 17, Township 10N, Range 22E
CUSTER County

PLACE OF USE: DOMESTIC
TWN RGE SEC

10N 21E 11 SWNW

CONDITIONS/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. Domestic use is for 1 home.

MAINTAINED

JAN 15 1992

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 34-07407

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 20TH
day of DECEMBER, 1991.

Acting for R. Keith Higginson, Director

NOT RECORDED

JAN 15 1992

APPROVED

State of Idaho
Department of Water Resources

RECEIVED
DEC 10 1991

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 34-07407

Department of Water Resources

Date of Priority: December 31, 1981

Maximum Diversion Rate:
Maximum Diversion Volume:¹

0.02 CFS
0.6 AF

Comes now

~~P.O. BOX 964~~ BEN HOWARD
HC 85 Box 119

~~CLARENCE PERRY ID 836230000~~ Bruneau, ID
83604

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. 34-07407, and requests that the permit be changed as follows:

Source: SPRING

tributary to SINKS

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

ANNUAL VOLUME

DOMESTIC

01/01 to 12/31

0.04 CFS

0.6 AF

LOCATION OF POINT(S) OF DIVERSION:

NENWNW , Sec. 17, Township 10N, Range 22E
SENWNW , Sec. 17, Township 10N, Range 22E
NESWNW , Sec. 17, Township 10N, Range 22E
CUSTER County

PLACE OF USE: DOMESTIC
TWN RGE SEC

10N 21E 11

SWNW

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 Bruneau, ID, this 1st day of December, 1991.

Ben Howard
(Signature)

FILED
JAN 15 1992

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 34-07407

FOR DEPARTMENT USE ONLY #C022589
Preliminary check by gq Fee \$20.00 Received by Jy Date 12-10-91

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 34-07407 with the following;

CONDITIONS/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.
4. Domestic use is for 1 home.

Witness my hand this 20th day of DECEMBER, 1991.

Acting for R. Keith Higginson
R. Keith Higginson, Director

RECEIVED
JAN 15 1992

RECEIVED

FEB 05 1987

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

For Office Use Only
\$15 FEE Received by
Date 2-5-87
Receipt # 41434

REQUEST FOR EXTENSION OF TIME

To provide additional time in which to submit proof
Department of Water Resources of beneficial use for a water right permit

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of a water right under the provisions of Section 42-204, Idaho Code.

Permit No. 34-7407

Name(s) of Permit Holder: Ben Howard

Post Office Address: HC 01 Box 109, White Bird, ID 83554

* P.O. Box 964, Glenns Ferry, ID 83623 Telephone No. 839-2232 or 839-2419

Date Proof is Due: 3/1/87

Describe what work has been completed toward the development of this water right:
(This must be filled out! If no work has been completed, show "none".)

3 miles OR 4" Pipeline, all surveys and irrigation equipment

Costing \$15000

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

Because the earthquake of 83 split our spring. We have already had it resurveyed, but we have been waiting on the BLM to get going.

Permit holder(s) request an extension to NOV 1 (1 yr. minimum) 19 87. Ben Howard (Signature)*

FEE: \$15.00 * Per telephone conv. 3-23-87 *IF OTHER THAN PERMIT HOLDER, POWER OF ATTORNEY MUST BE SUPPLIED.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to March 1, 1988.

MICROFILMED

Signed this 23 day of March, 19 87.

APR 13 1987

A. Glen Saylor
Chief, Operations Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Ben Howard Phone _____

Post office address Box 303 Challis, Idaho 83226

2. Source of water supply spring which is a tributary of sinks

3. Location of point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 17 Township 10N

Range 22E B.M. Custer County, additional points of diversion if any: _____

Stream Code 0340-0350-0055-0010 Reach 2.1

4. Water will be used for the following purposes:

Amount 0.06 for irrigation purposes from May 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.06 for stockwater purposes from Jan. 1 to Dec. 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. 0.06 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. three miles of 4-inch pipeline

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: SEE ITEM *b

a. If water is not for irrigation:

(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ 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 300 cattle

(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: _____

RECEIVED

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	
10N	21E	11						X 40	X 40	*		X 40							80
		10				X 40								X 40					80

*Change made per telecon 1/6/81 HWJ

Total number of acres to be irrigated 160

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

34-7124 from Poison Spring

9. a. Who owns the property at the point of diversion Bureau of Land Management

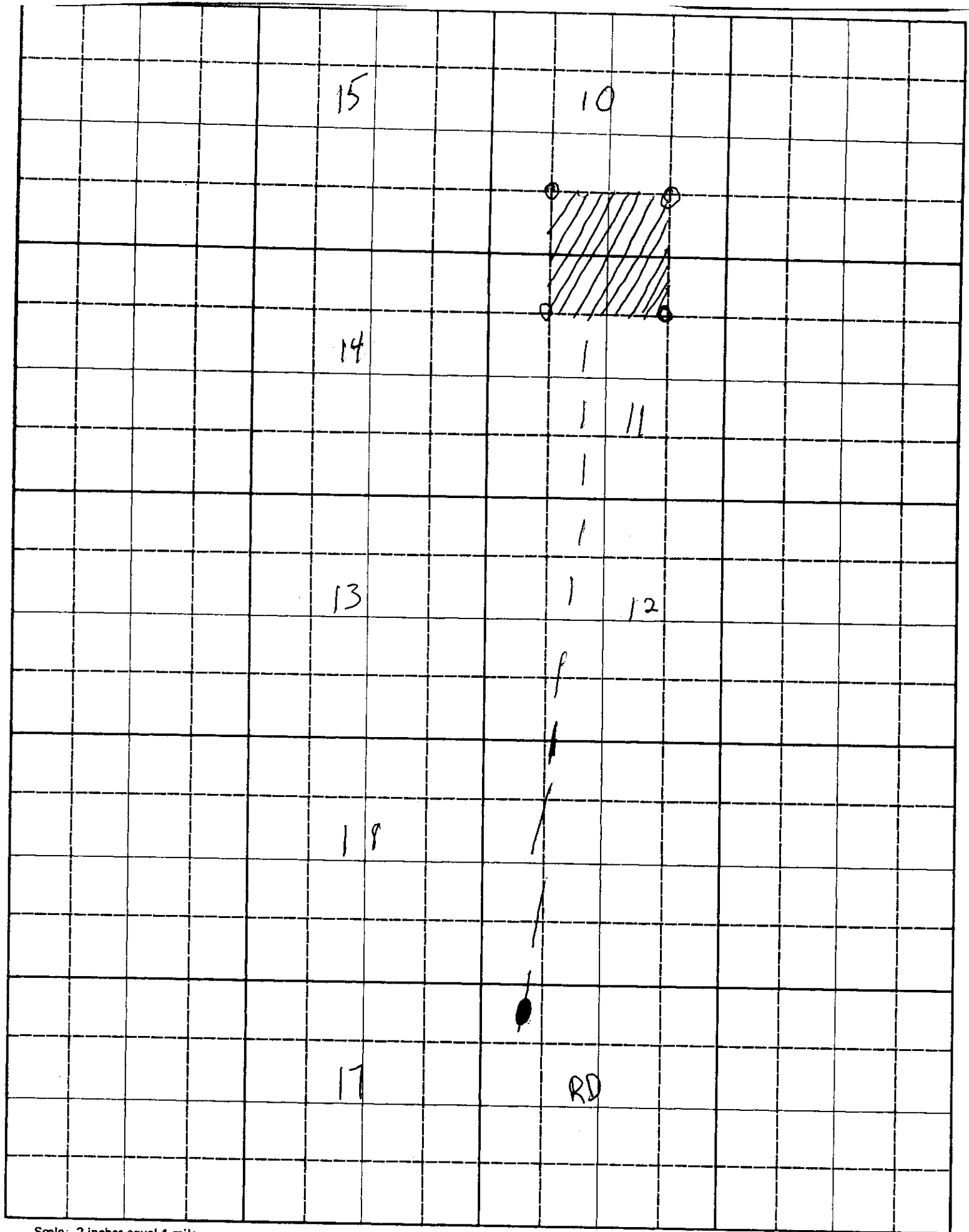
b. Who owns the land to be irrigated or place of use Applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing Verbal agreement made through Don Smith of the Bureau of Land Management

10. Remarks _____

RECEIVED

[illegible]



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.

Bert Howard
(Applicant)

MICROFILMED

Proposed Priority 12/31/81

Received by BRS Date 12-31-81 Time 10:46 A.

Preliminary check by HWS Fee \$ 30.00

Receipted by CW Date 1-06-82 # 20031

Publication prepared by CW Date 1-07-82

Published in Custer Publishing

Publication dates Jan 14 & 21 - 1982

Publication approved CW Date 1-26-82

Protests filed by: None

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by EMC RC

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. 34-7407, 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 March 1, 19 87.
- 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 issuance of this permit in no way grants any right-of-way or easement across the land of another.

Witness my hand this 4th day of March, 1982.

L. Glen Saxton
L. GLEN SAXTON
Chief, Operations Bureau

RECEIVED

AFFIDAVIT OF PUBLICATION

State of Idaho, County of Custer, ss.

I, MARGARET PARES

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 January 14, 1982 and ending with the issue dated January 21, 1982.

Margaret Pares

Subscribed and sworn to before this 21st day of January, 1982.

Ethel M. Peak

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

January 21, 1986

RECEIVED

JAN 25 1982

Department of Water Resources
Eastern District Office

RECEIVED



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

January 9, 1992

BEN HOWARD
HC 85 BOX 119
BRUNEAU ID 83604

RE: WATER RIGHT NO. 34-07407

Dear Water Right Holder(s):

Enclosed is a copy of your water right license along with a copy of the approved application for amendment you had submitted.

This right is included in the Snake River Basin Adjudication and you will be receiving further information regarding this in the near future.

If you have any questions, let me know.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosure

RECEIVED
JAN 15 1992

BEN HOWARD
HC 85 BOX 119
BRUNEAU ID 83604

December 10, 1991

RE: WATER RIGHT NO. 34-07407

Dear Water Right Holder(s):

We previously forwarded to you an Amendment for Water Permit so that you could amend your permit to correspond with the findings of the Department's field examiner.

As of this date, we have not received the amendment. If we do not receive it within fifteen (15) days, we will assume you no longer have any interest in the permit and cancellation proceedings will begin. Enclosed for your convenience is another amendment form in the event the first one was misplaced.

If you have any questions, please contact us.

Sincerely,

SHARLA CURTIS
Water Resource Agent

SC:blm

Enclosure

REC
JAN 15 1992

Custer County 879-2325

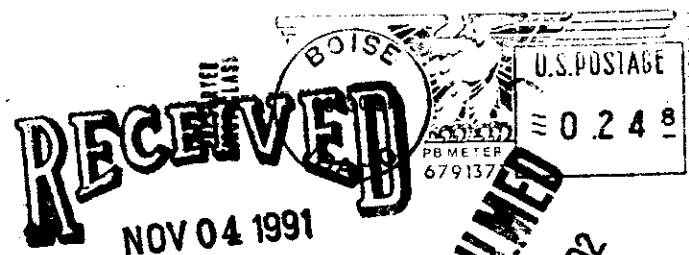
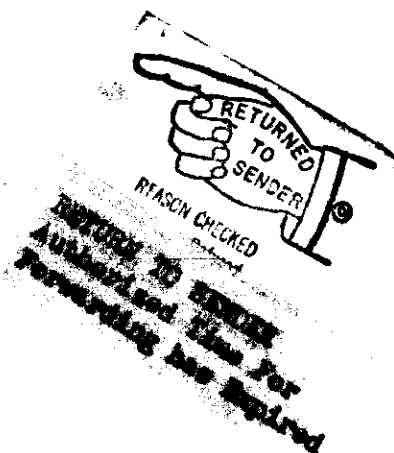
MICROFILMED

HC 85 BOX JAN 15 1992

Bureau

HAD TO RESEND AGAIN
11-22-91

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
13 North Orchard Street
Boise, Idaho 83706-2237



MAILED
JAN 15 1992

No send
Box 111
white bird
83554

October 30, 1991

BEN HOWARD
P.O. BOX 964
GLENN'S FERRY ID 836230000

RE: WATER RIGHT NO. 34-07407

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 correspond with the findings of the Department's field examiner.

The enclosed application for amendment contains information that will be included on the license when it is issued. Please review carefully and if you concur, sign the amendment and return with the \$20.00 filing fee by November 7, 1991.

If you do not concur with these findings or if you have any questions, please contact us immediately.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosure

NOT RECORDED

JAN 15 1992

RE-EXAM

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RE-EXAM
RECEIVED

A. GENERAL INFORMATION

1. Owner: BEN HOWARD

Permit No. 34-7407

Current Address: P.O. Box 628, Bruneau, Id 83604

Phone No. 845-2153/2649
Department of Water Resources

2. Accompanied by: Ben Howard

EXAM. DATE: 30 Oct 1990

Address: Same

Phone No. 845-2153/2649

Relationship to Permit Holder: Owner

3. Source: Poison Spring / UNNAMED Springs
tributary to SINKS

B. OVERLAP REVIEW

1. Other water rights with same place of use: 34-7124

☐ Copies Attached

2. Other water rights with same point of diversion: 34-7124

☐ Copies Attached

☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. Diversion System Diagram: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached

SEE ORIGINAL EXAM 8-3-88

MICROFILMED
JAN 15 1992

Scale: 1" = _____

2. ☒ Copy of U.S.G.S. 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 or more).

- ☐ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

Poison Spring; two unnamed springs are collected into a collection box and conveyed $\approx 3\frac{1}{2}$ miles to the place of use. Irrigation is by one $\frac{1}{4}$ mile wheel line. Domestic use is for a house-trailer. Stockwater

one $\frac{1}{4}$ mile wheel line. Domestic use is for a house trailer. Stockwater

1941

☐ See Remarks on page 4 for continuation

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

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

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
A		NE NW 1/4	17	10 N	22 E	Custer	USGS MAP / ON SITE INSPECTION		
B		SE NW 1/4	17	10 N	22 E	"	"	"	"
C		NE SW 1/4	17	10 N	22 E	"	"	"	"

Indicate Method of Determination -

6. Place(s) of Use:

[illegible]

Do not use this space

JAN 15 1992

DEB 113531A

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

RE-EXAM

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
55 gal Drum						
STOPWATCH						

2. Measurements: Taken at place of use

55 gal 61 1/2 sec

55 gal 60 sec

55 gal 62 1/2 sec

E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

1. Measured Method:

$Q = 0.12 \text{ cfs}$

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3)

; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (8)

Panel Input HP: (8) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 58 \times 3 \text{ afa} = 174 \text{ afa}$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.12(214)(1.9835) = 50.9 \text{ afa}$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 50.9 \text{ afa}$

2. Volume Calculations for Other Uses:

Stockwater 300 range cattle $V_{stock} = 4.1 \text{ afa}$

Domestic - 0.6 afa

MICROFILMED

JAN 15 1992

H. REMARKS AND OVERLAP REVIEW ANALYSIS

No additional water has been developed for irrigation. Recommend that the irrigation portion of this permit have 0.02cfs changed in nature of use from irrigation to ~~stockwater~~ ^{to bring stockwater up to 0.07cfs Kew} and also 0.02cfs from irrigation to Domestic.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Domestic	1/1	12/31	0.02	0.6
~~Stockwater~~	~~1/1~~	~~12/31~~	~~0.07~~	~~4.1 Kew~~
Totals:			~~0.07~~ 0.02 cfs	~~4.7 Kew~~ 0.60 afa

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 Change nature of use

J. AUTHENTICATION

Field Examiner's Name

KEITH C. WILSON

Signature

Keith C Wilson

Certification Date

Field Report Preparation Date

10-21-91

CONSULTANT SEAL

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

RECEIVED
JAN 15 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

RE-EXAM

34-7124

Permit No.

RE-EXAM

Measurement Calculations

a) Field Measurement Calculations (Include theoretical capacities and system capacity)

MEASUREMENT EQUIPMENT: 55 gal Drum & Stopwatch

MEASUREMENTS:

55 gal - 61½ sec

55 gal - 60 sec

55 gal - 62.5 sec

184.0 sec

Average diversion 55 gal - 61.3 sec

$$Q_{\text{avg}} = \left(\frac{55 \text{ gal}}{61.3 \text{ sec}} \right) \left(\frac{60 \text{ sec}}{\text{min}} \right) = 53.8 \text{ gpm} = 0.119 \text{ cfs}$$

$$Q = 0.12 \text{ cfs}$$

REPROFILMED

JAN 15 1992

Keith C. Wilson
4-22-91

RECOMMENDATIONS: IDENT.NO 34-07124/7407

21 JUNE 1991

34-7124-----

RECOMMEND: IRRIGATION @ 0.12 CFS FOR 58 ACRES 4/1 TO 11/1
STOCKWATER @ 0.07 CFS FOR 300 RANGE CATTLE 05/01
TO 12/31

NOTE: 1. ACCORDING TO MR. HOWARD THE PERIOD OF USE FOR
STOCKWATER IS FORM 5/1 TO 12/31.

2. FROM STOCKWATER CHART 300 RANGE CATTLE REQUIRE 4.1
AFA AT A DELIVERY RATE OF 0.07 CFS. AT 0.07 CFS THE
REQUIRED 3600 GAL/DAY CAN BE DELIVERED IN 2 HOURS, AND
THE 4.1 AFA IN 29.5 DAYS.

34-7407 -----

RECOMMEND: CHANGE NATURE OF USE FROM IRRIGATION TO DOMESTIC
OF 0.02 CFS.

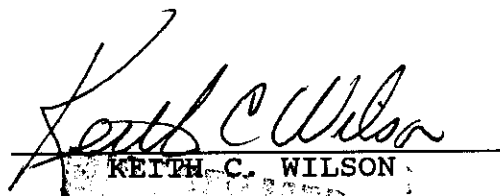
NOTE: 1. MR. HOWARD INFORMED ME THAT THE WATER FOR THE
TRAILER IS ALSO SUPPLIED BY POISON SPRING FOR DOMESTIC
PURPOSES.

2. SUFFICIENT WATER (0.07 CFS) FOR ALL 300 RANGE
CATTLE CAN BE SUPPLIED BY 34-07124.

IF THE APPLICANT DOES NOT WANT TO FILE AN AMENDMENT THEN I
RECOMMEND:

34-7124 - LICENSE FOR - 0.12 CFS FOR IRRIGATION OF 58 ACRES
- 0.07 CFS FOR STOCKWATER 5/1 - 12/31
0.12 CFS TOTAL

34-7407 - RECOMMEND CANCELLATION OF PERMIT - NO ADDITIONAL
WATER FROM THE SOURCE HAS BEEN DEVELOPED.


KEITH C. WILSON

JAN 15 1992

RECOMMENDATIONS: IDENT.NO 34-07124/7407

21 JUNE 1991

THE QUESTION ARISES ABOUT THE DROUGHT HAVING AN AFFECT ON THE WATER SUPPLY OF THIS SOURCE. RICHARD LENNON CONDUCTED AN EXAM ON AUGUST 3, 1988. DURING THIS EXAM HE WAS ABLE TO MEASURE EACH OF THE THREE SOURCES.

SOURCE A: 1 GAL/8 SEC, 1 GAL/9 SEC.

$$Q = (1 \text{ GAL}/8.5 \text{ SEC})(60 \text{ SEC}/\text{MIN}) = 7.06 \text{ GPM}$$

SOURCE B: 2 GAL/4 SEC, 2 GAL/5 SEC, 2 GAL/3 SEC

$$Q = (2 \text{ GAL}/4 \text{ SEC})(60 \text{ SEC}/\text{MIN}) = 30.0 \text{ GPM}$$

SOURCE C: 1 GAL/6 SEC, 1 GAL/4.5 SEC, 1 GAL/5.3 SEC

$$Q = (1 \text{ GAL}/5.3 \text{ SEC})(60 \text{ SEC}/\text{MIN}) = 11.4 \text{ GPM}$$

$$Q = 7.06 \text{ GPM} + 30.0 \text{ GPM} + 11.4 \text{ GPM} = 48.46 \text{ GPM} =$$

$$Q = 0.1079 \text{ CFS} = \underline{0.11 \text{ CFS MEASURED 08/02/88}}$$

MEASUREMENT: 30 OCTOBER 1990, OF ALL THREE SOURCES COMBINED.

$$Q = 55 \text{ GAL}/61.5 \text{ SEC}, 55 \text{ GAL}/60 \text{ SEC}, 55 \text{ GAL}/62.5 \text{ SEC}$$

$$Q = (55 \text{ GAL}/61.3 \text{ SEC})(60 \text{ SEC}/\text{MIN}) = 53.8 \text{ GPM} =$$

$$Q = 0.1199 \text{ CFS} = \underline{0.12 \text{ CFS MEASURED 10/30/90}}$$

IT WOULD APPEAR THAT IF THE DROUGHT HAD HAD AN AFFECT THE FLOW OF THE SOURCE WOULD HAVE BEEN MORE THAN 0.012 CFS (5.38 GPM). THE INCREASE OF 0.012 CFS COULD BE ACCOUNTED FOR BY THE FACT THAT, ACCORDING TO MR. HOWARD, THE SPRING COMES UP BETTER IN THE FALL OF THE YEAR.


KEITH C. WILSON
SENIOR RESOURCE AGENT

UNRECORDED
JAN 15 1992

IDENT.NO. 34-07124/7407

25 APRIL 1991

ANALYSIS: IRRIGATION REQUIREMENTS

FIND: DETERMINE IF SOURCE IS SUFFICIENT FOR IRRIGATION.

GIVEN: CFS = Q = 0.12 CFS - FROM FIELD EXAM.
ACRES IRRIGATED = 58 ACRES - FROM FIELD EXAM.
CONSUMPTIVE IRRIGATION REQUIREMENT FOR ALFALFA
MACKAY AREA IS 16.3 AC-IN = 1.358 AF = 1.4 AF.
(TABLE 6) (MOST WATER DEPENDENT CROP)
VOLUME = CFS X DAYS X FACTOR =
(0.12) (214) (1.9835) = 50.9 AFA

CALCULATIONS:

IRRIGATED ACRES = TOTAL VOLUME / CONSUMPTIVE VOLUME =
= 50.9 AFA / 1.4 AF = 36.4 ACRES

THE SOURCE CAN PRODUCE THE CONSUMPTIVE IRRIGATION REQUIREMENT SUFFICIENT FOR 36.4 ACRES OF ALFALFA. HOWEVER, IF A LESS WATER DEPENDENT CROP, SUCH AS NATIVE GRASSES, WERE IRRIGATED FOR PASTURE, THE DIVERSION RATE OF 0.12 CFS MAY BE ABLE TO DELIVER THE NECESSARY CONSUMPTIVE IRRIGATION REQUIREMENT FOR ALL 58 ACRES.

34-7124 -----

RECOMMEND: IRRIGATION @ 0.12 CFS FOR 58 ACRES 4/1 TO 11/1
STOCKWATER @ 0.07 CFS 300 RANGE CATTLE 5/1 - 12/31

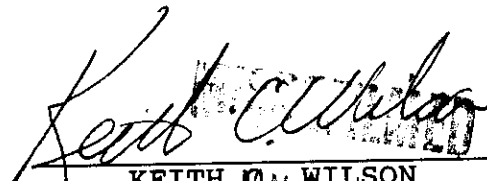
NOTE: AS PER MR. HOWARD STOCK USE IS 5/1 TO 12/31

34-7407 -----

RECOMMEND: CHANGE NATURE OF USE:
0.02 CFS FROM IRRIGATION TO DOMESTIC

NOTE: 1. SUFFICIENT WATER FOR 300 RANGE CATTLE CAN BE
DELIVERED UNDER 34-07124.

2. AS PER MR. HOWARD THE SOURCE SUPPLIES THE TRAILER
WITH DOMESTIC WATER.


KEITH J. WILSON
JAN 15 1992
SENIOR RESOURCE AGENT

STOCKWATER
34-7124

T-10 R21E

3 2
10 11



Handwritten text, possibly "T-10 R21E", oriented vertically.

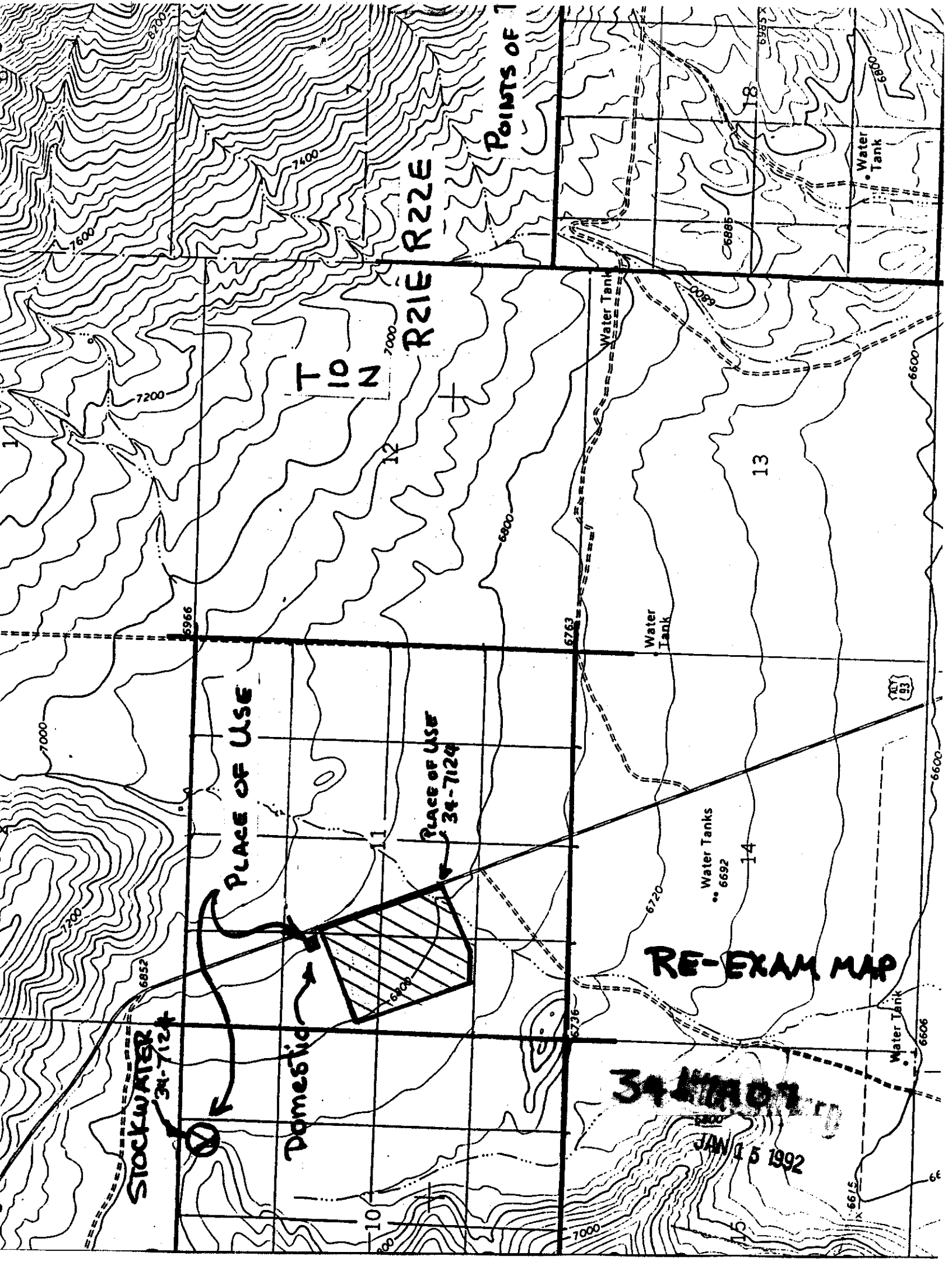
Handwritten text, possibly "T-10 R21E", oriented vertically.

DOMESTIC
PLACE OF USE

PLACE OF USE
34-7124
IRRIGATION

10 11
15 14

Handwritten text, possibly "T-10 R21E", oriented vertically.



Stockwater
34-7124

Place of Use

Domestic

Place of Use
34-7124

RE-EXAM MAP

JAN 15 1992

T 10 N

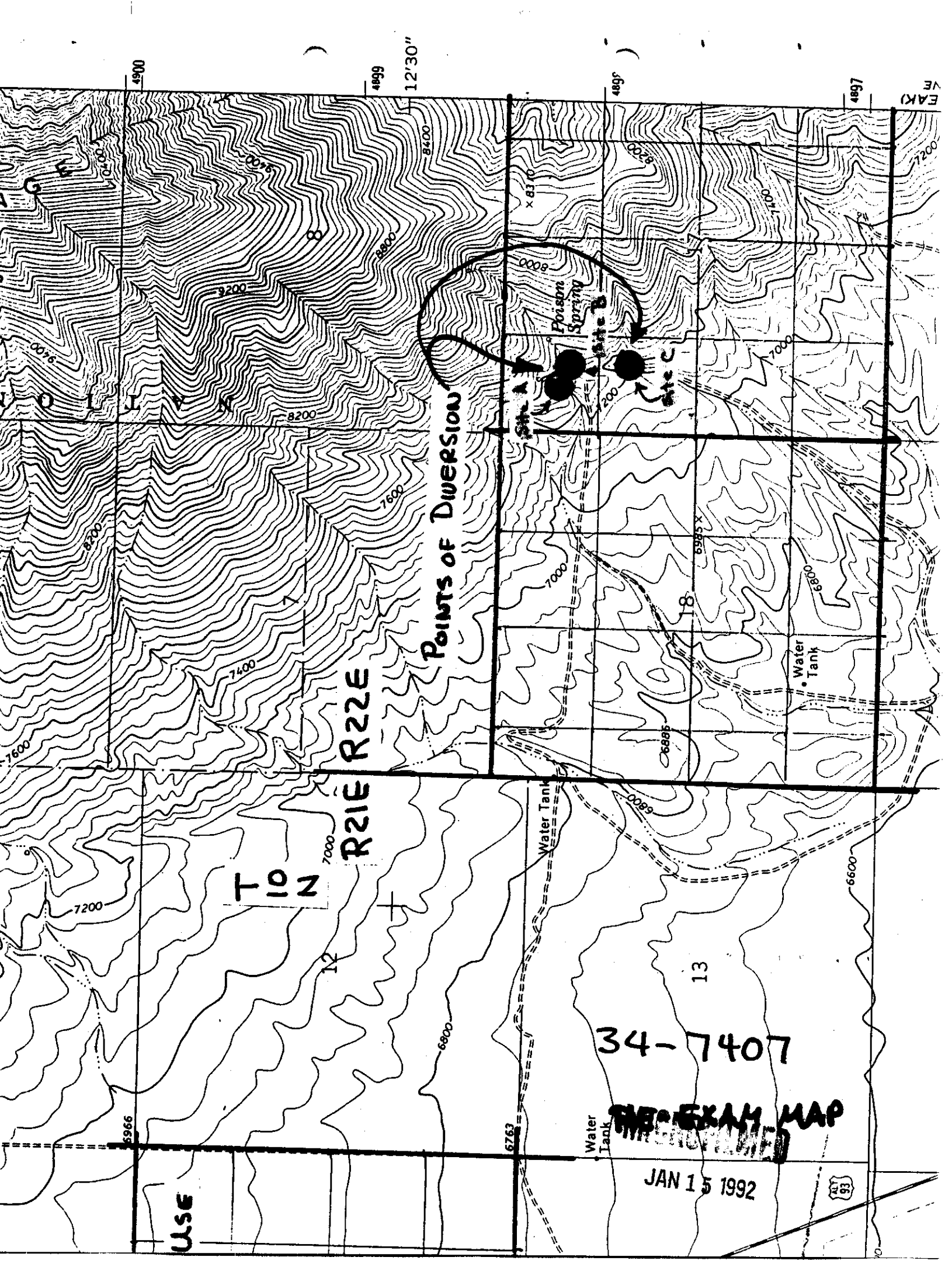
R21E R22E

POINTS OF 1

Water Tank

Water Tanks
6692

Water Tank



Points of Diversion

Poison Spring

Site A

Site B

Site C

Water Tank

R21E R22E

T 10 N

34-7407

EXAM MAP

JAN 15 1992

493

Use

EAK

VE

0020

1000

7000

6600

6886

6985

7000

7200

8000

8200

8400

8600

8800

9000

9200

9400

9600

9800

10000

12'30"

4899

4897

4895

4893

4891

4889

4887

4885

4883

4881

4879

4877

4875

4873

4871

4869

4867

4865

4863

4861

4859

4857

4855

4853

4851

4849

4847

4845

4843

4841

4839

4837

4835

4833

4831

4829

4827

4825

4823

4821

4819

4817

4815

4813

4811

4809

4807

4805

4803

4801

4799

4797

4795

4793

4791

4789

4787

4785

4783

4781

4779

4777

4775

4773

4771

4769

4767

4765

4763

4761

4759

4757

4755

4753

4751

4749

4747

4745

4743

4741

4739

4737

4735

4733

4731

4729

4727

4725

4723

4721

4719

4717

4715

4713

4711

4709

4707

4705

4703

4701

4699

4697

4695

4693

4691

4689

4687

4685

4683

4681

4679

4677

4675

4673

4671

4669

4667

4665

4663

4661

4659

4657

4655

4653

4651

4649

4647

4645

4643

4641

4639

4637

4635

4633

4631

4629

4627

4625

4623

4621

4619

4617

4615

4613

4611

4609

4607

4605

4603

4601

4599

4597

4595

4593

4591

4589

4587

4585

4583

4581

4579

4577

4575

4573

4571

4569

4567

4565

4563

4561

4559

4557

4555

4553

4551

4549

4547

4545

4543

4541

4539

4537

4535

4533

4531

4529

4527

4525

4523

4521

4519

4517

4515

4513

4511

4509

4507

4505

4503

4501

4499

4497

4495

4493

4491

4489

4487

4485

4483

4481

4479

4477

4475

4473

4471

4469

4467

4465

4463

4461

4459

4457

4455

4453

4451

4449

4447

4445

4443

4441

4439

4437

4435

4433

4431

4429

4427

4425

4423

4421

4419

4417

4415

4413

4411

4409

4407

4405

4403

4401

4399

4397

4395

4393

4391

4389

4387

4385

4383

4381

4379

4377

4375

4373

4371

4369

4367

4365

4363

4361

4359

4357

4355

4353

4351

4349

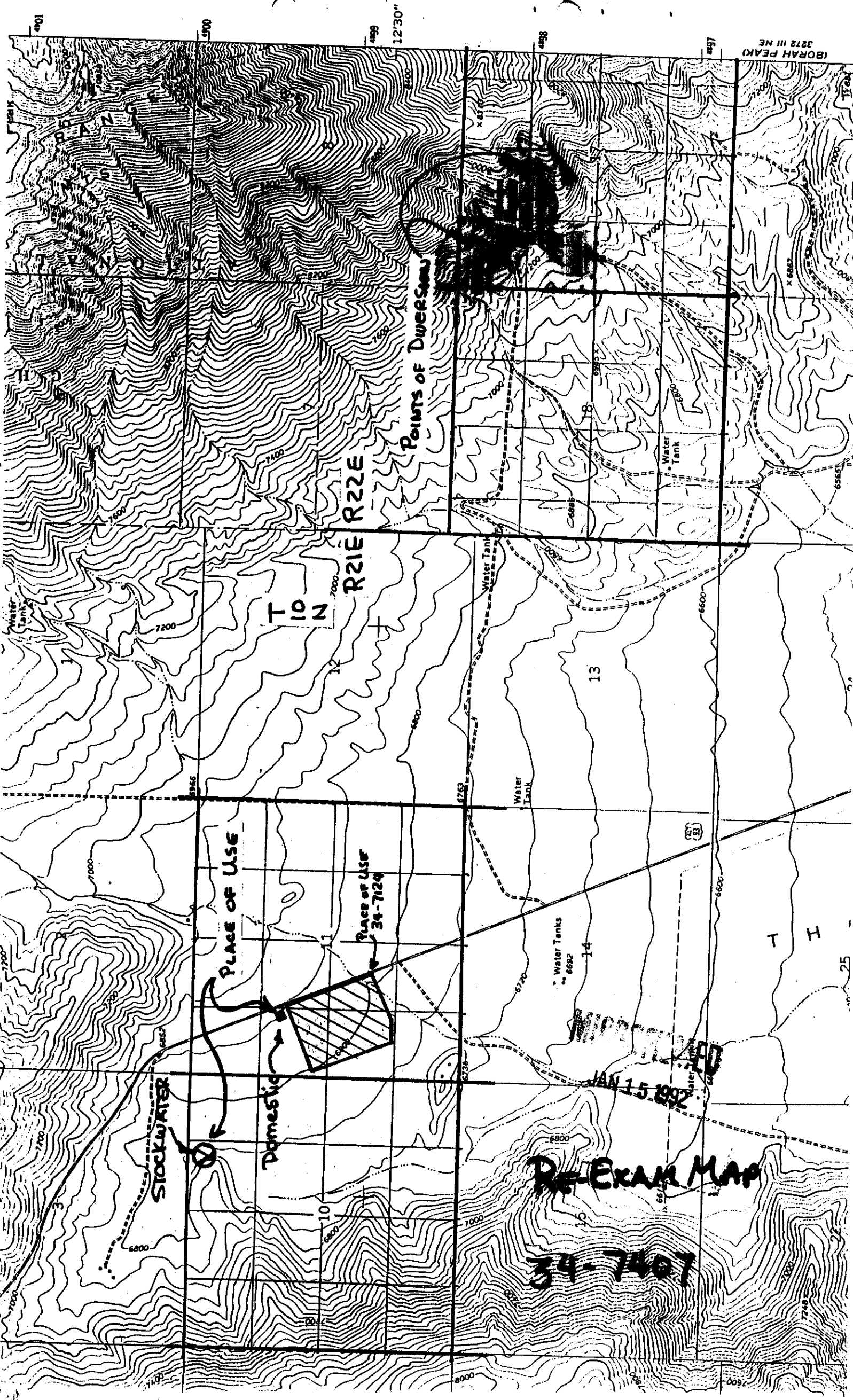
4347

4345

4343

4341

4339



BORAH PEAK
3272 III NE

Points of Diversions

T 10 N

R 21E R 22E

Place of Use

Place of Use
34-7124

Domestic

Stock Water

RECEIVED
JAN 15 1992

RE-EXAM MAP

34-7407

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

(SEE RE-EXAM dtd
30 Oct 1990)

A. GENERAL INFORMATION

1. Owner: BEN HOWARD

Permit No. 34-7407

Current Address: BRUNEAU, Idaho

Phone No. 845-2649

2. Accompanied by: OWNER

PARTIAL: 8-3-88
EXAM. DATE: _____

Address: _____

Phone No. _____

Relationship to Permit Holder: _____

3. Source: POISON CREEK tributary to SINKS

B. OVERLAP REVIEW

1. Other water rights with same place of use: ~~34-7407~~ 34-7124

☐ Copies Attached

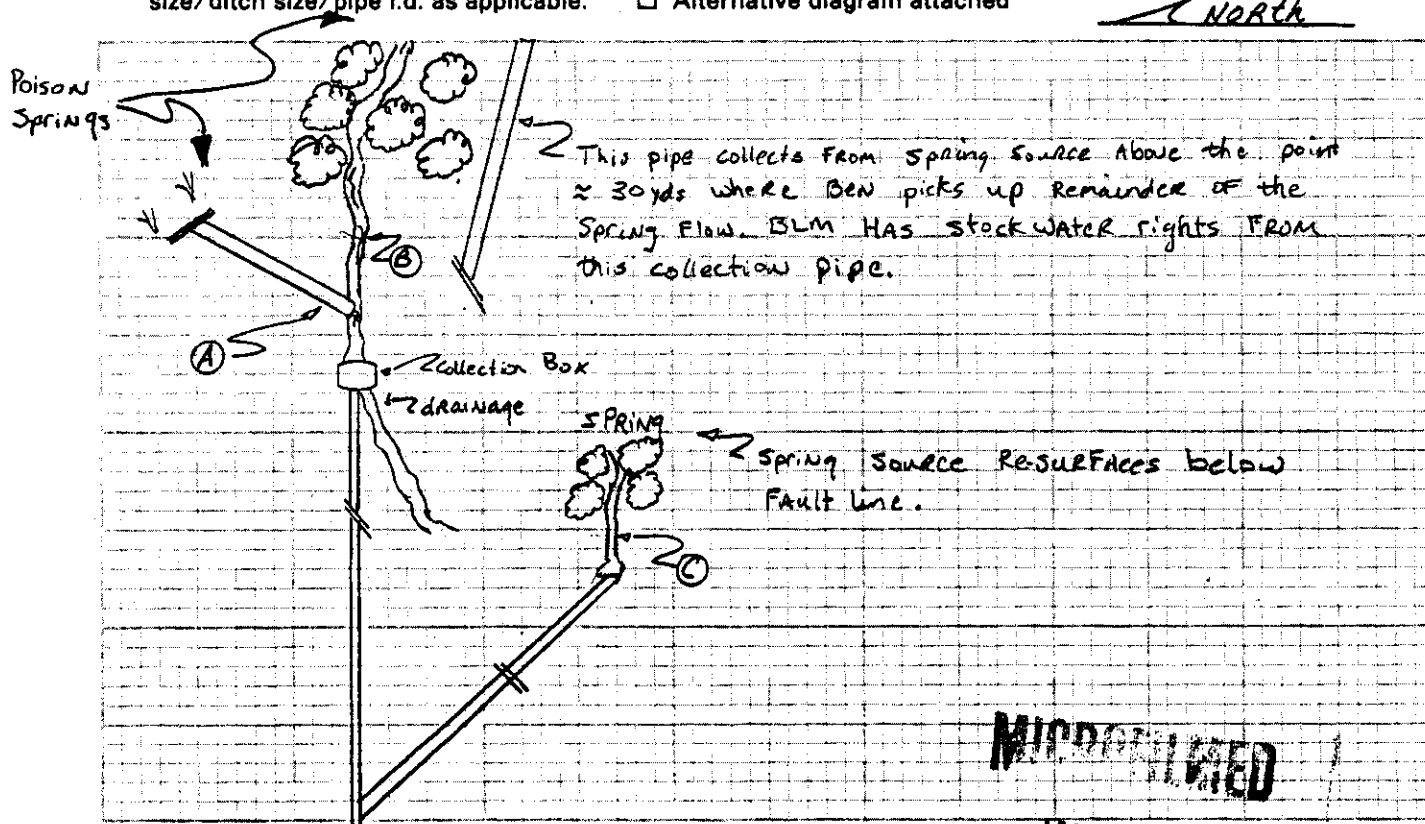
2. Other water rights with same point of diversion: 34-7124

☐ Copies Attached

☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. Diversion System Diagram: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: X = _____

JAN 15 1992

2. ☒ Copy of U.S.G.S. 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 or more).

☒ Photo of Diversion and System Attached see photos with # 35-7124
(required for all but single household domestic groundwater, and stockwater).

System Description (continued)

- Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

Poison Springs Flow From mountain side into a collection box where the water is transported through a 4" P.V.C. pipe 3 1/2 miles to the place of use.

Just South / West of Poison Springs another spring source (unnamed) bubbles up below earthquake Fault line and flows naturally to a point where it is collected in a 4" P.V.C. pipe which is interconnected to the 4" main from Poison Springs and then flows to same place of use.

☒ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
N/A	—	—	—	—	—

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

- Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
#1A		NE	NW	NW	17	10N	22E	Custer	Map & on site inspection
#2B		SE	NW	NW	17	10N	22E	"	"
#3C			SE	NE	18	10N	22E	"	"
C		NE	SW	NW	17	10N	22E	Custer	Map (USGS) & on site inspection

- Place(s) of Use:

Indicate Method of Determination

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	
10N	22E	10													29				29
10N	22E	11									18	32							50
10N	21E	11							D										
10N	21E	11							14	3	12	29							58
		10		S															
																			79

RECEIVED

JAN 15 1992

Do not use this space

Do not use this space

D. FLOW MEASUREMENTS

☒ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Bucket / stopwatch						
Pitot gauge		Ashcroft			160 psi	

2. Measurements:

(A): 1 gail = 8 sec, 1 gail = 9 sec.

(B): 2 gail = 4 sec, 2 gail = 5 sec, 2 gail = 3 sec.

(C): 1 gail = 6 sec, 1 gail = 4.5 sec, 1 gail = 5.3 sec.

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

SEE RE-EXAM

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3)

; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

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:

RECEIVED

JAN 15 1992

H. REMARKS AND OVERLAP VIEW ANALYSIS

At the place of use water is used for domestic (1-blue mobile home), stock water for 250-300 cows, and irrigation on 80 acres with 1-1/4 mile wheel line and a few hand line sections.

Note: Poison springs are at there peak around the first of September.

The main line that belongs to Blue runs west then turns south towards Dickey. The water flows continuously to various stock troughs and ponds which were not being used at this time.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use From	To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
Totals:				

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

PARTIAL

J. AUTHENTICATION

Field Examiner's Name _____

Signature _____

Certification Date _____

Field Report Preparation Date _____

Richard Lenson
Richard Lenson

CONSULTANT SEAL

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

RECEIVED

JAN 15 1992



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

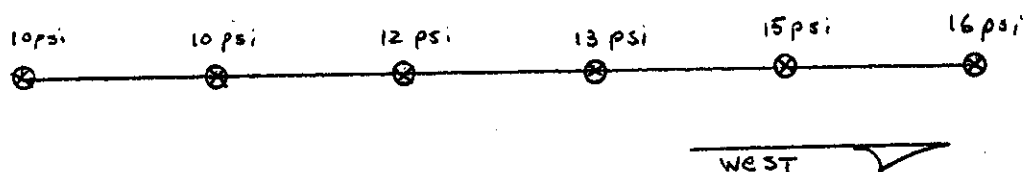
34-7407

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

Measurement taken on the 1-1/4 mile wheel line located at the place of use. There were shut off valves on every sprinkler head on wheel line.

Model 30WS Rainbird with 5/32" nozzles.



15 sprinkler heads were in operation.

$$P_{AVE} = \frac{76 \text{ psi}}{6} = 12.67 \text{ psi}$$

$$Q = AV = \left(\frac{\pi (5/32")^2}{4} \right) \sqrt{64.4 \times 2.308 \times 12.67 \text{ psi}} = 0.01 \text{ C.F.S./hd.}$$

$$Q_T = 15 \text{ hd} \left(\frac{0.01 \text{ C.F.S.}}{\text{hd.}} \right) = 0.09 \text{ C.F.S.}$$

RECEIVED

JAN 15 1992

34-7407

T-10N

R-22E

487C

06

JAN 1 1968

34-7407

F-102

92-22E

14

Point of Diversion

Water Tanks

JAN 15 1992

T	H	C
---	---	---

25
Water

25
Water



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

August 3, 1989

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

RE: Permit No. 34-7407

Ben Howard
Box 111
White Bird, ID 83554-0111

Dear Mr. Howard:

I have received your recent correspondence in response to my letters of July 7, and May 24, 1989, concerning the above referenced permit. I am providing a response to your letter as you requested.

In reviewing your note to me, it appears that you may have been confused about the objective of my correspondence. Your note discussed scheduling of a field examination. My correspondence had nothing to do with the scheduling of a field exam for this permit. My past correspondence was simply an inquiry as to the commencement and extent of use under your permit. The letters sent to you were general letters which have been sent out to many water users in southern Idaho who, by our records, hold permits which were not developed prior to July of 1985. These permit holders are still named in the Swan Falls litigation. Through an agreement made between the State and Idaho Power, the Department of Water Resources is presently working toward processing permits and applications which were effected by the law suit. Your permit is still identified in that litigation.

Without going into details about the agreement and the department's processing efforts, I would like to inform you that I have reviewed your permit further and have recommended that it not be subject to any additional processing required by the Swan Falls agreement. This recommendation means that you may be officially released from the law suit by Idaho Power at some future date. My recommendation of exempting your permit from the additional processing requirements is based on the fact that the permit is a supplemental filing to lands already licensed. The source of water under this permit is already licensed for the same lands.

The department will proceed to work with you in scheduling a field exam at the most convenient time. I hope I have provided an adequate response. If you have further questions concerning your permit relative to Swan Falls processing, please feel free to contact me directly at this office.

Sincerely,

TIM LUKE
Sr. Water Resource Agent

TL:sc

RECEIVED

JAN 15 1992

MEMORANDUM

TO: FILE

FROM: TIM LUKE

RE: SWAN FALLS PROCESSING
PERMIT NO. 34-7407

DATE: 8-3-89

A review of this file shows that it was made as a supplemental filing to license number 34-7124. The place of use, point of diversion and source of water is the same for both the permit and license. The permit may have been filed perhaps only to reflect an increase of flow (0.06 cfs) from the same source of water and use on the same lands under the existing license. Proof of beneficial use on the permit was filed in January of 1988 on 40 acres in addition to stock and domestic uses. An additional review of 1984 NHAP photography available at the state SCS office shows that the lands under the permit was irrigated in that year.

Since the permit represents a complete overlap of both the place of use and point of diversion and not irrigation of new lands, and because proof has already been submitted, I recommend that this permit be exempt from any of the processing requirements of Section 42-203D (i.e.; Swan Falls processing). The department should proceed with field examination and licensing .

copy: Eastern Region

MICROFILMED
JAN 15 1992

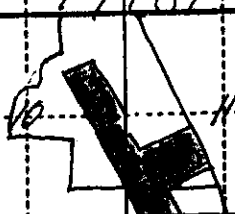
NAME OF APPLICANT NHAP REVIEW - #34-7407

Form No. 0

FROM PERMIT: 10N-21E (2" = 1M)

10 40 40 H
40 40

FROM NHAP: 229-44 (8/26/84) 1" = 1M



NHAP SHOWS IRRIGATION
USE ONLY IN SE SEC. 11;
REMANDED OF AREA
IS GRAY, BUT W/ DEFINED
BOUNDARIES.

MITTLED
JAN 15 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

July 7, 1989

CECIL D. ANDRUS

Ben Howard
Bruneau, ID 83604

Re: Permit No. 34-7407

Dear Mr. Howard:

Department of Water Resources

JUL 24 1989

GOVERNOR
RECEIVED
JUL 24 1989

Department of Water Resources

NOTICE OF PENDING ORDER CANCELLING PERMIT

On March 4, 1982, the Department of Water Resources (department) issued Permit No. 34-7407 which authorized the diversion of 0.06 cfs of water from from a spring for the irrigation of 160 acres.

The department mailed a letter and questionnaire to you on May 24, 1989 in connection with the permit. The letter provided notice that the department was reviewing the permit in connection with development which was not complete prior to July 1, 1985.

This letter also requested that you return the department's questionnaire concerning any prior development under the permit and/or your plans for pursuing completion of the proposed project. The correspondence further requested that you submit with the questionnaire either a readvertisement fee in the amount of twenty (\$20) dollars and/or evidence showing that development under the permit was complete prior to July 1, 1985. Finally, the letter notified you that failure to submit the required fee or information within 30 days of the date of the letter was cause for the department to cancel the permit.

The purpose of this letter is to provide a second and final opportunity for you to submit the requested information. If you fail to respond to this inquiry within fifteen (15) days of the date of this letter, the Department will issue an order cancelling the permit pursuant to Water Appropriation Rule 4,2,3,4.

If no development has been completed as authorized by the permit, and you are no longer interested in pursuing the development, please complete and return the enclosed relinquishment form.

Please feel free to contact me if you have any questions concerning this matter.

Sincerely,

Tim Luke

TIM LUKE

Sr. Water Resource Agent

MICROFILMED

JAN 15 1992

Enclosure
c: Region

*please send me a reply
on this matter.*

*This is our new address
Ben Howard
Box 111
White Bird, Ida 83554-0111*

RELINQUISHMENT

TO WHOM IT MAY CONCERN:

I hereby relinquish to the State of Idaho,
all my right, title and interest in and to Permit to appropriate
the Public Waters of the State of Idaho, No. _____.

Signed at _____ this _____ day
of _____, 19 ____.

Permit Holder

ATTEST:

your letter is incorrect as
the engineer that measure the
water came to measure my water
and due to drought suggests I wait
till Sept 89 as spring does not run
good till Sept. He said that all of
my deels would be all right Ben Howard

MICROFILMED
JAN 15 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

July 7, 1989

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

Ben Howard
Bruneau, ID 83604

Re: Permit No. 34-7407

Dear Mr. Howard:

NOTICE OF PENDING ORDER CANCELLING PERMIT

On March 4, 1982, the Department of Water Resources (department) issued Permit No. 34-7407 which authorized the diversion of 0.06 cfs of water from from a spring for the irrigation of 160 acres.

The department mailed a letter and questionnaire to you on May 24, 1989 in connection with the permit. The letter provided notice that the department was reviewing the permit in connection with development which was not complete prior to July 1, 1985.

This letter also requested that you return the department's questionnaire concerning any prior development under the permit and/or your plans for pursuing completion of the proposed project. The correspondence further requested that you submit with the questionnaire either a readvertisement fee in the amount of twenty (\$20) dollars and/or evidence showing that development under the permit was complete prior to July 1, 1985. Finally, the letter notified you that failure to submit the required fee or information within 30 days of the date of the letter was cause for the department to cancel the permit.

The purpose of this letter is to provide a second and final opportunity for you to submit the requested information. If you fail to respond to this inquiry within fifteen (15) days of the date of this letter, the Department will issue an order cancelling the permit pursuant to Water Appropriation Rule 4,2,3,4.

If no development has been completed as authorized by the permit, and you are no longer interested in pursuing the development, please complete and return the enclosed relinquishment form.

Please feel free to contact me if you have any questions concerning this matter.

Sincerely,

TIM LUKE
Sr. Water Resource Agent

Enclosure
c: Region

FILED
JAN 15 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

May 24, 1989

RE: PERMIT NO. 34-7407

Dear PERMIT HOLDER:

Due to the Swan Falls litigation, development proposed by the enclosed permit may have been delayed. The Department is presently reviewing the permit and may authorize completion of development proposed under the permit.

The purpose of this letter is to determine: (1) the extent of development under the permit, and (2) your continued interest in developing or completing development under the permit.

Enclosed are two forms which will help the Department expedite the reprocessing of the permit.

Please complete and return the enclosed questionnaire if you wish to continue with your plans of development or have completed all or a portion of your development before July 1, 1985.

Please complete the enclosed relinquishment form and return it to the Department if you have abandoned or have no interest in continuing with your plans for development of the project.

If the entire project was not completed prior to July 1, 1985, and you still wish to proceed with your plans of development, then you must submit a \$20.00 re-advertisement fee to the Department as required by Water Appropriation Rule 4,2,3. and Section 42-221F, Idaho Code.

Failure to return the questionnaire and pay any required re-advertisement fee within thirty (30) days of the date of this letter is cause for the Department to cancel the permit.

MICROFILMED

JAN 15 1992

Page 2

If you have questions concerning the content of this letter or about completing the forms, please contact Tim Luke at the address below or by calling directly at 327-7864. The enclosed forms and all other relative information must be returned within thirty (30) days to:

Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720
Attn: Tim Luke - Water Allocation/Trust Water

Please note that a copy of your permit is enclosed. The permit number is shown on the enclosed questionnaire.

Sincerely,

A handwritten signature in black ink, appearing to read "Tim Luke", written over a horizontal line.

TIM LUKE
Sr. Water Resource Agent

Enclosures

MICROFILMED
JAN 15 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

APRIL 6, 1988

BEN HOWARD
P.O. BOX 964
GLENNS FERRY ID 83623

RE: Permit No. 34-7407

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.

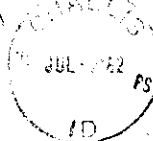
If you have any questions regarding the field examination, please contact this office by phone at 525-7161 or in person in the third floor State Office Building, 150 Shoup, Idaho Falls, Idaho.

Sincerely,
s/HAROLD W. JONES
Sr. Resource Agent

RECORDED

JAN 15 1992

Box 303
Cham, Ida 83226



Idaho Dept of Water
Statehouse
Resources

MICROFILMED

Ida JAN 15 1992

P 248 905 638

MAIL

RETURN RECEIPT
REQUESTED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

COMMENCEMENT OF WORKS

Permit No. 347407
Name(s) of Permit Holder(s): Ben Howard
Post Office Address: Challis, ID Tel. No. none

- ☐ I hereby certify that construction of diversion works for the above referenced permit began on June 10, 1982 (date) 1982 I understand that I must continue to develop the water system with due diligence to maintain a valid permit.
- ☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control*:

*Note: A financing difficulty is not an acceptable reason.

July 1, 82 Ben Howard
Date Signature of Permit Holder

Don Howard
Box 303
Challis, Ida 83226

PLACE
STAMP
HERE



JAN 15 1992

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 34-7407

Date: 2-4-88

General Considerations:

y Name same as permit
y Signature the same as permit holder
N Address change _____ If yes, prepare a data entry
y Proof received timely
_____ Reinstated

Source of Water:

y Surface water
N/A Groundwater
_____ 1. well log in file
_____ 2. drilling permit
_____ A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

y Rate of diversion appropriate for uses
y Is rate or volume and fee appropriate?
y Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

N/A Is a measuring device or access port required?
N/A Has one been installed?
N/A Waiver or modification of measuring device requested

Remarks: Proof acceptable

N/A Priority Calculation:
Date proof received _____
Date proof due _____ + _____
No. of days late _____ = _____
Priority date _____ + _____
NEW PRIORITY DATE _____ = _____

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

RECEIVED

JAN 26 1988

STATE OF IDAHO

Department of Water Resources

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

For Office Use Only
Fee Received \$50.00
Date 1-26-88
Receipt # 48325
Receipt by 19
Reviewed by 19
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. 34-7407

Name(s) of Permit Holder: Ben Howard

Post Office Address: P.O. Box 964 Glenns Ferry, ID

Telephone No. 366-7724 or 588-3007

Source of Water: Spring

Extent of Use:

Domestic 1 (number of households) Stockwater 200 (number and type of stock)

Irrigation 40 (acres) Other/Remark

Total rate and/or volume for which proof is submitted 1.06 cfs acre-feet

Show the date water was first diverted and beneficially used under this permit: ?? 1979?

Measuring Device: Required? Yes No Fee enclosed \$.06 \$50 Fee
Installed? Yes No (See License Examination Fee Schedule)

Flow Measurement Port: Required? Yes No spring peaks in middle august. Could we please schedule examination date for that time period?
Installed? Yes No

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

Ben Howard / 588-3007 c/o Les Hatch, Mackey
(Name) (Telephone Number)

P.O. Box 964 Glenns Ferry, ID 83623
(Address)

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

MICHAEL

FEB 26 1988

Ben Howard 1/23/88
Date Signature of Permit Holder (and title, if appropriate)

over →

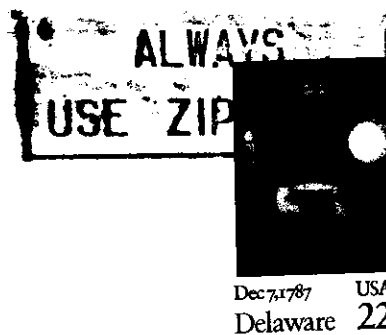
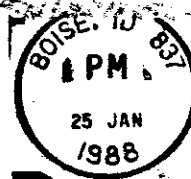
Ben will be moved to Challing this spring :
address as of yet unknown but mail will be
forwarded. ~~That is~~ Telephone of Les Hatch, son-in-law
in Mackey will get messages to him at anytime.

If you could contact us as soon as
possible, about an examination date it would
(when decided)
really help.

MICROFILMED

FEB 26 1988

Ben Howard
P.O. Box 964
Glenns Ferry ID 83623



Dept. of Water Resources
1301 North Orchard St.
Boise, ID 83706-2237

138145

CERTIFIED MAIL
December 31, 1987

HOWARD, BEN
P.O. BOX 964
GLENN'S FERRY, ID 83623

PROOF DUE NOTICE

RE: Permit No. 34-7407

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 March 1, 1988. (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 completed 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, or the permit will no longer be of any force nor effect.

Sincerely,

RITA FLECK
Secretary/Records Manager

Enclosures

MICROFILMED

FEB 26 1988

March 24, 1987

Ben Howard
P. O. Box 964
Glenns Ferry, ID 83623

Dear Mr. Howard:

Re: Permit No. 34-7407

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to March 1, 1988.

It is my understanding, after talking with your daughter-in-law, that you wish to have the permit in both you and your son's name. For your convenience, I've enclosed a partially completed assignment form. If this is the action you wish to take, please complete the form by signing it before a notary public and returning it to this office.

If you have any questions concerning this matter, please feel free to contact this office.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosures

MICROFILMED

APR 13 1987

RECEIVED

MAR 16 1987

Department of Water Resources

To Rita Fleck-

Re: Permit # 34-7407

As I discussed with you on the phone, in reference to our extension request-

We are waiting on the BLM for our permit.

The big earth quake in Challis split our spring so that part of the water is coming out several hundred yards below the original site. The spring is on the fault line. All we are trying to do is pipe the lost water back into the original main line.

We have paid all filing fees, completed all surveys and inspected the site with personnel from BLM.

They informed us everything was fine after inspection all we had to do was wait for permit in the mail. As of yet we haven't received anything. That is why we have requested the 1 year extension so we can get the project completed.

Thank you for your help.
Pamela J Howard

RECEIVED
APR 13 1987

STAFF REVIEW SHEET - EXTENSION OF TIME

Permit No. 34-7407

Reviewed by _____

Date _____

BASIC INFORMATION

- y Date stamp received
y Extension received timely
(not prior to 6 month before proof due date or after reinstatement period)
y Fee received and receipted
y Name and signature same as permit
y Address change (indicate on coding sheet)

BASIS FOR EXTENSION REQUEST

- y Has adequate work been completed to demonstrate due diligence?
y Has the cost incurred been adequate to demonstrate an intent to complete the project?
N/A Has the permit been involved in litigation?
a. Swan Falls _____ Dismissed from Swan Falls _____
Other _____ Identify _____
b. Is supporting documentation needed to complete the file? _____
Requested _____
c. Calculate the period of delay

Date litigation completed _____

Date litigation began _____

Total period of delay = _____

Present proof due date + _____

NEW PROOF DUE DATE = _____

- y Is delay by a government agency?
Is supporting documentation needed to complete the file? _____
Requested? _____

ACTION TAKEN

*Recommended approval based on delay
by BLM for one year*

MICROFILMED

APR 13 1981

Special conditions or remarks:

N/A Reinstate Date extension received _____ = _____
Proof due date _____ = _____
No. of days late _____ = _____
Priority date _____ = + _____
ADJUSTED PRIORITY DATE _____ = _____

- Prepare coding sheet
— Change rolodex card

Ben Howard
HC 01 Box 109
White Bird, ID 83554

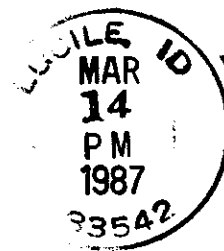
ATTN. Rita Fleck

Dept. of Water Resources
450 W. State St.

Boise, ID

83720

APR 13 1987



February 19, 1987

Ben Howard
HC 01 Box 109
White Bird, ID 83554

Dear Mr. Howard:

Re: Permit No. 34-7407

On February 5, 1987, the department received your request for extension of time.

The extension request shows a statement that indicates that the delay in work at this time is caused by BLM. Could you please explain to what extend the BLM is detaining you from working on this project.

Please feel free to contact me, if you have any questions.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

MICROFILMED

APR 13 1987



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

CECIL D. ANDRUS
Governor

A. KENNETH DUNN
Director

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

EXTENSION OF TIME

February 5, 1987

Ben Howard
HC 01, Box 109
White Bird, ID 83554

PERMIT NO. 34-7407

We are in receipt of the \$15 extension fee for Extension(s) of Time to provide additional time in which to submit proof of beneficial use on a water right permit.

Your request for extension(s) of time is being reviewed by staff. You will be informed of our decision when review has been completed.

Enclosed is our receipt No. 41434.

Roberta Garrett
Records Supervisor

Enclosure

MICROFILMED

APR 13 1987

Ben Howard
HCO1 Box 109
White Bird, ID 83554



APR 13 1987

POSTALMED

State of Idaho
Dept. of Water Resources
State house
Boise, ID 83702

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

- - - - -

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL
DECEMBER 31, 1986

138574

HOWARD, BEN
P.O. BOX 303
CHALLIS, ID 83226

PROOF DUE NOTICE

RE: PERMIT NO. 34-7407

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 MARCH 1, 1987. (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 COMPLETED 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

MICROFILMED

APR 13 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

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

MAILED

APR 13 1987

June 5, 1985

Ben Howard
HC 63, Box 1765
Challis, ID 83226

Dear Mr. Howard:

Re: Permit No. 34-7124 and 34-7407

Returned is the Proof of Beneficial Use (Form A) which was submitted to the Department on May 16, 1985 in connection with Permit No. 34-7124. The proof is not applicable to this permit, since proof has already been submitted for it. The source of water for this permit is Poison Spring.

In checking our water right records, however, I note that Permit No. 34-7407 is also in your name. Proof of beneficial use has not yet been submitted for this permit. The source of water for this permit also is a spring and is located in NWNW, Sec. 17, Twp. 10N, Rge. 22E. If development under this permit is also complete, you should fill out and return the enclosed Proof of Beneficial Use form. If development is not complete, the Department will notify you when it is due.

If you have questions, please feel free to contact this office.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosures

MICROFILMED

APR 13 1987

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

HOWARD, BEN
BOX 303
CHALLS, ID 83226

MARCH 09, 1982

RE: PERMIT NO. 34-7407

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH PAGE.

WE HAVE ENCLOSED A FORM ENTITLED "MAKING PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT INTO A LICENSE.

SINCERELY,

DAVID R. TUTHILL, JR., P.E.
SUPERVISOR, WATER ALLOCATION SECTION

ENCLOSURE

RECEIVED

State of Idaho
Department of Water Resources

34 7407

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: HWS

APPLICATION NUMBER: Award

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

☒ Yes

☒ Yes

☒ Yes

☒ No

☒ No

☒ No

☒ No*

Field check required.

Critical groundwater area.

Request dam safety information. Sent by: _____

In form to receipt.

Date: _____

Field check by: _____

Date: _____

Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

what agreement reached with BLM

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.

34-7124 (permit)

☒ Yes

☐ No*

In form for advertising.

Final date for protests: 2-01-82

☐ Yes

☒ No

Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

☒ Affidavit of publication received. Date: 1-25-82

☒ 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? _____

12-31-81

Date of priority recommended.

Special conditions of approval or cover letter. _____

Code #4

By: Ernest Carlson

Date: Feb 3, 1982

STATE OFFICE REVIEW:

return receipt w/cover letter

Shw/cond

04

☐ See attached sheet for more information.

By: Receipt

Date: 2/25/82

FEB 05 1982

Department of Water Resources

MICROFILMED

RECEIVED

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

January 14, 1982

RE: Application for Permit No. 34-7407 HOWARD

Bureau of Land Management
940 Lincoln Road
Idaho Falls, ID 83401

Gentlemen:

We are enclosing a copy of an application that may be of interest to your agency. Please review the application and submit any comments you may have to our Department as soon as possible. The last date of protest is February 1, 1982, and we are required to take final action shortly thereafter.

If we may be of further assistance, please feel free to contact us.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

Enclosure

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

JANUARY 7, 1982

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 FEBRUARY 1, 1982.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

MICROFILMED

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho 83402 on or before FEBRUARY 1, 1982.

A. KENNETH DUNN

Director

Published 1/14 & 1/21/82.

MICROFILMED

HOWARD, BEN

BOX 303, CHALLLS, ID 83226

Source: SPRING tributary to SINKS

Date Filed: 12/31/1981

Amount: 0.06 CFS

Diversion Point: NWNW Sec 17 T 10N R 22E, CUSTER Co.

Use: IRRIGATION	(0.06 CFS)	from 05/01 to 11/01
STOCKWATER	(0.06 CFS)	from 01/01 to 12/31

Place of Use: SWNW NWSW Sec 11 T 10N R 21E SENE NESE Sec 10 T 10N R 21E
FOR 160 ACRES

Diversion Means: PIPELINE

MICROFILMED

December 4, 1981

Ben Howard
Box 303
Challis, Idaho 83226

Dear Mr. Howard:

I am returning your original application and check No. 92-297 for \$35.00 because it is not the correct amount to cover the statutory filing fee and the application needs some modification. For your convenience, we have also enclosed a partially completed typed application and the new fee schedule.

The new application was drafted using information provided on the original application and permit 34-7124 which you filed to use water from Poison Spring. To complete this application, enter in Item 4 the quantity of water you hope to develop for irrigation. The maximum you can file on for the irrigation of 160 acres is 3.20 cfs. Then enter the total quantity you wish to appropriate in Item 5. The application should now be signed and returned to this office with the appropriate filing fee.

Feel free to contact me if you need assistance or wish to discuss the above.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

Enclosure

Attachment: Check No. 92-297

Mail

Identification No. _____
Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Ben Howard Phone: _____
post office address Challis Idaho Box 303
2. Source of water supply Spring which is a tributary of Lost River
3. a. Location of point of diversion is NW 1/4 of NW 1/4 of Section 17 Township 10 N
Range 22 E B.M. CUSTER County; additional points of diversion if any: _____
- b. If water is not consumed, it will be discharged into Sinks 100 Feet at a point in _____ 1/4
of _____ 1/4 of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 1 for Irrigation purpose from May 1 to Nov 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 1 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. I have 4" pipeline 200 yards away plan on putting in 4" line as need more water
- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ (Mo. Day) to _____ (Mo. Day) inclusive.
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 years.
b. Estimated construction cost is \$ 7000 wish to drill with air track drill
8. Description of proposed uses:
a. If water is not for irrigation: SE NE SE SW NW SW
(1) Give the place of use of water SW NW 1/4 of NW 1/4 of Section 10 Township 10 N
Range _____ B.M. 11 10 N
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered 300 Cattle
- (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: _____

RECORDED

[illegible]

10. Remarks

applicant to make this filing-

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the

b. Who owns the land to be irrigated or place of use.

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

87 m
Don't know

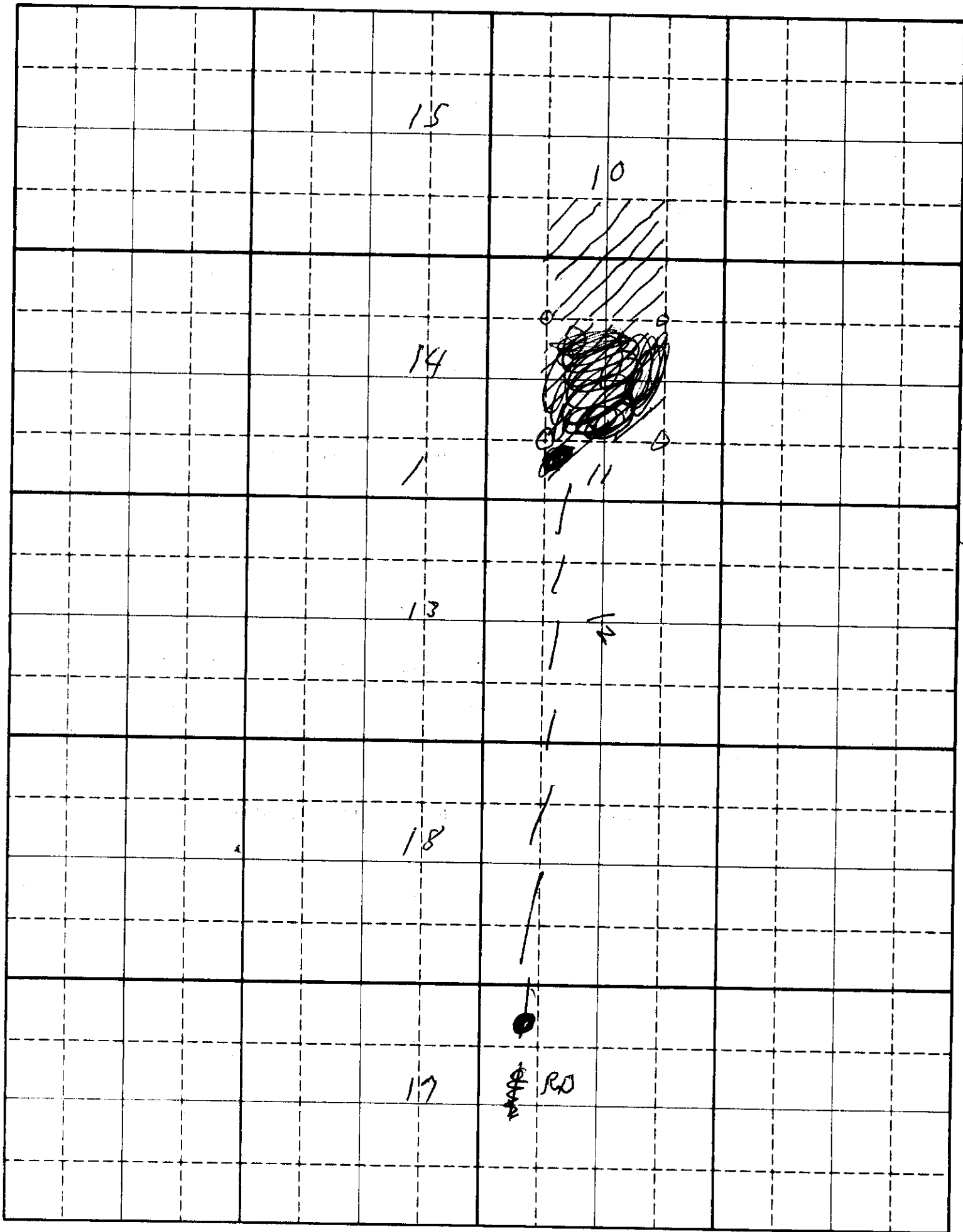
c. Describe any other water rights used for the same purposes as described above..

Total number of acres to be irrigated 160

[illegible]

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

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.

Ben Howard
(Applicant)

RECEIVED
JAN 10 1964
IDAHO DEPT. OF AGRICULTURE
BOISE, IDAHO

Received by BRS Date 12-31-81 Time 10:46 A.M. #30.00
Preliminary check by _____ Fee \$ 30.00
Received by CW Date 1-06-82 # 20031
Publication prepared by _____ Date _____
Published in _____
Publication dates _____
Publication approved _____ Date _____
Priority reduced to _____ Reason _____

Protests filed by: _____

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

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. Other: _____

2. Denial of said application is for the following reasons: _____

Witness my hand this _____ day of _____, 19____.

Director

RECEIVED
JAN 10 1982
IDAHO DEPT. OF WATER RESOURCES