

R23E.



United States of America-Forest Service

RECEIVED

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 JUNE 4,
1981 and ending with the issued
dated JUNE 11, 1981.

Margaret Parks

Subscribed and sworn to before
me this 15 day of June,
1981

Janet M. James

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

4-30-83

RECEIVED
JUN 17 1981

Department of Water Resources
Eastern District Office

34-7304
Source: TUSCAHARA
GULCH tributary to ALDER
CREEK
Date Filed: 04/29/1981
Amount: 0.02 CFS
Diversion Point: NWSE Sec 13
T 06N R 23E, CUSTER Co.
Use: STOCKWATER (0.02
CFS) from 05/01 to 11/30
Place of Use: NWSE Sec 13 T
06N R 23 E
Diversion Means: EXCAVA-
TION OF SPRING AREA

RECEIVED

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

Point(s) of diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$ SEC. 13 TWR. 6 N. R. 23 E.

[illegible]☐ Other

Date _____

FEB 26 1988

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 34-7304

Priority: April 29, 1981 Amount: .02 CFS 4.7 AFA

This is to certify, that U.S. DEPT. OF AGRI.

FOREST SERVICE

FEDERAL BLDG.

324 25TH ST.

OGDEN, UT 84401

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated April 29, 1981, and has submitted proof to the Department of Water Resources on June 21, 1982, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .02 cfs of water from;

TUSCARARA GULCH

tributary to ALDER CREEK

and that a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
Stockwater	05/01 to 11/30	.02 cfs	4.7 afa

LOCATION OF POINT OF DIVERSION(S): SESE , Sec. 13, Township 6N, Range 23E
Custer County

PLACE OF USE: Stockwater

TWN RGE SEC

6N 23E 13

SESE

CONDITIONS/REMARKS:

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. 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. Use of water under this license is subject to control by the watermaster of State Water District No. 34 .
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.

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 24th day of November, 19 87 .

MICROFILMED

Director

TEB 26 1988

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 34-7304

RECEIVED

NOV 6 1987

Department of Water Resources
Eastern District Office

APPROVED

Date of Priority: April 29, 1981

Comes now U.S. DEPT. OF AGRI.
FOREST SERVICE
FEDERAL BLDG.
324 25TH ST.
OGDEN, UT 84401

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. 34-7304 , and requests that the permit be changed as follows:

Source: TUSCAHARA GULCH

tributary to: ALDER CREEK

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
Stockwater	05/01 to 11/30	.02 cfs	4.7 afa

LOCATION OF POINT OF DIVERSION(S): SESE , Sec. 13, Township 6N, Range 23E
Custer County

PLACE OF USE: Stockwater

TWN RGE SEC

6N 23E 13 SESE

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 Ogden, Utah , this 9th day of July , 1987 .

United States of America - Forest Service

Randall F. Hall
(Signature)

(for) J. S. TIXIER, Regional Forester

MICROFILMED

FEB 26 1988

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 34-7304

FOR DEPARTMENT USE ONLY

#42123

Preliminary check by KW Fee = \$20.00 Received by CW Date 11-6-87

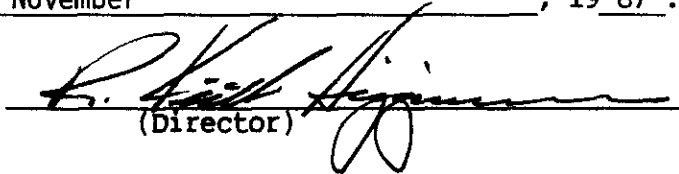
ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, A. Kenneth Dunn, of the Department of Water Resources hereby approve the above
Application for Amendment for Permit No. 34-7304 with the following;

CONDITIONS/REMARKS:

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. 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. Use of water under this license is subject to control by the watermaster of State Water District No. 34.
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.

Witness my hand this 24th day of November, 19 87.


(Director)

MICROFILMED

FEB 26 1988

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 U. S. Forest Service Phone (801) 626-3561

Post office address 324 25th Street, Ogden, UT 84401

2. Source of water supply Tuscahara Gulch which is a tributary of Alder Creek

3. Location of point of diversion is NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 13 Township 6N

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

017-096

4. Water will be used for the following purposes:

Amount .02 for stockwatering purposes from May 1 to Nov 30 (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)

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

5. Total quantity to be appropriated:

a. .02 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Excavation of spring area

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

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 13 Township 6N

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 600 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: wildlife - number unknown

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5

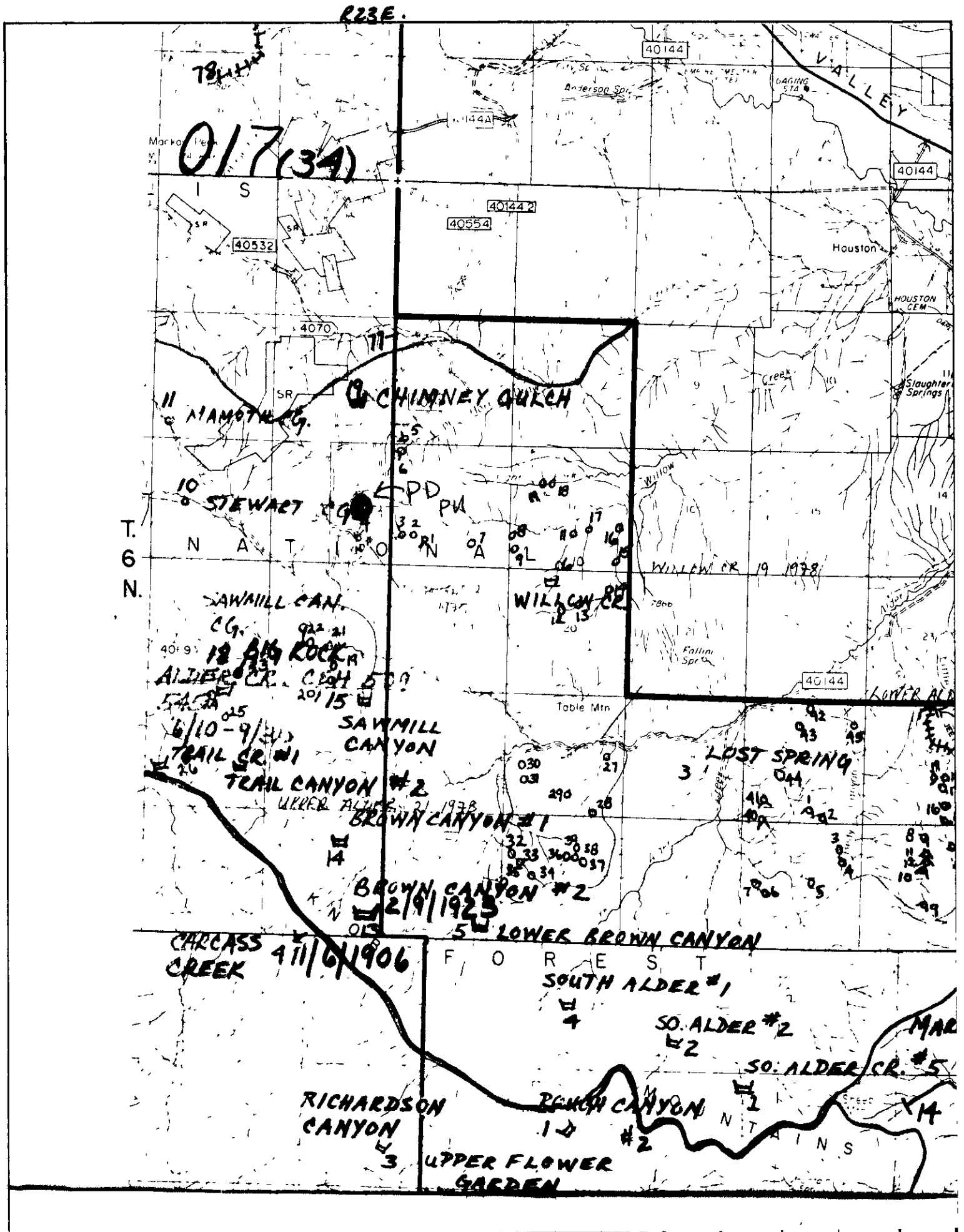
applicant to make this filing.

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

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

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. United States of America-Forest Service

Carl J. Boud
(for) L. KENT MAYS, JR. (Applicant) Deputy Regional Forester,
Resources

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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 JUNE 4
1981 and ending with the issued
dated JUNE 11 1981.

... Margaret Parks

Subscribed and sworn to before
me this 15 day of June
1981

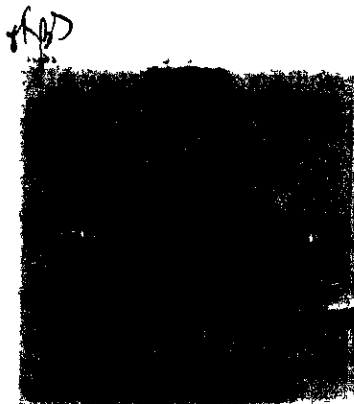
Shanda M. James

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

..... 4-30-83

RECEIVED
JUN 17 1981

Department of Water Resources
Eastern District Office



RECEIVED



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

Governor

R. KEITH HIGGINSON

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

November 24, 1987

RE: Permit Nos. 33-7106/7107/7110/7118, 34-7254/7255/7256/7299/7304/
7311/7314/7334/7352/7353/7354/7355/7367/7382/7397,
[REDACTED], 65-12541, 73-7064/7066/7067/7070

Forest Service
Federal Bldg.
324 25th St.
Ogden, UT 84401

Gentlemen:

Enclosed herewith are copies of the Water Right Licenses issued on the above referenced permits along with copies of the approved applications for amendment.

If you have any questions concerning these documents, please feel free to contact our office.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosures

RECEIVED

FEB 26 1988



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

Governor

R. KEITH HIGGINSON

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

October 8, 1987

RE: Permit Nos. 21-7255/7257, 29-7540, 31-7334/7348/7349/7352/7355,
32-7104/7106, 33-7079/7106/7107/7108/7110/7118/7131/
7135/7137/7138/7140/7142/7146, 34-7254/7255/7256/
7299/7304/7311/7314/7334/7352/7353/7354/7355/7367/
7382/7397/7436, 65-12541

U.S. Dept. of Agri.
Forest Service
Federal Bldg.
324 25th St.
Ogden, UT 84401

Gentlemen:

We previously forwarded to you Amendments for Water Permits so that you could amend the above referenced permits to correspond with the findings of the Department's field examiner.

We have not yet received these amendments or the corresponding filing fees. We are enclosing another amendment form for each right for your use in this matter. Please return the amendments with the filing fee (\$20.00 for each amendment) within 30 days, otherwise we will initiate action to void the permits.

If you have any questions, please contact us within the 30-day period.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosures

RECEIVED

FEB 26 1988



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

June 16, 1987

RE: Permit Nos. 21-7255/7257, 33-7106/7107/7110/7118,
34-7299/7304/7311/7314/7436, 65-12541

U.S. Dept. of Agri.
Forest Service
Federal Bldg.
324 25th St.
Ogden, UT 84401

Gentlemen:

The above referenced water rights are in the process of being licensed. However, before licenses can be issued, your permits must be amended to correspond with the findings of the Department's field examiner.

The enclosed applications for amendment contain all of the information that will be included on the licenses when they are issued. Please review carefully and if you concur, sign the amendments and return with the filing fee (\$20.00 for each amendment) within 30 days.

If you do not concur with these findings or if you have any questions, please contact us within the 30-day period.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosures

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FEB 26 1988

State of Idaho
DEPARTMENT OF WATER RESOURCES
WATER RIGHT BENEFICIAL USE

RECEIVED

34-7304

Permit No.

OCT 21 1986

CONTACT WITH PERMIT HOLDER

☐ Appointment letter mailed:

DATE

INITIALS

REMARKS

Department of Water Resources

☐ Telephone call made
(List Telephone No. used)

☐ Appointment scheduled for:
(Date, time, location)

EXAMINATION

Date 7-23-86

Accompanied by

☒ Roland Lybe

☐ Bob Hennis

THEORETICAL- 0.02 cfs

Source Spring

Tributary to

Alder Creek

Supp. annubar measurement sheet used?

If source is surface water, estimate total flow of source

Methods of measurement THEORETICAL

Meets permit requirements?

Measurement calculations:

SEE MEMORANDUM DATED February 26, 1986, U.S.F.S. FIELD EXAMINATIONS

$$V = \frac{600 \text{ Head} \times 12 \text{ gal/day/head} \times 213 \text{ days}}{325,850 \text{ gal/af}} = 4.7 \text{ afa}$$

WELL/DIV. NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEVICE	REMARKS

System Description EXCAVATION OF SPRING AREA #017-096

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

RECOMMENDED AMOUNTS

USE

Irrigation requirement =

AFA/Acre

Q (cfs)

V (afa)

FROM

TO

STOCKWATER

0.02 cfs

4.7 afa

MAY 1

NOV 30

Total

0.02 cfs

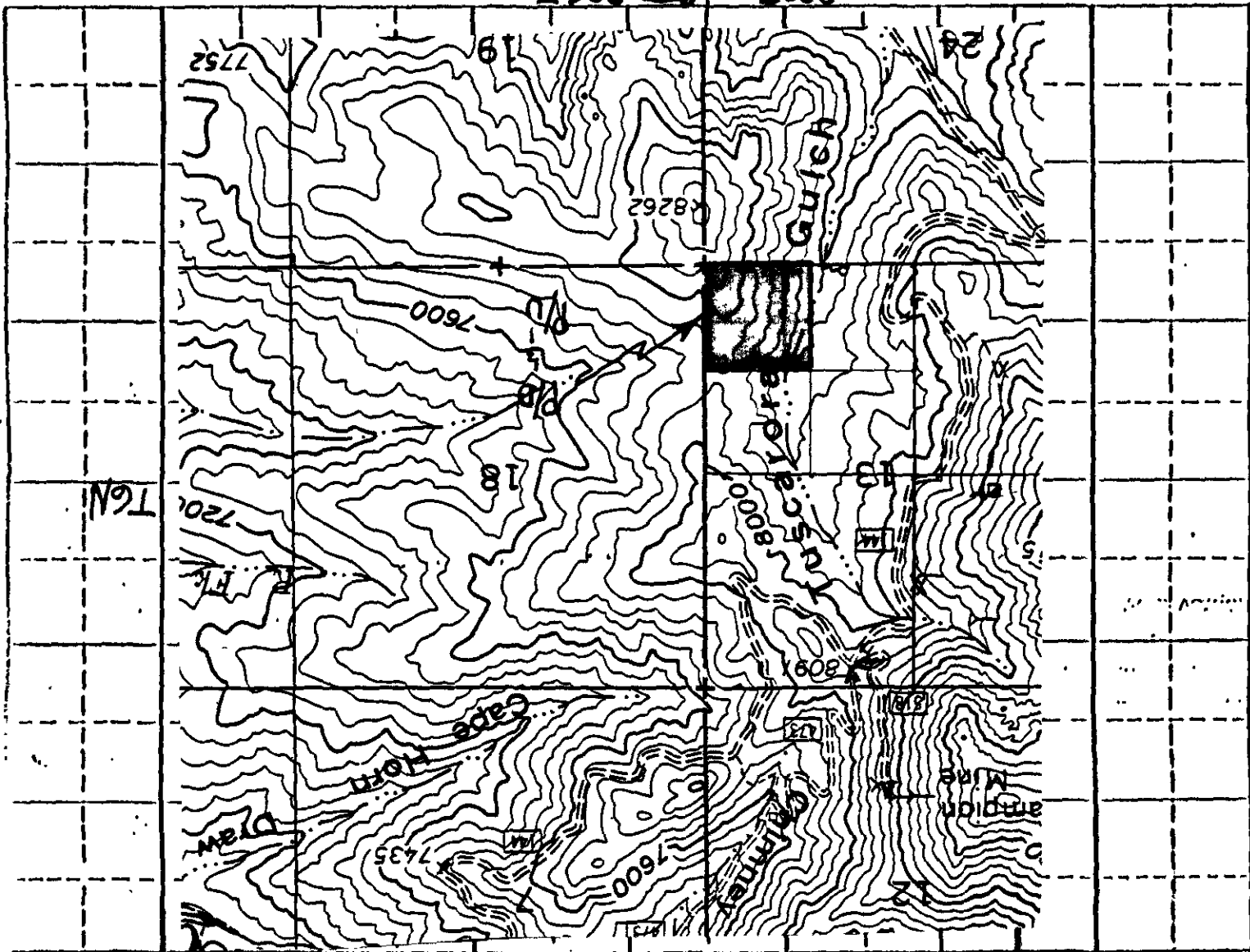
4.7 afa

Remarks STOCKWATER FOR 600 RANGE CATTLE

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FEB 26 1988

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

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

SEE MEMORANDUM DATED 26 February 1981, U.S.F.S. Field Examinations

Points of diversion: SE & SE₂ SEC. 13 TWR. 6 N. R. 23E.

Place(s) of Use

TWP.	RGE.	SEC.	NEK	NWK	SWK	SEK	NEK	NWK	SWK	SEK	NEK	NWK	SWK	SEK	TOTALS
6 N	23 E	13													S

Recommended Amendments:

☒ Change P.D. as reflected above

☐ Add P.D. as reflected above

☐ None

☐ Other

Examiner's Signature

Checked by

Approved by

Date

Date

Date

FLR 26 1988



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

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

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

July 7, 1982

Richard F. Sanders
U. S. Forest Service
324 25th Street
Ogden, UT 84401

Dear Mr. Sanders:

Re: See attached list

This office acknowledges receipt of the statement of beneficial use postcards for the attached list of water right permits.

Before a license for each of these rights can be issued, a field examiner will verify the use of the water for the beneficial use proposed.

If you have any questions regarding this matter, please feel free to contact me.

Sincerely,

RITA I. FLECK
SR. Secretary

Attachment

MICROFILMED

017-096

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has committed to development to the extent shown below of Permit No. 34-2301 for the purpose of United States of America-Forest Service.

Permit holder(s) has committed to development to the extent shown below of Permit No. 34-2301 for the purpose of United States of America-Forest Service.

Name(s) of Permit Holder:

Federal Building, 324 25th Street

(801) 625-5360

Post Office Address:

Ogden, Utah 84401

Tel. No.

TUSCARORA GULCH,
ALDER CREEK

Source of Water:

☐ Domestic☒ Stockwater☐ Irrigation☐ Other

(number of households)

(number and type of stock)

(acres)

Extent of Use:

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Measuring device:

Required? ☐ Yes ☒ NoRequired? ☐ Yes ☒ NoInstalled? ☐ Yes ☒ NoInstalled? ☐ Yes ☒ No

Access Point:

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

Signature of Permit Holder

Richard J. Audet

June 16, 1982

Date

1-1-82

RECEIVED
PLACE
TEN CENT
STAMP
HERE

JUN 21 1982
Department of Water Resources



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

MICROFILMED

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
324 25th Street
Ogden, UT 84401

JUN 21 1982

Department of Water Resources

2540

JUN 16 1982



Mr. A. Kenneth Dunn
Director
Idaho Department of Water Resources
Statehouse
Boise, ID 83720

Dear Mr. Dunn:

Enclosed are sixty-one (61) completed Proof of Beneficial Use cards.

These water developments are located on the Challis National Forest
and include State Basins 33 and 34.

Sincerely,

for Richard L. Mays, Jr.
L. KENT MAYS, JR.
Deputy Regional Forester
Resources

Enclosures (61)

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

U.S. DEPT. OF AGRI.
FOREST SERVICE
FEDERAL BLDG.
324 25TH ST.
OGDEN, UT 84401

138026

MAY 31, 1982

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 34-7304 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE AUGUST 01, 1982. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF OF BENEFICIAL USE.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU HAVE NOT PREVIOUSLY RECEIVED AN EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME PROVIDED THE DELAY IS FOR REASONABLE CAUSE AS INDICATED IN SECTION 42-204, IDAHO CODE, AMENDED. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED.

EITHER THE BENEFICIAL USE POST CARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE MENTIONED DATE, OTHERWISE, THE PERMIT WILL LAPSE AND BE OF NO FURTHER FORCE OR EFFECT WITHIN 60 DAYS.

SINCERELY,

RITA FLECK
SR. SECRETARY

ENC: 1

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

U.S. DEPT. OF AGRI.
FOREST SERVICE
FEDERAL BLDG.
324 25TH ST.
OGDEN, UT 84401

AUGUST 04, 1981

RE: PERMIT NO. 34-7304

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

MICROFILMED

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

34 7304
USFS

INITIAL REVIEW BY: WLC

APPLICATION NUMBER: 34-7304

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
☒ Yes ☒ No
☒ Yes ☒ No
☒ Yes ☒ No*

Field check required.

Critical groundwater area.

Request dam safety information. Sent by: _____

Date: _____

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
☐ Yes ☐ No

Platted by: _____ Map No. _____

Other rights on same place of use. _____

- ☒ Yes ☐ No*

In form for advertising.

Final date for protests: June 22 ✓

- ☐ Yes ☒ No

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

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 6-17-81
☒ 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

4-29-81

Date of priority recommended.

Special conditions of approval or cover letter. _____

By: Ernest Carlson

Date: July 13, 1981

STATE OFFICE REVIEW:

W/ record

05 (34) Bridge Lost River

- ☐ See attached sheet for more information.

By: Rolyn

Date: 7/22/81

Deputy

MICROFILMED

34-2304

U.S. DEPT. OF AGRI

FOREST SERVICE, FEDERAL BLDG., 324 25TH ST., OGDEN, UT 84401

Source. TUSCARARA GULCH tributary to ALDER CREEK

Date Filed: 04/29/1981

Amount: 0.02 CFS

Diversion Point. NWSE Sec 13 T 06N R 23E, CUSTER Co.

Use: STOCKWATER (0.02 CFS) from 05/01 to 11/30

Place of Use: NWSE Sec 13 T 06N R 23E

Diversion Means. EXCAVATION OF SPRING AREA.

MICROFILMED