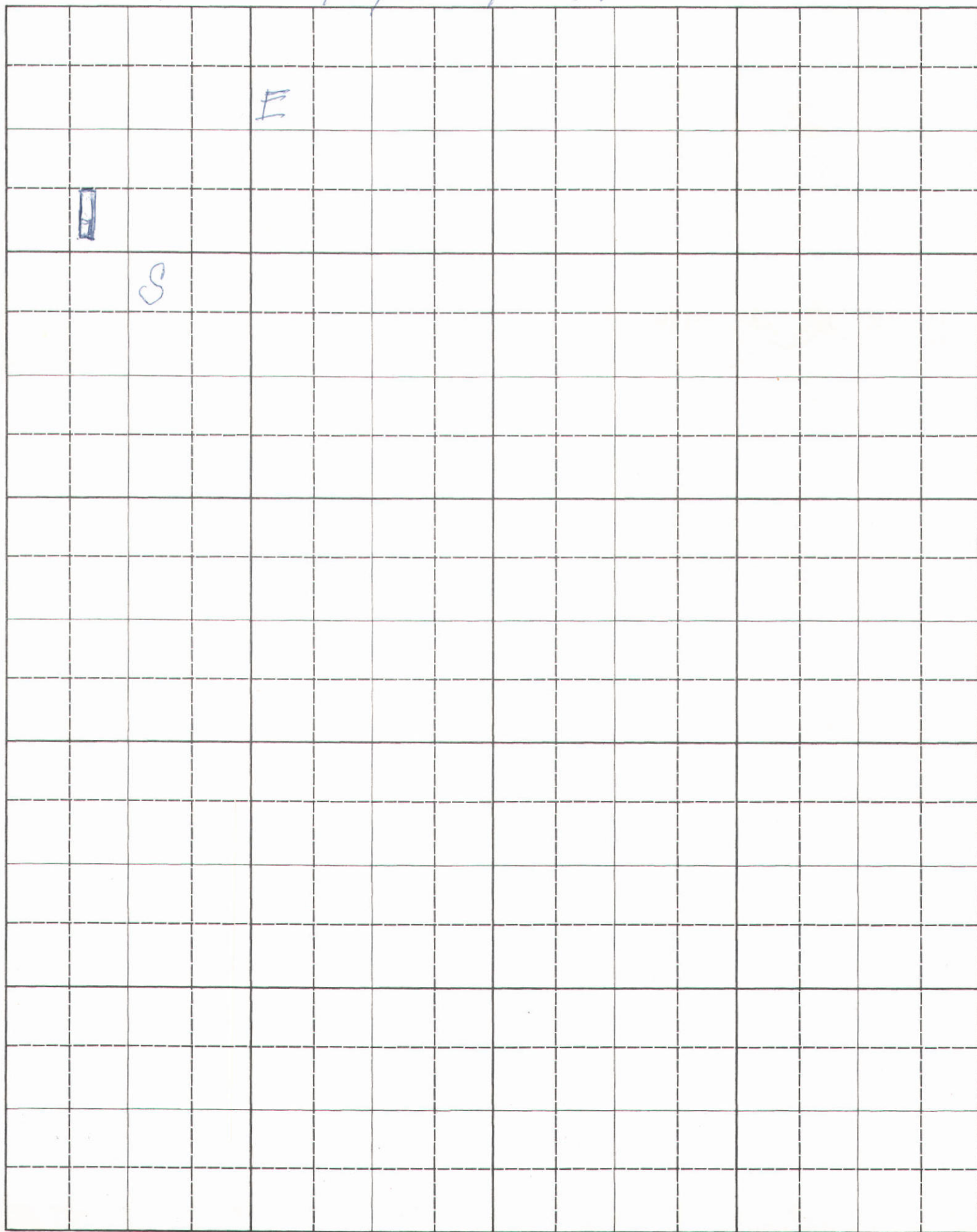


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

N

SE $\frac{1}{4}$ SW $\frac{1}{4}$ SEC. 25 T. 4N R. 26 E. B.M.



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.

Louie B. Lutsch
(Applicant)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 34-7250

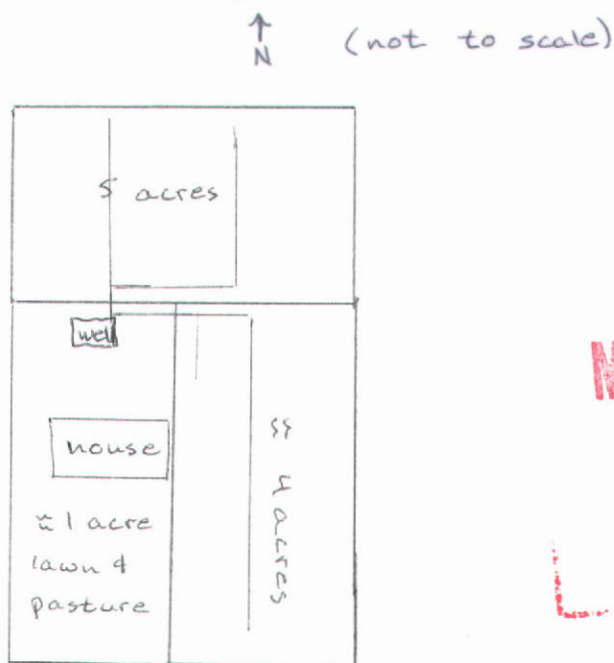
1. Owner: Lorin B. Lutzsch Phone No. 527-3248
Current Address: 175 Sunset Lane Arco, ID 83213
2. Accompanied by: applicant EXAM. DATE: 7/16/87
Address: 175 Sunset Lane Arco, ID Phone No. 527-3248
Relationship to Permit Holder: applicant
3. Source: groundwater tributary to N/A

B. OVERLAP REVIEW

1. Other water rights with same place of use: some storage rights when available ☐ Copies Attached
2. Other water rights with same point of diversion: no ☐ 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



MICROFILMED

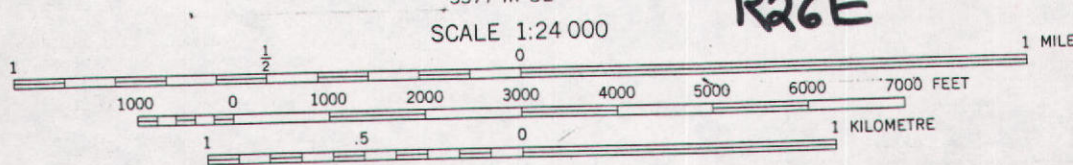
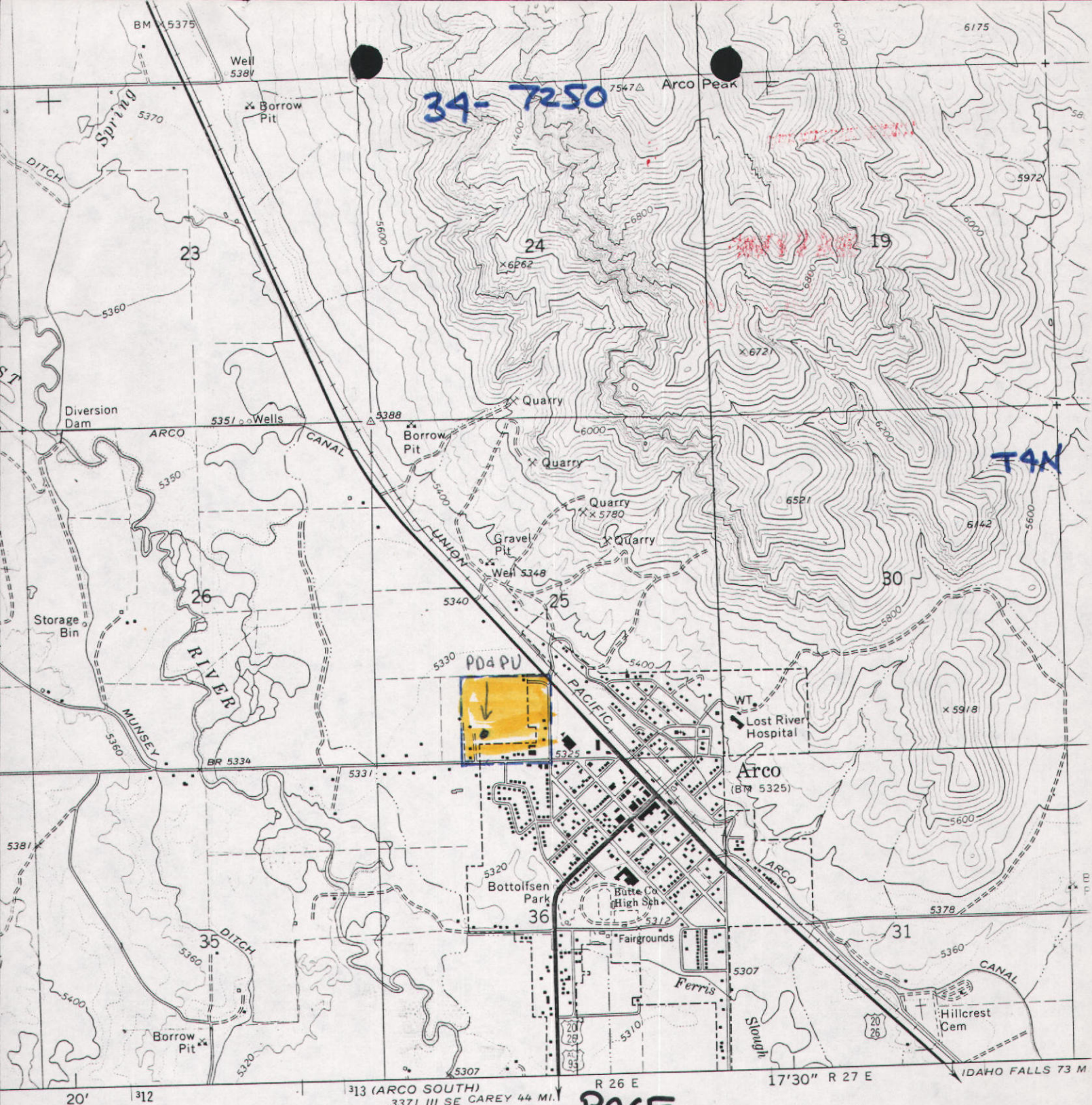
JAN 15 1992

Scale: 1" = No Scale

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).

MICROFILMED

JAN 15 1992



CONTOUR INTERVAL 40 FEET
 DOTTED LINES REPRESENT 10-FOOT CONTOURS
 NATIONAL GEODETIC VERTICAL DATUM OF 1929

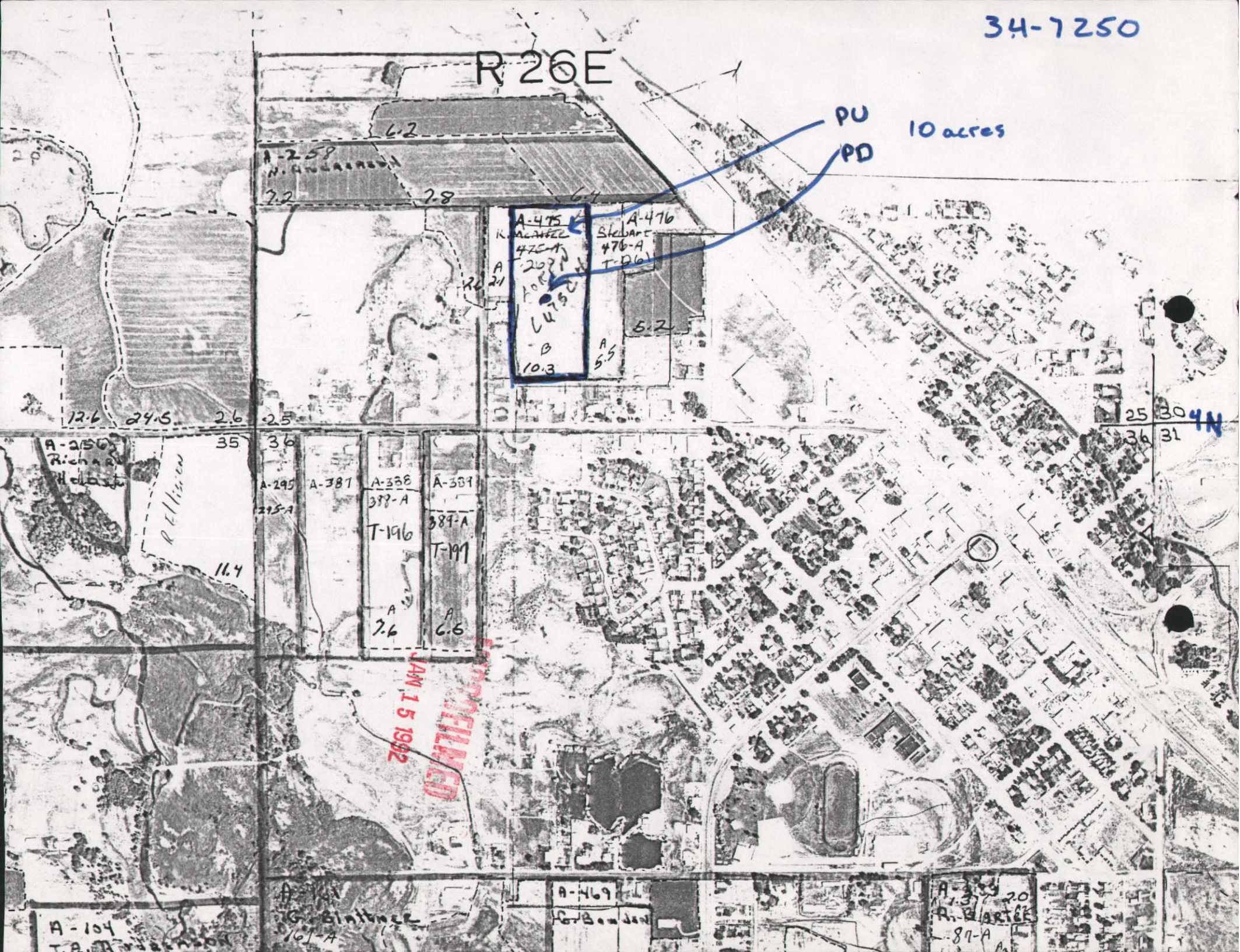
THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
 FOR SALE BY U.S. GEOLOGICAL SURVEY, DENVER, COLORADO 80225, OR RESTON, VIRGINIA 22092
 A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

34-7250

R 26E

PU
PD

10 acres



JAN 15 1992

FILED

34-7250



MICROFILMED
JAN 15 1992

34-7250



MICROFILMED
JAN 15 1992

A-453

Kearns Rothwell

R 26E

A-475

Kearns

#149

L. Lutscher

A-476

Stewart

476-A

T-261

B

10.3

A

6.5

A-317

R. SPRAKER

A-250

R. C. Hatcher

250-A

35

A-295

295-A

A-381

381-A

A-388

388-A

T-196

T-191

A

7.6

A-381

381-A

T-191

T-191

A

6.5

R. Ellison

R. Ellison

11.4

A-255

A.C. Hatcher

255-A

JAN 15 1992

REPRODUCTION

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 34-07250

Priority: August 26, 1980

Maximum Diversion Rate: 0.11 CFS
Maximum Diversion Volume: 31.2 AF

This is to certify, that LORIN B. LUTSCHG

P.O. BOX 86

ARCO ID 83213

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated July 31, 1980; and has submitted Proof of Beneficial Use on October 23, 1985. An examination indicates that the works have a diversion capacity of .110 cfs of water from a **GROUNDWATER** source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 11/01	0.11 CFS	30.0 AF
DOMESTIC	01/01 to 12/31	0.02 CFS	1.2 AF
	Totals	0.11 CFS	31.2 AF

LOCATION OF POINT(S) OF DIVERSION:

NWSESW , Sec. 25, Township 04N, Range 26E
BUTTE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
04N	26E	25	SESW	10		10

Total number of acres irrigated: 10

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

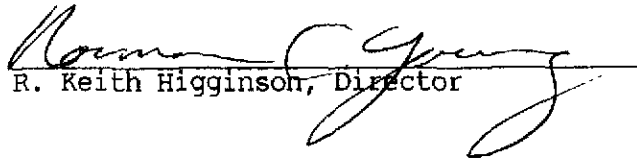
1. The maximum diversion volume listed within this right is defined as the maximum allowable volume of water that may be diverted annually from the source identified under this right, or limited to the amount that can actually be beneficially used on the above described place of use. This right is further limited to a maximum diversion of water onto the above described place of use of 0.02 cfs per acre or 3.0 acre feet per acre per year when combined with all other appurtenant water rights.
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 and includes stockwater for 10 horses.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 34-07250

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 6TH
day of DECEMBER, 1991.


R. Keith Higginson, Director

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT	)	
	)	
NO. 34-7250 IN THE NAME	)	CONTINUATION ORDER
	)	
OF LORIN B. LUTSCHG	)	
	)	

This matter having come before the Idaho Department of Water Resources (IDWR) as a requirement of Section 42-203D, Idaho Code, the Department Finds, Concludes and Orders as follows:

FINDINGS OF FACT

1. Section 42-203D, Idaho Code, directs IDWR to review all permits issued prior to July 1, 1985, located within the Swan Falls Trust Water Area, to determine if water was beneficially used prior to said date.

2. If water was not beneficially used until after July 1, 1985, Section 42-203D further directs IDWR to review the permit under the provisions of Section 42-203C, Idaho Code.

3. Section 42-203C requires IDWR to determine whether diversion of water under a permit issued prior to July 1, 1985, causes a significant reduction of trust water available for power production and, if there is a significant reduction, to determine whether the reduction is in the public interest.

4. Permit No. 34-7250 (permit) was issued to Lorin B. Lutschg (permit holder) authorizing the diversion of 0.22 cfs of groundwater for irrigation of 10 acres.

JAN 15 1992

5. Information submitted by the permit holder shows that the irrigation of the 10 acres authorized under this permit did not occur prior to July 1, 1985.

6. The development and use of water authorized under this permit does not cause a significant reduction of trust water.

CONCLUSIONS OF LAW

1. The water authorized for diversion under Permit No. 34-7250 is trust water.

2. The use of water under the permit satisfies the provisions of Sections 42-203C and 42-203D, Idaho Code.

3. An order continuing the permit shall be issued.

ORDER

IT IS HEREBY ORDERED that Permit No. 34-7250 is valid and may CONTINUE as provided in Section 42-203D, Idaho Code, subject to the following additional conditions and limitations:

1. The use of trust water authorized by this right is subject to review 20 years after the date of this order to determine availability of trust water and to reevaluate the public interest.

2. Diversion and use of trust water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.

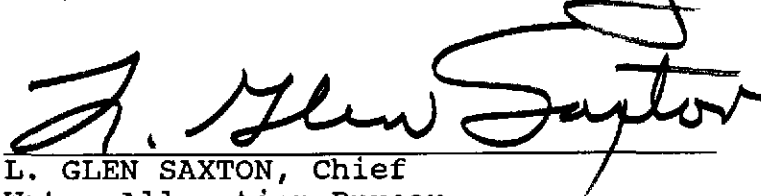
3. The Director retains jurisdiction of this right to change, add or remove any requirement as determined to be appropriate.

JAN 15 1992

4. Diversion and use of water under this permit and any license subsequently issued is subject to the control of the watermaster of State Water District No. 34.

5. All conditions of approval contained on the permit are incorporated into and made part of this order.

Dated this 11th day of January, 1991.


L. GLEN SAXTON, Chief
Water Allocation Bureau

JAN 15 1992

AFFIDAVIT OF PUBLICATION

Colleen Babcock

of the Arco Advertiser, a weekly newspaper of general circulation, published weekly at Arco, Idaho since March, 1909, do solemnly swear that a copy of this notice, per clipping attached, was published weekly in the regular and entire issue of said newspaper, and not in any supplement thereof,

for *2* consecutive weeks, commencing with

the issue dated *11 July 18, 1989*

and ending with the issue dated

11 May 25, 1989
Colleen Babcock

STATE OF IDAHO }
COUNTY OF BUTTE }

On this *25* day of *May*
in the year of *1989*, before me, a Notary Public,

personally appeared

Colleen Babcock

known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same

Thomas D. Cannon

Notary Public for Idaho

Residing at *Arco, ID.*

My commission expires *12-17-91*

**NOTICE OF EXISTING
WATER RIGHT PERMIT**

PERMIT NO. 34-7250

Presently Recorded as Follows:

Name: LORIN B. LUTSCHOW

Address: P.O. BOX 86, ARCO, ID 83213

Source: GROUNDWATER

Diversion Pt.: SESW SEC. 25 T4N R26E,
BUTTE CO.

Use: IRRIGATION(0.20 CFS) DOMESTIC (0.02 CFS)

Priority: JULY 31, 1980

Place of Use: SESW SEC. 25 T4N R26E

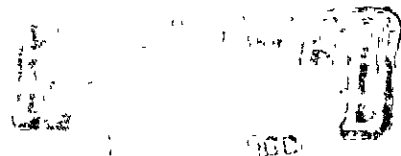
Total Acres: 10

This permit was not developed by July 1, 1985, and is being reprocessed in compliance with Section 42-203D, Idaho Code. Protests against the continuance of the permit must be filed with the Director, Dept. of Water Resources, Statehouse Mall, Boise, ID 83720 on or before June 5, 1989. A protest must overcome the presumption of Water Appropriation Rule 5.2.1.

R. Keith Higginson

Director

Pub. 5-18,25, 1989



Department of Water Resources

JUL 15 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
REQUEST FOR EXTENSION OF TIME

RECEIVED

NOV 27 1981

To provide additional time in which to submit
proof of beneficial use on a water right permit

Department of Water Resources

LORIN B. LUTSCHG

(Name)

of

Box 86, Arco

(Address)

State of Idaho, deposes and says:

That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriate the Public Waters of the State of Idaho No. 34-7250.

That under the terms and conditions of said permit, work thereunder was required to be completed on or before August 31, 19 81.

That he has heretofore performed the following work described under said permit: Drilled an
8" well, 60 feet deep; equipped with 1 h.p. submersible pump
and pressure tank for domestic and stock water; installed pipe
and fixtures for domestic and stock water,

Costing \$ 2,500.00

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit: Have not completed irrigation installation because he has
been cleaning noxious weeds from the property, and plans to irrigate
during 1982.

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations under said permit to August 31, 19 85 PER telephone conversation
12-7-81

Statement of Beneficial Use on domestic and stock water is enclosed.

Lorin B. Lutschg
(Signature)*

*IF OTHER THAN HOLDER, Power of Attorney must be supplied.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time within which to submit the statement of beneficial use is extended to November 1, 1985.

IT IS FURTHER ORDERED that the permit be reinstated and the priority advanced to August 26, 1980, pursuant to Idaho Code, Section 42-218a.

Signed this 14th day of December, 19 81.

J. Glen Saxton
Chief, Operations Bureau

\$15.00 fee received by sg

Date 12-14-81

Receipt # 21634

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 Lorin B. Litsche Phone 527-3248
Post office address P.O. 86 Arco, Idaho 83213
2. Source of water supply ground water which is a tributary of _____
3. Location of point of diversion is S.E. 1/4 of S.W. 1/4 of Section 25 Township 4N
Range 26E B.M. Butte County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .02 for Domestic purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .20 for Irrigation purposes from April 1 to Oct. 15 (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. .22 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. One well to serve both domestic and irrigation

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 8" inches; proposed depth of well is 50-60 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 years A.S.A.P. (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: S.E. 1/4 of S.W. 1/4 of Section 25 Township 4N
Range 26E B.M.

(2) Amount of power to be generated: None horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered Ten horses

(4) Name of municipality to be served None, or number of families to be supplied with domestic water One.

(5) If water is to be used for other purposes describe: None

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	
4N	7E	25												10					10

Total number of acres to be irrigated 10

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

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

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

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing None

10. Remarks Would like to drill 8" well to serve both domestic & irrigation pumps.

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

N 25 1/4 Sec 25 T.4N R.26 E/BM

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.

John B. Lutzky
(Applicant)

Proposed Priority

7/31/80

Received by

kw

Date

7/31/80

Time

11:40 A
11:30

Preliminary check by

EMC

Fee \$

4500

Receipted by

kw

Date

7/31/80

#14949

Publication prepared by

kw

Date

7/31/80

Published in

Arco Advertiser

Publication dates

8/07 & 8/14/80

Publication approved

kw

Date

9/10/80

Protests filed by:

Copies of protests forwarded by

Hearing held by

Date

Recommended for

approval

denial

by

EMC RA

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. 34-7250, 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 November 1, 19 81.

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:

Witness my hand this

2nd

day of

October

, 19 80.

A. Glen Saxton
Chief, Operations Bureau

Affidavit of Publication

Le Ella Cammack
of the Arco Advertiser, a weekly newspaper of general circulation, published weekly at Arco, Idaho, since March, 1909, do solemnly swear that a copy of this notice, per clipping attached, was published weekly in the regular and entire issue of said newspaper, and not in any supplement thereof,

for *2* consecutive weeks, commencing with

the issue dated *8-7-80*

and ending with the issue dated *8-14-80*

Le Ella Cammack

Subscribed and sworn to before me this

8 day of *Sept.*, 19 *80*
Clement Green
Notary Public

Residence: Arco, Idaho.

My commission expires *1982*, 19

PUBLIC NOTICE

NOTICE OF APPLICATION FOR WATER RIGHT

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

34-7250 *9/10/80*
LUTSCHG, LORIN B.
P. O. BOX 86, ARCO, ID 83213
Source: GROUNDWATER
Date Filed: 07-31-1980
Amount: 0.22 CFS
Diversion Point: SESW Sec 25 T
04N R 26E, BUTTE Co.
Use: IRRIGATION — (0.20 CFS)
from 04-01 to 10-15
DOMESTIC — (0.02 CFS) from
01-01 to 12-31
Place of Use: SESW Sec 25 T 04N
R 26E FOR 10 ACRES.
Diversion Means: WELL &
PUMP.

If issued, the permit 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, 1515 Lincoln Road, Idaho Falls, Idaho 83401 on or before AUGUST 25, 1980.

C. STEPHEN ALLRED
Director

Published 8-07 & 8-14-80.

MICROFILMED

RECEIVED

SEP 10 1980

Department of Water Resources
Eastern District Office

14.22

January 10, 1992

LORIN B. LUTSCHG
P.O. BOX 86
ARCO ID 83213

RE: WATER RIGHT NO. 34-07250

Dear Water Right Holder(s):

Enclosed is a copy of your water right license.

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, please let me know.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosure

JAN 15 1992

February 6, 1991

LORIN B. LUTSCHG
P.O. BOX 86
ARCO, ID 83213

RE: WATER RIGHT NO. 34-07250

Dear Water Right Holder(s):

Enclosed is a draft copy of the license proposed to be issued on the above referenced water right.

This right is currently being reviewed by this office for licensing. The enclosed preliminary copy is subject to change upon further administrative review.

This water right is located within a hydrological basin undergoing severe depletions in surface water supplies. Under the provisions of Section 42-237a, Idaho Code, the director is authorized to include the use of groundwater rights which have an effect upon the flow of the Big Lost River within the jurisdiction of the watermaster of Water District 34 (Big Lost River). Once the rights in this basin have been adjudicated, rights such as yours will likely become regulated by the watermaster. For this reason, the license to be issued will be conditioned as being under the control of the watermaster.

We ask that you review the proposed license and if you do not concur with the information, please let us know within 10 days.

Sincerely,

SHARLA CURTIS
Technical Records Specialist

SC:blm

Enclosure

JAN 17 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A GENERAL INFORMATION

Permit No. 34-7250

1 Owner Loria B. Lutzsch Phone No. 527-3248
Current Address 175 Sunset Lane Arco, ID 83213

2 Accompanied by applicant EXAM DATE 7/16/87

Address 175 Sunset Lane Arco, ID Phone No. 527-3248

Relationship to Permit Holder: applicant

3 Source groundwater tributary to N/A

B. OVERLAP REVIEW

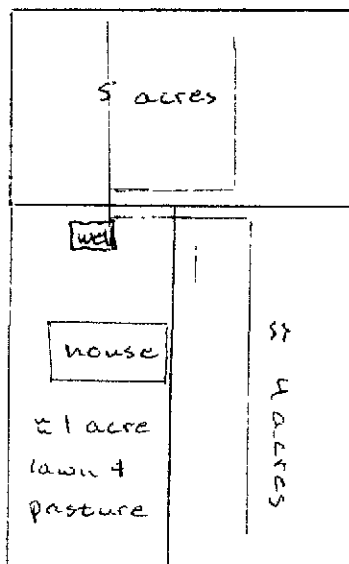
1. Other water rights with same place of use some storage rights when available ☐ Copies Attached

2. Other water rights with same point of diversion no ☐ 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

↑
N (not to scale)



Scale: 1" = No Scale

2 ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).

☐ Photo of Diversion and System Attached

(required for all but single household domestic groundwater, and stockwater)

☒ Aerial Photo Attached
(required for irrigation of 10 acres or more).

System Description (continued)

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

1 8 hp submersible pump with lines to house & irrigation (additional 2 hp pump to irrigation), 3 lines (39 rainbird heads - only 13-14 run at one time)
5/32" nozzle

used in house, irrigation, and stock (10-15 head)

water depth = 38'

well depth = 63'

☒ 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

*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
			SE	SW	25	4N	26E	Butte	USGS

6. **Place(s) of Use:**

Indicate Method of Determination aerial photo

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	
4N	26E	25												10					10

Do not use this space

D FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Pitot Gauge					1-1/2" psi	

2. Measurements:

pressure readings: 28 psi, 27 psi, 26, 26, 26, 26 psi

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1 Measured Method

$$\text{average pressure} = 26.5 \text{ psi} \quad Q = (3.68 \text{ gpm})(13) \quad Q = 47.8 \text{ gpm}$$

$$Q = .11 \text{ cfs}$$

2 Alternate Method for Checking Purposes.

$$Q = \frac{3(8.814)(.8)}{38 + (2308)(26.5)} \quad Q = .21 \text{ cfs (theoretical)}$$

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

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = (10)(30) = 30 \text{ afa}$$

$$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (.11)(214)(1.9835) = 47 \text{ afa}$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = 30 \text{ afa}$$

2 Volume Calculations for Other Uses

H. REMARKS AND OVERLAP REVIEW ANALYSIS

I recommend that the license include stockwater, although it is not listed as a separate category on the permit. 10 horses were shown on original permit, and the total diversion rate is still less than the total on the permit

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	.02	.6
Irrigation	4/1	10/15	.11	30
Stock	1/1	12/31	.02	.2
Totals:			.15 cfs	30.8 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

J. AUTHENTICATION

Field Examiner's Name Carol Slaughterbeck

Signature Carol Slaughterbeck

Certification Date Oct 1, 1981

Field Report Preparation Date 7/17/89

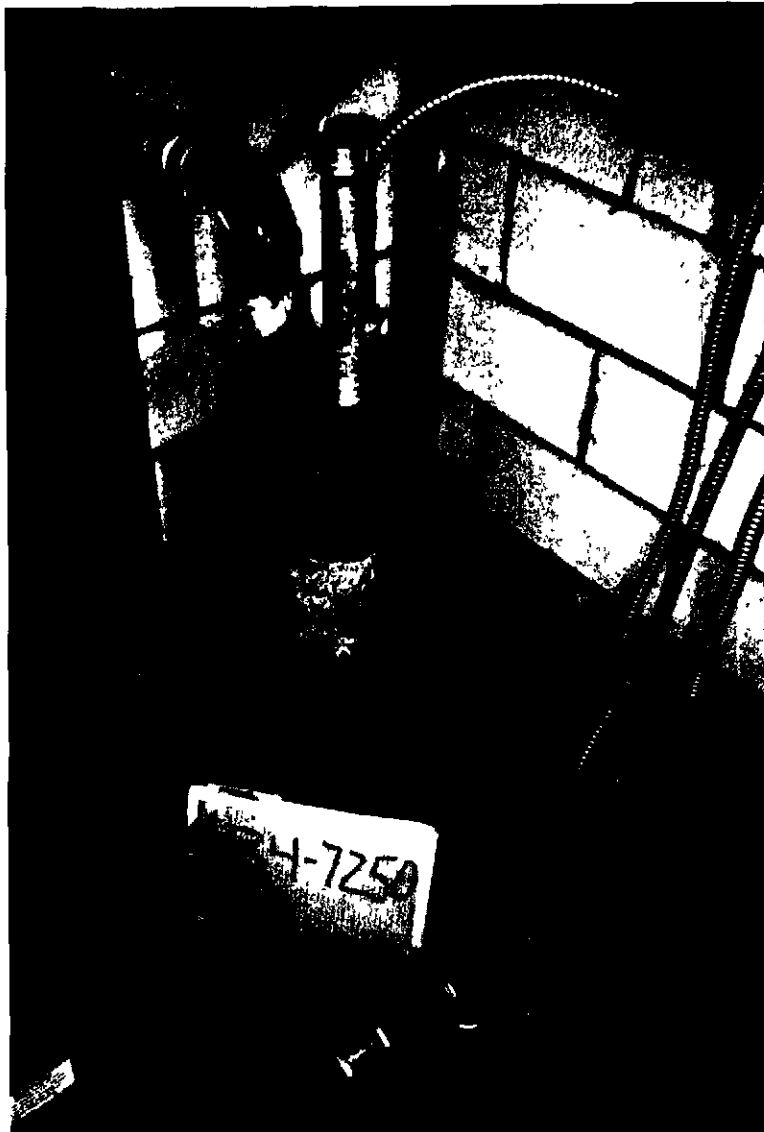
Steve M. Corrick

CONSULTANT SEAL

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

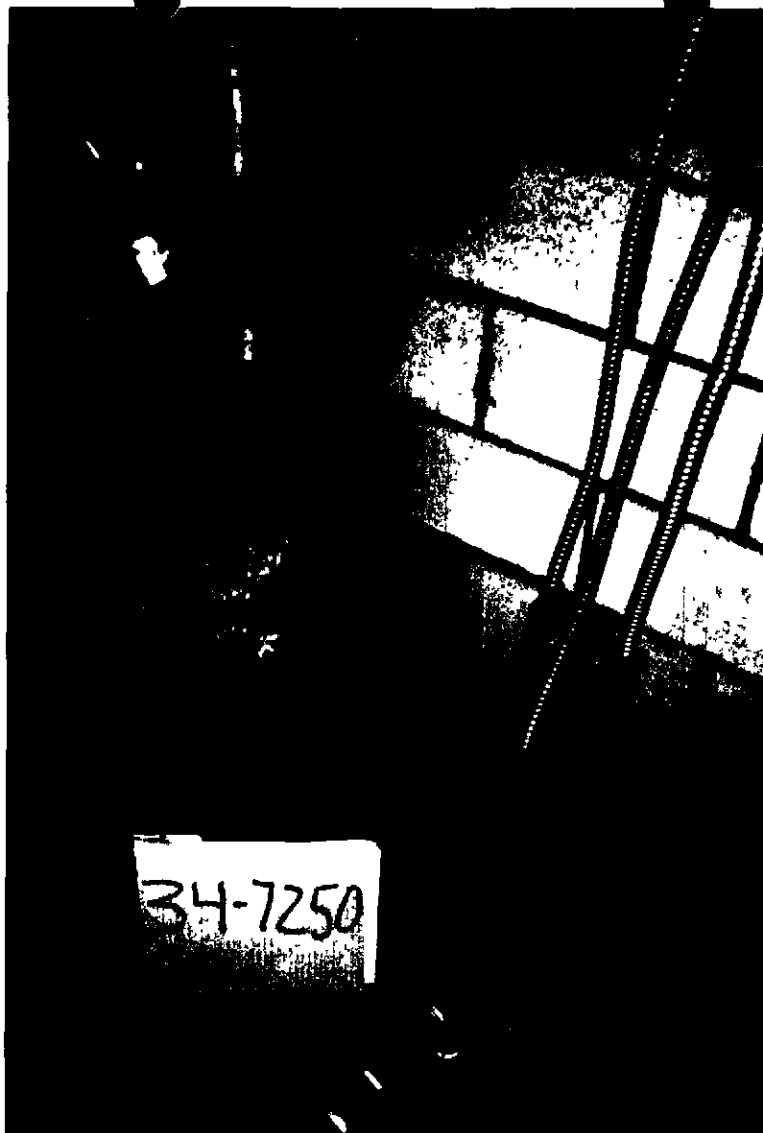
reviewed: Royann McElroy 2/6/89

34-7250



JAN 15 1992

34-7250



January 16, 1991

RE: Permit No. 34-7250

Lorin B. Lutschg
P.O. Box 86
Arco, ID 83213

Dear Permit Holder(s):

Enclosed is an order that authorizes you to continue development under Permit to Appropriate Water No. 34-7250.

Please note the conditions of approval contained in the continuation order.

Sincerely,

TIM LUKE
Sr. Water Resource Agent

TL:blm

JAN 15 1992

Big Lost River Irrigation District

P. O. Box 205
MACKAY, ID 83251

April 10, 1989

TO WHOM IT MAY CONCERN:

Lorin B. Lutschg has a total of 330 inches of storage water in the Mackay Reservoir (when it is full at the old level).

Yours Truly,



Rita M. Lundy

Assistant Secretary-treasurer

Corporate Seal

RECORDED
JAN 15 1992



United States
Department of
Agriculture

Agricultural
Stabilization and
Conservation Service

April 10, 1989

To Whom It May Concern:

Lorn Lutschg Farm #149 - cropland acres of 10.3 requested a map of his property for the 1984 year. In this ASCS Office our maps were taken in 1978, we do not have any others on file after that date.

Mr. Lutschg has not participated in our programs therefore we do not have a crop report on file.

David M. Davis

Dave M. Davis
County Executive Director
For the Butte County ASCS Office

JAN 15 1992



A 453

Evans Rothwell

R 26E

A-475
K...
#149
L. LUTSEN
A-476
STUART
476-A
D6
B
10-3

A-255
R...

35

R. Ellison

11.4

A-387
387-A

A-388
T-196

A-381

A
26

165

A-255

A.C. Hatcher

255-A

JAN 15 1992

USE ADDITIONAL SHEETS IF NECESSARY - FORWARD THE WHITE COPY TO THE DEPARTMENT



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 9, 1989

Arco Advertiser
Box "C"
Arco, ID 83213

Dear Legal Department:

Enclosed you will find a legal notice which we wish to have published on May 18 and May 25, 1989 (once a week for two consecutive weekly issues) in your newspaper. If your paper is published weekly, the notice must appear in the issue that is distributed during the weeks of May 15 and May 22. 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 billing to the office below before June 5, 1989.

Idaho Department of Water Resources
1301 North Orchard St.
Statehouse Mail
Boise, ID 83720

Sincerely,

A handwritten signature in cursive script that reads "Heidi M. Mikel".

HEIDI M. MIKEL
Secretary

JAN 15 1992

NOTICE OF EXISTING
WATER RIGHT PERMIT

PERMIT NO. 34-7250
Presently Recorded as Follows:

Name: LORIN B. LUTSCHG
Address: P.O. BOX 86, ARCO, ID 83213
Source: GROUNDWATER
Diversion Pt.: SESW SEC. 25 T4N R26E, BUTTE CO.
Use: IRRIGATION (0.20 CFS) DOMESTIC (0.02 CFS)
Priority: JULY 31, 1980
Place of Use: SESW SEC. 25 T4N R26E
Total Acres: 10

This permit was not developed by July 1, 1985, and is being reprocessed in compliance with Section 42-203D, Idaho Code. Protests against the continuance of the permit must be filed with the Director, Dept. of Water Resources, Statehouse Mail, Boise, ID 83720 on or before June 5, 1989. A protest must overcome the presumption of Water Appropriation Rule 5,2,1.

R. Keith Higginson, Director

JUN 15 1982

may 4, 1989

RECEIVED
MAY 05 1989

State of Idaho
Department of Water Resources
1301 North Orchard St.
Statehouse Mall
Boise, Idaho 83720

Department of Water Resources

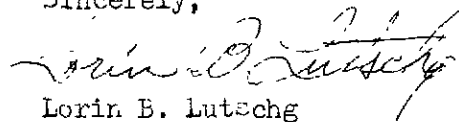
Attention: Tim Luke

Dear Mr. Luke:

Per your letter of May 1, 1989 and our telephone conversation of
May 3, 1989, enclosed is my check for \$20.00 re-advertisement fee.

I appreciate your help.

Sincerely,



Lorin B. Lutschg
p.o. Box 86
Arco, Idaho 83213

MAY 15 1989



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 1, 1989

RE: Permit No. 34-7250

Lorin B. Lutschg
Box 86
Arco, ID 83213

Dear Mr. Lutschg:

The Department acknowledges receipt of the trust water information questionnaire and supporting documentation concerning the above referenced permit. On behalf of the Department, I wish to thank you for your cooperation and prompt reply.

Based on your responses to the questionnaire and supporting evidence, it appears that the source of water described in your permit was not put to beneficial use until October of 1985. Permits which were not developed prior to July of 1985 are subject to the review of Section 42-203D, Idaho Code, and must be re-advertised in compliance with Water Appropriation Rule 4,2,3. In other words, your permit is located in the area affected by the Swan Falls litigation and is defined as a public trust water diversion by virtue of being developed after July 1, 1985. Such permits are subject to additional public interest criteria which are identified in Sections 42-203D and 42-203C. The permit, therefore, must be re-advertised in order to satisfy the legal requirements and provide notice that the permit represents a trust water diversion.

Before the Department makes any additional review or takes any action on this permit, you must submit the \$20.00 re-advertisement fee which was originally requested by the questionnaire and cover letter dated April 6, 1989. I will provide you an additional 15 days in which to submit the fee. Failure to submit the fee within this period may result in cancellation of the permit.

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

Sincerely,

TIM LUKE
Sr. Water Resource Agent

TL:hm

JAN 15 1989

RECEIVED
APR 20 1989

Department of Water Resources
April 15, 1989

Department of Water Resources
Statehouse
Boise, Idaho 83720

Attention: Tim Luke

Dear Sir:

Be it known that I cut and baled hay for Lorin Lutschg on his 10 acres
in 1984, 1985, 1986, 1987 and 1988.

Yours truly,

Kenneth L. McAfee
Kenneth L. McAfee
Arco, Idaho

JAN 1

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRUST WATER INFORMATION QUESTIONNAIRE

RECEIVED
APR 20 1989

Department of Water Resources

PERMIT NO. 34-7250

IF YOU ARE NOT INTERESTED IN HAVING YOUR PERMIT PROCESSED,
PLEASE COMPLETE AND RETURN THE ENCLOSED RELINQUISHMENT FORM.

INSTRUCTIONS: Please answer the following questions as
thoroughly as possible and submit the \$20.00 readvertisement
fee if applicable.

1. Did irrigation occur on the lands identified under your
permit prior to July 1, 1985? Yes ✓ No

If yes, you are requested to submit clear evidence that shows the
number and location of acres irrigated.

Aerial photographs taken prior to July 1, 1985, located in area
ASCS offices, are best forms of evidence. Photos submitted to the
the Department must be accompanied by a signed statement from an
ASCS representative which verifies the photo date and that the
lands were irrigated prior to July 1, 1985. If ASCS does not have
photos for the land and/or time in question, you must have the ASCS
provide the Department with a statement that photos are not avail-
able and then proceed to submit other forms of suitable evidence.

2. Please state the number of acres you have irrigated under this
permit since July 1, 1985. 10

3. If you have not irrigated lands under this permit, please
state the number of acres you plan to complete.

NOTE: You must submit the \$20.00 readvertisement fee if any or
all of the lands were not irrigated before July 1, 1985.

4. If the permit is a supplemental filing please identify other
water rights which are used on the same land.

Big Lost River Irrigation water 330" of storage from the Reservoir seasonal
(NOT A Surface Right)

Use the reverse side of this form if you wish to add any comments.

I hereby assert that the responses provided above are true to the
best of my knowledge. I understand that any willful misrepresentations
may result in voiding of the application.

Permit Holder

Louis B. Luby

Date

April 10-89

JAN 15 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

(208) 327-7900

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

April 6, 1989

RE: PERMIT NO. 34-7250

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.

JAN 15 1989

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,

TIM LUKE
Sr. Water Resource Agent

Enclosures

MEMORANDUM

TO:FILE

FROM:ROXANNE MCCARTHY

RE: LICENSE REVIEW

DATE: 6-FEB-1989

A pre-license review was done on this file on the above date.
The file was then returned to the vault pending processing
under Swan Falls guidelines.

JAN 15 1992

MEMORANDUM

TO:FILE #34-7250

FROM:ROXANNE MCCARTHY

RE: CHANGES TO FIELD EXAM RECOMMENDATIONS

DATE: 6-FEB-1989

The total diversion rate under this right cannot exceed the measured system capacity. The allowed rate is 0.11 cfs under this right.

I have not recommended a separate stockwater component under this right. I have allowed the maximum domestic volume, 1.2 afa, which allows for domestic stockwater use.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Staff Analysis Sheet
for
Beneficial Use Field Report

Aug 21, 1986.

34-7250

Permit No.

Emmet.

RECEIVED

OCT 23 1987

Department of Water Resources

A. Prior to Conducting the Exam, the File Contains:

- ☒ Blank Field Report Form
- ☒ Copy of Permit
- ☒ Copies of any Amendments/Orders with conditions of approval
- ☒ Computer Data Proof Report
- ☒ Copy of U.S.G.S. Quad
- ☒ Check for Government Lots. If so, make a copy of Government Plat

Check of P/D index *EW 3/27/87* (Initial and date)

Overlap? ☐ yes ☒ no If yes: ☐ copy of exam(s) attached?

Type of Overlap? ☐ Add acres or uses to existing system

☐ Increase rate of flow or volume

☐ Other: _____

Check of P/U index *EW 3/27/87* (Initial and date)

Overlap? ☐ yes ☒ no If yes: ☐ copy of water right(s) attached?

Type of Overlap? ☐ Increase rate of flow or volume

☐ Add P/D's

☐ Increase number of acres within tracts

☐ Other: *Deer's Surface Rts.*

Aerial Photo

Required? ☒ yes ☐ no If yes: ☐ copy attached?

Scheduling Letter sent? _____ (Initial and date)

☐ Appointment made and telephone conversation memo attached

B. After Conducting the Exam, the File Contains:

- ☒ Fully completed and signed Field Report Form
- ☒ Photographs of Point of Diversion and Place of Use
- ☐ Corrected Computer Data Proof Report with recommended license information, and date and signature of examiner.

C. Review and Processing:

Exam Completed *7/16/87 Carol Maughter* (Signature of examiner and date)

Exam Reviewed by Senior Water Resource Agent *WJ 7-27-87* (Initial and date)

Exam Reviewed by Manager of Regional Office *EW 10-1-87* (Initial and date)

Exam Date Entered in Computer _____ (Initial and date)

Exam sent to State Office *EW 10-1-87* (Initial and date)

Copy of Staff Analysis Sheet sent to Manager of Regional Office and Original
Refiled in White File _____ (Initial and date)

4/86

RECEIVED

AUG 15 1986

RECEIVED

AUG 15 1986

STATE OF IDAHO Water Resources
Eastern District Office

DEPARTMENT OF WATER RESOURCES

Department of Water Resources

EXAMINATION FEE INFORMATION

For Office Use Only

Fee Received 50.00Date 8-19-86Receipt # 39844Receipt by MDSent to S.O. 9-5-861. Permit No. 34-7250

ONE OF THE FOLLOWING BOXES SHOULD BE MARKED TO DESIGNATE YOUR CHOICE:

☒ I choose to have the department make the field examination of this permit; attached is the examination fee. (If this box is marked, complete items 1 thru 8.)2. Permit Holder: LORIN B. LUTSCHG3. Post Office Address: PO box 36 ARCO, IDAHO 83213.Telephone No. 527-32484. Source of Water: Well

5. Extent of Use:

Domestic 1 (No. of households) Stockwater 1 (No. and type of stock)Irrigation 10 (acres) Other/Remark _____6. Total rate &/or volume for which proof is submitted 20 cfs _____ acre-feet

7. Show the date water was first diverted and beneficially used under this permit:

May 1985 On the 10 acres ✓

8. Person to contact to accompany the department representative during the field examination:

Lorin B. Lutschg (Name) JAN 15 1992145 Sunnyside Lane (Address) 527-3248 (Telephone Number)☐ I choose to have the field examination conducted by a certified water right examiner. Attached is a statement from the certified examiner I have selected verifying that he has been retained to conduct the examination. (If this box is marked, complete items 1 thru 7.)8/13/86 Date Lorin B. Lutschg Signature of Permit Holder (and title, if appropriate)

copy retained for file.

State of Idaho
Department of Water Resources

LICENSE EXAMINATION FEE SCHEDULE

(c.f.s. = cubic feet per second
AF = acre feet)

cfs	AF	Fee
0 - 0.04	0 - 4	\$ 0
.05 - 0.20	5 - 20	50.00
.21 - 1.0	21 - 100	100.00
1.01 - 2.0	101 - 200	125.00
2.01 - 3.0	201 - 300	150.00
3.01 - 4.0	301 - 400	175.00
4.01 - 5.0	401 - 500	200.00
5.01 - 6.0	501 - 600	225.00
6.01 - 7.0	601 - 700	250.00
7.01 - 8.0	701 - 800	275.00
8.01 - 9.0	801 - 900	300.00
9.01 - 10.0	901 - 1000	325.00
10.01 - 11.0	1001 - 1100	350.00
11.01 - 12.0	1101 - 1200	375.00
12.01 - 13.0	1201 - 1300	400.00
13.01 - 14.0	1301 - 1400	425.00
14.01 - 15.0	1401 - 1500	450.00
15.01 - 16.0	1501 - 1600	475.00
16.01 - 17.0	1601 - 1700	500.00
17.01 - 18.0	1701 - 1800	525.00
18.01 - 19.0	1801 - 1900	550.00
19.01 - 20.0	1901 - 2000	575.00
20.01 & over	2001 & over	600.00

Checks should be made payable to the
Department of Water Resources

No fee is required for single family
domestic use or stockwater use.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

34-7250
LUTSCHG, LORIN B.
P.O. BOX 86
ARCO, ID 83213

Mailing address:
Statehouse
Boise, Idaho 83720

0013493

JUL 30 1986

EXAMINATION FEE NOTICE

Dear Permit Holder:

Department records show that proof of beneficial use has been submitted for the above-referenced permit, but that a field examination has not yet been conducted to determine the extent of beneficial use of the water for licensing purposes.

House Bill 671 (effective April 4, 1986) enacted by the 1986 Idaho Legislature requires the payment of a fee before this department can conduct the field examination needed to issue a license confirming use of water under the permit. This letter is notification that the license examination fee is due within sixty (60) days of the date of this letter. The examination fee information sheet (enclosed) must be returned with the fee.

As an alternative to submitting the fee, the department will accept a field examination report completed by a certified water right examiner from the private sector. If you choose to have the examination done by a certified water right examiner, you need not submit the license examination fee to the department, but you must within sixty (60) days of the date of this letter return to the department, the examination fee information sheet showing appropriate information together with a statement from the certified examiner to verify that you have retained a certified examiner to conduct the field examination. If you choose this alternative, a completed field examination report must be submitted within one year of the date of this letter. You cannot later change your decision to use this alternative and submit the fee needed for the department to conduct the field examination, but you may change to another certified examiner.

Certified water right examiners are licensed engineers, geologists, or land surveyors certified by the department to conduct water right examinations. The procedure for certifying examiners results from the recently enacted HB 671 and is being developed at this time. A listing

JAN 15 1987

of certified water right examiners will be available from this department when examiners have been certified.

If your permitted use, in fact, has already been examined by the department and you have not asked to have the examination repeated, the fee requirement is not applicable to your permit. If you believe this is the case, please contact the department.

The license examination fee is to be based on the amount of water you indicate you have developed, as listed in item 6 on the examination fee information sheet. The amount of water on which the examination fee is based can be less than the permitted amount, if less water has been diverted and beneficially used. The licensed amount of water, however, will not exceed the amount you claim on the examination fee information sheet. The enclosed license examination fee schedule shows a listing of applicable fees.

FAILURE TO SUBMIT WITHIN THE SIXTY (60) DAY PERIOD, THE FEE OR THE STATEMENT THAT A CERTIFIED EXAMINER HAS BEEN RETAINED TO MAKE THE FIELD EXAMINATION, WILL BE CAUSE TO ADVANCE THE PRIORITY OF THE PERMIT ONE DAY FOR EACH DAY THAT THE FEE SUBMITTAL IS LATE.

FAILURE TO SUBMIT THE FEE OR THE COMPLETED FIELD EXAMINATION REPORT WITHIN A YEAR WILL BE CAUSE TO CONSIDER THE PROOF OF BENEFICIAL USE TO BE INCOMPLETE AND TO LAPSE THE PERMIT.

The attached examination fee information sheet and the fee may be submitted to the following department offices.

Northern Region

Idaho Dept. of Water Resources
4055 Government Way
Coeur d'Alene, ID 83814
Phone: 765-4639

Eastern Region

Idaho Dept. of Water Resources
150 Shoup Ave., Suite 15
Idaho Falls, ID 83401
Phone: 525-7161

Southern Region

Idaho Dept. of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, ID 83301
Phone: 734-3578

Western Region

Idaho Dept. of Water Resources
450 W. State St., (Third Floor)
Boise, ID 83720
Phone: 334-2190

Sincerely,



L. GLEN SAXTON
Chief, Operations Bureau

Enclosures

RECEIVED
FILMED

JAN 15 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

FEBRUARY 20, 1986

LORIN B. LUTSCHG
P.O. BOX 86
ARCO

ID 83213

RE: Permit No. 34-7250

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

RECEIVED
JAN 15 1986



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.

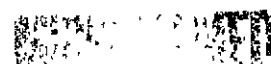
SPECIFICALLY, PURSUANT TO SECTION 42-203D, IDAHO CODE, THE DEPARTMENT MUST REVIEW ALL PERMITS FOR WHICH DEVELOPMENT OF WATER USE WAS NO COMPLETED ON OR BEFORE JULY 1, 1985, TO DETERMINE IF THEY MEET THE NEW REQUIREMENTS OF CHAPTER 2, TITLE 42, IDAHO CODE. RULES AND REGULATIONS GOVERNING THE RE-EVALUATION 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



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

138286

LUTSCHG, LORIN B.
P.O. BOX 86
ARCO, ID 83213

PROOF DUE NOTICE

AUGUST 31, 1985

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 34-7250 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE NOVEMBER 01, 1985. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST). ENCLOSED IS A FORM WHICH 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, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. AN EXTENSION OF TIME REQUEST FORM IS ENCLOSED FOR YOUR CONVENIENCE.

EITHER THE BENEFICIAL USE FORM OR A 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

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has completed development under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below:

Permit No. 31-7250

Name(s) of Permit Holder. LORIN B. LUTSCHG

Post Office Address. P.O. Box 86 ARCO, IDAHO 83213

Telephone No. 527-3248

Source of Water WELL

Extent of Use

Domestic 1 - used 2 yrs (number of households)

Stockwater 1 horse used 4 yrs (number and type of stock)

Irrigation 10 (acres)

Other/Remarks just completed installation for sprinkler system

Indicate the date water was first diverted and beneficially used under this permit. _____

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

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

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

Lorin Lutschg (Name)

175 Sunset Lane Arco (Address) 527-3248 (Telephone Number)

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

10/22/85 Date Lorin B. Lutschg Signature of Permit Holder (and Title, if appropriate)

RECEIVED

Place
Stamp
Here

Idaho Department of Water Resources
Statehouse Mail
Boise, ID 83720

December 15, 1981

Lorin B. Lutschg
Box 86
Arco, ID 83213

Dear Mr. Lutschg:

Re: Permit No. 34-7250

Enclosed are the statement of beneficial use postcard, the request for extension of time and receipt No. 21634 in the amount of \$15.00.

The request for extension of time has been approved. The time within which to submit the statement of beneficial use is extended to November 1, 1985. Please note also that the permit has been reinstated with an advance in priority.

I'm returning the statement of beneficial use since the extension request has been approved. Sixty days prior to November 1, 1985 you will receive another certified letter requesting that you submit the statement of beneficial use for the amount of the proposed project completed.

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

Sincerely,

RITA I. FLECK
Sr. Secretary

Enclosures

Lorin B. Litschky
P.O. box 86
Arco, Idaho
83213

Dept of Water Resources
Statehouse

Boise, Idaho
83720



CONVERSATION MEMORANDUM

DATE Dec 7, 1981FILE 34-7250NAME OF PARTY Mrs. Lorin B. LutscheEMPLOYEE Gita FleckRE: Extension of Time / Beneficial Use

I needed to determine if enough work had been completed to file the statement of beneficial use for the irrigation portion; hence the entire project.

According to Mrs. Lutsche, the distribution system has not been built, nor has the land been planted into pasture. I explained that the ~~land~~ department would accept the extension request & return the statement of beneficial use. I also suggested that the time requested be changed to 5 years. She agreed.

MICROFILMED

WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

Ninety days following the date of official action this file will be DESTROYED.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

LUTSCHG, LORIN B.
P.O. BOX 86
ARCO, ID 83213

NOVEMBER 05, 1981

DEAR PERMIT HOLDER:

YOU ARE HEREBY NOTIFIED THAT UNDER THE PROVISIONS OF SECTION 42-218A OF THE IDAHO CODE, PERMIT NO. 34-7250 HAS LAPSED. THIS OFFICE DID NOT RECEIVE EITHER A NOTICE THAT YOU HAVE COMPLETED THE PROJECT BY THE DATE REQUIRED ON YOUR PERMIT, OR A REQUEST FOR AN EXTENSION OF TIME. YOU WERE PROVIDED THE PROPER FORMS IN OUR NOTICE TO YOU DATED AUGUST 31, 1981.

YOUR PERMIT CANNOT BE REINSTITATED UNLESS YOU SUBMIT THE STATEMENT OF BENEFICIAL USE POSTCARD OR SUBMIT AN EXTENSION OF TIME REQUEST SHOWING REASONABLE CAUSE FOR DELAY. EITHER THE COMPLETED POSTCARD OR THE EXTENSION REQUEST MUST BE RECEIVED BY THIS OFFICE WITHIN SIXTY DAYS OF THE DATE OF THIS LAPSE NOTICE OR THE PERMIT WILL NO LONGER BE OF ANY FORCE OR EFFECT.

A STATEMENT OF BENEFICIAL USE POSTCARD AND A REQUEST FOR EXTENSION OF TIME FORM ARE ENCLOSED FOR YOUR USE. PLEASE NOTE THAT A FEE OF \$15.00 MUST ACCOMPANY AN EXTENSION OF TIME REQUEST.

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

ENCLOSURES

11-23-81

Rita Frank

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

LUTSCHG, LORIN B.
P.O. BOX 86
ARCO, ID 83213

#138501

AUGUST 31, 1981

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 34-7250 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE NOVEMBER 01, 1981. (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. A REQUEST FOR EXTENSION OF TIME FORM IS ENCLOSED FOR YOUR CONVENIENCE. PLEASE NOTE THAT A FEE OF \$15.00 MUST BE SUBMITTED WITH THIS FORM.

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

ENCLOSURES

S T A T E O F I D A H O
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

LUTSCHG, LORIN B.
P.O. BOX 86
ARCO, ID 83213

OCTOBER 23, 1980

RE: PERMIT NO. 34-7250

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

ENCLOSURE

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: Ernest

APPLICATION NUMBER:

34 7250

CHECK:

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

Field check by: _____

Date: _____

Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

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

Copies sent by: _____

Date: _____

PROCESSING:

- ☒ Yes ☐ No
☐ Yes ☒ No

Platted by: Ernest

Map No. 41.2660

Other rights on same place of use. _____

- ☒ Yes ☐ No*

In form for advertising.

Final date for protests: Aug. 25 ✓

- ☐ Yes ☒ No

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

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 9-10-1980 ✓
☒ 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? ✓

7-31-1980

Date of priority recommended.

Special conditions of approval or cover letter. _____

By: Ernest

Date: 9-11-1980

MICROFILMED

STATE OFFICE REVIEW:

2/10/80

- ☐ See attached sheet for more information.

By: Kenny

Date: 9/24/80

August 1, 1980

RE: Application for Permit No. 34-7250

Lorin B. Lutschg
P. O. Box 86
Aroc, ID 83213

Dear Mr. Lutschg:

Attached herewith is Departmental Receipt No. 14949 in the amount of \$45.00
for the above referenced application.

Sincerely,

KAY WALKER
Secretary

Attachment

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

AUGUST 1, 1980

The Arco Advertiser
Box "C"
Arco, Idaho 83213

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 AUGUST 25, 1980.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

MICROFILM

NOTICE OF APPLICATION FOR WATER RIGHT

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

If issued, the permits 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, 1515 Lincoln Road, Idaho Falls, Idaho 83401 on or before AUGUST 25, 1980.

C. STEPHEN ALLRED

Director

Published 8/17 & 21/80.

UNRECORDED

34-7250

LUTSCHG, LORIN B.

P.O. BOX 86, ARCO, ID 83213

Source: GROUNDWATER

Date Filed: 07/31/1980

Amount: 0.22 CFS

Diversion Point: SESW Sec 25 T 04N R 26E, BUTTE Co.

Use: IRRIGATION (0.20 CFS) from 04/01 to 10/15
DOMESTIC (0.02 CFS) from 01/01 to 12/31

Place of Use: SESW Sec 25 T 04N R 26E FOR 10 ACRES

Diversion Means: WELL & PUMP.

PUBLIC NOTICE

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application has been submitted for permit to appropriate the public waters of the State of Idaho.

34-7250

LUTSCHG, LORIN B.
P. O. BOX 86, ARCO, ID 83213
Source: GROUNDWATER
Date Filed: 07-31-1980
Amount: 0.22 CFS
Diversion Point: SESW Sec 25 T
04N R 26E, BUTTE Co.
Use: IRRIGATION — (0.20 CFS)
from 04-01 to 10-15
DOMESTIC — (0.02 CFS) from
01-01 to 12-31
Place of Use: SESW Sec 25 T 04N
R 26E FOR 10 ACRES.
Diversion Means: WELL &
PUMP.

If issued, the permit 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, 1515 Lincoln Road, Idaho Falls, Idaho 83401 on or before AUGUST 25, 1980.

C. STEPHEN ALLRED
Director

Published 8-07 & 8-14-80.

date

OK 7/11

REFILED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V Evans
Governor

C. Stephen Allred
Director

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

July 28, 1980

Lorin B. Lutschg
P. O. Box 86
Arco, ID 83213

Dear Mr. Lutschg:

We have reviewed your application for permit and find it to be in correct form. It is being returned, however, because it was not accompanied by the statutory filing fee. When you resubmit your application make sure that it is sent to this office along with a check for \$45.00.

Feel free to call or contact me should you have any questions concerning this matter.

Respectfully submitted,

ERNEST CARLSEN
Sr. Resource Analyst

EC:kw
Enclosure

MICROFILMED