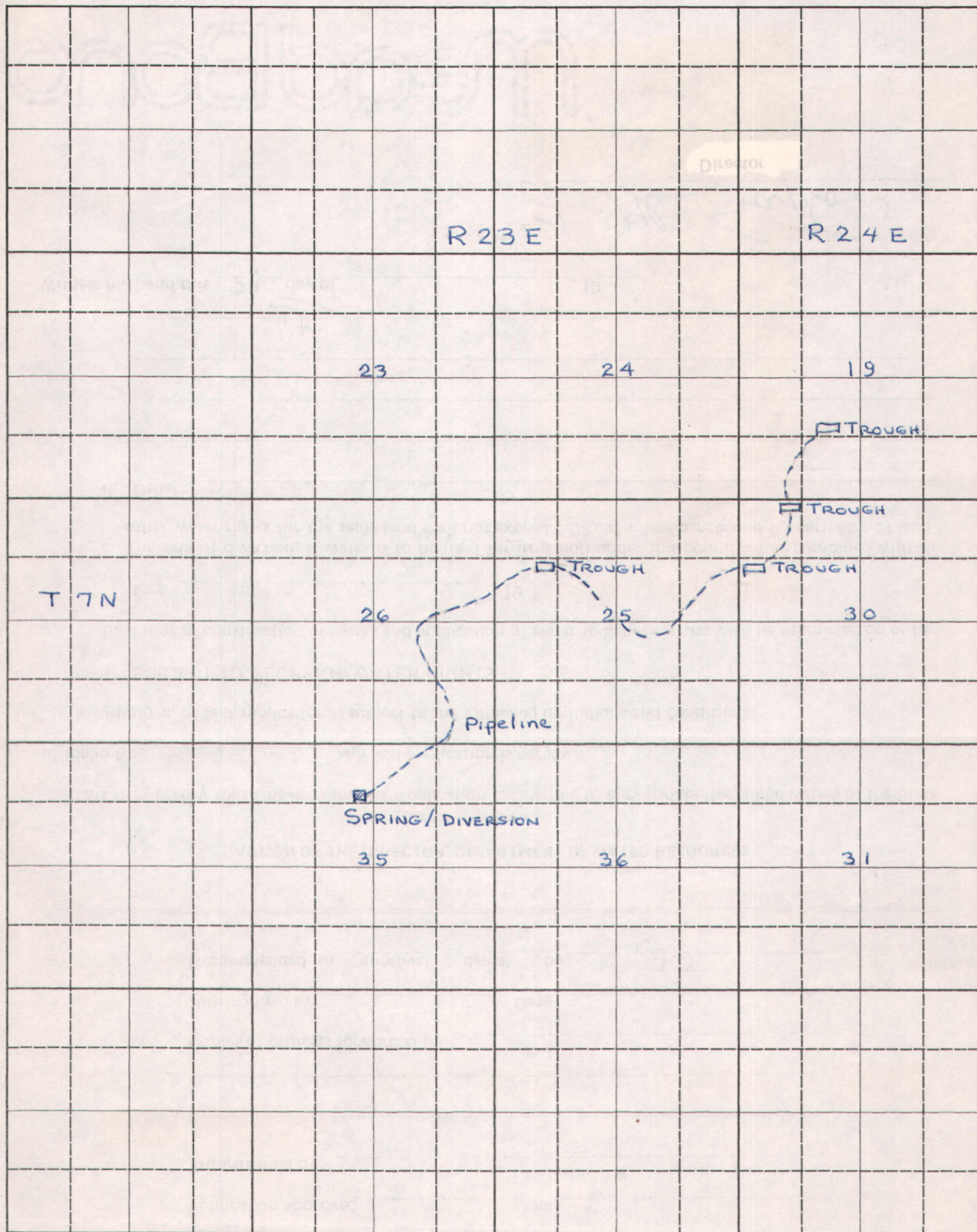


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

*Adrian Dalton*

(Applicant)

For JEFF M. SIRMON, Deputy Regional Forester -  
Resources

# 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 JULY 5  
1979 and ending with the issue  
dated JULY 12, 1979.

Margaret Parks  
Subscribed and sworn to before  
me this 18 day of July,  
1979.

Shirley M. Jones  
Notary Public, residing at Challis,  
Idaho. My commission expires on  
April 30, 1983.

## 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:

34-7229

U.S. FOREST SERVICE  
324 25TH STREET, OGDEN, UT  
84401

Source: LUCK GULCH (RIO  
GRANDE) tributary to BIG LOST  
RIVER

Date Filed: 06/19/1979

Amount: 0.0250-CFS

Diversion Point: NENW Sec 35 T 07N  
R 23E, CUSTER Co.

Use: STOCKWATER (0.0250 CFS)  
from 05/01 to 06/30

Place of Use: SWNW Sec 25 T 07N R  
23E NWNW SWNW Sec 30 T 07N R  
24E NESW Sec 19 T 07N R 24E

Diversion Means: HEADGATE,  
PIPE & TROUGHS

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 Rd., Idaho  
Falls, Idaho 83401 on or before July  
23, 1979.

C. STEPHEN ALLRED  
Director

Pub. 7/5 & 7/12

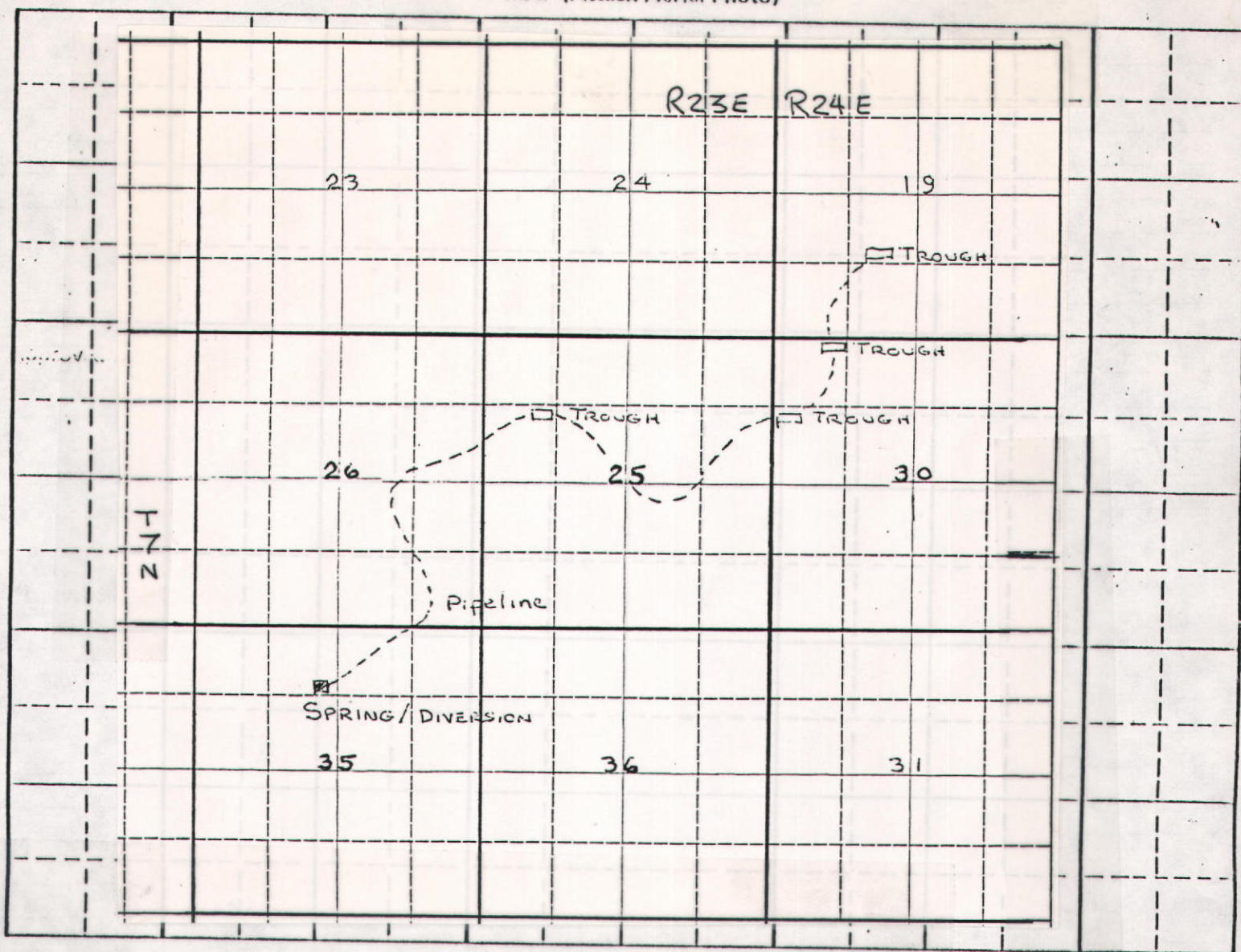
000

RECEIVED

JUL 23 1979

Department of Water Resources  
Eastern District Office

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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

Point(s) of diversion: NE <sup>NW</sup> 1/4 1/4 SEC. 35 TWR. 7 N. R. 23 E.

Place(s) of Use

| 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 |        |
| 7 N  | 23 E | 25   |        |        |        |        |        |        | S      |        |        |        |        |        |        |        |        |        | S      |
| 7 N  | 24 E | 30   |        |        |        |        |        | S      | S      |        |        |        |        |        |        |        |        |        |        |
| 7 N  | 24 E | 19   |        |        |        |        |        |        |        | S      |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        | S      |

Recommended Amendments:

- ☐ Change P.D. as reflected above  
☐ Change P.U. as reflected above

- ☐ Add P.D. as reflected above  
☐ Add P.U. as reflected above

- ☒ None  
☐ Other

Examiner's Signature Samuel Filipek

Checked by Keith Carlson

Approved by Jim

Date 7/23/86

Date 24 Sept 1986

Date 12-5-86

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DEC 16 1986

State of Idaho  
Department of Water Resources



# WATER RIGHT LICENSE

License No. 34-7229      Priority      July 15, 1979      Amount 0.03 CFS      2.0 AF

THIS IS TO CERTIFY that U.S. DEPT. OF AGRI., FOREST SERVICE of OGDEN, UTAH, has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated June 19, 1979, and has submitted proof to the Department of Water Resources on August 27, 1980, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a capacity of 0.03 cfs of water from Lucky Gulch tributary to Big Lost River 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 - 06/30        | 0.03 cfs                 | 2.0 af        |

Location of point of diversion: NENW, Sec. 35, Twp 7N, Rge 23E, Custer Co.

Place of use:

| TWP | RGE | SEC | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | TOTAL |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |       |
| 7N  | 23E | 25  | :  | :  | :  | :  | :  | :  | :  | :  | :  | :  | :  | :  | :  | :  | :  | :  | :     |
| 7N  | 24E | 30  | :  | :  | :  | :  | :  | X  | X  | :  | :  | :  | :  | :  | :  | :  | :  | :  | :     |
|     |     | 19  | :  | :  | :  | :  | :  | :  | :  | X  | :  | :  | :  | :  | :  | :  | :  | :  | :     |
|     |     |     | :  | :  | :  | :  | :  | :  | :  | :  | :  | :  | :  | :  | :  | :  | :  | :  | :     |
|     |     |     | :  | :  | :  | :  | :  | :  | :  | :  | :  | :  | :  | :  | :  | :  | :  | :  | :     |
|     |     |     | :  | :  | :  | :  | :  | :  | :  | :  | :  | :  | :  | :  | :  | :  | :  | :  | :     |
|     |     |     | :  | :  | :  | :  | :  | :  | :  | :  | :  | :  | :  | :  | :  | :  | :  | :  | :     |

Total number of acres irrigated:

Use of water under this license is subject to control by the watermaster of State Water District No. 34, Big Lost River.

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.

NOTE: The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law.

This right is subject to all prior water rights and may be forfeited by five years of non-use.

Witness the seal and signature of the Director, affixed at Boise, this 9<sup>th</sup> day of

DECEMBER, 1986

**MICROFILMED**

\_\_\_\_\_  
Director

DEC 10 1986

JIM

BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE  
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 34-7229 )  
IN THE NAME OF U.S. FOREST SERVICE )

ORDER OF REINSTATEMENT

WHEREAS, on June 19, 1979, the U.S. Forest Service applied to the Department of Water Resources for a permit to appropriate 0.025 cubic feet per second of water from Lucky Gulch tributary of the Big Lost River, to be diverted within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ , Sec. 35, Twp. 7N, Rge. 23E B.M., Custer County, to be used for stockwatering purposes; and,

WHEREAS, on July 31, 1979, the Department approved said application and issued Permit No. 34-7229 with the condition that proof of construction of works and application of water to beneficial use be submitted on or before August 1, 1980; and,

WHEREAS, on May 31, 1980, the Department notified the permit holder by certified mail that proof of beneficial use was due and instructed the permit holder as to the steps to be taken to make said proof; and,

WHEREAS, on August 1, 1980, the permit automatically lapsed for failure of the permit holder to submit proof of beneficial use; and,

WHEREAS, Section 42-204, Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days from the date of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing as to why said permit should be reinstated by submitting proof of beneficial use on August 27, 1980;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 34-7229 be REINSTATED and the priority advanced to July 15, 1979.

Dated this 8<sup>th</sup> day of September, 1980.

  
L. GLEN SAXTON

Chief, Operations Bureau

**MICROFILMED**

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR PERMIT

RECEIVED  
APPROVED  
JUN 20 1979

To appropriate the public waters of the State of Idaho

Department of Water Resources

1. Name of applicant U.S. Forest Service Phone (801) 626-3561

Post office address 324 - 25th Street, Ogden, Utah 84401

2. Source of water supply Lucky Gulch (Rio Grande) which is a tributary of Big Lost River

3. Location of point of diversion is NE  $\frac{1}{4}$  of NW  $\frac{1}{4}$  of Section 35 Township 7N  
Range 23E B.M. Custer County, additional points of diversion if any: \_\_\_\_\_

4. Water will be used for the following purposes:

Amount .025 cfs for Stockwatering purposes from May 1 to June 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. .025 cubic feet per second and/or b. \_\_\_\_\_ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Vertically installed culvert  
with perforated base serves as headgate. Four water troughs are  
supplied via 1 $\frac{1}{2}$  pipe.

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:

|                                                                                                                                      |    |    |          |
|--------------------------------------------------------------------------------------------------------------------------------------|----|----|----------|
| SW                                                                                                                                   | NW | 25 | 7N R 23E |
| NW                                                                                                                                   | NW | 30 | 7N R 24E |
| SW                                                                                                                                   | NW | 30 | 7N R 24E |
| (1) Give the place of use of water: <u>NE</u> $\frac{1}{4}$ of <u>SW</u> $\frac{1}{4}$ of Section <u>19</u> Township <u>7N R 24E</u> |    |    |          |

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

(3) List number of each kind of livestock to be watered 900 beef 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: \_\_\_\_\_

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

[illegible]

**Total number of acres to be irrigated**

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

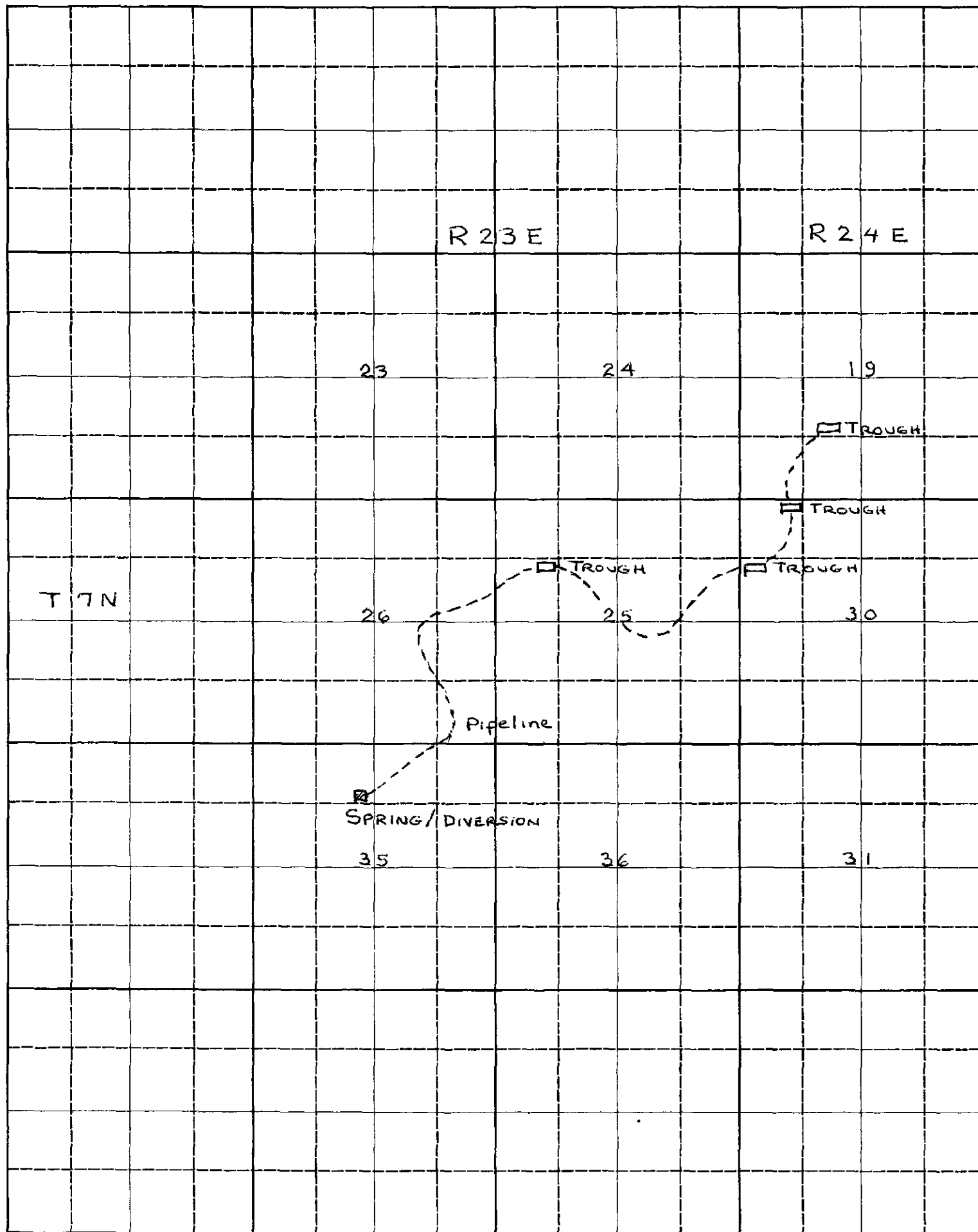
9. a. Who owns the property at the point of diversion U.S. Government (USFS)

b. Who owns the land to be irrigated or place of use U.S. Government (USFS, BLM)

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

10. Remarks This (Lucky Gulch) stream has had historic use of livestock  
watering without diversion dating back to 1900. Actual diversion  
to watering troughs occurred in 1975. At that time, the reservation  
principle applied. It should be noted that this diversion is a key  
to the rest-rotation practice the U.S. Forest has adopted to manage  
range use.

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.

*Adrian Dalton*  
(Applicant)  
for JEFF M. SIRMON, Deputy Regional Forester -  
Resources

Proposed Priority 6/11/79

Received by dh Date 6-19-79 Time 11:00 am  
Preliminary check by ARK Fee \$ 20.00  
voucher forwarded 6-20-79  
Receipted by \_\_\_\_\_ Date \_\_\_\_\_  
Publication prepared by dh Date 6-29-79  
Published in Custer Publishing Co.  
Publication dates July 5 & 12, 1979  
Publication approved gf Date 7/24/79  
Protests filed by: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Copies of protests forwarded by \_\_\_\_\_  
Hearing held by \_\_\_\_\_ Date \_\_\_\_\_  
Recommended for approval denial by EMC J.J.

**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. 34-7229, 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 August 1, 19 80.
- 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: Use of water under this permit is subject to control by the water-  
master of State Water District #34, Big Lost River.

Witness my hand this 31<sup>st</sup> day of July, 19 79.

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

# AFFIDAVIT OF PUBLICATION

State of Idaho, County of Custer, ss:

I, *Challis Messenger*,  
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 *July 5*,  
19*79*, and ending with the issue  
dated *July 19*, 19*79*.

Subscribed and sworn to before  
me this *18* day of *July*,  
19*79*.

*Shanda M. Jones*  
Notary Public, residing at Challis,  
Idaho. My commission expires on  
*April 30, 1983*.

## NOTICE OF APPLICATION FOR WATER RIGHT

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

U.S. FOREST SERVICE  
324, 25TH STREET, LOGAN, UT  
84401

Source: *CHALLIS RIVER*  
GRANDE RIVER to BIG Lost  
RIVER

Date Filed: *06/10/79*

Amount: *0.0250 CFS*

Diversion Point: *NENW Sec 05 T27N  
R 02E C 03N 02E*

Use: *STOCKWATER* *0.0250 CFS*  
from *05/01 to 05/31*

Place of Use: *SWNW Sec 25 T 07N R  
23E NWNW Sec 05 T 07N R*

*24E NESW Sec 19 T 07N R 04E*

Diversion Means: *HEADGATE  
PIPE*

If issued, the permit will be subject  
to all provisions of the Idaho  
against the bringing of any permit  
must be filed with the Director of the  
Idaho Department of Water  
Resources, 1515 Lincoln Rd., Logan  
Falls, Idaho 83401 on or before  
23, 1979.

C. STEPHEN ALLRED  
Director  
Pub. 7/5 & 7/12

RECEIVED

JUL 23 1979

Department of Water Resources  
Eastern District Office

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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

December 9, 1986

RE: Permit Nos. 34-7229/7258 thru 7262/7264 thru 7271/7273 thru 7285/  
7287/7298/7300 thru 7303/7305 thru 7310/7312/7315  
thru 7330

U.S. Dept. of Agri.  
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.

Sincerely,

JIM JOHNSON  
Water Rights Supervisor

JJ:sc

Enclosures

RECEIVED

DEC 10 1986

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

34-7229

Permit No.

RECEIVED

## CONTACT WITH PERMIT HOLDER

DATE

INITIALS

SEP 26 1986

REMARKS

☐ Appointment letter mailed:☐ 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- 0.025 cfs

Source Lucky Gulch

Tributary to Big Lost River

Total Q measured

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

$$V = \frac{900 \text{ Head} \times 12 \text{ gal/day/head} \times 60 \text{ days}}{325,850 \text{ gal/af}} = 2.0 \text{ afa}$$

| WELL/DIV.<br>NO.* | HP | MOTOR<br>MAKE | MOTOR<br>SERIAL NO. | PUMP<br>MAKE | PUMP<br>SERIAL NO. | MEASURING<br>DEVICE TYPE | CONDITION OF<br>MEAS. DEVICE | REMARKS |
|-------------------|----|---------------|---------------------|--------------|--------------------|--------------------------|------------------------------|---------|
|                   |    |               |                     |              |                    |                          |                              |         |
|                   |    |               |                     |              |                    |                          |                              |         |
|                   |    |               |                     |              |                    |                          |                              |         |
|                   |    |               |                     |              |                    |                          |                              |         |

System Description HEADBOX PIPED TO 4 TROUGH(S)

\*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

.03

0.025 cfs

2.0 afa

5/1

6/30

.03

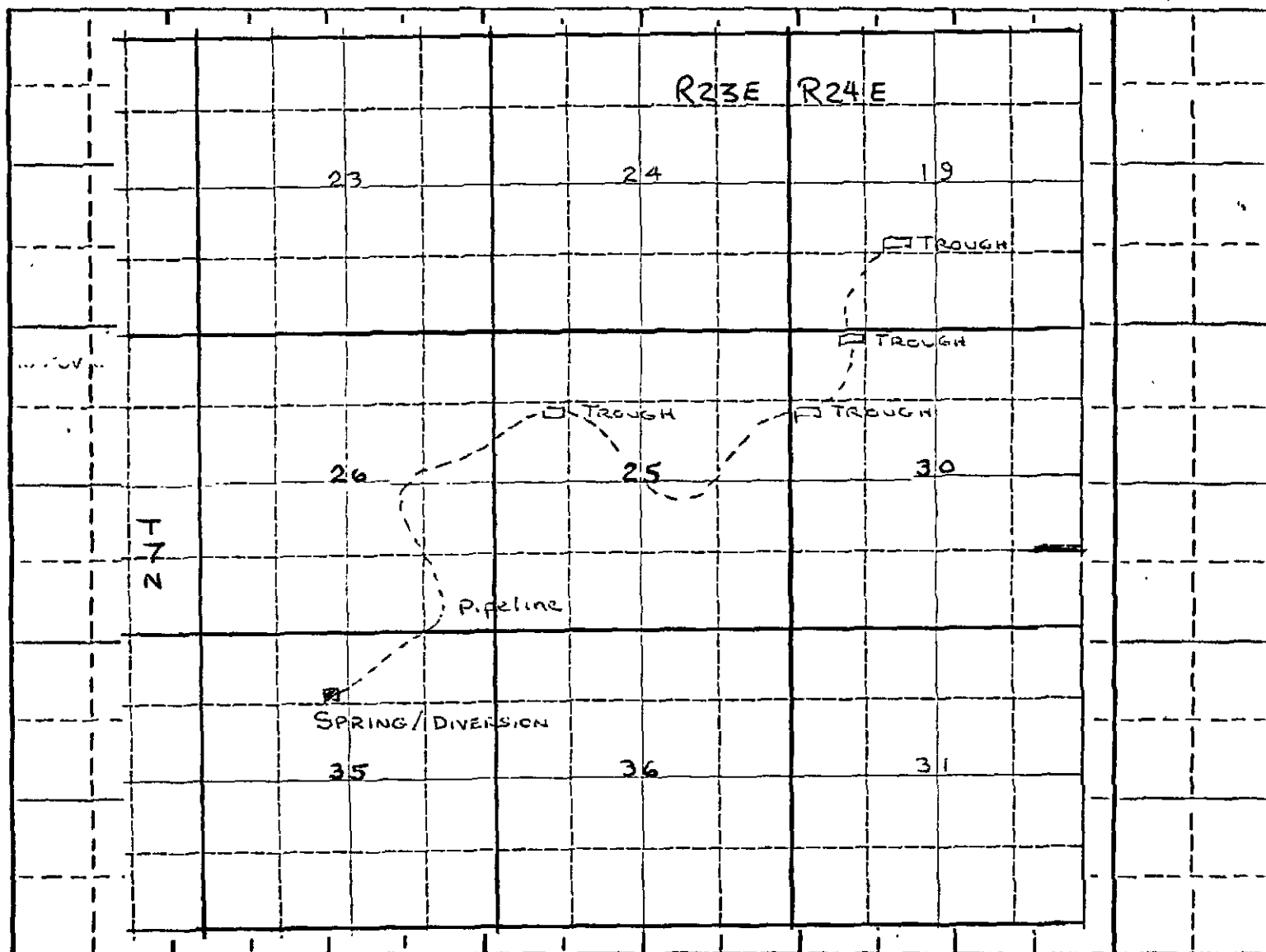
Total

0.025 cfs

2.0 afa

Remarks STOCKWATER FOR 900 RANGE CATTLE

(Source aka Rio Grande)



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

Point(s) of diversion: NE <sup>NW</sup> 1/4 SEC. 35 TWR. 7 N. R. 23 E.

Place(s) of Use

| TWP. | RGE. | SEC. | NE% |     |     |     | NW% |     |     |     | SW% |     |     |     | SE% |     |     |     | TOTALS |
|------|------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|      |      |      | NE% | NW% | SW% | SE% | NE% | NW% | SW% | SE% | NE% | NW% | SW% | SE% | NE% | NW% | SW% | SE% |        |
| 7 N  | 23 E | 25   |     |     |     |     |     |     | S   |     |     |     |     |     |     |     |     |     | S      |
| 7 N  | 24 E | 30   |     |     |     |     |     | S   | S   |     |     |     |     |     |     |     |     |     |        |
| 7 N  | 24 E | 19   |     |     |     |     |     |     |     |     | S   |     |     |     |     |     |     |     |        |
|      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     | S      |

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

Examiner's Signature Samuel P. Pili  
 Checked by Keith C. Wilson  
 Approved by Jim

Date 7/23/86  
 Date 24 Sept 1986  
 Date 12-5-86

MAINTAINED



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

Sept. 16, 1980

RE: Permit No. 34-7229

United States of America, Forest Service  
Federal Building  
324 25th Street  
Ogden, Utah 84401

Gentlemen:

Permit reinstated and priority advanced to July 15, 1979.  
We acknowledge receipt of the proof of beneficial use card  
submitted for the above referenced permit.

Before a license can be issued, a field examination must be  
made by a representative of this department. We cannot tell  
just when this examination will be made, but our examiner  
will try to contact you at the time he makes the examination  
so that you may show him the system.

If you have any questions regarding the field examination,  
please contact our eastern regional office.

Very truly yours,

BOBBIE R. STEPHENS  
SR. CLERK

cc: IDWR - State Office

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RECEIVED

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

AUG 27 1980

Department of Water Resources

2540

August 22, 1980



Mr. C. Stephen Allred  
State Engineer  
Idaho Department of Water Resources  
Statehouse  
Boise, Idaho 83720

L

Dear Mr. Allred:

Enclosed is a completed Proof of Development for Permit Number 34-7229,  
Lucky Gulch, for the Challis National Forest.

Thank you for your assistance.

Sincerely, ,

ADRIAN E. DALTON  
(for) Deputy Regional Forester  
Resources

Enclosure

MICROFILMED

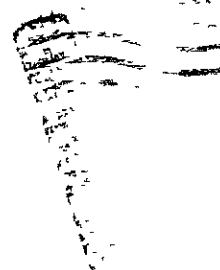
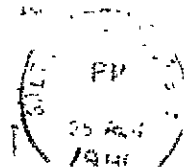
UNITED STATES DEPARTMENT OF AGRICULTURE  
REGIONAL OFFICE U. S. FOREST SERVICE

FEDERAL OFFICE BUILDING

324 - 25TH STREET

OGDEN, UTAH 84401

OFFICIAL BUSINESS



Mr. C. Stephen Allred  
State Engineer  
Idaho Department of Water Resources  
Statehouse  
Boise, Idaho 83720

PLACE  
TEN CENT  
STAMP  
HERE



IDAHO DEPARTMENT OF WATER RESOURCES  
STATEHOUSE  
BOISE, IDAHO 83720

# DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No 34 7229.

Name(s) of Permit Holder: United States of America, Forest Service

Post Office Address: Federal Building, 324 25th Street

Ogden, Utah 84401

Tel. No (801) 626-3561

Source of Water: Lucky Gulch (Rio Grande)

Extent of Use: ☐ Domestic (number of households)  
☒ Stockwater 900 cattle (number and type of stock)  
☐ Irrigation (acres)  
☐ Other

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

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

The above information is a true statement of the extent to which the above numbered permit has been developed. (for) Deputy Regional Forester, Resources

8/22/80

Date

James Dalton  
Signature of Permit Holder

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

108121

MAY 31, 1980

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 34-7229 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE AUGUST 01, 1980. (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

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS  
Governor

C. STEPHEN ALLRED  
Director

Mailing address:  
Statehouse  
Boise, Idaho 83720  
(208) 384-2215

August 6, 1979

U. S. Forest Service  
324 - 25th Street  
Ogden, Utah 84401

Dear Gentlemen,

RE: Permit No. 34-7229

Enclosed is a copy of your approved Application for Permit. We direct your attention to the conditions of approval on the fourth page.

The exercise of this permit may also be affected by the court's determination of water rights in the case of Idaho Power Company v. State of Idaho, et al., Civil No. 62237, currently pending before the District Court of Ada County.

Idaho Power officials tell us that because of Case No. U-1006-124 filed before the Idaho Public Utilities Commission, Idaho Power Company is asking the District Court of Ada County to determine whether the Power Company's water rights on the Snake River are protected against subsequent upstream appropriations in the waters of the Snake River and surface and subterranean tributaries between Milner Dam and Hells Canyon.

Since the use of water under your permit may affect the flows in this reach of the Snake River, the final decision in Idaho Power Company v. State of Idaho, et al. (Ada County Civil No. 62237) may determine to what extent the exercise of your permit may be subject to the water rights of Idaho Power.

While the Ada County court is examining this question, Idaho Power Company has not filed a specific protest to your permit. However, the Department of Water Resources has been advised that the Power Company is not waiving any of its rights to contest or limit the exercise of your permit or a subsequent license or water right.

If you have any questions, please let us know.

Sincerely,

*David R. Tuthill Jr.*

DAVID R. TUTHILL, JR.  
Supervisor, Water Allocations Section

DRT:lr

Enclosure **MICROFILMED**



# United States Department of the Interior

IN REPLY REFER TO  
7421.13

BUREAU OF LAND MANAGEMENT  
SALMON DISTRICT OFFICE  
P.O. Box 430  
Salmon, Idaho 83467

July 13, 1979

**RECEIVED**

JUL 13 1979

Department of Water Resources  
Eastern District Office

State of Idaho  
Department of Water Resources  
1515 Lincoln Road  
Idaho Falls, Idaho 83401

Dear Mr. Carlson:

RE: Application for Permit Number 34-7229

The Bureau of Land Management has a keen interest in this application to appropriate public waters by the U.S. Forest Service. In 1978, BLM added a considerable length of pipeline and three watering troughs (cost \$5,100.00) onto the end of the already existing U.S.F.S. pipeline which diverts water from the source of water supply in question. This watering system is vitally needed to implement the grazing system for approximately 900 cattle on BLM administered lands.

We appreciate the opportunity to comment on this application and support the applicant fully. If further input is needed from BLM please let us know.

Sincerely,

*Harry R. Finlayson*  
Harry R. Finlayson  
District Manager

**MICROFILMED**



**RECEIVED**

JUL 16 1979

Department of Water Resources  
Eastern District Office

July 2, 1979

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

Gentlemen:

Re: Application for Permit No. 34-7229

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 July 23, 1979 and we are required to take final action shortly thereafter.

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

Very truly yours,

RONALD D. CARLSON  
Supervisor  
Eastern Region

RDC:dh

Enc.

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Eastern Region

---

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

JUNE 29, 1979

Custer 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 JULY 23, 1979,

Yours truly,

RONALD D. CARLSON  
Supervisor

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:

34-2229-

U.S. FOREST SERVICE

324 25TH STREET, OGDEN, UT 84401

Source: LUCK GULCH (RIO GRANDE) tributary to BIG LOST RIVER

Date Filed: 06/19/1979

Amount: 0.0250 CFS

Diversion Point: NENW Sec 35 T 07N R 23E, CUSTER Co.

Use: STOCKWATER (0.0250 CFS) from 05/01 to 06/30

Place of Use: SWNW Sec 25 T 07N R 23E NWNW SWNW Sec 30 T 07N R 24E NESW  
Sec 19 T 07N R 24E

Diversion Means: HEADGATE, PIPE & TROUGHS

with the Director of the Idaho Department of Water Resources, 1515  
Lincoln Rd., Idaho Falls, Idaho 83401 on or before JULY 23, 1979.

C. STEPHEN ALLRED

Director

Published 7/5 & 7/12/79.

**MICROFILMED**

MEMO TO FILE

DATE: June 25, 1979

RE: Advertising

This application (claim) was scheduled to be advertised on June 28 and July 5. However, because of a power outage on June 22, this advertising could not be entered into the regional computer, causing it to be delayed one week.

**REPROFILMED**

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                             |                                                                                                                                                |                                   |                                                                                                               |              |                                                                |                   |  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|---------------------------------------------------------------------------------------------------------------|--------------|----------------------------------------------------------------|-------------------|--|
| Standard Form 1034<br>7 GAO 5000<br>1034-113                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                             | <b>PUBLIC VOUCHER FOR PURCHASES AND SERVICES OTHER THAN PERSON</b>                                                                             |                                   |                                                                                                               |              | VOUCHER NO.                                                    |                   |  |
| U.S. DEPARTMENT, BUREAU, OR ESTABLISHMENT AND LOCATION<br><br>U.S. Department of Agriculture<br>Forest Service<br>324 25th Street<br>Ogden, Utah 84401                                                                                                                                                                                                                                                                                                                                                                                                                |                             |                                                                                                                                                |                                   | DATE VOUCHER PREPARED<br>June 11, 1979                                                                        |              | SCHEDULE NO.                                                   |                   |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                             |                                                                                                                                                |                                   | CONTRACT NUMBER AND DATE                                                                                      |              | PAID BY                                                        |                   |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                             |                                                                                                                                                |                                   | REQUISITION NUMBER AND DATE                                                                                   |              |                                                                |                   |  |
| PAYEE'S NAME AND ADDRESS<br><br>Mr. C. Stephen Allred<br>State Engineer<br>Idaho Department of Water Resources<br>Statehouse<br>Boise, Idaho 83720                                                                                                                                                                                                                                                                                                                                                                                                                    |                             |                                                                                                                                                |                                   | <div style="border: 1px solid black; padding: 5px; display: inline-block;">           RECEIVED         </div> |              | DATE INVOICE RECEIVED                                          |                   |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                             |                                                                                                                                                |                                   |                                                                                                               |              | DISCOUNT TERMS                                                 |                   |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                             |                                                                                                                                                |                                   |                                                                                                               |              | PAYEE'S ACCOUNT NUMBER                                         |                   |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                             |                                                                                                                                                |                                   |                                                                                                               |              | GOVERNMENT B/L NUMBER                                          |                   |  |
| SHIPPED FROM                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                             | TO                                                                                                                                             |                                   | WEIGHT                                                                                                        |              | GOVERNMENT B/L NUMBER                                          |                   |  |
| NUMBER AND DATE OF ORDER                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | DATE OF DELIVERY OR SERVICE | ARTICLES OR SERVICES<br><i>(Enter description, item number of contract or Federal supply schedule, and other information deemed necessary)</i> | QUANTITY                          | UNIT PRICE<br>COST      PER                                                                                   |              | AMOUNT<br>(\$)                                                 |                   |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 6/11/79                     | Filing fee for Application for Permit on the Challis National Forest.                                                                          | 1                                 | \$20                                                                                                          | ea.          | \$20.00                                                        |                   |  |
| I certify that the above bill is correct and just and that payment therefor has not been received.                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                             |                                                                                                                                                |                                   |                                                                                                               |              |                                                                |                   |  |
| Date <u>6/11/79</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                             | Payee <u>C. Stephen Allred, State Eng.</u>                                                                                                     |                                   |                                                                                                               |              |                                                                |                   |  |
| (Use continuation sheet(s) if necessary)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                             |                                                                                                                                                |                                   |                                                                                                               |              | TOTAL \$20.00                                                  |                   |  |
| PAYMENT<br><input type="checkbox"/> COMPLETE<br><input type="checkbox"/> PARTIAL<br><input type="checkbox"/> FINAL<br><input type="checkbox"/> PROGRESS<br><input type="checkbox"/> ADVANCE                                                                                                                                                                                                                                                                                                                                                                           |                             | APPROVED FOR<br>BY -<br>TITLE                                                                                                                  |                                   | EXCHANGE RATE<br>= \$1.00                                                                                     |              | DIFFERENCES                                                    |                   |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                             |                                                                                                                                                |                                   |                                                                                                               |              | Amount verified; correct for<br><i>(Signature or initials)</i> |                   |  |
| Pursuant to authority vested in me, I certify that this voucher is correct and proper for payment                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                             |                                                                                                                                                |                                   |                                                                                                               |              |                                                                |                   |  |
| (Date)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                             | (Authorized Certifying Officer)                                                                                                                |                                   |                                                                                                               |              | (Title)                                                        |                   |  |
| ACCOUNTING CLASSIFICATION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                             |                                                                                                                                                |                                   |                                                                                                               |              |                                                                |                   |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                             |                                                                                                                                                |                                   |                                                                                                               |              |                                                                |                   |  |
| PAID BY                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | CHECK NUMBER                |                                                                                                                                                | ON TREASURER OF THE UNITED STATES |                                                                                                               | CHECK NUMBER |                                                                | ON (Name of bank) |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | CASH                        |                                                                                                                                                | DATE                              |                                                                                                               | PAYEE'S      |                                                                |                   |  |
| 1 When stated in foreign currency, insert name of currency.<br>2 If the ability to certify and authority to approve are combined in one person, one signature only is necessary, otherwise the approving officer will sign in the space provided, over his official title.<br>3 When a voucher is received in the name of a company or corporation, the name of the person writing the company or corporate name, as well as the capacity in which he signs, must appear. For example "John Doe Company, per John Smith Secretary, or Treasurer", as the case may be. |                             |                                                                                                                                                |                                   |                                                                                                               |              | PER<br><br>TITLE                                               |                   |  |

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

2540

JUN 12 1979

RECEIVED



JUN 12 1979

Mr. C. Stephen Allred  
Idaho Dept. of Water Resources  
Statehouse  
Boise, Idaho 83720

Department of Water Resources

Dear Mr. Allred:

Enclosed is an "Application for Permit" to appropriate water on the Challis National Forest together with a voucher for \$20 to cover filing fees. Please sign the voucher and return to us for processing.

Thank you for your assistance.

Sincerely,

*Jeff M. Sirmon*  
for JEFF M. SIRMON  
Deputy Regional Forester  
Resources

Enclosure

RECEIVED

JUN 19 1979

Department of Water Resources  
Eastern District Office

MICROFILMED

State of Idaho  
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

U.S.F.S.

INITIAL REVIEW BY: ARK

APPLICATION NUMBER: \_\_\_\_\_

CHECK:

53

- ☒ 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. Copies sent by: \_\_\_\_\_ Date: \_\_\_\_\_  
☐ Idaho Fish and Game Department. \_\_\_\_\_  
☐ Idaho Department of Lands. \_\_\_\_\_  
☒ U.S. Bureau of Land Management. \_\_\_\_\_  
☐ U.S. Forest Service. \_\_\_\_\_  
☒ Other Ernest Gilbert - Watermaster \_\_\_\_\_

PROCESSING:

- ☒ Yes ☐ No Platted by: ARK Map No. Topo W-29  
☒ Yes ☐ No Other rights on same place of use. Seigatz - license for mining  
☒ Yes ☐ No\* In form for advertising.  
Final date for protests: July 23, 1979  
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 7/23/79  
☒ 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  
6/1/79 Date of priority recommended.  
Special conditions of approval or cover letter. \_\_\_\_\_

Send Snake River Tributary Letter.

By: Ernest Carlson

Date: \_\_\_\_\_

RECEIVED

JUL 23 1979

STATE OFFICE REVIEW:

05 (34 Big Lost River)  
IF Letter w/o conditions

Department of Water Resources

- ☐ See attached sheet for more information.

RECEIVED

Date: \_\_\_\_\_

7/31/79