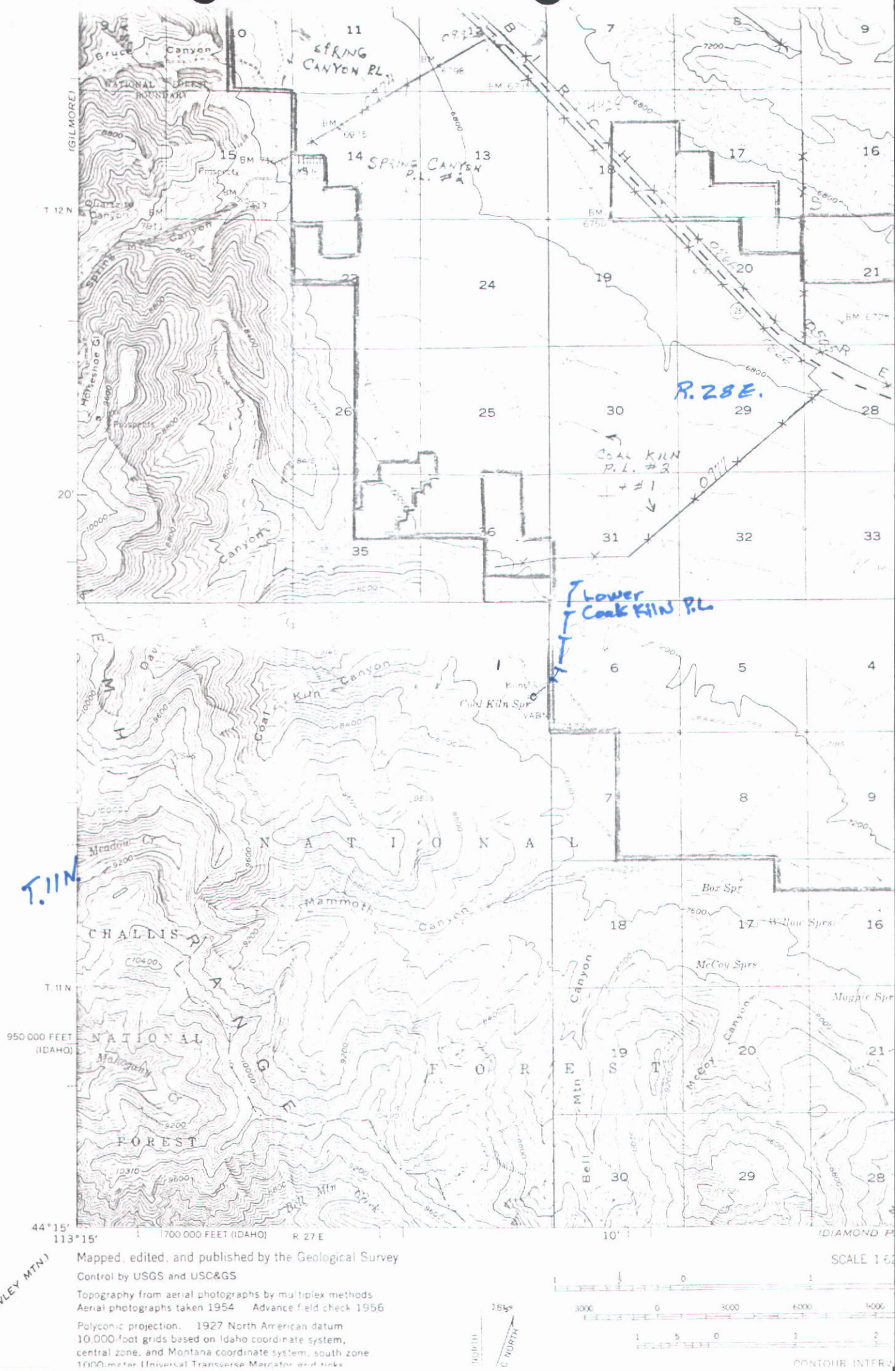
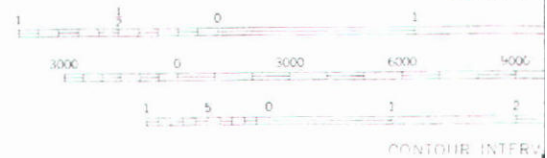




Mapped, edited, and published by the Geological Survey
Control by USGS and USC&GS
Topography from aerial photographs by multiplex methods
Aerial photographs taken 1954 Advance field check 1956
Polyconic projection. 1927 North American datum
10,000-foot grids based on Idaho coordinate system,
central zone, and Montana coordinate system, south zone
1000-meter Universal Transverse Mercator and ticks



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.

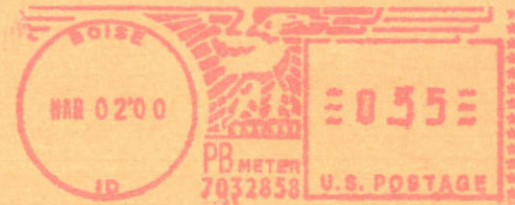
Kenneth L. Webb
(Applicant) DISTRICT MANAGER

RECORDED

Water Resources

3.9.00 Alan B. [unclear]
and verified the BLM
current address in [unclear]
RT 2 Box 610
Database (WRB) updated &
Mail resent. Ret

RECEIVED
MAR 09 2000
Department of Water Resources



RETURNED TO SENDER
BOX CLOSED
NO FORWARDING
ORDER ON FILE

MICROFILMED
MAR 22 2000

IDAHO DEPARTMENT OF WATER RESOURCES
1301 North Orchard St.
P.O. Box 83720
Boise, ID 83720-0098
(208) 327-7900

TO

L32-07135
US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
PO BOX 430
SALMON ID 83467

RETURNED TO SENDER
BOX CLOSED
NO FORWARDING
ORDER ON FILE

RETURNED TO SENDER
UNDELIVERABLE
AS ADDRESSED
UNABLE TO
FORWARD

Coal Kiln Pipeline
A32-02154
3204688012
A32-07135
3204688075

R27E R28E

R27E
R28E

T12N
T11N

Trough

Trough

Tro

Trough

Headbox

Headbox
a Sandree

Coal Kiln
Springs

32-07135
MICROFILMED
MAR 22 2000

RECEIVED

NOV 01 2000

27 OCT 31 AM 11:52

Department of Water Resources

SRBA
TWIN FALLS, IDAHO
FILED

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

) ORDER OF PARTIAL DECREE

Case No. 39576

) For Water Right 32-07135
)
)
)
_____)

On June 20, 2000, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 32-07135 is hereby decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED OCT 31 2000.



BARRY WOOD
Administrative District Judge and
Presiding Judge of the
Snake River Basin Adjudication

ORDER OF PARTIAL DECREE

SCANNED

MAY 30 2002

MICROFILMED

DEC 17 2003

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 32-07135

2ND OCT 31 AM 11:52

FILED
TWIN FALLS, IDAHO

NAME AND ADDRESS: USOI BLM
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE, ID 83709-1657

RECEIVED

NOV 01 2000

Department of Water Resources

SOURCE: SPRING TRIBUTARY: BIRCH CREEK
QUANTITY: 0.01 CFS
0.10 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 08/08/1983

POINT OF DIVERSION: T11N R27E S01 SENESE Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Wildlife	01-01 TO 12-31	0.01 CFS 0.10 AFY

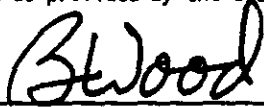
PLACE OF USE:	Wildlife	Within Lemhi County
	T11N R28E S06 T12N R28E S19 S31 S32	SWNE SWSE SENE SESW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

SRBA PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 32-07135

SEARCHED

MAY 30 2002

MICROFILMED

DEC 17 2000

PAGE 1
19-2000

RECEIVED

NOV 01 2000

Department of Water Resources

2000 OCT 31 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

CERTIFICATE OF MAILING

Water Right(s): 32-07135

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 32-07135 was mailed
on October 31, 2000, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

USDI BLM

Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835

DIANA DELANEY
Chief Deputy Clerk

CERTIFICATE OF MAILING

MICROFILMED
DEC 17 2003

PAGE 1
10/31/00

MAY 30 2002

**THIS
RIGHT HAS BEEN
DECREED IN THE
SRBA**

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 32-07135

Priority: August 8, 1983

Maximum Diversion Rate:

0.01 CFS

Maximum Diversion Volume:

0.1 AF

This is to certify, that US DEPT OF INTERIOR

BUREAU OF LAND MANAGEMENT

PO BOX 430

SALMON ID 83467

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated August 8, 1983; and has submitted Proof of Beneficial Use on December 12, 1989. An examination indicates that the works have a diversion capacity of 0.010 cfs of water from:

SPRING

tributary to BIRCH CREEK

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>
WILDLIFE	01/01 to 12/31	0.01 CFS	0.1 AF

LOCATION OF POINT(S) OF DIVERSION:

SENESE , Sec. 1, Township 11N, Range 27E
LEMHI County

PLACE OF USE: WILDLIFE

TWN RGE SEC

11N 28E	6	SWNE
12N 28E	19	SWSE
	31	SENW
	32	SESW

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 32D.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Signed and sealed this 24th day of

MARCH, 2000.


Acting for KARL J. DREHER, Director

MICROFILMED

MAR 22 2000

RECEIVED

State of Idaho
Department of Water Resources

FEB 25 2000

Department of Water Resources

~~PERMIT TO APPROPRIATE~~
(For ~~Permit to appropriate~~)
WATER RIGHT NO. 32-07135

Date of Priority: August 8, 1983

Maximum Diversion Rate: 0.01 CFS

Maximum Diversion Volume: 0.1 AF

Comes now US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83707

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 32-07135, and requests that the permit be changed as follows:

Source: SPRING

tributary to BIRCH CREEK

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
WILDLIFE	01/01 to 12/31	0.01 CFS	0.1 AF

LOCATION OF POINT(S) OF DIVERSION:

SENESE , Sec. 1, Township 11N, Range 27E
LEMHI County

PLACE OF USE: WILDLIFE

TWN RGE SEC

11N 28E	6	SWNE
12N 28E	19	SWSE
	31	SENE
	32	SESW

MICROFILMED

MAR 22 2000

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Salmon ID, this 7th day of February, 2000.

Alan Botter
(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 32-07135

RECEIVED
FEB 25 2000

Department of Water Resources

FOR DEPARTMENT USE ONLY

Preliminary check by SWK Fee = \$ 50 Receipted by HWS # E025617 Date 2-18-2000

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 32-07135 with the following;

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the
watermaster of State Water District No. 32D.

Witness my hand this 2ND day of MARCH, 2000.

Acting for Karl J. Dreher
KARL J. DREHER, Director

MICROFILMED
MAR 22 2000

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT)
NOS. 32-7135 AND 33-7158 IN)
THE NAME OF BUREAU OF LAND)
MANAGEMENT)

ORDER OF REINSTATEMENT

This matter having come before the Idaho Department of Water Resources
(Department) the Department finds as follows:

FINDINGS OF FACT

1. On July 6, 1984 the Director of the Department of Water Resources issued Permit Nos. 32-7135 and 33-7158 with conditions of approval that proof of construction of works and application of water to beneficial use be submitted on or before July 1, 1989.

2. On April 30, 1989 the Department sent proof due notices to the permit holders.

3. On July 11, 1989 the Department sent lapse notices to the permit holders since neither proof of beneficial use nor a request for extension of time had been received from the permit holders for either of the permits.

4. On December 12, 1989 Proof of Beneficial Use forms were received by the Department from the permit holders.

5. Section 42-218a, Idaho Code, authorizes the Department to reinstate lapsed permits, without an advancement of priority, upon a showing of error or mistake by the Department.

MICROFILMED

MAR 21 1990

6. The permit holders submitted a statement explaining that the permits lapsed because the Department sent the proof due and lapse notices to the state office address rather than the regional office address of record.

CONCLUSIONS OF LAW

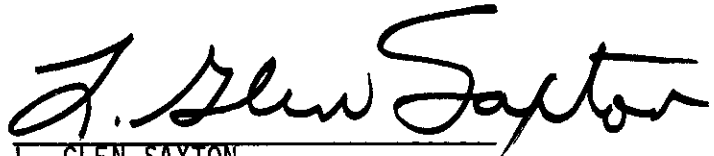
1. The permit holders have submitted proof of beneficial use along with a showing of error by the Department.

2. The permits can be reinstated with no advancement of priority.

ORDER

IT IS HEREBY ORDERED that Permit Nos. 32-7135 and 33-7158 are reinstated with no advancement in priority.

Dated this 29th day of December, 1989



L. GLEN SAXTON
Chief, Operations Bureau

MICROFILMED

MAR 21 1990

Gay
Jin

RECEIVED

DEC 12 1989

no fee sent
Department of Water Resources

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

For Office Use Only
Fee Received _____
Date _____
Receipt # _____
Receipt by _____
Reviewed by _____
Sent to region _____

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 32-07135

Name(s) of Permit Holder: Bureau of Land Management

Post Office Address: P.O. Box 430, Salmon, ID 83467

Telephone No. (208) 756-5400

Source of Water: spring

Extent of Use:

Domestic _____ (number of households) Stockwater 720 cattle (number and type of stock)

Irrigation _____ (acres) Other/Remark _____

Total rate and/or volume for which proof is submitted .03 cfs _____ acre-feet

Show the date water was first diverted and beneficially used under this permit: 1/17/63

Measuring Device: Required? ☐ Yes ☐ No
Installed? ☐ Yes ☐ No Fee enclosed \$ _____
(See License Examination Fee Schedule)

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

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

Lyle Lewis (208) 756-5403
(Name) (Telephone Number)

Box 430, Salmon, ID 83467
(Address)

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

MICROFILMED

MAR 21 1990

12/8/89
Date

Roy Jackson Salmon District Manager
Signature of Permit Holder (and title, if appropriate)

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AUG 8 1983

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR PERMIT **APPROVED**

Department of Water Resources To appropriate the public waters of the State of Idaho

1. Name of applicant USDI, Bureau of Land Management Phone (208) 756-2201Post office address P.O. Box 430, Salmon, Idaho 834672. Source of water supply Spring which is a tributary of Birch Creek3. Location of point of diversion is NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 1 Township 11N.Range 27E. B.M. Lemhi County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .02 cfs for Livestock purposes from 07/01 to 12/15 (both dates inclusive)
(cfs or acre-feet per annum)Amount .01 cfs for Wildlife purposes from 01/01 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. .03 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 5,000' of 1½" and 1" plastic pipe
running from a spring to two troughs.b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir
capacity _____ acre-feet, materials used in storage dam: _____Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

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

7. Time required for the completion of the works and application of the water to the proposed beneficial
use is 5 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 31 Township 12N.Range 28E. B.M.

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

(3) List number of each kind of livestock to be watered 415 cattle(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____.(5) If water is to be used for other purposes describe: Wildlife - antelope, deer, elk, bear

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[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 United States of America

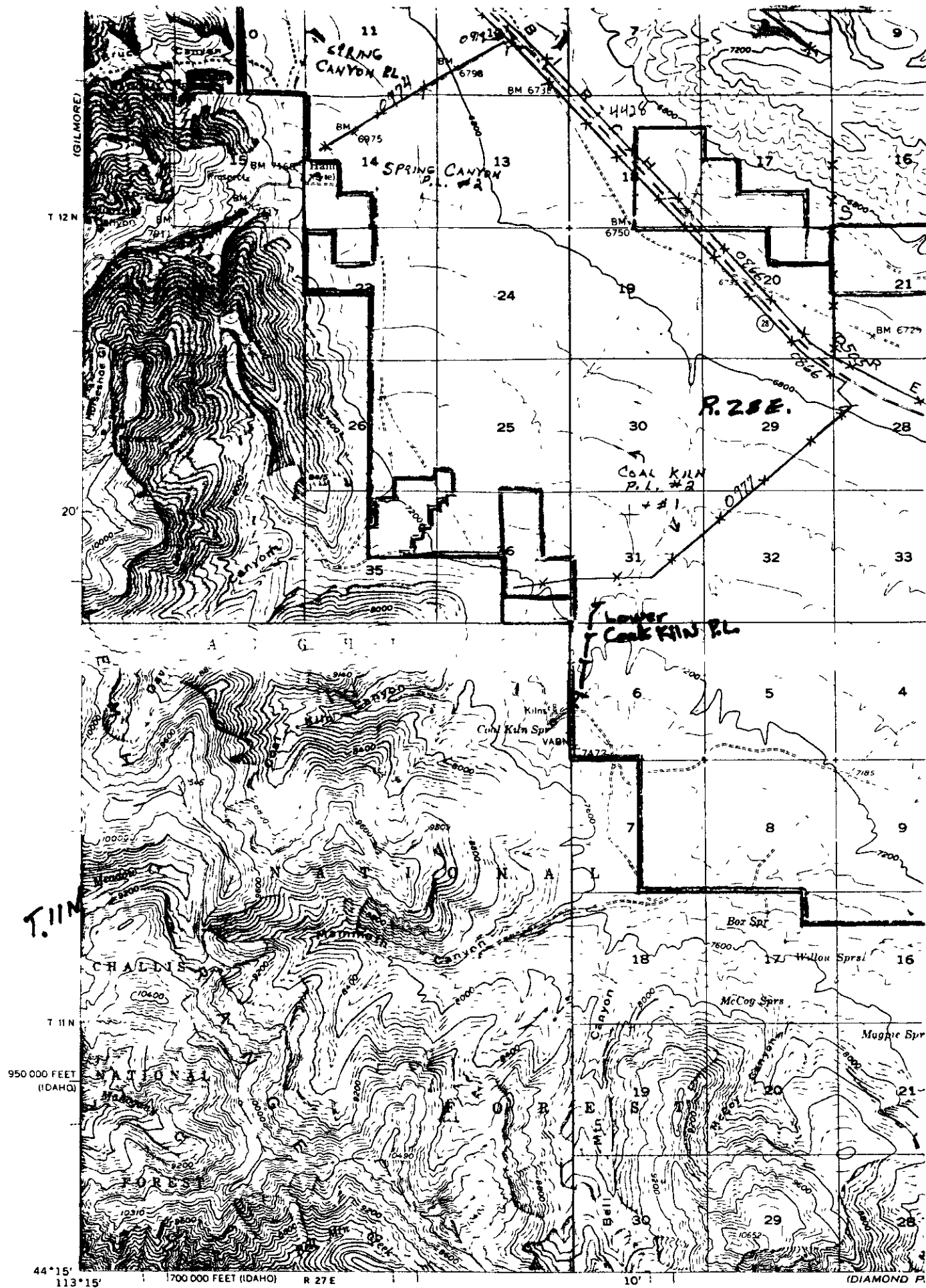
b. Who owns the land to be irrigated or place of use United States of America

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

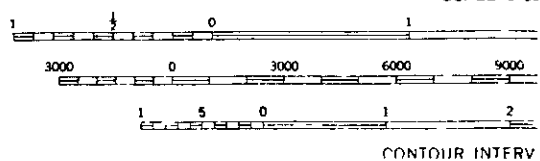
10. Remarks Water is to be used for watering purposes in the Mammoth Canyon Allotment
by permittees George Woodie

JDR File Number: 0002

Project Name: Lower Coal Kiln Pipeline



Mapped, edited, and published by the Geological Survey
 Control by USGS and USC&GS
 Topography from aerial photographs by multiplex methods
 Aerial photographs taken 1954 Advance field check 1956
 Polyconic projection 1927 North American datum
 10,000 foot grids based on Idaho coordinate system;
 central zone, and Montana coordinate system, south zone
 1000-meter Universal Transverse Mercator grid ticks



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.

Kenneth S. White

(Applicant) DISTRICT MANAGER

RECEIVED

MICROFILMED

Proposed IDENTITY 8/8/83

Received by CW Date 8-19-83 Time 4:00 P
CW 8-8-83 3:37 p.m.
Preliminary check by HWS Fee \$ 30.00 ID-910-BP9-0003
Receipted by rg Date 12-27-83 # 33664
Publication prepared by BP Date 8/31/83
Published in Recorder Herald
Publication dates 9/8 / 9/15/83
Publication approved CW Date 9-21-83
Protests filed by: none

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

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. 32-7135 , 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 July 1 , 19 89 .
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.
Use of water under this permit is subject to control by the watermaster of State Water District 32-D, Birch Creek.

Witness my hand this 6th day of July, 1984.

J. Glen Sayton
Chief, Operations Bureau

U.S. DEPT. OF INTERIOR
BUREAU OF LAND
MGMT., IDAHO STATE
OFFICE, 3380
AMERICANA TERRACE,
BOISE, ID 83707
Source: SPRING trib. to
REESE CREEK
Date Filed: 08/08/1983
Diversion Pt: NWSE Sec 28
T 18N R 25E
Use STOCKWATER (0.03
CFS)
WILDLIFE (0.01 CFS)
In: NWSE Sec 28 T 18N R
25E

74-7214

U.S. DEPT. OF INTERIOR
BUREAU OF LAND
MGMT., IDAHO STATE
OFFICE, 3380
AMERICANA TERRACE,
BOISE, ID 83707
Source: SPRING trib. to
MCDEVITT CREEK
Date Filed: 08/08/1983
Diversion Pt: SWSW Sec 24
T 19N R 23E
Use STOCKWATER (0.03
CFS)
WILDLIFE (0.01 CFS)
In: SWSW Sec 24 T 19N R
23E

74-7215

U.S. DEPT. OF INTERIOR
BUREAU OF LAND
MGMT., IDAHO STATE
OFFICE, 3380
AMERICANA TERRACE,
BOISE, ID 83707
Source: SPRING trib. to
BALDY CREEK
Date Filed: 08/08/1983
Diversion Pt: NESW Sec 21
T 19N R 23E
Use STOCKWATER (0.03
CFS)
WILDLIFE (0.01 CFS)
In: NESW Sec 21 T
19N R 23E

74-7216

U.S. DEPT. OF INTERIOR
BUREAU OF LAND
MGMT., IDAHO STATE
OFFICE, 3380
AMERICANA TERRACE,
BOISE, ID 83707
Source: SPRING trib. to
BIG DRY GULCH
Date Filed: 08/08/1983
Diversion Pt: NESW Sec 04

NOTICE OF APPLICATION FOR WATER RIGHT

The following applica-
tion(s) have been filed in
appropriate the publi-
c waters of the State of
Idaho:

75-7393

U.S. DEPT. OF INTERIOR
BUREAU OF LAND
MGMT., IDAHO STATE
OFFICE, 3380
AMERICANA TERRACE,
BOISE, ID 83707
Source: SPRING trib.
SALMON RIVER
Date Filed: 08/08/1983
Diversion Pt: SWNE Sec
T 17N R 21E
Use: STOCKWATER (0
CFS)
WILDLIFE (0.01 CFS)
In: SWNE Sec 31 T 17
21E

75-7394

KING, DANNY D. &
LINDA L.
206 AUGUST
SALMON, ID 83467

T 18N R 24E
Use: STOCKWATER (0.02
CFS)
WILDLIFE (0.01 CFS)
In: NESW Sec 04 T 18N R
24E

74-7217

U.S. DEPT. OF INTERIOR
BUREAU OF LAND
MGMT., IDAHO STATE
OFFICE, 3380
AMERICANA TERRACE,
BOISE, ID 83707
Source: SPRING trib. to
BALDY CREEK
Date Filed: 08/08/1983
Diversion Pt: NWNE Sec
20 T 19N R 23E
Use STOCKWATER (0.03
CFS)
WILDLIFE (0.01 CFS)
In: NWNE Sec 20 T 19N R
23E

The permit(s) will be
subject to all prior water
rights. Protests must be
filed with the Director,
Dept. of Water Resources,
150 Shoup Ave., Suite 15,
Idaho Falls, Idaho 83402 on
or before SEPTEMBER 26,
1983

KEN DUNN, DIR.

Published 9/8 & 9/15/

83

9-8-2tc

32-7155

U.S. DEPT. OF INTERIOR
BUREAU OF LAND
MGMT., IDAHO STATE
OFFICE, 3380
AMERICANA TERRACE,
BOISE, ID 83707
Source: SPRING trib. to
BIRCH CREEK
Date Filed: 08/08/1983
Diversion Pt: NESE Sec 01
T 11N R 27E
Use: STOCKWATER (0.02
CFS)
WILDLIFE (0.01 CFS)
In: SWSW Sec 31 T 12N R
28E

74-7198

U.S. DEPT. OF INTERIOR
BUREAU OF LAND
MGMT., IDAHO STATE
OFFICE, 3380
AMERICANA TERRACE,
BOISE, ID 83707
Source: SPRING trib. to
BULL CREEK

Date Filed: 08/10/1983
Diversion Pt: NWNW Sec
17 T 18N R 23E
Use: STOCKWATER (0.03
CFS)
WILDLIFE (0.01 CFS)
In: NWNE Sec 21 T 18N R
23E SESE Sec 17 T 18N R
23E NWSW Sec 08 T 18N
R 23E

74-7199

U.S. DEPT. OF INTERIOR
BUREAU OF LAND
MGMT., IDAHO STATE
OFFICE, 3380
AMERICANA TERRACE,
BOISE, ID 83707
Source: UNNAMED
STREAM trib. to LITTLE
DRY GULCH
Date Filed: 08/10/1983
Diversion Pt: SESE Sec 10 T
18N R 24E
Use: STOCKWATER (0.03
CFS)
STOCKWATER STORAGE

Affidavit of Publication

STATE OF IDAHO

County of Lemhi

JERRY G. ROSIN

being first duly sworn, deposes
and says that he is one of the printers (publisher) of the RECORDER HERALD,
a newspaper published weekly at Salmon, Lemhi County, Idaho, and of general
circulation therein.

Notice of Application for Water Rights 75-7393,
That the

75-7394, 32-7135, 74-7198 thru 74-7217

a true
printed copy of which is attached to the margin hereof, has been and was correct-
ly printed and published in the regular and entire issue of every number of said
newspaper and not in any supplement thereof or thereto for
consecutive issues, commencing with the issue dated Sept. 8, 1983,
and ending with the issue dated Sept. 15, 1983.

Subscribed and sworn to before me, this

fifteenth

day of September, 1983

STREAM trib. to LEMHI
RIVER
Date Filed: 08/10/1983
Diversion Pt: NWSE Sec 22
T 13N R 28E
Use: STOCKWATER (0.03
CFS)
WILDLIFE (0.01 CFS)
In: NENE Sec 20 T 13N R
28E

74-7201

U.S. DEPT. OF INTERIOR
BUREAU OF LAND
MGMT., IDAHO STATE
OFFICE, 3380
AMERICANA TERRACE,
BOISE, ID 83707
Source: SPRING trib. to
LEMHI RIVER
Date Filed: 08/10/1983
Diversion Pt: NESW Sec 22
T 13N R 27E
Use: STOCKWATER (0.03
CFS)
WILDLIFE (0.01 CFS)
In: SENE Sec 21 T 13N R
27E

74-7202

U.S. DEPT. OF INTERIOR
BUREAU OF LAND
MGMT., IDAHO STATE
OFFICE, 3380
AMERICANA TERRACE,
BOISE, ID 83707
Source: SPRING trib. to
YEARIAN CREEK
Date Filed: 08/10/1983
Diversion Pt: SENE Sec 32
T 18N R 25E
Use: STOCKWATER (0.02
CFS)
WILDLIFE (0.01 CFS)
In: SWNE Sec 31 T 18N R
25E SENE SWSW Sec 32 T
18N R 25E NWSE Sec 36 T
18N R 24E

74-7203

U.S. DEPT. OF INTERIOR
BUREAU OF LAND
MGMT., IDAHO STATE
OFFICE, 3380
AMERICANA TERRACE,
BOISE, ID 83707
Source: SPRING trib. to
YEARIAN CREEK
Date Filed: 08/10/1983

LITTLE SAWMILL CREEK
Date Filed: 08/10/1983
Diversion Pt: SWSW Sec 08
T 17N R 24E
Use: STOCKWATER (0.03
CFS)
WILDLIFE (0.01 CFS)
In: SWSW Sec 08 T 17N R
24E NWSW Sec 09 T 17N
R 24E

74-7205

U.S. DEPT. OF INTERIOR
BUREAU OF LAND
MGMT., IDAHO STATE
OFFICE, 3380
AMERICANA TERRACE,
BOISE, ID 83707
Source: SPRING trib. to
HAWLEY CREEK
Date Filed: 08/10/1983
Diversion Pt: NESW Sec 32
T 16N R 27E
Use: STOCKWATER (0.02
CFS)
WILDLIFE (0.01 CFS)
In: NWSW Sec 29 T 16N R
27E NESE Sec 30 T 16N R
27E NENW Sec 32 T 16N R
27E

74-7206

U.S. DEPT. OF INTERIOR
BUREAU OF LAND
MGMT., IDAHO STATE
OFFICE, 3380
AMERICANA TERRACE,
BOISE, ID 83707
Source: SPRING trib. to
KIRTLEY CREEK
Date Filed: 08/10/1983
Diversion Pt: NWNE Sec
28 T 22N R 23E
Use: STOCKWATER (0.02
CFS)
WILDLIFE (0.01 CFS)
In: NWSW Sec 28 T 22N R
23E NESE Sec 29 T 22N R
23E

74-7207

U.S. DEPT. OF INTERIOR
BUREAU OF LAND
MGMT., IDAHO STATE
OFFICE, 3380
AMERICANA TERRACE,
BOISE, ID 83707
Source: UNNAMED
STREAM trib. to LEMHI

BUREAU OF LAND
MGMT., IDAHO STATE
OFFICE, 3380
AMERICANA TERRACE,
BOISE, ID 83707
Source: SPRING trib. to
YEARIAN CREEK
Date Filed: 08/10/1983
Diversion Pt: SESE Sec 29 T
18N R 25E
Use: STOCKWATER (0.02
CFS)
WILDLIFE (0.01 CFS)
In: SWNW Sec 29 T 18N R
25E

74-7209

U.S. DEPT. OF INTERIOR
BUREAU OF LAND
MGMT., IDAHO STATE
OFFICE, 3380
AMERICANA TERRACE,
BOISE, ID 83707
Source: UNNAMED
STREAM trib. to KIRTLEY
CREEK
Date Filed: 08/10/1983
Diversion Pt: SWSW Sec 06
T 21N R 23E
Use: STOCKWATER (0.04
CFS)
STOCKWATER STORAGE
(1.0 AF)
WILDLIFE (0.04 CFS)
WILDLIFE STORAGE
(19.0 AF)
In: SWSW Sec 06 T 21N R
23E

74-7210

WEIGAND JACK J.
P. O. BOX 1441,
SALMON, ID 83467
Source: GROUNDWATER
Date Filed: 07/21/1983
Diversion Pt: SWSE Sec 28
T 16N R 26E
Use: IRRIGATION (0.02
CFS)
DOMESTIC (0.14 CFS)
In: SWSE Sec 28 T 16N R
26E FOR 1 ACRES

74-7211

WEIGAND JACK J.
P. O. BOX 1441,
SALMON, ID 83467
Source: GROUNDWATER
Date Filed: 07/21/1983

**THIS
RIGHT HAS BEEN
DECREED IN THE
SRBA**

**MICROFILMED
SEP 11 1983**



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

March 2, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

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

RE: WATER RIGHT NO. 32-07135

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

For your records I have also enclosed a copy of your Application for Amendment of Permit, which was approved.

Also, please note that water right owners are required to report any change of water right ownership and/or change of mailing address to the department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the department or visit the department's homepage on the Internet to obtain the proper reporting form.

If you have any questions, please call me at 208-327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED
MAR 22 2000

CERTIFICATE OF MAILING

I hereby certify that on the **2nd** day of **March, 2000**, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDER (Approved License)** to the person(s) listed below:

Water Right No. 32-07135

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


Kari Lynn Townsend
Secretary

MICROFILMED
MAR 22 2000

NOV 02 0 C
PRINTER
7032352
U.S. POSTAGE
E0553

UNCLASSIFIED
AS A
UNCLASSIFIED
FOR

NO RECORD
NO FORWARDING
NO FILE

IDAHO DEPARTMENT OF WATER RESOURCES
1301 North Orchard St.
P.O. Box 83720
Boise, ID 83720-0098
(208) 327-7900

TO

L32-07135
US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
PO BOX 430
SALMON

100

~~Water Resources~~

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with a preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of the order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from a preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

MICROFILMED

State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

FAX TRANSMITTAL COVER SHEET

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

DATE: _____

TO:

TO: Ernie Carlson

FROM:

FROM: Mr. Lige J
S/O

DOCUMENT

DESCRIPTION: WK license - DLM 32-07135

*****							P. 01	*****
TRANSACTION REPORT								
MAR-02-00 THU 10:26 AM								
DATE	START	RECEIVER	TX TIME	PAGES	TYPE	NOTE	M#	
MAR-02	10:25 AM	EASTERN	1' 01"	2	SEND	OK		

COVER SHEET + 1 PAGES

PLEASE CONTACT
ENTIRE DOCUMENT

IF YOU DON'T RECEIVE THIS

327-7941

MICROFILMED

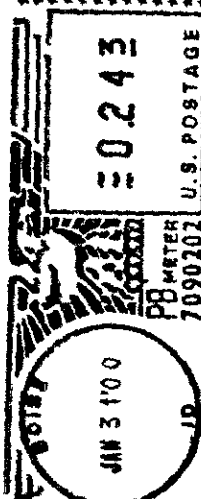
STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

**1301 North Orchard Street
Boise, Idaho 83706-2237**

**RETURN SERVICE
REQUESTED**

**PRESORTED
FIRST CLASS**



RECEIVED

FEB - 3 2000

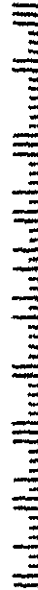
Department of Water Resources

MICROFILMED

MAR 22 2000

Robert + 30, Deermen
Kot

● 政府は、この法律を施行するに必要と認める事項を定めることと、その施行の期日を定めることとした。





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

January 31, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83707

RE: WATER RIGHT NO. 32-07135

Dear Permit Holder(s):

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms that a water right has been established in compliance with the terms of the permit. The examiner who verified your water use reported that the place(s) of use is in a location other than what was described on your permit. Therefore, before a license can be issued, your permit must be amended to depict your water right as it was actually developed.

The enclosed Application for Amendment form depicts the place(s) of use and other information as it will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$50.00 filing fee within 60 days.

Also, please note that some of the proposed conditions of approval and remarks may be modified upon further administrative review.

If you do not concur, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208) 327-7944.

Sincerely,

KW KAY WALKER
Sr. Water Resource Agent

KW:klt

Enclosure

MICROFILM

LICENSE REVIEW CHECKLIST

Permit No. 32-07135 Date 1-28-2000 Reviewer Kay Walker

Change/OK

Name/Address OK

Source OK

Point of Diversion OK

Does change clarify original intended source? If no, void permit
Change (P39/P49) Add (P45/P44) Feds (P43)

W32 (multiple in 1/4/1/4)
W36 (overlap)
W59 (subdivision description)

Place of Use change & add

Change (P41/P49) Add (P41/P44) Feds (P43)

W60 (subdivision description)
W27 (ppu acre limit)

Overlaps Right(s) 32-02154

File reviewed Profile reports printed

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion

Permitted rate 0.03 cfs
Fee Limit cfs
Measured cfs
Theoretical 0.01 cfs

Recommended Total Diversion Rate 0.01

Water Uses

Change (P46)

Irrigation cfs af
Stockwater cfs af
Domestic cfs af
Wildlife 0.01 cfs 0.1 af
 cfs af
Total 0.01 cfs 0.1 af

Irrigation - overlap (R58-R61, R62-R65, R66-R69)
supp Gw (WB7/065/079)
overlap spec combined rts (W35)
>1 acre (W31)
Domestic (W01/wb5/070/071/075)
Power (W42 or W43/025/027/R22 or R23)
Fish (042)
Fire (077)
Water Quality (081/R07)
Payette - (W22/047/27A)

Volume Determination

 cfs x 1 9835 x days = af (vs) acres x (FHR) = af

Remarks wildlife use - unknown type or number - 0.1

allow
AMA

Additional Conditions YES

Watermaster Control
NO GW Measurement/Measuring Device
NO Other
Trust (052/R55 - remove 051)
Non-trust (048/049)

ROH-32D

Government Lots? NONE

Advance Priority? yes If yes, explain why below
no

SRBA Claim? yes - objection filed on it

Adjust memo NO

Amend Letters P43

P87, S06

Second Amendment Notice

S06

AJ5809NP
No. 32-07135

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 01/28/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	UNITED STATES OF AMERICA ACTING THROUGH	08/08/1983	STOCKWATER	07-01 12-15	0.020 CFS	
			WILDLIFE	01-01 12-31	0.010 CFS	
TOTAL DIVERSION:					0.030 CFS	

Water Source: SPRING

Tributary to: BIRCH CREEK

Stage: PERMIT

Point(s) of Diversion: T11N R27E S01 NESE LEMHI County

Place of use Legal Description for: STOCKWATER

	NE				NW				SW				SE			
	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
T R S	: Lt	: Ac	: Lt	: Ac	: Lt	: Ac	: Lt	: Ac	: Lt	: Ac	: Lt	: Ac	: Lt	: Ac	: Lt	: Ac
12N 28E 6	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:

Place of use location for WILDLIFE is the same location as described for: STOCKWATER

POU County: LEMHI

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

32-02154 A32-02154 A32-07135 R32-02040

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
- A01 - THIS RIGHT IS CONDITIONED UPON COMPLETION OF THE APPROPRIATION IN ACCORDANCE WITH THE STATUTORY PROCEDURE FOR APPROPRIATION OF WATER RIGHTS. THIS RIGHT REMAINS SUBJECT TO ALL CONDITIONS SET FORTH IN THE PERMIT UPON WHICH THIS RIGHT IS BASED, AND WILL BE SUBJECT TO ALL CONDITIONS SET FORTH IN THE LICENSE ISSUED BY IDWR UPON COMPLETION OF THE STATUTORY APPROPRIATION PROCESS.

Remarks: EXP BLM RECORD ID = 3204688075
415 RANGE CATTLE.

Dates: Exam Made Date: Verified Date: Objection Filed Date: 06/03/1998

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Audit: 01/10/98 AJCTR 01/26/98 AJONES 01/27/98 DCARLSON 01/30/98 CPD SHAFF
06/11/98 UPD-SEGB 09/01/98 ADT-DSHA

Handwritten: 6/3/98
JBT

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	UNITED STATES OF AMERICA ACTING THROUGH	01/09/1963	STOCKWATER	01-01 12-31	0.010 CFS	
TOTAL DIVERSION:					0.010 CFS	

Water Source: SPRING

Tributary to: SINKS

Stage: LICENSE

Point(s) of Diversion: T11N R27E S01 NESE LEMHI County

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE									
				NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:		
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
---	---	---	:	-----	-----	-----	-----	:	-----	-----	-----	-----	:	-----	-----	-----	-----	:	-----	-----	-----	-----	-----	-----	:
11N	28E	6	:				S	:					:					:						:	
12N	28E	19	:					:					:					:					S	:	
12N	28E	31	:					:				S	:					:						:	
12N	28E	32	:					:					:				S	:						:	

POU County: LEMHI

Other Rights: NONE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
- GALLONS PER DAY.
- C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- SECTION 42-1425, IDAHO CODE.

Remarks: EXP BLM RECORD ID = 3204688012
DPERMIT 1650 COAL KILN PIPELINE #2
STOCKWATER 975 RANGE CATTLE, 15 HORSES; WILDLIFE VAR. AMT.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag: C

Comments: Date: 01/13/1998 User-ID: AJU5-ECA Subject: AJU5 STOCK ONLY UPDATE
USE-NOT-IRRIGATION FIELD TEXT DELETED AND MADE EXP REMARK.
CONDITION CODES N11 AND N13 ADDED IF NOT ALREADY PART OF RECORD.

AJ5809NP

IDAHO DEPARTMENT OF WATER RESOURCES

DATE: 01/28/00

No. 32-02154

ADJUDICATION CLAIM PROFILE REPORT

PAGE: 2

=====

Comments: Date: 01/13/1998 User-ID: AJU5-ECA Subject: AJU5 STOCK ONLY UPDATE
ANY GEN REMARK CHANGED TO EXP REMARK. IF BLM/USFS, DELETED L12.

Audit: 01/10/98 AJCTR 01/12/98 AJU5-ECA 01/27/98 DCARLSON 01/30/98 CPD SHAFF
09/01/98 ADT-DSHA

RECEIVED

SEP 16 1999

DEPARTMENT OF WATER RESOURCES

A. GENERAL INFORMATION

Permit No. 32-07135

1. Owner: Bureau of LAND MANAGEMENT Phone No. (208) 756-5400

Current Address: Route 2 Box 610 SALMON ID 83467

2. Accompanied by: in office with Allan BITNER EXAM DATE: 8-27-99

Address: SAME AS ABOVE Phone No. _____

Relationship to Permit Holder:

3. Source: Spring tributary to Birch Creek

B. OVERLAP REVIEW

1 Other water rights with the same place of use: 32-02154

2 Other water rights with the same point of diversion: 32-02154

RECEIVED

SEP 03 1999

Department of Water Resources
Eastern Region

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

[illegible]

2. Place(s) of Use:

Indicate Method of Determination USGS topo / BLM Project file

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11N	28E	6			W														
12N	28E	31							W										
		32											W						
		19															W		

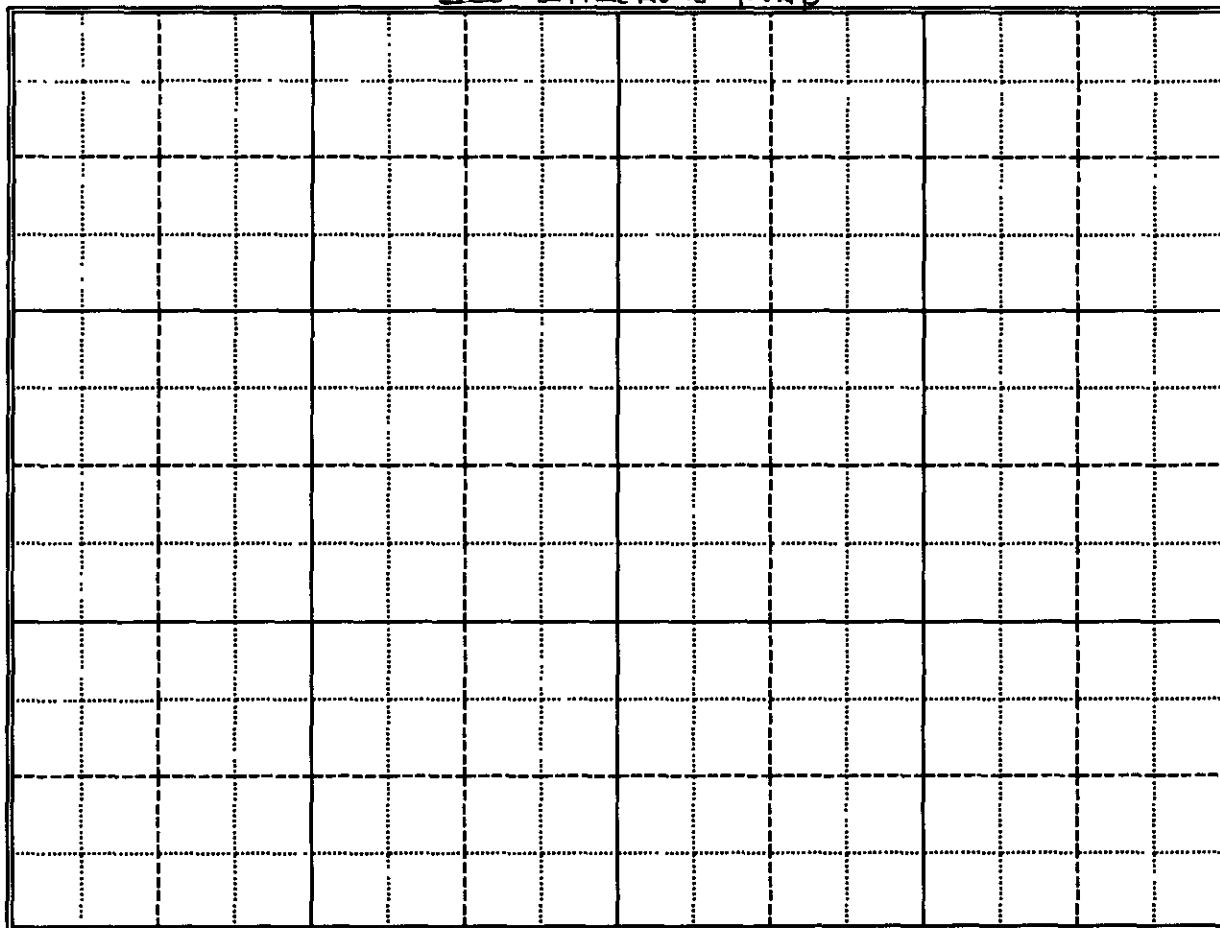
MICROFILMED

MICROFILMED

44-38861-1000

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.

SEE ATTACHED MAP



Scale: 1" = _____

____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required)

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

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

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

D. FLOW MEASUREMENTS

1

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

2. Measurements: NONE taken

E. NARRATIVE/REMARKS/COMMENTS

1) SYSTEM consists of developed Spring with pipeline to four (4) troughs.

2) remove stockwater per permit holder's request

3) change place of use to reflect as built

4) change point of diversion to reflect as built.

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

MICROFILMED
APR 22 2009

F. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method:

*NONE***G. VOLUME CALCULATIONS****1 Volume Calculations for Irrigation:** $V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____ $V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____ $V = \text{Smaller of } V_{IR} \text{ and } V_{DR} =$ _____**2. Volume Calculations for Other Uses:****H. RECOMMENDATIONS****1. Recommended Amounts**

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<i>wildlife</i>	<i>01/01</i>	<i>12/31</i>	<i>.01 cfs</i>	
Totals:			<i>.01 cfs</i>	

2. Recommended Amendments

☒ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None
☒ Change P.U. as reflected above ☒ Add P.U. as reflected above ☐ Other

I. AUTHENTICATIONField Examiner's Name *Robert E Foster* Date *8/27/95*

Reviewer _____ Date _____

SEAL

MICROFILMED
MAR 22 2000

Coal Kiln Pipeline
A32-02154
3204688012
A32-07135
3204688075

R27E R28E

T12N
T11N

Headbox

Headbox

Trough

32-07135

32-07135

Wildlife only

Stockwater is
under 32-02154
under a Partial Decree

32-07135



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

January 5, 1990

RE: Permit No. 32-7135 & 32-7158

Bureau of Land Management
P.O. Box 430
Salmon, ID 83467

Dear Permit Holder(s):

We acknowledge receipt of the statement of beneficial use and the supporting documentation for reinstating the above referenced permit. Before a license can be issued, a field examination will be made by a representative of this Department. Enclosed is an Order of Reinstatement. Please note that the priority date has not been advanced.

If you have any questions regarding this matter, please contact this office or our Eastern Regional Office at 525-7161.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:at

Enclosure



United States Department of the Interior

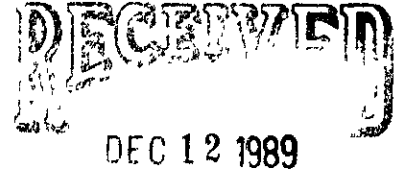
BUREAU OF LAND MANAGEMENT
SALMON DISTRICT OFFICE
P.O. BOX 430
SALMON, IDAHO 83467



IN REPLY REFER TO
7000

December 08, 1989

State of Idaho
Department of Water Resources
Tim Luke
1201 North Orchard Street
Statehouse Mail
Boise, ID 83720



Department of Water Resources

Dear Mr. Luke:

I have enclosed proof of beneficial use forms for permit numbers 32-07135 and 32-07155. As was discussed in the telephone conversation with Lyle Lewis on December 7, we were unable to respond in a timely fashion because the lapse notices were sent to the wrong Bureau of Land Management District. We're sorry for any inconvenience this may have caused.

Sincerely,

Roy S. Jackson
District Manager

Enclosures: 2

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.

July 11, 1989

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE, ID 83707

LAPSE NOTICE

RE: PERMIT NO. 32-07135

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced water permit has lapsed. This office did not receive either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time. You were provided the proper form in our proof due notice to you dated April 30, 1989.

Your permit cannot be reinstated unless you submit proof of beneficial use or submit an extension of time request showing reasonable cause for delay. Either the completed proof of beneficial use submittal (including the examination fee or a completed field examination report) or the extension request form together with the \$15 fee must be received by this department within sixty days of the date of mailing of this lapse notice or the permit will no longer be of any force or effect.

A proof of beneficial use form and a request for extension of time form are again enclosed for your use. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a governmental agency or by litigation which might bring title to the water in question.

L. GLEN SAXTON
Chief, Water Allocation Bureau

Enclosures

RECORDED

NOV 1989

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE, ID 83707

April 30, 1989

138156

PROOF DUE NOTICE

RE: PERMIT NO. 32-07135

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before July 1, 1989. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

51MEE



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

JOHN V EVANS
Governor

A. KENNETH DUNN
Director

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

SEPTEMBER 1, 1985

DEAR PERMIT HOLDER:

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

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

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

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

SINCERELY,

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

MAILED

SEP 11 1985



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

JOHN V EVANS
Governor

A KENNETH DUNN
Director

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

July 11, 1984

RE: Application for Permit Nos. 32-7135, 33-7158, 61-7494/7495/
7500/7501/7502

U.S. Dept. of Interior
Bureau of Land Management
3380 Americana Terrace
Boise, ID 83706

Gentlemen:

Enclosed are copies of your approved Applications for Permit. We direct your attention to the conditions of approval on the fourth pages.

The 1982 Idaho Legislature added a requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permits were issued, and you must proceed diligently until the projects are completed. The enclosed blue cards must be completed and returned to this office as soon as you commence construction, no later than one year from the date the permits were approved.

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

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Supervisor, Water Allocation Section

DRT:sc

Enclosures

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: HWS

APPLICATION NUMBER. 32-111

CHECK:

- ☒ Source.
☒ Point of diversion
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated
☒ Map.
☒ Signature.
☒ Fee.
☒ Yes ☒ 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 Platted by _____ Map No. _____
☐ Yes ☒ No Other rights on same place of use. _____

- ☒ Yes ☐ No* In form for advertising.
Final date for protests: Sept 26, 1983
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW

- ☒ Affidavit of publication received. Date. 9-19-83
☒ Application published correctly. If not, record action taken. _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☐ Yes ☒ No Measuring device required.
☐ Yes ☒ No Access port required.
☒ Yes ☐ No Will water be delivered by watermaster? If yes, what district? 32-D
☒ 8-8-83 Date of priority recommended
Special conditions of approval or cover letter. _____

STATE OFFICE REVIEW

By: Ernest Collier

Date: June 27, 1984

217

26 05(32-D, Birch Creek)

- ☐ See attached sheet for more information.

By: fw

Date: 7-3-84

POINT OF DIVERSION AND STREAM INDEX INFORMATION

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

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

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

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

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

NOTICE OF APPLICATION FOR WATER RIGHT

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

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before SEPTEMBER 26, 1987.

KEN DUNN, Dir.

Published 9/8 & 9/15/87.

MICROFILMED

32-7135

U.S. DEPT. OF INTERIOR

BUREAU OF LAND MGMT., IDAHO STATE OFFICE, 3380 AMERICANA TERRACE,
BOISE, ID 83707

Source SPRING trib. to BIRCH CREEK

Date Filed 08/08/1983

Diversion Pt NESE Sec 01 T 11N R 27E

Use STOCKWATER (0.02 CFS)
WILDLIFE (0.01 CFS)

In SWSW Sec 31 T 12N R 28E

32-7135

U.S. DEPT. OF INTERIOR
BUREAU OF LAND
MGMT, IDAHO STATE
OFFICE, 3380
AMERICANA TERRACE,
BOISE, ID 83707
Source. SPRING trib. to
BIRCH CREEK
Date Filed: 08/08/1983
Diversion Pt: NESE Sec 01
T 11N R 27E
Use: STOCKWATER (0.02
CFS)
WILDLIFE (0.01 CFS)
In SWSW Sec 31 T 12N R
28E

MAINTAINED