

(8) Remarks Applicants include the Bureau of Land Management and the lessee in the Sotin Creek allotment. The lessee cooperating in this development is Jack Brust of White Bird, Idaho. Livestock usage was claimed by D-permit 1023 and is IDWR #79-2102. The priority date is based on our grazing files and project report (attached).

MICROFILMED

T28N
R1E

31

Scale: 4 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Kootenai) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 1st day of JUNE

Wayne June
(Claimant)
19 83

Jan W. Hunter
Notary Public
Residing at Hayden Lake, Id

My commission expires LifeTime

ID-910-BP3-0003

FOR DEPARTMENT USE ONLY

Received by SU Date 6/10/83 Exception filed by: _____ Date _____
Prelim. check by 6/5 Date 11/7
\$20.00 fee received by 4 Date 9-2-83 # 32644
Published in Idaho County Lake Press
Dates 1/25 & 2/1/84

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that U.S.D.I., Bureau of Land Management, Coeur d'Alene District
(Name of Claimant)

1808 North Third, Coeur d'Alene, ID 83814

(Mailing Address)

Telephone No. (208) 765-7356

(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) October 7, 1942

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Rodgers Spring tributary to Sotin Creek/Salmon River

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

	(cfs, ~~gpm~~ /AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity <u>0.01</u>	Use <u>Wildlife</u>	Period of Use From <u>1/1</u>	To <u>12/31</u>	
Quantity _____	Use _____	Period of Use From _____	To _____	
Quantity _____	Use _____	Period of Use From _____	To _____	
Quantity _____	Use _____	Period of Use From _____	To _____	
Quantity _____	Use _____	Period of Use From _____	To _____	

- (4) 0.01 TOTAL QUANTITY USED.

(cfs, ~~gpm~~/AFA)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

NW 1/4 NW 1/4, Sec. 31 Twp. 28N. Rge. 1 E. B.M., County of Idaho

Additional points of diversion: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. The spring was developed by excavating and walling up over the reservoir with rocks and has 2 inch outlet piping.

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			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	
28N	1 E	31						X											

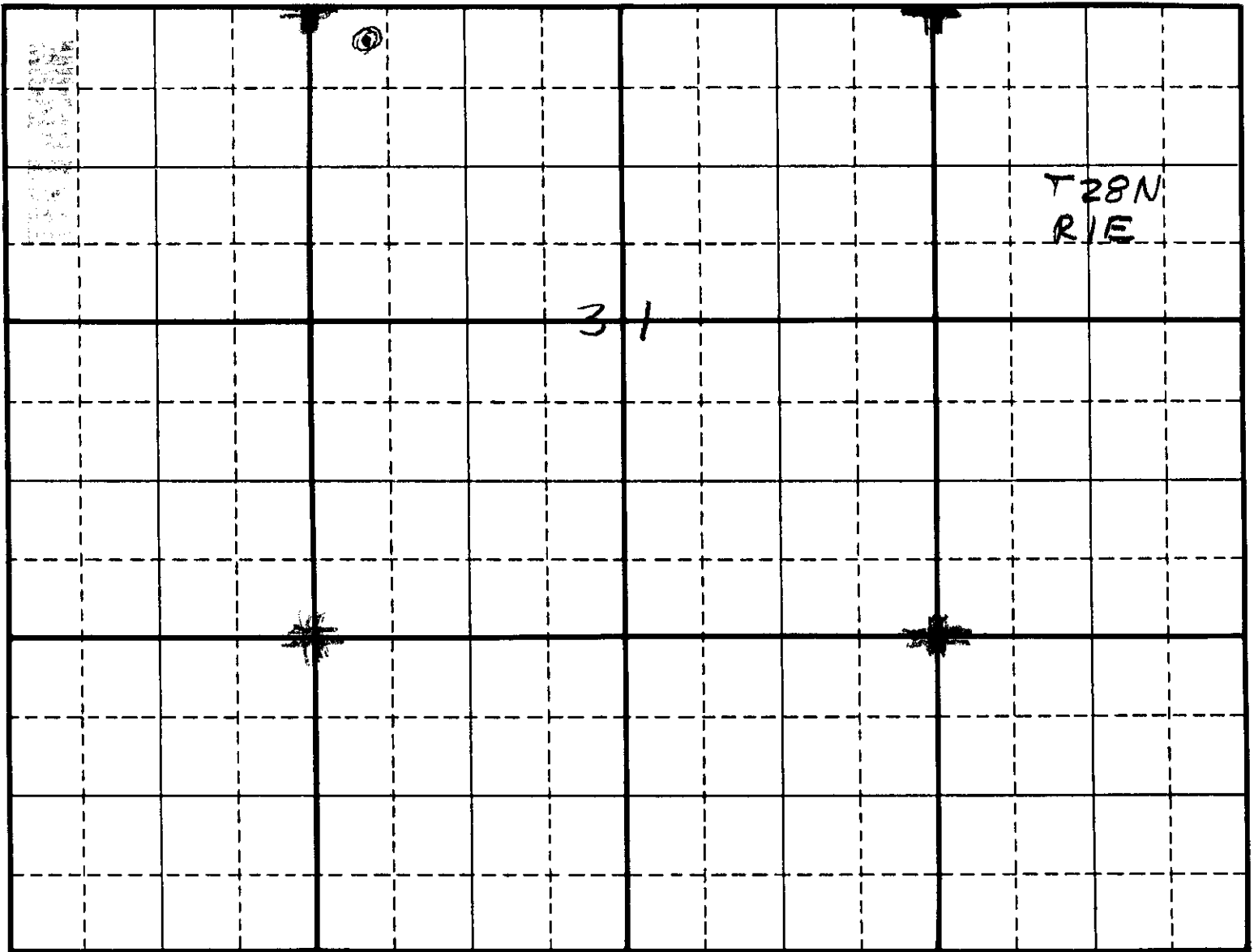
No. of acres _____

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: This spring is used by wildlife year-round in addition to the earlier permit for livestock usage (D-Permit 1023; 79-2102).

NOTE: Include here the type and number of stock watered: _____

- (7) If you are claiming water as a member of an organization, list name of organization: USDI, BLM

(8) Remarks Applicants include the Bureau of Land Management and the lessee in the Sotin Creek allotment. The lessee cooperating in this development is Jack Brust of White Bird, Idaho. Livestock usage was claimed by D-permit 1023 and is IDWR #79-2102. The priority date is based on our grazing files and project report (attached).



Scale: 4 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Kootenai) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 15th day of June

Wayne J. J. J.
(Claimant)
19 83

John W. Hunter
Notary Public
Residing at Hayden Lake, Id

My commission expires Life Time

ID-910-BP3-0003

FOR DEPARTMENT USE ONLY

Received by <u>GLA</u>	Date <u>6/10/83</u>	Exception filed by: <u>6/17/83</u>	Forwarded to	Date
Prelim. check by <u>GLS</u>	Date <u>11/17</u>		claimant by:	
\$20.00 fee received by <u>11</u>	Date <u>9-2-83</u>	# <u>32644</u>		
Published in <u>Idaho County News</u>				
Dates <u>1/25 & 2/1/84</u>				

Final Report
Idaho Project No. 13-8
Spring Development
Lot 1, Section 31,
T. 28 N., R. 1 E. B.M.

Range Development Service
714 Spalding Building
Portland, 4, Oregon

Approved:

G. P. Howell
Regional Conservationist

The Commissioner,
General Land Office,
Washington, D.C.

Sir:

Submitted herewith is final report on Idaho Project No. 13-8, which is a spring development located on public domain leased to Mr. Orin K. Rogers under Section 15 of the Taylor Grazing Act. These lands are leased through the Coeur d'Alene District Land Office under Serial No. 013560.

Location; Idaho County, Idaho.

Lot 1, Section 31, T. 28 N., R. 1 E., Boise Meridian. It bears South 75° 30' East a distance of 331 feet from the Section Corner at the Northwest corner of Section 31, T. 28 N., R. 1 E. B.M.

Description of Improvement:

1. Project started, September 1, 1942. Completed, October 7, 1942.
2. This spring, which is located about half-way up a steep, rough mountain side, produces approximately 900 gallons of water every 24 hours. The water contains no mineral salts of a deleterious character and is excellent for human or animal consumption.

The spring was developed by excavating a reservoir at the point of seepage, and walling up and over the reservoir with rocks suitable for the purpose; piping the water through twenty feet of two inch galvanized pipe into three metal troughs having a total capacity of approximately 236 gallons. The troughs are semi-cylindrical, the semi-diameter of each trough being 14-11/16 inches, the length being 8 feet.

The water flows through 1 1/2" galvanized pipe from the first trough over the top of the second trough and similarly into the third trough. The troughs are installed on a steep side hill. A fence was constructed on the upper side of the troughs so as to permit stock to water from the lower side of the troughs only. An over-

flow pipe of sufficient length was installed to carry the excess water from troughs to a natural waterway.

3. Water Rights;

Since the water developed originates upon public domain, and as there are no prior appropriators of record who have put this water to beneficial use, no water filing has been made. In putting this water to beneficial use, the Government's rights thereto should be assured at all times.

4. Benefits;

One operator is directly benefited by this improvement with stock benefited as follows;

	<u>Cattle</u>	<u>Horses</u>
Orin K. Rogers	75	8

Acreage benefited;

Section 15 Lands - Taylor Grazing Act - - - - -	320 acres
State Land - - - - -	160 "
Total - - - - -	480 acres

5. Cost of Improvement;

To Government

1942 "SAM" Funds

Materials

Olsen Manufacturing Co.,

Three metal troughs.....@ \$37.00 ea.....\$111.00

Madison Lumber Company.

80 ft. 2" Galvanized pipe & Misc. Hdw..... 40.99

Labor

O. K. Rogers - development of spring 55.00

Total cost to the Government..\$206.99

No contribution was made by the Lessee.

6. Maintenance Agreement;

The lessee, Orin K. Rogers, has agreed to maintain the improvement, copy of which is attached hereto.

RANGE REPORT

1. Status;

Mr. Orin K. Rogers' lease bears Coeur d'Alene Serial No. 013560, and extends for a period of five years, beginning April 23, 1940. It includes 572.21 acres and is under an annual rental of \$28.61.

2. Area;

The area benefited is rolling to steep country with the entire area accessible to livestock. The elevation varies from 2,000 to 3,000 feet above sea level. The growing season extends from approximately April 15th until October 1st. Approximately 15 inches of rain is received annually of which about forty percent is received during the growing season.

3. Forage:

The forage consists predominantly of native wheatgrass, bluegrass, fescue and cheatgrass. There is scattering timber on the leased land which can be used for fence posts.

4. Erosion:

Erosion was not noticeable except for excessive trampling.

5. Watering Places:

Watering places are located about one-half mile up and also down the mountain from the developed spring. When the stock used only these watering places excessive trailing was involved.

6. Value for Purposes Other Than Grazing:

The only apparent value of this land is for grazing of domestic livestock.

7. Grazing Value:

Meager information is available relative to the past use of this land. Prior to building fences and separating ranges much stray stock drifted over these ranges. At the present time the lessee grazes 75 cattle and 8 horses through the grazing season.

8. Conclusion:

It is evident that this spring development was necessary in order to provide an adequate supply of water for stock on this range in order to prevent excessive trampling to and from water holes. This water will facilitate the dividing of the high and low ranges and thus create better distribution of livestock over the entire range unit. The productivity of the range will increase as the better range management is practiced.

Respectfully submitted,

George S. Huddleston
Assistant Agricultural Engineer

Enclosures:

- 1 - Plat 4-5900
- 1 - Plat showing Tie
- 1 - Maintenance Agreement
- 1 - Project Card
- 1 - Serial Card
- 1 - Township card

opm,db

Permit No. D-103 72-103 District No. 3

1. Name of Applicant United States Department of the Interior, Bureau of Land Management

2. Post Office Address Stan Island, Portland 13, Oregon

3. Quantity of water claimed 0.05 c.s.d. feet 10-2-1953

4. Source of water supply Spring, well, unwatered stream, small lake, snow, or runoff

5. Location of point of diversion 10-2-1953 feet distant from the corner of Section

6. Location of point of use S. 64 E. 504 feet distant from the corner of Section 31

7. Water to be used for Watering livestock 11-12-31

8. Estimated cost of works \$205.99

9. Kind of works Spring

10. Size 1/2 inch diameter with 1/2 inch pipe

11. Time required to apply water to proposed use Completed

12. If reservoir is used, fill in the following in addition to the above questions:

(a) Height of dam feet Length at top feet

(b) Material from which dam is constructed earth, concrete, timber, rock

(c) The outlet of the proposed reservoir is located feet from the corner of Section Tw. 20 N., Rge. 1 E., B.M.

REMARKS:

Applicant Bureau of Land Management Agent Chesley A. Murphy

Regional Chief, Division of Reclamation

Project No. I-13-6 Reclamo Spring

31

7. 20 N.

Recorded in Book 3 Page D-1032 Approved November 27, 1953

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Work to begin on or before Completed and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

Completion of Works and Beneficial Use of Water appropriated in accordance herewith, to be made on or before Completed

Witness my hand this 28th day of November, 1953

IN TESTIMONY WHEREOF, We, LEAH J. HARRIS Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 28th day of November, 1953

Counter-signed: PAULA FLEMMER Acting Secretary of State

By IRA H. HARRIS Secretary of State. By LEAH J. HARRIS Governor.

STATE OF IDAHO

PERMIT

No. D-1032

Corrected application received

Returned to applicant for correction

5:00 p.m. October 2, 1953

Date of first receipt at office of State Reclamation Engineer

STATE OF IDAHO

LICENSE AND CERTIFICATE OF WATER RIGHT

Water License No. D-1032 Priority October 2, 1953 Amount 0.05 c.s.d. feet

This is to certify that Bureau of Land Management of Stan Island, Portland, Oregon made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of Spring under Use Permit No. D-1032 and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume D-3 of Licenses, at page D-1032, on the 28th day of December, 1953

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS THE SEAL and signature of the State Reclamation Engineer, at Boise, Idaho, this 28th day of December, 1953

State Reclamation Engineer

79-4417

U.S. Dept. of Interior
Bureau of Land Mgmt.,
Coeur D Alene Dist., 1808 N.
Third, Coeur D Alene, ID
83814
Source: Spring trib. to Slate
Creek
Priority Date: 06/10/1964
Diversion Pt: NENE Sec 08 T
26N R 02E
Use: Stockwater Storage
(0.01 AF), Stockwater from
Storage (0.01 AF), Wildlife
Storage (0.01 AF), Wildlife
from Storage (0.01 AF)
In: NENE Sec 08 T 26N R 02E

79-4419

U.S. Dept. of Interior
Bureau of Land Mgmt.,
Coeur D Alene Dist., 1808 N.
Third, Coeur D Alene, ID
83814
Source: Harriman Spring
trib. to Getta Spring
Priority Date: 09/23/1944
Diversion Pt: NWSE Sec 23 T
28N R 01W
Use: Wildlife (0.01 CFS)
In: NWSE Sec 23 T 28N R 01W

79-4420

U.S. Dept. of Interior
Bureau of Land Mgmt.,
Coeur D Alene Dist., 1808 N.
Third, Coeur D Alene, ID
83814
Source: Rodgers Spring trib.
to Sotin Creek
Priority Date: 10/07/1942
Diversion Pt: NWNW Sec 31
T 28N R 01E
Use: Wildlife (0.01 CFS)
In: NWNW Sec 31 T 28N R
01E

79-4421

U.S. Dept. of Interior
Bureau of Land Mgmt.,
Coeur D Alene Dist., 1808 N.
Third, Coeur D Alene, ID
83814
Source: Unnamed Stream
trib. to Bear Gulch
Priority Date: 11/15/1960
Diversion Pt: NENW Sec 09
T 26N R 02E
Use: Stockwater Storage
(0.01 AF), Stockwater from
Storage (0.01 AF), Wildlife
Storage (0.01 AF), Wildlife
from Storage (0.01 AF)
In: NENW Sec 09 T 26N R 02E

79-4422

Taylor, Franklin W. &/or
Edith A.
P.O. Box 113, White Bird, ID
83554
Source: Whitebird Creek
trib. to Salmon River
Priority Date: 01/01/1902
Diversion Pt: NWNE Sec 14
T 28N R 01E
Use: Irrigation (0.20 CFS),
Stockwater (0.01 CFS)
In: NWNE Sec 14 T 28N R 01E
for 5 Acres

Exceptions to a claim may
be filed with the Director,
Dept. of Water Resources,
Western Region, Statehouse,
Boise, Idaho 83720.

KENDUNN, Dir.

Published 01-25 & 02-01-84.
J25-F1

77-4201

United States of America
USDA Forest Service,
Federal Bldg., P.O. Box 7669,
Missoula, Mt. 59807
Source: Legend Creek Trib.
to Salmon River
Priority Date: 05/01/1929
Diversion Pt: SENE SEC 29
T 24 N R 14 E
Use: Recreation .01 CFS
In: SENE SEC 29 T 24 N R 14
E

77-4202

United States of America
USDA Forest Service,
Federal Bldg., P.O. Box 7669,
Missoula, Mt. 59807
Source: Corey Creek Trib. to
Salmon River
Priority Date: 05/01/1920
Diversion Pt: SWNE SEC 21
T 25 N R 12 E
Use: Domestic .01 CFS
In: SWNE SEC 21 T 25 N R 12
E

77-4206

Schneider, Bert
Rt. 1 Box 228 AAA, Salmon,
ID 83467
Source: Cottonwood Creek
trib. to Salmon River
Priority Date: 07/02/1947
Diversion Pt: NWSE Sec 25 T
24N R 13E
Use: Mining (0.80 CFS)
In: SWNE SWNW SENW
NWSE Sec 25 T 24N R 13E

78-1279

U.S. Dept. of Interior
Bureau of Land Mgmt.,
Coeur D Alene Dist., 1808 N.
Third, Coeur D Alene, ID
83814
Source: Unnamed Stream
trib. to Sheep Creek
Priority Date: 12/19/1956
Diversion Pt: NESE Sec 15 T
23N R 01E
Use: Stockwater Storage
(0.02 AF), Stockwater from
Storage (0.02 AF), Wildlife
Storage (0.01 AF), Wildlife
from Storage (0.01 AF)
In: NESE Sec. 15 T 23N R 01E

NOTICE OF CLAIMS TO WATER RIGHTS

The following claim(s)
have been filed on water
right(s) created by diversion
and beneficial use:

77-4198

United States of America
USDA Forest Service,
Federal Bldg., P.O. Box 7669,
Missoula Mt. 59807
Source: Little Squaw Sp
Trib. Sinks
Priority Date: 05/01/1965
Diversion Pt: NESW SEC 16
T 24N R 13E

Use: Domestic .01 CFS,
Recreation .01 CFS
In: NESW SEC 16 T 24 N R 13
E

77-4199

United States of America
USDA Forest Service,
Federal Bldg., P.O. Box 7669,
Missoula, Mt. 59807
Source: Liberty Mine Sp
Trib. to Sinks
Priority Date: 05/22/1905
Diversion Pt: NESE SEC 32
T 25N R 4E
Use: Stockwater .01 CFS,
Wildlife .01 CFS
In: NESE SEC 32 T 25 N R 4E

77-4200

United States of America
USDA Forest Service,
Federal Bldg., P.O. Box 7669,
Missoula, Mt. 59807
Source: Dwyer Creek Trib.
to Salmon River

Priority Date: 08/21/1950
Diversion Pt: SWNE SEC 17
T 24N R 13E
Use: Stockwater .01 CFS,
Recreation .01 CFS
In: SWNE SEC 17 T 24 N R 13
E

AFFIDAVIT OF PUBLICATION

.....Nona Donaldson..... being first duly sworn, says he is the Office Manager..... of the IDAHO COUNTY FREE PRESS, a weekly newspaper which is published and issued weekly at Grangeville, Idaho County, State of Idaho, and which is of general circulation in said county and state; that the said notice, of which the one hereto attached is a true copy, was published in said paper for 2..... weeks, being published 2..... times, the first publication being on the 25..... day of January....., 19 84., and the last publication on the 1..... day of February....., 1984; and that the said notice was published in the newspaper proper and not a supplement; that said newspaper has been continuously and uninterruptedly published in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of said notice or advertisement.

Nona Donaldson

Subscribed and sworn to before me this 1..... day of February....., 19 84

[Signature], Notary Public
for State of Idaho, residing at Grangeville, Idaho.

MICROFILMED

RECORDED
INDEXED
FEB 10 1984
IDAHO COUNTY CLERK

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: CLS

Right Number 29 - 4420 Applicant BLM

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. 2/10/84
 - ☒ Claim published correctly. Springdale
 - ☒ Exceptions processed. Idaho County Case No. 301 1/25 & 2/2/84
- By DBS Date 2/14/84

STATE OFFICE PROCESSING:

- ☒ Claim review complete.
- By Ac Date 2/28/84

RECEIVED
FEB 28 1984
DEPARTMENT OF WATER RESOURCES

RECEIVED
FEB 28 1984
DEPARTMENT OF WATER RESOURCES
FEB 28 1984
DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

Statehouse
Boise, Idaho 83720
(208) 334-2190

FEBRUARY 15, 1984

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT.
COEUR D'ALENE DIST.
1808 N. THIRD
COEUR D'ALENE ID 83814

RE: Claim No. 79-4420

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

DAVID R. SHAW
Western Region Supervisor

Enclosure

79-4420

U.S. DEPT. OF INTERIOR

BUREAU OF LAND MGMT., COEUR D'ALENE DIST., 1808 N. THIRD,
COEUR D'ALENE, ID 83814

Source: RODGERS SPRING trib. to SOTIN CREEK

Priority Date: 10/07/1942

Diversion Pt: NWNW Sec 31 T 28N R 01E

Use: WILDLIFE (0.01 CFS)

In: NWNW Sec 31 T 28N R 01E