

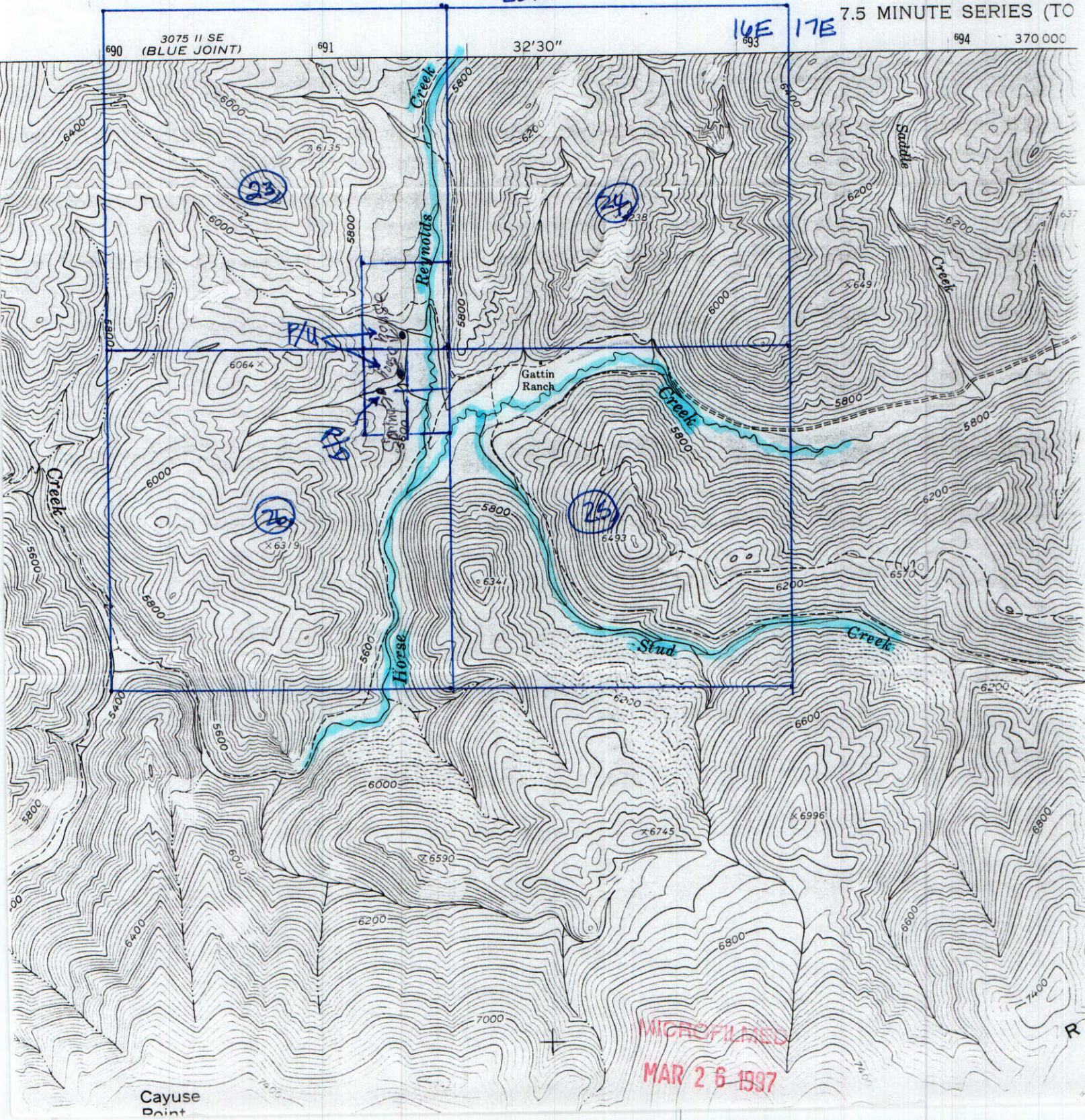
Q-222

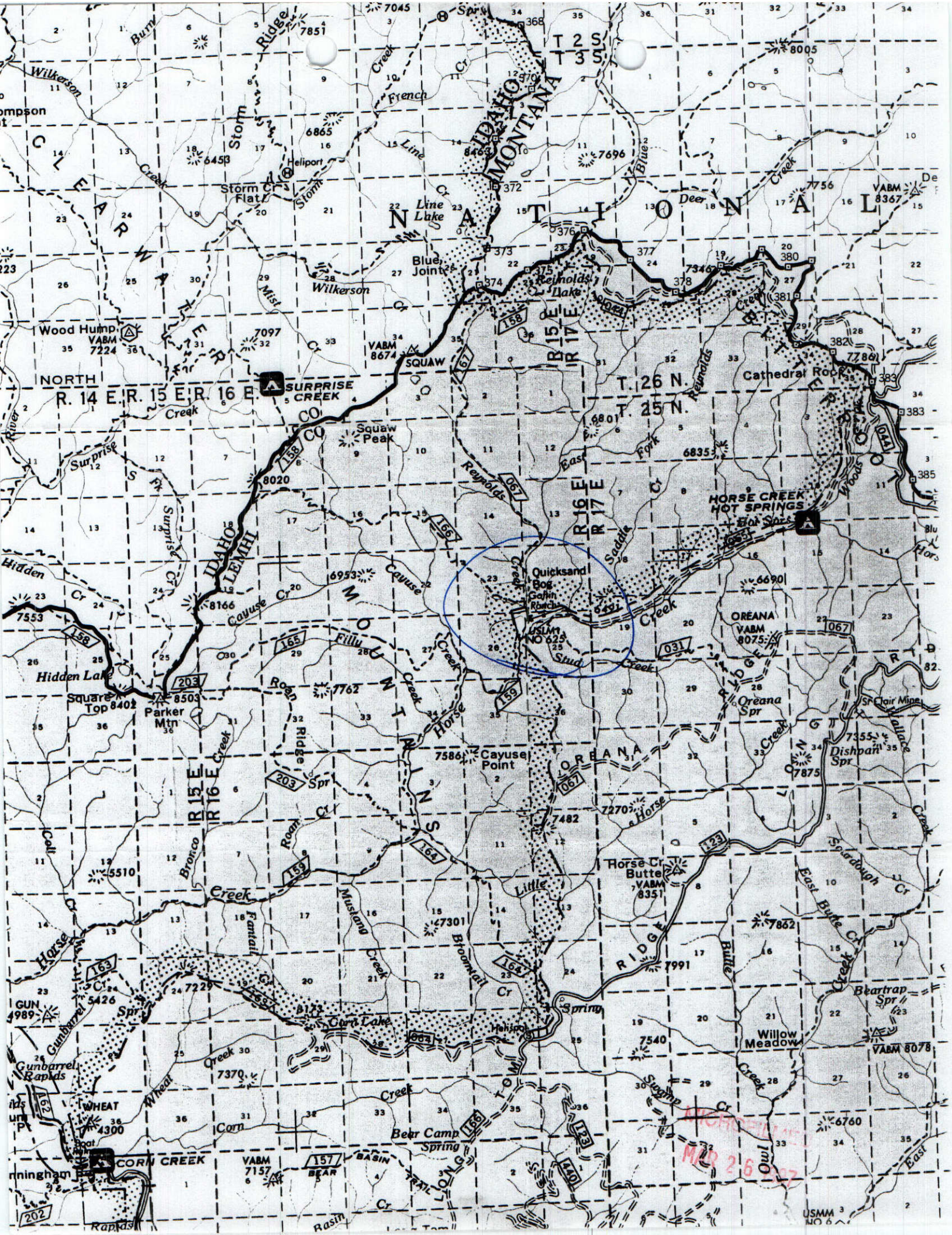
WATER RESOURCES
WESTERN REGION

OCT 15 1996

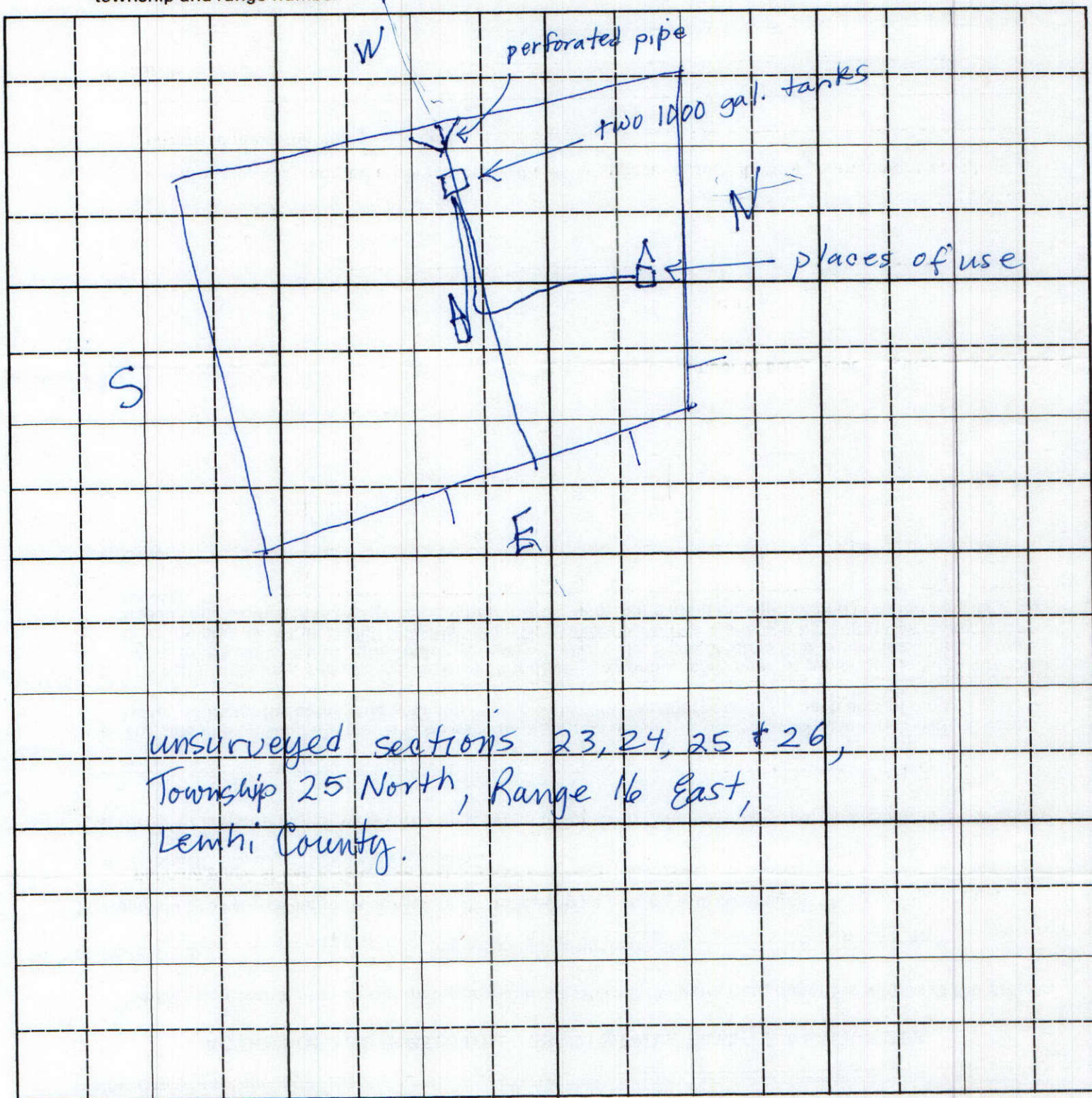
RECEIVED

HORSE CREEK BUTTE
IDAHO-LEMHI
7.5 MINUTE SERIES (TO





13. 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.

MICROFILMED
MAR 26 1997

Joe St. Onge *K. Hales*
(Applicant)

NOTICE OF APPLICATION FOR WATER RIGHT

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

77-07356

HALES, KURT

HALES, VICTORIA

ST ONGE, JOE

ST ONGE, TRUDY

BOX 659

DARBY, MT 59829

Source: SPRING

Tributary: REYNOLDS CREEK

Diversion Pt: NWNENE Sec 26 T

25N R 16E in LEMHI County.

SWNENE Sec 26 T 25N R 16E in
LEMHI County.

Use: DOMESTIC (0.060 CFS)

Total Diversion: (0.060 CFS)

Date Filed: 7/15/1996

In: LEMHI County

T25N R16E S23 SESE

S26 NENE

Permits will be subject to all prior
water rights. Protests may be submit-
ted based on the criteria of Sec. 42-

203A, Idaho Code. Any protest
against the approval of this applica-
tion must be filed with the Director,
Dept. of Water Resources, Western
Region, 2735 Airport Way, Boise,
Idaho 83705 together with a protest
fee of \$25.00 on or before NOVEM-
BER 25, 1996. The protestant must
also send a copy of the protest to the
applicant.

KARL J. DREHER, Director

Published: 11/7/1996 & 11/14/
1996

11-7-2tc

Affidavit of Publication

STATE OF IDAHO

County of Lemhi

ss.

RICKY G. HODGES

, being first duly sworn, deposes
and says he is one of the publishers (printers) of The Recorder Herald, a newspaper
published weekly at Salmon, Lemhi County, Idaho, and of general circulation therein.

That the DEPT OF WATER HALES

a true
printed copy of which is attached to the margin hereof, has been and was correctly
printed and published in the regular and entire issue of every number of said newspa-
per and not in any supplement thereof or thereto for TWO(2)
consecutive issues, commencing with the issue dated 11/7, 1996
and ending with the issue dated 11/14, 1996

STATE OF IDAHO

County of Lemhi

ss.

On this 14th day of NOVEMBER in this year of 1996

before me, A Notary Public, personally appeared RICKY G. HODGES

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

Shirley K. Hodge
Notary Public for Idaho

Residing At Salmon, Idaho

My Commission expires: 9-21-2001

Publication Fee \$ 44.28

Account No. 630

MICROFILMED

MAR 26 1997

FOR OFFICE USE ONLY
Amt. of Fee \$: 50.00
Receipt No. 00411613
Receipt By: P. G. Hales
Date Received: 03-3-98
RECEIVED

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

MAR 03 1998

Department of Water Resources

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have 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, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 77-07356 Telephone No. None
2. Name(s) of Permit Holder(s): Kurt Hales, Victoria Hales, Joe St. Onge, Trudy St. Onge
3. Mailing Address: P.O. Box 659 Darby, MT 59829
4. Source of Water: Spring If **GROUNDWATER** (well), Date Drilled: mo. ____ / yr. ____
 - a. Well Driller: This is not a well Drilling Permit Number: ____ - ____ - ____
 - b. **OPTIONAL:**
Pump Horsepower: ____ Pressure (psi): ____ Dynamic pumping level (ft): ____
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): 2 Stockwater (No. and type of stock): ____
Irrigation (No. of acres): ____ Other: ____
6. Total rate of diversion and/or volume for which proof is submitted: 0-0.20 cfs OR 0-20 acre feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device:	Is a measuring device required?	Yes ____ or No ____
	Has the measuring device been installed?	Yes ____ or No ____
Flow Measurement Port:	Is a flow measurement port required?	Yes <u>X</u> or No ____
	Has the measurement port been installed?	Yes <u>X</u> or No ____
8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system.
Name: Joe St. Onge Telephone Number: None
Address: P.O. Box 659 Darby MT 59829
10. The information given on this form 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.

Signature of permit holder: Joe St. Onge Date: 2-26-98
(include your title, if of behalf of company of organization)
APR 28 1998

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 77-07356

Proposed Priority: July 15, 1996

Maximum Diversion Rate:

0.06 CFS

This is to certify, that JOE ST ONGE

KURT HALES

VICTORIA HALES

TRUDY ST ONGE

PO BOX 659

DARBY MT 59829-0659

has applied for a permit to appropriate water from:

SPRING

tributary of REYNOLDS CREEK

and a permit is APPROVED for development of water as follows:

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

DOMESTIC

01/01 to 12/31

0.06 CFS

LOCATION OF POINT(S) OF DIVERSION:

NWNENE , Sec. 26, Township 25N, Range 16E

SWNENE , Sec. 26, Township 25N, Range 16E

LEMHI County

PLACE OF USE: DOMESTIC

TWN RGE SEC

25N 16E 23

26

SESE

NENE

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before April 1, 1998.
2. Subject to all prior water rights.
3. This right authorizes a single point of diversion.
4. The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
5. Domestic use is for 2 homes.
6. The irrigation occurring under this domestic use shall not exceed 1/2 acre per home.

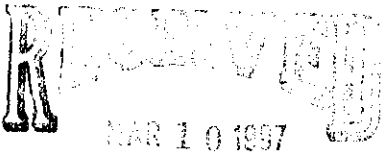
This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the signature of the Director, affixed at Boise, this

17th day of March, 1997.

Karl J. Dreher
for Karl J. Dreher, Director

MAR 26 1997

Ident. No. 77-07356



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: JOE ST ONGE 805-967-7152
Address: BOX 659
DARBY MT 59829
AND/OR
Name: TRUDY ST ONGE 805-967-7152
Address: BOX 659
DARBY MT 59829
AND/OR
Name: KURT HALES 805-967-7152
Address: BOX 659
DARBY MT 59829
AND/OR
Name: VICTORIA HALES 805-967-7152
Address: BOX 659
DARBY MT 59829

2. Source: SPRING Trib. to: REYNOLDS CREEK
3. Location of Point of Diversion: NWNENE Sec. 26, Township 25N, Range 16E
SWNENE Sec. 26, Township 25N, Range 16E
LEMHI County

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
DOMESTIC	01/01	12/31	0.060		

5. Total quantity to be appropriated is:
0.060 CFS (and/or) AF

6. Proposed diverting works:
- Description of ditches, flumes, pumps, headgates, etc.
PIPE TO STORAGE TANKS
 - Height of storage dam feet; active reservoir capacity
acre-feet; total reservoir capacity acre-feet; period of
year when water will be diverted to storage: to inclusive.
 - Proposed well diameter is inches; proposed depth of well is
feet.
 - Is groundwater with a temperature greater than 85F being sought? NO
 - If well is already drilled, when?
Drilling Firm
Well was drilled for

MAR 10 1997

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 year(s).

8. Place of Use: DOMESTIC

TWN RGE SEC

25N 16E 23

26

SESE

NENE

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

APPLICANT

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

APPLICANT

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:

11. Map of proposed point of diversion and place of use attached? ☒

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.

See Original
Applicant

Received by _____ Date _____ Time _____ Preliminary check by _____

Fee \$ 50.00 Receipted by _____ #W021206 Date 7/15/1996

Publication prepared by _____ Date _____ Published in _____

Publication approved _____ Date _____

APPROVED
JUL 16 1996

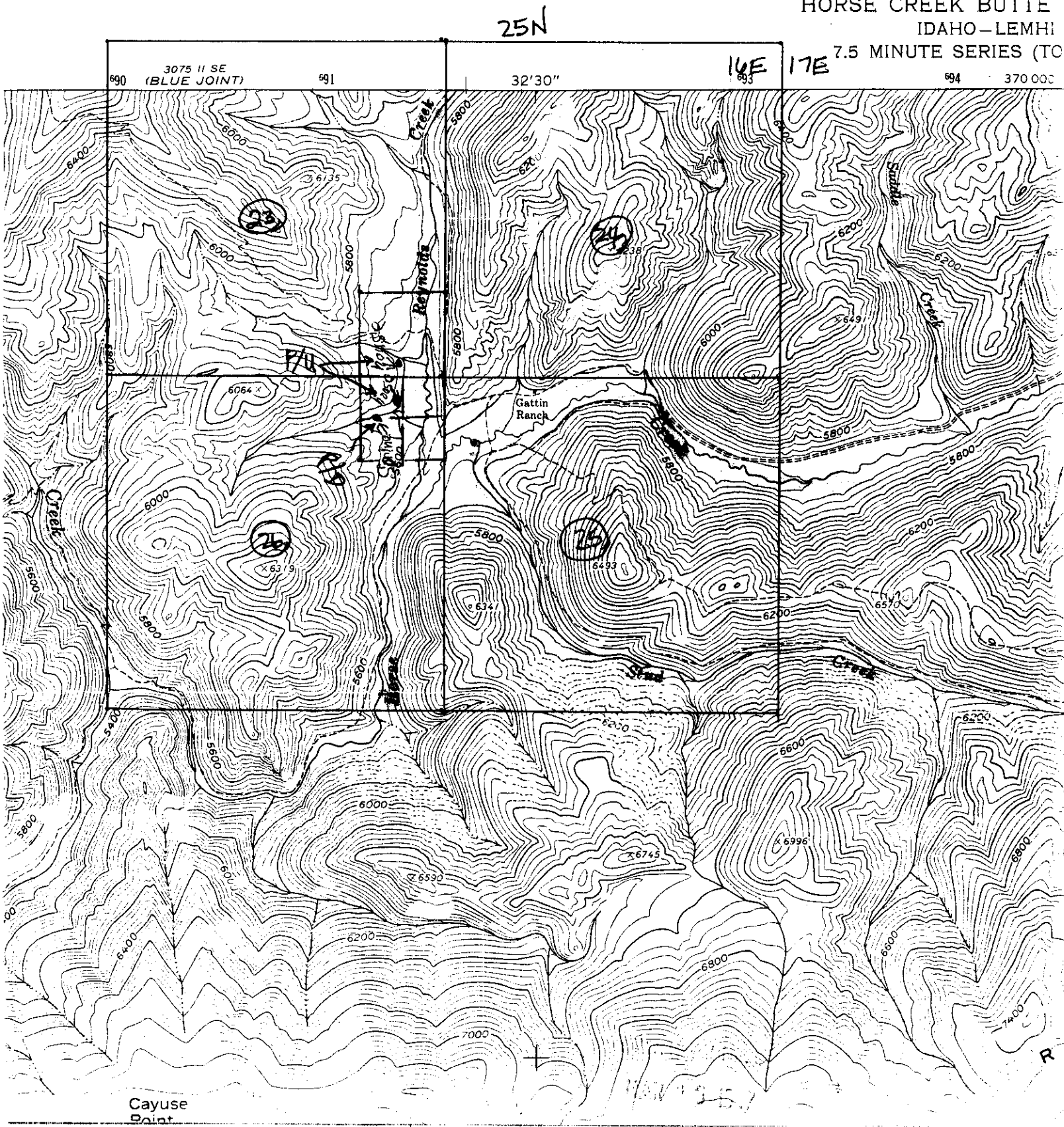
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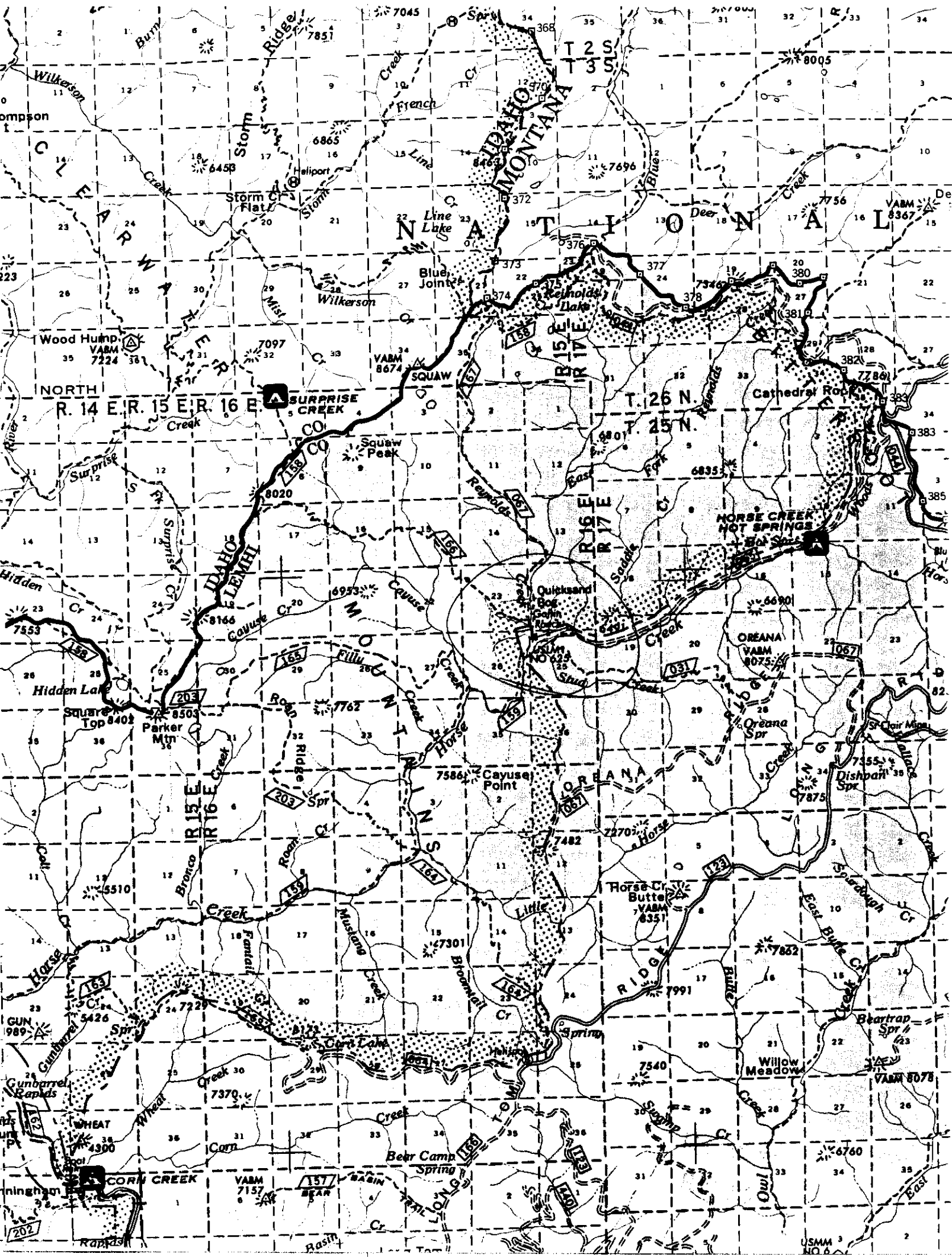
WATER RESOURCES
WESTERN REGION

OCT 15 1996

RECEIVED

HORSE CREEK BUTTE
IDAHO-LEMHI
7.5 MINUTE SERIES (TO





RECEIVED

JUL 15 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

WATER RESOURCES
WESTERN REGION

Ident. No. 22-7356

RECEIVED

JUL 11 1996

Department of Water Resources
Eastern Region

To appropriate the public waters of the State of Idaho

1. Name of applicant Joe & Trudy St. Onge and Kurt & Victoria Hakes Phone 805 967 7152
Post office address Box 659 Darby MT 59829 (St Onge) (Victoria)
2. Source of water supply underground spring which is a tributary of N/A Reynolds Creek
3. Location of point of diversion is NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of NE $\frac{1}{4}$, Govt. Lot Unsurveyed Sections
Sec. 23, 24, 25, 26 Township 25 North Range 16 East B.M. Lemhi County; additional
points of diversion if any: N/A SWNE - Single point on tract line
4. Water will be used for the following purposes:
.06 (per applicant response - see correspondence)
Amount .20 for Domestic purposes from Jan. 1 to Dec. 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)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) ~~20~~ .06 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
- a. Description of ditches, flumes, pumps, headgates, etc. "Y" shaped ditch
perforated pipe to solid pipe to two 1000 gallon
storage tanks
- b. Height of storage dam N/A feet; active reservoir capacity two 1000 gal. tanks
reservoir capacity 2000 gal. acre-feet; period of year when water will be diverted to storage:
Jan 1 to Dec 31 inclusive.
- c. Proposed well diameter is N/A inches; proposed depth of well is N/A feet.
- d. Is ground water with a temperature of greater than 85°F being sought? N/A
- e. If well is already drilled, when? N/A; Drilling firm N/A;
Well was drilled for (well owner) N/A
7. Time required for the completion of the works and application of the water to be proposed beneficial use is
1 year years (minimum 1 year).

8. Description of proposed uses (if irrigation only, go to item 9):

a. Hydropower; show total feet of head and proposed capacity in KW. N/A

b. Stockwatering; list number and kind of livestock. N/A

c. Municipal; show name of municipality. N/A

d. Domestic; show number of households. two

e. Other; describe fully. N/A

9. Description of place of use:

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

b. If water is used for other purposes, place a symbol of the use (example: *D* for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
			Domestic only																
25N	16E	23																D	
		26	D																

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. none

11. a. Who owns the property at the point of diversion? Joe & Trudy St. Onge

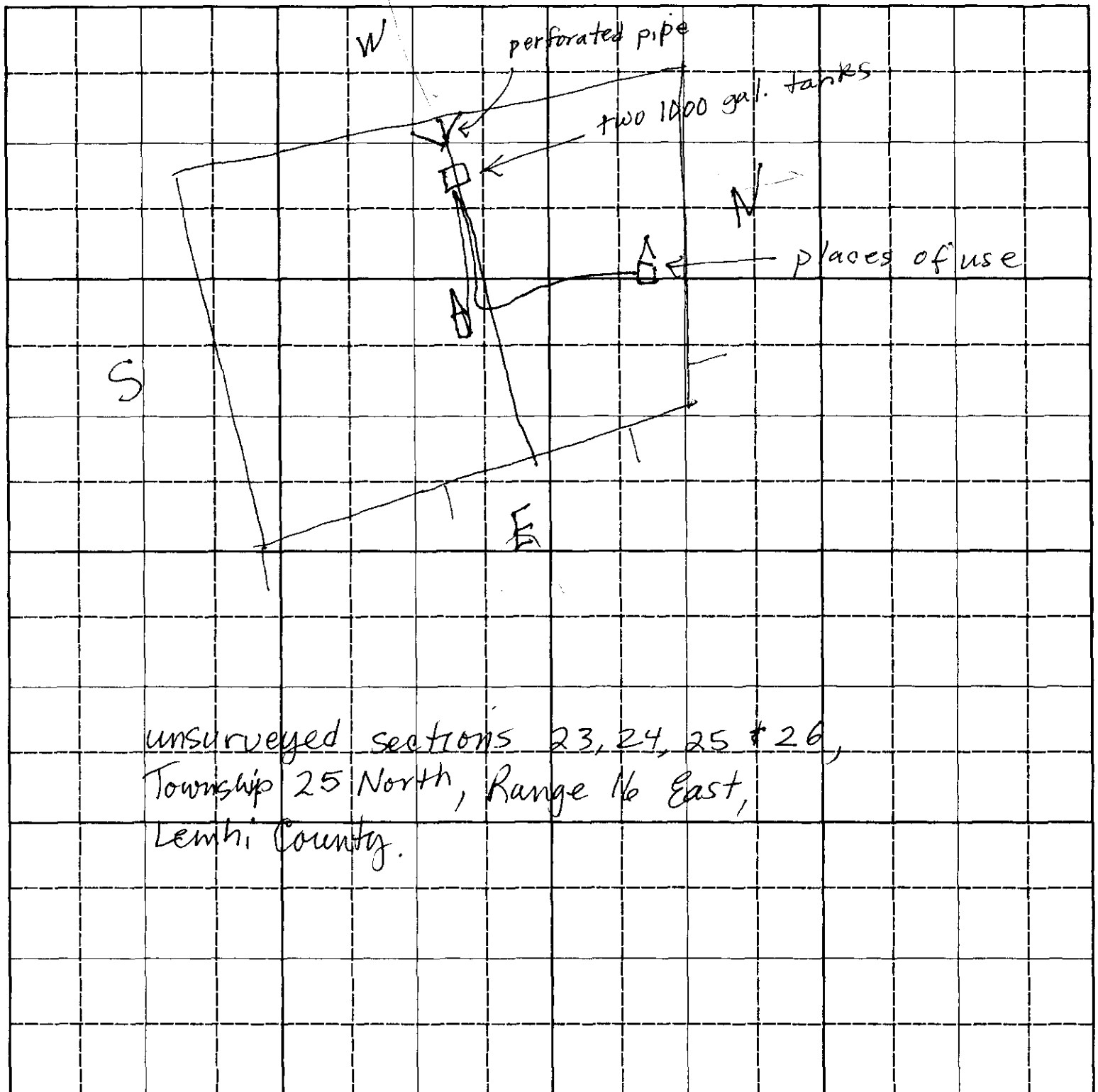
b. Who owns the land to be irrigated or place of use? same & Kurt & Victoria Hales

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

12. Remarks: _____

APR 25 1977

13. 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.

Joe Stange St Hales
(Applicant)

Received by VR Date 7-15-96 Time 11:30 am Preliminary check by Cjl
Fee \$ 50 - Receipted by VR # W1021206 Date 7-15-96
Publication prepared by ST Date 10-30-96 Published in Recorder-Herald
Publication approved ST Date 1-10-97

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. _____, and said application is hereby _____.

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 _____, 19 ____.

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. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other:

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 17-07356 Reviewed by [Signature] Date 3-20-98

GENERAL CONSIDERATIONS

yes Name same as permit?
yes Address same as permit?
yes Proof timely received?
If not, complete calculation below.

TYPES OF USE

dom.

Correct Uses? yes

SOURCE OF WATER

☒ Surface water source

☐ Ground water source

☒ Drilling permit required?

☒ Copy in the file? Drilling Permit No. _____

☒ Amount paid for permit

☒ Well log in the file?

_____ Correct?

LICENSE EXAMINATION FEE

yes Required?

50 - Amount Submitted

yes Correct?

MEASURING DEVICE

NO Required?

☒ Installed?

☒ Waiver requested?

PRIORITY CALCULATION

Date proof received

Date proof due

No. of days late

Priority Date

New Priority Date

[Crossed out calculation area]

DEFICIENCIES OR ACTION ITEMS

Proof acceptable

DATA ENTRY

New Address [Crossed out]

Proof Made 3-3-98



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

PHILIP E. BATT
GOVERNOR

March 20, 1998

KARL J. DREHER
DIRECTOR

Joe and Trudy St Onge
Kurt and Victoria Hales
PO Box 659
Darby MT 59829

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 77-07356

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

Be advised that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions concerning the field examination, please contact the department's **WESTERN** Regional Office in Boise at (208)334-2190.

Sincerely,

JULIE L. YARBROUGH

Senior Secretary, Water Allocation Bureau

c: IDWR - Regional Office

RECORDED

APR 28 1998

January 31, 1998

KURT HALES
VICTORIA HALES
JOE ST ONGE
TRUDY ST ONGE
PO BOX 659
DARBY MT 598290659

PROOF DUE NOTICE

RE: PERMIT NO. 77-07356

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 April 1, 1998.

(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.

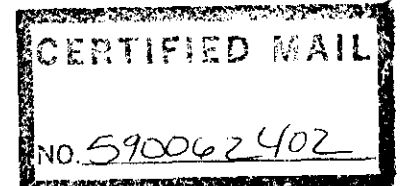
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

ENCLOSURE

APR 28 1998





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

March 17, 1997

KURT HALES
VICTORIA HALES
JOE ST ONGE
TRUDY ST ONGE
PO BOX 659
DARBY MT 59829-0659

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 77-07356

Dear Permit Holder:

The Department of Water Resources (IDWR) has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a preliminary order issued by IDWR pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by IDWR unless a party petitions for reconsideration within fourteen (14) days after issuance. To learn more about preliminary orders, please refer to the enclosed information sheet.

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed, you should complete and submit this form immediately.

Also, please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address to the department. If you have acquired a water right or have changed your mailing address PRIOR TO July 1, 1996, you have until July 30, 1998, to notify the department. If you acquire a water right or change your mailing address AFTER July 1, 1996, you must notify 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 to obtain the proper reporting form.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen". The signature is written in dark ink and is positioned above the typed name.

Shelley W. Keen
Water Rights Supervisor

SK:ph

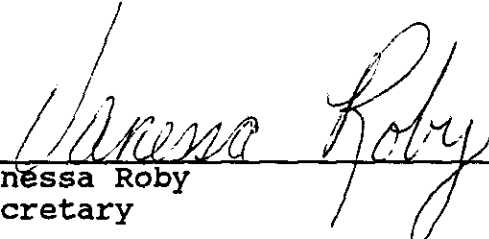
Enclosures

CERTIFICATE OF MAILING

I hereby certify that on the 17th day of March, 1997, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right No. 77-07356

JOE ST ONGE
KURT HALES
VICTORIA HALES
TRUDY ST ONGE
PO BOX 659
DARBY MT 598290659



Vanessa Roby
Secretary

01/97

OWNERSHIP: Non-owner - 004 (PD/PU) _____
OTHER CONDITIONS: - 010 011 _____
STANDARD REMARKS: - ① 001/2 ② modify 010 _____
BENEFICIAL USE DUE: - 4-1-1998 _____
COMMENTS: - _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: CJL DATE: 10/18/96 APPLICATION: 77-7356

REQUIRED INFORMATION

Name: (If applicant is a corporation or partnership, names and addresses for the director, officers, and other partners must be included.)
Address:
Source: (See USGS Quad for names of water sources)
Point of Diversion: (10 acres for spring, lot & block descriptions for Subdivisions, local name)
County:
Quantity: (flow and/or volume)
Period of use:
Nature of proposed use: (Include description of use)
Description of diverting works:
Time required for beneficial use of water:
Place of use or acres irrigated:
Map: (show T, R, S, QQ &/or QQQ)
Subdivision plat: (for > 1 home in restricted area. $\geq$ 5 homes in non-restricted area)
Signature: (If applicant is corp., partnership, or municipality, title of signatory is required)
Fee:
Yes ☐ No* In form to receipt:

Gov't. Lots:
160 P/D
160 P/U
Surveyed

ADDITIONAL INFORMATION

YES NO

Department of Water Resources

☒ Overlapping place of use: (Describe source & relationship to present application on next page.)
☒ Overlapping point of diversion.
☐ Field check required: Field check by: _____
☐ Field report attached:
☒ Critical groundwater area:
☒ Groundwater management area:
☒ 1992 moratorium: Salmon R. exempt
☐ Copy to SCA staff: (perennial stream, non-pump diversion &/or any mining).
☐ Copy to Dam Safety staff: (for any storage)
☐ Mitigation plan: where ground water replaces surface water for irrigation, request additional information &/or mitigation plan to address reduced aquifer recharge
☐ Send power requirement letter:
☐ Send fish farm requirement letter:
☐ Power residency affidavit:
☐ Power efficiency form:
☐ Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres: (If yes, attach Large Diversion supplementary analysis sheet.)
☐ *REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT

DATE REQUESTED

ADDITIONAL INFORMATION ON REVERSE SIDE:

APP. NO. 77-7356

☒ In form for advertising:
☒ Statewide advertising: (> 10 cfs &/or 1000 af)
☒ Fee amount, receipt number and date recorded on application:

YES NO

_____	_____	I.D. Health & Welfare
_____	_____	I.D. District Health
_____	_____	I.D. Fish & Game
_____	_____	I.D. Lands
_____	_____	Adjudication Bureau

YES NO

U.S. BLM
 U.S. Forest Service
 Water Dist. # _____
 Other _____

YES NO

 Affidavit of publication received:
 Application published correctly: If not, record action taken.

Publication dates and paper recorded on application:
 Protests received. Final date for protest 11-25-96
 Protest dates, resolution of protest recorded on application:
 Recommendations attached:
 Measuring device required:
 Measuring port required:
 Water delivered by water master? District # _____
 Special conditions of approval or cover letter: See attached memo.

See below for additional information

Recommended Date or Priority 7/15/96

Recommended by: Gary Spickman Date: 3/8/97

STATE OFFICE REVIEW

See below for additional information. By _____ Date _____

ADDITIONAL INFORMATION:

RECEIVED

MAR 10 1997

MEMORANDUM

Department of Water Resources

To: Application for Permit No. 77-07356
From: Gary Spackman *Gary*
Date: February 12, 1997

Re: Effect of Salmon River - Clearwater River Moratorium

The Salmon and Clearwater River Basins moratorium order issued by the Director on April 30, 1993, prohibits appropriation of surface water from the Salmon River and its tributaries unless the application satisfies some very narrow criteria. An application can be approved if the application for permit qualifies as a domestic use as defined by Idaho Code § 42-111. It can also be approved if "the application will have no effect on the migration of anadromous fish due to . . . i) the location of use . . . or iii) insignificant consumption of water."

Application for permit no. 77-07356 proposes diversion from a spring to serve two lots owned by different people. Technically, the proposal is for a "multiple ownership subdivision." A multiple ownership subdivision qualifies as a domestic use under Idaho Code § 42-111(b) which limits the total volume diverted to 2,500 gallons per day.

I believe this application is the type that should be processed because the diversion is at a remote location from the Salmon River and diversion will result in an insignificant consumption of water.

No more than one half acre per lot should be irrigated under the domestic right.

Total diversion should be limited to 13,000 gallons per day per lot.

Place of use is limited to two homes.

[Faint stamp]
MAR 18 1997

Affidavit of Publication

STATE OF IDAHO } ss.
County of Lemhi

NOTICE OF APPLICATION FOR WATER RIGHT

The Following application(s) have
been filed to appropriate the public
waters of the State of Idaho
7-07356

HALES, KURT
HALES, VICTORIA
TONGE, JOE
TONGE, TRUDY
BOX 659

DARBY, MT 59829

Source: SPRING

Tributary: REYNOLDS CREEK

Division: R. 16 NENE Sec 26 T

2 R. 16 E in LEMHI County

WNEINE Sec 26 T 22 N R 16 E in

LEMHI County

Use: DOMESTIC (0.040 CFS)

Total Diversion: (0.040 CFS)

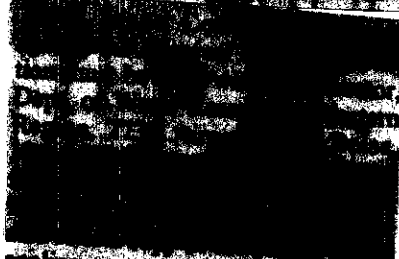
Date Filed: 7/15/1996

In: LEMHI County

25N R16E S23 SESE

26 NENE

Permits will be subject to all prior
water rights. Persons may be submit-
ted based on the above information.



Approved:
KARL J. DRENER, Director
Published: 11/7/1996 & 11/14/
1996

11-7-2c

RICKY G. HODGES, being first duly sworn, deposes
and says he is one of the publishers (printers) of The Recorder Herald, a newspaper
published weekly at Salmon, Lemhi County, Idaho, and of general circulation therein.
That the DEPT OF WATER HALES

a true
printed copy of which is attached to the margin hereof, has been and was correctly
printed and published in the regular and entire issue of every number of said newspa-
per and not in any supplement thereof or thereto for TWO(2)
consecutive issues, commencing with the issue dated 11/7, 1996
and ending with the issue dated 11/14, 1996

STATE OF IDAHO } ss.
County of Lemhi

On this 14th day of NOVEMBER in this year of 1996

before me, A Notary Public, personally appeared RICKY G. HODGES,
known or identified to me to be the person whose name subscribed to the within in-
strument, and being by me first duly sworn, declared that the statements therein are
true, and acknowledged to me that he executed the same.

Ricky G. Hodges
Notary Public for Idaho

Residing At Salmon, Idaho

My Commission expires: 9-21-2001

Publication Fee \$ 44.28

Account No. 630

NOV 16 1996



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

August 23, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

JOE AND TRUDY ST ONGE
KURT AND VICTORIA HALES
BOX 659
DARBY MT 59829

RECEIVED

OCT 15 1996

WATER RESOURCES
WESTERN REGION

RE: Application for Permit

Dear Applicants:

This office has received your application for permit for review and processing. More information is required before we may continue.

Even though this area is unsurveyed, the location of the spring and the place of use must be determined more precisely. I have enclosed a partial copy of USGS topographical map Q-22, Horse Creek Butte, with section lines for Sections 23, 24, 25 and 26 approximated. I have also enclosed a copy of the US Forest Service map which was used to approximate the section boundaries.

Please mark the location of the spring source and the location of your home sites on map Q-22 and return to me at the above address. Also please provide the following information:

NO License 77-07029 (copy enclosed) was previously developed in this area. Is there any relation between your proposed development and this existing record?

yes
Reynolds Cr. Is the proposed source a free-flowing spring in its undeveloped state? If so, which creek drainage does it naturally flow into? If not, how far must you excavate to encounter usable flows?

yes Is lawn irrigation proposed under this application?

O.K. Also, the rate of flow of 0.20 cfs which you specified on your application exceeds the allowable diversion for two homes on a common system. This amount will be reduced to 0.06 cfs, or about 27 gallons per minute, unless you can provide sufficient information which supports the excessive rate of flow.

To avoid additional processing delays, please return the map and the requested information to me as soon as possible. Feel free to contact me at 208-334-2190 if you have questions.

Sincerely,

Cindy Hodges

Cindy Hodges
Sr. Water Resource Agent

Enclosures

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No: W021832

Date: 12/31/1996
Time: 10:15:54

Received
From: RYE GRASS RANCH

Type of Payment	Program A cct	Amount
APPLICATION FOR PERMIT	62103 229 21 1155	50.00
CHECK 6210		
	Total	\$ 50.00

Region: WESTERN

Signature: V. Robinson

INTER-DEPARTMENT MEMO

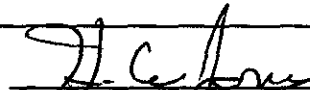
TO: Western Region
FROM: Skip-Eastern

SUBJECT: Applied check
DATE: 7-11-96

This looks like a Basin 77 applic. The
applic. has problems & needs to be rewritten, but
how do you establish legale in unsurveyed
areas?

RECEIVED
JUL 15 1996
WATER RESOURCES
WESTERN REGION

- (X) For your information
() Response required


signature

77-07356

HALES, KURT
HALES, VICTORIA
ST ONGE, JOE
ST ONGE, TRUDY
BOX 659
DARBY, MT 59829

Source: SPRING

Tributary: REYNOLDS CREEK

Diversion Pt: NWNENE Sec 26 T 25N R 16E in LEMHI County.
 SWNEENE Sec 26 T 25N R 16E in LEMHI County.

Use: DOMESTIC (0.060 CFS)
 Total Diversion: (0.060 CFS)

Date Filed: 7/15/1996

In: LEMHI County
 T25N R16E S23 SESE
 S26 NENE