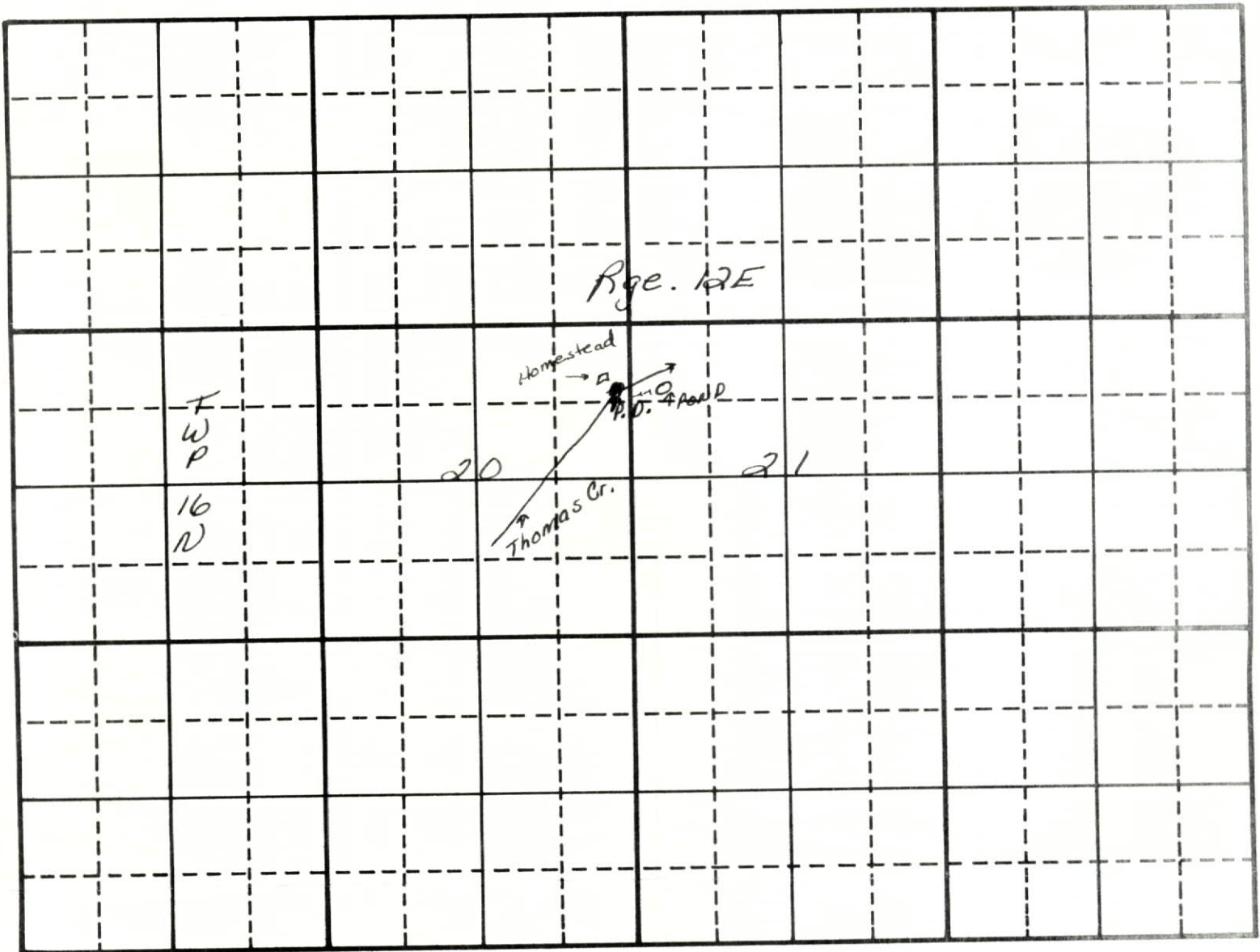


Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile.

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

Signed at Reed, Nevada, this 8 day of January, 19 79.

[Signature]
(Signature)

FOR DEPARTMENT USE ONLY

#13774 - \$20.00 92-155/241

Preliminary check by Joan Lodge Fee = \$20.00 25.00 92-155 Received by ng Date 2/12/79

Publication prepared by _____ Date _____ Published in _____

Publication dates _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, C. STEPHEN ALLRED, Director of the Department of Water Resources hereby

APPROVE the above Application for Amendment for Permit No. 77-7020.

Witness my hand this 20 day of February, 19 79

[Signature]
Director

**AFFIDAVIT
OF PUBLICATION**

State of Idaho, }
County of Custer, } ss:

I, Louis Kristan, publisher
of The Challis Messenger, a
weekly newspaper, publish-
ed at Challis, Idaho, do sol-
emnly swear that the notice
hereto attached and made a
part hereof, was published
in the regular and entire
issue of The Challis Messen-

ger for Two
consecutive weeks, com-
mencing with the issue
dated Nov. 11, 1971,
and ending with the issue
dated Nov. 18, 1971.

Louis Kristan

Subscribed and sworn to
before me this 24th
day of Nov, 1971.

James Bennett
Notary Public, Residing at
Challis, Idaho.

My Commission expires

12-13-74

PUBLIC NOTICE

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that
Middle Fork Lodge, Inc., P.O.
Box 158, Challis, Idaho has on
October 26, 1971 submitted Ap-
plication No. 77-7020 for a per-
mit to appropriate 2.0 cubic feet
per second and 10 acre feet per
annum of water from Thomas
Creek, tributary of Middle Fork
of Salmon River by means of
dam and pipeline within the
NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 21, T. 16N, R.
12E, B.M., Custer County to be
used from April 1 to Oct. 1 for
recreation and fish culture with-
in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 21, T.
16N, R. 12E, B.M.

If issued, this permit will be
subject to all prior water rights.
Protests against the granting of
the permit must be filed with
the Idaho Department of Water
Administration, Statehouse,
Boise, Idaho, 83707, on or be-
fore November 29, 1971.

R. KEITH HIGGINSON
Director

Published in the Challis Mes-
senger, Challis, Idaho on Nov.
11 and Nov. 18, 1971.

77 7020

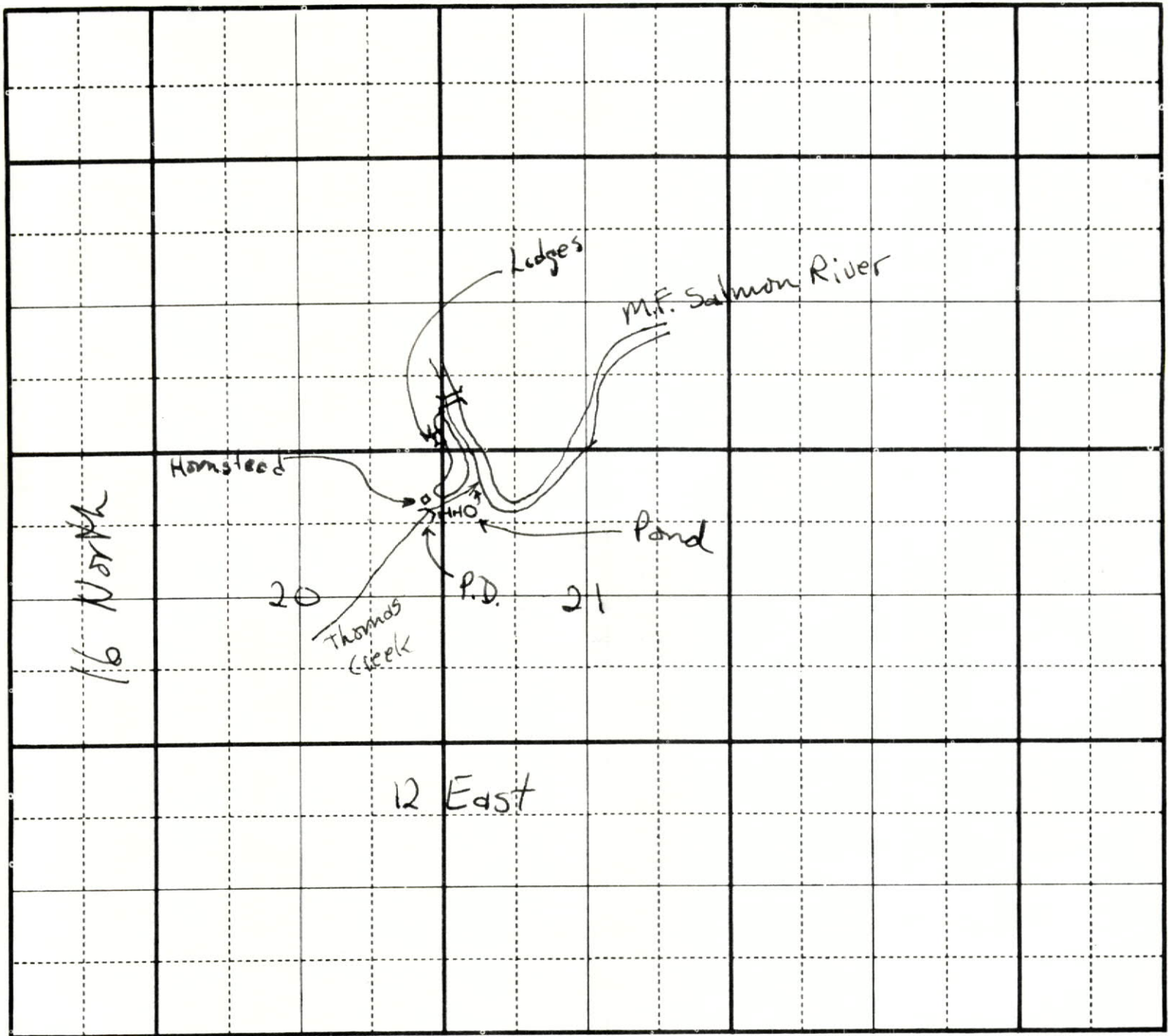


Diagram of System

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 77-7020 Priority October 26, 1971 Amount 2.00 cfs

THIS IS TO CERTIFY, that MIDDLE FORK LODGE, INC.
of Challis, Idaho, has complied with the terms and conditions of Permit
No. 77-7020 issued pursuant to Application for Permit dated October 26, 1971,
and has submitted proof to the Department of Water Resources on November 5, 1976,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 5.66 cfs of water from Thomas Creek,
tributary to Middle Fork Salmon River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Recreation and Fish Culture	from <u>April 1</u> to <u>October 1</u>	at <u>2.00</u> cfs and <u>N/A</u>	
	from _____ to _____	at _____ cfs and _____	
	from _____ to _____	at _____ cfs and _____	

(both dates inclusive)

Subject, however, to the condition that no more than 2.00 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
N/A acre feet per year, said waters to be diverted within the NE¹/₄NE¹/₄, Sec. 20, Twp. 16N,
Rge. 12E, B. M. in the County of Custer

Description and location of place of use:

Twp.	Range	Sec.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				Totals
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
16N	12E	21					X												

Total number of acres irrigated _____

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 20 day of
February, 19 79.

Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES



APPLICATION FOR AMENDMENT OF A PERMIT

To change the point of diversion and/or the place of use.

Comes now Middle Fork Lodge, Inc.

of (address) P.O. Box 158, Challis, Idaho, 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. 77-7020, and requests that the permit and permit map be changed as follows:

1. Point of diversion: NE 1/4 NE 1/4, Section 20, Township 16N, Range 12E, B.M.,
County of Custer. Other points of diversion: _____

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

NO CHANGE

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)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

3. Place of use or land to be irrigated: NO CHANGE

TWP	RGE	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

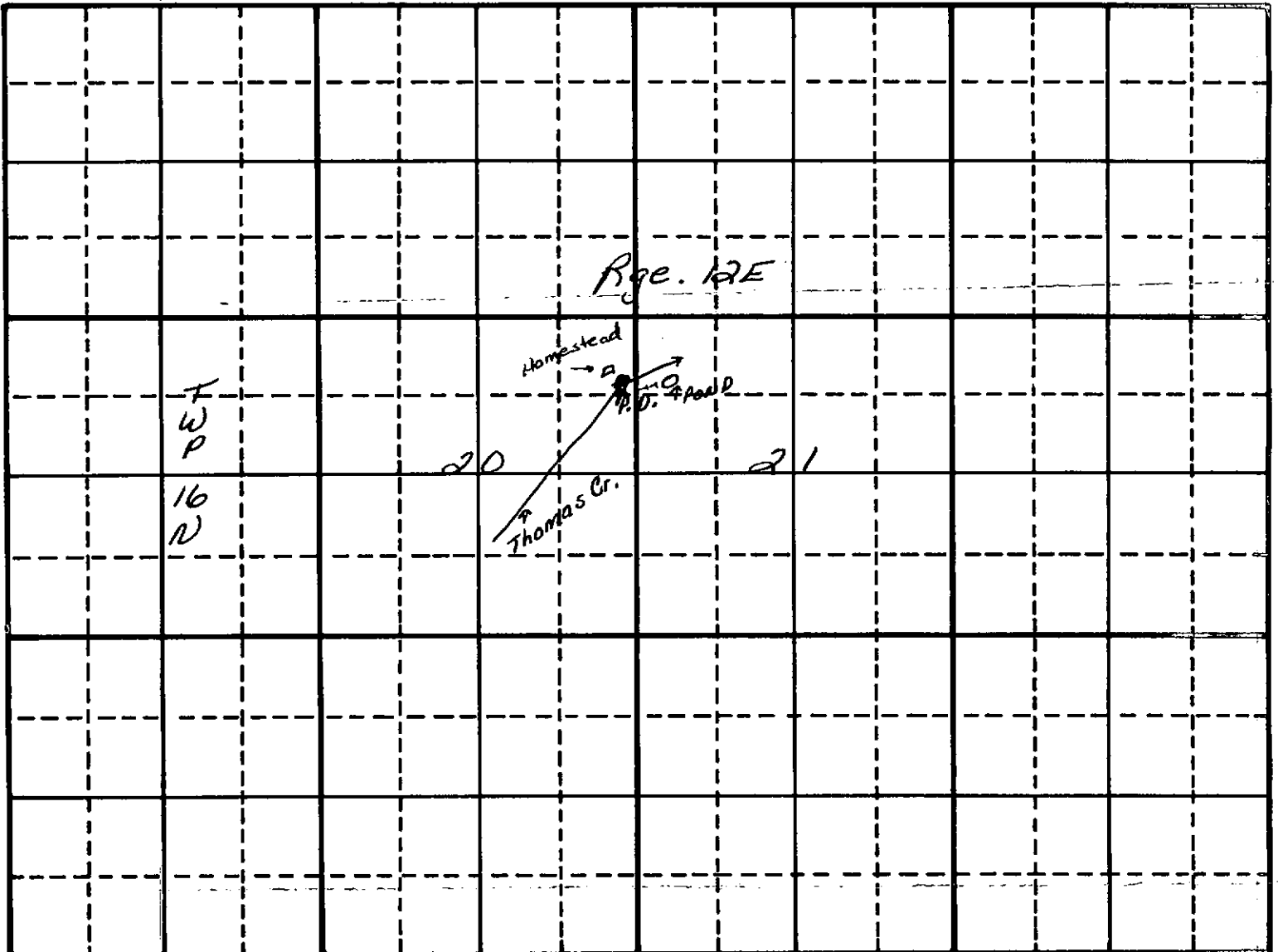
Total number of acres to be irrigated = _____

4. a. Who owns the property at the point of diversion? Middle Fork Lodge
- b. Who owns the land to be irrigated or the place of use? Middle Fork Lodge
- 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

RECEIVED
MIDDLE FORK LODGE

Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile.

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

Signed at Reed, Nevada, this 8 day of January, 19 79.

[Signature]
(Signature)

FOR DEPARTMENT USE ONLY

#13774 - \$20.00 92-155/241

Preliminary check by [Signature] Fee = \$20.00 25.00 92-155 Received by ng Date 2/12/79

Publication prepared by _____ Date _____ Published in _____

Publication dates _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, C. STEPHEN ALLRED, Director of the Department of Water Resources hereby

APPROVE the above Application for Amendment for Permit No. 77-7020.

Witness my hand this 20 day of February, 19 79

[Signature]
Director

738

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF REMOVAL OF THE MEASURING
DEVICE REQUIREMENT FOR PERMIT NO. 77-7020
IN THE NAME OF MIDDLE FORK LODGE, INC.

ORDER

WHEREAS, on October 26, 1971, the Middle Fork Lodge, Inc. applied to the Department of Water Resources (formerly the Department of Water Administration) for a permit to appropriate 2.00 cubic feet per second and/or 10.00 acre feet per annum of water from Thomas Creek, tributary of Middle Fork of the Salmon River, to be diverted within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 21, Twp. 16N, Rge. 12E, B.M., Custer County, to be used for recreational and fish culture purposes; and,

WHEREAS, on December 13, 1971, the Department approved said application and issued Permit No. 77-7020 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before December 1, 1976, and that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, on November 5, 1976, the Department received the required proof of application of water to beneficial use along with a request that the measuring device requirement be removed from said permit; and,

WHEREAS, it has been determined by the Department that a measuring device is not required at this time for a determination of the quantity of water appropriated under said permit;

IT IS, THEREFORE, HEREBY ORDERED that the condition of approval that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works, be and is, REMOVED from Permit No. 77-7020.

Dated this 4 day of January, 1977.


A. KENNETH DUNN
Administrator, Operations Division

RECEIVED
JAN 10 1977
WATER RESOURCES DIVISION

Identification No. 77-7020
Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Middle Fork Lodge, Inc.
post office address P.O. Box 158, Challis, Idaho
2. Source of water supply Thomas Creek which is a tributary of Middle Fork of Salmon
3. a. Location of point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 21 Township T16N
Range R12E B.M. Custer County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into Thomas Creek at a point in NW $\frac{1}{4}$
of NW $\frac{1}{4}$ of Section 21 Township T16N Range R12E B.M. _____
4. Water will be used for the following purposes:
Amount 2 for Rec & Fish Culture purpose from APR. 1 to OCT. 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 2 cubic feet per second and/or
b. 10 acre feet per annum. (storage, evaporation and seepage)
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. concrete sacked rip rap
diversion dam or catchment to provide gravity flow water for 6" pipeline to pond

b. Height of storage dam not over 7 feet, active reservoir capacity 5 acre feet; total reservoir
capacity 7 acre feet, materials used in storage dam: earthen dam with watertight liner
Period of year during which storage will occur April 1 to October 1 inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$15,000.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 21 Township T16N
Range R12E B.M.
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(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: Recreation and Fish Culture.
Evaporation and seepage estimated at 5 acre feet per yr. and remaining diversion flows
estimated as necessary to maintain dissolved oxygen levels sufficient to sustain fish life.

20

77 7020

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

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	

Total number of acres to be irrigated _____

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

9. a. Who owns the property at the point of diversion Middle Fork Lodge, Inc.

b. Who owns the land to be irrigated or place of use Middle Fork Lodge, Inc.

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

10. Remarks This diversion of water will be used to fill and continually replenish a fish pond. The overflow from the pond will be returned to Thomas Creek at a point estimated to be 1200 feet downstream from the planned diversion point. Screening devices approved by the Idaho Fish and Game Department will be used in the intake to and the outlet from the pond to insure no contamination of Thomas Creek by planted fish stock.

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

SEE ATTACHED MAP

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.


Gordon E. Hartley

(Applicant) Vice President, Middle Fork Lodge, Inc.

77 7020

Received by VA Date 10-26-71 Time 8:30 AMPreliminary check by JS Fee \$ 35.00Receipted by ej Date 10-27-71Publication prepared by cr Date 11-2-71Published in Challis MessengerPublication dates 11-11 & 11-18-71Publication approved CR Date 12-1-71

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by DE BDEA

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 77-7020, 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 December 1, 19 76.
- c. Other: A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

2. Denial of said application is for the following reasons: _____

Witness my hand this 13 day of December, 19 71.

L. Keith Higgins
Director

**AFFIDAVIT
OF PUBLICATION**

State of Idaho, }
County of Custer, } ss:

I, Louis Kristan, publisher
of The Challis Messenger, a
weekly newspaper, publish-
ed at Challis, Idaho, do sol-
emnly swear that the notice
hereto attached and made a
part hereof, was published
in the regular and entire
issue of The Challis Messen-

ger for Two
consecutive weeks, com-
mencing with the issue
dated Nov. 11, 1971,
and ending with the issue
dated Nov. 18, 1971,

Louis Kristan

Subscribed and sworn to
before me this 24th

day of Nov, 19 71

James Bennett
Notary Public, Residing at
Challis, Idaho.

My Commission expires

12-13-74

PUBLIC NOTICE

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that
Middle Fork Lodge, Inc., P.O.
Box 158, Challis, Idaho has on
October 26, 1971 submitted Ap-
plication No. 77-7020 for a per-
mit to appropriate 2.0 cubic feet
per second and 10 acre feet per
annum of water from Thomas
Creek, tributary of Middle Fork
of Salmon River by means of
dam and pipeline within the
NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 21, T. 16N, R.
12E, B.M., Custer County to be
used from April 1 to Oct. 1 for
recreation and fish culture with-
in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 21, T.
16N, R. 12E, B.M.

If issued, this permit will be
subject to all prior water rights.
Protests against the granting of
the permit must be filed with
the Idaho Department of Water
Administration, Statehouse,
Boise, Idaho, 83707, on or be-
fore November 29, 1971.

R. KEITH HIGGINSON
Director

Published in the Challis Mes-
senger, Challis, Idaho on Nov.
11 and Nov. 18, 1971.

77 7020

WATER RIGHT NUMBER 77-7020

OWNER LAST NAME - MIDDLE FORK LODGE INC.

FIRST NAME - ORIG OWNER -

ADDRESS LINE 1 -

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - CHALLIS

STATE - ID ZIP CODE -

SOURCE - THOMAS CREEK

TRIBUTARY OF - SALMON RIVER, MIDDLE FORK

STAGE - LICENSE

STATUS -

PRIORITY - 10-26-1971 COUNTY - CUSTER

TOTAL DIV. RATE - 2.0000 -CFS

TOTAL DIV. VOLUME -

.00 AFA TRFR/AMEND -

WATER DIST. -

OLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - RENE 20 16N 12E LOT 12 DIV -

272.0 92.0 279.0 103.0 0.0 0.0 0.0 0.0 0.0 0.0 0.1

FROM - 04-01 TO - 10-01 USE - RECREATION

USE DIV. RATE -

2.0000 CFS

USE DIV. VOLUME -

.00 AFA

FROM - 04-01 TO - 10-01 USE - FISH PROP.

USE DIV. RATE -

2.0000 CFS

USE DIV. VOLUME -

.00 AFA

USE - RECREATION

PLACE OF USE - TWN 16N RNS 12E SEC 21 TRACT NWNW LOT AC

DEGREE NAME -

DATE -

TOTAL ACRES 0

REMARKS -

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. -

PROOF MADE - FLD EXAM - COND. OF APPROVAL -

DIVERSION MEANS -

IDENT. NO. 77-7020

IDENT. NO. 77-7020

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG

[illegible]



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

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

February 21, 1979

Re: Permit No. 77-7020

Middle Fork Lodge
Box 10
Reno, Nevada 89504

Gentlemen:

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit.

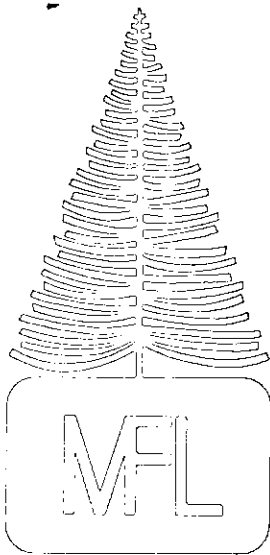
Also enclosed is a copy of the approved Application for Amendment along with Receipt No. 13774 in the amount of \$20.00 .

Sincerely,

JAN GROVER
Water Rights Supervisor

JG/kw
Enclosure

MICROFILMED



MIDDLE FORK LODGE

RECEIVED

FEB 12 1979

Department of Water Resources

February 8, 1979

State of Idaho
Department of Water Resources
State Office
373 W. Franklin Street
Boise, Idaho 83720

Attention: Roberta Garrett

Gentlemen:

Please find enclosed Middle Fork Lodge check #14131 in the amount of \$20.00 to cover the fee for amending permit #77-7020.

Thank you for your patience in this matter.

Sincerely,

Kathleen Endicott
Secretary, Harrah's

ke

January 18, 1979

Middle Fork Lodge
Box 10
Reno, Nevada 89504

Gentlemen:

Re: Application for Amendment of Permit No. 77-7020

We received your application for amendment along with your check No. 14099 (92-155) made payable to Challie National Forest in the amount of \$25 which is enclosed.

As of July 1, 1978, the Idaho legislature changed the fee for amending a permit from \$10 to \$20. Therefore, I am also returning your check No. 14102 (92-155) in the amount of \$10.

Your application for amendment is in good order, and we will process it as soon as we receive a check from you in the amount of \$20.

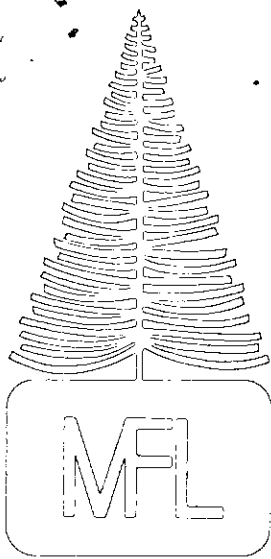
If you have any questions, please feel free to contact us.

Sincerely,

Roberta Garrett
Records Supervisor

Enclosures 2

MICROFILMED



MIDDLE FORK LODGE



Department of Water Resources

January 15, 1979

State of Idaho
Department of Water Resources
Statehouse
Boise, Idaho 83720

Gentlemen:

Enclosed please find Middle Fork Lodge check #14102 in the amount of \$10.00 for permit #77-7020.

The amendment application was returned at an earlier date.

Sincerely,

Kathleen Endicott
Secretary
Harrah's

ke



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

John V. Evans
Governor

C. Stephen Allred
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

December 15, 1978

Re: Permit No. 77-7020

Middle Fork Lodge, Inc.
P.O. Box 158
Challis, Idaho 83226

Gentlemen:

A representative of this Department made an examination of the works covered by your Permit No. 77-7020 on May 18, 1978, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 2.00 cfs Source: Thomas Creek

The maximum quantity diverted shall not exceed N/A acre feet per year.

Point of diversion: NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 20, Twp. 16N, Rge. 12E, B. M.

Beneficial use: Recreation and Fish Culture within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 21, Twp. 16N, Rge. 12E, B. M.

Priority date established: October 26, 1971

In order for the Department to issue the above license, it will be necessary for you to amend the permit to correspond with the findings of the field examiner. We are enclosing a partially completed amendment form for your use in this matter.

Please sign the amendment application and return it to this office along with a \$10.00 filing fee within 30 days in order that we might issue your license as set forth above. If you do not concur with these findings or have any questions, please contact us within the 30-day period.

Sincerely,

JAN GROVER
Supervisor,
Water Rights

JG:kw
Encl.

MICROFILMED

Needs License For Land Sale

Ivan Sack

~~---~~ Middle Fork Lodge =

77-7020

Bob

~~---~~

PO Box 10

Reno Nevada

89504

MICROFILMED

SOURCES
Round Valley Real.

872-2349

2. Source of water supply: Groundwater ☐ Surface water ☒ Thomas Cr. 879-4
 (name spring, stream, etc.)
 Tributary to Mid. Fk. Salmon
Harold Stanley
214411

NOV 12 1976

Department of Water Resources

Permit No. 77-7020

Other uses: _____

- Other Points of Diversions: _____

Measuring device required: yes ☒ no ☐ 6" screened pipe.

- [illegible]

TOTAL ASSETS \$1,000,000

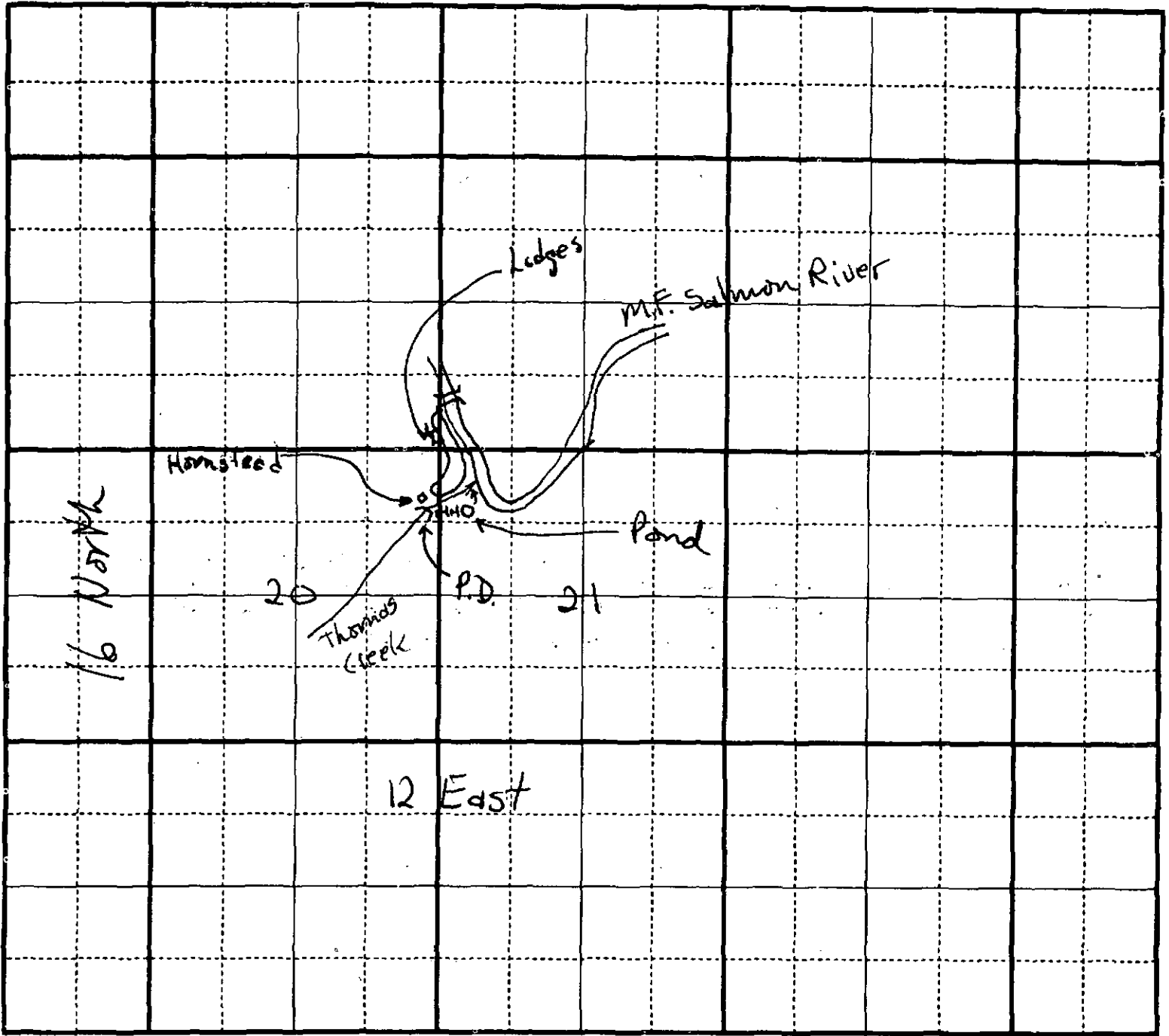


Diagram of System

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Date 5-18, 19 78 DISCHARGE MEASUREMENT NOTES

MF Lodge Fish Diversion Thomas Creek

[illegible]

6. _____ of _____ Sheets. Comp. by _____ Chk. by _____

DATE OF EXAM May 18, 1978

ACREAGE
Found _____
Recommended _____

Irrigation Requirement _____ Ac Ft/Ac

USE
Irrigation Q=_____ c.f.s. V=_____ AF/Ann. from _____ to _____
Domestic Q=_____ c.f.s. V=_____ AF/Ann. from _____ to _____
Livestock Q=_____ c.f.s. V=_____ AF/Ann. from _____ to _____
Fish
Propagation Q=2.0 cfs from April 1 to October 1

Is water co-mingled? yes _____ no ☒

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Exchange? yes _____ no ☒

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of injection: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of exchange: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Total Q measured 5.66 cfs Method of measurement Current Meter

Total Q recommended 2.00 cfs Meter No. _____ Type _____ Condition _____

Total V recommended N/A

Recommended Amendments:
P.D. should be NE 1/4 NE 1/4, Sec. 20, Twp 16N, Rge 12E
Place of Use _____
Other _____
None _____

MEASUREMENT CALCULATION:
Q see attached sheet.
Volume not applicable for fish. pro.

SYSTEM DESCRIPTION:
A diversion dam in Thomas Creek provides head for water diverted into concrete collection box. Water is piped in 6" plastic line to pond. Pond is approx 100 ft by 100 ft. Outlet from pond discharges into Thomas Creek.

REMARKS: Mr. Robert Cole was present during the exam.

Examiner's Signature Willie McArthur Date July 27, 1978
Checked by DJS Date 8/9/78
Approved by _____ Date _____

Radio message service
Mountain Messages Boise - Kuna
Bob Cole 922-1121

Sent message to Cole asking for exam date 7/13/77

5-18-78

Diversion dam in Thomas Creek
Concrete collection box with 6" line
to pond.

Pond 100' by 100' discharge into Thomas Cr.

P.D. should be NENE of Sec. 20

Water also used to irrigate ~ 30 acres
hodge use $\frac{1}{2}$ power production

November 8, 1977

Re: Field Examination for Permit No. 77-7020

Middle Fork Lodge, Inc.
Box 158
Challis, ID 83226

Dear Sirs:

I have attempted to contact Bob Cole, who I understand is the manager of Middle Fork Lodge, Inc. on several occasions to schedule an examination of your water use under Permit No. 77-7020. Mr. Cole has not yet replied.

I would appreciate if someone from the Middle Fork Lodge, Inc. would contact me to arrange a tentative date for a field examination of your water use in the next field season. If I do not hear from you within 30 days, I will assume that you no longer have an interest in this water right and I will recommend that Permit No. 77-7020 be cancelled.

Sincerely,

BILL MACALLISTER
Water Resource Agent

BM:rf

ENCLOSURE

January 7, 1977

Re: Permit No. 77-7020

Middle Fork Lodge
Attn: C. G. Munson
Box 10
Reno, Nevada 89504

Dear Mr. Munson:

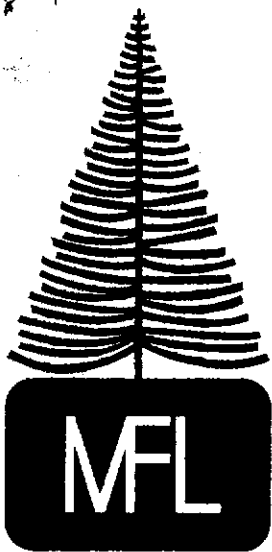
Enclosed is an Order which removes the measuring device requirement on the above referenced permit.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:JFR

Encl.



MIDDLE FORK LODGE

RECEIVED

DEC 28 1976

Department of Water Resources

December 20, 1976

Mr. Bobby D. Fleenor
Chief, Water Rights
State of Idaho Department of Water Resources
Statehouse
Boise, Idaho 83720

Re: Permit No. 77-7020

Dear Mr. Fleenor:

Reference is made to your letter of November 9, 1976 and discussion with Ivan Sack December 10, 1976.

We respectfully request that the measuring device requirement be waived in this case due to conditions as follows:

- 1) Water for the fish pond is a beneficial non-consumptive use.
- 2) The location of the diversion on Thomas Creek is remote in the Idaho Primitive Area, there are no other private property owners on the entire drainage and never will be because of National Forest Status.
- 3) The same volume of water is returned to Thomas Creek about 1500 feet below the point of diversion.
- 4) The return pipe to Thomas Creek is about 500 feet above the confluence of the creek with the Middle Fork of the Salmon River.

Your consideration is appreciated and when a field examination is scheduled arrangement can be made with us to fly you in from Boise.

Very truly yours,

C. G. Munson
Vice President

MAILING ADDRESS: BOX 10, RENO, NEVADA 89504
cc. of all: Ivan Sack

/bg

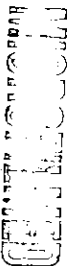
Memo

12-10-76

77-7020

Ivan _____ was in today and will send a letter requesting removal of the measuring device requirement. The requirement should be removed as the area is isolated and the device would serve no useful purpose.

Bob Flannery





STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

November 9, 1976

Re: Permit No. 77-7020

Middle Fork Lodge, Inc.
Box 158
Challis, Idaho 83226

Gentlemen:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit.

In reviewing your proof affidavit, you indicate that a 6 inch screened pipe has been installed to fulfill the measuring device requirement on this permit. However, this measuring device is not of a type that is approved by this office. We are enclosing a list of the types of measuring devices approved by this office. This measuring device must be installed by the time our examiner makes the exam or your water rights cannot be confirmed by the issuance of a license.

Before a license can be issued, a field examination will be made, as is mentioned in the above paragraph. We cannot tell just when this exam will be made, but our examiner will try to contact you at the time he makes the exam so that you may show him the system.

If you have any questions regarding this matter, please contact us.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:JFR

Enclosure

RECEIVED
NOV 11 1976
WATER RESOURCES

Identification No. 77-7020

Permit No. 77-7020

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

RECEIVED
NOV 5 1976

Department of Water Resources

1. a) Name of Permit Holder Middle Fork Lodge, Inc.
b) Post Office Address P.O. Box 158, Challis, Idaho 83226
2. Permit Number 77-7020
3. Date of Priority that you are prepared to establish October 26, 1971
4. a) Source from which water was appropriated Thomas Creek
b) Location of the point of diversion: NW 1/4 NW 1/4, Section 21
Township 16N, Range 12E, Boise Meridian, Other points of diversion:
5. a) The amount of water and use to which the water has been applied:
Amount 2 for recreation and fish culture purposes from April 1 to Oct. 1 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated _____ cfs and/or acre-feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: John Webster Brown, Civil Engineer Consultant who designed diversion
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use:

b) Describe the agreement or understanding by which you take water from the works:

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) Concrete sack rip rap diversion or catchment to provide gravity flow water in 6" pipe to fish pond.
b) Describe the type and size of measuring device which you have installed at your point of diversion: Screened 6" pipe
c) Give well driller's name and address and the date the well was completed: _____
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: Recreation and fish culture pond in NW quarter, NW quarter, Section 21, T 16N, R 12E B.M. H.E.S. No. 77 - this diversion is used to fill and continually circulate a fish pond with return flow by pipe to Thomas Creek approximately 1200 feet down stream from diversion point.

Exam typed 11/8/76

If you are irrigating 15 or more acres, please submit an aerial photo of the property with this affidavit.

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40-acre subdivision.
not applicable

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres irrigated _____

10. Remarks: _____

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

November 1, 1976
(Date)

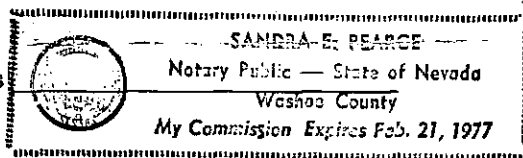
Charles Stranahan
(Signature)
Secretary, Middle Fork Lodge, Inc.

State of Nevada)
County of Washoe) ss.

On this first day of November, 19 76, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Sandra E. Pearce
Notary Public residing at Reno
Nevada

My commission expires



September 30, 1976

CERTIFIED MAIL

138964

Re: Permit No. 77-7020

Middle Fork Lodge, Inc.
Box 158
Challis, Idaho 83226

Gentlemen:

One of the conditions of approval of your water Permit No. 77-7020 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before December 1, 1976. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.

R. Keith Higginson

R. KEITH HIGGINSON
Director

RKH:jg
Enc: Proof affidavit

RECEIVED
SEP 30 1976
FBI



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215

December 21, 1971

Re: Permit No. 77-7020 - Middle Fork Lodge, Inc.

Middle Fork Lodge, Inc.
P.O. Box 158
Challis, Idaho

Gentlemen:

Enclosed is a copy of your approved Application for Permit No. 77-7020. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:cr

Enclosures

77 7020

November 2, 1971

Re: Application No. 77-7020 - Middle Fork Lodge, Inc.

The Challis Messenger
P.O. Box 97
Challis, Idaho 83226

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for our review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted assuming the notice is correct. If we have any corrections, we will notify you before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(signature of claimant)

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

Bill submitted 12-1-71 By cr

DWM:cr

Enc: Legal Notice

77 7020

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Middle Fork Lodge, Inc., P.O. Box 158, Challis, Idaho has on October 26, 1971 submitted Application No. 77-7020 for a permit to appropriate 2.0 cubic feet per second and 10 acre feet per annum of water from Thomas Creek, tributary of Middle Fork of Salmon River by means of dam and pipeline within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 21, T. 16N, R. 12E, B.M., Custer County to be used from April 1 to Oct. 1 for recreation and fish culture within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 21, T. 16N, R. 12E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707, on or before November 29, 1971.

R. KEITH HIGGINSON
Director

Published in the Challis Messenger, Challis, Idaho on Nov. 11 and Nov. 18, 1971.

O.K. 7/1
11-5-71
B.B.

Challis Messenger
77 7020

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Middle Fork Lodge, Inc.,
P.O. Box 158, Challis, Idaho
has on October 26, 1971 submitted Application No. 77-7020
for a permit to appropriate 2.0 cubic feet per second / and 10 acre feet per annum
of water from Thomas Creek, tributary of Middle Fork of Salmon River
by means of dam and pipeline
within the NW¹/₄NW¹/₄, Sec. 21, T. 16N, R. 12E, B.M., Custer County

to be used from April 1 to Oct. 1
for recreation and fish culture

within the NW¹/₄NW¹/₄, Sec. 21, T. 16N, R. 12E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707, on or before November 29, 1971.

R. KEITH HIGGINSON

Director

Published in the Challis Messenger, Challis, Idaho
on Nov. 11 and Nov. 18, 1971.

77 7020



MIDDLE FORK LODGE

October 22, 1971

Mr. Stephen Allred
Deputy Director
State of Idaho
Department of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

Dear Mr. Allred:

Thank you for your letter of September 28, 1971 in which you suggested the alternative of an application to appropriate waters rather than to follow through with our request to alter the stream channel which would fall under the stream channel protection act.

We decided as you suggested and are submitting herewith a copy of the completed application accompanied by the application fee of \$35.00.

As you will note, we have attached a map of the area showing the proposed use of the diverted water instead of attempting to draw the details in paragraph 11 of the application. If this does not suffice, please let me know and I will submit any additional information required.

Thank you for your help in this matter.

Sincerely,


Gordon E. Hartley
Vice President

GEH/bg
enclosures (3)

October 27, 1971

Middle Fork Lodge
P. O. Box 158
Challis, Idaho 83226

Gentlemen:

8421

35.00

Attached herewith is your receipt No. _____ in the amount of \$ _____
for _____
which was received in this office.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosure

77 7020 77 7: