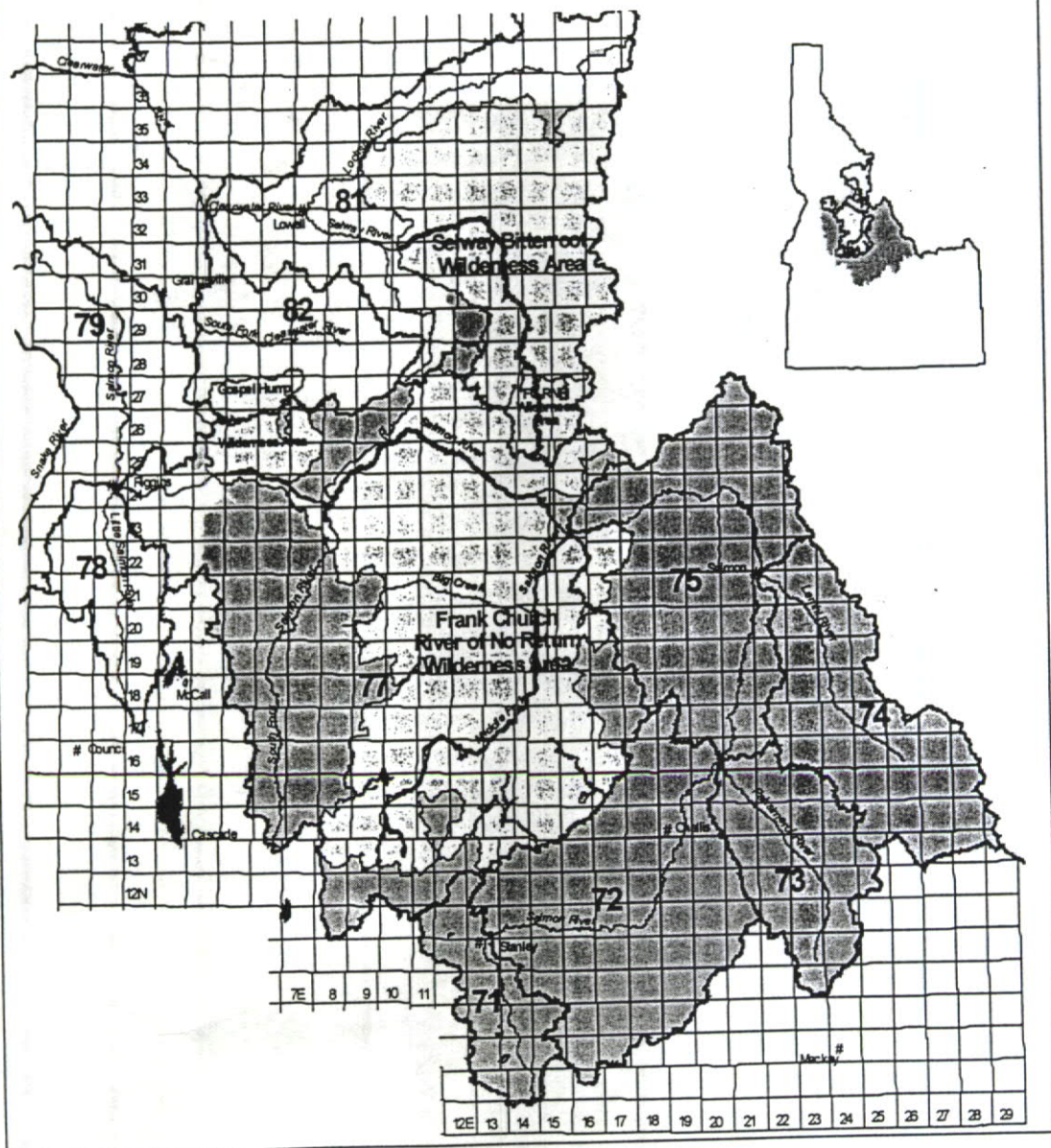


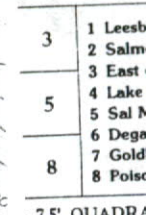
Wilderness Moratorium Areas

October 26, 1999

-  DWR Administrative Basins with basin number
-  Wilderness Areas
-  Tributary Areas
-  Township/Range



MICROFILMED
JAN 16 2001

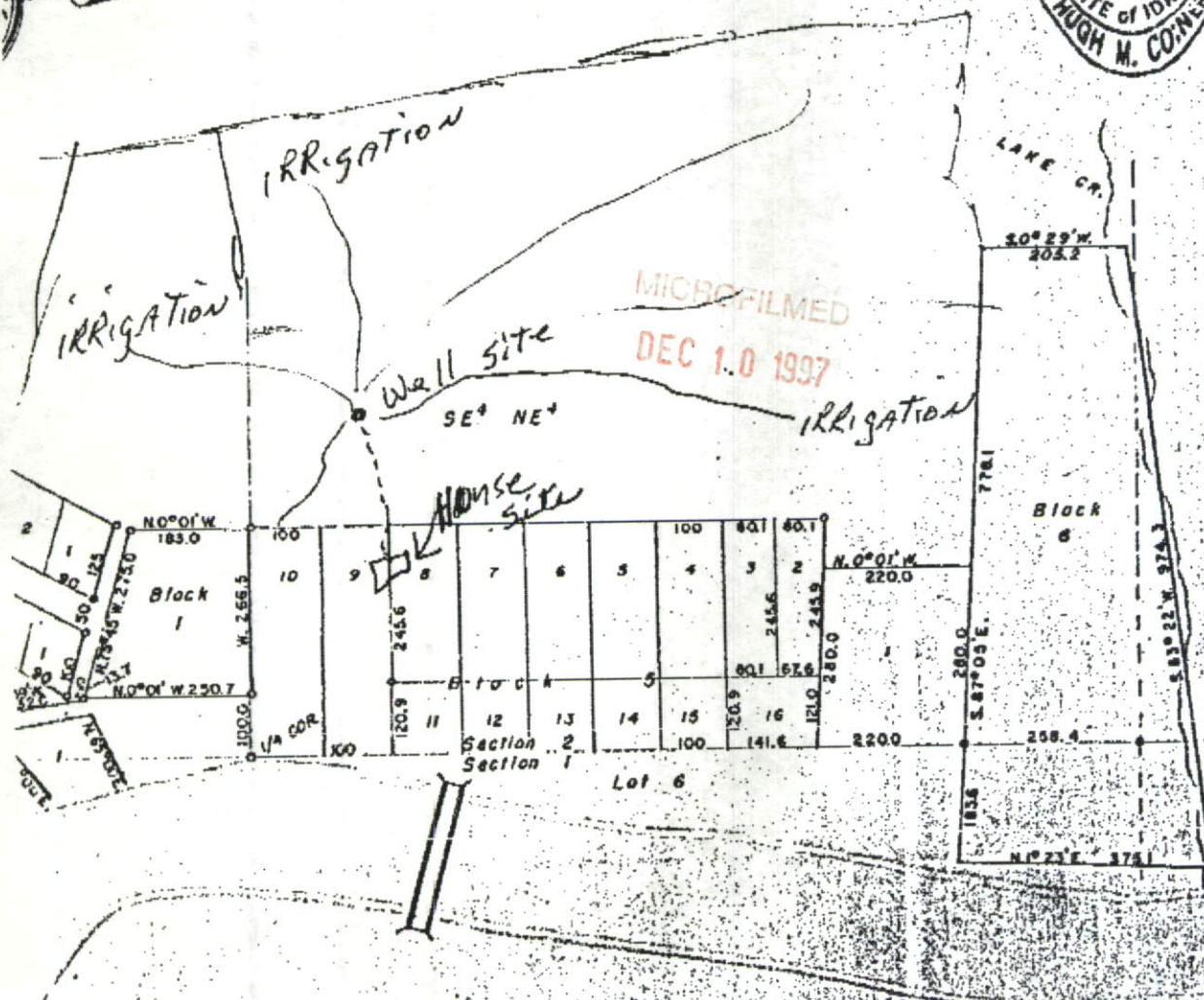
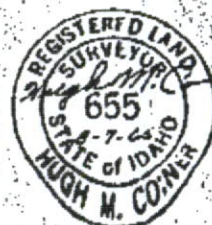


DEC 10 1997

ATTEN
CINCY ZIMMERMAN

SURVEYORS CERTIFICATE

I, Hugh M. Colner, Registered Land Surveyor in the State of Idaho, hereby certify that the survey of the LAKE CREEK SUBDIVISION No. 1, as shown on this Plat, was made by me and under my supervision, and that such survey was correctly made and is accurately represented on this Plat.



DEDICATION CERTIFICATE

Be It Known, that we, C.V. Miles and Eva B. Miles, husband and wife, of Salmon, Idaho, and The LeMoine Development, Inc., an Idaho corporation, Harry F. LeMoine, president, owners and proprietors of the tract of land designated on this map, have caused the same to be surveyed and plotted, to be known as the LAKE CREEK SUBDIVISION No. 1, and that the Streets and Alliances shown here have been deeded and donated to

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO.)
75-07654 IN THE NAME OF)
LESLIE MAY SHUMATE)
_____)

PRELIMINARY ORDER

This matter having come before the Department of Water Resources (Department) as a result of a response by the permit holder to an order issued by the Department, the Department makes the following Findings of Fact, Conclusions of Law, and Order:

FINDINGS OF FACT

1. On October 26, 1999, The Director of the Department (Director) issued a Moratorium Order (order) to stop further development of all existing permits to appropriate water within the Selway-Bitterroot, Gospel-Hump, and Frank Church-River of No Return Wilderness Areas, and within areas tributary to those wilderness areas.

2. On February 4, 2000, Leslie May Shumate (permit holder) filed a request for an indefinite stay in the development period for Permit No. 75-07654 (permit) in response to Condition 5.b of the order.

3. The permit holder provided information describing the extent of development and beneficial use that had occurred under the permit.

4. The permit holder provided information to show that the project had not been completed due to circumstances over which the permit holder had no control.

CONCLUSIONS OF LAW

1. Section 42-204(1), Idaho Code provides that the Department may allow for delays in the development of a permit which are due to certain matters beyond the control of the permit holder.

2. The permit holder has provided sufficient justification for the Director to authorize an indefinite stay in the development period for the permit.

3. The Director should authorize an indefinite stay in the development period with certain conditions.

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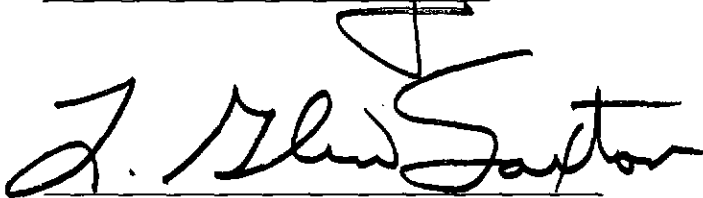
JAN 16 2001

ORDER

IT IS THEREFORE HEREBY ORDERED that an indefinite stay in the development period for the above captioned permit is **GRANTED** subject to the following conditions and limitations:

1. Additional work by the permit holder in developing a water right under terms of the permit is not authorized until the Department specifically authorizes resumption of work.
2. If resumption of work is authorized under this permit, the development period for this permit shall be extended by the number of days lost as a result of the indefinite stay hereby granted.
3. The permit holder is not authorized to assign ownership of the permit to another party without prior approval of the Department.
4. The Department may rescind or modify the indefinite stay hereby granted if the Selway-Bitterroot, Gospel-Hump, and Frank Church-River of No Return Wilderness Moratorium is modified or rescinded.

Dated this 8th day of February, 2000.

for 
KARL J. DREHER
Director

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF APPLICATIONS AND)
PERMITS FOR THE DIVERSION AND USE)
OF SURFACE WATER AND GROUND)
WATER IN AND TRIBUTARY TO THE)
SELWAY-BITTERROOT WILDERNESS)
AREA, GOSPEL-HUMP WILDERNESS AREA,)
AND FRANK CHURCH-RIVER OF NO)
RETURN WILDERNESS AREA)
_____)

MORATORIUM ORDER

The Director of the Department of Water Resources ("Director"), having responsibility for the administration of the appropriation of water in the State of Idaho, the protection of rights to the use of water within the state, the protection of the public interest in the waters of the state, and the conservation of the water resources of the state, enters the following Findings of Fact, Conclusions of Law, and Final Order.

FINDINGS OF FACT

1. On April 30, 1993, the Director issued an Amended Moratorium Order that stopped the approval of certain applications seeking to appropriate surface water within the Salmon and Clearwater River Basins in Idaho.
2. On December 13, 1993, the United States filed Notices of Claim in the Snake River Basin Adjudication ("SRBA") for federal reserved water rights for the Selway-Bitterroot, Gospel-Hump, and Frank Church-River Of No Return wilderness area designations. On February 27, 1997, a motion to amend the Notices of Claim for all three wilderness area designations was filed with the District Court of the Fifth Judicial District of the State of Idaho (the "SRBA district court") to change the claimed priority dates.
3. As amended, pertinent portions of the claim filed in the SRBA for a federal reserved water right for the Selway-Bitterroot Wilderness are as follows:

Identification Number: A31-11191
Name of Claimant: United States of America

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JAN 16 2001

Date of Priority: September 3, 1964, except for Magruder Corridor that has priority date of July 23, 1980

Source of Water Supply: All streams, lakes, ponds, springs, seeps or other natural sources of water including groundwater, whether named or not and whether perennial, intermittent or ephemeral within the boundaries of the Selway-Bitterroot Wilderness. This claim is intended to also include those sources of water which are not presently known or not reasonably susceptible of quantification because of the de minimus and diffuse nature of their flow and which supply wetlands, marshes, or other vegetation which serves such wilderness purposes as habitat protection and drinking water for wildlife. Tributary to Lochsa and Selway Rivers.

Location of Points of Diversion: None

Location of Place of Use: All locations in the Selway-Bitterroot Wilderness where natural sources of water exist.

Instream Flow Beginning

And Ending Points: All locations in the Selway-Bitterroot Wilderness where natural sources of water exist

Total Quantity Claimed: The entire unappropriated flow and all other natural sources of water as of the date of designation, specifically, September 3, 1964.

4. As amended, pertinent portions of the claims filed in the SRBA for federal reserved water rights for the Gospel-Hump Wilderness are as follows:

Identification Numbers: 77-12774, 82-11120

Name of Claimant: United States of America

Date of Priority: February 24, 1978

Source of Water Supply: All streams, lakes, ponds, springs, seeps or other natural sources of water including groundwater, whether named or not and whether perennial, intermittent or ephemeral within the boundaries of the Gospel-Hump Wilderness. This claim is intended to also include those sources of

water which are not presently known or not reasonably susceptible of quantification because of the de minimus and diffuse nature of their flow and which supply wetlands, marshes, or other vegetation which serves such wilderness purposes as habitat protection and drinking water for wildlife. Tributary to Salmon River.

Location of Points of Diversion: None

Location of Place of Use: All locations in the Gospel Hump Wilderness where natural sources of water exist.

Instream Flow Beginning

And Ending Points: All locations in the Gospel-Hump Wilderness where natural sources of water exist

Total Quantity Claimed: The entire unappropriated flow and all other natural sources of water as of the date of designation, specifically, February 24, 1978.

5. As amended, pertinent portions of the claims filed in the SRBA for federal reserved water rights for the Frank Church-River of No Return Wilderness are as follows:

Identification Numbers: A75-13605, A77-12775

Name of Claimant: United States of America

Date of Priority: July 23, 1980

Source of Water Supply: All streams, lakes, ponds, springs, seeps or other natural sources of water including groundwater, whether named or not and whether perennial, intermittent or ephemeral within the boundaries of the Frank Church-River of No Return Wilderness. This claim is intended to also include those sources of water which are not presently known or not reasonably susceptible of quantification because of the de minimus and diffuse nature of their flow and which supply wetlands, marshes, or other vegetation which serves such wilderness purposes as habitat protection and drinking water for wildlife. Tributary to Salmon River.

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JAN 16 2001

Location of Points of Diversion: None

Location of Place of Use: All locations in the Frank Church-River of No Return Wilderness where natural sources of water exist.

Instream Flow Beginning

And Ending Points: All locations in the Frank Church-River of No Return Wilderness where natural sources of water exist

Total Quantity Claimed: The entire unappropriated flow and all other natural sources of water as of the date of designation, specifically, July 23, 1980.

6. On December 18, 1997, the SRBA district court issued *Order Granting and Denying United States' Motions for Summary Judgment on Reserved Water Rights* for claims made by the United States under the Wilderness Act, Multiple-Use Sustained-Yield Act ("MUSYA"), and Hells Canyon National Recreation Area Act ("HCNRA"), referred to herein as "1997 SRBA Reserved Rights Order." In this order, the SRBA district court ruled that: "The United States is entitled to a federal reserved water right for all unappropriated flows in the Frank Church-River of No Return, the Selway-Bitterroot, and the Gospel-Hump wilderness areas." (1997 SRBA Reserved Rights Order, p. 5). The SRBA district court emphasized its ruling by stating: "The amount of water minimally sufficient to fulfill Congressional intent is the total amount of unappropriated water within each [wilderness] area, **such that none is ever available for future appropriation.**" (1997 SRBA Reserved Rights Order, p. 15, emphasis added).

7. On July 24, 1998, the SRBA district court issued *Memorandum Decision Granting, In Part, and Denying, In Part, the United States' Motion for Summary Judgment on Reserved Water Rights Claims* for claims made by the United States under the Wild and Scenic Rivers Act, referred to herein as "1998 SRBA Wild and Scenic Decision." In this decision, the SRBA district court ruled that under the Central Idaho Wilderness Act, the United States " ... **reserved land north and south of the Mainstem of the Salmon River as wilderness, thereby reserving all unappropriated flows of water in the Mainstem**" referring back to the 1997 SRBA Reserved Rights Order in a footnote. (1998 SRBA Wild and Scenic Decision, p. 7, emphasis added). The SRBA district court noted that "Congress declared that the Mainstem of the Salmon River [that segment of the main Salmon River designated as a component of the Wild and Scenic Rivers System] would be administered solely under the Wild and Scenic Rivers Act, not the Wilderness Act." However, the SRBA district court did not describe any limitation on the reservation of unappropriated flows, nor did the court distinguish between that segment of the main Salmon River designated as Wild and Scenic and that segment adjacent to the Gospel-Hump and Frank Church-River of No Return Wilderness Areas that lies downstream of the Wild and Scenic designation.

8. On October 1, 1999, the Supreme Court of the State of Idaho issued 1999 Opinion No. 113 in the case of *Potlatch Corp. et al. v. United States of America* affirming the 1997 SRBA Reserved Rights Order granting the United States reserved water rights for all unappropriated water in the Frank Church-River of No Return, the Selway-Bitterroot, and the Gospel-Hump Wilderness Areas.

9. As of the date of this Order, there are approximately 60 pending applications for permits to appropriate surface water and ground water in the Selway-Bitterroot, Gospel-Hump, and Frank Church-River of No Return Wilderness Areas, and areas tributary to the wilderness areas. In addition, approximately 90 permits to appropriate water have been issued in these areas for which proof of beneficial use has not yet been submitted.

10. Although the SRBA district court has not issued final decrees for federal reserved water rights in the Selway-Bitterroot, the Gospel-Hump, and the Frank Church-River of No Return Wilderness Areas, the Supreme Court's decision of October 1, 1999, once final, will preclude future appropriations of water within the wilderness areas and in areas tributary to the wilderness areas.

CONCLUSIONS OF LAW

1. The Director is responsible for the allocation of water for new uses in Idaho. Section 42-203A(5), Idaho Code, reads in pertinent part as follows:

... In all applications whether protested or not protested, where the proposed use is such (a) **that it will reduce the quantity of water under existing water rights, or (b) that the water supply itself is insufficient for the purpose for which it is sought to be appropriated,** or (c) where it appears to the satisfaction of the director that such application is not made in good faith, is made for delay or speculative purposes, or (d) that the applicant has not sufficient financial resources with which to complete the work involved therein, or (e) that it will conflict with the local public interest, where the local public interest is defined as the affairs of the people in the area directly affected by the proposed use, or (f) that it is contrary to conservation of water resources within the state of Idaho; the director of the department of water resources may reject such application and refuse issuance of a permit therefor, or may partially approve and grant a permit for a smaller quantity of water than applied for, or may grant a permit upon conditions. (emphasis added)

2. The Director is authorized under the provisions of Section 42-1805(7), Idaho Code, as follows:

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JAN 16 2001

After notice, to suspend the issuance or further action on permits or applications as necessary to protect existing vested water rights or to ensure compliance with the provisions of chapter 2, title 42, Idaho Code, or to prevent violation of the minimum flow provisions of the state water plan.

3. The claims filed by the United States in the SRBA for federal reserved water rights for all unappropriated water in the Selway-Bitterroot, Gospel-Hump, and Frank Church-River of No Return Wilderness Areas did not limit the claimed amount to unappropriated water arising solely within the wilderness areas as of the date the wilderness areas were reserved, nor did the claims include subordination to existing permits to appropriate water having junior priority dates for private holdings within the wilderness areas. Neither the 1997 SRBA Reserved Rights Order nor the Idaho Supreme Court decision affirming the 1997 SRBA Reserved Rights Order limited the federal reserved water rights to unappropriated water arising solely within the boundaries of the wilderness areas. Therefore, both the SRBA district court and the Idaho Supreme Court have included unappropriated water flowing into the wilderness areas, either above or below land surface, as part of the unappropriated water "in" or "within" the wilderness areas.

4. Neither the 1997 SRBA Reserved Rights Order, the 1998 SRBA Wild and Scenic Decision, nor the Idaho Supreme Court decision affirming the 1997 SRBA Reserved Rights Order excluded portions of the Middle Fork of the Salmon River, the South Fork of the Salmon River, or Big Creek lying upstream of the wilderness area boundaries, or clearly excluded the Mainstem of the Salmon River, from being considered as sources for unappropriated water "in" or "within" the wilderness areas as of the date the wilderness areas were reserved.

5. Although petitions for rehearing are pending before the Idaho Supreme Court, a moratorium on the granting of new permits to appropriate surface water or ground water and on continued development under existing permits is necessary. A moratorium will preserve the status quo until final decrees are issued for federal reserved water rights and limit the potential for resources being expended to develop water rights for which no unappropriated water may be available.

6. Because this moratorium order is issued to preserve the status quo, the order should take effect immediately upon issuance to protect the public interest in accordance with the provisions of Section 67-5247, Idaho Code.

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JAN 16 2001

ORDER

IT IS, THEREFORE, HEREBY ORDERED that the prior Amended Moratorium Order of the Director issued on April 30, 1993, remains in effect and the requirements listed below also apply.

IT IS FURTHER HEREBY ORDERED that a moratorium is established on the processing of applications for permits to appropriate surface water or ground water within and tributary to the Selway-Bitterroot Wilderness Area, the Gospel-Hump Wilderness Area, and the Frank Church-River of No Return Wilderness Area, subject to the following conditions:

1. This moratorium order shall be in effect on and after its entry and shall remain in effect until withdrawn or modified by order of the Director, except as provided herein.
2. This moratorium order applies to all applications for permit, previously filed or to be filed, and all existing permits for which proof of beneficial use has not been filed with the Department, seeking to appropriate surface water or ground water within the Salmon River Basin upstream from the location where the Salmon River leaves the Gospel-Hump Wilderness Area in Section 3, T24N, R4E, B.M. and in the Clearwater River Basin upstream from the location where the Selway River leaves the Selway-Bitterroot Wilderness Area in Section 7, T31N, R10E, B.M. The wilderness areas and tributary areas affected by this moratorium order are depicted on the attached map.
3. This moratorium order does not apply to any application proposing a non-consumptive use of water.
4. This moratorium order does not prevent the Director from reviewing an application that otherwise would not be approved under terms of this moratorium on a case by case basis, if the Director determines that the use of the water pursuant to the application would have no effect on other water rights due to:
 - (a) the location of use; or
 - (b) the effect on other water rights would be offset through mitigation provided by the applicant.

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JAN 16 2001

5. The holders of all existing permits to appropriate water within the Selway-Bitterroot, Gospel-Hump, and Frank Church-River of No Return Wilderness Areas, and within areas tributary to those wilderness areas, shall upon receipt of this moratorium order immediately stop further development under the permit, and within sixty (60) days of receipt of this order do one of the following:

- (a) file proof of beneficial use documenting the extent of diversion and beneficial use of water that was completed prior to receiving this moratorium order; or
- (b) request a stay in the development period under the permit, in accordance with Section 42-204, Idaho Code, until the conditions that resulted in this order have been alleviated, if such should ever occur.

Dated this 26th day of October, 1999.

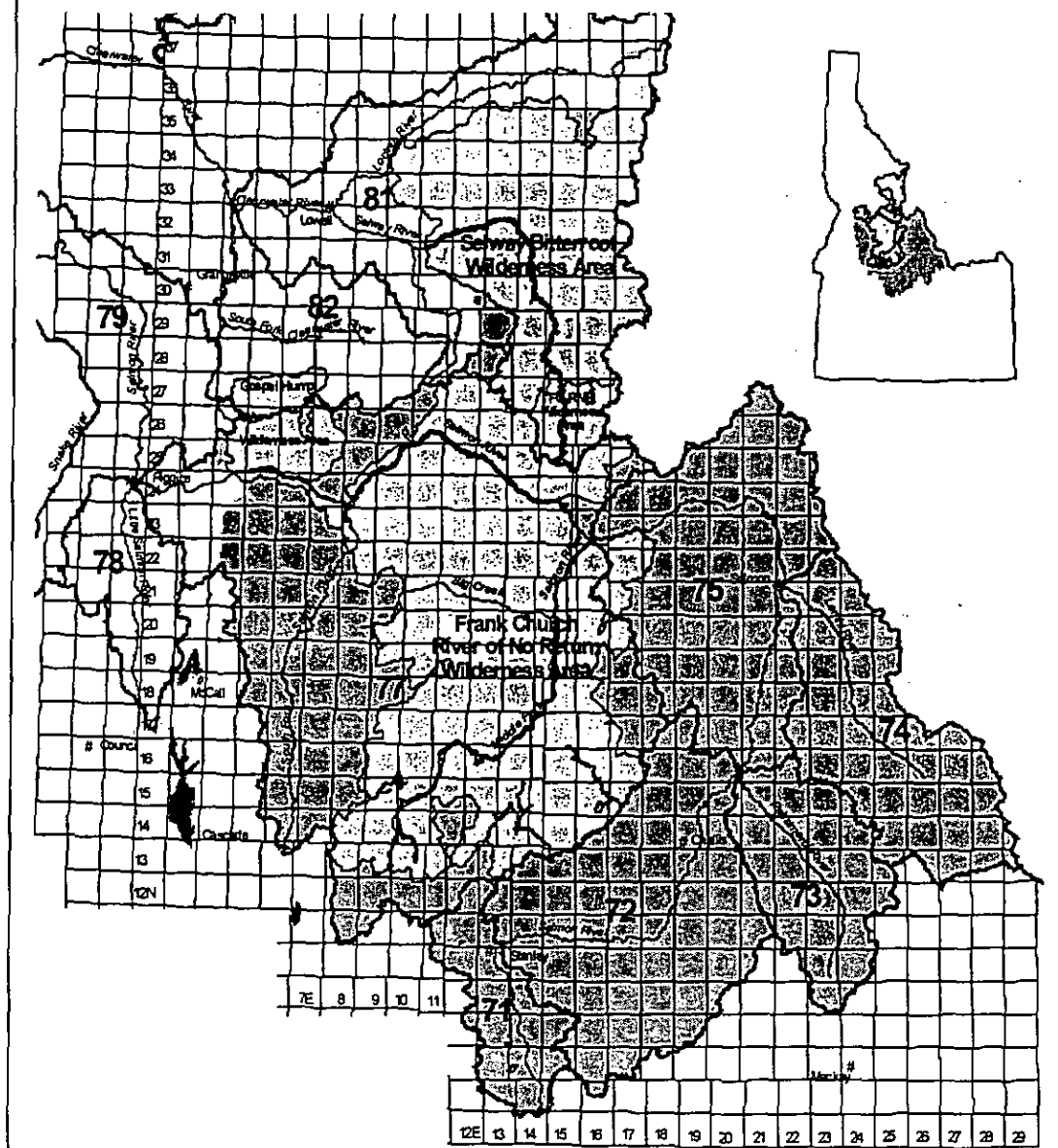
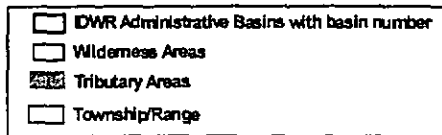


KARL J. DREHER
Director

MICROFILMED
JAN 16 2001

Wilderness Moratorium Areas

October 26, 1999



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JAN 16 2001

7/94

RECEIVED

APR 19 1999

Department of Water Resources

For Office Use Only

\$25 Filing Fee

Receipt # E024907

Date 4-14-98

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ASSIGNMENT OF PERMIT

RECEIVED

APR 14 1999

Department of Water Resources
Eastern Region

I, Bill M. Salo, hereby assign to Leslie May Shumate
of, RR#1 240-10 Salmon, Idaho 83467 (208) 756-2042
(Full Address) (Phone)

All my right, title, and interest in and to Permit No. 25-07654 to
appropriate the public waters of the State of Idaho.

OR (for partial assignments)

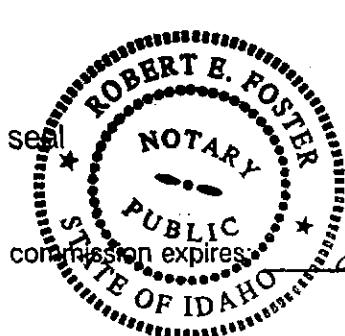
The following described portion of my right, title, and interest in and to
Permit No. _____ to appropriate the public waters of the State of
Idaho. (Describe portion of the permit assigned listing the number of acres in each 40 acre
subdivision, point of diversion location, and the amount of water in cubic feet per second.)

Made this 14th day of December, 1998.

Bill M. Salo
Permit Holder

State of Idaho)
County of Lemhi) ss

On this 12th day of April, 1999, personally appeared before me the signer(s) of
the above instrument, who duly acknowledged to me that he (she) (they) executed the same.



My commission expires

02-16-2001

Robert E. Foster
Notary Public residing at
Salmon Idaho

MICROFILMED

MAY 03 1999

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 75-07654

Proposed Priority: June 23, 1997

Maximum Diversion Rate:

0.84 CFS

This is to certify, that BILL M SALO
PO BOX 2405

SALMON ID 83467-2405

has applied for a permit to appropriate water from: GROUNDWATER

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	04/15 to 10/15	0.80 CFS
STOCKWATER	01/01 to 12/31	0.02 CFS
DOMESTIC	01/01 to 12/31	0.02 CFS
Totals		0.84 CFS

LOCATION OF POINT(S) OF DIVERSION:

SENE , Sec. 2, Township 19N, Range 21E
LEMHI County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
19N	21E	2	SWNE 25.0	SENE 15.0		40.0

Total number of acres irrigated: 40.0

PLACE OF USE: STOCKWATER, same as IRRIGATION use

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before October 1, 2002.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
5. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.

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DEC 10 1997

State of Idaho
Department of Water Resources**Permit To Appropriate Water**

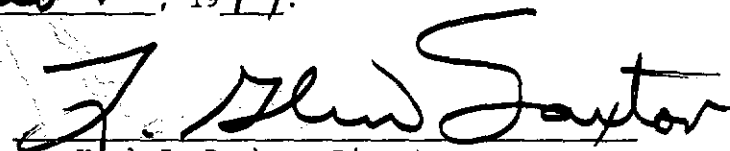
NO. 75-07654

CONDITIONS OF APPROVAL AND REMARKS

6. This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.
7. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
8. The right holder shall comply with Idaho well construction standards when constructing a well pursuant to this right.
9. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
10. Stockwater use is for up to 20 horses.
11. Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.

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

29th day of September, 1997.

for 
Karl J. Dreher, Director

MICROFILM

DEC 10 1997



RECEIVED
JUN 23 1997

Department of Water Resources
Eastern Region

Ident. No. 75-7654

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED
SEP 08 1997

Department of Water Resources

1. Name of Applicant BILL M SALO Phone 208-756-4503
Mailing address P.O. Box 2405 SALMON IDAHO 83467
2. Source of water supply GROUND WATER / Well which is a tributary of N/A
3. Location of point of diversion is Township 19N Range 21E Sec. 2 in the SE 1/4, NE 1/4, Govt. Lot , B.M., Lemhi County;
additional points of diversion if any: N/A

4. Water will be used for the following purposes:

- Amount 0.80 cfs for IRRIGATION purposes from MARCH 15 to NOV 15 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount 0.07 cfs for Stock purposes from JAN 1st to DEC 31st (both dates inclusive)
(cfs or acre-feet per annum)
- * 0.02 Amount 0.02 cfs for Domestic purposes from JAN 1st to DEC 31st (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) 0.86 cfs and/or (b)
cubic feet per second acre feet per annum

6. Proposed diverting works:

- a. Describe type and size of devices used to divert water from the source well, pump lines to place of use
- b. Height of storage dam feet; active reservoir capacity acre-feet; total reservoir capacity acre-feet
- c. Proposed well diameter is 4" inches; proposed depth of well is 60-120 feet
- d. Is ground water with a temperature of greater than 85°F being sought? NO
- e. If well is already drilled, when? N/A; Drilling firm ?
Well was drilled for (well owner) ; Drilling Permit No.

7. Time required for completion of works and application of water to proposed beneficial use is 5 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.
- b. Stockwatering; list number and kind of livestock. 15-20 HORSES
- c. Municipal; show name of municipality.
- d. Domestic; show number of households. 1
- e. Other; describe fully.

① Standard irrigation season. 9/26/97 to 9/17/97
* maximum allowable for in-house use (see covered under separate use) 9/17/97 to 9/26/97

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	RGE	SEC	N E				N W				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
19N	21E	2		I	25	15.0													40.0
		2		5/10	5/10	3/10													

Total number of acres to be irrigated 40.0

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? BILL M SALO
b. Who owns the land to be irrigated or place of use? BILL M SALO
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: _____

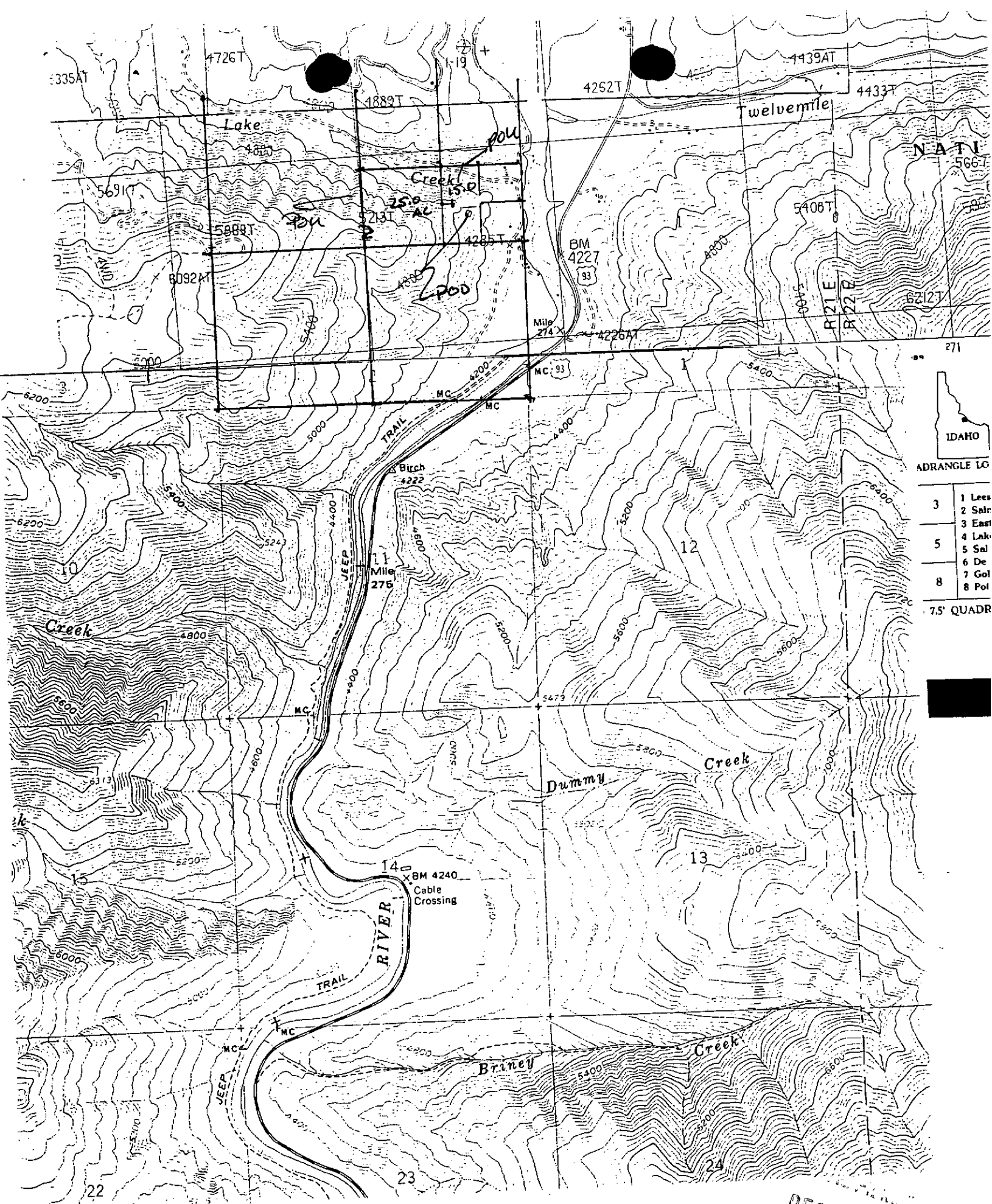
13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Bill M. Salo
Signature of Applicant (and title, if applicable)

Received by HWS Date 6-23-97 Time _____ Preliminary check by HWS
Fee \$ 100 Received by RB # ED23338 Date 6-23-97
Publication prepared by RB Date 7-17-97 Published in Recorder Herald
Publication approved RB Date 9-3-97

DEC 10 1997



ADRIANGLE LO

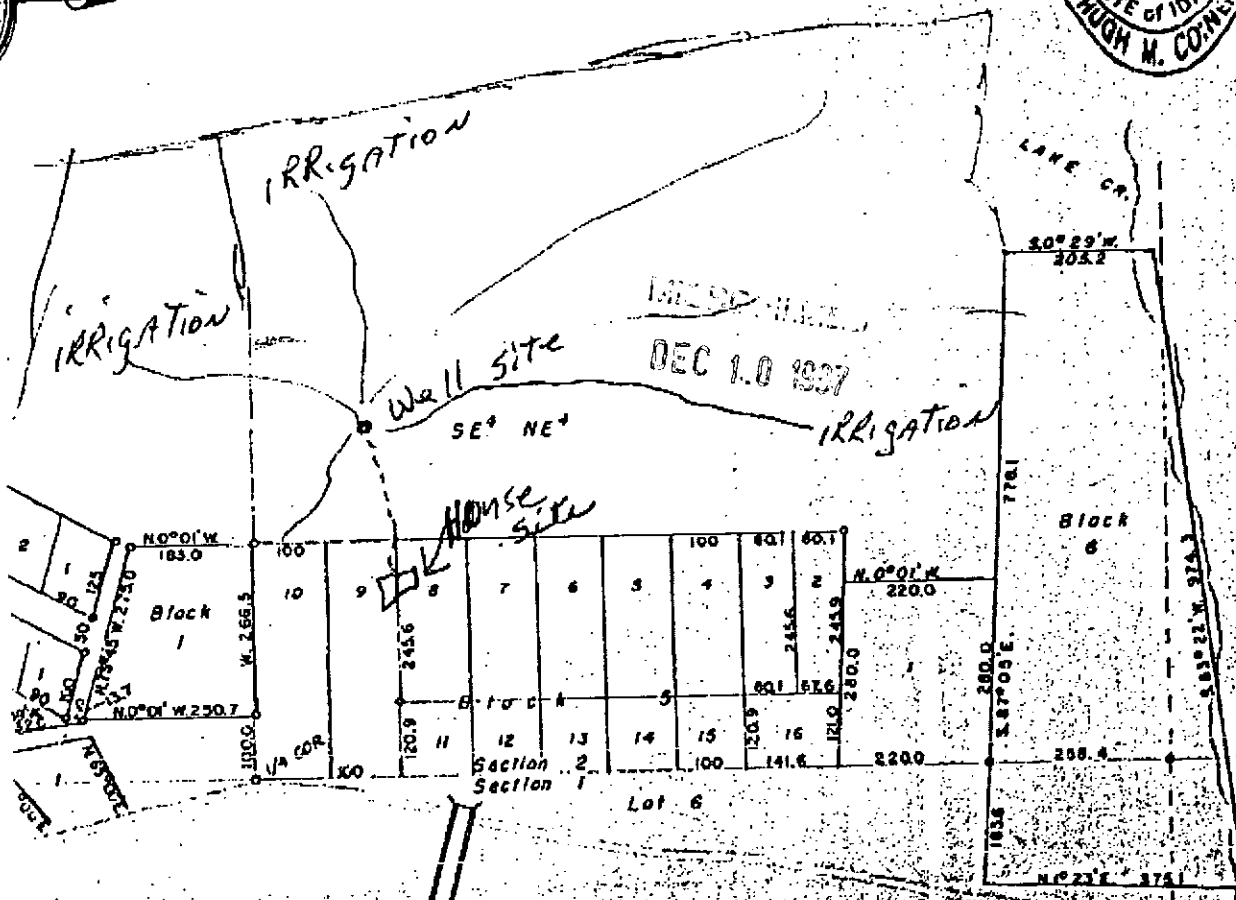
3	1 Lees
	2 Saltr
	3 East
5	4 Lak
	5 Sal
	6 De
8	7 Gol
	8 Poi

7.5' QUADR

DEC 10 1937

ATTEN
CINDY ZIMMERMAN

SURVEYORS' CERTIFICATE:
I, Hugh M. Colner, Registered Land Surveyor in the State of Idaho, hereby certify that the survey of the LAKE CREEK SUBDIVISION No. 1, as shown on this Plat, was made by me and under my supervision, and that such survey was correctly made and is accurately represented on this Plat.



DEDICATION CERTIFICATE:

Be It Known, That we, C.V. Miles and Eva B. Miles, husband and wife, of Salmon, Idaho, and The LeMoine Development, Inc., an Idaho corporation, Harry F. LeMoine, president, owners and proprietors of the tract of land designated on this map, have caused the same to be surveyed and plotted, to be known as the LAKE CREEK SUBDIVISION No. 1, and that the Streets and Allways as shown hereon have been dedicated and donated to



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

February 9, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

LESLIE MAY SHUMATE
RR 1 240-10
SALMON ID 83467

RE: Preliminary Order for Water Right 75-07654

Dear Ms. Shumate:

The accompanying order is a "preliminary order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the department unless a party petitions for reconsideration within fourteen (14) days after issuance as described in the enclosed information sheet.

If you have any questions regarding this matter, please call me at 208-327-7940.

Sincerely,

Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

cc: IDWR - Southern Region

MICROFILMED

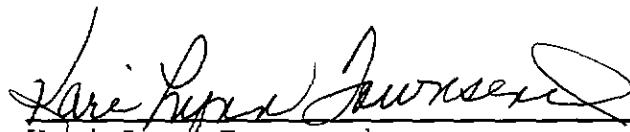
IAN 16 2001

CERTIFICATE OF MAILING

I hereby certify that on the 9th day of February, 2000, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER to the person(s) listed below:

RE: Preliminary order for Water Right 75-07654

LESLIE MAY SHUMATE
RR 1 240-10
SALMON ID 83467


Kari Lynn Townsend
Secretary

MICROFILMED
JAN 16 2001

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

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

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

ORAL ARGUMENT

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

MICROFILMED

Page 1 JAN 16 2001

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

RECEIVED

FEB - 9 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

REQUEST FOR STAY IN THE DEVELOPMENT PERIOD AND
QUESTIONNAIRE TO DETERMINE EXTENT OF DEVELOPMENT

The Idaho Department of Water Resources considers this form a request for stay in the development period of a permit in the Selway-Bitterroot, Gospel-Hump, and Frank Church-River of No Return Wilderness Moratorium Area. In addition, this form is a statement of the permit holder(s) extent of development prior to the Moratorium Order issued October 26, 1999. This form must be completed in order to process a request for stay.

1. Permit No. 75-076541 Telephone No. (208) 756-20422. Name(s) of Permit Holder(s): LESLIE MAY SHUMATE

3. Have you begun construction of the diversion works authorized under this permit?

No Yes X if yes, describe the extent of completion of the diversion works:well drilling and casing work completed

4. Have you diverted and beneficially used any water under this permit?

No XYes if yes, please describe the uses:Domestic (no. of households): Stockwater (no. and type of stock): Irrigation (no. of acres): Other:

5. Describe what remains to be done in order to complete the development authorized under this permit:

Plumbing for irrigation system and installation of lines.6. I Request an Indefinite Stay in the Development Period of the Above Numbered Permit X (check here)

The information given on this form is my true statement of the extent to which the above numbered permit has been developed prior to October 26, 1999. I understand that any willful misrepresentations may result in voiding of the permit.

Signature of Permit Holder Leslie May Shumate Date 2-4-2000
(include your title, if on behalf of company or organization)

JAN 16 2001

DATE: 2-4-2000

TO: Jeff Peppersack, Mgr. Idaho Department of Water Resources

FROM: Leslie May Shumate

RE: Well Permit

Number of pages including this one (2)

Thank you for the reminder. I am faxing the information and will mail an additional copy.

Has a date been set for the Court's re-hearing on Forest Service water right claims that caused this moratorium?

LMS

Home Phone or Fax = (208) 756-2042 E-mail = shumate@salmoninternet.com

KSRA Radio fax ~ (208) 756-2098

MICROFILMED

JAN 16 2001

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**REQUEST FOR STAY IN THE DEVELOPMENT PERIOD AND
QUESTIONNAIRE TO DETERMINE EXTENT OF DEVELOPMENT**

The Idaho Department of Water Resources considers this form a request for stay in the development period of a permit in the Selway-Bitterroot, Gospel Hump, and Frank Church-River of No Return Wilderness Moratorium Area. In addition, this form is a statement of the permit holder(s) extent of development prior to the Moratorium Order issued October 26, 1999. This form must be completed in order to process a request for stay.

1. Permit No. 75-076541 Telephone No. (208) 756-2042

2. Name(s) of Permit Holder(s): LESLIE MAY SHUMATE

3. Have you begun construction of the diversion works authorized under this permit?

No

Yes X if yes, describe the extent of completion of the diversion works:

well drilling and casing work completed

4. Have you diverted and beneficially used any water under this permit?

No X

Yes if yes, please describe the uses:

Domestic (no. of households): Stockwater (no. and type of stock):

Irrigation (no. of acres): Other:

5. Describe what remains to be done in order to complete the development authorized under this permit:

Plumbing for irrigation system and installation of lines.

6. I Request an Indefinite Stay in the Development Period of the Above Numbered Permit X (check here)

The information given on this form is my true statement of the extent to which the above numbered permit has been developed prior to October 26, 1999. I understand that any willful misrepresentations may result in voiding of the permit.

Signature of Permit Holder Leslie May Shumate Date 2-4-2000
(include your title, if on behalf of company or organization)

MICROFILMED

JAN 16 2001



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

February 2, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

LESLIE MAY SHUMATE
RR 1 240-10
SALMON ID 83467

Re: Water Right Permit No. 75-07654

Dear Permit Holder(s):

On October 26, 1999, the Director of the Department of Water Resources issued an order establishing a moratorium on the processing or development of applications and permits to appropriate surface water or ground water within and tributary to the Selway-Bitterroot Wilderness Area, the Gospel-Hump Wilderness Area, and the Frank Church-River of No Return Wilderness Area. The order required permit holders to immediately stop further development under the permit, and within sixty (60) days of receipt of the order do one of the following:

- (a) file proof of beneficial use documenting the extent of diversion and beneficial use of water that was completed prior to receiving the order; or
- (b) request a stay in the development period under the permit, in accordance with Section 42-204, *Idaho Code*, until the conditions that resulted in the order have been alleviated, if such should ever occur.

The order does not apply to non-consumptive uses of water. An in-house domestic use with no associated irrigation or other consumptive uses is considered non-consumptive.

Our records indicate that the order was sent by certified mail to the address listed on your permit. The sixty (60) day period has passed and we have not received any response from you as required in the order.

The purpose of this letter is to request that you take the appropriate action as required in the order. I have enclosed two forms; **either** can be used to avoid cancellation of your permit. The first form is used to file proof of beneficial use. Filing proof of beneficial use is considered your statement that the development under the permit has been completed and that water has been applied to beneficial use according to the provisions of the permit. Upon receipt of such proof and the fee as required under Section 42-221, *Idaho Code*, the department conducts a field examination and issues a license confirming the use found.

The second form is a request for a stay in the development period and questionnaire to determine the extent of development under the permit. This form is used to request an indefinite stay in the development period. If a stay is granted, future development under the permit may be possible if the moratorium order is rescinded and if resumption of work is authorized. No fee is required to request a stay in the development period.

MAILED
JAN 15 2000

We will withhold further action on this permit for 28 days from the date of this letter in order to allow you time to respond. If we do not receive a response from you within this time period we will begin action to cancel the permit pursuant to Section 42-311(1), *Idaho Code*.

Please call me at 208-327-7940 if you have any questions regarding this matter.

Sincerely,

A handwritten signature in dark ink, appearing to read "Jeff Peppersack".

Jeff Peppersack, Manager
Water Right Permits Section

Enclosures

MICROFILMED

JAN 16 2001

P 241 635 795

US Postal Service

Receipt for Certified Mail

No Insurance Coverage P

Do not use for International Mail

Sent to

Street & Number

Post Office, State, & ZIP Code

Postage

Certified Fee

Special Delivery Fee

Restricted Delivery Fee

Return Receipt Showing to Whom & Date Delivered

Return Receipt Showing to Whom, Date, & Addressee's Address

TOTAL Postage & Fees

Postmark or Date

83467

MICROFILMED

JAN 16 2001

75-07654
LESLIE MAY SHUMATE
RR 1 240-10
SALMON

PS Form 3800, April 1995

Stick postage stamps to article to cover First-Class postage, certified mail fee, and charges for any selected optional services (See front).

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached, and present the article at a post office service window or hand it to your rural carrier (no extra charge).
2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, date, detach, and retain the receipt, and mail the article.
3. If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.
4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested; check the applicable blocks in item 1 of Form 3811.
6. Save this receipt and present it if you make an inquiry.

PS Form 3800, April 1995 (Reverse)

Is your RETURN ADDRESS printed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

3. Article Addressed to:

75-07654

LESLIE MAY SHUMATE

RR 1 240-10

SALMON

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ID 83-2001

JAN 16 2001

Leslie May Shumate

5. Signature (Addressee)

6. Signature (Agent)

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address

2. ☐ Restricted Delivery

Consult postmaster for fee.

4a. Article Number

4b. Service Type

☐ Registered ☐ Insured

☒ Certified ☐ COD

☐ Express Mail ☒ Return Receipt for Merchandise

7. Date of Delivery

11-1-95

8. Addressee's Address (Only if requested and fee is paid)

Thank you for using Return Receipt Service.

UNITED STATES POSTAL SERVICE

Official Business

RECEIVED

2 1999



PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE \$300

MICROFILMED

JUN 18 1999



Department of Water Resources

Print your name, address and ZIP Code here

• WA •

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 NORTH ORCHARD STREET
BOISE, IDAHO 83706-2237

43





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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

October 26, 1999

CERTIFIED MAIL

RE: Procedures Available upon Issuance of Final Moratorium Order

Dear Applicant or Permit Holder:

The accompanying "Final Order" by the Director of the Department of Water Resources establishes a moratorium on the processing of applications for permits to appropriate surface water or ground water within and tributary to the Selway-Bitterroot Wilderness Area, the Gospel-Hump Wilderness Area, and the Frank Church-River of No Return Wilderness Area. The order is issued pursuant to Section 67-5246, Idaho Code, and is effective as of October 25, 1999.

This letter provides a statement of the available procedures pursuant to Section 67-5246, Idaho Code, and provides the time limits for filing a petition for reconsideration of the order. The statement is required by the Department's Rule of Procedure 740.02.

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a final order within fourteen (14) days of the service date of the order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be deemed denied by operation of law pursuant to Section 67-5246(4), Idaho Code.

A party may not be required to comply with a final order unless the party has been served with or has actual knowledge of the order. If the order is mailed to the last known address of a party, the service is deemed to be sufficient.

OPPORTUNITY TO REQUEST HEARING

The department did not conduct a hearing prior to issuance of the accompanying order. Section 42-1701A(3) provides, in pertinent part, as follows:

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OCT 16 2001

Unless the right to a hearing before the director or the water resource board is otherwise provided by statute, any person aggrieved by any decision, determination, order or action of the director of the department of water resources or any applicant for any permit, license, certificate, approval, registration, or similar form of permission required by law to be issued by the director, who is aggrieved by a denial or conditional approval ordered by the director, and who has not previously been afforded an opportunity for a hearing on the matter shall be entitled to a hearing before the director to contest the denial or conditional approval upon filing with the director, within fifteen (15) days after receipt of the denial or conditional approval, a written petition stating the grounds for contesting the action by the director and requesting a hearing.

APPEAL OF FINAL ORDER TO DISTRICT COURT

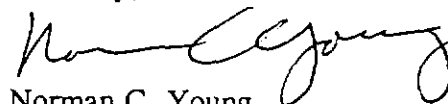
Pursuant to Sections 67-5270 and 67-5272, Idaho Code, any party aggrieved by a final order or orders previously issued in a matter before the department may appeal the final order and all previously issued orders in the matter to district court by filing a petition in the district court of the county in which:

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

The appeal must be filed within twenty-eight (28) days of (a) the service date of the final order, (b) an order denying petition for reconsideration, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration, whichever is later. See Section 67-5273, Idaho Code. The filing of an appeal to district court does not in itself stay the effectiveness or enforcement of the order under appeal.

For questions regarding the moratorium order please contact Glen Saxton, Water Allocation Bureau Chief, or me at (208) 327-7900.

Sincerely,



Norman C. Young
Administrator
Water Management Division

MICROFILMED

JAN 16 2001

IDAHO DEPARTMENT OF WATER RESOURCES

WELL DRILLER'S REPORT

Office Use Only

Inspected by

Twp Rge Sec

1/4 1/4 1/4

Lat : : Long : :

11. WELL TESTS:

☐ Pump ☐ Bailor ☒ LAT ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time
0.06-1 gal. per hr.		145'	

Water Temp. 52° Bottom hole temp.

Water Quality test or comments: ~~good~~ can't test

Depth first Water Encounter

12. LITHOLOGIC LOG: (Describe repairs or abandonment) W:

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	Y
12	0	2	top soil	
	2	10	boulders clay	
	10	20	hard volcanic	
6	20	30	volcanic	
	30	90	brown volcanic	
	90	115	brown red	
	115	125	green rock	X
	125	145	Brown	

RECEIVED

JUL 21 1998

RECEIVED

Department of Water Resources
Eastern Region

JUL 27 1998

Department of Water Resources

Well only produces
1 gallon per hour
well unfinished.
Permittee has until
5/26/99 to complete.
Well permit file of
9200 - report may
be in order if
not enough water
produced to irrigate

Completed Depth 145' (Measurat
Date: Started 5/29/98 Completed n/a

13. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Company Name Harbor Drilling Firm No. 043Firm Official Alan Parker Date 7-15-98and
Driller or Operator _____ Date _____

(Sign once if Firm Official & Operator)

Well is incomplete. Has until 5/26/1999

DMD

1. WELL TAG NO. D 0000311
 DRILLING PERMIT NO. 75-98E-0018-000
 Other IDWR No. 75-001654

2. OWNER: Bill Salo
 Name _____
 Address Box 2405
 City Salmon State ID Zip 83467

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.

N
 W E
 S
 Twp. 19 North ☒ or South ☐
 Rge. 21 East ☒ or West ☐
 Sec. 2 1/4 SE 1/4 NE 1/4
 Gov't Lot _____ 10 acres County _____ 40 acres 160 acres
 Lat: _____ Long: _____
 Address of Well Site Lake Creek
 City Salmon
 area
 (Give at least name of road + Distance to Road or Landmark)

Lt. _____ Blk. _____ Sub. Name _____

4. USE:

☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other _____

5. TYPE OF WORK check all that apply (Replacement etc.)

☒ New Well ☐ Modify ☐ Abandonment ☐ Other _____

6. DRILL METHOD

☒ Air Rotary ☐ Cable ☐ Mud Rotary ☐ Other _____

7. SEALING PROCEDURES

SEAL/FILTER PACK			AMOUNT	METHOD
Material	From	To	Sacks or Pounds	
Bentonite	0	20	400	over bore

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) _____Was drive shoe seal tested? ☐ Y ☒ N How? _____

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
6	+1	20	250	Steel	☒	☐	☒	☐

MICROFILMED

Length of Headpipe _____ Length of Tailpipe _____

9. PERFORATIONS/SCREENS

Perforations _____ Method none

Screens _____ Screen Type _____

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
						☐	☐
						☐	☐
						☐	☐

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

115 ft. below ground Artesian pressure _____ lb.Depth flow encountered _____ ft. Describe access port or control devices: sanitary well seal

FORWARD WHITE COPY TO WATER RESOURCES

IDAHO DEPARTMENT OF WATER RESOURCES

WELL DRILLER'S REPORT

1. WELL TAG NO. D 0000311

DRILLING PERMIT NO. 75-98-E-0018

Other IDWR No. WR# 75-07654

2. OWNER:

Name Shumate, Leslie (prev. included Bill Salo)

Address Box 2405

City Salmon State ID Zip 83467

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.

	Twp. <u>19</u>	North ☒	or	South ☐
	Rge. <u>21</u>	East ☒	or	West ☐
	Sec. <u>2</u>	1/4 <u>SE</u> 1/4 <u>NE</u> 1/4		
	Gov't Lot _____	County <u>Lemhi</u>		
Lat: _____		Long: _____		

Address of Well Site Lake Creek

City Salmon

(Give at least name of road + Distance to Road or Landmark)
Lt. _____ Blk. _____ Sub. Name _____

4. USE:

☐ Domestic ☐ Municipal ☐ Monitor ☒ Irrigation
☐ Thermal ☐ Injection ☐ Other _____

5. TYPE OF WORK: check all that apply

☒ New Well ☐ Modify ☐ Abandonment ☒ Other began 5/29/98

6. DRILL METHOD:

☒ Air Rotary ☐ Cable ☐ Mud Rotary ☐ Other _____

7. SEALING PROCEDURES:

Seal/Filter Pack		AMOUNT		METHOD
Material	From	To	Sacks or Pounds	
Bentonite	0	20	400#	overbore

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) 20'

Was drive shoe seal tested? ☐ Y ☒ N How? _____

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
6	+1	20	.250	steel	☒	☐	☒	☐
4.5	0	164		PVC	☐	☒	☒	☐
					☐	☐	☐	☐

Length of Headpipe _____ Length of Tailpipe _____

9. PERFORATIONS/SCREENS:

☒ Perforations Method saw
☐ Screens Screen Type _____

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
20	164	1/8"	200		PVC	☐	☒
						☐	☐
						☐	☐

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

115 ft. below ground Artesian pressure _____ lb.

Depth flow encountered _____ ft. Describe access port or control

devices: sanitary well seal

11. WELL TESTS:

Yield gal./min.	Drawdown	Pumping Level	Time
.01			
approx. 2		164'	2 hours

Water Temp. 51

Bottom hole temp. _____

Water Quality test or comments: clear

Depth first Water Encounter 115'

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	Water Y	N
12	0	2	top soil		
12	2	10	boulders clay		
12	10	20	hard volcanic		
6	20	30	volcanic		
6	30	90	brown volcanic		
6	90	115	brown red volcanic		
6	115	125	green rock	X	
6	125	145	brown rock		
6	145	160	grey rock		
6	160	164	brown rock	X	
	164				

Well began May 1998. IDWR extended permit until Sept. 1999. Well initially submitted under name Bill Salo/Leslie Shumate. Well now owned by Shumate. Well drilled to 184' but caved off. Caving also at 130-145 upon redrilling. Finished well.

RECEIVED

AUG 25 1999

Department of Water Resources
Eastern Region

RECEIVED

SEP 10 1999

Department of Water Resources

Completed Depth 164' complete, extension 9/99 (Measurable)
Date: Started 5/29/98 Completed 8/10/99

13. DRILLER'S CERTIFICATION:

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Company Name Harber Drilling Company Firm No. 0430

Firm Official Alan Hanley Date 7/21/99

and _____

Driller or Operator _____ Date 7/21/99

(Sign once if Firm Official & Operator)

JAN 16 2001



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

April 20, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

LESLIE MAY SHUMATE
RR 1 240-10
SALMON ID 83467

RE: ASSIGNMENT OF PERMIT 75-07654

Dear Ms. Shumate:

We acknowledge receipt of the correspondence changing ownership of the above referenced water right to you. We have modified our computer records to reflect this change in ownership. A computer generated report is enclosed for your information.

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.

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

Sincerely,

A handwritten signature in black ink, appearing to be 'Jim Johnson', written over the typed name and title.

JIM JOHNSON, Manager
Water Right Permits Section

JJ:rlt

Enclosure

MICROFILMED

MAY 03 1999



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

KARL J. DREHER
DIRECTOR

September 29, 1997

BILL M SALO
PO BOX 2405
SALMON ID 83467-2405

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 75-07654

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 or files an exception and/or brief as described in the enclosed information sheet.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a "Proof Due Notice" approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

If a well has not already been constructed you are required to obtain a "drilling permit" from the department. The right to drill a well is not a part of this permit to appropriate water.

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.

DEC 10 1997

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:klt

Enclosures

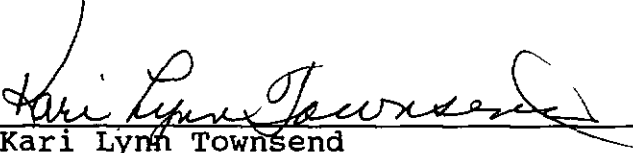
RECEIVED
DEC 10 1937

CERTIFICATE OF MAILING

I hereby certify that on the 29th day of **September, 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. 75-07654

**BILL M SALO
PO BOX 2405
SALMON ID 83467-2405**


Kari Lynn Townsend
Secretary

RECORDED

DEC 10 1997

09/97

APPLICATION FOR PERMIT STATE OFFICE REVIEW

by Cindy LouNo.: 75-7654 Name: Saw Date: 9/26/97 Ad OK? ✓ / Gvmt Lts: ✓AREA OF CONCERN: Some
PROTESTED: empt- No/Yes: SLC Mor / GWMA / Trust / Non-trust
- 020 (Protest Agreement) or *W19 (Order)

SYSTEM COMPLETED:

1 year/no proof
>1 year- P16
- 26A P17

GROUNDWATER: (✓ FLO-CH)

WMD (✓ MAP)

>0.24 cfs/5 acres
≤ 0.24 cfs/5 acres- 067 or No MD (in-stream stock or power)
- No MD

WMD >0.24 cfs

- 01M (report when notified)

>5 a.

- 01M; 065-079 (if GW use SW 1st-statewide)-(cannot move SW off)

≤ 0.24 cfs/5 acres

- No MD

DRILLING PERMIT:

Existing well

- NA (pre 7/1/87; ✓ WDQ3)

Included w/permit

- Permit No. - - - - P99

No drilling permit?

- 046-46B P23 post 7/1/87)

irr. in WD

- P05 (new well location)

SURFACE WATER: (✓ FLO-CH) (Surface water that doesn't sink is regulated):

IN/ABOVE MIN. STR. FLOW (✓ MAP)

- 31A (modify remark *WB9)

WD (✓ MAP & LISTING)

- R04 (WD #) 01J-P08 (MD)

Pumped >0.20 cfs

- 01H-P01 (LD & MD) or No MD (in-stream stock)

WMD (✓ MAP)

> 0.24 cfs/5 acres

- 067 or No MD (in-stream stock or power)

≤ 0.24 cfs/5 acres

- No MD

SPRINGS/SINK, INACTIVE WD & REST OF STATE

> 0.24 cfs/5 acres

- 01M or No MD (in-stream stock or power)

≤ 0.24 cfs/5 acres

- No MD

RIVER BASINS: (*Surface water):

Snake R (01)

- *W22 P04, NA

(02/03-irr)

- 007-P07 (w/ remark *WB9 if above Weiser), NA

Payette R(65)

- *W22 (regulated uses), 047-P04 (Payette Lake), NA

Salmon R (70's)

- 029 (fish screens)

USE:

Domestic surface

- *WB5 (Big Wood R or Boise R ↑ Star Bridge); 27A (Payette River); NA

>1 in rest. area

- 071-070-P53

Fish Propagation

- 029-007-042(req)-081-R07 (WQ)-P10; 044 (N of 1000 Springs)

Irr ≤ 5 acres

- R49/R50/R51/R52 (0.03 cfs/acre +AF)

> 5 acres

- R29/R30/R31/R32 (0.02 cfs/acre +AF)

Mining

- 054(req)-081-R07-P10

Muni (in restricted areas)

- 022, 075, 004 (+memo?)

Power

- 17H/17K(+uses)-08A-025-01N(P19)-028-081-R07(P10); 027 (if no other cons. use);

17G (FERC) or 17M (FERG); 18B-P09; >25 cfs-P18

Stock (BLM/USFS)

- R37

Storage (✓ 3 compo.)

- 080; 18A (in- & out-flow MD within district), 18B-P09 (>10' dam),

LOCATION:

42-248 area

- P84 (in 20/30/40/50/60/70/80 (87) basin)

Boise Front LoGeo

- 058 (<85° GW temp only)

In-stream dev.

- P52 (stream channel alteration)

Irr Dist/Canal Co.

- 023 (Twin Falls area)

SWAN FALLS FLAG (See Code Chart)

Trust

- 051-052-053-P74 (Consumptive Uses), NA

Non-Trust (1)

- 048-049 (Consumptive Uses), NA

OWNERSHIP:

- 004 (PD/PU)

OTHER CONDITIONS:

STANDARD REMARKS:

- ① w01/1 ② w02/20tt.

BENEFICIAL USE DUE:

- 10/1/ 2002

COMMENTS:



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

September 17, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

BILL M SALO
PO BOX 2405
SALMON ID 83467-2405

RE: Application for Permit No. 75-07654

Dear Mr. Salo,

The above referenced application has been sent to the State Office for final review and processing; however, before the application process can continue, I will need some additional information.

The application lists domestic use for 1 home, but a subdivision plat identifying the location of the home was not included with the application. I need the subdivision plat to clarify where water will be diverted. Please provide a subdivision plat identifying the location of the point of diversion and place of use, as well as the size of the lot.

I will hold further processing on your application for 14 days pending your response. Please submit this information as quickly as possible within the 14-day period to prevent any further undue delay in processing your application.

If you have any questions, you may contact me directly at (208) 327-7944.

Sincerely,

Cindy Zimmerman
Water Resource Agent

Subdivision plat received 9/25/97. cz.

RECEIVED
OCT 10 1997

RECEIVED

SEP 08 1997

DEPARTMENT OF WATER RESOURCES

Dist. for staffing

Submitted for advertising 6-26-97

Form No. 202

4/87

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATIONS FOR PERMIT ANALYSIS PERMIT

INITIAL REVIEW BY hws DATE 6-26-97 APPLICATION NO. 25-7654

Bill M. Salo
REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
☒ Address
☒ Source (See USGS Quad for names of water sources)
☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
☒ 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
☒ Signature (If applicant is corp., partnership, or municipality, title of signatory is required)
☒ Fee
☒ Yes ☐ No* In form to receipt

ADDITIONAL INFORMATION

- ☐ Overlapping place of use (Describe source & relationship to present application on the back.)
☐ Overlapping point of diversion
☐ Yes ☐ No Field check required
☐ Field check by _____
☐ Yes ☐ No Field report attached
☐ Yes ☐ No Critical groundwater area
☐ Yes ☐ No Groundwater management area
☐ Yes ☐ No Send dam safety information
☐ Yes ☐ No Send power requirement letter
☐ Yes ☐ No Send fish farm requirement letter
☐ Yes ☐ No Power residency affidavit
☐ Yes ☐ No Power efficiency form
☐ Yes ☐ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
☒ Yes ☐ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)
See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT _____

_____ Date Requested _____

PROCESSING

☒ Yes ☒ No In form for advertising
☒ Yes ☒ No Statewide advertising
☒ Yes ☒ No Fee amount, receipt date & No. recorded on application

SEND COPIES TO NONE

☐ Idaho Dept. of Health & Welfare ☐ U.S. BLM
☐ Idaho Dept. of Fish & Game ☐ U.S. Forest Service
☐ Idaho Dept. of Lands ☐ Water District
☐ Adjudication Bureau Unit ☐ Other

FINAL REGIONAL PROCESSING REVIEW

☒ Yes ☐ No Affidavit of publication received
☒ Yes ☐ No Application published correctly. If not, record action taken

☒ Yes ☐ No Publication dates & paper, recorded on application
☐ Yes ☒ No Protests received
Final date for protest August 4, 1997
☐ Yes ☐ No Protests, dates, resolution of protest, recorded on application
☐ Yes ☒ No Recommendations attached
☐ Yes ☒ No Measuring device required
☐ Yes ☒ No Access port required
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what Dist.
☐ Yes ☒ No Special conditions of approval or cover letter below.

Date of priority recommended

6-23-1997

By: [Signature]

Date: 9-3-97

STATE OFFICE REVIEW

By

Date:

ADDITIONAL INFORMATION

**NOTICE OF APPLICATION
FOR WATER RIGHT**

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

75-07652

DUNLAP, WAYNE W

RR 2 BOX 240-45

SALMON, ID 83467

Source: SPRINGS Tributary:

SINKS:

Diversion Pt: NENESE Sec 2 T
19N R 21E in LEMHI County.

Use: DOMESTIC (0.040 CFS)

Total Diversion: (0.040 CFS)

Date Filed: 6/24/1997

In: LEMHI County

T19N R21E S02 NESE

75-07653

HAWKINS, GARY C

RR 2 BOX 240-45

SALMON, ID 83764

Source: SPRING Tributary:

SINKS:

Diversion Pt: NENESE Sec 2 T
19N R 21E in LEMHI County.

Use: DOMESTIC (0.040 CFS)

Total Diversion: (0.040 CFS)

Date Filed: 6/24/1997

In: LEMHI County

T19N R21E S02 NESE

75-07654

SALO, BILL M

PO BOX 2405

SALMON, ID 83467

Source: GROUNDWATER

Diversion Pt: SENE Sec 2 T 19N
R 21E in LEMHI County.

Use: STOCKWATER (0.020 CFS)

IRRIGATION (0.800 CFS)

DOMESTIC (0.040 CFS)

Total Diversion: (0.860 CFS)

Date Filed: 6/23/1997

In: LEMHI County

T19E R21E S02 SWNE SENE

40.0 ACRES TOTAL

The permit (s) will be subject to all
prior water rights. Protests must be
filed with the applicant and the Direc-
tor, Dept. of Water Resources, along
with a \$25.00 filing fee, Eastern Re-
gion, 900 N. Skyline, Idaho Falls,
Idaho 83402 on or before AUGUST
4, 1997.

KARL J. DREHER, Director

Published: 7/17/1997 & 7/24/1997.

7-17-2tc

Affidavit of Publication

RECEIVED

SEP 03 1997

Department of Water Resources
Eastern Region

STATE OF IDAHO } ss.
County of Lemhi

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 IDAHO DEPT OF WATER 75-07652

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 7/17 19 97
and ending with the issue dated 7/24 19 97

STATE OF IDAHO } ss.
County of Lemhi

On this 24th day of JULY in this year of 19 97

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. Hodges

Notary Public for Idaho

Residing At Salmon, Idaho

My Commission expires: 9-21-2001

Publication Fee \$ 41.76

Account No. 630

MICROFILMED
DEC 10 1997

75-07654

SALO, BILL M
PO BOX 2405
SALMON, ID 83467

Source: GROUNDWATER

Diversion Pt: SENE Sec 2 T 19N R 21E in LEMHI County.

Use: STOCKWATER	(	0.020 CFS)
IRRIGATION	(	0.800 CFS)
DOMESTIC	(	0.040 CFS)
Total Diversion:	(	0.860 CFS)

Date Filed: 6/23/1997

In: LEMHI County
T19N R21E S02 SWNE SENE

40.0 ACRES TOTAL

RECORDED

DEC 10 1997



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

August 6, 1997

RECORDER HERALD
PO BOX 310
SALMON ID 83467

RE: 75-07652, 75-07653, and 75-07654

Dear Publisher:

Could you please submit an affidavit of publication and certified bill in connection with the above referenced applications. The legal notices were to have been published in your paper on July 17 & 24, 1997.

If the application was never published, I need to know as soon as possible.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

Rita Bodell
Secretary

MINOR-FILED

REC 11 1997

The permit(s) will be subject to all prior water rights. Protests must be filed with the applicant and the Director, Dept. of Water Resources, along with a \$25.00 filing fee, Eastern Region, 900 N Skyline, Idaho Falls, Idaho 83402 on or before AUGUST 4, 1997.

KARL J. DREHER, Director

Published: 7/17/1997 & 7/24/1997

RECEIVED

DEC 10 1997



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 11, 1997

BILL M SALO
PO BOX 2405
SALMON ID 83467

RE: Notice of Application for Permit No. 75-07654

Dear Applicant:

This office is currently in the process of advertising the notice of correction for the amended application for transfer in the Recorder Herald on July 17 & 24, 1997. The advertisement will be published once a week for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

Harold W. Jones
Harold W. Jones
Water Right Supervisor

HWJ/rb

RECORDED
DEC 10 1997