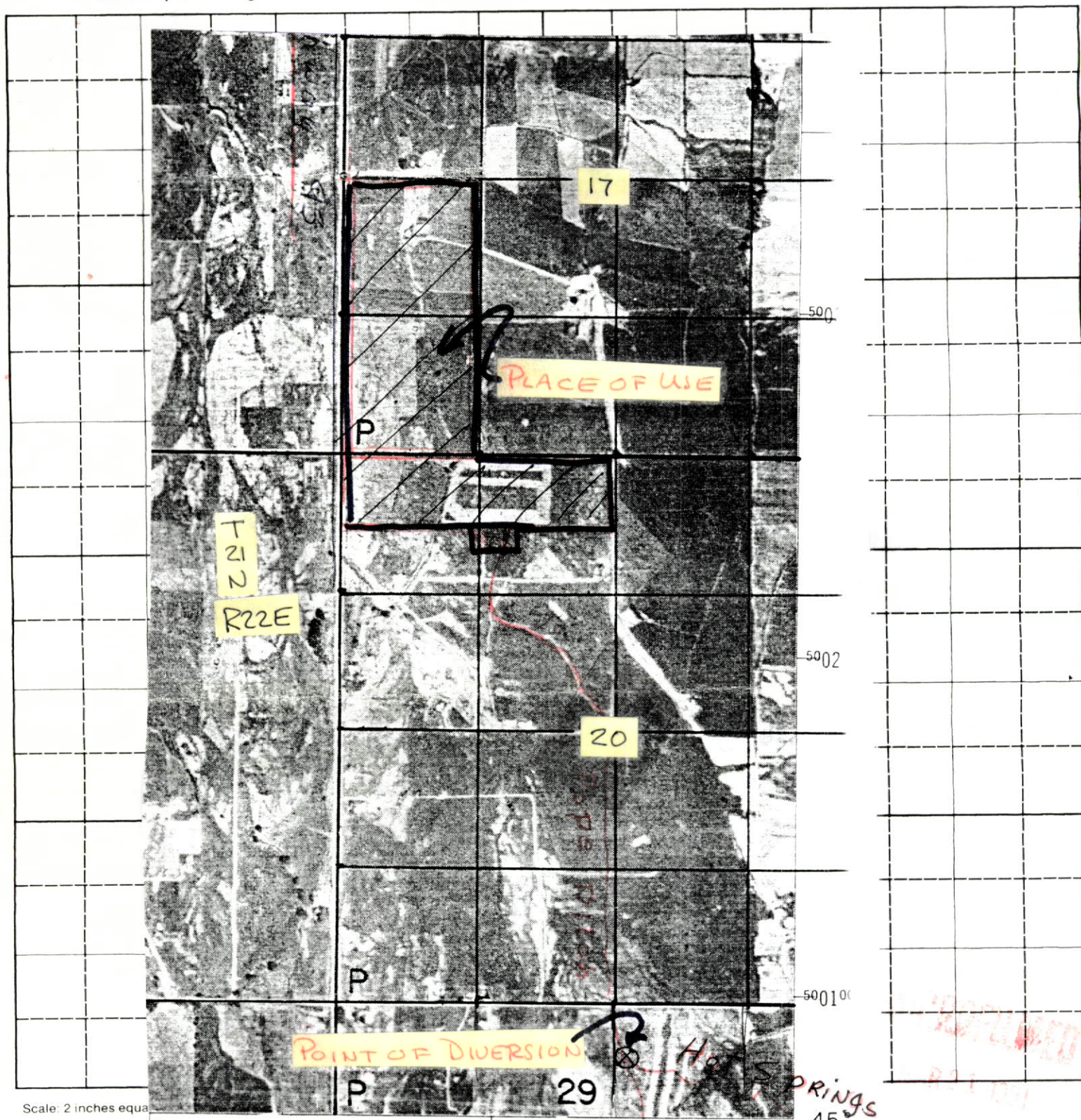


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Robert J. Morton
(Applicant)

Salmon

75-07555

T21N, R22E

PLACE OF USE IS
ALONG DITCH AS IT
PASSES THROUGH W. W.'S

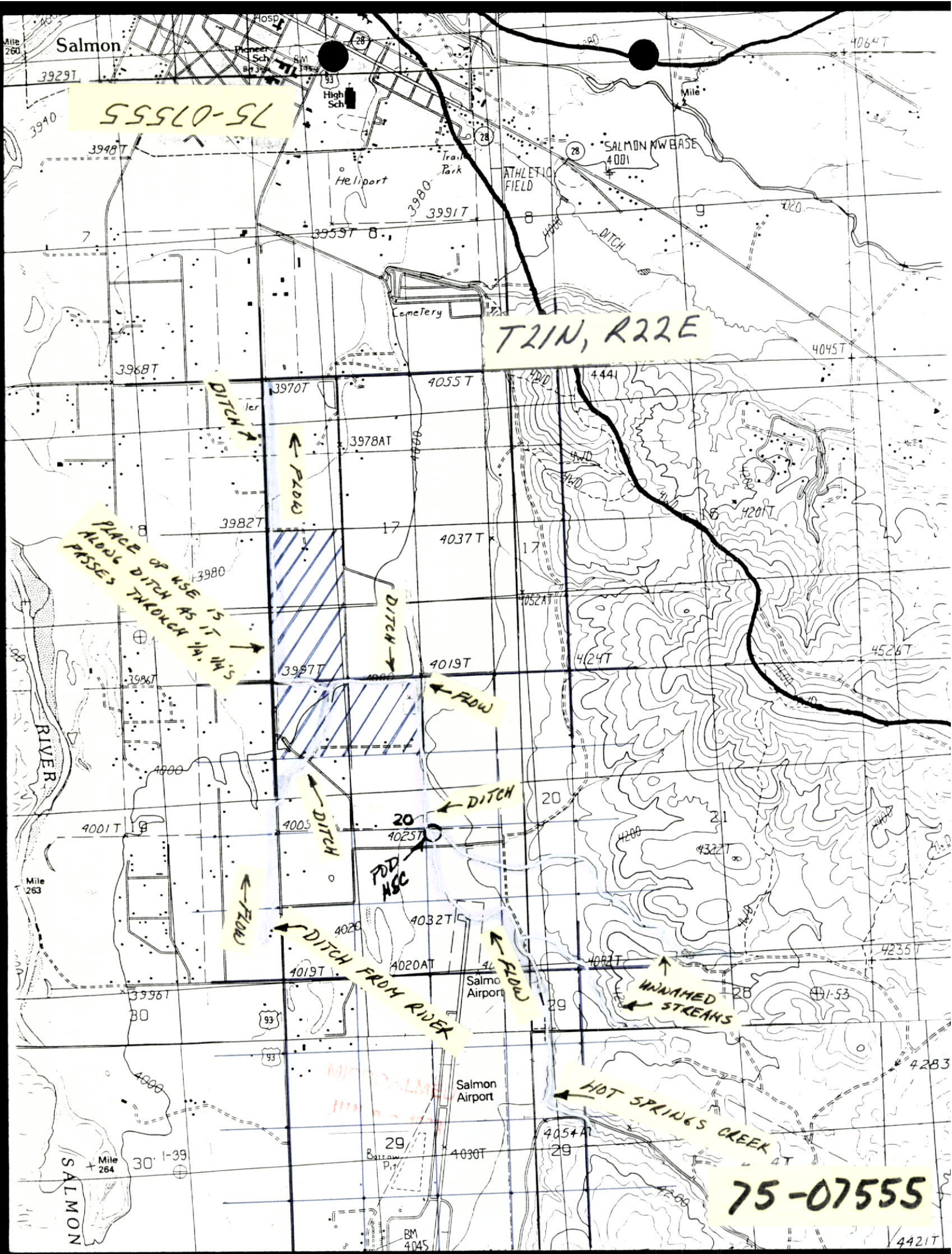
PDD
HSC

MICROFILMED
JUN 1980

UNNAMED
STREAMS

HOT SPRINGS CREEK

75-07555



ROBERT J. MORTON

STOCKWATER

1 of 3



VIEW OF
HOT SPRINGS
CREEK

NORMAL
LATE SUMMER
FLOW



HOT SPRINGS
CREEK

LATE FALL
& WINTER
FLOW

MICROFILMED
JUN 09 1998

PERMIT
NUMBER

75-07555

ROBERT J. HORTON

STOCKWATER

213



EAST DITCH

COMBINES
HOT SPRINGS
CREEK + 2
UNNAMED
STREAMS

VIEW OF
DITCH AS IT
FIRST ENTERS
PROPERTY



VIEW OF
DITCH AS IT
CROSSES
PROPERTY

VIEW TOWARD
SALMON

MICROFILMED

JUN 09 1998

PERMIT
NUMBER

75-07555

ROBERT J. HORTON

STOCKWATER

3/3



VIEW OF
ONE PLACE
OF USE

ACCESS FOR
CATTLE TO
DITCH WATER



VIEW OF
PLACE OF
USE FOR
CATTLE

WEST
DITCH FROM
SALMON RIVER.

MICROFILMED

JUN 09 1998

PERMIT
NUMBER

75-07555

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 75-07555

Priority: May 9, 1990

Maximum Diversion Rate: 0.03 CFS
Maximum Diversion Volume: 2.0 AF

This is to certify, that ROBERT J MORTON
PO BOX 601

SALMON ID 83467-0601 has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated May 9, 1990; and
has submitted Proof of Beneficial Use on January 23, 1992. An examination indicates
that the works have a diversion capacity of 0.490 cfs of water from:

HOT SPRINGS CREEK tributary to SALMON RIVER

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	0.03 CFS	2.0 AF

LOCATION OF POINT(S) OF DIVERSION: NWSE , Sec. 20, Township 21N, Range 22E
LEMHI County

PLACE OF USE: STOCKWATER

TWN RGE SEC

21N 22E 17	NWSW	SWSW
20	NENW	NWNW

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 9TH
day of APRIL, 1998.

MICROFILMED
JUN 09 1998

Acting for

KARL J. DREHER, Director

RECEIVED

APR 06 1998

State of Idaho
Department of Water Resources

Department of Water Resources

APPLICATION FOR AMENDMENT

(For Licensing Purposes)

WATER RIGHT NO. 75-07555

Date of Priority: May 9, 1990

Maximum Diversion Rate:

0.03 CFS

Maximum Diversion Volume:

2.0 AF

Comes now

ROBERT J MORTON

PO BOX 601

SALMON ID 83467-0601

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. 75-07555, and requests that the permit be changed as follows:

Source: HOT SPRINGS CREEK

tributary to SALMON RIVER

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

ANNUAL VOLUME

STOCKWATER

01/01 to 12/31

0.03 CFS

2.0 AF

LOCATION OF POINT(S) OF DIVERSION:

NWSE , Sec. 20, Township 21N, Range 22E
LEMHI County

PLACE OF USE: STOCKWATER

TWN RGE SEC

21N 22E 17

NWSW

SWSW

20

NENW

NWNW

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

Signed at Salmon, Ida., this 2 day of Apr., 1998.

MICROFILM

JUN 09 1998

(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 75-07555

FOR DEPARTMENT USE ONLY

Preliminary check by SWK Fee = 50.00 Received by RL # C041966 Date 4-6-98

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 75-07555 with the following;

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

Witness my hand this 9TH day of April, 1998.


Acting for KARL J. DREHER, Director

RECORDED
JUN 09 1998

RECEIVED
JAN 23 1992

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

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

1. Permit No. 75-07555 Telephone No. 208-756-3597
2. Name(s) of Permit Holder(s): Robert J. Morton
3. Post Office Address: Box 601 Salmon, Idaho 83467
4. Source of Water: Hot Springs Creek - Salmon River
 - a. If ground water, well driller's name: _____ Date drilled: _____
 - b. Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft.): _____

5. Extent of Use:

Domestic _____ (No. of households) Irrigation _____ (No. of acres)

Stockwater X (No. and type of stock)

Other _____

150 Head livestock (cattle & horses) - This system has been in place and used for over 50 years

6. Total rate and/or volume for which proof is submitted .05 cfs _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? Yes X No Installed? Yes No

OR

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

8. Fee Enclosed: \$ 50.00 (See License Examination Fee Schedule)

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

Robert J. Morton
Name

208-756-3597
Telephone No.

Box 601

Salmon, Idaho
Address

83467

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

Jan 21, 1992
Date

Robert J. Morton
Signature (and title if on behalf of a company or organization)

RECEIVED
FEB 11 1992

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 75-07555

Proposed Priority: May 9, 1990 Maximum Diversion Rate: 0.05 CFS

This is to certify, that ROBERT J. MORTON
P.O. BOX 601
SALMON, ID 83467

has applied for a permit to appropriate water from:

HOT SPRINGS CREEK tributary of SALMON RIVER

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>
STOCKWATER	01/01 to 12/31	0.05 CFS

LOCATION OF POINT(S) OF DIVERSION: NWNE Sec. 29, Township 21N, Range 22E
LEMHI County

PLACE OF USE: STOCKWATER
TWN RGE SEC

21N 22E 17	NWSW	SWSW
20	NENW	NWNW

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before February 1, 1992.
2. Subject to all prior water rights.
3. The issuance of this permit in no way grants any right-of-way or easement across the land of another.
4. Stockwater use is for 150 range cattle.

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

12th day of February, 1991.

R. Keith Higginson
for R. Keith Higginson, Director

RECEIVED

MAR 21 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Robert J. Morton Phone 756-3597
Post office address Box 601 Salmon, Idaho 83467
2. Source of water supply Hot Springs Creek which is a tributary of Salmon River + Snake River *
3. Location of point of diversion is _____ ¼ of NW ¼ of SW * ¼, Govt. Lot _____
Sec. 29 * Township 21 N * Range 22 E * B.M. Lemhi County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount .05 for Stock Water purposes from 1/1 * Sept 1 to 12/31 * May 1 (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) .05 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
- a. Description of ditches, flumes, pumps, headgates, etc. Gravity flow through Pope *
irrigation ditch after diverting from Creek channel
stock water from irrigation ditches *
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
- d. Is ground water with a temperature of greater than 90°F being sought? NO *
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
1 * years (minimum 1 year).

APPROVED

MAR 21 1991

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. 100 - 150 cattle (Beef)
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. _____
- e. Other; describe fully. _____

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
21N	22E	17										S	S						
												40	40*						
21N	22E	20					S*	S*											
							20	20											
21N	22E	20					S*												

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. _____

Kane Ramey + Pope Salmon River Ditch

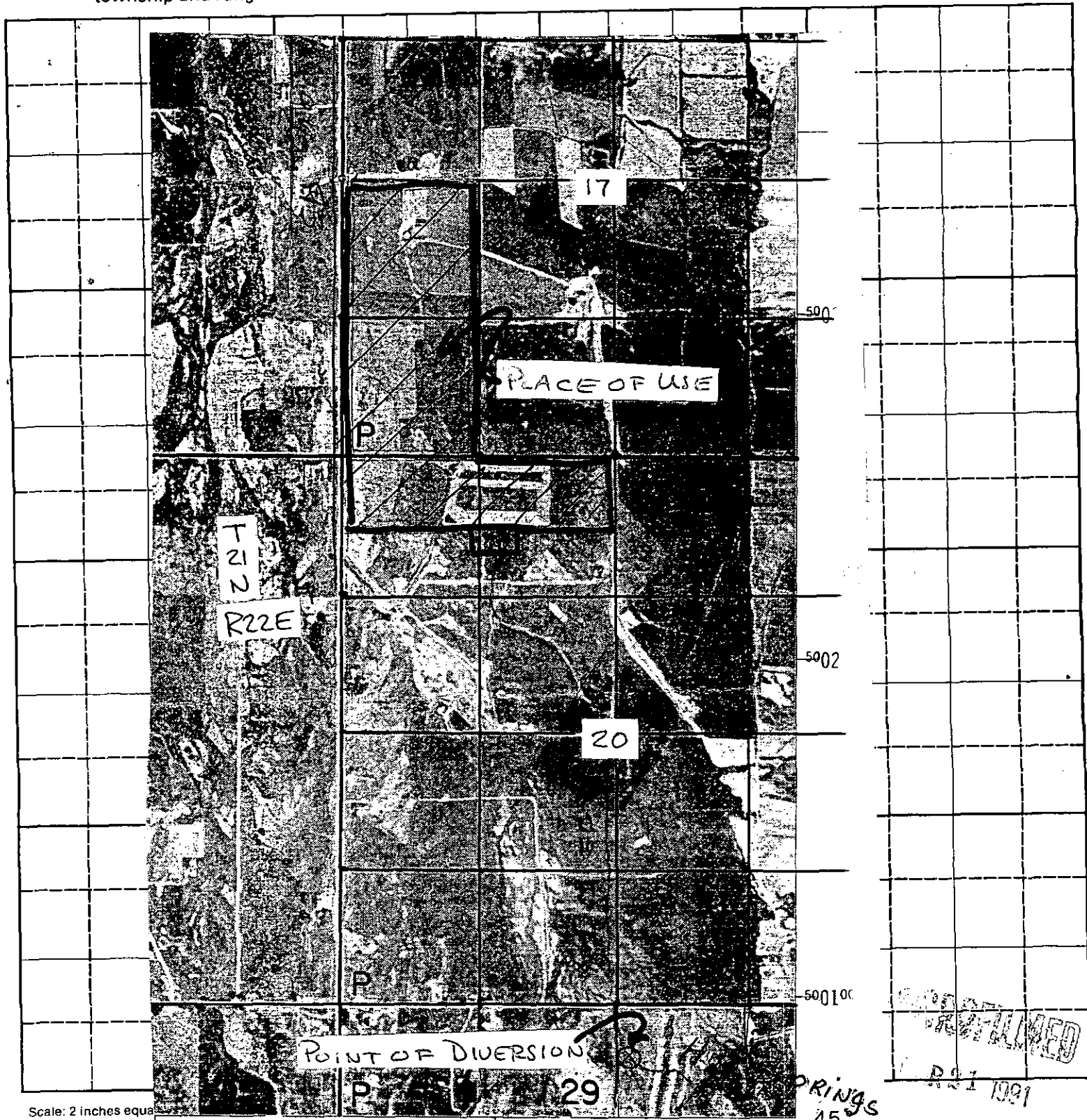
11. a. Who owns the property at the point of diversion? Zack Johnson*
- b. Who owns the land to be irrigated or place of use? Applicant*
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. EASEMENT for Pope Ditch*

12. Remarks: _____

MAR 21 1991

* Changes Made as per telecon w/Robert Morton 10-23-90. Kew

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



Scale: 2 inches equal

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.

Robert A. Morton
(Applicant)

Received by CW Date 5-9-90 Time 1:10p Preliminary check by KCW
Fee \$ 30⁰⁰ Receipted by HWS # E014366 Date 5-10-90
Publication prepared by RB Date 11-15-90 Published in Recorder-Hammond
Publication approved CW Date 11-28-90

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19____.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other:

MICROFILMED
MAR 21 1991

75-07555
EIS ROBERT L.
STAR ROUTE
CARMEN, ID 83462
Source: GROUNDWATER
Diversion Pt. NWNWSE Sec 7 T
21N R 22E
Use: IRRIGATION (.060 CFS)
Total Diversion: (.060 CFS)
Date Filed: 5/8/1990
In: T21N R22E S07 NWSE
2.0 ACRES TOTAL

75-07555
MORTON, ROBERT J.
BOX 601
SALMON, ID 83467
Source: HOT SPRINGS CREEK
Tributary: SALMON RIVER
Diversion Pt. NWNW Sec 29 T 21N
R 22E
Use: STOCKWATER STORAGE
(.050 CFS)
Total Diversion: (.050 CFS)
Date Filed: 5/9/1990
In: T21N R22E S17 NWSW SWSW
S20 NENW NWNW

75-07556
BANTA, RUSSELL L.
BOX 11
BANTA DR.
SALMON, ID 83467
Source: WASTEWATER
Tributary: SALMON RIVER
Diversion Pt. SWSWSW Sec 32 T
22N R 22E
Use: STOCKWATER (.020 CFS)
RECREATION (2.000 CFS)
Total Diversion: (2.000 CFS)
Date Filed: 5/17/1990
In: T22N R22E S32 SWSW

The permit(s) will be subject to all
prior water rights. Protests must be
filed with the Director, Dept. of Water
Resources, Eastern Region, 150
Shoup Avenue, Suite 15, Idaho Falls,
Idaho 83402 on or before DECEM-
BER 3, 1990.

R. KEITH HIGGINSON,
Director

Published 11/15/1990 and
11/22/1990

11-15-2c
RT. 1 BOX 28A
SALMON, ID 83467
OTTONELLO, GINO
RT. 1 BOX 28A
SALMON, ID 83467
Source: SPRING

MAR 21 1991



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 9, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

ROBERT J. MORTON
PO BOX 601
SALMON ID 83467-0601

RE: WATER RIGHT NO. 75-07555

Dear Water Right Holder(s):

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

If any party appeals or takes exceptions to this 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.

MICROFILMED

JUN 09 1998

ORAL ARGUMENT

If the Department grants a petition to review the 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.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with the 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.

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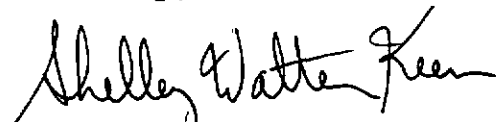
JUN 09 1988

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.

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

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

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

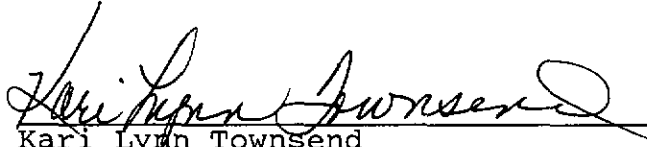
Enclosure

CERTIFICATE OF MAILING

I hereby certify that on the 9th day of April, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 75-07555

ROBERT J MORTON
PO BOX 601
SALMON ID 83467-0601


Kari Lynn Townsend
Secretary

MICROFILMED

JUN 09 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

March 24, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

ROBERT J MORTON
PO BOX 601
SALMON ID 83467-0601

RE: WATER RIGHT NO. 75-07555

Dear Permit Holder(s):

I previously forwarded to you an Application for Amendment so that you could amend your permit to depict your water right as it has been actually developed. I have not yet received the amendment. If I do not receive it within 14 days, I will assume you no longer have any interest in the permit and cancellation proceedings will begin.

Enclosed for your convenience is another amendment form. Please note that the filing fee for this amendment is \$50.00. If you have any questions, please call me at (208) 327-7946.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED

JUN 09 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

March 3, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

ROBERT J MORTON
PO BOX 601
SALMON ID 83467-0601

RE: WATER RIGHT NO. 75-07555

Dear Permit Holder(s):

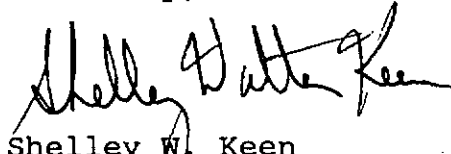
The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms that a water right has been established in compliance with the terms of the permit. The examiner who verified your water use reported that the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

The enclosed Application for Amendment form depicts the point(s) of diversion and other information as it will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$50.00 filing fee within 14 days.

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

If you do not concur, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208)327-7946.

Sincerely,



Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED
JUN 09 1998

B/U FIELD EXAM REVIEW

by Cindy Lou

Permit #: 15-01555 Name: Morton Date: 2/26/98 ✓ Lots ✓

NAME	Chng	Same	Or Address Change?
		✓	
SOURCE		✓	Clarify source <u>license as permitted</u> Prelim. Order to Void - Source change.
P/D	✓		Amendment Needed? Addn'l 1/4? <u>Legal T21N R22ES20</u> ^{NWSE} P39 Same 1/4? <u>W32</u> P36 Overlap(s) _____
P/U		✓	Amendment Needed? _____ P41 Overlap(s) <u>A75-04197B (Salmon R)</u> (Gov't use special fl's) _____ *P/D & P/U Amend? P37
RATE		✓	Permit/proof fee limits <u>0.05</u> / <u>0.20</u> \$50 Measured Quantity = <u>0.49</u> cfs Theoretical Quantity = _____ cfs <u>- polygmy meter used in measurement</u> <u>- per dept. standards, reduce to 0.03 cfs for 150 head.</u> Recommended capacity <u>0.49</u> cfs Recommended rate <u>0.03</u> cfs
VOLUME		✓	Season: (<u>1</u>) <u>1/1 - 12/31</u> = <u>365</u> days Calculations: _____ <u>(150 hd x 12 gpd x 365 dpy) ÷ 325,850 = 2.0 AF</u> Flow limit: <u>0.03</u> cfs x <u>365</u> days/yr. x 1.9835 = <u>21.7</u> AF Recommended volume <u>2.0</u> AF
USES		✓	Same Nature of Use? _____ P46 Amendment Needed? _____
REMARKS			Multiple p/d's in same 1/4? Use W32 _____

CONDITIONS	☒ Measuring Device (R43) or Lockable Controlling Works (R02) ☒ Watermaster Control (R04) - WD # _____ ☒ Irrigation rate/annual volume overlap ☒ GW irrigation replaces surface water (050) ☒ GW irrigation supplements surface water (065) ☒ Water Quality ☒ Other _____
------------	--

PRIORITY	App Rec'd <u>5/9/90</u>	Due <u>2/1/92</u>	Rc'd <u>1/23/92</u>
	Receipt# <u>C025029</u>	Fee OK? <u>Yes</u> No	
	Order to Reinstate Needed? Yes <u>No</u> Done?	Advanced to: _____	
	Priority <u>5/9/90</u>	Examined <u>8/1/96</u>	

COMMENTS: reduce flow to standard

USE	CFS	VOLUME
<u>Stock</u>	<u>0.03</u>	<u>2.0</u>
TOTAL	<u>0.03</u>	<u>2.0</u>

SRBA Overlap A75-04197B
 Adjustment Memo ✓
 LICENSE
 #1 AMEND: P39 / P38
 #2 AMEND: (R) P42 / (C) P47

MEMORANDUM

DATE: February 27, 1998
 TO: File No. 75-07555
 FROM: Cindy Lou Zimmerman *CS*
 SUBJECT: Review of Beneficial Use Field Report

The examiner found stockwatering out of Pope Ditch. Pope Ditch is supplied by water diverted from the Salmon River. The examiner recommended adding Salmon River as a source of water under this right. However, use of Salmon River water through the Pope Ditch is claimed under A75-04197B. Therefore, Salmon River will not be added as a source onto this right.

The following adjustments¹ were made on the field report to reflect the irrigation use developed under this permit:

C. DIVERSION AND DELIVERY SYSTEM.

1. Point of diversion:

TWP	RGE	SEC	N E				N W				S W				S E				Total P/Ds
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
21N	22E	20														X			1

H. RECOMMENDATIONS.

2. Recommended Amendments.

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

Examiner: Dan Simpkins
 Examined: August 1, 1996

MICROFILMED

JUN 09 1998

¹ Adjustments are **bolded and underlined**.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JAN 16 1998

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 75-07555

1. Owner: ROBERT J. HORTON Phone No. (208) 356-3597

Current Address: P.O. BOX 601, SALMON, IDAHO 83467

2. Accompanied by: OWNER EXAM DATE: 8/1/96

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: HOT SPRINGS CREEK tributary to SALMON RIVER.

B. OVERLAP REVIEW

1. Other water rights with the same place of use: NONE

2. Other water rights with the same point of diversion: NONE

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion: NO GOV LOTS

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
* <u>SALMON RIVER</u>		<u>NW</u>	<u>SW</u>	<u>NW</u>	<u>5</u>	<u>20N</u>	<u>22E</u>	<u>LEMMI</u>	<u>U.S.G.S. TOPO MAP</u>
<u>HOT SPRINGS</u>		<u>NW</u>	<u>NW</u>	<u>SE</u>	<u>20</u>	<u>21N</u>	<u>22E</u>	<u>"</u>	<u>" " "</u>

2. Place(s) of Use: NO GOV LOTS

Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
<u>21N</u>	<u>22E</u>	<u>17</u>									<u>S</u>	<u>S</u>							
<u>21N</u>	<u>22E</u>	<u>20</u>					<u>S</u>	<u>S</u>											

MICROFILMED

JAN 09 1998

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

Scale: 1" = _____

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

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

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
<i>N/A</i>					

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

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
<i>FLOW METER</i>	<i>PY6HY</i>	<i>AA</i>		<i>09027</i>		<i>1997</i>

2. Measurements: _____

MEASUREMENTS

JUN 09 1998

E. NARRATIVE/REMARKS/COMMENTS

EAST DITCH

WATER FOR THIS PERMIT IS SUPPLIED FROM MULTIPLE SOURCES. WATER FROM TWO UNNAMED STREAMS COMBINE WITH HOT SPRINGS CREEK AND ENTERS INTO A MAN MADE DITCH WHICH PASSES THROUGH PERMITTEE'S PROPERTY. THIS WATER SOURCE MAINLY FLOWS FROM LATE SEPTEMBER THROUGH LATE MAY. VERY LITTLE WATER FLOWS VIA THESE THREE SOURCES IN THE SUMMER. THESE SOURCES MAINLY PROVIDE WATER FOR CATTLE DURING WINTER MONTHS.

WEST DITCH

ANOTHER SOURCE OF WATER IS FROM THE SALMON RIVER VIA A RIVER^{DIVERSION} AND A SUPPLY DITCH WHICH PASSES THROUGH THE PROPERTY. THIS DITCH MAINLY SUPPLIES WATER FROM MAY TO OCTOBER. THIS DITCH FLOW EXCEEDS 1.0 CFS - NO MEASUREMENT WAS TAKEN.

CATTLE HAVE WATERING ACCESSSES ALONG DITCHES AS THEY PASS THROUGH THE PROPERTY.

* FLOW FROM HOT SPRINGS CREEK MEASURED ON OCTOBER 16, 1996 AT ABOUT 0.516 CFS. UNNAMED STREAMS NOT MEASURED.

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

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JUN 09 1998

F. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

Measured Method:

PY6HY METER CALC. = 0.489 CFS

PER HIT REQUESTS 0.050 CFS

RANGE CATTLE REQUIREMENTS = 150 CATTLE X .00022 = 0.033

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

150 CATTLE (RANGE) X .0134 = 2.01 AFA REQUIREMENTS

H. RECOMMENDATIONS *REDUCE CFS TO RANGE STOCK REQUIREMENTS*

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<i>STOCKWATER</i>	<i>1/1</i>	<i>12/31</i>	<i>0.03</i>	<i>2.0 AFA</i>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals:			<i>0.03 CFS</i>	<i>2.0 AFA</i>

2. Recommended Amendments

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

I. AUTHENTICATION

Field Examiner's Name *SIMPkins* Date *1/5/98*

Reviewer _____ Date _____ SEAL

*Adjustments made during review of this right for license approval.
 See Memo for additional information. *4/26/98 CS*

PROFILMED

JUN 09 1998



75-07555

WATER FOR LIVESTOCK

Can water source supply required stockwater ACRE FEET PER ANNUM?

$$\underline{0.05} \text{ CFS } \times 448.8 = \underline{22.44} \text{ GALLONS PER MINUTE } \times$$

$$60 \text{ MINUTES } = \underline{1,346.4} \text{ GALLONS PER HOUR } \times 24 \text{ HOURS } =$$

$$\underline{32,313.6} \text{ GALLONS PER DAY } \times 365 \text{ DAYS } = \underline{11,794,464.0}$$

$$\text{GALLONS PER YEAR } / 325,850 \text{ GALLONS PER ACRE FEET PER ANNUM } =$$

$$\underline{36.19} \text{ ACRE FEET PER ANNUM.}$$

$$\begin{array}{l} .00022 \times 150 \text{ RANGE CATTLE} = 0.03 \text{ CFS} \\ .0134 \times 150 = 2.01 \text{ AFA} \end{array} \left. \vphantom{\begin{array}{l} .00022 \times 150 \text{ RANGE CATTLE} = 0.03 \text{ CFS} \\ .0134 \times 150 = 2.01 \text{ AFA} \end{array}} \right\} \text{ REQUIREMENTS}$$

MICROFILMED
JUN 29 1998

75-07555
PERMIT NUMBER

ROBERT J. MORTON

STOCKWATER

1 of 3



VIEW OF
HOT SPRINGS
CREEK

NORMAL
LATE SUMMER
FLOW



HOT SPRINGS
CREEK

LATE FALL
& WINTER
FLOW

NOTED
JUN 09 1938

PERMIT
NUMBER

75-07555

ROBERT J. HORTON

STOCKWATER

213

EAST DITCH

COMBINES
HOT SPRINGS
CREEK + 2
UNNAMED
STREAMS

VIEW OF
DITCH AS IT
FIRST ENTERS
PROPERTY



VIEW OF
DITCH AS IT
CROSSES
PROPERTY

VIEW TOWARD
SALMON



MICROFILMED

JUN 09 1998

PERMIT
NUMBER

75-07555

ROBERT J. HORTON

STOCKWATER

3/3



VIEW OF
ONE PLACE
OF USE

ACCESS FOR
CATTLE TO
DITCH WATER



VIEW OF
PLACE OF
USE FOR
CATTLE

WEST
DITCH FROM
SALMON RIVER.

WFOBOMLME

JUN 09 1938

PERMIT
NUMBER

75-07555

January 24, 1992

ROBERT J. MORTON
P.O. BOX 601
SALMON ID 83467

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 75-07555

Dear Permit Holder:

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

If you have questions concerning this matter, please feel free to contact the EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

MICROFILMED
FEB 11 1992

INTER-DEPARTMENT MEMO

TO: Foley

SUBJECT: _____

FROM: Karen

DATE: 1/3/92

Copy of permit mailed to permit holder.
per phone request. He did not
know he had a water right.

RECEIVED

FEB 11 1992

() For your information

() Response required

K. Gustafson
signature

138329

November 30, 1991

ROBERT J. MORTON
P.O. BOX 601
SALMON ID 83467

PROOF DUE NOTICE

RE: PERMIT NO. 75-07555

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before February 1, 1992. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

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

SINCERELY,

Karen L. Gustafson
Secretary/Records Manager

Enclosures

RECEIVED

FEB 11 1992



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

February 14, 1991

ROBERT J. MORTON
P.O. BOX 601
SALMON, ID 83467

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 75-07555

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

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

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosures

MICROFILMED

MAR 21 1991

12-Nov-1990 14:31

ROBERT J MORTON
BOX 601
SALMON ID 83467

RE: Application No. 75-07555

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in Recorder-Herald on NOVEMBER 15 & 22, 1990. The advertisement will be published 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.

If the application is not protested, it will be forwarded to our state office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

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

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

RECEIVED
MAR 21 1991

75-07555

MORTON, ROBERT J.
BOX 601
SALMON, ID 83467

Source: HOT SPRINGS CREEK

Tributary: SALMON RIVER

Diversion Pt: NENE Sec 29 T 21N R 22E

Use: STOCKWATER STORAGE (.050 CFS)
 Total Diversion: (.050 CFS)

Date Filed: 5/ 9/ 1990

In: T21N R22E S17	NWSW	SWSW
S20	NENW	NWNW

RECEIVED

MAR 21 1991