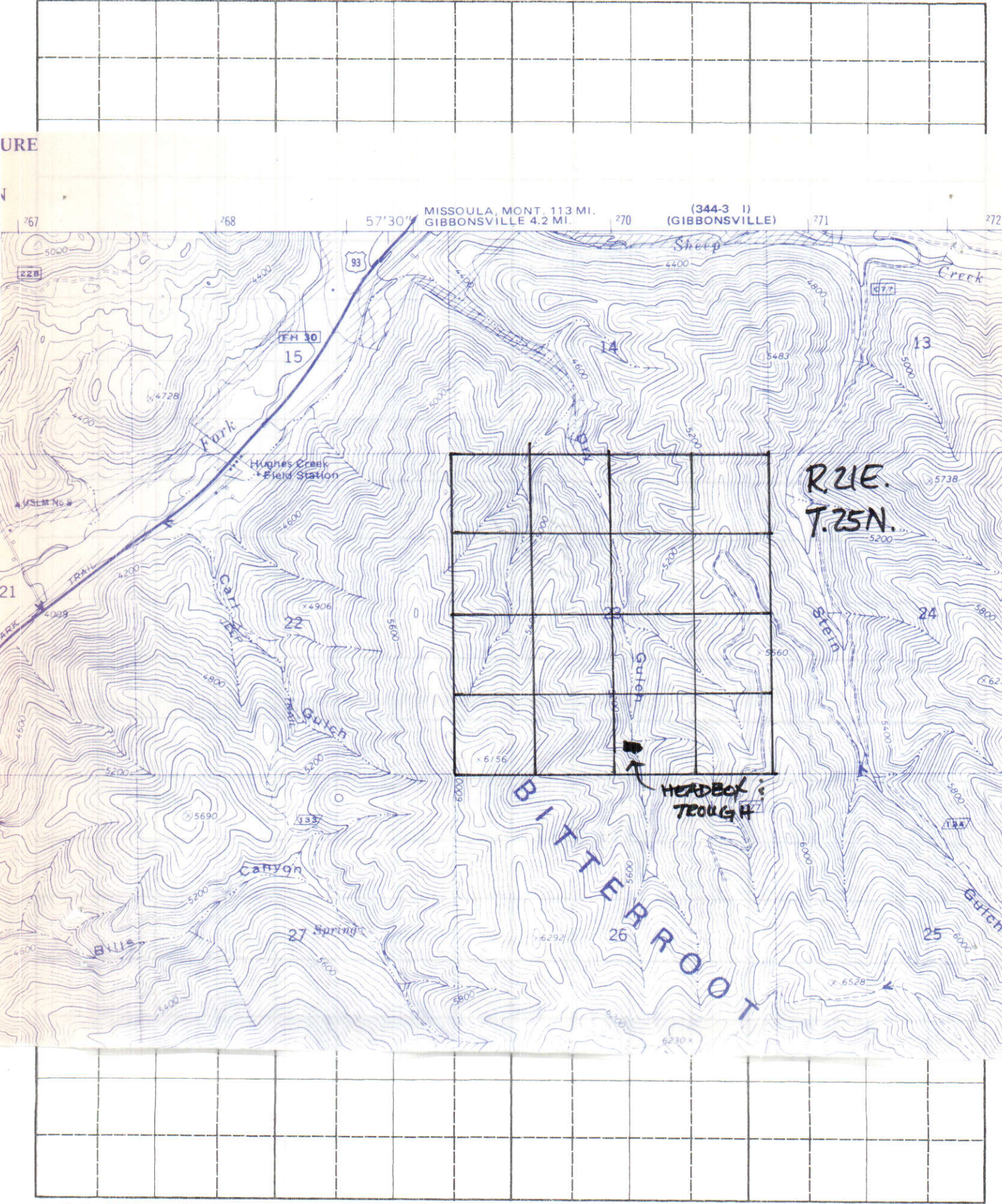


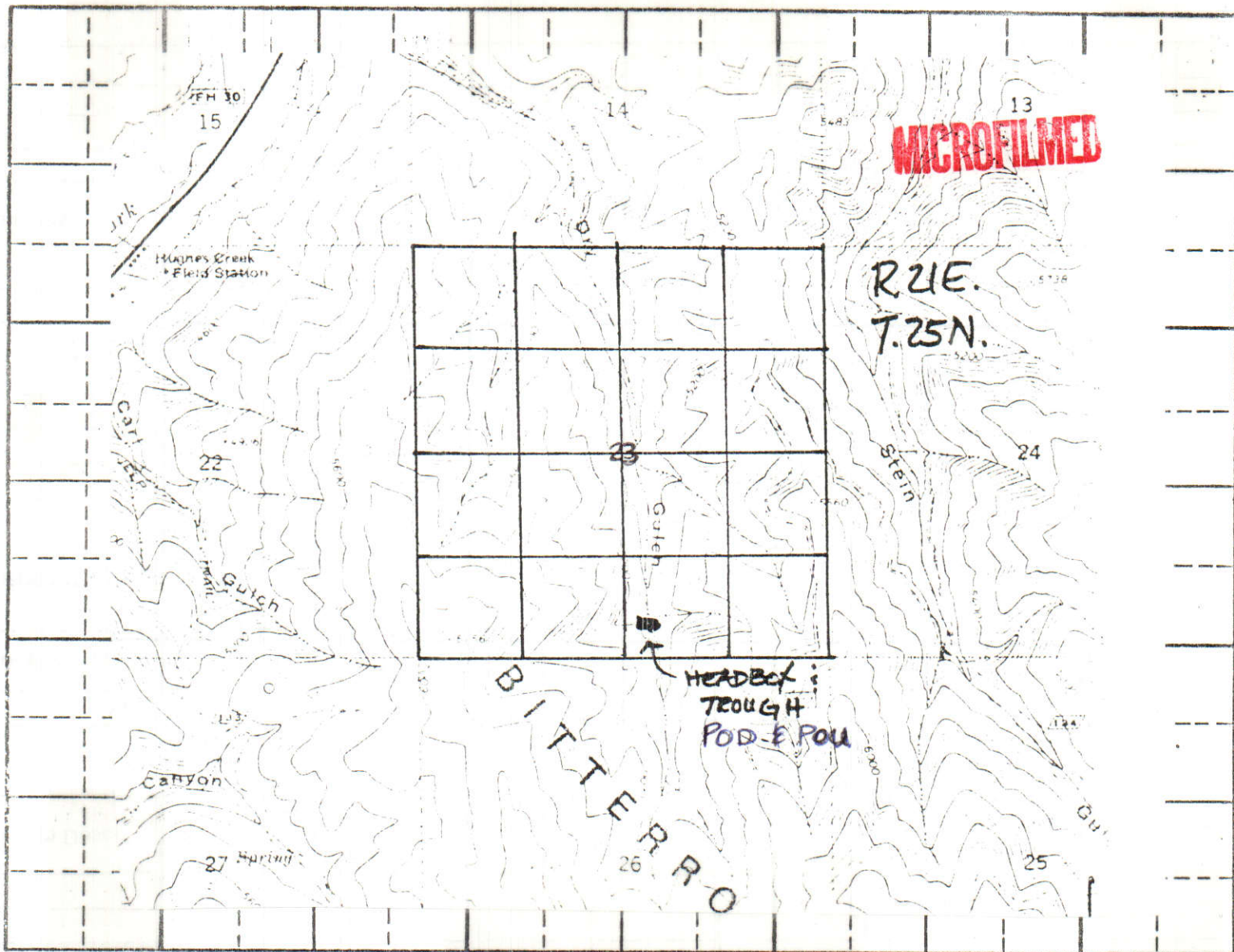
11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth. United States of America - Forest Service

(for) Richard L. Sanders
L. KENT MAYS, JR., Deputy Regional Forester,
(Applicant) Resource



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

SEE MEMORANDUM DATED 26 February 1981, U.S.F.S. Field Examinations

Point(s) of diversion: ☒ SW $\frac{1}{4}$ SE $\frac{1}{4}$ SEC. 23 TWP. 25 N, R. 21 E, Boise Meridian; Lemhi Co.

Place(s) of Use ☒

TWP.	RGE.	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
25 N	21 E	23																5	

Recommended Amendments:

- ☐ Change P.D. as reflected above
☐ Change P.U. as reflected above

- ☐ Add P.D. as reflected above
☐ Add P.U. as reflected above

- ☒ None
☐ Other

Examiner's Signature

Checked by

Approved by

Date 3 Feb 86

Date 1-14-86

Date 7-1-86

State of Idaho
Department of Water Resources



WATER RIGHT LICENSE

License No. 75-7284 Priority 02/25/1982 Amount 0.02 CFS 0.3 AF

THIS IS TO CERTIFY, that U.S. Dept. of Agri., Forest Service

of Ogden, Utah, has complied with the terms and conditions of

Permit No. 75-7284 issued pursuant to Application for Permit dated 02/25/1982, and has submitted proof to the Department of Water Resources on 09/12/1983, that he has applied water to a

beneficial use; and examination by the Department indicates that the works have a capacity for the

diversion of 0.02 cfs of water from Dry Gulch Spring tributary to Dry Gulch, and that the permit holder has

applied to a beneficial use and established a right to use water as follows:

RATE OF DIVERSION	VOLUME	BENEFICIAL USE	PERIOD OF USE
0.02 cfs	0.3 af	Stockwater	06/01 - 09/15

Location of point of diversion: SWSE, Sec. 23, Twp 25N, Rge 21E, Lemhi Co.

Location of place of use:

TWP.	RGE.	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
25N	21E	23															X		

Total number of acres irrigated _____

MICROFILMED

Subject to all prior water rights.

NOTE: Modifications to or variance from the use of water as shown on this license must be made in accordance with Section 42-222, Idaho Code, or the applicable Idaho law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho this 3RD day of July, 1986.

Acting for the Director

Norman C. Young

kw

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT **APPROVED**

To appropriate the public waters of the State of Idaho

1. Name of applicant United States of America - Forest Service Phone (801) 625-5360

Post office address 324 25th Street, Federal Building, Ogden, Utah 84401

2. Source of water supply Dry Gulch Spring which is a tributary of Dry Gulch

3. Location of point of diversion is SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 23 Township 25N

Range 21E B.M. Lemhi County, additional points of diversion if any: _____

021-005

4. Water will be used for the following purposes:

Amount .02 cfs for Stock watering purposes from 6/1 to 9/15 (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:

a. .02 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Headbox to a trough

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year - maximum 5 years).

8. Description of proposed uses:

a. If water is **not** for irrigation:

(1) Give the place of use of water: SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 23 Township 25N

Range 21E B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered 75 cattle

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____.

(5) If water is to be used for other purposes describe: _____

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

[illegible]

Total number of acres to be irrigated

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

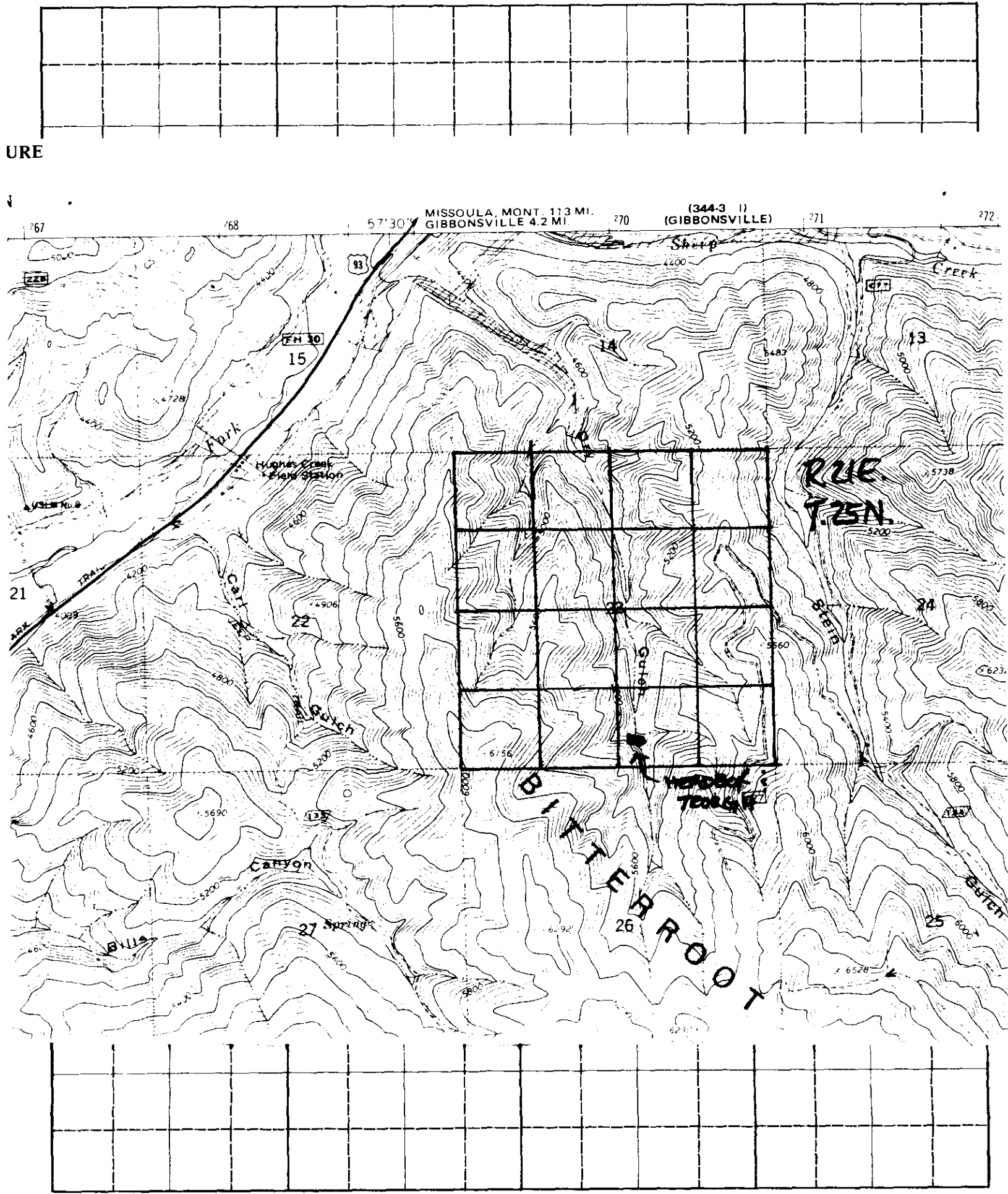
9. a. Who owns the property at the point of diversion	United States of America Salmon National Forest
---	--

b. Who owns the land to be irrigated or place of use United States of America
Salmon National Forest

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

10. Remarks

11. Map of proposed 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. United States of America - Forest Service

(for) Richard J. Sanders
L. KENT MAYS, JR., Deputy Regional Forester,
(Applicant) Resource

Proposed Priority 2/25/1982

Received by CW Date 2-25-82 Time 11:30

Preliminary check by KCW Fee \$ 30.00

Receipted by PW Date 6-14-82 # 22309

Publication prepared by bs Date 3-11-82

Published in Spencer Herald

Publication dates 3-18 & 3-25-82

Publication approved CW Date 3-26-82

Protests filed by: Gary Lee Moore by Jordon P. Smith, Attorney

Withdrawn Nov. 12, 1982

Copies of protests forwarded by CW

Hearing held by _____ Date _____

Recommended for approval denial by EMC RC

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. 75-7284, and said application is hereby APPROVED.

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before November 1, 1987.
- 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. Other: Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.

Witness my hand this 23rd day of November, 1982.

J. Glen Saxton
Chief, Operations Bureau

APR 5 1982

Department of Water Resources
Eastern District Office

PROTEST OF APPLICATION FOR WATER RIGHT

TO: Director of Idaho Water Resources
150 Shoup Ave.
Idaho Falls, Idaho 83401

RE: Application for Water Right, No. 75-7284, Dry Gulch Springs

COMES NOW, GARY MOORE, North Fork, Idaho, and protests the above described application for water right on the following grounds:

1. That the waters sought to be appropriated are not available for appropriation.
2. That the waters sought to be appropriated have been applied to a beneficial use by Gary Moore and his predecessors in interest for many years for agricultural purposes on that real property owned by Gary Moore on Dry Gulch and described more specifically on Exhibit A which will be filed herein after.

DATED this 31st day of March, 1982.

Gary Lee Moore by Jordon P. Smith
P. O. Box 24
Gibsonville, Idaho 83463
Jordon P. Smith - Attorney at Law

PROTEST OF APPLICATION
FOR WATER RIGHT

For the H. E. Survey No. 69 described as follows: Beginning at corner No. 1, from which U. S. Mineral Monument No. 33, Dahlenaga Mining District bears North 77 degrees 5 minutes East, 30.58 chains distant; thence North 32 degrees 16 minutes West, 2.49 chains to corner No. 2; thence South 40 degrees 33 minutes West, 10.44 chains to corner No. 3; thence South 42 degrees 4 minutes West, 7.51 chains to corner No. 4; thence South 47 degrees West 15.99 chains to corner No. 5; thence South 20 degrees 11 minutes West, 8.49 chains to corner No. 6; thence South 11 degrees 45 minutes West, 7.27 chains to corner No. 7; thence South 73 degrees 16 minutes East, 5.2 chains to corner No. 8; thence North 25 degrees 57 minutes East 19.8 chains to corner No. 9; thence South 57 degrees 14 minutes East, 20.34 chains to corner No. 10; thence South 55 degrees 50 minutes East, 22.5 chains to corner No. 11; thence South 33 degrees 57 minutes East 8.25 chains to corner No. 12; thence South 12 degrees 49 minutes West, 8.81 chains to corner No. 13; thence South 69 degrees 11 minutes East 3.05 chains to corner No. 14; thence North 18 degrees 46 minutes East 8.23 chains to corner No. 15; thence North 29 degrees 46 minutes West, 16.53 chains to corner No. 16; thence North 66 degrees 9 minutes West, 14.4 chains to corner No. 17; thence North 48 degrees 14 minutes West, 13.54 chains to corner No. 18; thence North 36 degrees 30 minutes East, 7.42 chains to corner No. 19; thence North 52 degrees 30 minutes East 4.98 chains to corner No. 20; thence North 49 degrees 9 minutes East, 10.89 chains to corner No. 21; thence North 59 degrees 58 minutes West, 8.41 chains to corner No. 22; thence North 57 degrees 6 minutes West, 7.27 chains to corner No. 1, the place of beginning.

EXCEPTING THEREFROM: A fraction of H. E. S. #69, located in unsurveyed Section Fourteen (14), Township Twenty-five (25) North, Range Twenty-one (21) East of the Boise Meridian, more particularly described as follows, to-wit:

Beginning at Corner No. Three (3) of H. E. S. #69, run thence North 40° 33' East 581.3 feet, more or less, to the Southerly Right-of-Way of U. S. Highway No. 93; thence along the Right-of-Way 18.1 feet; thence South 48° 32' East 134.3 feet; thence South 61° 47' East 230.8 feet; thence South 40° 33' West 626.4 feet; thence North 52° 30' West 365.0 feet, more or less, to the point of beginning.

EXCEPTING THEREFROM: A fraction of H. E. S. 69 located approximately in Unserved Section 14, T. 25 N., R. 21 E., Boise Meridian, Lemhi County, Idaho, more particularly described as follows, to-wit:

Beginning at Corner Number Twenty Two of said H. E. S. 69 run thence N. 57° 06' W. 479.5 feet along the boundary between H. E. S. 69 and N. S. 1133 to Corner Number One of H. E. S. 69; thence N. 32° 16' W. 136.3 feet more or less along said boundary to the Easterly Right-of-Way boundary of U. S. Highway No. 93; thence Southerly along said Right-of-Way boundary 85.0 feet, thence S. 48° 32' E. 134.3 feet thence S. 61° 47' E. 504.9 feet to the point of beginning.

Exhibit "A"

Exhibit A - Legal description of Dry Gulch Springs
Application for Water Right, No. 75-7284
Gary Lee Moore by Jordan P. Smith
P. O. Box 24
Gibsonville, Idaho 83463

RECEIVED

APR 7 1982

Department of Water Resources
Eastern District Office

MICROFILMED

NOTICE OF
APPLICATION FOR
WATER RIGHT

Notice is hereby given
that the following applica-
tion(s) have been submit-
ted for permit to appropri-
ate the public waters of
the State of Idaho:
74-7149

JOHNSMEIRE, JOSEPH
for FRANCES
P. O. BOX 871, SALMON,
ID 83467

Source: UNNAMED
STREAM tributary to
MORMON DITCH

Date Filed: 03/01/1982

Amount: 0.50 CFS

Diversion Point: LOT 04
(SWSW) Sec 18 T 21N R
23E, LEMHI Co.

Use: IRRIGATION (0.50
CFS) from 04/01 to 11/01

Place of Use: LOT 04
(SWSW) Sec 18 T 21N R
23E LOT 01 (NWNW) Sec
19 T 21N R 23E NENE Sec
24 T 21N R 22E FOR 25
ACRES

Diversion Means: HEAD-
GATE & GRAVITY
FLOW DITCH

74-7150

U.S. DEPT. OF AGRI.
FOREST SERVICE, FED-
ERAL BLDG., 324 25TH
ST., OGDEN, UT 84401
Source: GROVE SPRING
tributary to SINKS

Date Filed: 02/25/1982

Amount: 0.02 CFS

Diversion Point: SWSW

Sec 01 T 14N R 25E, LEM-
HI Co.

Use: STOCK WATER
(0.02 CFS) from 06/16 to
09/30

Place of Use: NWNE Sec
01 T 14N R 25E

Diversion Means: HEAD-
BOX TO TROUGH

74-7151

U.S. DEPT. OF AGRI.
FOREST SERVICE, FED-
ERAL BLDG., 324 25TH
ST., OGDEN, UT 84401

Source: WHEETIP
SPRING tributary to
SINKS

Date Filed: 02/25/1982

Amount: 0.02 CFS

Diversion Point: SENW
Sec 09 T 15N R 28E, LEM-
HI Co.

Use: STOCK WATER
(0.02 CFS) from 07/01 to
10/15

Place of Use: SENW Sec
09 T 15N R 28E

Diversion Means: HEAD-
BOX TO TROUGH

74-7152

U.S. DEPT. OF AGRI.
FOREST SERVICE, FED-
ERAL BLDG., 324 25TH
ST., OGDEN, UT 84401

Source: ADAMS CREEK
SPRING tributary to
SINKS

Date Filed: 02/25/1982

Amount: 0.02 CFS

Diversion Point: NENW
Sec 21 T 15N R 25E, LEM-
HI Co.

Use: STOCK WATER
(0.02 CFS) from 06/16 to

10/05

Place of Use: NENW Sec
21 T 15N R 25E

Diversion Means: HEAD-
BOX TO TROUGH

74-7153

U.S. DEPT. OF AGRI.
FOREST SERVICE, FED-
ERAL BLDG., 324 25TH
ST., OGDEN, UT 84401

Source: RYEGRASS
SPRING tributary to
sinks

Date Filed: 02/25/1982

Amount: 0.02 CFS

Diversion Point: NWNE
Sec 21 T 17N R 23E, LEM-
HI Co.

Use: STOCK WATER
(0.02 CFS) from 06/16 to
09/16

Place of Use: NWNE Sec
21 T 17N R 23E

Diversion Means: HEAD-
BOX TO TROUGH

75-7278

U.S. DEPT. OF AGRI.
FOREST SERVICE, FED-
ERAL BLDG., 324 25TH
ST., OGDEN, UT 84401

Source: MUD SPRING
tributary to BURNS
GULCH

Date Filed: 02/25/1982

Amount: 0.02 CFS

Diversion Point: NWSE
Sec 11 T 24N R 21E, LEM-
HI Co.

Use: STOCK WATER
(0.02 CFS) from 09/01 to
11/30

Place of Use: SESW Sec
11 T 24N R 21E

Diversion Means: HEAD-
BOX TO TROUGH

75-7279

U.S. DEPT. OF AGRI.
FOREST SERVICE, FED-
ERAL BLDG., 324 25TH
ST., OGDEN, UT 84401

Source: KRILEY SPRING,
UPPER S. FORK tribu-
tary to SINKS

Date Filed: 02/25/1982

Diversion Means: HEAD-
BOX TO TROUGH

75-7284

U.S. DEPT. OF AGRI.
FOREST SERVICE, FED-
ERAL BLDG., 324 25TH
ST., OGDEN, UT 84401

Source: DRY GULCH
SPRING tributary to DRY
GULCH

Date Filed: 02/25/1982

Amount: 0.02 CFS

Diversion Point: SWSE
Sec 23 T 25N R 21E, LEM-
HI Co.

Use: STOCK WATER
(0.02 CFS) from 06/01 to
09/15

Place of Use: SWSE Sec
23 T 25N R 21E

Diversion Means: HEAD-
BOX TO TROUGH

75-7285

U.S. DEPT. OF AGRI.
FOREST SERVICE, FED-
ERAL BLDG., 324 25TH
ST., OGDEN, UT 84401

Source: GALLAGHER
SPRING tributary to GAL-
LAGHER GULCH

Date Filed: 02/25/1982

Amount: 0.02 CFS

Diversion Point: SWNE
Sec 18 T 25N R 21E, LEM-
HI Co.

Use: STOCK WATER
(0.02 CFS) from 08/01 to
12/31

Place of Use: SWSE Sec
18 T 25N R 21E

Diversion Means: HEAD-
BOX TO TROUGH

75-7286

U.S. DEPT. OF AGRI.
FOREST SERVICE, FED-
ERAL BLDG., 324 25TH
ST., OGDEN, UT 84401

Source: GRINDSTONE
SPRING tributary to UN-
NAMED STREAM

Date Filed: 02/25/1982

Amount: 0.02 CFS

Diversion Point: SWNE
Sec 21 T 25N R 20E, LEM-

Affidavit of Publication

STATE OF IDAHO

County of Lemhi

MAR 26 1982

JERRY G. ROSIN

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

That the Notice of Application for Water Rights Nos. 74-7149
thru 74-7153 and 75-7278 thru 75-7290

a true
printed copy of which is attached to the margin hereof, has been and was correct-
ly printed and published in the regular and entire issue of every number of said
newspaper and not in any supplement thereof or thereto for ²
consecutive issues, commencing with the issue dated March 18 1982
and ending with the issue dated March 25 1982

Subscribed and sworn to before me, this twenty fifth

day of March 1982

Notary Public for the State of Idaho,
Residing at Salmon, Idaho

Publication Fee \$ 180.90



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

July 9, 1986

RE: Permit Nos. 24-7110/7142, 74-7186/7187/7188, 75-7279/7280/7281/
7282/7283/7284/7285/7286/7287/7289/7290/7292/7330/
7335/7372/7389/7390, 77-7121/7165

U.S. Dept. of Agri.
Forest Service
Federal Bldg.
324 25th St.
Ogden, UT 84401

Gentlemen:

Enclosed herewith are copies of the Water Right Licenses issued on the
above referenced permits.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosures

MICROFILMED

State of Idaho
DEPARTMENT OF WATER RESOURCES
WATER RIGHT BENEFICIAL USE FIELD REPORT

UNITED STATES OF AMERICA - FOREST SERVICE

75-7284
Permit No.

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☐ Appointment letter mailed:			RECEIVED FEB 7 1986 Department of Water Resources
☐ Telephone call made (List Telephone No. used)			
☐ Appointment scheduled for: (Date, time, location)			

~~John Hammond~~
~~Shelley Dettmer~~
~~Kurt Gons~~
Don Smith
~~Bob Holmes~~

EXAMINATION
Date 11-12-1985 Accompanied by Don Smith THEORETICAL- 0.02 cfs
Source Dry Gulch Spring Tributary to Dry Gulch Total Q measured _____
Supp. annubar measurement sheet used? No
If source is surface water, estimate total flow of source _____
Methods of measurement THEORETICAL Meets permit requirements? Yes

Measurement calculations: _____
SEE MEMORANDUM DATED February 26, 1981, U.S.F.S. FIELD EXAMINATIONS
$$V = \frac{75 \text{ Head} \times 12 \text{ gal/day/head} \times 106 \text{ days}}{325850 \text{ gal/af}} = 0.3 \text{ afa} \checkmark$$

WELL/DIV. NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEVICE	REMARKS

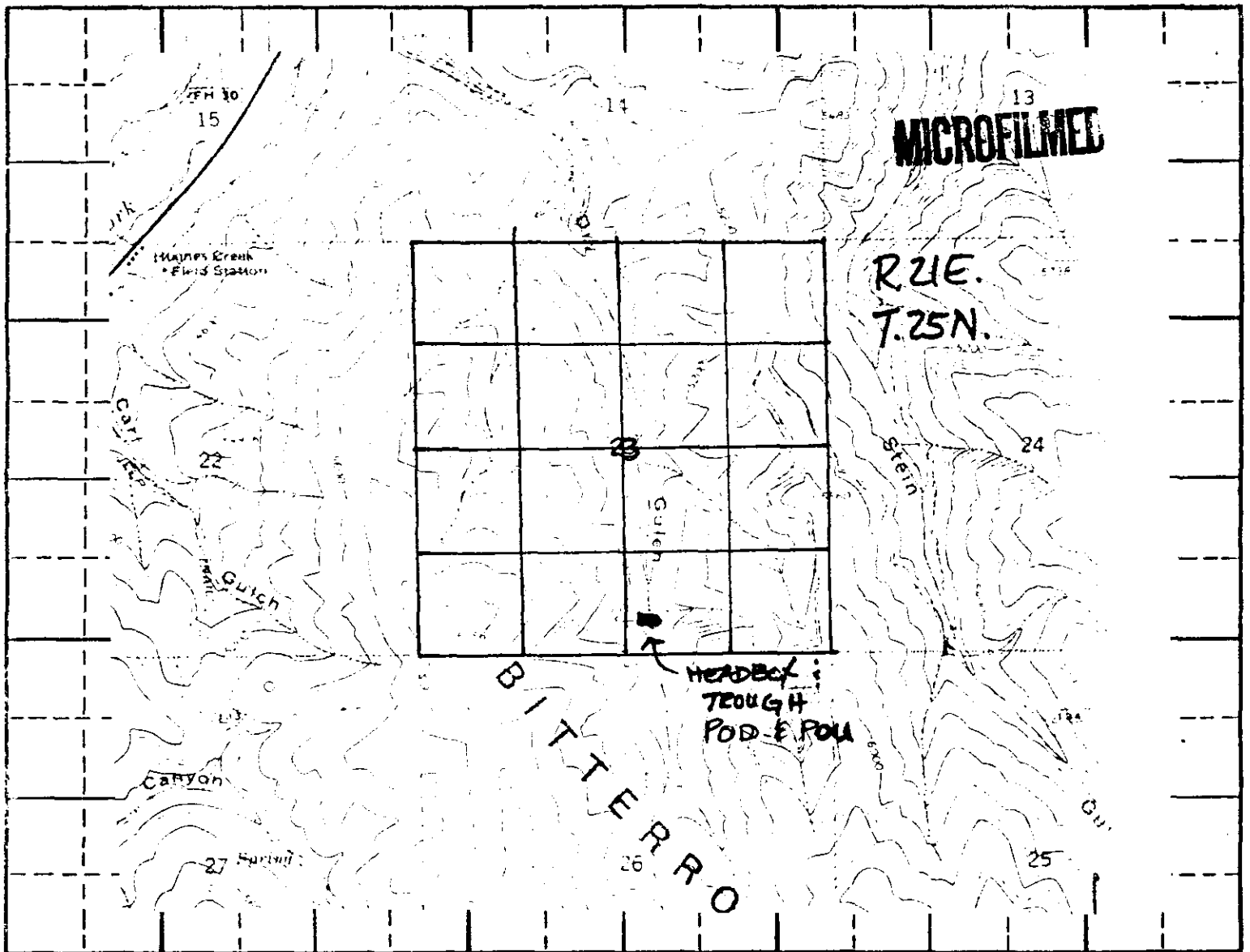
System Description HEADBOX PIPED TO 1 TROUGH(S)

*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS USE	Irrigation requirement =		AFA/Acre	
	Q (cfs)	V (afa)	FROM	TO
STOCKWATER ☒	0.02 cfs ☒	0.3 afa ☒	6/1 ☒	9/15 ☒
Total	0.02 cfs ☒	0.3 afa ☒		
Remarks <u>STOCKWATER FOR 75 Range Cattle</u>				

MICROFILMED

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

SEE MEMORANDUM DATED 26 February 1981, U.S.F.S. Field Examinations

Point(s) of diversion: ☒ SW $\frac{1}{4}$ SE $\frac{1}{4}$ SEC. 23 TWP. 25 N, R. 21 E, Boise Meridian; Lemhi Co.

Place(s) of Use ☒

TWP.	RGE.	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
25 N	21 E	23															5		

Recommended Amendments:

- ☐ Change P.D. as reflected above
☐ Change P.U. as reflected above

- ☐ Add P.D. as reflected above
☐ Add P.U. as reflected above

- ☒ None
☐ Other

Examiner's Signature

Checked by

Approved by

Date

Date

Date

3 Feb 86

1-14-86

7-1-86



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

150 Shoup
Idaho Falls, Idaho 83401
(208) 525-7161

December 9, 1983

United States of America - Forest Service
Federal Building
324 25th Street
Ogden, UT 84401

RE: Permit #75-7284

Dear Permit Holder:

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

Before a license can be issued, a field examination must be made by a representative of this Department.

 A field examination of your system has been scheduled for .

If this time and date is not convenient for you, please contact this office as soon as possible.

 X A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office.

Sincerely,

KEITH C. WISSON
Sr. Resource Agent

KCW:JK

MICROFILMED

021-005

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider the statement that the permit holder(s) has completed development to the extent shown on the permit.

Name(s) of Permit Holder: United States of America - Forest Service

Post Office Address: Federal Building, 324 25th Street

Ogden, Utah 84401

Department No. (801) 625-5360

Source of Water:

DEY GUCH SPRING

Department of Water Resources

Extent of Use:

☐ Domestic

(number of households)

☒ Stockwater

75 cattle

(number and type of stock)

☐ Irrigation

(acres)

☐ Other

Measuring Device:

Required?

☐ Yes ☒ No

Installed?

☐ Yes ☒ No

Additional Port:

Required?

☐ Yes ☒ No

Installed?

☐ Yes ☒ No

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

(for) Deputy Regional Forester, Resources

Sept 7, 1982

Date

Signature of Permit Holder

MICROFILMED



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

RECEIVED
SEP 14 1981
Department of Water Resources

PLACE
TEN CENT
STAMP
HERE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

U.S. DEPT. OF AGRI.
FOREST SERVICE
FEDERAL BLDG.
324 25TH ST.
BOISE, UT 84401

DECEMBER 07, 1982

RE: PERMIT NO. 65-12543 and Permit No. 75-7284

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH PAGE.

THE 1982 IDAHO LEGISLATURE ADDED A REQUIREMENT THAT AS A PERMIT HOLDER YOU MUST COMMENCE THE EXCAVATION OR CONSTRUCTION OF DIVERTING WORKS WITHIN ONE YEAR OF THE DATE THE PERMIT WAS ISSUED, AND YOU MUST PROCEED DILIGENTLY UNTIL THE PROJECT IS COMPLETED. THE ENCLOSED BLUE CARD MUST BE COMPLETED AND RETURNED TO THIS OFFICE AS SOON AS YOU COMMENCE CONSTRUCTION, NO LATER THAN ONE YEAR FROM THE DATE THE PERMIT WAS APPROVED.

WE HAVE ENCLOSED INSTRUCTIONS ENTITLED "MAKING PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT INTO A LICENSE.

SINCERELY,

DAVID R. TUTHILL, JR., P.E.
SUPERVISOR, WATER ALLOCATION SECTION

ENCLOSURE

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

75 7284

INITIAL REVIEW BY: KCW/bs

APPLICATION NUMBER: _____

CHECK:

024-005

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.
☐ Yes ☒ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☒ No* In form to receipt.

Field check by: _____

Date: _____

Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department.
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other _____

Copies sent by: _____

Date: _____

PROCESSING:

- ☐ Yes ☒ No
☐ Yes ☒ No

Platted by: _____ Map No. _____

Other rights on same place of use. _____

- ☒ Yes ☐ No*

In form for advertising.

Final date for protests: April 5, 1982

- ☒ Yes ☐ No

Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 3-26-82
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and _____ recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.

- ☒ Yes ☐ No

Measuring device required.

- ☐ Yes ☒ No

Access port required.

- ☐ Yes ☒ No

Will water be delivered by watermaster? If yes, what district? _____

2-25-82

Date of priority recommended.

Special conditions of approval or cover letter. _____

STATE OFFICE REVIEW:

By: Ernest Carlson

Date: Nov. 19, 1982

SLW/LIT

26

- ☐ See attached sheet for more information.

By: [Signature]

Date: 11/23/82

RECEIVED

NOV 22 1982

POINT OF DIVERSION AND STREAM INDEX INFORMATION

OFFICE OF THE ATTORNEY GENERAL

NOV 18 1985

RECEIVED

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
-------	-----	-----	-----	--------------	---------------	-------

IDAHO STREAM CODE INDEX

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
-------	-----	-----	-----	--------------	---------------	-------

IDAHO STREAM CODE INDEX

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
-------	-----	-----	-----	--------------	---------------	-------

IDAHO STREAM CODE INDEX

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
-------	-----	-----	-----	--------------	---------------	-------

IDAHO STREAM CODE INDEX

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
-------	-----	-----	-----	--------------	---------------	-------

IDAHO STREAM CODE INDEX

November 15, 1982

RE: Application for Permit No. 75-7284

U. S. Forest Service
324 - 25th Street
Ogden, Utah 84401

Gentlemen:

This letter is to advise you that Jordon P. Smith, Attorney at Law, in behalf of Gary Lee Moore has withdrawn their protest against the above referenced application. The Department, therefore, has cancelled the hearing scheduled for November 16, 1982; and has resumed processing of your application.

If you have any questions concerning this matter, please feel free to contact this office.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

November 15, 1982

RE: Application for Permit No. 75-7284 U.S. FOREST SERVICE

Gary Lee Moore
P.O. Box 24
Gibbonsville, ID 83463

Dear Mr. Moore:

This letter is to acknowledge receipt of the withdrawal of protest against the above referenced application. The Department has cancelled the hearing scheduled for November 16, 1982, and has resumed the processing of this application.

If you have any questions concerning this matter, please feel free to contact this office.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

cc: Jordon P. Smith, Attorney

JORDAN P. SMITH

ATTORNEY AT LAW

P. O. BOX 1517

SALMON, IDAHO - 83467

208-756-2257

November 9, 1982

Department of Water Resources
150 Shoup Avenue
Idaho Falls, ID 83401

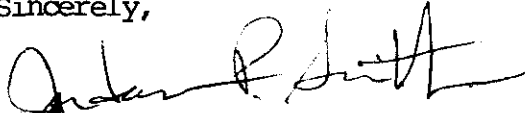
Attention: Ron Carlson

Re: Matter of Protest Against Application for
Permit No. 75-7284

Dear Mr. Carlson:

Pursuant to our telephone conversation of November 8, 1982,
please be advised that my client, Mr. Moore hereby withdraws
his protest against the above-named application. We further
waive the hearing scheduled for November 16, 1982 in Salmon.

Sincerely,



Jordan P. Smith

JPS:sey

RECEIVED

NOV 12 1982

Department of Water Resources
Eastern District Office

75-7284 - U. S. Forest Service

Commissioner's Room, Lemhi County Courthouse, Salmon, Idaho
Tuesday, November 16, 1982 - 1:00 p.m.

ROSTER OF ATTENDANCE

Hearing Officer: _____

Name	Address	Representing

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR PERMIT)
NO. 75-7284 IN THE NAME OF U.S.)
FOREST SERVICE)
_____)

STIPULATION

BY THIS STIPULATION, the undersigned parties to the above-captioned case waive compliance with the requirements of Idaho Code, Section 67-5211, including the right to a proposed decision, to file exceptions to a proposed decision and to present briefs and oral arguments to the Director of the Department of Water Resources and agree that the Director may render a final decision in this case without first submitting a proposed decision.

Dated this _____ day _____, 19____.

(Notary Subscription)

November 5, 1982

Lemhi County Clerk
Lemhi County Courthouse
Salmon, Idaho 83467

ATTN: Beverly

Dear Beverly:

This letter is to confirm the use of the Commissioner's Room
for conference and/or hearing to be held by this Department on
November 16, 1982, beginning at 9:00 a.m.

Thank you for your cooperation in this matter.

Very truly yours,

COLLEEN WRAY
Adm. Secretary

PS Form 3811, Jan. 1978

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

15-7284-22-7400-22-7401

● **SENDER:** Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one.)
☒ Show to whom and date delivered. \$
☐ Show to whom, date and address of delivery. \$
☐ RESTRICTED DELIVERY
 Show to whom and date delivered. \$
☐ RESTRICTED DELIVERY.
 Show to whom, date, and address of delivery \$ _____

(CONSULT POSTMASTER FOR FEES)

2. **ARTICLE ADDRESSED TO:**
 U. S. Forest Service
 321-25th
 Ogden UT 84401

3. **ARTICLE DESCRIPTION:**

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	13015	

(Always obtain signature of addressee or agent)

I have received the article described above.
 SIGNATURE ☐ Addressee ☐ Authorized agent
Charles

4. **DATE OF DELIVERY**

5. **ADDRESS** (Complete only if requested)

6. **UNABLE TO DELIVER BECAUSE:**

POSTMARK
 NOV 4 1982

CLERK'S INITIALS

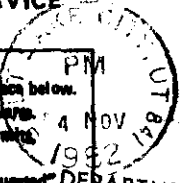
UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the spaces below.

- Complete Items 1, 2, and 3 on the reverse.
- Attach to front of article if space permits; otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE: \$200



RETURN
NOV 8 1982
RECEIVED

Department of Water Resources
Eastern District Office

DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT OFFICE
150 SHOUP AVE.
IDAHO FALLS, IDAHO 83401

(Name of Sender)

(Street or P.O. Box)

(City, State, and ZIP Code)

PS Form 3811, Jan. 1978

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

75-7274

● **SENDER:** Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one.)
☒ Show to whom and date delivered. \$
☐ Show to whom, date and address of delivery. \$
☐ **RESTRICTED DELIVERY**
 Show to whom and date delivered. \$
☐ **RESTRICTED DELIVERY.**
 Show to whom, date, and address of delivery \$ _____

(CONSULT POSTMASTER FOR FEES)

2. **ARTICLE ADDRESSED TO:**
 Jordan Smith, Atty
 Box 517
 Salmon, Id. 83467

3. **ARTICLE DESCRIPTION:**

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	13016	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☒ Authorized agent

4. DATE OF DELIVERY NOV - 4 1982

5. ADDRESS (Complete only if registered)

6. UNABLE TO DELIVER REASON:

SALEMON, ID
 NOV 4 1982
 1982
 INITIALS

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, and 3 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

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



DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT OFFICE
150 SHOUP AVE.
IDAHO FALLS, IDAHO 83401

NOV 5 1982

(Name of Sender)

Department of Water Resources
Eastern District Office

(Street or P.O. Box)

(City, State, and ZIP Code)

75-7284

PS Form 3811, Jan. 1978

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.		
1. The following service is requested (check one.) ☒ Show to whom and date delivered. \$ ☐ Show to whom, date and address of delivery. \$ ☐ RESTRICTED DELIVERY Show to whom and date delivered. \$ ☐ RESTRICTED DELIVERY. Show to whom, date, and address of delivery \$		
(CONSULT POSTMASTER FOR FEES)		
2. ARTICLE ADDRESSED TO: <i>David Lee Moore</i> <i>P.O. Box 124</i> <i>Shelbournville, AL 35463</i>		
3. ARTICLE DESCRIPTION:		
REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	<i>13017</i>	
(Always obtain signature of addressee or agent)		
I have received the article described above.		
SIGNATURE ☐ Addressee ☐ Authorized agent		
<i>Ken Crisp</i>		
4. DATE OF DELIVERY		
<i>11-8, 1982</i>		
5. ADDRESS (Complete only if requested)		
6. UNABLE TO DELIVER BECAUSE:		
DAYS INITIALS <i>L.K.</i>		

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, and 3 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

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



DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT OFFICE
150 SHOUP AVE.
IDAHO FALLS, IDAHO 83401

RETURN
RECEIVED
NOV 10 1982

(Name of Sender)

(Street or P.O. Box)

Department of Water Resources
Eastern District Office

(City, State, and ZIP Code)

DEPARTMENT OF WATER RESOURCES

EASTERN DISTRICT OFFICE

150 SHoup AVE.

IDAHO FALLS, IDAHO 83401

NAME AND
ADDRESS
OF SENDER

Indicate type of mail

- ☐ Registered
☐ Insured
☐ COD
☒ Certified

I certify that we have

- ☐ Commercial Insurance
☐ A deductible clause of
 \$

Affix stamp here if issued as
certificate of mailing or for
additional copies of this bill.

POSTMARK AND DATE OF RECEIPT

LINE No.	NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST-OFFICE ADDRESS	POSTAGE	FEE	Handling Charge	Actual Value (If Registered)	DUE SENDER IF C.O.D.	R. R. FEE	S.D. FEE	S. H. FEE	REST. DEL. FEE REMARKS
1	13010	Bottan Ranches Rt #1 Box 112, Salmon	20	75				60			74-0006 RN 74-0006 etc
2	13011	Jergill House Rt #1 Box 112 Salmon									"
3	13012	Matthew Mullany, 802 W Bonaville, Boise									"
4	13013	Verdel Olson Rt #1 Box 117, Salmon									"
5	13014	Therman Wiley PO Box 1127 Salmon									74-0006 RN 74-0006 etc 75-7322
6	13015	Lt S. Frost, Sr 32425 th St. Ogden									75-7284 72-7400 72-7401
7	13016	Orlana Smith, Box 517, Salmon									75-7284
8	13017	Daryle Moore, Box 124, Dubboville									"
9	13018	Beryl & Mary Courtney Box 2346 Salmon									75-7322
10	13019	John & Nan Bryant, Box 1170 Salmon									"
11	13020	Jim Smith, 200 Main St, Salmon									"
12	13021	Carl & Margaret Duce, Box 777, Salmon									"
13	13022	Bill Beckand, Box 205, Salmon									71-7301
14	13023	Mon Threshkner, Rt #2 Ashton									"
15	13024	Larry Dime Rt #2, Ashton									"
TOTAL NUMBER OF PIECES LISTED BY SENDER		TOTAL NUMBER OF PIECES RECEIVED AT POST OFFICE		POSTMASTER. PER (Name of receiving employee)		The full declaration of value is required on all domestic and international registered mail. Commercial Insurance—Payment of the full registry fee is required on articles valued up to \$1,000 or the full amount of the deductible if the deductible exceeds \$1,000. The maximum indemnity payable is \$25,000 for registered mail, \$400 for COD and \$400 for insured mail. Special handling charges apply only to third- and fourth-class parcels. Special delivery service also includes special handling service.					
15		75		[Signature]							

ACCEPTANCE OF REGISTERED, INSURED, C.O.D. AND CERTIFIED MAIL

PS Form 3877, Sept. 1979

FORM MUST BE COMPLETED BY TYPEWRITER, INK OR BALL POINT PEN

☆ U.S. GOVERNMENT PRINTING OFFICE: 1979-301-994

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

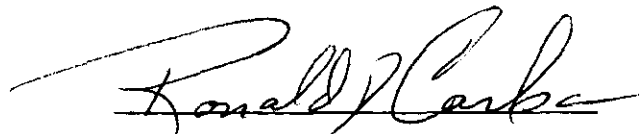
IN THE MATTER OF PROTEST AGAINST)
APPLICATION FOR PERMIT NO. 75-7284)
IN THE NAME OF U.S. FOREST SERVICE)

NOTICE OF HEARING
AND/OR CONFERENCE

On February 25, 1982, the U. S. Forest Service of Ogden, Utah filed with the Department of Water Resources an application to appropriate the public waters of the State of Idaho. On April 5, 1982, the Department received a protest against approval of said application from Jordon P. Smith, Attorney at Law, on behalf of Gary Lee Moore.

The Department has set the matter of protest for hearing for Tuesday, November 16, 1982, at 1:00 p.m. in the Commissioners Room, Lemhi County Courthouse, Salmon, Idaho. The hearing will be held in accordance with provisions of Chapter 2, Title 42, of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

Dated this 2nd day of November, 1982.



RONALD D. CARLSON

Eastern Regional Supervisor

September 16, 1982

RE: Application for Permit No. 75-7284

Jordon P. Smith
Attorney at Law
P.O. Box 1517
Salmon, Idaho 83467

Phone 756-2257

Dear Mr. Smith:

Enclosed please find a copy of the above referenced application and a copy of the protest filed by your client, Gary Moore. To cover the cost of the copies, please remit \$1.50.

If we may be of further assistance, please feel free to contact this office.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

Enclosures



OF THE
STATE OF IDAHO

NOTICE OF CANCELLATION

Dated this 31st day of August, 1982.

RONALD D. CARLSON

Eastern Regional Supervisor

75-7284 - U.S. FOREST SERVICE

Courtroom, Lemhi County Courthouse, Salmon, Idaho

Wednesday, September 8, 1982 (9:00 a.m.)

ROSTER OF ATTENDANCE

Hearing Officer _____

Name	Address	Representing

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR PERMIT
NO. 75-7284 IN THE NAME OF U.S. FOREST
SERVICE

STIPULATION

BY THIS STIPULATION, the undersigned parties to the above-captioned case waive compliance with the requirements of Idaho Code, Section 67-5211, including the right to a proposed decision, to file exceptions to a proposed decision and to present briefs and oral arguments to the Director of the Department of Water Resources and agree that the Director may render a final decision in this case without first submitting a proposed decision.

Dated this _____ day _____, 19____.

(Notary Subscription)

August 24, 1982

Lemhi County Clerk
Lemhi County Courthouse
Salmon, Idaho 83467

ATTENTION: Beverly

Dear Beverly:

This is to confirm the use of the Courtroom for conference and/or hearing to be held by this office on Wednesday, September 8, 1982, beginning at 9:00 a.m. and continuing throughout the day.

Thank you for your cooperation in this matter.

Very truly yours,

COLLEEN WRAY
Adm. Secretary

Form 3811, Jan. 1979

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

75-284

1. The following service is requested (check one.)
☒ Show to whom and date delivered.....
☐ Show to whom, date and address of delivery.....
☐ RESTRICTED DELIVERY
Show to whom and date delivered.....
☐ RESTRICTED DELIVERY.
Show to whom, date, and address of delivery.....
(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
U.S. Forest Service
324 - 25th St
Orderville, Utah 84401

3. ARTICLE DESCRIPTION:
REGISTERED NO. CERTIFIED NO. INSURED NO.
12975
(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE ☐ Addressee ☐ Authorized agent
Carl G. [Signature]

4. DATE OF DELIVERY POSTMARK
Regional Forester
U.S. Forest Service
Federal Office Building
324 - 25th Street
Orderville, Utah 84401

5. ADDRESS TO WHICH DELIVERED
U.S. Forest Service
Federal Office Building
324 - 25th Street
Orderville, Utah 84401

6. CLERK'S INITIALS

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, and 3 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

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



**RETURN
TO**



Department of Water Resources
Eastern District Office

DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT OFFICE
150 SHOUP AVE.
IDAHO FALLS, IDAHO 83401

AUG 25 1982

(Name of Sender)

(Street or P.O. Box)

(City, State, and ZIP Code)

PS Form 3877, Sept. 19
O.D. AND CERTIFIED MAIL
ACCEPTANCE OF REGISTERED, INSURANCE

NAME AND ADDRESS OF SENDER

EASTERN POST OFFICE

IDAHO FALLS, IDAHO 83401

Indicate type of mail
☐ Registered
☐ Insured
☐ COD
☒ Certified

I certify that we have
☐ Commercial Insurance
☐ A deductible clause of \$

Apply stamp here if issued as certificate of mailing or for additional copies of this bill.
POSTMARK AND DATE OF RECEIPT

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PROTESTS AGAINST APPROVAL)
OF APPLICATION FOR PERMIT NO. 75-7284 IN THE) NOTICE OF HEARING
OF UNITED STATES OF AMERICA - FOREST SERVICE) AND/OR CONFERENCE
_____)

On February 25, 1982, the U. S. Forest Service of Ogden, Utah filed with the Department of Water Resources an application to appropriate the public waters of the State of Idaho. On April 5, 1982, the Department received a protest against approval of said application from Jordon P. Smith, Attorney at Law, on behalf of Gary Lee Moore.

The Department has set the matter of protest for hearing for Wednesday, September 8, 1982, at 9:00 a.m. in the Courtroom of the Lemhi County Courthouse, Salmon, Idaho. The hearing will be held in accordance with Chapter 2, Title 42, of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

Dated this 20th day of August, 1982.



RONALD D. CARLSON

Eastern Regional Supervisor

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
324 25th Street
Ogden, UT 84401

File
RECEIVED

MAY 12 1982

Department of Water Resources,
Eastern District Office

2540

MAY 10 1982



Mr. Ronald D. Carlson
Eastern Region Supervisor
Idaho Department of Water Resources
150 Shoup Avenue
Idaho Falls, ID 83401

Dear Mr. Carlson:

As suggested in your notification of protest letter (our Application for Permit No. 75-7284), we have met with Mr. Moore and have attempted to resolve the protest of our application.

Mr. Moore told us that he feels that the waters of Dry Gulch are fully appropriated and that he would not withdraw his protest of our application. It is apparent from our conversation that the protest cannot be informally resolved and that a hearing will probably be necessary.

Sincerely,

for L. KENT MAYS, JR.
Deputy Regional Forester
Resource

April 8, 1982

U. S. Forest Service
324 25th Street
Federal Building
Ogden, Utah 84401

Gentlemen:

Enclosed is a copy of a protest filed against the issuance of a permit pursuant to your Application No. 75-7284. The Department suggests you contact the protestant directly in an effort to determine the nature of the protest and to attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purpose intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?

If this office can be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw

Enclosure

cc: IDWR - State Office

April 8, 1982

RE: Application for Permit No. 75-7284 U.S. Forest Service

Gary Lee Moore
P.O. Box 64
Gibbonsville, ID 83463

Dear Mr. Moore:

Your protest against the approval of the above referenced application has been received and a copy has been sent to the applicant. The Department suggests you contact the applicant directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purpose intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?

If this office can be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw

cc: IDWR - State Office

Z5-Z284

U.S. DEPT. OF AGRI.

FOREST SERVICE, FEDERAL BLDG., 324 245TH ST., OGDEN, UT 84401

Source: DRY GULCH SPRING tributary to DRY GULCH

Date Filed: 02/25/1982

Amount: 0.02 CFS

Diversion Point: SWSE Sec 23 T 25N R 21E, LEMHI Co.

Use: STOCKWATER (0.02 CFS) from 06/01 to 09/15

Place of Use: SWSE Sec 23 T 25N R 21E

Diversion Means: HEADBOX TO TROUGH

75 7284

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

[illegible]