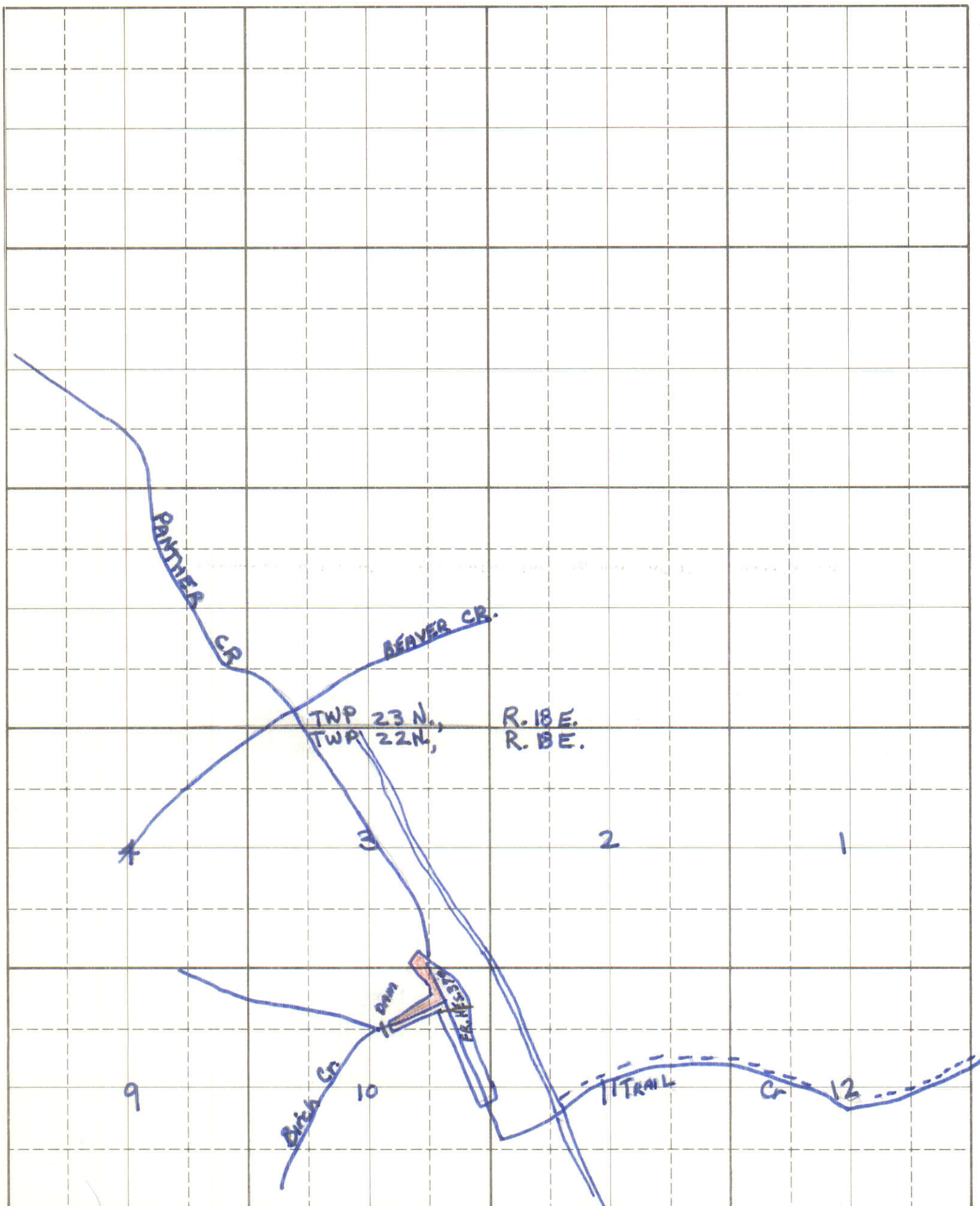


11. Map of proposed project:

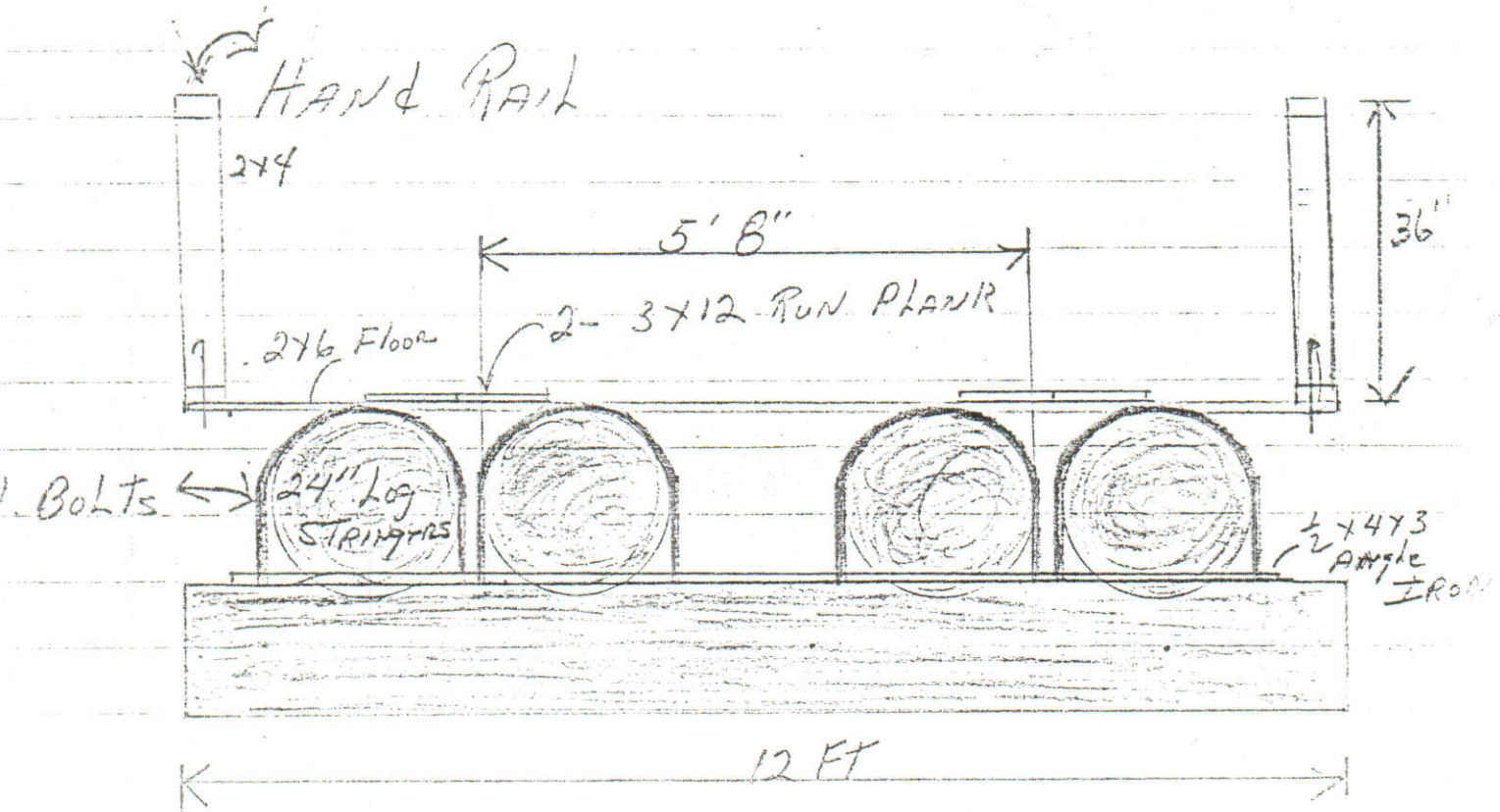
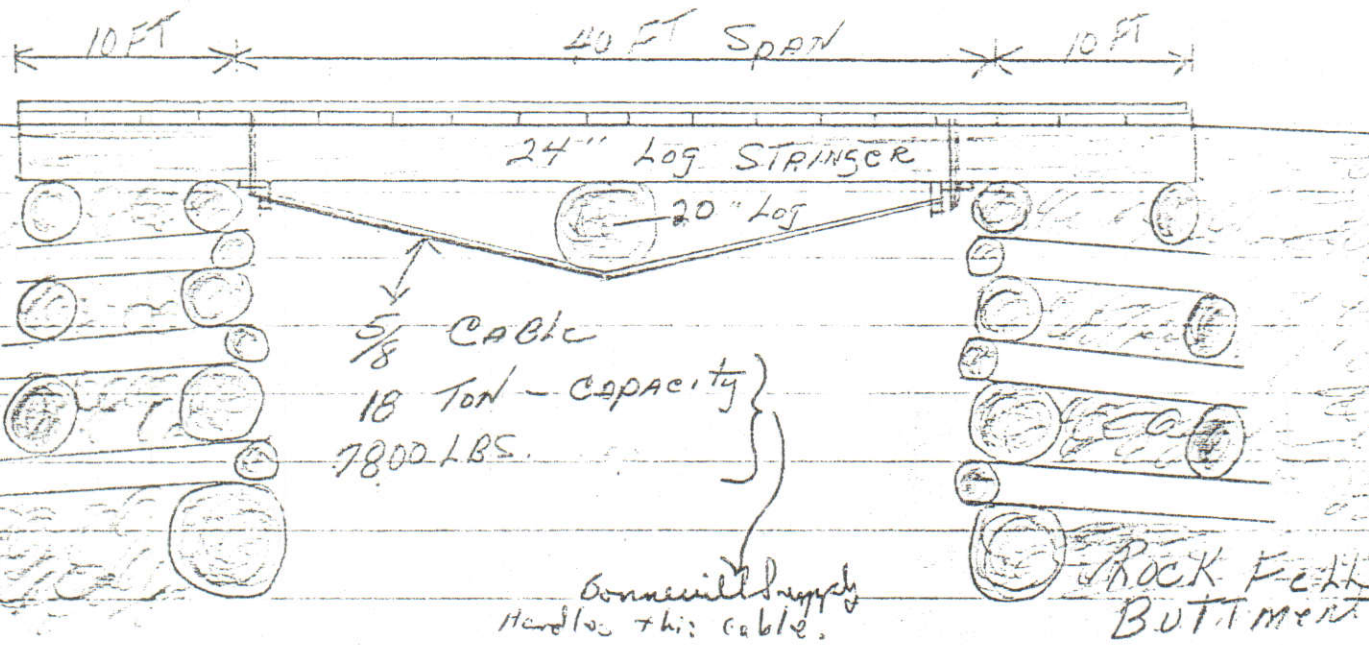


Scale: 2 inches equal 1 mile

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.

Joseph E. Dyer
(Applicant)

75 7047



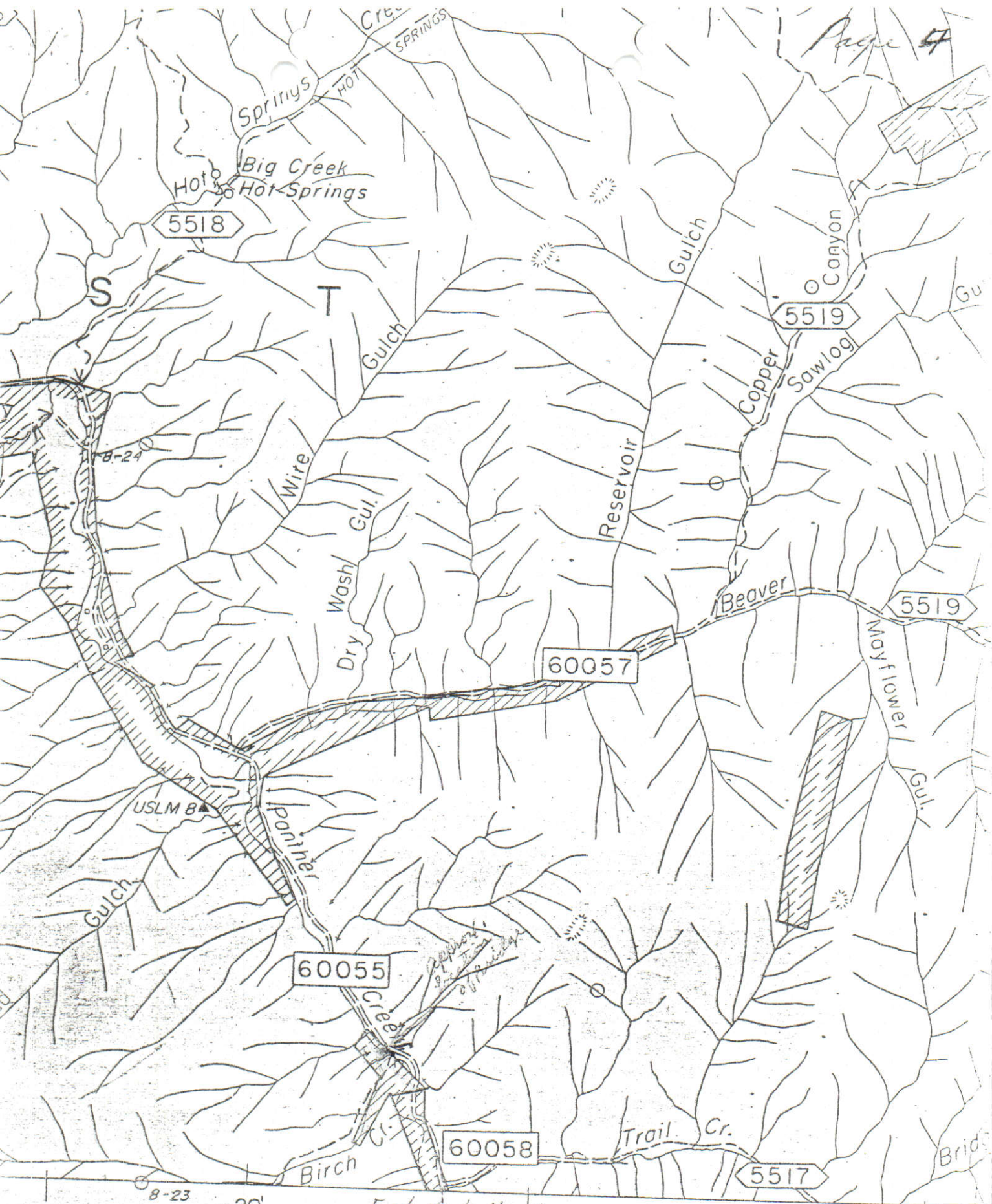


Exhibit No. 2

700000 FT.
MONT. SOUTH ZONE

75 7047

MILE

**NOTICE OF APPLICATION FOR
WATER PERMIT**

Notice is hereby given that Ralph E. or Jessie L. Dixon, 1172 West Sunnyside Road, Idaho Falls, Idaho have on 2/20/74 submitted Application No. 75-7047 for a permit to appropriate 0.44 cubic feet per second of water from Birch Creek tributary of Panther Creek by means of a dam within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 10, T. 22N, R. 18E, B. M. Lemhi County; to be used from Jan. 1 to Dec. 31 for domestic purposes for one family and from May 15 to Nov. 1 for stockwatering purposes for 3-4 horses and 7-10 head of cattle within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 10, T. 22N, R. 18E, B. M.; and from Apr. 1 to Nov. 1 for the irrigation of 20 acres within the N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 10, SW $\frac{1}{4}$ -SE $\frac{1}{4}$, Sec. 3, T. 22N, R. 18E, B. M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before March 18, 1974.

R. KEITH HIGGINSON
Director

Published in The Recorder-Herald, Salmon, Idaho on February 28 and March 7, 1974.

2-28-2tc

Affidavit of Publication

STATE OF IDAHO }
County of Lemhi } ss.

JERRY G. ROSIN

being first duly sworn, deposes and says that he is one of the printers (publisher) 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 Permit #75-7047

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 newspaper and not in any supplement thereof or thereto for 2 consecutive issues, commencing with the issue dated Feb. 28, 1974 and ending with the issue dated March 7, 1974

Jerry G. Rosin
seventh

Subscribed and sworn to before me, this _____ day of March, 1974

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

Publication Fee \$ 15.54

75 7047

10. Other water rights on these lands _____
11. Other water right diverted from same p.d. _____
12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.

SEE PHOTO & MAP



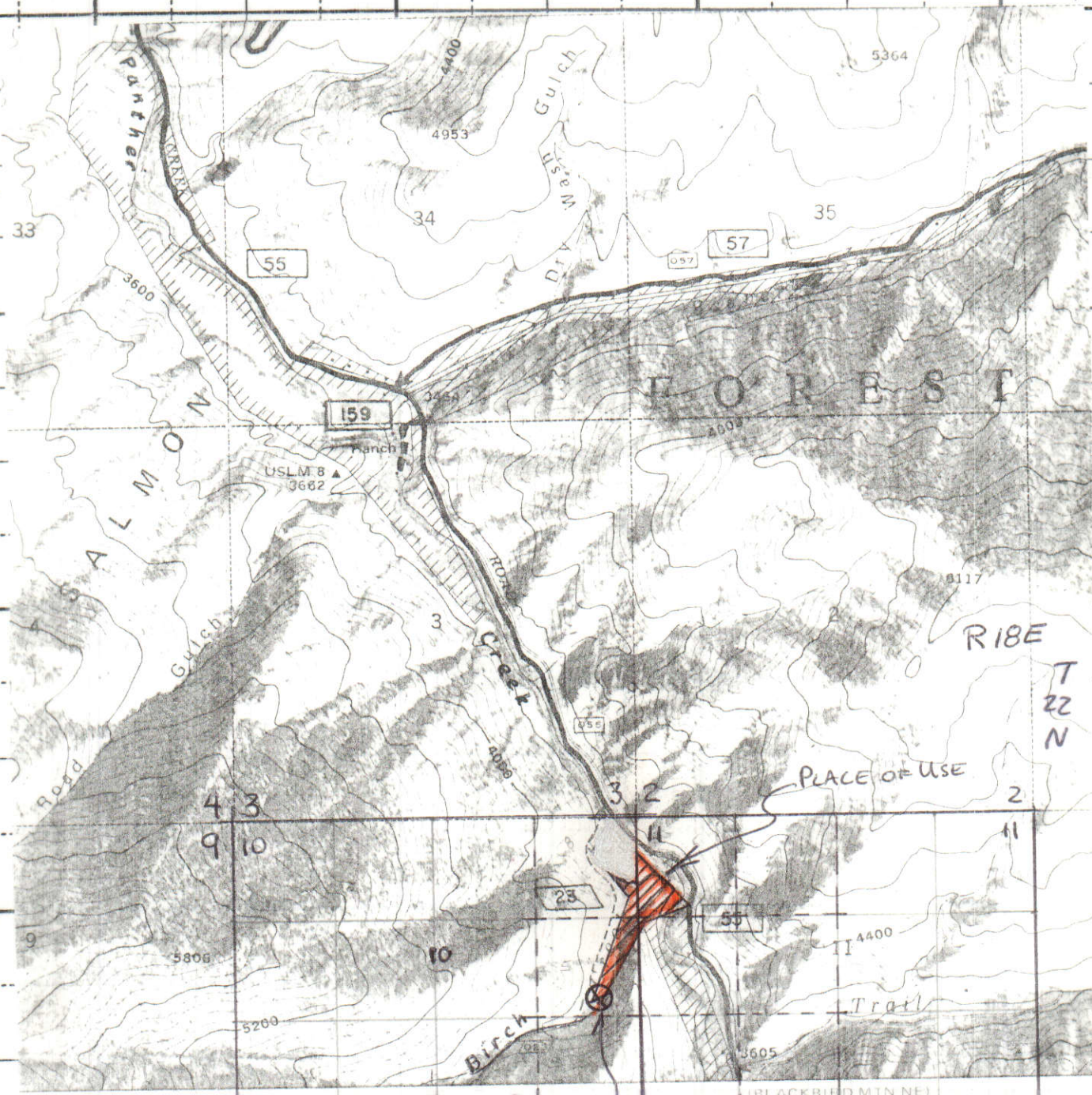
13. ☐ Photo of Diversion & System Attached ☐ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached
14. Remarks Permit holder had order removing measuring device requirement dtd 28 Aug 1978

15. 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 |
16. Examiner's/Consultant's Signature Keith C Wilson Date 14 Aug 1984
- Consultant's License Number _____
- IDWR Director's Authorization to Conduct Beneficial Use Examination _____

Date

CONSULTANT SEAL

WICKS FILMED
MAR 06 1989



(BLACKBIRD MTN NE)
(320 1 1)
SCALE 1:24000

MICROFILMED

MAR 06 1989

H.E. Survey No. 370		Areas in Acres
In Section		Conflicts
In Section		
In Section		
In Section		
In Section		
Total	45.07	

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 75-07047

Priority: February 20, 1974 Amount: 0.30 CFS 39.8 AFA

This is to certify, that RALPH E. DIXON
JESSIE L. DIXON

1454 N.11 80 E
SHELLEY, ID 83274

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated February 20, 1974, and has submitted proof to the Department of Water Resources on April 5, 1982, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .420 cfs of water from:

BIRCH CREEK tributary to PANTHER CREEK

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
IRRIGATION	04/01 to 11/01	0.26 CFS	39.0 AFA
STOCKWATER	05/15 to 11/01	0.02 CFS	0.2 AFA
DOMESTIC	01/01 to 12/31	0.02 CFS	0.6 AFA
	Totals	0.30 CFS	39.8 AFA

LOCATION OF POINT OF DIVERSION(S): SENE , Sec. 10, Township 22N, Range 18E
LEMHI County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
22N 18E 10	NENE 3	SENE 4		7
11	NWNW 6			6

Total number of acres irrigated: 13

PLACE OF USE: STOCKWATER, same as IRRIGATION use

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. The right to the use of water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.

MICROFILMED

MAR 06 1989

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

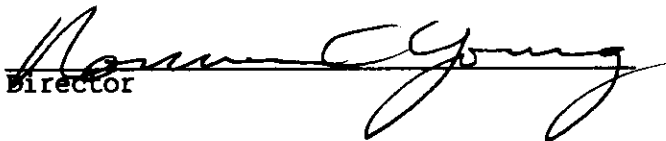
WATER RIGHT NO. 75-07047

CONDITIONS/REMARKS:

3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Domestic use is for 1 home.

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 25th day of FEBRUARY, 1989.

Acting for the Director



MICROFILMED

MAR 11 1989

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 75-07047

REC'D
JAN 25 1989

Date of Priority: February 20, 1974

Comes now RALPH E. DIXON
JESSIE L. DIXON

~~1453 JOSEPH ST.~~ 1454 N. H. 801E.
~~IDAHO FALLS, ID 83401~~ SHELLEY, ID 83214

Department of Water Resources
APPROVED

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. 75-07047, and requests that the permit be changed as follows:

Source: BIRCH CREEK

tributary to PANTHER CREEK

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
IRRIGATION	04/01 to 11/01	0.26 CFS	39.0 AFA
STOCKWATER	05/15 to 11/01	0.02 CFS	0.2 AFA
DOMESTIC	01/01 to 12/31	0.02 CFS	0.6 AFA
	Totals	0.26 CFS	39.8 AFA

LOCATION OF POINT OF DIVERSION(S):

SENE, Sec. 10, Township 22N, Range 18E
LEMHI County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
22N 18E 10	NENE 3	SENE 4		7
11	NW 6			6
		Total number of acres irrigated:		13

PLACE OF USE: STOCKWATER, same as IRRIGATION use
PLACE OF USE: DOMESTIC, same as IRRIGATION use

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 Idaho Falls, ID, this 23 day of JANUARY, 1989.

MICROFILMED

MAR 06 1989

Ralph E. Dixon
(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 75-07047

FOR DEPARTMENT USE ONLY

Preliminary check by KW Fee = \$20.00 ✓ Received by CP Date 1/26/89

ACTION OF THE DEPARTMENT OF WATER RESOURCES

0005305

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 75-07047 with the following;

CONDITIONS/REMARKS:

1. The right to the use of water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Domestic use is for 1 home.

Witness my hand this 25th day of FEBRUARY, 1989.

[Signature]
Acting for the (Director)

MICROFILMED

MAR 16 1989

RECEIVED

APR 4 1979

Department of Water Resources
Eastern District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
REQUEST FOR EXTENSION OF TIME

To provide additional time in which to submit
proof of beneficial use on a water right permit

Ralph E. or Jessie L. Dixon of 1453 Joseph Street, Idaho Falls
(Name) (Address)

State of Idaho, deposes and says:

That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriate the Public Waters of the State of Idaho No. 75-7047.

That under the terms and conditions of said permit, work thereunder was required to be completed on or before June 1,, 1979.

That he has heretofore performed the following work described under said permit: Land cleared,
diversion dam and ditches installed, holding tank and domestic water line installed.

Costing \$ 1500.00

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit: Needs additional time for construction and additional financial commitment.

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations under said permit to June 1, 1982.

(Signature)*

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time within which to submit proof of beneficial use of water is extended to June 1, 1982.

Signed this 12 day of April, 19 79.

A. Glen Saxton
Chief, Operations Bureau

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF REMOVAL OF THE MEASURING
DEVICE REQUIREMENT FOR PERMIT NO. 75-7047 }

ORDER

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

IT IS, THEREFORE, HEREBY ORDERED that the condition of approval that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works, be and is, REMOVED from said permit.

Dated this 28th day of August, 1978.

L. Glen Saxton
L. GLEN SAXTON

Chief, Operations Bureau

MICROFILMED

Identification No. 75 7047

Application No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
APPLICATION FOR PERMIT

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

APPROVED

1. Name of applicant Ralph E. Dixon or Jessie L. Dixon
post office address 1172 West Sunnyside Road, Idaho Falls, Idaho
2. Source of water supply Birch Creek which is a tributary of Panther Creek
3. a. Location of point of diversion is NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 10 Township 22N
Range 18 E B.M. Lemhi County; additional points of diversion if any: _____

- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 0.40 for irrigation purpose from April 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.02 for domestic purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.02 for stock purpose from May 15 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 0.44 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. _____

- b. Height of storage dam 4 feet, active reservoir capacity 1 acre feet; total reservoir
capacity $\frac{1}{2}$ - 2 acre feet, materials used in storage dam: cement
Period of year during which storage will occur Jan. 1 to Dec. 31 inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ 1,000.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 10 Township 22N
Range 18E B.M.
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered 3 or 4 horses, and 7 to 10
head of cattle
(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water one.
(5) If water is to be used for other purposes describe: _____

75 7047

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

20 Total number of acres to be irrigated

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

Ralph & Jessie Dixon 6-24-38

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing ~~Applicant is applying for a Special Use Permit through the Forest Service~~

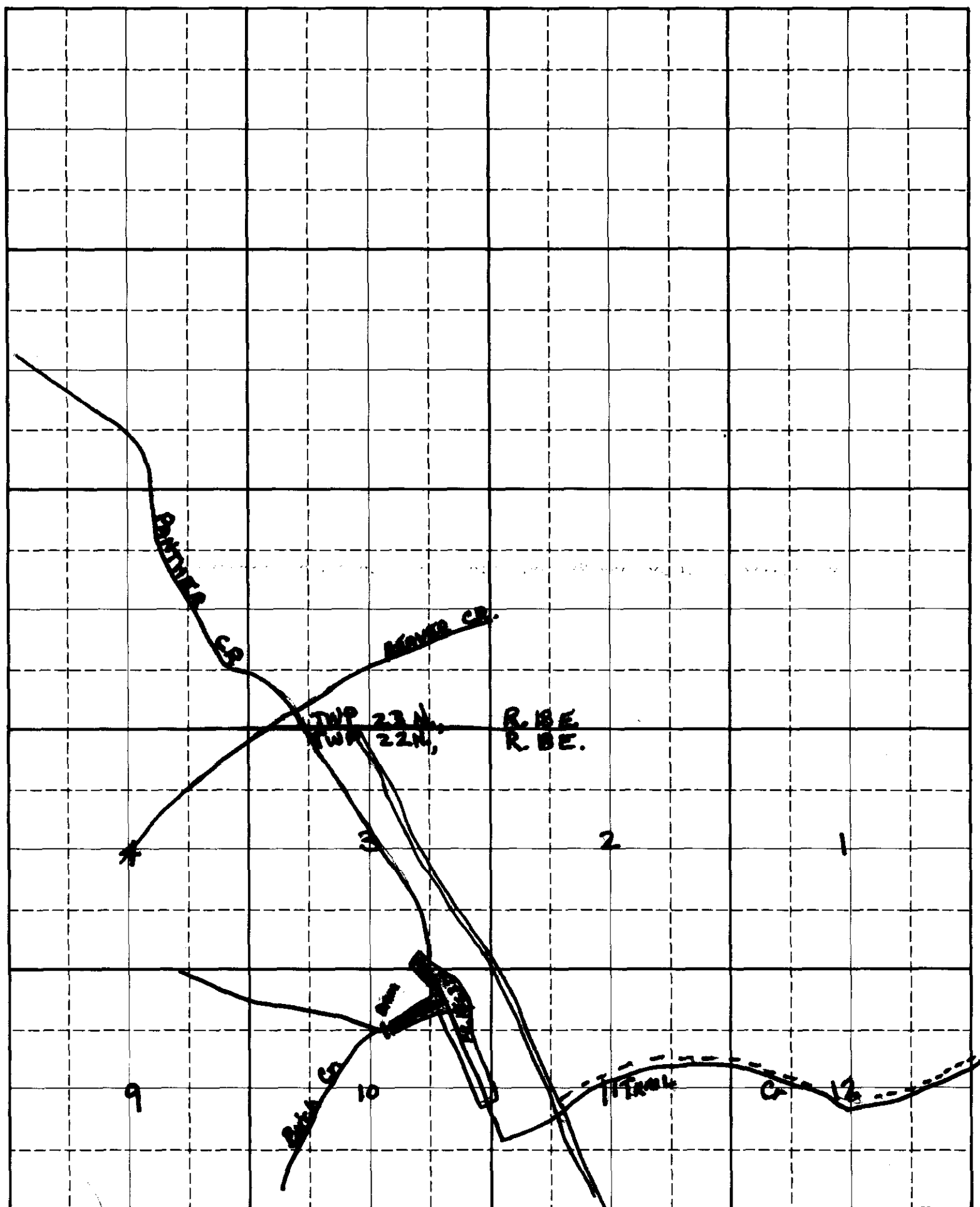
~~through the Forest Service~~

10. Remarks	I have found that a Forest Service easement is not readily obtainable and I am, therefore, moving the point of diversion a few hundred feet downstream on to my own property but still within the same forty-acre subdivision.
-------------	--

24 June 1974

24 June 1974

11. Map of proposed project:



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.

Ralph A. Lydon
(Applicant)

75 7047

75 7047

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by NCY ~~NY~~

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 75-7047, 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 June 1, 1979.
 - c. Other: ~~A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.~~

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

Witness my hand this 26 day of June 19 74.

[Signature]
DIRECTOR State Reclamation Engineer

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item Initial Date

(1) JD 2/21/74

(2) JD "

Application No. 75-7047

- ☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

(3) JD 2/21/74

(4) JD 2/21/74

In form to receipt Yes

Send Copies to:

- ☐ Idaho State Health Department
☐ Idaho Fish and Game Department
☐ Bureau of Land Management

☒ ~~Request Special Use Permit from U.S.F.S.~~ Not needed now, NCY
☒ ~~Request Easement from B.L.M.~~
☐ Request Information from Applicant 6/24/74

(5) JD 2/21/74

(6) " "

(7) N/A

(8) N/A

In form for advertising Yes

Located within Water District No. N.A.

Critical groundwater area: yes no

Groundwater levels:

Decline (comment)

Stable (comment)

Increasing (comment)

(9) JD 2/21/74

Comments: No organized water dist.

(10) MB 3/1/74

Affidavit of Publication received (date) March 11, 1974

(11) MB 3/1/74

Final date for protests March 18, 1974

Protests received: yes no

(12) " "

Date and Place of hearing N.A.

Decision reached at hearing N.A.

(13) NCY 6/24/74

All requested information received from agencies or applicant
yes no

(14) " "

Action recommended:

☒ Approve Priority 2/20/74

☐ Deny Reason for Reduction —

☒ Measuring device required

☐ See attached sheet for additional conditions of approval

☒ No additional conditions for approval

(15) District E By NCY

RECEIVED
6/24/74
1974

75 7047

Department of Water Administration
Copy
E.D.

United States Department of Agriculture Forest Service SPECIAL USE PERMIT (Road) Ref. FSM 2733.	a. RECORD NO. (1-2) <u>70</u>	b. REGION (3-4) <u>04</u>	c. FOREST (5-6) <u>SALMON</u> <u>13</u>
	d. DISTRICT (7-8) <u>Cobalt</u> <u>01</u>	e. USE NO. (9-12) <u>2730</u>	f. KIND OF USE (13-15) <u>Road & Bridge</u> <u>734</u>
	g. STATE (16-17) <u>Idaho</u> <u>16</u>	h. COUNTY (18-20) <u>Lemhi</u> <u>059</u>	k. CARD NO. (21) <u>1</u>

Ralph E. Dixon of 1172 West Sunnyside Rd., Idaho Falls, ID, 83401
 (Name) (Address)

(hereafter called the permittee) is hereby authorized to use National Forest lands for the construction, reconstruction, maintenance, and use of a road within the Salmon National Forest National Forest for the protection, administration, management and utilization of lands and the resources thereof now or hereafter owned or controlled by the permittee.

This permit is subject to the general provisions listed herein and to the special clauses and requirements, items 8 through 12, on page(s) 3 through 4 attached hereto and made a part of this permit.

This permit covers a right of way .1 miles in length and containing approximately .3 acres, and located upon the ground according to the survey line, figures, measurements, widths, and other references shown on the plat attached hereto and made a part hereof.

Permit class D

MAR 8 1974

GENERAL PROVISIONS

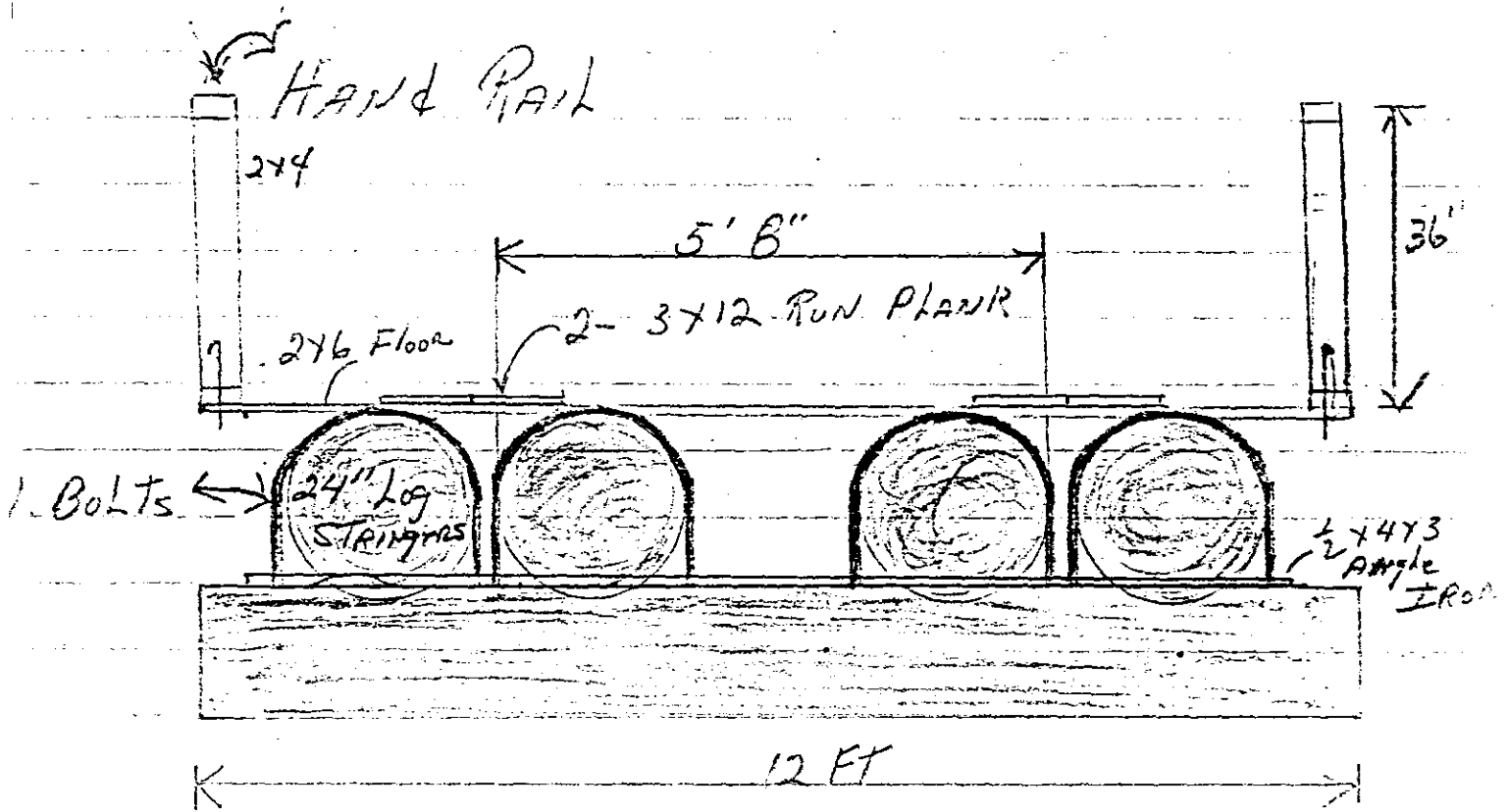
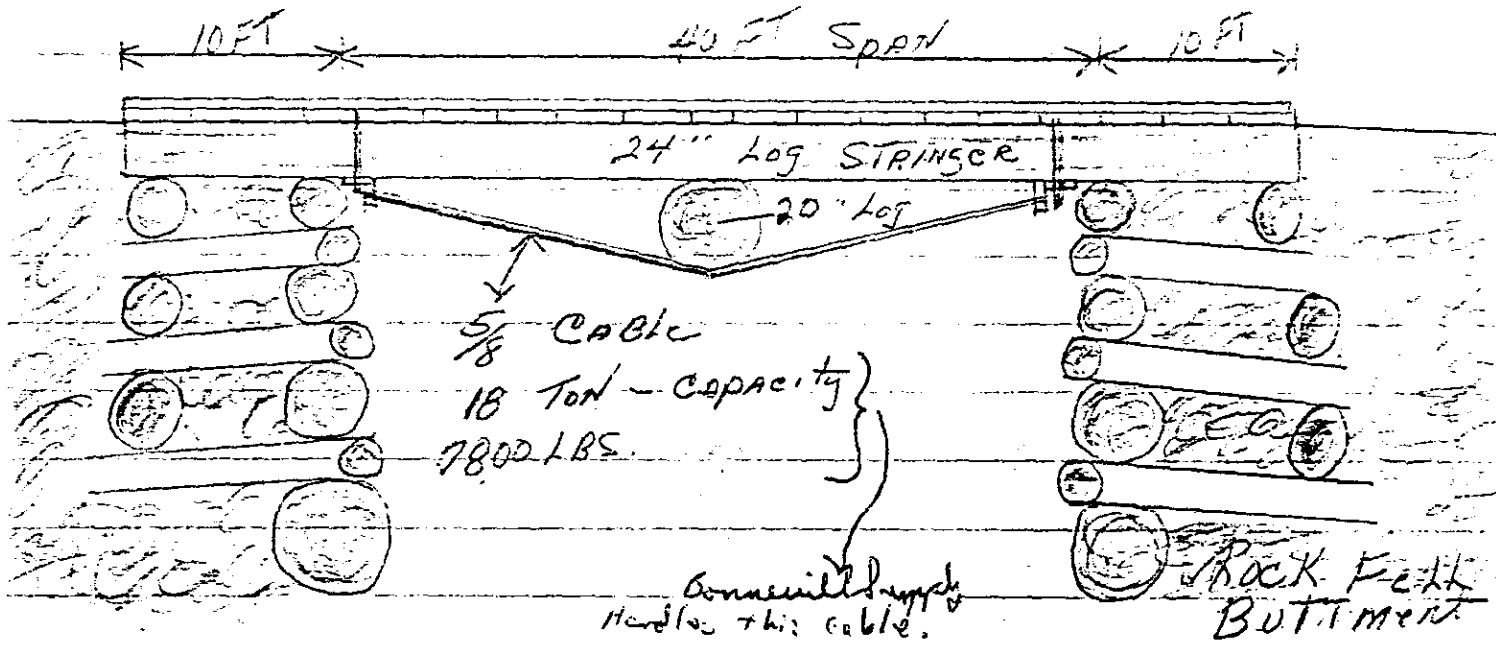
Department of Water Administration
Eastern District Office

1. This permit is subject to all valid rights existing on this date.
2. The permittee in exercising the privileges granted by this permit shall comply with all applicable State and Federal laws, Executive Orders, and Federal rules and regulations.
3. The permittee shall cut only such timber as necessary in clearing for road construction, reconstruction, and maintenance. Timber so cut shall, unless otherwise agreed to, be cut into logs of lengths specified by the Forest Service and decked along the road for disposal by the Forest Service.
4. The permittee shall do everything reasonably within his power to prevent forest fires, and will not dispose of material by burning in open fires during the closed season established by law or regulation without a written permit from the Forest Service.
5. The permittee shall fully repair all damage, other than ordinary wear and tear, to National Forest roads and trails caused by the permittee in exercise of the privileges granted by this permit.
6. No member of or Delegate to Congress or Resident Commissioner shall be admitted to any share or part of this agreement or to any benefit that may arise herefrom unless it is made with a corporation for its general benefit.
7. This permit may be terminated or suspended upon breach of any of the conditions herein or at the discretion of the Regional Forester or the Chief, Forest Service.

THIS PERMIT IS ACCEPTED SUBJECT TO ALL OF ITS TERMS AND CONDITIONS

PERMITTEE	NAME OF PERMITTEE	SIGNATURE OF AUTHORIZED OFFICER	DATE
	Ralph E. Dixon	<i>Ralph E. Dixon</i>	3-1-74
ISSUING OFFICER	NAME AND SIGNATURE	TITLE	DATE
	<i>Tom E. Skowronski</i>	Acting Forest Supervisor	3/5/74

8. (A-13) A service charge in addition to the regular fees shall be made for failure to meet the fee payment due date or any of the dates specified for submission of statements required for fee calculation. The service charge shall be one (1.0) percent per month of the fee from the date statement and fee were due on \$15, whichever is greater. If a due date falls on a nonworkday the service charge will not apply until the end of the next workday.
9. (G-2) In consideration for this use, the permittee shall pay the Forest Service, U. S. Department of Agriculture, the sum of Ten and No/100 dollars (\$10.00), for the period from March 1, 1974 to December 31, 1974, and thereafter annually on January 1st, Ten and No/100 dollars (\$10.00: Provided, however, that charges for this use may be made or readjusted whenever necessary to place the charges on a basis commensurate with the value of use authorized by this permit.
10. (G-4) Construction of an approach and bridge shall be in accordance with the specifications set forth in exhibit 1, attached hereto.
11. (G-8) The permittee shall provide maintenance so that at the termination of this permit, the road will be in a condition equal to that normally prevailing on roads of like standard, and unless otherwise agreed to, leadoff drainage and water barriers to prevent erosion will be constructed on the road as directed by the Forest Service.
12. (G-9) Roads constructed under authority of this permit shall be subject to control by the permittee except:
 1. They shall at all times be open to use by Forest Service employees on official business.
 2. The Forest Service may issue permits authorizing use of the roads to other parties who own resources or lands served by the road: Provided, that such use will not materially interfere with the use by the permittee; and Provided further, that such parties will be required to bear proportionate maintenance costs under a written agreement with the permittee herein, or in accordance with arrangements specified by the Forest Service.



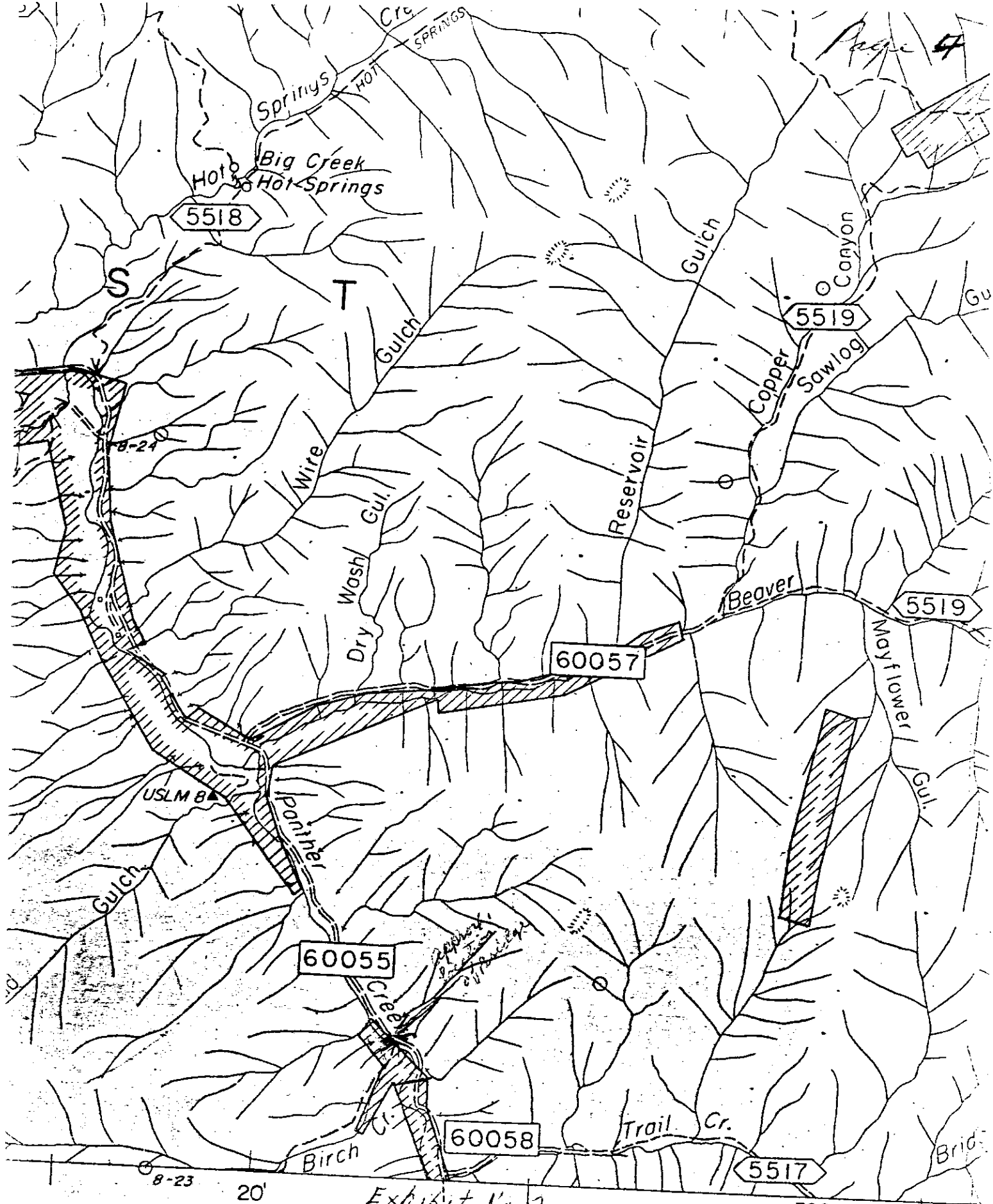


Exhibit No. 2

700 000 FT.
MONT. SOUTH ZONE

75 7027

VILE

Affidavit of Publication

STATE OF IDAHO }
County of Lemhi } ss.

JERRY G. ROSIN

being first duly sworn, deposes and says that he is one of the printers (publisher) 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 Permit #75-7047

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 newspaper and not in any supplement thereof or thereto for 2 consecutive issues, commencing with the issue dated Feb. 28, 1974 and ending with the issue dated March 7, 1974

Jerry G. Rosin
seventh

Subscribed and sworn to before me, this _____ day of March, 1974

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

Publication Fee \$ 15.54

75 7047

Notary Public for the State of Idaho,
Residing at Salmon, Idaho
Published in The Recorder-Herald, Salmon, Idaho on Feb. 28 and March 7, 1974.
16 1-15-21c

March 1, 1989

RALPH E. DIXON
JESSIE L. DIXON
1454 N.11 80 E
SHELLEY, ID 83274

RE: PERMIT NO. 75-07047

Dear Permit Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved application for amendment.

Should you have any questions regarding these documents, please feel free to contact our office.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

FILED

MAR 06 1989

Ralph E. Dixon
1454 N. 11 80 E
Shelley, ID 83274

note
address
correction
KW
2/6/89



Department of Water Resources
1301 North Orchard St.
Statehouse
Boise, Idaho 83720



MICROFILMED

APR 6 1989

January 10, 1989

RALPH E. DIXON
JESSIE L. DIXON
1453 JOSEPH ST.
IDAHO FALLS, ID 83401

RE: PERMIT NO. 75-07047

Dear Permit Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to correspond with the findings of the Department's field examiner.

The enclosed application for amendment contains information that will be included on the license when it is issued. Please review carefully and if you concur, sign the amendment and return with the \$20.00 filing fee within 30 days.

If you do not concur with these findings or if you have any questions, please contact us within the 30-day period.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED

MAR 06 1989

MEMORANDUM

TO:FILE #75-7047

FROM:ROXANNE MCCARTHY

RE: LEGAL DESCRIPTION OF PLACE OF USE

DATE: 16-DEC-1988

Please note that the examiner made no indication of where domestic and stockwater uses occur under this right. For this reason I have indicated only that these uses occur somewhere within the area of irrigation use.

MICROFILMED

MAR 06 1989

MAR 12 1986

Department of Water Resources

Permit No. 75-7047

Phone No. 522-0166

1. Owner: Ralph E. or Jessie L. Dixon Phone No. 522-0166
Current Address: 1450 Joseph St. Idaho Falls Id 83401
2. Accompanied by: Mr. Dixon EXAM. DATE: 14 August 1984
Address: SAME Phone No. SAME
Relationship to Permit Holder: SAME
3. Source: BIRCH CREEK tributary to PANTHER

Well/Diversion* No.	Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
N/A					

*Code with points of diversion, system diagram & photos on reverse side. Disregard if only one.

- 5. System Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)**

DIVERSION DAM with mainline to single domestic home sprinklers and ditches for Flood irrigation

MAP Q-74

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calb. Date
Pitot tube						
Pigmy Meter						

7. Measurements width at Pyramid. reading 1.5' ☒ Additional data/computation sheets attached

2 SPRINKLERS @ 32" @ 20 PSI = 2(1.17) = 2.34 gpm Total Sprinkler Rate 4 gpm

1 SPRINKLER $\frac{3}{32}"$ @ 40 psi = 166 gpm

13 acres IRRIGATED

PiGMY METER DISCHARGE 0.412 cfs

- | 8. Point(s) of Diversion: | Indicate Method of Determination |
|---------------------------|----------------------------------|
|---------------------------|----------------------------------|

[illegible]

- | | | |
|----|------------------|---|
| 9. | Place(s) of Use: | Irrigation - give acres served by system at time of exam.
Indicate Method of Determination |
|----|------------------|---|

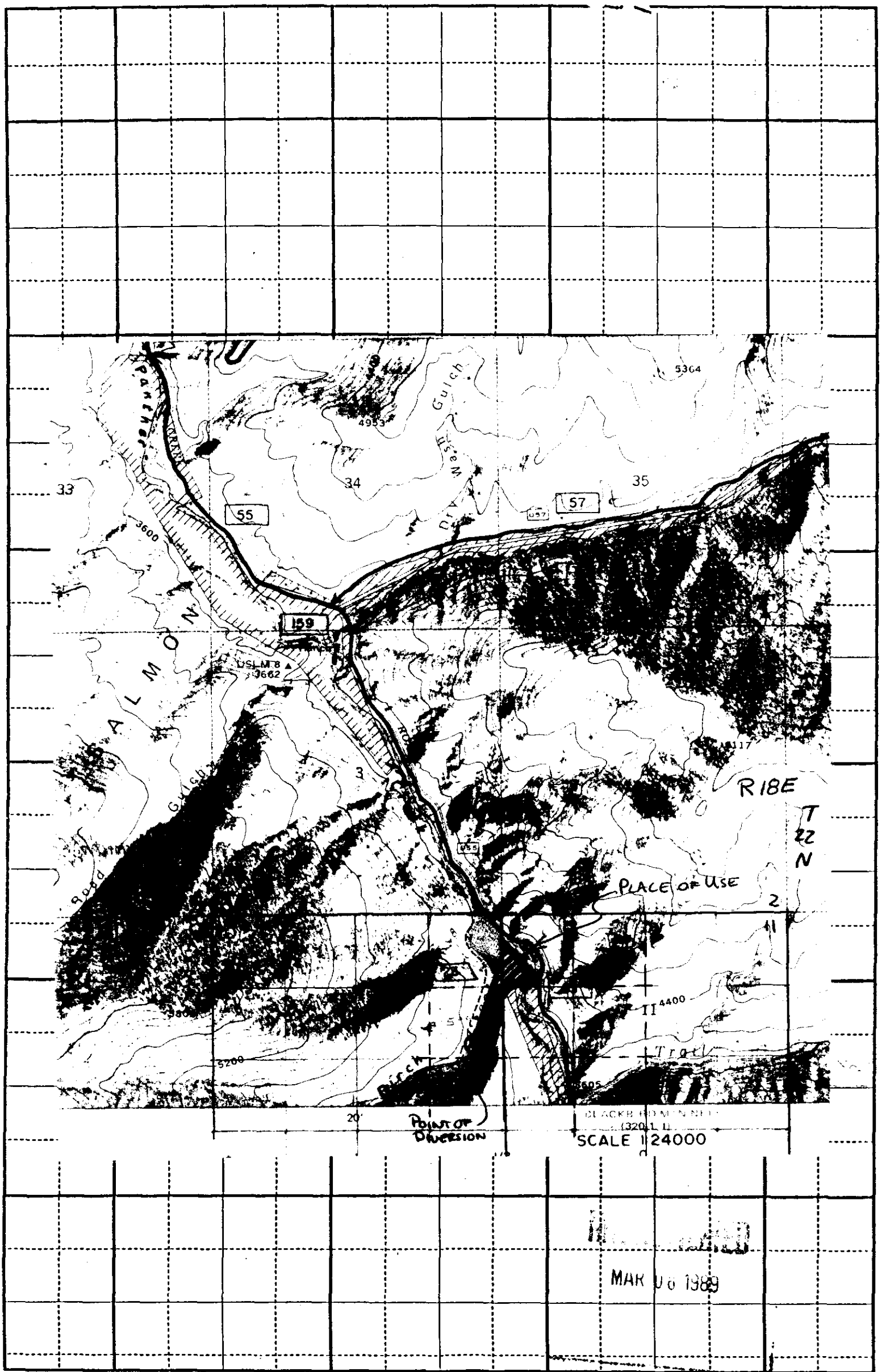
[illegible]

10. Other water rights on these lands _____
11. Other water right diverted from same p.d. _____
12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



13. ☐ Photo of Diversion & System Attached ☐ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached
14. Remarks Permit holder had order removing measuring device requirement dated 28 Aug 1978
15. 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 |
16. Examiner's/Consultant's Signature Keith C Wilson Date 14 Aug 1984
- Consultant's License Number _____
- IDWR Director's Authorization to Conduct
- Beneficial Use Examination _____
- Date _____

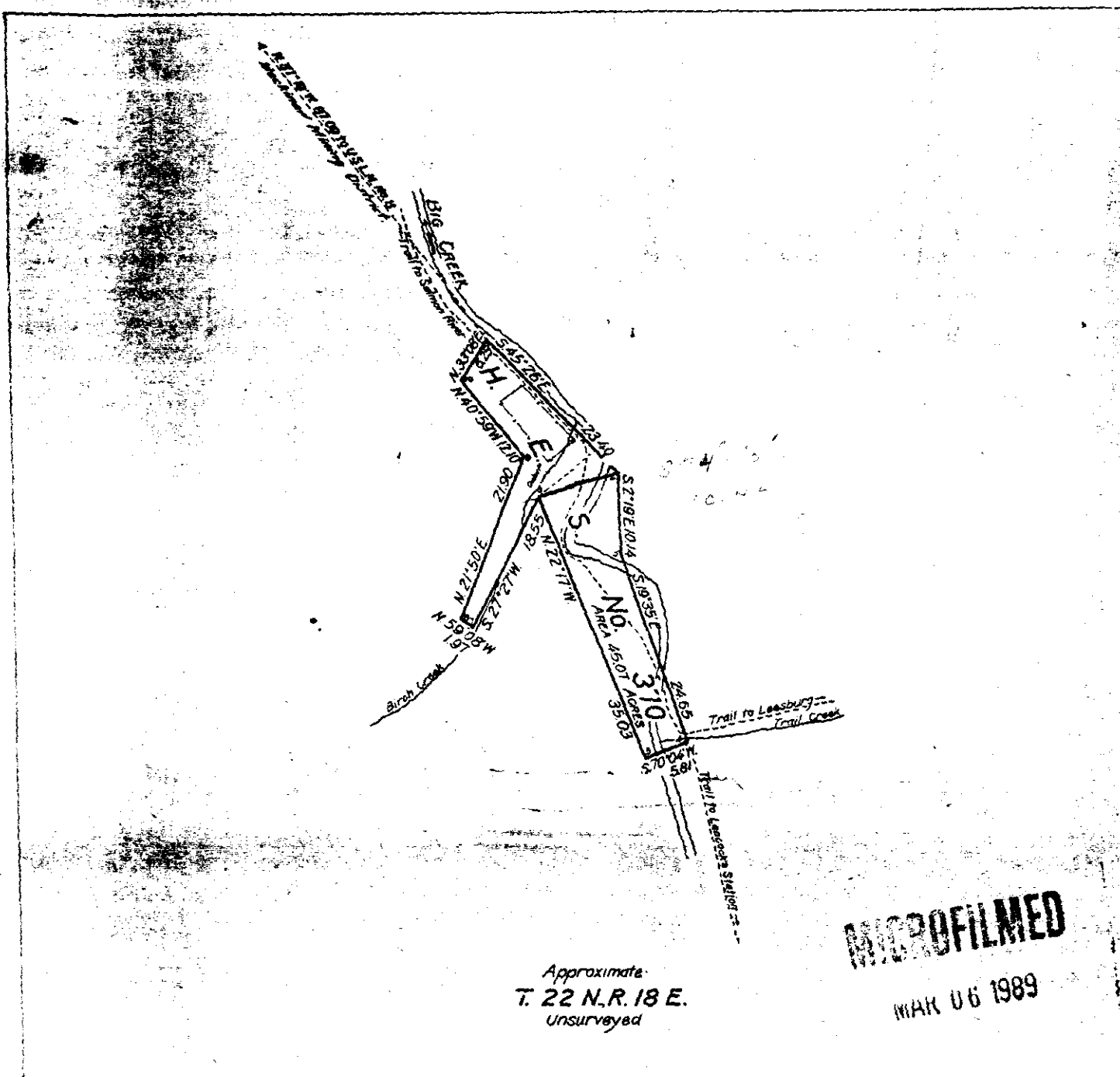
CONSULTANT USE
MICROFILMED
MAR 06 1985



SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

75-7047

75-1347



MICROFILMED
MAR 06 1989

SCALE 10 chains to 1 inch

Survey Designated	By whom Surveyed	Inst. Cont. Group No.	Date	When Surveyed Began	When Surveyed Completed	Date of Approval
U.S. M. N. B.	Fred Crowell	57	Sept 6, 1911	Aug 16, 1912	Nov 12, 1912	
U.S. Survey No. 370	Earl R. Gilbreath Forest Ranger	370	Apr 14, 1915	Sept 30, 1915	Oct 7, 1915	

Areas in Acres	
B.E. Survey No. 370	Conflicts
In Section	
In Section	
In Section	
In Section	
Total	45.07

75-7047

Date 14 Aug, 1984 **DISCHARGE MEASUREMENT NOTES**
BIRCH CREEK River at _____

River at

RECEIVED

AR 06 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

RECEIVED
MAR 12 1986

75-7047
Permit No.

Department of Water Resources

1. Measurement Calculations

a) Field Measurement Calculations (Include theoretical capacities and system capacity)

$$2 \text{ sprinkler } 3/32 @ 20 \text{ psi} = 2(1.17 \text{ gpm}) = 2.34 \text{ gpm}$$

$$1 \text{ sprinkler } 3/32 @ 40 \text{ psi} = 1(1.66 \text{ gpm}) = 1.66 \text{ gpm}$$

$$Q_{\text{FLOOD IRR}} = 0.412 \text{ cfs}$$

$$Q_{\text{sprinklers}} = 4.00 \text{ gpm} = 0.0089 \text{ cfs} = 0.009$$

$$Q_{\text{TOTAL}} = 0.412 \text{ cfs} + 0.009 = 0.421 \text{ cfs}$$

$$Q_{\text{IRR}} 13 \text{ ac} \times 0.02 \text{ cfs/ac} = 0.26 \text{ cfs} \quad Q_{\text{IRR}} \text{ limited by } 0.02 \text{ cfs/ac}$$

$$Q_{\text{DOM}} = 0.02 \text{ cfs}$$

$$Q_{\text{STOCK}} = 0.02 \text{ cfs}$$

$$\text{Recommend } Q_{\text{TOTAL}} = 0.30 \text{ cfs}$$

b) Volume Calculations for Irrigation:

$$V_{\text{I.R.}} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 13 \text{ ac} \times 30 = 39 \text{ afa}$$

$$V_{\text{D.R.}} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.26 \times 214 \times 1.9835 = 110.4 \text{ afa}$$

$$V = \text{Smaller of } V_{\text{I.R.}} \text{ and } V_{\text{D.R.}} = 39 \text{ afa}$$

c) Volume Calculations for Other Uses:

$$V_{\text{DOM}} = 0.6 \text{ afa}$$

$$V_{\text{STOCK}} = 0.2 \text{ afa}$$

2. Overlap Review

a) Other water rights with same place of use: N/A

b) Other water rights with same point of diversion: N/A

c) Analysis:

MICROFILMED

MAR 06 1989

3.	Permit No.	Priority	Amount	App. Date	Date Proof Submitted	System Capacity
	75-7047					0.42 cfs

Address: _____

5. Source: Birch Creek tributary to Panther Creek

5. Source: Birch Creek

tributary to Panther Creek

Period of Use

Rate of Diversion

Annual Volume

Integration

1/11 1/77

५०१२'०

39

Stockwater Allowed
10 range cattle

sw. 24. me
1/1
- 424
12/18/09

Domestic (Unit)

$$\frac{1}{13}$$

4220.0

0.60 ft

Allowable Maximums:

42050

3120115

7. Point(s) of Diversion:

[illegible]

8. Place(s) of Use

[illegible]

9. Recommended Conditions/Remarks:

MICROFILMED

10. 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

11. Examiner's Signature

Checked in Regional Office by

Approved in State Office by

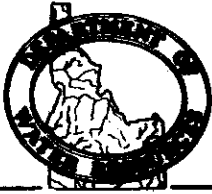
Date _____

28610W2

Date _____

3-10-86

Date _____



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

July 19, 1982

Ralph & Jessie Dixon
1453 Joseph Street
Idaho Falls, Idaho 83401

RE: Permit No. 75-7047

Dear Mr. & Mrs. Dixon:

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,

COLLEEN WRAY
Adm. Secretary

MICROFILMED

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder has completed development to the extent shown by Permit No. 75-704.7

Name(s) of Permit Holder: Ralph + Jessie Dixon

Post Office Address: 1452 Joseph St.

Idaho Falls, ID Tel. No. 522-066

Source of Water:

Extent of Use: ☒ Domestic 1 (number of households)
☒ Stockwater (number and type of stock)
☒ Irrigation 20 (acres)
☐ Other

Measuring Device: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No
 Access 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.

4-5-82
 Date

Ralph E. Dixon
 Signature of Permit Holder

RECORDED

RECEIVED

APR 5 1982

Department of Water Resources
Eastern District Office



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

RECEIVED
PLACE
TEN CENT
STAMP
HERE

APR 8 1982

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

138690

DIXON, RALPH E. & JESSIE L.
1453 JOSEPH ST.
IDAHO FALLS, ID 83401

MARCH 31, 1982

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 75-7047 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE JUNE 01, 1982. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF OF BENEFICIAL USE.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU HAVE NOT PREVIOUSLY RECEIVED AN EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME PROVIDED THE DELAY IS FOR REASONABLE CAUSE AS INDICATED IN SECTION 42-204, IDAHO CODE, AMENDED. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED.

EITHER THE BENEFICIAL USE POST CARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE MENTIONED DATE, OTHERWISE, THE PERMIT WILL LAPSE AND BE OF NO FURTHER FORCE OR EFFECT WITHIN 60 DAYS.

SINCERELY,

RITA FLECK
SR. SECRETARY

ENC: 1

MICROFILMED

IDENT. NO. 95-9047

WATER RIGHT
DATA ENTRY LOG

[illegible]

April 17, 1979

Ralph E. or Jessie L. Dixon
1453 Joseph Street
Idaho Falls, ID 83401

Dear Mr. and Mrs. Dixon:

Re: Permit No. 75-7047

Enclosed is a copy of the approved application for extension of time in connection with the above referenced permit.

The time within which to submit proof of beneficial use of water has been extended to June 1, 1982.

Sincerely,

Jan Grover
Water Rights Supervisor

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

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

CERTIFIED MAIL

100783

March 30, 1979

Re: Permit No.

75-7047

Ralph E. or Jessie L. Dixon
1172 West Sunnyside Road
Idaho Falls, ID 83401

Dear Mr. and Mrs. Dixon:

One of the conditions of approval of your water Permit No. _____ (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before June 1, 1979. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

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

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

RITA FLECK
Water Rights

Encl: Proof affidavit

RECEIVED
MAY 1 1979
STATE OF IDAHO



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

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

2 1979

Dear Wateruser:

The enclosed Order removes the measuring device requirement as a condition of approval from your permit.

If you have installed the measuring device, the field examination can be more expediently conducted by the Department's field examiner as well as you will derive benefit from water management information which may be obtained from the installed meter.

If you have questions regarding this matter, please contact this office or our regional offices.

Sincerely,

J. Glen Saxton

L. GLEN SAXTON
Chief, Operations Bureau

LGS:JG:kw

Enclosure

June 27, 1974

Re: Permit No. 75-7047

Mr. & Mrs. Ralph Dixon
1172 Sunnyside Road
Idaho Falls, Idaho 83401

Dear Mr. & Mrs. Dixon:

Enclosed is a copy of your approved Application for Permit No. 75-7047. We direct your attention to the conditions of approval as listed on the fourth page.

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

Sincerely,

BOBBY D. FLEENORA
Assistant Director

BDF:jfr

Enclosures

75 7047

CONVERSATION MEMORANDUM

DATE June 11, 1974FILE 75-7047NAME OF PARTY Ralph DixonEMPLOYEE Norm Young

RE: Mr. Dixon visited this office as a result of Ron's letter of
April 23, 1974. He said that he was going to be in the Salmon area
this week and he would either get a copy of his request for easement,
or the easement from the Forest Service; or if it is evident that
the easement will not be granted, he will file a letter with us
stating that he is moving the point of diversion a few feet downstream
to be on his own property, but still in the same 40-acre subdivision.
I told him that we would not take further action on the application
for several weeks.

NCY

VISITED OFFICE AGAIN ON 6/24/74 TO
change item 9a. to put Point of
diversion on his land.

NCY 6/24/74

75-7047

April 23, 1974

Re: Application for Permit No. 75-7047 Ralph E. or Jessie Dixon

Mr. James C. Herndon
Attorney at Law
Herndon Hotel Block
P.O. Box 789
Salmon, Idaho 83467

Dear Mr. Herndon:

Pursuant to your letter of April 18, 1974, concerning the above referenced application, this application has been advertised but cannot be submitted for final approval until we receive a Special Use Permit from the Forest Service. We contacted the Forest Service concerning this application and they indicated that due to the proposed wilderness status of the area, they are not issuing any use permits that result in the construction of permanent structures. They also indicated that the area in which the Dixon's are located is a low priority area and probably will not be classified for 4 to 5 years. However, it is necessary that if the Dixon's intend to pursue this development further, they should apply to the Forest Service for a special use permit as soon as possible. Without some evidence that they have applied, this application will be considered to be speculative and submitted to Boise to be voided.

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

Very truly yours,

RONALD D. CARLSON
Asst. to the District Engineer

RDC:mb

75 7047

CONVERSATION MEMORANDUM

DATE APRIL 23, 1974FILE 75-7047NAME OF PARTY LOUIS SLAGOWSKIEMPLOYEE RONALD CARLSON

RE: Mr. Slagowski indicates that at the present time the Dixons have not applied for the special use permit needed to implement the proposed development. He said that until the time that a determination has been made concerning the wilderness and roadless status of the area, no permits will be issued that will result in permanent changes. The area in which the Dixons are located is low priority and probably will not be classified for 4 or 5 years.

75 7047

LAW OFFICES OF
JAMES C. HERNDON
HERNDON HOTEL BLOCK
P. O. BOX 789
SALMON, IDAHO 83467

J. CHARLES HERNDON [911-1966]

TELEPHONE 756-2412
AREA CODE 208

April 18, 1974

RECEIVED

APR 19 1974
MA

State of Idaho
Department of Reclamation
1515 Lincoln Road
Idaho Falls, Idaho 83401

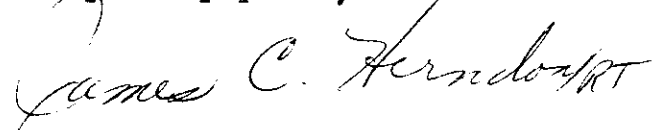
Department of Water Administration
Eastern District Office

Attention; Norman Young

Dear Norman:

This letter is a follow-up letter on the application for permit for Ralph E. Dixon. The application would have been filed sometime in late February or early March of this year. Mr. Dixon purchased a place on Panther Creek from Harold Dale. We do not have a copy of his water application because he submitted it directly to your department. I would appreciate it if you could send me a copy of the application and a report as to its status.

Very truly yours,


JAMES C. HERNDON

JCH/rt

cc. Ralph Dixon

75 7047

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE

Salmon National Forest
Salmon, Idaho 83467

MAR 1 1974

2540 Department of Water Administration
2700 Eastern District Office

February 28, 1974



Mr. Ronald D. Carlson
Asst. to the District Engineer
Department of Water Administration
1515 Lincoln Road
Idaho Falls, ID 83401

Dear Mr. Carlson:

This is in response to your request for our comments on Mr. Ralph Dixon's application to appropriate public waters on Birch Creek, a tributary of Panther Creek.

Mr. Dixon has not yet applied for a Special Use Permit so it is difficult for us to comment on his proposed water diversion. We will need more information including exact location of dam, design of dam and location of the ditch or pipe. This will probably necessitate a trip to the site with Mr. Dixon.

We have another problem which will delay any development work in the Birch Creek drainage. This area is in the Big Deer Creek Roadless Area. We are committed to filing an Environmental Impact Statement for any development activities in designated roadless areas. Our approach has been to delineate the Forest into planning units and file impact statements on the land use plan for the unit. This is being done systematically with the planning units set up on a priority basis depending upon anticipated major land management activities. The planning unit which includes the Birch Creek drainage is fairly low priority and will not be inventoried for several years. We estimate it will be four to six years before any development activities will be possible in the Birch Creek area.

We appreciate the opportunity to comment on this application.

Sincerely,


J. L. EMERSON
Forest Supervisor

75 7047

XXXXXXXXXXXXXXXXXXXX 1515 Lincoln Road

February 22, 1974

Re: Application for Permit No. 74-7041 SNOOK
75-7047 DIXON

The Recorder-Herald
P. O. Box 310
Salmon, ID 83467

Gentlemen:

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

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

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

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

(signature of claimant)

Very truly yours,

Bill submitted 3-11-74 by MB

NORMAN C. YOUNG
District Engineer

NCY:MB
Enc: Legal Notice (2)

75 7047

**NOTICE OF APPLICATION FOR
WATER PERMIT**

Notice is hereby given that Ralph E. or Jessie L. Dixon, 1172 West Sunnyside Road, Idaho Falls, Idaho have on 2/20/74 submitted Application No. 75-7047 for a permit to appropriate 0.44 cubic feet per second of water from Birch Creek tributary of Panther Creek by means of a dam within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 10, T. 22N, R. 18E, B. M. Lemhi County; to be used from Jan. 1 to Dec. 31 for domestic purposes for one family and from May 15 to Nov. 1 for stockwatering purposes for 3-4 horses and 7-10 head of cattle within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 10, T. 22N, R. 18E, B. M.; and from Apr. 1 to Nov. 1 for the irrigation of 20 acres within the N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 10, SW $\frac{1}{4}$ -SE $\frac{1}{4}$, Sec. 3, T. 22N, R. 18E, B. M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before March 18, 1974.

R. KEITH HIGGINSON
Director

Published in The Recorder-Herald, Salmon, Idaho on February 28 and March 7, 1974.
2-28-2tc

2-28-2tc

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Ralph E. or Jessie L. Dixon,
1172 West Sunnyside Road, Idaho Falls, Idaho
has on 2/20/74 submitted Application No. 75-7047
for a permit to appropriate 0.44 cubic feet per second ~~acre feet per annum~~
of water from Birch Creek tributary of Panther Creek
by means of a dam
within the NW¹/₄NE¹/₄, Sec. 10, T. 22N, R. 18E, B.M. Lemhi County;

to be used from Jan. 1 to Dec. 31
for ~~domestic purposes for one family and from May 15 to Nov. 1 for stockwatering~~
~~purposes for 3-4 horses and 7-10 head of cattle within the NW¹/₄NE¹/₄, Sec. 10, T.~~
~~22N, R. 18E, B.M.; and from Apr. 1 to Nov. 1 for the irrigation of 20 acres~~
~~within the NW¹/₄NE¹/₄, Sec. 10, SW¹/₄SE¹/₄, Sec. 3, T. 22N, R. 18E, B.M.~~

If issued, this permit will be subject to all prior water rights. Protests
against the granting of the permit must be filed with the Idaho Department of
Water Administration, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before
March 18, 1974.

R. KEITH HIGGINSON

Director

Published in the Recorder-Herald, Salmon, Idaho

on February 28 and March 7, 1974.

75 7047

16-2-74
CD
JFK

XXXXXXXXXXXXXXXXXXXX

1515 Lincoln Road

February 22, 1974

United States Forest Service
Salmon,
Idaho 83467

Gentlemen:

We are enclosing a copy of an application that may be of interest to your agency. Please review the application and if you have any comments, please submit them to our Department as soon as possible. We normally complete the processing of an application within a 3-week period and we are required to take final action shortly thereafter.

When the special use permit is issued, please send us a copy. Your cooperation in this matter is greatly appreciated.

Very truly yours,

RONALD D. CARLSON
Asst. to the District Engineer

RDC:MB

75 7067

Enclosure