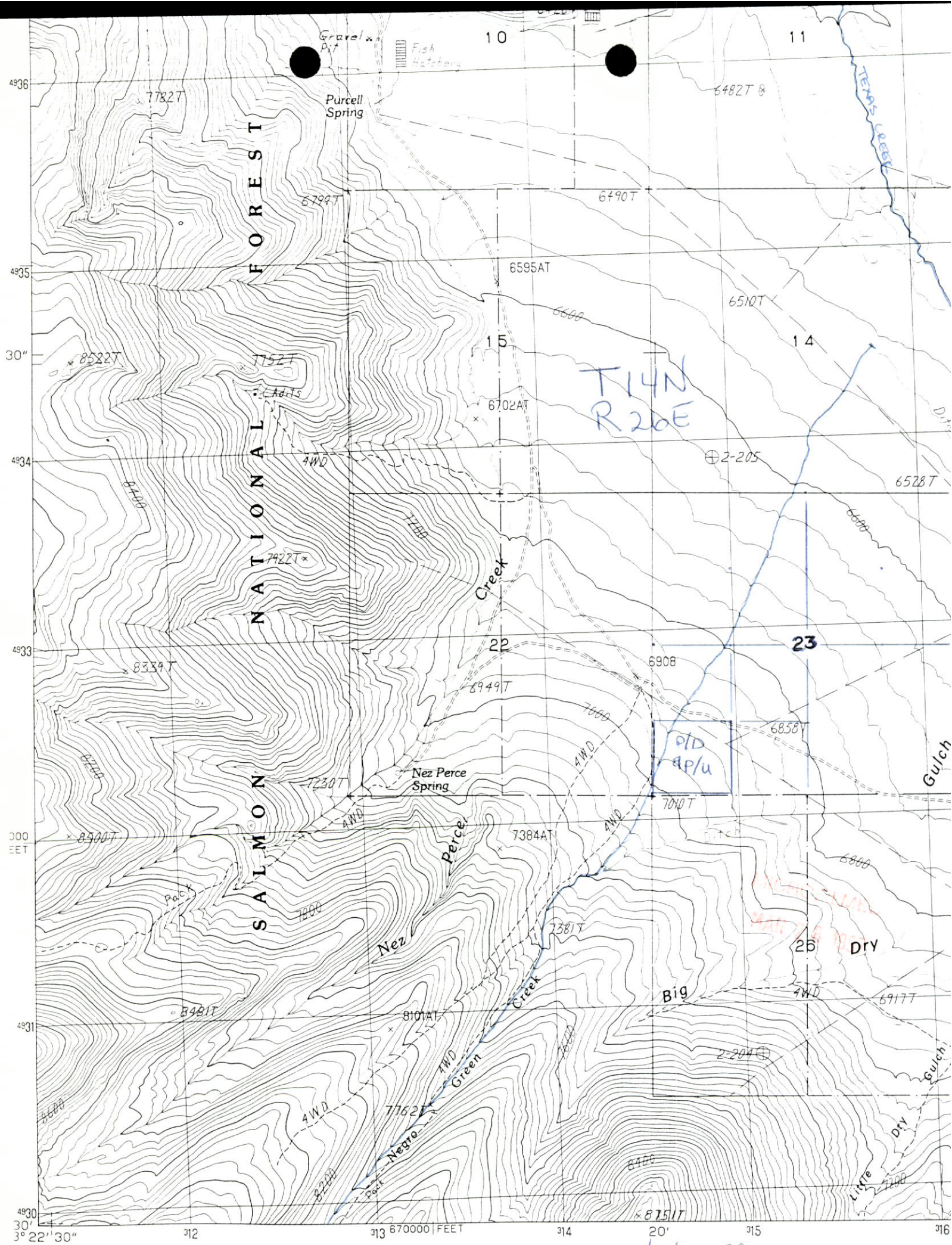
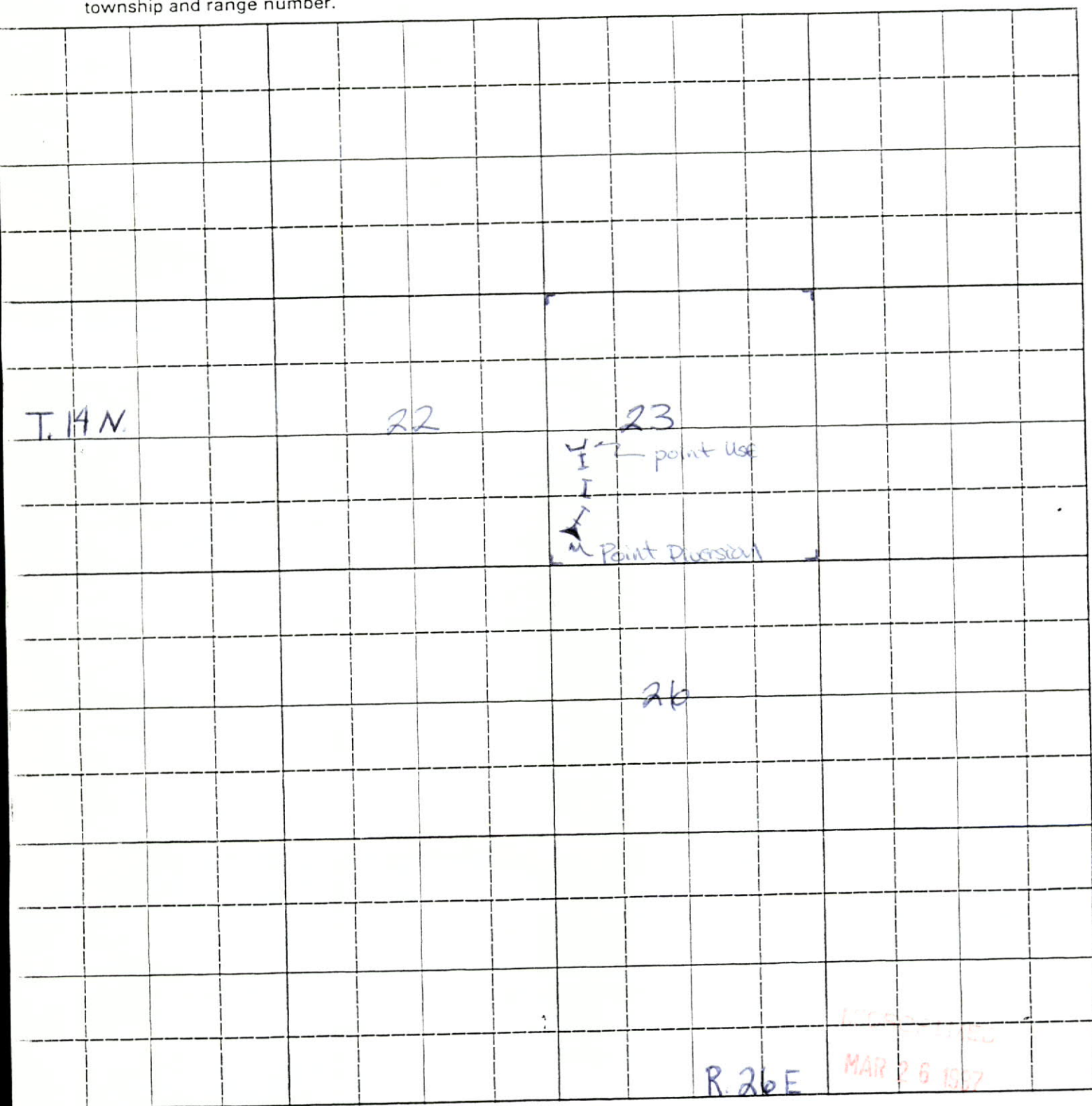




13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 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.

Mark Bonner - Range Mgmt. Spec.
(Applicant)

NOTICE OF APPLICATION
FOR WATER RIGHT

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

74-07366

US DEPT OF INTERIOR
BUREAU OF LAND
MANAGEMENT

RT 2 BOX 610

SALMON, ID 83467

Source: NEGRO CREEK CREEK
Tributary: TEXAS CREEK]

Diversion Pt: SWSW Sec 23 T 14N
R 26E in LEMHI county

Use: STOCKWATER (0.040 CFS)

Total Diversion: (0.040 CFS)

Date Filed: 12/6/1996 In: LEMHI
County

T14N R26E S23 NWSW

74-07367

US DEPT OF INTERIOR
BUREAU OF LAND
MANAGEMENT

RT 2 BOX 610

SALMON, ID 83467

Source: SPRING Tributary:
RATTLESNAKE CREEK

Diversion Pt: NWSWSW Sec 28 T
19N R 21E in LEMHI county.

Use: STOCKWATER (0.020 CFS)

WILDLIFE (0.010 CFS)

Total Diversion: (0.020 CFS)

Date Filed: 12/6/1996

In: LEMHI County

T19N R21E S28 SWSW

75-07643

LEMHI COUNTY

206 COURTHOUSE DRIVE

SALMON, ID 83467

Source: SPRINGS Tributary:
SINKS

Diversion Pt: SENESE Sec 3 T-
20N R 22E in LEMHI County.

NESWNE Sec 10 T 20N R 22E in
LEMHI County.

Use: DOMESTIC (0.040 CFS)

FIRE PROTECTION (0.040 CFS)

Total Diversion: (0.040 CFS)

Date Filed: 12/3/1996

In: LEMHI County

T21N R22E S26 NWNW

The permit(s) will be subject to all
prior water rights. Protests must be
filed with the applicant and the Direc-
tor, Dept. of Water Resources, along
with a \$25.00 filing fee, Eastern Re-
gion, 900 N Skyline, Idaho Falls
Idaho 83402 on or before JANUARY
6, 1997.

KARL J. DREHER, Director

Published: 12/19/1996 & 12/26
1996

12-19-21

Affidavit of Publication

STATE OF IDAHO

County of Lemhi

ss.

JAN 28 1997

Department of Water Resources
Eastern Region

RICKY G. HODGES, being first duly sworn, deposes
and says he is one of the publishers (printers) of The Recorder Herald, a newspaper
published weekly at Salmon, Lemhi County, Idaho, and of general circulation therein.
That the IDAHO DEPT OF WATER 74-07366

a true
printed copy of which is attached to the margin hereof, has been and was correctly
printed and published in the regular and entire issue of every number of said newspa-
per and not in any supplement thereof or thereto for TWO (2)
consecutive issues, commencing with the issue dated 12/19, 1996
and ending with the issue dated 12/26, 1996

STATE OF IDAHO

County of Lemhi

ss.

On this 26th day of DECEMBER in this year of 1996
before me, A Notary Public, personally appeared RICKY G. HODGES
known or identified to me to be the person whose name subscribed to the within in-
strument, and being by me first duly sworn, declared that the statements therein are
true, and acknowledged to me that he executed the same.

Shirley K. Hodges

Notary Public for Idaho

Residing At Salmon, Idaho

My Commission expires: 9-21-2001

Publication Fee \$ 139.36

Account No. 630

MAR 26 1997

74-07366

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
RT 2 BOX 610
SALMON, ID 83467

Source: NEGRO GREEN CREEK

Tributary: TEXAS CREEK

Diversion Pt: SWSW Sec 23 T 14N R 26E in LEMHI County.

Use: STOCKWATER (0.040 CFS)
Total Diversion: (0.040 CFS)

Date Filed: 12/ 6/1996

In: LEMHI County
T14N R26E S23 NWSW

**NOTICE OF APPLICATION
FOR WATER RIGHT**

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

74-07366

US DEPT OF INTERIOR
BUREAU OF LAND
MANAGEMENT
RT 2 BOX 610
SALMON, ID 83467
Source: NEGRO CREEN CREEK
Tributary: TEXAS CREEK]
Diversion Pt: SWSW Sec 23 T 14N
R 26E in LEMHI county
Use: STOCKWATER (0.040 CFS)
Total Diversion: (0.040 CFS)
Date Filed: 12/6/1996 In: LEMHI
County
T14N R26E S23 NWSW

MICROFILMED

MAR 26 1997

RECEIVED

JAN 19 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

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

1. Permit No. 74-07366 Telephone No. 208-756-5400

2. Name(s) of Permit Holder(s): U.S.D.I. - Bureau of Land Management

3. Mailing Address: RR #2, Box 610 Salmon, ID. 83467

4. Source of Water: Spring If **GROUNDWATER** (well), Date Drilled: mo. _____ / yr. _____

a. Well Driller: _____ Drilling Permit Number: _____ - _____ - _____

b. **OPTIONAL:**
Pump Horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft): _____

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): _____ Stockwater (No. and type of stock): _____

Irrigation (No. of acres): _____ Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: .04 cfs OR _____ acre feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)

(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required? Yes _____ or No _____

Has the measuring device been installed? Yes _____ or No _____

Flow Measurement Port: Is a flow measurement port required? Yes _____ or No _____

Has the measurement port been installed? Yes _____ or No _____

8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: Bruce Easton Telephone Number: 208-756-5411

Address: RR #2, Box 610 Salmon, ID. 83467

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

Signature of permit holder: Mark Bonnell - Range Mgmt. Spec. Date: 9-10-98
(include your title, if on behalf of company or organization)

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APR 09 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

REQUEST FOR EXTENSION OF TIME
TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT

JAN 30 1998

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time under the provisions of Section 42-204, Idaho Code in which to complete development of a water right.

Permit No. 74-07366

Name(s) of Permit Holder: U.S. Dept. of the Interior - Bureau of Land Management

Mailing Address: HC 2, BOX 610 Salmon, ID. 83467

Date Proof is Due: Feb. 1, 1998 Telephone No. 208-756-5400

Describe what work has been completed toward the development of this water right:

(This must be filled out! If no work has been completed, show "none".)

NONE - Field workload for FY 1997 too large to
allow project crew to complete this specific water
development.

Costing \$ _____

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

Permit holder(s) request an extension to October 31, 19 98.

FEE: \$50.00

Mark Bonner - Rangeland Mgmt. Specialist
(Signature)*

*If other than permit holder, Power of Attorney must be supplied.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to February 1, 1999.

FEB 13 1998

Signed this 6 day of February, 19 98

J. M. Saylor
Chief, Water Allocation Bureau

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 74-07366

Proposed Priority: December 6, 1996

Maximum Diversion Rate:

0.04 CFS

This is to certify, that US DEPT OF INTERIOR

BUREAU OF LAND MANAGEMENT

HC 2 BOX 610

SALMON ID 83467

has applied for a permit to appropriate water from:

NEGRO GREEN CREEK

tributary of TEXAS CREEK

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

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

STOCKWATER

05/15 to 10/15

0.04 CFS

LOCATION OF POINT(S) OF DIVERSION:

SWSW , Sec. 23, Township 14N, Range 26E
LEMHI County

PLACE OF USE: STOCKWATER

TWN RGE SEC

14N 26E 23

NWSW

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before February 1, 1998.
2. Subject to all prior water rights.
3. Use of water under this right is subject to control by the watermaster of State Water District No. 74W.
4. Stockwater use is for 300 range cattle.

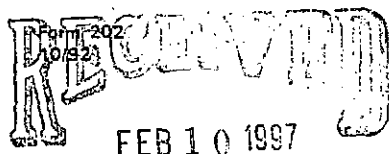
This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the signature of the Director, affixed at Boise, this

12 th day of March, 1997

[Signature]
for Karl J. Dreher, Director

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MAR 26 1997



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 74-7366

Department of Water Resources appropriate the public waters of the State of Idaho

1. Name of applicant U.S.D.I. - Bureau of Land Management Phone 208-256-5400
Post office address Route 2, Box 610 Salmon, ID. 83467
2. Source of water supply Existing Ditch ^{Negro Green Creek} which is a tributary of Texas Creek ^{Negro Green Creek}
3. Location of point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of _____ $\frac{1}{4}$ Govt. Lot _____
Sec. 23 Township 14N. Range 26E. B.M. Amhi County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.04 cfs for Livestock purposes from 05/15 to 10/15 (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 is (a) 0.04 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. 30" Diameter culvert type headbox/collector and approximately $\frac{1}{2}$ mile of $1\frac{1}{4}$ " PVC pipe connected to 495 gal. trough. Collector will be placed in existing ditch.
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet; period of year when water will be diverted to storage: _____ to _____ inclusive.
 - c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
 - d. Is ground water with a temperature of greater than 85°F being sought? _____
 - e. If well is already drilled, when? _____; Drilling firm _____;
Well was drilled for (well owner) _____
7. Time required for the completion of the works and application of the water to be proposed beneficial use is
1 years (minimum 1 year).

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MAR 26 1997

8. Description of proposed uses (If irrigation only, go to item 9):

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. 300 CATTLE
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. _____

9. Description of place of use:

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
14N	26E	23										X	SW						

Total number of acres to be irrigated _____

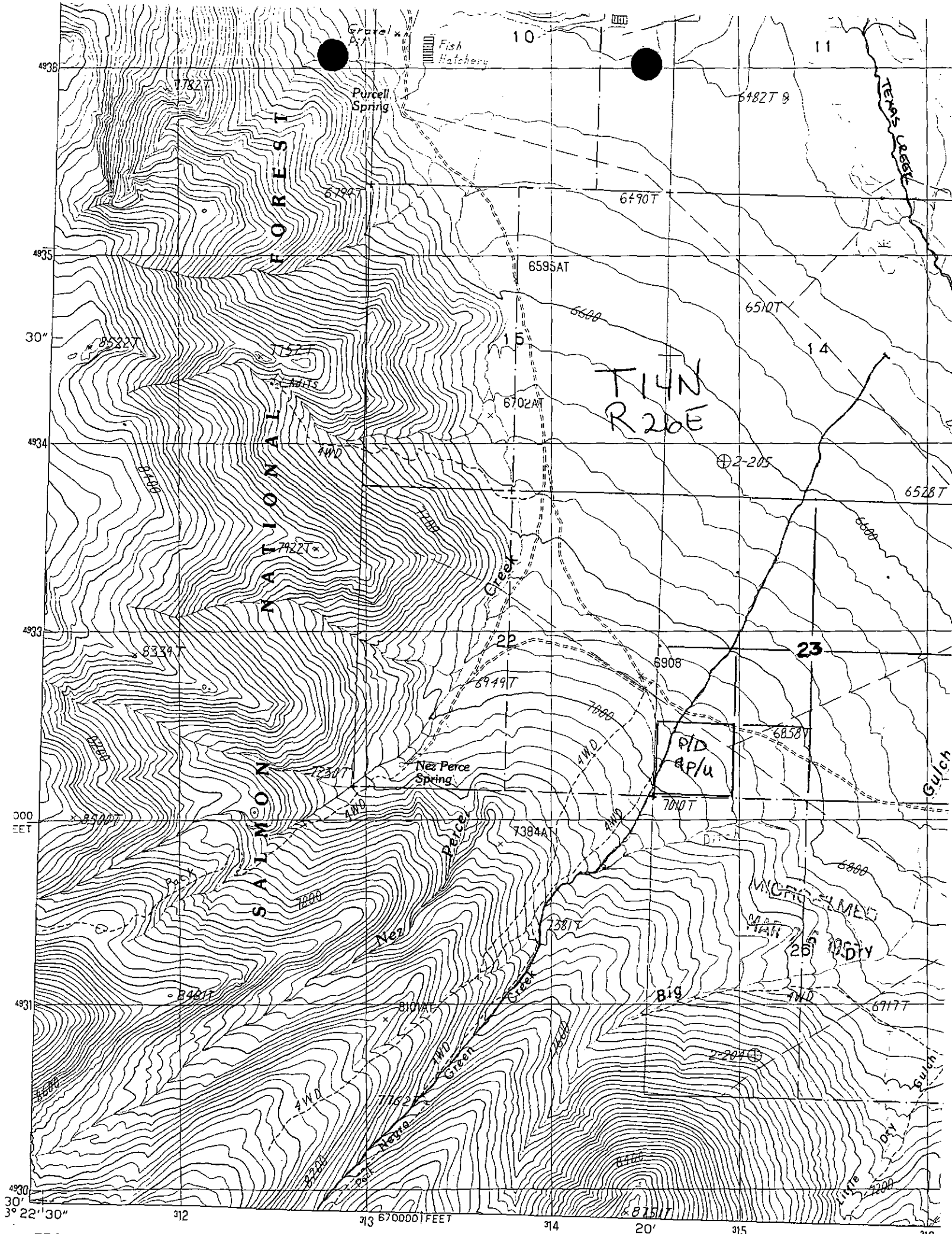
10. Describe any other water rights used for the same purposes as described above. _____

- Who owns the property at the point of diversion? U.S. Government
- Who owns the land to be irrigated or place of use? U.S. Government
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: _____

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MAR 26 1987



PRODUCED BY THE UNITED STATES GEOLOGICAL SURVEY
CONTROL BY

14-7366

2/13/97 Cg.

SCAL

T. 14 N.

22

23 point use

24 Point Diversal

26

RECEIVED
MAR 26 1937

Mark Bonner - Range Mgmt. Spec.
(Applicant)

Received by J Date 6-96 Time 12:30 PM Preliminary check by _____
Fee \$ 50 Receipted by HWT # E022806 Date 12-9-1996
Publication prepared by RB Date 12-19-26-1996 Published in Bozeman Herald
Publication approved LB Date 2-4-97

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other:

RECORDED
MAR 26 1997

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 74-07366 Reviewed by [Signature] Date 3-12-99

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit? _____
yes Address same as permit? _____
yes Proof timely received? _____ Correct Uses? ?
If not, complete calculation below.

SOURCE OF WATER

✓ Surface water source
_____ Ground water source
_____ Drilling permit required?
_____ Copy in the file? Drilling Permit No. _____
_____ Amount paid for permit _____ Correct?
_____ Well log in the file?

LICENSE EXAMINATION FEE

MEASURING DEVICE

yes Required?
50- Amount Submitted
yes Correct?
NO Required?
_____ Installed?
_____ Waiver requested?

PRIORITY CALCULATION

Date proof received	_____	<u>/</u>	_____	
Date proof due	_____		-	_____
No. of days late	_____		=	_____
Priority Date	_____		+	_____
New Priority Date	_____			_____

DEFICIENCIES OR ACTION ITEMS

Proof acceptable

DATA ENTRY

New Address X Proof Made 1-19-99



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

DIRK KEMPTHORNE
GOVERNOR

March 16, 1999

KARL J. DREHER
DIRECTOR

USDI
Bureau of Land Management
RR 2 Box 610
Salmon ID 83467

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 74-07366

Dear Permit Holder:

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

Be advised that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions concerning the field examination, please contact the **EASTERN** Regional Office of the department in Idaho Falls at (208)525-7161.

Sincerely,

A handwritten signature in cursive script, reading 'Julie L. Yarbrough', written in dark ink.

JULIE L. YARBROUGH
Senior Secretary, Water Allocation Bureau

c: IDWR - Regional Office

MICROFILMED
APR 09 1999

November 30, 1998

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
HC 2 BOX 610
SALMON ID 83467

PROOF DUE NOTICE

RE: PERMIT NO. 74-07366

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before February 1, 1999. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

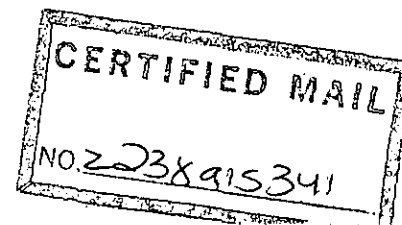
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED
APR 09 1999



ANALYSIS SHEET FOR EXTENSION OF TIME

Permit No. 74-07366 Reviewed by [Signature] Date 2-6-98

BASIC INFORMATION

1-30-98 Date stamp received
yes Extension received timely
yes Fee received and receipted
yes Name and signature same as permit
no Address Change

BASIS FOR EXTENSION REQUEST

yes Has adequate work been completed to demonstrate due diligence?

_____ Has the permit been involved in litigation?
Is supporting documentation needed to complete the file? _____ Requested? _____

_____ Is delay by a government agency?
Is supporting documentation needed to complete the file? _____ Requested? _____

_____ Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?

ACTION TAKEN Recommend extend to Feb. 1, 1999, on basis of due diligence.

PRIORITY CALCULATION

Date extension received	_____	=	_____
Proof due date	_____	=	_____
Number of days late	_____	=	_____
Priority date	_____	=	_____
New Priority Date	_____	=	_____

DATA ENTRY

New Address X
Change Proof Due Date 2-1-99
Change Priority Date X



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

February 6, 1998

US Dept of Interior
Bureau of Land Management
HC 2 box 610
Salmon ID 83467

RE: Permit No. 74-07366

Dear Permit Holder:

I have enclosed a copy of the approved request for extension of time submitted August 29, 1996, in connection with the above referenced permit which extends the time within which to submit proof of beneficial use to **February 1, 1999**. Please note that the department granted the extension based on due diligence. It is important that you work diligently towards completion of this project since the department **will not** be able to grant additional extension requests based on due diligence.

Section 42-248, Idaho Code, which became effective on July 1, 1996, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Please contact this office or any regional office of the department for the proper form to file a change of ownership of a water right and/or a change in the address of the owner.

Please contact me at (208)327-7953, if you have any questions regarding this matter.

Sincerely,

JULIE L. YARBROUGH

Senior Secretary, Water Allocation Bureau

Enclosure

c: IDWR - Regional Office

MICROFILMED
FEB 13 1998

November 30, 1997

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
HC 2 BOX 610
SALMON ID 83467

PROOF DUE NOTICE

RE: PERMIT NO. 74-07366

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before February 1, 1998. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

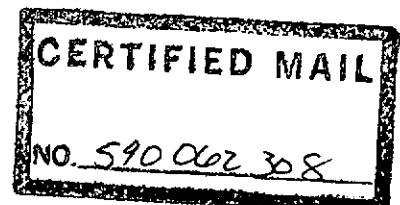
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED
FEB 13 1998





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

March 13, 1997

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
HC 2 BOX 610
SALMON ID 83467

RE: Water Right No. 74-07366

PERMIT APPROVAL NOTICE

Dear Permit Holder:

The Department of Water Resources (IDWR) has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a preliminary order issued by IDWR pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

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

Please note that a separate stream channel alteration permit must be obtained from IDWR prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right. Applications for stream channel alteration permits must be filed at least sixty days prior to the commencement of work in the stream.

Also, please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address to IDWR. If you acquired a water right or changed your mailing address prior to July 1, 1996, you have until July 30, 1998, to notify IDWR. If you acquire a water right or change your mailing address after July 1, 1996, you must

MICROFILMED

MAR 26 1997

BLM

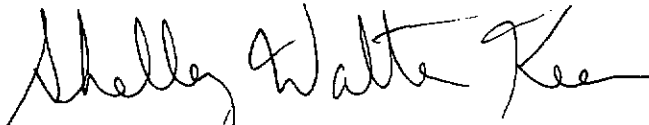
February 25, 1997

Page 2

notify IDWR within 120 days of the change. Failure to comply with these requirements could result in a \$100 late filing fee. Contact any IDWR office to obtain the proper reporting form.

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

Respectfully,

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

Shelley Walter Keen
Water Rights Supervisor

Enclosures

RECEIVED

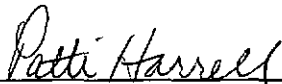
MAR 26 1997

CERTIFICATE OF MAILING

I certify that on the **13th** day of **March, 1997**, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDER (Approved Permit)** to the person(s) listed below:

Water Right Nos. 74-07366

**US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
HC 2 BOX 610
SALMON ID 83467**



Patti Harrell
Secretary

MICROFILMED
MAR 26 1997

APPLICATION FOR PERMIT
STATE OFFICE REVIEW
by Cindy Zimmerman

01/97

No.: 74-7366 Name: BLM Date: 2/13/97 Ad OK? ☒ Gvmt Lts: ☒

AREA OF CONCERN?

- No/Yes: slc Mor / _____ GWMA / Trust / Non-trust

PROTESTED:

- 020 (Protest Agreement)

SYSTEM COMPLETED:

Yes/proof filed - NA
1 year/no proof - P16
+1 year - 26A-P17

GROUNDWATER: <✓ FLO-CH>

+ 0.24 cfs - 01M
=/- 0.24 cfs - No MD
=/+ 5 a. - 01M, 065 (if GW use SW 1st)

DRILLING PERMIT:

Existing well - NA (pre 7/1/87)
Included w/permit - Permit No. _____, P99
No WD permit? - 046-46B-P23 (post 7/1/87)
irr. in WD - P05 (new well)

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

Water District (dem) - 005 (req) WD # 74W <SEE MAP & LISTING>
=/+ 0.24 cfs - 01J (meas dev)-P08
- 0.24 cfs - ~~01M~~ (lock dev)-~~P04~~ or No MD
In WD =/+ 0.24 cfs - 01M or No MD (in-stream stock)
- 0.24 cfs - No MD
=/+ 5 a. irr. - 01M

~~RIVER BASINS~~ (*Surface water):

Snake R (01) - 11A-P04, NA
(02/03-irr) - 007-P07 (w/ remark *WB9 if above Weiser), NA
Boise River (63) - 05A (if WD), 11E (not 42-111 use), NA
Payette River (65) - 064 (regulated uses), 047-P04 (Payette Lake), NA

USE:

Domestic (surface) - *WB5 (Boise River above Star Bridge); 27A (Payette River); NA
Fish Propagation - 07A-042 (req)-010/06A/09E (WQ)-P10; 044 (North of 1000 Springs)
Irr <POU> =/- 5 a - 057 (0.03 cfs/acre)
+ 5 a - 03A (0.02 cfs/acre)
Mining - 054 (req) & 06A/010/09E-P10
Power - 08A-17K-025-027-028-01F(P19)-09E(P10);
+25 cfs-P18; 17G (FERC) or 17M (FERC); 18B-P09
Storage (✓3 compo.) - 072 (req); 18A (multiple MD within district), 18B-P09 (+10' dam),

LOCATION:

42-248 area - P84 (if in 20/30/40/50/60/70/80 (87) basin)
Boise Front LoGeo - 058 (-85° GW temp only)
In-stream dev. - P52 (stream channel alteration)
Irr Dist/Canal Co. - 023 (Twin Falls area)
Swan Falls Flag - _____ <SEE CODE CHART>
Trust - 051-052-053-P74 (Consumptive Uses), NA
Non-Trust <1> - 048-049 (Consumptive Uses), NA

OWNERSHIP: Non-owner

OTHER CONDITIONS:

STANDARD REMARKS:

- ① w02/300 RC

BENEFICIAL USE DUE:

- 2-1-1998

COMMENTS:

RECEIVED
MAR 11 1997
Department of Water Resources

WATERMASTER COMMENT
on
Application for Permit No. 74-7366

I, Dan Smith, watermaster of State Water District No. 74-W:

(Check one)

☒ approve the diversion of water as proposed in the above application.

OR

☐ approve the diversion of water proposed by the above application under the following conditions: _____

OR

☐ DO NOT approve the diversion of water as proposed in the above application for the following reasons: _____

MICROFILMED

MAR 26 1997

Dan P. Smith
Watermaster Signature

3-7-97

Dated



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

February 24, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

DAN SMITH
PO BOX 22
LEADORE ID 83464-0022

RE: Application for Permit No. 74-07366

Dear Mr. Smith;

I received the above application for permit for stockwater use for final processing and approval. This application represents BLM's proposal to divert 0.04 cfs from Negro Green Creek tributary to Texas Creek for stockwater use for 300 range cattle. I have enclosed a copy of the application for your reference.

Since this proposed diversion is located within your water district, I am seeking your input on the approval of the permit. I plan to include a condition of approval on the permit identifying that the use of this water is subject to the control of the watermaster of Water District No. 74W. If you have any further comments, please fill out and return the enclosed response form to me in the envelope provided.

I will hold processing of this application for 14 days pending your response. If I do not hear from you within the 14 day period, I will recommend issuance of the permit with the above condition.

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

Respectfully,

A handwritten signature in cursive script that reads "Cindy Zimmerman".

Cindy Zimmerman
Water Resource Agent

Enclosures

MICROFILMED
MAR 26 1997

Dist. for staffing
Submitted for advertising 12-10-96

Form No. 202
4/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATIONS FOR PERMIT ANALYSIS PERMIT

INITIAL REVIEW BY AWJ DATE 12-10-96 APPLICATION NO. 74-2366

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
☒ Address
☒ Source (See USGS Quad for names of water sources)
☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
☒ County
☒ Quantity (flow and/or volume)
☒ Period of Use
☒ Nature of proposed use (Include description of use.)
☒ Description of diverting works
☒ Time required for beneficial use of water
☒ Place of use or acres irrigated
☒ Map
☒ Signature (If applicant is corp., partnership, or municipality, title of signatory is required)
☒ Fee
Yes ☐ No ☐ In form to receipt

ADDITIONAL INFORMATION

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

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested _____

RECEIVED
FEB 10 1997

Department of Water Resources

~~PROCESSING~~

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

SEND COPIES TO

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

FINAL REGIONAL PROCESSING REVIEW

☒	Yes	☐	No	Affidavit of publication received
☒	Yes	☐	No	Application published correctly. If not, record action taken _____
☒	Yes	☐	No	Publication dates & paper, recorded on application
☐	Yes	☒	No	Protests received
☐	Yes	☐	No	Final date for protest <u>January 6, 1997</u>
☒	Yes	☐	No	Protests, dates, resolution of protest, recorded on application
☐	Yes	☐	No	Recommendations attached
☐	Yes	☐	No	Measuring device required
☐	Yes	☐	No	Access port required
☐	Yes	☐	No	Will water be delivered by watermaster? If yes, what Dist. _____
☐	Yes	☐	No	Special conditions of approval or cover letter below.

Date of priority recommended 12-9-1996
By: HWT Date: 2-5-97

STATE OFFICE REVIEW

By _____ Date: _____

ADDITIONAL INFORMATION

LOCAL PUBLIC INTEREST

Comments received from

<u> </u> City	<u> </u> Idaho Fish & Game	<u> </u> Irrigation Dist.
<u> </u> County	<u> </u> Idaho Health & Welfare	<u> </u> Canal Company
<u> </u> Reservations	<u> </u> Div. of Environment	<u> </u> Other

Project impacts/implications report

COMMENTS

[illegible]

**NOTICE OF APPLICATION
FOR WATER PERMIT**

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

74-07366

US DEPT OF INTERIOR
BUREAU OF LAND
MANAGEMENT
RT 2 BOX 610

SALMON, ID 83467

Source: NEGRO CREEK CREEK
Tributary: TEXAS CREEK]

Diversion Pt: SWSW Sec 23 T 14N
R 26E in LEMHI county

Use: STOCKWATER (0.040 CFS)

Total Diversion: (0.040 CFS)

Date Filed: 12/6/1996 In: LEMHI
County

T14N R26E S23 NWSW

74-07367

US DEPT OF INTERIOR
BUREAU OF LAND
MANAGEMENT
RT 2 BOX 610

SALMON, ID 83467

Source: SPRING Tributary:
RATTLESNAKE CREEK

Diversion Pt: NWSWSW Sec 28 T
19N R 21E in LEMHI county.

Use: STOCKWATER (0.020 CFS)

WILDLIFE (0.010 CFS)

Total Diversion: (0.020 CFS)

Date Filed: 12/6/1996

In: LEMHI County

T19N R21E S28 SWSW

75-07643

LEMHI COUNTY
206 COURTHOUSE DRIVE
SALMON, ID 83467

Source: SPRINGS Tributary:
SINKS

Diversion Pt: SENESE Sec 3 T
20N R 22E in LEMHI County.

NESWNE Sec 10 T 20N R 22E in
LEMHI County.

Use: DOMESTIC (0.040 CFS)

FIRE PROTECTION (0.040 CFS)

Total Diversion: (0.040 CFS)

Date Filed: 12/3/1996

In: LEMHI County

T21N R22E S26 NWNW

The permit(s) will be subject to all prior water rights. Protests must be filed with the applicant and the Director, Dept. of Water Resources, along with a \$25.00 filing fee, Eastern Region, 900 N Skyline, Idaho Falls, Idaho 83402 on or before JANUARY 6, 1997.

KARL J. DREHER, Director

Published: 12/19/1996 & 12/26
1996

12-19-2

Affidavit of Publication

STATE OF IDAHO

County of Lemhi

ss.

JAN 28 1997

Department of Water Resources
Eastern Region

RICKY G. HODGES

being first duly sworn, deposes and says he is one of the publishers (printers) of The Recorder Herald, a newspaper published weekly at Salmon, Lemhi County, Idaho, and of general circulation therein. That the IDAHO DEPT OF WATER 74-07366

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 TWO (2) consecutive issues, commencing with the issue dated 12/19/96 and ending with the issue dated 12/26/96.

STATE OF IDAHO

County of Lemhi

ss.

On this 26th day of DECEMBER in this year of 1996

before me, A Notary Public, personally appeared RICKY G. HODGES known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Shirley K. Hols

Notary Public for Idaho

Residing At Salmon, Idaho

My Commission expires: 9-21-2001

Publication Fee \$ 139.36

Account No. 630

MAR 26 1997

74-07366

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
RT 2 BOX 610
SALMON, ID 83467

Source: NEGRO GREEN CREEK

Tributary: TEXAS CREEK

Diversion Pt: SWSW Sec 23 T 14N R 26E in LEMHI County.

Use: STOCKWATER (0.040 CFS)
Total Diversion: (0.040 CFS)

Date Filed: 12/ 6/1996

In: LEMHI County
T14N R26E S23

NWSW

**NOTICE OF APPLICATION
FOR WATER RIGHT**

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

74-07366

US DEPT OF INTERIOR
BUREAU OF LAND
MANAGEMENT

RT 2 BOX 610

SALMON, ID 83467

Source: NEGRO GREEN CREEK

Tributary: TEXAS CREEK]

Diversion Pt: SWSW Sec 23 T 14N
R 26E in LEMHI county

Use: STOCKWATER (0.040 CFS)

Total Diversion: (0.040 CFS)

Date Filed: 12/6/1996 In: LEMHI
County

T14N R26E S23 NWSW

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MAR 26 1997

The permit(s) will be subject to all prior water rights. Protests must be filed with the applicant and the Director, Dept. of Water Resources, along with a \$25.00 filing fee, Eastern Region, 900 N Skyline, Idaho Falls, Idaho 83402 on or before JANUARY 6, 1997.

KARL J. DREHER, Director

Published: 12/19/1995 & 12/26/1995

MICROFILMED

MAR 26 1997



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

December 23, 1996

USDI BLM
RT 2 BOX 610
SALMON ID 83467

RE: Notice of Application for Permit No. 74-07366, & 74-07367

Dear Applicant:

The Department of Water Resources acknowledges receipt of your water right application. This office is currently in the process of advertising the application in the Recorder Herald on January 19 & 26, 1996. The advertisements will be published once a week for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

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

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

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

Sincerely,


Harold W. Jones
Water Right Supervisor

HWJ/rb

UNRECORDED
MAR 26 1997



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

DECEMBER 13, 1996

Legal Notices Department
RECORDER-HERALD
P.O. BOX 310
SALMON, ID 83467

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before JANUARY 6, 1997.

Yours truly,

Rita Bodell
Secretary

Encl.

RECEIVED

MAR 26 1997



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

December 13, 1996

USDI BLM
RT 2 BOX 610
SALMON ID 83467

RE: Notice of Application for Permit No. 74-07366 & 74-07367

Dear Applicant:

The Department of Water Resources acknowledges receipt of your water right application. This office is currently in the process of advertising the application in the Recorder Herald on Dec. 19 & 26, 1996. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

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

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

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

Sincerely,

Harold W. Jones
Harold W. Jones
Water Right Supervisor

HWJ/rb

RECORDED

MAR 26 1997