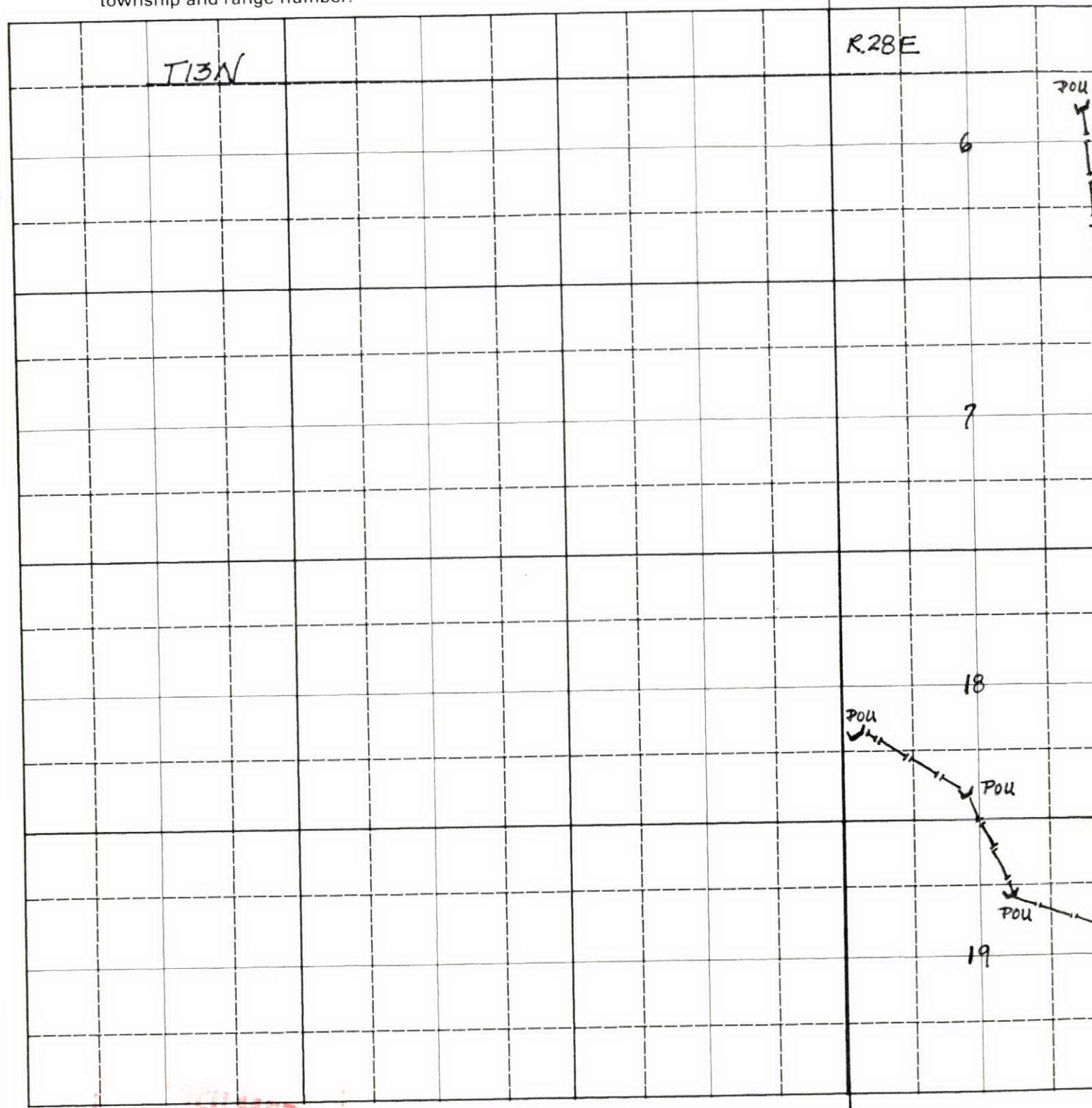




13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

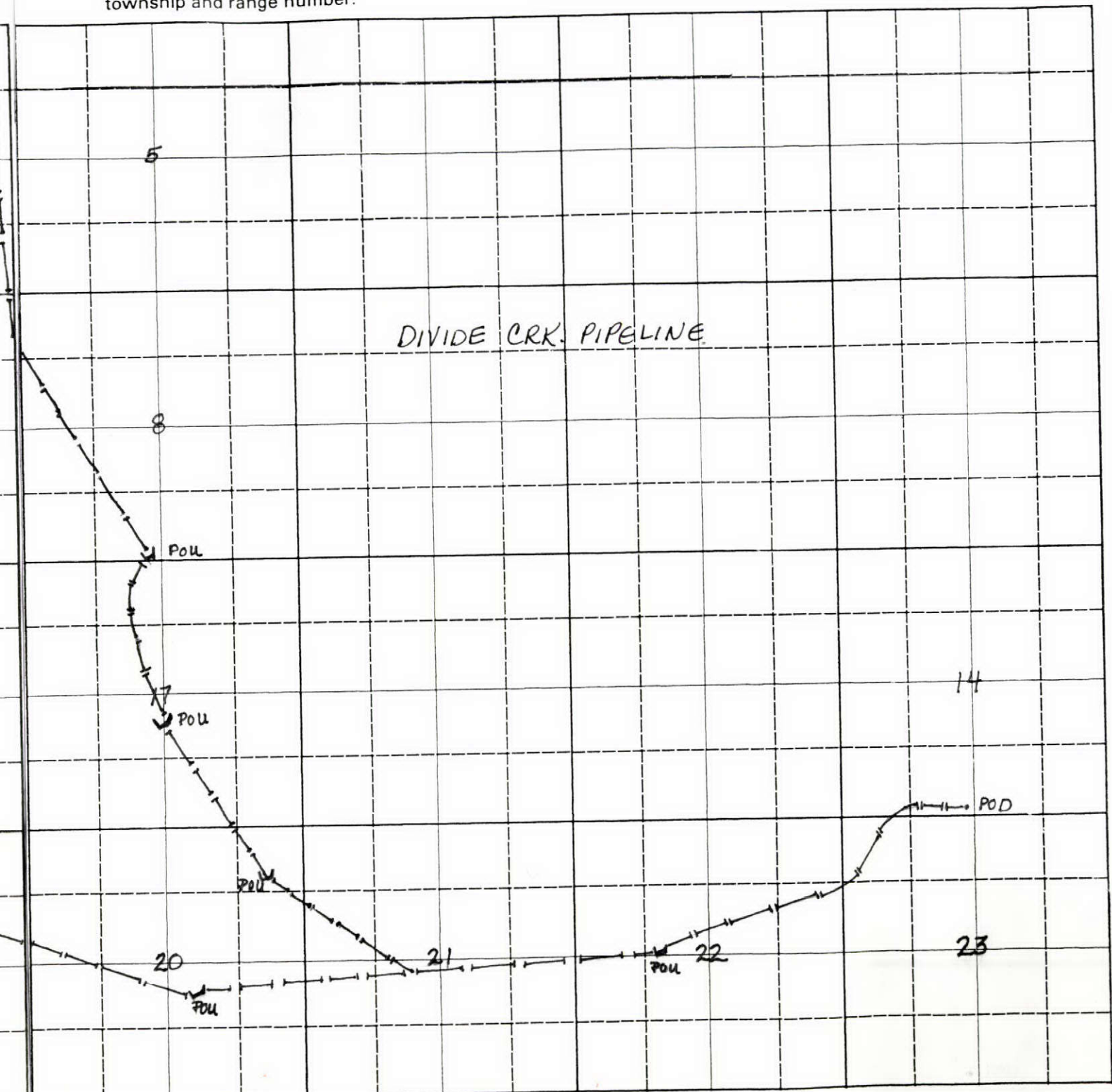


Scale: 2 inches equal 1 mile.

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.

David E Blackston  
(Applicant)

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

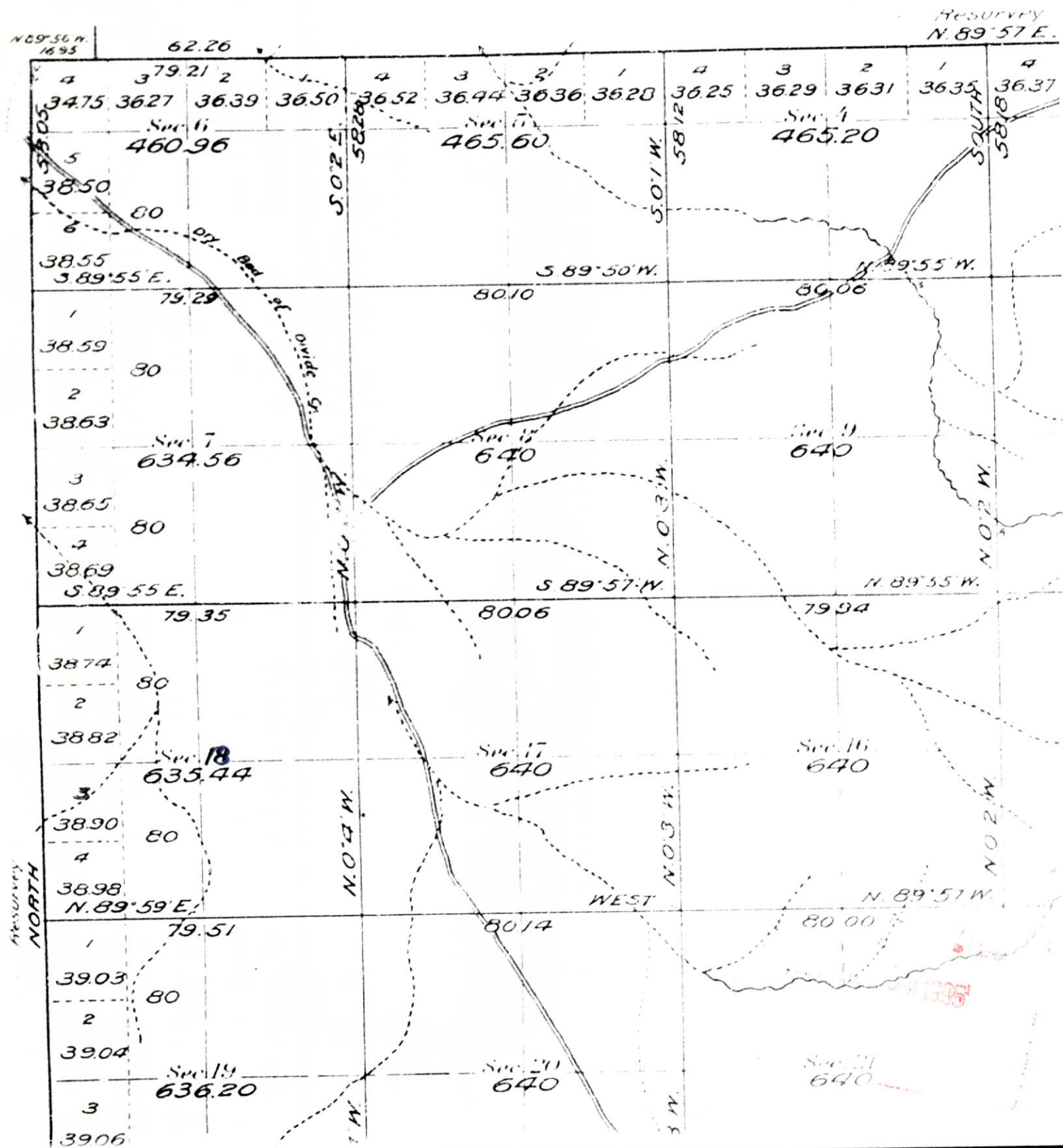


Scale: 2 inches equal 1 mile.

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.

\_\_\_\_\_  
(Applicant)

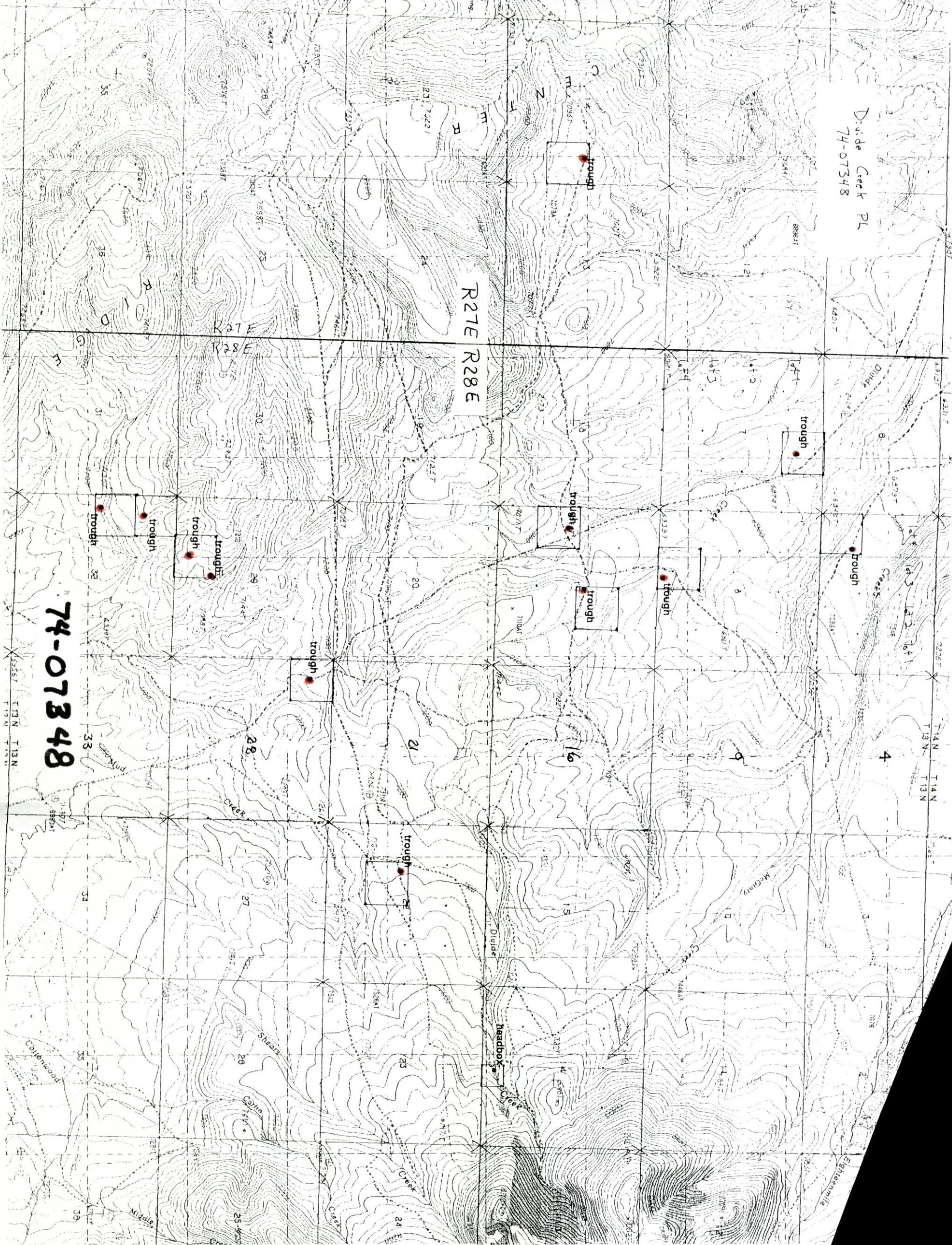
| $t$ | $f$ | $f'$ | $e$ | $E$ | $d$ | $D$ |
|-----|-----|------|-----|-----|-----|-----|
|-----|-----|------|-----|-----|-----|-----|

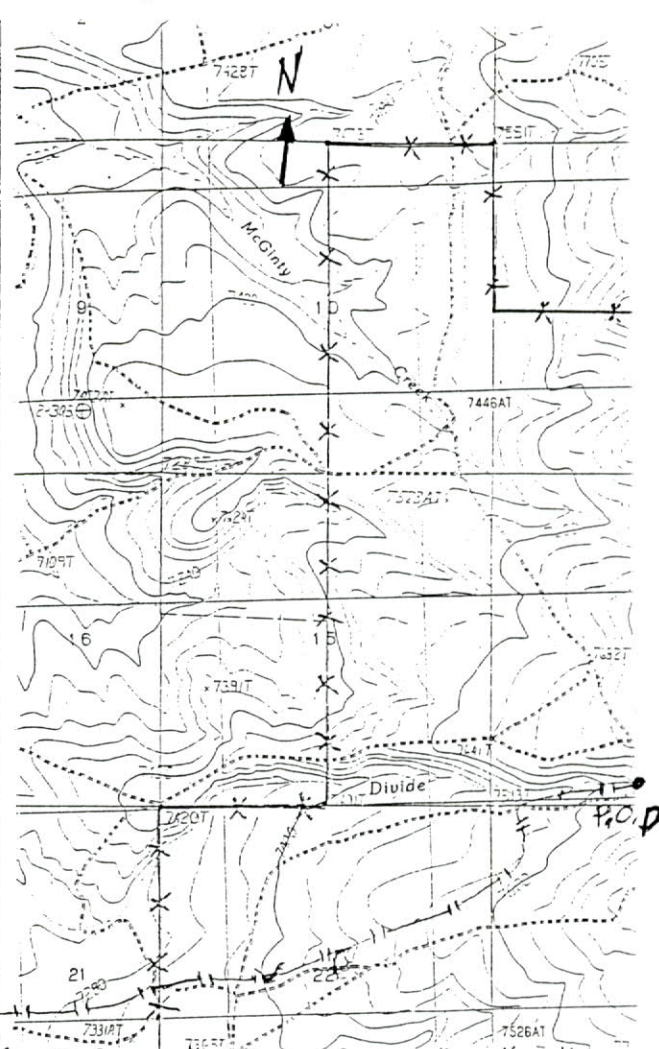
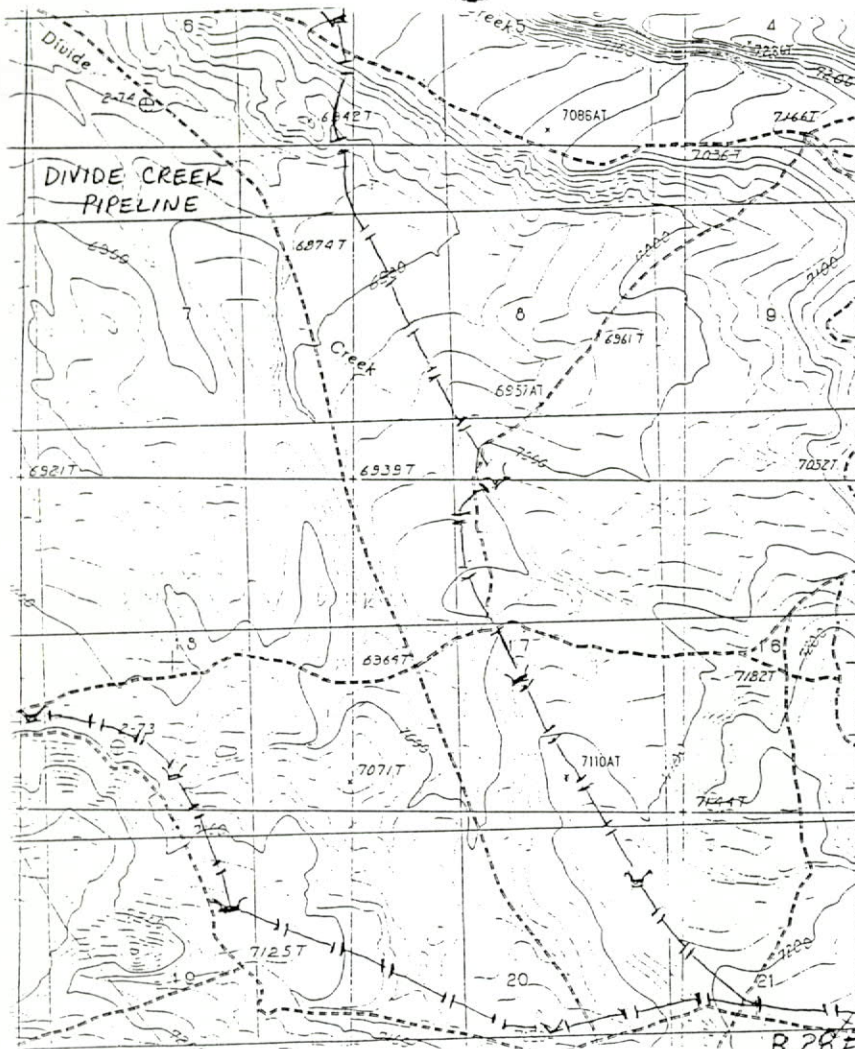


Divide Creek PL  
74-07348

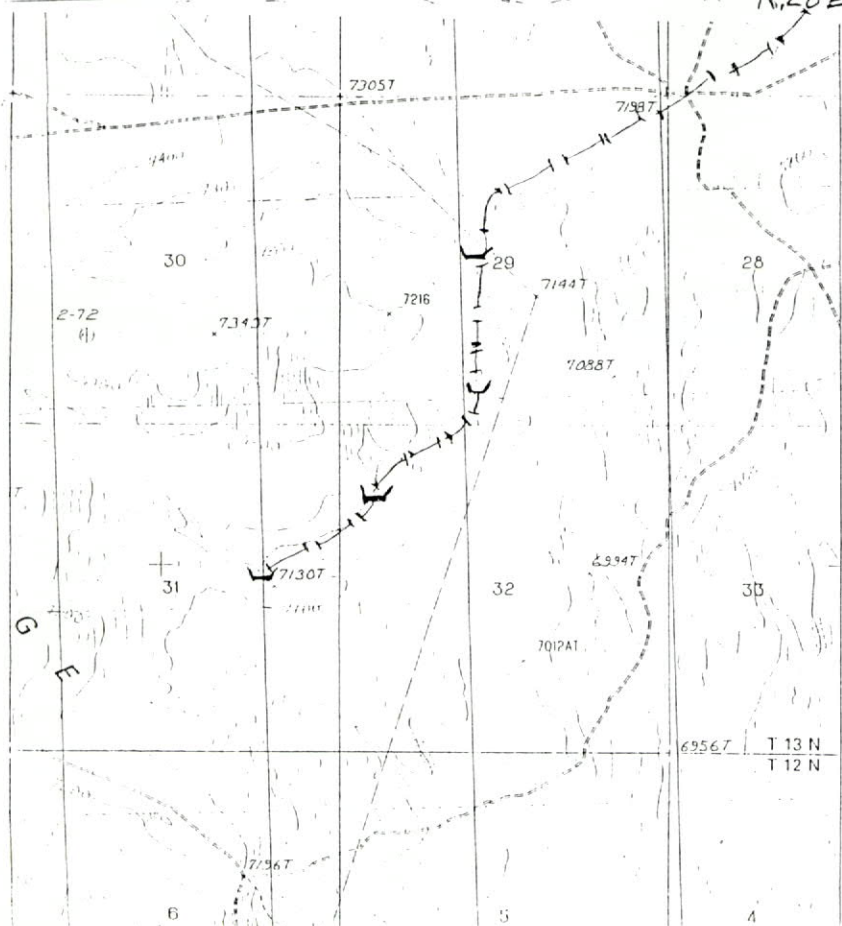
R27E R28E

74-07348





R.28E.



AUG 22 1996

State of Idaho  
Department of Water Resources  
**Water Right License**

WATER RIGHT NO. 74-07348

Priority: April 03, 1995

Maximum Diversion Rate: 0.04 CFS  
Maximum Diversion Volume: 12.1 AF

It is hereby certified that US DEPT OF INTERIOR  
BUREAU OF LAND MANGEMENT  
SALMON DISTRICT  
PO BOX 430  
SALMON ID 83467 has complied with the terms and  
conditions of the permit, issued pursuant to Application for Permit dated March 15, 1995; and has  
submitted Proof of Beneficial Use on June 20, 1996. An examination indicates that the works have a  
diversion capacity of 0.04 cfs of water from:

**SOURCE**

DIVIDE CREEK

Tributary: EIGHTEENMILE CREEK

and a water right has been established as follows:

| <b><u>BENEFICIAL USE</u></b> | <b><u>PERIOD OF USE</u></b> | <b><u>DIVERSION RATE</u></b> | <b><u>ANNUAL<br/>DIVERSION VOLUME</u></b> |
|------------------------------|-----------------------------|------------------------------|-------------------------------------------|
| STOCKWATER                   | 05/01 to 12/31              | 0.04 CFS                     | 12.1 AF                                   |

**LOCATION OF POINT(S) OF DIVERSION:**

DIVIDE CREEK SW¼SW¼SE¼ Sec. 14, Twp 13N, Rge 28E, B.M., LEMHI County

**PLACE OF USE:** STOCKWATER

| Twp Rge Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-------------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|             | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 13N 27E 14  |    |    |    |    |    |    |    |    |    |    |    |    | X  |    |    |    |        |
| 13N 28E 5   |    |    |    |    |    |    |    |    |    | X  |    |    |    |    |    |    |        |
| 13N 28E 7   |    | X  |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
| 13N 28E 8   |    |    |    |    |    |    |    |    |    |    |    | X  |    |    |    |    |        |
| 13N 28E 17  |    |    | X  |    |    |    |    |    |    | X  |    |    |    |    |    |    |        |
| 13N 28E 22  |    |    |    |    |    |    |    |    | X  |    |    |    |    |    |    |    |        |
| 13N 28E 28  |    |    |    |    |    | X  |    |    |    |    |    |    |    |    |    |    |        |
| 13N 28E 29  |    |    |    |    |    |    |    |    |    |    |    | X  |    |    |    |    |        |
| 13N 28E 32  |    |    |    |    |    | X  | X  |    |    |    |    |    |    |    |    |    |        |

MICROFILMED

JUN 20 2001

State of Idaho  
Department of Water Resources  
**Water Right License**

WATER RIGHT NO. 74-07348

CONDITIONS OF APPROVAL

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 74W.
2. Place of use is locally known as Divide Creek Pipeline Range Improvement System #4831.
3. This right, when considered with all other rights common to the same grazing allotment, is limited to the quantity of water beneficially used by the number of stock within the allotment.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 21<sup>st</sup> day of June, 2001.

Acting for

KARL J. DREHER  
Director

MICROFILMED

JUN 20 2001

RECEIVED

JUN 18 2001

Department of Water Resources

State of Idaho  
Department of Water Resources  
**APPLICATION FOR AMENDMENT**

(For Licensing Purposes)  
WATER RIGHT NO. 74-07348

Date of Priority: April 03, 1995

Maximum Diversion Rate: 0.04 CFS  
Maximum Diversion Volume: 12.1 AF

Comes now US DEPT OF INTERIOR  
BUREAU OF LAND MANGEMENT  
SALMON DISTRICT  
PO BOX 430

SALMON ID 83467 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. 74-07348, and requests that the permit be changed as follows:

Source: DIVIDE CREEK

Tributary: EIGHTEENMILE CREEK

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|--------------------------|----------------------|
| STOCKWATER            | 05/01 to 12/31       | 0.04 CFS                 | 12.1 AF              |

LOCATION OF POINT(S) OF DIVERSION:

DIVIDE CREEK SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$  Sec. 14, Twp 13N, Rge 28E, B.M., LEMHI County

PLACE OF USE: STOCKWATER

| Twp Rge Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-------------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|             | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 13N 27E 14  |    |    |    |    |    |    |    |    |    |    |    |    | X  |    |    |    |        |
| 13N 28E 5   |    |    |    |    |    |    |    |    |    |    | X  |    |    |    |    |    |        |
| 13N 28E 7   |    | X  |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
| 13N 28E 8   |    |    |    |    |    |    |    |    |    |    |    | X  |    |    |    |    |        |
| 13N 28E 17  |    |    | X  |    |    |    |    |    |    | X  |    |    |    |    |    |    |        |
| 13N 28E 22  |    |    |    |    |    |    |    | X  |    |    |    |    |    |    |    |    |        |
| 13N 28E 28  |    |    |    |    |    | X  |    |    |    |    |    |    |    |    |    |    |        |
| 13N 28E 29  |    |    |    |    |    |    |    |    |    |    |    | X  |    |    |    |    |        |
| 13N 28E 32  |    |    |    |    |    | X  | X  |    |    |    |    |    |    |    |    |    |        |

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 this 11<sup>th</sup> day of June, 2001.



(Signature & Title)

MICROFILMED

JUN 20 2001

State of Idaho  
Department of Water Resources  
**APPLICATION FOR AMENDMENT**  
(For Licensing Purposes)  
WATER RIGHT NO. 74-07348

FOR DEPARTMENT USE ONLY

Preliminary check by KW Fee \$50.00 Received by HJ # E026815 Date 6.13.01

**ACTION OF THE DEPARTMENT OF WATER RESOURCES**

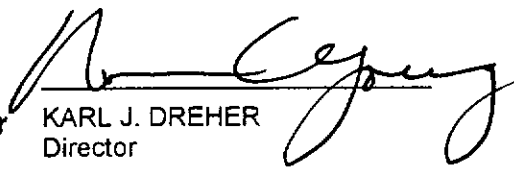
I, Karl J. Dreher, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 74-07348 with the following:

**CONDITIONS OF APPROVAL**

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 74W.
2. Place of use is locally known as Divide Creek Pipeline Range Improvement System #4831.
3. This right, when considered with all other rights common to the same grazing allotment, is limited to the quantity of water beneficially used by the number of stock within the allotment.

Witness my hand this 21<sup>st</sup> day of JUNE, 2001.

Acting for

  
KARL J. DREHER  
Director

MICROFILMED

JUN 20 2001

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

|                                       |   |               |
|---------------------------------------|---|---------------|
| IN THE MATTER OF PERMIT NO. 74-07348  | ) |               |
|                                       | ) |               |
| IN THE NAME OF U.S. DEPT. OF INTERIOR | ) | ORDER OF      |
| BUREAU OF LAND MANAGEMENT             | ) | REINSTATEMENT |
|                                       | ) |               |

---

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before June 1, 1996; and,

WHEREAS, the Department notified the permit holder on March 31, 1996, by certified mail that proof was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use; and,

WHEREAS, the department lapsed the permit on June 20, 1996, since an acceptable proof of beneficial use or extension of time had not been received; and,

WHEREAS, Section 42-218a, Idaho Code, provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting an acceptable proof of beneficial use on June 20, 1996;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 74-07348 is **REINSTATED** with an advance in priority to April 3, 1995.

DATED this 28<sup>th</sup> day of June, 1996.



L. GLEN SAXTON, Chief  
Water Allocation Bureau

AUG 22 1996

7/94

Divide Creek PL.

FOR OFFICE USE ONLY

Amt. of Fee \$: 50.00Receipt No. C035910Receipt By: RBDate Received: 6/21/96

# STATE OF IDAHO

## 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.

- Permit No. 74-07348 Telephone No. (208) 756-5400
- Name(s) of Permit Holder(s): USDI - Bureau of Land Management
- Mailing Address: Rt 2 Box 610 Salmon, ID 83467
- Source of Water: Divide Creek If **GROUNDWATER** (well), Date Drilled: mo. \_\_\_\_ / yr. \_\_\_\_
  - Well Driller: \_\_\_\_\_ Drilling Permit Number: \_\_\_\_ - \_\_\_\_ - \_\_\_\_
  - OPTIONAL:**  
Pump Horsepower: \_\_\_\_\_ Pressure (psi): \_\_\_\_\_ Dynamic pumping level (ft): \_\_\_\_\_
- Use(s) (as authorized by the water right permit):  
 Domestic (No. of households): \_\_\_\_\_ Stockwater (No. and type of stock): 1200 cow/half  
 Irrigation (No. of acres): \_\_\_\_\_ Other: \_\_\_\_\_
- Total rate of diversion and/or volume for which proof is submitted: .040 cfs OR \_\_\_\_\_ acre feet
- 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)
 

|                               |                                          |                       |
|-------------------------------|------------------------------------------|-----------------------|
| <b>Measuring Device:</b>      | Is a measuring device required?          | Yes _____ or No _____ |
|                               | Has the measuring device been installed? | Yes _____ or No _____ |
| <b>Flow Measurement Port:</b> | Is a flow measurement port required?     | Yes _____ or No _____ |
|                               | Has the measurement port been installed? | Yes _____ or No _____ |
- Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)
- Person to contact to accompany the Department representative during field examination of the water system.  
 Name: Steve Bewerlin Telephone Number: (208) 756-5480  
 Address: Rt 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: Bruce M. Easton Regional Mgt. Spec.  
 (include your title, if on behalf of company or organization)

AUG 22 1996  
 Date: 6/5/96

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

NO. 74-07348

Proposed Priority: March 15, 1995      Maximum Diversion Rate: 0.04 CFS

This is to certify, that US DEPT OF INTERIOR  
BUREAU OF LAND MANAGEMENT  
PO BOX 430  
SALMON ID 83467-0430

has applied for a permit to appropriate water from:  
DIVIDE CREEK      tributary of EIGHTEEN MILE CREEK

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

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> |
|-----------------------|----------------------|--------------------------|
| STOCKWATER            | 05/01 to 12/31       | 0.04 CFS                 |

LOCATION OF POINT(S) OF DIVERSION:      SESESW, Sec. 14, Township 13N, Range 28E  
LEMHI County

PLACE OF USE: STOCKWATER

| <u>TWN</u> | <u>RGE</u> | <u>SEC</u> |                |
|------------|------------|------------|----------------|
| 13N        | 28E        | 6          | NESE           |
|            |            | 17         | NENW      NWSE |
|            | Lot 3      | (NWSW)     | SESW           |
|            |            | 19         | SWNE           |
|            |            | 20         | NENE      NWSE |
|            |            | 22         | NESW           |

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 1996.
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. The issuance of this right in no way grants any right-of-way or easement across the land of another.
5. Stockwater use is for 900 range cattle.
6. Place of use is locally known as Divide Creek Pipeline Range Improvement System #4831.
7. Water used under this right also includes water for wildlife.

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

13<sup>th</sup> day of June, 1995

RECORDED

JUN 30 1995

*Karl J. Dreher*  
for Karl J. Dreher, Director

RECEIVED  
JUN 08 1995

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR PERMIT

Department of Water Resources

To appropriate the public waters of the State of Idaho

Ident. No. 74-7348  
RECEIVED  
MAR 15 1995

Department of Water Resources

1. Name of applicant USDI - BLM Phone 208-756-5400  
Post office address P.O. BOX 430 SALMON, ID 83467
2. Source of water supply DIVIDE CREEK which is a tributary of 18 MILE CREEK
3. Location of point of diversion is SE  $\frac{1}{4}$  of SE  $\frac{1}{4}$  of SW  $\frac{1}{4}$ , Govt. Lot \_\_\_\_\_  
Sec. 14 Township 13N Range 28E B.M. LEMHI County; additional  
points of diversion if any: \_\_\_\_\_
4. Water will be used for the following purposes:
- Amount 0.04 for LIVESTOCK purposes from 05/01 to 12/31 (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 cubic feet per second and/or (b) \_\_\_\_\_ acre feet per annum
6. Proposed diverting works:
- a. Description of ditches, flumes, pumps, headgates, etc. 36" x 30" HEADBOX
- b. Height of storage dam \_\_\_\_\_ feet; active reservoir capacity \_\_\_\_\_ acre-feet; total  
reservoir capacity \_\_\_\_\_ acre-feet; period of year when water will be diverted to storage:  
\_\_\_\_\_ to \_\_\_\_\_ inclusive.
- c. Proposed well diameter is \_\_\_\_\_ inches; proposed depth of well is \_\_\_\_\_ feet.
- d. Is ground water with a temperature of greater than 90°F being sought? N/A
7. Time required for the completion of the works and application of the water to the proposed beneficial use is  
1995 (1) years (minimum 1 year).

RECEIVED

JUN 30 1995

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

- a. Hydropower; show total feet of head and proposed capacity in KW. \_\_\_\_\_
- b. Stockwatering; list number and kind of livestock. 900 CATTLE, wild life
- c. Municipal; show name of municipality. \_\_\_\_\_
- d. Domestic; show number of households. \_\_\_\_\_
- e. Other; describe fully. \_\_\_\_\_

RIPS = Range Improvement  
Project System

9. Description of place of use:

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

| TWP | RANGE | SEC. | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | TOTALS |
|-----|-------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|     |       |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |        |
| 13N | 28E   | 22   |     |     |     |     |     |     |     |     | X   | X   |     |     |     |     |     |     |        |
| 13N | 28E   | 20   | X   |     |     |     |     |     |     |     |     |     |     |     |     | X   |     |     |        |
| 13N | 28E   | 19   |     |     | X   |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
| 13N | 28E   | 18   |     |     |     |     |     |     |     |     |     | X   |     | X   |     |     |     |     |        |
| 13N | 28E   | 17   |     |     |     |     | X   |     |     |     |     |     |     |     |     | X   |     |     |        |
| 13N | 28E   | 6    |     |     |     |     |     |     |     |     |     |     |     |     | X   |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |

① per USGS ortho quad 3/15/95 total number of acres to be irrigated

② per government plat. 3/15/95 cz.

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

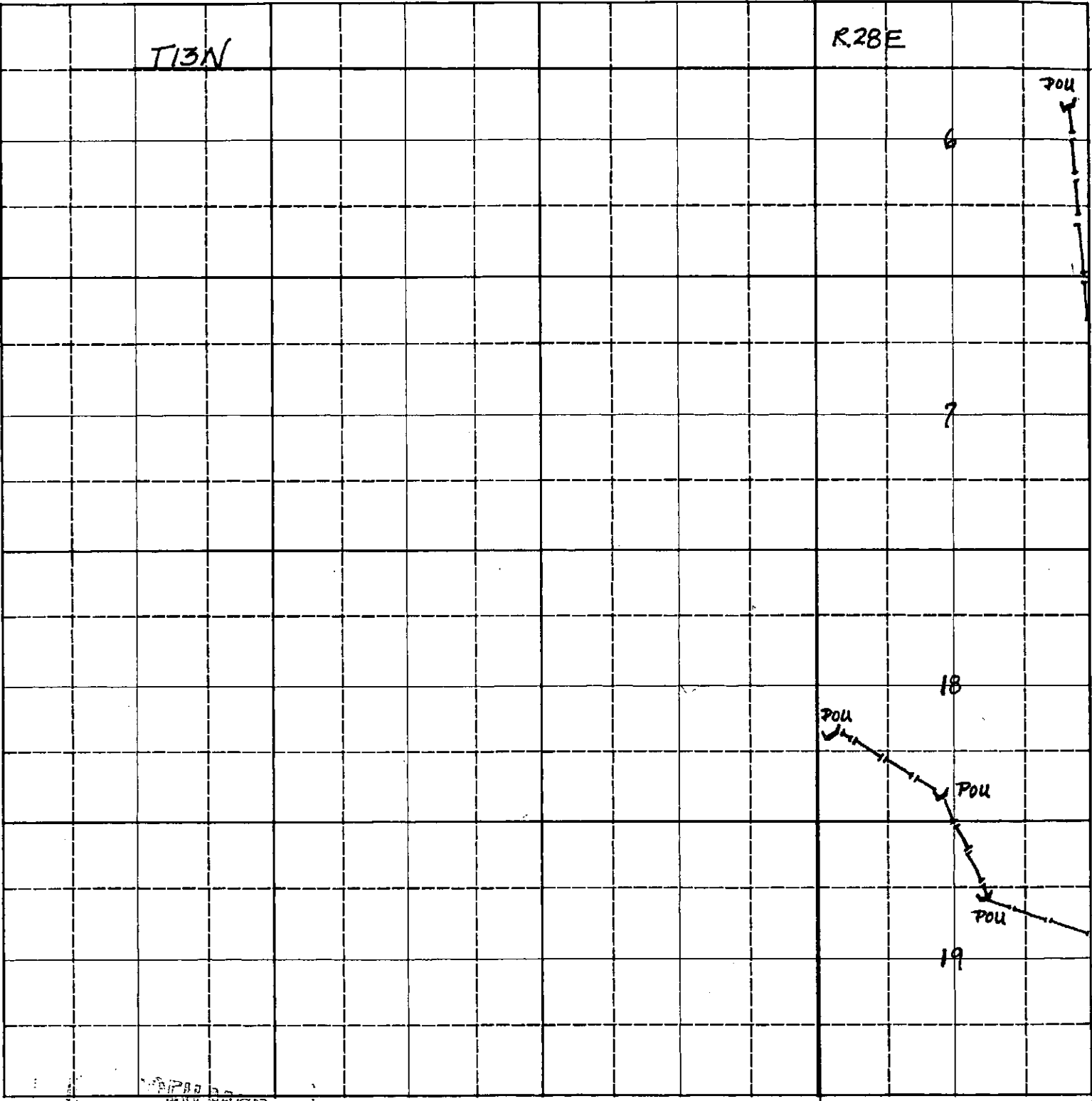
11. a. Who owns the property at the point of diversion? McFARLAND LIVESTOCK INC.
- b. Who owns the land to be irrigated or place of use? USDI - BLM
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. \_\_\_\_\_

12. Remarks: DIVIDE CR P.L. RIPS # 4831

RECEIVED  
JUN 30 1995



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

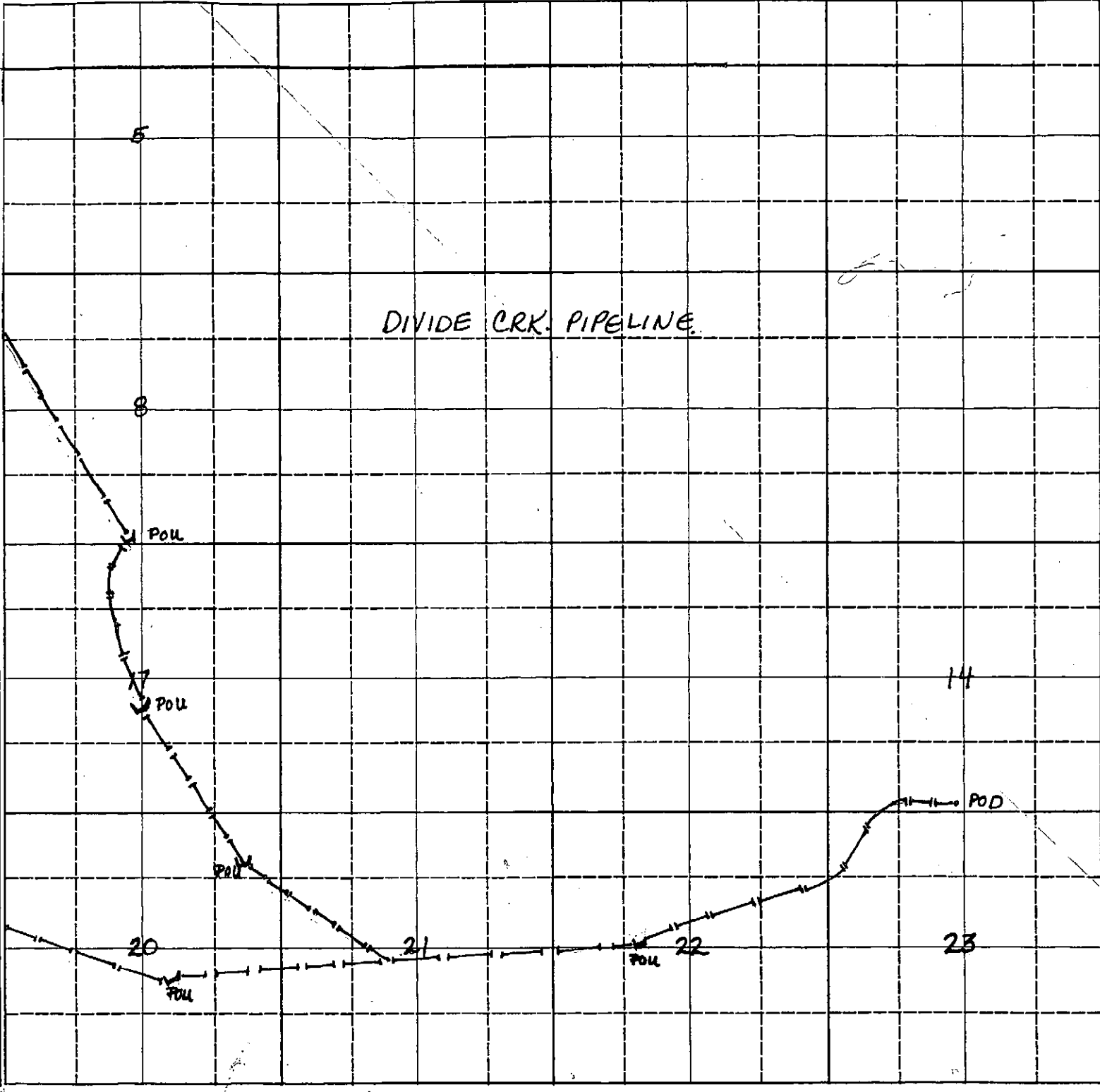


Scale: 2 inches equal 1 mile.

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.

*David E Blackston*  
(Applicant)

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.

*David E Blackston*  
(Applicant)

(Applicant)

Received by CZ Date 3/15/95 Time 10 am Preliminary check by \_\_\_\_\_  
Fee \$ 50 Received by \_\_\_\_\_ # 1032494 Date 4-17-95  
Publication prepared by LB Date 4-20-95 Published in Recorder Herald  
Publication approved \_\_\_\_\_ Date \_\_\_\_\_

### 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:

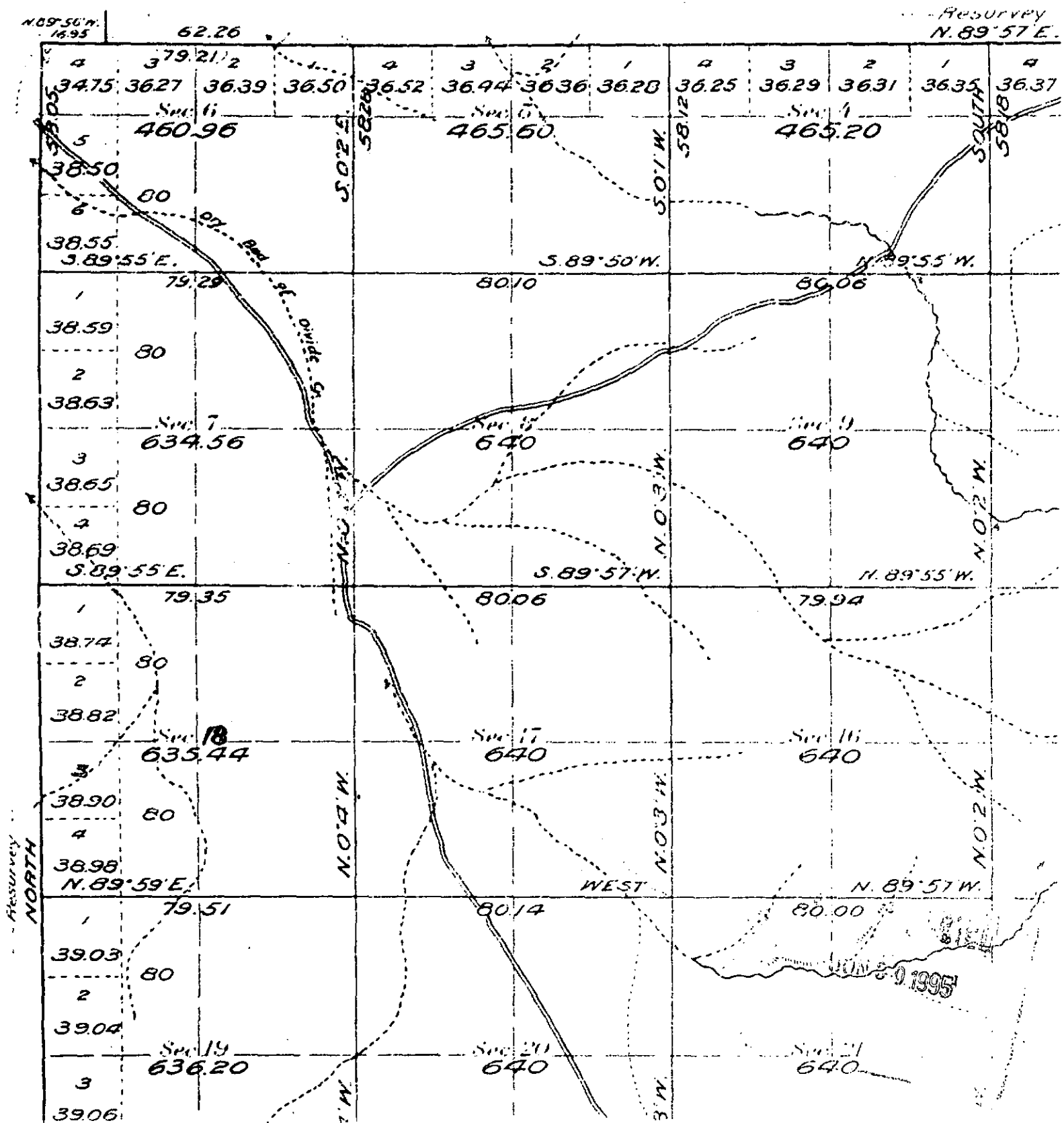
- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before \_\_\_\_\_, 19 \_\_\_\_.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights 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:

JUN 3 0 8 NNR

Unrecorded

JUN 3 0 1995

|     |     |     |     |     |     |     |
|-----|-----|-----|-----|-----|-----|-----|
| $G$ | $F$ | $F$ | $e$ | $E$ | $d$ | $D$ |
|-----|-----|-----|-----|-----|-----|-----|





State of Idaho

## DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098  
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: [www.idwr.state.id.us](http://www.idwr.state.id.us)

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

June 22, 2001

US DEPT OF INTERIOR  
BUREAU OF LAND MANGEMENT  
SALMON DISTRICT  
PO BOX 430  
SALMON ID 83467

RE: License No. 74-7348 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Enclosed is a copy of the approved Application for Amendment.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

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

Sincerely,

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

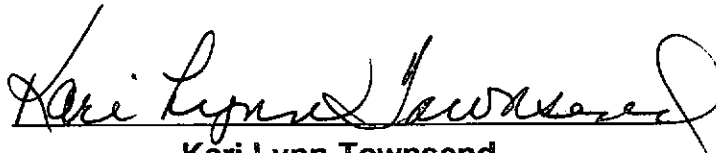
MICROFILMED  
JUN 20 2001

**CERTIFICATE OF MAILING**

I hereby certify that on June 22, 2001 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

**RE: WATER RIGHT NO. 74-7348**

**US DEPT OF INTERIOR  
BUREAU OF LAND MANGEMENT  
SALMON DISTRICT  
PO BOX 430  
SALMON ID 83467**

  
**Kari Lynn Townsend  
Secretary**

**MICROFILMED  
JUN 20 2001**

**EXPLANATORY INFORMATION  
TO ACCOMPANY A  
PRELIMINARY ORDER**

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

**PETITION FOR RECONSIDERATION**

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

**EXCEPTIONS AND BRIEFS**

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

**REQUEST FOR HEARING**

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

**ORAL ARGUMENT**

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

**CERTIFICATE OF SERVICE**

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

### FINAL ORDER

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

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

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

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

### APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

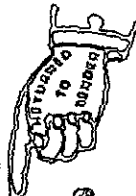
The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
1301 North Orchard Street  
Boise, Idaho 83706-2237

RECEIVED

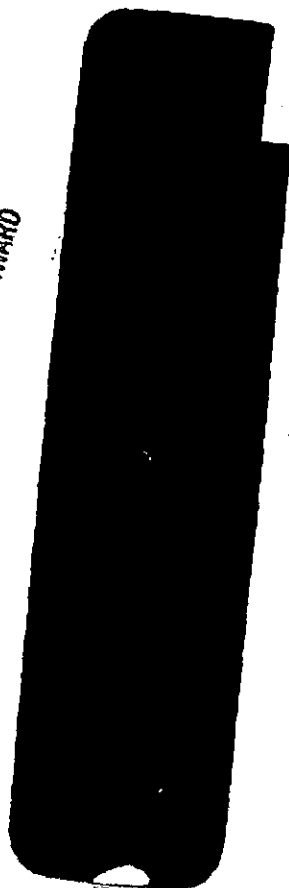
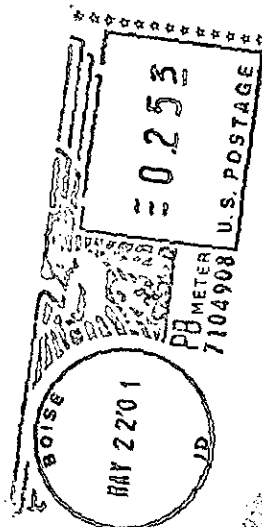
MAY 31 2001

Department of Water Resources

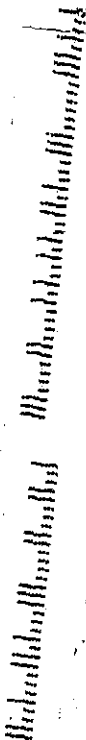


UNDELIVERABLE  
AS ADDRESSED  
UNABLE TO  
FORWARD

PRIORITY  
FIRST CLASS



ADAMS EXPRESS/2237



Phone call to office gave  
new mailing address.  
50 Hwy 93 S  
Armon Id 83467  
Mail reset - with  
change of address fee.  
5.31.01  
Ket

MICROFILMED  
JUN 20 2001

WJ



State of Idaho

## DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098  
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: [www.idwr.state.id.us](http://www.idwr.state.id.us)

May 22, 2001

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

US DEPT OF INTERIOR  
BUREAU OF LAND MANGEMENT  
SALMON DISTRICT  
PO BOX 430  
SALMON ID 83467

RE: Water Right Permit No. 74-07348

Dear Permit Holder(s):

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms the extent of development that has been established in compliance with the terms of the permit. The examiner who verified your water use reported that certain elements of the permit have been developed differently than described on your permit. Changes that do not increase the authorized use of water under the permit can be requested and approved in accordance with Section 42-211, Idaho Code. Before a license can be issued, your permit must be amended to depict your water use as it was actually developed.

Based on the examiner's report, the following elements were developed differently than described on your permit:

☒ Point(s) of Diversion

☒ Place(s) of Use

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

If you have any questions, please call me at 208-327-7944.

Sincerely,

KAY WALKER  
Sr. Water Resource Agent

Enclosure

MICROFILMED  
JUN 20 2001

LICENSE REVIEW CHECKLIST

Permit No. 74-7348 Date: 5-22-01 Reviewer: Kay Walker

Change/OK

Name/Address

fix address per exam

Source

Point of Diversion:

ok  
change

Does change clarify original intended source? If no, void permit.

Change (P39/P49) Add (P45/P44) Feds (P40)

W32 (multiple in 1/4/1/4)

W36 (overlap)

W59 (subdivision description)

Place of Use

change  
\*note

Change (P41/P49) Add (P41/P44) Feds (P43)

W60 (subdivision description)

W27 (ppu acre limit)

Overlaps: Right(s):

File reviewed Profile reports printed

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion:

Permitted rate 0.04 cfs

Fee Limit 0.20 cfs

Measured 0.04 cfs

Theoretical 0.04 cfs

Recommended Total Diversion Rate 0.04

Season of Use per new Standards

Water Uses

Change (P46)

Irrigation 0.04 cfs 12.1 af  
Stockwater 0.04 cfs 12.1 af  
Domestic 0.04 cfs 12.1 af  
Total 0.04 cfs 12.1 af

Irrigation - overlap (R58-R61, R62-R65, R66-R69)

supp. Gw (WB7/065/104)

overlap spec combined rts (W35)

<1 acre (W31)

Domestic (W01/wb5/070/071/075)

Power (W42 or W43/025/027/R22 or R23)

Fish (042)

Fire (077)

Water Quality (081/R07)

Payette - (W22/047/27A)

Stockwater for US (R37)

Volume Determination

0.04 cfs x 1.9835 x 12.1 days = 9.00 af (vs) 900 ac x 0.0134 (FHR) = 12.06 af

Remarks:

R04, R37

Additional Conditions

YES Watermaster Control 74W  
GW Measurement/Measuring Device  
Other  
Trust R55 - remove 051)  
Non-trust (048/049)

GW Dist?

Water Mgmt. Dist?

Crit. GWMA?

GWMA?

Government Lots?

Advance Priority? yes

no

If yes, explain why below.

SRBA Claim?

not req'd

Adjust memo

Amend Letters

P87, S06

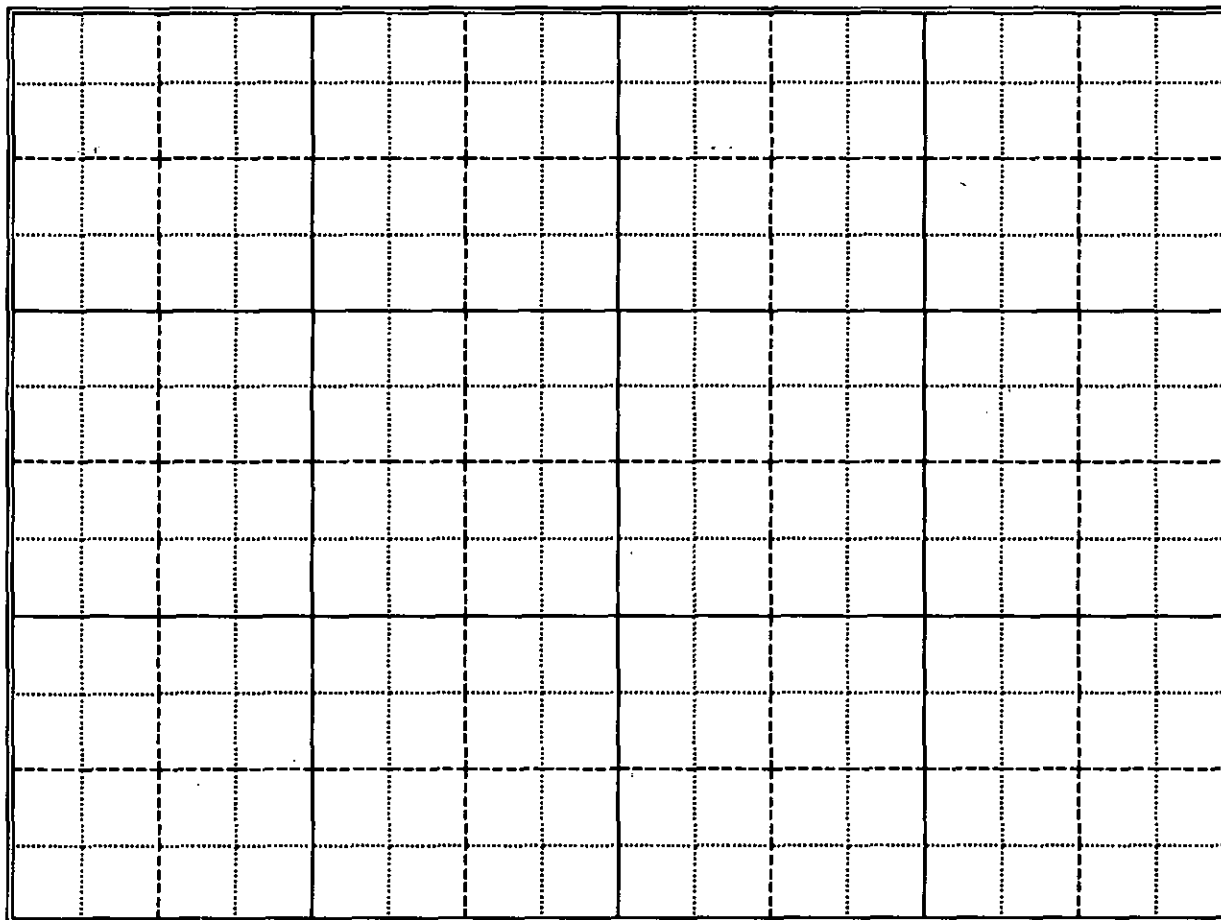
Second Amendment Notice

S06

\* Place of use in Sec 28 <sup>13N 28E</sup> is in NWNW rather than NENE as shown on exam - see map attached to exam.

| TWP | RGE | SEC | NE  |     |     |    | NW  |     |    |    | SW  |     |     |     | SE  |    |    |    | Totals |
|-----|-----|-----|-----|-----|-----|----|-----|-----|----|----|-----|-----|-----|-----|-----|----|----|----|--------|
|     |     |     | NE  | NW  | SW  | SE | NE  | NW  | SW | SE | NE  | NW  | SW  | SE  | NE  | NW | SW | SE |        |
| 13N | 28E | 5   |     |     |     |    |     |     |    |    |     |     | S/W |     |     |    |    |    |        |
|     |     | 7   |     | S/W |     |    |     |     |    |    |     |     |     |     |     |    |    |    |        |
|     |     | 8   |     |     |     |    |     |     |    |    |     |     |     |     |     |    |    |    |        |
|     |     | 29  | S/W |     |     |    |     |     |    |    |     |     |     | 3/W |     |    |    |    |        |
|     |     | 30  |     |     |     |    |     |     |    |    |     |     |     | 3/W |     |    |    |    |        |
|     |     | 32  |     |     |     |    | S/W | S/W |    |    |     |     |     |     |     |    |    |    |        |
|     |     | 22  |     |     |     |    |     |     |    |    | S/W |     |     |     |     |    |    |    |        |
|     |     | 17  |     |     | S/W |    |     |     |    |    | S/W | S/W |     |     |     |    |    |    |        |
| 13N | 27E | 14  |     |     |     |    |     |     |    |    |     |     |     |     | S/W |    |    |    |        |

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



Scale: 1" = \_\_\_\_\_

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

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

☐ Photo of Diversion and System Attached

4.

| Well or Diversion Identification No.* | Motor Make | Hp | Motor Serial No. | Pump Make | Pump Serial No. or Discharge Size |
|---------------------------------------|------------|----|------------------|-----------|-----------------------------------|
|                                       |            |    |                  |           |                                   |
|                                       |            |    |                  |           |                                   |
|                                       |            |    |                  |           |                                   |

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

#### D. FLOW MEASUREMENTS

1.

| Measurement Equipment | Type | Make | Model No. | Serial No. | Size | Calib. Date |
|-----------------------|------|------|-----------|------------|------|-------------|
|                       |      |      |           |            |      |             |
|                       |      |      |           |            |      |             |

2. Measurements: NONE

\_\_\_\_\_

\_\_\_\_\_

**E. NARRATIVE/REMARKS/COMMENTS**

1) change place of use to reflect as built

2) change point of diversion to reflect as built

3) include wildlife as additional beneficial use

Have conditions of permit approval been met?   X   yes       no

**F. FLOW CALCULATIONS**

\_\_\_\_ Additional Computation Sheets Attached

Measured Method:

None

**G. VOLUME CALCULATIONS**

## 1. Volume Calculations for Irrigation:

 $V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$  \_\_\_\_\_ $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$  \_\_\_\_\_ $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$  \_\_\_\_\_

## 2. Volume Calculations for Other Uses:

None

**H. RECOMMENDATIONS**

## 1. Recommended Amounts

| Beneficial Use | Period of Use |       | Rate of Diversion<br>Q (cfs) | Annual Volume<br>V (afa) |
|----------------|---------------|-------|------------------------------|--------------------------|
|                | From          | To    |                              |                          |
| Stockwater     | 5-1           | 12-31 | 0.04 cfs                     |                          |
| wildlife       | 5-1           | 12-31 | 0.04 cfs                     |                          |
|                |               |       |                              |                          |
|                |               |       |                              |                          |
|                |               |       |                              |                          |
| Totals:        |               |       | 0.04 cfs                     |                          |

## 2. Recommended Amendments

☒ Change P.D. as reflected above    ☒ Add P.D. as reflected above    ☐ None☒ Change P.U. as reflected above    ☒ Add P.U. as reflected above    ☐ Other**I. AUTHENTICATION**Field Examiner's Name Robert E. Foster Date 6/19/00

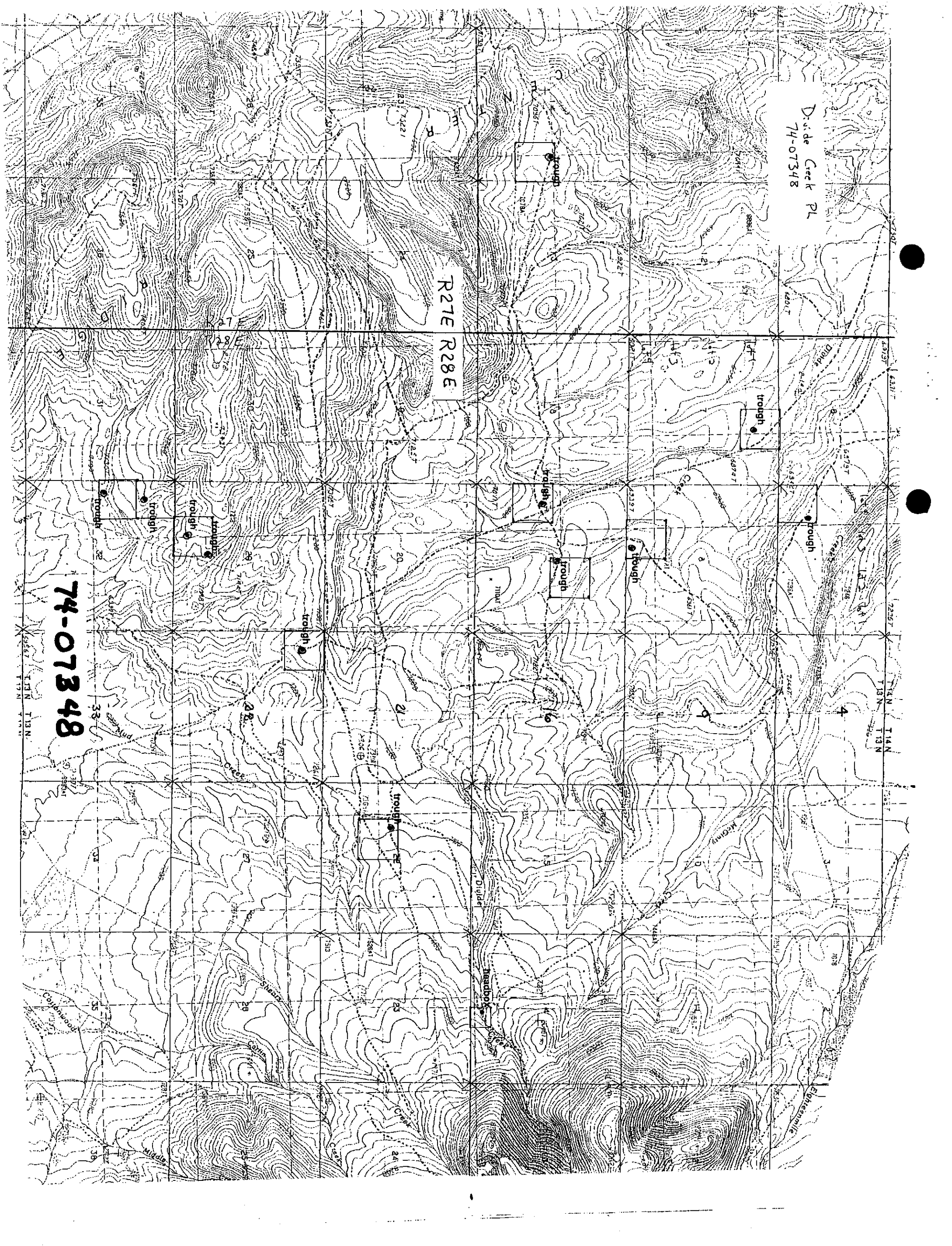
Reviewer \_\_\_\_\_ Date \_\_\_\_\_

SEAL

Dude Creek PL  
74-07348

R27E R28E

74-07348



MICROFILMED

JUN 20 1976

map to accompany B/4 Field Report

B/4 Field Report Map --- 74-07348



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

June 28, 1996

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

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 74-07348

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit.

Enclosed is an order reinstating your permit since the proof was received after the proof due date of June 1, 1996. Please note that the priority date has been advanced to April 3, 1995.

The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

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

Sincerely,

JULIE L. YARBROUGH  
Senior Secretary

Enclosure

c: IDWR - Region

AUG 22 1996

**ANALYSIS SHEET  
FOR  
PROOF OF BENEFICIAL USE**

Permit No. 74-07348 Reviewed by Jy Date 6-27-96

**GENERAL CONSIDERATIONS**

yes Name same as permit?  
no Address same as permit?  
no Proof timely received?  
If not, complete calculation below.

**TYPES OF USE**

Stock

Correct Uses? yes

**SOURCE OF WATER**

☒ Surface water source

☐ Ground water source

☐ Drilling permit required?

☐ Copy in the file? Drilling Permit No. \_\_\_\_\_

☐ Amount paid for permit

☐ Well log in the file?

\_\_\_\_\_ Correct?

**LICENSE EXAMINATION FEE**

yes Required?  
50- Amount Submitted  
yes Correct?

**MEASURING DEVICE**

no Required?  
/ Installed?  
/ Waiver requested?

**PRIORITY CALCULATION**

|                     |                |             |
|---------------------|----------------|-------------|
| Date proof received | <u>6-20-96</u> |             |
| Date proof due      | <u>6-1-96</u>  | -           |
| No. of days late    | <u>19</u>      | = <u>19</u> |
| Priority Date       | <u>3-15-95</u> | + <u>14</u> |
| New Priority Date   | <u>4-3-95</u>  | <u>93</u>   |

4-3-95

**DEFICIENCIES OR ACTION ITEMS**

*Reinstate + advance priority to April 3, 1995.  
Proof acceptable*

**DATA ENTRY**

New Address Rt. 2, Box 610  
Salmon, Id 83467

Proof Made 6-20-96

To Whom It May Concern:

Enclosed is a new page 2 of the Department of Water Resources Application for Permit form showing the corrected description of place of use. The project has been completed but was modified as a result of engineering design and resource issues. Also enclosed is a new project map showing all of the trough locations associated with this application.

*Bruce M. Easton*  
*Rangeland Management*  
*Specialist.*

*RECEIVED*  
AUG 22 1996

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

- a. Hydropower; show total feet of head and proposed capacity in KW. \_\_\_\_\_
- b. Stockwatering; list number and kind of livestock. 900 CATTLE
- c. Municipal; show name of municipality. \_\_\_\_\_
- d. Domestic; show number of households. \_\_\_\_\_
- e. Other; describe fully. \_\_\_\_\_

9. Description of place of use:

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

| TWP | RANGE | SEC. | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | TOTALS |
|-----|-------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|     |       |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |        |
| 13N | 28E   | 22   |     |     |     |     |     |     |     |     | X   |     |     |     |     |     |     |     |        |
| 13N | 28E   | 20   | X   |     |     |     |     |     |     |     |     |     |     |     |     | X   |     |     |        |
| 13N | 28E   | 19   |     |     | X   |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
| 13N | 28E   | 18   |     |     |     |     |     |     |     |     | X   |     | X   |     |     |     |     |     |        |
| 13N | 28E   | 17   |     |     |     |     | X   |     |     |     |     |     |     |     |     | X   |     |     |        |
| 13N | 28E   | 6    |     |     |     | X   |     |     |     |     |     |     |     |     |     |     |     |     |        |
| 13N | 28E   | 29   |     |     |     |     |     |     | X   |     |     |     | X   |     |     |     |     |     |        |
| 13N | 28E   | 31   |     |     |     | X   |     |     |     |     |     |     |     |     |     |     |     |     |        |
| 13N | 28E   | 32   |     | X   |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |

Total number of acres to be irrigated \_\_\_\_\_

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

11. a. Who owns the property at the point of diversion? McFARLAND LIVESTOCK INC.
- b. Who owns the land to be irrigated or place of use? USDI - BLM
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. \_\_\_\_\_

12. Remarks: \_\_\_\_\_

AUG 22 1996



June 20, 1996

US DEPT OF INTERIOR  
BUREAU OF LAND MANAGEMENT  
PO BOX 430  
SALMON ID 834670430

LAPSE NOTICE

RE: PERMIT NO. 74-07348

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated March 31, 1996. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifty dollar (\$50.00) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

L. GLEN SAXTON  
Chief, Water Allocation Bureau

Enclosures

AUG 22 1996

CERTIFICATION OF MAILING

I hereby certify that on 6/20/96  
a copy/an original of this document was  
deposited in the United States mail,  
postage prepaid addressed to the  
individual(s) named above.

March 31, 1996

US DEPT OF INTERIOR  
BUREAU OF LAND MANAGEMENT  
PO BOX 430  
SALMON ID 834670430

PROOF DUE NOTICE

RE: PERMIT NO. 74-07348

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 June 1, 1996.

(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.

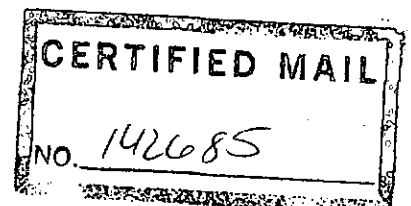
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

SINCERELY,

JULIE L. YARBROUGH  
Senior Secretary

Enclosures

AUG 22 1996





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

June 14, 1995

US DEPT OF INTERIOR  
BUREAU OF LAND MANAGEMENT  
PO BOX 430  
SALMON ID 83467-0430

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 74-07348

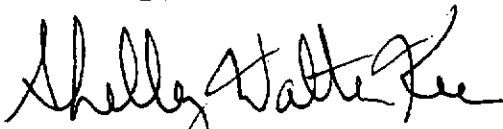
Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permit.

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

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

Sincerely,

  
Shelley W. Keen  
Water Rights Supervisor

SK:rl

Enclosures

RECEIVED

JUN 30 1995

**APPLICATION FOR PERMIT  
STATE OFFICE REVIEW  
by Cindy Zimmerman**

No.: 74-7348 Name: BLM Date: 6/9/95 Ad OK? ✓  
Correct Fee? ✓ Receipt #: C032494 Priority: 3/15/95 ✓ Gvmt Lts: ✓

AREA OF CONCERN? - No/Yes SC Mor          GWMA Trust/Non-trust  
 PROTESTED: - 020(Protest Agr) or W19(See Final/Prelim Order)

**SYSTEM COMPLETED:**

|                 |              |
|-----------------|--------------|
| Yes/proof filed | - NA         |
| 1 year/no proof | - <b>P16</b> |
| +1 year         | - 26A-P17    |

GROUNDWATER: &lt;✓ FLO-CH&gt;

|                  |                              |
|------------------|------------------------------|
| + 0.2 cfs        | - 01M                        |
| - 0.2 cfs        | - No MD                      |
| + 5 a. (POU cmp) | - 01M, 803(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):

Water District(~~dem~~) - 005 (req) WD # 74W <SEE MAP & LISTING>  
+ 0.2 cfs - 01J-~~P08~~ or 01M  
- 0.2 cfs - 01H-~~P01~~ or No MD  
+ 5 a. irr. - 01M (POU cmp)  
~~In WD~~ + 0.2 cfs - 01M or No MD (in-stream)  
~~0.2 cfs~~ - ~~No MD~~  
+ 5 a. irr. - 01M (POU cmp)

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

Snake R (01) - 11A-P04, NA  
 (02/03) - 007-P07 (w/remark WB9), NA  
 Boise R (63) - 05A (if WD), 11E (not 42-111 use), NA  
 Payette R (65) - 064 (consump. use), 047-P04 (Payette Lake), NA

**USE:**

Domestic (surface) - 021(Boise R ↑ L Peak); 27A(Payette R); NA  
Fish Propagation - 07A-042(rq)-010/06A/09E(WQ)-P10;044(N 1000 Spr)  
Irr - 5 acres - 057 (0.03 cfs/A)  
+ 5 acres - 03A (0.02 cfs/A)  
Mining - 054 (req) & 06A/010/09E-P10  
Power - 08A-17K-025-027-01M-01F(P19)-09E(P10);  
+25 cfs-P18; 17G(FERC) or 17M(FERE); 18B-P09  
Storage(✓ 3 compo.) - 18A(multi MD in WD), 18B-P09 (+10' dam), NA

**LOCATION:**

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 - B <SEE CONDITION CODE CHART>  
Trust - 051-052-053-P74 (Consumptive Uses), NA  
Non-Trust <1> - 048-049 (Consumptive Uses), NA

**OWNERSHIP:**Non-land owner

**OTHER CONDITIONS:**

STANDARD REMARKS:

**BENEFICIAL USE DUE:**

**COMMENTS:**

Form No. 202a  
4/87

3  
Dist. for staffing 4-27-95  
Submitted for advertising 3-31-95

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

APPLICATIONS FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY HWT DATE 3-28-95 APPLICATION NO. 24-2348  
BLM  
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 *Change made HWT*  
☒ Map  
☒ Signature (If applicant is corp. partnership, or municipality, title of signator is required)  
☒ Fee  
☒ Yes ☐ No\* In form to receipt

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JUN 08 1995

Department of Water Resources

ADDITIONAL INFORMATION

- ☐ Overlapping place of use (Describe source & relationship to present application on the back.)  
☐ Overlapping point of diversion  
☐ Yes ☒ No Field check required  
☐ Yes ☒ No 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 \_\_\_\_\_



LOCAL PUBLIC INTEREST

Comments received from

|                                |                                           |                                       |
|--------------------------------|-------------------------------------------|---------------------------------------|
| <u>          </u> City         | <u>          </u> Idaho Fish & Game       | <u>          </u> Irrigation District |
| <u>          </u> County       | <u>          </u> Idaho Health & Welfare  | <u>          </u> Canal Company       |
| <u>          </u> Reservations | <u>          </u> Division of Environment | <u>          </u> Other _____         |

## Project impacts/implications report

COMMENTS

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

FOR WATER RIGHT

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

7407348  
US DEPT OF INTERIOR  
BUREAU OF LAND  
MANAGEMENT  
PO BOX 430  
SALMON, ID 83467-0430

Source: DIVIDE CREEK Tributary: EIGHTEEN MILE CREEK

Diversion Pt: SESESW Sec 14 T 13N R 28E in LEMHI County.

Use: STOCKWATER (0.040 CFS)

Total Diversion: (0.040 CFS)

Date Filed: 3/15/1995

In: LEMHI County

T13N R28E S06 NESE

S17 NENW NWSE

S18 Lot 3 (NWSW) SESW

S19 SWNE

S20 NENNE NWSE

S22 NESW

74-07349

US DEPT OF INTERIOR  
BUREAU OF LAND  
MANAGEMENT

PO BOX 430

SALMON, ID 834670430

Source: SPRING

Tributary: LEMHI RIVER

Diversion Pt: NWSNW Sec 7 T

16N R 26E in LEMHI County.

Use: STOCKWATER (0.040 CFS)

Total Diversion: (0.040 CFS)

Date Filed: 3/15/1995

In: LEMHI County

T16N R26E S07 SENW

74-07350

US DEPT OF INTERIOR  
BUREAU OF LAND  
MANAGEMENT

PO BOX 430

SALMON, ID 834670430

Source: SPRING

Tributary: DRY CREEK

Diversion Pt: SWNWNE Sec 17 T

17N R 23E in LEMHI County.

Use: STOCKWATER (0.040 CFS)

Total Diversion: (0.040 CFS)

Date Filed: 3/15/1995

In: LEMHI County

T17N R23E S17 NWNE

74-07351

US DEPT OF INTERIOR  
BUREAU OF LAND  
MANAGEMENT

PO BOX 430

SALMON, ID 834670430

Source: SPRING

Tributary: RYE GRASS CREEK

Diversion Pt: SWSWNE Sec 21 T

17N R 23E in LEMHI County.

Use: STOCKWATER (0.040 CFS)

Total Diversion: (0.040 CFS)

Date Filed: 3/15/1995

In: LEMHI County

T17N R23E S21 NWNE

74-07352

US DEPT OF INTERIOR  
BUREAU OF LAND

PO BOX 430

SALMON, ID 834670430

Source: SPRING Tributary:

YEARIAN CREEK

Diversion Pt: NWSESE Sec 7 T

PO BOX 430  
SALMON, ID 834670430  
Source: SPRING Tributary:  
YEARIAN CREEK  
Diversion Pt: NWSESE Sec 7 T

In: LEMHI County  
T21N R24E S07 Lot 4 (SWSW)  
74-07362  
WHITSON, WALTER  
WHITSON, JANET

# Affidavit of Publication

STATE OF IDAHO

County of Lemhi

ss.

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 NOTICE OF APPLICATION FOR WATER 74-07348

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 4/20, 19 95 and ending with the issue dated 4/27, 19 95

STATE OF IDAHO

County of Lemhi

ss.

On this 27 day of APRIL

in this year of 19 95

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.

Residing At Salmon, Idaho

Notary Public for Idaho

My Commission expires: 9-21-95  
Publication Fee \$ 318.00

Account No. 630

RECORDED

JUN 30 1995



**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

May 22, 1995

RECORDER HERALD  
PO BOX 310  
SALMON ID 83467

RE: Notice of Proposed Change of Water Right  
Permit No's: 74-07348, 74-07349, 74-07350, 74-  
07351, 74-07352, 74-07353, 74-07354, 74-07355, 74-  
07356, 74-07357, 74-07358, 74-07359, 74-07360, and 75-  
07621 & 75-07622

Dear Publisher:

Could you please submit an affidavit of publication and  
certified bill in connection with the above referenced  
application. The legal notice was to have been  
published in your paper on April 20 & 27, 1995.

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

Your cooperation in this matter is greatly appreciated.

Very truly yours,

  
Rita Bodell  
Secretary

RECEIVED  
JUN 30 1995



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

CECIL D. ANDRUS  
GOVERNOR  
R. KEITH HIGGINSON  
DIRECTOR

April 13, 1995

USDI BLM  
PO BOX 430  
SALMON ID 83467

RE: Applications for Permit No.'s 74-07348 thru 74-07360, and 75-07621 & 75-07622

Dear Mr. Blackston:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the applications in the Recorder Herald on April 20 & 27, 1995. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

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

If the application is not protested, it will be forwarded to our State Office in about five weeks. State Office Personnel will conduct a complete review prior to final processing of the 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 eight 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  
JUN 30 1995



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

CECIL D. ANDRUS  
GOVERNOR  
R. KEITH HIGGINSON  
DIRECTOR

APRIL 10, 1995

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 MAY 8, 1995.

Yours truly,

Rita Bodell  
Secretary

Encl.

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JUN 30 1995

NOTICE OF APPLICATION FOR WATER RIGHT

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

RECEIVED  
JUN 30 1995

74-07348

US DEPT OF INTERIOR  
BUREAU OF LAND MANAGEMENT  
PO BOX 430  
SALMON, ID 834670430

Source: DIVIDE CREEK

Tributary: EIGHTEEN MILE CREEK

Diversion Pt: SESESW Sec 14 T 13N R 28E in LEMHI County.

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

Date Filed: 3/15/1995

In: LEMHI County

|                  |      |      |
|------------------|------|------|
| T13N R28E S06    | NESE |      |
| S17              | NENW | NWSE |
| S18 Lot 3 (NWSW) | SESW |      |
| S19              | SWNE |      |
| S20              | NENE | NWSE |
| S22              | NESW |      |

RECORDED

JUN 30 1995

State of Idaho  
Department of Water Resources  
Eastern Region  
150 Shoup, Suite 15  
Idaho Falls, ID 83402

Re: Applications for Stockwater

Dear Mr. Jones:

Enclosed are 15 applications for water rights for stockwater developments on BLM lands in the Lemhi Resource Area in Lemhi County. These developments are proposed for construction during the 1995 field season. Please review and process these application for stockwater and wildlife use.

If you have questions concerning this matter, please feel free to contact me at (208) 756-5403.

Sincerely,

*David E. Blackstun*

David E. Blackstun  
Salmon District Hydrologist

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JUN 30 1995

C032494

4/17/1995

US TREASURY/BLM

15 WR PERMITS FOR STOCKWATER

56103

229 21 1155

750.00

CHECK

695765

\$

750.00

Region: STATE

Signature: \_\_\_\_\_

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JUN 30 1995



# 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

R. KEITH HIGGINSON  
DIRECTOR

### INVOICE

|                                                                                             |                              |                      |                    |
|---------------------------------------------------------------------------------------------|------------------------------|----------------------|--------------------|
| BILL<br>TO                                                                                  | Bureau of Land Management    |                      |                    |
|                                                                                             | P. O. Box 430, Highway 93 S. |                      |                    |
|                                                                                             | Salmon, ID 83467             |                      |                    |
|                                                                                             |                              |                      |                    |
| DATE: March 15, 199                                                                         |                              | P. O. No: D046P50063 | 0229/21 56103 1155 |
| Per the above referenced purchase order (copy attached):                                    |                              |                      |                    |
| 15 permits for water rights for stockwater @50/ea                                           |                              |                      |                    |
| 750.00                                                                                      |                              |                      |                    |
| <p>Ruby—<br/>Please let Jim Johnson<br/>Know when this<br/>comes in.<br/>Thanks,<br/>da</p> |                              |                      |                    |
| Thank you,                                                                                  |                              | ACCOUNTING MANAGER   | TOTAL \$750.00     |

RECEIVED

JUN 30 1995

# ORDER SUPPLIES OR SERVICES

PAGE 1 OF 1 PAGES

IMPORTANT: Mark all packages and papers with contract and/or order numbers.

|                                     |                                                |                                   |                                                    |
|-------------------------------------|------------------------------------------------|-----------------------------------|----------------------------------------------------|
| 1. DATE OF ORDER<br><b>03/13/95</b> | 2. CONTRACT NO. (If any)<br><b>Open Market</b> | 3. ORDER NO.<br><b>D046P50063</b> | 4. REQUISITION/REFERENCE NO.<br><b>D046RQ50260</b> |
|-------------------------------------|------------------------------------------------|-----------------------------------|----------------------------------------------------|

5. ISSUING OFFICE (Address correspondence to)

Bureau of Land Management  
P.O. Box 430, Highway 93 S.  
Salmon, ID 83467 (208) 756-5400

6. SHIP TO: (Consignee and address)

N/A

SHIP VIA: N/A

**RECEIVED**  
**MAR 15 1995**

7. TO: CONTRACTOR (Name, address and ZIP Code)

Idaho Department of Water Resources  
Attn: Debbie Allen  
1301 N. Orchard  
Boise, ID 83706 (208) 327-7909

8. TYPE OF ORDER

☐ A. PURCHASE - Reference your **Department of Water Resources**

Please furnish the following on the terms and conditions specified on both sides of this order and on the attached sheets, if any, including delivery as indicated. This purchase is negotiated under authority of:

☒ B. DELIVERY - Except for billing instructions on the reverse, this delivery order is subject to instructions contained on this side only of this form and is issued subject to the terms and conditions of the above-numbered contract.

9. ACCOUNTING AND APPROPRIATION DATA

D-045-05-1010-00-269Z

R3\*

10. REQUISITIONING OFFICE

**Idaho Resource Area - Blackfoot**

11. BUSINESS CLASSIFICATION (Check appropriate box(es))

☐ SMALL ☐ OTHER THAN SMALL ☐ DIS-ADVANTAGED ☐ WOMEN-OWNED

12. F.O.B. POINT

N/A

13. PLACE OF INSPECTION AND ACCEPTANCE

N/A

14. GOVERNMENT B/L NO.

N/A

15. DELIVER TO F.O.B. POINT ON OR BEFORE (Date)

16. DISCOUNT TERMS

Net 30 Days

17. SCHEDULE (See reverse for Rejections)

| ITEM NO.<br>(A)                         | SUPPLIES OR SERVICES<br>(B)             | QUANTITY ORDERED<br>(C)   | UNIT<br>(D) | UNIT PRICE<br>(E) | AMOUNT<br>(F) | QUANTITY ACCEPTED<br>(G)  |
|-----------------------------------------|-----------------------------------------|---------------------------|-------------|-------------------|---------------|---------------------------|
| 1.                                      | Permits for Water Rights for Stockwater | 15                        | EA          | 50.00             | 750.00        |                           |
| SEE BILLING INSTRUCTIONS ON REVERSE     |                                         |                           |             |                   |               |                           |
|                                         |                                         |                           |             |                   |               |                           |
| 18. SHIPPING POINT                      |                                         | 19. GROSS SHIPPING WEIGHT |             | 20. INVOICE NO.   |               | 17(H). TOT. (Cont. pages) |
| 21. MAIL INVOICE TO: (Include ZIP Code) |                                         |                           |             |                   |               | 17(I). GRAND TOTAL        |
| Same as item #5                         |                                         |                           |             |                   |               | 750.00                    |

22. UNITED STATES OF AMERICA  
BY (Signature)

**Sharon L. McComas**

23. NAME (Typed)

**Sharon L. McComas, ID-008**

TITLE: CONTRACTING/ORDERING OFFICER

**PLEASE ORDER TERMS AND CONDITIONS**

52.252-2. CLAUSES INCORPORATED BY REFERENCE (Apr 84).—This contract incorporates the following clauses by reference with the same force and effect as if they were given in full text. Upon request the Contracting Officer will make their full text

FEDERAL ACQUISITION REGULATION (48 CFR CHAP.  
PART 1) CLAUSES

52.203-1 Officials Not to Benefit (Apr 84)

892120391 19161214 14281769364)

52.203-4 . Covenant Against Contingent Fees (Apr 84)

52.212-9 Variation in Quantity (Apr 84)  
(In the preceding clause, the permissible variations are stated in the schedule)

52.222-3      Convict Labor (Apr 84)

52.222-4 Contract Work Hours and Safety Standards Act—  
Overtime Compensation—General (Apr 84)

52.222-26 Equal Opportunity (Apr 84)

52.222-36 Affirmative Action for Handicapped Workers  
(Apr 84)

52.222-40 Service Contract Act of 1965—Contracts of \$2500 or Less (Apr 84)

52.222-41 Service Contract Act of 1965 (Apr 84)

52.225-3 Buy American Act—Supplies (Apr 84)

52.232-1.. Payments (Apr 84)

52.232-8 Discounts for Prompt Payment (Apr 84)  
(With Alternate 1) \*

52.233-1 Disputes (Apr 84)

52.243-1 Changes — Fixed Price (Apr 84)

52.249-1 Termination for Convenience of the Government  
(Fixed Price) (Short Form) (Apr 84)

NOTE.—If desired, this order (or a copy thereof) may be used by the Contractor as the Contractor's invoice, instead of a separate invoice, provided the following statement, (signed and dated) is on (or attached to) the order: "Payment is requested in the amount of \$ \_\_\_\_\_. No other invoice will be submitted." However, if the Contractor wishes to submit an invoice, the following information must be provided: contract number (if any), order number, item number(s), description of supplies or services, sizes, quantities, unit prices, and extended totals. Prepaid shipping costs will be indicated as a separate item on the invoice. Where shipping costs exceed \$10 (except for parcel post), the billing must be supported by a bill of lading or receipt. When several orders are invoiced to an ordering activity during the same billing period, consolidated periodic billings are encouraged.

## RECEIVING REPORT

Quantity in the "Quantity Accepted" column on the face of this order has been: ☒ inspected, ☐ accepted, ☐ received by me and conforms to contract. Items listed below have been rejected for the reasons indicated.

|                    |              |  |               |                                          |      |
|--------------------|--------------|--|---------------|------------------------------------------|------|
| SHIPMENT<br>NUMBER | PARTIAL      |  | DATE RECEIVED | SIGNATURE OF AUTHORIZED U.S. GOV'T. REP. | DATE |
|                    | FINAL        |  |               |                                          |      |
| TOTAL CONTAINERS   | GROSS WEIGHT |  | RECEIVED AT   | TITLE                                    |      |

## REPORT OF REJECTIONS

[illegible]