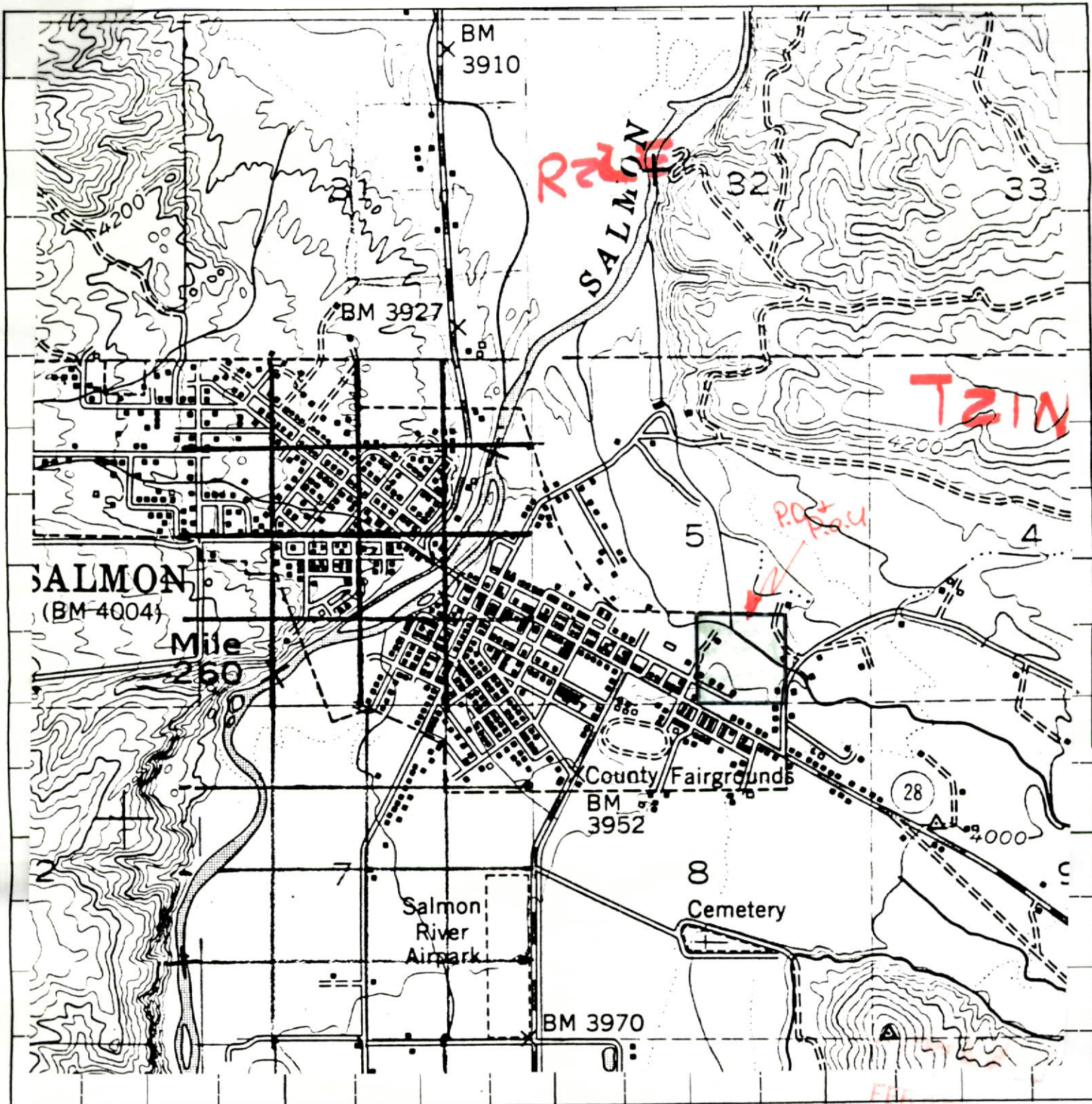


74-7338

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.

Shannon P. Sayle
Curtis R. Sayle
 (Applicant)

RECEIVED

JUL 15 1993

Department of Water Resources

OFFICE USE ONLY

Amt. of Fee \$ 50.00

Date 7-15-93

Receipt No. C028147

Receipt by JUL

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 a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 74-07338 Telephone No. 208-756-2500
2. Name(s) of Permit Holder(s): Curtis R. Fayle + Shannon R. Fayle
3. Mailing Address: 1412 Shoup St., Salmon, ID 83467
4. Source of Water: Lemhi River tributary of Salmon River

If **GROUNDWATER**, Well Driller's Name: _____ Date Drilled: _____

OPTIONAL:

Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft.): _____

5. Extent of Use (as authorized by the permit):

Domestic _____ (No. of households) Stockwater NA 8 cows, 2 Horses (No. and type of stock)

Irrigation 5 (No. of acres) Other Recreation

6. Total rate and/or volume for which proof is submitted 0.15 cfs OR _____ acre/feet

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

Measuring device: Required? ☒ Yes _____ No Installed? ☒ Yes _____ No

OR

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

8. Fee Enclosed: \$ 50.00 (See License Fee Schedule on back of Instruction Sheet)

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

Curtis R. Fayle 208-756-2500
Name Telephone No.

1412 Shoup St., Salmon, ID 83467
Address

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

5-15-93
Date

Curtis R. Fayle
Signature (and title, if on behalf of a company or organization)

RECEIVED
JUL 23 1993

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF CHANGING THE)
FLOW MEASUREMENT PORT OR) ORDER
MEASURING DEVICE CONDITION)
OF APPROVAL FOR PERMIT NO. 74-07338)
IN THE NAME OF CURTIS R AND SHANNON R FAYLE)

WHEREAS, the Department of Water Resources (department) has issued the above captioned water right permit with a condition of approval requiring the permit holder to install a flow measurement port or other device to facilitate the measurement and determination of the rate of diversion by the department; and

WHEREAS, the department has determined that the rate of diversion for certain ground water uses can be estimated by the department without the use of an installed flow measurement port; and,

WHEREAS, the department has determined that the rate of flow for the above captioned permit can be estimated without the use of a flow measurement port;

IT IS THEREFORE, HEREBY ORDERED that this condition of approval requiring the installation of a flow measurement port or other device for the above captioned permit is REMOVED.

Dated this 15TH day of July, 1993.


L. GLEN SAXTON
Chief, Water Allocation Bureau

RECEIVED
JUL 23 1993

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 74-07338

Proposed Priority: July 2, 1992 Maximum Diversion Rate: 0.15 CFS

This is to certify, that CURTIS R FAYLE
SHANNON R FAYLE
1412 SHOUP ST
SALMON ID 83467

has applied for a permit to appropriate water from:

LEMHI RIVER tributary of SALMON RIVER

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
RECREATION	04/15 to 10/15	0.15 CFS

LOCATION OF POINT(S) OF DIVERSION: SWSE , Sec. 5, Township 21N, Range 22E
LEMHI County

PLACE OF USE: RECREATION
TWN RGE SEC

21N 22E 5 SWSE

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before January 3, 1994.
2. Subject to all prior water rights.
3. Use of water under this water right will be regulated by the watermaster of State Water District No. 74B.
4. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works prior to diversion of water under this right.
5. Water used under this right if discharged into a natural channel or subsurface system shall meet Idaho Water Quality Standards.
6. Use of water under this right shall be non-consumptive.
7. The total combined rate of diversion under this right and Right No. 74-0707 shall not exceed 0.15 cfs.
8. Recreation use is for a private, non-commercial fish pond.
9. Water diverted for this use is limited to the irrigation season only.

RECEIVED
FEB 05 1993

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 74-07338

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

18th day of December, 1992

R. Keith Higginson
for R. Keith Higginson, Director

RECEIVED

FEB 05 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

~~75-7592~~
Ident. No. 74-7338

To appropriate the public waters of the State of Idaho

1. Name of applicant Curtis R. & Shannon R. Fayle Phone (208) 956-2500
Post office address 1412 Shoup St., Salmon, ID 83467
2. Source of water supply Lemhi River which is a tributary of Salmon River
3. Location of point of diversion is SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of _____ $\frac{1}{4}$, Govt. Lot _____
Sec. 5 Township 21N Range 22E B.M. Lemhi County; additional
points of diversion if any: * Change as per tel-con with applicant 11-24-92 HWT
4. Water will be used for the following purposes:
* 0.15 cfs
Amount 24 for recreation purposes from April 15 to Oct. 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) 24 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Widen irrigation ditches to ponds. Put intake and out flow culverts with screens.
b. Height of storage dam NA feet; active reservoir capacity NA acre-feet; total reservoir capacity NA acre-feet; period of year when water will be diverted to storage: NA to NA inclusive.
c. Proposed well diameter is NA inches; proposed depth of well is _____ feet.
d. Is ground water with a temperature of greater than 90°F being sought? NO
7. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 year years (minimum 1 year).

RECEIVED
FEB 05 1993

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. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. _____

e. Other; describe fully. Recreationation, Private Pond from
irrigation run off and ditch, to hold trout for
personal use. All water returning back to original Town Ditch.

9. Description of place of use:

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
21N	22E	5															H		

Total number of acres to be irrigated _____

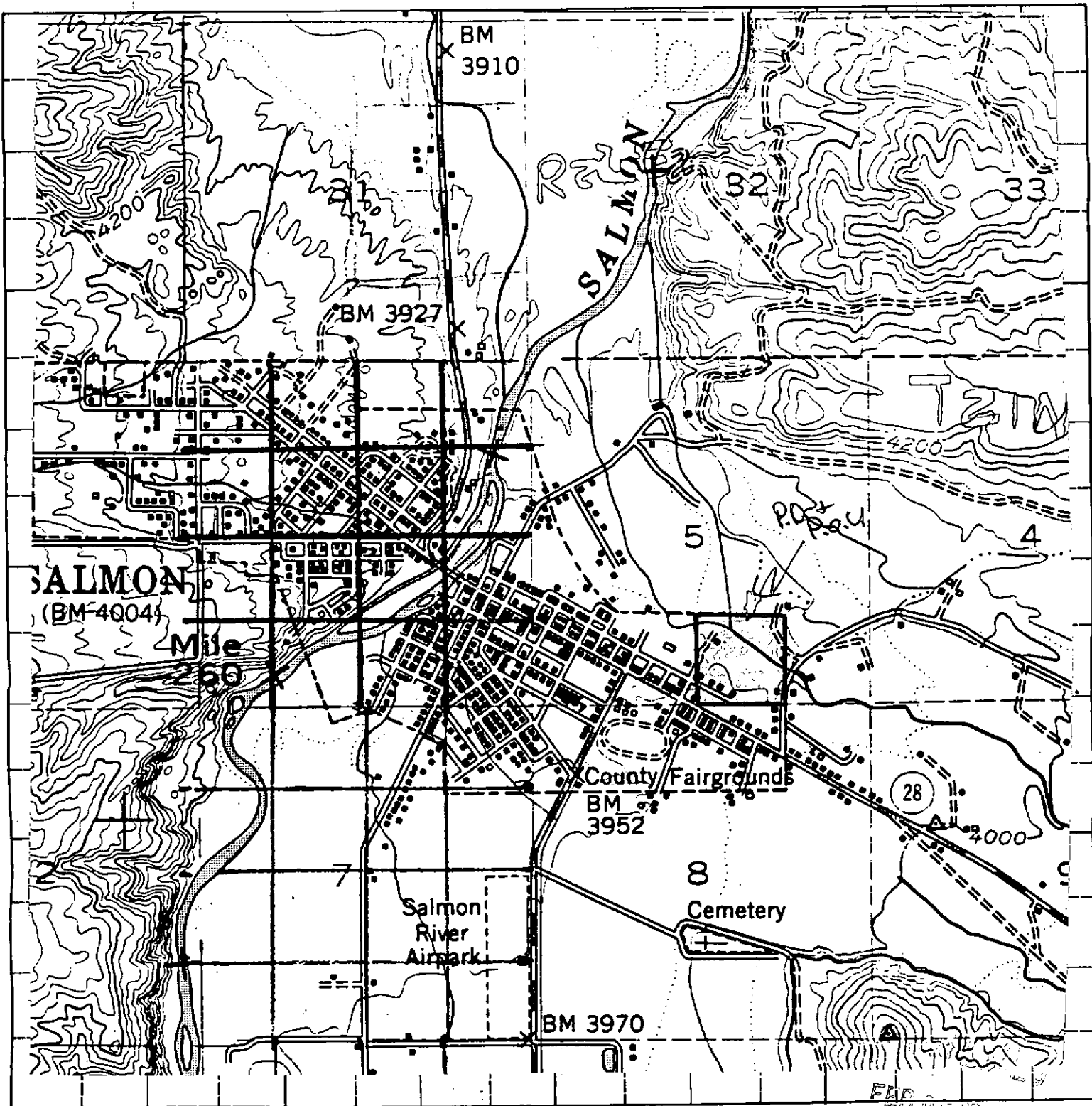
10. Describe any other water rights used for the same purposes as described above. We have irrigation
rights for 5 Acres from 1883. ID # 74-0707
11. a. Who owns the property at the point of diversion? Curtis + Shannon Fayle
- b. Who owns the land to be irrigated or place of use? Curtis + Shannon Fayle
- 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: We are using our decreed .15 water rights from
1883 along with water rights for private fish pond
and recreation. Non-Commercial. MANUFACTURED

FEB 05 1993

74-7338

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.

Shannon D. Sayle
Curtis R. Sayle
 (Applicant)

Received by HWT LB Date 7-2-92 5-29-92 Time 12:00 Preliminary check by _____
Fee \$ 45 Received by HWT # E017582 Date 7-2-92
Publication prepared by LB Date 8-6-92 Published in Recorder Herald
Publication approved LB Date 11-30-92

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

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

MICROFILMED

FEB 05 1993

**NOTICE OF APPLICATION
FOR WATER RIGHT**

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

75-07589

**WILLIAMS LAKE WATER &
SEWER DIST**

PO BOX 518

SALMON, ID 83467

Source: LAKE CREEK

Tributary: SALMON RIVER

County: LEMHI

Diversion Pt: NESWSE Sec 34 T
20N R 21E

Use: DOMESTIC (.500 CFS)

Total Diversion (.5000 CFS)

Date Filed: 6/29/1992

In: LEMHI County

T19N R21E S03 SWNE SENE

T20N R21E S34 SENW

75-07590

**WILLIAMS LAKE WATER &
SEWER DIST**

PO BOX 518

SALMON, ID 83467

Source: LAKE CREEK

Tributary: SALMON RIVER

County: LEMHI

Diversion Pt: NESESE Sec 34 T
20N R 21E

Use: DOMESTIC (.500 CFS)

Total Diversion: (.500 CFS)

Date Filed: 6/29/1992

In: LEMHI County

T19N R21E S03 SWNE SENE

T20N R21E S34 SENW

75-07591

PEDROW, GARRY

PEDROW, PEGGY

HC 64 BOX 1

SHOUP, ID 83469

Source: SPRINGS

Tributary: SALMON RIVER

County: LEMHI

Diversion Pt: NENWNW Sec 36
T 24N R 18E

Use: DOMESTIC (.040 CFS)

Total Diversion: (.040 CFS)

Date Filed: 7/6/1992

In: LEMHI County

T24N R18E S36 NENW

75-07592

FAYLE, CURTIS R

FAYLE, SHANNON R

1412 SHOUP ST

SALMON, ID 83467

Source: LEMHI RIVER

Tributary: SALMON RIVER

County: LEMHI

Diversion Pt: SWSE Sec 5 T 21N
R 22E

Use: RECREATION (.240 CFS)

Total Diversion: (.240 CFS)

Date Filed: 7/2/1992

In: LEMHI County

T21N R22E S05 SWSE

The permit(s) will be subject to
all prior water rights. Protests must
be filed with the Director, Dept. of
Water Resources, Eastern Region,
150 Shoup Avenue, Suite 15, Idaho
Falls, Idaho 83402 on or before
AUGUST 24, 1992.

R. Keith Higginson, Director

Published: 8/6/1992 & 8/13/1992

8-6-2tc

Affidavit of Publication

STATE OF IDAHO

County of Lemhi

ss.

RECEIVED

SEP 18 1992

RICKY G. HODGES

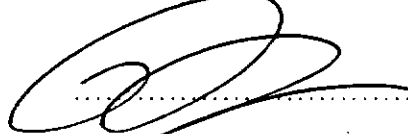
Department of Water Resources
being Officially sworn, deposes

and says he is one of the printers (publishers) of the RECORDER-HERALD, a newspaper published
weekly at Salmon, Lemhi County, Idaho, and of general circulation therein.

That the Notice of Application for Water Rights

75-07589, 75-07590, 75-07591, 75-07592

, a true
printed copy of which is attached to the margin hereof, has been and was correctly printed and pub-
lished 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 August 6, 19 92 and ending with the issue dated August 13
19 92.



STATE OF IDAHO

COUNTY OF LEMHI

ss.

On this 13 day of August in the year of 19 92
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.

Rachel E. Snook
Notary Public for Idaho

Residing At Salmon, Idaho

My Commission expires: 10/18/97

Publication Fee \$ 88.56

#630

*#Changed TO
74-7338
BLW*

RECEIVED
FEB 05 1993

July 16, 1993

CURTIS R FAYLE
SHANNON R FAYLE
1412 SHOUP ST
SALMON ID 83467

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 74-07338

Dear Permit Holder:

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

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

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

MAILED

JUL 23 1993

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 74-07338

Reviewed by Klg

Date 7/15/93

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?

Recreation

yes Address same as permit?

yes Proof timely received?

Correct Uses? yes

If not, complete calculation below.

SOURCE OF WATER

✓ Surface water source

 Ground water source

NA 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?

NA Required?

50 Amount Submitted

 Installed?

yes Correct?

 Waiver requested?

PRIORITY CALCULATION

Date proof received NA

Date proof due -

No. of days late =

Priority Date +

New Priority Date

DEFICIENCIES OR ACTION ITEMS

proof acceptable

DATA ENTRY

New Address

Proof Made 7/15/93
7/16/93/Klg



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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

July 15, 1993

Curtis & Shannon Fayle
1412 Shoup St
Salmon, ID 83467

Re: Permit No. 74-07338

Dear Permit Holder:

Per your request to this office, please find enclosed an order which removes the condition requiring a measuring device on this water right permit.

If you have any questions, or if I can be of any further assistance, please feel free to contact me.

Sincerely,

A handwritten signature in cursive script, reading 'Karen L. Gustafson'.

Karen L. Gustafson
Secretary/Records Manager

Enclosure

MAILED

JUL 23 1993

July 12, 1993

Att: Glen Saxton
State of Idaho
Dept. of Water Resources
1301 North Orchard St.
Boise, ID 83706-2237

Dear Mr. Saxton,

In regards to Permit No. # 74-07338.
Item #4 listed on conditions of permit,
States a measuring device with lockable
controlling works is required. We have
talked with Harold Jones and he feels
for the amount of distance (equaling
a few yards) between input and output
of water, this really isn't needed. Any
water loss from this diversion would
go directly back to town Ditch where
water is taken from.

Therefore we are asking that
you omit item #4 from our conditions
listed on our permit

RECEIVED

JUL 23 1993

(208) 756-2500

Thank You,
Curtis R. Fayle

1412 Sharp St.

Salmon, Id. 83467



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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

December 21, 1992

CURTIS R FAYLE
SHANNON R FAYLE
1412 SHOUP ST
SALMON ID 83467

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 74-07338

Dear Permit Holder:

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

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

Be sure to note the special condition requiring you to install a measuring device and lockable controlling works that will enable the watermaster to control the rate of diversion.

Please be advised that water quality is subject to regulations of the Idaho Department of Health and Welfare. We suggest that you check with them before starting construction.

Sincerely,

BRENDA L. MILLER
Water Resource Agent

BLM:cz

Enclosures

FEB 05 1993

APPLICATION FOR PERMIT REVIEW

Application #: 74-7338 Date: 12-14-92 Reviewer: Brenda Miller BLM

SYSTEM COMPLETED:

- No - 26A-P17
 Complete in 1 year - P16
 Yes -
 Proof not submitted - P16
 Proof submitted - N/A

AREA OF CONCERN? YESSalma - Clearwater

GROUNDWATER:

- GT. 0.2 cfs <flo-ch> - 01G-P03, 01C-P03 (existing well)
 - No measurement required <flow chart>
 LT. 0.2 cfs - No measurement required <flow chart>
 Drilling Permit:
 Approved w/permit - P99 Permit No. _____
 Not included - 046-46A-46B-P23 (after 7/1/87), N/A
 SURFACE WATER: not in w/d - 01C-P03 (=GT.2 w/pump), NMR <flow chart>

LOCATION:

- Water Districts - WD No. 74B
 Surface water - R04, R04-01H-P01 (LT.2 w/pump)
 - R04-01J-P08 (GT.2), NMR <flow chart>
 Groundwater - P05
 Irrigation Districts - 023
 Canal Co. Areas - 023
 Drainage Districts - 024
 Boise Front (63) - 058 (Groundwater)
 Swan Falls Flag - (1, Blank or Other)
 Trust - 051-052-053-P74 (Consumptive Uses)
 Non Trust <1> - 048-049

RIVER BASINS:

- (Surface Water) Water District Control Condition &....
 Boise (63) - 05A & 11E
 Payette (65) - 047-P04, 059-P71
 Snake (01, 02 & 03) - 11A-P04(01), 061-P07(02/03 No W.D.Cond.)

USE:

- <Fish Propagation>
<with recreation> - 06A, 09E-P10 & 010 (WQ/Choose One),
 042(req.), 002-P06(MD), 07A(Spec.),
 044(Policy 5G)
 Power - Use Power Review
 Mining - 06A, 010, or 09E-P10, & 054(req.)
 Storage - 18A-for multiple measuring devices(In WD),
 18B-P09(Size)
 Rec/Wildlf/Aes - 027(Non-Consumptive)
 Domestic - 021 (Boise River - upstream from L Peak)
 (restricted areas) 27A (Payette River & main tributaries)

OWNERSHIP:

- Non land owner - 004

PROTESTED: Withdrawn

- Agreement - 020

Beneficial Use Due Date 01-03-1994Other Conditions/Remarks: WB1



State of Idaho
DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

30-Nov-1992

CURTIS R OR SHANNON R FAYLE
1412 SHOUP ST
SALMON ID 83467

RE: App. for Permit To Appropriate Water No. 75-07592

Dear Mr. Fayle:

This letter is to advise you that the protest filed by ID Fish & Game, Salmon, against approval of the above referenced application has been withdrawn.

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

Very truly yours,

Harold W. Jones
HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

RECEIVED

FEB 05 1993



State of Idaho
DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

30-Nov-1992

GARY POWER
ID FISH & GAME
REGION 7
PO BOX 1336
SALMON ID 83467-1336

RE: App for Permit No. 75-07592
CURTIS R. FAYLE

Dear Mr. Power:

This letter acknowledges receipt of the withdrawal of protest
against the above referenced application.

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

Very truly yours,


HAROLD W. JONES
Water Right Supervisor

HWJ/rb


FEB 05 1993



IDAHO FISH & GAME

SALMON REGION
P.O. Box 1336
Salmon, ID 83467-1336
(208) 756-2271

RECEIVED

NOV 27 1992
Department of Water Resources
Eastern District Office

November 25, 1992

Harold W. Jones
Water Rights Supervisor
Idaho Department of Water Resources
150 Shoup Ave, Suite 15
Idaho Falls, ID 83402

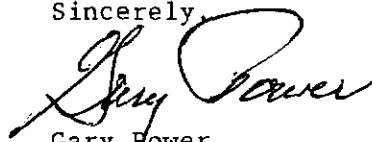
RE: Application 75-07592 - Fayle

Dear Harold:

In your phone conversation on November 25 with Jim Lukens, you informed him that the Fayle application for pond storage has been ammended to Mr. Fayle's current irrigation water right (0.15 cfs) during the irrigation season only. Considering these changes, we would like to withdraw our protest to this application.

Thank you for the opportunity to comment on this matter.

Sincerely,


Gary Power
Regional Supervisor
Region 7

GP:JRL:jw

c: U.S. Fish & Wildlife Service
Bureau of Program Coordination
Bureau of Fisheries
Dallas Burkhalter
James R. Lukens

Cecil D. Andrus / Governor
Jerry M. Conley / Director



Working for wildlife - since 1938

RECEIVED

FEB 05 1993

05-Oct-1992

GARY POWER
IDAHO FISH & GAME
SALMON REGION
PO BOX 1336
SALMON ID 83467-1336

RE: Application for Permit No. 75-07592
CURTIS R. OR SHANNON R. FAYLE

Dear Mr. Power:

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

Unless this office is advised that either the matter has been resolved or there exists extenuating circumstances, our objective is to schedule a conference and/or hearing in the near future to consider the protest. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for permit (Sec. 42-203, Idaho Code): the following are the principle items the Department can consider in either approving or denying the application for permit (Sec. 42-203, Idaho Code):

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

RECEIVED

FEB 05 1993

Gary Power
05-Oct-1992
Page 2

The protestant must be prepared to present proof of allegations involving one or more of the six items.

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

Sincerely,

Harold W. Jones
HAROLD W. JONES *rb*
Water Rights Supervisor

HWJ:rb
pc: IDWR - State Office

UNRECORDED
FEB 05 1993

05-Oct-1992

CURTIS R OR SHANNON R FAYLE
1412 SHOUP ST
SALMON ID 83467

RE: Application for Permit No. 75-07592

Dear Mr. & Mrs. Fayle:

Enclosed is a copy of a protest filed against the issuance of a permit. The Department suggests you contact the protestant directly in an effort to determine the nature of the protests and to attempt to resolve the protests.

Unless this office is advised that either the matter has been resolved or there exists extenuating circumstances, our objective is to schedule a conference and/or hearing in the near future to consider the protests. At a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for transfer (Sec. 42-203, Idaho Code):

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

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Curtis or Shannon Fayle
05-Oct-1992
Page 2

The applicant must be prepared to present evidence and/or testimony addressing each of the six items. Although representation by legal counsel is not mandatory at a proceeding before the Department, you may retain an attorney in your behalf.

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

Sincerely,


HAROLD W. JONES
Water Rights Supervisor

HWJ:rb

pc: IDWR - State Office
Enc.

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OK to
advertize

Dist. for staffing: 10-Jul-1992
Submitted for advertising: 7-10-92

Form No. 202a
4/87

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

INITIAL REVIEW BY HWS DATE 7-10-92 APPLICATION NO. 75-7592
APPLICANT NAME: FAYLE, CURTIS OR SHANNON

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 signator 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
 - ☐ 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.)

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Department of Water Resources

See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT _____

_____ Date Requested _____

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
☒ Other Shoshone-Bannock
Tribe - Ft. Hall
Lemhi County
Commissioners

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
Final date for protest 8-24-92
☒ 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. 74
☒ Yes ☒ No Special conditions of approval or cover letter below.

See below for additional information
Date of priority recommended 7-02-92
By AWJ Date 11-30-92

STATE OFFICE REVIEW

See below for additional information
By _____ Date _____

ADDITIONAL INFORMATION

This is not an appropriation of water that is separate from
A74-00707. This application seeks to use the same 0.15 cfs
used for irrigation & run it thru a pond. The period of use will
only be the irrigation season.

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 <u> </u>

Project impacts/implications report

COMMENTS



IDAHO FISH & GAME

SALMON REGION
P.O. Box 1336
Salmon, ID 83467-1336
(208) 756-2271

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AUG 12 1992

Department of Water Resources
Eastern District Office

August 10, 1992

Harold W. Jones
Water Rights Supervisor
Idaho Department of Water Resources
150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402

RE: Application 75-07592 - Fayle

Dear Harold:

Department personnel have reviewed the Fayle application to divert 0.24 cfs of the Lemhi River into a private pond and have a serious concern regarding this application. The proposed point of diversion is located in a critical portion of the river that is usually dewatered each year during the upstream adult chinook migration and juvenile chinook and steelhead outmigration. Further, the Bureau of Reclamation is funding a substantial water conservation project targeting this particular portion of the river to enhance the survival of anadromous fish. Therefore, we would object to the issuance of this water right.

Thank you for the opportunity to comment on this matter.

Sincerely,

Gary Power
Regional Supervisor
Region 7

GP:JRL:jw

C: U.S. Fish and Wildlife Service
Bureau of Program Coordination
Bureau of Fisheries
Dallas Burkhalter
James R. Lukens

Cecil D. Andrus / Governor
Jerry M. Conley / Director

FEB 05 1993



Working for wildlife - since 1938



State of Idaho
DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

29-Jul-1992

SALMON NATIONAL FOREST
FOREST SERVICE BUILDING
PO BOX 729
SALMON ID 83467

RE: Application NO. 75-07589, 75-07590, & 75-07591 & 75-07592

Dear Sir:

We are enclosing a copy of the application(s) that may be of interest to your department. Please review the application(s) and submit any comments you may have to our Department as soon as possible. The last date of protest is 8-24-1992, and we are required to take final action shortly thereafter.

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

Respectfully submitted,

Harold W. Jones
HAROLD W. JONES *rb*
Water Rights Supervisor

HWJ/rb
enc.

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FEB 10 1993

FEB 05 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

29-Jul-1992

SHAUN ROBERTSON
FISH & WILDLIFE BIOLOGIST
SHOSHONE BANNOCK TRIBES
PO BOX 306
FT HALL ID 83203

RE: Application NO. 75-07589, 75-07590, & 75-07591 & 75-07592

Dear Sir:

We are enclosing a copy of the application(s) that may be of interest to your department. Please review the application(s) and submit any comments you may have to our Department as soon as possible. The last date of protest is 8-24-1992, and we are required to take final action shortly thereafter.

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

Respectfully submitted,

Harold W. Jones
HAROLD W. JONES *rb*
Water Rights Supervisor

HWJ/rb
enc.

MICROFILMED

FEB 05 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

29-Jul-1992

GARY GOODMAN
200 MAIN ST
SALMON ID 83467

RE: Application NO. 75-07589, 75-07590, & 75-07591 & 75-07592

Dear Sir:

We are enclosing a copy of the application(s) that may be of interest to your department. Please review the application(s) and submit any comments you may have to our Department as soon as possible. The last date of protest is 8-24-1992, and we are required to take final action shortly thereafter.

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

Respectfully submitted,


HAROLD W. JONES *rb*
Water Rights Supervisor

HWJ/rb
enc.

MICROFILMED

FEB 05 1993

29-Jul-1992

CURTIS R OR SHANNON R FAYLE
1412 SHOUP ST
SALMON ID 83467

RE: Application No. 75-07592

Dear Water Right Applicant:

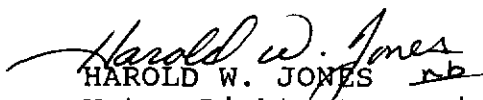
The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in the Recorder Herald on 8-16 & 13-1992. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

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

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

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

Sincerely,


HAROLD W. JONES *rb*
Water Rights Supervisor

HWJ/rb

RECORDED

JUL 05 1993

29-Jul-1992

FISH & GAME
SALMON SUBREGIONAL OFFICE
PO BOX 1336
SALMON ID 83467

RE: Application NO. 75-07592

Dear Sir:

We are enclosing a copy of the application(s) that may be of interest to your department. Please review the application(s) and submit any comments you may have to our Department as soon as possible. The last date of protest is 8-24-1992, and we are required to take final action shortly thereafter.

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

Respectfully submitted,


HAROLD W. JONES *rb*
Water Rights Supervisor

HWJ/rb
enc.

FEB 05 .


FEB 05 1993

75-07592

FAYLE, CURTIS R
FAYLE, SHANNON R
1412 SHOUP ST
SALMON, ID 83467

Source: LEMHI RIVER

Tributary: SALMON RIVER

Diversion Pt: SWSE Sec 5 T 21N R 22E in LEMHI County.

Use: RECREATION (.240 CFS)

Total Diversion: (.240 CFS)

Date Filed: 7/ 2/1992

In: LEMHI County
T21N R22E S05

SWSE

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The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Eastern Region, 150 Shoup Avenue, Suite 15, Idaho Falls, Idaho 83402 on or before AUGUST 24, 1992.

R. KEITH HIGGINSON, Director

Published: 8/ 6/1992 & 8/13/1992

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