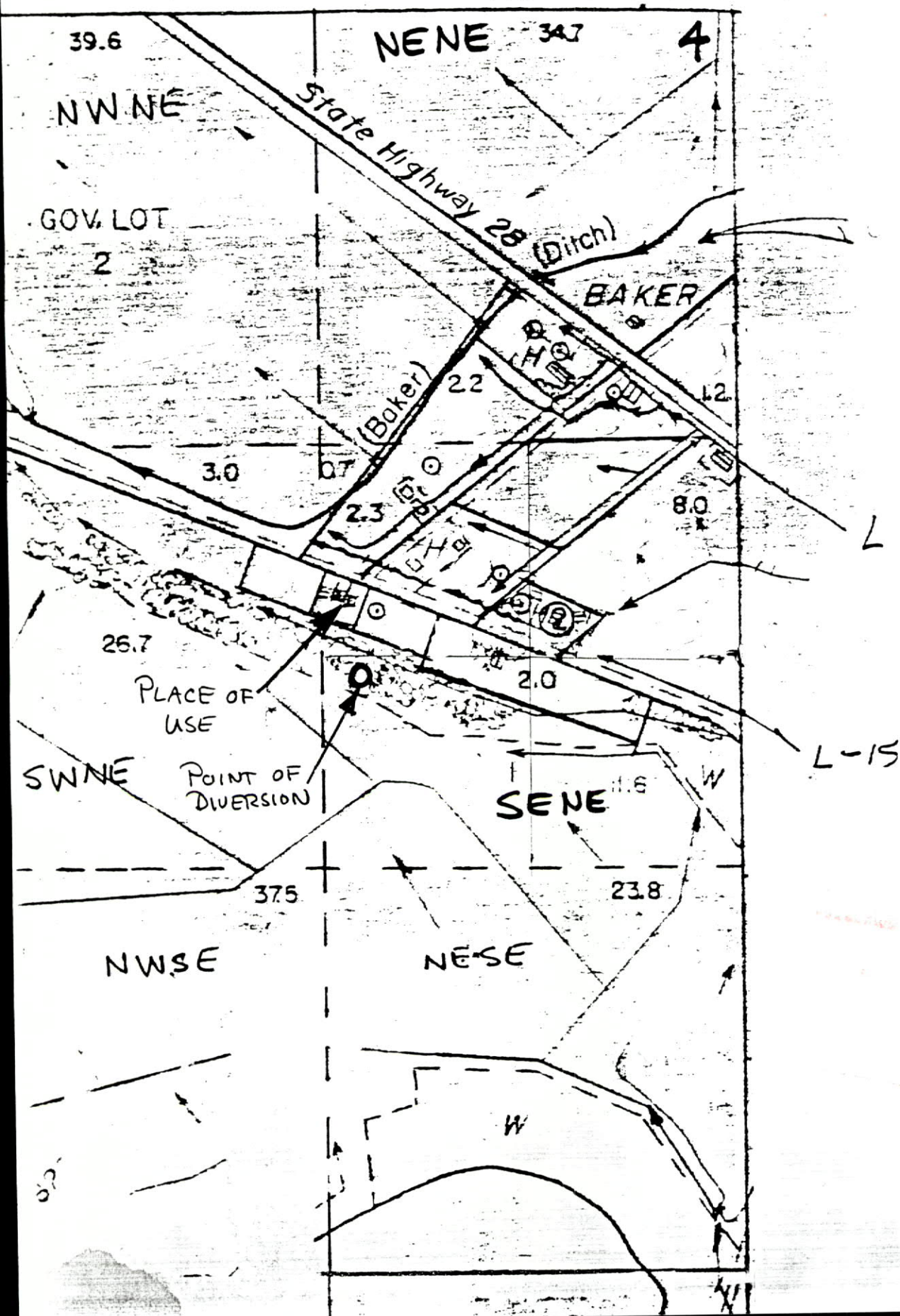


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Terry Hagon
(Applicant)



T
20
N
R23E

**NOTICE OF APPLICATION
FOR WATER RIGHT**

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

74-07318

MAGOON, TERRY
RT. 1, BOX 63A
SALMON, ID 83467
Source: SPRING
Tributary: LEMHI RIVER
Diversion Pt: SWSENE Sec 4 T 20N
R 23E

Use: DOMESTIC (.040 CFS)
Total Diversion: (.040 CFS)
Date Filed: 5/11/1990
In: T20N R23E S04 SENE
74-07319

CARLSON, ROBERT E.
HC 68, BOX 16
LEADORE, ID 83464
CARLSON, NORMA E.
HC 68, BOX 16
LEADORE, ID 83464
Source: SPRING
Tributary: SINKS
Diversion Pt: SWSENE Sec 13 T
16N R 24E

Use: IRRIGATION (.060 CFS)
STOCKWATER (.070 CFS)
DOMESTIC (.040 CFS)
Total Diversion: (.170 CFS)
Date Filed: 5/10/1990
In: T16N R24E S13 NENE
2.0 ACRES TOTAL

74-07320
CARLSON, ROBERT E.
HC 68, BOX 16
LEADORE, ID 83464
CARLSON, NORMA E.
HC 68, BOX 16
LEADORE, ID 83464
Source: GROUNDWATER
Diversion Pt: SENW Sec 18 T 16N
R 25E

Use: IRRIGATION (1.000 CFS)
STOCKWATER (.070 CFS)
Total Diversion: (1.000 CFS)
Date Filed: 5/10/1990
In: T16N R25E S07 NESE SESE
S08 NWSW SWSW S18 NENE
NWNW SWNE SENE NENW
NWNW
131.0 ACRES TOTAL

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 DECEM-
BER 24, 1990.

R. KEITH HIGGINSON,
Director
Published 12/6/1990 &
12/13/1990

12-6-2tc

Affidavit of Publication

RECEIVED

STATE OF IDAHO

County of Lemhi

ss.

DEC 17 1990

Department of Water Resources

Eastern District Office

RICKY G. HODGES
being first duly 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 of Water Rights 74-07318
through 74-07320, 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 2 consecutive issues, commencing with the issue
dated Dec. 6, 1990 and ending with the issue dated Dec. 13, 1990.

STATE OF IDAHO

COUNTY OF LEMHI

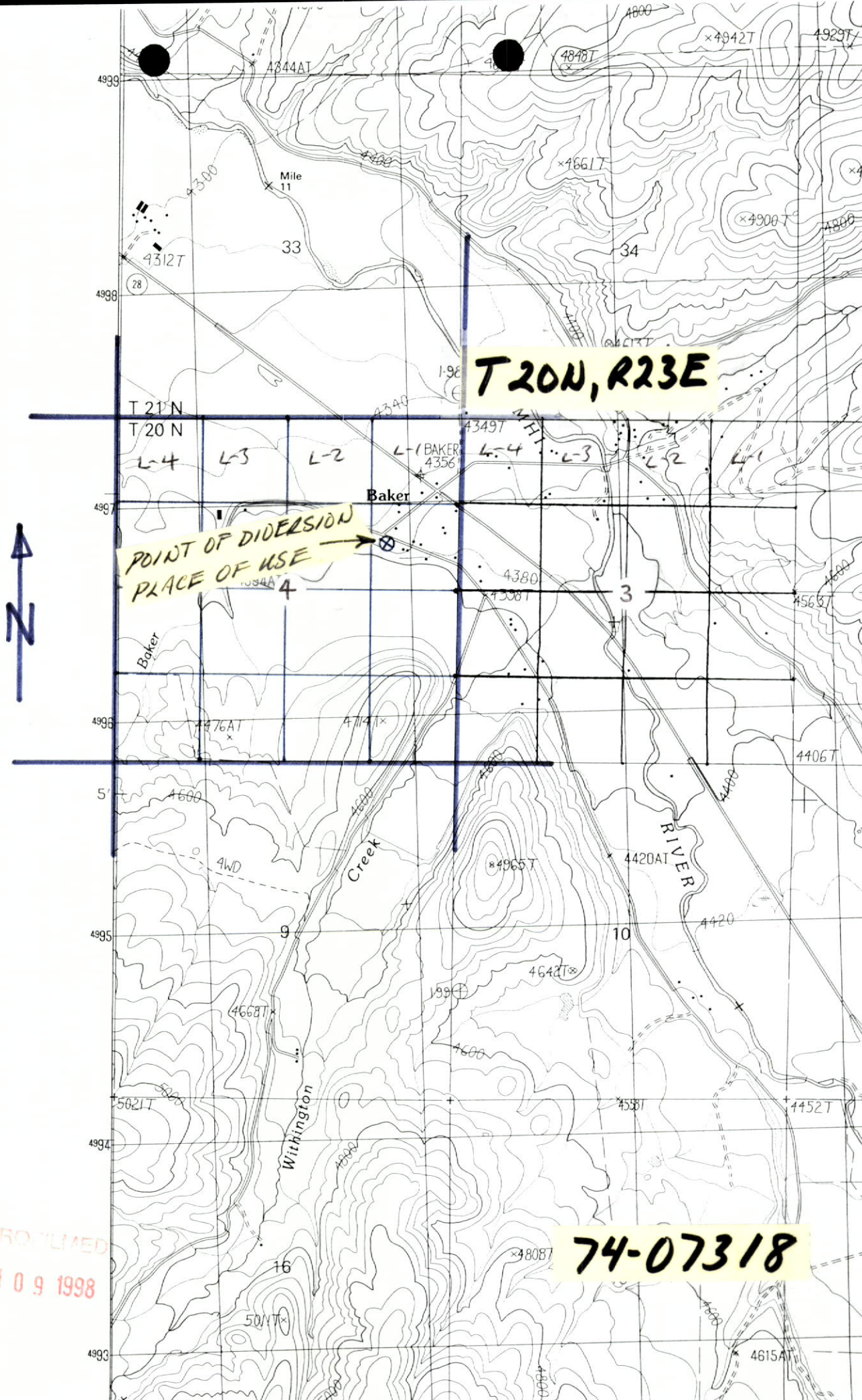
On this thirteenth day of December in the year of 1990
before me, A Notary Public, personally appeared
known or identified to me to be the person whose name subscribed to the within instrument, and being
by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he
executed the same.

Residing At Salmon, Idaho

Notary Public for Idaho

My Commission expires 9-21-95

Publication Fee \$ 73.44

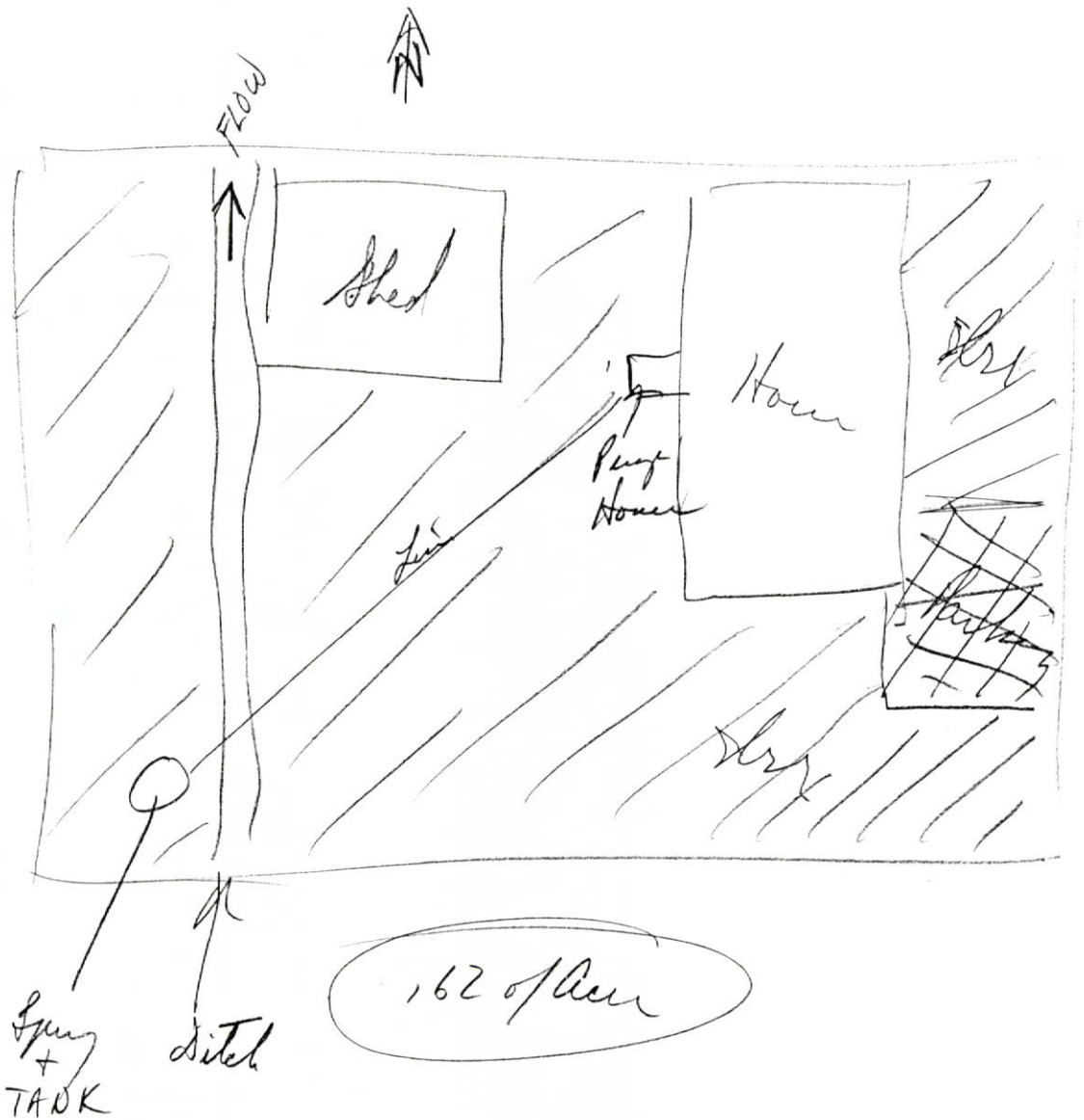


T20N, R23E

**POINT OF DIVERSION
PLACE OF USE** →

74-07318

MICROFILMED
JUN 09 1998



31810-4

MICROFILMED
JUN 09 1998

74-07318

TERRY MAGOOD

DOMESTIC / DOMESTIC IRRIGATION

15/2

VIEW OF
PLACE OF
USE



STORAGE
TANK AND
SPRING ARE
AT POINT
WHERE
OWNER IS
STANDING.



JUN 09 1998

PERMIT
NUMBER

74-07318

TELLY MAGOOD

DOMESTIC

272



VIEW OF
OVERFLOW
TO BAKER
DITCH



VIEW INSIDE
PUMP HOUSE
DOMESTIC
+ IRRIGATION
USE

MICROFILMED
JUN 09 1998

PERMIT
NUMBER

74-07318

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 74-07318

Priority: May 11, 1990

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:

1.2 AF

This is to certify, that TERRY MAGOON

RT 1 BOX 63A

SALMON ID 83467

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated May 11, 1990; and has submitted Proof of Beneficial Use on May 20, 1991. An examination indicates that the works have a diversion capacity of 0.040 cfs of water from:

SPRING

tributary to **LEMHI RIVER**

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION: SWSENE , Sec. 4, Township 20N, Range 23E
LEMHI County

PLACE OF USE: DOMESTIC

TWN RGE SEC

20N 23E 4

SENE

CONDITIONS OF APPROVAL AND REMARKS

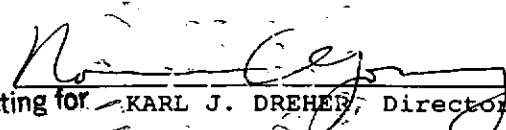
1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Domestic use is for 1 home.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.

Witness the seal and signature of the Director, affixed at Boise, this 17th day of April, 1998.

MICROFILMED

JUN 09 1998

Acting for  **KARL J. DREHER, Director**

RECEIVED

MAY 20 1991

STATE OF IDAHO

For Office Use Only

Amt. of Fee \$ _____

Date _____

Receipt No. _____

Received by _____

DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as 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 or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 74-07318 Telephone No. 756-2652

2. Name(s) of Permit Holder(s): TERRY MAGOON

3. Post Office Address: RT. 1, Box 63A Salmon, ID 83467

4. Source of Water: SPRING, TRIBUTARY OF LEMHI RIVER

a. If ground water, well driller's name: _____ Date drilled: _____

b. Pump horsepower: 3/4 Pressure (psi): 30-52 Dynamic pumping level (ft.): _____
(pressure tank)

5. Extent of Use:

Domestic 1 (No. of households) Irrigation _____ (No. of acres)

Stockwater _____ (No. and type of stock) Other _____

6. Total rate and/or volume for which proof is submitted 0.04 cfs _____ 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: \$ 0 (See License Examination Fee Schedule)

9. Person to contact to accompany the Department representative during the field examination:

T. MAGOON

Name

756-2652

Telephone No.

RT. 1, Box 63A 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.

11 May 1991
Date

T. Magoon
Signature (and title if on behalf of a company or organization)

JUN 10 1991

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 74-07318

Proposed Priority: May 11, 1990 Maximum Diversion Rate: 0.04 CFS

This is to certify, that **TERRY MAGOON**
RT. 1 BOX 63A
SALMON, ID 83467

has applied for a permit to appropriate water from:

SPRING tributary of **LEMHI 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>
DOMESTIC	01/01 to 12/31	0.04 CFS
<u>LOCATION OF POINT(S) OF DIVERSION:</u>		SWSENE Sec. 4, Township 20N, Range 23E LEMHI County

PLACE OF USE: DOMESTIC
TWN RGE SEC

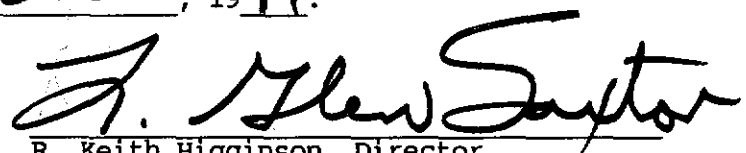
20N 23E 4 SENE

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before February 1, 1992.
2. Subject to all prior water rights.
3. Domestic use is for 1 home.

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

7th day of March, 1991.

for 
R. Keith Higginson, Director

RECEIVED
MAR 21 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. _____

30

74-7318

To appropriate the public waters of the State of Idaho

1. Name of applicant TERRY MAGOON Phone 756-2652
Post office address RT. 1, Box 63A SALMON ID 83467
2. Source of water supply SPRING which is a tributary of DITCH TO LEMHI R.
3. Location of point of diversion is S 1/2 SW of SE NE 1/4 of NE 1/4, Govt. Lot _____
Sec. 4 Township 20 NORTH Range 23 EAST B.M. LEMHI County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.4 for DOMESTIC ^{(House)*} purposes from DEC. 15 ^{1/1 *} to APR. 15 ^{12/31 *} (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.4 for DOMESTIC ^{(GARDEN)*} purposes from APR. 15 to OCT. 30 ^{*} (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) 0.4 ^{*} 0.04 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
- a. Description of ditches, flumes, pumps, headgates, etc. A 750 GALLON STORAGE
TANK WAS INSTALLED AT THE SPRING; AN INCH 1/2 PIPE
RUNS WATER ABOUT 150 FEET TO A PUMP HOUSE. to single domestic home*
- b. Height of storage dam N.A. 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 N.A. 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).

* Changes made as per letter from Mr Magoon 10/26/1980 -- Kew

RECEIVED
MAR 31 1981

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. ~~FOR HOUSE WATER DURING WINTER~~ (1 HOUSE), ~~FOR GARDEN~~ *
DURING SUMMER
- 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	
20N	23E	4				D													5*

Total number of acres to be irrigated 5*

10. Describe any other water rights used for the same purposes as described above. WELL, DOMESTIC USE

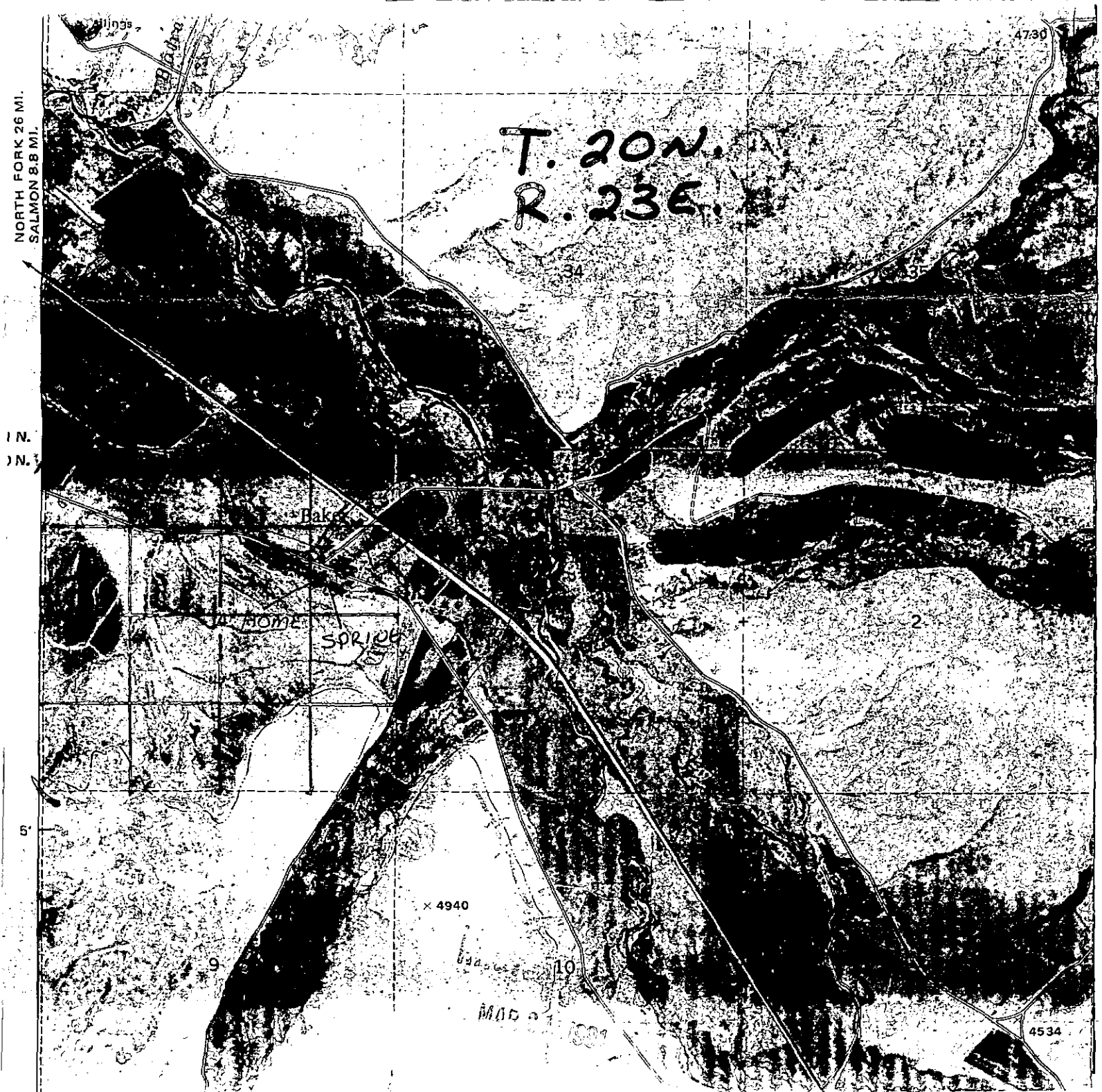
11. a. Who owns the property at the point of diversion? I DO * Applicant
- b. Who owns the land to be irrigated or place of use? I DO * Applicant
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: _____

RECORDED

* Changes as per letter from M Magoon 10/26/90 KCW MAR 21 1991

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



BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Terry Hagon
(Applicant)

Received by CW Date 5-11-90 Time 11:05A Preliminary check by KW
Fee \$ 30⁰⁰ Received by CW # E014491 Date _____
Publication prepared by LB Date 12-6-90 Published in Recorder-Herald
Publication approved LB Date 12-27-90

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

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

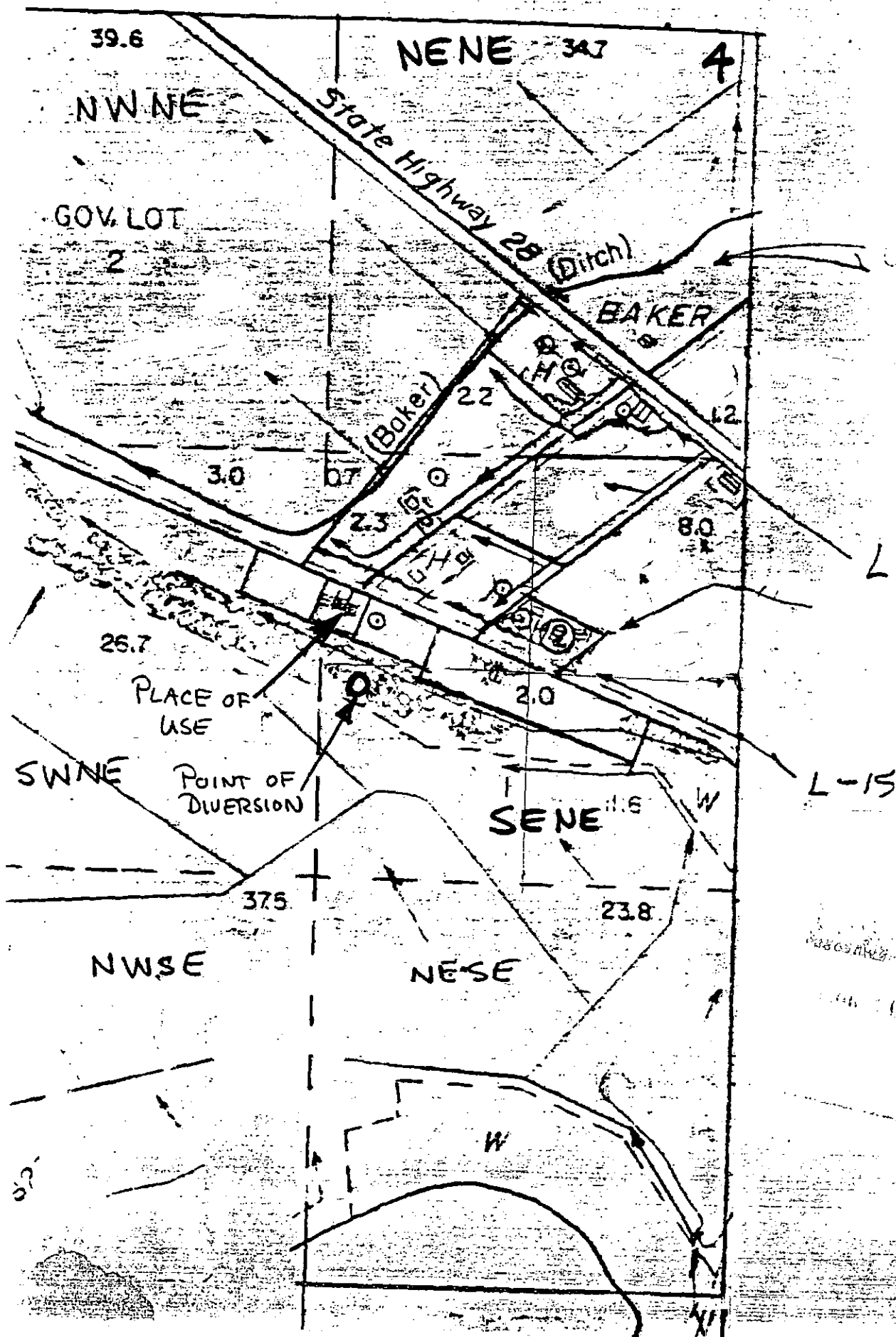
c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

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

e. Other:

RECORDED
12-27-90

NOV 1 1991



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20
N
R23E

RECORDED
JUN 11 1991

**NOTICE OF APPLICATION
FOR WATER RIGHT**

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

74-07318

MAGOON, TERRY
RT. 1, BOX 63A
SALMON, ID 83467
Source: SPRING
Tributary: LEMHI RIVER
Diversion Pt: SWSENE Sec 4 T 20N
R 23E
Use: DOMESTIC (.040 CFS)
Total Diversion: (.040 CFS)
Date Filed: 5/11/1990
In: T20N R23E S04 SENE
74-07319

CARLSON, ROBERT E.
HC 68, BOX 16
LEADORE, ID 83464
CARLSON, NORMA E.
HC 68, BOX 16
LEADORE, ID 83464
Source: SPRING
Tributary: SINKS
Diversion Pt: SWSENE Sec 13 T
16N R 24E
Use: IRRIGATION (.060 CFS)
STOCKWATER (.070 CFS)
DOMESTIC (.040 CFS)
Total Diversion: (.170 CFS)
Date Filed: 5/10/1990
In: T16N R24E S13 NENE
2.0 ACRES TOTAL
74-07320

CARLSON, ROBERT E.
HC 68, BOX 16
LEADORE, ID 83464
CARLSON, NORMA E.
HC 68, BOX 16
LEADORE, ID 83464
Source: GROUNDWATER
Diversion Pt: SENW Sec 18 T 16N
R 25E
Use: IRRIGATION (1.000 CFS)
STOCKWATER (.070 CFS)
Total Diversion: (1.000 CFS)
Date Filed: 5/10/1990
In: T16N R25E S07 NESE SESE
S08 NWSW SWSW S18 NENE
NWNE SWNE SENE NENW
NWNW
131.0 ACRES TOTAL

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 DECEM-
BER 24, 1990.

R. KEITH HIGGINSON,
Director
Published 12/6/1990 &
12/13/1990

12-6-2tc

Affidavit of Publication

RECEIVED

STATE OF IDAHO

County of Lemhi

ss.

DEC 17 1990

Department of Water Resources

Eastern District Office

RICKY G. HODGES

being first duly 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 of Water Rights 74-07318
through 74-07320

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 2 consecutive issues, commencing with the issue
dated Dec. 6, 1990 and ending with the issue dated Dec. 13, 1990.

STATE OF IDAHO

COUNTY OF LEMHI

On this thirteenth day of December in the year of 1990
before me, A Notary Public, personally appeared
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

Publication Fee \$ 73.44

Shirley K. Hodges
Notary Public for Idaho

My Commission expires: 9-21-95



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

April 20, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

TERRY MAGOON
RT 1 BOX 63A
SALMON ID 83467

RE: WATER RIGHT NO. 74-07318

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. 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 of the Department unless a party petitions for reconsideration or files an exception and/or brief 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 twenty-one (21) 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. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

MICROFILMED

JUN 09 1998

ORAL ARGUMENT

If the Department grants a petition to review the preliminary order, the Department 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 Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department 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 Department in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department 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 Department 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.

MICROFILMED

JUN 09 1998

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.

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

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen". The signature is written in dark ink and is positioned above the typed name and title.

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

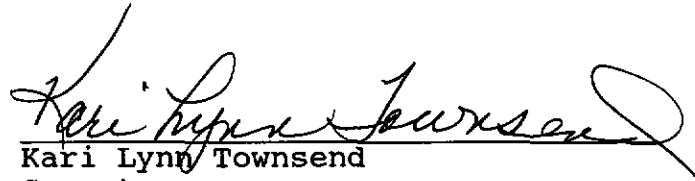
MICROFILMED
JUN 09 1998

CERTIFICATE OF MAILING

I hereby certify that on the 20th day of April, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 74-07318

TERRY MAGOON
RT 1 BOX 63A
SALMON ID 83467


Kari Lynn Townsend
Secretary

MICROFILMED

JUN 09 1998

LICENSE REVIEW CHECKLIST

PERMIT NO. 74-07318 DATE 4/16/98 REVIEWER: S H A R L A

NAME OK
 Address OK
 SOURCE OK Does change clarify orig. intended source? If no, Void permit
 POINT OF DIV OK Change (Para P39 - gov P40/P47) Add (P45/P42)

W32 (multiple in 1/4)
 W36 (overlap)
 W59 (subd. desc)

Overlaps: Right(s): _____
 File reviewed _____ Profile reports printed _____

PLACE OF USE OK Change (P41 - gov P43/P47) Add (P42)

W60 (subd. desc)
 W27 (ppu acre limit)

Overlaps: Right(s): _____
 File reviewed _____ Profile reports printed _____

RATE OF DIV
 Permitted Rate .04 cfs
 Fee limit .04 cfs NO FEE REQD AT TIME OF 3/11 PROCESSING
 Measured 5 cfs
 Theoretical .04 cfs @ 20' left and 40 psi
 Recommended Total Div Rate .04 cfs

WATER USES	<u>OK</u>				
<u>Dom</u>	<u>.04</u> cfs	<u>1.2</u> af	Irrig -	overlap (R58-R61, R62-R65, R66-R69)	
	_____ cfs	_____ af		supp. gw (WB7/065/079)	
	_____ cfs	_____ af		overlap spec. combined rts (W35)	
	_____ cfs	_____ af		<1acre (W31)	
	_____ cfs	_____ af	Domestic	(W01)WB5/070/071/075)	
TOTALS	<u>.04</u> cfs	<u>1.2</u> af	Power	(W42 or W43/025/027/R22 or R23)	
			Fish (042)	Fire (077) Wtr Quality (081/R07)	

Flow rate .04 cfs X 365 days X 1.98 = 29.0 af

REMARKS _____

ADD'L CONDITIONS _____ Watermaster Control WD# _____
 _____ GW Measurement/Measuring Device
 _____ Others Trust (052/R55 - remove 051) Non-trust (048/049)

Advance Priority yes no SRBA Claim N/A Adjust Memo /

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

MAR 30 1998

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 74-7318

1. Owner: TERLY MAGOON Phone No. (208) 756-2652

Current Address: RT 1 BOX 63A, SALMON, ID 83467

2. Accompanied by: OWNER EXAM DATE: 3/11/96

Address: N/A Phone No. N/A

Relationship to Permit Holder: _____

3. Source: SPRING tributary to BAKER DITCH
LEMMI RIVER

B. OVERLAP REVIEW

1. Other water rights with the same place of use: NONE

2. Other water rights with the same point of diversion: NONE

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		~~NW~~	~~SW~~	~~NE~~	4	20N	23E	LEMMI	U.S.G.S. TOPO MAP
		SW	SE	NE					

2. Place(s) of Use:

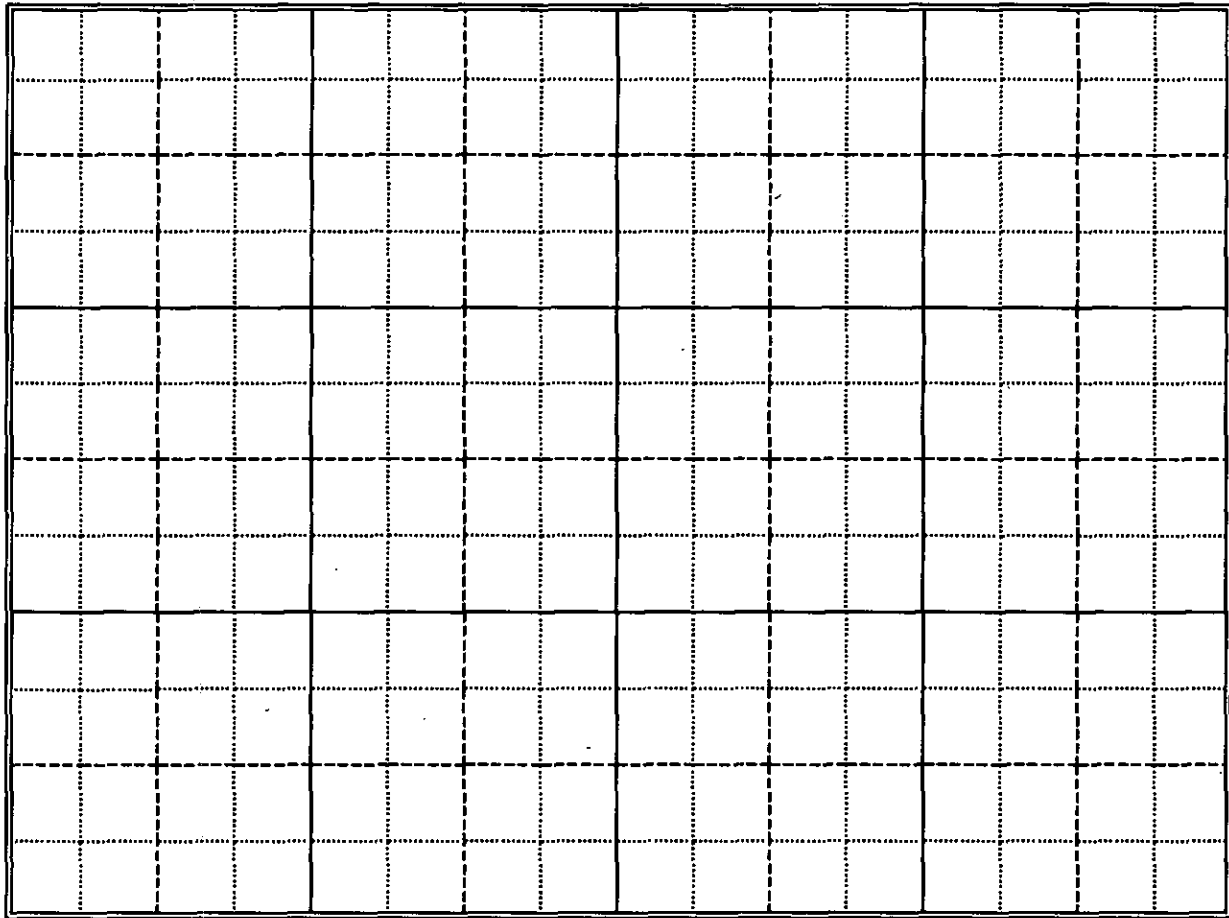
Indicate Method of Determination ON SITE INSP.

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
20N	23E	4			~~D~~	D													~~0~~

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JUN 09 1998

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. *SEE ATTACHMENTS + PHOTOS*



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
REDIVERSION HOUSE PRESSURE PUMP	G-E. MOTOR JACH221	3/4	JACH221	PUMP	1 1/4"

*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
PRESSURE GAUGE	U.S.G.				0-60	25-50 ON OFF

2. Measurements: _____

RECORDED

JUN 09 1958

E. NARRATIVE/REMARKS/COMMENTS

750 GALLON STORAGE TANK SET INTO SPRING HEAD COLLECTS
AND STORES WATER. A 1 1/4" PLASTIC PIPELINE CARRIES
WATER TO A TURBINE PUMP WHICH SUPPLIES PRESSURE
TO DOMESTIC SYSTEM. EXCESS WATER OVERFLOWS FROM
TANK TO "BAKEL DITCH".

Have conditions of permit approval been met? ☒ yes ☐ no

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JUN 09 1998

F. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

Measured Method:

DOMESTIC = 0.04 CFS

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:

1/2 ACRE OF IRRIGATION WITH DOMESTIC = 1.2 AFA.

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<u>DOMESTIC</u>	<u>1/1</u>	<u>12/31</u>	<u>0.04 CFS</u>	<u>1.2 AFA</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals:			<u>0.04 CFS</u>	<u>1.2 AFA</u>

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

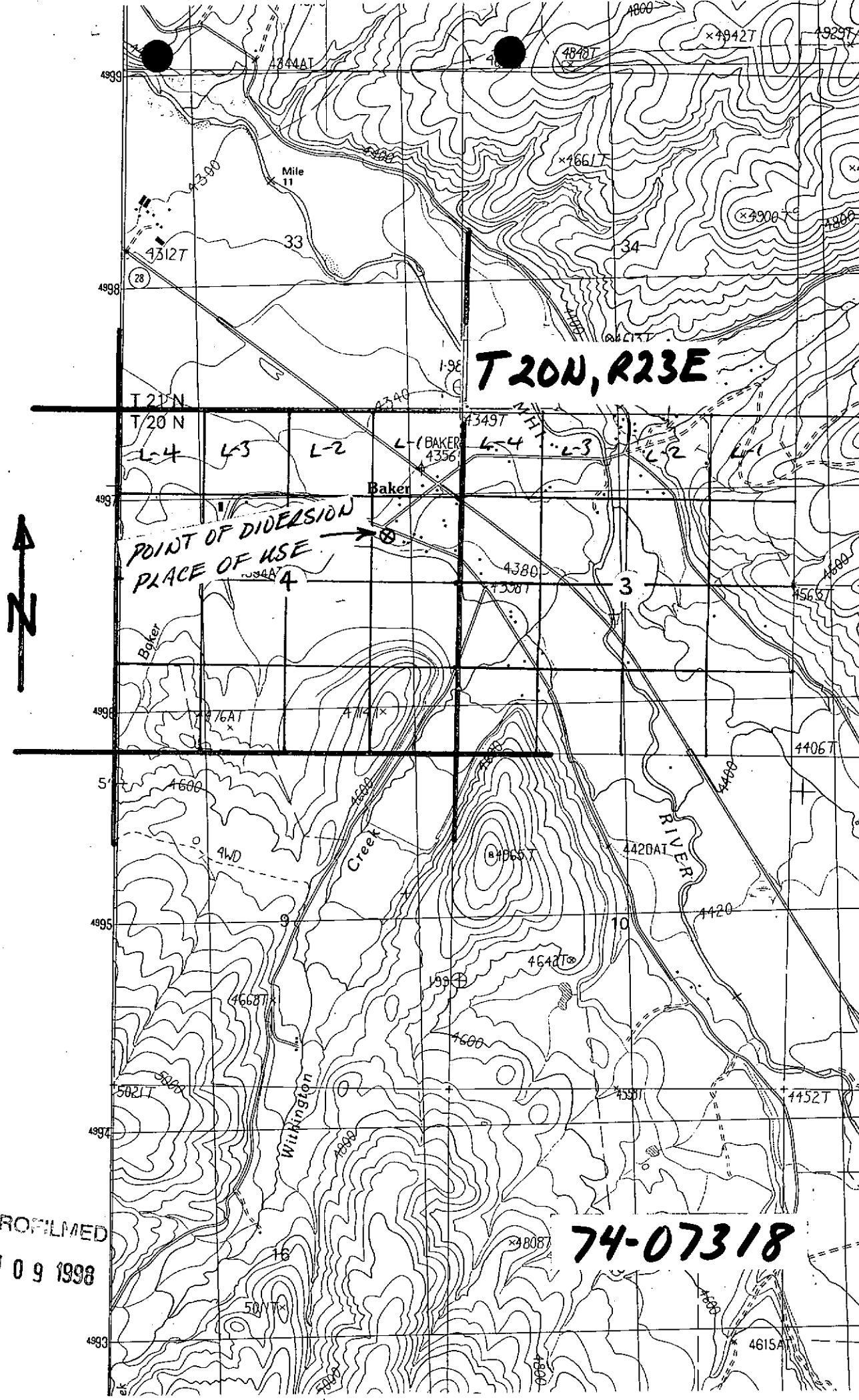
Field Examiner's Name DON SIMPKINS Date 3-11-96

Reviewer _____ Date _____

SEAL

MICROFILMED

JUN 09 1996



T20N, R23E

**POINT OF DIVERSION
PLACE OF USE**



MICROFILMED
JUN 09 1998

74-07318

FLOW MEASUREMENT

5 GALLON BUCKET/STOP WATCH

$$\begin{array}{rclclcl}
 \underline{22} \text{ SEC} & = & & & \underline{8.18} \text{ GPM} & = & \underline{0.018} \text{ CFS} \\
 & & \underline{7.33} \text{ GAL/SEC} & \times & 60 \text{ SEC/MIN} & = & \\
 \underline{38} \text{ GAL} & & & & \underline{7.33} \text{ GAL/SEC} & & 448.8
 \end{array}$$

SPRING - OVERFLOW FROM STORAGE TANK = 0.018 CFS

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JUN 09 1998

74-07318

FIELD EXAM NOTES

EXAM # 74-7318

DATE OF EXAM 3/10/96

PERMITEE NAME Terry Hagson

OTHER WATER RIGHTS SAME POD NONE

OTHER WATER RIGHTS SAME POU NONE - OLD well no right

PUMP #1 HP 3/4 MAKE 6F Motor SERIAL # _____
 COLOR AND DESCRIPTION _____
 OUTPUT DIAMETER 1 1/4 SYSTEM PRESSURE 15-50 PSI WELL DEPTH _____
 STATIC H2O _____ WELL DEPTH _____ DYNAMIC PUMP _____
 PSI GAGE TYPE 456 50 CHECK VALVE [Y] [N] GATE VALVE [Y] [N]

PUMP #2 HP _____ MAKE _____ SERIAL # _____
 COLOR AND DESCRIPTION _____
 OUTPUT DIAMETER _____ SYSTEM PRESSURE _____ PSI WELL DEPTH _____
 STATIC H2O _____ WELL DEPTH _____ DYNAMIC PUMP _____
 PSI GAGE TYPE _____ CHECK VALVE [Y] [N] GATE VALVE [Y] [N]

BOOSTER PUMP #1 HP _____ MAKE _____ SERIAL # _____
 COLOR AND DESCRIPTION _____

BOOSTER PUMP #2 HP _____ MAKE _____ SERIAL # _____
 COLOR AND DESCRIPTION _____

CIRCLE PIVOT [Y] [N] NUMBER OF TOWERS _____ PIVOT LENGTH _____
 PRESSURE [H] [L]

HAND LINES [Y] [N] NUMBER OF LINES _____ LENGTH OF LINES _____

RAIN BIRDS PER LINE _____ NOZZEL DIAMETER _____

SURFACE WATER TYPE OF MEASUREING DEVICE _____

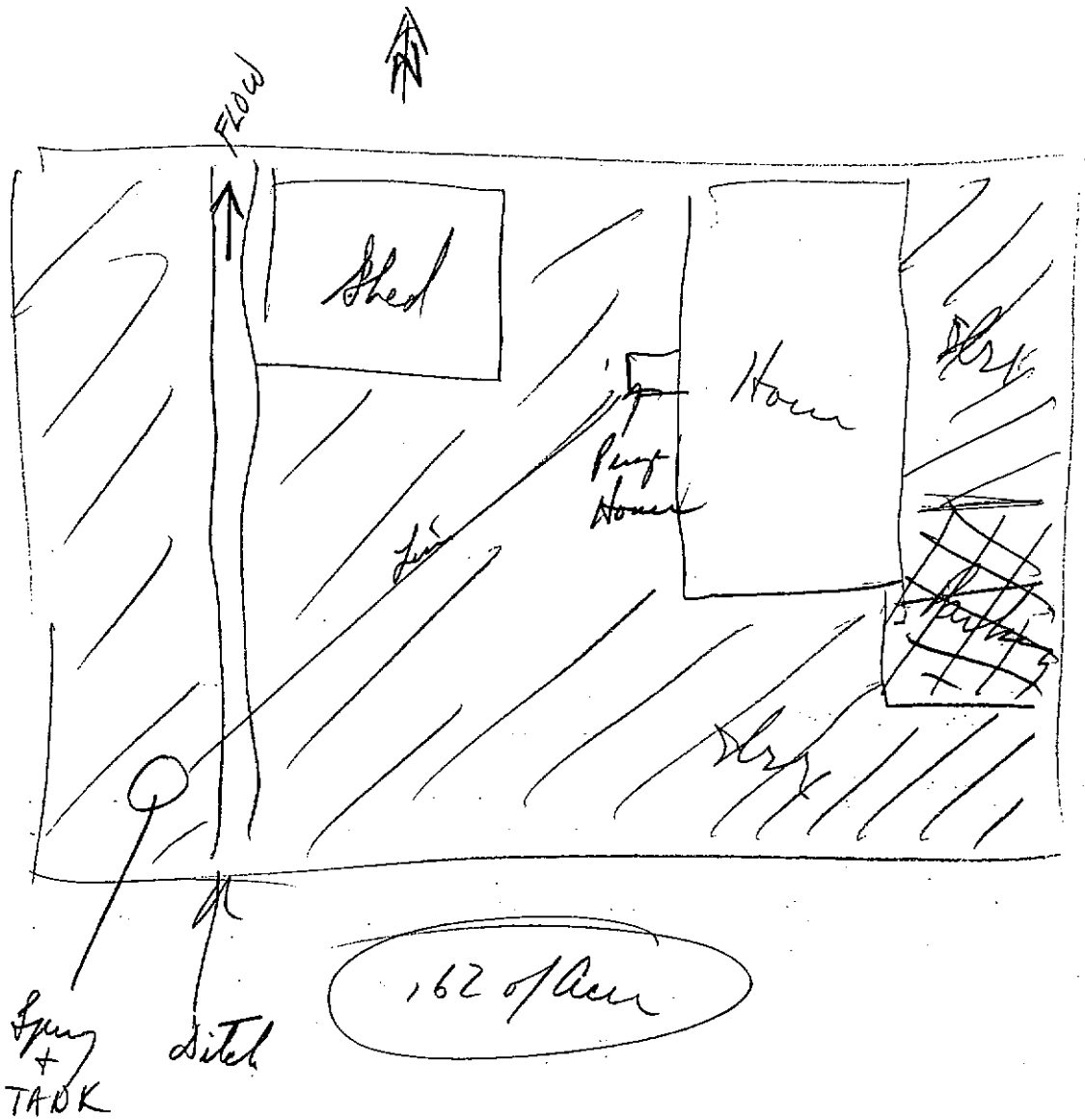
AA METER PIGMY METER WEIR OR FLUME BUCKET/WATCH _____/_____

22 sec / 3 ft. - One flow from 750 gal holding tank
Tank to pump down to pressure tank

74-07318

USE BACK OF PAGE FOR SKETCH AND MEASUREMENTS OF SYSTEM

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 0 9 1998



21850-4

MICROFILM
JUN 09 1998

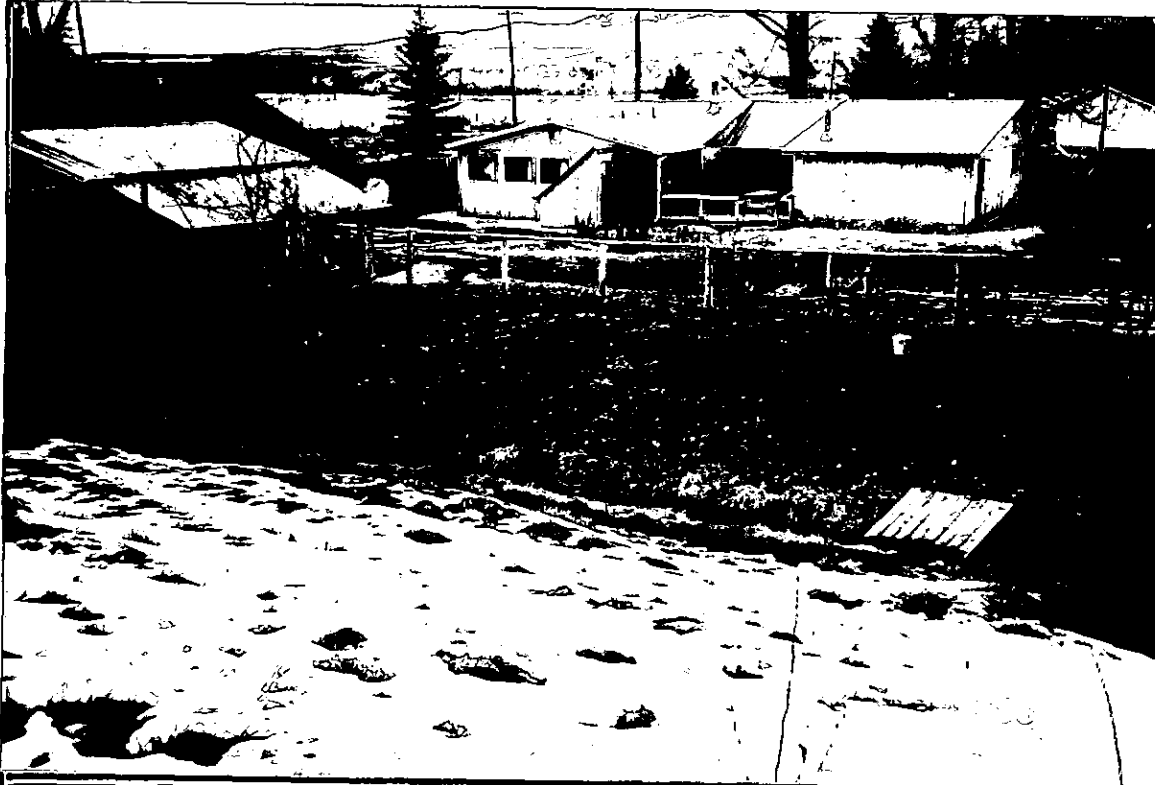
74-07318

TERRY MAGOOD

DOMESTIC / DOMESTIC IRRIGATION

15/2

VIEW OF
PLACE OF
USE



STORAGE
TANK AND
SPRING ARE
AT POINT
WHERE
OWNER IS
STANDING.



JUN 09 1998

PERMIT
NKMBE2

74-07318

TELLY MAGOOD

DOMESTIC

272

VIEW OF
OVERFLOW
TO BAKER
DITCH



VIEW INSIDE
PUMP HOUSE
DOMESTIC
+ IRRIGATION
USE



MICROFILMED
JUN 09 1998

PERMIT
NUMBER

74-07318

May 24, 1991

TERRY MAGOON
RT. 1 BOX 63A
SALMON, ID 83467

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 74-07318

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,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

MICROFILMED

JUN 10 1991

ANALYSIS SHEET
for
PROOF OF BENEFICIAL USE

Permit No. 74-7318

Date 5-23-91

GENERAL CONSIDERATIONS

- ☒ Name same as permit?
☒ Address same as permit? If no, indicate below.
☒ Proof timely received? If no, complete priority advancement below.

SOURCE OF WATER

- ☒ Surface water source
☐ Ground water source
☒ Drill permit req'd?
☒ Copy in file? Drill permit no. _____
☒ Amt paid for drilling permit? _____ Correct?
☒ Well log in file?

LICENSE EXAMINATION FEE

- ☒ Required?
☒ Amount submitted?
☒ Correct amount?

MEASURING DEVICE

- ☒ Measuring device or access port required?
☒ Installed?
☒ Waiver requested or needed?

DEFICIENCIES OR ACTION ITEMS

Proof acceptable

PRIORITY CALCULATION

Date proof received	<u>NA</u>	
Date proof due	<u>/</u>	-
No. of days late	<u>/</u>	=
Priority date	<u>/</u>	+
NEW PRIORITY DATE	<u>/</u>	=

JB



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

March 13, 1991

TERRY MAGOON
RT. 1 BOX 63A
SALMON, ID 83467

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 74-07318

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.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosures

RECEIVED

MAR 21 1991

APPLICATION FOR PERMIT REVIEW

Application #: 74-7318
Date: 2-11-91

Reviewer: Pam Skaggs

Existing:

No - 26A-P17
Complete in 1 year - P16

Yes

✓ Proof not submitted - P16
Proof submitted - N/A

Groundwater:

GT. 0.7 cfs - 01G-P03, 01C-P03(existing well)
LT. 0.7 cfs - N/A

Drilling Permit:

Approved w/permit - P99
Not included - 046-P23(All GW, even existing wells)

Location:

Water Districts - WD No. _____
Surface water - 005, 005-01H-P01(LT.7 w/pump)
005-01J-P08(GT.7)

Groundwater - P05

Irrigation Districts - 023

Canal Co. Areas - 023

Drainage Districts - 024

Boise Front. (63) - 058 (Groundwater)

✓ Swan Falls Flag - _____ (1 or Blank)

Trust - 051-052-053-P74(Cons.), 041(DCMI, w/Irr
or Irr & Dom)

Non Trust - 048-049

River Basins:

(Surface Water) Water District Control Condition &....

Boise (63) - 11D-P72

Payette (65) - 047-P04, 059-P71

Snake (01, 02 & 03) - 11A-P04(01), 061-P07(02/03 No W.D.Cond.)

Use:

Fish Propagation - 002-P06, 06A, 007, 09E-P10, 010, 042, 044

Power - Use Power Review

Mining - 06A, 006, 09E-P10, 010, 054(req.)

Storage - 18A-P for multiple measuring devices(In
W.D.), 18B-P09(Size)

Rec. & Aesthetic - 027(Non-Consumptive)

Domestic - 021(restricted areas)

Ownership:

Non land owner - 004

Protested:

Agreement - 020

Minimum Stream Flow:

Overlapping uses - 029-P20

✓ Beneficial Use Due Date: - 02-01-1992

Other Conditions Recommended _____

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MAR 21 1991

✓
2/6

Form No. 202a
1/37STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

KW

INITIAL REVIEW BY KCW Wilson DATE 11/5/90 APPLICATION NUMBER 74-2318MagoonREQUIRED 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

11-15-90

ASPER TELECON W/TERRY MAGOON NO
OVERLAP - KWADDITIONAL INFORMATION

Spring or Spring GW

74-00427 / 00471 / 00492 OVER

- ☒ Overlapping place of use (Describe source & relationship to present application on the back.)
- ☒ Overlapping point of diversion 74-00427 / 00471 / 00492
- ☐ 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 _____

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JAN 09 1991

Department of Water Resources

74-0492 & 74-0427 may be from the
same source, place of use and point of diversion

11-15-1990

AS PER TELEZON W/TERRY MAGOON
THERE IS NO OVERLAP. KCW

ADDITIONAL INFORMATION

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

009fchng
not. of prop. chng.
water right

**NOTICE OF PROPOSED
CHANGE OF A
WATER RIGHT**

NO. 74-00160 & 74-02289

Notice is hereby given that MER-
RIL OR SHARAL BEYELER has
applied to the Department of Water
Resources to CHANGE POINT OF
DIVERSION and ADD A POINT
OF DIVERSION of the waters of
CANYON CREEK tributary to the
LEMHI RIVER. The right sought to
be changed is evidenced by DE-
CREEE NO.'S 74-00160 and 74-02289
and recorded as follows:

Decree No. 74-00160 Decreed to
MAXWELL F. BEYELER in case
of LEMHI DECREE.

AMOUNT: .50 CFS

PRIORITY: 7-1-1877

POINT OF DIVERSION: SESW,
SEC 22, T 16N, R 26E

The water is used from MARCH
15 to NOVEMBER 15 to irrigate
15.5 acres within the SWNW, SEC
27; SENE, SEC. 28, T 16N, R 26E,
B.M.

Decree No. 74-02289 Decreed to
MAXWELL F. BEYELER in case
of LEMHI DECREE.

AMOUNT: .74 CFS

PRIORITY: 3-7-1944

POINT(S) OF DIVERSION:
SWSE, SEC 22, T 16N, R 26E

The water is used from MARCH
15 to NOVEMBER 15 to irrigate
35.6 acres within the SWNE,
SESW, NESW, SEC 27, T 16N, R
26E, B.M.

TO BE CHANGED
AS FOLLOWS:

THE WATER WILL BE diverted
from the SESWSE, NESESE, SEC
22, T16N, R 26E, B.M.

Any protests against the proposed
change must be filed with the Idaho
Department of Water Resources, 150
Shoup Ave., Idaho Falls, ID, 83401,
on or before DECEMBER 24, 1990.

R. Keith Higginson
Director

Published in the RECORDER-
HERALD on DECEMBER 6 & 13,
1990.

12-6-2tc

009flegl
not. of apppc.
for water right

**NOTICE OF APPLICATION
FOR WATER RIGHT**

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

74-07318

MAGQON, TERRY

RT. 1, BOX 63A

SALMON, ID 83467

Source: SPRING

Tributary: LEMHI RIVER

Diversion Pt: SWSENE Sec 4 T 20N
R 23E

Use: DOMESTIC (.040 CFS)

Total Diversion: (.040 CFS)

Date Filed: 5/11/1990

In: T20N R23E S04 SENE

74-07319

CARLSON, ROBERT E.

HC 68, BOX 16

LEADORE, ID 83464

CARLSON, NORMA E.

HC 68, BOX 16

LEADORE, ID 83464

Source: SPRING

Tributary: SINKS

Diversion Pt: SWSENE Sec 13 T
16N R 24E

Use: IRRIGATION (.060 CFS)

STOCKWATER (.070 CFS)

DOMESTIC (.040 CFS)

Total Diversion: (.170 CFS)

Date Filed: 5/10/1990

In: T16N R24E S13 NENE

2.0 ACRES TOTAL

74-07320

CARLSON, ROBERT E.

HC 68, BOX 16

LEADORE, ID 83464

CARLSON, NORMA E.

HC 68, BOX 16

LEADORE, ID 83464

Source: GROUNDWATER

Diversion Pt: SENW Sec 18 T 16N
R 25E

Use: IRRIGATION (1.000 CFS)

STOCKWATER (.070 CFS)

Total Diversion: (1.000 CFS)

Date Filed: 5/10/1990

In: T16N R25E S07 NESE SESE

S08 NWSW SWSW S18 NENE

NWNE SWNE SENE NENW

NWNW

131.0 ACRES TOTAL

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 DECEM-
BER 24, 1990.

R. KEITH HIGGINSON,
Director

Published 12/6/1990 &
12/13/1990

12-6-2tc

#####

RECORDED

MAR 21 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region
150 Shoup Ave., Suite 15

Idaho Falls, Idaho 83402
(208) 525-7161

NOVEMBER 26, 1990

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 DECEMBER 24, 1990.

Yours truly,

Rita Bodell
Secretary

Encl.

RECEIVED

MAR 21 1991

NOTICE OF APPLICATION FOR WATER RIGHT

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

RECEIVED

MAR 21 1991

74-07318

MAGOON, TERRY
RT. 1, BOX 63A
SALMON, ID 83467

Source: SPRING

Tributary: LEMHI RIVER

Diversion Pt: SWSENE Sec 4 T 20N R 23E

Use: DOMESTIC (.040 CFS)

Total Diversion: (.040 CFS)

Date Filed: 5/11/ 1990

In: T20N R23E S04 SENE

RECEIVED
FILMED

MAR 21 1991

27-Nov-1990

TERRY MAGOON
RT 1 BOX 63A
SALMON ID 83467

RE: Application No. 74-7318

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 RECORDER-HERALD on DECEMBER 6 & 13, 1990. 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
Water Rights Supervisor



HWJ/rb

MAR 21 1991



RECEIVED

OCT 26 1990

24 October 1990

Department of Water Resources
Eastern District Office

Keith C. Wilson
State of Idaho, Dept. of Water Resources
150 Shoup Ave., Suite 15
Idaho Falls ID 83402

Dear Sir:

Thanks for your assistance with my application. I find your suggestion revisions most helpful.

About Item #2: The spring flow doesn't sink, at least the way things are now. It flows through a ditch to another, bigger ditch, and so forth, until it reaches the Lemhi River. The ditch it initially flows into has been there for a long time. About the flow of the spring before someone dug the ditch, I have no information. It may have sunk in its natural state, before the original ditch-digger did his work. I don't know who'd know about that. I'm willing for you to use your judgment on the information supplied for this item.

About Item #4 and #9: Irrigation for the garden is only one-half acre. I described Item #4 as I did because I use a well for house water except during the winter, when my well goes dry some years--then I use the spring. Other than the period from January to March on those years, I use the spring only in summer and only for irrigating. I am, however, amenable to describing this on the form in the simplest way possible.

About Item #5: You're right! Sorry.

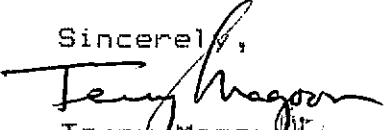
About Item #6: Yes, one house, as I indicated; sorry for the excess detail.

About Item #9b: OK, "D" is fine with me.

About Item 11 a & b: OK, I'm the applicant, I'm just a dummy at filling out forms.

Thanks again for the help.

Sincerely,


Terry Magoon
Rt. 1, Box 63 A
Salmon ID 83467

MAR 21 1991

FILED