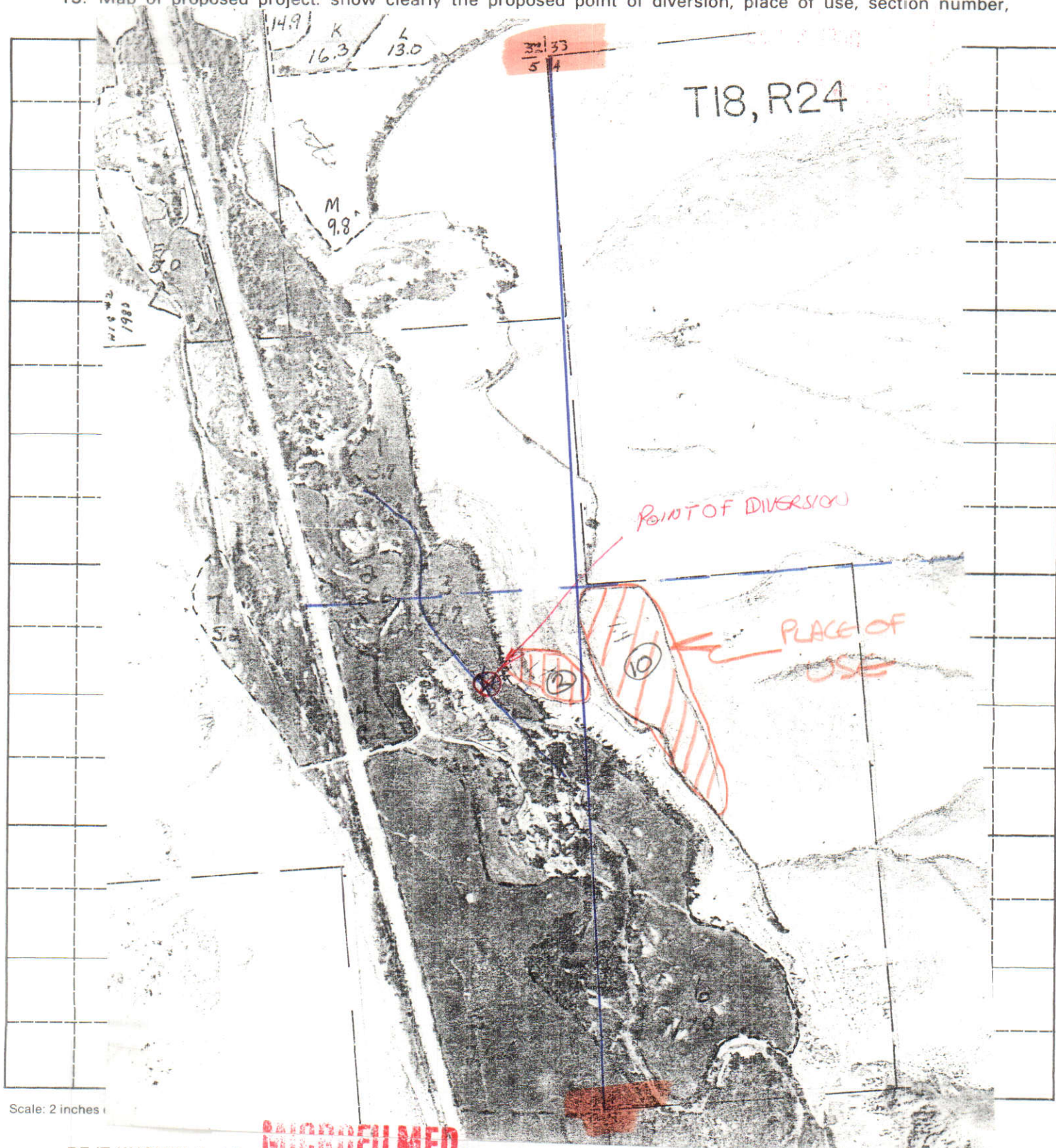


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number,



Scale: 2 inches

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.

SEP 27 1990

Lemhi River Estates

(Applicant)

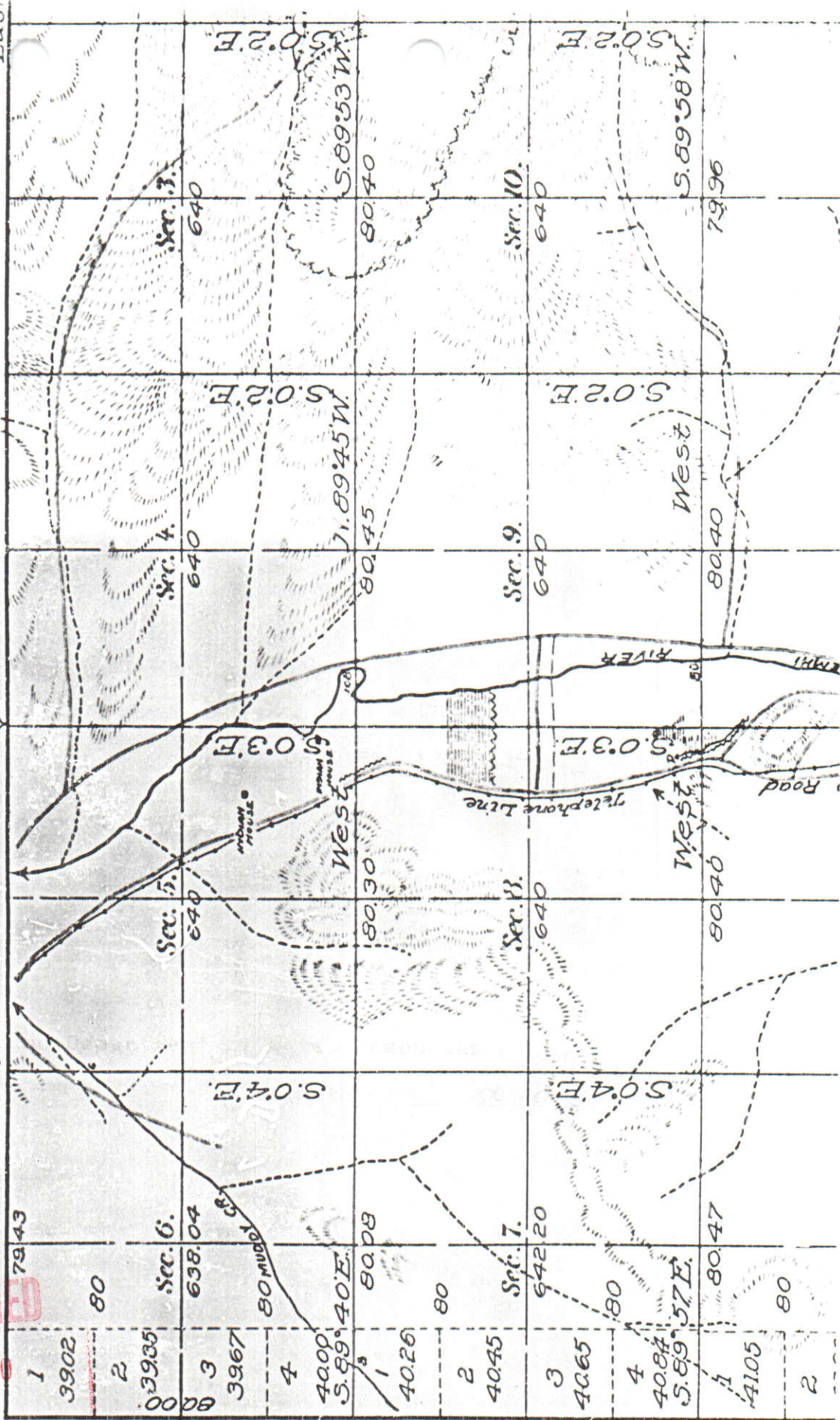
for Mike Kossler (Ranch manager)

LEMHI INDIAN RESERVATION
Township No 18 North, Range No 24 East of the Bo

SEP 27 1990

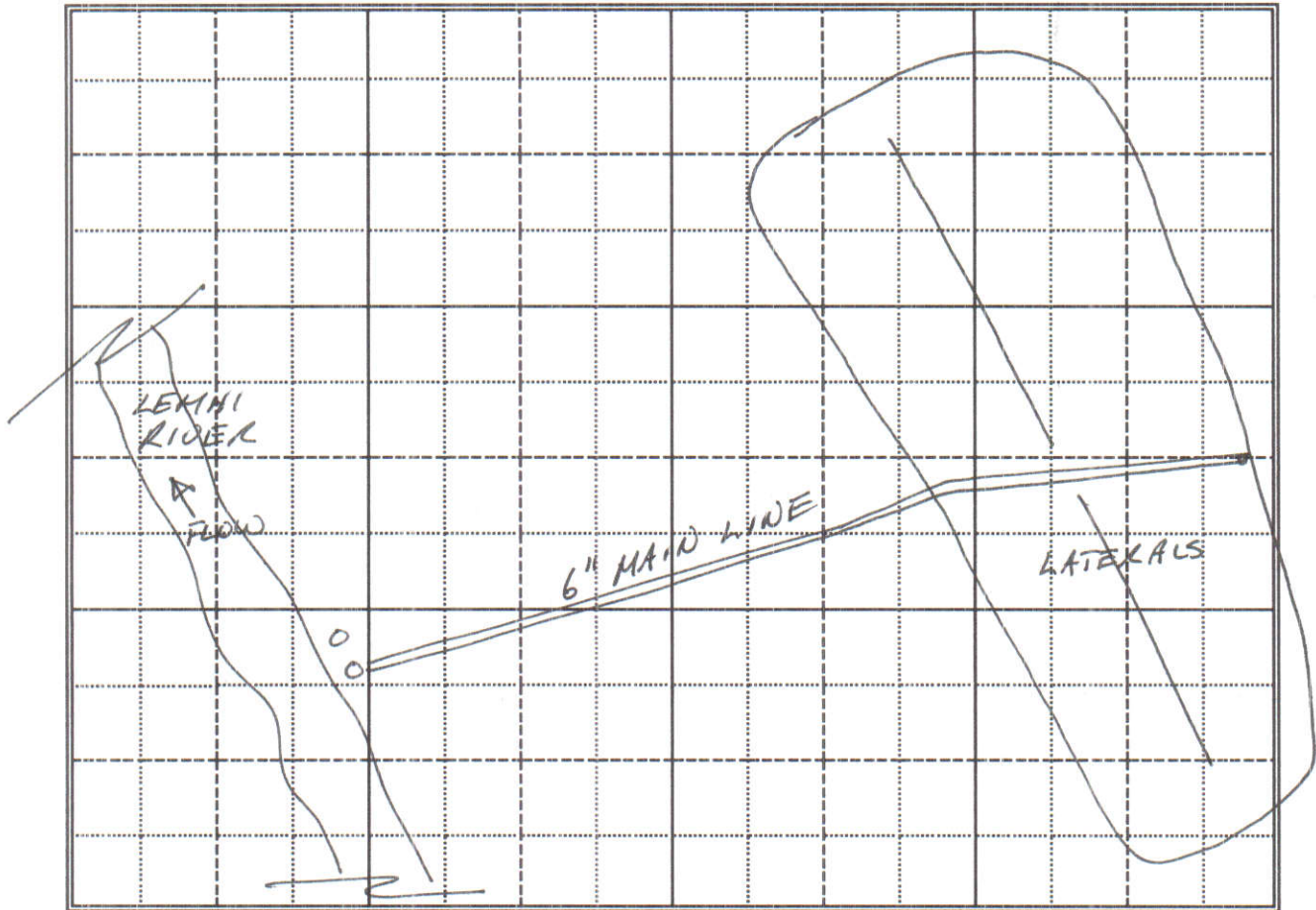
G F E D C

Resurvey
East



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



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
<i>SOUTH PUMP</i>	<i>BALDOR</i>	<i>20</i>		<i>BERKLEY</i>	<i>2 1/2"</i>

*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
<i>PRESSURE GAGE</i>	<i>U.S.G.</i>				<i>0-100</i>	<i>52 PSI AT</i>
<i>POLYSONIC</i>	<i>TYME-FLYTE</i>		<i>TF-P</i>	<i>740263</i>		

2. Measurements: _____

MICROFILMED
 AUG 20 1997

32 33
5 4

Big Dry Gulch

T18N, R24E

POINT OF
DIVERSION

6" PIPELINE

Gaging Station

PLACE OF
USE

← 12 ACRES

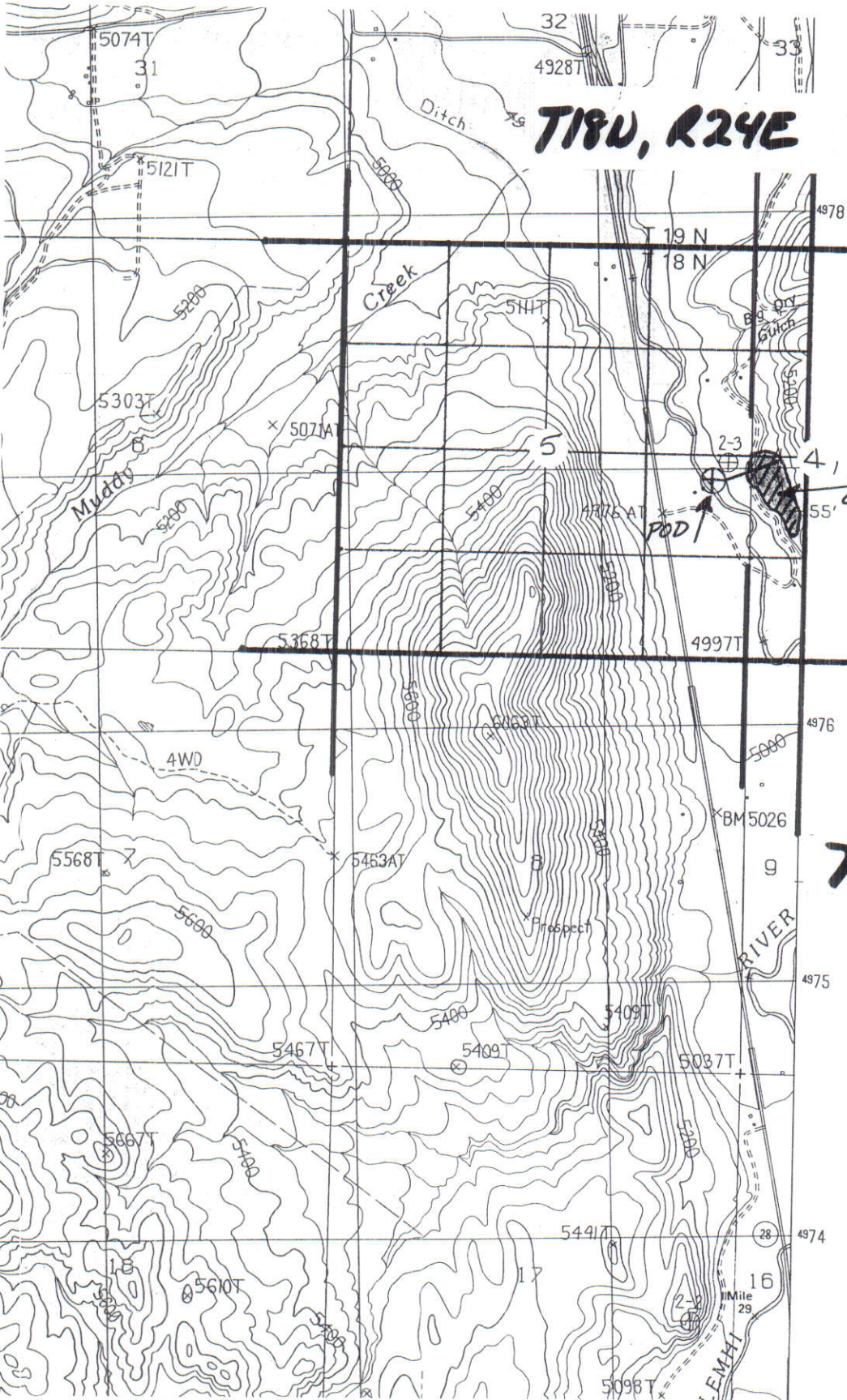


5 4
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MICROFILMED

AUG 20 1997

74-07254



TIRU, R24E

74-07254

RECORDED
AUG 20 1997

Lenhi River Estates

IRRIGATION

15/2

SOUTH PORTION
PLACE OF USE



NORTH PORTION
PLACE OF USE



MICROFILMED
AUG 20 1997

PERMIT
NUMBER

74-07254

LEMHI RIVER ESTATES

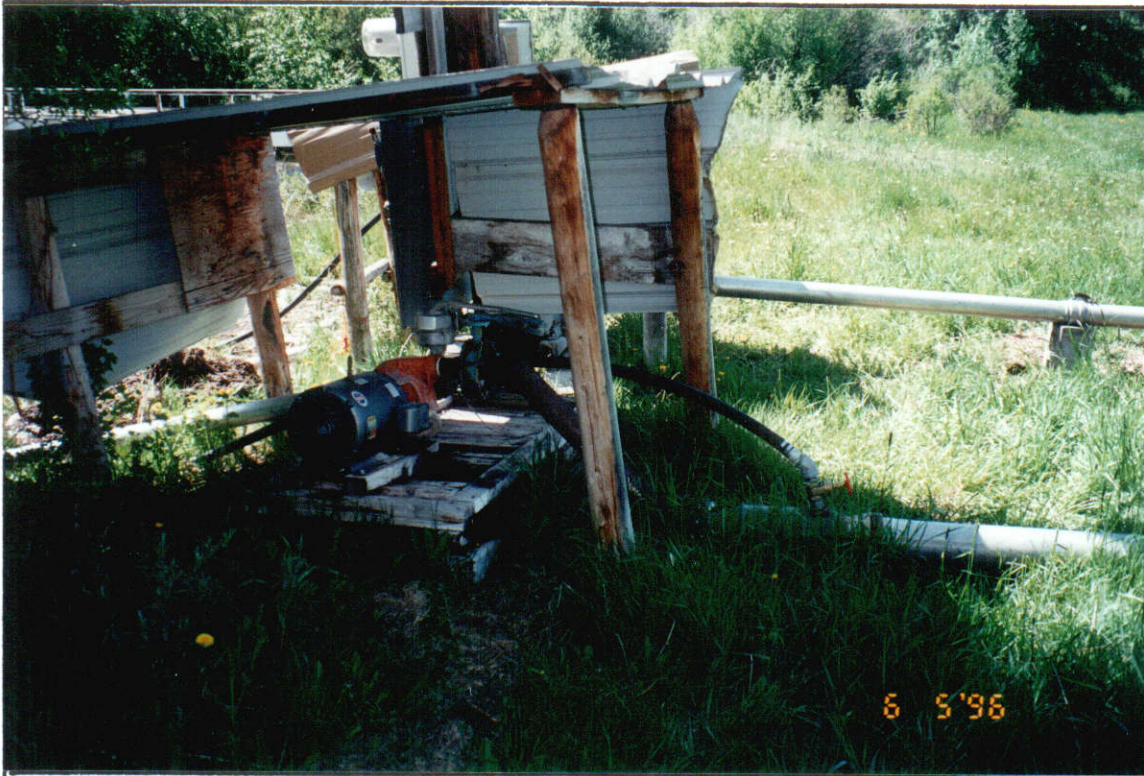
IRRIGATION

2512

POINT OF
DIVERSION

LEFT PHHP
IS 20 HP
SYSTEM

← 6" MAIN



MICROFILMED

AUG 20 1997

PERMIT
NUMBER

74-07254

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 74-07254

Priority: May 5, 1988

Maximum Diversion Rate:

0.24 CFS

Maximum Diversion Volume:

42.0 AF

This is to certify, that LEMHI RIVER ESTATES

C/O WINFRED DUDLEY

PO BOX 1

TENDON ID 83468

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated May 5, 1988; and has submitted Proof of Beneficial Use on September 22, 1992. An examination indicates that the works have a diversion capacity of 0.500 cfs of water from:

LEMHI RIVER

tributary to SALMON 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>
IRRIGATION	04/15 to 10/15	0.24 CFS	42.0 AF

LOCATION OF POINT(S) OF DIVERSION:

NESE, Sec. 5, Township 18N, Range 24E
LEMHI County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
18N	24E	4	SWNW 1	NWSW 10	11
		5	NESE 1		1

Total number of acres irrigated: 12

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 that 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 must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Use of water under this water right will be regulated by the watermaster of State Water District No. 74.

200 10 007

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 74-07254

CONDITIONS OF APPROVAL AND REMARKS

6. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
7. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.

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 18TH day of July, 1997.


Acting for KARL J. DREHER, Director

2000 10 007

State of Idaho
Department of Water Resources

RECEIVED

JUL 16 1997

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 74-07254

Department of Water Resources

Date of Priority: May 5, 1988

Maximum Diversion Rate:

0.24 CFS

Maximum Diversion Volume:

42.0 AF

Comes now

LEMHI RIVER ESTATES

C/O WINGRED DUDLEY

PO BOX 1

TENDON ID 83468

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. 74-07254, and requests that the permit be changed as follows:

Source: LEMHI RIVER

tributary to SALMON RIVER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.24 CFS	42.0 AF

LOCATION OF POINT(S) OF DIVERSION:

NESE , Sec. 5, Township 18N, Range 24E
LEMHI County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
18N	24E	4	SWNW 1	NWSW 10		11
		5	NESE 1			1

Total number of acres irrigated: 12

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Tendon Idaho, this 7 day of July, 1997.

Winfred L. Dudley
(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 74-07254

FOR DEPARTMENT USE ONLY

Preliminary check by SWK Fee = 5000 Received by HL # 6039580 Date 7/16/97

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. 74-07254 with the following;

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 that 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 must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Use of water under this water right will be regulated by the watermaster of State Water District No. 74.
6. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
7. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.

Witness my hand this 18TH day of July, 1997.


KARL J. DREHER, Director

RECEIVED

SEP 22 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

OFFICE USE ONLY
Amt. of Fee \$ 100.00
Date 9/22/92
Receipt No. 0035531
Receipt by [Signature]

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. 74-07254 Telephone No. 756-4451
2. Name(s) of Permit Holder(s): Lemhi River Estates % Wingred Dudley
3. Mailing Address: P.O. Box 1 Tendency, Id. 834680000
4. Source of Water: Lemhi River

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

OPTIONAL:

Pump horsepower: 20 Pressure (psi): 40 Dynamic pumping level (ft.): 210

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

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

Irrigation 10 (No. of acres) Other _____

6. Total rate and/or volume for which proof is submitted .37 cfs OR .24 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: \$ 100.00 (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.

Mike Kossler 208-756-4451
Name Telephone No.

P.O. Box 75 Tendency Id. 83468
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.

Sept. 16, 1992 Lemhi River Estates by Mike Kossler
Date Signature (and title, if on behalf of a company or organization)

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 74-07254

Proposed Priority: May 5, 1988 Maximum Diversion Rate: 0.24 CFS
This is to certify, that LEMHI RIVER EST.

C/O WINGRED DUDLEY
P.O. BOX 1
TENDON, ID 834680000

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>
IRRIGATION	04/01 to 11/01	0.24 CFS

LOCATION OF POINT(S) OF DIVERSION: NENESE Sec. 5, Township 18N, Range 24E
LEMHI County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
18N	24E	4	NWSW	10		10
		5	NESE	2		2

Total number of acres irrigated: 12

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before October 1, 1992.
2. Subject to all prior water rights.
3. Use of water under this permit is subject to control by the watermaster of State Water District No. 74.
4. Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.
5. A lockable device, subject to the approval of the Department, shall be installed on the diverting works in a manner that will provide the watermaster suitable control of the diversion prior to diversion of water under this permit.
6. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

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SEP 27 1990

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 74-07254

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

24th day of September, 1990

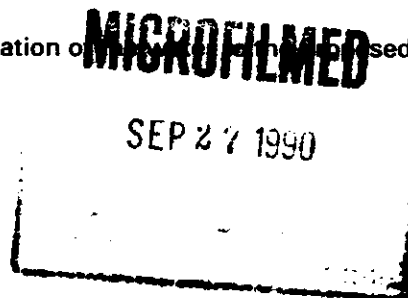
R. Keith Higginson
for R. Keith Higginson, Director

RECORDED
SEP 27 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Lemhi River Estates, C/O Wingred Dudley Phone 756-3957
Post office address Box 1, Tendoy, Idaho 83468
2. Source of water supply Lemhi River which is a tributary of Salmon River
3. Location of point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of SE $\frac{1}{4}$, Govt. Lot _____
Sec. 5 Township 18N Range 24E B.M. Lemhi County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.24 for Irrigation purposes from 4/1 to 11/1 (both dates inclusive)
(cfs or acre-feet per annum)
~~XXXXXXXXXX~~
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) 0.24 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. 40 HP pump in River to mainline and
handline sprinklers.
 - 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? _____
7. Time required for the completion of the works and application of _____ proposed beneficial use is
2 years (minimum 1 year).



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. _____

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	
18N	24E	4										10							10
		5													2				2

Total number of acres to be irrigated 12

10. Describe any other water rights used for the same purposes as described above. 74-7040 is separate pump at same location

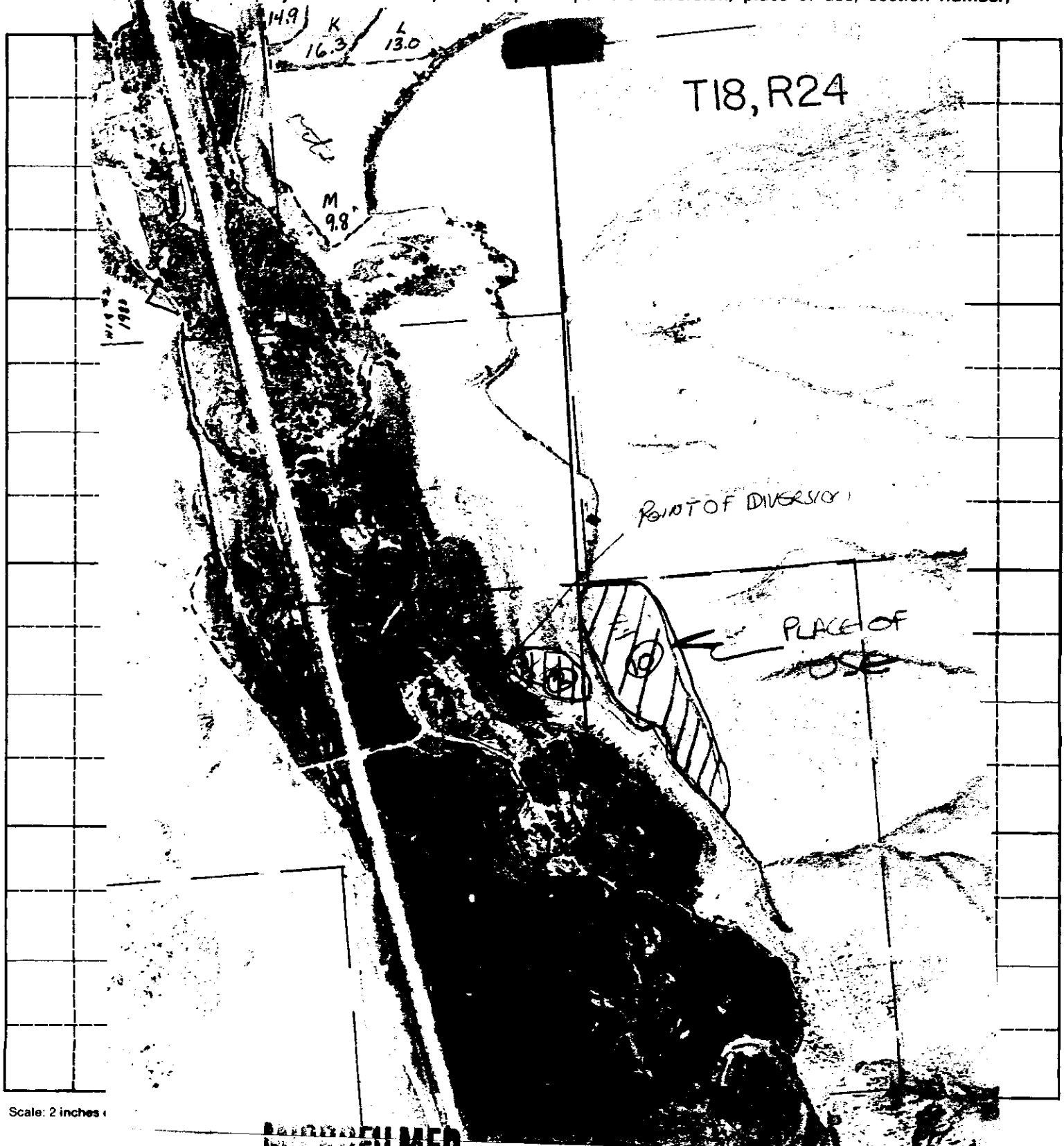
11. a. Who owns the property at the point of diversion? Applicant
- b. Who owns the land to be irrigated or place of use? Applicant
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. See attached list of Lemhi River Estates owners and officers.

12. Remarks: _____

MICROFILMED

SEP 24 1991

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



Scale: 2 inches

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.

SEP 27 1990

Lemhi River Estates

(Applicant)

for Mike Kossler (Ranch manager)

assisted by ESV

Received by ESV Date 5-5-88 Time 11:56 Preliminary check by _____

Fee \$ 45⁰⁰ Receipted by ESV # E000182 Date 5-5-88
5-19-88 5-26-88

Publication prepared by dog Date 5-11-88 Published in Recorder-Herald

Publication approved ew Date 5-31-88

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

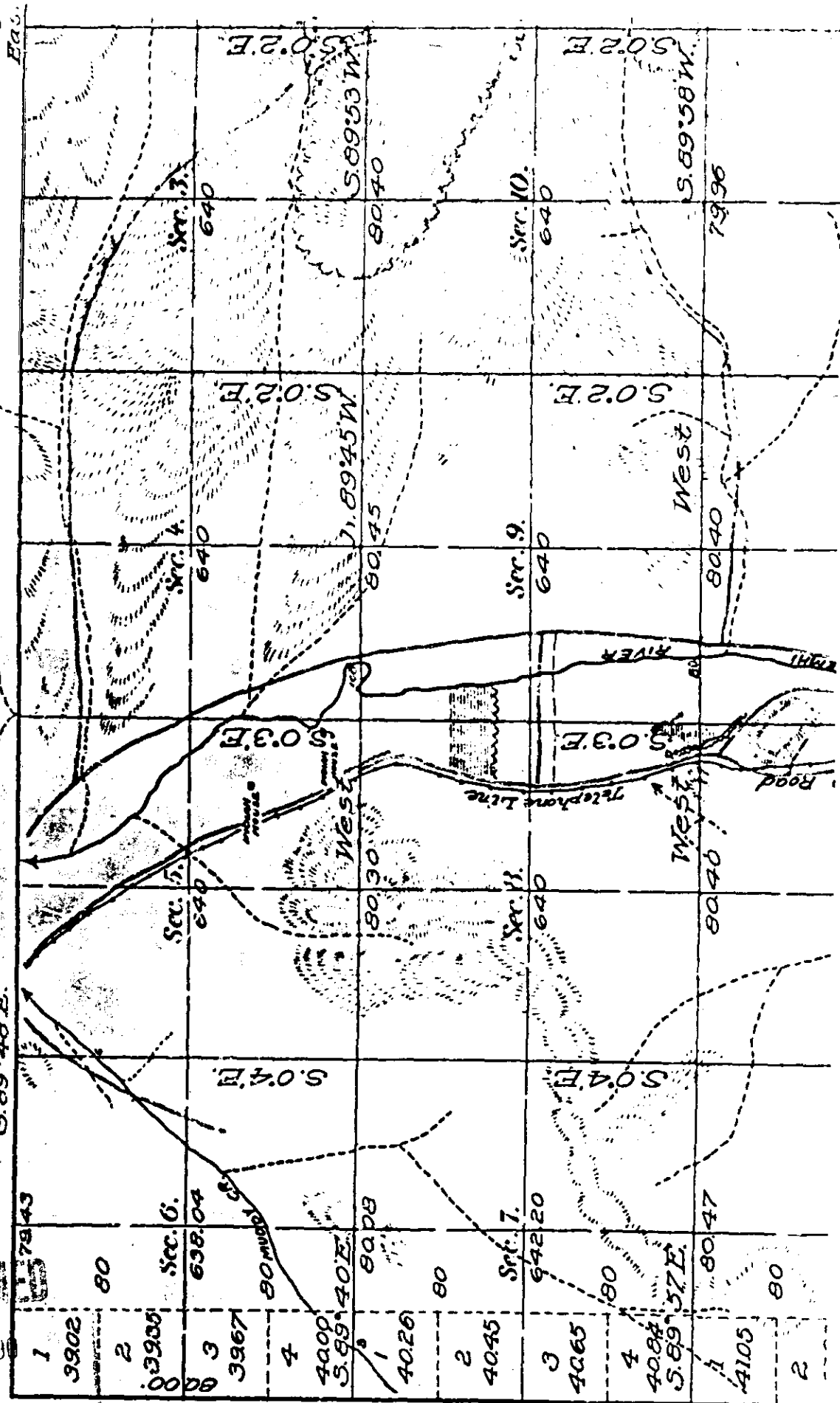
SEP 27 1990

LEMHI INDIAN RESERVATION
Township No 18 North, Range No 24 East of the Bo

SEP 27 1990

G F E D C

Resurvey
Elev



Left corner pending

NOTICE OF APPLICATION
FOR WATER RIGHT

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

74-7252

L.C.P. MINING, INC.
2206 ROOSEVELT AVENUE,
SALMON, ID 83467

Source: GROUNDWATER
Diversion Pt: NENESW Sec 36 T
22N R 22E

Use: MINING STORAGE (20.0
AF)
MINING FROM STORAGE (20.0
AF)

DIVERSION TO STORAGE (0.2
CFS)

Date Filed: 04/29/1988

In: SENW NESW Sec 36 T 22N R
22E

74-7253

L.C.P. MINING, INC.
2206 ROOSEVELT AVENUE,
SALMON, ID 83467

Source: GROUNDWATER
Diversion Pt: NWSW Sec 36 T
22N R 22E

Use: MINING STORAGE (20.0
AF)
MINING FROM STORAGE (20.0
AF)

DIVERSION TO STORAGE (0.2
CFS)

Date Filed: 04/29/1988

In: SENW NESW Sec 36 T 22N R
22E

74-7254

LEMHI RIVER ESTATES
C/O WINGRED DUDLEY, BOX
1, TENDON, ID 83468

Source: LEMHI RIVER trib. to
SALMON RIVER

Diversion Pt: NENESE Sec 05 T
18N R 24E

Use: IRRIGATION (0.240 CFS)

Date Filed: 05/05/1988

In: NWSW Sec 04 T 18N R 24E
NESE Sec 05 T 18N R 24E FOR 12
ACRES

75-7457

L.C.P. MINING, INC.
2206 ROOSEVELT AVENUE,
SALMON, ID 83467

Source: GROUNDWATER
Diversion Pt: NWSW Sec 14 T
22N R 22E

Use: MINING STORAGE (20.0
AF)
MINING FROM STORAGE (20.0
AF)

DIVERSION TO STORAGE (0.2
CFS)

Date Filed: 04/29/1988

In: SWSW Sec 14 T 22N R 22E

75-7458

L.C.P. MINING, INC.
2206 ROOSEVELT AVENUE,
SALMON, ID 83467

Source: SPRING trib. to SINKS
Diversion Pt: NESWSW
NWSWSW SWSWSW Sec 21 T
22N R 22E SWSWNE SESENW
Sec 22 T 22N R 22E

Affidavit of Publication

STATE OF IDAHO

County of Lemhi

ss.

MAY 27 1988

Department of Water Resources
Eastern District Office

JERRY G. ROSIN

being first duly sworn, deposes
and says that he is one of the printers (publisher) of the RECORDER HERALD,
a newspaper published weekly at Salmon, Lemhi County, Idaho, and of general
circulation therein,

That the Notice of Application Water Rights 74-7252 thru
74-7254 and 75-7457 thru 75-7460

a true
printed copy of which is attached to the margin hereof, has been and was correct-
ly printed and published in the regular and entire issue of every number of said
newspaper and not in any supplement thereof or thereto for 2
consecutive issues, commencing with the issue dated May 19, 1988
and ending with the issue dated May 26, 1988

Subscribed and sworn to before me, this twenty sixth

day of May, 1988

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

Publication Fee \$ 111.72

Date Filed: 04/29/1988
In: NESW NWSW SWSW SESW
Sec 21 T 22N R 22E

Use: MINING STORAGE (20.0
AF)
MINING FROM STORAGE (20.0
AF)
DIVERSION TO STORAGE (0.2
CFS)

75-7459

L.C.P. MINING, INC.
2206 ROOSEVELT AVENUE,
SALMON, ID 83467

Source: GROUNDWATER
Diversion Pt: NESWNW Sec 24 T
22N R 22E

Use: MINING STORAGE (20.0
AF)

MINING FROM STORAGE (20.0
AF)

DIVERSION TO STORAGE (0.2
CFS)

Date Filed: 04/29/1988

In: SWNW Sec 24 T 22N R 22E

75-7460
HARRINGTON, JOHN, JR. &/or
JOYCE E.

ROUTE 1, BOX 230-A,
SALMON, ID 83467

Source: WILLIAMS CREEK trib.
to SALMON RIVER

Diversion Pt: LOT 02 (NWNE) Sec
11 T 20N R 21E

Use: IRRIGATION (0.030 CFS)
RECREATION STORAGE (2.0
AF)

DIVERSION TO STORAGE
(0.040 CFS)

Date Filed: 04/27/1988

In: LOT 02 (NWNE) Sec 11 T 20N
R 21E FOR 2 ACRES

The permit(s) will be subject to
all prior water rights. Protests must
be filed with the Director, Dept. of
Water Resources, Eastern Region,
50 Shoup, Suite 15, Idaho Falls,
Idaho 83402 on or before JUNE 6,
1988.

R. KEITH HIGGINSON,

Dir.

Published 5/19 & 5/26/88.

5-19-2tc



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

July 21, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

LEMHI RIVER ESTATES
C/O WINFRED DUDLEY
PO BOX 1
TENDON ID 834680000

RE: WATER RIGHT NO. 74-07254

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.

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.

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.

For your records I have also enclosed a copy of your Application for Amendment of Permit, which was approved.

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.

Shelley W. Keen
Water Rights Supervisor

SK:klt

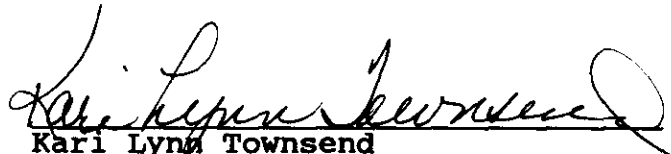
Enclosure

CERTIFICATE OF MAILING

I hereby certify that on the 21st day of July, 1997, 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. 74-07254

LEMHI RIVER ESTATES
C/O WINFRED DUDLEY
PO BOX 1
TENDON ID 834680000


Kari Lynn Townsend
Secretary

I R-DEPARTMENT MEMO--1

FROM Kari Lynn

DATE 7-16-97

TO File #74-07254

SUBJECT Correct Spelling of Permit Holders Name.

Based on verbal correction during a previous phone conversation with the ranch Manager and the signature on the application for amendment the spelling for WINGRED Sudley has been corrected to WINFRED Sudley.

FBI/DOJ

AUG 18 1997


SIGNATURE



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

July 2, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

LEMHI RIVER ESTATES
C/O WINGRED DUDLEY
PO BOX 1
TENDON ID 834680000

RE: WATER RIGHT NO. 74-07254

Dear Permit Holder(s):

I previously forwarded to you an Application for Amendment so that you could amend your permit to depict your water right as it has actually been developed.

As of this date, I have not received this amendment. If I do not receive the amendment within fourteen (14) days, a Water Right License will be issued for less than could have been allowed. In case the amendment form I sent you has been misplaced, a new one is enclosed. Please note that the filing fee for this amendment is \$50.00.

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

AUG 16 1997



State of Ida.

DEPARTMENT OF WATER RESOURCES

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

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

June 6, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

LEMHI RIVER ESTATES
C/O WINGRED DUDLEY
PO BOX 1
TENDON ID 834680000

RE: WATER RIGHT NO. 74-07254

Dear Permit Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to depict your water right as it has actually been developed.

The enclosed Application for Amendment contains information that will be included on the license when it is issued. The amendment reflects a change in the location of the place(s) of use description. Please review carefully and if you concur, sign the amendment and return it with the \$50 filing fee within 14 days.

The last page of the Application for Amendment form contains a list of Conditions of Approval and Remarks proposed for the license when it is issued. These conditions of approval and remarks may be modified upon further administrative review.

If you do not concur, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208) 327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

LICENSE REVIEW CHECKLIST

PERMIT NO. 74-07254

DATE 6/4/97

REVIEWER: SHARLA

NAME Change OK

Address Change NO

SOURCE Change OK

Is change clarification of originally intended source? NO

POINT OF DIV Change OK

If not, prepare Notice of Intent to Void NO
Amendment required NO

PLACE OF USE SWNW 4

Amendment required YES

Does map agree with written description? ✓ yes NO no

OVERLAPS NO P/D NO P/U

RATE OF DIV

Permitted Rate .24 cfs

Fee limit 1.0 cfs \$100.00

Measured .50 cfs

Theoretical 1.0 cfs

9/64"
38 rainbirds @ 50 psi - 4 18 gpm ea.
= .35 cfs

Recommended Total Div Rate .24 cfs

ANNUAL VOLUME/

NATURE OF USES NO

✓ Use

12

Volume Calculation

12 x 3.5 = af

42.0 af

42.0 af

42.0 af

SUBTOTAL 42.0 af

Flow rate .24 cfs X 183 days X 1.982 = 87.0 af

Total volume recommended 42.0 af

(SUBTOTAL or Flow Rate, whichever is less)

REMARKS

CONDITIONS R04 Watermaster Control WD# 74

R02 GW Measurement/Measuring Device

R30 Overlap

NO Use-specific conditions

Advancement of Priority Date Required NO yes ✓ no

SRBA Claim Filed N/A

Adjustment Memo ✓

1st Amend Letter P41, P38

2nd Amend Letter P42

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

MAY 23 1997

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 74-07254

1. Owner: LEMHI RIVER ESTATES (WINFRED DUDLEY) Phone No. (208) 756-4520

Current Address: P. O. Box 1, TENDON, ID 83468-0001

2. Accompanied by: _____ EXAM DATE: _____

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: LEMHI RIVER tributary to SALMON 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: 74-07040

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
		NE	NE	SE	5	18N	24E	LEMHI	U.S.G.S. TOPO MAP / NAAPP PHOTO

2. Place(s) of Use:

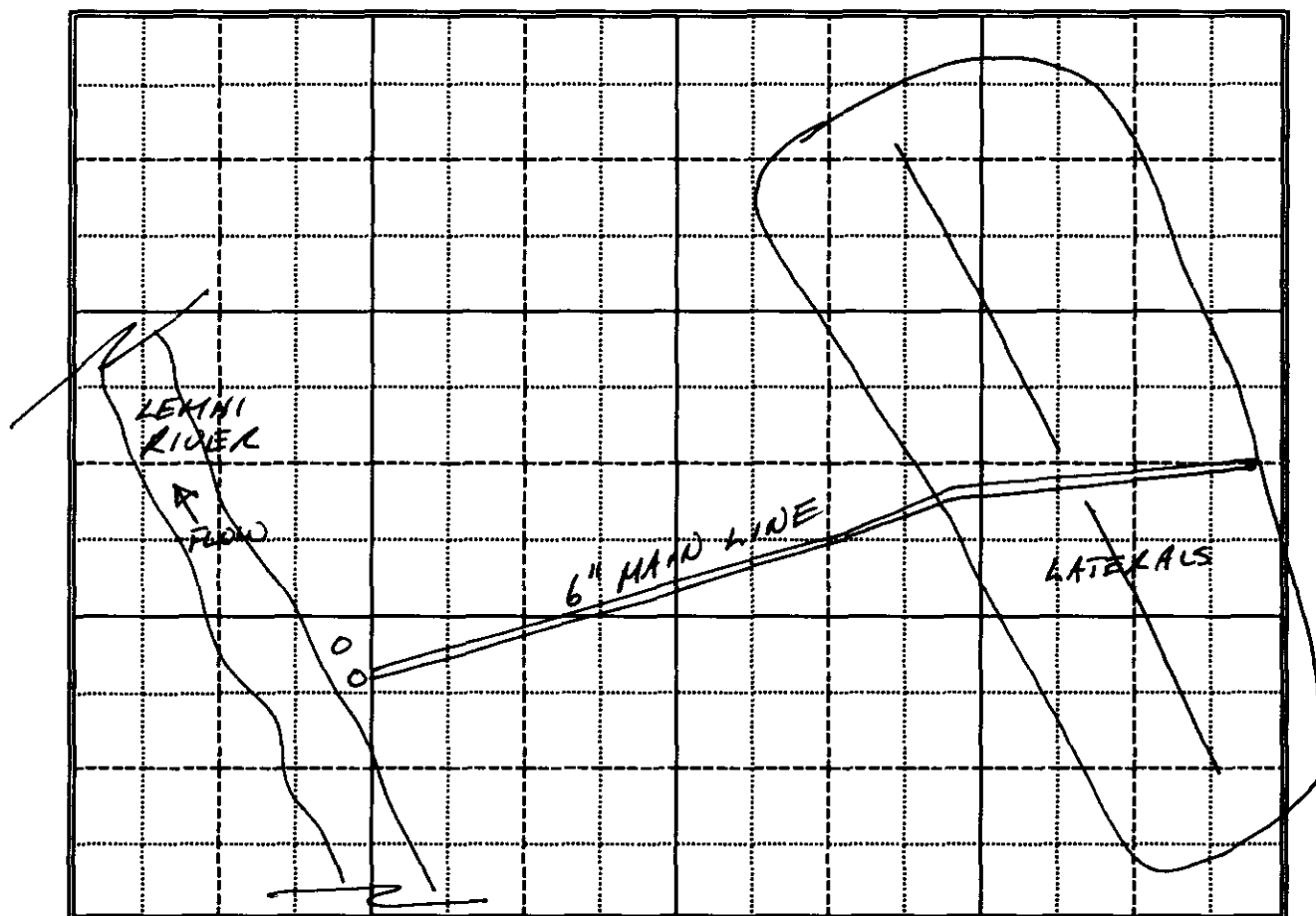
Indicate Method of Determination ON SITE INSP.

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
18N	24E	4							1				10						11
		5													1				1
																			12

MAY 20 1997

TOTAL

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe I.D. as applicable. *SEE PHOTO + MAPS*



Scale: 1" = _____

____ Copy of USGS Quadrange 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
SOUTH PUMP	BALDOR	20		BERKLEY	2 1/2"

*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.				0-100	52 PSI AT
POLYSONIC	TYME-FLYTE	TF-P	7M0263			

2. Measurements: _____

100-21-187

E. NARRATIVE/REMARKS/COMMENTS

WATER IS LIFTED ABOUT 4' VERTICAL FEET TO A
BERKLEY PUMP WHICH PUMPS WATER APPROXIMATELY
120' VERTICAL FEET TO THE PLACE OF USE. THE MAIN
LINE IS A 6" ALUMINUM PIPE. THREE SHORT HAND
LINES ~~BY~~ DISTRIBUTE WATER OVER THE PLACE OF USE,
(38 RAIN BIRDS (TOTAL) WITH 9/64 ORFICE).

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

RECORDED
406 20 1937

F. FLOW CALCULATIONS☒ Additional Computation Sheets Attached

Measured Method:

$$Q = \text{POLYSONIC} = \frac{222.436 \text{ PH}}{448.8} = 0.4956 \text{ CFS}$$

$$Q = \text{THEORETICAL} = 1.0 \text{ CFS}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{LR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 12 \text{ AC} \times 3.5 = 42 \text{ AFA}$$

$$V_{D,R} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.24 \times 183 \times 1.9835 = 87.11 \text{ AFA}$$

$$V = \text{Smaller of } V_{LR} \text{ and } V_{D,R} = 42 \text{ AFA}$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS PERMIT LIMITS TO 0.24 CFS.

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRRIGATION	4/15	10/15	0.24	42 AFA
Totals:			0.24 CFS	42 AFA

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. AUTHENTICATIONField Examiner's Name SIMPKINS Date 1/16/97

Reviewer _____ Date _____

SEAL

MOI C-1110

MODE SELECT
DATA SET

DATA SET MODE
? PRINTER

PRINTER USE
? YES

MODE SELECT
INPUT

OUTER DIAMETER
6.0299 IN

PIPE MATERIAL
? AL, DI

WALL THICKNESS
0.0571 IN

INNER LINING
? NO LING.

KIND OF FLUID
? ANOTHER

SOUND VELOCITY
1460 M/S-

SENSOR MOUNTING
? U

TYPE OF SENSOR
? SMALL

DATA CHANGE
? NO

SPACING
3.903 IN U

ZERO MODE
CLEAR

ZERO MODE
AUT ZERO

06-05 15:2900
+003.00 % AI2

MODE SELECT
T0 CHECK

0223.6 MMSEC
100.06 % T0

06-05 15:2900 *R
+222.432E 06PM

0.4956 CFS

74-07254 12 ACES 204P
74-7040 12 ACES

74-07254

74-07254

WINKED DUDLEY

SONIC TAPE

THEORETICAL PUMP FLOW CALCULATIONS

Formula:

$$Q_{cfs} = [(Hp)(8.814)(Eff)] \div [Lift + (psi \times 2.308)]$$

$$Hp = \text{Horsepower} = \underline{20 \text{ HP}}$$

$$Eff = \text{Efficiency} = \underline{.7} \quad (\text{Usually } 70\%)$$

$$\text{Lift: (Static Level + Assumed Draw down)}$$

$$\text{Static Water Level} = \underline{4} \text{ ft.}$$

$$\text{Assumed Draw down} = + \underline{-0} \text{ ft. RIVER}$$

$$\text{Lift} = \underline{4}$$

OR

$$\text{Measured Dynamic Water Level} = \underline{\hspace{2cm}} \text{ ft.}$$

$$psi = \text{Operating Pressure} = \underline{52} \text{ psi}$$

$$Q_{cfs} = \left[\frac{20}{Hp} \times 8.814 \times \frac{.7}{Eff} \right] \div \left[\frac{4}{Lift} + \left(\frac{52}{psi} \times 2.308 \right) \right]$$

$$Q_{cfs} = \left[\underline{123.396} \right] \div \left[\underline{124.016} \right]$$

$$Q_{cfs} = \underline{0.995} \text{ cfs}$$

ELEVATION LIFT 120'

PERMIT NO. 74-07254

NOV 11 1977

32 33
5 4

Big Dry Gulch

T18N, R24E

POINT OF
INVERSION

6" PIPELINE

Gas Station

PLACE OF
USE

← 12 ACRES

AUG 20 1967

74-07254

FIELD EXAM NOTES

EXAM # 24- 2254 12 acres.

DATE OF EXAM 6/5/96

PERMITEE NAME _____

OTHER WATER RIGHTS SAME POD NO

OTHER WATER RIGHTS SAME POU NO

PUMP #1 HP 20 HB MAKE Baldor SERIAL # _____
COLOR AND DESCRIPTION Gray / Orange Cent. Ring
OUTPUT DIAMETER 2 1/2 SYSTEM PRESSURE 52 PSI WELL DEPTH _____
STATIC H2O _____ WELL DEPTH _____ DYNAMIC PUMP 2' to Run
PSI GAGE TYPE _____ CHECK VALVE (Y) [N] GATE VALVE (Y) [N]

Berkley Cent. Pump. B 2 1/2 ZPL
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 3 LENGTH OF LINES 16' between

RAIN BIRDS PER LINE TOTAL 38 NOZZEL DIAMETER 9/64

SURFACE WATER TYPE OF MEASUREING DEVICE _____

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

Leah's River Estate

IRRIGATION

10/2

SOUTH PORTION
PLACE OF USE

NORTH PORTION
PLACE OF USE

PERMIT
NUMBER

74-07254

200 2 3 1987

LEMMI RIVER ESTATES

IRRIGATION

2512

POINT OF
DIVERSION

LEFT PHP
IS 20 HP
SYSTEM

← 6" MAIN



PERMIT
NUMBER

74-07254

September 25, 1992

LEMHI RIVER EST.
C/O WINGRED DUDLEY
P.O. BOX 1
TENDON ID 834680000

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 74-07254

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

MICROFILMED

NOV 19 1992

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 74- 07254

Reviewed by Klg

Date 9/22/92

GENERAL CONSIDERATIONS

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

TYPES OF USE

irrigate -10
yes Correct Uses?

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

yes Required?
100 Amount Submitted
yes Correct?

MEASURING DEVICE

yes Required?
yes Installed?
NA 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

RECORDED
NOV 19 1992

DATA ENTRY

New Address _____

Proof Made 9/22/92
9/25/92 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

September 22, 1992

Lemhi River Estates
c/o Wingred Dudely
P.O. Box 1
Tendoy, ID 83468

Re: Permit No. 74-07254

Dear Permit Holder:

Enclosed is a copy of the proof of beneficial use you submitted in connection with the above referenced permit. Please note that the total rate and/or volume for which the proof was submitted (#6) has been corrected to read 0.24 cfs. Since this is the amount for which you applied on your permit, it is the maximum amount you can claim on your proof of beneficial. You cannot file for a larger amount.

The Department will continue with the analysis of the proof of beneficial use and notify you as soon as it is complete.

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

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

Enclosure

NOV 19 1992

July 31, 1992

LEMHI RIVER EST.
C/O WINGRED DUDLEY
P.O. BOX 1
TENDON ID 834680000

RE: PERMIT NO. 74-07254 PROOF DUE NOTICE

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 October 1, 1992. (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.

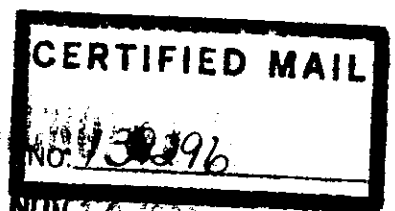
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental 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,

Karen L. Gustafson
Secretary/Records Manager

Enclosures



S T A T E O F I D A H O
D E P A R T M E N T O F W A T E R R E S O U R C E S

Statehouse
Boise, Idaho 83720
(208) 327-7900
September 24, 1990

LEMHI RIVER EST.
C/O WINGRED DUDLEY
P.O. BOX 1
TENDOY, ID 834680000

P E R M I T A P P R O V A L N O T I C E

RE: PERMIT NO. 74-07254

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.

Be sure to note the special condition requiring you to install a lockable device that will provide the watermaster control on your diversion.

Please note the requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction, no later than one year from the date the permit was approved.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a license.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ: SC
Enclosures

MICROFILMED

SEP 27 1990

Form No. 202a
4/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY StacMcLarmich DATE 5-5-88 APPLICATION NUMBER 74-7254

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
Field check by _____
☐ Yes ☒ No Field report attached
☐ Yes ☒ No Critical groundwater area
☐ Yes ☒ No Groundwater management area
☐ Yes ☒ No Send dam safety information
☐ Yes ☒ No Send power requirement letter
☐ Yes ☒ No Send fish farm requirement letter
☐ Yes ☒ No Power residency affidavit
☐ Yes ☒ No Power efficiency form
☐ Yes ☒ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)
☐ See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested _____

RECEIVED
SEP 07 1990

Department of Water Resources

PROCESSING

☒ Yes ☐ No I 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 *do* ☐ U.S. Forest Service
☐ Idaho Dept. of Lands ☒ Water District *74 do*
☐ Adjudication Bureau Unit ☐ Other _____

FINAL REGIONAL PROCESSING REVIEW

☒ Yes ☐ No Affidavit of publication received
☐ Yes ☐ No Application published correctly. If not, record action taken.

☒ Yes ☐ No Publication dates & paper, recorded on application
☐ Yes ☒ No Protests received
Final date for protest *6-6-1988*
☐ 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 *5-5-88*
By *HWT* Date *8-31-90*

STATE OFFICE REVIEW

POI, P14 05(74) 26 OIH

☐ See below for additional information
By *KW* Date *9-19-90*

ADDITIONAL INFORMATION

Condition, <017 <057 W074 Lemhi River
OK to allow 2 yrs. to develop



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

August 25, 1988

RE: Application for Permit No. 22-7537 TETON BASS POND

Mr. Herb Pollard, Supervisor
Idaho Department of Water Resources
1515 Lincoln Road
Idaho Falls, ID 83401

Dear Mr. Pollard:

Your letter of protest to application 22-7537, Teton Bass Pond Inc., was received after the last protest date of July 5, 1988 and, therefore, cannot be accepted. Any further interest you have would have to be expressed in a petition to intervene since this application has been protested by other parties.

Enclosed is your protest letter for applications 74-7254 and 75-7460 which was also received after the protest date. No other parties have protested these applications but they will be held until other decisions are complete.

Sincerely,

HAROLD W. JONES
Sr. Resource Agent

HWJ:cw

Enc: as stated

MICROFILMED

SEP 27 1990



IDAHO DEPARTMENT OF FISH AND GAME
REGION 6

1515 Lincoln Road
Idaho Falls • Idaho • 83401

June 2, 1988

Mr. Ernest Carlsen
Water Rights Supervisor
Department of Water Resources
150 Shoup Avenue, Suite 15
Idaho Falls, Idaho 83402

RE: Application #74-7254 - Lemhi River Estates - Lemhi River
Application #75-7460 - John Herrington, Jr. - Williams Creek

Dear Ernie:

Department of Fish and Game personnel have reviewed the above referenced applications, and do not have an objection to application #75-7460, John Harrington, Jr., as long as water is available and the issuance does not affect other water rights.

However, we do have an objection to the issuance of permit #74-7254 to the Lemhi River Estates. The Lemhi River is already over-appropriated, and in low water years, as in 1987, the existing rights dried up the river.

Other permit applications have been denied because of over-appropriation. We would remove our objection if the applicant can show that there is additional water in the river to meet their request and not impact existing water rights.

We appreciate the opportunity to comment on these applications.

Sincerely,

For Herbert A. Pollard, II
Regional Supervisor
Region 6

HAP:JAD:dk

cc: U.S. Fish & Wildlife Service
U.S. Army Corps of Engineers
Bureau of Program Coordination
Bureau of Fisheries
James A. Davis

RECEIVED
MICHIGAN
JUN 8 1988
SEP 2 1990
Department of Water Resources
Eastern District Office



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

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

May 12, 1988

State of Idaho
Dept. of Fish & Game
1515 Lincoln Rd.
Idaho Falls, Idaho 83401

RE: Applications for Permit Nos. 74-7254, Lemhi River Estates;
75-7460, Harrington

Dear Sir:

This office is currently in the process of publishing notices that the above applications were filed with the Department of Water Resources. Since the applications may be of interest to you, a copy of each is enclosed for your examination. Comments concerning the applications should be addressed to the applicant with a copy forwarded to this office. Protests objecting to granting a permit should be directed to this Department and received no later than June 6, 1988. Final action will be taken by this office shortly after this date, provided there are no protests lodged against the application.

Respectfully submitted,

Ernest Carlsen
Water Rights Supervisor

EC/dg
Enclosure

MICROFILMED

SEP 27 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

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

May 12, 1988

Everett DeCora,
Watermaster
Rt 1, Box 7-A
Salmon, Idaho 83467

RE: Application for Permit No. 74-7254, Lemhi River Estates

Dear Sir:

This office is currently in the process of publishing notices that the above application was filed with the Department of Water Resources. Since the application may be of interest to you, a copy is enclosed for your examination. Comments concerning the application should be addressed to the applicant with a copy forwarded to this office. Protests objecting to granting a permit should be directed to this Department and received no later than June 6, 1988. Final action will be taken by this office shortly after this date, provided there are no protests lodged against the application.

Respectfully submitted,

Ernest Carlsen
Water Rights Supervisor

EC/dg
Enclosure

RECORDED

SEP 27 1988



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

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

May 12, 1988

Lemhi River Estates
c/o Wingred Dudley
Box 1
Tendoy, Idaho 83468

RE: Application for Permit No. 74-7254

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned identification No. 74-7254. Please refer to this number in all further correspondence.

This office is currently in the process of advertising the application in the Recorder-Herald. 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,

Ernest Carlsen
Water Rights Supervisor

EC/dg

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SEP 27 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

MAY 11, 1988

The Recorder-Herald
P. O. Box 310
Salmon, Idaho 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. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. 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 JUNE 6, 1988.

Yours truly,

Deena Green
Office Secretary

Encl.

MICROFILMED

SEP 27 1990

74-7254

LEMHI RIVER ESTATES

C/O WINGRED DUDLEY, BOX 1, TENDON, ID 83468

Source: LEMHI RIVER trib. to SALMON RIVER

Diversion Pt: NENESE Sec 05 T 18N R 24E

Use: IRRIGATION (0.240 CFS)

Date Filed: 05/05/1988

In: NWSW Sec 04 T 18N R 24E NESE Sec 05 T 18N R 24E FOR 12 ACRES

74-7254

LEMHI RIVER ESTATES

C/O WINGRED DUDLEY, BOX
1, TENDON, ID 83468

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NESE Sec 05 T 18N R 24E FOR 12
ACRES

MICROFILMED

SEP 27 1990

NOTICE OF APPLICATION FOR WATER RIGHT

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

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, Suite 15, Idaho Falls, Idaho 83402 on or before JUNE 6, 1988.

R. KEITH HIGGINSON, Dir.

Published 5/19 & 5/26/88.

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SEP 27 1990

