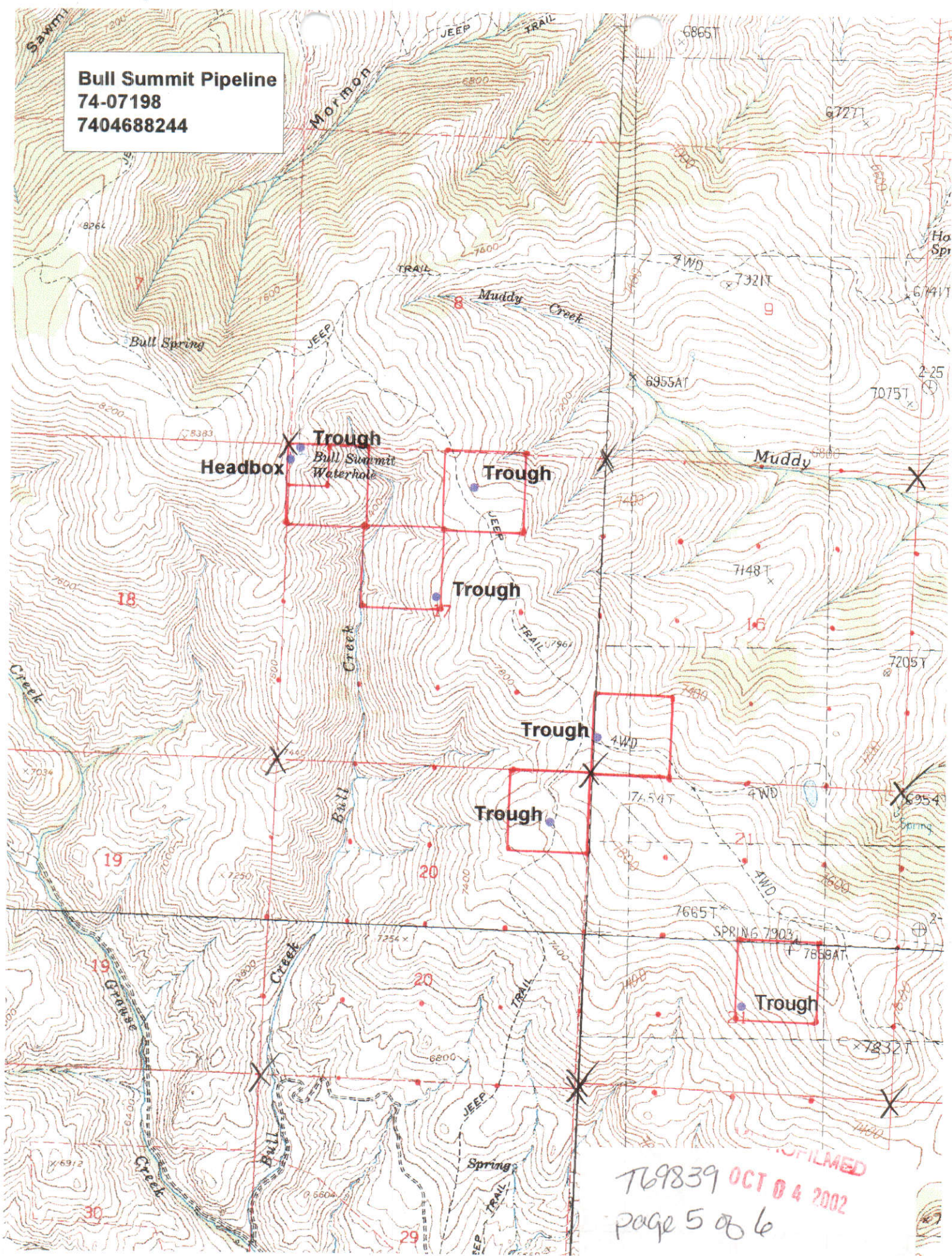


**Bull Summit Pipeline**  
**74-07198**  
**7404688244**



769839 OCT 04 2002  
 page 5 of 6

**NOTICE OF PROPOSED CHANGE  
TO WATER RIGHTS**

Notice is hereby given that several application(s) for transfer have been filed with the Idaho Department of Water Resources for changes to water rights in Lemhi County.

**United States Department of Interior, Bureau of Land Management, 50 Hwy 93S, Salmon ID 83467, filed application No. 69839** on April 4, 2002 for the purpose of changing the location of their water troughs. The new place of use are in Sections 16, 17, 20, and 21 T18N R23E.

**United States Department of Interior, Bureau of Land Management, 50 Hwy 93S, Salmon ID 83467, filed application No. 69840** on April 4, 2002 for the purpose of clarifying the actual location of their water troughs. The locations are the SWNE and SWSW Section 8 T17N R24E.

**United States Department of Interior, Bureau of Land Management, 50 Hwy 93S, Salmon ID 83467m filed application No. 69844** on April 4, 2002 for the purpose of clarifying actual point of diversion and places of use. The point of diversion is in the SWNW Section 5 with places of use in Sections 5, 6 and 7 all in T21N R23E.

**United States Department of Interior, Bureau of Land Management, 50 Hwy 93S, Salmon ID 83467, filed application No. 69848** on April 4, 2002 for the purpose of clarifying the actual point of diversion location. That location is the SWNWNE Lot 2 Section 10 T20N R22E.

**United States Department of Interior, Bureau of Land Management, 50 Hwy 93S, Salmon ID 83467m filed application No. 69855** on April 4, 2002 for the purpose of clarifying the actual amount and locations of the spring sources. These are 2 springs located in Sections 2 and 10 T20N R22E and 3 springs in the SW¼ Section 35 T21N R22E.

# Affidavit of Publication

STATE OF IDAHO

County of Lemhi

ss.

RICKY G. HODGES being first duly sworn, deposes and says he is one of the publishers (printers) of The Recorder Herald, a newspaper published weekly at Salmon, Lemhi County, Idaho, and of general circulation therein. That the **NOTICE OF PROPOSED CHANGE TO WATER RIGHTS**, a true printed copy of which is attached to the margin hereof, has been and was correctly printed and published in the regular and entire issue of every number of said newspaper and not in any supplement thereof or thereto for **TWO(2)** consecutive issue(s), commencing with the issue dated **5-2-2002** and ending with the issue dated **5-9-2002**.

STATE OF IDAHO

County of Lemhi

ss.

On this **20th day of May** in this year of 2002 before me, A Notary Public, personally appeared RICKY G. HODGES, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

*Shiela Johnson*

Notary Public for Idaho

Residing At Salmon, Idaho

My Commission expires: 01-02-2007

Publication Fee \$118.56

RECEIVED  
MAY 28 2002

Department of Water Resources  
Eastern Region

MICROFILMED  
OCT 04 2002



For specific details regarding the application(s), please contact Idaho Department of Water Resources, Eastern Regional Office at 208-525-7161 or visit [www.idwr.state.id.us](http://www.idwr.state.id.us) with detail provided under "New Water Right Applications". Protests may be submitted based on the criteria of Sec 42-222, Idaho Code. Protests against approval must be filed with Idaho Department of Water Resources, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 with a protest fee of \$25.00 for each application on or before May 20, 2002. The protestant must also send a copy of the protest to the applicant.

Karl J Dreher, Director

5-2-2tc

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**TRANSFER OF WATER RIGHT**  
TRANSFER NO. 69839

This is to certify that: US DEPT OF INTERIOR  
BUREAU OF LAND MANAGEMENT  
SALMON DISTRICT  
50 HWY 93 S  
SALMON ID 83467  
(208)756-5400

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

**Summary of Water Rights Before the Proposed Change**

| Right   | Origin/Basis | Priority   | Rate     | Volume | Acres | Total | Source |
|---------|--------------|------------|----------|--------|-------|-------|--------|
| 74-7198 | WR/Decreed   | 08/10/1983 | 0.04 cfs | 6.4 af |       |       | SPRING |

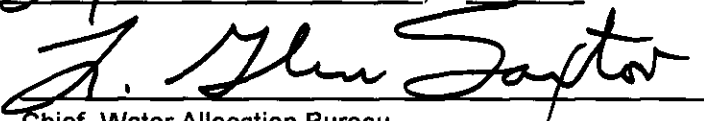
**Purpose of Transfer (Changes Proposed)**

| Current Number | Split | POD | PQU | Add POD | Period of Use | Nature of Use |
|----------------|-------|-----|-----|---------|---------------|---------------|
| 74-7198        | NO    | YES | YES | NO      | NO            | NO            |

**Summary of Water Rights After the Approved Change**

| Existing Right | New No. (changed portion) | Transfer Rate   | Transfer Volume | Acre Limit | Total Acres | New No. (remaining portion) | Remaining Rate | Remaining Volume | Remaining Acre Limit | Remaining Total Acres |
|----------------|---------------------------|-----------------|-----------------|------------|-------------|-----------------------------|----------------|------------------|----------------------|-----------------------|
| 74-7198        | 74-7198                   | 0.04 cfs        | 6.4 af          | N/A        |             |                             | N/A            | N/A              | N/A                  | N/A                   |
| <b>TOTALS</b>  |                           | <b>0.04 cfs</b> | <b>6.4 af</b>   |            |             |                             | <b>N/A</b>     | <b>N/A</b>       | <b>N/A</b>           | <b>N/A</b>            |

Detailed Water Right Description(s) attached

Dated this 23<sup>rd</sup> day of September, 2002  
  
 Chief, Water Allocation Bureau

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OCT 04 2002

**WATER RIGHT NO. 74-7198**  
**As Modified by Transfer No. 69839**

In accordance with the approval of Transfer No. 69839, Water Right No. 74-7198 is now described as follows.

**Right Holder:** US DEPT OF INTERIOR  
 BUREAU OF LAND MANAGEMENT  
 SALMON DISTRICT  
 50 HWY 93 S  
 SALMON ID 83467

**Priority Date:** August 10, 1983

**Source:** SPRING

**Tributary:** BULL CREEK

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| WILDLIFE              | 01/01       | to 12/31  | 0.01 CFS              | 6.4 AF        |
| STOCKWATER            | 05/01       | to 10/30  | 0.03 CFS              | 6.4 AF        |
|                       |             |           | 0.04 CFS              | 6.4 AF        |

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

SPRING                      NWNWNW      Sec. 17Twp 18N   Rge 23E   LEMHI County

**PLACE OF USE:**    WILDLIFE

| 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 23E 16  |    |    |    |    |    |    |    |    |    |    | X  |    |    |    |    |    |        |
| 18N 23E 17  |    | X  |    |    |    | X  |    | X  |    |    |    |    |    |    |    |    |        |
| 18N 23E 20  | X  |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
| 18N 23E 21  |    |    |    |    |    |    |    |    |    |    |    |    | X  |    |    |    |        |

**PLACE OF USE:**    STOCKWATER

| Twp Rge Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-------------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|             | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 18N 23E 16  |    |    |    |    |    |    |    |    |    |    | X  |    |    |    |    |    |        |
| 18N 23E 17  |    | X  |    |    |    |    |    | X  |    |    |    |    |    |    |    |    |        |
| 18N 23E 20  | X  |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
| 18N 23E 21  |    |    |    |    |    |    |    |    |    |    |    |    | X  |    |    |    |        |

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OCT 04 2002

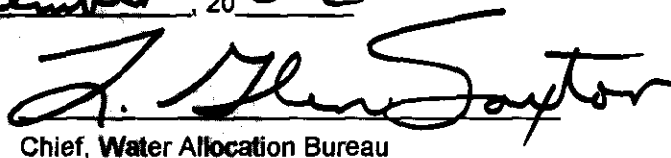
**WATER RIGHT NO. 74-7198**  
**As Modified by Transfer No. 69839**

**CONDITIONS OF APPROVAL**

1. The right holder shall comply with all fish screening requirements of the Idaho Department of Fish and Game.
2. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use and shall not exceed 13,000 gallons per day.
3. This right, when considered with all other rights common to the same grazing allotment, is limited to the quantity of water beneficially used by the number of stock within the allotment.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 23<sup>rd</sup> day of September, 2002

  
Chief, Water Allocation Bureau

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OCT 04 2002

Page 1 of 6STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

## APPLICATION FOR TRANSFER OF WATER RIGHTS

## PART 1

RECEIVED  
APR 04 2002  
Transfer No. 69839  
Department of Water Resources  
Eastern RegionName of Applicant USDI - BLM Phone 208 756-5400  
Post Office address 50 Hwy 93 E Salmon ID 83467

## A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use  
☐ Change nature of use ☐ Change period of use ☐ Other \_\_\_\_\_
2. Describe the reason for the proposed changes Changes based on GPS data showing pipeline as it was built.

## B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority         | Amount (cfs/ac-ft)    | Nature of Use     | Period of Use              |
|-----------------|------------------|-----------------------|-------------------|----------------------------|
| <u>74-07198</u> | <u>8/10/1983</u> | <u>0.3 cfs/6.4 af</u> | <u>Stockwater</u> | <u>5/1</u> to <u>10/30</u> |
| <u>74-07198</u> | <u>8/10/1983</u> | <u>0.1 cfs/6.4 af</u> | <u>Wildlife</u>   | <u>7/1</u> to <u>12/31</u> |
| _____           | _____            | _____                 | _____             | _____ to _____             |
| _____           | _____            | _____                 | _____             | _____ to _____             |
2. Total amount of water being transferred .04 cubic feet per second and/or 6.4 acre-feet per annum.
3. Source of water Spring tributary to Bull Creek
4. Point(s) of Diversion: \_\_\_\_\_

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
|     | NW  | NW  | NW  | 17   | 18N  | 23E  | Lemhi  |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |

## 5. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | Totals |
|------|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |      |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
| 18N  | 23E  | 17   |        | SW     |        |        |        | W      | SW     |        |        |        | SW     |        |        |        |        |        |        |
| 18N  | 23E  | 16   |        |        |        |        |        |        |        |        |        | SW     |        |        |        |        |        |        |        |
| 18N  | 23E  | 20   | SW     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
| 18N  | 23E  | 21   |        |        |        |        |        |        |        |        |        |        |        | SW     |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

69839

Total acres \_\_\_\_\_

**PART 1**

**6. General Information:**

a. Description of diversion system Culvert-type head box

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? \_\_\_\_\_ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

d. Remarks:

**ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES**

This is to certify that I have examined Application for Transfer of Water Rights No. \_\_\_\_\_

And said application is hereby \_\_\_\_\_, subject to the following limitations and conditions:

MICROFILMED

NOV 3 4 2002

Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**APPLICATION FOR TRANSFER OF WATER RIGHT**

**PART 2**

(Attach one copy for each right)

**A. DESCRIPTION OF RIGHT AS RECORDED**

**1. Right evidenced by:**

- a. Decree No. \_\_\_\_\_ Decreed to \_\_\_\_\_  
in case of \_\_\_\_\_ vs. \_\_\_\_\_  
dated \_\_\_\_\_ in \_\_\_\_\_ county of \_\_\_\_\_
- b. License No. 74-07198 issued by the Idaho Department of Water Resources.
- c. Claim No. \_\_\_\_\_ on file with the Idaho Department of Water Resources.
- d. Transfer No. \_\_\_\_\_ which produced this right.

**2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:**

☐ Tax Notice

☐ Warranty Deed

☐ Other \_\_\_\_\_

**3. Source of water** Spring tributary to Bull Creek

**4. Date or priority** 8/10/1983

**5. Water is used for the following purpose:**

amount 0.3 cfs / 6.4 af for Stockwater purposes from 5/1 to 10/30  
(cfs/ac-ft) (cfs/ac-ft)  
amount 0.1 cfs / 6.4 af for Wildlife purposes from 4/1 to 12/31  
(cfs/ac-ft) (cfs/ac-ft)  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft) (cfs/ac-ft)

**6. Total amount of water under right** 0.4 cubic feet per second and/or 6.4 acre-feet per annum.

**7. Point(s) of Diversion:**

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
|     |     | NW  | NW  | 17   | 18N  | 23E  | Lemhi  |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |

**8. Lands irrigated or place of use:**

| Twp. | Rge. | Sec. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | Totals. |
|------|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|---------|
|      |      |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |         |
| 18N  | 23E  | 17   |        | SW     |        |        | SW     |        |        |        |        |        |        |        |        |        |        | SW     |         |
| 18N  | 23E  | 21   |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |         |
| 18N  | 23E  | 28   |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |         |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |         |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |         |

74-11581 is an undeveloped spring claim.

Total acres \_\_\_\_\_

**9. Describe any other water rights used for the same purpose as described above** 74-01442 covers

stockwater for the first trough in the line

10. To your knowledge, has any por of this water right undergone a period of or more consecutive years of non-use?  
No If yes, describe \_\_\_\_\_

### B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)

#### 2. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |

#### 3. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | Totals |
|------|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |      |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total acres \_\_\_\_\_

### C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)

#### 2. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |

#### 3. Lands irrigated or place of use:

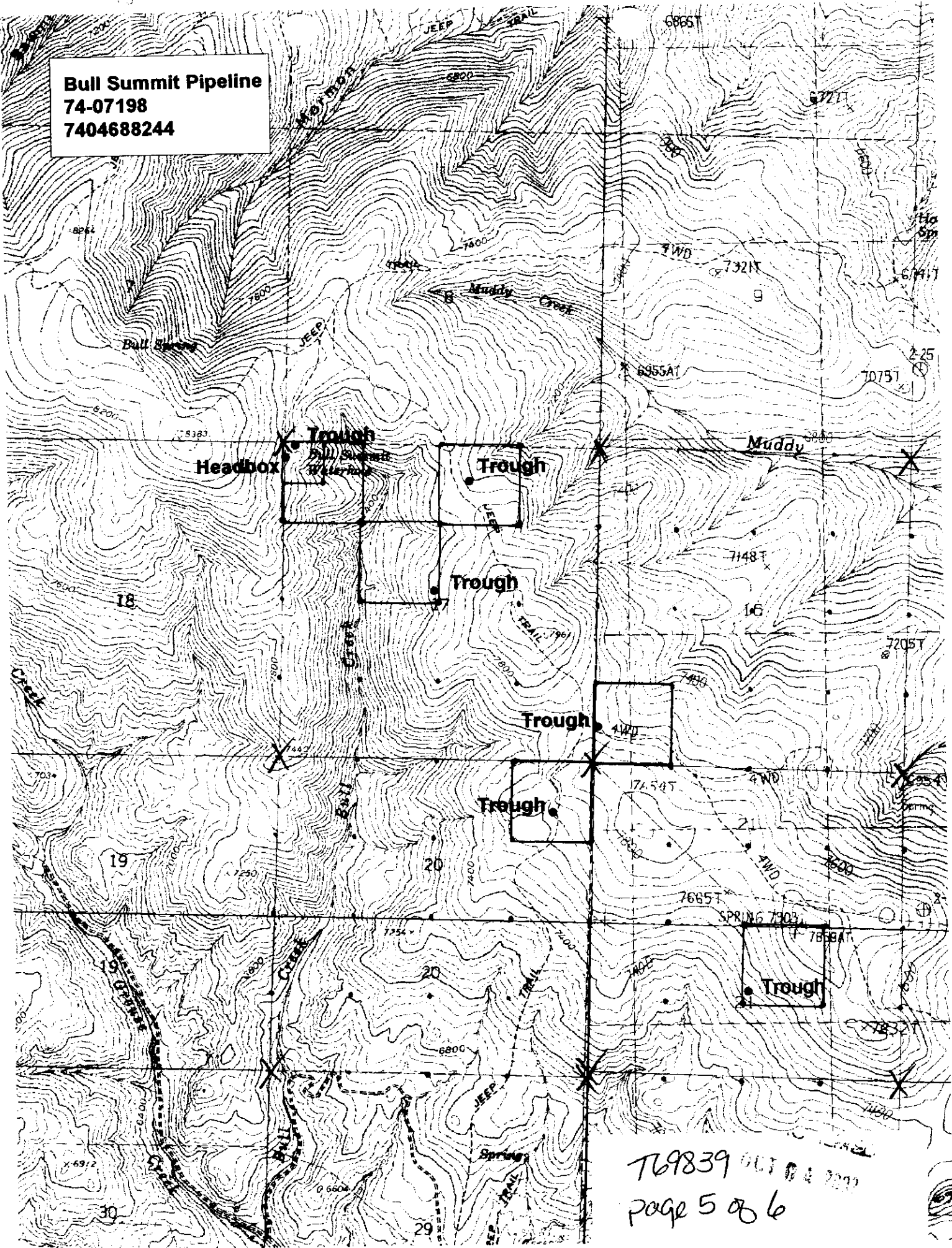
| Twp. | Rge. | Sec. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | Totals |
|------|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |      |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total acres \_\_\_\_\_

MICRO  
 0 4 2012

03-5-45

**Bull Summit Pipeline**  
**74-07198**  
**7404688244**



769839 OCT 10 1977  
page 5 of 6

**PART 3**

**B. CHANGES IN NATURE OF USE**

| 1 | <u>New Nature of Use</u> | <u>Amount<br/>(cfs/ac-ft)</u> | <u>Hours/days/year</u> | <u>Period of Use</u> |
|---|--------------------------|-------------------------------|------------------------|----------------------|
|   |                          |                               |                        | to                   |
|   |                          |                               |                        | to                   |

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

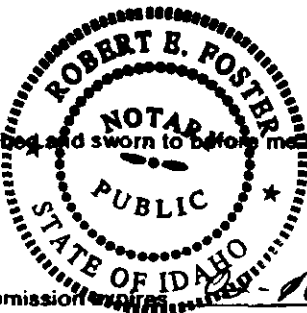
I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 3RD day of April, 2002

Robert E. Foster  
(Notary Public)

My commission expires 06-07



**FOR DEPARTMENT USE ONLY**

Transfer contains 6 pages and \_\_\_\_\_ attachments

Received by HWT Date 4-4-2002 Protest filed by \_\_\_\_\_

Prelim. check by HWT Fee \$100.00

Received by HWT #E02767 Date 4-4-2002

Published in Recorder Herald Copies of protest forwarded by \_\_\_\_\_

Pub. dates May 2 & 9, 2002 Hearing held by \_\_\_\_\_ Date \_\_\_\_\_

Watermaster recommendation requested on \_\_\_\_\_ Recommended for ☒ approval ☐ denial

\_\_\_\_\_ rec'd. by RDC

Copy of transfer sent to lien holder \_\_\_\_\_

MICROFILMED  
007 7 4 2002

RECEIVED

2002 JUN 14 PM 3:40

Department of Water Resources

DISTRICT COURT-SRBA  
TWIN FALLS CO., IDAHO  
FILED

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

**In Re SRBA**

**Case No. 39576**

)

)

)

)

)

**ORDER OF PARTIAL DECREE**

**For Water Right 74-07198**

On April 23, 2002, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 74-07198 is hereby **decreed** as set forth in the attached *Partial Decree* Pursuant to I.R.C.P. 54(b).

DATED June 14, 2002



ROGER S. BURDICK

Presiding Judge

Snake River Basin Adjudication

**ORDER OF PARTIAL DECREE**

MICROFILMED

JUN 14 2002

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA )  
Case No. 39576 )

PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR  
Water Right 74-07198

2002 JUN 14 PM 3:41

DISTRICT COURT-SRBA  
TWIN FALLS CO., IDAHO  
FILED \_\_\_\_\_

NAME AND ADDRESS: USOI BLM  
IDAHO STATE OFFICE  
1387 S VINNELL WAY  
BOISE, ID 83709-1657

SOURCE: SPRING TRIBUTARY: BULL CREEK

QUANTITY: 0.04 CFS  
6.40 APY

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000  
GALLONS PER DAY.

PRIORITY DATE: 08/10/1983

POINT OF DIVERSION: T18N R23E S17 NWNWNE Within Lemhi County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|-------------------------------|----------------|----------------|----------|
|                               | Stockwater     | 05-01 TO 10-30 | 0.03 CFS |
|                               |                |                | 6.40 APY |
|                               | Wildlife       | 01-01 TO 12-31 | 0.01 CFS |
|                               |                |                | 6.40 APY |

|               |               |      |                     |
|---------------|---------------|------|---------------------|
| PLACE OF USE: | Stockwater    |      | Within Lemhi County |
|               | T18N R23E S17 | SESE |                     |
|               | S21           | NENW |                     |
|               | S28           | SESE |                     |
| Wildlife      |               |      | Within Lemhi County |
|               | T18N R23E S17 | SESE |                     |
|               | S21           | NENW |                     |
|               | S28           | SESE |                     |

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A  
DETERMINATION OF HISTORICAL BENEFICIAL USE.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS  
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT  
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY  
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE  
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

MICROFILMED  
OCT 8 2002

2002 JUN 14 PM 02:00  
DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO  
FILED \_\_\_\_\_

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA )

CERTIFICATE OF MAILING

Case No. 39576 )  
\_\_\_\_\_ )

Water Right(s): 74-07198

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE  
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 74-07198 was mailed  
on June 14, 2002, with sufficient first-class postage prepaid  
to the following:

DIRECTOR OF IDWR  
PO BOX 83720  
BOISE, ID 83720-0098

USDI BLM

Represented by:  
US DEPARTMENT OF JUSTICE  
ENVIRONMENT & NATL' RESOURCES  
550 WEST FORT STREET, MSC 033  
BOISE, ID 83724  
Phone: 208-387-0835

ROBBIN GLATZ  
Chief Deputy Clerk

MICROFILMED

OCT 04 2002

CERTIFICATE OF MAILING

PAGE 1  
06/14/02

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

*Roger Burdick*

Roger Burdick  
Presiding Judge of the  
Snake River Basin Adjudication

MICROFILMED  
OCT 13 2002



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

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

September 24, 2002

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

US DEPT OF INTERIOR  
BUREAU OF LAND MANAGEMENT  
SALMON DISTRICT  
50 HWY 93 S  
SALMON ID 83467

RE: Transfer No.: 69839 - Water Right 74-7198 - Transfer Approval Notice

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

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

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

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

If you have any questions, please contact me at 208-327-7940.

Sincerely,

*for* *Sharla Curtis*

for Jeff Peppersack, Manager  
Water Rights Permits Section

JP:klt  
Enclosure(s)

MICROFILMED

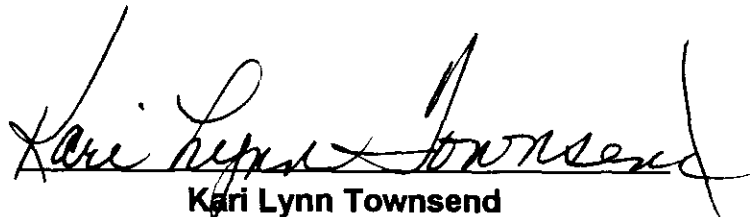
SEP 24 2002

## **CERTIFICATE OF SERVICE**

I hereby certify that on September 24, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

**RE: TRANSFER NO. 69839 - WATER RIGHT 74-7198**

**US DEPT OF INTERIOR  
BUREAU OF LAND MANAGEMENT  
SALMON DISTRICT  
50 HWY 93 S  
SALMON ID 83467**

  
**Kari Lynn Townsend  
Secretary**

MICROFILMED

OCT 8 2002

**EXPLANATORY INFORMATION  
TO ACCOMPANY A  
PRELIMINARY ORDER**

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

**PETITION FOR RECONSIDERATION**

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

**EXCEPTIONS AND BRIEFS**

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

**REQUEST FOR HEARING**

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

**ORAL ARGUMENT**

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

**CERTIFICATE OF SERVICE**

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

## **FINAL ORDER**

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

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

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

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

## **APPEAL OF FINAL ORDER TO DISTRICT COURT**

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

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

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

# TRANSFER REVIEW SHEET

Trans # 69839

Date Reviewed 9/20/02

*Sharla*

Right No(s). \* 74-7198

Split? Y N Y N Y N Y N Y N Y N

AREA OF CONCERN: No/Yes S/C

*uses ok*

## PURPOSE OF TRANSFER FOR EACH RIGHT:

Change p/d Add p/d Change use period Change nature of use Change p/u

RightID's of From & To records correct? Y N (resolve with State Office personnel)

Check for Partial Decree issuance, etc. since time of application's entry

PROOF OF OWNERSHIP COMPLETE FOR OLD & NEW P/U        Lien Holder Release       

## GROUNDWATER:

### DRILLING PERMIT

All wells - 046  
DP upgrade req'd Y N (contact GW personnel)  
WMD - North/East/West  
≤ 0.24 cfs/5 acres - No MD  
> 0.24 cfs/5 acres - 067

### WMD

≤ 0.24 cfs/5 acres - No MD  
> 0.24 cfs/5 acres - 01M or 01Q

SUPPLEMENTAL (irr = only use) - 065-104  
SUPPLEMENTAL (irr + other uses) - 100-105

## SURFACE WATER:

WD - R05 (WD#       ) WM comments rec'd         
≤ 0.20 cfs/others - R02, 01P or No MD  
> 0.20 cfs - R43  
WD, SPRINGS/SINK, INACTIVE WD & REST OF STATE  
≤ 0.24 cfs/5 acres - No MD  
> 0.24 cfs/5 acres - 01M or 01Q

STANDARD SEASON        to        (use X61 if extended season)  
STANDARD VOLUME        af/ac  
CONSUMPTIVE USE VOLUME        af/ac

## USES:

STORAGE - 18C-R02-01P-18B-NA  
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)  
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)  
STOCKWATER - R37 (all BLM/USFS)  
MINING - 054-106  
FISH PROP - 029/70'S only - 007-122-106  
HEAT/COOL - R07 (injection well)  
FIRE PROT. - 077  
DAIRY - 082 (zoning if a concern)-106-WD8

## USES:

POWER - 17H-17K (+uses)-025-106  
MUNICIPAL  
Restricted area - 022-075 RAFN - 007-109-X64  
Irr., GW supp to SW - 102  
DOMESTIC  
Surface water - WB5 (Big Wood or Boise above Star Bridge)  
- 27A (Payette River)  
>1 in restricted area - 070-071-075 (no parks/common areas, etc)  
Irr use listed separate - WB5

## MISC CONDITIONS/REMARKS:

T07 - 1 yr to develop  
T08 - comply or rescind  
T17 - measure all p/d's (used with WB4)  
T18 - Special T17 & R43 combined - multiple pds in WD

Protested - 020-X19  
Water Quality - 106-R07

X27 - Number of acres/season in ppu  
X35 - Combined totals of multiple rts

X49 - measure p/d's (source chg'd to orig trib)  
X51 - 2+ yrs to develop  
X53 - Use ltd to orig. source availability  
X54 - forfeited ac/rate (used rarely)  
X55 - (transfer shrinks total water to less ac)  
004 - no right-of-way  
X58 - pending claim (statutory or AJ b/u claim)  
X61 - extended irr season  
X62 - replaces N11 and N13  
X63 - replaces C12  
WB4 - + p/ds, cfs & afa (used with T17)  
WD8 - land application of waste water  
01Q - used instead of 01M when there's another meas. Cond (i.e. T17 & 01m)

## Apply one to chg'd and unchg'd rts:

T09 - on-going SRBA (no Dir Rpt or Recomm yet)  
T19 - replaces C18 (if at Recommendation or Partial Decree stage)  
T20 - use instead of T09 where not ongoing in SRBA

## OTHER CONDITIONS/REMARKS

## COMMENTS

Database files updated ✓ Approval form printed ✓ Shape files created ✓  
Special Mailing Instructions (cc's, etc) ✓  
Final database update after approval ✓ \*Comment to WR No(s). N/A

*9/23/02*

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
TRANSFER ANALYSIS SHEET

4-10-02  
T#69839

INITIAL REVIEW BY: HCS

1. Right number 74-7198 Applicant BLM PX

2. Type of right: ☐ Decree ☒ License ☐ Claim ☐ SRBA Recommendation

3. Purpose of transfer: ☒ Change point of diversion ☐ Add diversion point(s)  
☒ Change place of use ☐ Other \_\_\_\_\_

4. Check:

a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use

b. ☐ Description of original point of diversion.

c. ☐ Description of original place of use.

5. Amount of land &/or water transferred:

a. ☒ All of right.

b. ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).

c. Map for remainder of right? ☐ Yes ☐ No

d. ☒ Check description of point(s) of diversion.

e. ☒ Check description of place of use

f. ☒ Check map (shows p.d. and p.u. after transfer).

g. ☒ Check for correct signature, notarization, and fee.

h. ☒ Check proof of ownership of right &/or land from which water is transferred.

i. ☒ Check for expansion in use of right. Comments \_\_\_\_\_

j. ☒ Check for existing water rights from same source, on land water is being transferred to.

Right number(s) \_\_\_\_\_

k. ☒ Is use within a Watermaster District? ☐ Yes ☒ No

If yes, what district? \_\_\_\_\_

FINAL PROCESSING REVIEW BY: \_\_\_\_\_

1. Watermaster recommendation requested on \_\_\_\_\_ Received on \_\_\_\_\_

2. Reviewed by Adjudication Staff? ☒ Yes ☐ No

3. Is transfer published correctly? ☒ Yes ☐ No

4. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☒ Approve

2. ☐ Deny

3. Conditions\* \_\_\_\_\_

4. By RDC Date JUNE 5, 2002

\*All uses within Watermaster District require special conditions

69839

**NOTICE OF PROPOSED CHANGE  
TO WATER RIGHTS**

Notice is hereby given that several application(s) for transfer have been filed with the Idaho Department of Water Resources for changes to water rights in Lemhi County.

United States Department of Interior, Bureau of Land Management, 50 Hwy 93S, Salmon ID 83467, filed application No. 89838 on April 4, 2002 for the purpose of changing the location of their water troughs. The new place of use are in Sections 16, 17, 20, and 21 T18N R23E.

United States Department of Interior, Bureau of Land Management, 50 Hwy 93S, Salmon ID 83467, filed application No. 89840 on April 4, 2002 for the purpose of clarifying the actual location of their water troughs. The locations are the SWNE and SWSW Section 8 T17N R24E.

United States Department of Interior, Bureau of Land Management, 50 Hwy 93S, Salmon ID 83467m filed application No. 89844 on April 4, 2002 for the purpose of clarifying actual point of diversion and places of use. The point of diversion is in the SWNW Section 5 with places of use in Sections 5, 6 and 7 all in T21N R23E.

United States Department of Interior, Bureau of Land Management, 50 Hwy 93S, Salmon ID 83467, filed application No. 89848 on April 4, 2002 for the purpose of clarifying the actual point of diversion location. That location is the SWNWNE Lot 2 Section 10 T20N R22E.

United States Department of Interior, Bureau of Land Management, 50 Hwy 93S, Salmon ID 83467m filed application No. 89853 on April 4, 2002 for the purpose of clarifying the actual amount and locations of the spring sources. These are 2 springs located in Sections 2 and 10 T20N R22E and 3 springs in the SWW Section 35 T21N R22E.

# Affidavit of Publication

STATE OF IDAHO }  
County of Lemhi } ss.

RICKY G. HODGES being first duly sworn, deposes and says he is one of the publishers (printers) of The Recorder Herald, a newspaper published weekly at Salmon, Lemhi County, Idaho, and of general circulation therein. That the **NOTICE OF PROPOSED CHANGE TO WATER RIGHTS**, a true printed copy of which is attached to the margin hereof, has been and was correctly printed and published in the regular and entire issue of every number of said newspaper and not in any supplement thereof or thereto for **TWO(2)** consecutive issue(s), commencing with the issue dated **5-2-2002** and ending with the issue dated **5-9-2002**.

STATE OF IDAHO }  
County of Lemhi } ss.

On this **20th day of May** in this year of 2002 before me, A Notary Public, personally appeared RICKY G. HODGES, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

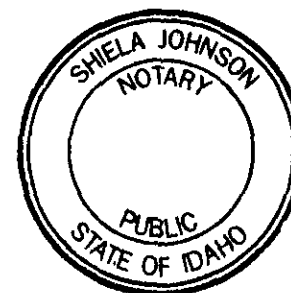
*Shiela Johnson*

Notary Public for Idaho

Residing At Salmon, Idaho

My Commission expires: 01-02-2007

Publication Fee \$118.56



RECEIVED  
MAY 28 2002

Department of Water Resources  
Eastern Region

MICROFILMED  
MAY 28 2002

SKS

**PROTESTS**  
The Idaho Department of Water Resources, Eastern Regional Office at 268-625-7161 or visit [www.idwr.state.id.us](http://www.idwr.state.id.us) with detail provided under "New Water Right Applications". Protests may be submitted based on the criteria of Sec 42-222, Idaho Code. Protests against applications must be filed with Idaho Department of Water Resources, Eastern Region, 600 N Skyline Dr Ste A, Idaho Falls ID 83402 with a protest fee of \$25.00 for each application on or before May 20, 2002. The protestant must also send a copy of the protest to the applicant.

Karl J. Greher, Director

5-2-2tc



State of Idaho

## DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION  
April 24, 2002

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

US DEPT OF INTERIOR  
BUREAU OF LAND MANAGEMENT  
SALMON DISTRICT  
50 HWY 93 S  
SALMON ID 83467

RE: Application for Transfer No 69839, 69840, 69844, 69848 and 69855  
Water Right No(s) 74-7198

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your water right transfer application. Please refer to the above referenced transfer number in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the Recorder Herald on May 2 and 9, 2002. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

If the application is protested you will be sent a copy of the protest(s). All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

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

Sincerely,

  
Harold W Jones  
Water Right Supervisor

HWJ:sc

MICROFILMED

OCT 04 2002



State of Idaho

## DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION  
April 24, 2002

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

**Legal Notice Department**  
RECORDER-HERALD  
PO BOX 310  
SALMON ID 83467

RE: Transfer No. 69839, 69840, 69844, 69848 and 69855

**Dear LEGAL NOTICE DEPARTMENT:**

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). 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. Please send the affidavit and bill to this office before May 20, 2002. Your cooperation is appreciated.

Sincerely

Sharla Cox  
Administrative Assistant

*mailed  
4/25/02  
sc*

MICROFILMED

OCT 14 2002

## NOTICE OF PROPOSED CHANGE TO WATER RIGHTS

Notice is hereby given that several application(s) for transfer have been filed with the Idaho Department of Water Resources for changes to water rights in Lemhi County.

**United States Department of Interior, Bureau of Land Management, 50 Hwy 93 S, Salmon ID 83467, filed application No. 69839** on April 4, 2002 for the purpose of changing the location of their water troughs. The new place of use are in Sections 16, 17, 20 and 21 T18N R23E.

**United States Department of Interior, Bureau of Land Management, 50 Hwy 93 S, Salmon ID 83467, filed application No. 69840** on April 4, 2002 for the purpose of clarifying the actual location of their water troughs. The locations are the SWNE and SWSW Section 8 T17N R24E.

**United States Department of Interior, Bureau of Land Management, 50 Hwy 93 S, Salmon ID 83467, filed application No. 69844** on April 4, 2002 for the purpose of clarifying the actual point of diversion and places of use. The point of diversion is in the SWNW Section 5 with places of use in Sections 5, 6 and 7 all in T21N R23E.

**United States Department of Interior, Bureau of Land Management, 50 Hwy 93 S, Salmon ID 83467, filed application No. 69848** on April 4, 2002 for the purpose of clarifying the actual point of diversion location. That location is the SWNWNE Lot 2 Section 10 T20N R22E.

**United States Department of Interior, Bureau of Land Management, 50 Hwy 93 S, Salmon ID 83467, filed application No. 69855** on April 4, 2002 for the purpose of clarifying the actual amount and locations of the spring sources. These are 2 springs located in Sections 2 and 10 T20N R22E and 3 springs in the SW ¼ Section 35 T21N R22E.

For specific details regarding the application(s), please contact Idaho Department of Water Resources, Eastern Regional Office at 208-525-7161 or visit [www.idwr.state.id.us](http://www.idwr.state.id.us) with detail provided under "New Water Right Applications". Protests may be submitted based on the criteria of Sec 42-222, Idaho Code. Protests against approval must be filed with Idaho Department of Water Resources, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 with a protest fee of \$25.00 for each application on or before May 20, 2002. The protestant must also send a copy of the protest to the applicant.

Karl J Dreher, Director

Published on May 2 and 9, 2002

MICROFILMED

APR 12 2002

NOTICE OF PROPOSED CHANGE OF WATER RIGHT  
TRANSFER NO. 69839

US DEPT OF INTERIOR  
BUREAU OF LAND MANGEMENT  
SALMON DISTRICT  
50 HWY 83 S

SALMON ID 83467, has filed Application No. 69839 for changes to the following water rights within LEMHI County:

Right No. 74-7198

Priority 8/10/1983

Source SPRING

Use WILDLIFE (0 acres) 0.03 CFS 6.4 AFA  
STOCKWATER (0 acres)

Total Amount 0.04 CFS 6.4 AFA

Point(s) of Diversion NWNWNE S17 T18N R23E

Place of Use S17 T18N R23E  
S21 T18N R23E  
S28 T18N R23E

The purpose of the transfer is to change a portion of the above rights as follows:

Proposed Right No. 74-7198

Priority 8/10/1983

Source SPRING

Use WILDLIFE (0 acres) 0.03 CFS 6.4 AFA  
STOCKWATER (0 acres)

Total Amount 0.04 CFS 6.4 AFA

Point(s) of Diversion NWNWNW S17 T18N R23E

Place of Use S16 T18N R23E  
S17 T18N R23E  
S20 T18N R23E  
S21 T18N R23E

Protests may be submitted based on the criteria of Sec 42-222, Idaho Code.

Any protest against the proposed change must be filed with the Department of Water Resources, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with a protest fee of \$25.00 for each application on or before May 20, 2002. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on May 2 and 9, 2002

MICROFILMED

MAY 9 2002