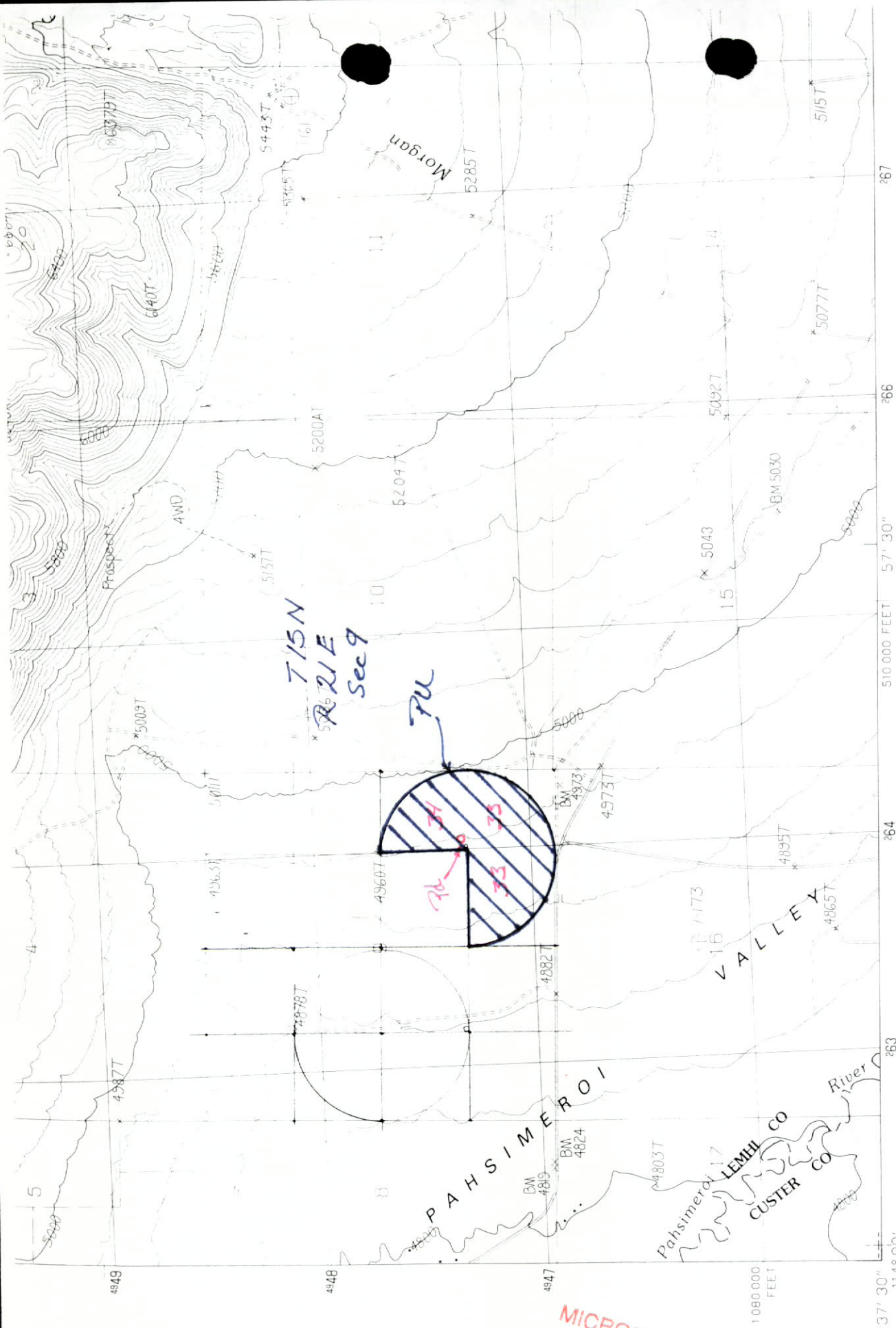
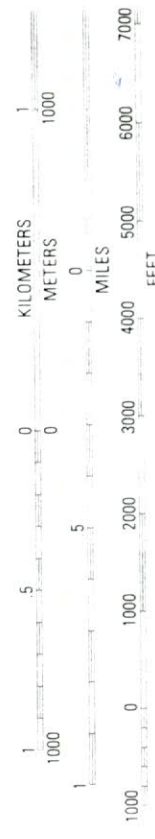




SCALE 1:24 000



CONTOUR INTERVAL 40 FEET

NORTH

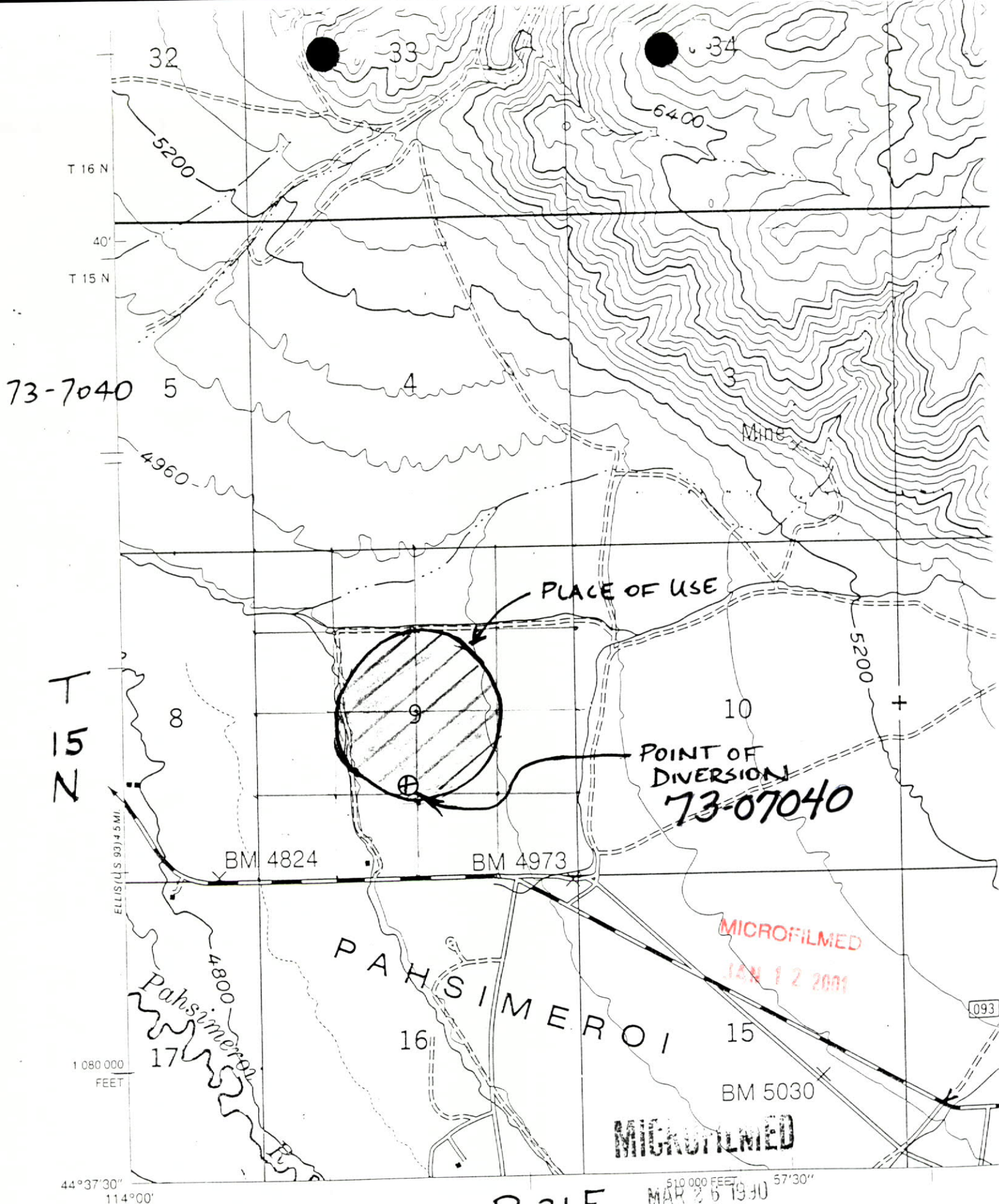
PRODUCED BY THE UNITED STATES GEOLOGICAL SURVEY
 CONTROL BY USGS, NOS/NOAA
 COMPILED FROM AERIAL PHOTOGRAPHS TAKEN 1984
 FIELD CHECKED 1986 MAP EDITED 1989
 PROJECTION TRANSVERSE MERCATOR
 GRID: 1000-METER UNIVERSAL TRANSVERSE MERCATOR ZONE 12
 10,000 FOOT STATE GRID Ticks IDAHO, CENTRAL ZONE
 UTM GRID DECLINATION 2°04' WEST
 1989 MAGNETIC NORTH DECLINATION 16°30' EAST
 VERTICAL DATUM NATIONAL GEODETIC VERTICAL DATUM OF 1929
 HORIZONTAL DATUM 1927 NORTH AMERICAN DATUM

PROVISIONAL MAP

To place on the predicted North American Datum of 1983, move the projection lines as shown by dashed corner ticks

MICROFILMED JUN 05 1998

73~7129

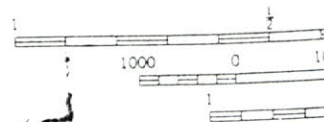
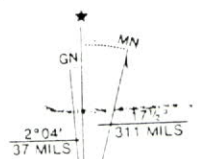


(CHALLIS SE)

Base Map Prepared by the U.S. Geological Survey
Control by USGS and USC&GS

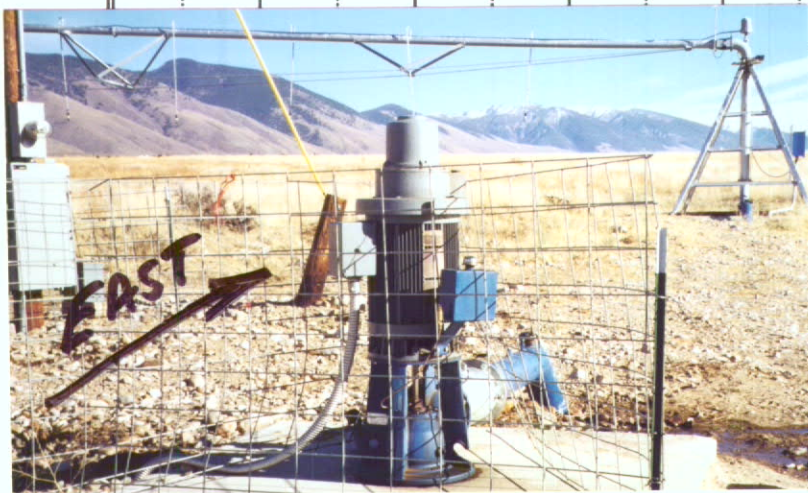
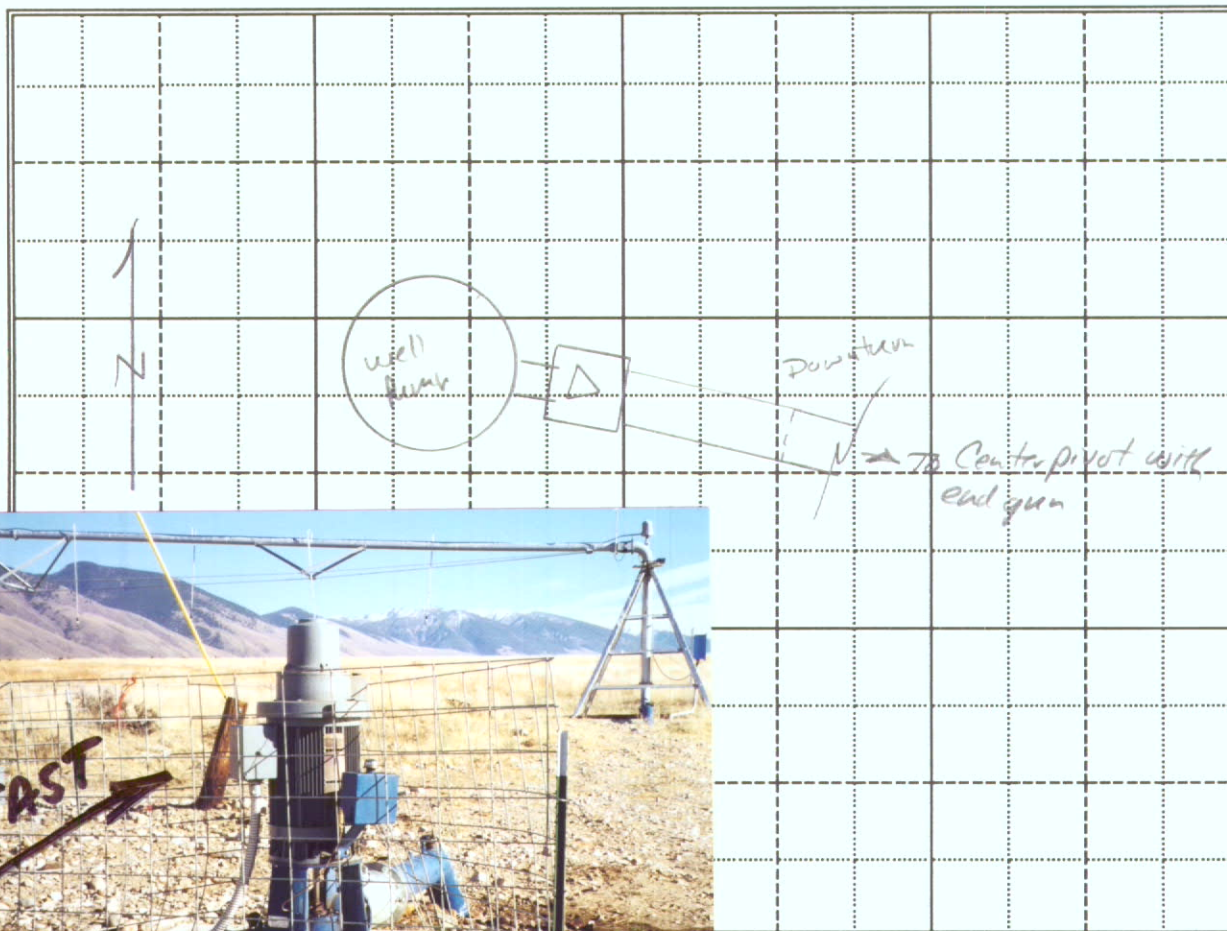
Topography from aerial photographs by multiplex methods
Aerial photographs taken 1954. Advance field check 1956

Polyconic projection, 1927 North American datum
10,000-foot grid based on Idaho coordinate system,



DO
NIA

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



✓ 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
	GE	75	5X6255XH5018	Floway	8-0615

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

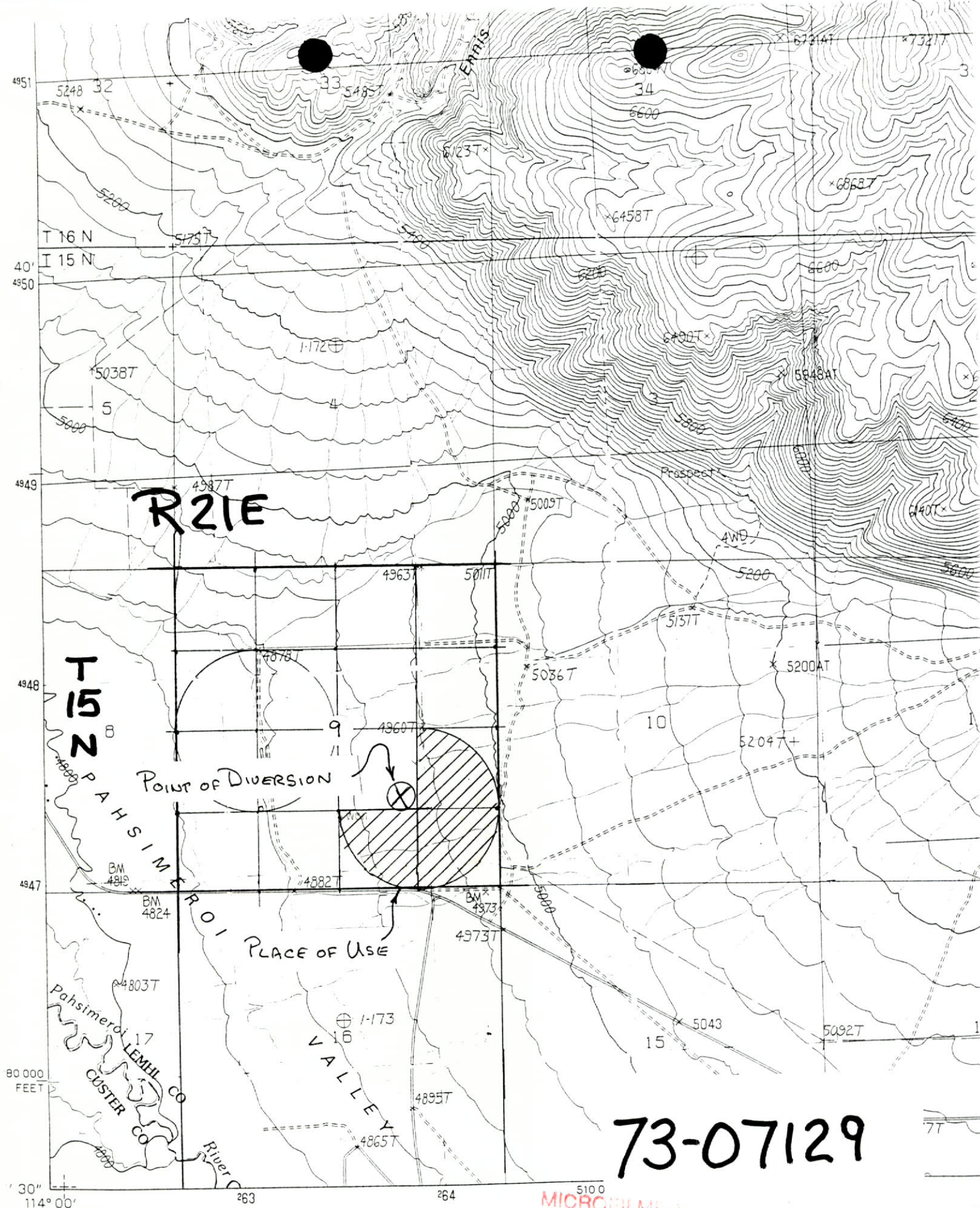
D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Sonic Meter						

2. Measurements: 6.104' thick 8.03' at MICROFILMED

JAN 12 2001

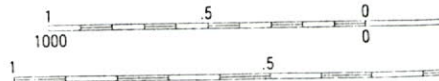


PRODUCED BY THE UNITED STATES GEOLOGICAL SURVEY
 CONTROL BY USGS, NOS/NOAA
 COMPILED FROM AERIAL PHOTOGRAPHS TAKEN 1984
 FIELD CHECKED 1986 MAP EDITED 1989
 PROJECTION TRANSVERSE MERCATOR
 GRID: 1000-METER UNIVERSAL TRANSVERSE MERCATOR ZONE 12
 10,000 FOOT STATE GRID TICKS IDAHO, CENTRAL ZONE

MICROFILMED

JAN 2 2001

NORTH



21E

4 3
9 10

R21E

T
15
N

4
140.0

9

PLACE OF USE

POINT OF DIVERSION



33

33

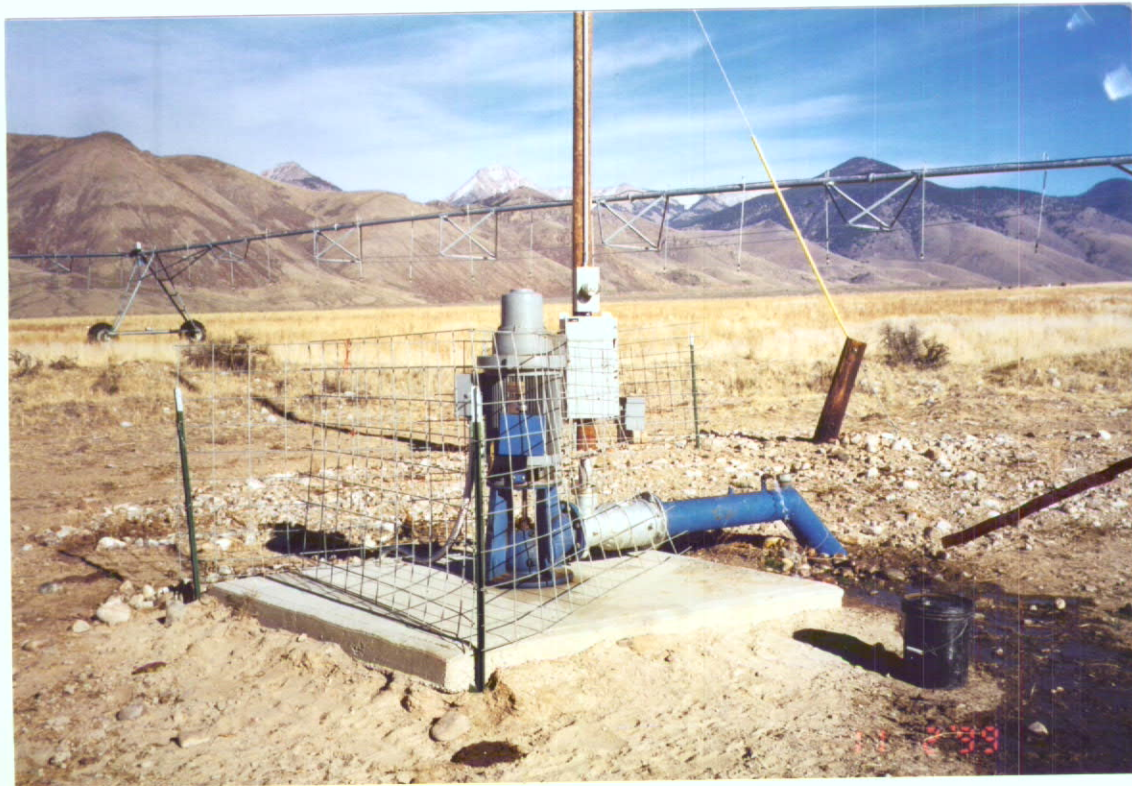
33

9 10
16 15

MICROFILMED

JAN 12 2001

73-07129



3/4 Pivot

TO
PIVOT

POINT OF DIVERSION

MICROFILMED

JAN 12 2001

73-07129

State of Idaho
Department of Water Resources

Water Right License

WATER RIGHT NO. 73-07129

Priority: October 16, 1997

Maximum Diversion Rate:

1.64 CFS

This is to certify, that HATCH LIVESTOCK

HC 62 BOX 1100

ELLIS ID 83235

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated October 16, 1997; and has submitted Proof of Beneficial Use on October 8, 1999. An examination indicates that the works have a diversion capacity of 1.640 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
-----------------------	----------------------	--------------------------

IRRIGATION	04/01 to 10/31	1.64 CFS
------------	----------------	----------

LOCATION OF POINT(S) OF DIVERSION:

SENWSE , Sec. 9, Township 15N, Range 21E
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>
15N	21E	9	NESE 33	SWSE 33	SESE 33	99

Total number of acres irrigated: 99

CONDITIONS OF APPROVAL AND REMARKS

1. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
2. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
3. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
4. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 346.5 af at the field headgate for the lands above.

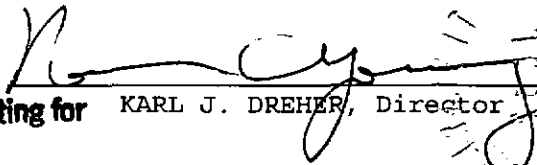
MICROFILMED

JAN 12 2001

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 73-07129

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Signed and sealed this 26th day of September, 2000.


Acting for KARL J. DREHER, Director

MICROFILMED
JAN 12 2001

RECEIVED

SEP 08 2000

State of Idaho
Department of Water Resources

Department of Water Resources

APPLICATION FOR AMENDMENT

(For Licensing Purposes)

WATER RIGHT NO. 73-07129

Date of Priority: October 16, 1997

Maximum Diversion Rate: 1.64 CFS

Maximum Diversion Volume: 346.5 AF

Comes now HATCH LIVESTOCK

HC 62 BOX 1100

ELLIS ID 83235

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. 73-07129, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	1.64 CFS	346.5 AF

LOCATION OF POINT(S) OF DIVERSION: SENWSE , Sec. 9, Township 15N, Range 21E
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>
15N	21E	9	NESE 33	SWSE 33	SESE 33	99

Total number of acres irrigated: 99

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 Ellis Idaho, this 6th day of Sept., 2000.

MICROFILMED

Ralph Hotel
(Signature)

JAN 12 2001

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 73-07129

FOR DEPARTMENT USE ONLY

Preliminary check by JB Fee = 50.00 Received by JB # C050372 Date 9-8-00

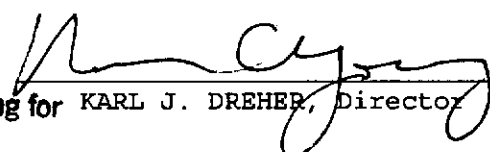
ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 73-07129 with the following;

CONDITIONS OF APPROVAL AND REMARKS

1. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
2. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
3. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
4. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 346.5 af at the field headgate for the lands above.

Witness my hand this 26th day of September, 2000.


Acting for KARL J. DREHER, Director

MICROFILMED
JAN 12 2001

RECEIVED

OCT 18 1999

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 08 1999

PROOF OF BENEFICIAL USE

Department of Water Resources
Eastern Region

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 73-07129 Telephone No. 208-876-4230
2. Name(s) of Permit Holder(s): Hatch Livestock
3. Mailing Address: HC 62 Box 1100 Ellis, Idaho 83235
4. Source of Water: Well If GROUNDWATER (well), Date Drilled: mo. Aug. / yr. 98
 - a. Well Driller: Independent Drilling Drilling Permit Number: 73-98-E-0001
 - b. **OPTIONAL:**
Pump Horsepower: 75 Pressure (psi): 68 Dynamic pumping level (ft): _____
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): 1 Stockwater (No. and type of stock): _____
Irrigation (No. of acres): 100.0 Other: _____
6. Total rate of diversion and/or volume for which proof is submitted: 2 cfs OR _____ acre feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is **not optional**. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device:	Is a measuring device required?	Yes _____	or	No <u>✓</u>
	Has the measuring device been installed?	Yes _____	or	No <u>✓</u>
Flow Measurement Port:	Is a flow measurement port required?	Yes _____	or	No <u>✓</u>
	Has the measurement port been installed?	Yes _____	or	No <u>✓</u>
8. Fee Enclosed: \$ 125.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system.
Name: Ralph Hatch Telephone Number: 208-876-4230
Address: HC 62 Box 1100 Ellis, Idaho 83235
10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: Ralph Hatch owner Date: 7 Oct 99
(include your title, if on behalf of company or organization)

MICROFILMED

DEC 14 1999

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 73-07129

Proposed Priority: October 16, 1997 Maximum Diversion Rate: 2.00 CFS

This is to certify, that HATCH LIVESTOCK
HC 62 BOX 1100
ELLIS ID 83235

has applied for a permit to appropriate water from: GROUNDWATER

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	04/15 to 10/15	2.00 CFS

LOCATION OF POINT(S) OF DIVERSION: NESE , Sec. 9, Township 15N, Range 21E
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>
15N	21E	9	NESE 34.0	SWSE 33.0	SESE 33.0	100.0

Total number of acres irrigated: 100.0

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before May 1, 2003.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
6. This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.
7. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.

MICROFILMED

JUN 05 1998

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 73-07129

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

23rd day of April, 1998.

Karl J. Dreher
for Karl J. Dreher, Director

MICROFILMED

JUN 05 1998

73-7129

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

APR 16 1998

Department of Water Resources

1. Name of Applicant Hatch livestock Phone 208 876 4230
Mailing address HC 62, Box 1100, Ellis Id 83235
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is Township 15N Range 21E Sec. 9 in the _____ 1/4.
NE 1/4, SE 1/4, Govt. Lot _____, B.M., Lemhi County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
- | | |
|---|------------------------------|
| Amount <u>2.00</u> for <u>Irrigation</u> purposes from <u>4-15</u> to <u>10-15</u> (both dates inclusive) | (cfs or acre-feet per annum) |
| Amount _____ for _____ purposes from _____ to _____ (both dates inclusive) | (cfs or acre-feet per annum) |
| Amount _____ for _____ purposes from _____ to _____ (both dates inclusive) | (cfs or acre-feet per annum) |
| Amount _____ for _____ purposes from _____ to _____ (both dates inclusive) | (cfs or acre-feet per annum) |
| 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) 2.00 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source well, pump and sprinkler system - different well than 73-07040-1
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet
- c. Proposed well diameter is 16" inches; proposed depth of well is 300' feet
- d. Is ground water with a temperature of greater than 85°F being sought? NO
- e. If well is already drilled, when? _____; Drilling firm _____
Well was drilled for (well owner) _____; Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed beneficial use is 5 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. _____

MICROFILMED

JUN 05 1998

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	RGE	SEC	N E				N W				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15N	21E	9													34		33	33	100

Total number of acres to be irrigated 100

10. Describe any other water rights used for the same purposes as described above. 73-00130, 00251, 00256

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: _____

12. Remarks: _____

Partners:

Bert Hatch & Ralph Hatch. pertelecom w/Ralph Hatch 4/17/98 cz.
verified supplemental use same telecom.

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8 1/2"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

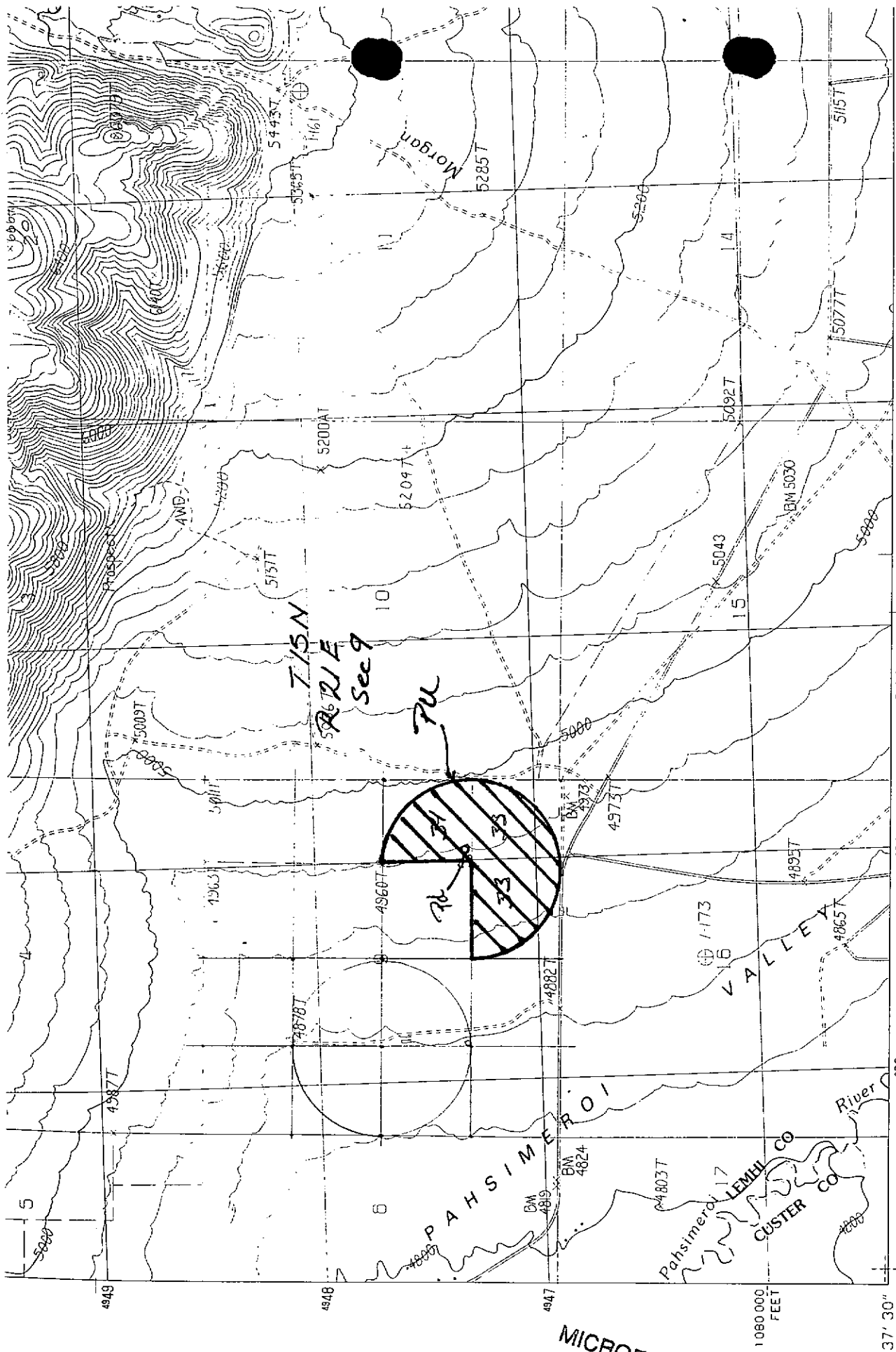
BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Ralph Hatch
Signature of Applicant (and title, if applicable)

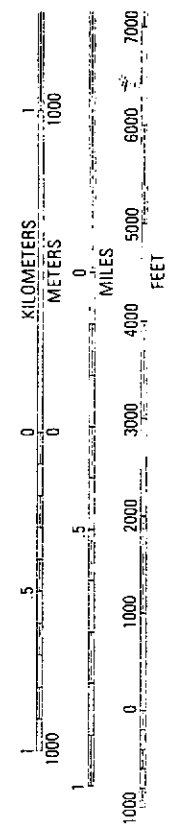
Received by RB Date 10-16-97 Time 3:27 pm Preliminary check by _____
Fee \$ 120.00 Received by RB # E023216 Date 10-16-97
Publication prepared by RB Date 10-28-97 Published in Recorder Herald 11-6-11-13 1997
Publication approved _____ Date 4-7-98

MICROFILMED

JUN 05 1998



SCALE 1:24 000





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

September 29, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

HATCH LIVESTOCK
HC 62 BOX 1100
ELLIS ID 83235

RE: WATER RIGHT NO. 73-07129

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 described in the enclosed information sheet.

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

Also, please note that water right owners are required to report any change of water right ownership and/or change of 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 reporting form.

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

Sincerely,

A handwritten signature in cursive script that reads 'Shelley Keen'.

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED

JAN 12 2001

11-23-2001

Mr. Hatch called -
said he had
not received this
license. Sent
out new copy &
change of
address form
for his submittal.

New address:

434 Paksimeroi Rd
Ellis Id 83235

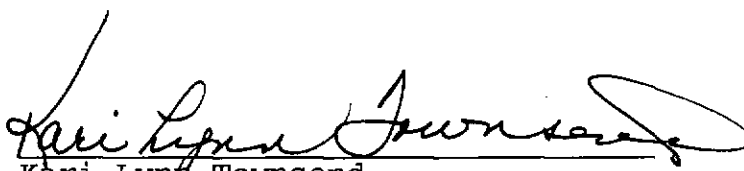
Kw

CERTIFICATE OF MAILING

I hereby certify that on the 29th day of **September**, 2000, 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. 73-07129

HATCH LIVESTOCK
HC 62 BOX 1100
ELLIS ID 83235


Kari Lynn Townsend
Secretary

MICROFILMED
JAN 12 2001

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

August 24, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

HATCH LIVESTOCK
HC 62 BOX 1100
ELLIS ID 83235

RE: WATER RIGHT NO. 73-07129

Dear Permit Holder(s):

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms that a water right has been established in compliance with the terms of the permit. The examiner who verified your water use reported that the point(s) of diversion developed is in a location other than what was described on your permit. Therefore, before a license can be issued, your permit must be amended to depict your water use as it was actually developed.

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

Also, please note that some of the proposed 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) 327-7944.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

KW:klt

Enclosure

MICROFILMED

JAN 12 2001

LICENSE REVIEW CHECKLIST

Permit No. 73-07129 Date: 8-21-2000 Reviewer: Kay Walker

Change/OK

Name/Address OK

Source OK

Point of Diversion: change

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

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

W32 (multiple in 1/4/1/4)
W36 (overlap)
W59 (subdivision description)

Place of Use OK

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

W60 (subdivision description)
W27 (ppu acre limit)

Overlaps: Right(s) 73-00130/73-00251/73-00256/73-07040
File reviewed ✓ Profile/reports printed ✓

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

Rate of Diversion:

Permitted rate 3.0 cfs
Fee Limit 2.0 cfs
Measured 1.64 cfs
Theoretical 1.64 cfs

Recommended Total Diversion Rate 1.64

Water Uses OK

Change (P46)

Irrigation 1.64 cfs 346.5 af
Stockwater _____ cfs _____ af
Domestic _____ cfs _____ af
_____ cfs _____ af
Total 1.64 cfs 346.5 af

Irrigation - overlap (R58-R61, R62-R65, R66-R69)
supp. Gw (WB7/065/079)
overlap spec combined rts (W35)
>1 acre (W31)
Domestic (W01/wb5/070/071/075)
Power (W42 or W43/025/027/R22 or R23)
Fish (042)
Fire (077)
Water Quality (081/R07)
Payette - (W22/047/27A)
Stockwater for US (R37)

irrig season
4/1 → 10/31
per new standards

Volume Determination

1.64 cfs x 1.9835 x 214 days = 696.1 af (vs) 99 acres x 3.5 (FHR) = 346.5 af

Remarks: B63 01M 065 104 R59 2.5 con WB11

Additional Conditions No Watermaster Control WD73
No GW Measurement/Measuring Device
No Other
No Trust (052/R55 - remove 051)
No Non-trust (048/049)

Water msmt. dist gwm area
gwm dist. crit. gwm area

Government Lots? No

Advance Priority? yes

no

If yes, explain why below.

SRBA Claim? N/A - not reg'd - no claim

Adjust memo _____

Amend Letters P39

P87, S06

Second Amendment Notice P49

S06

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '**' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM		
		NE		NW		SW		SE		NE		NW		SW		SE				
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac			
L7307129	T15N R21E S 9 GROUNDWATER																			
	:															33		33	33 :	99
7300095	BIG SPRING :								I				I	I						:
7300117	SPRING CRE :							I	I											:
7300129	MORGAN CRE :							I	I											:
7300130	MORGAN CRE :															I	I	I	I	:
7300131	MORGAN CRE :				I						I				I					:
7300251	POTATO CRE :				I						I				I		I	I	I	:
7300256	POTATO CRE :				I						I				I		I	I	I	:
7302019	SPRING CRE :													40						40 :
7302092	BIG SPRING :				01					15		40			40					96 :
7302140	MORGAN CRE :											40			40					80 :
A7302140	MORGAN CRE :											40			40					80 :
7304097	BIG SPRING :							20	40	20		20	40	20	20					180 :
A7304097	SPRING CRE :							07	38			07	40	40	15					147 :
7304098	BIG SPRING :													20						20 :
A7304098B	SPRING CRE :											07	20							27 :
7307040	GROUNDWATE :			0	35		0			34		34			0		35	0		138 :
A7307040	GROUNDWATE :			0	35		0			34		34			0		35	0		138 :
7307129	GROUNDWATE :															34		33	33 :	100
A7310110B	SPRING CRE :											07	11							18 :
A7310111	SPRING CRE :							07	38			07	40	39	15					146 :
A7310112	MORGAN CRE :														25	40	05	40	40 :	150

AJ5809NP
No. A73-10112

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 08/21/00
PAGE: 2

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	AM HATCH & SONS	03/01/1900	IRRIGATION	04-01 11-01	5.400 CFS	
					TOTAL DIVERSION:	5.400 CFS
					CONSUMPTIVE USE:	512.50 AFA

Water Source: MORGAN CREEK
MORGAN CREEK

Tributary to: PATTERSON CREEK
SPRING CREEK

Stage: DECREED

Point(s) of Diversion: T15N R21E S01 SWNWSW LEMHI County

Place of use Legal Description for: IRRIGATION

NE												NW				SW				SE					
T	R	S	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	Lt	Ac	: SUM
15N	21E	9	:								:						25	:	40	05	40	40	:	150.0	
15N	21E	16	:		40						:	15						:						:	55.0
																							TOTAL ACRES	205.0	

POU County: LEMHI

Non-Irrigation Uses: NONE

Other Rights: NONE

Conditions of Approval:

- 016 - See remarks for additional conditions of approval.
- R04 - Use of water under this water right will be regulated by the
- watermaster of State Water District No. 73.

Remarks: GEN PARTIES RECEIVING WATER FROM THE SO CALLED COTTER DITCH SHALL BE MEASURED AT THE P/D FROM SAID COTTER DITCH, & THAT ALL OTHER WATERS DECREED SHALL BE MEASURED AT THE P/D WHERE THE WATER IS TAKEN FROM MORGAN CREEK & ITS TRIBUTARIES.

SOURCE IS TRIBUTARY TO PATTERSON CREEK ON THE USGS MAP.

THIS RIGHT IS A COMBINATION OF THE FOLLOWING RIGHTS:

73-00129 2.0 CFS FRED D. PRATT
73-00130 1.6 CFS DELL E. GRUBB
73-00131 0.4 CFS HENRY NICHOLS
73-00132 1.4 CFS JOHN L. HAMMOND

Dates: Exam Made Date: Verified Date: 12/09/1985 Objection Filed Date:

Misc: Water District Number: 73 Field Inspection Flag:
Presumption Flag:

AJ5809NP
No. A73-07040

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 08/21/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	RALPH HATCH	09/23/1978	IRRIGATION	04-01 11-01	2.010 CFS	
C	RUTH HATCH					
TOTAL DIVERSION:					2.010 CFS	
CONSUMPTIVE USE:						350.00 AFA

Water Source: GROUNDWATER Tributary to: Stage: LICENSE

Point(s) of Diversion: T15N R21E S09 NWSE LEMHI County

Place of use Legal Description for: IRRIGATION

		NE				NW				SW				SE				
T	R S	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	SUM
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
15N	21E 9		.5		35		.5		34		34		.5		35	.5		140.0
TOTAL ACRES																		140.0

POU County: LEMHI

Non-Irrigation Uses: NONE

Other Rights: 73-00131

Conditions of Approval:

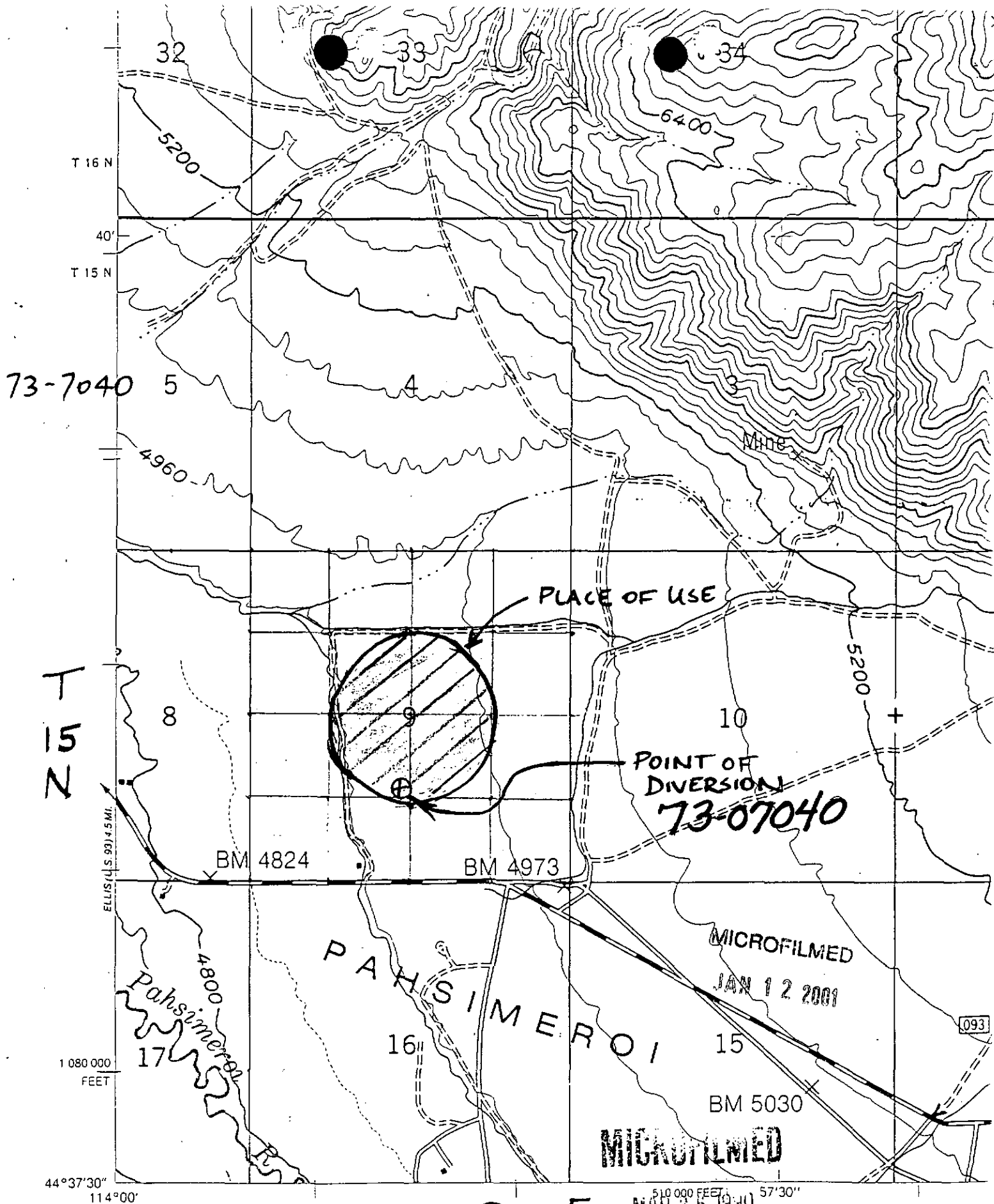
- R29 - This right when combined with all other rights shall provide no
- more than .02 cfs per acre nor more than 3.0 afa per acre for
- irrigation of the lands above.

Remarks: GEN SOME OF THE CLAIMED LANDS ARE BLM. CLAIM TO BE AMENDED TO EXCLUDE
THEM.

CHANGE OF OWNERSHIP 5/14/99.

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number:	Field Inspection Flag:	Presumption Flag:

No overlap



Base Map Prepared by the U.S. Geological Survey

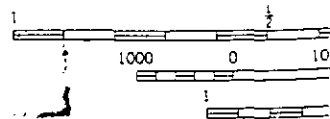
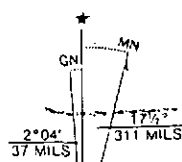
Control by USGS and USC&GS

Topography from aerial photographs by multiplex methods
Aerial photographs taken 1954. Advance field check 1956

Polyconic projection. 1927 North American datum
10,000-foot grid based on Idaho coordinate system.

R 21 E

MAR 26 1990



DO
NIA

RECEIVED

Form 219

6/92

FEB 18 2000

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 73-071291. Owner: Hatch Livestock(208)
Phone No. 876-4230Current Address: HCL62 Box 1100 Ellis Id 832352. Accompanied by: Ralph HatelEXAM DATE: 11 Nov 1999Address: —Phone No. —Relationship to Permit Holder: —3. Source: Groundwater tributary to —

B. OVERLAP REVIEW

1. Other water rights with the same place of use: X73-10110B2. Other water rights with the same point of diversion: NONE

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SE	NW	SE	9	15N	21E	Lemhi	ON SITE USGS QUAD; Orthophotomaps

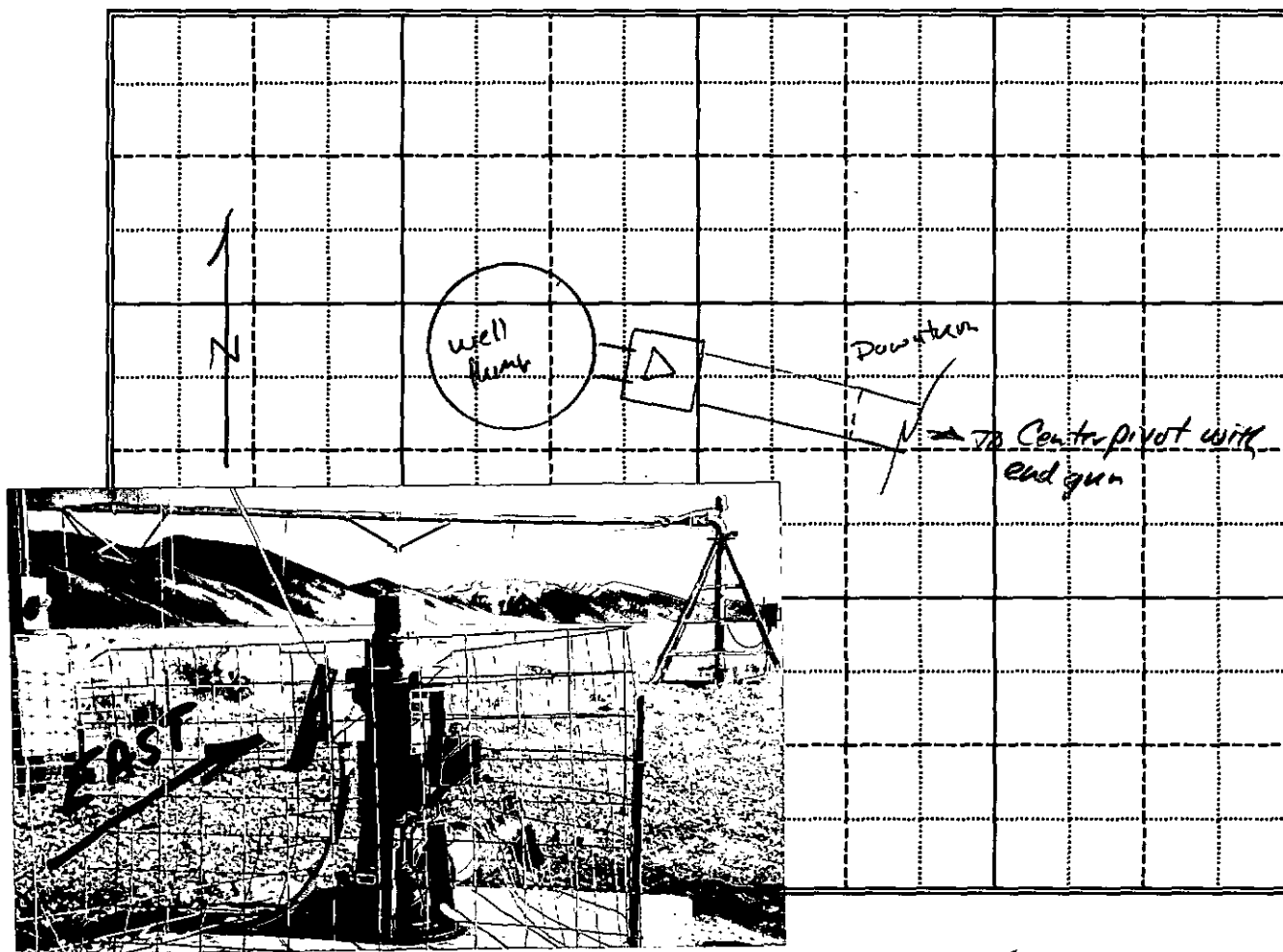
2. Place(s) of Use: ON SITEIndicate Method of Determination ON SITE

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15N	21E	9													33		33	33	99

MICROFILMED

JAN 12 2001

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



4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	GE	75	5X6255XH5014	Floway	8" @ 615

*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
Sonic Meter						

2. Measurements: 0.104' thick 8.03' d1 MICROFILMED

JAN 12 2007

E. NARRATIVE/REMARKS/COMMENTS

well pump mainline to low pressure $\frac{3}{4}$ Put with end gun. End gun on
at time of exam

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

MICROFILMED
JAN 12 2001

F. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

Measured Method:

Theoretical $Q = 1.68 \text{ cfs}$

Measured flow rate = 1.64 cfs

$Q_{\text{LIMITED BY CAPACITY}} = 1.64 \text{ cfs}$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = (99 \text{ ac})(3.5) = 346.5 \text{ afa}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 1.64(183)1.9835 = 595.3$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 346.5 \text{ afa}$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRRIGATION	4/15	10/15	1.64 cfs	346.5 afa
Totals:			1.64 cfs	346.5

2. Recommended Amendments

☒ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

I. AUTHENTICATION

Field Examiner's Name KEITH C WILSON Date 11-2-1999

Reviewer _____ Date _____

SEAL

MICROFILMED

JAN 12 2001

LOG NAME: **73-07129 Hatch Livestock**
START: 11-02-1999 14:30
END: 11-02-1999 14:35
INTERVAL: 00:01:00

11-02 14:30:00
+4.912E+0 ft/s
+7.357E+2 gal/m
+1.639E+0 ft³/s
+TOTAL 0000000 gal
-TOTAL 0000000 gal
NORMAL

11-02 14:31:00
+4.907E+0 ft/s
+7.350E+2 gal/m
+1.637E+0 ft³/s
+TOTAL 0000720 gal
-TOTAL 0000000 gal
NORMAL

11-02 14:32:00
+4.882E+0 ft/s
+7.312E+2 gal/m
+1.629E+0 ft³/s
+TOTAL 0001452 gal
-TOTAL 0000000 gal
NORMAL

11-02 14:33:00
+4.899E+0 ft/s
+7.338E+2 gal/m
+1.634E+0 ft³/s
+TOTAL 0002183 gal
-TOTAL 0000000 gal
NORMAL

11-02 14:34:00
+4.877E+0 ft/s
+7.304E+2 gal/m
+1.627E+0 ft³/s
+TOTAL 0002916 gal
-TOTAL 0000000 gal
NORMAL

11-02 14:35:00
+4.870E+0 ft/s
+7.294E+2 gal/m
+1.625E+0 ft³/s
+TOTAL 0003646 gal
-TOTAL 0000000 gal
NORMAL

**AVERAGE FLOW = 3646 gal/5 min =
= 729.2 gpm = 1.64 cfs**

**Highest Instantaneous Flow = 735.7 gpm =
= 1.639 cfs = 1.64 cfs**

**Lowest Instantaneous Flow = 729.4 gpm =
= 1.625 cfs = 1.63 cfs**

**Recommendation Flow Rate:
Q_{cfs} = 1.64 cfs**

MICROFILMED
JAN 12 2001

73-07129

THEORETICAL PUMP FLOW CALCULATIONS

Formula:

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

$$Hp = \text{Horsepower} = \underline{75}$$

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

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

$$\text{Static Water Level} = \underline{53} \text{ ft. well Log}$$

$$\text{Assumed Draw down} = + \underline{50} \text{ ft.}$$

$$\text{Lift} = \underline{103'}$$

OR

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

$$psi = \text{Operating Pressure} = \underline{75} \text{ psi Assumed}$$

$$Q_{cfs} = \left[\frac{75}{Hp} \times 8.814 \times \frac{0.70}{eff} \right] \div \left[\frac{103}{Lift} + \left(\frac{75}{psi} \times 2.308 \right) \right]$$

$$Q_{cfs} = \left[\underline{462.735} \right] \div \left[\frac{276.1}{\underline{216.1}} \right]$$

$$Q_{cfs} = \underline{1.675} \text{ cfs} \quad 1.68 \text{ cfs}$$

MICROFILM PERMIT NO. 73-07129

JAN 12 2001

21E

4 3

9 10

R21E

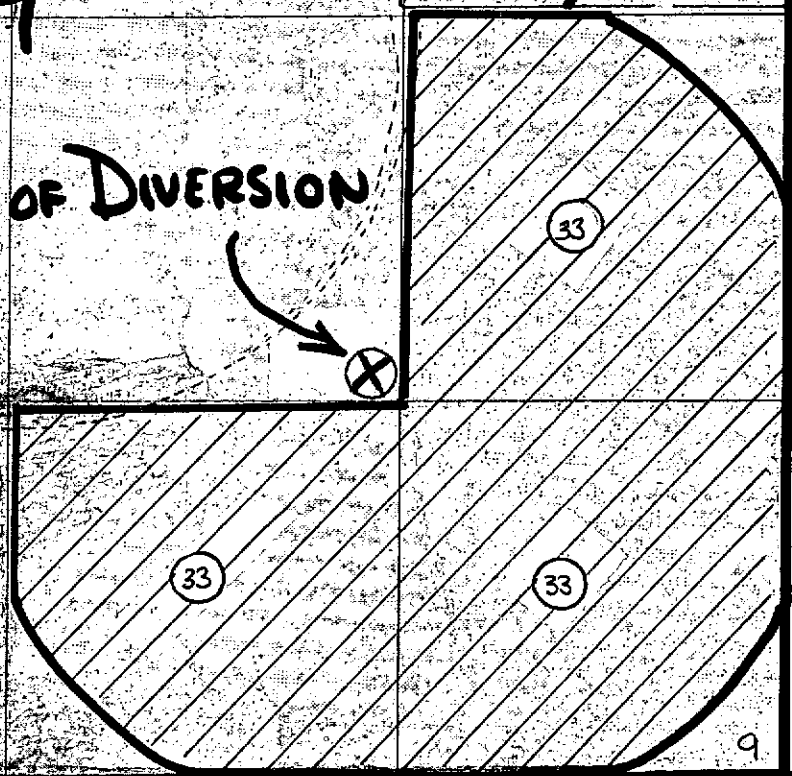
T
15
N

1400

PLACE OF USE

9

POINT OF DIVERSION



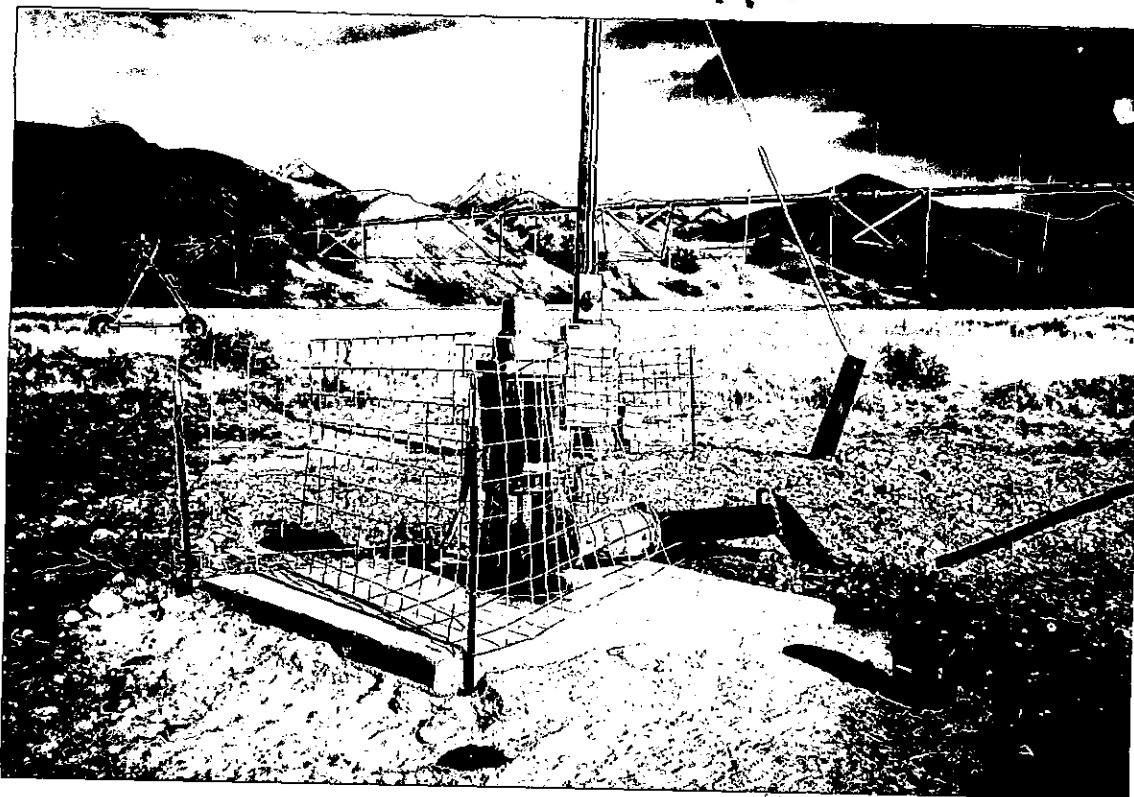
9 10

16 15

MICROFILMED

JAN 12 2001

73-07129



POINT OF DIVERSION

MICROFILMED

FEB 12 2001

73-07129

Make Gift Giving Memorable This Holiday

ORDER GIFTS BY DECEMBER 6TH TO RECEIVE IN TIME FOR CHRISTMAS!

PERSONALIZED PHOTO GIFTS

Ceramic Photo Plate
Photo Mouse Pad
Photo Mugs

Photo Posters
Photo Calendar
Photo Shirts

73-07129
73-07129



73-07129

RECORDED
FILMED
JAN 12 2001

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 73-07129 Reviewed by [Signature] Date 11-22-99

GENERAL CONSIDERATIONS

TYPES OF USE

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

SOURCE OF WATER

 Surface water source
✓ Ground water source
yes Drilling permit required?
no Copy in the file? Drilling Permit No. 73-98-E-0001-000
200- Amount paid for permit yes Correct?
no Well log in the file?

LICENSE EXAMINATION FEE

MEASURING DEVICE

yes Required?
125- Amount Submitted
yes Correct?
no Required?
 Installed?
 Waiver requested?

PRIORITY CALCULATION

Date proof received	<u> </u>	<u> </u>
Date proof due	<u> </u>	<u> </u>
No. of days late	<u> </u>	<u> </u>
Priority Date	<u> </u>	<u> </u>
New Priority Date	<u> </u>	<u> </u>

DEFICIENCIES OR ACTION ITEMS

Proof Acceptable

DATA ENTRY

New Address X Proof Made 10-8-99



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

DIRK KEMPTHORNE
GOVERNOR

November 24, 1999

KARL J. DREHER
DIRECTOR

Hatch Livestock
HC 62 Box 1100
Ellis ID 83235

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 73-07129

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.

Be advised that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

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

Sincerely,

JULIE L. YARBROUGH, Administrative Assistant
Water Allocation Bureau

c: IDWR - Regional Office

MICROFILMED

DEC 14 1999



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

April 23, 1998

HATCH LIVESTOCK
HC 62 BOX 1100
ELLIS ID 83235

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 73-07129

Dear Permit Holder:

The Department of Water Resources (IDWR) has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a preliminary order issued by IDWR pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a "Proof Due Notice" approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this right were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Groundwater Protection Section located here at this office or our regional office nearest you.

MICROFILMED

JUN 05 1998

Also, please note that water right owners are required to report any change of water right ownership and/or change of 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 reporting form.

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

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosures

MICROFILMED
JUN 05 1998

CERTIFICATE OF MAILING

I hereby certify that on the 23rd day of April, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right No. 73-07129

HATCH LIVESTOCK
HC 62 BOX 1100
ELLIS ID 83235


Kari Lynn Townsend
Secretary

MICROFILMED

JUN 05 1998

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order 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 the 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 a 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, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a 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 a 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 a 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.

MICROFILMED
JUN 05 1998

APPLICATION FOR PERMIT STATE OFFICE REVIEW

by Cindy Lou

No.: 73-7129 Name: Hatch Livestock Date: 4/17/98 Ad OK? ☒ ☒ Gvmt Lts: ☒

AREA OF CONCERN: GW exempt No/Yes: S/C Mor / _____ GWMA / Trust / Non-trust
PROTESTED: - 020 (Protest Agreement) or *W19 (Order)

SYSTEM COMPLETED:

- > 1 year - 26A-P17
- ≤ 1 year/no proof - P16

GROUNDWATER: (✓ FLO-CH)

WMD (✓ MAP)

- > 0.24 cfs/5 acres - 067 or No MD (in-stream stock or power)
- ≤ 0.24 cfs/5 acres - No MD

WMD Supplemental use

- > 0.24 cfs/5 acres - 065-079 (if GW use SW 1st-statewide)-(cannot move SW off)
- ≤ 0.24 cfs/5 acres - 01M (report when notified)

DRILLING PERMIT:

All wells (✓ WDQ3)

Included w/permit

irr. in WD

- 046-P23
- Permit No. _____ - _____ - _____ - _____ P99
- P05 (new well location)

SURFACE WATER: (✓ FLO-CH) (Surface water that *doesn't sink* is regulated):

IN/ABOVE MIN. STR. FLOW (✓ MAP)

WD (✓ MAP & LISTING)

- > 0.10 cfs - *WB9
- ≤ 0.10 cfs - R04 (WD # _____)

WMD (✓ MAP)

- > 0.24 cfs/5 acres - 067 or No MD (in-stream stock or power)
- ≤ 0.24 cfs/5 acres - No MD

SPRINGS/SINK, INACTIVE WD & REST OF STATE

- > 0.24 cfs/5 acres - 01M or No MD (in-stream stock or power)
- ≤ 0.24 cfs/5 acres - No MD

RIVER BASINS: (*Surface water):

Snake R (01)

(02/03-irr)

Payette R(65)

Salmon R (70's)

- *W22 -P04, NA
- 007 (w/ remark *WB9 if above Weiser), NA
- *W22 (regulated uses), 047-P04 (Payette Lake), NA
- 029 (fish screens), NA

USE:

Domestic surface

>1 in rest. area

Fire Protection

Fish Propagation

Heating/Cooling

Irr ≤ 5 acres

> 5 acres

Mining

Municipal

Power

Stockwater

Storage (✓3 compo.)

- *WB5 (Big Wood R or Boise R ↑ Star Bridge); 27A (Payette River); NA
- 071-070
- 077
- 029-007-042(req)-081 (WQ)-P10
- R07 (injection well)
- R66/R67/R68/R69 (0.03 cfs/acre + 3.0/3.5/4.0/4.5 AF)
- R62/R63/R64/R65 (0.02 cfs/acre + 3.0/3.5/4.0/4.5 AF)
- 054(req) -081-P10
- 022, 075, 004 (+memo?), NA (not in restricted area)
- 17H/17K(+uses)-08A-025(P18)-01N-028-081(P10)-027 (if no other cons. use);
- 17G (FERC) or 17M (FERC); 18B-P09; >25 cfs-P18
- R37 (BLM/USFS); NA
- 18A (in & out MD for on-stream storage), 18B-P09 (>10' dam), NA

LOCATION:

42-248 area

Boise Front LoGeo

In-stream dev.

Irr Dist/Canal Co.

SWAN FALLS FLAG (See Code Chart)

Trust

Non-Trust (1)

- P84 (in 20/30/40/50/60/70/80 (87) basin)
- 058 (<85° GW temp only)
- P52 (stream channel alteration)
- 023 (Twin Falls area)

OWNERSHIP:

OTHER CONDITIONS:

STANDARD REMARKS:

BENEFICIAL USE DUE:

COMMENTS:

- 051-052-053-P74 (Consumptive Uses), NA
- 048-049 (Consumptive Uses), NA
- 004 (PD/PU)

- 5/1/ 2003

RECEIVED

APR 16 1998

DEPARTMENT OF WATER RESOURCES

Dist. for staffing ~~to~~

Submitted for advertising 10-20-97

Form No. 202

4/87

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATIONS FOR PERMIT ANALYSIS PERMIT

INITIAL REVIEW BY HWT DATE 10-20-97 APPLICATION NO. 73-07129
Hatch Livestock

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 signatory 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 _____

PROCESSING

☒ Yes ☐ No In form for advertising
☐ Yes ☒ No Statewide advertising
☒ Yes ☐ No Fee amount, receipt date & No. recorded on application

SEND COPIES TO

☐ Idaho Dept. of Health & Welfare ☐ U.S. BLM
☐ Idaho Dept. of Fish & Game ☐ U.S. Forest Service
☐ Idaho Dept. of Lands ☐ Water District
☐ 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 + withdrawal
Final date for protest _____
☒ 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. _____
Yes ☐ No Special conditions of approval or cover letter below.

Date of priority recommended 10-16-1997
By: HWT Date: 4-7-1998

STATE OFFICE REVIEW

By _____ Date: _____

ADDITIONAL INFORMATION

LOCAL PUBLIC INTEREST

Comments received from

<u> </u> City	<u> </u> Idaho Fish & Game	<u> </u> Irrigation Dist.
<u> </u> County	<u> </u> Idaho Health & Welfare	<u> </u> Canal Company
<u> </u> Reservations	<u> </u> Div. of Environment	<u> </u> Other

Project impacts/implications report

COMMENTS

[illegible]

April 6, 1998

MIKE LARKIN
IDAHO FISH & GAME
PO BOX 1336
SALMON ID 83467

RE: Withdrawal of protest on Application for Permit
No. 73-07129 HATCH

Dear Protestants:

This Department has received your withdrawal of protest against the application of Hatch Livestock.

If you have any questions, please call our office.

Sincerely,


HAROLD JONES
Water Rights Supervisor

HWJ/rb

MICROFILMED
JUN 05 1998

April 6, 1998

HATCH LIVESTOCK
HC 62 BOX 1100
ELLIS ID 83235

RE: Withdrawal of protest on Application for Permit
No. 73-07129

Dear Applicant:

This Department has received a withdrawal of protest from Idaho
Fish & Game.

Our office will continue to process your application.

If you have any questions, please call our office.

Sincerely,

HAROLD JONES
Water Rights Supervisor

HWJ/rb

MICROFILMED

JUN 05 1998



IDAHO FISH AND GAME
1215 Hwy 93 N
P.O. Box 1336
Salmon, Idaho 83467
208-756-2271



Philip E. Batt/Governor
Stephen P. Mealey/ Director

March 27, 1998

Mr. Bob Foster
Idaho Dept of Water Resources
206 Van Dreff St.
Salmon, Idaho 83467

RECEIVED
APR 02 1998
Department of Water Resources
Eastern Region

Dear Mr. Foster:

The Idaho Department of Fish and Game, Salmon Region, would like to recind our protest on the Water Right Filing No. 73-07129 (Ralph Hatch, Little Morgan Creek). At our meeting with Mr. Ralph Hatch on 3/26/98, we discussed opportunities to restore a non-irrigation season flow in the original channel of Little Morgan Creek. Mr. Hatch indicated his willingness to work with us to explore the possibilities of contributing non-irrigation season water to one channel, with the long-term intent of reconnecting Little Morgan Creek to the Pahsimeroi River.

It was agreed that restoring a functional riparian corridor would take several years, and that only during normal to high water years would adequate water flow be available to effectively reconnect the creek to the river. However, it was believed that even connecting the creek to the river during limited time periods would help restore a viable fishery in the Pahsimeroi River and the adjacent Salmon River.

Mr. Hatch uses a significant portion of the Little Morgan Creek water for winter stock water. We will work with Mr. Hatch to explore other options for obtaining this water and still leaving the maximum amount of flow in the natural channel of Little Morgan Creek.

During our initial survey of the Little Morgan Creek irrigation system, it appeared that the potential exists to combine several points of diversion into one main delivery system and then piping the water to the point of use, would likely improve irrigation efficiency and eventually help restore fish migration between the creek and the river.

Thanks for your help.

Sincerely

Mike Larkin
Regional Fisheries Manager

CC: Ralph Hatch, Tom Curet

JUN 05 1998

**NOTICE OF APPLICATION
FOR WATER RIGHT**

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

73-07129

HATCH LIVESTOCK

HC 62 BOX 1100

ELLIS, ID 83235

Source: GROUNDWATER

Diversion Pt: NESE Sec 9 T 15N

R 21E in LEMHI County

Use: IRRIGATION (2.000CFS)

Total Diversion: (2.000CFS)

Date Filed: 10/16/1997

In: LEMHI County

T15N R21E S09 NESE SWSE

SESE

100.0 ACRES TOTAL

74-07379

BIGLEY, JOSEPH A

RT 1 BOX 48 B-1

SALMON, ID 83467

Source: HAYNES CREEK Tribu-
tary: LEMHI RIVER

Diversion Pt: NENE Sec 2 T 19N

R 23E in LEMHI County

Use: RECREATION (0.200 CFS)

RECREATION STORAGE

(0.90 AF)

Total Diversion: (0.200 CFS)

Date Filed: 10/2/1997

In: LEMHI County

T19N R23E S02 NENE

The permit(s) will be subject to all
prior water rights. Protests must be
filed with the applicant and the Direc-
tor, Dept. of Water Resources, along
with a \$25.00 filing fee, Eastern Re-
gion, 900 N Skyline, Idaho Falls,
Idaho 83402 on or before NOVEM-
BER 24, 1997.

KARL J. DREHER, Director

Published: 11/6/1997 & 11/13/
1997

11-6-2tc

Affidavit of Publication

STATE OF IDAHO

County of Lemhi

30.

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 APP WATER 73-07129

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 newspa-
per and not in any supplement thereof or thereto for TWO (2)
consecutive issues commencing with the issue dated 11/6 19 97
and ending with the issue dated 11/13 19 97

STATE OF IDAHO

County of Lemhi

33.

On this 13th day of NOVEMBER in this year of 19 97

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 in-
strument, and being by me first duly sworn, declared that the statements therein are
true, and acknowledged to me that he executed the same.

Ricky G. Hodges
Notary Public for Idaho

Residing At Salmon, Idaho

My Commission expires: 9-21-2001

Publication Fee \$ 62.04

Account No. 630

RECEIVED

JAN 05 1998

Department of Water Resources
Eastern Region

MICROFILMED

JUN 05 1998



Receipt # E023774

IDAHO FISH & GAME

SALMON REGION
1215 Hwy 93 N / P.O. Box 1336
Salmon, Idaho 83467
(208) 756-2271
Idaho Relay Center
(TTY) 1-800-377-3529

Philip E. Batt / Governor
Stephen P. Mealey / Director

October 29, 1997

Harold Jones
Idaho Department of Water Resources
900 N. Skyline
Idaho Falls, Idaho 83402

RE: New Water Right Filing 73-07129

Dear Mr. Jones:

The Idaho Department of Fish and Game, Salmon Region, is concerned this proposed water withdrawal will affect spring water flow in the Pahsimeroi River. The Pahsimeroi currently is dewatered several miles above the mouth. Water flow in the lower river depends on spring water input to sustain a fishery. If your department can show that this water application will not impact these springs we will withdraw this protest.

Sincerely,

Gary Power
Regional Supervisor

GP:MRL:jw

Attachment: BA-1

cc: Paul Sommerfeld
Mike Larkin

MICROFILMED

JUN 05 1998

RECEIVED

NOV 05 1997

Department of Water Resources
Eastern Region



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

October 29, 1997

HATCH LIVESTOCK
HC 62 BOX 1100
ELLIS ID 83235

RE: Notice of Application for Permit No. 73-07129

Dear Applicant:

This office is currently in the process of advertising the application in the Recorder Herald on Nov. 6 & 13, 1997. The advertisement will be published once a week 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.

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

Sincerely,

Harold W. Jones
Water Right Supervisor

HWJ/rb

MICROFILMED

JUN 05 1998



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

OCTOBER 28, 1997

Legal Notices Department
RECORDER-HERALD
P.O. BOX 310
SALMON, ID 83467

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before NOVEMBER 24, 1997.

Yours truly,

Rita Bodell
Secretary

Encl.

MICROFILMED

JUN 05 1998

NOTICE OF APPLICATION FOR WATER RIGHT

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

MICROFILMED

JUN 05 1998

73-07129

HATCH LIVESTOCK
HC 62 BOX 1100
ELLIS, ID 83235

Source: GROUNDWATER

Diversion Pt: NESE Sec 9 T 15N R 21E in LEMHI County.

Use: IRRIGATION (2.000 CFS)
Total Diversion: (2.000 CFS)

Date Filed: 10/16/1997

In: LEMHI County
T15N R21E S09 NESE SWSE SESE

100.0 ACRES TOTAL

MICROFILMED

JUN 05 1998

The permit(s) will be subject to all prior water rights. Protests must be filed with the applicant and the Director, Dept. of Water Resources, along with a \$25.00 filing fee, Eastern Region, 900 N Skyline, Idaho Falls, Idaho 83402 on or before NOVEMBER 24, 1997.

KARL J. DREHER, Director

Published: 11/ 6/1997 & 11/13/1997

MICROFILMED

JUN 05 1998