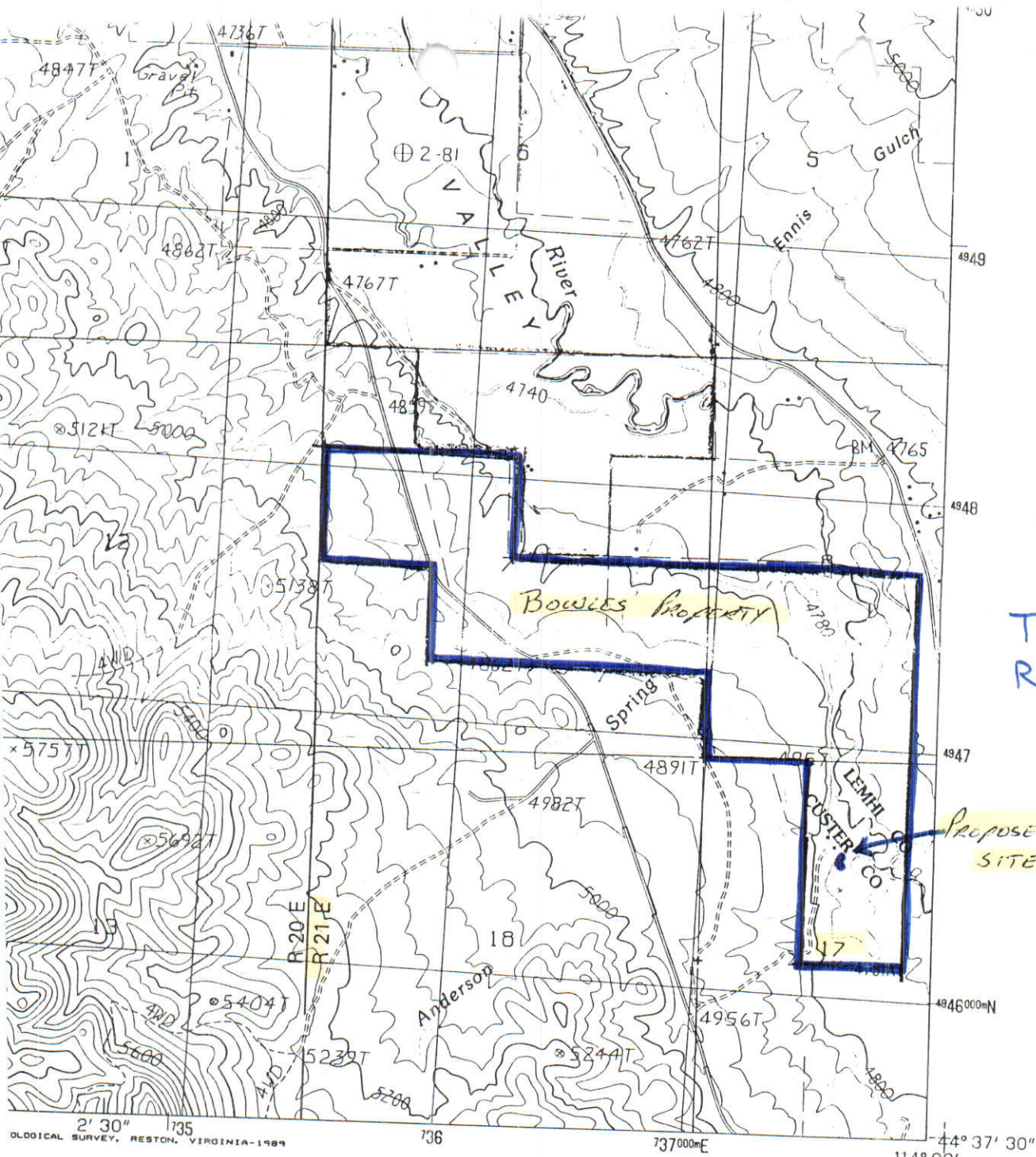
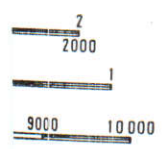




T15N
R21E

Proposed Pond
SITE

TOPOGRAPHICAL SURVEY, RESTON, VIRGINIA-1989



1	2	3	1 Wards Butte
			2 Hat Creek
4		5	3 Allison Creek
			4 Gooseberry Creek
			5 Ennis Gulch
			6 Challis
6	7	8	7 Grouse Peak
			8 May

ADJOINING 7.5' QUADRANGLE NAMES

ROAD LEGEND

- Improved Road
- Unimproved Road
- Trail
- Interstate Route
- U.S. Route
- State Route

ELLIS, IDAHO
PROVISIONAL EDITION 1989

44114-FI-TF-024

NOV 21 1991

Copied from larger original Map Submitted 9-9-91 with Application. 28

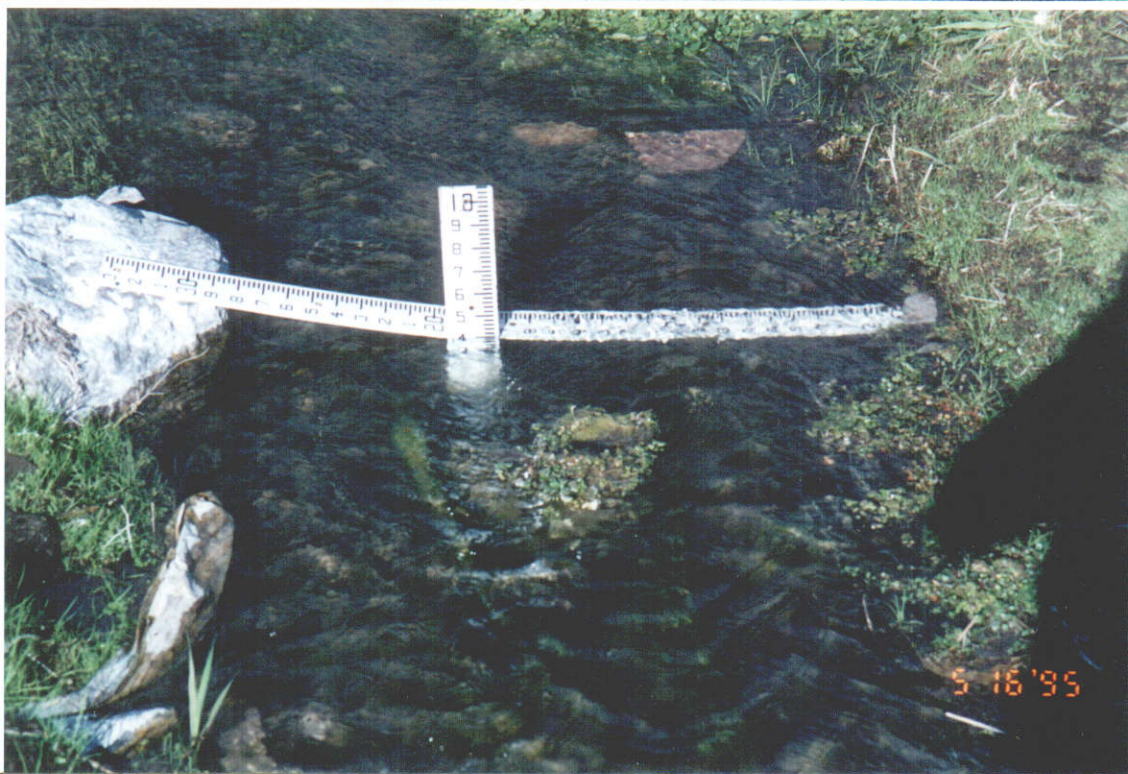
GEORGE BOWLES
FISH PROPAGATION

151



POINT OF
DIVERSION
PLACE OF
USE

SPRINGS
UNDER
POND



POINT OF
MEASUREMENT
POND OUTFLOW

SEP 15 1997

73-07119

T15N, R21E

7 8
18 17

POD + POD ↑

A
N

73-07119

4801

7201

8401

6601

2401

0601

17

N 20 MI.

T15N, R21E

DITCH

7 8
18 17

POD
POH

17



4946000m N.

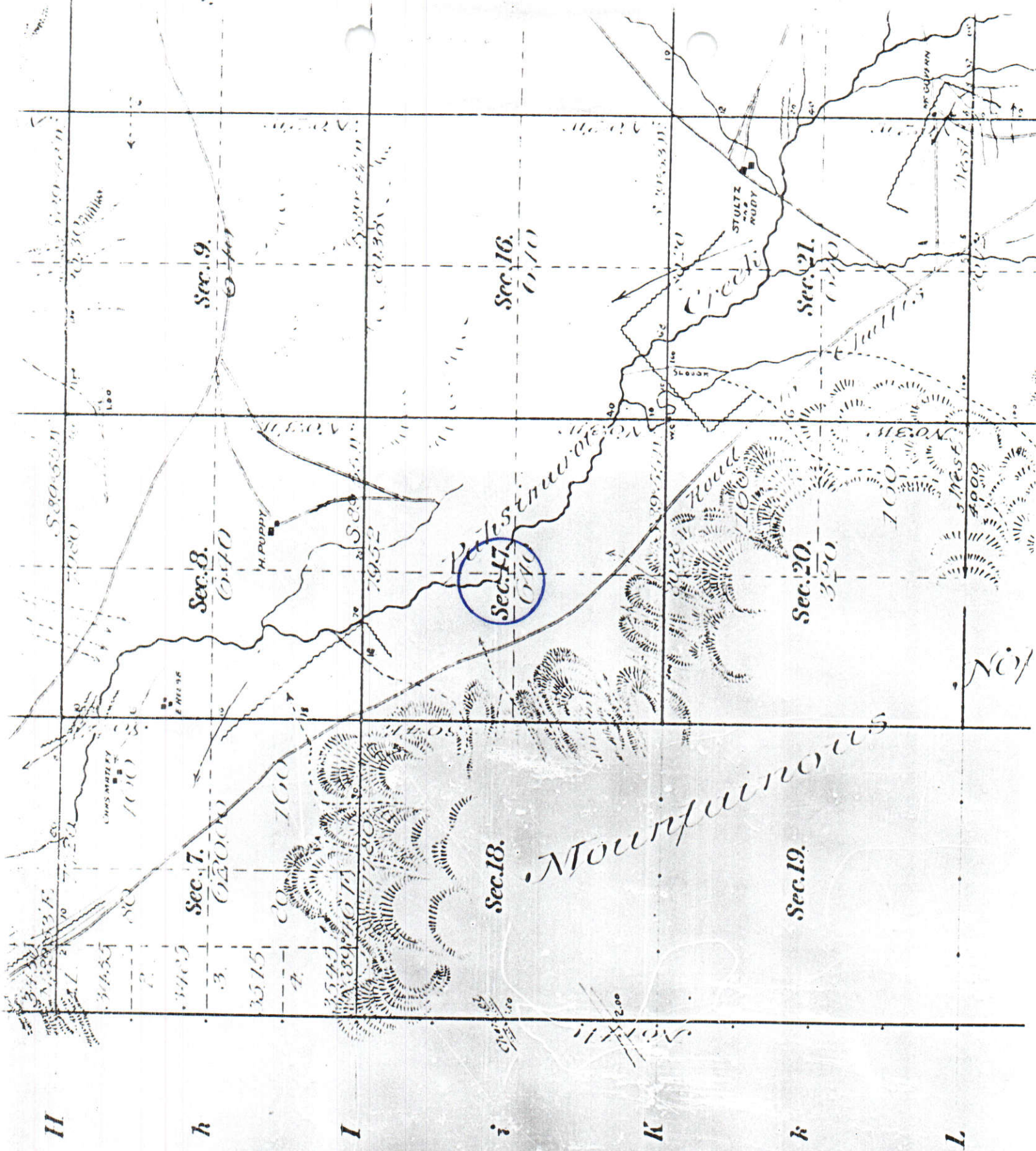
737000m E.

44°37'30"

MICROFILMED
SEP 15 1997

73-07119

2,



MICROFILM
SEP 15 1937

73-07119

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 73-07119

Priority: September 9, 1991

Maximum Storage Volume:

12.4 AF

This is to certify, that GEORGE M BOWLES

601 MONTGOMERY ST #1207

SAN FRANCISCO CA 94111

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated September 9, 1991; and has submitted Proof of Beneficial Use on September 18, 1992. An examination indicates that the works have a storage capacity of 12.400 af of water from:

SPRINGS

tributary to **PAHSIMEROI RIVER**

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

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

ANNUAL VOLUME

RECREATION STORAGE

01/01 to 12/31

12.4 AF

LOCATION OF POINT(S) OF DIVERSION:

SWNENW , Sec. 17, Township 15N, Range 21E
CUSTER County

PLACE OF USE: RECREATION STORAGE

TWN RGZ SEC

15N 21E 17

NENW

CONDITIONS OF APPROVAL AND REMARKS

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Use of water under this water right will be regulated by the watermaster of State Water District No. 73.
5. Water used under this right when discharged into a natural channel or subsurface system shall meet Idaho Water Quality Standards.
6. This right authorizes an annual volume of water to fill the storage facility and the amount required to replace losses through evaporation.
7. Recreation storage is for a private fishing pond.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 73-07119

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 23rd
day of JUNE, 1977.


Acting for KARL J. DREHER, Director



State of Idaho
Department of Water Resources

RECEIVED

JUN 17 1997

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 73-07119

Department of Water Resources

Date of Priority: September 9, 1991

Maximum Storage Volume:

12.4 AF

Comes now
601 MONTGOMERY ST #1207
SAN FRANCISCO CA 94111

GEORGE M BOWLES

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. 73-07119, and requests that the permit be changed as follows:

Source: SPRINGS

tributary to PAHSIMEROI RIVER

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

ANNUAL VOLUME

RECREATION STORAGE

01/01 to 12/31

12.4 AF

LOCATION OF POINT(S) OF DIVERSION:

SWNENW , Sec. 17, Township 15N, Range 21E
CUSTER County

PLACE OF USE: RECREATION STORAGE

TWN RGE SEC

15N 21E 17

NENW

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 San Francisco, this G. M. BOWLES day of June 10, 1997.

JUN 10 1997

G. M. Bowles
(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 73-07119

FOR DEPARTMENT USE ONLY

Preliminary check by GUK Fee = 500.00 . Received by # Date

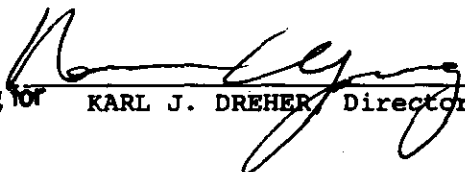
ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 73-07119 with the following;

CONDITIONS OF APPROVAL AND REMARKS

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Use of water under this water right will be regulated by the watermaster of State Water District No. 73.
5. Water used under this right when discharged into a natural channel or subsurface system shall meet Idaho Water Quality Standards.
6. This right authorizes an annual volume of water to fill the storage facility and the amount required to replace losses through evaporation.
7. Recreation storage is for a private fishing pond.

Witness my hand this 23RD day of JUNE, 1997.

Acting for  KARL J. DREHER Director

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT	)	
	)	
NO. 73-07119 IN THE NAME	)	ORDER REMOVING
	)	CONDITION OF APPROVAL
OF GEORGE M. BOWLES	)	
_____	)	

WHEREAS, on September 9, 1991, George M. Bowles filed an application for permit to appropriate water from springs for fish propagation use; and,

WHEREAS, the applicant described the proposed diverting works as an excavated pond that would be constructed for private fishing; and,

WHEREAS, on October 30, 1991 the Department approved Permit No. 73-07119 with the following condition:

Use of water under this right shall be non-consumptive.

and,

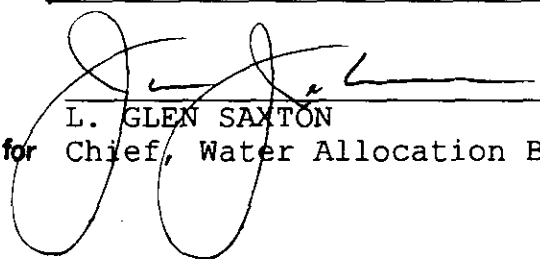
WHEREAS, requiring the water use to be non-consumptive is inconsistent with the intent of the appropriation because evaporation of water from the surface of a pond results in the consumption of water; and,

WHEREAS, diversion and water use, including the pond, was developed as described by the applicant at the time of filing the application for permit; and,

WHEREAS, there appears to be reasonable cause to remove the condition,

IT IS, THEREFORE, HEREBY ORDERED That the condition of approval limiting the permit to non-consumptive use is REMOVED.

Dated this 27TH day of MARCH, 1997.



L. GLEN SXTON
Acting for Chief, Water Allocation Bureau

Amt. of Fee \$ 50.00
Date 9-18-92
Receipt No. 0025513
Receipt by [Signature]

RECEIVED

SEP 18 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

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

1. Permit No. 73-02117 Telephone No. (415) 221-4800
2. Name(s) of Permit Holder(s): Gerrard A. Bunker
3. Mailing Address: 601 Montgomery St. # 1207, San Francisco, CA 94102
4. Source of Water: Spring

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

OPTIONAL:

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

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

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

Irrigation _____ (No. of acres) Other For Irrigation

6. Total rate and/or volume for which proof is submitted 2.25 cfs OR _____ acre/feet

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

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

OR

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

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

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

Buddy Drake, Drake Associates (415) 221-4800
Name Telephone No.

601 Montgomery St., San Francisco, CA 94102
Address

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

NOV 19 1992

Date

9/18/92
Signature (and title, if on behalf of a company or organization) Buddy Drake, Drake Associates for G. H. Bunker

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 73-07119

Proposed Priority: September 9, 1991 Maximum Diversion Rate: 0.20 CFS

This is to certify, that **GEORGE M BOWLES**
601 MONTGOMERY ST #1207
SAN FRANCISCO CA 94111

has applied for a permit to appropriate water from:

SPRINGS

tributary of **PAHSIMEROI RIVER**

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

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

FISH PROPAGATION

01/01 to 12/31

0.20 CFS

LOCATION OF POINT(S) OF DIVERSION:

NWSEW

Sec. 17, Township 15N, Range 21E
CUSTER County

PLACE OF USE: FISH PROPAGATION
TWN RGE SEC

15N 21E 17

SEW

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **November 2, 1992**.
2. Subject to all prior water rights.
3. Use of water under this right is subject to control by the watermaster of State Water District No. 73.
4. Water used under this right if discharged into a natural channel or subsurface system shall meet Idaho Water Quality Standards.
5. The right holder shall be required to provide the Department, upon request, information showing volume changes per hour necessary to maintain an adequate environment for the fish propagation facility. Volume changes per hour shall be based upon actual fish production.
6. Use of water under this right is subject to policies set forth in the State of Idaho Water Plan, including Policy No. 5G.
7. Use of water under this right shall be non-consumptive.
8. Prior to diversion of water under this right, the right holder must obtain approval of the Department of Fish and Game to stock pond.

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

30th day of October, 1991.

MICROFILMED

NOV 21 1991

[Signature]
for **R. Keith Higginson, Director**

RECEIVED

Form 202
6/85

SEP 9 1991

STATE OF IDAHO

Ident. No. **73 7119**

Department of Water Resources
Western Regional Office
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Send all correspondence to Buddy Drake: See letter 9-23-91

1. Name of applicant George M. Bowles Phone 415-421-4800
Post office address 601 Montgomery Street, Suite 1207, San Francisco, CA 94111

2. Source of water supply Unnamed springs which is a tributary of Pahsimeroi River

3. Location of point of diversion is NW 1/4 of SE 1/4 of NW 1/4, Govt. Lot _____
Sec. 17 Township 15N Range 21E B.M. Custer County; additional
points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .2cfs for fish propagation purposes from Jan. 1 to Dec. 31 (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 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Excavated Pond * 150' x 300' x 12' deep

* As per tel-con with Buddy Drake 9-23-91 HWT

* Springs flow to pond & then will dump into River

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

d. Is ground water with a temperature of greater than 90°F being sought? NO

7. Time required for the completion of the works and application of the water to the proposed beneficial use is

4 weeks years (minimum 1 year).

* 1

NOV 21 1991

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. Fish Pond

9. Description of place of use:

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
15N	21E	17								H									

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. _____

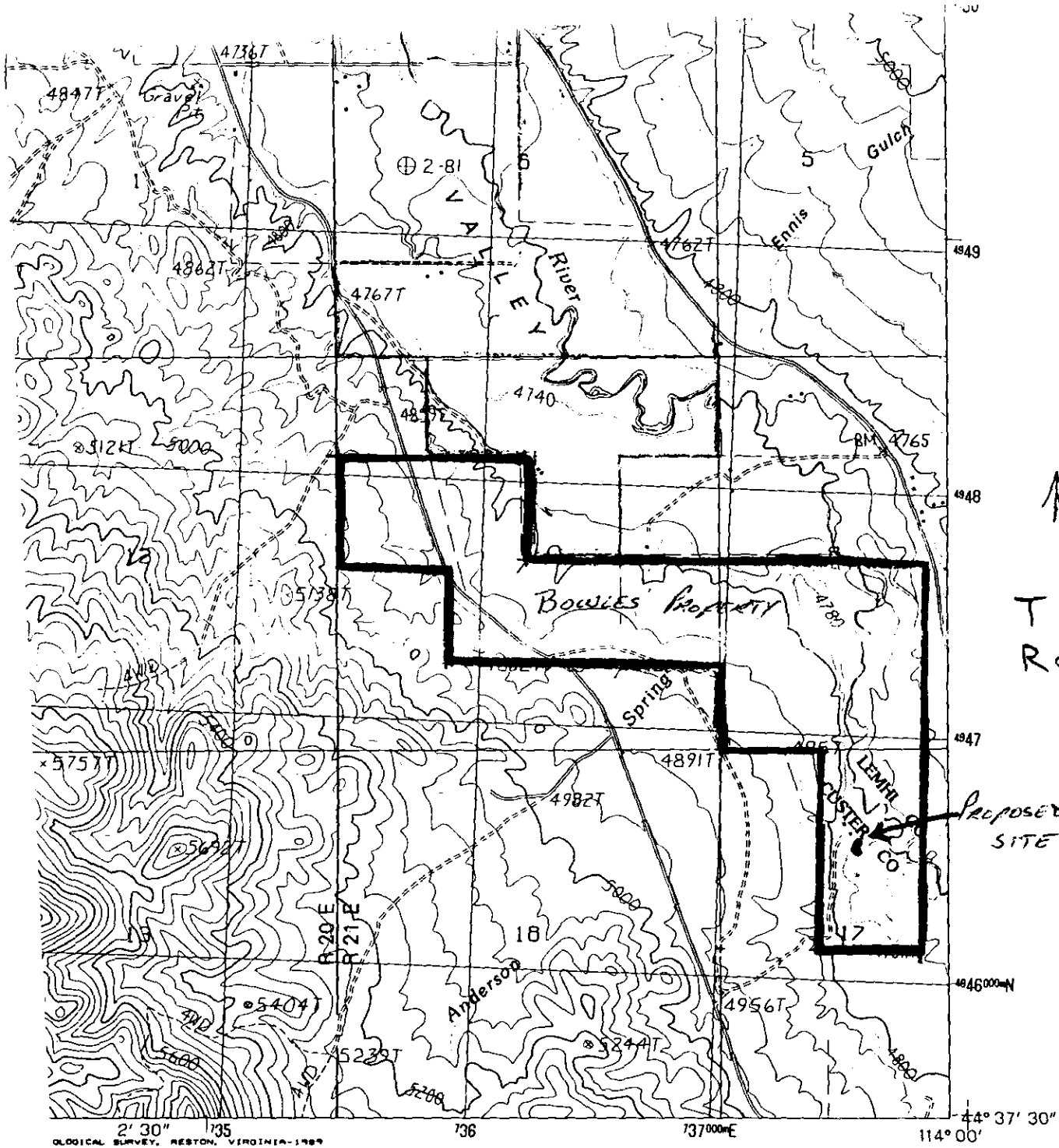
11. a. Who owns the property at the point of diversion? G. M., Bowles Trust

b. Who owns the land to be irrigated or place of use? G. M. Bowles Trust

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: Pond will be constructed for private fishing only.

NOV 21 1991



QUADRANGLE LOCATION

1	2	3	1 Wards Butte
			2 Hat Creek
			3 Allison Creek
4		5	4 Gooseberry Creek
			5 Ennis Gulch
			6 Charlie
6	7	8	7 Grouse Peak
			8 May

ADJOINING 7.5' QUADRANGLE NAMES

ROAD LEGEND

Improved Road
 Unimproved Road
 Trail

○ Interstate Route ○ U.S. Route ○ State Route

ELLIS, IDAHO
 PROVISIONAL EDITION 1989

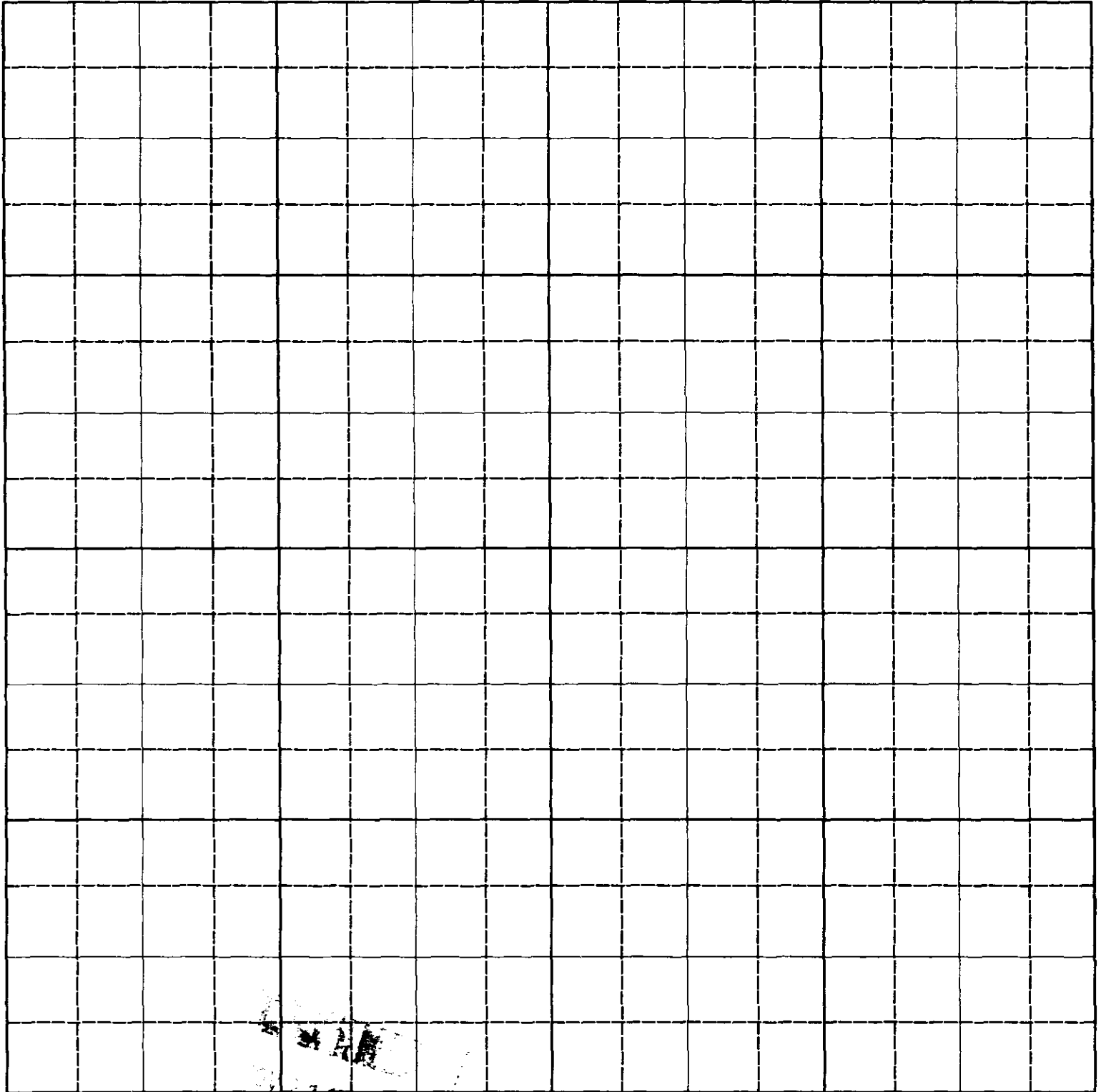
44114-FI-TF-024

NOV 21 1991

Copied from larger original Map Submitted 9-9-91 with Application.
 28

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

U.S.G.S. Topo included



Scale: 2 inches equal 1 mile.

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

G. M. Borden Trust
X G. M. Borden, Trustee
(Applicant)

Received by LB MM Date 9-13-91 Time 12:45 PM Preliminary check by 1120
Fee \$ 30.00 Received by LD # W013660 Date 9-9-91
Publication prepared by LB Date 10-3-91 Published in Custer Publishing Co.
Publication approved LB Date 10-21-91

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

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

RECEIVED

NOV 21 1991

For Value received

RALPH G. BIRD, a single man

the grantor, do as hereby grant, bargain, sell and convey unto

G. M. BOWLES TRUST,
GEORGE M. BOWLES, TRUSTEE

the grantee, the following described premises, in Lemhi & Custer County Idaho, to-wit:

TOWNSHIP 15 N., RANGE 21 E., BOISE MERIDIAN,
CUSTER COUNTY IDAHO:

SECTION 7: LOT 2, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{4}$ SE $\frac{1}{4}$;
SECTION 8: THE SW $\frac{1}{4}$ LYING SOUTH AND WEST OF THE
PAHSIMEROI RIVER;
SECTION 17: THE E $\frac{1}{4}$ NW $\frac{1}{4}$ LYING SOUTH AND WEST OF THE
PAHSIMEROI RIVER;

TOWNSHIP 15 N., RANGE 21 E., BOISE MERIDIAN, LEMHI
COUNTY, IDAHO:

SECTION 8: E $\frac{1}{4}$ SW $\frac{1}{4}$;
SECTION 17: THE NE $\frac{1}{4}$ NW $\frac{1}{4}$ LYING NORTH AND EAST OF
THE PAHSIMEROI RIVER . . .

TOGETHER WITH all water and water rights, ditch and
ditch rights, range and range rights, mineral and
mineral rights, oil and gas rights appurtenant thereto.

TOGETHER WITH any and all improvements located thereon
or appurtenant thereto, including all sprinkler
systems, a squeeze chute and a 35 horsepower Cornel
pump.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee,
his heirs and assigns forever. And the said Grantor do hereby covenant to
and with the said Grantee, that he is the owner in fee simple of said premises; that they
are free from all incumbrances except the lien for taxes for the current year,
any liens and encumbrances of record on this date, and any liens or
encumbrances suffered or created by Grantee prior to the date hereof,
and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: August _____, 1990.

RALPH G. BIRD

STATE OF IDAHO, COUNTY OF Lemhi

On this _____ day of Aug., 1990,
before me, a notary public in and for said State, personally
appeared

RALPH G. BIRD

known to me to be the person whose name is
subscribed to the within instrument, and acknowledged
to me that he executed the same.

Notary Public

Residing at Salmon, Idaho
Comm. Expires _____

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for re-
cord at the request of

at _____ minutes past _____ o'clock m.,
this _____ day of _____
19____, in my office, and duly recorded in Book
of Deeds at page _____

Ex-Officio Recorder

By _____ Deputy.

Fees \$ _____
Mail to: _____

NOV 21 1991

LEMHI TITLE & ABSTRACT — SALMON, IDAHO

INSTRUMENT NO.

AFFIDAVIT OF PUBLICATION

State of Idaho, County of Custer, ss:

I, Margaret Parks, Publisher of the Challis Messenger, a weekly newspaper, published at Challis, Idaho, do solemnly swear that the notice hereto attached and made a part hereof, was published in the regular and entire issue of the Challis Messenger for 2 consecutive weeks, commencing with the issue dated Oct 3 1991 and ending with the issue dated Oct 10 1991

Margaret A. Parks

STATE OF IDAHO

COUNTY OF CUSTER

On this 10th day of Oct. in the year of 1991, before me, a Notary Public,

personally appeared Margaret Parks, 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.

Edith M. Parks
Notary Public for Idaho

Residing at Challis

My commission expires: 3-21-92

**NOTICE OF APPLICATION
FOR WATER RIGHT**

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

73-07119

Bowles, George M.

601 Montgomery St. #1207

San Francisco, CA 94111

Source: Springs

Tributary: Pahsimeroi River

County: Custer

Diversion Pt: NWSEW Sec 17 T
15N R 21E

Use: Fish propagation (.200
CFS)

Total Diversion: (.200 CFS)

Date Filed: 9/9/1991

In: T15N R21E S17 SENW

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Eastern Region, 150 Shoup Avenue, Suite 15, Idaho Falls, Idaho 83402 on or before OCTOBER 21, 1991.

R. KEITH HIGGINSON, Director
Pub: Oct. 3 & 10, 1991.

RECEIVED

OCT 11 1991

Department of Water Resources
Eastern District Office

NOV 21 1991



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

June 23, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

GEORGE M BOWLES
601 MONTGOMERY ST #1207
SAN FRANCISCO CA 94111

RE: WATER RIGHT NO. 73-07119

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

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

Sincerely,

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

Shelley W. Keen
Water Rights Supervisor

SK:klt

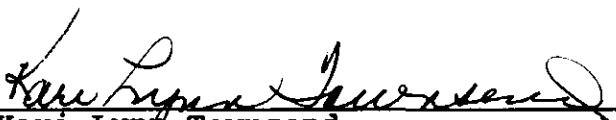
Enclosure

CERTIFICATE OF MAILING

I hereby certify that on the 23rd day of June, 1997, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 73-07119

GEORGE M BOWLES
601 MONTGOMERY ST #1207
SAN FRANCISCO CA 94111


Kari Lynn Townsend
Secretary



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

June 3, 1997

GEORGE M BOWLES
601 MONTGOMERY ST #1207
SAN FRANCISCO CA 94111

RE: WATER RIGHT NO. 73-07119

Dear Permit Holder(s):

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

The enclosed Application for Amendment contains information that will be included on the license when it is issued. The amendment reflects a change in the location of the point(s) of diversion and the place(s) of use description. Please review carefully and if you concur, sign the amendment and return it with the \$50.00 filing fee within 14 days.

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

Also enclosed is an order removing a condition of the permit limiting the right to non-consumptive use.

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

Sincerely,

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

Shelley W. Keen
Water Rights Supervisor

SWK:klt

Enclosure

WR0749NP
No. L73-07119

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 03/19/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GEORGE M BOWLES 601 MONTGOMERY ST #1207 SAN FRANCISCO CA 94111 (415) 421-4800	09/09/1991	RECREATION STORAGE	01/01 12/31		12.40 AFA
TOTAL DIVERSION:						12.40 AFA

Water Source: SPRINGS

Tributary to: PAHSIMEROI RIVER

Stage: LICENSE

Point(s) of Diversion Capacity: 12.40 AFA

Point(s) of Diversion: T15N R21E S17 SUNENW CUSTER County

Place of use Legal Description for: RECREATION STORAGE

NE				NW				SW				SE						
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
---	---	---	:	---	---	---	---	---	---	---	---	---	---	---	---	---	---	:
15N	21E	17	:					R										:

Pou County: CUSTER

Other Water Rights Listing Overlapping Place(s) of use:

73-00086A 73-00086B 73-00087 73-04022

Conditions of Approval:

- R04 - Use of water under this water right will be regulated by the watermaster of State Water District No. 73.
- 09E - Water used under this right when discharged into a natural channel or subsurface system shall meet Idaho Water Quality Standards.
- 072 - This right authorizes an annual volume of water to fill the storage facility and the amount required to replace losses through evaporation.

Remarks: Recreation storage is for a private fishing pond.

Dates: App. Received: 09/09/1991 Priority Date: 09/09/1991
Proof Due Date: 11/02/1992 Proof Made Date: 09/18/1992
Exam Made Date: 05/16/1995 Exam Sent to S.O.: 11/27/1996
Licensed Date:

Misc: Water District Number: 73 Field Exam Fee:

Comments: Date: 09/18/1992 User-ID: ANDREGG Subject: Proof of Beneficial Use Rcvd
Proof of Beneficial Use Rcvd

Audit: 03/19/97 SCURTIS

MEMORANDUM

TO: File 73-07119

FROM: Sharla

DATE: March 20, 1997

RE: Recommendation Adjustment(s)

The final license recommendations for Right 73-07119 are based on the following:

H. RECOMMENDATIONS

Recreation Storage 1/1 - 12/31

12.4 afa

The original application indicated the diversion consisted of an excavated pond and the use of water would be from the pond for private fishing. Fish propagation was an incorrect description of the water use proposed and the examiner found the pond to be on-stream (the springs feeding it are in the bottom of the pond). Recreation storage is a more accurate description of the water use and an amendment would not be required to make this clarification change. An amendment is required for this right anyway to change the point of diversion and place of use.

The volume is based on pond dimensions described on the application for permit: 150' X 300' X 12'. Licensing as recreation storage will not expand what was originally intended; a continuous flow through of the requested 0.20 cfs would have yielded a volume somewhere around 150.0 af/year.

Examiner: Don Simpkins
Exam Date: May 16, 1995

LICENSE REVIEW CHECKLIST

PERMIT NO. 73-07119

DATE 3/18/97

REVIEWER: SHARLA

NAME	Change <u>—</u>	OK <u>✓</u>	Address Change <u>NO</u>
SOURCE	Change <u>—</u>	OK <u>✓</u>	Is change clarification of originally intended source? <u>—</u> If not, prepare Notice of Intent to Void <u>—</u>
POINT OF DIV	<u>✓</u>	<u>—</u>	Amendment required <u>yes</u>
PLACE OF USE	<u>✓</u>	<u>—</u>	Amendment required <u>yes</u>

Does map agree with written description? ✓ yes — no

OVERLAPS — P/D — P/U

RATE OF DIV

Permitted Rate	<u>.20</u> cfs - 20 af
Fee limit	<u>.20</u> cfs \$50 ⁰⁰ (20 af)
Measured	<u>60</u> cfs outflow from pond
Theoretical	<u>—</u> cfs

Recommended Total Div Rate 24 cfs af

ANNUAL VOLUME/
NATURE OF USES ✓

Use	Volume Calculation
<u>fish</u> - <u>Res. Stor.</u>	<u>12.7</u> af
<u>prep.</u>	<u>—</u> af
<u>is incorrect</u>	<u>—</u> af
<u>—</u>	<u>—</u> af
<u>—</u>	<u>—</u> af
SUBTOTAL	<u>—</u> af

Flow rate — cfs X — days X 1.9835 = — af
Total volume recommended — af
(SUBTOTAL or Flow Rate, whichever is less)

REMARKS

45/ private fishing pond.

CONDITIONS R04 Watermaster Control WD# 73

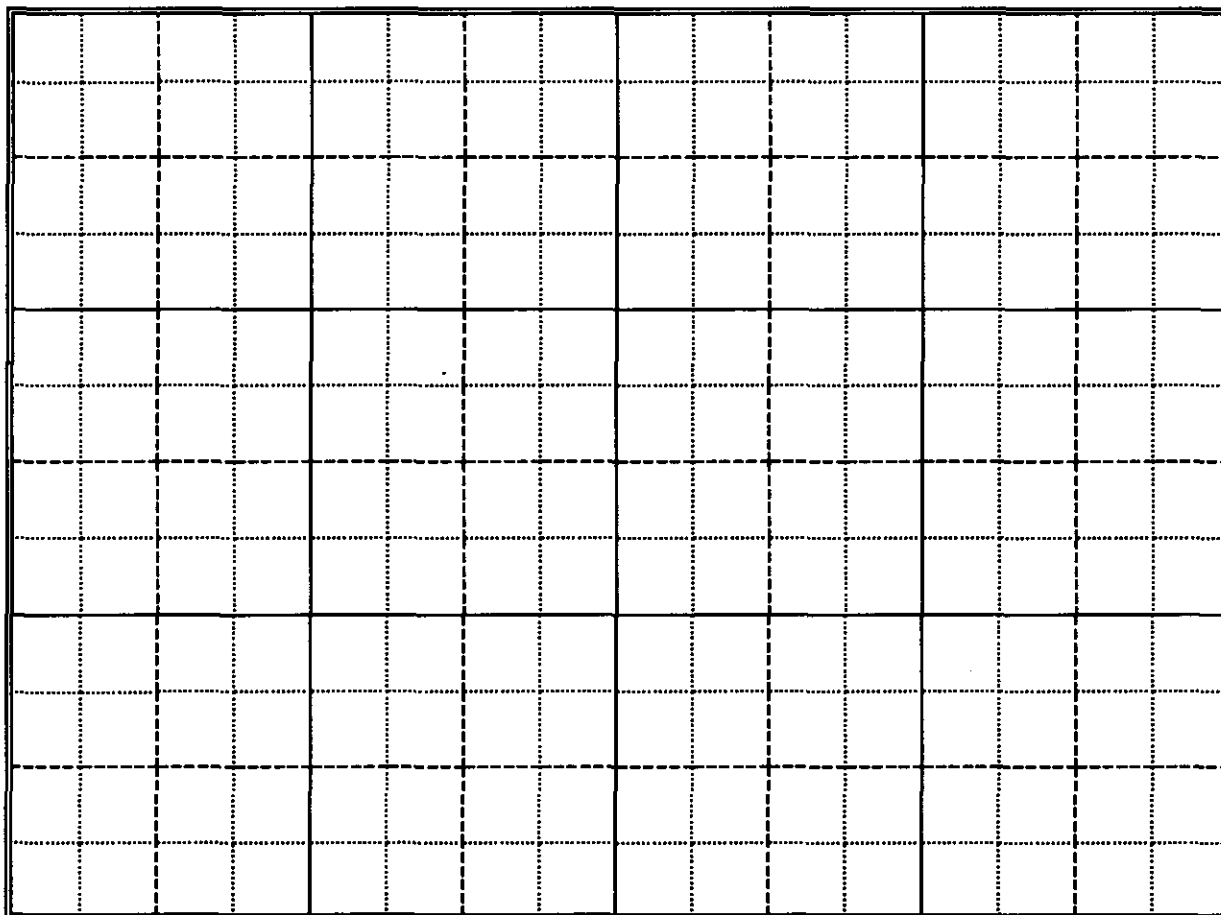
— GW Measurement/Measuring Device
— Overlap
— Use-specific conditions , 072

Advancement of Priority Date Required — yes ✓ no

SRBA Claim Filed N/A
Adjustment Memo 172

1st Amend Letter P37, P38
2nd Amend Letter P47

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



Scale: 1" = _____

____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for Irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

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

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
<i>PY6MY METER</i>				<i>090171</i>		

2. Measurements: *PY6MY METER - SEE ATTACHED DATA SHEET.*

E. NARRATIVE/REMARKS/COMMENTS

SPRINGS ARE UNDER POND, OUT FLOW ENTERS PAHSIHEKOI
RIVER.

* POND IS USED TO RAISE TROUT FOR PERSONAL CONSUMPTION
AND RECREATION.

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

F. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method:

POND OUT FLOW

$$Q = 0.60 \text{ CFS}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}}$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS *PERMIT LIMITS Q TO 0.20 CFS**NON-CONSUMPTIVE*

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<i>FISH PROPAGATION</i>	<i>1/1</i>	<i>12/31</i>	<i>0.20</i>	
Totals:			<i>0.20 CFS</i>	

2. Recommended Amendments

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

I. AUTHENTICATIONField Examiner's Name *SIMPKINS* Date *2/1/96*Reviewer *[Signature]* Date *3/21/96*

SEAL

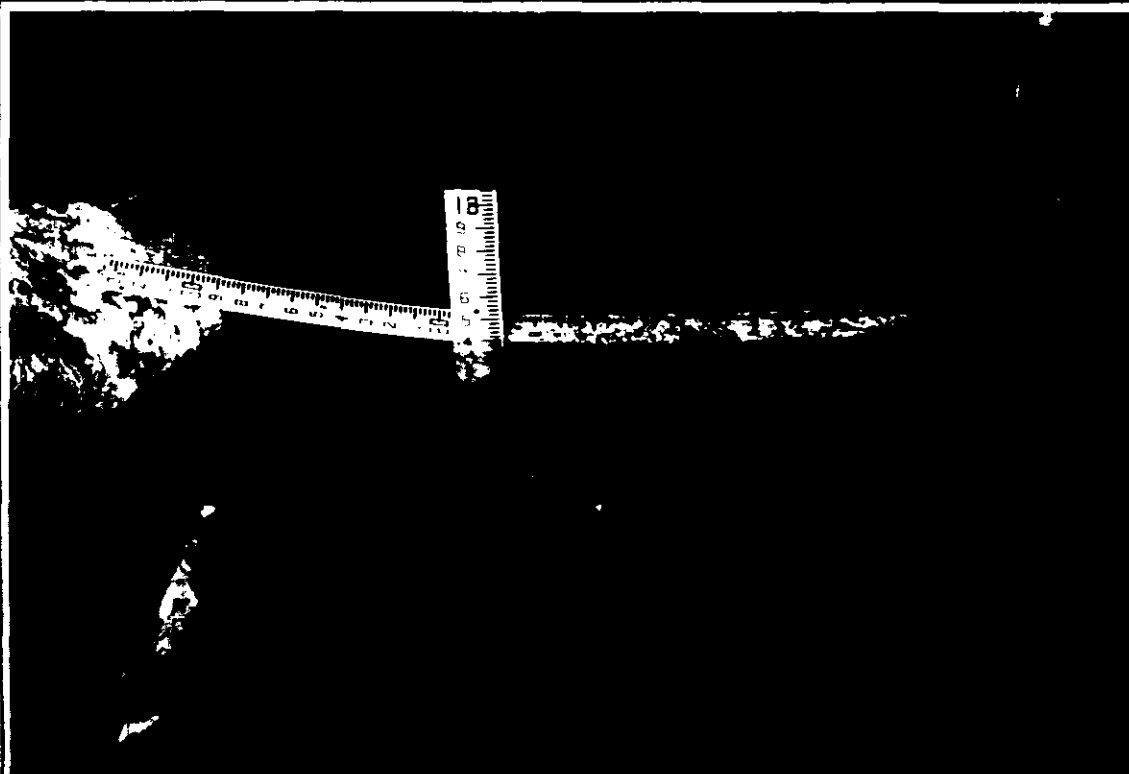
GEORGE BOWLES
FISH PROPAGATION

151



POINT OF
DIVERSION
PLACE OF
USE

SPRINGS
UNDER
POND



POINT OF
MEASUREMENT
POND OUTFLOW

73-07119

Water Right No.
(If applicable)

90

.00

1. Name of stream or ditch: SPRING 92
2. Location: SUNENW 517 T12N R21E
3. Person conducting measurement: SIMPKINS 94
4. Date and time of measurement: 1600 HRS 5/16/95
5. Accompanied by: N/A 96
6. Measuring device size and ID no.: RYGMY METER 090171
7. Spin test before measurement OK? - after measurement OK? - 97
8. Purpose of measurement: SPRING FLOW 98

98

[illegible]

73-07119

T15N, R21E

AD + PA ↑

AN

73-07119

T 15N, R 21E

POD
POU

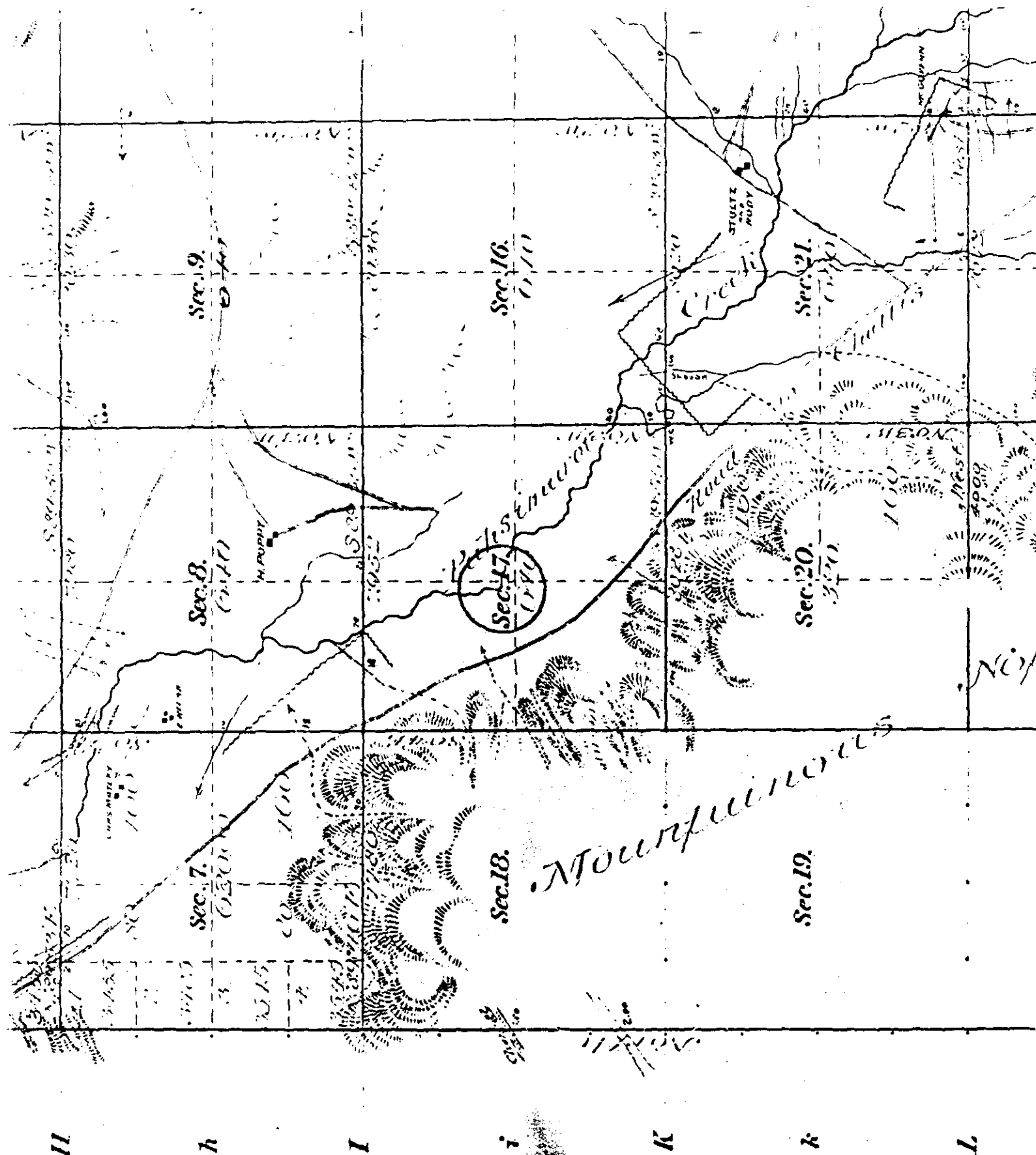
17

4946000m N

44° 37' 30"

787000m E

73-07119



73-07119

September 25, 1992

GEORGE M BOWLES
601 MONTGOMERY ST #1207
SAN FRANCISCO CA 94111

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 73-07119

Dear Permit Holder:

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

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

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

MICROFILMED

NOV 19 1992

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 73-07119

Reviewed by Klg

Date 9/21/92

GENERAL CONSIDERATIONS

TYPES OF USE

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

fish propagation
yes Correct Uses?

SOURCE OF WATER

☒ Surface water source
☐ Ground water source

NA Drilling permit required?

/ Copy in the file? Drilling Permit No. _____

/ Amount paid for permit _____ Correct?

/ Well log in the file?

LICENSE EXAMINATION FEE

yes Required?
50 Amount Submitted
yes Correct?

MEASURING DEVICE

NA Required?
/ Installed?
/ Waiver requested?

PRIORITY CALCULATION

Date proof received NA
Date proof due / -
No. of days late / =
Priority Date / +
New Priority Date /

DEFICIENCIES OR ACTION ITEMS

proof acceptable

DATA ENTRY

New Address _____

Proof Made 9/18/92
9/25/92 Klg

August 31, 1992

GEORGE M BOWLES
601 MONTGOMERY ST #1207
SAN FRANCISCO CA 94111

PROOF DUE NOTICE

RE: PERMIT NO. 73-07119

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before November 1, 1992. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

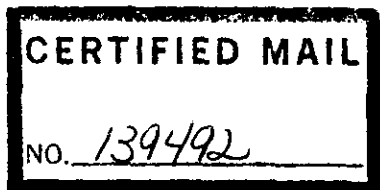
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Karen L. Gustafson
Secretary/Records Manager

Enclosures



2074000000
10 10 1992



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

November 1, 1991

GEORGE M BOWLES
601 MONTGOMERY ST #1207
SAN FRANCISCO CA 94111

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 73-07119

Dear Permit Holder:

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

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

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

Sincerely,

PAMELA SKAGGS
Technical Records Specialist

PS:blm

Enclosures

cc: Buddy Drake

MICROFILMED

NOV 21 1991

APPLICATION FOR PERMIT REVIEW

Application #: 73-7119
Date: 16-29-91

Reviewer: Pam Skaggs *PS*

Existing:

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

Yes

Proof not submitted - P16

Proof submitted - N/A

Groundwater:

GT. 0.2 cfs - 01G-P03, 01C-P03(existing well)

LT. 0.2 cfs - N/A

Drilling Permit:

Approved w/permit - P99

Not included - 046-P23(All GW, even existing wells)

/Location:

/Water Districts - WD No. 73
/Surface water - 005, 005-01H-P01(LT.2 w/pump)
005-01J-P08(GT.2)

Groundwater - P05

Irrigation Districts - 023

Canal Co. Areas - 023

Drainage Districts - 024

Boise Front (63) - 058 (Groundwater)

/Swan Falls Flag - (1, Blank or Other)

Trust - 051-052-053-P74(Consumptive Uses)

Non Trust - 048-049

River Basins:

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

Boise (63) - 05A & 11E

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

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

/Use:

/Fish Propagation - 06A, 09E-P10 & 010 (WQ/Choose One),
042(req.), 002-P06(MD), 07A(Spec.),
044(Policy 5G)

Power - Use Power Review

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

Storage - 18A-for multiple measuring devices(In WD),
18B-P09(Size)

Rec. & Aesthetic - 027(Non-Consumptive)

Domestic - 021(restricted areas)

Ownership:

Non land owner - 004

Protested:

Agreement - 020

NOV 21 1991

/Beneficial Use Due Date: -

11-02-1992

/Other Conditions Recommended

Outside Agency Condition / F & G Pond Permit

Dist. for staffing: 20-Sep-1991
Submitted for advertising: 9-23-91

Form No. 202a
4/87

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

73-7119

INITIAL REVIEW BY HWJ DATE 9-23-91 APPLICATION NO. _____
APPLICANT NAME: GEORGE M BOWLES

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
☒ Address
☒ Source (See USGS Quad for names of water sources)
☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
☒ County
☒ Quantity (flow and/or volume)
☒ Period of Use
☒ Nature of proposed use (Include description of use.)
☒ Description of diverting works
☒ Time required for beneficial use of water
☒ Place of use or acres irrigated
☒ Map
☒ Signature (If applicant is corp. partnership, or municipality, title of signator is required)
☒ Fee
☒ Yes _____ No* In form to receipt

ADDITIONAL INFORMATION

- _____ Overlapping place of use (Describe source & relationship to present application on the back.)
_____ Overlapping point of diversion
Yes _____ No Field check required
_____ Field check by _____
Yes _____ No Field report attached
Yes _____ No Critical groundwater area
Yes _____ No Groundwater management area
Yes _____ No Send dam safety information
Yes _____ No Send power requirement letter
Yes _____ No Send fish farm requirement letter
Yes _____ No Power residency affidavit
Yes _____ No Power efficiency form
Yes _____ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
Yes _____ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)

See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT _____

_____ Date Requested _____

RECEIVED
OCT 24 1991

Department of Water Resources

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 73
☐ Adjudication Bureau Unit ☐ Other

FINAL REGIONAL PROCESSING REVIEW

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

☒ Yes ☐ No Publication dates & paper, recorded on application
☐ Yes ☒ No Protests received
Final date for protest 10-21-91
☐ 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. 73
☒ Yes ☐ No Special conditions of approval or cover letter below.

See below for additional information
Date of priority recommended 9-9-91
By HWT Date 10-23-91

STATE OFFICE REVIEW

See below for additional information
By _____ Date _____

ADDITIONAL INFORMATION

Condition; Applicant must secure a Fish Pond permit From ID Fish & Game
Dept. before stocking his pond with fish.

LOCAL PUBLIC INTEREST

Comments received from

<u> </u> City	<u> </u> Idaho Fish & Game	<u> </u> Irrigation District
<u> </u> County	<u> </u> Idaho Health & Welfare	<u> </u> Canal Company
<u> </u> Reservations	<u> </u> Division of Environment	<u> </u> Other <u> </u>

Project impacts/implications report

COMMENTS



IDAHO FISH & GAME

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

RECEIVED

OCT - 1 1991

Department of Water Resources
Eastern District Office

September 30, 1991

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

RE: Application No. 73-07119 Bowles

Dear Harold:

Department personnel have reviewed Mr. Bowles' application to divert 0.2 cfs from a spring (tributary to the Pahsimeroi River) to an excavated fish pond and have no objection to the issuance of the permit. We would ask that all reasonable precautions be taken to avoid discharging sediment to the Pahsimeroi River during pond construction. Also, Mr. Bowles will need to secure a pond permit from the Department prior to stocking fish.

Thank you for the opportunity to comment on this matter.

Sincerely,

James R. Fubens
for

Gary Power
Regional Manager
Region 7

GP:JRL:dk

cc: U.S. Fish & Wildlife Service
Bureau of Program Coordination
Bureau of Fisheries
Jim Lukens

RECEIVED
NOV 21 1991

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



Working for Wildlife Since 1938



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

12-Sep-1991

GEORGE M BOWLES
601 MONTGOMERY ST # 1207
SAN FRANCISCO CA 94111

RE: Application No. 73-07119

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in the Custer Publishing Co. on October 3 & 10, 1991. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

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

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

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

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

NOV 21 1991

S T A T E O F I D A H O
DEPARTMENT OF WATER RESOURCES
Eastern Region
150 Shoup Ave., Suite 15

Idaho Falls, Idaho 83402
(208) 525-7161

SEPTEMBER 25, 1991

CUSTER PUBLISHING CO.
P.O. BOX 405
CHALLIS, ID 83226

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 OCTOBER 21, 1991.

Yours truly,

Rita Bodell
Secretary

Encl.

RECEIVED

NOV 21 1991

NOTICE OF APPLICATION FOR WATER RIGHT

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



NOV 21 1931

73-07119

BOWLES, GEORGE M
601 MONTGOMERY ST #1207
SAN FRANCISCO, CA 94111

Source: SPRINGS

Tributary: PAHSIMEROI RIVER

Diversion Pt: NWSNW Sec 17 T 15N R 21E

Use: FISH PROPAGATION (.200 CFS)
Total Diversion: (.200 CFS)

Date Filed: 9/ 9/ 1991

In: T15N R21E S17 SENW

RECEIVED

NOV 21 1991

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Eastern Region, 150 Shoup Avenue, Suite 15, Idaho Falls, Idaho 83402 on or before OCTOBER 21, 1991.

R. KEITH HIGGINSON, Director

Published 10/ 3/1991 & 10/10/1991

NOV 21 1991

NOV 21 1991



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

12-Sep-1991

GARY POWER
DEPT OF FISH & GAME
REGION 7
BOX 1336
SALMON ID 83467

RE: Application NO. 73-07119

Dear Sir:

We are enclosing a copy of the application(s) that may be of interest to your department. Please review the application(s) and submit any comments you may have to our Department as soon as possible. The last date of protest is October 21, 1991, and we are required to take final action shortly thereafter.

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

Respectfully submitted,

Harold W. Jones
HAROLD W. JONES
Water Rights Supervisor

HWJ/rb
enc.

NOV 1 1991
NOV 1 1991



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

24-Sep-1991

TROY ZIEGLER
WATER DIST 73
HC 62 BOX 2141
MAY ID 83253

RE: Application No. 73-07119

Dear Watermaster:

Please find enclosed a copy of the above referenced application. Please review the application and submit any comments you may have to our Department as soon as possible.

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

Thank you for your cooperation in this matter.

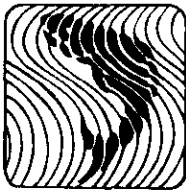
Respectfully submitted,

Harold Jones
Water Rights Supervisor

HJ/rb
Enclosure



NOV 21 1991



**Drake &
Associates**

AQUATIC HABITAT CONSULTANTS

Department of Water Resources
Western District Office

SEP 9 1991

P.O. Box 4183
Bozeman, Mt. 59715

(406) 388 1888

August 30, 1991

Ms. Laurie White
Western Region
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

RECEIVED

SEP 13 1991

Dept. of Water Resources
Eastern District Office

Dear Laurie:

Enclosed is an Application for Permit for a proposed pond in Custer County, near the Pahsimeroi River. The property is owned by my client, George M. Bowles. I have also included a U.S.G.S. topo map of the area with Mr. Bowles property boundaries outlined, as well as a legal description of the ranch.

I called your office and spoke with Kay earlier today. I hope that between the two of us I managed to fill the application out correctly. Kay determined that I would require about .2 cfs per year for fish propagation. I will describe the proposal to you in case there is some confusion.

I am proposing to construct a pond that is approximately .8 of a surface acre, 10 to 12 feet deep. The results of a test hole show that the ground water is only a few feet below the surface, so water will be in the hole as soon as we begin construction. There is, however, a large area of cattails immediately upstream of the proposed site into which return irrigation water flows. I have also observed springs upwelling within the cattails, and locals tell me that even after the irrigation water is turned off in the fall, a small amount of water continues to move through the area. I am listing the springs as the source of water supply for the pond.

I have already spoken with Greg Martinez of the Army Corps of Engineers. I understand that he is the pivot man in the determination as to whether or not I will be allowed to construct the pond. He told me that he would notify your office once he has made a decision.

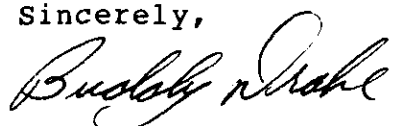
If I have made a mistake on the form, or you need additional information, please give me a call at my office. If I am out,

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please leave a message, and I will get back to you as soon as I can.

Thank you very much for your time.

Sincerely,

A handwritten signature in cursive script that reads "Buddy Drake". The signature is fluid and stylized, with the first and last names clearly legible.

Buddy Drake

Enclosures.



NOV 1 1991