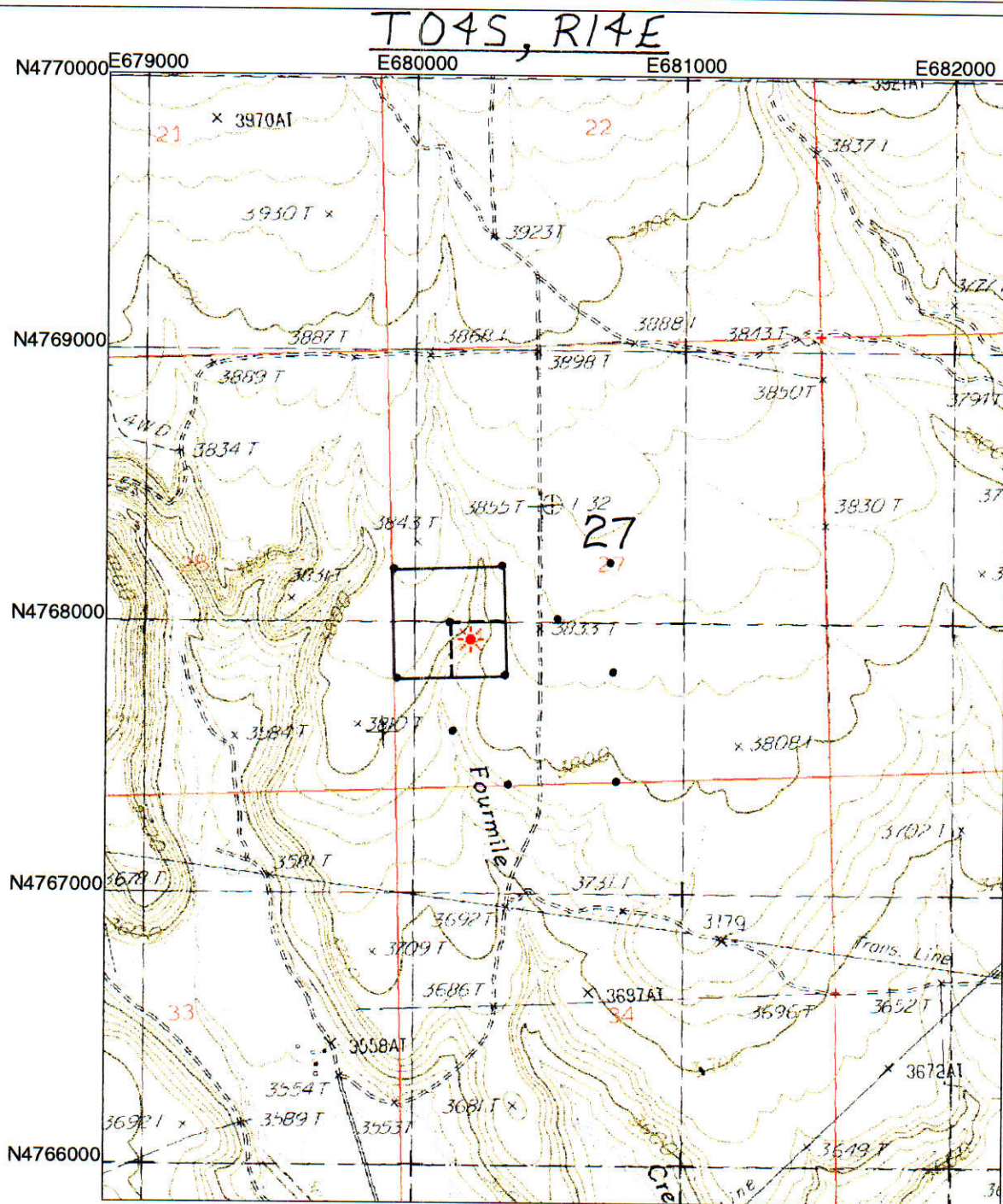




Lower Bench Reservoir

Universal Transverse Mercator
 11 North
 NAD 1927 (Western US)

McKinney Butte Quadrangle



Yards

MICROFILMED

680019.cor

10/1/1999

Pathfinder Office

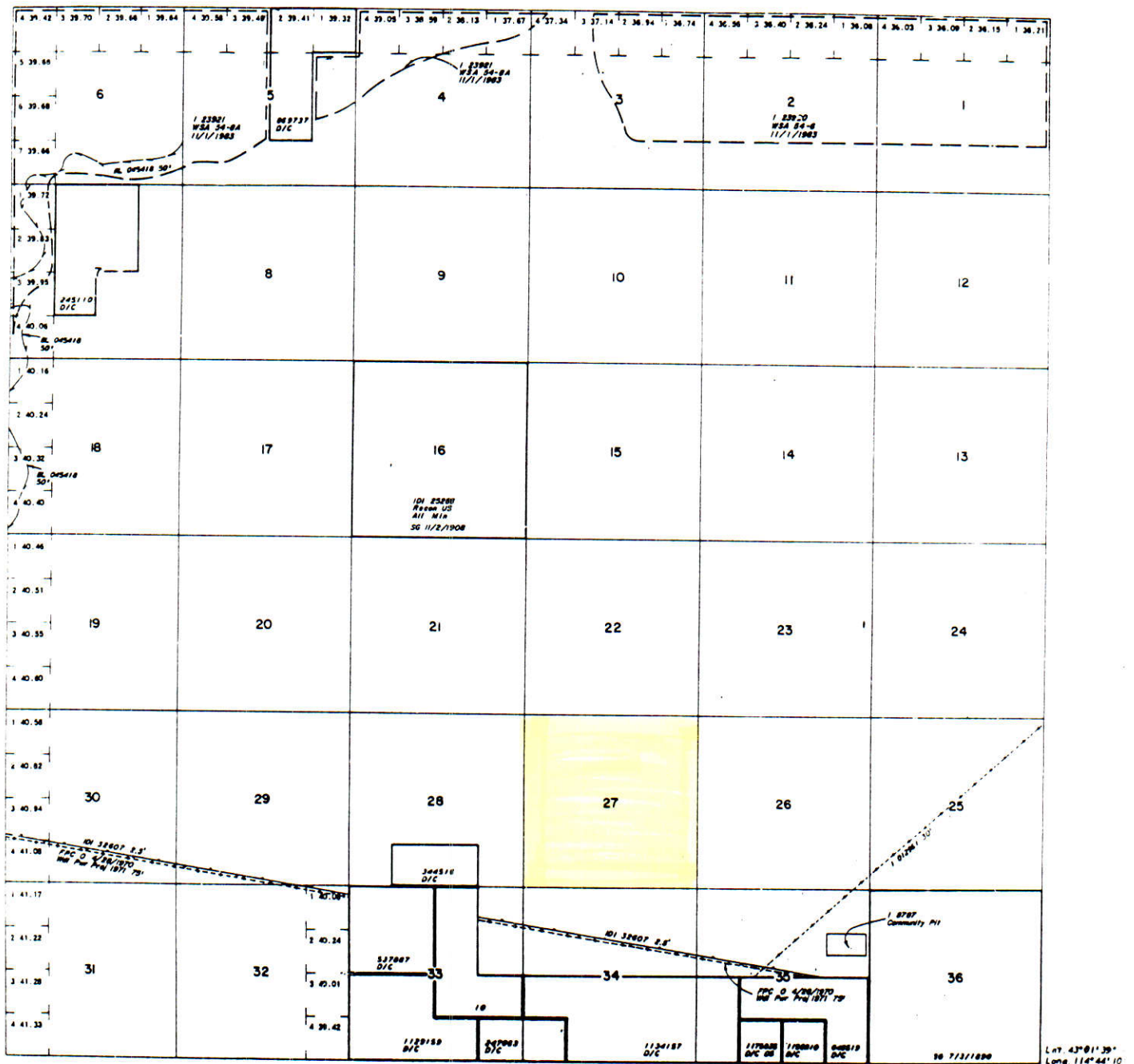


JAN 09 2002

TOWNSHIP 4 SOUTH RANGE 14 EAST OF THE BOISE MERIDIAN, IDAHO

GOODING COUNTY 047

SHOSHONE DISTRICT SEC 3



MTP Card Date 09/08/1998
Reviewed by: Ginger Koonce
Date of Review 02/09/1999

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14N 0 9 2002

JAN 9 2007
MICROFILM

Attachment C



Lower Bench Reservoir Photo Taken 04/17/97

NOTICE OF APPLICATION FOR WATER RIGHT

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

37-08925

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
400 W F ST
PO Box 2B
SHOSHONE, ID 83352
Source: FOURMILE CREEK
Tributary: BLACK CANYON CREEK
Diversion Pt: SENWSW Sec 27 T 04S
R 14E in GOODING County.

Use: STOCKWATER
STORAGE (1.20 AF)
STOCKWATER FROM STORAGE (1.20 AF)
WILDLIFE STORAGE (1.20 AF)
WILDLIFE FROM STORAGE (1.20 AF)

Total Diversion: (1.20 AF)

Date Filed: 9/1/2000
In: GOODING County
T04S R14E S27 NWSW

37-08926

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
400 W F ST
PO Box 2B
SHOSHONE, ID 83352
Source: UNNAMED STREAM
Tributary: SINKS
Diversion Pt: NWNWSE Sec 30 T 04S
R 14E in GOODING County.

Use: STOCKWATER
STORAGE (1.20 AF)
STOCKWATER FROM STORAGE (1.20 AF)
WILDLIFE STORAGE (1.20 AF)
WILDLIFE FROM STORAGE (1.20 AF)

Total Diversion: (1.20 AF)

Date Filed: 9/1/2000
In: GOODING County
T04S R14E S30 NWSE

37-08927

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
400 W F ST
PO Box 2B
SHOSHONE, ID 83352
Source: CALF CREEK
Tributary: CLOVER CREEK
Diversion Pt: SENWNW Sec 14 T 03S
R 12E in GOODING County.

Use: STOCKWATER
STORAGE (2.00 AF)
STOCKWATER FROM STORAGE (2.00 AF)
WILDLIFE STORAGE (2.00 AF)
WILDLIFE FROM STORAGE (2.00 AF)

Total Diversion: (2.00 AF)

Date Filed: 9/1/2000
In: GOODING County
T03S R12E S14 NWNW

37-08928

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
400 W F ST
PO Box 2B
SHOSHONE, ID 83352
Source: UNNAMED STREAM
Tributary: CALF CREEK
Diversion Pt: SWSENE Sec 15 T 03S
R 12E in GOODING County.

Use: STOCKWATER
STORAGE (2.00 AF)
STOCKWATER FROM STORAGE (2.00 AF)
WILDLIFE STORAGE (2.00 AF)
WILDLIFE FROM STORAGE (2.00 AF)

Total Diversion: (2.00 AF)

Date Filed: 9/1/2000
In: GOODING County
T03S R12E S15 SENE

37-08929

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
400 W F ST
PO Box 2B
SHOSHONE, ID 83352
Source: UNNAMED STREAM
Tributary: THORN CREEK
Diversion Pt: LOT 3 (SWNWSW) Sec
18 T 04S R 16E in GOODING County.

Use: STOCKWATER
STORAGE (1.50 AF)
STOCKWATER FROM STORAGE (1.50 AF)
WILDLIFE STORAGE (1.50 AF)
WILDLIFE FROM STORAGE (1.50 AF)

Total Diversion: (1.50 AF)

Date Filed: 9/20/2000
In: GOODING County
T04S R16E S18 Lot 3 (NWSW)

37-08930

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
400 W F ST
PO Box 2B
SHOSHONE, ID 83352
Source: UNNAMED STREAM
Tributary: FOURMILE CREEK
Diversion Pt: LOT 4 (SESWW) Sec
35 T 03S R 14E in GOODING County.

Use: STOCKWATER
STORAGE (1.10 AF)
STOCKWATER FROM STORAGE (1.10 AF)
WILDLIFE STORAGE (1.10 AF)
WILDLIFE FROM STORAGE (1.10 AF)

Total Diversion: (1.10 AF)

Date Filed: 9/1/2000
In: GOODING County
T03S R14E S35 Lot 4 (SWSW)

The permit(s) will be subject to all prior water rights. Any protest must be filed with the Director, Dept. of Water Resources, Southern Region, 1341 Fillmore St., Suite 200, Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before JANUARY 10, 2001. The protestant must also send a copy of the protest to the applicant.

/s/ Karl J. Dreher, Director

PUB: 12/21 - 12/28 G34313

MICROFILMED

JAN 09 2002

RECEIVED
SEP 01 2000
Department of Water Resources
Southern Region

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES "Lower Bench Res."
PROOF OF BENEFICIAL USE

RECEIVED

FEB 23 2001

DEPARTMENT OF WATER RESOURCES

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.

1. Permit No. 37-08925 Telephone No. (208) 886-2206
2. Name of Permit Holder(s): US Dept. of Interior, Bureau of Land Management
3. Mailing Address: P.O. Box 2B 400 West F Street
City Shoshone State ID Zip 83352
4. Source of Water: Fourmile Creek If GROUNDWATER (well), Date Drilled: mo. _____ / yr. _____
a. Well Driller: _____ Drilling Permit Number: _____ - _____ - _____ - _____
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): _____ Stockwater (No. and type of stock): 1445 Range Cattle
1000 Range Sheep
Irrigation (No. of acres): _____ Other: Wildlife in varying amounts
6. Total rate of diversion and/or volume for which proof is submitted: _____ cfs OR 1.20 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 X
Has the measuring device been installed? Yes _____ or No X
8. Fee Enclosed: \$ 50.00 (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: Floyd P. DeWitt (BLM employee) Telephone Number: (208) 886-7272, or
(208) 886-2206
Address: Same as Item 3 above
10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: _____

(include your title, if on behalf of company or organization)

Date: 8/24/00

MICROFILMED

JAN 03 2002

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 37-08925

Priority: 09/01/2000

Maximum Diversion Volume: 1.2 AF

This is to certify, that US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
400 W F ST
PO BOX 2B
SHOSHONE ID 83352

has applied for a permit to appropriate water from:

Source: FOURMILE CREEK

Tributary: BLACK CANYON CREEK

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>ANNUAL VOLUME</u>
STOCKWATER STORAGE	01/01 to 12/31	1.2 AF
WILDLIFE STORAGE	01/01 to 12/31	1.2 AF

LOCATION OF POINT(S) OF DIVERSION:

FOURMILE CREEK SE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 27, Twp 04S, Rge 14E, B.M. GOODING County

PLACE OF USE: STOCKWATER STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S 14E 27											X						

PLACE OF USE: WILDLIFE STORAGE, same as Stockwater Storage

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before December 1, 2002.
2. Subject to all prior water rights.
3. This right, when considered with all other rights common to the same grazing allotment, is limited to the quantity of water beneficially used by the number of stock within the allotment.
4. Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
5. Stockwater storage is for 1,445 range cattle and 1,000 sheep.
6. This development is known as Lower Bench Reservoir.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 30th day of November, 2001.



for KARL J DREHER, Director

MICROFILMED
JAN 09 2002

RECEIVED
SEP 01 2000
Department of Water Resources
Southern Region

RECEIVED

FEB 23 2001

Department of Water Resources

Ident. No. 37-08925

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of Applicant USDI, Bureau of Land Management Phone (208) 886-2206
Post Office address P.O. Box 2-B, 400 West F Street, Shoshone, ID 83352
2. Source of water supply Fourmile Creek which is a tributary of Black Canyon Creek
3. Location of point of diversion is SE 1/4 of NW 1/4 of SW 1/4, Govt. Lot _____
Sec 27 Township 04S Range 14E B.M. Gooding County; additional points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 1.20 AcF for Stockwater ^{storage y.p.d 10/26/00} purposes from 01/01 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 1.20 AcF for Stockwater from Storage purposes from 01/01 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 1.20 AcF for Wildlife ^{storage y.p.d.} purposes from 01/01 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 1.20 AcF for Wildlife from Storage purposes from 01/01 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) _____ and/or (b) 1.20 AcF
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. _____
b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity 1.20 AcF 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 85°F being sought? _____
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 0 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. 1445 Range Cattle and 1000 Range Sheep
c. Municipal; show name of municipality. _____
d. Domestic; show number of households. _____
e. Other; describe fully. Wildlife in varying amounts

MICROFILM

JAN 03 2001

"Lower Bench Res."

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	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S	14E	27										S							
04S	14E	27										W							

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. SRBA claim 37-17385 (3705680019, BLM Ident) was dropped in order to pursue an administrative water right claim on this reservoir. (Attachment A)

11. a. Who owns the property at the point of diversion? USDI, Bureau of Land Management

b. Who owns the land to be irrigated or place of use? USDI, Bureau of Land Management

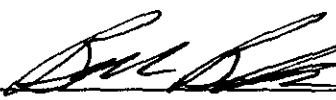
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: Not applicable

12. Remarks: This reservoir is also known as Lower Bench Reservoir. Dimensions of the reservoir are as follows: Length - 175' ; Width - 75' ; Avg. Depth - 4.0', for a filled volume of 1.20 acre-feet.

(Attachment B is additional information from BLM's project files. Attachment C is a photo of this reservoir that's included in the Proof of Beneficial Use Section)

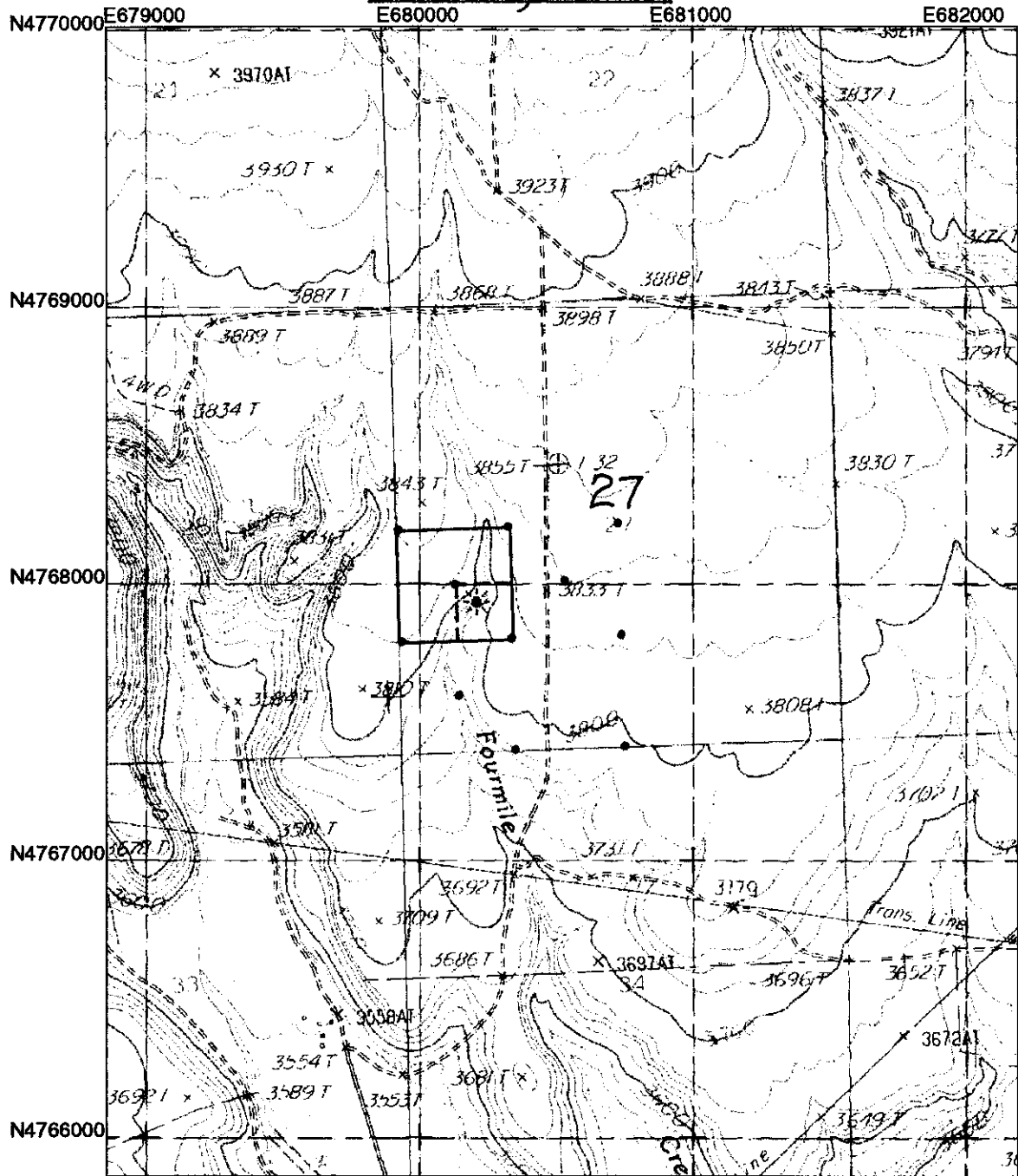
13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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


(Applicant) - Bill Baker, Shoshone Field Office Area Manager
MICROFILMED
JAN 03 2002

Received by JP Date 9-1-00 Time 11:12 am Preliminary check by _____
Fee \$ 100. Receipted by JP # SD23366 Date 9-1-00
Publication prepared by MB Date 12/5/00 Published in Gooding Co. Leader
Publication approved MB Date 2/1/01

T04S, R14E



Lower Bench Reservoir

Universal Transverse Mercator

11 North

NAD 1927 (Western US)

McKinney Butte Quadrangle



Scale 1:24000



Yards

MICROFILM

680019.cor

10/1/1999

Pathfinder Office

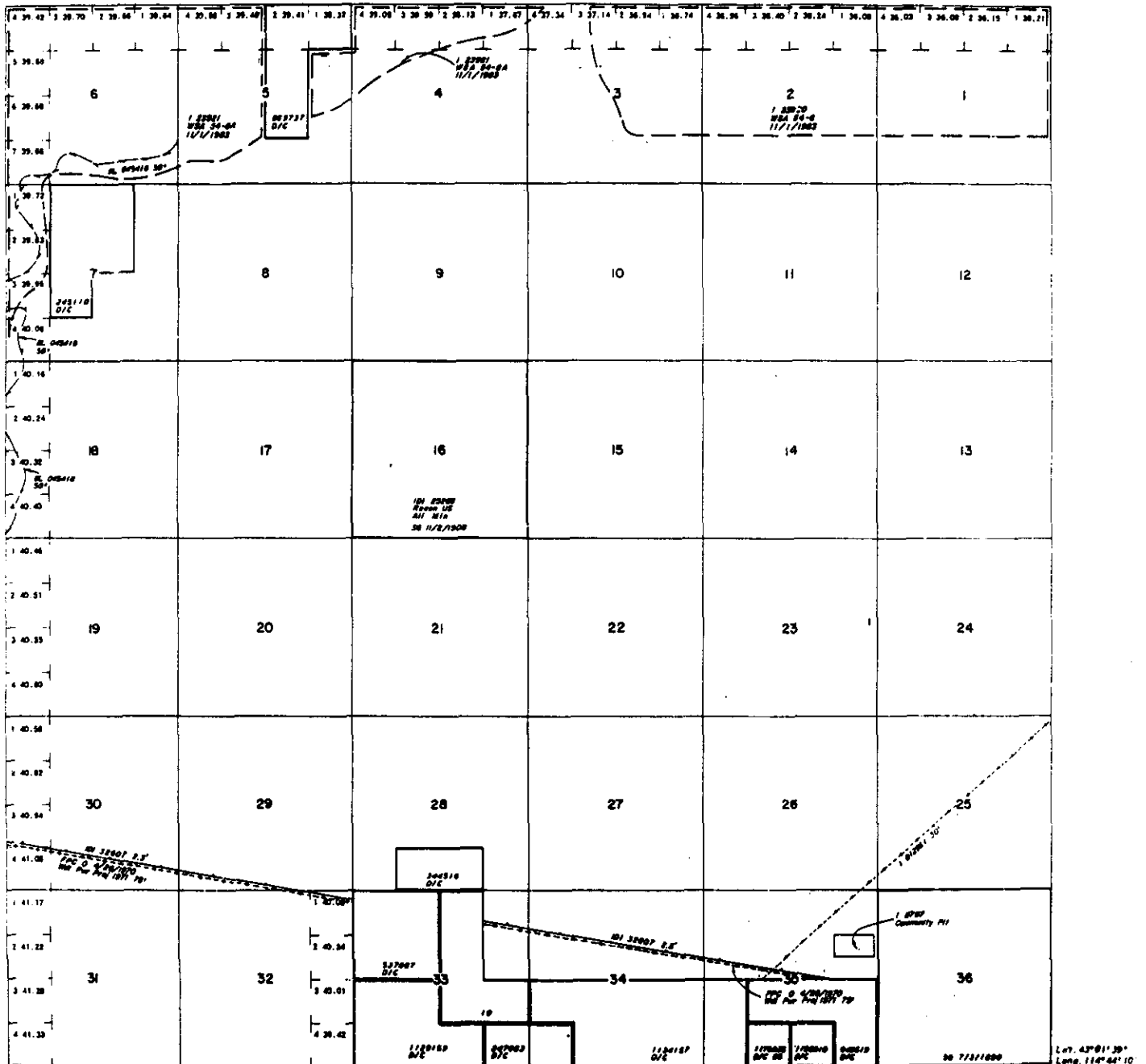


JAN 03 2002

TOWNSHIP 4 SOUTH RANGE 14 EAST OF THE BOISE MERIDIAN, IDAHO

GOODING COUNTY 047

SHOSHONE DISTRICT SEC 3



SCALE in Chains
0 10 20 30 40

WARNING STATEMENT
This plan is the Bureau's Record of Title, and should be used only as a graphic display of the recorded survey data. It does not represent the actual land, and should not be used for any purpose other than to show the location of the recorded survey data. It is not a legal document, and should not be used for any purpose other than to show the location of the recorded survey data. Refer to the relevant surveys for official survey information.

THE NOTATION SHOWN ON WITHIN ACTION TAKEN BUT MAY NOT BE THE HISTORICAL INDEX FOR THE ORIGINAL ORDER

MTP Card Date 09/08/1998
Reviewed by: Ginger Koonce
Date of Review 02/09/1999

MICROFILMED

100 11 1 1998

Attachment A: SRBA claim
37-17385 BLM dropped to pursue
administratively.

MICROFILMED

JAN 8 3 2002

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

In Re SRBA

Case No. 3957

DROP

AMENDED NOTICE of CLAIM for
Water Right number:

3717385 (IDWR number)

BLMIDENT:

Stg: StFed:

3705680019

J

S

NONE

NAME and
ADDRESS:

United States of America acting through
Bureau of Land Management
Idaho State Office
1387 South Vinnell Way
Boise, ID 83709 - 1657

Other Right and date:

SOURCE:

Source

Tributary

FOURMILE CREEK

BLACK CANYON CREEK

QUANTITY:

0

CFS

or VOLUME:

1

Acre Feet

The quantity of water under this right for stockwater shall not exceed 13,000 gallons per day.

PRIORITY DATE:

1/1/1879

Diversion Means: EARTHEN DAM

REMARKS:

POINT of
DIVERSION:

Twndship	Range	Section	T1	T2	T3	LOT	B/E	within the	County of
04S	14E	27	NW	SW				47	GOODING

PURPOSE
and
PERIOD
OF USE:

Purpose of Use	Period of Use (from - to):	Rate in CFS	or	Volume in AcF
05	0101	1231	0	1
17	0101	1231	0	1
06	0101	1231	0	1
18	0101	1231	0	1

CONSUMPTIVE
USE:

de minimis stockwater use

DATE: 31-Jul-98

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

The quantity of water decreed for this water right for stockwater use is not a
determination of historical beneficial use.

PLACE
of USE:

Water Use	Twnd	Rge	Sec	T1	T2	LOT	within the	County of
05	04S	14E	27	NW	SW	0	47	GOODING
06	04S	14E	27	NW	SW	0	47	GOODING
17	04S	14E	27	NW	SW	0	47	GOODING
18	04S	14E	27	NW	SW	0	47	GOODING

IDWR No: A37-17385

7.5 min. quad: McKinney Butte

Project Name: LOWER BENCH RESERVR

Project No: 4732

Priority Date:

1/1/1879

Allot.Name: BLACK CANYON

Allot.No: 0418

DivMeans: EARTHEN DAM IN A DRAINAGE

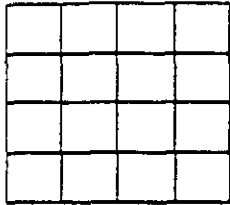
Source: FOURMILE CREEK

Trib: BLACK CANYON CREEK

TotDivRate:

0 TotDivVol:

1

initial
POD

Tn	Rg	Sec	T1	T2	T3	Lot
04S	14E	27	SE	NW	SW	0

initial
POU

Tn	Rg	S	T1	T2	Lot
04S	14E	27	NW	SW	0

Use:	From:	To:	DivRate:
05	0101	1231	0

06	0101	1231	0
----	------	------	---

17	0101	1231	0
----	------	------	---

18	0101	1231	0
----	------	------	---

one square = _____ acres

Field Investigation Info:

Source type: stream - spring - reservoir - well - playa - pond - lake - otherInvestigator(s) SCOTT BEAZER GARY KIRCH Other type: _____ Developed? (Y)NDate/Time 4/17/99 1700 For reservoirs, playas, ponds, lakes, estimate (high water):Claim Verification Location(s): SEE PAGE 2 Dimensions: Length 775 Width 75 Avg Depth 4Channel IN: Artificial (Natural) OUT: (Artif) - NaturalDoes water arise/sink on public land? (Arise) Sink

Photo	<u>Helicopter roll 11, frame 24-</u>
Info	<u>Reservoir is in the center of</u>
	<u>photo.</u>

For streams and springs:

Flow: _____ CFS, or _____ GPM

How measured? _____

Site Description This appears to be a GPS: (Y)N GPS file name: 0417236

reservoir created by excavating Lat. _____ Long. _____
a depression in the bottom of a drainage course and placing the spoil
material on the downstream side to creat an earthen dam. No water claim
exists for this project. This claim is proposed for abandonment. An
Administrative Claim will be pursued at a later date

Dominant vegetations: cottonwood/aspen - willows - sedges/rushes Segebrush, grassPercent bare ground? 15Water present? (Y)N Water class: perennial (intermittent) - ephemeral (flowing) - standing - groundwaterWhere water is not present, what are the indicators that water was present? Water was presentEvidence of livestock/wildlife use at site: Cattle and deer trailsRecommendation: pursue - amend (drop) the water claim

Water Rights Coordinator (sign/date)

(Second Alternate)

MICROFILMED

1999 03 2007

BLM Verification Form, pg. 2, POD/POU data

BLMIDENT:

3705680019

POD

POU

<u>Tn</u>	<u>Rg</u>	<u>Sec</u>	<u>T1</u>	<u>T2</u>	<u>T3</u>	<u>Lot</u>
04S	14E	27	SE	NW	SW	

<u>Tn</u>	<u>Rg</u>	<u>Sec</u>	<u>T1</u>	<u>T2</u>	<u>Lot</u>	<u>Use</u>	<u>Ac.</u>
04S	14E	27	NW	SW	0	18	
04S	14E	27	NW	SW	0	06	Verification Location
04S	14E	27	NW	SW	0	17	
04S	14E	27	NW	SW	0	05	

MICROFILMED

0 3 2002

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

CIVIL CASE NUMBER: 39576

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER
FROM THE SNAKE RIVER BASIN WATER SYSTEM

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT.
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706
TELEPHONE: 208-334-1401

PRIORITY DATE: 1879-01-01
AGENCY NUMBER: 3705680019
BLM NUMBER: 3705680019
BASIS OF CLAIM: BENEFICIAL USE
BASIN NUMBER: 37

SOURCE	TRIBUTARY TO
-----	-----
FOURMILE CREEK	BLACK CANYON CREEK

DESCRIPTION OF DIVERSION WORKS

EARTHEN DAM IN A DRAINAGE

PURPOSE OF USE	DIVERSION RATE	DIVERSION VOLUME	PERIOD OF USE	
-----	-----	-----	FROM	TO
STOCKWATER STORAGE	0.000	1.00	0101	1231
WILDLIFE STORAGE	0.000	1.00	0101	1231
STOCKWATER FROM STORAGE	0.000	1.00	0101	1231
WILDLIFE FROM STORAGE	0.000	1.00	0101	1231
TOTAL:	0.000 CFS	1.00 AF		

NON-IRRIGATION USES

STOCKWATER, 1445 RANGE CATTLE, 1000 RANGE SHEEP. WILDLIFE VAR AMT

POINT OF DIVERSION							
TWP	RNG	SEC	TRACT1	TRACT2	TRACT3	LOT	COUNTY
04S	14E	27		NW	SW	00	GOODING

PLACE OF USE							IRRIGATED	
TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY	OWNED	ACRES
04S	14E	27	NW	SW	00	GOODING	YES	0.0

MICROFILMED

JAN 08 2002

Attachment A: Lower Bench Res.

BLM NUMBER: 3705680019

PAGE.

04S	14E	27	NW	SW	00	GOODING	YES	0.0
04S	14E	27	NW	SW	00	GOODING	YES	0.0
04S	14E	27	NW	SW	00	GOODING	YES	0.0

TOTAL ACRES IRRIGATED: 0.0

TOTAL CONSUMPTIVE USE IS: DE MINIMUS ACRE FEET PER ANNUM

OTHER WATER RIGHTS

NONE

REMARKS

FIRST DATE OF BENEFICIAL USE - 1879

MICROFILM

JAN 02 2002

Attachment A: Lower Bench Res.

Attachment B: Documentation of
Lower Bench Res. from the project
file that BLM has on record.

MICROFILMED

JAN 09 2002

II - ANNUAL WORK PLAN INPUT DATA										Card 2	
75. Subactivity (11-14)										8100	
76. Component-Job Code (15-18)										4457	
UNITS PLANNED											
77. Primary (19-24)										100	
78. Secondary (25-29)										01200	
TIME OF AWARD											
79. Fiscal Year (30-31)	83									80. Third (32)	1
TIME OF COMPLETION											
81. Fiscal Year (33-34)	83									82. Third (35)	3
BLM COST											
83. Method (36)										2	
84. Material (37-41)										00400	
85. Contract (42-47)											
CONTRIBUTED COST											
86. Material (48-52)											
87. Labor/Equipment (53-57)											
MAINTENANCE											
88. Responsibility (58)	3									89. Cycle (59-61)	303

WORK DESCRIPTION AND MATERIALS (a)	UNITS		BLM COSTS		COOPERATOR COSTS	
	EX. MILS. ETC. (b)	COST (c)	MATERIALS (d)	CONTRACT (e)	MATERIALS (f)	LABOR (g)
	149 0 3 2002			071812		
TOTALS Materials						
Labor/Equipment						

Form 1732-1 (August

1. State (2-3) 10 2. District (4-5) 05
3. Job Number (9) 4732
4. Transaction Code (10) 2

37. Primary Job Objective (11) 3

PLANT AND PEST CONTROL

39. Chemical (12) ☐ 42. Method (13) ☐

45. Mechanical - Method (14) ☐

ARTIFICIAL REVEGETATION

47. Pounds Seed/Acre (15-17) ☐

48. Seedlings/Acre (18-21). ☐

49. Method (22) ☐

51. AUM's Livestock Forage Added (23-26). ☐

52. Future SSF (27-28). ☐

WATERSHED TILLAGE

54. Method (29) ☐

FACILITIES

55. Type (30) ☐ 56. Other Misc. (31) ☐

WATER DEVELOPMENT/CONTROL

59. Type (32-33) 1 2

60. Water Filling Number (34-39). ☐

STORAGE (Ac. Ft.) 61. Flood (40-45). 0 0 0 0 0 1

62. Silt (46-51). ☐

WILDLIFE HABITAT DEVELOPMENT/PROTECTION

63. Type (52-53) ☐

64. Primary Species (54-56) ☐

65. Animal Months (57-61) ☐

66. Number Increase (62-66) ☐

67. Pounds Fish Increase (67-71). ☐

68. Rare/Endangered (72). ☐

VISITOR DAYS ADDED

<u>COMPLETION DATA</u>	
UNITS 90. Primary (11-16)	00 00 10
91. Secondary (17-21)	01 20 0
TIME 92. Fiscal Year (22-23)	83
93. Third (24)	2
94. Job Cost (25-30)	00 04 00
95. Work-Months (31-33)	00 5
<u>CONTRIBUTION DETAIL</u>	
96. Agreement (34) <u>1</u>	97. Contributor (35)
98. Contributor's Name (36-55)	
<u>CONTRIBUTIONS</u>	
99. Deposited (56-60)	
UNDEPOSITED 100. Materials (61-65) . . .	
101. Labor/Equipment (66-70)	

Attachment B: Lower Ranch Res.

JOB IDENTIFICATION

STATE

ID

DISTRICT

05

JOB NUMBER

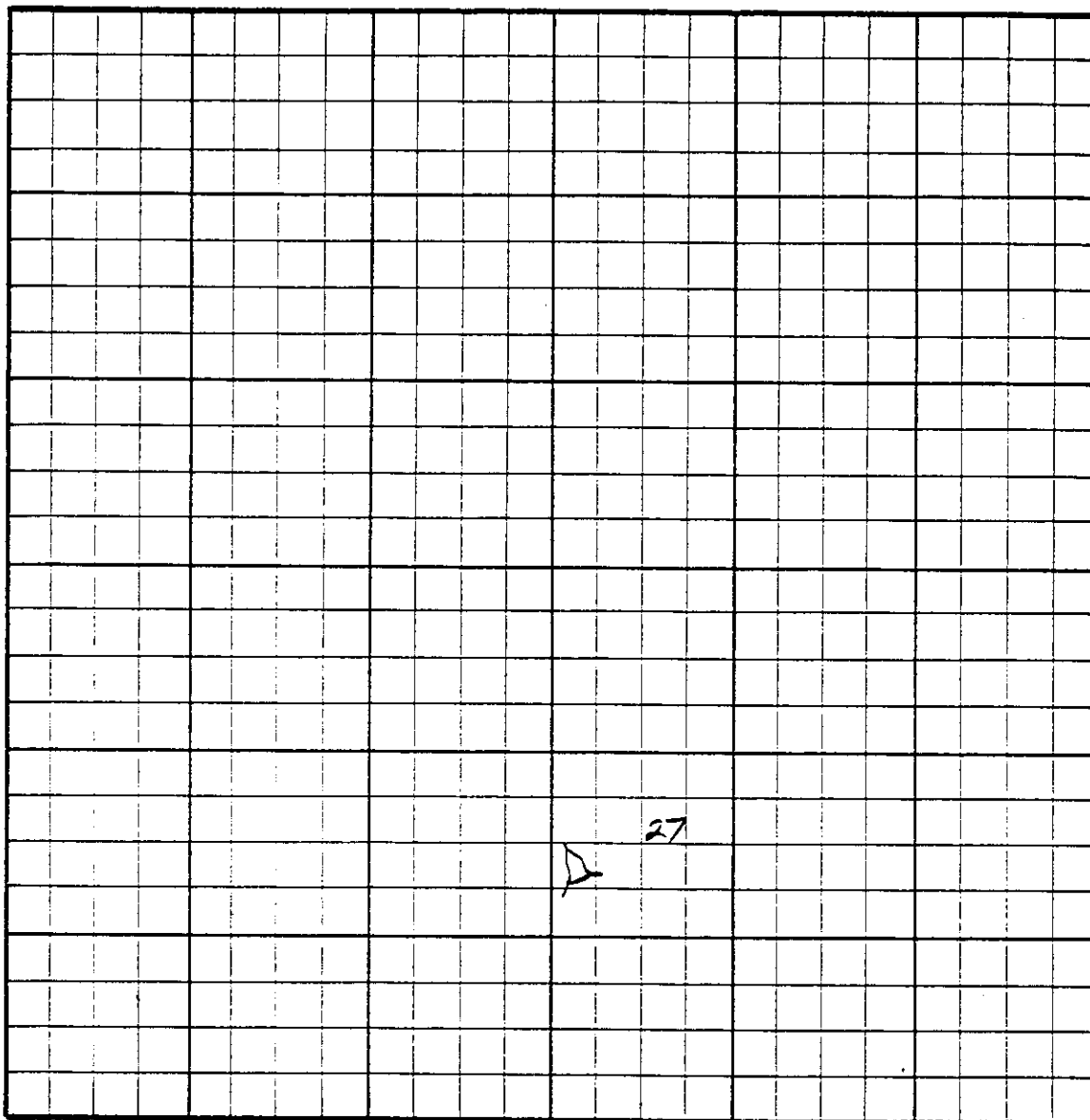
4732

VI - LOCATION PLAT

T. 4 S. R. 14 E.

Scale 1 inch = 1 mile

Meridian B O I S E



VII - NARRATIVE DESCRIPTION OR JUSTIFICATION

Construct a reservoir for the purpose of improving livestock distribution, providing water for livestock and wildlife, and controlling sediment movement.

MICRO-REVIEW

JAN 09 2002

Prepared by

Lyle Andrews

Title

Range Conservationist

Date

10-12-82

Approved by

Title

Date

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

Project or
Job Number 4732

Maintenance responsibility 3

PROJECT INSPECTION AND MAINTENANCE RECORD

1. State ID	2. Office 050	3. Allotment Number or Activity Plan Area 0418	4. Project/Job Name LOWER BENCH RES
5. Location T. 4 S., R. 14 E., Sec. 27, 1/4 Sec. NW			6. Type of improvement
7a. Last Inspection (date)		b. Condition or success of improvement ☐ good ☐ fair ☐ poor ☒ failure	
c. Apparent reasons for failure or success Washed Out			
8a. Recommended action ☐ Normal maintenance ☒ Reconstruction ☐ Salvage or other use ☒ Abandon ☐ Other ☐ Notify user/cooperator responsible for maintenance			
b. Describe needed repairs or treatment			
c. Document existing noxious weed species and extent of infestation (if none, state "none observed")			
d. Estimated cost of maintenance needs \$		e. Last maintenance completed (date)	
9a. Fiscal year maintenance work programmed		b. Next inspection (date)	
Remarks (include recommendation on remedial management practices, etc., and support with photographs)			

MICROFILM

1999 03 2002

Attachment B: Lower Bench Res.

Signature of Inspector D. Miller	Title Range Conservation Student Trainee	Date 8-5-91
---	---	--

INSTRUCTIONS: 1. Use three-digit District-Resource Area office identifier in Item 2.
2. If existing Project or Allotment Number, etc., has fewer digits than the space provided, fill the left-most spaces with zeros.
3. Prepare and file one copy in the District Project (Job) file. (See BLM Manual 9104.4 and Handbook H-1740-1 for additional information.)

Attachment C

APR 18 2007
NATIONAL ARCHIVES

Lower Bench Reservoir Photo Taken 04/17/97



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

October 1, 2002

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
400 WEST F STREET
PO BOX 2B
SHOSHONE ID 83352

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 37-08922, 37-08925 & 37-08927

Dear Permit Holder:

The department acknowledges receipt of the proofs of beneficial use forms submitted for the above referenced permits. The next step in the process of developing a water right is for the department to contact you to schedule a field examination to determine and confirm the use being made of the water, and that it meets the permitted beneficial use.

Be advised that Section 42-248, Idaho Code, requires you or the owner of these water rights 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, please contact the **Southern** Regional Office of the department in Twin Falls at (208) 736-3033.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

c: IDWR - Regional Office

MICROFILMED

OCT 02 2002

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 37-08925

Reviewed By: dgibson

Date: September 30, 2002

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?	X		Drilling permit required?		X
License examination fee required?	X		Drilling permit No.:		
Appropriate fee submitted?	X		Drilling permit upgrade needed?		
Receipt No.:		S023366, S023366	Well driller's report filed?		X
Additional Amount Due:			Measuring device required?		X
Name and address same as permit?	X		Measuring device installed?		
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received		09/01/2000
Date proof due	-	12/01/2002
Lapse notice sent	-	
No. of days late	=	0
Holiday allowance	+	
Priority date	+	09/01/2000
New priority date	=	09/01/2000

Deficiencies of Actions Items

Acknowledge proof.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor

December 4, 2001

KARL J. DREHER
Director

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
PO BOX 2B
SHOSHONE ID 83352

RE: Permit No. 37-8925

Permit Approval Notice

Dear Permit Holder:

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

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 into a licensed water right. Also enclosed is a form entitled 'Proof of Beneficial Use.' If your project is already completed, you should complete and submit this form immediately.

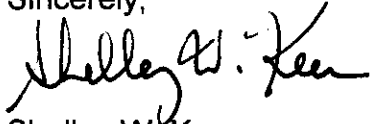
Please note that a separate stream channel alteration permit must be obtained from the Department prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed a least sixty days prior to the commencement of work in the stream.

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

MICROFILMED
JAN 10 2002

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

Sincerely,

A handwritten signature in black ink, appearing to read "Shelley W. Keen". The signature is fluid and cursive, with the first name "Shelley" being more prominent.

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED

JAN 09 2002

CERTIFICATE OF MAILING

I hereby certify that on December 4, 2001 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO. 37-8925

**US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
PO BOX 2B
SHOSHONE ID 83352**

A handwritten signature in black ink, reading "Kari Lynn Townsend", is written over a horizontal line.

**Kari Lynn Townsend
Secretary**

MICROFILMED

JAN 09 2002

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

MICROFILMED
JAN 09 2002



IDAHO FISH AND GAME
Magic Valley Region
P.O. Box 428
868 E. Main St.
Jerome, ID 83338

Dirk Kempthorne/Governor
Rod Sando/Director

November 16, 2001

Sharla Curtis
Idaho Department of Water Resources
1301 North Orchard Street
Boise, Idaho 83706

Re: Applications for Permit No. 37-08922, 37-08925 and 37-08927 in the name of BLM (Camas and Gooding Counties)

Dear Sharla:

We have completed our field investigations of the earthen dams and drainages associated with the above referenced water right applications. We have determined that the section of the drainage that the structures are on do not provide suitable fish rearing or spawning habitat. We therefore have no problem with the issuance of these three water right permits to the Bureau of Land Management without further mitigation.

Please contact Chuck Warren, Regional Environmental Staff Biologist, at this office if you have any questions. Thank you for your assistance in this matter.

Sincerely,

David Parrish
Magic Valley Regional Supervisor

Cc: IDFG- NRPB
BLM- Shoshone

MICROFILMED

JAN 09 2002



RECEIVED

MAR 19 2001

Department of Water Resources

IDAHO FISH & GAME

MAGIC VALLEY REGION

868 East Main Street

P.O. Box 428

Jerome, Idaho 83338-0428

Dirk Kempthorne / Governor
Rod Sando / Director

March 15, 2001

Sharla Curtis
Idaho Department of Water Resources
1301 North Orchard Street
Boise, Idaho 83706

Re: Applications for Permit No. 37-08918 Through 37-08943 in the name of BLM (Camas, Elmore, Gooding and Blaine Counties)

Dear Sharla:

I am writing this letter as an update to our original request that fish passage be provided for all of the dams and diversions that the BLM has applied water rights for. We are revising our original request as a result of our staff's inspections of the photographs and descriptions provided by the BLM in their applications. Based on the inspections we do not believe that it is necessary for the BLM to modify the existing structures referenced to in the following application numbers:

#37-08918 through #37-08921

#37-08923 through #37-08924

#37-08926

#37-08928 through #37-08943

We therefore have no problem with the issuance of water right permits to the BLM for the above listed applications. We do request withholding water right permits for the following dams referenced by the application number until further investigation is done to determine if fish passage is needed:

#37-08922

#37-08925

#37-08927

Please contact Chuck Warren, the Regional Environmental Staff Biologist, in this office if you have any questions. Thank you for your assistance in this matter.

Sincerely,

David Parrish
Magic Valley Regional SupervisorCc: IDFG- NRPB
BLM- Shoshone

MICHO L L M L L

JAN 09 2002



RECEIVED

MAR 13 2001

Department of Water Resources

IDAHO FISH & GAME

MAGIC VALLEY REGION

868 East Main Street

P.O. Box 428

Jerome, Idaho 83338-0428

Dirk Kempthorne / Governor

Rod Sando / Director

March 15, 2001

Sharla Curtis
Idaho Department of Water Resources
1301 North Orchard Street
Boise, Idaho 83706

Re: Applications for Permit No. 37-08918 Through 37-08943 in the name of BLM (Camas, Elmore, Gooding and Blaine Counties)

Dear Sharla:

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#37-08926

#37-08928 through #37-08943

We therefore have no problem with the issuance of water right permits to the BLM for the above listed applications. We do request withholding water right permits for the following dams referenced by the application number until further investigation is done to determine if fish passage is needed:

#37-08922

#37-08925

#37-08927

Please contact Chuck Warren, the Regional Environmental Staff Biologist, in this office if you have any questions. Thank you for your assistance in this matter.

Sincerely,

David Parrish

Magic Valley Regional Supervisor

Cc: IDFG- NRPB
BLM- Shoshone

MICHOE

JAN 10 2002

Keeping Idaho's Wildlife Heritage

MEMORANDUM

To: Files 37-08918 through 37-08943

From: Sharla

Date: March 5, 2001

Re: Watermaster Conditions, F&G Concerns and Water Uses

In January, David Parrish of Fish & Game sent a letter to Allen Merritt after reviewing the above referenced application for permit filings. In his letter, Mr. Parrish requested that we condition the permits to require fish passage facilities if the diversions cause a water surface elevation difference of 12" or more and that plans for ladders or other structures be approved by F&G prior to construction.

Watermaster comments were also sought by regional personnel and the watermaster recommended conditions placing all the filings under control of the watermaster and that any interference with irrigation rights to be immediately corrected by BLM.

The entire batch of filings represent excavated pit-style reservoirs that are already in existence which catch spring run-off or are springbox constructions that feed stock troughs. They are not "on-stream" reservoirs that could possibly be related to fish passage issues. With the exception of nine (9) of the filings, all are tributary to "sinks"; of the other nine (9), only three (3) are for sources other than a spring or an unnamed stream. And the remaining six (6) are tributary to named streams/creeks but still represent pit-style reservoirs.

"Fish passage" conditions are not warranted and I have sought concurrence from Fish and Game. Watermaster control conditioning is not appropriate for those filings for springs that sink and have not been placed on those permits. Several files are not even within a water district at all and one is within Water District 37N. Further, these filings represent no possible interference with irrigation rights so special conditioning concerning that matter is not appropriate.

Finally, all of these applications that represent storage of water also listed stock & wildlife FROM storage uses. Water is not diverted to tanks out of the reservoirs; the stock drink directly from the reservoirs, therefore, the "FROM STORAGE" uses have been removed.

MICHO...

JAN 01 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 5, 2001

David Parrish
Idaho Fish & Game
Jerome, ID
FAX: 324-1160

RE: Applications for Permit Nos. 37-08918 Through 37-08943
in the Name of BLM (Camas, Elmore, Gooding & Blaine Counties)

Dear Mr. Parrish:

In January, you sent a letter to Allen Merritt of our Twin Falls office after you reviewed the above referenced application for permit filings. In your letter, you requested that we condition the permits to require fish passage facilities if the diversions cause a water surface elevation difference of 12" or more and that plans for ladders or other structures be approved by your agency prior to construction.

The applications have arrived here at the State Office for final review and approval. I have some information for you to consider and ask that you let me know whether or not you concur with my findings after you've reviewed the matter.

The entire batch of filings represent excavated pit-style reservoirs that are already in existence which catch spring run-off or are springbox constructions that feed stock troughs. They are not "on-stream" reservoirs that could possibly be related to fish passage issues. I am attaching photos from a couple of the applications to give you a sample of what these filings represent. With the exception of nine (9) of the filings, all are tributary to "sinks"; of the other nine (9), only three (3) are for sources other than a spring or an unnamed stream (photo labeled Found Calf Reservoir is one example). The remaining six (6) are tributary to named streams/creeks but still represent pit-style reservoirs (see photo labeled Upper Bench Reservoir for example).

If this information is sufficient for you to determine that "fish passage" conditions are not warranted, I would appreciate an e-mail or fax noting your agreement with my proposal. I can then send the files forward for permit approval. If you still feel such conditions are necessary or you want to have copies sent to you of the photos for each reservoir, let me know and we will do our best to accommodate your needs. I look forward to hearing from you.

Sincerely,

Sharla Curtis
Sr. Water Resource Agent

MICHO...

158 0 0 2001

Attachments (4)

Sent by FAX 3/5

APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS

Reviewed by Sharla Curtis on 2/28/01

No. 37-8925 Name: Bum Corp. Officers N/A Ad ok ☒ Govt Lots _____

AREA OF CONCERN: No/Yes _____ Moratorium _____ GWMA _____ TRUST/NON-TRUST _____

GROUNDWATER: (✓Flow Chart)

DRILLING PERMIT

All wells - 046(P23)
Basin 34 - 084 (if necessary)
Irr. w/in WD - P05
WMD - North/East/West
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 067
~~WMD~~
Supp irr (irr = only use) - 065-104
Supp irr (+ other uses) - 100-105
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M

LOCATION:

Boise Front LoGeo - 058 (<85 GW)
Mitigation - 121
42-248 Area - P84
Swan Falls Flag -
Trust - 051(P74) (consumptive uses)
Non-Trust - 048-049 (consumptive uses or non-cons. > 1.0 cfs)

USES:

STORAGE - 18A-01H(P01), 01P-18B(P09)-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
STOCKWATER - R37 (BLM/USFS)
MINING - 054-106(P10)
FISH PROP - 029(70'S only)-007-042-106 (P10)
HEAT/COOL - R07(injection well)
FIRE PROT. - 077

BENEFICIAL USE DUE: 3 / 01 / 2002

MISC CONDITIONS/REMARKS:

Protested - 020-W19
Development Period
≤ 1 yr - P16
> 1 yr - 26A(P17)
Ownership - 004
Non-consumptive - 027
Water Quality - 106-R07

SURFACE WATER: (✓Flow Chart)

F&G contacted - Yes/No Response _____
In/Above MSF - WB9
PLANNING REVIEW/RESPONSE _____
In-stream development - P52
WD - R04 (WD# 37)
≤ 0.20 cfs/others - 01H(P01), 01P or No MD
> 0.20 cfs - 01J(P08)

SPRINGS/SINK, INACTIVE WD & REST OF STATE

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

RIVER BASINS: (SW special considerations)

Snake R (01) - W22(P04), N/A
(02,03) - 007 (w/ remark WB9 if above Weiser)
Payette R (65) - 047(P04) (Payette Lake)
Salmon R (70's) - 029 (fish screens)
Weiser R (67) - 086-087

USES:

POWER - 17H-17K (+uses)-08A-025(P18)-01N-106 (P10)
MUNICIPAL
Restricted area - 022,075
Irr., GW supp to SW - 102
DOMESTIC
Surface water - WB5 (Big Wood or Boise above Star Bridge)
27A (Payette R)
> 1 in restricted area - 070-071-075(no parks/common areas, etc)
Irr use listed separate - WB5
Moratorium approvable - W03 (2500 gpd - meets domestic definition
i.e. D/convenience store)

Multiple p/d's per 1/4 - W32
Subd lot desc (pd) - W59
Subd lot desc (pu) - W60
Use definitions - W02 example - S/SO range, 1000 sheep
Pre-1987 development - 068-074 (allow 120 days for proof due)
Single p/d intended - 076

IRRIGATION SEASON _____ - _____ (Per updated map) IRR VOLUME/ACRE _____

OTHER CONDITIONS/REMARKS _____

COMMENTS no div. from storage uses

shape files made

APPLICATION NO. 37-08925

RECEIVED

STATE OF IDAHO
IDWR SOUTHERN REGION
APPLICATION FOR PERMIT ANALYSIS SHEET

FEB 23 2001

INITIAL REVIEW BY John Freitag DATE 11-02-00

Department of Water Resources

REQUIRED INFORMATION (Clk if OK)

- ☒ 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 &/or volume.
☒ County
☒ Quantity (flow &/or volume)
☒ Period of use
☒ Nature of proposed use (include description of use)
☒ Description of diverting works. See Remarks
☒ Time required for beneficial use of water. already developed
☒ 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?

++++PROPOSED PRIORITY DATE 09-01-00, 2000

ADDITIONAL INFORMATION

- ☒ Overlapping place of use(Describe source & relationship to present application on the back. 37-18363 (instream stock)
☒ Overlapping point of diversion. 37-18363
☒ Yes ☐ No Is Source Surface Water?
If Yes Send Copy to F&G.
If Yes Field check/memo required.
Field check/memo by BLM
☒ Yes ☐ No Field report attached? BLM
☒ Yes ☐ No Critical Ground water area? B. ground
☒ Yes ☐ No Groundwater management area?
☒ Yes ☐ No Measurement District or Groundwater District?
What District?
☒ Yes ☐ No Send Dam safety information?
☒ Yes ☐ No Send power requirement letter?
☒ Yes ☐ No Send fish farm requirement letter?
☒ Yes ☐ No Power residency affidavit attached?
☒ Yes ☐ No Power efficiency form?
☒ Yes ☐ No Within trustwater boundary?(If yes, attach trustwater supplementary analysis sheet.
☒ Yes ☐ No Diversion greater than 5 cfs or 500 acre ft? (If yes, attach large diversion supplementary analysis sheet.
☒ Yes ☐ No Is Application made to record Pre Nov 1987 Development?
If Yes then request clear evidence of when use started.

* REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT:

Date Requested _____

Date Sent Comments Received

SEND COPIES TO:

☐ Idaho Dept of Health & Welfare	_____	_____
☐ USDI-BLM	_____	_____
☒ Idaho Dept of Fish & Game	12/5/00	1-4-2001
☐ USFS	_____	_____
☐ Idaho Dept of Lands	_____	_____
☒ Water Dist. No. 37	12/5/00	1-5-2001
☐ Adjudication Bureau Unit	_____	_____
_____	_____	_____
_____	_____	_____

PROCESSING ☒ Yes ☐ No In form for Advertising?
☐ Yes ☒ No Statewide Advertising?
☐ Yes ☐ No Fee amount, receipt date & No. recorded?

☒ Yes ☐ No Has all requested additional information been received?
If not, describe action taken: _____

FINAL REGIONAL PROCESSING REVIEW

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

☐ Yes ☐ No Publication dates and paper recorded?

Final date for protest: _____

☐ Yes ☒ No Protests received?

☐ Yes ☒ No Protested?

Describe Resolution: _____

☐ Yes ☒ No Measuring device required?

☐ Yes ☒ No Access port required?

☐ Yes ☐ No Will water be delivered by watermaster? If yes, what dist? 27

☐ Yes ☒ No Special conditions codes:

☒ Yes ☐ No Is Evaluation Memo Attached?
If yes, date of Memo 2/15/01

Date of priority recommended: 9/1/2000

COMMENTS:

RECOMMEND ☒ Approval ☐ Denial

By 40 Date 2/15/01

MEMO

FROM: Allen Merritt *Am*

DATE : February 15, 2001

TO: Permit No: 37-08918 thru 37-08943

In the Name of : **USDI, Bureau of Land Management**

SUBJECT: Review and Recommendation

These 26 applications were all filed to record existing developments for Stockwater and Wildlife type uses. Proof of Beneficial Use was submitted at the same time the applications were filed. These filings replaced earlier SRBA claims that were withdrawn.

<u>Applic #</u>	<u>BLM Name</u>	<u>SIZE</u>	<u>Construction Date</u>
37-08918	Fireball Reservoir	1.29 AF	Built in 1986
37-08919	Bottom Reservoir	0.30 AF	Built in 1982
37-08920	East TP Reservoir	5.00 AF	Probably around 1982
37-08921	Mustang Reservoir	0.60 AF	Construction date Unknown (photo 1997)
37-08922	Upper Meadow Res.	5.60 AF	Probably early 1990's
37-08923	Curve Reservoir	0.21 AF	Built 1981
37-08924	Base Line Reservoir	0.30 AF	Construction date Unknown (photo 1997)
37-08925	Lower Bench Res.	1.20 AF	Built in 1983
37-08926	Fork Reservoir	1.14 AF	Built in 1983
37-08927	Found Calf Reservoir	2.00 AF	Construction date Unknown (photo 1997)
37-08928	Sheet Cake Reservoir	2.00 AF	Construction date Unknown (photo 1997)
37-08929	Good Luck Reservoir	1.49 AF	Built 1981
37-08930	Upper Bench Res.	1.07 AF	Built 1983
37-08931	Two Pits Reservoir	0.30 AF	Probably 1985
37-08932	Moon Light Spring	0.02 cfs	Probably 1994
37-08933	Kelly Mtn. Spring	0.02 cfs	Built 1995
37-08934	Road Reservoir	0.52 AF	Built 1984
37-08935	Kent Canyon Spring	0.02 cfs	Built 1987
37-08936	Hawk Spring	0.02 cfs	Built 1977
37-08937	Gold Belt Spring	0.02 cfs	Built 1984
37-08938	Parrot Spring	0.02 cfs	Built 1987
37-08939	Doniphan Spring	0.02 cfs	Built 1995
37-08940	Hash Brown Res. #2	1.00 AF	Built 1987
37-08941	Hash Brown Res. #1	1.00 AF	Built 1987
37-08942	Moat Spring	0.01 cfs	Built 1986
37-08943	North View Spring	0.02 cfs	Probably 1990

Comments were sought from F&G and the watermaster of District 37. The F&G requested that on perennial streams if the diversions create a fish barrier (elevation difference of 12" or greater) that a fish ladder be required and plans of ladder be reviewed and approved by F&G. The watermaster commented that these permits be under his control and that they not interfere with prior irrigation

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JAN 18 2002

rights.

My review of these filings finds that most if not all are on streams that sink and are ephemeral in nature.

The applications were processed without protest.

Recommendation

I recommend that these applications be approved subject to the following conditions:

- Under control of watermaster of district 37.
- Any reservoir or diversion on a perennial stream must not create a fish barrier. Such structures and diversion works must be reviewed and approved by F&G.

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JAN 03 2002

RECEIVED
JAN 05 2001
Department of Water Resources
Guthrie, Idaho

APPLICATION FOR PERMIT OF WATER RIGHT

NO. 37-08920 thru 37-08943

RECOMMENDATION OF WATERMASTER

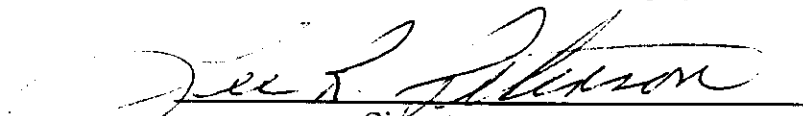
I, Lee R. Peterson, watermaster of Big Wood, Little Wood, Malad Rivers & Camas & Silver Creek of Water District No 37 & 37M, County of Blaine, Lincoln, Camas & Gooding, whose address is P O Box T, Shoshone, Idaho 83352, have read the attached copy of the application for permit in the name of U.S.D.I. BLM, and to the best of my knowledge believe the application to be true.

A. I hereby endorse the above numbered Application for Permit and recommend that the director of the Department of Water Resources approve the application subject to the following conditions: I approve of the above numbered applications for permits with recommendations: They be regulated by the Watermaster of Districts 37 & 37M. If they should in any way interfere with irrigation water rights the problem will be corrected immediately by the Bureau.

OR

I do not endorse approval of the above numbered Application for Permit as requested for the following reasons: _____

Dated at Shoshone, Idaho, this 3rd day of January, 2001


Signature

Please use reverse side if needed.

MICROFILMED

JAN 05 2002

37-08925



IDAHO FISH & GAME

MAGIC VALLEY REGION
868 East Main Street
P.O. Box 428
Jerome, Idaho 83338-0428

January 3, 2001

Dirk Kempthorne / Governor
Rod Sando / Director

RECEIVED

JAN 04 2001

Department of Water Resources
Southern Region

Mr. Allen Merritt
Idaho Dept. of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, Idaho 83301-3380

**RE: Water Right Applications for Bureau of Land Management - Camas, Elmore,
Gooding, and Blaine Counties**

Dear Allen,

We have reviewed the above referenced applications from the BLM to divert and store water for wildlife and stockwater in parts of the above listed counties. Please consider the following issue in approving the applications:

On perennial streams, we would request that the permits be conditioned to require fish passage facilities if the diversions cause a water surface elevational difference of 12" or greater. We request that plans for ladders or other structures be approved by our agency prior to construction.

Thank you for the opportunity to review and comment on this proposed diversion.

Sincerely,

David Parrish
Magic Valley Regional Supervisor

Cc: IDFG-NRB (Robertson)
BLM Shoshone

37-08925

MICROFILMED

JAN 03 2001

Keeping Idaho's Wildlife Heritage



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

December 4, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

LEE PETERSON WATERMASTER
WATER DISTRICT #37
PO BOX T
SHOSHONE ID 83352

Re: Applications for Permit -USDI (BLM)

Dear Mr. Peterson:

Enclosed are copies of Applications for Permit within your District.

We also have enclosed a Watermaster's Recommendation Form for your comment and/or recommendation.

Regional review of an untested application can be completed as soon as the final protest period is past; therefore, your prompt response to this request is appreciated.

If you have any questions about an application, please contact this office or the applicant.

Very truly yours,

Mary A. Baldwin
Administrative Assistant

Enclosure(s)

MICROFILMED

JAN 09 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

**DIRK KEMPTHORNE
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

December 5, 2000

ATTN DAVE PARRISH
ID DEPT FISH & GAME
PO BOX 428
JEROME ID 83338

Re: Applications for Permit (USDI-BLM)-Gooding County

Dear Mr. Parrish:

The Department is seeking a written Comment &/or Recommendation from your agency regarding the above referenced applications for surface water; a copy of the application is enclosed for your information and reference.

Regional review of an unprotested application can be completed as soon as the final protest period is past; therefore, your prompt response to this request is appreciated.

If you have any questions about an application, please contact this office or the applicant.

Very truly yours,

Mary A. Baldwin
Administrative Assistant

Enclosure(s)

MICROFILMED

JAN 13 2002

ACTION REQUIRED

12/4/00

FROM: MB

TO: Terry Blau

SCA comment please

MICROFILMED

JAN 9 2002

AFFIDAVIT of PUBLICATION

State of Idaho
County of Gooding } ss.

RECEIVED

JAN 03 2001

Department of Water Resources
Southern Region

Norma DeVoe, being first duly sworn,
deposes and says that she is the printer (publisher) of the Gooding County Leader, a
newspaper published every week in Gooding, County of Gooding, State of Idaho; that
said newspaper has been continuously and uninterruptedly published for a period of
seventy-eight consecutive weeks prior to the first publication of the annexed notice, and
is a newspaper qualified to publish legal notices as provided by act of the 1919 session
of the legislature of the State of Idaho, known as House Bill 145; that the annexed
advertisement was published once each week for
2 consecutive issues in said newspaper proper and not in
supplement; that the date of the first publication of said advertisement was on the
21st day of December, 192000
and that date of the last publication was on the 28th day of
December, 192000

On this 28th day of December
in the year of 2000, before me, a Notary Public, personally appeared
Norma DeVoe, 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 acknowledge to me that she executed
the same.

SHELLEY STURGEON
Notary Public for Idaho
Residing at Jerome
State of Idaho

My commission expires: 12/3/05

7626/34313
GOODING COUNTY LEADER

Gooding, Idaho

COST OF PUBLICATION

Number of Picas per Line _____

Number of Lines in Notice _____

Number of Insertions 2X

_____ Lines tabular at _____ 7.5¢/Pica

1596.38 Lines straight at 103.76 6.5¢/Pica

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Affidavit Fee: 2.25

TOTAL COST 193.81

U.S. Dept. of Interior, BLM
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

IDWR

BILL TO

COPY OF NOTICE

PUBLICATION RATES (Idaho Code, Rev. Statutes 1996)	
7-8 pt. per line tabular	7.5¢/Pica
7-8 pt. per line straight	6.5¢/Pica
7-8 pt. per line successive insertions	5.5¢/Pica

No. 7626

34313

MICHOILAND

JAN 03 2001

NOTICE OF APPLICATION FOR
WATER RIGHT
 The following application(s) have
 been filed to appropriate the public
 waters of the State of Idaho:

37-08925
US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
 400 W F ST
 PO Box 2B
 SHOSHONE, ID 83352
 Source: FOURMILE CREEK
 Tributary: BLACK CANYON CREEK
 Diversion Pt: SENWSW Sec 27 T 04S
 R 14E in GOODING County.
 Use: STOCKWATER
 STORAGE (1.20 AF)
 STOCKWATER FROM
 STORAGE (1.20 AF)
 WILDLIFE STORAGE (1.20 AF)
 WILDLIFE FROM
 STORAGE (1.20 AF)
 Total Diversion: (1.20
 AF)
 Date Filed: 9/1/2000
 In: GOODING County
 T04S R14E S27 NWSW

37-08926
US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
 400 W F ST
 PO Box 2B
 SHOSHONE, ID 83352
 Source: UNNAMED STREAM
 Tributary: SINKS
 Diversion Pt: NWNWSE Sec 30 T 04S
 R 14E in GOODING County.
 Use: STOCKWATER
 STORAGE (1.20 AF)
 STOCKWATER FROM
 STORAGE (1.20 AF)
 WILDLIFE STORAGE (1.20 AF)
 WILDLIFE FROM
 STORAGE (1.20 AF)
 Total Diversion: (1.20 AF)
 Date Filed: 9/1/2000
 In: GOODING County
 T04S R14E S30 NWSE

37-08927
US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
 400 W F ST
 PO Box 2B
 SHOSHONE, ID 83352
 Source: CALF CREEK
 Tributary: CLOVER CREEK
 Diversion Pt: SENWNW Sec 14 T 03S
 R 12E in GOODING County.
 Use: STOCKWATER
 STORAGE (2.00 AF)
 STOCKWATER FROM
 STORAGE (2.00 AF)
 WILDLIFE STORAGE (2.00 AF)
 WILDLIFE FROM
 STORAGE (2.00 AF)
 Total Diversion: (2.00 AF)
 Date Filed: 9/1/2000
 In: GOODING County
 T03S R12E S14 NWNW

37-08928
US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
 400 W F ST
 PO Box 2B
 SHOSHONE, ID 83352
 Source: UNNAMED STREAM
 Tributary: BLACK CANYON CREEK
 Diversion Pt: SWSENE Sec 15 T 03S
 R 12E in GOODING County.
 Use: STOCKWATER
 STORAGE (2.00 AF)
 STOCKWATER FROM
 STORAGE (2.00 AF)
 WILDLIFE STORAGE (2.00 AF)
 WILDLIFE FROM
 STORAGE (2.00 AF)
 Total Diversion: (2.00 AF)
 Date Filed: 9/1/2000
 In: GOODING County
 T03S R12E S15 SENE

37-08929
US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
 400 W F ST
 PO Box 2B
 SHOSHONE, ID 83352
 Source: UNNAMED STREAM
 Tributary: THORN CREEK
 Diversion Pt: LOT 3 (SWNWSW) Sec
 18 T 04S R 16E in GOODING County.
 Use: STOCKWATER
 STORAGE (1.50 AF)
 STOCKWATER FROM
 STORAGE (1.50 AF)
 WILDLIFE STORAGE (1.50 AF)
 WILDLIFE FROM
 STORAGE (1.50 AF)
 Total Diversion: (1.50 AF)
 Date Filed: 9/20/2000
 In: GOODING County
 T04S R16E S18 Lot 3 (NWSW)

37-08930
US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
 400 W F ST
 PO Box 2B
 SHOSHONE, ID 83352
 Source: UNNAMED STREAM
 Tributary: FOURMILE CREEK
 Diversion Pt: LOT 4 (SESWSW) Sec
 35 T 03S R 14E in GOODING County.
 Use: STOCKWATER
 STORAGE (1.10 AF)
 STOCKWATER FROM
 STORAGE (1.10 AF)
 WILDLIFE STORAGE (1.10 AF)
 WILDLIFE FROM
 STORAGE (1.10 AF)
 Total Diversion: (1.10 AF)
 Date Filed: 9/1/2000
 In: GOODING County
 T03S R14E S35 Lot 4 (SWSW)

The permit(s) will be subject to all
 prior water rights. Any protest must be
 filed with the Director, Dept. of Water
 Resources, Southern Region, 1341
 Fillmore St., Suite 200, Twin Falls, ID
 83301 together with a protest fee of
 \$25.00 on or before JANUARY 10,
 2001. The protestant must also send
 a copy of the protest to the applicant.
 /s/ Karl J. Oehler, Director
 PER: 1001 - 1003 030113

MICROFILMED

JAN 09 2001

NOTICE OF APPLICATION FOR WATER RIGHT

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

37-08925

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
400 W F ST
PO BOX 2B
SHOSHONE, ID 83352

Source: FOURMILE CREEK

Tributary: BLACK CANYON CREEK

Diversión Pt: SENWSW Sec 27 T 04S R 14E in GOODING County.

Use: STOCKWATER STORAGE	(	1.20 AF)
STOCKWATER FROM STORAGE	(	1.20 AF)
WILDLIFE STORAGE	(	1.20 AF)
WILDLIFE FROM STORAGE	(	1.20 AF)
Total Diversión:	(	1.20 AF)

Date Filed: 9/ 1/2000

In: GOODING County
T04S R14E S27 NWSW

37-08926

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
400 W F ST
PO BOX 2B
SHOSHONE, ID 83352

Source: UNNAMED STREAM

Tributary: SINKS

Diversión Pt: NWNWSE Sec 30 T 04S R 14E in GOODING County.

Use: STOCKWATER STORAGE	(	1.20 AF)
STOCKWATER FROM STORAGE	(	1.20 AF)
WILDLIFE STORAGE	(	1.20 AF)
WILDLIFE FROM STORAGE	(	1.20 AF)
Total Diversión:	(	1.20 AF)

Date Filed: 9/ 1/2000

In: GOODING County
T04S R14E S30 NWSE

37-08927

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
400 W F ST
PO BOX 2B
SHOSHONE, ID 83352

Source: CALF CREEK

Tributary: CLOVER CREEK

Diversión Pt: SENWNW Sec 14 T 03S R 12E in GOODING County.

Use: STOCKWATER STORAGE	(	2.00 AF)
STOCKWATER FROM STORAGE	(	2.00 AF)
WILDLIFE STORAGE	(	2.00 AF)
WILDLIFE FROM STORAGE	(	2.00 AF)
Total Diversión:	(	2.00 AF)

Date Filed: 9/ 1/2000

In: GOODING County
T03S R12E S14 NWNW

37-08928

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
400 W F ST
PO BOX 2B
SHOSHONE, ID 83352

Source: UNNAMED STREAM

Tributary: CALF CREEK

Diversión Pt: SWSENE Sec 15 T 03S R 12E in GOODING County.

Use: STOCKWATER STORAGE	(	2.00 AF)
STOCKWATER FROM STORAGE	(	2.00 AF)
WILDLIFE STORAGE	(	2.00 AF)
WILDLIFE FROM STORAGE	(	2.00 AF)
Total Diversión:	(	2.00 AF)

Date Filed: 9/ 1/2000

In: GOODING County
T03S R12E S15 SENE

MICHAEL

JAN 15 2002

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
400 W F ST
PO BOX 2B
SHOSHONE, ID 83352

Source: UNNAMED STREAM

Tributary: THORN CREEK

Diversion Pt: LOT 3 (SWNSW) Sec 18 T 04S R 16E in GOODING County.

Use: STOCKWATER STORAGE	(	1.50 AF)
STOCKWATER FROM STORAGE	(	1.50 AF)
WILDLIFE STORAGE	(	1.50 AF)
WILDLIFE FROM STORAGE	(	1.50 AF)
Total Diversion:	(	1.50 AF)

Date Filed: 9/20/2000

In: GOODING County
T04S R16E S18 Lot 3(NWSW)

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
400 W F ST
PO BOX 2B
SHOSHONE, ID 83352

Source: UNNAMED STREAM

Tributary: FOURMILE CREEK

Diversion Pt: LOT 4 (SESWSW) Sec 35 T 03S R 14E in GOODING County.

Use: STOCKWATER STORAGE	(	1.10 AF)
STOCKWATER FROM STORAGE	(	1.10 AF)
WILDLIFE STORAGE	(	1.10 AF)
WILDLIFE FROM STORAGE	(	1.10 AF)
Total Diversion:	(	1.10 AF)

Date Filed: 9/ 1/2000

In: GOODING County
T03S R14E S35 Lot 4(SWSW)

The permit(s) will be subject to all prior water rights. Any protest must be filed with the Director, Dept. of Water Resources, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before JANUARY 10, 2001. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published: 12/21/2000 & 12/28/2000

MICROFILMED
JAN 09 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

DECEMBER 5, 2000

Legal Notices Department
GOODING COUNTY LEADER
200 N MAIN
GOODING, ID 83330

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 JANUARY 10, 2001.

Yours truly,

Mary Baldwin
Administrative Assistant

Enclosure

AMCNC LEAD

JAN 09 2002