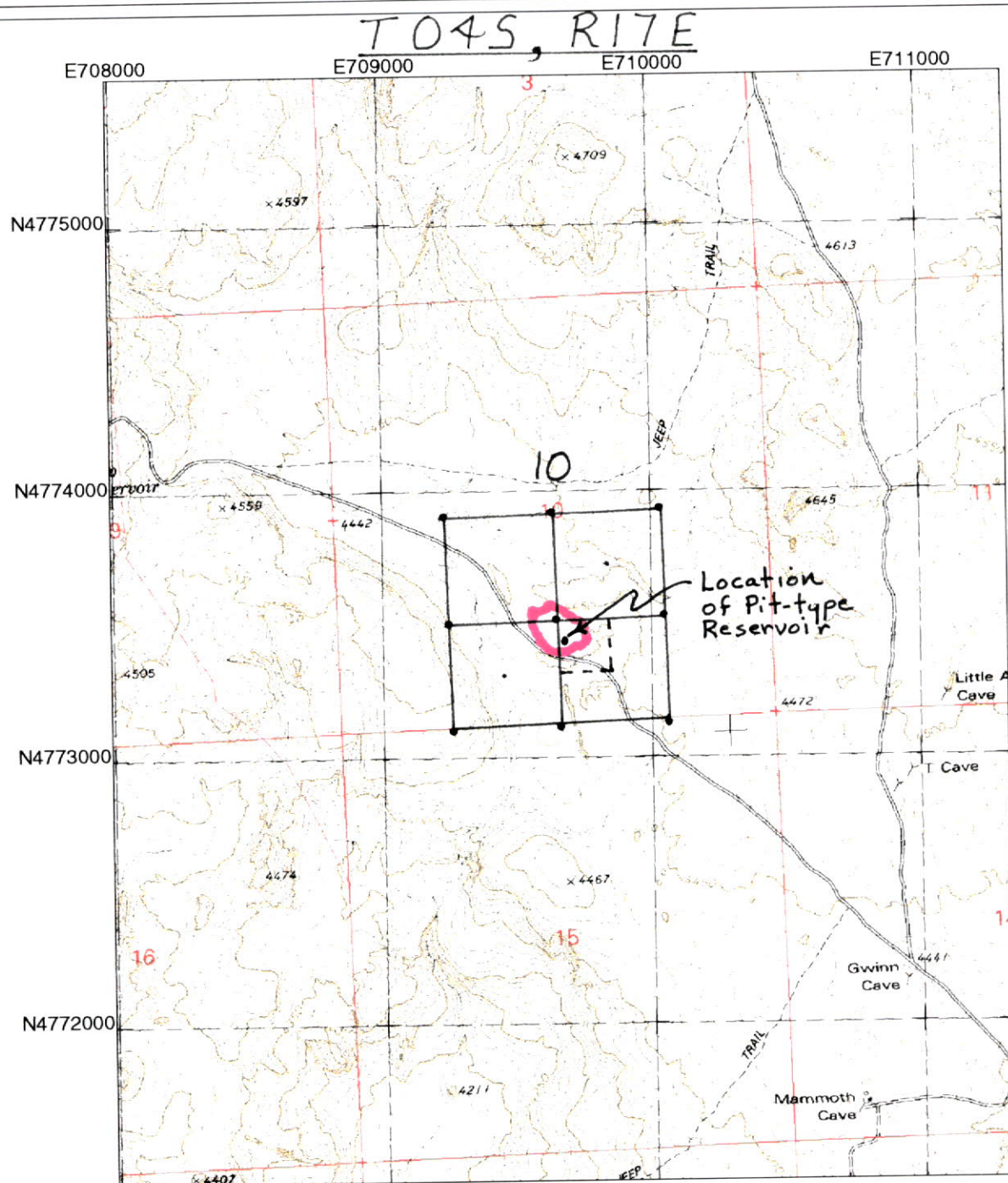




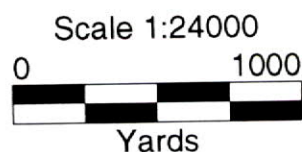
Fireball Reservoir

MICROFILMED

APR 11 2001

Universal Transverse Mercator
11 North
NAD 1927 (Western US)

Mammoth Cave Quadrangle



x101819a.cor
10/20/1999
Pathfinder Office
 Trimble

SHOSHONE DISTRICT SEC 3



WARNING STATEMENT **THE NOTATION SHOWN ON**
ACTION TAKEN BUT MAY,
 This plot is the Bureau's Record of Title, and should be used only as a graphic display of the township survey data. Records herein do not reflect title changes which may have taken place. **AND THE HISTORICAL INDEX**

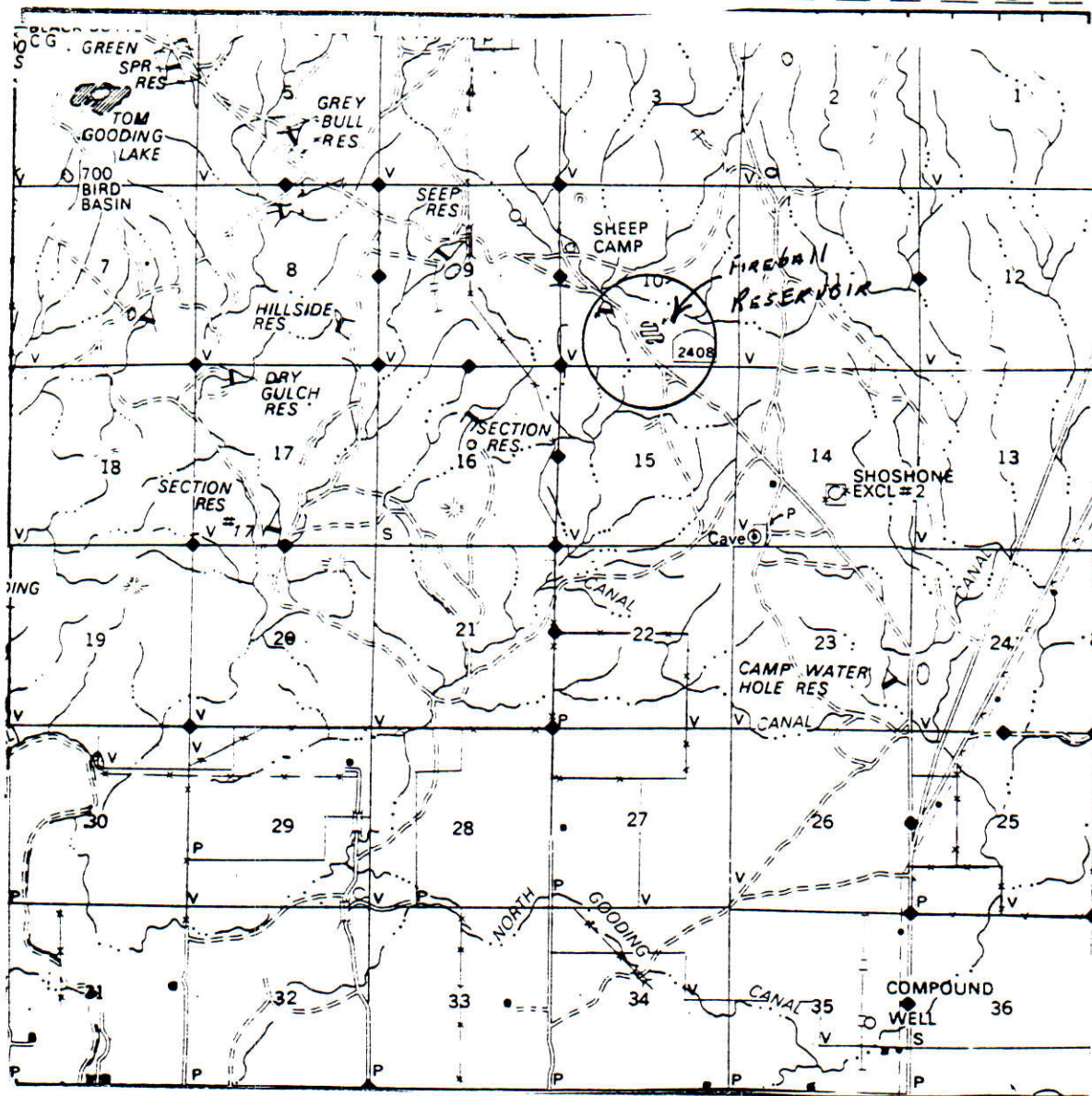
"Fireball Reservoir"



VI - LOCATION PLAT

Scale 1 inch = 1 MILE

Meridian T O I E S



VII - NARRATIVE DESCRIPTION OR JUSTIFICATION

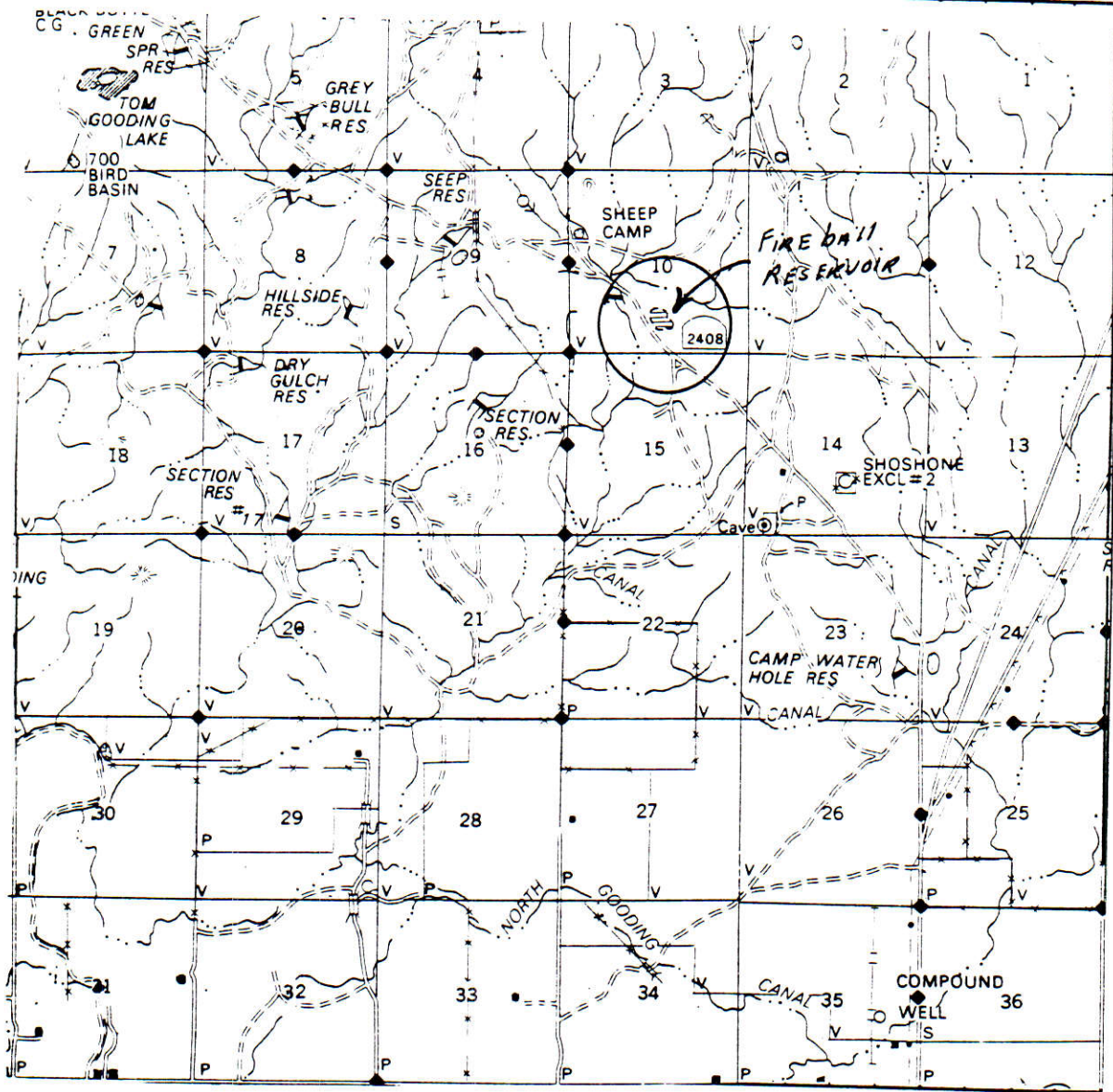
Construct a pit-type reservoir to collect runoff water for livestock and wildlife use.

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APR 11 2001

Prepared by	Elmer H. Hau-	Title	Range Conservationist	Date	11/6
Approved by	Robert D. Padell	Title	Area Manager	Date	10/30/86

LOCATION PLAT



Scale: 1 / inches equals one mile

The Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.) requires us to inform you that:

Information is being collected to develop a cooperative agreement for the construction, use, and maintenance of range improvements on its public lands.

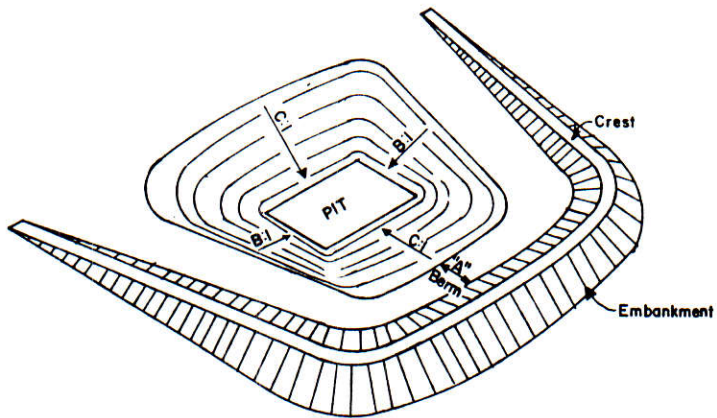
Information will be used to document the specific participation of each cooperator on the range improvement(s) to be accomplished under the cooperative agreement. By signature, each cooperator agrees to participate in the manner specifically described in the agreement.

Response to this request is voluntary.

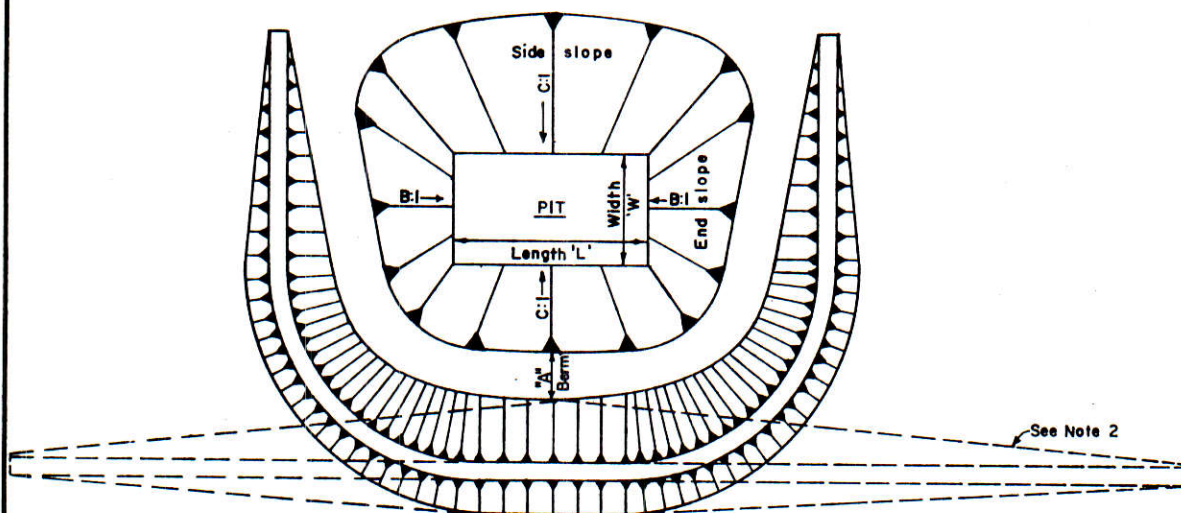
MICROFILMED

APR 11 2001

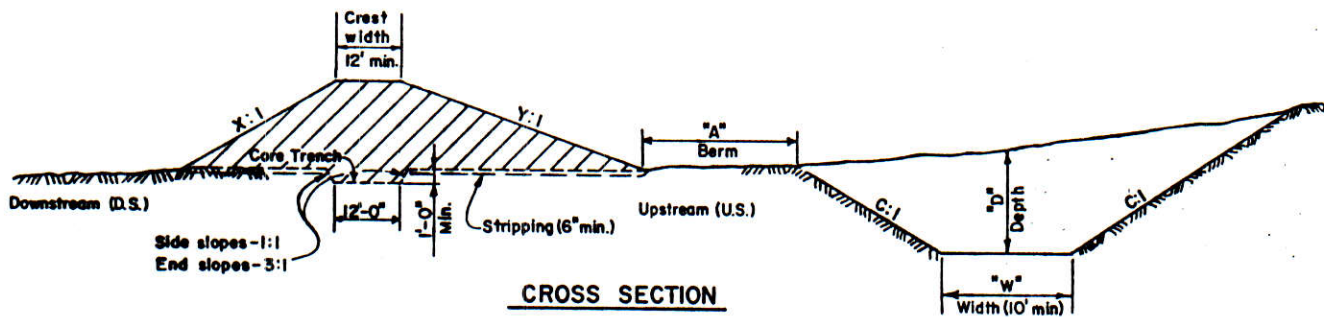
★ U.S.GPO:1985-0-461-988/33059



PERSPECTIVE VIEW



PLAN



CROSS SECTION

NOTES:

1. Pit & embankment slopes & dimensions shall be as shown on the Work Summary Chart.
2. Embankment may be "U" Or "L" shape or straight line. Construct as indicated on the Work Summary Chart.

UNITED STATES DEPARTMENT OF THE INTERIOR BUREAU OF LAND MANAGEMENT DIVISION OF ENGINEERING SYSTEMS DENVER SERVICE CENTER	
TYPICAL	
WATER RETENTION PIT	
DESIGNED	<i>Donald C. Volz</i>
REVIEWED	<i>John J. Gentry</i>
APPROVED	<i>Richard L. Engew</i>
DRAWN J.D. Sedillo	SCALE NONE
DATE MARCH 9, 1984	SHEET OF
DRAWING NO. 02294-1	

MICROFILMED

APR 11 2001

ALWAYS THINK SAFETY

Attachment B: Fireball Res.

AFFIDAVIT of PUBLICATION

State of Idaho } ss.
County of Lincoln

RECEIVED

JAN 16 2001

Department of Water Resources
Southern Region

Norma DeVoe, being first duly sworn, deposes and says that he/she is the printer (publisher) of the Lincoln County Journal, a newspaper published every week in Shoshone, County of Lincoln, 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 a supplement; that the date of the first publication of said advertisement was on the 4th day of January, 2001, and the date of the last publication was on the 11th day of January, 2001.

On this 11th day of January, in the year of 2001, 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 acknowledged to me that he/she executed the same.

SHELLEY STURGEON
Notary Public
State of Idaho

Shelley Sturgeon
Notary Public for Idaho

Residing at Jerome

My commission expires: 12/3/05

#6921/32445
LINCOLN COUNTY JOURNAL
Shoshone, Idaho

COST OF PUBLICATION

Number of Picas per Line _____

Number of Lines in Notice _____

Number of Insertions 2x

Lines tabular at _____ 8.0¢/Pica

612.56 Lines straight at 42.88 7.0¢/Pica

612.56 Subsequent lines at 36.75 6.0¢/Pica

Affidavit Fee: 2.50

TOTAL COST 82.13

COPY OF NOTICE

(Paste Here)

Water Use Appl.
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

IDWR

BILL TO

NOTICE OF APPLICATION FOR WATER RIGHT

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

37-08918

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
400 WEST F ST

PO BOX 2B

SHOSHONE, ID 83352

Source: UNNAMED STREAM

Tributary: SINKS

Diversion Pt: NWSWSE Sec 10 T 04S

R 17E in LINCOLN County.

Use: STOCKWATER STORAGE

(1.30 AF)

STOCKWATER FROM STORAGE

(1.30 AF)

WILDLIFE STORAGE (1.30 AF)

WILDLIFE FROM STORAGE (1.30

AF)

Total Diversion: (1.30 AF)

Date Filed: 9/20/2000

In: LINCOLN COUNTY

7- TO4S R17E S10 SWSE

37-08919

7- US DEPT OF INTERIOR

7- BUREAU OF LAND MANAGEMENT

400 WEST F ST

7- PO BOX 2B

SHOSHONE, ID 83352

Source: UNNAMED STREAM

Tributary: COTTONWOOD SLOUGH

Diversion Pt: SESESE Sec 35 T 02S

R 18E in LINCOLN COUNTY.

Use: STOCKWATER STORAGE

(0.30 AF)

STOCKWATER FROM STORAGE

(0.30 AF)

WILDLIFE STORAGE (0.30 AF)

WILDLIFE FROM STORAGE (0.30

AF)

Total Diversion: (0.30 AF)

Date Filed: 9/20/2000

In: LINCOLN County

TO2S R18E S35 SESE

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 22, 2001. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

PUB: 1/4 - 1/11

132445

MICROFILMED
APR 11 2001

FOR OFFICE USE ONLY
Amt. of Fee \$: 50.00
Receipt No. 5023397
Receipt By: John Freidley
Date Received: 9/20/00

RECEIVED
SEP 20 2000
Department of Water Resources
Southern Region

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

"Fireball Reservoir"
RECEIVED

PROOF OF BENEFICIAL USE

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. 37-08918 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: Unnamed Stream 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): 3100 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 1.29 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. Photo, and Attachments A & B are proof of Beneficial Use.

Signature of permit holder: [Signature] Field Manager Date: 09/18/2000
(include your title, if on behalf of company or organization)

MICROFILMED

APR 11 2001

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 37-08918

Priority: 09/20/2000

Maximum Diversion Volume: 1.3 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: UNNAMED STREAM **Tributary:** SINKS

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	1.3 AF
WILDLIFE STORAGE	01/01 to 12/31	1.3 AF

LOCATION OF POINT(S) OF DIVERSION:

UNNAMED STREAM NW¼SW¼SE¼ Sec. 10, Twp 04S, Rge 17E, B.M. LINCOLN County

PLACE OF USE: STOCKWATER STORAGE

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04S 17E 10															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 **March 01, 2002**.
2. Subject to all prior water rights.
3. Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
4. 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.
5. Stockwater storage is for 3,100 range cattle and 1,000 sheep.
6. This development is known as Fireball 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 20th day of March, 2001.


MICROFILMED
for KARL J. DREHER, Director
APR 11 2001

RECEIVED

FEB 23 2001

FORM 202
2/96RECEIVED
SEP 20 2000
Department of Water Resources
Southern RegionDepartment of Water Resources
STATE OF IDAHOIdent. No. 37-68918

DEPARTMENT OF WATER RESOURCES

Named by BLM
"Fireball Reservoir"

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 Unnamed Stream which is a tributary of Sinks
3. Location of point of diversion is NW 1/4 of SW 1/4 of SE 1/4, Govt. Lot _____
Sec 10 Township 04S Range 17E B.M. Lincoln County; additional points of diversion if any: _____
4. Water will be used for the following purposes:
 Amount 1.29 AcF for Stockwater *Storage J.P.D. 10/26/00* purposes from 01/01 to 12/31 (both dates inclusive)
 (cfs or acre-feet per annum)
 Amount 1.29 AcF for Stockwater from Storage purposes from 01/01 to 12/31 (both dates inclusive)
 (cfs or acre-feet per annum)
 Amount 1.29 AcF for Wildlife *Storage J.P.D.* purposes from 01/01 to 12/31 (both dates inclusive)
 (cfs or acre-feet per annum)
 Amount 1.29 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) 1.29 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 1.29 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. 3100 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

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APR 11 2001

9. Description of place of use:

"Fireball Reservoir"
Page 2

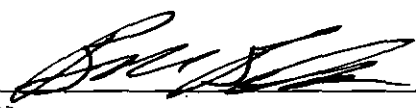
- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

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	17E	10															S		
04S	17E	10															W		

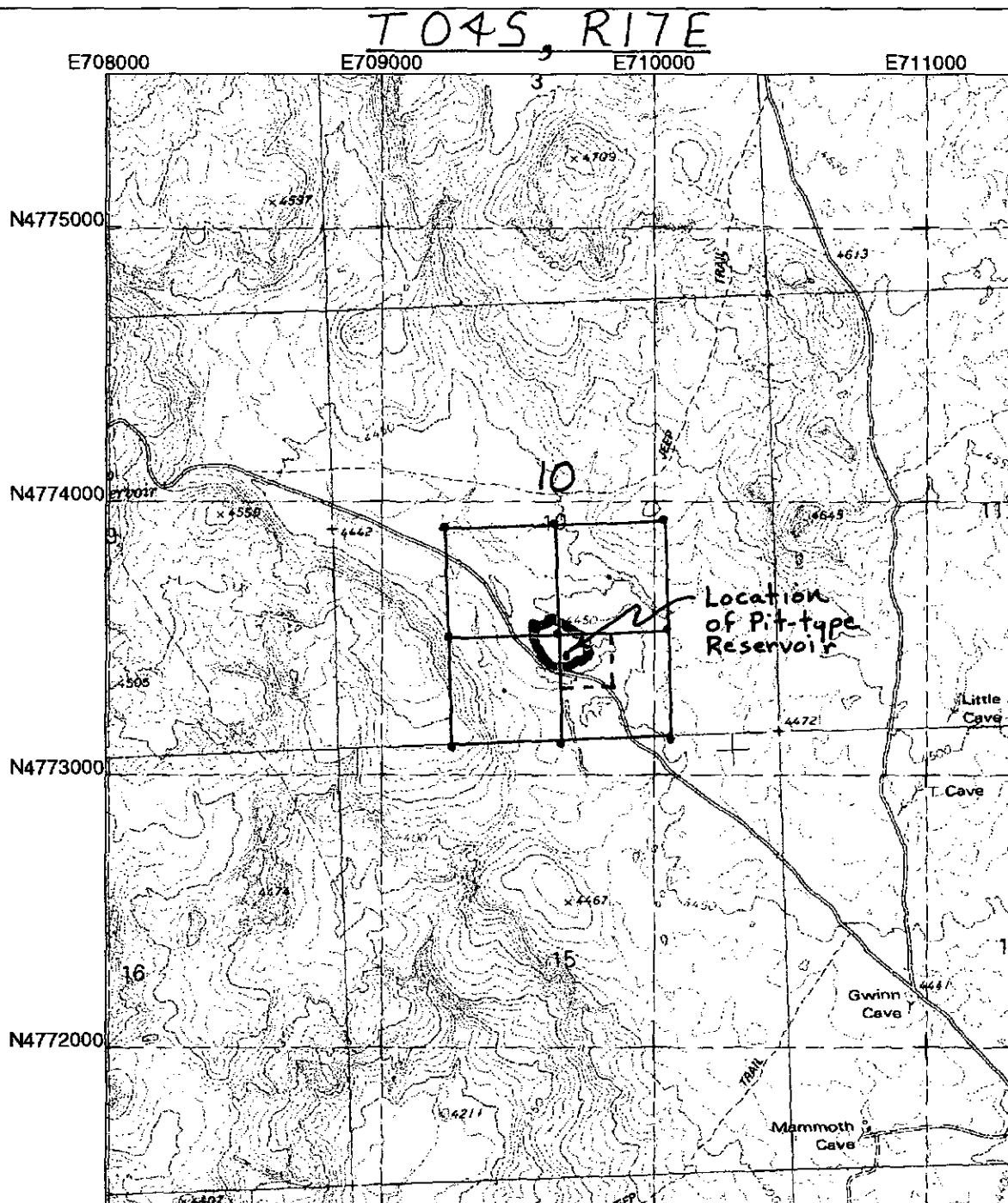
Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. SRBA claim 37-17400 (3705680035, 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 Fireball Reservoir. Dimensions of the reservoir are as follows:
Length - 150' ; Width - 150' ; Avg. Depth - 2.5', for a filled volume of 1.29 acre-feet.
(See photos in envelope attached to inside cover of folder. Attachment B is additional information from BLM's project files.)
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.

MICROFILMED 
 (Applicant) - Bill Baker, Shoshone Field Office Area Manager
 APR 11 2001

Received by John Freitag Date 09/20/00 Time 1:00 Preliminary check by JF
 Fee \$ 100 Received by John Freitag # 5023397 Date _____
 Publication prepared by MB Date 11/30/00 Published in Lincoln Co. Journal
 Publication approved MB Date 2/2/01



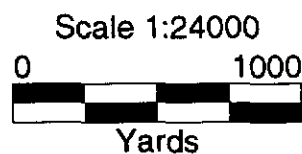
Fireball Reservoir

MICROFILMED

APR 11 2001

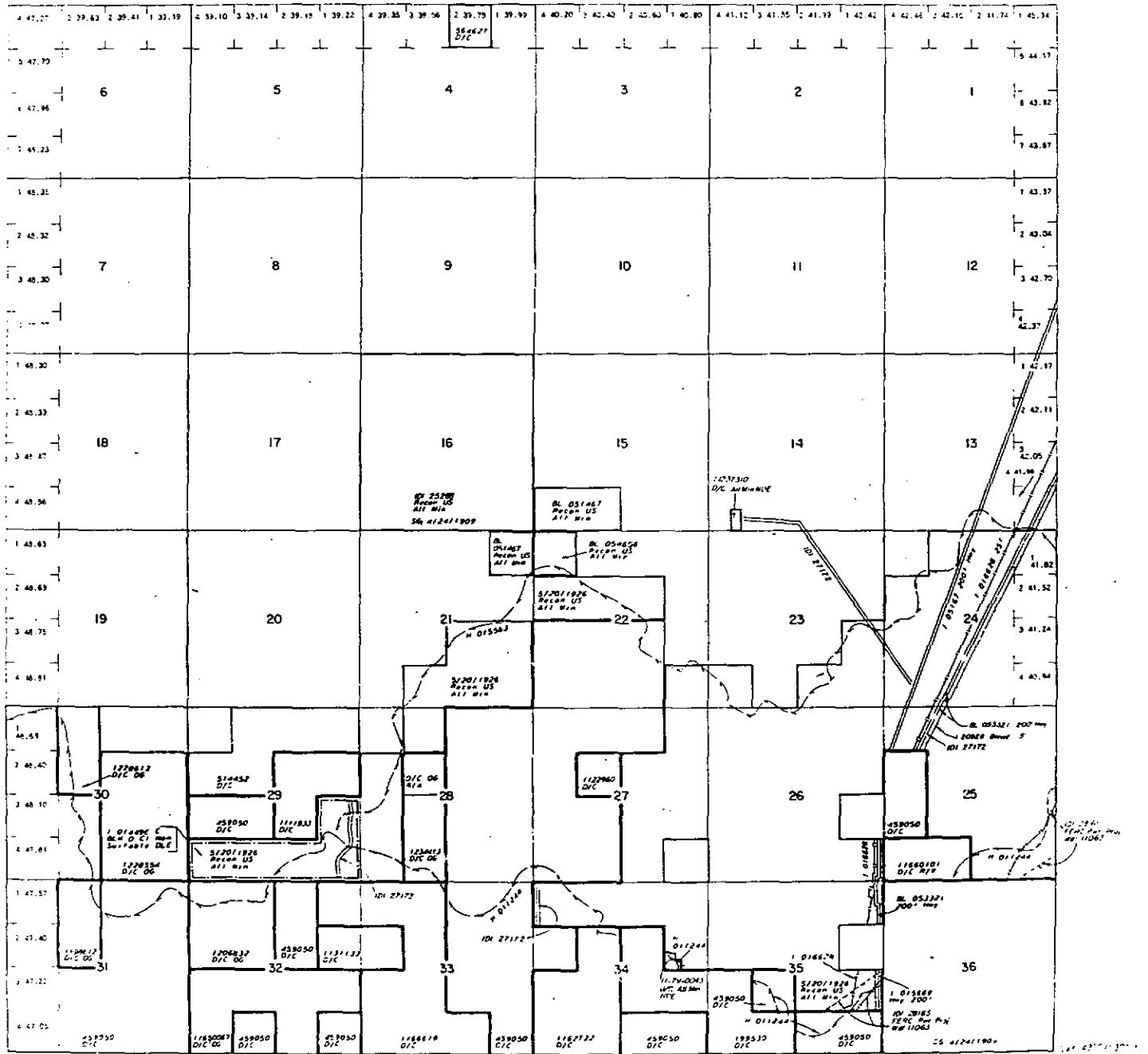
Universal Transverse Mercator
11 North
NAD 1927 (Western US)

Mammoth Cave Quadrangle



x101819a.cor
10/20/1999
Pathfinder Office
Trimble

TOWNSHIP 4 SOUTH RANGE 17 EAST OF THE BOISE MERIDIAN, IDAHO
LINCOLN COUNTY 063
SHOSHONE DISTRICT SEC 3

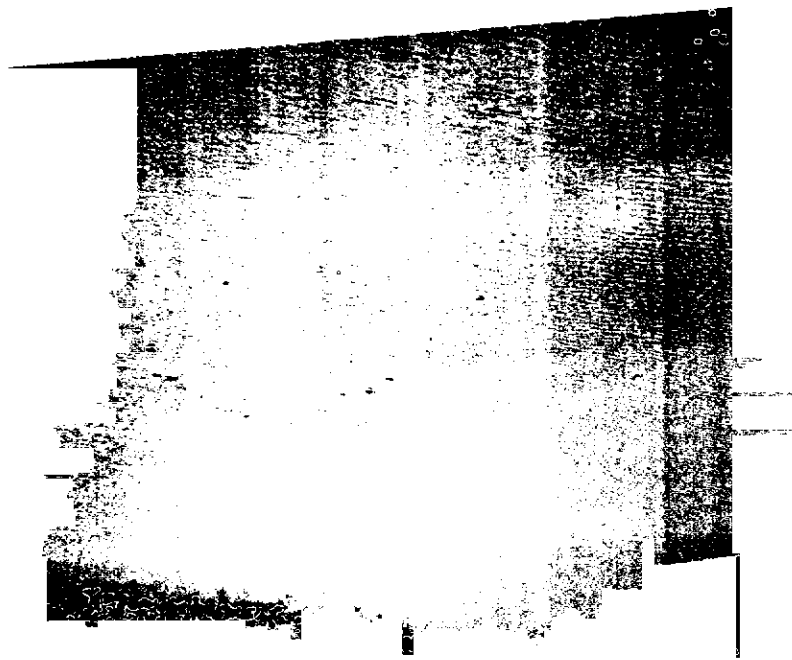


MICROFILMED

APR 11 2001

MTP Card Date 08/09/1993
Reviewed by: Ginger Koonce
Date of Review 02/08/1999

"Fireball Reservoir"



Fireball Reservoir

QUAD. Mammoth Cave

CLAIM # _____

QSS- 26
891 0151

<No.
N N N

ROLL 7 FRAME 1

DATE 04/30/97 TIME 1322

MICROFILMED

Photos

MICROFILMED

SEP 7 1980

Attachment A: SRBA claim 37-
17400 BLM dropped to pursue
administratively.

MICROFILMED
APR 11 2001

BLM Water Right Field Verification Form for SRBA

Ident:

3705680035

IDWR No: A37-17400

7.5 min. quad:

Mammoth Cave

Project Name: FIREBALL RESERVOIR

Project No: 5333

Priority Date:

1/1/1879

Allot Name: NORTH SHOSHONE

Allot No: 0426

Div Means: PIT TYPE RESERVOIR

Source: UNNAMED STREAM

Trib: SINKS

Tot Div Rate:

0 Tot Div Vol: 1

initial
POD →

Tn	Rg	Sec	T1	T2	T3	Lot
04S	17E	10	SE	SW	SE	0

Initial
POU →

Tn	Rg	S	T1	T2	Lot
04S	17E	10	SW	SE	0

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

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

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

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

one square = _____ acres

Info for Admin Claim

Field Investigation Info:

Source type: stream - spring reservoir well - playa - pond - lake - otherInvestigator(s): Sean Call, Gary Wright

Other type:

Developed? (Y) NDate/Time: 4/30/97; 1322

For reservoirs, playas, ponds, lakes, estimate (high water):

Claim Verification Location(s): See Page 2Dimensions: Length 150 Width 150 Avg Depth 2.5Channel IN: Artificial Natural OUT: Artif NaturalDoes water arise/sink on public land? Arise - SinkPhoto: Helicopter roll 7, frame 1 - ViewInfo: looking across playa whichcontains the reservoir.

For streams and springs:

Flow: _____ CFS, or _____ GPM

How measured? _____

Site Description: This appears to beGPS: (Y) N

GPS file name:

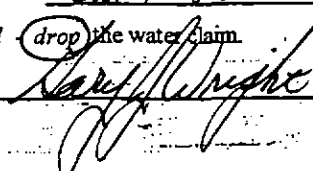
A043019Aa reservoir which has been

Lat. _____ Long _____

constructed in a naturally occurring playa lake to extend the period of time that water is available at the site. 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 Silver sagebrush, greasesPercent bare ground? 5Water 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 tracksRecommendation: pursue - amend drop the water claim

Water Rights Coordinator (sign/date)



7/14/98

(Second Alternate)

MICROFILMED

APR 11 2001

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

MICROFILMED
APR 11 2001

U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

JOB DOCUMENTATION REPORT

I - GENERAL DESCRIPTION

Card 1

5. Job Name (11-30)

FIREBALL RESERVOIR

LOCATION CODES

6. Special Project Code (31-34)

7. Resource Area/Planning Unit (35-38)

8. Subregion (39-42)

9. County (43-45)

10. Watershed Area Number (46-48)

11. Allotment Number (49-52)

12. Wildlife Habitat Area (53-56)

13. Wild Horse/Burro Area Number (57-60)

14. Meridian (61-62)

15. Township (63-67)

16. Range (68-72)

17. Section (73-74)

18. Subdivision (75-78)

SITE AND VEGETATION DESCRIPTION

19. Present SSF (79-80)

20. Percent Slope (81-82)

21. Exposure (83)

22. Soil Texture (84)

23. Precipitation (inches) (85-86)

24. Elevation (feet) (87-91)

25. Vegetation Subtype (92-94)

COMPOSITION (Percent)

26. Grasses (95-96)

27. Forbs (97-98)

28. Browse (99-100)

COVER (Percent)

29. Vegetation (101-102)

30. Litter (103-104)

31. Bare Ground (105-106)

II - ANNUAL WORK PLAN INPUT DATA

Card 2

75. Subactivity (11-14)

76. Component-Job Code (15-18)

UNITS PLANNED

77. Primary (19-24)

78. Secondary (25-29)

TIME OF AWARD

79. Fiscal Year (30-31)

80. Third (32)

TIME OF COMPLETION

81. Fiscal Year (33-34)

82. Third (35)

BLM COST

83. Method (36)

84. Material (37-41)

85. Contract (42-47)

CONTRIBUTED COST

86. Material (48-52)

87. Labor/Equipment (53-57)

MAINTENANCE

88. Responsibility (58)

89. Cycle (59-61)

JOB IDENTIFICATION

1. State (2-3)

10

2. District (4-5)

05

3. Job Number (6-9)

5333

4. Transaction Code (10)

1

III - JOB DETAILS AND BENEFITS

Card 3

37. Primary Job Objective (11)

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)

60. Water Filling Number (34-39)

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

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

69. Fisherman (73-76)

70. Hunter (77-80)

71. Other (81-84)

IV - PROGRESS REPORT

Card 4

COMPLETION DATA

UNITS 90. Primary (11-16)

91. Secondary (17-21)

TIME 92. Fiscal Year (22-23)

93. Third (24)

94. Job Cost (25-30)

95. Work-Months (31-33)

CONTRIBUTION DETAIL

96. Agreement (34)

97. Contributor (35)

98. Contributor's Name (36-55)

Shoshone Cattle Assn

CONTRIBUTIONS

99. Deposited (56-60)

UNDEPOSITED 100. Materials (61-65)

101. Labor/Equipment (66-70)

V - DETAIL OF UNITS AND COSTS

ESTIMATE

ACTUAL

WORK DESCRIPTION AND MATERIALS (a)	UNITS		BLM COSTS		COOPERATOR COSTS	
	EA. MILE, ETC. (b)	COST (c)	MATERIALS (d)	CONTRACT (e)	MATERIALS (f)	LABOR (g)
MICROFILMED						
APR 11 2001						
TOTALS Materials						
Labor/Equipment						

VE IDENTIFICATION

STATE

10

DISTRICT

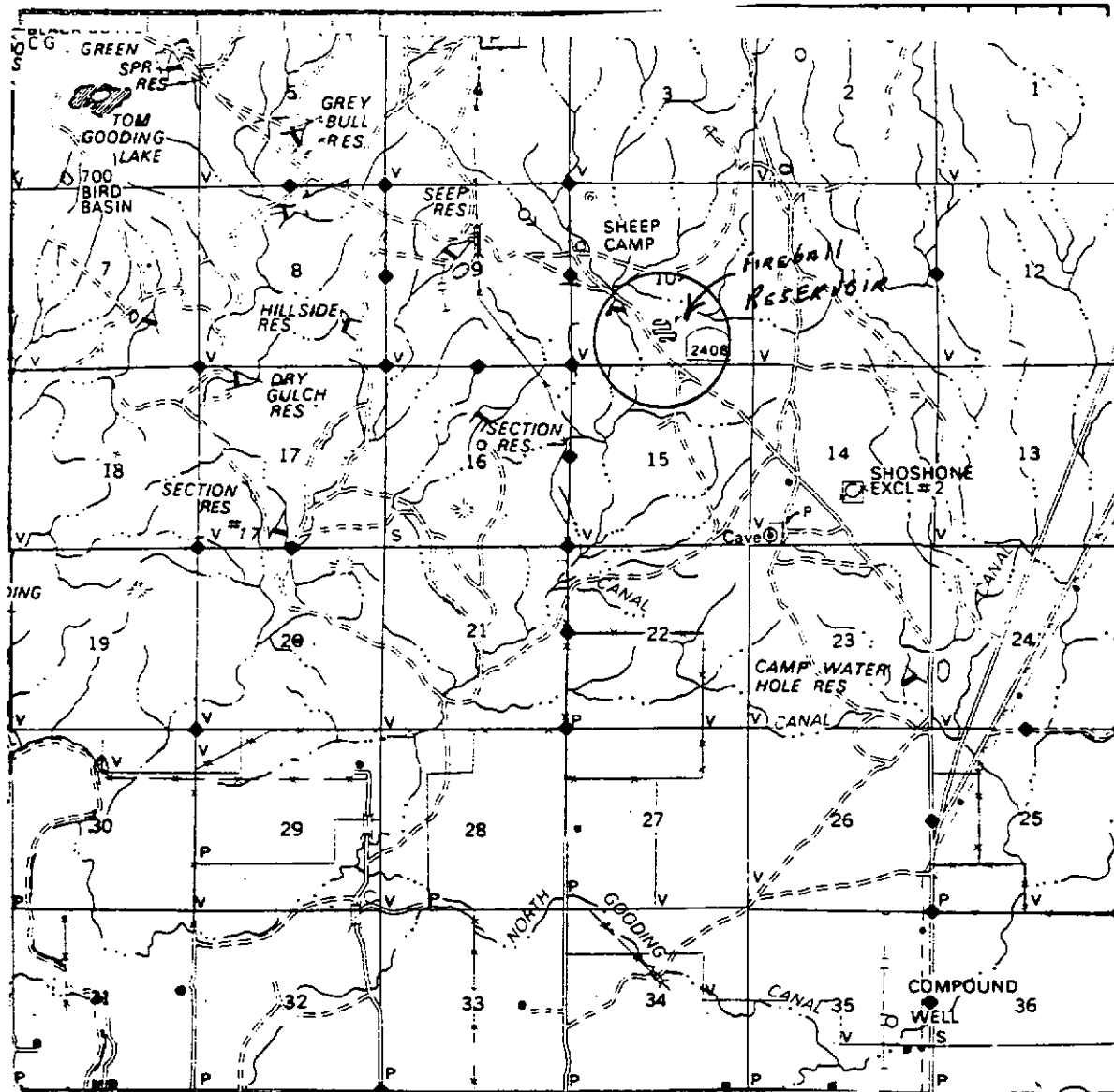
15

JOB NUMBER

VI - LOCATION PLAT

Scale 1 inch = 1 MILE

Meridian T O I S S



VII - NARRATIVE DESCRIPTION OR JUSTIFICATION

Construct a pit-type reservoir to collect runoff water for livestock and wildlife use.

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APR 11 2001

Prepared by	Elene Shaw	Title	Rangeland Conservationist	Date	11/16
Approved by	Robert D. Padell	Title	Area Manager	Date	10/30/86

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

COOPERATIVE AGREEMENT
FOR RANGE IMPROVEMENTS

FOR BLM USE ONLY			
State	I	D	
Office	0	5	0
Job Number(s)			
5333			
Job Name(s)	Fireball Reservoir		

INSTRUCTIONS - Cooperator(s) to receive original, and one copy each to the District case or lease file and District job file.

I, (We) Shoshone Cattlemen's Association
c/o Lester Sliman
of Route 1, Gooding, Idaho
of
of
and of

hereinafter called cooperator(s) and the United States of America, by the Bureau of Land Management, hereinafter called the Bureau, for and in consideration of the mutual benefits hereunder, and in accordance with the Taylor Grazing Act (43 U.S.C. 315, 315a-r), as amended, the National Soil Conservation Act (16 U.S.C. 590a-q(1)), as amended, the Federal Land Policy and Management Act (43 U.S.C. 1701, et. seq.), and the Public Rangelands Improvement Act (43 U.S.C. 1904) do enter into this cooperative agreement for the construction and/or maintenance of range improvements, installation of conservation works or establishment of conservation practices, hereinafter referred to collectively as improvements, for the benefit of the public lands and of the cooperator(s).

2. The improvements known as the Fireball Reservoir

☒ will be ☐ are located upon: SWSE 1/4, Sec(s). 10, T. 4 S., R. 17 E.,
Boise Meridian, County of Lincoln, State of Idaho

3. IT IS MUTUALLY AGREED:

(a) The parties hereto will furnish labor, materials, and equipment as required, the total cost or value not to exceed the amount listed below for each of the parties respectively for the initial construction and/or installation of the improvements indicated in paragraph 2.

NAME(s) OF COOPERATOR(s)	ITEMS	TOTAL COST OR VALUE
Shoshone Cattlemen's Association	Labor and Equipment costs	\$
BUREAU OF LAND MANAGEMENT	Layout, design, and compliance	
MICROFILMED		
APR 11 2001	AGGREGATE COST	\$

(b) Upon notice from the authorized officer of the Bureau, cooperator(s) will promptly supply labor, materials, and equipment as specified in paragraph 3(a) as required. Contributed materials in excess of the amount required shall be returned to the contributor. Equipment contributed shall be returned promptly following completion of the work. Work will be conducted under the supervision and direction of the authorized officer and shall be pursued with diligence until completed.

4(a) The cooperator(s) shall be liable, jointly and severally, for the repair and maintenance of the improvements following completion, in good and serviceable condition. The cooperator(s), without further notice from the authorized officer shall do the necessary work promptly. If work is not performed as necessary, the authorized officer shall notify the cooperator(s) and specify a period within which to complete the work as required.

(b) In event the cooperator(s) default in the repair and maintenance of the improvements the authorized officer may do or cause such work to be done for and in behalf of the cooperator(s); and the necessary cost and expense thereof shall become a charge and obligation upon and shall be paid by the cooperator(s). It is further understood in case of default that any grazing permit or lease may be cancelled and may not be renewed or extended or any assignment thereof may not be approved unless and until all charges and costs owed by the cooperator(s) hereunder shall have been paid; and provided that the Bureau may pursue such other remedies, legal or administrative, as may be authorized.

(c) Repair and maintenance, as herein required, shall mean normal upkeep and maintenance necessary to preserve, protect, and prolong the useful life of the improvements, but shall not include major repairs where the damage is due to floods, earthquakes, or other acts of God, or fire not the result of fault or negligence of the cooperator(s) as determined by the authorized officer.

5. IT IS FURTHER AGREED:

(a) This agreement does not convey right, title, or interest in any lands or resources held by the United States.

(b) Title to nonstructural or nonremovable improvements authorized by this agreement shall be in the United States of America.

(c) Title to structural or removable improvements authorized by this agreement shall be shared by the United States and the cooperator(s) in proportion to the actual amount of their respective contribution to the initial construction of said improvements. The improvements may be removed, in whole or in part, during the term of this agreement or any extension thereof, by mutu-

al consent of the parties or by direction of the authorized officer; such removal shall be made by the cooperator(s), or by the Bureau at its option. During the course of salvaging material, the United States assumes no responsibility for the protection or preservation of said material. Upon removal of the improvements, any salvageable materials, after deducting an amount to compensate for the actual cost of removal, shall be available for distribution to the parties then subject to this agreement in proportion to the actual amount of their respective contributions to the initial construction of the improvements. The parties shall take possession and remove their portion of the salvaged materials within one hundred and eighty (180) days after first notification in writing that such material is available; upon failure to do so within the time allowed, the materials shall be deemed to have been abandoned and title there-to shall thereupon vest in the United States.

(d) In the event lands containing improvements described under (a) or (b) above are devoted to another public purpose which precludes grazing, including disposal, the cooperator(s) shall be entitled to compensation for the adjusted value of the cooperator's contribution to the improvements.

6. If the cooperator(s) shall assign or transfer any grazing permit or lease embracing the lands upon which the improvements are constructed or in connection with which they are used, the cooperator(s) shall include in such assignment or transfer his interest in this Cooperative Agreement. Before the assignee or transferee will be recognized as successor to the cooperator(s)'s interest hereunder, such assignee or transferee will be required by the authorized officer to accept an assignment of this agreement and agree to be bound by the provisions respecting the use and maintenance of the improvements.

7. The cooperator(s) use of the improvements will be in conformance with any special conditions, the grazing permit(s) or lease(s), and regulations of the Secretary of the Interior.

8. This agreement shall not accord to cooperator(s) any preference, privilege, or consideration with respect to any grazing permit or lease not expressly provided herein or in the rules and regulations governing such grazing permit or lease.

9. Items 2, 3, and 4(a) of this agreement may be modified or cancelled by written agreement of the parties, which agreement shall become a part hereof.

10. This contract is subject to the provisions of Executive Order No. 11246 of September 24, 1965, as amended, which sets forth the nondiscrimination clauses.

APR 11 2001

A copy of this order may be obtained from the authorized officer.

11. This agreement shall remain in effect indefinitely from date of signature unless (1) otherwise designated under item 12. Special Conditions, or (2) terminated by

12. Special Conditions

Shoshone Cattlemen's Association will be responsible for all future maintenance of the reservoir.

mutual written consent of parties, or (3) terminated by the authorized officer after notice in writing because of the cooperator(s) default or violation, or (4) terminated by the authorized officer after notice in writing because the improvements are not compatible with adopted land use plans or classification under the public land laws.

COOPERATOR(S)

THE UNITED STATES OF AMERICA

Lester Elman 7/23/81
(Signature) (Date)

State of Idaho

(Signature)

(Date)

District Snake

(Signature)

(Date)

By Robert D. Caldwell
(Signature)

(Signature)

(Date)

Anna H. Hays
(Title)

(Signature)

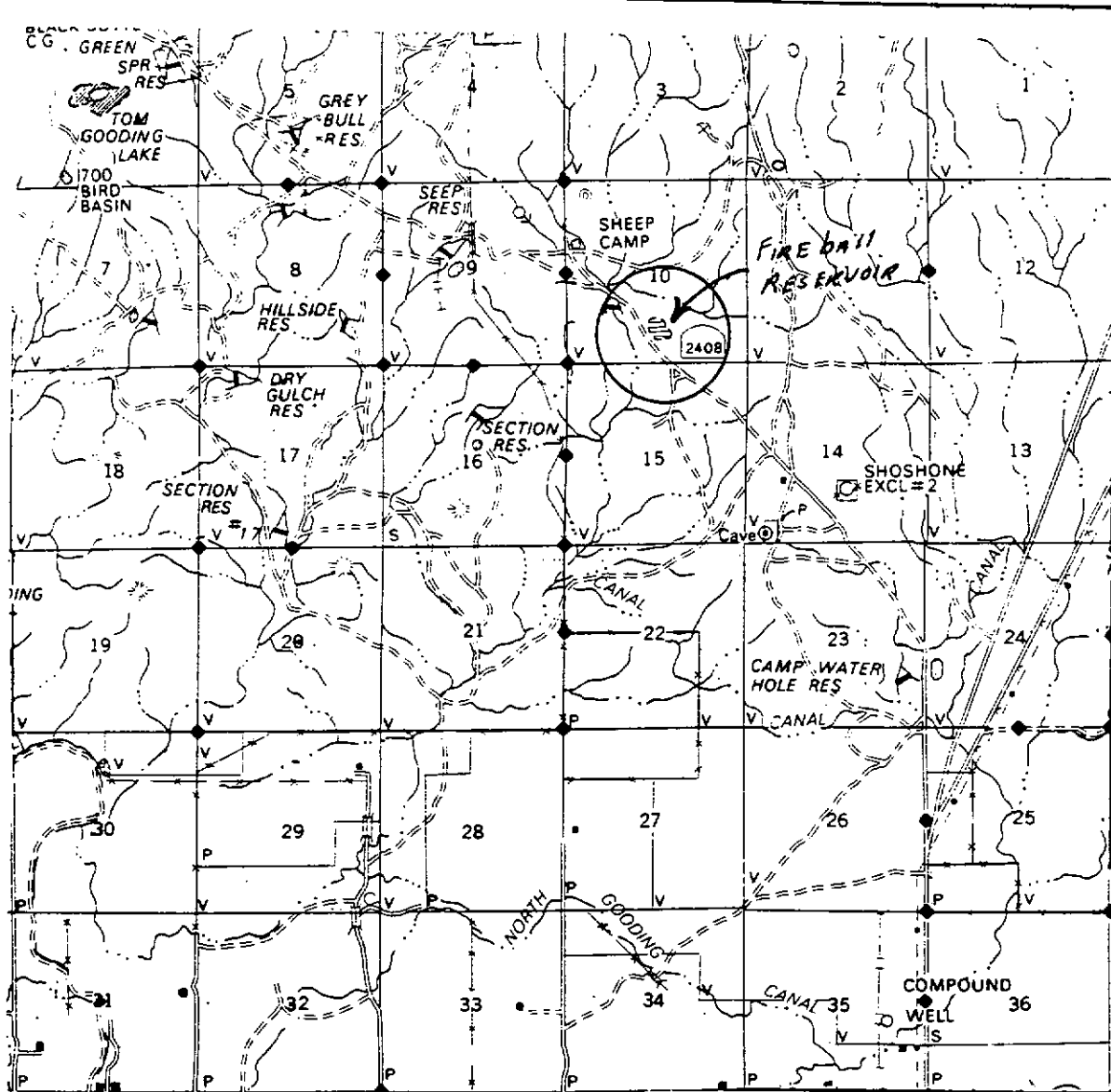
(Date)

10/30/96
(Date)

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LOCATION PLAT



Scale: 1 inch equals one mile

The Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.) requires us to inform you that:

Information is being collected to develop a cooperative agreement for the construction, use, and maintenance of range improvements on its public lands.

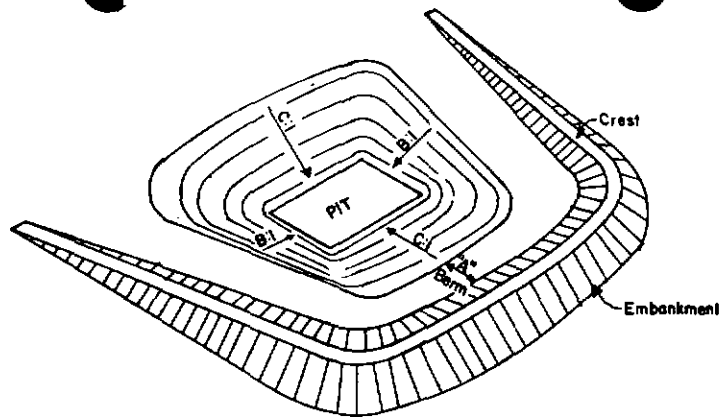
Information will be used to document the specific participation of each cooperator on the range improvement(s) to be accomplished under the cooperative agreement. By signature, each cooperator agrees to participate in the manner specifically described in the agreement.

Response to this request is voluntary.

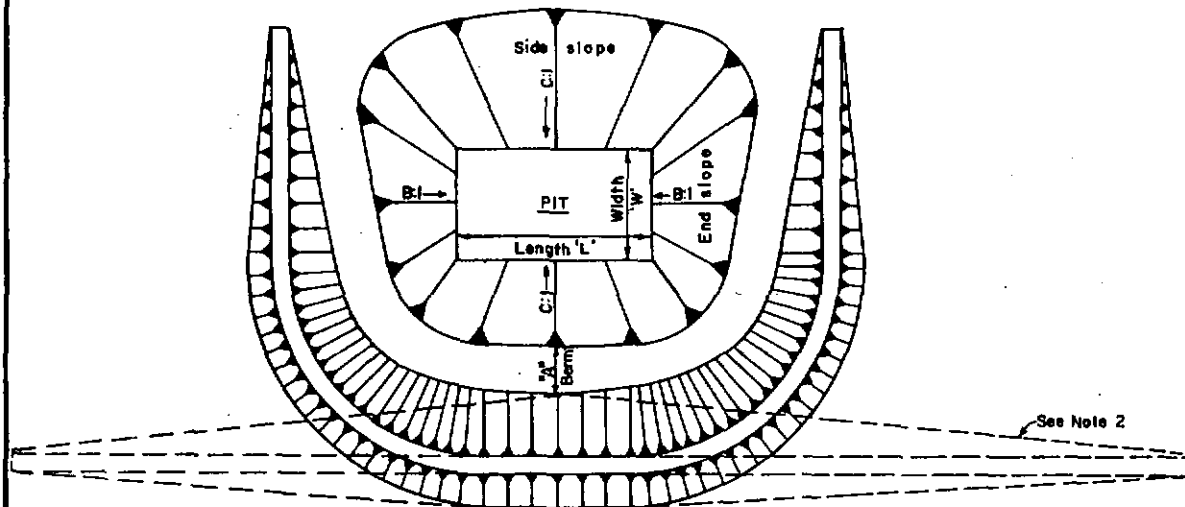
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APR 11 2001

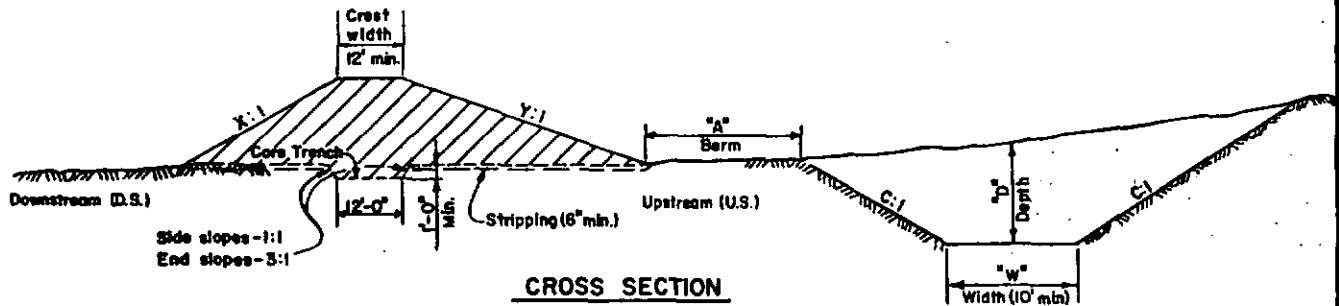
*U.S.GPO:1985-0-481-988/33059



PERSPECTIVE VIEW



PLAN



CROSS SECTION

NOTES:

1. Pit & embankment slopes & dimensions shall be as shown on the Work Summary Chart.
2. Embankment may be "U" or "L" shape or straight line. Construct as indicated on the Work Summary Chart.

UNITED STATES DEPARTMENT OF THE INTERIOR BUREAU OF LAND MANAGEMENT DIVISION OF ENGINEERING SYSTEMS DENVER SERVICE CENTER	
TYPICAL WATER RETENTION PIT	
DESIGNED <i>Donald C. Votz</i>	
REVIEWED <i>John J. Grier</i>	
APPROVED <i>Richard E. Enger</i>	
DRAWN J.D. Sedillo	SCALE NONE
DATE MARCH 9, 1984	SHEET OF
DRAWING NO. 02294-1	

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ALWAYS THINK SAFETY

APR 11 2001

Attachment B: Fireball Res.



State of Idaho

DEPARTMENT OF WATER RESOURCES

301 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

April 3, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

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

PROOF ACKNOWLEDGMENT LETTER

**RE: PERMIT NOS. 37-08918 through 37-08921, 37-08923, 37-08924,
37-08926, and 37-08928 through 37-08943**

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 conduct a field examination to determine and confirm the use being made of the water.

Be advised that Section 42-248, Idaho Code, requires you or the owner of 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 concerning the field examination, 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

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APR 11 2001

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 37-8918

Reviewed By: dgibson

Date: April 2, 2001

	<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.:		S023397,	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		09/20/2000
Date proof due	-	03/01/2002
Lapse notice sent	-	
No. of days late	=	0
Holiday allowance	+	
Priority date	+	09/20/2000
New priority date	=	09/20/2000

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

March 21, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

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

RE: Permit No. 37-8918

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.

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.

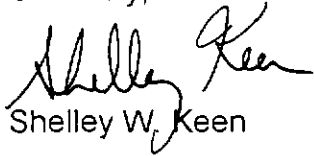
Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's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

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APR 1 1991

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" and last name "Keen" clearly distinguishable.

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

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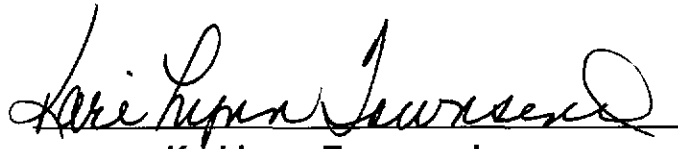
APR 11 2001

CERTIFICATE OF MAILING

I hereby certify that on March 21, 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. 37-8918

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

A handwritten signature in cursive script, reading "Kari Lynn Townsend", written over a horizontal line.

**Kari Lynn Townsend
Secretary**

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APR 11 2001

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

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APR 11 2001

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.



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 Supervisor

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APR 11 2001

Cc: IDFG- NRPB
BLM- Shoshone

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.

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APR 11 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

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APR 11 2001

Attachments (4)

Sent by FAX 3/5

APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS
Reviewed by Sharla Curtis on 2/28/01

No. 37-8918 Name: BLM 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) Star
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 Cond. when
In/Above MSF - WB9 applicable
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)
> 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 pd's per ¼¼ - W32 Fireball Resv.
Subd lot desc (pd) - W59
Subd lot desc (pu) - W60 3100
Use definitions - W02 example - S/50 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 Stock storage & wildlife storage uses only - no div.
from storage occurring
shape files made

STATE OF IDAHO
IDWR SOUTHERN REGION
APPLICATION FOR PERMIT ANALYSIS SHEET

RECEIVED

FEB 23 2001

Department of Water Resources

INITIAL REVIEW BY John Freitag DATE 10-23-00

REQUIRED INFORMATION (Ck 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 and attachments
- ☒ 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?

++++PROPOSED PRIORITY DATE 09/20 2000

ADDITIONAL INFORMATION

- ☒ Overlapping place of use(Describe source & relationship to present application on the back. 37-20259-~~814~~60. J.F. Federal Reserve water
- ☒ Overlapping point of diversion.
- ☒ 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?
- ☐ 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	<u>11/30/00</u>	<u>1-4-2001</u>
☐ USFS	_____	_____
☐ Idaho Dept of Lands	_____	_____
☒ Water Dist. No. <u>37</u>	<u>11/30/00</u>	<u>1-5-2001</u>
☐ 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? 37

☐ Yes ☐ No Special conditions codes: _____

☒ Yes ☐ No Is Evaluation Memo Attached?

If yes; date of Memo 2/15/01

Date of priority recommended: 9/20/00

COMMENTS:

RECOMMEND

☒ Approval

☐ Denial

By

AD

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.

APR 11 2001

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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APR 11 2031



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

37-08918

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APR 11 2001

RECEIVED
JAN 05 2001
Department of Water Resources
Southern Region

APPLICATION FOR PERMIT OF WATER RIGHT

NO. 37-08920 thru 37-08943

RECOMMENDATION OF WATERMASTER

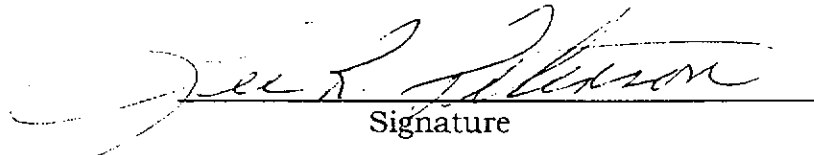
I, Lee R. Peterson, watermaster of Big Wood, Little Wood, Malad Rivers & Camas & Silver Creek of Water District No 37 & 37M, County of Blaine, Lincoln, Camas & Gooding, whose address is P O Box T, Shoshone, Idaho 83352, have read the attached copy of the application for permit in the name of U.S.D.I.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

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APR 11 2001

21-08943



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

November 30, 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 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
APR 11 2001



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

November 30, 2000

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

Re: Applications for Permit No.-USDI (BLM)-Lincoln County

Dear Mr. Parrish:

The Department is seeking a written Comment &/or Recommendation from your agency regarding the above referenced application 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
APR 11 2001

ACTION REQUIRED

11/30/00

FROM: MB

TO: Terry Blau

SCA comment please

MICROFILMED
APR 11 2001



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

NOVEMBER 30, 2000

Legal Notices Department
LINCOLN COUNTY JOURNAL
PO BOX 704
SHOSHONE, ID 83352

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 22, 2001.

Yours truly,

Mary Baldwin
Administrative Assistant

Enclosure

MICROFILMED
APR 11 2001

AFFIDAVIT of PUBLICATION

State of Idaho } ss.
County of Lincoln

RECEIVED

JAN 16 2001

Department of Water Resources
Southern Region

Norma DeVoe, being first duly sworn, deposes and says that he/she is the printer (publisher) of the Lincoln County Journal, a newspaper published every week in Shoshone, County of Lincoln, 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 a supplement; that the date of the first publication of said advertisement was on the

4th day of January, 2001
and the date of the last publication was on the 11th day of January, 2001

On this 11th day of January
in the year of 2001, 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 acknowledged to me that he/she executed the same.

SHELLEY STURGEON
Notary Public
State of Idaho

Shelley Sturgeon
Notary Public for Idaho

Residing at Jerome

My commission expires: 12/3/05

#6921/32445

LINCOLN COUNTY JOURNAL

Shoshone, Idaho

COST OF PUBLICATION

Number of Picas per Line _____

Number of Lines in Notice _____

Number of Insertions 2X

612.56 Lines tabular at _____ 8.0¢/Pica

612.56 Lines straight at 42.88 7.0¢/Pica

612.56 Subsequent lines at 36.75 6.0¢/Pica

Affidavit Fee: 2.50

TOTAL COST 82.13

COPY OF NOTICE

(Paste Here)

Water Use Appl.
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

IDWR

BILL TO

NOTICE OF APPLICATION FOR WATER RIGHT

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

37-08918

US DEPT OF INTERIOR

BUREAU OF LAND MANAGEMENT

400 WEST F ST

PO BOX 28

SHOSHONE, ID 83352

Source: UNNAMED STREAM

Tributary: SINKS

Diversion Pt: NWSWSE Sec 10 T 04S

R 17E in LINCOLN County.

Use: STOCKWATER STORAGE

(1.30 AF)

STOCKWATER FROM STORAGE

(1.30 AF)

WILDLIFE STORAGE (1.30 AF)

WILDLIFE FROM STORAGE (1.30

AF)

Total Diversion: (1.30 AF)

Date Filed: 9/20/2000

In: LINCOLN COUNTY

TO4S R17E S10 SWSE

37-08919

US DEPT OF INTERIOR

BUREAU OF LAND MANAGEMENT

400 WEST F ST

PO BOX 28

SHOSHONE, ID 83352

Source: UNNAMED STREAM

Tributary: COTTONWOOD SLOUGH

Diversion Pt: SESESE Sec 35 T 02S

R 18E in LINCOLN COUNTY.

Use: STOCKWATER STORAGE

(0.30 AF)

STOCKWATER FROM STORAGE

(0.30 AF)

WILDLIFE STORAGE (0.30 AF)

WILDLIFE FROM STORAGE (0.30

AF)

Total Diversion: (0.30 AF)

Date Filed: 9/20/2000

In: LINCOLN County

TO2S R18E S35 SESE

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 22, 2001. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

PUB: 1/4 - 1/11 132445

MICROFILMED

APR 11 2001

NOTICE OF APPLICATION FOR WATER RIGHT

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

37-08918

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

Source: UNNAMED STREAM

Tributary: SINKS

Diversion Pt: NWSWSE Sec 10 T 04S R 17E in LINCOLN County.

Use: STOCKWATER STORAGE	(	1.30 AF)
STOCKWATER FROM STORAGE	(	1.30 AF)
WILDLIFE STORAGE	(	1.30 AF)
WILDLIFE FROM STORAGE	(	1.30 AF)
Total Diversion:	(	1.30 AF)

Date Filed: 9/20/2000

In: LINCOLN County
T04S R17E S10 SWSE

37-08919

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

Source: UNNAMED STREAM

Tributary: COTTONWOOD SLOUGH

Diversion Pt: SESESE Sec 35 T 02S R 18E in LINCOLN County.

Use: STOCKWATER STORAGE	(	0.30 AF)
STOCKWATER FROM STORAGE	(	0.30 AF)
WILDLIFE STORAGE	(	0.30 AF)
WILDLIFE FROM STORAGE	(	0.30 AF)
Total Diversion:	(	0.30 AF)

Date Filed: 9/20/2000

In: LINCOLN County
T02S R18E S35 SESE

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 22, 2001. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published: 1/ 4/2001 & 1/11/2001

APR 11 2001