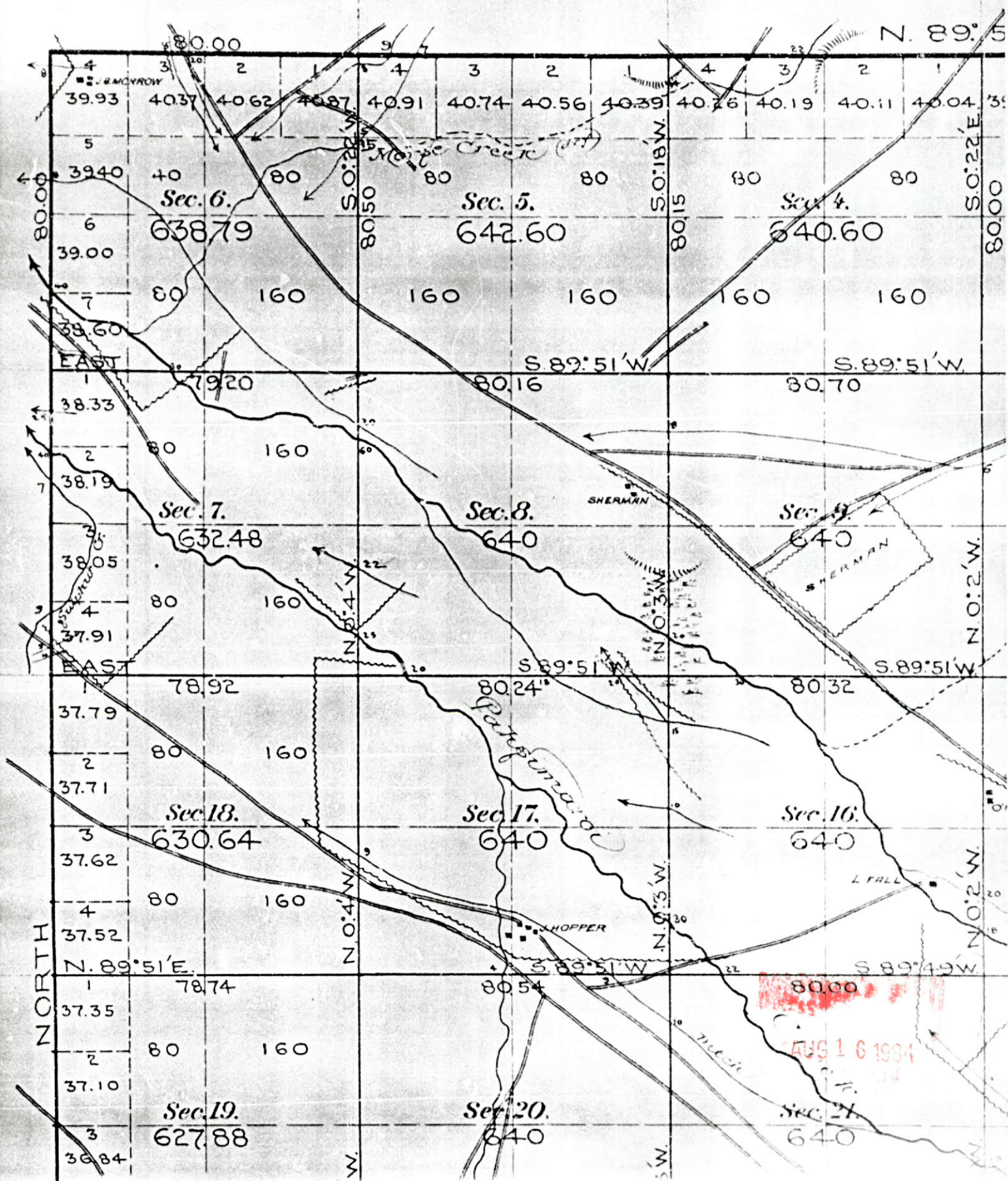


This is a topographic map of a section of the Pahsimeroi River area. The map features a grid system with handwritten annotations in red, blue, and yellow. Key features include:

- Geographic Features:** The Pahsimeroi River flows from the top center towards the right. A creek is visible in the bottom left corner. Contour lines indicate elevation, with labels such as 5000, 5100, 5200, and 5300.
- Grid and Survey Points:** The map is overlaid with a grid. Survey points are marked with 'x' and labeled with 'LT' (e.g., 5094AT, 5091AT, 5093AT, 5092AT, 5093AT, 5094AT, 5095AT, 5096AT, 5097AT, 5098AT, 5099AT, 5100AT, 5101AT, 5102AT, 5103AT, 5104AT, 5105AT, 5106AT, 5107AT, 5108AT, 5109AT, 5110AT, 5111AT, 5112AT, 5113AT, 5114AT, 5115AT, 5116AT, 5117AT, 5118AT, 5119AT, 5120AT, 5121AT, 5122AT, 5123AT, 5124AT, 5125AT, 5126AT, 5127AT, 5128AT, 5129AT, 5130AT, 5131AT, 5132AT, 5133AT, 5134AT, 5135AT, 5136AT, 5137AT, 5138AT, 5139AT, 5140AT, 5141AT, 5142AT, 5143AT, 5144AT, 5145AT, 5146AT, 5147AT, 5148AT, 5149AT, 5150AT, 5151AT, 5152AT, 5153AT, 5154AT, 5155AT, 5156AT, 5157AT, 5158AT, 5159AT, 5160AT, 5161AT, 5162AT, 5163AT, 5164AT, 5165AT, 5166AT, 5167AT, 5168AT, 5169AT, 5170AT, 5171AT, 5172AT, 5173AT, 5174AT, 5175AT, 5176AT, 5177AT, 5178AT, 5179AT, 5180AT, 5181AT, 5182AT, 5183AT, 5184AT, 5185AT, 5186AT, 5187AT, 5188AT, 5189AT, 5190AT, 5191AT, 5192AT, 5193AT, 5194AT, 5195AT, 5196AT, 5197AT, 5198AT, 5199AT, 5200AT, 5201AT, 5202AT, 5203AT, 5204AT, 5205AT, 5206AT, 5207AT, 5208AT, 5209AT, 5210AT, 5211AT, 5212AT, 5213AT, 5214AT, 5215AT, 5216AT, 5217AT, 5218AT, 5219AT, 5220AT, 5221AT, 5222AT, 5223AT, 5224AT, 5225AT, 5226AT, 5227AT, 5228AT, 5229AT, 5230AT, 5231AT, 5232AT, 5233AT, 5234AT, 5235AT, 5236AT, 5237AT, 5238AT, 5239AT, 5240AT, 5241AT, 5242AT, 5243AT, 5244AT, 5245AT, 5246AT, 5247AT, 5248AT, 5249AT, 5250AT, 5251AT, 5252AT, 5253AT, 5254AT, 5255AT, 5256AT, 5257AT, 5258AT, 5259AT, 5260AT, 5261AT, 5262AT, 5263AT, 5264AT, 5265AT, 5266AT, 5267AT, 5268AT, 5269AT, 5270AT, 5271AT, 5272AT, 5273AT, 5274AT, 5275AT, 5276AT, 5277AT, 5278AT, 5279AT, 5280AT, 5281AT, 5282AT, 5283AT, 5284AT, 5285AT, 5286AT, 5287AT, 5288AT, 5289AT, 5290AT, 5291AT, 5292AT, 5293AT, 5294AT, 5295AT, 5296AT, 5297AT, 5298AT, 5299AT, 5300AT, 5301AT, 5302AT, 5303AT, 5304AT, 5305AT, 5306AT, 5307AT, 5308AT, 5309AT, 5310AT, 5311AT, 5312AT, 5313AT, 5314AT, 5315AT, 5316AT, 5317AT, 5318AT, 5319AT, 5320AT, 5321AT, 5322AT, 5323AT, 5324AT, 5325AT, 5326AT, 5327AT, 5328AT, 5329AT, 5330AT, 5331AT, 5332AT, 5333AT, 5334AT, 5335AT, 5336AT, 5337AT, 5338AT, 5339AT, 5340AT, 5341AT, 5342AT, 5343AT, 5344AT, 5345AT, 5346AT, 5347AT, 5348AT, 5349AT, 5350AT, 5351AT, 5352AT, 5353AT, 5354AT, 5355AT, 5356AT, 5357AT, 5358AT, 5359AT, 5360AT, 5361AT, 5362AT, 5363AT, 5364AT, 5365AT, 5366AT, 5367AT, 5368AT, 5369AT, 5370AT, 5371AT, 5372AT, 5373AT, 5374AT, 5375AT, 5376AT, 5377AT, 5378AT, 5379AT, 5380AT, 5381AT, 5382AT, 5383AT, 5384AT, 5385AT, 5386AT, 5387AT, 5388AT, 5389AT, 5390AT, 5391AT, 5392AT, 5393AT, 5394AT, 5395AT, 5396AT, 5397AT, 5398AT, 5399AT, 5400AT, 5401AT, 5402AT, 5403AT, 5404AT, 5405AT, 5406AT, 5407AT, 5408AT, 5409AT, 5410AT, 5411AT, 5412AT, 5413AT, 5414AT, 5415AT, 5416AT, 5417AT, 5418AT, 5419AT, 5420AT, 5421AT, 5422AT, 5423AT, 5424AT, 5425AT, 5426AT, 5427AT, 5428AT, 5429AT, 5430AT, 5431AT, 5432AT, 5433AT, 5434AT, 5435AT, 5436AT, 5437AT, 5438AT, 5439AT, 5440AT, 5441AT, 5442AT, 5443AT, 5444AT, 5445AT, 5446AT, 5447AT, 5448AT, 5449AT, 5450AT, 5451AT, 5452AT, 5453AT, 5454AT, 5455AT, 5456AT, 5457AT, 5458AT, 5459AT, 5460AT, 5461AT, 5462AT, 5463AT, 5464AT, 5465AT, 5466AT, 5467AT, 5468AT, 5469AT, 5470AT, 5471AT, 5472AT, 5473AT, 5474AT, 5475AT, 5476AT, 5477AT, 5478AT, 5479AT, 5480AT, 5481AT, 5482AT, 5483AT, 5484AT, 5485AT, 5486AT, 5487AT, 5488AT, 5489AT, 5490AT, 5491AT, 5492AT, 5493AT, 5494AT, 5495AT, 5496AT, 5497AT, 5498AT, 5499AT, 5500AT, 5501AT, 5502AT, 5503AT, 5504AT, 5505AT, 5506AT, 5507AT, 5508AT, 5509AT, 5510AT, 5511AT, 5512AT, 5513AT, 5514AT, 5515AT, 5516AT, 5517AT, 5518AT, 5519AT, 5520AT, 5521AT, 5522AT, 5523AT, 5524AT, 5525AT, 5526AT, 5527AT, 5528AT, 5529AT, 5530AT, 5531AT, 5532AT, 5533AT, 5534AT, 5535AT, 5536AT, 5537AT, 5538AT, 5539AT, 5540AT, 5541AT, 5542AT, 5543AT, 5544AT, 5545AT, 5546AT, 5547AT, 5548AT, 5549AT, 5550AT, 5551AT, 5552AT, 5553AT, 5554AT, 5555AT, 5556AT, 5557AT, 5558AT, 5559AT, 5560AT, 5561AT, 5562AT, 5563AT, 5564AT, 5565AT, 5566AT, 5567AT, 5568AT, 5569AT, 5570AT, 5571AT, 5572AT, 5573AT, 5574AT, 5575AT, 5576AT, 5577AT, 5578AT, 5579AT, 5580AT, 5581AT, 5582AT, 5583AT, 5584AT, 5585AT, 5586AT, 5587AT, 5588AT, 5589AT, 5590AT, 5591AT, 5592AT, 5593AT, 5594AT, 5595AT, 5596AT, 5597AT, 5598AT, 5599AT, 5600AT, 5601AT, 5602AT, 5603AT, 5604AT, 5605AT, 5606AT, 5607AT, 5608AT, 5609AT, 5610AT, 5611AT, 5612AT, 5613AT, 5614AT, 5615AT, 5616AT, 5617AT, 5618AT, 5619AT, 5620AT, 5621AT, 5622AT, 5623AT, 5

application for permit to appropriate the public waters of
Sulphur Creek Livestock
by Judd Whitworth man part.
 (Applicant)

$$G \qquad f \qquad F \qquad e \qquad E \qquad d \qquad D$$


AFFIDAVIT OF PUBLICATION

State of Idaho, County of Custer, ss:

I, Ruth E. Burchill, representing the
Challis Messenger, a weekly newspaper, pub-
lished at Challis, Idaho, do solemnly swear that
the notice hereto attached and made a part here-
of, was published in the regular and entire issue
of the Challis Messenger for 2
consecutive weeks, commencing with the issue
dated May 19 1994 and ending with
the issue dated May 26 1994.

Ruth E. Burchill

STATE OF IDAHO

COUNTY OF CUSTER

On this 26th day of May in the
year of 1994 before me, a Notary Public,
personally appeared Ruth E. Burchill
known or identified to me to be the person
whose name subscribed to the within instru-
ment, and being by me first duly sworn, declared
that the statements therein are true, and ac-
knowledgeed to me that he executed the same.

Ethel M. Peck
Notary Public for Idaho

Residing at Challis

My commission expires: 3-9-98

NOTICE OF APPLICATION
FOR WATER RIGHT
The following application(s) have
been filed to appropriate the pub-
lic waters of the State of Idaho:
73-07124
SULPHUR CREEK RANCH, HC
62 BOX 2120, MAY, ID 83253
Source: Groundwater
Diversion Pt: NWSE Sec 1-8 T
14N R 22E in Custer County
Use: Irrigation (3,500 CFS)
Total Diversion (3,500 CFS)
Date Filed: 5/2/1994

In: Custer County T14N R21E
S13 SENE NESE NWSE SESE
R22E S18 SWNW NWSW NWSW
SWSW 175.0 Acres total
The permit(s) will be subject to
all prior water rights. Protests
must be filed with the Director,
Dept. of Water Resources, Eastern
Region, 900 N. Skyline, Idaho
Falls, Idaho 83402 on or before
June 6, 1994.
R. KEITH HIGGINSON, Director
Pub: May 19 & 26, 1994.

AUG 16 1994

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 73-07124)
)
IN THE NAME OF SULPHUR CREEK RANCH) **ORDER OF**
) **REINSTATEMENT**
)

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before July 1, 1995; and,

WHEREAS, the Department notified the permit holder on April 30, 1995, by certified mail that proof was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use; and,

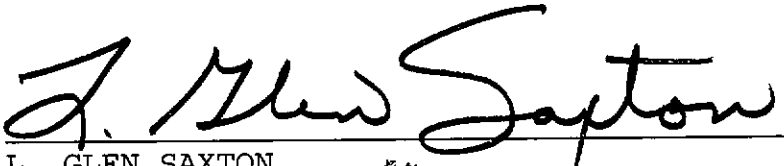
WHEREAS, the Department notified the permit holder on July 7, 1995, that the permit had lapsed for failure to submit an acceptable proof of beneficial use or extension of time; and,

WHEREAS, Section 42-218a, Idaho Code, provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting an acceptable proof of beneficial use on August 9, 1995;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 73-07124 is **REINSTATED** with an advance in priority to June 10, 1994.

DATED this 31st day of August, 1995.


L. GLEN SAXTON
Chief, Water Allocation Bureau

SEP 15 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

AUG 16 1995

PROOF OF BENEFICIAL USE

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

1. Permit No. 73-07124 Telephone No. (208) 876-4405
2. Name(s) of Permit Holder(s): Sulphur Creek Livestock
3. Mailing Address: Ac 62, Box 2120, May, Id. 83253
4. Source of Water: well If **GROUNDWATER** (well), Date Drilled: mo. _____ / yr. 50's
- a. Well Driller: _____ Drilling Permit Number: _____ - _____ - _____
- b. **OPTIONAL:**
Pump Horsepower: 110 Pressure (psi): _____ Dynamic pumping level (ft): _____
5. Use(s) (as authorized by the water right permit):
- Domestic (No. of households): _____ Stockwater (No. and type of stock): _____
- Irrigation (No. of acres): 190 Other: _____
6. Total rate of diversion and/or volume for which proof is submitted: 3.5 cfs OR _____ acre feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is **not optional**. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required? Yes _____ or No X
Has the measuring device been installed? Yes _____ or No X

Flow Measurement Port: Is a flow measurement port required? Yes _____ or No X
Has the measurement port been installed? Yes _____ or No X

8. Fee Enclosed: \$ 175.00 (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: Joel Whitworth Telephone Number: 208-876-4405

Address: Ac 62, Box 2120, May, Id.

SEP 15 1995

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

Signature of permit holder: Joel Whitworth, partner man. Date: 8/9/95
(include your title if on behalf of company or organization)

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 73-07124

Proposed Priority: May 2, 1994

Maximum Diversion Rate:

3.50 CFS

This is to certify, that **SULPHUR CREEK RANCH**
HC 62 BOX 2120
MAY ID 83253

has applied for a permit to appropriate water from: **GROUNDWATER**

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	04/15 to 10/15	3.50 CFS

LOCATION OF POINT(S) OF DIVERSION:

NWSE , Sec. 18, Township 14N, Range 22E
CUSTER County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>		<u>ACRES</u>		<u>ACRES</u>		<u>ACRES</u>	<u>TOTAL</u>
14N	21E	13		SENE 18		NESE 40		NWSE 10	
				SESE 23					91
22E	18		Lot 2 (SNNW)	14		NESW 7		Lot 3 (NWSW) 40	
			Lot 4 (SWSW)	23					84

Total number of acres irrigated: 175

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before July 1, 1995.
2. Subject to all prior water rights.
3. The right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
4. The right holder shall use the full allotment of his surface water right, to the extent it is available, in conjunction with groundwater diverted pursuant to this right.
5. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

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

23 day of June, 1994.

RECORDED

AUG 16 1994

R. Keith Higginson
R. Keith Higginson, Director

RECEIVED
JUN 16 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 73-7124

Department of Water Resources To appropriate the public waters of the State of Idaho

Judd Whitworth

1. Name of applicant Sulphur Creek Ranch Co Phone (208) 876-4405

Post office address HC 62 Box 2120 May, ID 83253

2. Source of water supply Groundwater which is a tributary of _____

3. Location of point of diversion is _____ 1/4 of NW 1/4 of SE _____ 1/4, Govt. Lot _____

Sec. 18 Township 14N Range 22E B.M. Custer County; additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 3.50^{sf} for Irrigation purposes from 4-15 to 10-15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) 3.50 cubic feet per second and/or (b) _____ acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. well & pump to mainline to Root

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

Exits c. Proposed well diameter is 16 inches; proposed depth of well is 90 feet.

d. Is ground water with a temperature of greater than 85°F being sought? N

e. If well is already drilled, when? 1952; Drilling firm _____

Well was drilled for (well owner) _____ AUG 16 1994

7. Time required for the completion of the works and application of the water to be proposed beneficial use is 1 years (minimum 1 year).

8. Description of proposed uses (if irrigation only, go to item 9):

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. _____

9. Description of place of use:

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
14N	21E	13				18									40	10		23	91
	22E	18							LT2 14		7	LT3 40	LT4 23						84

Total number of acres to be irrigated 175

10. Describe any other water rights used for the same purposes as described above. 73-02141 From a different well

- Who owns the property at the point of diversion? Applicant
- Who owns the land to be irrigated or place of use? Applicant
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: Partnership between Ted Whitworth & Ben Yates

AUG 16 1994

This is a detailed topographic map of a region in Idaho, showing the Pahsimeroi River, Lemhi Creek, and various land parcels. The map includes a grid with coordinates and labels such as R21E, R22E, T14N, and T15N. Handwritten annotations include '73-02142', '73-02141', '73-7022', and '29-7036'. The map also shows contour lines, roads, and various survey points marked with 'x' and 'LT'.

application for permit to appropriate the public waters of
Delphar Creek, Livestock
by Judd W. Whitworth man put.
 (Applicant)

Received by HUT Date 5-2-94 Time _____ Preliminary check by _____
Fee \$ 105⁰⁰ Received by HUT # 5019759 Date 5-2-94
Publication prepared by RB Date 5-19-94 Published in Custer Publishing Co.
Publication approved RB Date 6-10-94

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

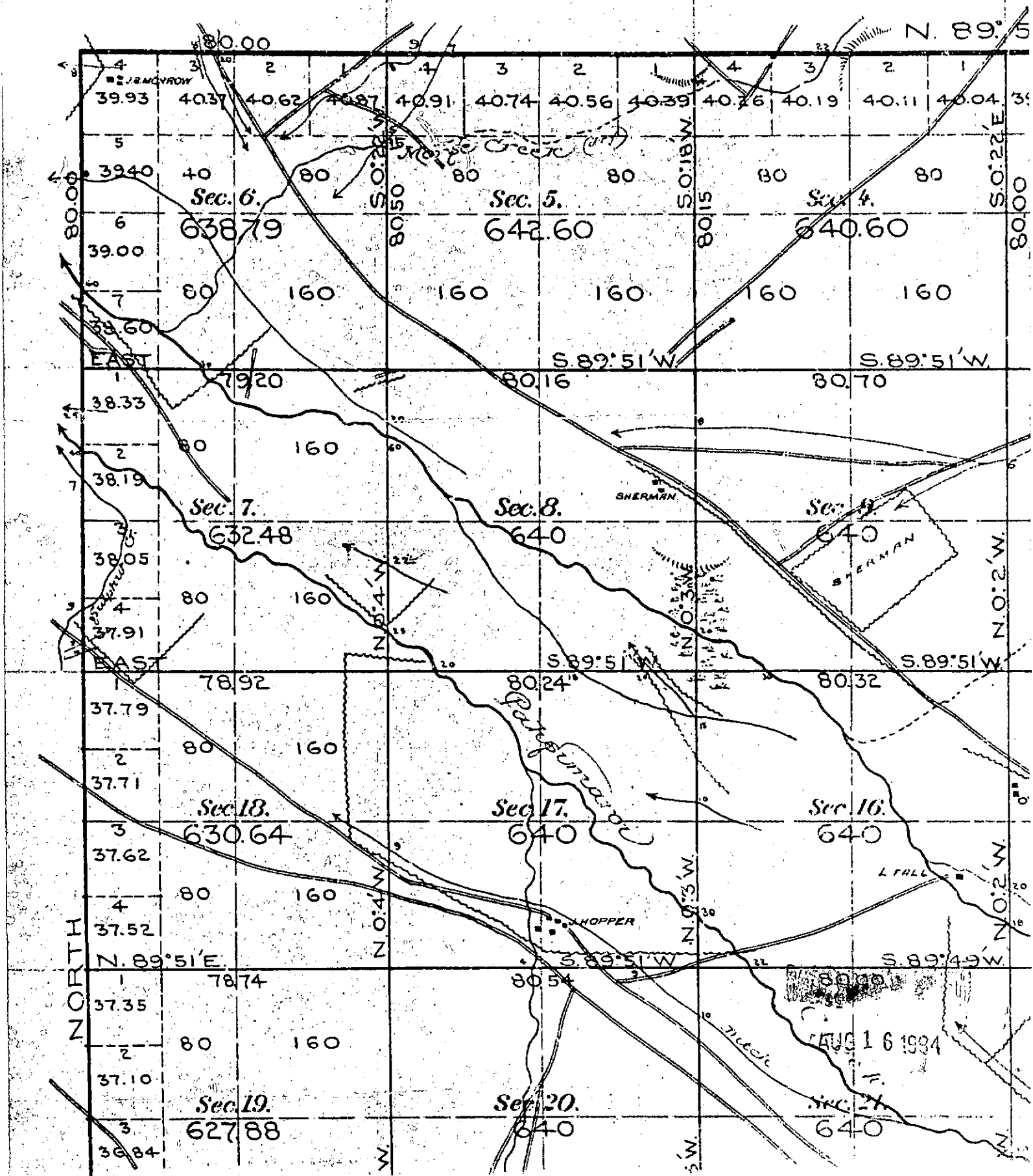
1. Approval of said application is subject to the following limitations and conditions:

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

AUG 16 1994

Township N°14 North, Range N°22 Ea

G f F e E d D



**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 73-07124 Reviewed by Jay Date 8-23-95

GENERAL CONSIDERATIONS

YLS Name same as permit?
YLS Address same as permit?
no Proof timely received?
If not, complete calculation below.

TYPES OF USE

Irr.

Correct Uses? YLS

SOURCE OF WATER

____ Surface water source
✓ Ground water source
no Drilling permit required?
____ Copy in the file? Drilling Permit No. _____
/ Amount paid for permit _____ Correct?
____ Well log in the file?

LICENSE EXAMINATION FEE

YLS Required?
175- Amount Submitted
YLS Correct?

MEASURING DEVICE

YLS Required?
no Installed?
____ Waiver requested?

PRIORITY CALCULATION

Date proof received	<u>8-9-95</u>	<u>221</u>
Date proof due	<u>7-1-95</u>	<u>- 182</u>
No. of days late		<u>= 39</u>
Priority Date	<u>5-2-94</u>	<u>+ 122</u>
New Priority Date	<u>6-10-95</u>	<u>161</u>

6/10/95

DEFICIENCIES OR ACTION ITEMS

Reinstall & advance priority to June 10, 1994.
Proof acceptable

DATA ENTRY

New Address _____ Proof Made 8/9/95



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

August 24, 1995

SULPHUR CREEK RANCH
HC 62 BOX 2120
MAY ID 83253

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 73-07124

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit.

Enclosed is an order reinstating your permit since proof of beneficial use was received after the proof due date. Please note that the priority date has been advanced to June 10, 1994.

The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

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

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

Enclosure

c: IDWR - Region

RECEIVED

SEP 15 1995

July 7, 1995

SULPHUR CREEK RANCH
HC 62 BOX 2120
MAY ID 83253

LAPSE NOTICE

RE: PERMIT NO. 73-07124

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated April 30, 1995. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifty dollar (\$50.00) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

L. GLEN SAXTON
Chief, Water Allocation Bureau

Enclosures

Enclosures

RECEIVED

CERTIFICATION OF MAILING

SEP 15 1995
I hereby certify that on 7/7/95
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

April 30, 1995

SULPHUR CREEK RANCH
HC 62 BOX 2120
MAY ID 83253

PROOF DUE NOTICE

RE: PERMIT NO. 73-07124

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before July 1, 1995.

(See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

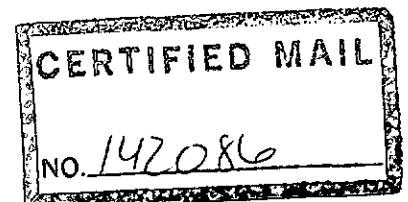
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

SEP 15 1995





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

June 24, 1994

SULPHUR CREEK RANCH
HC 62 BOX 2120
MAY ID 83253

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 73-07124

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permit.

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

Sincerely,

A handwritten signature in black ink, appearing to be 'JJ' followed by a horizontal line.

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosures

RECEIVED

AUG 16 1994

APPLICATION FOR PERMIT
STATE OFFICE REVIEW
by Cindy Zimmerman

Application #: 73-7124 Name: Sulphur Cr. Ranch Date: 6/17/94

AREA OF CONCERN? - No/Yes S/C Mor GWMA Trust/Non-trust

SYSTEM COMPLETED:

No - 26A-P17

Complete in 1 year - P16

Yes

Proof not submitted - P16

Proof submitted - NA

GROUNDWATER:

+ 0.2 cfs <flo-ch> - T17 (new), 01K (existing), No MD

- 0.2 cfs - No MD <flow chart>

Drilling Permit:

Included w/permit - Permit No. , P99

Existing well - NA (pre 7/1/87)

No WD permit? - 046-46A(Irr)-46B-P23 (post 7/1/87)

SURFACE WATER: not in WD - T17 (+.2 w/pump), No MD <flow chart>

LOCATION:

Water District(~~dem~~) - WD No. 73

*Surface water - 005 (req) 01J-P08 <flow chart>
(doesn't sink) or 01H-P01 <flow chart>; No MD

Groundwater - P05 (new irrigation well)

In stream channel - 030 (stream channel alteration)

Irr Dist/Canal Co. - 023 (Twin Falls area)

Drainage Districts - 024

Flood Control Dist. - 063

Boise Front (63) - 058 (-85° Groundwater temp)

Swan Falls Flag - B <See condition code chart>

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

Non Trust <1> - 048-049 (Consumptive Uses), NA

RIVER BASINS (*Surface water):

Boise R(63) - 05A (if WD), 11E (non-domestic use), NA

Payette R(65) - 064(consump. use), 047-P04(Payette Lake), NA

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

USE:

Fish Propagation - 07A-042 (req) & 010/06A/09E(WQ)-P10

044 (N 1000 Spr)

Irrigation - 803(if GW use SW 1st) (+5A do POU comp), NA

Power - 08A-17K-025-027(req); 01F(MD)-P19; 09E(WQ)-P10;

+25 cfs-P18; 17G(FERC) or 17M(FERE); 18B-P09

Mining - 054 (req) & 06A/010/09E-P10

Storage(✓ 3 compo.) - 18A(multi MD in WD), 18B-P09 (+10' dam), NA

Domestic (surface) - 021(Boise R + L Peak), 27A(Payette R), NA

OWNERSHIP:

Non land owner - 004 (PD/PU)

PROTESTED:

Prehearing agreement- 020

OTHER CONDITIONS:

- 03A

REMARKS:

BENEFICIAL USE DUE:

- 7-1-1995

COMMENTS:

Water Right Number - P73=07124

Prefix Translation: PERMIT

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
C SULPHUR CREEK RANCH

1 - HC 62 BOX 2120
2 -
3 -
City- MAY
Phone - 208-876-4405

State- ID Zip- 83253

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
C05/02/1994 C15 EASTERN CPERMIT

+ - - - - Source - - - - + + - - - - - Tributary - - - - - +
CGROUNDWATER

TwN	Rng	Sec	Tract	Lot	RFlg	County	Point of Diversion	Diversion Name	Diversion Rate	Diversion No.
C14N	22E	18	CNW SE			C(37)	CUSTER			

Code	Description	Period From	Water Use Period To	Diversion Rate	Diversion Volume
C01 - IRRIGATION		C04/15	10/15	3.500	

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
3.500

TwN	Rng	Sec	Tract	Lot	Acres	Place of Use Code	Description	County
14N	21E	13	SE NE		18.0	01	IRRIGATION	(37) CUSTER
14N	21E	13	NE SE		40.0	01	IRRIGATION	(37) CUSTER
14N	21E	13	NW SE		10.0	01	IRRIGATION	(37) CUSTER
14N	21E	13	SE SE		23.0	01	IRRIGATION	(37) CUSTER
14N	22E	18	SW NW	2	14.0	01	IRRIGATION	(37) CUSTER
14N	22E	18	NE SW		7.0	01	IRRIGATION	(37) CUSTER
14N	22E	18	NW SW	3	40.0	01	IRRIGATION	(37) CUSTER
14N	22E	18	SW SW	4	23.0	01	IRRIGATION	(37) CUSTER

Total Acres: C175.0

+ - - Diversion Means -
+ - - Non-Irrigation Use -
+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
No Remarks found.

Water right number - P73-07124

Prefix Translation: PERMIT

+ - - - - Old Water Right Numbers - - - - - +

+ - - - - Old Water Right Numbers - - - - - +

No Old Water Right Numbers found.

+ - - - - Conditions of Approval - - - - - +

01K - The right holder shall provide a means of measurement acceptable
- to the Department from all authorized points of diversion which
- will allow determination of the total rate of diversion.

803 - The right holder shall use the full allotment of his surface
- water right, to the extent it is available, in conjunction with
- groundwater diverted pursuant to this right.

03A - The rate of diversion of water for irrigation under this right
- and all other water rights on the same land shall not exceed 0.02
- cubic feet per second for each acre of land.

+ - - - - Decree Plaintiff - - - +

+ - - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

+ - - - - -Comments- - - - - +

No Comments Found

+ - - Audit Fields - 06/17/94 CZIMMERM

+ - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date - 07/01/1995	Field Exam Made - 00/00/0000	Field Exam Fee -
Approved/Denied - 00/00/0000	Protested Date - 00/00/0000	Swan Falls - B
Proof Made Date - 00/00/0000	Hearing Date - 00/00/0000	Temporary Right - P
Exam to S.O. Date - 00/00/0000	Verified Date - 00/00/0000	DLE/Carey Act -
Order Show Cause - 00/00/0000	Receipt Number - E019759	Water District - 73
Licensed Date - 00/00/0000	Appl Received - 05/02/1994	Transfer/Amended -
Decree Date - 00/00/0000	Name Connector -	POU Ownership Flag - Y
Presumption Flag -		

[illegible]

DATE: 06/17/94
PAGE: 2

[illegible][illegible]

OK to advertise

Dist. for staffing 5-4-94
Submitted for advertising 5-4-94

Form No. 202a
4/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATIONS FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY HWS DATE 5-4-94 APPLICATION NO. 73-7124
Sulphur Creek Ranch % Judd Whitworth
REQUIRED INFORMATION

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

ADDITIONAL INFORMATION

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

See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT _____

_____ Date Requested _____

RECEIVED
JUN 16 1994

Department of Water Resources

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

SEND COPIES TO ☐ Idaho Dept. of Health & Welfare ☐ U.S. BLM
☐ Idaho Dept. of Fish & Game ☐ U.S. Forest Service
☐ Idaho Dept. of Lands ☐ Water District
☐ Adjudication Bureau Unit ☐ Other

FINAL REGIONAL PROCESSING REVIEW

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

☒ Yes ☐ No Publication dates & paper, recorded on application
☐ Yes ☒ No Protests received
Final date for protest 6-6-94
☐ Yes ☒ No Protests, dates, resolution of protest, recorded on application
☐ Yes ☒ No Recommendations, attached
☐ Yes ☒ No Measuring device required
☒ Yes ☐ No Access port required
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what Dist. _____
☐ Yes ☒ No Special conditions of approval or cover letter below. _____

See below for additional information

Date of priority recommended 5-2-1994
By HWS Date 6-13-94

STATE OFFICE REVIEW

See below for additional information

By _____ Date _____

ADDITIONAL INFORMATION

* Same P.O.U. (in part) as 73-02141

LOCAL PUBLIC INTEREST

Comments received from

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

Project impacts/implications report

COMMENTS

This image shows a single sheet of white paper with horizontal blue or grey ruling lines, typical of notebook paper. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

AFFIDAVIT OF PUBLICATION

State of Idaho, County of Custer, ss:

I, Ruth E. Burchill, representing the
Challis Messenger, a weekly newspaper, pub-
lished at Challis, Idaho, do solemnly swear that
the notice hereto attached and made a part here-
of, was published in the regular and entire issue
of the Challis Messenger for 2
consecutive weeks, commencing with the issue
dated May 19 1994 and ending with
the issue dated May 26 1994.

Ruth E. Burchill

STATE OF IDAHO

COUNTY OF CUSTER

On this 26th day of May in the
year of 1994 before me, a Notary Public,
personally appeared Ruth E. Burchill
known or identified to me to be the person
whose name subscribed to the within instru-
ment, and being by me first duly sworn, declared
that the statements therein are true, and ac-
knowledgeed to me that he executed the same.

Ethel M. Peck

Notary Public for Idaho

Residing at Challis

My commission expires: 3-19-98

NOTICE OF APPLICATION FOR WATER RIGHT

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

73-07124

SULPHUR CREEK RANCH, HC
62 BOX 2120, MAY, ID 83253

Source: Groundwater

Division Pt: NWSE Sec 1, 8 T
14N R 22E in Custer County

Use: Irrigation (3,500 CFS)

Total Diversion (3,500 CFS)

Date Filed: 5/2/1994

In: Custer County T14N R21E
S13 SENE NESE NWSE SESE
R22E S18 SWNW NESW NWSW
SWSW 175.0 Acres total

The permit(s) will be subject to
all prior water rights. Protests
must be filed with the Director,
Dept. of Water Resources, Eastern
Region, 900 N. Skyline, Idaho
Falls, Idaho 83402 on or before
June 6, 1994.

R. KEITH HIGGINSON, Director

Pub: May 19 & 26, 1994.

RECORDED

AUG 16 1994

73-07124

SULPHUR CREEK RANCH
HC 62 BOX 2120
MAY, ID 83253

Source: GROUNDWATER

Diversion Pt: NWSE Sec 18 T 14N R 22E in CUSTER County.

Use: IRRIGATION (3.500 CFS)
Total Diversion: (3.500 CFS)

Date Filed: 5/ 2/1994

In: CUSTER County
T14N R21E S13
R22E S18

SENE
SWNW

NESE
NESW

NWSE
NWSW

SESE
SWSW

175.0 ACRES TOTAL

RECORDED

AUG 16 1994

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Eastern Region, 900 N Skyline, Idaho Falls, Idaho 83402 on or before JUNE 6, 1994.

R. KEITH HIGGINSON, Director

Published: 5/19/1994 & 5/26/1994

AUG 16 1994