

AFFIDAVIT OF PUBLICATION

State of Idaho, }
County of Custer, } ss:

I, Louis Kristan, publisher
of The Challis Messenger, a
weekly newspaper, publish-
ed at Challis, Idaho, do sol-
emnly swear that the notice
hereto attached and made a
part hereof, was published
in the regular and entire
issue of The Challis Messen-

ger for two
consecutive weeks, com-
mencing with the issue
dated January 28, 1971,
and ending with the issue
dated February 4, 1971.

Louis A. Kristan

Subscribed and sworn to
before me this 8th

day of Apr, 1971.

Alan Bennetts

Notary Public, Residing at
Challis, Idaho.

My Commission expires

10-3-72

PUBLIC NOTICE

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that
Bolen and Beverly Uresti, dba,
Sulphur Creek Ranch, Challis,
Idaho have received an approved
Permit No. G-33158/73-2164 is-
sued by the Idaho Department of
Water Administration authoriz-
ing the diversion of 5.0 cubic
feet per second of water from a
ground water source. The prior-
ity to be established under this
permit is September 2, 1966 and
the permit was approved Septem-
ber 12, 1966.

Water is to be diverted by well
and pump from a point within
the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 24, T. 14 N,
R. 21 E, B. M., Custer County to
be used for irrigation in the
SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13; NE $\frac{1}{4}$, E $\frac{1}{2}$ -
NW $\frac{1}{4}$, Sec. 24, T. 14 N, R. 21 E,
B. M.; and in the SE $\frac{1}{4}$ SW $\frac{1}{4}$,
SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 18; NW $\frac{1}{4}$ NW $\frac{1}{4}$
(Lot 1), Sec. 19, T. 14 N, R. 22
E, B. M.

Proof of the application of the
water to beneficial use is to be
submitted to the Department on
or before September 12, 1971.
Any protests against the issuance
of the license for the above ref-
erenced permit should be filed
with the Idaho Department of
Water Administration within ten
(10) days of the last date of pub-
lication of this notice or prior to
the licensing of the permit. Li-
censing may commence prior to
the date beneficial use proof is
due without further notice.

R. KEITH HIGGINSON,
Director, Idaho Dept. of
Water Administration

STATEHOUSE, Boise, Idaho
Published in the Challis Mes-
senger, Challis, Idaho on January
28, 1971 and February 4, 1971.

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40 acre subdivisions, sections, townships, ranges, and ditches.

TOWNSHIP 14 NORTH										RANGE 21 E										RANGE 22 E									
										Sec. 13										Sec. 18									
										Sec. 24										Sec. 19									

Scale: 2 inches equal 1 mile

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Laird, this 16th day of September, 1968.

Harley M. McDaniel
(signature)
Counsel for Attorney in Case file

ACTION OF STATE RECLAMATION ENGINEER

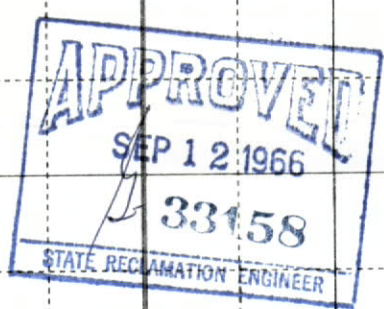
I, JACK A. BARNETT (Deputy), State Reclamation Engineer of the State of Idaho, hereby approve the above amendment with the condition that the water be developed for use during an irrigation season of March 1 to October 1 of each year.

Witness my hand this _____ day of _____, 19____.

Jack A. Barnett
Deputy State Reclamation Engineer

33158

Boken Uresti



33158

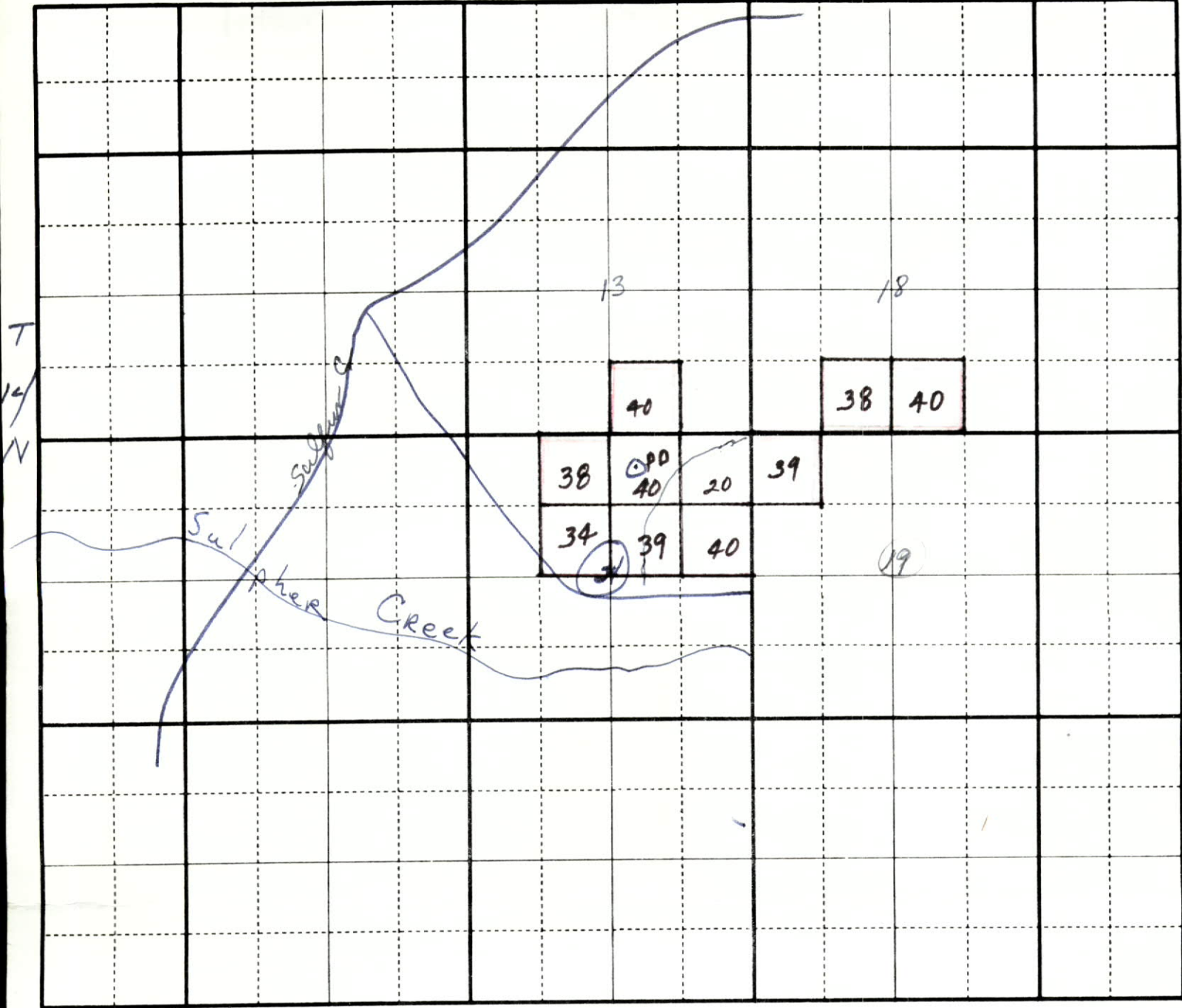
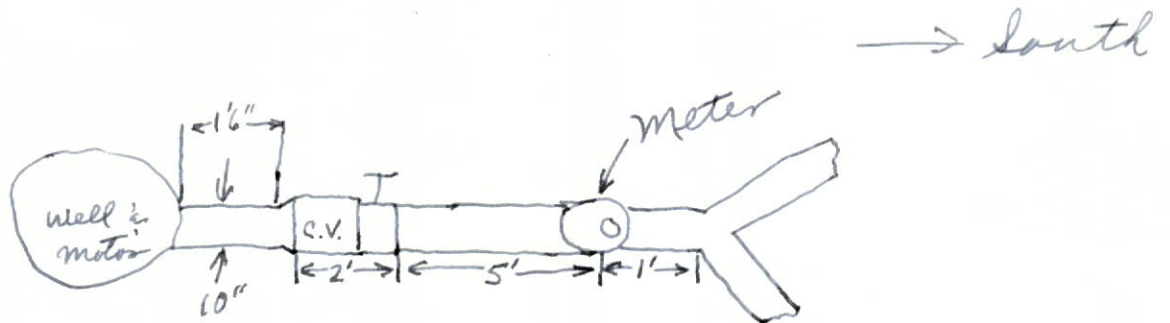
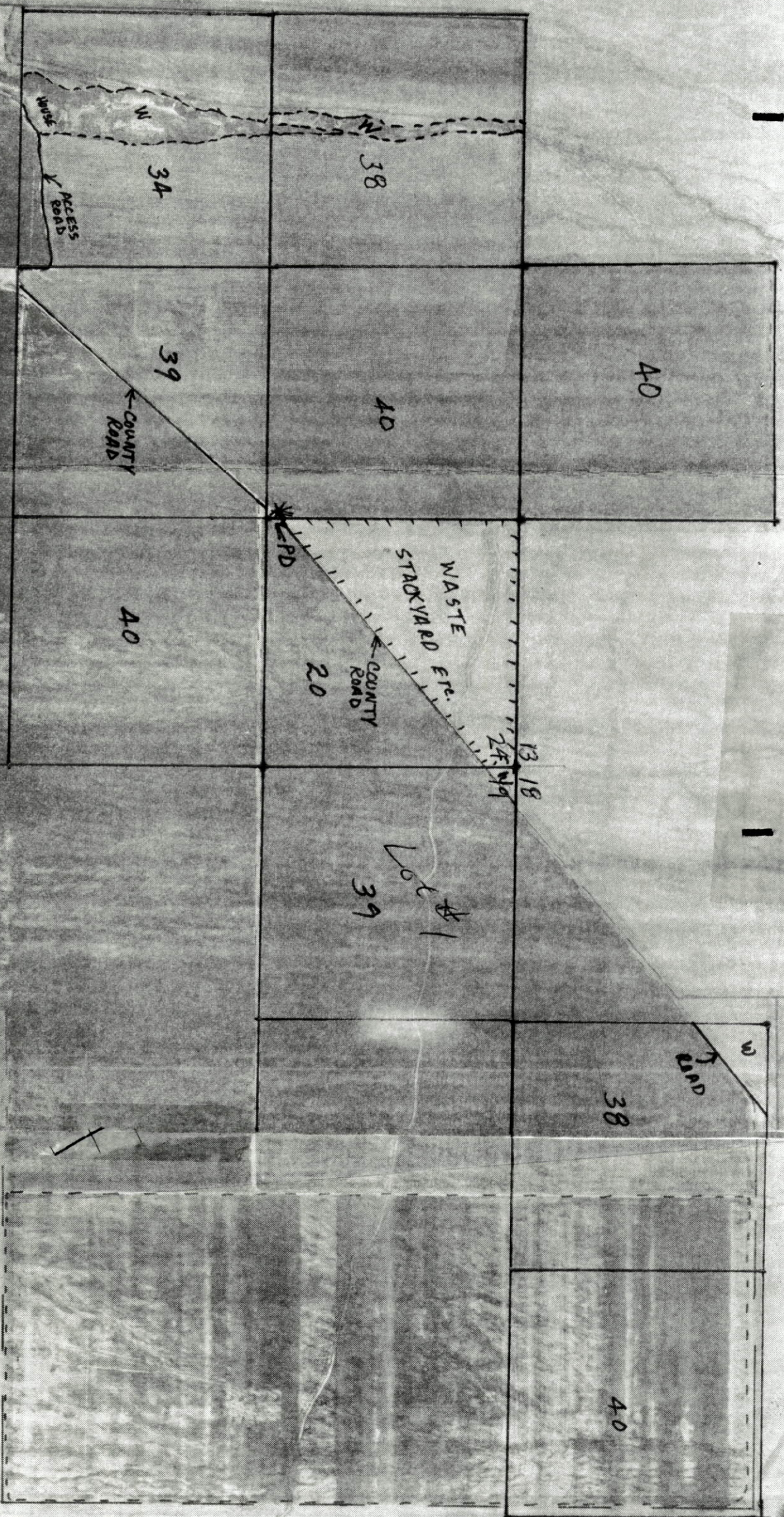


Diagram of System

Mackay P.S.C.S. 1955

Top View





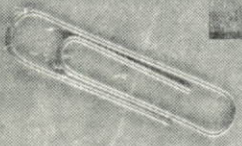
23 2100

84

Lot #1
39

13 18
24 29

25 30
19



23 2100

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 33158/73-2164 Priority Oct. 9, 1966 Amount 5.0 cfs
(late proof)

THIS IS TO CERTIFY, that BOLEN URESTI & BEVERLY URESTI
of Challis, Idaho, have, ~~xxx~~ complied with the terms and conditions of Permit
No. 33158/73-2164 issued pursuant to Application for Permit dated September 2, 1966,
and has submitted proof to the Department of Water Administration on October 19, 1971,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 5.51 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:

Amount 5.0 cfs for Irrigation from March 1 to Oct. 1 (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Subject, however, to the condition that no more than 5.0 cfs of water be diverted at
any one time, said waters to be diverted within the _____

NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 24, Twp. 14 N, Rge. 21 E, B.M.

in the county of Custer; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 1,104 acre feet per year or _____
3.0 acre feet per acre.

Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
14 N	21 E	13															40		40
		24	20	40	39	40	38			34									211
14 N	22 E	18											38				40		78
		19						39	(lot 1)										39

Total number of acres irrigated 368

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands
or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 17th day of

July, 19 73.


Director

73 2161

AFFIDAVIT OF PUBLICATION

1971

State of Idaho, }
County of Custer, }

I, Louis Kristan, publisher
of The Challis Messenger, a
weekly newspaper, publish-
ed at Challis, Idaho, do sol-
emnly swear that the notice
hereto attached and made a
part hereof, was published
in the regular and entire
issue of The Challis Messen-

ger for two
consecutive weeks, com-
mencing with the issue

dated January 28, 1971,
and ending with the issue

dated February 4, 1971,

Betty A. Kristan

Subscribed and sworn to
before me this 8th

day of Apr, 1971.

Ida Ann Bennett

Notary Public, Residing at
Challis, Idaho.

My Commission expires

10-3-72

PUBLIC NOTICE

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that
Bolen and Beverly Uresti, dba,
Sulphur Creek Ranch, Challis,
Idaho have received an approved
Permit No. G-33158/73-2164 is-
sued by the Idaho Department of
Water Administration authorizing
the diversion of 5.0 cubic
feet per second of water from a
ground water source. The prior-
ity to be established under this
permit is September 2, 1966 and
the permit was approved Septem-
ber 12, 1966.

Water is to be diverted by well
and pump from a point within
the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 24, T. 14 N,
R. 21 E, B. M., Custer County to
be used for irrigation in the
SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13; NE $\frac{1}{4}$, E $\frac{1}{2}$ -
NW $\frac{1}{4}$, Sec. 24, T. 14 N, R. 21 E,
B. M.; and in the SE $\frac{1}{4}$ SW $\frac{1}{4}$,
SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 18; NW $\frac{1}{4}$ NW $\frac{1}{4}$
(Lot 1), Sec. 19, T. 14 N, R. 22
E, B. M.

Proof of the application of the
water to beneficial use is to be
submitted to the Department on
or before September 12, 1971.
Any protests against the issuance
of the license for the above ref-
erenced permit should be filed
with the Idaho Department of
Water Administration within ten
(10) days of the last date of pub-
lication of this notice or prior to
the licensing of the permit. Li-
censing may commence prior to
the date beneficial use proof is
due without further notice.

R. KEITH HIGGINSON,
Director, Idaho Dept. of
Water Administration

STATEHOUSE, Boise, Idaho

Published in the Challis Mes-
senger, Challis, Idaho on January
28, 1971 and February 4, 1971.

RECEIVED

SEP 16 1968

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
APPLICATION FOR AMENDMENT

Department of Reclamation

Permit No. G-33158

Comes now Bolen and Beverly Uresti of (address) Challis,
Idaho 83226, and represents to the State Reclamation
Engineer of the State of Idaho:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho
No. G-33158, and requests that the permit and permit map be changed as follows:

1. Point of diversion: 1/4 1/4, Sec. 1, T. 1,
R. 1, B.M. Other points of diversion _____

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)
mo. - day mo. - day
For _____ purposes from _____ to _____ (both dates incl.)
For _____ purposes from _____ to _____ (both dates incl.)
For _____ purposes from _____ to _____ (both dates incl.)
For _____ purposes from _____ to _____ (both dates incl.)

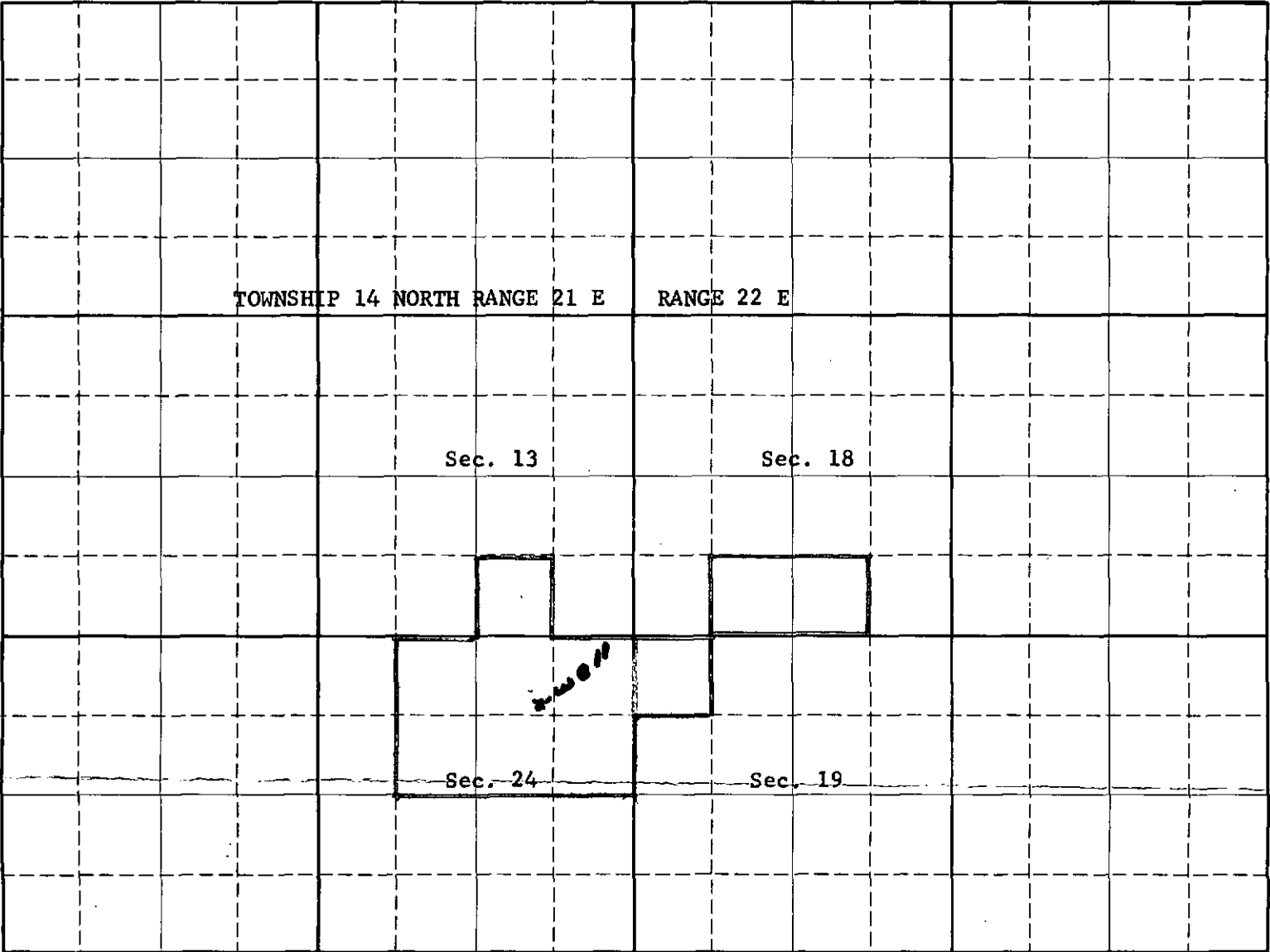
3. Place of use or land to be irrigated:

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
14 N	21 E	13															40		40
		24	40	40	40	40	40			40									240
14 N	22 E	18												40			40		80
		19						Lot 1 40											40

Total number of acres to be irrigated 400

33158

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40 acre subdivisions, sections, townships, ranges, and ditches.



Scale: 2 inches equal 1 mile

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Laurel, this 16th day of September, 1968.
Harley M. McDaniel
(signature)
Power of attorney in case file

ACTION OF STATE RECLAMATION ENGINEER

I, JACK A. BARNETT (Deputy), State Reclamation Engineer of the State of Idaho, hereby approve the above amendment with the condition that the water be developed for use during an irrigation season of March 1 to October 1 of each year.

Witness my hand this _____ day of _____, 19____.

Jack A. Barnett
Deputy State Reclamation Engineer

33158

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 41363
Permit No. G- 33158
District No.

Power of Atty
Herby M. McNamee
Box # 2161 - Boise

1. Name of Applicant: Bolen Uresti
Postoffice address: DSA Sulphur Creek Ranch County: Custer State: Idaho
Challis
2. Quantity of water claimed:
(a) Rate of withdrawal in cubic feet per second 5.0 or Idaho
Miners' inches or gallons per minute
(b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean
4. Location of point of diversion or well is in the NW 1/4 of the NE 1/4 of Section 24
Twp. 14 N , Rge. 21 E , B.M., County of Custer
5. Water is to be used for: irrigation
6. If for municipal, industrial or recreational purposes, give:
(a) Point of use of water is in the 1/4 of the 1/4 of Section , Twp.
Rge. , B.M.
(b) Waste water or sewage effluent is to be returned to
at a point in the 1/4 of the 1/4 of Section , Twp. , Rge. , B.M.
7. Kind of works: well and pump
8. Estimated cost of works: \$ 10,000.00
9. (a) Is reservoir to be used? no
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is
years. 5
11. If applicant is a corporation, give:
I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
II. The financial resources of the applicant are (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: 370 miners inches of Sulphur Creek Wa
Dates of priority 1884 to 1891.
(a) .6 to 8 (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supple-
mental to the existing water rights. during dry periods.
(b) (cubic feet per second, inches or gallons per minute) is for new lands.

BE IT KNOWN THAT The undersigned hereby makes appli cation for permit to appropriate the public waters of the State of Idaho as herein set forth.

/s/ BOLEN URESTI

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: September 2, 1966 2:20 P.M.

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G— 33158

Recorded in Book 116 Page 33158 Approved September 12, 1966

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ _____ to be filed on or before _____

Work to begin on or before _____ and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before March 12, 1969

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before September 12, 1971

Witness my hand this 12th day of September, 1966.

/s/ R. KEITH HIGGINSON
STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, _____, ROBERT E. SMYLIE _____, Governor of the State of Idaho,
and _____, LOUIS F. CLAPP _____, Secretary of State of the State of Idaho, have caused this instrument to
be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this _____ 12th _____
day of _____ September _____, 19 66 _____

Countersigned:

STATE OF IDAHO

(SEAL)

By /s/ LOUIS E. CLAPP

By /s/ ROBERT E. SMYLIE

Gouvernor

Secretary of State.

12.

Twp.	Range	Sec.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				Totals
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
14 N	21E	13															40	40	
		24 ✓		40			40			40	40			40	40	40		240	
		25			40			40			40							120	
Total number of acres to be irrigated																		400	

APPLICATION FOR AMENDMENT

Comes now Bolen Urresti and represents to the State Reclamation Engineer of the State of Idaho: That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. G-33158 and requests that the permit be changed as follows:

1. Place of use or land to be irrigated: T 14 N., R 21 E., B.M., Section 24, - S $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$;
T 14 N., R 22 E., N.M., Section 18 - SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 19,
Lots 1, ~~Section 10~~, *if*

That no one will be injured by such change and that such change will be made at Permit Holder's own risk.

Signed at Boise, this 24th day of October, 1967.

/s/ HARLEY M. McDOWELL

Date of receipt at office of Department of Reclamation: October 26, 1967.

ACTION OF STATE RECLAMATION ENGINEER

I, R. Keith Higginson, State Reclamation Engineer of the State of Idaho, hereby approve the above application for amendment for Permit G-33158. This approval is with the condition that the land list shall not exceed 400 acres the amount the application was originally issued for.

Witness my hand this 26th day of October, 1967.

/s/ R. KEITH HIGGINSON
State Reclamation Engineer

A S S I G N M E N T

For value received, I hereby assign all of my right, title and interest in and to Permit to appropriate the Public Waters of the State of Idaho, No. G-33158 to Bolen and Beverly Uresti of Challis, Idaho 83226.

/s/ BOLEN URESTI, Permit Holder

/s/ BEVERLY URESTI, Wife of Permit Holder

State of Idaho,)
 : ss
County of Custer)

On this 30th day of October, 1967, before me, a Notary Public for the State of Idaho, residing at Challis, Idaho, personally appeared Bolen Uresti and Beverly Uresti known to me to be the persons whose names are subscribed to the within instrument and duly acknowledged to me that they executed the same.

In witness whereof, I have hereunto set my hand and affixed my Notarial Seal the day and year in this certificate first above written.

/s/ J. LESSIL SHARP
Notary Public residing at Challis, Idaho

(S E A L)

My commission expires: March 17, 1971.

See application for amendment to land list in file.

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. G-33158/73-2164)
in the name of BOLEN and BEVERLY URESTI)
dba SULPHUR CREEK RANCH)

ORDER MODIFYING REQUIREMENTS
FOR COMPLETION OF PERMIT TO
APPROPRIATE WATER

WHEREAS, the 39th Idaho Legislature made certain amendments to the Idaho Water Law; and,

WHEREAS, these changes raised questions as to the procedures to be followed by holders of permits issued prior to the effective date of the amendments, May 31, 1967; and,

WHEREAS, on August 1, 1968, the Department of Water Administration adopted Rules of Practice and Procedure for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. G-33158 was issued previous to that date;

NOW THEREFORE, the requirements for completion of the above numbered permit are hereby modified to conform to the adopted Rules of Practice and Procedure as follows:

1. The above numbered permit will be completed under the terms of Title 42, Chapter 2, Idaho Code, as amended by the 39th Idaho Legislature.
2. The conditions of the above numbered permit are modified as follows:
 - a. Notice of the issuance of the permit will be published at the permit holders expense for two weekly issues in the official newspaper of the county in which the point of diversion lies.

Dated this 12th day of October, 1970.



R. KEITH HIGGINSON
Director

73-2164
33158

STATE OF IDAHO
OFFICE OF STATE RECLAMATION ENGINEER
POWER OF ATTORNEY

RECEIVED
OCT 26 1967

Department of Reclamation

The undersigned owner (s) of Permit (~~Application~~) No. G-33158
of the State Reclamation Engineer of the State of Idaho hereby nominates
and appoints HARLEY M. McDOWELL, whose address is
P.O. Box 2161, BOISE, IDAHO 83701, as attorney-in-fact, with full author-
ity to act for and on behalf of the undersigned in all matters pertaining
to Application or Permit. Such acts shall include, but not be limited
to the filing of applications, receiving of all notices, the signing and
filing of applications for extension of time and for amendment of said
Permit, ~~and the submission of proofs of completion of works and beneficial~~
~~use of water.~~

Dated this 11th day of October, 1966.

STATE OF IDAHO)
County Custer) ss

On this 11th day of October 1966, personally
appeared before me the signer (s) of the above instrument, who duly
acknowledged to me that ~~he~~ (she) (they) executed the same.

J. L. Sharp
Notary Public for Idaho
Residing at Challis, therein

My Commission expires:

March 17, 1967

33158

Address all communications to:
BOLEN URESTI
DBA SULPHUR CREEK RANCH

P. O. CHALLIS, IDAHO

APPLICATION FOR PERMIT

TO APPROPRIATE THE SUBTERRANEAN WATERS OF THE STATE OF IDAHO

Application No. G 41363

Permit No. G 33158

Water District No. _____

RECEIVED
SEP 2 1966
2:20 P.M.
Department of Reclamation

1. Name of applicant: BOLEN URESTI

Post office address CHALLIS County CUSTER State IDAHO

2. Quantity of water claimed: 5 CUBIC FEET PER SECOND

3. Source of water supply: Subterranean

4. Location of point of diversion or well is in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 24,

Twp. 14 N., Rge. 21 E., B.M., County of CUSTER

5. Water is to be used for: IRRIGATION

6. If for domestic, municipal, industrial or recreational purposes give:

(a) Point of use of water is in the _____ $\frac{1}{4}$ of the _____ $\frac{1}{4}$ of Section _____,

Twp. _____, Rge. _____, B.M.

(b) Waste water or sewage effluent is to be returned to _____

at a point in the _____ $\frac{1}{4}$ of the _____ $\frac{1}{4}$ of Section _____, Twp. _____, Rge. _____, B.M.

7. Kind of Works: WELL and PUMP

8. Estimated cost of works: \$ 10,000.00

9. (a) Is reservoir to be used? No

(b) Capacity of reservoir: _____

10. The time required for the completion of such work and complete application of the water to the proposed use is

5 years.

11. If applicant is a corporation, give:

I. (a) Date and place of incorporation: _____

(b) Amount of capital stock \$ _____ (c) Amount paid in: \$ _____

(d) Names and addresses of directors: _____

33158

(Continued)

II. The financial resources of the applicant are: (a) Cash on hand: \$_____

(b) Treasury stock: _____ (c) Bonds to be issued: _____

(d) Other resources: _____

12. The land to be irrigated is described in the following tabulation:

(Give irrigable acreage in each 40-acre subdivision)

[illegible]

13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: 370 miners inches
of Sulphur Creek Water -- Dates of priority 1884 to 1891.

(a) 6 to 8 (Cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights. *during dry periods*

(b) _____ (cubic feet per second, inches or gallons per minute) is for new lands.

33/58

Remarks:

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

Robert L. West

Applicant

By _____, Agent

33158

SW

Approval of State Reclamation Engineer

33158

The number of this permit is G_____

Recorded in Book 116 Page 33158 Approved _____

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$_____ to be filed before _____

One-fifth of the work above specified to be completed on or before March 12, 1969

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made

on or before September 12, 1971

Witness my hand this 12th day of September, 1966

R. Keith Higgins
State Reclamation Engineer

IN TESTIMONY WHEREOF, We ROBERT F. SMYLLIE, Governor of the State of Idaho,

and LOUIS F. CLAPP, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be

hereunto affixed, this 12th day of September, 1966.

Countersigned: _____ STATE OF IDAHO

By Louis F. Clapp Secretary of State By Robert F. Smyllie Governor.

No. G 33158

PERMIT

Date of first receipt at office of State Reclamation Engineer

September 2, 1966
Returned to applicant for correction 2:20 P.M.

Corrected application received

Fees, \$ 6.00

FILING FEES FOR USE PERMIT:

For the first Sec. Ft. \$5.00

For each additional Sec. Ft. or Fraction

Thereof .25

33158

NAME OF APPLICANT Boken Uresti

Form No. 0

R 21 E

13

T

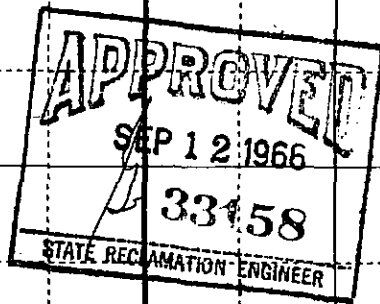
14

N

← Pump & Well

24

25



SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

33158

MEMORANDUM

TO: Files Referenced in Review
FROM: Roberta Garrett *rg*
THRU: Dave Tuthill *Dra*
DATE: March 13, 1985

RE: Review of Sulphur Creek Decreed Rights Split by Decree
With Reference to Julius Maelzer's Rights in the Following Decrees:

Cochran vs. Maelzer (10-3-1901)
Hamilton vs. Swendsen (2-17-1926)
Maelzer vs. Smith (4-29-1920)
Herder vs. Burstedt (12-30-1957)

Right No. 73-0002, Cochran vs. Maelzer (10-3-1901)

The decree of Holiday H. Cochran vs. Valentine Maelzer dated October 3, 1901, awarded Cochran 370 inches (7.4 cfs) of the waters of Sulphur Creek dating from the years 1884 and 1891.

Of the 7.4 cfs waters of Sulphur Creek awarded to Cochran, 0.6 cfs (5-1-1884) was decreed to Julius Maelzer (No. 73-0001) in the decree of Roscoe Hamilton vs. W. G. Swendsen, date of February 17, 1926. The decree of 1926 split right No. 73-0002 with 6.8 cfs to Cochran and 0.6 cfs of Sulphur Creek water to Julius Maelzer.

Right No. 73-0002A, Cochran vs. Maelzer (10-3-1901)
and
Right No. 73-0002B, Hamilton vs. Swendsen (2-17-1926)

To reflect this split by decree, right No. 73-0001 is renumbered and changed to 73-0002B to identify the 0.6 cfs decreed to Julius Maelzer that was a part of Cochran's 1884 decreed right. 73-0002A is

MICROFILMED

issued to Holiday H. Cochran for his remaining 6.8 cfs from Sulphur Creek.

Right No. 73-0113 Hamilton vs. Swendsen (2-17-1926)
and
License No. 73-2079 issue date of August 7, 1916

In addition to the 0.6 cfs, No. 73-0002B (formerly 73-0001), Julius Maelzer was awarded 2.8 cfs (5-11-1911) of the waters of Sulphur Creek, decreed right No. 73-0113. At the date of the decree in 1926, the Department had on record License No. 73-2079 issued to Julius Maelzer for 3.0 cfs (5-8-1912) of the waters of Sulphur Creek for the irrigation of 150 acres. Julius Maelzer and his lands described in the license were enjoined in the decree of 1926. License No. 73-2079 is considered superseded by decree of Hamilton, et al. vs. Swendsen, et al., right No. 73-0113.

Right No. 73-0002B Trans. No. 1576
and
Right No. 73-0113 Trans. No. 1576

Bolen Uresti made Application for Transfer of the waters of Sulphur Creek in the 1926 decree of the rights under the name of Julius Maelzer. The transfer, approved December 17, 1968, removed 0.6 cfs, right No. 73-0002B (formerly 73-0001), and 2.8 cfs, right No. 73-0113, off the lands described in the decree to 160 acres in the SE4, Sec. 24, T.14N., R.21E.

License No. 73-2164, groundwater (10-9-1966). The lands described in the decree of 1926, or a portion thereof, along with other lands were placed under irrigation from a groundwater right, License No. 73-2164, with a priority date of October 9, 1966. The

MICROFILMED

land described in the decree identified on the licensed right is as follows:

T.14N., R.21E.

Sec. 13: SW4SE4 (40 acres)

Sec. 24: NW4NE4 (40 acres)

NE4NW4 (38 acres)

SE4NW4 (34 acres)

Also appurtenant to the above described land is decreed right No. 73-0141 (number changed to 73-0008B) for 1.2 cfs (60 inches) of the waters of Sulphur Creek in the decree of December 30, 1957, William S. Herder and Blanche A. Herder vs. Claus Burstedt.

Right No. 73-0008, Maelzer vs. Smith (4-29-1920)

and

Right No. 73-0141, Herder vs. Burstedt (12-30-1957)

The decree of Valentine Maelzer, et al. vs. J. H. Smith, et al., dated April 29, 1920, awarded J. A. Harrington a priority date of January 20, 1910, for 120 inches (2.4 cfs) of the waters of Sulphur Creek, right No. 73-0008. The lands were described as follows:

T.14N., R.21E.

Sec. 13: NE4NE4

T.14N., R.22E.

Sec. 18: NW4SW4

The decree of William S. Herder and Blanche A. Herder vs. Claus Burstedt, et al., dated December 30, 1957, declared 60 inches of the waters of Sulphur Creek appurtenant to Lot 3 (NW4SW4), Sec. 18, T.14N., R.22E., last above described land, to be forfeited, abandoned after date of April 29, 1920, by Harrington, owner of the right (No. 73-0008), in the decree of 1920.

MICROFILMED

The Herders were awarded the 60 inches (1.2 cfs), as against defendant Burstedt, by open, notorious and adverse use of such water since 1943, and by the appropriation and use of the said water by the Herders and their predecessors in interest from the year 1920.

The use of the water was placed under the provisions of the decree dated February 17, 1926, under the name of Julius Maelzer. The lands described in the decree of 1957 are the same lands under Julius Maelzer's rights, Nos. 73-0002B and 73-0113, prior to Transfer No. 1576.

T.14N., R.21E.

Sec. 13: SW4SE4

Sec. 24: NW4NE4, E2NW4

The decree of 1957 split right No. 73-0008 from Sulphur Creek with 1.2 cfs (60 inches) to J. A. Harrington and 1.2 cfs (60 inches) to the Herders.

Right No. 73-0008A, Maelzer vs. Smith (4-29-1920)

and

Right No. 73-0008B, Herder vs. Burstedt (12-30-1957)

To reflect this split by decree, right No. 73-0141 is renumbered and changed to 73-0008B to identify the 60 inches (1.2 cfs) of the waters of Sulphur Creek awarded to the Herders that was a part of the 120 inches (2.4 cfs) decreed to J. A. Harrington. 73-0008A is issued to Harrington for the remaining 60 inches (1.2 cfs) of the waters of Sulphur Creek appurtenant to the NE4NE4, Sec. 13, T.14N., R.21E.

MICROFILMED

WATER RIGHT NUMBER 73-2164

OWNER LAST NAME - URESTI
OWNER LAST NAME - URESTI
OWNER LAST NAME - URESTIFIRST NAME - BOLEN
FIRST NAME - BOLEN
FIRST NAME - BEVERLYORIG OWNER - 0
ORIG OWNER -
ORIG OWNER -

VERIFIED LGS

ADDRESS LINE 1 -
ADDRESS LINE 3 -
SOURCE - GROUNDWATERADDRESS LINE 2 -
CITY - CHALLIS

STATE - ID ZIP CODE - 83226

TRIBUTARY OF -

STAGE - LICENSE

STATUS -

PRICRITY - 10-09-1966 COUNTY - CUSTER

TOTAL DIV. RATE - 5.0000 -CFS

TOTAL DIV. VOLUME - 1104.00 AFA TRFR/AMEND -

WATER DIST. -

GLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - NWNE 24 14N 21E LOT REDIV -

0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0

FROM - 03-01 TO - 10-01 USE - IRRIGATION

USE DIV. RATE - 5.0000 CFS USE DIV. VOLUME - 1104.00 AFA

USE - IRRIGATION

PLACE OF USE - TWN 14N RNG 22E SEC 19 TRACT NWNW LOT 01 AC 39

USE - IRRIGATION

PLACE OF USE - TWN 14N RNG 22E SEC 18 TRACT SESW LOT AC 38 TRACT SWSE LOT AC 40

USE - IRRIGATION

PLACE OF USE - TWN 14N RNG 21E SEC 24 TRACT NENE LOT AC 20 TRACT NWNE LOT AC 40

TRACT SWNE LOT AC 39 TRACT SENE LOT AC 40

TRACT NENW LOT AC 38 TRACT SENW LOT AC 34

PLACE OF USE - TWN 14N RNG 21E SEC 13 TRACT SWSE LOT AC 40

USE - IRRIGATION

DATE -

TOTAL ACRES 368

DECREE NAME -

REMARKS -

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. - 33158

PROOF MADE - FLD EXAM - COND. OF APPROVAL -

DIVERSION MEANS -

021 0211851

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 33158 173-2164
 OTd No. New No.

Record

1. Original Owner: Bolen Uresti

Present Owner: Bolen & Beverly Uresti

2. Address:

3. City: May State: Id Zip:

4. A. Source of Water:

B. Tributary of:

5. A. Stage (A,P,L,D,S,J):

B. Status (D,L,R,C,A,I,F - leave blank if valid):

C. Priority Date:

D. County:

E. Total Diversion Rate:

F. Total Diversion Volume:

G. Transfer/Amendment (P,T of A or blank):

H. Water District:

I. DLE/Carey Act (D,C or blank):

J. Right Basis (for adjudication claims A,B,C only):

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion						

7. Period of Use, Use, Diversion Rate/Volume:

from _____ to _____ for _____ purposes. Amount _____
 (cfs or AC-FT/yr)

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

on 10-5-79

July 17, 1973

Re: Permit No. 33158/73-2164

Mr. Bolen ●GBeverly Uresti
May,
Idaho 83253

Dear Mr. & Mrs. Uresti:

Enclosed please find a copy of the Water License issued on
the above referenced permit.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

bjg

Enclosure

June 12, 1973

*Resent
6-15-73
de*

*Resent to
→ May, Idaho
6-27-73*

Bolen & Beverly Uresti
~~Sulphur Creek Ranch~~
~~Challis, Idaho 83226~~

Dear Mr. & Mrs. Uresti:

A representative of this Department has made an examination of the works covered by your Permit No. 33158/73-2164 and has found the following:

Quantity of water diverted: 5.51 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 5.0 cfs

The maximum quantity diverted shall not exceed 1,104 acre feet per year.

Beneficial use: Irrigation of 368 acres within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13; NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 24; Twp. 14N, Rge. 21E, B. M. and SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 18; NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19; Twp. 14N, Rge. 22E, B. M.

Point of diversion: NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 24, Twp. 14N, Rge. 21E, B. M.

Priority date established: Oct. 9, 1966 (late proof)

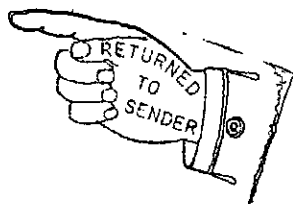
If you do not concur with these findings, please advise us within 10 days; otherwise, a license will be issued as set forth in this letter.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR

Boise, Idaho 83707



~~Bolen & Beverly Uresti
Challis,
Idaho 83226~~

83226

☐ Moved, left no forwarding address.☐ No sect. value.

☒ Moved, not [unclear]

☐ Addressee unknown☐

1

L.

MC

Addressee unknown

RECEIVED
JUN 18 1964

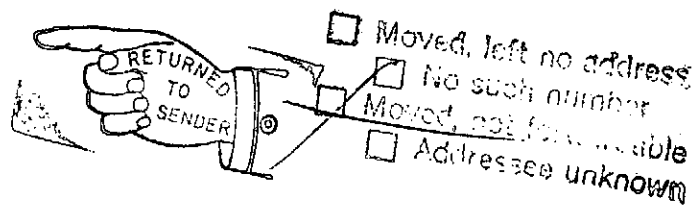
JUN 18 1973

Department of Water Administration



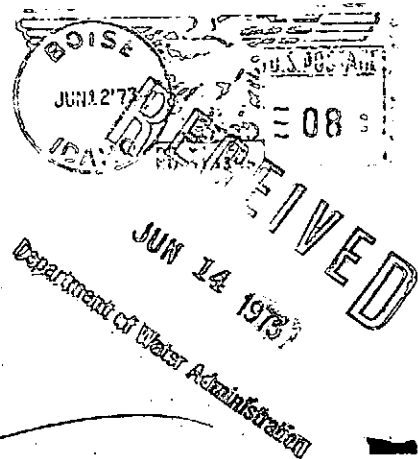
28 2164

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
Statehouse - Annex 2
Boise, Idaho 83707



Bolen & Beverly Uresti
Sulphur Creek Ranch
Challis, Idaho 83226

*Resent
6-15-73*



73 2164

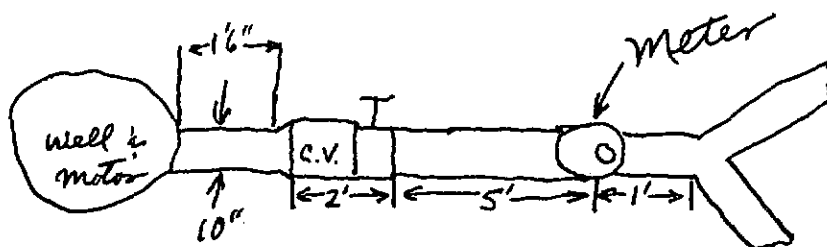
FIELD REPORT

400



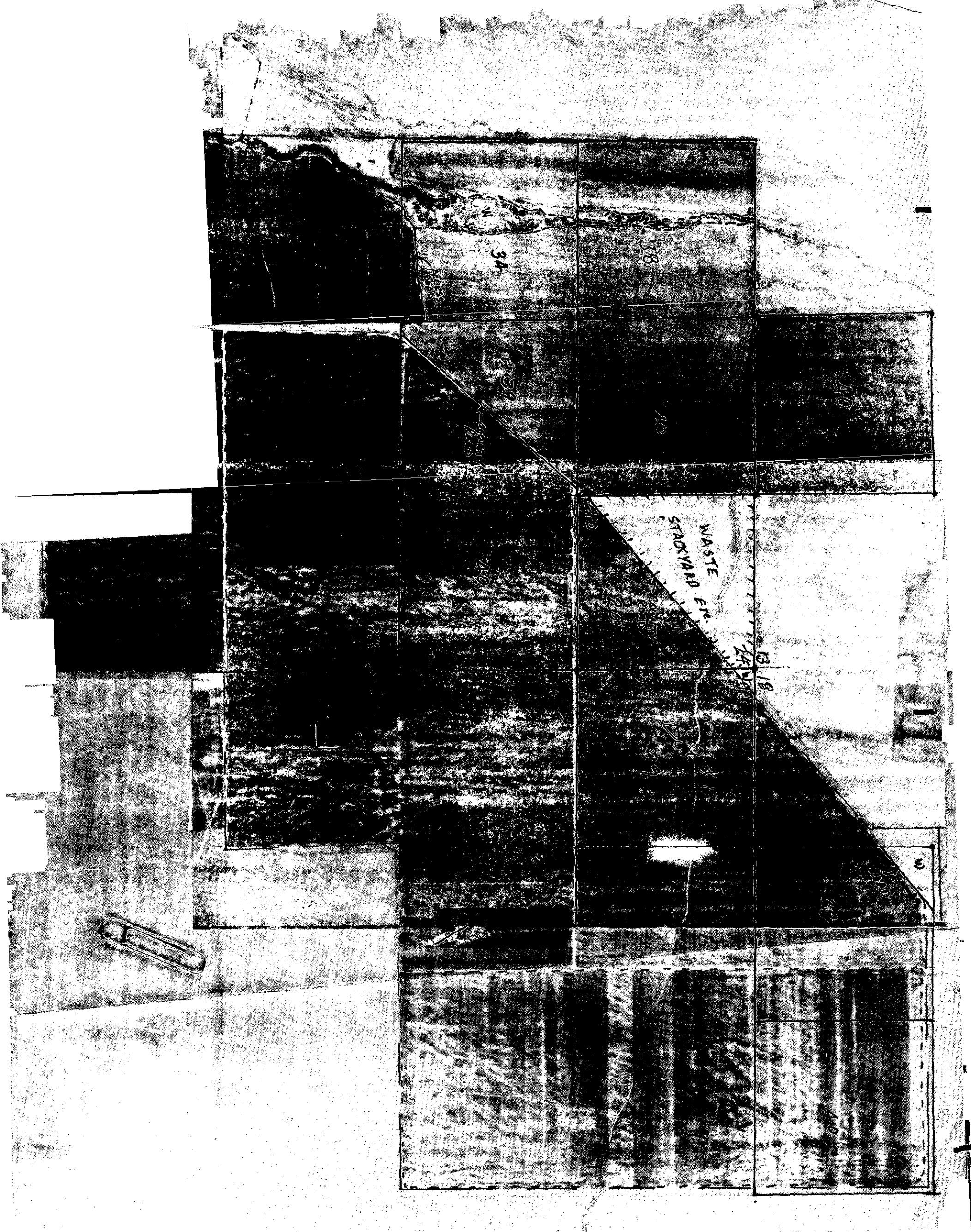
MacKenay ASOS Office
 10000 100th Ave. N. Minneapolis, MN 55438

→ South



26

1890



DATE OF EXAM May 17, 1973

ACREAGE
Found 368
Recommended 368

Irrigation Requirement 3 Ac Ft/Ac

USE
Irrigation Q= 5 c.f.s. V= 1104 AF/Ann. from Apr. 1 to Oct 31
Domestic Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____
Livestock Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ☒

Name source: N/A
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Exchange? yes _____ no ☒

Name source exchanged with: N/A
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of injection:
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of exchange:
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Total Q measured 5.51 CFS. Method of measurement McCrometer Meter

Total Q recommended 5 CFS Meter No. 7312163 Type large saddle Condition good

Total V recommended 1104 AF

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None ☒

MEASUREMENT CALCULATION:

Meter measured 435.6 cu. ft of water in 79 seconds or
5.5 CFS

V = (368 acres)(3 AF/ANN)

SYSTEM DESCRIPTION:

350 HP U.S. Holloshaft Motor serial #1409096 w/ L-B pump
no serial no on plate 10" discharge to check valve where discharge
increases to 12" - then 5' of discharge to meter - 1' beyond meter
main line 4' to south and east.

REMARKS:

Bolew Uresti showed system to examiner
Mr. Uresti offered no justification of the March 1 starting
date during the exam.

See sub-in amendment!

Examiner's Signature John Ferchauer Date May 17, 1973

Checked by Norman C. Young P.E. Date May 30, 1973

Approved by _____ Date _____

November 1, 1971

Re: Permit No. G-33158/73-2164

Bolen & Beverly Uresti
Sulphur Creek Ranch
Challis, Idaho 83226

Dear Mr. & Mrs. Uresti:

We acknowledge receipt of your affidavit submitted as proof of beneficial use for the above referenced permit. Enclosed you will find an Order of Reinstatement; please note that the priority has been advanced.

Before a license can be issued, a field examination must be made by a representative from this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system. If someone other than you should be contacted by the examiner, please advise.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enc: Order of Reinstatement
cc: Idaho Land & Appraisal Service

73 2164

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. G-33158/
73-2164 in the name of Bolen & Beverly Uresti

ORDER OF REINSTATEMENT

WHEREAS, on September 2, 1966, Bolen Uresti applied to the Department of Water Administration (formerly the Department of Reclamation) for a permit to appropriate 5.0 cubic feet per second of water from a ground water source within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 24, Twp. 14 N, Rge. 21 E, B.M., Custer County, to be used for irrigation purposes; and,

WHEREAS, on September 12, 1966, the Department approved said application and issued Permit No. G-33158 with the condition that one-fifth of the work be completed on or before March 12, 1969, and that the whole of said work be completed and the water appropriated to a beneficial use on or before September 12, 1971; and,

WHEREAS, on October 30, 1967, Bolen Uresti assigned all his right, title and interest in and to said permit to Bolen & Beverly Uresti; and,

WHEREAS, on July 1, 1971, the Department notified the permit holders by certified mail that they were required to submit proof of beneficial use and were instructed as to the steps to be taken to make said proof; and,

WHEREAS, on October 5, 1971, the permit holders were notified that Permit No. G-33158/73-2164 had lapsed for failure to submit the required proof of beneficial use; and,

WHEREAS, on October 19, 1971, the required proof of beneficial use was received by the Department; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within 60 days from the date of the notice of lapsing; and,

WHEREAS, the permit holders have provided a reasonable showing as to why the permit should be reinstated;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. G-33158/73-2164 be REINSTATED and the priority be advanced to October 9, 1966.

Dated this 29th day of October, 1971.


R. KEITH HIGGINSON
Director

BDF:DR

Identification No. 73-2164

Permit No. G-33158

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

RECEIVED
OCT 19 1971
late

Department of Water Administration

1. a) Name of Permit Holder Bolen & Beverly Uresti

b) Post Office Address Sulphur Creek Ranch, Challis, Idaho 83226

2. Permit Number 33158 73-2164

3. Date of Priority that you are prepared to establish September 2, 1966

4. a) Source from which water was appropriated subterranean

b) Location of the point of diversion: NW 1/4 NE 1/4, Section 24

Township T 14 N, Range 21 E Boise Meridian, Other points of diversion: _____

5. a) The amount of water and use to which the water has been applied:

amount 5 cfs for irrigation purposes from March 1 to Oct. 31 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)

amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)

amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)

b) Total amount appropriated 5 cfs cfs and/or acre feet per annum

c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: estimate from use

6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:

a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: owned by permit holder

b) Describe the agreement or understanding by which you take water from the works: _____

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean

source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) Layne pump SDH10, centrifugal turbine, 350 hp electric, well is 350 ft. deep, casing is 24", 12" mainline.
all land under sprinkler irrigation.

b) Describe the type and size of measuring device which you have installed at your point of diversion: _____

c) Give well drillers name and address and date the well was completed _____

Cushman from Blackfoot, Idaho

Exam Typed
12/17/71
C.S.

73 2164

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use _____

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: _____

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
14 N	21 E	13															40		40
		24	40	40	40	40	40			40									240
14 N	22 E	18												40			40		80
		19						Lot 1											40
								40											

Total number of acres irrigated 400

10. Remarks: _____

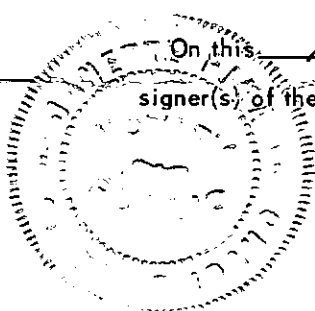
The above information is a true statement of the extent to which the above numbered permit has been developed.

10/15/71
(Date)

Belen Christy
(Signature)

State of Idaho)
County of Quater) ss.

On this 15th day of October, 19 71, personally appeared before me the
signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.



Jeanette Pava
Notary Public residing at Challis

My commission expires 10-10-73

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

October 5, 1971

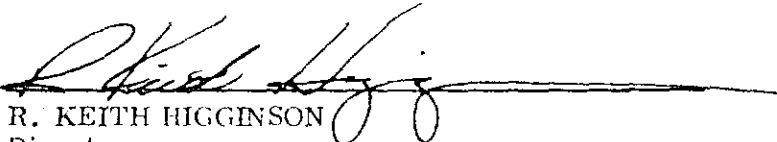
Re: Permit No. G-33158/73-2164

Bolen & Beverly Uresti
Sulphur Creek Ranch
Challis, Idaho 83226

Dear Mr. & Mrs. Uresti:

You are hereby notified that under the provisions of Section 42-218a of the Idaho Code,
Permit 73-2164 has lapsed.

You are further advised that the Department cannot reinstate the permit except upon a
showing of reasonable cause within sixty days from the date of this notice of lapsing.


R. KEITH HIGGINSON
Director

RKH:DR
cc: Idaho Land & Appraisal

73 2164

July 1, 1971 CERTIFIED MAIL # 22913

Re: Permit No. G-33158/73-2164

Bolen & Beverly Uresti
Sulphur Creek Ranch
Challis, Idaho 83226

Dear Mr. & Mrs. Uresti:

One of the conditions of approval of your water Permit No. G-33158/73-2164 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before September 12, 1971. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.



R. KEITH HIGGINSON
Director

Card not returned.

Enc: Proof affidavit
dr

cc: Idaho Land & Appraisal Service

73 2164

April 14, 1971

Re: Permit No. G-33158/73-2164

Bolan Uresti
Sulphur Creek Ranch
Challis, Idaho 83226

Dear Mr. Uresti:

We acknowledge receipt of the affidavit of publication submitted in connection with the above referenced permit.

Since proof of beneficial use of water is not required until September 12, 1971, the Department will notify you sixty days in advance of the due date.

Very truly yours,

Donald W. McElidowney
Appropriation Supervisor

DWM:DR

cc: Idaho Land & Appraisal

73 2164

March 29, 1971

Re: Permit No. G-33128/73-2164

Mr. Bolen Uresti
dba Sulphur Creek Ranch
Challis, Idaho 83226

Dear Mr. Uresti:

As of this date we have not yet received the affidavit of publication to be submitted in connection with the above referenced permit. Proof of beneficial use is not required until September 12, 1971. However, many newspapers do not keep copies of these advertisements in their files. We, therefore, recommend that you obtain this affidavit from the Challis Messenger, Challis, Idaho and submit it to the Department as soon as possible. This insures that when you are ready to submit proof of beneficial use, there will be no unnecessary delay or added expense.

Very truly yours,

Dorian Clay
Appropriation Examiner

DC:CM

73-2164

January 19, 1971

Re: Permit No. G-33128/73-2164

Mr. Bolen Uresti
dba Sulphur Creek Ranch
Challis, Idaho 83226

Dear Mr. Uresti:

The legal notice for the above-referenced permit is being published in the

Challis Messenger, Challis, Idaho on January 28, 1971
and B February 4, 1971.

You will be required to submit an affidavit of publication to this department.
The affidavit may be obtained from the above-mentioned newspaper upon payment of
the bill of publication.

Thank you for your cooperation in this matter.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:CM

January 19, 1971

Re: Permit No. G-33158/73-2164

The Challis Messenger
Post Office Box # 97
Challis, Idaho 83226

Gentlemen:

Enclosed is a legal notice which we wish to have published for two consecutive weekly issues of your newspaper. We have inserted the publication dates, allowing ample time for you to submit to us a galley proof for our review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication date. If you cannot publish the notice on the proposed dates, please contact the Department of Water Administration immediately.

The expense of the publication is to be paid by Mr. Bolen Uresti,
Challis, Idaho, to whom you should furnish
an affidavit of publication.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:CM

Enc: Legal Notice

NOTICE OF EXISTING WATER PERMIT

REGISTRATION

Notice is hereby given that Bolen and Beverly Ureari, dba, Sulphur Creek Ranch, Challis, Idaho

have ~~has~~ received an approved Permit No. G-33158/73-2164 issued by the Idaho Department of Water Administration

authorizing the diversion ~~perpetual~~ of 5.0 cubic feet per second ~~perpetual~~ per/annum of water from a ground water source.

The priority to be established under this permit is September 2, 1966 and the permit was approved September 12, 1966.

Water is to be diverted by well and pump from a point within the NW1/4, Sec. 24, T. 14 N, R. 21 E, B. M., Custer County to be used for irrigation *24 corrected at Dept. of Water Admin.* in the SW1/4, Sec. 13; NE1/4, E1/4NW1/4, Sec. (22) T. 14 N, R. 21 E, B. M.; and in the SE1/4SW1/4, SW1/4, Sec. 18; NW1/4NW1/4 (Lot 1), Sec. 19, T. 14 N, R. 22 E, B. M.

Proof of the application of the water to beneficial use is to be submitted to the Department on or before September 12, 1971. Any protests against the issuance of the license for the above referenced permit should be filed with the Idaho Department of Water Administration within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON, Director
Idaho Dept. of Water Administration
STATEHOUSE, Boise, Idaho

Published in the Challis Messenger, Challis, Idaho on January 28, 1971 and February 4, 1971

Permit No. 73-2164

Director:

You are hereby authorized to have the above notice published at my expense in the Challis Messenger of Challis, Idaho; published in the county in which the works are situated.

(Signature)

(Address)

(Date)

73 2164

October 21, 1970

Re: Permit No. G-33158/73-2164

Mr. Bolen Uresti
dba Sulphur Creek Ranch
Challis, Idaho

Dear Mr. Bolen:

During the 1967 session of the Idaho Legislature, certain amendments were made in the law pertaining to the procedures for making proof of beneficial use of water. In order for the Department to comply with these changes, Rules of Practice and Procedure were adopted on August 1, 1968. Generally, these procedures and the amended law make it simpler for a person to make proof and relieve the permit holder from making separate proofs of completion of works and beneficial use of water.

The enclosed order modifies your permit to comply with these rules and regulations. As a part of the new procedure, you will be required to publish a notice at your expense for two consecutive weeks in a paper as prescribed by the Department; previously, a permit holder had to publish a notice for four weeks when he submitted proof under his permit.

If you will complete the enclosed forms, we will cause the notice to be published. Should you require additional forms or information, we will be glad to supply them upon request at any time.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG
Enc: order
advertising package
cc: Harley M. McDowell

33315
73-2164

September 18, 1968

RE: Permit No. 73-7000 and G-33158
Bolen and Beverly Uresti

Idaho Land and Appraisal Service
P.O. Box 1603
Boise, Idaho 83701

Gentlemen:

Enclosed herewith are copies of the amendments you submitted for approval. We have recorded the same under the above referenced permits and have placed the originals in our files.

Also enclosed is Departmental Receipt No. 2077 in the amount of \$10.00. This amount covers the recording fees.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosures

33158

November 3, 1967

RE: Permit G-33158
Bolen and Beverly Uresti

Idaho Land and Appraisal Service
P.O. Box 2161
Boise, Idaho 83701

Gentlemen:

Enclosed herewith is a copy of the assignment on the above numbered permit which has been recorded in this office.

We are also enclosing a copy of Permit G-33158 as requested in your letter of October 31, 1967, and Departmental receipt No. 128 in the amount of \$1.50 which covers the fee for the copy.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:ejw

Enclosures

33158

November 1, 1967

RE: Permit G-33158
Bolen Urestl

Idaho Land and Appraisal Service
P.O. Box 2161
Boise, Idaho 83701

Dear Sir:

Enclosed is a copy of the amendment to land list which has been recorded in this office under the above referenced permit.

Also enclosed is Departmental receipt No. 126 in the amount of \$5.00. This amount covers the recording fee.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:ejw

Encl: Receipt
Amendment

33158

ASSIGNMENT

NOV 1 1967

Department of Registration

For value received, I hereby assign all of my right, title and interest
in and to Permit to Appropriate the Public Waters of the State of Idaho, Permit
No. G-33158 to Bolen Uresti and Beverly Uresti
Address: Challis, Idaho 83226

*

Bolen Uresti
Bolen Uresti
Permit Holder

Beverly Uresti
Beverly Uresti
Wife of Permit Holder

STATE OF IDAHO,)
: ss
County of Custer.)

On this 30th day of October, 19 67, before me, a Notary
Public for the State of Idaho, residing at Challis, Idaho,
personally appeared BOLEN URESTI and BEVERLY URESTI,
known to me to be the person s whose name s are subscribed to the within
instrument and duly acknowledged to me that t hey executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial
Seal, the day and year in this certificate first above written.

J. Lissil Sharp
Notary Public
Residing at Challis, Idaho.

My commission expires: March 17, 1971.

Note:

* If fractional part of permit is to be assigned, the fractional part of the land
to which the assigned fraction is appurtenant should be described by legal sub-
divisions.

33158

33158

IDAHO LAND & APPRAISAL SERVICE

HARLEY M. McDOWELL
E. J. McDOWELL
MGR. OWNERS

MERVIN J. CHRISTENSEN
(LICENSED SURVEYOR)

JOSEPH J. THACKABERRY

ROBERT W. SMITH

224 IDAHO BLDG.

BOISE, IDAHO 83701

P. O. Box 2161

PHONE 344-2547

October 24, 1967

ALL PROPERTY APPRAISALS

CUSTOM DRAFTING, MAPPING
LAND PURCHASES
OIL AND GAS LEASES

GRAZING MANAGEMENT

FEDERAL LAND APPLICATIONS
WATER FILINGS & PROOF
STATE LAND LEASES & ASSIGNS

RECEIVED
OCT 26 1967

Department of Reclamation

CANADA

BOUNDARY

BOONER

Mr. R. Keith Higginson
State Reclamation Engineer
Rm. 107 - State House
Boise, Idaho 83701

Dear Mr. Higginson:

Enclosed herewith is an application for an amendment to permit G-33158 in the name of Bolen Uresti and a power of attorney naming Harley M. McDowell as attorney-in-fact. Enclosed also is an application for permit for Bolen and Beverly Uresti and a power of attorney naming Harley M. McDowell attorney-in-fact for this new permit. Two checks are enclosed, one in the amount of \$5.00 for the application for amendment and one in the amount of \$31.00 for the application for permit which is \$30 plus \$1 for mailing a copy of the approved permit to the Idaho Land Office, U. S. Bureau of Land Management, P. O. Box 2237, Boise, Idaho.

Please send the approved permit and approved amendment to Harley M. McDowell, Idaho Land & Appraisal Service, P. O. Box 2161, Boise, Idaho, as attorney-in-fact.

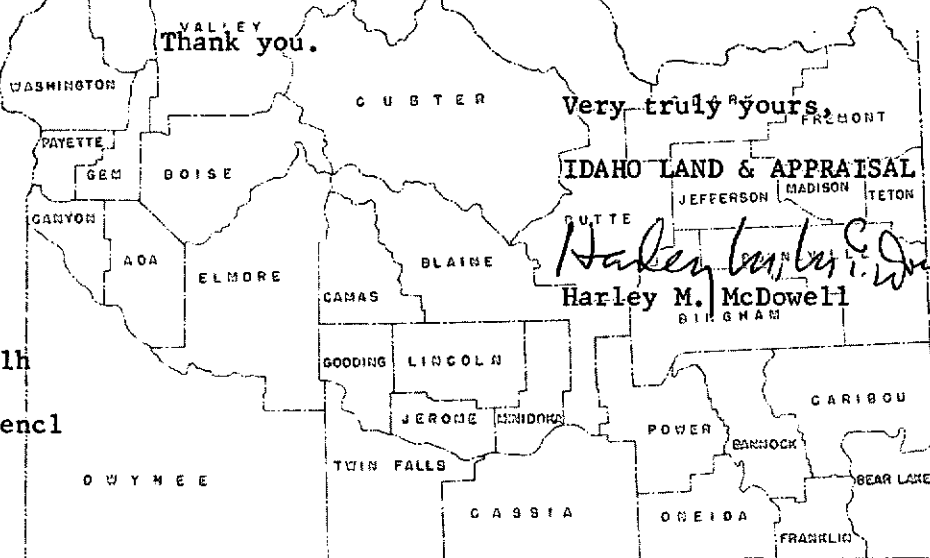
Thank you.

Very truly yours,

IDAHO LAND & APPRAISAL SERVICE

Harley M. McDowell

lh
encl



NEVADA

UTAH

33158

IDAHO LAND & APPRAISAL SERVICE

HARLEY M. McDOWELL
E. J. McDOWELL
MGR. OWNERS

224 IDAHO BLDG.

BOISE, IDAHO 83701

P. O. Box 2161
PHONE-344-2547

MERVIN J. CHRISTENSEN
(LICENSED SURVEYOR)

JOSEPH J. THACKABERRY

ROBERT W. SMITH

ALL PROPERTY APPRAISALS
CUSTOM DRAFTING, MAPPING
LAND PURCHASES
OIL AND GAS LEASES

GRAZING MANAGEMENT
FEDERAL LAND APPLICATIONS
WATER FILINGS & PROOF
STATE LAND LEASES & ASSIGNS

October 26, 1967

Mr. Donald W. McEldowney
Water Rights Clerk
Department of Reclamation
107 State House
Boise, Idaho 83701

RE: Bolen and Beverly Uresti,
Application for permit and amendment to G-33158

Dear Mr. McEldowney:

I refer to the above application and amendment which was
filed in your office, letter of transmittal dated October 24, 1967.
I now request that you make the following corrections:

Application for Amendment to G-33158

In the Place of Use or land to be irrigated, please delete
the following lands:

T14N-R22E, B.M., Section 19 - Lots 2 and 3, E $\frac{1}{2}$ NW $\frac{1}{2}$, W $\frac{1}{2}$ NE $\frac{1}{2}$

Application for Permit

Item No. 8b, please delete the following lands:

T14N-R21E, Section 24 - all

T14N-R22E, Section 19 - NW $\frac{1}{2}$ NW $\frac{1}{2}$
Section 18 - all

Thank you for your cooperation in this matter.

Very truly yours,

IDAHO LAND & APPRAISAL SERVICE

Harley M. McDowell
Harley M. McDowell

lh

33158 A

CHAVIER

[illegible][illegible]

Comes now Bolen Uresti

That he is the owner and holder of Permit to appropriate the Public Waters of the State

1. Place of use or land to be irrigated: T14N-R21E, B.M., Section 24 - S $\frac{1}{2}$ NE $\frac{1}{2}$.

NE $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$; T14N-R22E, B.M., Section 18 - SE $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{2}$ SE $\frac{1}{4}$: Section 19 -

Lots 1, ~~X~~, ~~X~~, ~~XXXX~~, ~~XXXX~~ *see 10-26-67*
~~see 10-21-77~~ *6/11/77*

2. Point of diversion: $\frac{1}{4}$ $\frac{1}{4}$ Sec. , T. , R. , B.M.

3. Period and nature of use:

For _____ purposes from _____ to _____ (both dates incl.)

For _____ purposes from _____ to _____ (both dates incl.)

For _____ purposes from _____ to _____ (both dates incl.)

4. Other: _____

That no one will be injured by such change, and that such change will be made at permit

Signed at Boise this 24th day of October, 19 67

Harley, W. S. Powell
(signature)

Date of receipt at office of Department of Reclamation October 26, 19 67

ACTION OF STATE RECLAMATION ENGINEER

I. R. KEITH HIGGINSON, State Reclamation Engineer of the State of

Idaho, hereby approve the above application for amendment for Permit G-33158. This

approval is with the condition that the land list shall not exceed 400 acres--the amount-

the application was originally issued for.

Witness my hand this 26th day of October, 1967.

R. Keith Higgins
State Reclamation Engineer

33158
Form

November 1, 1966

RE: Permit G-33158

Sulphur Creek Livestock
Bolen Uresti
Challis, Idaho 83226

Dear Mr. Uresti:

Enclosed find departmental receipt No. G-11058
in the amount of \$1.00 which covers the fee for a copy
of the above referenced permit mailed to you October 28.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:ejw

Encl: Receipt

33158

Sulphur Creek Livestock
Pasture Trust
Challis, Idaho 83226

State of Idaho
Department of Reclamation
607 State House
Boise, Idaho 83701

RECEIVED
NOV 1 1986

Department of Reclamation

Dear Mr. M. Russell Borch:

Enclosed find check for \$1.00 for
sending a copy of the permit H-33158.
Thanking you very much.

Very truly yours,
Sulphur Creek

33158

October 28, 1966

RE: Permit G-33158

Sulphur Creek Livestock
Bolen Uresti
Challis, Idaho 83226

Dear Mr. Uresti:

Enclosed herewith is a copy of the above referenced permit which you requested per letter of October 27.

There is a \$1.00 fee for this service, however. You may remit the above amount of this department at your earliest convenience.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:ejw

Encl: Copy of Permit G-33158

33158

RECEIVED
OCT 28 1966

Department of Reclamation

SULPHUR CREEK LIVESTOCK
BOLEN & BEVERLY URESTI, Owners
CHALLIS, IDAHO 83226

October 27, 1966

STATE OF IDAHO
Dept. of Reclamation
BOISE, IDAHO 83701

Re: Water Certificate --Bolen Uresti, dba
Sulphur Creek Livestock

Gentlemen:

Approximately a month ago I made application for a permit to drill a well on NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 24, Township 14 North, Range 21 East, Boise Meridian, to irrigate my ranch on Sulphur Creek in Custer County, Idaho, described below.

Application and Authorization were returned to me in October. It was delivered to Leon J. McInelley of the Soil Conservation Service Office in Mackay and now can not be found.

Can we get a reproduction or reissue of this Permit from your Department?

Please advise.

Yours truly,

Sulphur Creek Livestock

By Bolen Uresti *JLU*

j.l.s.

NWNE, E $\frac{1}{2}$ NW, NESW, S $\frac{1}{2}$ SW Section 24, Twp. 14, North, Range 21 East of Boise Meridian
N $\frac{1}{2}$ NW, NWNE, of Section 25, Twp. 14 North, Range 21 East of Boise Meridian.

33158

September 26, 1966

Re: Permit No. G-33158

Bolen Uresti
Dba Sulphur Creek Ranch
Challis, Idaho

Dear Mr. Uresti:

We enclose Permit No. **G-33158** in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. **G-10821** which was issued covering payment in the amount of \$ **6.00** for the filing fee of the above mentioned permit.

Very truly yours,

Enc. permit
receipt

M. RUSSELL BOSCH
Office Manager

MRB:ejw

33158