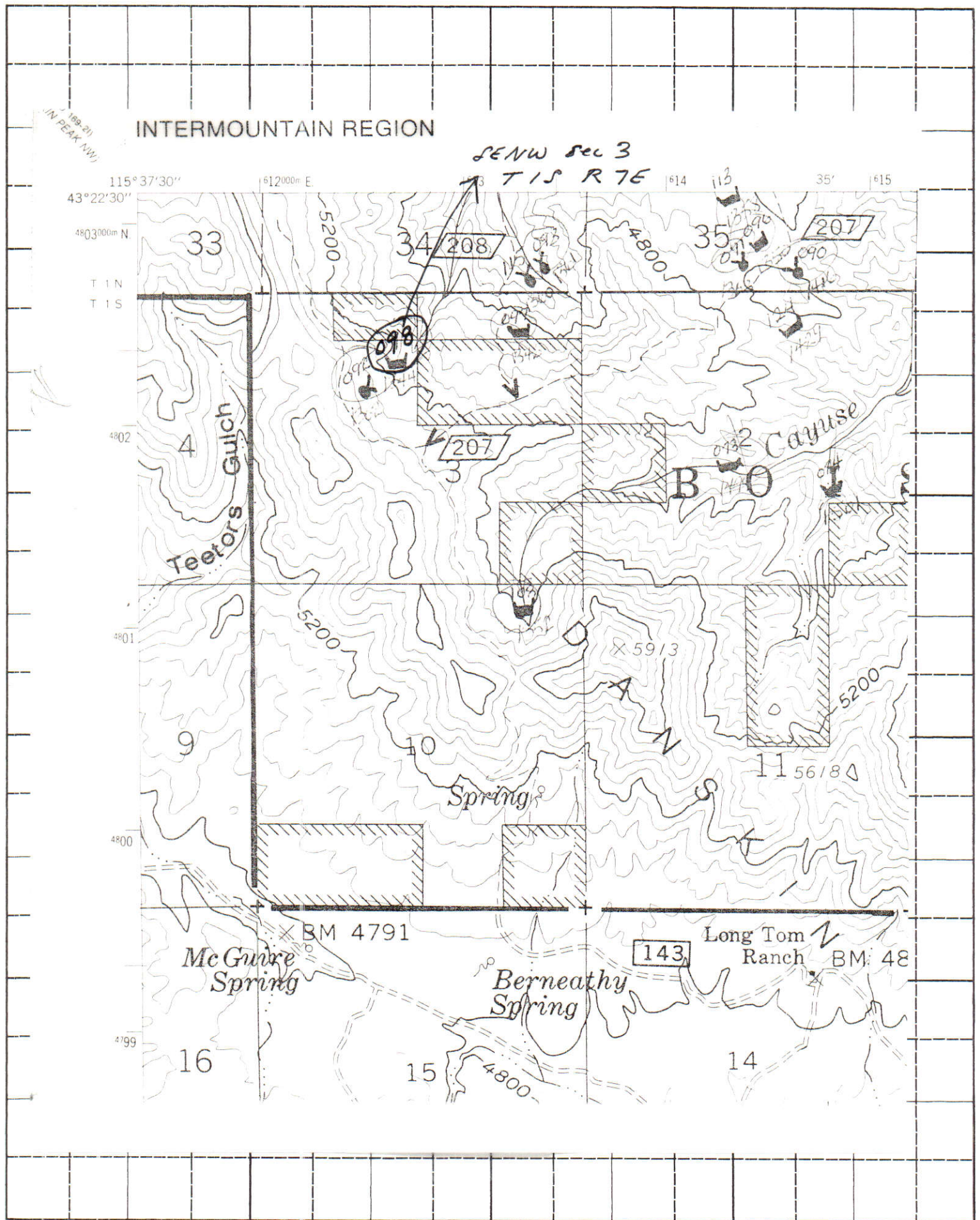


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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. United States of America, Forest Service

for Deputy Regional Forester, (Applicant) Resources

Adrian Patton

Affidavit of Publication

County of Elmore }
STATE OF IDAHO } ss.

I, Vivian M. Waters do
solemnly swear that I am the foreman, or
publisher of the

MOUNTAIN HOME NEWS

a weekly newspaper of general circulation,
published once a week at MOUNTAIN HOME,
IDAHO, that the notice attached hereto and
which is a part of the proof of publication
thereof, was published in said newspaper for

2..... consecutive weeks, the first publica-
tion having been made on the 14..... day
of Oct....., 1980, and
the last publication having been made on the
23..... day of Oct.....
1980...; every Thursday issue of the paper

during the period and time of publication and
that the notice was published in the newspaper
proper and not in a supplement thereof.

And I further swear that the said MOUN-
TAIN HOME NEWS has been continuously and
uninterruptedly published in said Elmore County
during a period of 78 consecutive weeks prior
to the first publication of the attached notice.

[Signature]
Subscribed and sworn to me this 23rd.....
day of October....., 1980.

[Signature]
Notary Public

63-9539
U.S. DEPT. OF AGR.
FOREST SERVICE, FEDERAL
BLDG., 321 25TH ST., OGDEN, UT
84401
Source: SPRING tributary to
MENNECKE CREEK
Date Filed: 09/26/1980
Amount: 0.01 CFS
Diversion Point: SENW Sec 03 T 01S
R 07E, ELMORE Co.
Use: STOCKWATER (0.01 CFS)
from 06/01 to 10/31
Place of Use: SENW Sec 03 T 01S R
07E
Diversion Means: HEADBOX.

O.K.
H2H

RECEIVED
OCT 24 1980

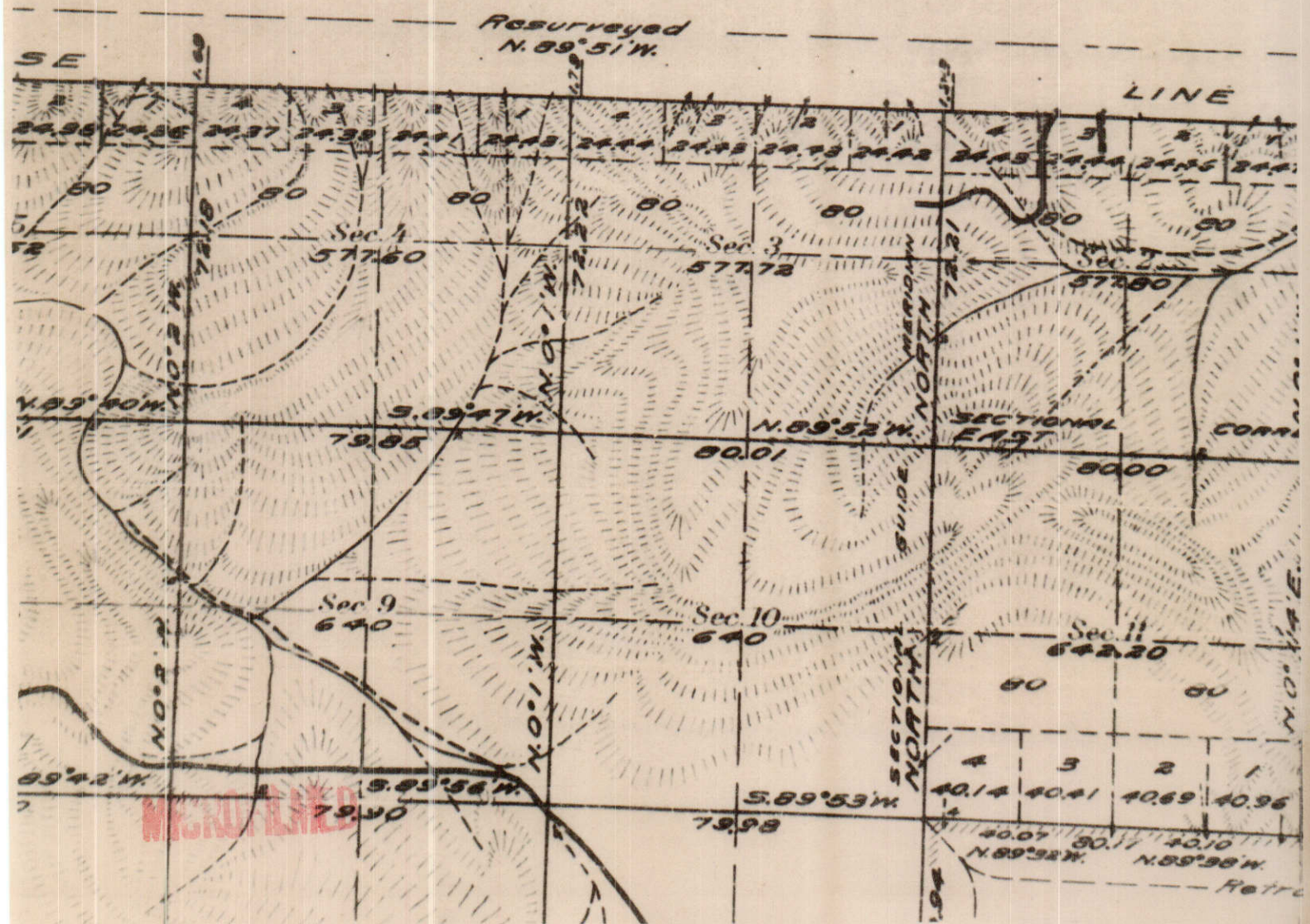
Department of Water Resources
Western Regional Office

MICROFILMED

(4-675 a)

uth Range N^o 7 East of the Boise Me

<i>E</i>	<i>d</i>	<i>D</i>	<i>e</i>	<i>C</i>	<i>b</i>
----------	----------	----------	----------	----------	----------





WATER RIGHT LICENSE

License No. 63-9539 Priority 09/26/1980 Amount 0.01 CFS 1.0 AF

THIS IS TO CERTIFY, that U.S. Dept. of Agri., Forest Service

of Ogden, Utah, has complied with the terms and conditions of
Permit No. 63-9539 issued pursuant to Application for Permit dated 09/26/1980, and has
submitted proof to the Department of Water Resources on 08/10/1981, that he has applied water to a
beneficial use; and examination by the Department indicates that the works have a capacity for the
diversion of 0.01 cfs of water from a spring
tributary to Mennecke Creek, and that the permit holder has
applied to a beneficial use and established a right to use water as follows:

RATE OF DIVERSION	VOLUME	BENEFICIAL USE	PERIOD OF USE
0.01 cfs	1.0 af	Stockwater	06/01 - 10/31

Location of point of diversion: SE1/4 NW1/4, Section 3, Twp 1S, Rge 7E, Elmore County

Location of place of use:

TWP.	RGE.	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
1S	7E	3								X									

Total number of acres irrigated _____

Use of water under this license is subject to control by the watermaster of State Water District No. 63, Boise River.

NOTE: Modifications to or variance from the use of water as shown on this license must be made in accordance with Section 42-222, Idaho Code, or the applicable Idaho law. This right may be forfeited by five years of non-use.

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 30TH day of July, 19 84.

Acting for the Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT**APPROVED**

To appropriate the public waters of the State of Idaho

1. Name of applicant United States of America, Forest Service Phone (801) 399-3561Post office address Federal Building, 324 25th Street, Ogden, Utah 844012. Source of water supply Spring which is a tributary of Mennecke Creek3. Location of point of diversion is SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 3 Township 1SRange 7E B.M. EIMON County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .01 cfs for livestock purposes from 6/1 to 10/31 (both dates inclusive)
(cfs or acre-feet per annum)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. .01 cubic feet per second and/or b. 0.1 acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Headbox on spring

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

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

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 3 Township 1SRange 7E B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered 175 cattle

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____.

(5) If water is to be used for other purposes describe: _____

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b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

[illegible]**Total number of acres to be irrigated**

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

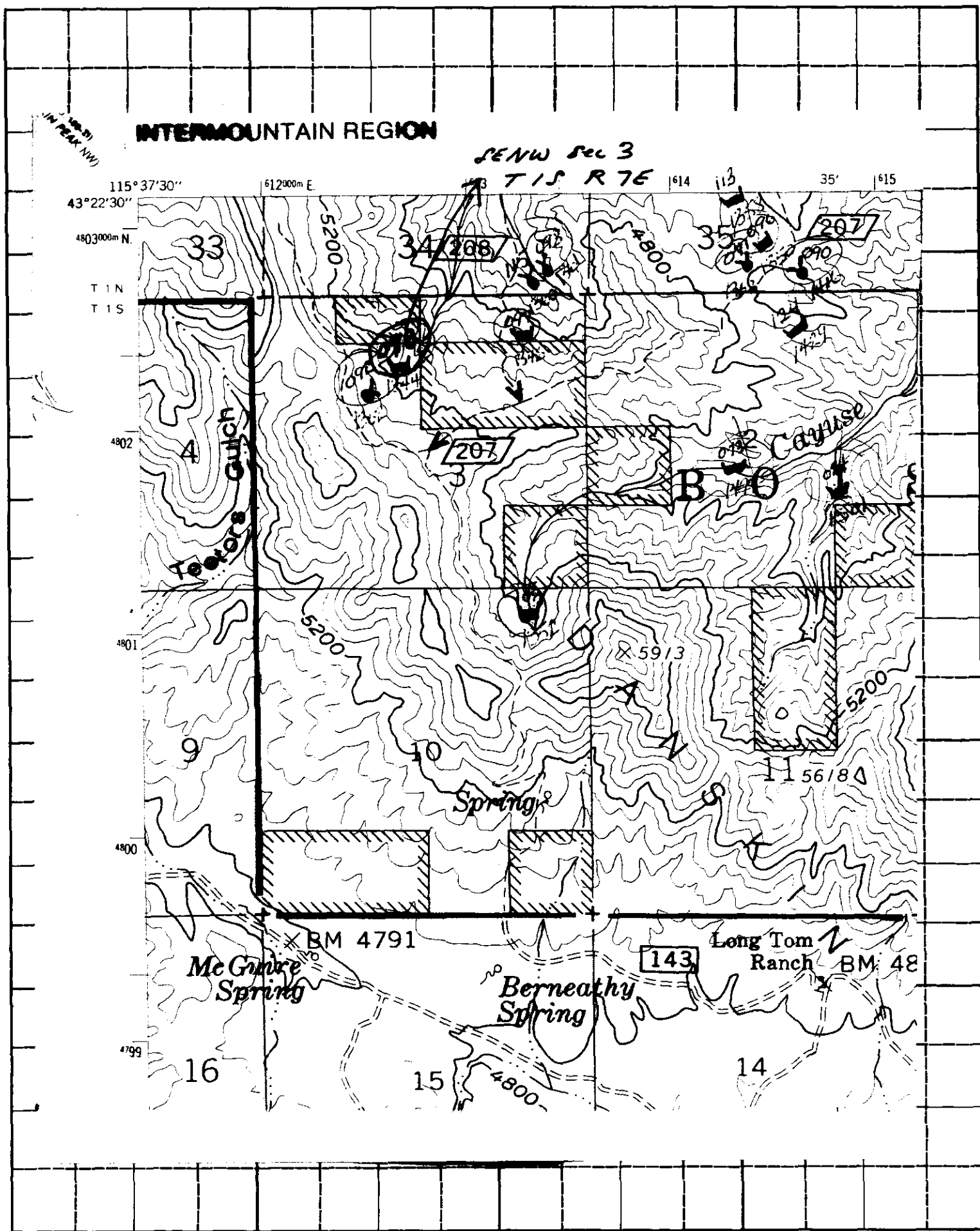
9. a. Who owns the property at the point of diversion U.S.A., administered as Boise National Forest

b. Who owns the land to be irrigated or place of use U.S.A., administered as Boise National Forest

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks Application at this time is due to the Rio Mimbres decision.

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



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth. United States of America, Forest Service

for Adrian Patton Deputy Regional Forester, (Applicant) Resources

Proposed Priority 9/26/1980
Received by h/h Date 9/26/80 Time 11:00 vacation
Preliminary check by GLS Fee \$ 30.-
Receipted by h/h Date 10/24/80 # 15753
Publication prepared by h/h Date 10/9/80
Published in Mt. Home News
Publication dates 10/16-10/23/80
Publication approved h/h Date 10/28/80
Protests filed by: none.

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by GLS RA

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. 63-9539, and said application is hereby Approved.

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 December 1, 19 81.
- 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. Other: _____

Use of water under this permit is subject to control by watermaster
of State Water District No. 63, Boise River.

Witness my hand this 26th day of November, 19 80.

L. Glen Sayton
Director, Department of Water Resources

Affidavit of Publication

County of Elmore }
STATE OF IDAHO } ss.

I, Virginia M. Waters do
solemnly swear that I am the foreman, or
publisher of the

MOUNTAIN HOME NEWS

a weekly newspaper of general circulation,
published once a week at MOUNTAIN HOME,
IDAHO, that the notice attached hereto and
which is a part of the proof of publication
thereof, was published in said newspaper for

23 consecutive weeks, the first publica-

tion having been made on the 14 day

of Oct, 1980, and

the last publication having been made on the

23 day of Oct

1980; every Thursday issue of the paper

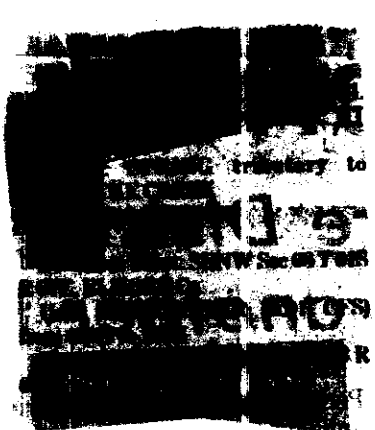
during the period and time of publication and
that the notice was published in the newspaper
proper and not in a supplement thereof.

And I further swear that the said MOUN-
TAIN HOME NEWS has been continuously and
uninterruptedly published in said Elmore County
during a period of 78 consecutive weeks prior
to the first publication of the attached notice.

Virginia M. Waters
Subscribed and sworn to me this 23rd

day of October, 1980

Martha L. Swenson
Notary Public



O.K.
H2H.

RECEIVED
OCT 24 1980

Department of Water Resources
Western Regional Office

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WRD417

WATER RIGHTS PROOF READING REPORT

05/01/85

PAGE 1

MAY 03

WATER RIGHT NUMBER 63-9539

OWNER LAST NAME - U.S. DEPT. OF AGRI.

FIRST NAME - ORIG OWNER -

ADDRESS LINE 1 - FOREST SERVICE

ADDRESS LINE 2 - FEDERAL BLDG.

ADDRESS LINE 3 - 324 25TH ST.

CITY - OGDEN

STATE - UT ZIP CODE - 84401

SOURCE - SPRING

TRIBUTARY OF - MENNECKE CREEK

STAGE - LICENSE

STATUS -

PRIORITY - 09-26-1980

COUNTY - ELMORE

TOTAL DIV. RATE -

.0100 -CFS

TOTAL DIV. VOLUME -

1.00 AFA

TRFR/AMEND -

WATER DIST. - 63

DLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - SENW 03 01S 07E LOT

REDIV -

272.0 312.0 96.0 26.0

0.0 0.0

0.0 0.0

0.0 0.0

0.0 0.0

0.0 0.0

0.0 0.0

0.0 0.1

FROM - 06-01 TO - 10-31 USE - STOCKWATER

USE DIV. RATE -

.0100 CFS

USE DIV. VOLUME -

1.00 AFA

USE - STOCKWATER

PLACE OF USE - TWN 01S RNG 07E SEC 03 TRACT SENW LOT

AC

DECREE NAME -

DATE -

TOTAL ACRES

0

REMARKS -

NON IRRIG USE - S/175 HEAD RANGE.

OTHER RIGHTS FOR SAME USE -

PROOF DUE - 12-01-1981 PERMIT/DENIED - 11-26-1980 PROTESTED -

HEARING -

OLD NO. -

PROOF MADE - P FLD EXAM -

COND. OF APPROVAL - R04 ✓

DIVERSION MEANS - HEADBOX.



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

July 31, 1984

RE: Water Right Nos. 63-9530/9531/9533/9538/9539/9540/9546/9555/
9579/9581/9582/9785/9789/9792/9793/9796/
9797/9798/9800/9921

U. S. Dept. of Agri.
Forest Service
Federal Bldg.
324 25th St.
Ogden, UT 84401

Gentlemen:

Enclosed herewith are copies of your water right licenses issued on the above referenced permits.

Should you have any questions regarding these documents, please feel free to contact our office.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:sc

Enclosures

MAILED

U. S. Forest Service
P/O: SENW, Sec. 3,
T15, RTE

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

JUN 27 1984

Use: Hot water - 175 head

103-9539

Permit No.

Department of Water Resources

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☒ Appointment letter mailed:	10-30-81	jp	no appt. made
☐ Telephone call made:	4/18/83	JL	
(List Telephone No. used)	334-1572		
☐ Appointment scheduled for:	4/24/83	JL	
(Date, time, location)	Boise Nat. Forest Off.		

EXAMINATION

Date 4/24/83 Accompanied by Bob Carpenter Total Q measured 0.1 cfs - est.
If source is surface water, estimate total flow of source _____
Methods of measurement estimated Meets Permit requirements? _____

Measurement calculations:

.01 cfs stockwater - 175 hcf.
 .013N x 175 hcf. = 2.3 AF (Admin. memo #3)
 2.3 af x .42 (% of days used in yr. - $153 \div 365$) = 1.0 af/ann.

[illegible]

System Description Headbox w/ pipeline to line trough

**Code with map on reverse side. Disregard code if only one.*

RECOMMENDED AMOUNTS

	USE	Q (cfs)	V (afa)	FROM	TO
Stockwater - 175 h.d.	✓	.01 cfs ✓	1.0 afa ✓	6/1 ✓	10/31 ✓
Total		.01 cfs ✓	1.0 afa ✓		

Remarks *Spring trip to Mennecke Ck. ✓*

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State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83709

JOHN V. EVANS
Governor

(Office at the corner of
Franklin and Cole Roads)

A. Kenneth Dunn
Director

(208) 334-2190

October 2, 1981

United States of America Forest Service
Rm. 207 Building
324 25th Street
Ogden, Utah 84401

RE: Arthur Shont

Dear Sir:

We acknowledge receipt of your statement submitted as proof as beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department.

☐ A field examination of your system has been scheduled for _____.

If this time and date is not convenient for you, please contact this office as soon as possible.

☒ A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office.

Sincerely,

Judy Pense

Judy Pense
Secretary

RECEIVED
OCT 10 1981
MIDWEST

Proof of Beneficial Cards Recieved:

63-9507	63-9579
63-9517	63-9580
63-9530	63-9581
63-9531	63-9582
63-9532	63-9583
63-9533	63-9584
63-9534	63-9585
63-9535	63-9586
63-9536	63-9588
63-9537	63-9589
63-9538	63-9593
63-9539	63-9594
63-9540	63-9624
	63-9625

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010-098

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 63-9539.

Name(s) of Permit Holder: United States of America-Forest Service.

Post Office Address: Federal Building, 324 25th Street

Ogden, Utah 84401 Tel. No. (801) 626-3561

Source of Water: Spring tributary of Mennecke Creek

Extent of Use: ☐ Domestic (number of households)
☒ Stockwater 175 Cattle (number and type of stock)
☐ Irrigation (acres)
☐ Other

Measuring Device: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No
Access Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No

The above information is a true statement of the extent to which the above numbered permit has been developed. (for) Deputy Regional Forester, Resources

Aug 1, 1981
Date

Richard J. Sanders
Signature of Permit Holder

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PLACE
TEN CENT
STAMP
HERE

RECEIVED

AUG 10 1981



Department of Water Resources

**IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720**

RECEIVED

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE

324 25th Street
Ogden, Utah 84401

AUG 10 1981

Department of Water Resources

2540

AUG 11 1981



Mr. A. Kenneth Dunn
Director
Idaho Department of Water Resources
Statehouse
Boise, ID 83720

Dear Mr. Dunn:

Enclosed are twenty-seven (27) completed Proof of Beneficial Use cards for the Boise National Forest. These cards are for State Basin 63.

Thank you for your assistance.

Sincerely,

Richard F. Sanders

for L. KENT MAYS, JR.
Deputy Regional Forester
Resources

Enclosures (27)

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State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

December 11, 1980

U.S. Forest Service
Federal Building
324 25th Street
Ogden, Utah 84401

Dear Sirs,

RE: Permit No.'s 27-7198 thru 27-7212, 27-7234 thru 27-7236, 27-7238 thru 27-7247,
47-7651, 63-9460 thru 63-9462, 63-9464, 63-9471, 63-9473, 63-9507,
63-9517/9518, 63-9524 thru 63-9526, 63-9597 thru 63-9603, 63-9606
thru 63-9625, 63-9527/9528, 63-9530 thru 63-9540, 63-9542 thru 63-9544,
63-9552 thru 63-9557, 63-9579 thru 63-9595, 71-7044, 71-7049 thru
71-7051, 71-7056, 77-7115/7116

Enclosed is a copy of your approved Application for Permit. We direct your
attention to the conditions of approval as listed on the fourth page.

Sincerely,

DAVID R. TUTHILL, JR.
Supervisor, Water Allocations Section

DRT:mr

Enclosure

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State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: 6LS

APPLICATION NUMBER: 63-9539

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.
☒ Yes ☒ No Field check required.
☒ Yes ☒ No Critical groundwater area.
☒ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☒ No* In form to receipt.

Field check by: _____

Date: _____

Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department.
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other _____

Copies sent by: _____ Date: _____

PROCESSING:

- ☐ Yes ☐ No Platted by: _____ Map No. _____
☐ Yes ☒ No Other rights on same place of use. _____
☒ Yes ☐ No* In form for advertising.
Final date for protests: 11-3-80 ✓
☐ Yes ☐ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 10/24/80 ✓
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☐ Yes ☒ No Measuring device required.
☐ Yes ☒ No Access port required.
☒ Yes ☐ No Will water be delivered by watermaster? If yes, what district? 63
9/26/80 Date of priority recommended.
Special conditions of approval or cover letter. 05

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By: 6LS

Date: 11/10/80

STATE OFFICE REVIEW:

SL w/o Conditions

05(63 Boise River)

☐ See attached sheet for more information.

By: Robyn

Date: 11/25/80

63-9539-

U.S. DEPT. OF AGRI.

FOREST SERVICE, FEDERAL BLDG., 324 25TH ST., OGDEN, UT 84401

Source: SPRING tributary to MENNECKE CREEK

Date Filed: 09/26/1980

Amount: 0.01 CFS

Diversion Point: SENW Sec 03 T 01S R 07E, ELMORE Co.

Use: STOCKWATER (0.01 CFS) from 06/01 to 10/31

Place of Use: SENW Sec 03 T 01S R 07E

Diversion Means: HEADBOX.

7

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