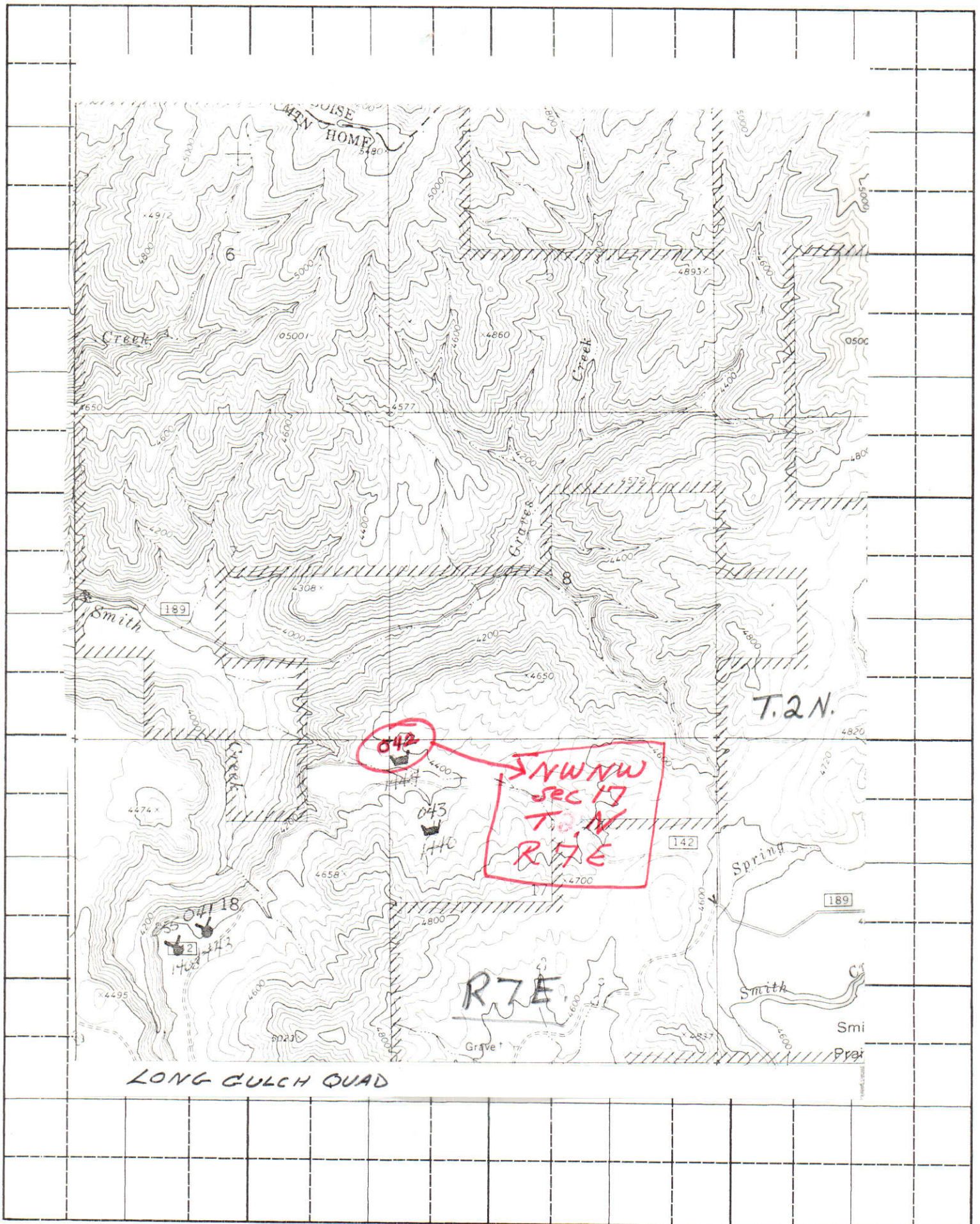


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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

Deputy Regional Forester, (Applicant) Resources

Adrian Dalton

Affidavit of Publication

County of Elmore }
STATE OF IDAHO } ss.

I, Virgil 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.

Virgil M. Waters
Subscribed and sworn to me this 23rd
day of October, 1980

Martha L. Swenson
Notary Public

63-9524
U.S. DEPT. OF AGRI.
FOREST SERVICE, FEDERAL
BLDG., 324 25TH ST., OGDEN, UT
84401
Source: SPRING tributary to
SMITH CREEK
Priority Date: 09/26/1980
Amount: 0.01 CFS
Diversion Point: NWNW Sec 17 T
02N R 07E, ELMORE Co.
Use: STOCKWATER (0.01 CFS)
from 05/01 to 10/31
Place of Use: NWNW Sec 17 T 02N
R 07E
Diversion Means: HEADBOX

O-K
ALL

RECEIVED
OCT 24 1980

Department of Water Resources
Western Regional Office

MICROFILMED

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 63-9524 Priority 9/26/1980 Amount 0.01 cfs

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. 63-9524 issued pursuant to Application for Permit dated 9/26/1980,
and has submitted proof to the Department of Water Resources on 4/8/1981,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.01 cfs of water from Spring,
tributary to Smith Creek, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Stockwater	from <u>5/1</u> to <u>10/31</u>	at <u>0.01</u> cfs and	<u>0.1</u> acre feet
	from <u></u> to <u></u>	at <u></u> cfs and	<u></u>
	from <u></u> to <u></u>	at <u></u> cfs and	<u></u>

(both dates inclusive)

Subject, however, to the condition that no more than 0.01 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
0.1 acre feet per year, said waters to be diverted within the NWNW S17 T2N R7E
in the County of Elmore

Description and location of place of use:

Twp.	Range	Sec.	NE¼				NW¼				SW¼				Totals
			NE¼	NW¼	SE¼	SW¼	NE¼	NW¼	SE¼	SW¼	NE¼	NW¼	SE¼	SW¼	
2N	7E	17					X								

Total number of acres irrigated

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

Stockwater use for 123 head of cattle.

NOTE: Modifications to or variance from this license must be made within the limits of 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
described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 8 day of
June, 19 81.

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) 399-3561

Post office address Federal Building, 324 25th Street, Ogden, Utah 84401

2. Source of water supply Spring which is a tributary of Smith Creek

3. Location of point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 17 Township 2N

Range 7E B.M. Elmore County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .01 cfs for livestock purposes from 5/1 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: NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 17 Township 2N

Range 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 123 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: _____

APPROVED

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.~~

[illegible]

A topographic map of the Long Gulch Quad, showing contour lines, roads, and geographical features. Handwritten annotations include:

- 042** circled with an arrow pointing to a location on the map.
- 043** with an arrow pointing to another location.
- 0418** with an arrow pointing to a third location.
- A box containing the text: **NW NW**, **SEC 17**, **T. 14**, **R. 7 E**.
- R7E** written below the box.
- T. 2 N.** written on the right side.
- Grave** written near the bottom center.
- LONG GULCH QUAD** written at the bottom.

The map also shows labels for **Smith**, **Spring**, **Smi**, and **Prei**, along with various elevation numbers and road markers like **189** and **142**.

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

Richard Dalton
Deputy Regional Forester, (Applicant) Resources

Proposed Priority 9/26/80

Received by h/h Date 9/26/80 Time 10:00 received

Preliminary check by CLS Fee \$ 30.-

Received by h/h Date 10/24/80 #15753

Publication prepared by h/h Date 10/9/80

Published in Mtn 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 CLS 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. 63-9524, 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 the watermaster of State Water District # 63, Boise River.

Witness my hand this 26th day of November, 1980.

A. Glen Sayton

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

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.

Subscribed and sworn to me this 23rd
day of October, 1980

Martha L. Swenm
Notary Public

RECEIVED
OCT 24 1980

Department of Water Resources
Western Regional Office

MICROFILMED

4/19/85

WATER RIGHT NUMBER 63-9524

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 - SMITH CREEK

STAGE - LICENSE

STATUS -

PRIORITY - 09-26-1980 COUNTY - ELMORE

TOTAL DIV. RATE - .0100 -CFS

TOTAL DIV. VOLUME -

.10 AFA TRFR/AMEND -

WATER DIST. - 63 OLE/CAREY ACT - RIGHT BASIS -

DIVERSION POINT - NWNW 17 02N 07E LOT

REDIV -

272.0 312.0 96.0 12.0 0.0 0.0 0.0 0.0 0.0 0.0 0.8

FROM - 05-01 TO - 10-31 USE - STOCKWATER

USE DIV. RATE -

.0100 CFS USE DIV. VOLUME -

.10 AFA

USE - STOCKWATER

PLACE OF USE - TWN 02N RND 07E SEC 17 TRACT NWNW LOT AC

DECREE NAME -

DATE -

TOTAL ACRES

0

REMARKS -

NON IRRIG USE - S/123 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.

123 0411838



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS

Governor

A. KENNETH DUNN

~~STEPHEN A. DUNN~~

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

June 16, 1981

U.S. Dept. of Agriculture
Forest Service
Federal Bldg.
324 25th Street
Ogden, Utah 84401

Dear Sirs,

RE: Permit No.'s 63-9460/9462/9464/9471/9473/9477/9478/9482 thru 63-9489,
63-9503/9504/9515/9518/9524/9525/9526/9575/9576/9591/9592
63-9629/9635

Enclosed is a copy of the Water Right License issued on the above
referenced Permit.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:mr

Enclosure

MICROFILMED

Forest Service
PD: UWWO, S-17
T2W, 27E

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

stock

63-9524
Permit No.

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☒ Appointment letter mailed:	4/17/81	neh	Dated
☐ Telephone call made: (List Telephone No. used)			
☐ Appointment scheduled for: (Date, time, location)			

EXAMINATION

Date 23 Apr 1981 Accompanied by Improv Report #2444 Total Q measured .02
If source is surface water, estimate total flow of source
Methods of measurement None Meets Permit requirements? YES

Measurement calculations:

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS

System Description Spring into STOCK TANK

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

RECOMMENDED AMOUNTS

USE	Irrigation requirement =		AFA/Acre	
	Q (cfs)	V (afa)	FROM	TO
Stockwater	.02	.1	5/1	10/32
Total	.02	.1 *		

Remarks 123 Head
Joe Brown Trough #2
MET W/ S.F.S. PERSONNEL.
* allow per permit for

MICROFILMED

MAP (Attach Aerial Photo)

SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

Point(s) of diversion: NW 1/4 S 17 T 2N R 7E

Place(s) of Use

TWP.	RGE.	SEC.	NEX				NW				SW				SE				TOTALS
			NEX	NW	SW	SE	NEX	NW	SW	SE	NEX	NW	SW	SE	NEX	NW	SW	SE	
2N	7E	17					X												

Recommended Amendments:

- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other _____

Examiner's Signature Paul E. Morris

Checked by Jan Jones

Approved by _____

Date 23 April 1981

Date 5/26/81

Date _____



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)

C. STEPHEN ALLRED
Director

(208) 384-2190

April 17, 1981

U.S. Dept. of Agriculture
Forest Service
324 25th St.
Ogden, Utah 84401

RE: Beneficial Use Exams on Permits (See Attached List)

Dear Sir:

We acknowledge receipt of your statement submitted as proof of 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,

Kay Walker
Secretary

MICROFILMED

4/16/81

FOREST SERVICE FIELD EXAMS

(BATCHED)

63-9460

9461

9462

9464

9471

7473

9477

9478

9479

9480

9481

9482

9483

9484

9485

9486

9487

9488

9489

63-9503

9504

9515

9516

9518

9524

9525

9526

9575

9576

9591

9592

63-9629

9635

MICROFILMED

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. 63-9524.

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 Smith Creek (Spring trib. of)

Extent of ☐ Domestic (number of households)
☒ Stockwater 123 cattle (number and type of stock)
☐ Irrigation (acres)
☐ Other

Measuring Device Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No

Access Port 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

4/1/81
Date

Paul J. Baird
Signature of Permit Holder

MICROFILMED



PLACE
TEN CENT
STAMP
HERE

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
324 25th Street
Ogden, UT 84401

RECEIVED

APR 3 1981

Department of Water Resources
2540

April 1, 1981



Mr. C. Stephen Allred
State Engineer
Idaho Department of Water Resources
Statehouse
Boise, ID 83720

Dear Mr. Allred:

Enclosed are thirty-three (33) Proof of Beneficial Use cards from the Boise National Forest that have been completed and are now ready for final processing.

Thank you for your assistance.

Sincerely,

L. Kent Mays, Jr.
for L. KENT MAYS, JR.
Deputy Regional Forester
Resources

Enclosures (33)

MICROFILMED

3/79

IDENT. NO. 103-9524

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG

Initials

Date _____

Item

h h

10/9/80

Original form entered

[Signature]

10/1680

Edit Report Correct

Date Protested

Date of Hearing

W. L.

12/10/80

Date Approved/Denied
(Proof due date, stage and/or status,
conditions of approval, water district)

Record Verified

Amendment Approved

Extension Approved

Partial Proof

Proof Complete

Field Exam Received

Field Exam Accepted
and changes entered

License Signed

Transfer Approved

Keypunched by State Office

D.W.

9/21/82

License update



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

MICROFILMED

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: GLS APPLICATION NUMBER: 63-9524

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. 63-3353 (decreed)
☒ 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

MICROFILMED

By: GLS Date: 11/10/80

STATE OFFICE REVIEW:

SL w/o Conditions 05(63 Boise River)

- ☐ See attached sheet for more information.

By: Robyn Date: 11/26/80

63-9524

U.S. DEPT. OF AGRI.

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

Source: SPRING tributary to SMITH CREEK

Priority Date: 09/26/1980

Amount: 0.01 CFS

Diversion Point: NWNW Sec 17 T 02N R 07E, ELMORE Co.

Use: STOCKWATER (0.01 CFS) from 05/01 to 10/31

Place of Use: NWNW Sec 17 T 02N R 07E

Diversion Means: HEADBOX.