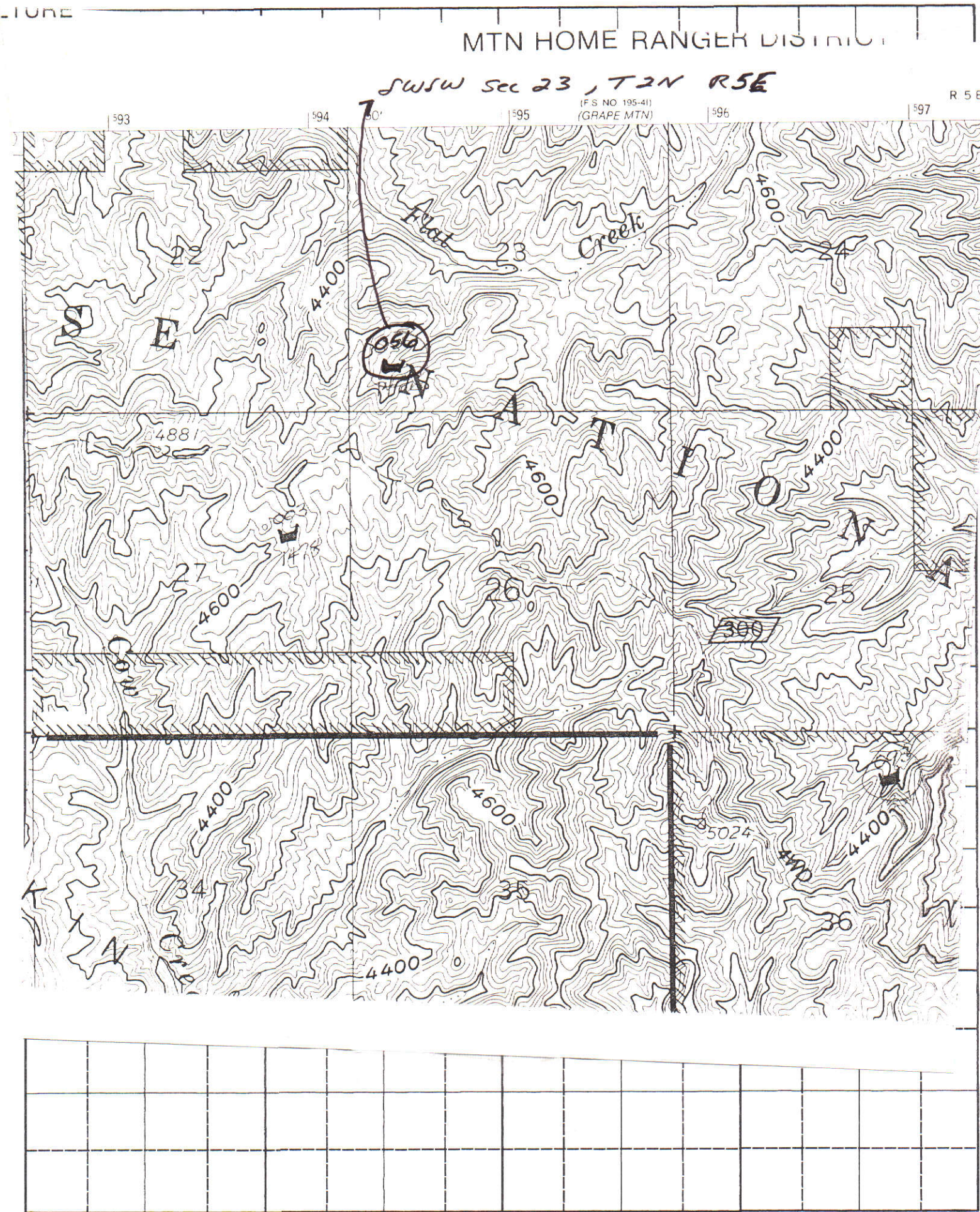


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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

Adrian Dalton

(Applicant)

(For) Deputy Regional Forester, Resources

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 63-9468 Priority September 26, 1980 Amount .01 cfs

THIS IS TO CERTIFY, that U.S. DEPARTMENT OF AGRICULTURE, FOREST SERVICE
of Ogden, Utah, has complied with the terms and conditions of Permit
No. 63-9468 issued pursuant to Application for Permit dated September 26, 1980,
and has submitted proof to the Department of Water Resources on June 12, 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 .01 cfs of water from spring,
tributary to Flat 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>June 1</u> to <u>November 30</u> at <u>.01</u> cfs and <u>.1</u> acre feet		
	from _____ to _____ at _____ cfs and _____		
	from _____ to _____ at _____ cfs and _____		

(both dates inclusive)

Subject, however, to the condition that no more than .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
.1 acre feet per year, said waters to be diverted within the SWSW, Section 23,
Township 2N, Range 5E in the County of Elmore

Description and location of place of use:

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
2N	5E	23																	

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 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
herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 24 day of
December, 19 81.

Director

RC

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 Flat Creek3. Location of point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 23 Township 2NRange 5E 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 6/1 to 11/30 (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 piped to trough.

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: SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 23 Township 2N
Range 5E 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 503 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: _____

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

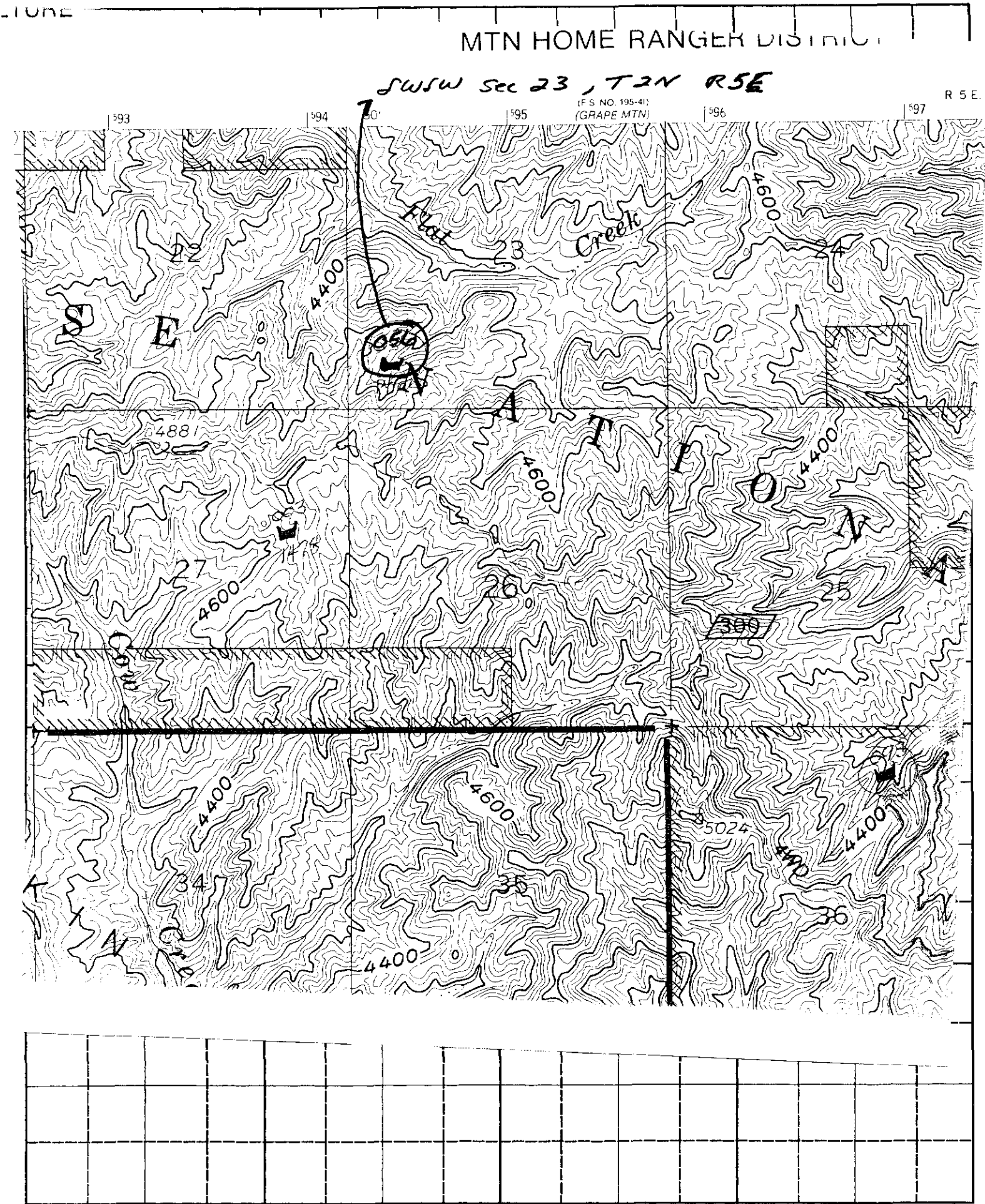
b. Who owns the land to be irrigated or place of use U.S.A., administered as Boise National Forest

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.

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

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
Adrian Dalton
(Applicant)
(For) Deputy Regional Forester, Resources

Proposed Priority 9/26/80
Received by h/h Date 9/26/80 Time 11:00 *voucher/*
Preliminary check by GLS Fee \$ 30.-
Receipted by h/h Date 10/24/80 # 15753
Publication prepared by h/h Date 10/2/80
Published in McN Home News
Publication dates 10/9 - 10/16/80
Publication approved h/M Date 10/21/80
Protests filed by: none

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

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. 63-9468, 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 12th day of November, 19 80.

A. Glen Saxton
Chief, Operations Bureau

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 9 day
of October, 1980, and

the last publication having been made on the
16 day of October

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 16th

day of October, 1980

Martha L. Swenson
Notary Public

63-9448
U.S. DEPT. OF AGRI.
FOREST SERVICE, FEDERAL
BLDG., 324 25TH ST., OGDEN, UT
84401

Source: SPRING tributary to FLAT
CREEK

Date Filed: 09/26/1980

Amount: 0.01 CFS

Diversion Point: SWSW Sec 23 T
02N R 05E, ELMORE Co.

Use: STOCKWATER (0.01 CFS)
from 06/01 to 11/30

Place of Use: SWSW Sec 23 T 02N R
05E

Diversion Means: HEADBOX AND
PIPE

RECEIVED
OCT 17 1980

Department of Water Resources
Western Regional Office

WRD417

WATER RIGHTS PROOF READING REPORT

04/10/85

PAGE 1

4/19/85 *SP*

WATER RIGHT NUMBER 63-9468

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 - FLAT CREEK

STAGE - LICENSE

STATUS -

PRIORITY - 09-26-1980 COUNTY - ELMORE

TOTAL DIV. RATE - .0100 -CFS

TOTAL DIV. VOLUME -

.10 AFA TFR/AMEND -

WATER DIST. - 63

DLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - SWSW 23 02N 05E LOT REDIV -

272.0 312.0 96.0 2.0 3.0 1.0 0.0 0.0 0.0 0.0 2.9

FROM - 06-01 TO - 11-30 USE - STOCKWATER

USE DIV. RATE -

.0100 CFS

USE DIV. VOLUME -

.10 AFA

USE - STOCKWATER

PLACE OF USE - TWN 02N RNG 05E SEC 23 TRACT SWSW LOT AC

DECREE NAME -

DATE -

TOTAL ACRES

0

REMARKS -

NON IRRIG USE - S/503 RANGE.

OTHER RIGHTS FOR SAME USE -

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

HEARING -

OLD NO. -

PROOF MADE - P FLD EXAM - COND. OF APPROVAL - R04 ✓

DIVERSION MEANS - HEADBOX AND PIPE.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS

Commissioner

A. KENNETH DUNN

Director

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

January 26, 1982

RE: Water Right Licenses

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

Gentlemen:

Enclosed herewith are water right licenses issued on these permits:

61-7414, 61-7415, 61-7416, 61-7417, 61-7418, 63-9226, 63-9228, 63-9442,
63-9443, 63-9449, 63-9450, 63-9451, 63-9452, 63-9453, 63-9454, 63-9455,
63-9456, 63-9457, 63-9459, 63-9463, 63-9465, 63-9466, 63-9468, 63-9472,
63-9474, 63-9494, 63-9495, 63-9496, 63-9497, 63-9499, 63-9505, 63-9506,
63-9511, 63-9512, 63-9513, 63-9514, 63-9519, 63-9520, 63-9521, 63-9522,
63-9527, 63-9528, 63-9529, 63-9542, 63-9543, 63-9544, 63-9545, 63-9547,
63-9548, 63-9549, 63-9550, 63-9551, 63-9552, 63-9553, 63-9554, 63-9558,
63-9559, 63-9560, 63-9561, 63-9562, 63-9563, 63-9564, 63-9565, 63-9566,
63-9568, 63-9571, 63-9577, 63-9587, 63-9590, 63-9596, 63-9601, 63-9622,
and 63-9623

Should you have any questions on any of the above licenses, please feel free to contact either this office or our Western Regional Office at 334-2190.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosures

RECEIVED
JAN 27 1982

U.S. Forest Service

P.D. - SWSW Dec 23
CES 72N, R5E

State of Idaho *P.D.*
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

Stockwater - 503 cattle
163-9468
Permit No.

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☒ Appointment letter mailed:	7/30/81	JP	no app ^t made
☐ Telephone call made: (List Telephone No. used)			
☐ Appointment scheduled for: (Date, time, location)			

EXAMINATION

Date 24 Aug 1981 Accompanied by 1972 Improv log Total Q measured -01
If source is surface water, estimate total flow of source _____
Methods of measurement _____ Meets Permit requirements? YES

Measurement calculations:

Allow .01 cfs @ .1 Af as per permit

[illegible]

System Description Head Box To Trough

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

RECOMMENDED AMOUNTS

USE	Q (cfs)	V (afa)	FROM	TO
Stock	0.01	1	611	11/30
Total	0.01 ✓	1 ✓		

Remarks 503 Cattle

MICROFILMED

MAP (Attach Aerial Photo)

SCHEMATIC DIAGRAM OF SYSTEM

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

Point(s) of diversion: SW 1/4 S23 2N 5E

Place(s) of Use

TWP.	RGE.	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	
2N	5E	23											X						

Recommended Amendments:

- ☐ Change P.D. as reflected above
☐ Change P.U. as reflected above

- ☐ Add P.D. as reflected above
☐ Add P.U. as reflected above

- ☒ None
☐ Other

Examiner's Signature

Carl E. Mann

Checked by

Robyn

Approved by

Robyn

Date

24 Aug 1981

Date

10/29/81

Date

11/30/81



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

July 24, 1981

United States of America-Forest Service
Federal Building, 324 25th Street
Ogden, UT 84401

RE: Attached sheet

Dear Sirs:

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

jp

RECEIVED
JUL 27 1981
WATER RESOURCES
DIVISION
BOISE, IDAHO

U.S. Forest Service

Received Statements of Beneficial Use Postcards - July 24, 1981

61-7413	63-9498	63-9597
61-7414	63-9500	63-9598
61-7415	63-9502	63-9599
61-7416	63-9494	63-9600
61-7417	63-9495	63-9602
61-7418	63-9496	63-9603
61-7419	63-9497	63-9606
63-9442	63-9490	63-9607
63-9443	63-9491	63-9608
63-9444	63-9492	63-9609
63-9445	63-9493	63-9610
63-9446	63-9627	63-9611
63-9447	63-9628	63-9612
63-9448	63-9630	63-9613
63-9466	63-9631	63-9614
63-9467	63-9595	63-9615
63-9468	63-9604	63-9616
63-9470	63-9605	63-9621
63-9475	63-9626	63-9617
63-9476	63-9568	63-9618
63-9522	63-9569	63-9619
63-9523	63-9570	63-9620
63-9528	63-9590	63-9226
63-9529	63-9564	63-9228
63-9514	63-9565	63-9542
63-9520	63-9566	63-9543
63-9521	63-9567	63-9544
63-9510	63-9561	63-9552
63-9511	63-9562	63-9560
63-9512	63-9563	63-9571
63-9513	63-9541	63-9572
63-9505	63-9545	
63-9506	63-9547	
63-9508	63-9573	
63-9509	63-9587	

RECEIVED
JUL 24 1981
U.S. FOREST SERVICE

012-056

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. 63-9468.

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 Flat Creek

Extent of Use:

☐ Domestic

(number of households)

☒ Stockwater

503 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

6/8/81
Date

Paul J. Baird
Signature of Permit Holder

PLACE
TEN CENT
STAMP
HERE

RECEIVED

JUN 12 1981



IDAHO DEPARTMENT OF WATER RESOURCES
Department of Water Resources
STATEHOUSE
BOISE, IDAHO 83720

UNITED STATES DEPARTMENT OF AGRICULTURE

FOREST SERVICE
324 25th Street
Ogden, UT 84401

JUN 23 1981

Department of Water Resources
2540

June 5, 1981



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

Dear Mr. Dunn:

Enclosed are seventy-six (76) Proof of Beneficial Use cards for the Boise National Forest. These cards are for State Basins 61 and 63.

Thank you for your assistance.

Sincerely,

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

Enclosures (76)

RECEIVED



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

November 25, 1980

U.S. Forest Service
Federal Office Building
Ogden, Utah 84401

Dear Sirs,

RE: Permit No.'s 17-7094 thru 17-7096, 45-7446 thru 45-7448, 47-7652, 61-6413 thru 61-7415
61-7417 thru 61-7419, 63-9442 thru 63-9459, 63-9463, 63-9465 thru 63-9468
63-9470 thru 63-9472, 63-9474 thru 63-9495, 63-9498 thru 63-9501,
63-9503 thru 63-9506, 63-9508 thru 63-9516, 71-7045 thru 71-7048,
71-7053 thru 71-7055, 71-7057 & 71-7058

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: 665 APPLICATION NUMBER: 63-7468

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ 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. Copies sent by: _____ Date: _____
☐ Idaho Fish and Game Department. _____
☐ Idaho Department of Lands. _____
☐ U.S. Bureau of Land Management. _____
☐ U.S. Forest Service. _____
☐ Other _____

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: 10/27/80 ✓
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 10/17/80 ✓
☒ 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: 665 Date: 10/30/80

STATE OFFICE REVIEW:

SLW/cord 05/63 Boise R.

- ☐ See attached sheet for more information.

By: Robyn Date: 11/12/80

U.S. DEPT. OF AGRI.

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

Source: SPRING tributary to FLAT CREEK

Date Filed: 09/26/1980

Amount: 0.01 CFS

Diversion Point: SWSW Sec 23 T 02N R 05E, ELMORE Co.

Use: STOCKWATER (0.01 CFS) from 06/01 to 11/30

Place of Use: SWSW Sec 23 T 02N R 05E

Diversion Means: HEADBOX AND PIPE.

MICROFILMED