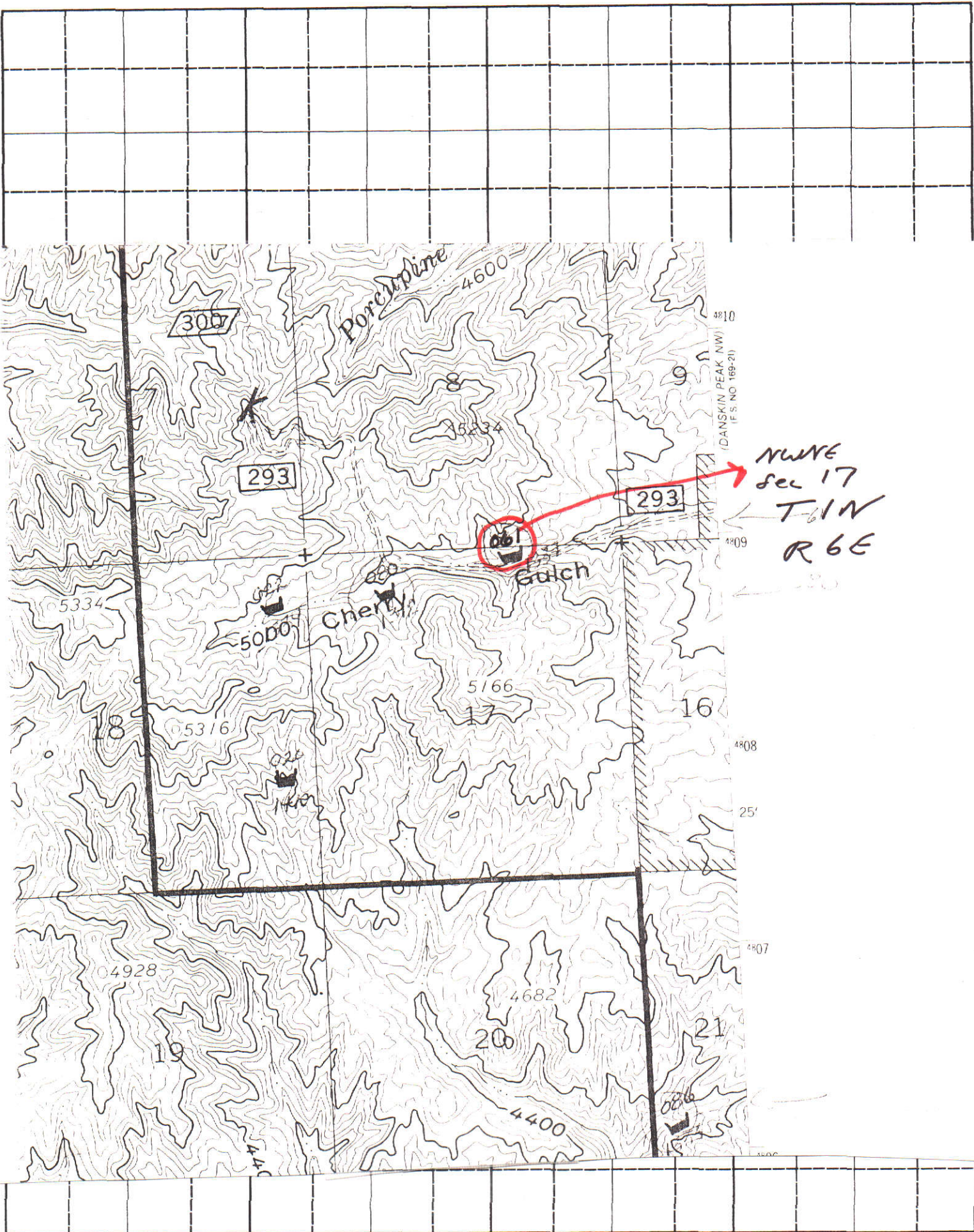


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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. 63-9457 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. 63-9457 issued pursuant to Application for Permit dated September 26, 1980,  
and has submitted proof to the Department of Water Resources on February 26, 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 Cherry Gulch, 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 |
|-------------------|-----------------------------------------------------------------------------------|-------------------|---------------|
| <u>Stockwater</u> | from <u>June 1</u> to <u>October 31</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 NWNE, Section 17,  
Township 1N, Range 6E 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 |        |
| 1N   | 6E    | 17   | 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 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

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 Cherry Gulch

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

Range 6E 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 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 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: NW  $\frac{1}{4}$  of NE  $\frac{1}{4}$  of Section 17 Township 1N

Range 6E 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 199 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. \_\_\_\_\_

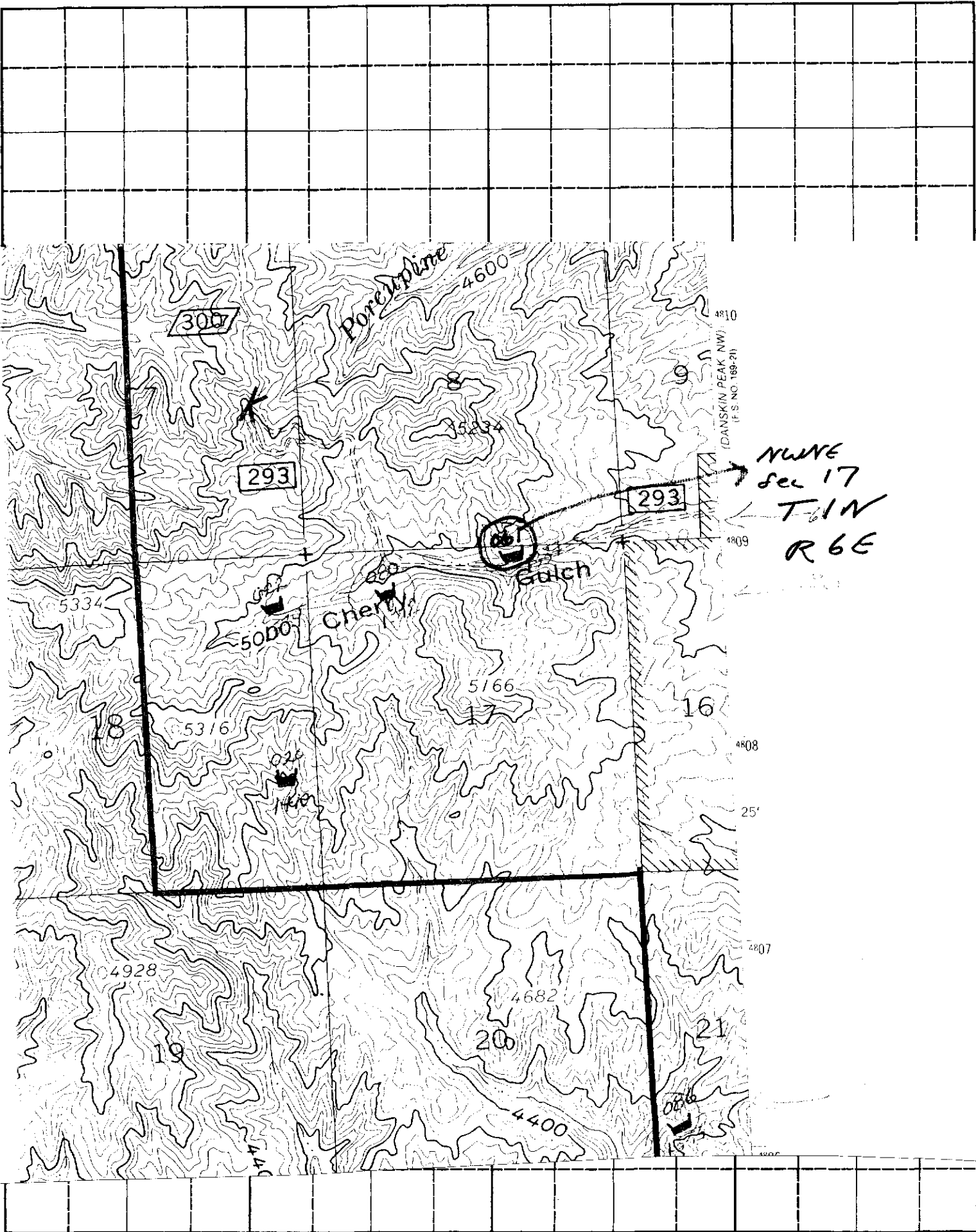
9. a. Who owns the property at the point of diversion U.S.A., administered as Boise National Forest

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.

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 C. Cultra*  
(Applicant)  
(For) Deputy Regional Forester, Resources

Proposed Priority

9/26/80

Received by h/h Date 9/26/80 Time 11:00 <sup>voucher, 1</sup>

Preliminary check by 665 Fee \$ 30.-

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

Publication prepared by h/h Date 10/2/80

Published in mtn Home News

Publication dates 10/9 - 10/16/80

Publication approved h/h Date 10/17/80

Protests filed by: none

Copies of protests forwarded by \_\_\_\_\_

Hearing held by \_\_\_\_\_ Date \_\_\_\_\_

Recommended for approval denial by 665 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. 63-9457, 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 13<sup>th</sup> day of November, 19 80.

J. Glen Saylor

Chief Engineer

## 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 16<sup>th</sup>  
day of October, 1980

Martha L. Swenson  
Notary Public

63-9457  
U.S. DEPT. OF AGRI.  
FOREST SERVICE, FEDERAL  
BLDG., 324 25TH ST., OGDEN, UT  
84401  
Source: SPRING tributary to  
CHERRY GULCH  
Date Filed: 09/26/1980  
Amount: 0.01 CFS  
Diversion Point: NWNE Sec 17 T  
01N R 06E, ELMORE Co.  
Use: STOCKWATER (0.01 CFS)  
from 06/01 to 10/31  
Place of Use: NWNE Sec 17 T 01N R  
06E  
Diversion Means: HEADBOX AND  
PIPE

O. C.  
HCH

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

WATER RIGHT NUMBER 63-9457

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

ADDRESS LINE 1 - FOREST SERVICE

ADDRESS LINE 3 - 324 25TH ST.

SOURCE - SPRING

STAGE - LICENSE

TOTAL DIV. VOLUME -

DIVERSION POINT - NWNE 17 01N 06E LOT

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

USE - STOCKWATER

DECREE NAME -

REMARKS -

NON IRRIG USE - S/199 RANGE.

OTHER RIGHTS FOR SAME USE -

PROOF DUE - 12-01-1981 PERMIT/DENIED - 11-13-1980 PROTESTED -

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

DIVERSION MEANS - HEADBOX AND PIPE.

FIRST NAME - ORIG OWNER -

ADDRESS LINE 2 - FEDERAL BLDG.

CITY - OGDEN

STATE - UT ZIP CODE - 84401

TRIBUTARY OF - CHERRY GULCH

PRIORITY - 09-26-1980 COUNTY - ELMORE

TOTAL DIV. RATE - .0100 -CFS

STATUS - .10 AFA TRFR/AMEND -

WATER DIST. - 63 DLE/CAREY ACT -

RIGHT BASIS -

REDIV - 272.0 312.0 96.0 2.0 1.0 1.0 0.0 0.0 0.0 0.0 1.5

USE DIV. RATE -

.0100 CFS USE DIV. VOLUME -

.10 AFA

PLACE OF USE - TWN 01N RNG 06E SEC 17 TRACT NWNE LOT AC

DATE -

TOTAL ACRES 0

HEARING -

OLD NO. -



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

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:

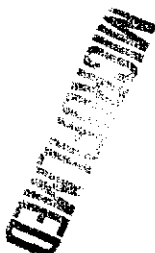
61-7414, 61-7415, 61-7416, 61-7417, 61-7418, 63-9226, 63-9228, 63-9442,  
63-9443, 63-9449, 63-9450, 63-9451, 63-9452, 63-9453, 63-9454, 63-9455,  
63-9456, 63-9457, 63-9459, 63-9463, 63-9465, 63-9466, 63-9468, 63-9472,  
63-9474, 63-9494, 63-9495, 63-9496, 63-9497, 63-9499, 63-9505, 63-9506,  
63-9511, 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



63-9457

**CONTACT WITH PERMIT HOLDER**

## EXAMINATION

**Measurement calculations:**

Allow .01 ds & .1 Af as per permit

System Description Handbox piped to Trough

## RECOMMENDED AMOUNTS

Irrigation requirement = \_\_\_\_\_ AFA/Acre

## USE

Q (cfs)

V (afa)

FROM

TO

stock

10

41

10/31

Total

Remarks 179 CATTLE RANGE

**MICROFILMED**

[illegible]

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

Point(s) of diversion: NWNE 517 22 6E

Place(s) of Use

[illegible]

**Recommended Amendments:**

- ☐ Change P. 1 as reflected above  
☐ Change P. 2 as reflected above

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

**Examiner's Signature**

Checked by DBS

Approved by

Date 30 July 1981

Date 10/28/81

Date 11/23/81



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

April 15, 1981

U.S. Forest Service  
ATTN: Adrian Dalton  
324 25th St.  
Ogden, Utah 84401

RE: Batched Beneficial Use Cards (See Attached list)

Dear Mr. Dalton:

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

RECEIVED  
APR 16 1981  
WATER RESOURCES  
DIVISION  
BOISE, IDAHO

4/15/81

U.S. FOREST SERVICE FIELD EXAMS

(BATCHED)

|         |         |
|---------|---------|
| 63-9396 | 63-9463 |
| 9397    | 9465    |
| 9398    |         |
| 9399    | 9472    |
|         |         |
| 9404    | 9474    |
| 9406    |         |
| 9408    | 9527    |
|         |         |
| 9449    | 9546    |
| 9450    | 9548    |
| 9451    | 9549    |
| 9452    | 9550    |
| 9453    | 9551    |
| 9454    |         |
| 9455    | 9577    |
| 9456    | 9578    |
| 9457    |         |
| 9458    | 9596    |
| 9459    |         |
|         | 9501    |
|         |         |
|         | 9622    |
|         | 9623    |

**MICROFILMED**

012-061

## 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. 63-9457.

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 cherry Gulch

Extent of Use:

|                                                                  |                            |
|------------------------------------------------------------------|----------------------------|
| <input type="checkbox"/> Domestic                                | (number of households)     |
| <input checked="" type="checkbox"/> Stockwater <u>199 cattle</u> | (number and type of stock) |
| <input type="checkbox"/> Irrigation                              | (acres)                    |
| <input type="checkbox"/> Other                                   |                            |

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

Access Point: 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

2/3/81  
Date

Adrian Dalton  
Signature of Permit Holder

REGISTERED

FEB 20 1981

PLACE  
TEN CENT  
STAMP  
HERE

Department of Water Resources

Department of Water Resources  
Western Regional Office



MICROFILMED

IDAHO DEPARTMENT OF WATER RESOURCES  
STATEHOUSE  
BOISE, IDAHO 83720

UNITED STATES DEPARTMENT OF AGRICULTURE  
FOREST SERVICE

324 25th Street  
Ogden, Utah 84401

2540  
February 24, 1981



Mr. David B. Shaw  
Western Region Supervisor  
Idaho Department of Water Resources  
92 South Cole Road  
Boise, Idaho 83705

Dear Mr. Shaw:

Enclosed are twenty-nine (29) Proof of Beneficial Use cards  
that have been completed and are now ready for your processing.

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

Enclosures (29)

RECEIVED  
FEB 26 1981

Department of Water Resources  
Western Regional Office

RECEIVED

FEB 26 1981

Department of Water Resources

MICROFILMED

IDENT. NO. 63-9457

WATER RIGHT  
DATA ENTRY LOG

[illegible]



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: GLS

APPLICATION NUMBER: 63-9457

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. 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

By: GLS Date: 10/30/80

STATE OFFICE REVIEW:

- SWP cord 05(63 BR)  
☐ See attached sheet for more information.  
By: Robyn Date: 11/13/80

MICROFILMED

U.S. DEPT. OF AGRI.

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

Source: SPRING tributary to CHERRY GULCH

Date Filed: 09/26/1980

Amount: 0.01 CFS

Diversion Point: NWNE Sec 17 T 01N R 06E, ELMORE Co.

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

Place of Use: NWNE Sec 17 T 01N R 06E

Diversion Means: HEADBOX AND PIPE.

UNRECORDED  
UNFILED