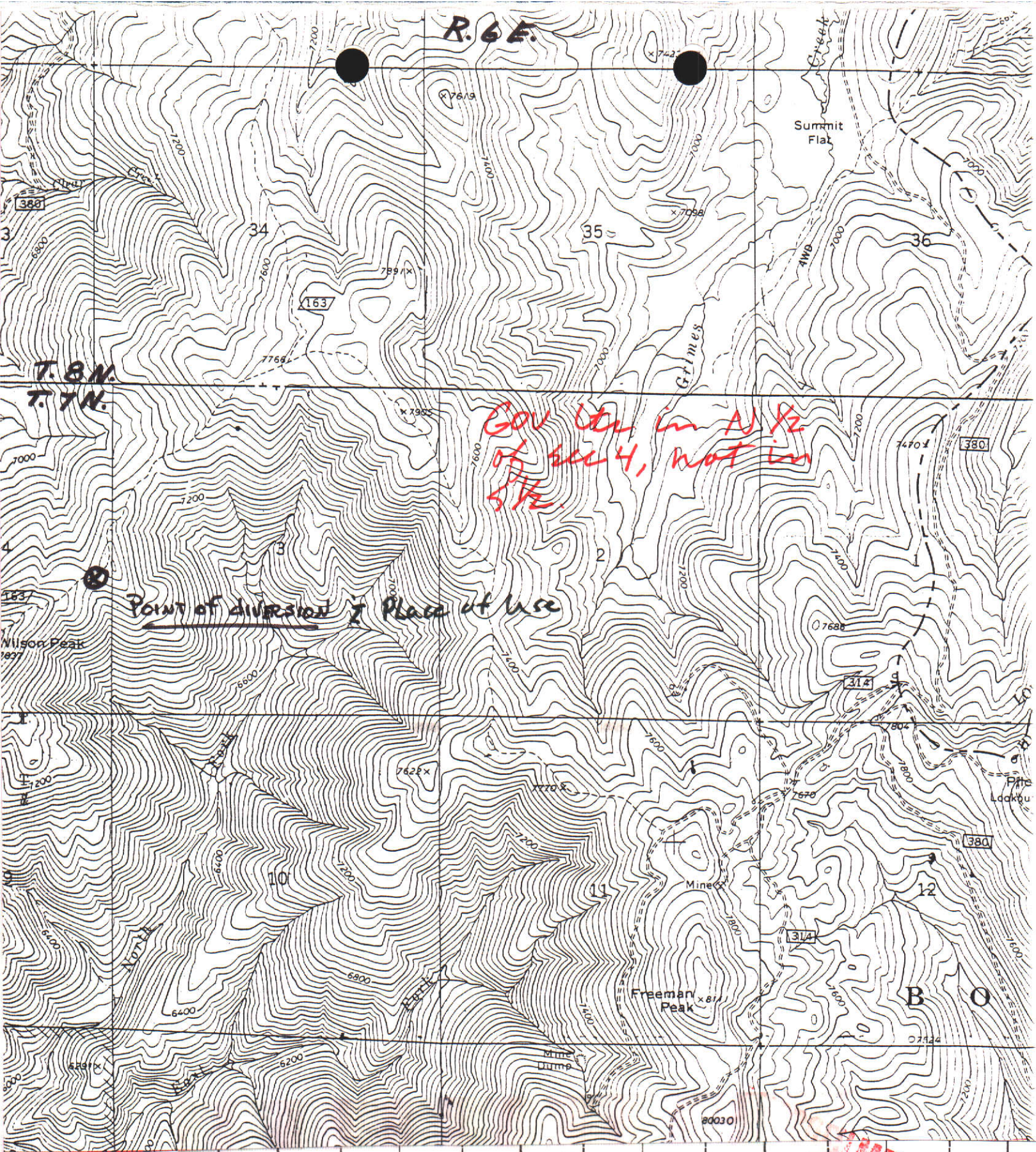




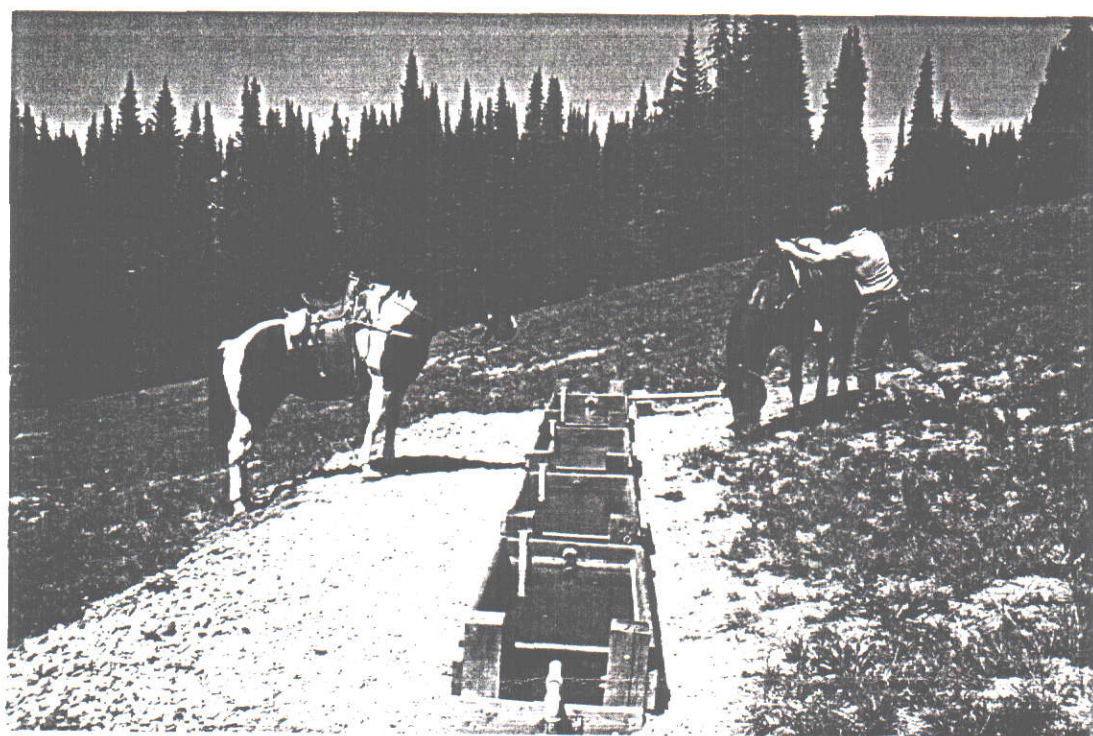
Scale: 2 inches equal 1 mile.

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.

USDA Forest Service

Roberto A. Maltzen
(Applicant)

(for) Gray F. Reynolds - Regional Forester



UNFILMED
MAY 20 1992

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 63-11544

Proposed Priority: June 3, 1991 Maximum Diversion Rate: 0.07 CFS

This is to certify, that U.S. DEPT OF AGRICULTURE
FOREST SERVICE
BOISE NATIONAL FOREST
1750 FRONT ST.
BOISE, ID 83702

has applied for a permit to appropriate water from: **GROUNDWATER**
and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
STOCKWATER	04/30 to 11/30	0.07 CFS
WILDLIFE	01/01 to 12/31	0.07 CFS
	Totals	0.07 CFS

LOCATION OF POINT(S) OF DIVERSION: NENESE Sec. 4, Township 07N, Range 06E
BOISE County

PLACE OF USE: STOCKWATER
TWN RGE SEC

07N 06E 4 NESE

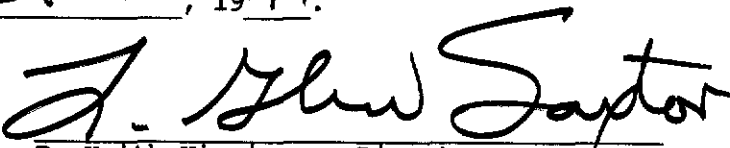
PLACE OF USE: WILDLIFE, same as STOCKWATER use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before August 3, 1992.
2. Subject to all prior water rights.
3. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. Stockwater use is for 1800 sheep.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this

2nd day of August, 1991.

for

R. Keith Higginson, Director

AUG 22 1991

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant USDA - Forest Service Phone 364-4100
Post office address 1750 Front Street, Boise, ID 83702

2. Source of water supply Ground Water which is a tributary of ~~Clear Creek~~ *

3. Location of point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of SE $\frac{1}{4}$, Govt. Lot _____
Sec. 4 Township 7N Range 6E B.M. Boise County; additional
points of diversion if any: _____

4. Water will be used for the following purposes:

off Amount .07 for Wildlife/Livestock purposes from April 30 to Nov. 30 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .07 for Stockwater purposes from April 30 to Nov. 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)

5. Total quantity to be appropriated is (a) .07 and/or (b) _____
cubic feet per second acre feet per annum *

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. The proposed diverting work is an aggregate underdrain (French drain) capturing ground water discharge through 2" perforated pipe. The discharge is then transported and stored in 150 gallon Powder River stock troughs.

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.

technically,
not a well → c. Proposed well diameter is 2" inches; proposed depth of well is 4' feet.

d. Is ground water with a temperature of greater than 90°F being sought? NO *

7. Time required for the completion of the works and application of the water to the proposed beneficial use is

3 days 1 years (minimum 1 year).

AUG 22 1991

* change per office visit by John Potyomkin, Boise Natl. Forest
Staff Hydrologist His initials are shown by item # 4. 82
See attached page for Rate of flow. 6/3/91

8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. Sheep: max. of 1800 head.
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. _____
- e. Other; describe fully. wildlife watering

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: *D* for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
T7N	R6E	4													W/S				*

Total number of acres to be irrigated _____

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

11. a. Who owns the property at the point of diversion? U.S. Forest Service

b. Who owns the land to be irrigated or place of use? U.S. Forest Service

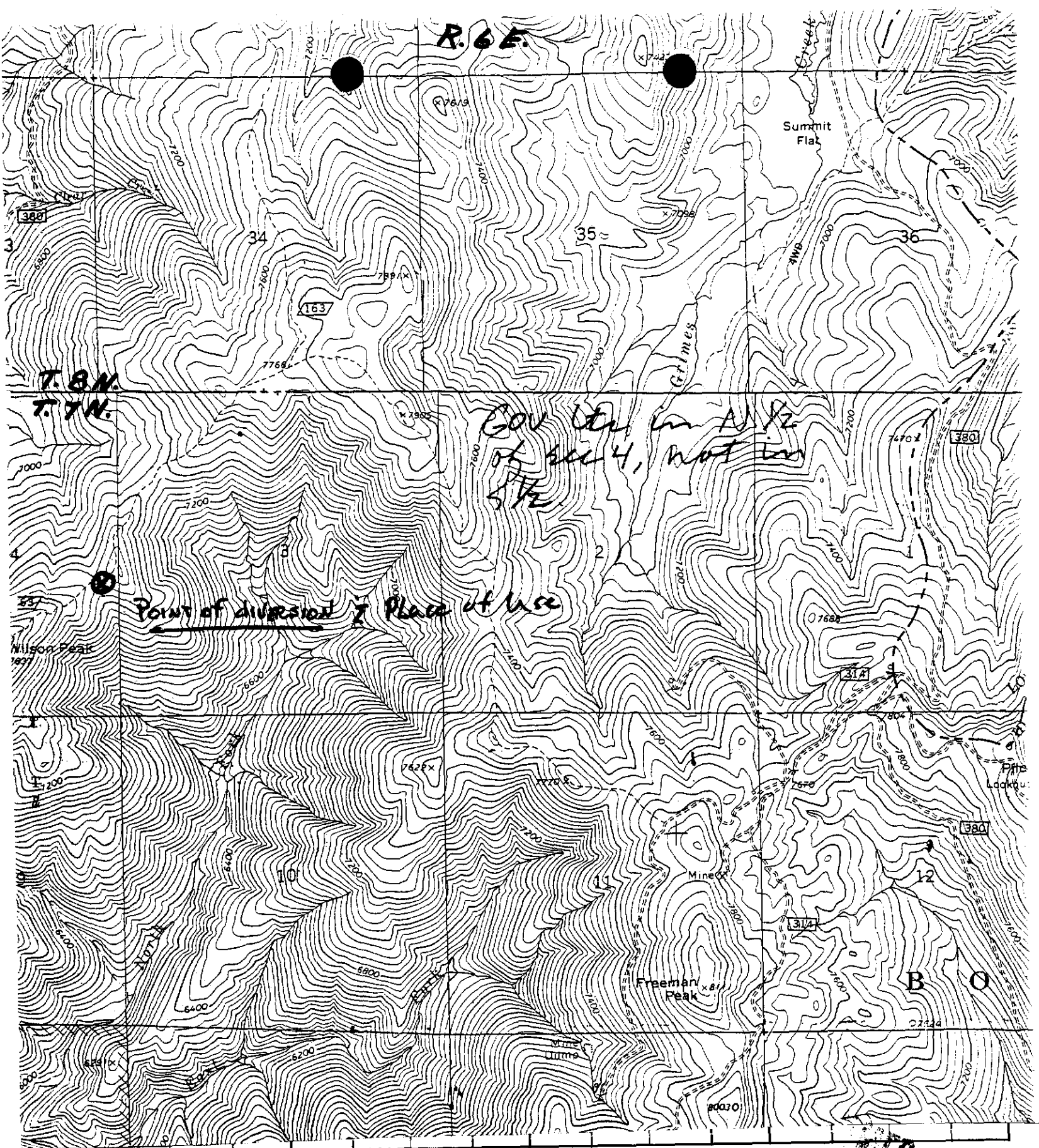
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: _____

AUG 22 1991

* per items 4 & 8e

2 6/3/



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.

USDA Forest Service

Roberto A. Maltzen
(Applicant)

(for) Gray F. Reynolds - Regional Forester

Received by gr Date 6/3/91 Time 11:46 Preliminary check by lw 6/4/91
Fee \$ 30⁰⁰ Receipted by gr # W013364 Date 6/3/91
Publication prepared by GG Date 6-12-91 Published in ID World
Publication approved at Date 7-12-91
6/19 & 6/26/91

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. _____, and said application is hereby _____.

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 _____, 19 ____.

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. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other:

AUG 22 1991

RECEIVED

JUL 11 1991

The Idaho World

P O Box 220, Idaho City, ID 83631
208 392-4989

Department of Water Resources

Western Regional Office

State of Idaho >

County of Boise >

Wayne Hart, being duly sworn, deposes and says: that he is the manager and principal clerk of THE IDAHO WORLD, a weekly newspaper published at Idaho City, in the County of Boise and the State of Idaho; the said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Idaho City; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for two (2) consecutive weeks in the entire and regular issue of every number of said paper during the period and time of publication and was published in the newspaper and not a supplement; that said paper has been established and regularly and continuously published for more than seventy eight weeks past previous to the first publication of this notice. Such notice was published with the issue beginning with June 19, 1991 and ending with the issue of June 26, 1991.

Wayne Hart

State of Idaho >

County of Ada >

On this 9th day of July in the year 1991, before me, a notary public, personally appeared WAYNE HART known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Dan E Hart

Notary Public for Idaho

Boise Idaho

Residing at

My commission expires 9/10/96

AUG 22 1991

LEGAL NOTICES

NOTICE OF APPLICATION FOR WATER RIGHT

The Following application (s) have been filed to appropriate the public waters of the State of Idaho:

63-11544

U.S. DEPT OF AGRICULTURE
BOISE NATIONAL FOREST
1750 FRONT ST.
BOISE, ID 83702

Source: GROUNDWATER

Diversion Pt: NENESE Sec 4 T 07N R 06E

Use: STOCKWATER	(.070 CFS)
WILDLIFE	(.070 CFS)
Total Diversion	(.070 CFS)

Date Filed: 6/3/1991

In: T07N R06E S04 NESE

63-11545

A.U. NUGGET MINING CO.
P.O. BOX 71
IDAHO CITY, ID 83651

Source: GRIMES CREEK Tributary: MORES CREEK

Diversion Pt: LOT 11 (NWSESE) Sec 16 T 05N R 04E

Use: MINING	(.450 CFS)
Total Diversion	(.450 CFS)

Date Filed: 5/23/1991

In: T05N R04E S16 NESE NWSE Lot 10 (SWSE) Lot 11 (SESE)

The permits(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 on or before JULY 8, 1991.

R. KEITH HIGGINSON, Director

Published in The Idaho World June 19 and 26, 1991.

April 17, 1992

U.S. DEPT OF AGRICULTURE
FOREST SERVICE
BOISE NATIONAL FOREST
PO BOX 284
IDAHO CITY ID 83631

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 63-11544

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the WESTERN Regional Office in Boise at (208)334-2190.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

MAY 20 1992

STATE OF IDAHO

MAR 27 1992

Department of Water Resources
Western Regional Office

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

RECEIVED
APR 13 1992
Department of Water Resources

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 63-11544 Telephone No. 392-6681
2. Name(s) of Permit Holder(s): USDA/FOREST SERVICE
3. Post Office Address: PO Box 284 IDAHO CITY ID 83631
4. Source of Water: SPRING OR SEEP
- a. If ground water, well driller's name: _____ Date drilled: _____
- b. Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft.): _____
5. Extent of Use:
- | | |
|--|---------------------------------|
| Domestic _____ (No. of households) | Irrigation _____ (No. of acres) |
| Stockwater <u>1000</u> (No. and type of stock) | Other _____ |

PLEASE CHECK ORIGINAL APPLICATION

6. Total rate and/or volume for which proof is submitted 04.07 cfs _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly: By Klg on 3/31/92

Measuring device: Required? Yes ☒ No Installed? Yes ☒ No

OR

Flow Measurement Port: Required? Yes ☒ No Installed? Yes ☒ No

8. Fee Enclosed: \$ 50.00 (See License Examination Fee Schedule)

9. Person to contact to accompany the Department representative during the field examination:

CHARLIE SWEARINGEN
Name

364-4330
Telephone No.

IDAHO CITY RANGER DISTRICT P.O. Box 129 IDAHO CITY ID 83631
Address

10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

Date

4/10/92

Signature (and title if on behalf of a company or organization)

Charlie Swearingen

MAY 20 1992

FILMED

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 63-11544 Reviewed by Klg Date 3/31/92

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?
no yes Address same as permit?
yes Proof timely received? Correct Uses? yes
If not, complete calculation below.

SOURCE OF WATER

✓ Surface water source
Ground water source
NA Drilling permit required?
/ Copy in the file? Drilling Permit No. _____
/ Amount paid for permit _____ Correct?
/ Well log in the file?

LICENSE EXAMINATION FEE

yes Required?
50 Amount Submitted
yes Correct?

MEASURING DEVICE

NA Required?
/ Installed?
/ Waiver requested?

PRIORITY CALCULATION

Date proof received NA
Date proof due / -
No. of days late / =
Priority Date / +
New Priority Date /

DEFICIENCIES OR ACTION ITEMS

Needs @ Signature

proof acceptable

DATA ENTRY

New Address PO Box 284 Idaho City, ID
83631

Proof Made 4/13/92
4/17/92 Klg



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

March 31, 1992

USDA/Forest Service
P.O. Box 284
Idaho City, ID 83631

Re: Permit No. 63-11544

Dear Permit Holder:

Returned is your Proof of Beneficial Use submitted to this office on March 27, 1992.

Unfortunately, the proof is not acceptable because it has not been signed or dated. Please sign, date, and return to me as soon as possible.

As soon as I receive the signed Proof of Beneficial Use, I can complete my analysis and continue the licensing process.

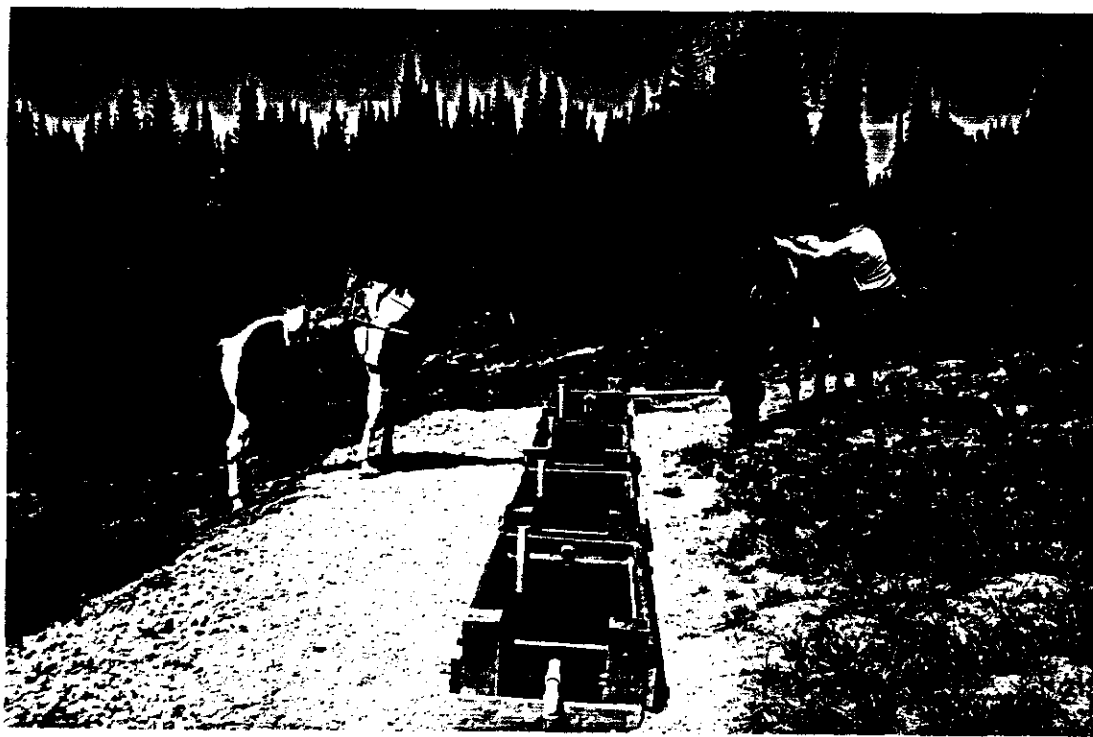
If you have any questions or if I can be of any further assistance, please feel free to contact me.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

Enclosure

RECEIVED
MAY 20 1992



FILED
MAY 20 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

August 9, 1991

U.S. DEPT. OF AGRICULTURE
FOREST SERVICE
BOISE NATIONAL FOREST
1750 FRONT ST.
BOISE, ID 83702

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 63-11544

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed you should complete and submit this form immediately.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

You should be aware that you are located within a drainage basin where surface water diversions are regulated by a watermaster. It is possible that diversion of groundwater under your permit may cause a reduction of surface water flow. Siting your well as far as possible from surface water channels and casing your well so that groundwater tributary to surface water flows are not

AUG 22 1991

diverted will reduce the potential for the watermaster to .
regulate your water use.

Sincerely,

PAMELA SKAGGS
Technical Records Specialist

PS:blm

Enclosure

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JAN 22 1991

APPLICATION FOR PERMIT REVIEW

Application #: 63-11544

Reviewer: Pam Skaggs

Date: 7-30-91

Existing:

✓ No - 26A-P17

✓ Complete in 1 year - P16

Yes

Proof not submitted - P16

Proof submitted - N/A

Groundwater:

GT. 0.2 cfs - 01G-P03, 01C-P03(existing well)

✓ LT. 0.2 cfs - N/A

Drilling Permit:

Approved w/permit - P99

✓ Not included - 046-P23(All GW, even existing wells)

Location:

✓ Water Districts - WD No. 63

Surface water - 005, 005-01H-P01(LT.2 w/pump)

005-01J-P08(GT.2)

✓ Groundwater - P05

Irrigation Districts - 023

Canal Co. Areas - 023

Drainage Districts - 024

Boise Front (63) - 058 (Groundwater)

✓ Swan Falls Flag - (1, Blank or Other)

Trust - 051-052-053-P74(Consumptive Uses)

Non Trust - 048-049

River Basins:

(Surface Water) Water District Control Condition &....

Boise (63) - 05A & 11E

Payette (65) - 047-P04, 059-P71

Snake (01, 02 & 03) - 11A-P04(01), 061-P07(02/03 No W.D.Cond.)

Use:

Fish Propagation - 06A, 09E-P10 & 010 (WQ/Choose One),
042(req.), 002-P06(MD), 07A(Spec.),
044(Policy 5G)

Power - Use Power Review

Mining - 06A or 010, 09E-P10 & 054(req.)

Storage - 18A-for multiple measuring devices(In WD),
18B-P09(Size)

Rec. & Aesthetic - 027(Non-Consumptive)

Domestic - 021(restricted areas)

Ownership:

Non land owner - 004

Protested:

Agreement - 020

✓ Beneficial Use Due Date: - 08-03-1992

Other Conditions Recommended

AUG 22 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: LW DATE: 6/4/91 APPLICATION: 63-11544

REQUIRED INFORMATION 9/6/91

- ☒ Name: (If applicant is a corporation or partnership, names and addresses for the director, officers, and other partners must be included.)
☒ Address:
☒ Source: (See USGS Quad for names of water sources)
☒ Point of Diversion: (10 acres for spring, lot & block descriptions for Subdivisions, local name)
☒ County:
☒ Quantity: (flow and/or volume)
☒ Period of use: Gov't. Lots: ☒ P/D
☒ Nature of proposed use: (Include description of use) ☒ P/U
☒ Description of diverting works:
☒ Time required for beneficial use of water:
☒ Place of use or acres irrigated:
☒ Map:
☒ Signature: (If applicant is corp., partnership, or municipality, title of signatory is required)
☒ Fee:
☒ Yes ☐ No* In form to receipt:

ADDITIONAL INFORMATION

YES NO

- ☐ ☒ Overlapping place of use: (Describe source & relationship to present application on the back.)
☐ ☒ Overlapping point of diversion:
☐ ☐ Field check required: Field check by: _____
☐ ☐ Field report attached:
☐ ☒ Critical groundwater area:
☐ ☒ Groundwater management area:
☐ ☒ Diversion within interim protected river area
☐ ☒ Send dam safety information:
☐ ☒ Send power requirement letter:
☐ ☒ Send fish farm requirement letter:
☐ ☒ Power residency affidavit:
☐ ☒ Power efficiency form:
☐ ☒ Within trust water boundary: (If yes, attach Trust Water Supplementary Analysis Sheet.)
☐ ☒ Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres: (If yes, attach Large Diversion supplementary analysis sheet.)
☐ ☒ *REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT

☐ ☒ DATE REQUESTED: _____
Additional information on reverse side:

RECEIVED
JUL 26 1991

SL
6/3/91

RATE OF FLOW

PROPOSED B.U. 1800 hd. sheep

ASSUME 2 gallons/day/head at 2 hr/day
diversion to obtain daily requirement (same
assumption as in Table 6, Annual Use for
Stockwater).

$$(1800)(2) = 3600 \text{ gpd}$$

$$\frac{3600 \text{ g/d}}{120 \text{ m/d}} = 30 \text{ gpm} = .07 \text{ cfs}$$

(Application originally showed 2.0 cfs in item 4
and 4.0 cfs in item 5.)

APPROVED

AUG 22 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region
2735 AIRPORT WAY

Boise, Idaho 83705
(208) 334-2190

JUNE 12, 1991

The Idaho World
P.O. BOX 220
Idaho City, ID 83631

Dear Legal Dept.:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before JULY 8, 1991.

Yours truly,

GAIL GARRETT
Secretary

Encl.

AUG 22 1991

63-11544

U.S. DEPT OF AGRICULTURE
BOISE NATIONAL FOREST
1750 FRONT ST.
BOISE, ID 83702

Source: GROUNDWATER

Diversion Pt: NENESE Sec 4 T 07N R 06E

Use: STOCKWATER (.070 CFS)
 WILDLIFE (.070 CFS)
 Total Diversion: (.070 CFS)

Date Filed: 6/ 3/ 1991

In: T07N R06E S04 NESE

RECEIVED
AUG 22 1991