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RUPERT, IDAHO 83350-0396

AREA CODE 208
TELEPHONE 436-4717
FAX 436-6804

Dictated September 27, 2005
Transcribed October 11, 2005

RECEIVED
OCT 12 2005
Department of Water Resources

Matt Anders, GIS Specialist
SRBA Dept. of Water Resources
P. O. Box 83720
Boise, Idaho 83720

RE: **Flat Top Sheep Company Claim No. 37-4116**

Dear Matt:

I have enclosed photocopies of a copy of an Application for Permit, No. 11038, later changed to No. 7573, an Application for Amendment to that Application for Permit, a letter from the Director of IDWR on said Permit dated October 31, 1975, and an Order of Cancellation dated December 16, 1975. I apologize for the quality of these documents, but they are the only copies that I had from which a copy could be made. I hope this aids you in determining the priority date for the Campbell Reservoir described in Water Right No. 37-4116 claimed by Flat Top Sheep Company.

Very truly yours,



Roger D. Ling

RDL:jb

encs

pc: Flat Top Sheep Company

"7573" ↑

No. 11036.

APPLICATION FOR PERMIT

To appropriate the Public Waters of the state of Idaho

1. Name of Applicant: John B. Campbell.

Postoffice address: Bellevue.

County: Blaine State: Idaho.

2. The quantity of water claimed is 30 cubic feet per second.

3. Source of water supply: Lava Draw, A dry stream

4. Location of point of diversion: of Ditch NE4 of NW1 Sec. 26 T. 2 N. R. 20 E. S. 2. See Remarks.
County of Blaine.

5. To be used for: Irrigation and Domestic use.

I. Irrigation and domestic use:

(a) Amount of land to be irrigated: 1200 acres.

(b) In the following legal subdivisions: NE SE4 Sec. 27, SE4 SE4 Sec. 27, SW4 Sec. 25,
NE NW4, SE4 NW4, NE NE4, SE4 NE4, SE4, Sec. 35, T. 2 N. R. 20 E. S. 2. NE NE4,
SE4 NE4 Sec. 2, Lots 1-2-3-4- SE NW4, SE NE4, NE SE4, NE4 SE4, SE4 SE4 Sec. 1 T.
1 N. R. 20 E. S. 2.

6. Estimated cost of works: \$2,000.00

7. Description of works for diversion:

I. Kind of work: Reservoir.

II. Dimensions of works:

(a) Height of dam 17 feet, length of dam at top 750 feet, length of dam at bottom 750 feet. Material used in construction: Earth.

(b) Capacity of reservoir: 2,700 acre feet.

(c) Size of land area: 11000 sq. ft. lot 200 sq. ft.

Lava flow crosses the following quarter sections: T8 NW Sec. 30, SW Sec. 1, E. B. B. M., SE Sec. 36, NE Sec. 37, NW Sec. 38, NE Sec. 39, SE Sec. 40, E. B. B. M., NW Sec. 41, NE Sec. 42, SE Sec. 43, E. B. B. M. & is 2½ miles long.

The number of this permit is 7573.

Returned to applicant for correction: July 12, 1911.

Corrected application received: July 24, 1911.

Recorded in Book 23 Page 7573 Approved August 12, 1911.

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho and hereby approve the same, subject to the following limitations and conditions:

and in the sum of \$1,000.00 to be filed on or before October 11, 1911.

One-fifth of the work have specified to be completed on or before August 15, 1917.

The whole of said work to be completed on or before August 15, 1913.

Beneficial use of water appropriated in accordance herewith, to be made on or before

August 12, 1917.

Witness my hand this twelfth day of August, 1911.

L. E. Robinson.

95 to 100 in. or.

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE
STATE OF IDAHO, NO. 7573.

Cases now John B. Campbell, and represents to the State Engineer of the State of Idaho.

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 7573, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows: SE4NW4, SW4, Sec. 26, NE2 SE4, SE4 SE4, Sec. 27, NE NW4, SE4 NW4, WNE4, SE4 NE4, SE4, Sec. 28, T. 2 N. R. 20E. 3. M. Lots 1 and 2, SE4 NE4, Sec. 2, Lots 1 - 2 - 3 and 4, NE2 NE4, SE4 NW4, NE4 SW4, NW4 SE4, NE2 SE4 Sec. 1, T. 1 N. R. 20E., making a total of 1280 acres.

That an additional amount of water is not asked for, and that the rights of others will not adversely affected by such change.

Signed at Bellevue, Idaho, this 23 day of November, 1914.

John B. Campbell.

Date of receipt at Office of State Engineer November 27, 1914.

APPROVAL OF STATE ENGINEER.

I, HERBERT WING, Acting State Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 7573. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

Witness my hand this 1st day of December, 1914.

Herbert Wing,

Acting State Engineer.

(a) Amount of land to be irrigated: 1200 acres.

(b) In the following legal subdivisions: NE SE4 Sec. 27, SE4 SE4 Sec. 27, SE4 Sec. 26, NE NE4, SE4 NW4, NE NE4, SE4 NE4, SE4, Sec. 35, T. 2 N. E. 20 E. S. 1. NE NE4, SE4 NE4 Sec. 1, Lots 1-2-3-4- SE NW4, SE NE4, NE SE4, NE4 SE4, SE4 SE4 Sec. 1 T. 1 N. E. 20 E. S. 1.

6. Estimated cost of works: \$2,000.00

7. Description of works for diversion:

I. Kind of work: Reservoir.

II. Dimensions of works:

(a) Height of dam 17 feet, length of dam at top 750 feet, length of dam at bottom 750 feet. Material used in construction: Earth.

(b) Capacity of reservoir: 2,700 acre feet.

(c) Size of headgate: Width 2 feet, Height 2 feet.

(d) Conduit Ditch, width at bottom 5 feet, width at water line 11 feet, depth of water 2 feet. Average grade or fill is 12 feet. Length of conduit is 24 miles and it crosses the following quarter sections: E2 NW4 E2 SE4 Sec. 26, NE4 NW4, NE4 NE4, NE4 NE4, SE4 NW4, SE4 NE4, Sec. 35, NE4 NE4, SE4 SE4 Sec. 35, T. 2 N. E. 20 E. S. 1. NE4 NE4, NE4 NE4, SE4 NE4, NE4 SE4, SE4 SE4 Sec. 1 T. 1 N. E. 21 E. S. 1.

8. Time required for the completion of the construction of such work is 2 years.

9. Time required for the complete collection of the water to the proposed use is 4 additional years.

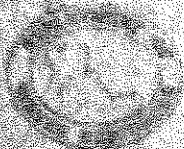
I HEREBY certify that the undersigned hereby makes application for a permit to appropriate the waters of the State of Idaho as herein set forth.

John B. Campbell,

Applicant.

Remarks: Sta. 0 of Dam, bears N. 30° 22' E. 944 ft. from the west 1/4 cor. of Sec. 30 T. 2 N. E.

Sta. 1 of Dam being the head of pipe, or outlet, bears N. 50° 22' E. 1384 ft. from



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Don H. Anderson
Director

R. Keith Higginson
Director

Don H. Anderson
Don H. Anderson
1962-1975

October 31, 1975 CERTIFIED MAIL

Re: Permit No. 7573 (New No. 37-2217)

John B. Campbell
Bellevue,
Idaho 83313

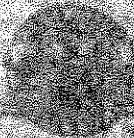
Dear Mr. Campbell:

It appearing to the Department of Water Resources (formerly the Department of Water Administration) that the terms and conditions of Permit 7573/37-2217 to appropriate the public waters of the State of Idaho have not been complied with as to failure to submit proof of beneficial use of water due on August 12, 1917, you are hereby notified that under the provisions of Section 43-311, Idaho Code, as amended, said permit is hereby held for cancellation, and you are required to show cause before the Director of the Department of Water Resources on or before December 16, 1975, why said permit should not be cancelled.

Permit 7573/37-2217 claims the use of 30.0 cubic feet per second of water from Lawn Draw

the point of diversion was to be located within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 26, Twp. 2 N., Rge. 20 E., S. 12 N. and the permit was approved August 12, 1917


R. KEITH HIGGINSON
Director



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

STATE HOUSE, BOISE, IDAHO 83726

IN THE MATTER OF CANCELLATION OF PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE
STATE OF IDAHO NO. 7513/37-2217
IN THE NAME OF John B. Campbell

ORDER OF CANCELLATION

WHEREAS, the permit holder has failed to submit proof of beneficial use of water
due on August 12, 1977

WHEREAS, on October 31, 1975, notice was sent to the holder of said permit
to appear before the Director of the Department of Water Resources (formerly the Department
of Water Administration) on or before December 10, 1975, to show cause why said permit
should not be cancelled; and,

WHEREAS, the holder of said permit has failed to comply with the requirements of said
permit and has not shown adequate cause why such permit should not be cancelled;

IT IS THEREFORE ORDERED and Permit No. 7513/37-2217 is hereby CANCELLED.

Dated this 18th day of December, 19 75.


R. KEITH HOGGSON
Director