

12/12/2005

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 78-2086B

NAME AND ADDRESS: STATE OF IDAHO
DEPT OF FISH & GAME
PO BOX 25
BOISE ID 83707

SOURCE: LITTLE CREEK

TRIBUTARY: LITTLE SALMON RIVER

QUANTITY: 140.000 AFY

PRIORITY DATE: 06/30/1922

POINT OF DIVERSION:

T18N R02E S16 NWNE Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
FISH PROPAGATION STORAGE	1/01 12/31	140.00 AFY

PLACE OF USE: FISH PROPAGATION STORAGE Within ADAMS County

T18N R02E S09	SWSE	T18N R02E S09	SESE
T18N R02E S16	NENE	T18N R02E S16	NWNE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right includes accomplished change in purpose of use pursuant to Section 42-1425, Idaho Code.

CARL H. SWANSTROM
ROGER SWANSTROM

LAW OFFICES
SWANSTROM & SWANSTROM
ATTORNEYS AND COUNSELORS AT LAW
COUNCIL, IDAHO

July 17 1962

RECEIVED
JUL 23 1962

Department of Reclamation

Department of Reclamation of Idaho
State House
Boise, Idaho

File
Re Permit, R-297, George Wilson
Little Creek, Adams County

Gentlemen:

This letter is written at the request of George Wilson, of New Meadows, Idaho, holder of the above numbered permit for storage of flood water of Little Creek in Adams County, Idaho.

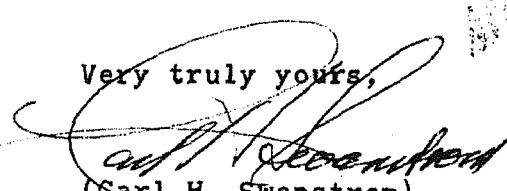
As of today, Mr. Wilson is renting to Howard and Marshall Dryden and to L. W. Whitney, of Meadows, Idaho, 200 acre feet (estimated) of storage water for use on Lessees' lands in the southerly end of Meadows Valley. The stored water is being released at the rate of 200 inches, or 8 acre feet, per day.

The released water, measured over weir, is placed in Little Creek immediately below the storage dam, conveyed down the channel of Little Creek to a point near the NW corner of NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32, Twp. 19 N. R. 2 E. B. M. where it is diverted from the stream, measured over a weir and placed in the Brundage, or South End, canal which conveys the water to Lessees' lands. Additional water is released at the dam to more than equal the natural flow of Little Creek at that point.

Water is released into, and diverted from, Little Creek under joint supervision of Lessor (Wilson) and the Lessees, and the plan and work has approval of other holders or claimants of rights to the use of water of Little Creek.

This letter is written in compliance with the Statute and in order that the Department may, if it desires, arrange supervision through its local water master, or other agent. In view of the fact that plans for the present arrangement were submitted to other water users on and along the creek, it is thought no formal supervision will be required. The present arrangement is in the nature of a "trial run" to determine the feasibility of permanent arrangements for delivery of storage water and the potential of the reservoir.

Very truly yours,


(Carl H. Swanstrom)

NOV 15 1995

234

PERMIT NO. R-297

CERTIFICATE OF COMPLETION OF RESERVOIR AND RIGHT
TO STORE WATER

Amount - 140 Acre Feet

Priority - 6-30-22

This is to certify that Blake Hancock, of New Meadows, County of Adams, and State of Idaho, the holder of Permit No. R-297, issued upon Application No. R-22083, bearing date of priority of June 30, 1922, authorizing the construction of a reservoir and the right to store the waters of Little Creek, a tributary of Little Salmon River, County of Adams, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works as set out and described in said Permit; that said works are adequate for the storage of 140 acre feet of water annually; that the location of the outlet of said reservoir is in the SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 9, Township 18 N., Range 2 E., Boise Meridian; that a right to store the said waters has been perfected in accordance with the laws of Idaho and is hereby confirmed by the Commissioner of Reclamation and entered of record in Volume 1 of Reservoir Permits, at page 297, records of the Department of Reclamation, on the 21st day of August, 1931; that the right hereby confirmed dates from June 30, 1922; and that the amount of water to which said right is, by this certificate, entitled to store annually shall not exceed 140 acre feet.

Witness the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho, this 21st day of August, A. D. 1931.

(SEAL)

R. W. FARIS
Commissioner of Reclamation.

Application for a Permit to Construct the

LITTLE FISH LAKE Reservoir

78-2086

And to Store the Unappropriated Waters of the State of Idaho

Application No. R 22083
Permit No. R 297
District No. 75-A

*Revised
Aug 21 1931*

1. Name of Applicant: **Blake Hancock,**

Postoffice Address: **New Meadows,**

County: **Adams,**

State: **Idaho.**

I. If applicant is a corporation, give:

- (a) Date and place of incorporation:
- (b) Amount of capital stock: \$
- (c) Amount paid in: \$
- (d) Names and addresses of directors:

II. The financial resources of the applicant are: (a) Cash on hand: \$
(b) Treasury stock: \$ (c) Bonds to be issued: \$
(d) Other resources:

2. Quantity of water to be stored **140** acre feet per annum.

3. Source of water supply **Little Creek**, which is a tributary of **Little Salmon River.**

4. Water is to be used for: **irrigation and domestic purposes.**

5. The outlet of the proposed reservoir is located

feet distant from the corner of Section , T. , R. ,

B. M., and is in the **SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 9**, T. 18N, R. 2 E. B. M., County of **Adams.**

6. Fill out either (a) or (b).

(a) The reservoir is located in the channel of **Little Creek.**

(b) The reservoir is to be filled through the Feeder Canal,

which has a width at bottom of ft., width at top of ft., depth of ft., average

grade per mile ft., capacity cubic feet per second.

7. (a) The area of the high water line of the reservoir is **20** acres.

(b) The available capacity of the reservoir is **140** acre feet.

8. Height of dam: **9.5** feet; length of dam at top **30** feet; length of dam at bottom **6** feet.

Material used in dam: **stone and earth**

9. The estimated cost of proposed reservoir is \$ **200**

10. Amount of land to be irrigated **160** acres; said land being described in Use Permit mentioned in Paragraph 13 herein, which Use Permit is hereby referred to and made a part hereof.

11. The time required for the completion of such work is **five** years.

13. The water stored in accordance with this permit will be conducted to the place of use through the **channel of Little**

Creek - canal, constructed under the terms of Permit No. , filed by (See Remarks)

on

BE IT KNOWN That the undersigned hereby makes application for permit to construct a reservoir and to store the unappropriated waters of the State of Idaho as herein set forth.

Blake Hancock., Applicant.

By , Agent.

RECLAMATION OF RECLAMATION

Date of first receipt at office of ~~State Engineer~~--

9 A. M. June 30, 1922.

Returned to applicant for correction

Corrected application received

COMMISSIONER OF RECLAMATION

Approval of ~~State Engineer~~

The number of this Permit is R 297

Recorded in book R 1 Page 297 Approved July 17, 1922.

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

Bond in the sum of \$ to be filed on or before

Work to begin on or before September 16, 1922 and to continue diligently and

uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before January 17, 1925.

The whole of said work to be completed on or before July 17, 1927.

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

as set out in Permit No. for the appropriation of the public waters of the State of Idaho, which is hereby referred to and made a part hereof.

Witness my hand this 17th day of July, 1922.

W. G. SWENDSEN,
Commissioner of Reclamation.

~~State Engineer~~

Remarks:

John W. Mitchell, who homesteaded the SE $\frac{1}{4}$ Sec. 25, filed on 160 inches of water from Big Creek, January 29, 1894, Recorded at Council, Idaho, Adams County

STATE OF IDAHO
DEPARTMENT OF RECLAMATION.

In the Matter of Reinstatement)
of Permit No. R-297, Under the)
Provisions of Sec. 5594, Com-)
piled Statutes of Idaho.)

ORDER REINSTATING PERMIT.

WHEREAS, Permit No. R-297 lapsed through failure of the holder to make required proof of completion of works within the time specified in said Permit, to-wit: July 17, 1927; and,

WHEREAS, Due notice was given that said permit had lapsed and would be canceled, under the provisions of Sec. 5594, Compiled Statutes of Idaho, unless appearance be made to offer proof to show cause why said permit should not be canceled, within 40 days from the date of said notice, to-wit: September 15, 1930; and,

WHEREAS, No appearance was made to offer such proof of completion of works within the time specified in said notice, Permit No. R-297 was canceled in regular order on the 12th day of April, 1928; and,

WHEREAS, On the 21st day of August, 1931, the holder of said permit filed notice of appearance to offer proof to show that the works of diversion were fully completed within the time specified in the said permit, to-wit- July 17, 1927; and,

WHEREAS, After examination of the depositions filed, the Commissioner of Reclamation is satisfied that the works of diversion were completed within the time required and that the holder had acted in good faith:

IT IS, THEREFORE, HEREBY ORDERED That said Permit No. R-297 be, and the same is, hereby reinstated and that the certificate of completion of works be issued the applicant, as provided by the laws of Idaho.

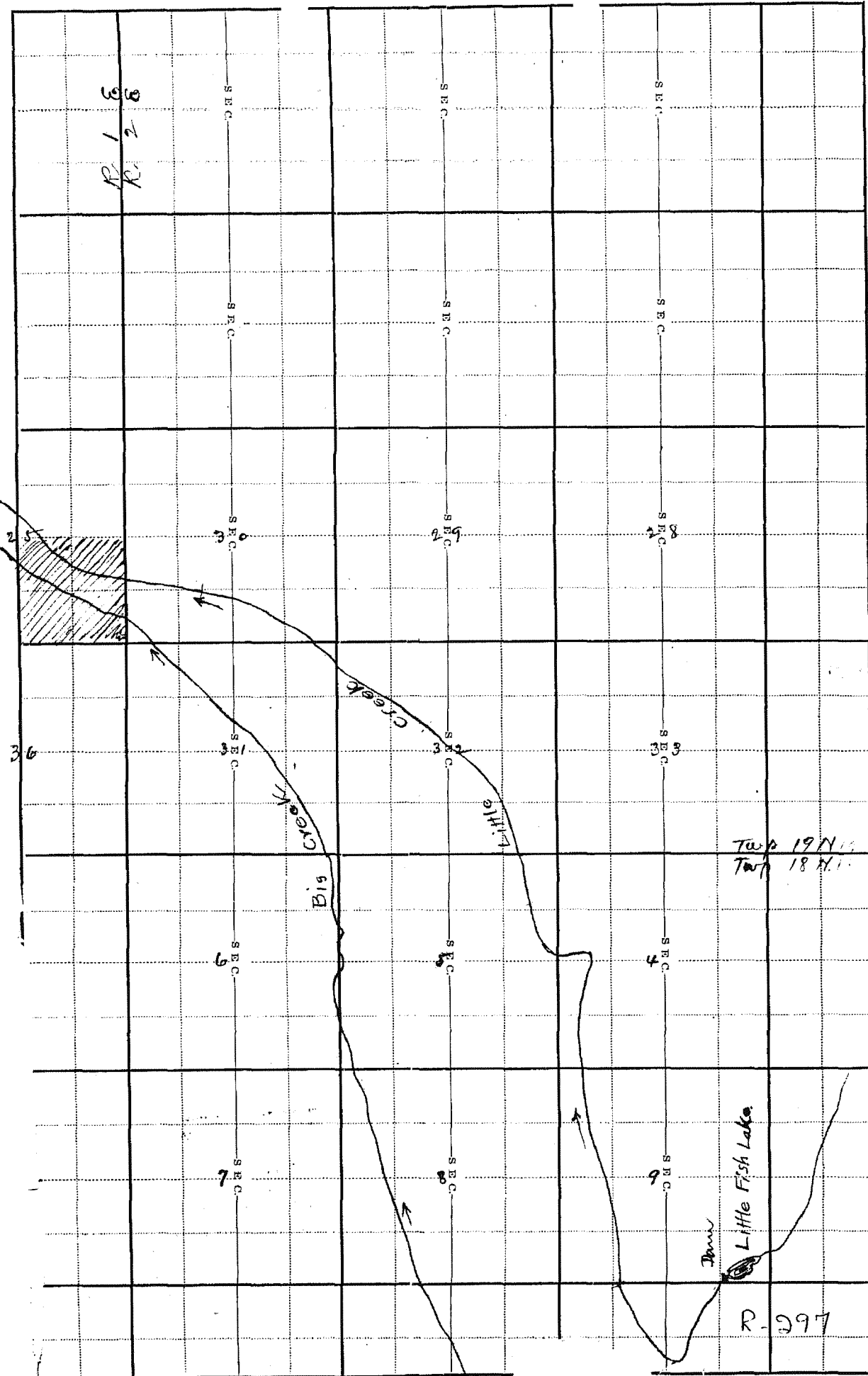
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of my office, at Boise, Idaho, this 21st day of August, 1931.

R. W. FARIS
Commissioner of Reclamation.

(SEAL)

NAME OF APPLICANT

Blake Hancock



RECEIVED

SEP 21 1995

WATER RESOURCES
WESTERN REGION

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A78-02086B

Date Received: 2/ 4/1992

Receipt No: C023122

Received By: DE-KW 9/25/95

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: STATE OF IDAHO 208-334-3700
Address: DEPT. OF FISH & GAME
P.O. BOX 25
BOISE ID 83720

2. Date of Priority: JUN 30, 1922

3. Source: LITTLE CREEK Trib. to: LITTLE SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
18N	02E	9		SW	SE		ADAMS
				SE	SE		ADAMS
		16		NE	NE		ADAMS
				NW	NE		ADAMS

5. Description of diverting works:
SEE REMARKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
FISH PROP. STORAGE	01/01	12/31			140.00
FISH PROP. FROM STORAGE	01/01	12/31			140.00

7. Total Quantity Appropriated is:
C.F.S. (and/or) 140.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
FISH PROPAGATION

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
18N	02E	9	SW		SE		FIS FS	
			SE		SE		FIS FS	
		16	NE		NE		FIS FS	
			NW		NE		FIS FS	

11. Place of use in counties: ADAMS

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

DIVERSION WORKS: STONE AND EARTH DAM ACROSS LITTLE CREEK CREATES FISH LAKE (ALSO KNOW AS "LITTLE FISH LAKE" OR "MUD LAKE"). THE LAKE COVERS APPROXIMATELY 20 ACRES AND STORES 140 ACRE-FEET ANNUALLY.

REMARKS: FISH LAKE PROPERTY AND WATER RIGHTS WERE ACQUIRED FROM MRS. INEZ MORRIS IN 1977 AND HAS BEEN USED SINCE THAT TIME AS A BROODSTOCK REARING LAKE FOR IDFG CUTTHROAT TROUT PROGRAMS. SEE ATTACHMENTS

15. Basis of Claim: LICENSE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am Director of Idaho Dept. of Fish and Game, that I have signed the foregoing

Idaho Dept. of Fish and Game, that I have signed the foregoing
Organization
document in the space below as Director of

Idaho Dept. of Fish and Game and that the statements contained in the
Organization
foregoing document are true and correct.

[Signature]
Signature of Authorized Agent

Director / Idaho Dept. of Fish and Game
Title and Organization

9 - 15 - 95
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 15th day
of September 19 95

[Signature]
Notary Public

Seal

Residing at Emmett Idaho
My Commission Expires 8-15-99

Rec'd from SO
2-7-92

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A78-02086B
Date Received: 2/ 3/1992
Receipt No: C023122
Received By: _____

**COPY FOR
YOUR FILES**

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

**COPY FOR
YOUR FILES**

1. Name: STATE OF IDAHO
Address: DEPT. OF FISH & GAME
P.O. BOX 25
BOISE ID

208-334-3700

83720

2. Date of Priority: JUN 30, 1922

3. Source: LITTLE CREEK

Trib. to: LITTLE SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
18N	20E	9		SW	SE		ADAMS
				SE	SE		ADAMS
		16		NE	NE		ADAMS
				NW	NE		ADAMS

5. Description of diverting works:
SEE REMARKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
FISH PROP. STORAGE	01/01	12/31			140.00
FISH PROP. FROM STORAGE	01/01	12/31			140.00

7. Total Quantity Appropriated is:
C.F.S. (and/or) 140.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
FISH PROPAGATION

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
18N	20E	9	SW		SE		FIS FS	
			SE		SE		FIS FS	
		16	NE		NE		FIS FS	
			NW		NE		FIS FS	

11. Place of use in counties: ADAMS

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

DIVERSION WORKS: STONE AND EARTH DAM ACROSS LITTLE CREEK CREATES FISH LAKE (ALSO KNOW AS "LITTLE FISH LAKE" OR "MUD LAKE"). THE LAKE COVERS APPROXIMATELY 20 ACRES AND STORES 140 ACRE-FEET ANNUALLY.

REMARKS: FISH LAKE PROPERTY AND WATER RIGHTS WERE ACQUIRED FROM MRS. INEZ MORRIS IN 1977 AND HAS BEEN USED SINCE THAT TIME AS A BROODSTOCK REARING LAKE FOR IDFG CUTTHROAT TROUT PROGRAMS. SEE ATTACHMENTS

15. Basis of Claim: LICENSE

Rec'd from
2-7-92
US

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number

A 78-02086

Date Received

2/3/92

Receipt Number

6023122

NOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) IDAHO DEPT. OF FISH & GAME Phone () 334-3700

Mailing Address P.O. Box 25 600 S. Walnut Boise ID Zip 83707

2. Date of Priority (Only one (1) per claim) 6/30/1922

3. Source of water supply (a) Little Creek (Fish Lake)
which is tributary to (b) Little Salmon River

4. a. Location of existing point of diversion is: Township 18N Range 20E Section 9,
1/4 of SE 1/2 of SE 1/4, Govt. Lot, B.M., County of Adams

Additional points of diversion if any: T18N R20E & N 1/2 NE 1/2 Sec. 16

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. Stone and earth dam across Little Creek creates Fish Lake (also known as "Little Fish Lake" or "Mud Lake"). The lake covers approximately 20 acres and stores 140 acre-feet annually.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For storage purposes from 1/1 to 12/31 amount _____ or 140

For fish propagation from storage purposes from 1/1 to 12/31 amount _____ or 140

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) _____ (cfs) and/or (b) 140 (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) fish propagation

10. 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 use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
18N	20E	9															H	H	
18N	20E	16	H	H															

Total number of acres irrigated _____

11. In which county (ies) are lands listed above as place of use located? Adams

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None (X)

14. Remarks: Fish Lake property and water rights were acquired from Mrs. Inez Morris in 1977 and has been used since that time as a broodstock rearing lake for IDFG cutthroat trout programs.

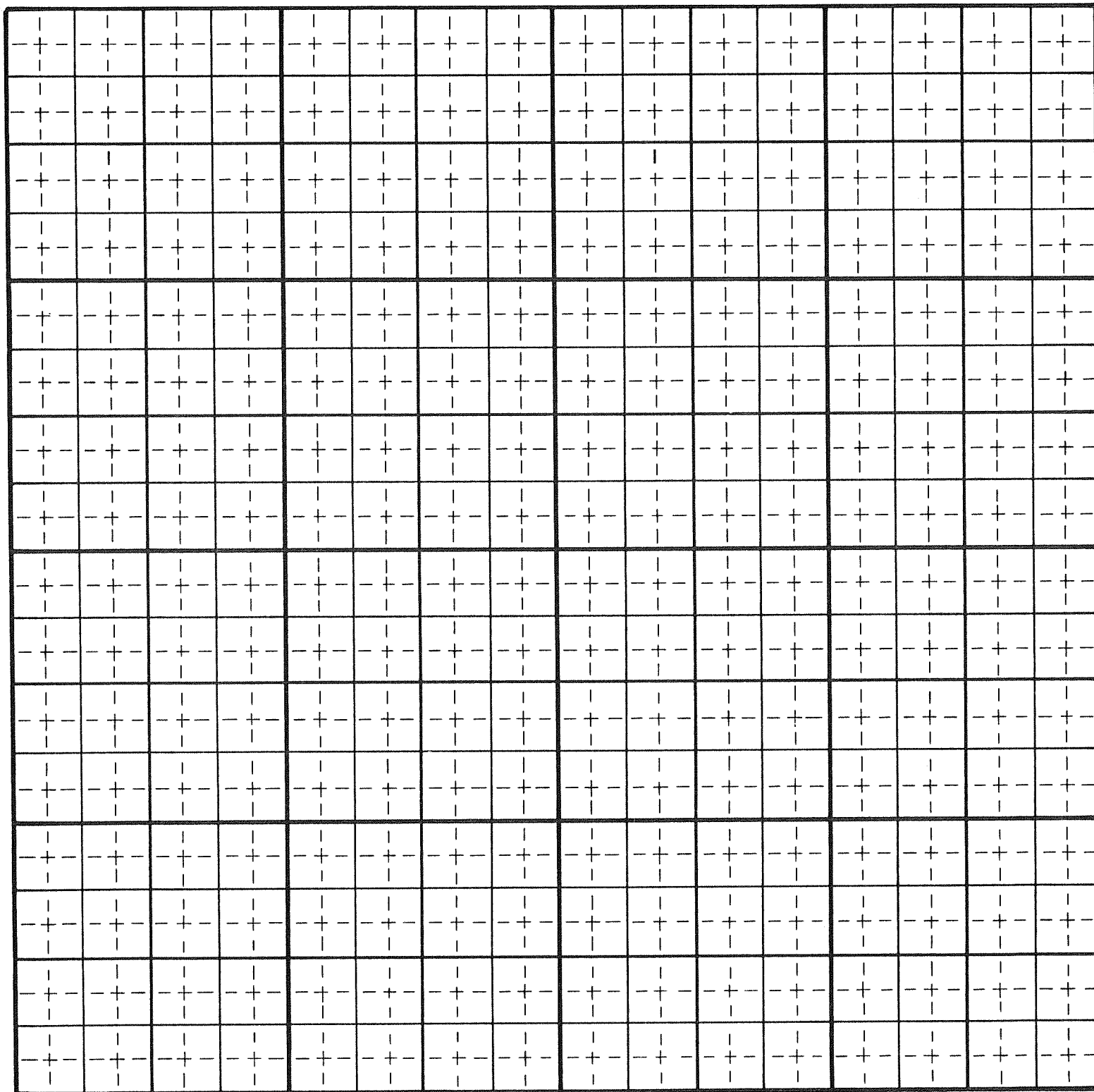
Last Name IDFG Ident No. A78-02086

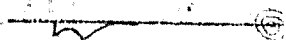
Copies: White -State, Yellow-Claimant

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

Scale: 2 inches equals 1 mile

SEE ATTACHED MAP

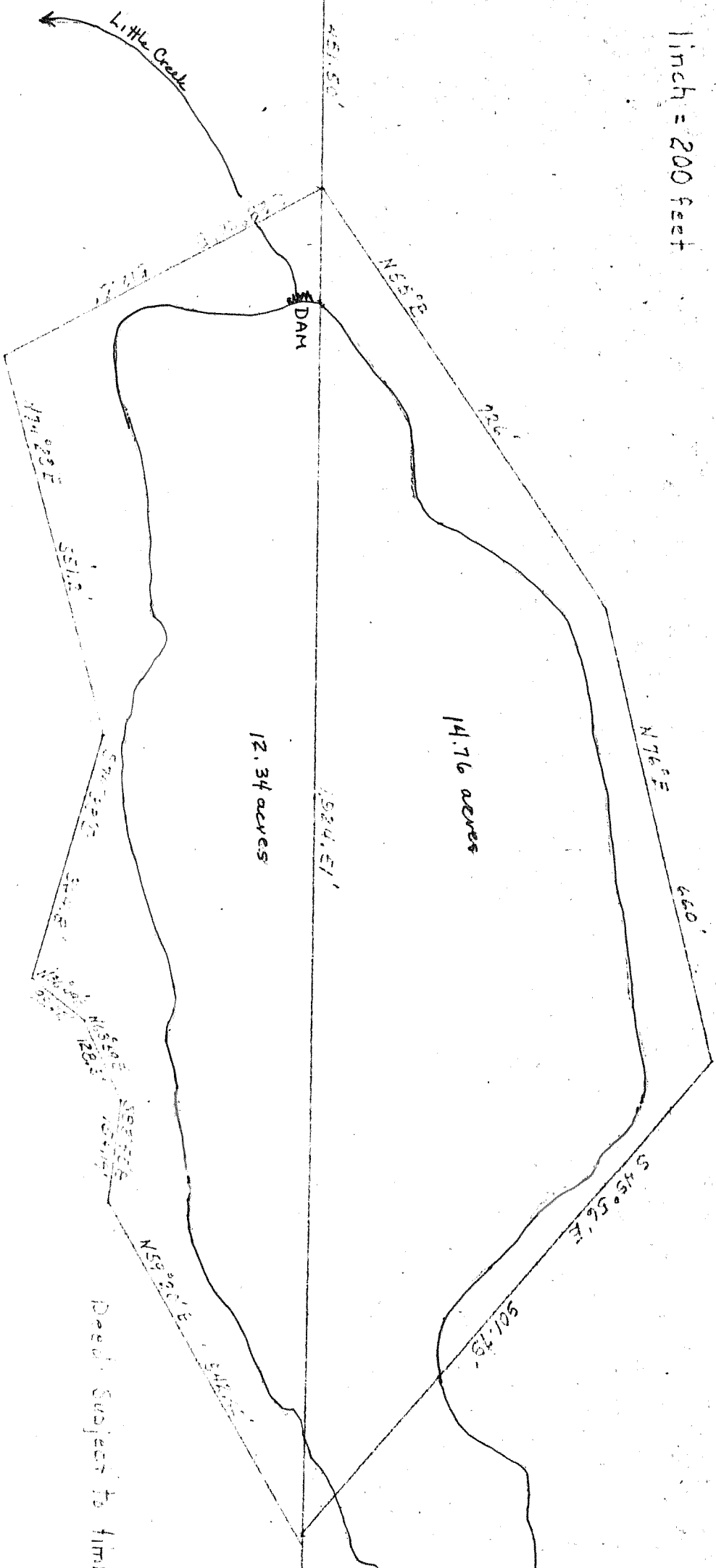




Scale: 1 inch = 200 feet

S2SE4, Sec. 9

Deed: Subject to timber harvest
& live stock grazing



N2NE4, Sec. 16

IDAHO Dept of Fish & G;

LITTLE FISH LAKE

Adams County T18N

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____
Decree _____
If applicable provide IDWR Water Right Number 78-02086
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled
"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____
wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am Director _____
Title

of IDAHO DEPT. OF FISH AND GAME _____, that I have signed the foregoing
Organization

document in the space below as Director _____ of IDAHO DEPT. OF FISH AND GAME _____
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent [Signature] _____

Title and Organization IDAHO DEPT. OF FISH AND GAME _____ Date 12/31/1991

State of Idaho Id _____)
County of Ada _____) SS.

Subscribed and sworn (or affirmed) before me this 31st day of December 19 91

SEAL

Notary Public [Signature]

Residing at Commott Idaho

My Commission Expires October 31, 1997

Please Print Name

17. Notice of Appearance:
Notice is hereby given that I, _____ will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name IDFG Ident. Number A78-02086

Copies White-State, Yellow-Claimant

PERMIT NO. R-297

CERTIFICATE OF COMPLETION OF RESERVOIR AND RIGHT
TO STORE WATER

Amount - 140 Acre Feet

Priority - 6-30-22

This is to certify that Blake Hancock, of New Meadows, County of Adams, and State of Idaho, the holder of Permit No. R-297, issued upon Application No. R-22083, bearing date of priority of June 30, 1922, authorizing the construction of a reservoir and the right to store the waters of Little Creek, a tributary of Little Salmon River, County of Adams, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works as set out and described in said Permit; that said works are adequate for the storage of 140 acre feet of water annually; that the location of the outlet of said reservoir is in the SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 9, Township 18 N., Range 2 E., Boise Meridian; that a right to store the said waters has been perfected in accordance with the laws of Idaho and is hereby confirmed by the Commissioner of Reclamation and entered of record in Volume 1 of Reservoir Permits, at page 297, records of the Department of Reclamation, on the 21st day of August, 1931; that the right hereby confirmed dates from June 30, 1922; and that the amount of water to which said right is, by this certificate, entitled to store annually shall not exceed 140 acre feet.

Witness the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho, this 21st day of August, A. D. 1931.

(SEAL)

R. W. FARIS
Commissioner of Reclamation.

Idaho.

Additional info
to verify claim

By _____, Agent.

Returned to applicant for correction

Corrected application received

COMMISSIONER OF RECLAMATION

Approval of State Engineer

The number of this Permit is R 297

Recorded in book R 2

Page 297

Approved July 17, 1922.

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

Bond in the sum of \$ to be filed on or before

Work to begin on or before September 16, 1922

and to continue diligently and

uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before January 17, 1925.

The whole of said work to be completed on or before July 17, 1927.

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

as set out in Permit No. for the appropriation of the public waters of the State of Idaho, which is hereby

referred to and made a part hereof.

Witness my hand this

17th

day of

July, 1922.

W. G. SWENDSEN,

Commissioner of Reclamation,

State Engineer

Remarks:

John W. Mitchell, who homesteaded the SE 1/4 Sec. 25, filed on 160 inches of water from Big Creek, January 29, 1894, Recorded at Council, Idaho, Adams County

STATE OF IDAHO
DEPARTMENT OF RECLAMATION.

In the Matter of Reinstatement
of Permit No. R-297, Under the
Provisions of Sec. 5594, Com-
piled Statutes of Idaho.

ORDER REINSTATING PERMIT.

WHEREAS, Permit No. R-297, lapsed through failure of the holder to make required proof of completion of works within the time specified in said Permit, to-wit: July 17, 1927, and,

WHEREAS, Due notice was given that said permit had lapsed and would be canceled, under provisions of Sec. 5594, Compiled Statutes of Idaho, unless appearance be made to offer proof to show cause why said permit should not be canceled, within 40 days from the date of said notice, to-wit: September 16, 1930; and,

WHEREAS, No appearance was made to offer such proof of completion of works within the time specified in said notice, Permit No. R-297 was canceled in regular order on the 12th day of April, 1931; and,

WHEREAS, On the 31st day of August, 1931, the holder of said permit filed notice of appearance to offer proof to show that the works of diversion were fully completed within the time specified in the said permit, to-wit: July 17, 1927; and,

WHEREAS, After examination of the depositions filed, the Commissioner of Reclamation is satisfied that the works of diversion were completed within the time required and that the holder had acted in good faith;

IT IS, THEREFORE, HEREBY ORDERED That said Permit No. R-297 be, and the same is, hereby reinstated and that the certificate of completion of works be issued the applicant, as provided by the laws of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of my office, Boise, Idaho, this 31st day of August, 1931.

R. W. FARIS
Commissioner of Reclamation.

And to Store the Unappropriated Waters of the State of Idaho

Application No. R 22083
 Permit No. R 297
 District No. 75-A

CANCELLED
 Completed
 Order of Construction
 dated REAPPROVED
 by 1932
 of Reclamation

1. Name of Applicant: **Blake Hancock,**

Postoffice Address: **New Meadows,**

County: **Adams,**

State: **Idaho.**

I. If applicant is a corporation, give:

- (a) Date and place of incorporation:
 (b) Amount of capital stock: \$
 (c) Amount paid in: \$
 (d) Names and addresses of directors:

II. The financial resources of the applicant are: (a) Cash on hand: \$
 (b) Treasury stock: \$
 (c) Bonds to be issued: \$
 (d) Other resources:

2. Quantity of water to be stored

140

acre feet or annum.

3. Source of water supply **Little Creek**

which is a tributary of **Little Salmon River.**

4. Water is to be used for: **irrigation and domestic purposes.**

5. The outlet of the proposed reservoir is located

feet distant from the

corner of Section

, T.

, R.

R. M. and is in the **SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 9**, T. **18N**, R. **2E** B. M., County of **Adams.**

6. Fill out either (a) or (b).

(a) The reservoir is located in the channel of

Little Creek.

(b) The reservoir is to be filled through the

which has a width at bottom of

ft., width at top of

ft., depth of

Feeder Canal,

grade per mile

ft., capacity

cubic feet per second.

ft., average

7. (a) The area of the high water line of the reservoir is

20

acres.

(b) The available capacity of the reservoir is

140

acre feet.

8. Height of dam: **9.5** feet; length of dam at top

30

feet; length of dam at bottom **6**

ft.

Material used in dam: **stone and earth**

9. The estimated cost of proposed reservoir is \$ **200**

10. Amount of land to be irrigated

160

acres; said land being described in Use Permit mentioned in

Paragraph 13 herein, which Use Permit is hereby referred to and made part hereof.

11. The time required for the completion of such work is

five

years.

13. The water stored in accordance with this permit will be conducted to the place of use through the channel of **Little Creek** canal, constructed under the terms of Permit No. **22083**, filed by **(See Remarks)**

on

BE IT KNOWN That the undersigned hereby makes application for permit to construct a reservoir and to store the unappropriated waters of the State of Idaho as herein set forth.

By

Blake Hancock,

, Applicant.

, Agent.

DECLARATION OF RECLAMATION

Date of first receipt at office of State Engineer

9 A. M. June 30, 1922.

Returned to applicant for correction

Corrected application received

COMMISSIONER OF RECLAMATION

Approval of State Engineer

The number of this Permit is R-297

Recorded in book R-1

Page 297

Approved July 17, 1922.

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

Bond in the sum of \$ to be filed on or before

Work to begin on or before September 16, 1922

and to continue diligently and

uninterruptedly to completion unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before January 17, 1925.

The whole of said work to be completed on or before July 17, 1927.

Beneficial use of water stored in accordance herewith, to be made on or before as set out in Permit No. for the appropriation of the public waters of the State of Idaho, which is hereby referred to and made a part hereof.

Witness my hand this 17th day of July 1922

W. C. SWENDSEN,
Commissioner of Reclamation,
-State Engineer-

Remarks:

John W. Mitchell, who homesteaded the SE 1/4 Sec. 25, filed on 160 inches of water from Big Creek, January 29, 1894, Recorded at Council, Idaho, Adams County

STATE OF IDAHO
DEPARTMENT OF RECLAMATION.

In the Matter of Reinstatement
of Permit No. R-297, Under the
Provisions of Sec 5594, Com-
piled Statutes of Idaho.

ORDER REINSTATING PERMIT.

WHEREAS Permit No. R-297, lapsed through failure of the holder to make required proof of completion of works within the time specified in said Permit, to-wit: July 17, 1927; and,

WHEREAS, Due notice was given that said permit had lapsed and would be canceled, under the provisions of Sec. 5594, Compiled Statutes of Idaho, unless appearance be made to offer proof to show cause why said permit should not be canceled, within 40 days from the date of said notice, to-wit: September 15, 1930; and,

WHEREAS, No appearance was made to offer such proof of completion of works within the time specified in said notice, Permit No. R-297 was canceled in regular order on the 12th day of April, 1928; and,

WHEREAS On the 21st day of August, 1931, the holder of said permit filed notice of appearance to offer proof to show that the works of diversion were fully completed within the time specified in the said permit, to-wit: July 17, 1927; and,

WHEREAS After examination of the depositions filed the Commissioner of Reclamation is satisfied that the works of diversion were completed within the time required and that the holder had acted in good faith;

IT IS, THEREFORE, HEREBY ORDERED That said Permit No. R-297 be, and the same is, hereby reinstated and that the certificate of completion of works be issued the applicant, as provided by the laws of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of my office, Boise, Idaho, this 21st day of August, 1931.

rw

9/19/95

K24:

Here ~~her~~ is the signed and notarized
copy of Amended Claim no. 78-02086B.

If I can be any additional help to you,
please call me at 334-2597.

RECEIVED

SEP 21 1995

WATER RESOURCES
WESTERN REGION

Cindy Robertson
Fishery Staff Biologist
IDFG



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

August 28, 1995

RE: Notice of Claim to a Water Right No. A78-02086B

State of Idaho
Dept. of Fish and Game
P.O. Box 25
Boise, ID 83720

Dear Claimants:

During research of claims within the vicinity of Fish Lake, we have found that there is an error in the legal description on the above referenced claim. The legal description claimed under A78-02086B is within Sections 9 and 16, Twp. 18N, Rge. 20E. The deed attached to documents submitted by your Department show the lands you purchased from Mrs. Inez Morris are within Sections 9 and 16, Twp. 18N, Rge. 2E.

I have prepared an amended claim, for your signature, to correct this discrepancy. If you agree with my findings, please sign the enclosed "amended" claim in the presence of a notary public and return it to our office. If you have in questions in regard to this matter, please do not hesitate to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Kay Walker".

KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

KW:k

Enclosures: Copy of A78-02086B as submitted
Amended Claim A78-02086B

RECEIVED
FEB 3 1992

Department of Water Resources

State of Idaho
Department of Fish and Game
Boise, Idaho

February 3, 1992

MEMORANDUM

FROM: ^{Cindy}
Cindy Robertson

TO: Jeff Peppersack, Idaho Dept. of Water Resources

SUBJECT: Payment of Adjudication Fees for Water Right No. 78-02086

Attached is a check for payment of the filing fees for our claim to water right no. 78-02086 at Fish Lake. If you have questions, please call. Thanks for your help.

CR:tlv

Attachment

STATE OF IDAHO

INVOICE NO. / ACCOUNT NO.

DESCRIPTION

AMOUNT

[illegible]

WARRANT TOTAL

\$102.00

VENDOR NUMBER

826001002 00

IDAHO SALES TAX EXEMPT

X-1114-E-920

VALID THRU 1/94

IF YOU HAVE QUESTIONS CONCERNING THIS PAYMENT PLEASE CONTACT THE "PAYING AGENCY" SHOWN BELOW.

PAYING AGENCY 260 DEPARTMENT OF FISH AND GAME

WARRANT NUMBER 100307295

WARRANT DATE 01/30/92

DETACH ALONG THIS PERFORATION

MEMORANDUM

FROM: CINDY ROBERTSON, IDFG

TO: JEFF PEPPERSACK, IDWR

Jeff:

Enclosed is the claim for our water right at Fish Lake, no. 78-02086, and additional information to support our claim. I did not figure the fee as I was unsure of the conversion of acre-feet to cfs. If you would calculate the appropriate fee and let me know what it is, we will send a check for that amount. If I can provide any additional information for you, please call. Thanks once more for your help.

I called Cindy 1/7/92 and let her know the fees. I informed her of late fees and extension request option. She said they will probably just send late fee.

JP

IDAHO DEPARTMENT OF FISH & GAME

Jerry M. Conley, Director

McCall Hatchery

Annual Report



October 1, 1980 - September 30, 1981

by

Patrick F. Chapman
Fish Hatchery Superintendent I

June 1982

Most lakes are planted with fixed-wing aircraft (Cessna 185) under contract with McCall Air Taxi. A fish-release hopper is mounted in this plane to facilitate release of the fry. Hatchery personnel also plant a few lakes each year by backpack.

Between August 7 and August 21, we planted 96,829 CT X RC hybrid trout (172.72 pounds) averaging 560.61 fish per pound and 69,416 rainbow trout (155.38 pounds) averaging 446.75 per pound in 183 mountain lakes by fixed-wing aircraft in Regions 2 and 3. Twelve flights were required to accomplish these plants (although one flight was aborted after takeoff due to poor weather) for a cost of \$4,075.86. This represents a plane rental cost per lake planted of \$22.27.

In addition to those lakes planted by air, hatchery personnel planted one lake by backpack with 758 rainbow trout (4.0 pounds) and Senior Conservation Officer Fred Edwards and Regional Supervisor James Keating also planted one lake by backpack with 1,212 hybrid trout (4.0 pounds).

Mountain lake planting began later than normal this year. Consequently, our fry were too large to allow us to fulfill the allocations for many lakes since only one pound of fish is put in each planting bag and the plane holds a maximum of 36 bags. In addition, the poor success we experienced in rearing the hybrids limited the number of these fish available for planting. In the future, we hope to begin planting in early July to eliminate these problems.

In some cases, many of the fish loaded in the bags did not survive to planting. The worst cases of high mortality prior to planting were in the hybrid trout which was not surprising considering their poor condition at the time. However, occasionally the rainbow trout would also experience high preplanting mortality for unexplained reasons. In apparently good health, no more than one pound of fish was loaded into three-gallon milk bags containing one gallon of chilled water. Oxygen was then added to each bag. These loading densities are less than those recommended by Gebhards (1965) although he recommends adding more oxygen than we are able to. Temperature shock did not appear to be the cause of these mortalities as the fish exhibited no signs of stress upon bagging. Hatchery water temperature was 50° F and the chilled water they were loaded into was 42° F. If these mortalities continue next year, more investigation into the cause will be necessary.

SPAWNTAKING OPERATIONS

McCall Hatchery personnel again attempted to trap the spawning run of westslope cutthroat trout from Fish Lake this year in an attempt to take eggs. As was the case in 1980, we failed in our attempts.

Fish Lake is located approximately six miles east of McCall (Figure 1) and is owned by Idaho Department of Fish and Game. Fishing is no longer allowed in the lake since it is being maintained as a brood lake for westslope cutthroat trout.

In October 1978, 3,360 two-year-old westslope cutthroat trout were planted in Fish Lake and the same number was again planted in October 1980 from Rochat Pond in northern Idaho. Surviving fish from the 1978 plant were five-year olds in 1981, the normal age of spawning for westslope cutthroat trout (Simpson and Wallace, 1978).

On March 23, hatchery personnel installed a picket weir V-trap and an additional picket weir to serve as a holding area in Fish Creek approximately 0.4 mile upstream

from its confluence with Fish Lake. On March 27, the first fish, a ripe male cutthroat, was observed in the trap. No additional fish were trapped until April 16 when 125 cutthroat and four hybrid trout were trapped. Fish continued to be trapped and placed in the holding area until April 19, at which time a total of 188 cutthroat trout had been trapped. However, of these, only eight were females. On April 19, Fish Creek rose substantially because of rapid snowmelt and rainfall and washed around the weir and trap resulting in the escape of all the fish. Water levels did not recede enough to trap fish until April 23 and only one fish was trapped after this date.

On April 28, hatchery personnel, Regional Fishery Biologist Donald Anderson and Fishery Research Biologist Ned Horner electrofished portions of Fish Creek above the trap site. Fifteen male and no female cutthroat trout were captured, indicating the run had been primarily composed of male fish at least up to that point.

Since no fish were being trapped and it appeared the spawning run was complete, the trap and holding area weirs were removed on May 11.

Funds have been encumbered to construct a permanent trap and holding facility prior to the 1982 spawning run and the Bureau of Engineering has drawn plans for this facility. Construction is scheduled to begin in October, 1981 and if it proceeds according to schedule, we should be able to successfully trap and spawn future runs of westslope cutthroat trout.

FISH FEED UTILIZED

Oregon Moist Pellet, Formula II and Rangen Dry Trout feeds were fed to the trout at McCall Hatchery in various sizes during 1981 (Table 5). We fed our trout fry and fingerlings a total of 6,632 pounds of feed at a cost of \$2,446.41 resulting in a feed conversion of 1.54 pounds of feed required to produce one pound of fish.

An additional 700 pounds of OMP II 3/32 inch pellets was fed to the catchable rainbow trout to maintain them prior to redistribution at a cost of \$260.60. No feed conversion was recorded.

When the feed fed to the catchables is added to that fed to the fry and fingerlings, feed conversion drops to 1.71 pounds of feed required to produce one pound of fish. At McCall, the cost, excluding capital outlay items, of producing each pound of fish was \$6.83.

Table 5. Fish feed fed to fry and fingerling trout at McCall Hatchery.

Brand	Feed size	Pounds fed	Cost
OMP II	Starter	216	\$ 74.94
OMP II	1/32	2,366	859.94
OMP II	3/64	2,700	1,061.10
OMP II	1/16	150	55.50
OMP II	3/32	650 ^{1/}	236.80
Rangens	Fry #3	550	158.13
TOTALS		6,632	\$2,446.41

^{1/} An additional 700 pounds 3/32 pellets fed to catchables.

Rec'd from SO
2-7-92 UH

September 22, 1977

The Assistant Director

Regional Supervisor, Region 3

Little Fish Lake

We have completed the purchase of Little Fish Lake in Adams County. Administration of the lake is now the responsibility of Region 3 personnel. A close check of the dam should be maintained in order for us to comply with Department of Water Resources regulations.

If it is deemed necessary to make repairs or do routine maintenance on the structure, this should be anticipated far enough in advance for the cost to be included in the Regional or Bureau of Engineering budget.

Enclosed are keys to the control gate furnished by Mrs. Morris. It might be well to remove the present lock and replace it with a Department lock. Please advise us as to any changes made in the lock.

Sincerely,

COPY Original Signed
by Robert L. Salter

RLS:LET:mo

August 15, 1977

Mrs. Inez Morris
New Meadows, Idaho 83654

Little Fish Lake
Adams County

Dear Mrs. Morris:

Enclosed is a Warranty Deed to convey certain property in Adams County to the Department of Fish and Game.

It is requested that a Preliminary Title Report be submitted to the Department along with the executed deed at your earliest convenience. Please sign the enclosed State Miscellaneous Voucher on the claimant line and return it to the Department for processing.

Following acceptance of title by the Department, a state warrant in the amount of \$10,000 will be submitted to you in full payment for the purchase. Please pay in full all taxes due and make arrangements to satisfy outstanding obligations, if any, which may prevent a transfer of clear title to the property.

Thank you for your consideration.

Sincerely,

DEPARTMENT OF FISH AND GAME

GOP

Original Signed
by Joseph C. Greenley
Director

Joseph C. Greenley
Director

Enclosures
JCG:LET:mo
cc: Region 3

Inez Morris (formerly Inez Wilson) to State of Idaho Dept Fish & Game

WARRANTY DEED

Copy
certified
7-10-77
M 167
-6485

For Value Received, the sum of \$10,000, Inez Morris, a married woman, dealing in her sole and separate property, of New Meadows, Adams County, State of Idaho.

the grantor, does hereby grant, bargain, sell and convey unto the State of Idaho for the use and benefit of the Idaho Department of Fish and Game

whose address is 600 So. Walnut St., Boise, Idaho
the grantee/, the following described premises, to-wit:

Township 18 North, Range 2 East, Boise Meridian

Section 16: A tract or parcel of land in the NE¹/₄ NE¹/₄ particularly bounded and described as follows:
Beginning at the Quarter corner common to Sections 9 and 16 in said Township and Range; thence
East 451.50 feet along the Section line, bearing S 89°53' E. to the real Point and Place of beginning; thence
S. 28°40' E., a distance of 512.50 feet; thence
N. 74°23' E. a distance of 551.20 feet; thence
S. 74°33' E. a distance of 364.80 feet; thence
N. 36°49' E. a distance of 98.42 feet; thence
N. 63°59' E. a distance of 128.30 feet; thence
S. 83°55' E. a distance of 154.19 feet; thence
N. 59°20' E. a distance of 542.62 feet to the intersection of the Section line common to Sections 9 and 16, said Township and Range; thence
N. 89°53' W. a distance of 1924.51 feet to the real point and place of beginning. 12.34 acres

562
1411961
Dec

Section 9: A certain tract or parcel of land situated in the SE¹/₄ SE¹/₄, said Section, Township and Range, particularly bounded and described as follows:

Beginning at the Quarter corner common to Section 9 and 16 said Township and Range; thence
East 451.50 feet along the Section line bearing S. 89°53' E., to the real point and place of beginning; thence
N. 55° E., 726 feet to a point; thence
N. 76° E., 660 feet to a point; thence
S. 49°56' E., 901.79 feet to a point on the South line of said Section 9; thence West 1,924.51 feet along the Section line, Bearing N 89°53' W. to the real point and place of beginning. 14.76 acres ±

260497
1111965
Jan

Total comprising 27.10 acres ±

Subject to Reservations of Record

In this _____ day of _____, 1977, before me, a notary public in and for said State, personally appeared Inez Morris

known to me to be the person who name is _____ described to the within instrument, and acknowledged to that _____ executed the same.

Notary Public _____, Idaho
Residing at _____
Term Expires _____

I hereby certify that this instrument was filed for record at the request of _____

at _____ minutes past _____ o'clock m.,
this _____ day of _____,
19____, in my office, and duly recorded in Book _____ of Deeds at page _____

Ex-Officio Recorder _____

By _____ Deputy.
Fees \$ _____
Mail to: Idaho Dept. of Fish and Game
Box 25, Boise, Idaho 83707

INSTRUMENT No. _____



STATE OF IDAHO

DEPARTMENT OF FISH AND GAME

600 SO. WALNUT ST. P. O. BOX 25
BOISE, IDAHO 83707

June 14, 1977

Idaho State Board of Examiners
Attention: Joe R. Williams, Secretary
Statehouse Mail

Little Fish Lake
Adams County

Gentlemen:

The Idaho Fish and Game Commission, on October 22, 1976, authorized the Department of Fish and Game to purchase Little Fish Lake from Mrs. Inez Morris for the asking price of \$10,000. The lake, comprising 27.1 acres, is located in Sections 9 and 16 of Township 18 North, Range 2 East, Boise Meridian, Adams County, Idaho.

Fishing by the public would be permitted on a limited basis, although the primary purpose of the purchase would be to provide a rearing area for cutthroat trout.

It is respectfully requested that the Board approve Fish and Game fund expenditure in the amount of \$10,000 for purchase of the property.

Sincerely,

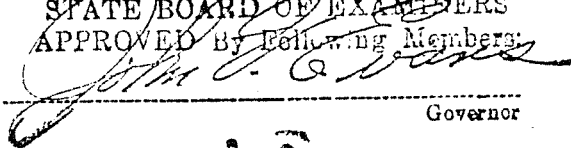
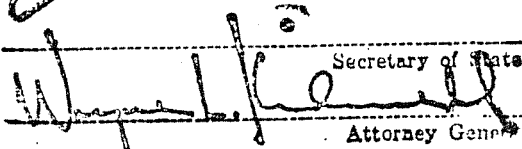
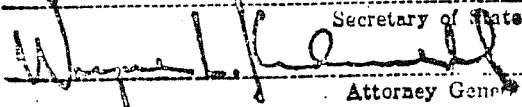
DEPARTMENT OF FISH AND GAME

Joseph C. Greenley
Director

AUDITOR'S OFFICE

JUN 15 4 27 PM '77

STA L OF IDAHO

Date of Action JUN 27 1977
STATE BOARD OF EXAMINERS
APPROVED By Following Members:

Governor

Secretary of State

Attorney General

(19)

May 5, 1977

Mrs. Inez Morris
New Meadows, Idaho 83654

Little Fish Lake
Adams County

Dear Mrs. Morris:

We wish to notify you that the Idaho Department of Fish and Game will execute that Option for Purchase of Real Estate dated February 8, 1977, and that the Department will purchase the lands designated therein.

Once we have purchased the property, we intend to use federal funding for some of the projects we hope to initiate on the lake. In order to qualify for such funding, we are required to pay full appraised market value for the land. The appraised market value has been determined to be \$11,150.00. This exceeds your asking price by \$1,150.00. With our tight budget it will be difficult for us to pay the full appraised value. If it would be satisfactory to you, we would prepare a Deed of Gift and Conveyance in the amount of \$1,150, which is the difference between the asking price and appraised value. The gift could be used to your advantage as a tax deduction.

Please let us hear from you at your earliest convenience with regard to our Deed of Gift and Conveyance proposal, at which time we will prepare the deeds and expenditure voucher in the amount of \$10,000.

Thank you for your cooperation.

Sincerely,

DEPARTMENT OF FISH AND GAME

COPY

Official Signed

By Joseph C. Greenley,

Director

Joseph C. Greenley
Director

JCG:LET:mo

cc: Region 3

Option for Purchase of Real Estate

THIS AGREEMENT, made and entered into this 8th day of Feb., 1977, by and between

Inez Morris

hereinafter styled the optionors, for themselves, their heirs, executors, administrators, successors, and assigns, and the State of Idaho for the use and benefit of the Fish and Game Department, optionee,

WITNESSETH:

1. In consideration of One Dollar (\$1) in hand paid by the State of Idaho, Fish and Game Department, the receipt of which is hereby acknowledged, and in further consideration of the covenants and agreements herein contained to be kept and to be performed, the optionors agree to sell to the said optionee for the price and upon the terms and conditions hereinafter set forth, the lands, tenements, and hereditaments, together with all water and other rights, easements, and appurtenances thereunto belonging, owned by them, and situated and lying in Adams County, State of Idaho, and more particularly described as follows:

Township 18 North, Range 2 East, Boise Meridian

Section 16: A tract or parcel of land in the $N\frac{1}{2}NE\frac{1}{4}$ particularly bounded and described as follows:

Beginning at the Quarter corner common to Sections 9 and 16 in said Township and Range; thence

East 451.50 feet along the Section line, bearing S 89°53' E. to the real Point and Place of beginning; thence

S. 28°40' E., a distance of 512.50 feet; thence

N. 74°23' E. a distance of 551.20 feet; thence

S. 74°33' E. a distance of 364.80 feet; thence

N. 36°49' E. a distance of 98.42 feet; thence

N. 63°59' E. a distance of 128.30 feet; thence

S. 83°55' E. a distance of 154.19 feet; thence

N. 59°20' E. a distance of 542.62 feet to the intersection of the Section line common to Sections 9 and 16, said Township and Range; thence

N. 89°53' W. a distance of 1924.51 feet to the real point and place of beginning. 12.34 acres

Section 9: A certain tract or parcel of land situated in the $S\frac{1}{2}SE\frac{1}{4}$, said Section, Township and Range, particularly bounded and described as follows:

Beginning at the Quarter corner common to Section 9 and 16 said Township and Range; thence

East 451.50 feet along the Section line bearing S. 89°53' E., to the real point and place of beginning; thence

N. 55° E., 726 feet to a point; thence

N. 76° E., 660 feet to a point; thence

S. 49°56' E., 901.79 feet to a point on the South line of said Section 9; thence West 1,924.51 feet along the Section line, Bearing N 89°53' W. to the real point and place of beginning. 14.76 acres ±

Total comprising 27.10 acres ±

2. The price at which said land will be sold to the said optionee as herein provided shall be as follows:

(a) \$10,000.....for all of said lands.

3. The optionors further covenant that they are lawfully seized and possessed of the real estate above described and have full right, power, and authority to convey, and that they will convey, to the said optionee the fee simple title thereto clear, free and unencumbered with the following exceptions, easements and reservations:

4. The optionors will execute and deliver upon demand of the proper officials or agents of the optionee, good and sufficient warranty deed, including an up-to-date abstract of title, or preliminary title report, conveying to the optionee good and marketable title to said land for the use and benefit of the said Department, and of such character as to be satisfactory to Counsel for said Department. The optionors also covenant that, in the event that the lands are acquired by the optionee, the optionors will pay all taxes and assessments, accrued, accruing, or levied on said lands to and including the calendar year in which the lands are acquired.

5. The optionors covenant that they will do, suffer or permit no act whereby such title may be impaired or further encumbered; and that during the life of this instrument all necessary precautions will be taken to protect the property from damage by fire, trespass, or other causes.

IN WITNESS WHEREOF, the optionors have hereunto signed their names and affixed their respective seals on the day and year first above written, with the understanding that

Rec'd from 80
2-7-92 144

D E E D

For Value Received, We, WARREN I. OSBORN and TESSIE OSBORN, husband and wife, and MAE A. OSBORN, widow, the GRANTORS, do hereby Grant, Bargain, Sell and Convey unto INEZ MAE WILSON, widow, as GRANTEE, the following described real property, situated in Adams County, State of Idaho, to-wit:

A certain tract or parcel of land, situated in the South Half of the Southeast Quarter ($S\frac{1}{2}SE\frac{1}{4}$) of Section Nine (9) in Township Eighteen (18) North, Range Two (2) East, Boise Meridian, particularly bounded and described as follows:

Beginning at the Quarter Corner commons to Sections Nine (9) and Sixteen (16), in Township Eighteen (18) North, Range Two (2) East, Boise Meridian: thence East 451.50 feet along the Section Line, bearing South, $89^{\circ} 53'$ East, to the real Point and Place of beginning: thence, first course, N., 55° E., 726 feet to a Point: thence, second course, N., 76° E., 660 feet to a Point: thence, third course S., $49^{\circ} 56'$ E., 901.79 feet to a Point on the South line of said Section Nine (9): thence, fourth course, West 1,924.51 feet along the Section line, bearing North $89^{\circ} 53'$ West, to the Real Point and Place of beginning, conveying and intending to convey all that portion of the George Wilson Reservoir, together with the flood areas of the George Wilson Reservoir, together with the flood areas of the same, that is situate, lying and being in the South Half of the Southeast Quarter ($S\frac{1}{2}SE\frac{1}{4}$) of Section Nine (9) in Township Eighteen (18) North, Range Two (2) East, Boise Meridian:

But RESERVING unto GRANTORS, and to their heirs and assigns, all standing and growing timber upon the above described and conveyed lands, with right to cut and remove the same at any future time, and further RESERVING unto Grantors, and to their heirs and assigns, perpetual right for the grazing of livestock upon the above described and conveyed premises.

TO HAVE AND TO HOLD The said premises, with their appurtenances, but subject to the Reservations aforesaid, unto the said GRANTEE, and to her heirs and assigns forever.

IN WITNESS WHEREOF The said GRANTORS HAVE hereunto set their hands and seals this 29TH day of August, 1963.

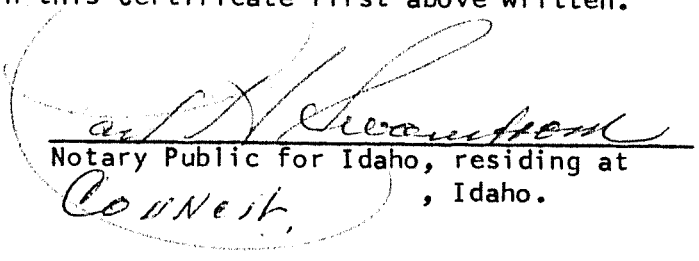
Warren Osborn (SEAL)
Tessie Osborn (SEAL)
Mae Osborn (SEAL)



STATE OF IDAHO
).SS.
County of Adams

On this 22nd day of August, 1963, before me, the Undersigned,
a Notary Public for Idaho, personally appeared WARREN I. OSBORN and TESSIE
OSBORN, husband and wife, and MAE A. OSBORN, widow, known to me to be the
persons whose names are subscribed to the foregoing instrument and acknowl-
edged to me that they executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my
official Seal the day and year in this Certificate first above written.


Notary Public for Idaho, residing at
Connet, Idaho.

1
2 D E E D

3 For Value Received, BROWN'S TIE AND LUMBER COMPANY, a
4 corporation duly created, organized and existing under and by
5 virtue of and pursuant to the Laws of the State of Idaho, with
6 its offices and principal place of business at McCall, in
7 Valley County, Idaho, the GRANTOR, does hereby Grant, Bargain,
8 Sell and Convey unto GEORGE WILSON and INEZ WILSON, husband and
9 wife, of New Meadows, in Adams County, Idaho, the GRANTEES, the
10 following described real property, situate in Adams County,
11 State of Idaho, to-wit:

12
13 A certain tract or parcel of land in the Northeast
14 Quarter of Section Sixteen (16) in Township Eighteen (18)
15 North, Range Two (2) East, Boise Meridian, particularly
16 bounded and described as follows:

17 Beginning at the Quarter Corner common to Sections Nine
18 (9) and Sixteen (16) in Township Eighteen (18) North, Range
19 Two (2) East, Boise Meridian; thence East 451.50 feet
20 along the Section line, bearing S. 89° 53' E. to the real
21 Point and Place of beginning: thence S. 28° 40' E., a
22 distance of 512.50 feet: thence N. 74° 23' E. a distance
23 551.20 feet: thence S. 74° 33' E. a distance of 364.80
24 feet: thence N. 36° 49' E. a distance of 98.42 feet: thence
25 N. 63° 59' E. a distance of 128.30 feet; thence S. 83° 55' E.
26 a distance of 154.19 feet: thence N. 59° 20' E. a distance
27 of 542.62 feet to the intersection of the Section line
28 common to Sections Nine (9) and Sixteen (16), Township
29 Eighteen (18) North, Range Two (2) East, Boise Meridian:
30 thence N 89° 53' W. a distance of 1924.51 feet to the real
31 Point and Place of beginning, containing 12.36 acres, more
32 or less, and containing the dam and outlet works of the
Fish Lake (or Mud Lake) reservoir at crest and a portion of
Fish Lake (or Mud Lake), as created by said dam, at crest:

But RESERVING Unto GRANTOR, and to its successors and
assigns, all standing and growing timber upon the above
described and conveyed lands, with the right to cut and remove
the same at any future time.

1
2 TO HAVE AND TO HOLD the said premises, with their
3 appurtenances, but subject to said Reservation of Timber, unto
4 the said GRANTEES and to their heirs and assigns, forever.
5

6 IN WITNESS WHEREOF, The said GRANTOR, pursuant to
7 Resolution of its Board of Directors, has caused these presents
8 to be executed in its corporate name by its President, and to
9 be attested and its corporate seal affixed by its Secretary,
10 this 30 day of November, A. D. 1961.
11

12 BROWN'S TIE AND LUMBER COMPANY

13 Attest:

14 By Warren H. Brown
15 Its President

16 P. J. Hayes
17 Secretary

17 STATE OF IDAHO)
18 County of Valley)SS.

19 On this 30th day of November, 1961, before me, the
20 undersigned, a Notary Public in and for the State of Idaho, per-
21 sonally appeared WARREN H. BROWN and P. J. HAYES,
22 known to me to be the President and Secretary, respectively, of
23 BROWN'S TIE AND LUMBER COMPANY, the corporation that executed
24 the foregoing instrument, and acknowledged to me that said
25 corporation executed the same.

26 IN WITNESS WHEREOF I have hereunto set my hand and
27 affixed my official seal the day and year in this Certificate
28 first above written.
29

30 Ruth W. Dunlap
31 Notary Public for Idaho residing at
32 McCall, Idaho.

ROBERT E. SMYLLIE
Governor



GEO. N. CARTER
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE

April 17, 1962

Re: Permit No. R-297
Blake Hancock

Swanstrom & Swanstrom
Attorneys at Law
Council, Idaho

Attn: Carl H. Swanstrom

Dear Mr. Swanstrom:

The Certificate of Completion of Works was issued to Blake Hancock, August 21, 1931, showing storage capacity of 140 acre feet of water in reservoir in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 9, T. 18 N., R. 2 E., with no particular place of use. The permit and the map showed place of use as SE $\frac{1}{4}$, Sec. 25, T. 19 N., R. 1 E. to supplement water from Big Creek.

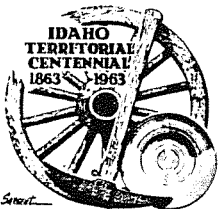
The permit does not show that proof of beneficial use of the water was or is necessary.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By: *Carl E. Tappan*
CARL E. TAPPAN, Assistant
State Reclamation Engineer

CET:RT:ew



*Note:
Big Ck.
mentioned
here*

QUITCLAIM DEED

THIS INDENTURE, Made this 30th day of June in the year of our Lord one thousand nine hundred and Forty Two, between BLAKE HANCOCK, widower, of New Meadows County of Adams State of Idaho, the party of the first part, and GEORGE WILSON, of New Meadows, County of Adams State of Idaho, the party of the second part.

WITNESSETH, That the said party of the first part, for and in consideration of the sum of ONE AND NO/100 DOLLARS, lawful money of the United States of America, to him in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, does by these presents remise, release and forever QUITCLAIM, unto the said party of the second part, and to his heirs and assigns, all that certain lot, piece or parcel of land, situate, lying and being in the County of Adams, State of Idaho, bounded and particularly described as follows, to-wit:

All that certain irrigation water storage reservoir, known on the Reclamation office records of the State of Idaho as the "Little Fish Lake Reservoir" and locally named and called "Fish Lake" and "Mud Lake" and which is situated on a tributary of "Little Creek" in Adams County, Idaho, and which reservoir, and the dam thereof, is situated in the Southeast Quarter of the Southeast Quarter of Section Nine (9) in Township 18 North, Range 2 East, Boise Meridian, and together with the dam, diversion works, rights of way, easements, privileges and appurtenances thereof and One Hundred Forty (140) acre feet of water storage rights and the appropriation therefor, all as evidenced by Permit No. R-297 of the Department of Reclamation of the State of Idaho

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, All and singular the said premises, together with the appurtenances, unto the party of the second part, and to his heirs and assigns forever. IN WITNESS WHEREOF, The said party of the first part has hereunto set his hand

and seal the day and year first above written.

Signed, Sealed and Delivered
in Presence of _____

BLAKE HANCOCK (Seal)

STATE OF IDAHO

1 ss.

County of Adams

On this 30th day of May in the year 1942, before me _____ a Notary Public in and for said State, personally appeared BLAKE HANCOCK known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

CARL G. PETERSON

(NOTARIAL SEAL)

Notary Public for the State of Idaho
Residing at New Meadows, Idaho

Recorded at the request of George Wilson at 50 minutes past 10 o'clock A. M.
this 3 day of June, A. D. 1943.

Mabel Hoover, Recorder

By Claire Perkins, Deputy

Fee \$1.20

State of Idaho }
County of Adams } ss.
I, the undersigned Recorder and Clerk of the District Court of Adams County, State of Idaho, do hereby certify that the foregoing instrument is a true and correct copy of the original on file in my office and in my custody. IN WITNESS WHEREOF, I have set my hand and affixed my official seal on this 30th day of August 1942.
Esther Stover
Clerk of the District Court
and County Recorder
Harless Stover
Deputy