

January 25, 1900

*cancel permit
75-2041*

*claimed under 75-4029
(split into 75-14179 &
75-14180)*

RE: Permit No. 10060

James H. Tappan
Box 1133
Salmon, Idaho

*from microfiche
MVB 9/24/2008*

Dear Mr. Tappan:

Mr. Seth Daniels had application for permit in 1919 to construct reservoirs on Eli and Seven Mile Creeks, and also divert direct flow, for irrigation of the NW 1/4, Sec. 3, T. 20 N., R. 22 E., S. 1. He failed to complete proof of completion of works and the permit was cancelled.

When Messer made proof of completion of works for diversion of 3.2 c.f.s., priority March 21, 1911, from Eli Creek in the NE 1/4, Sec. 20 and from a spring in the SE 1/4, Sec. 4 for irrigation of land in the NW 1/4, Sec. 3, T. 20 N., R. 22 E., S. 1. Proof of beneficial use of the water was not made. Notice of this proof date was returned to this office.

Continued use of the water would give you a use right which is legal in this state; however, it would be necessary to take action in the District Court to obtain a right dating back to first use of the water.

Any right this office could give would have priority dating from the time the application was received in this office.

Very truly yours,

W. H. THOMAS
Deputy State Declaration Engineer

Is Eli Creek also known as S. Fork Sevenmile Cr.?

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

IN THE MATTER OF CANCELLATION OF PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE
STATE OF IDAHO NO. 10060/75-2041
IN THE NAME OF James H. Tappan and
Patricia H. Tappan

ORDER OF CANCELLATION

WHEREAS, the permit holder has failed to submit proof of beneficial use
on or before April 10, 1970;

and,
WHEREAS, on April 14, 1970, notice was sent to the holder of said
permit to appear before the State Reclamation Engineer on or before May 14, 1970,
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 said permit should not be can-
celled.

IT IS THEREFORE ORDERED and Permit 10060/75-2041 is hereby CANCELLED.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal
of the Department of Reclamation at Boise, Idaho, this 15th day of
June, 1970.

R. Keith Higginson
State Reclamation Engineer
R. KEITH HIGGINSON

75-2041
10060