

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 63-3617
Date Received: 6/29/2006
Receipt No: W034395
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

ARK PROPERTIES LLC Phone: (208)366-7931
11204 N BAR 21 DR
GLENN'S FERRY ID USA 83623-5033

2. Date of Priority: 12/27/1946

3. Source: DRY GULCH CREEK Trib. to: INDIAN CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01N	04E	22	NW SE	ELMORE	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER STORAGE	01/01	12/31		20
STOCKWATER FROM STORAGE	01/01	12/31		20

7. Total Quantity Appropriated is:
20 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01N	04E	22	NW	SE	STOCKWATER FROM STORAGE	

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: License

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NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

ARK PROPERTIES LLC
11204 N BAR 21 DR
GLENNS FERRY, ID 83623

Phone: (208) 366-7931

RECEIVED

JUN 29 2006

WATER RESOURCES
WESTERN REGION

2. Date of Priority: December 27, 1946

3. Source: Dry Gulch Creek

Trib. to: Indian Creek

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
1N	4E	22	NW SE	Elmore	

5. Description of diverting works:

Small earth fill dam on Dry Gulch Creek

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
Stockwater Storage	1/1	12/31		20
Stockwater from Storage	1/1	12/31		20

7. Total Quantity Appropriated is:

20 AFA

8. Total consumptive use:

9. Non-irrigation uses: Stockwater

06/27/2006

1

10. Place of use:

TWP	RNG	SEC	NE ¼				NW ¼				SW ¼				SE ¼				totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
1N	4E	22														S			

Total number of acres irrigated n/a

11. Place of use in counties: Elmore

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

13. Other Water Rights Used:

None

14. Remarks: Per USGS quad map, the source may also be known as Caldwell Draw.

15. Basis of Claim: License

06/27/2006

2

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 X 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 MANAGER of
 Title
ARK PROPERTIES LLC, that I have signed the foregoing
 Organization
 document in the space below as MANAGER of
 Title
ARK PROPERTIES LLC and that the statements contained in the
 Organization
 foregoing document are true and correct.

[Signature]
 Signature of Authorized Agent

Manager - ARK Properties LLC
 Title and Organization

6/27/06
 Date

State of Idaho)
) SS.
 County of ELMORE)

Subscribed and sworn (or affirmed) before me this 28
 of JUNE 2006

Marie Borchert

Notary Public

Residing at Residing at Mountain Home, Idaho
 My commission Expires My Commission Expires 05-18-11



MOORE SMITH BUXTON & TURCKE, CHARTERED

ATTORNEYS AND COUNSELORS AT LAW
950 W. BANNOCK STREET, SUITE 520; BOISE, ID 83702
TELEPHONE: (208) 331-1800 FAX: (208) 331-1202 www.msbtlaw.com

STEPHANIE J. BONNEY
SUSAN E. BUXTON*
PAUL J. FITZER
MICHAEL C. MOORE†
BRUCE M. SMITH
PAUL A. TURCKE°
CARL J. WITHROE»*
TAMMY A. ZOKAN†

JOHN J. MCFADDEN*†
of Counsel
» Also admitted in California
* Also admitted in New Mexico
* Also admitted in Oregon
° Also admitted in South Dakota
† Also admitted in Washington

July 25, 2007

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

RE: SRBA 39576; Subcase No. 63-03617

To Whom It May Concern:

Enclosed please find the original and one copy of the Notice of Appearance for Bruce M. Smith to appear on behalf of John McCallum / ARK Properties LLC in the above referenced matter.

Please file the original and return a conformed copy to our office at your earliest convenience. For that purpose, I have enclosed a self-addressed, stamped envelope.

Thank you.

Sincerely,

MOORE SMITH BUXTON & TURCKE, CHTD.



Debbie Smith

Legal Assistant to Bruce M. Smith

/dls

Enclosures

cc: Office of the Attorney General w/Enclosure
United States Dept of Justice w/Enclosure
IDWR Document Depository w/Enclosure

Bruce M. Smith, ISB #3425
MOORE SMITH BUXTON & TURCKE, CHARTERED
Attorneys at Law
225 North 9th Street, Suite 420
Boise, ID 83702
Telephone: (208) 331-1800
Facsimile: (208) 331-1202

Attorney for John McCallum/ARK Properties LLC

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

In Re: SRBA,	)	Subcase No. 63-03617
	)	
Case No. 39576	)	NOTICE OF APPEARANCE
_____	)	

COMES NOW Bruce M. Smith and gives Notice of Appearance on behalf of John McCallum/ARK Properties LLC in the above SRBA Subcase. Please forward all future documents and correspondence to Bruce M. Smith, of the firm Moore Smith Buxton & Turcke, Chtd., located at 950 W. Bannock Street, Suite 520, Boise, Idaho 83702 on behalf of ARK Properties LLC.

DATED this 25 day of July, 2007.

MOORE SMITH BUXTON & TURCKE, CHTD.



Bruce M. Smith
Attorney for ARK Properties LLC

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 26 day of July, 2007, I caused to be served a true and correct copy of the foregoing Notice of Appearance via prepaid, U.S. Mail, to the following:

1. Original to:

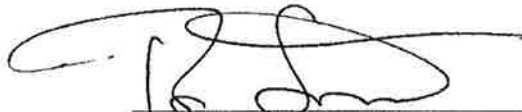
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724



BRUCE M. SMITH

Music, Vicky

From: Music, Vicky
Sent: Monday, September 11, 2006 11:01 AM
To: 'Scott King'
Subject: RE: ARK Properties claims

Thanks, Scott. Vicky

-----Original Message-----

From: Scott King [mailto:SKing@spfwater.com]
Sent: Monday, September 11, 2006 10:48 AM
To: Music, Vicky; Bruce M. Smith
Subject: RE: ARK Properties claims

Vicky,

My understanding is that these are all range cattle, not dairy stock.

Scott

From: Music, Vicky [mailto:Vicky.Music@idwr.idaho.gov]
Sent: Monday, September 11, 2006 10:47 AM
To: Bruce M. Smith
Cc: Scott King
Subject: RE: ARK Properties claims

Bruce - re the stock. are they dairy cattle? if so, I need to know # of head of dairy cattle and no. of head beef cattle. Thanks. Vicky

-----Original Message-----

From: Bruce M. Smith [mailto:BMS@msbtlaw.com]
Sent: Friday, September 01, 2006 3:06 PM
To: Music, Vicky
Cc: Scott King (E-mail)
Subject: RE: ARK Properties claims

Thanks for the reminder Vicky-On 3616 and 3617, I found out the numbers are 600-900 depending on the type of cattle they have-cow/calf or yearlings. I suspect using the higher number would be better for my client in that it is still below the additional information number. On the other info, I have my request for info in but have not heard back. I will follow up to see where they are in terms of gathering the data. Thanks Bruce

-----Original Message-----

From: Music, Vicky [mailto:Vicky.Music@idwr.idaho.gov]
Sent: Friday, September 01, 2006 3:00 PM
To: Bruce M. Smith
Cc: Scott King (E-mail)
Subject: RE: ARK Properties claims

Bruce and Scott -

It has been nearly 2 weeks since your 8/20/2006 e-mail, Bruce, in which you stated you needed a couple more days to provide the information I requested. I have an in-house

Music, Vicky

From: Bruce M. Smith [BMS@msbtlaw.com]
Sent: Monday, September 11, 2006 11:16 AM
To: Music, Vicky
Cc: Scott King (E-mail)
Subject: RE: ARK Properties claims

Beef not dairy

-----Original Message-----

From: Music, Vicky [mailto:Vicky.Music@idwr.idaho.gov]
Sent: Monday, September 11, 2006 10:47 AM
To: Bruce M. Smith
Cc: Scott King (E-mail)
Subject: RE: ARK Properties claims

Bruce - re the stock. are they dairy cattle? if so, I need to know # of head of dairy cattle and no. of head beef cattle. Thanks. Vicky

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From: Music, Vicky [mailto:Vicky.Music@idwr.idaho.gov]
Sent: Friday, September 01, 2006 3:00 PM
To: Bruce M. Smith
Cc: Scott King (E-mail)
Subject: RE: ARK Properties claims

Bruce and Scott -

It has been nearly 2 weeks since your 8/20/2006 e-mail, Bruce, in which you stated you needed a couple more days to provide the information I requested. I have an in-house deadline to have all of my recommendation prepared for the Preliminary Directors' Report. That deadline is 9/22/2006, and if I do not have all of the information I need regarding the Ark Properties claims at least a week before that, I will disallow them. The Notice of Error procedure will hopefully provide the time you need to gather the info.

Vicky Music

-----Original Message-----

From: Bruce M. Smith [mailto:BMS@msbtlaw.com]
Sent: Sunday, August 20, 2006 1:44 PM
To: Music, Vicky; Scott King (E-mail); Bruce M. Smith

Music, Vicky

From: Bruce M. Smith [BMS@msbtlaw.com]
Sent: Thursday, August 03, 2006 3:38 PM
To: Music, Vicky; Scott King (E-mail)
Cc: Bruce M. Smith
Subject: RE: ARK Properties claims

Scott—Please give me a call and we'll work through getting this info for Vicky. Bruce

-----Original Message-----

From: Music, Vicky [mailto:Vicky.Music@idwr.idaho.gov]
Sent: Wednesday, August 02, 2006 11:07 AM
To: Scott King (E-mail); Bruce M. Smith
Subject: ARK Properties claims

Good morning Bruce and Scott -

I have begun my review of 63-2100, 63-2143, 63-2654, 63-3616, 63-3617, and 63-2690. These are all for licenses with priority dates ranging from 1909 to 1948. I need additional information before I can recommend these claims. For instance, item 5 "Description of diverting works" of the irrigation claims were incomplete. Also, none of the claims included maps of the places of use and points of diversion. Given that these licenses range from 58 to 97 years old and that the maps in the licenses files are not sufficiently detailed to allow me to determine specific acres irrigated, I need maps of the claimed irrigated acres and the points of diversion. I have listed the information specifically needed for each claim below.

63-2100

- 1- narrative description or map of diversion and delivery works
- 2 - description of domestic use
- 3 - pou map of 15 acres claimed and point of diversion

63-2143

- 1- narrative description or map of diversion and delivery works
- 2 - description of domestic use
- 3 - pou map of 15 acres claimed and location of points of diversion
- 4 - a 5th point of diversion was claimed. When was this pod added?

63-2654

- 1- narrative description or map of diversion and delivery works
- 2 - pou map of 100 acres claimed and location of point of diversion
- 3 - the claim indicates that an accomplished transfer in place of use occurred. I need a description and date of this claimed change.

63-2690

- 1- narrative description or map of diversion and delivery works
- 2 - description of domestic use
- 3 - pou map of 25 acres claimed and location of point of diversion

63-3616

- 1- narrative description or map of diversion and delivery works - same earthen dam as originally

licensed?

2 - number and type of stock

63-3617

1- narrative description or map of diversion and delivery works - same earthen dam as originally licensed?

2 - number and type of stock

The preliminary directors report is tentatively scheduled to go out in about 8 weeks so I need this information by August 21, 2006. Thanks.

Vicky L. Music

Sr. Water Resource Agent

Adjudication Bureau

IDWR/Western Region

2735 Airport Way

Boise, Idaho 83705-5082

(208) 334-2190

8/7/2006



RECEIVED

JUN 29 2006

WATER RESOURCES
WESTERN REGION

June 29, 2006

Idaho Department of Water Resources
Western Regional Office
2735 Airport Way
Boise, ID 83705-5082

Attention: Jan Shurte

Subject: Ark Properties LLC Claims

Dear Jan,

Enclosed on behalf of Ark Properties LLC are six SRBA claims to waters in the Indian Creek area. Please contact Bruce Smith or me with any questions or requests for additional information.

Sincerely,

Scott N. King, P.E.
Senior Project Engineer

cc: Bruce Smith
John McCallum / Ark Properties LLC

File: 310.0060

09/13/2006

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

RIGHT NUMBER: 63-3617

NAME AND ADDRESS: ARK PROPERTIES LLC
11204 N BAR 21 DR
GLENN'S FERRY ID 83623-5033

SOURCE: DRY GULCH CREEK

TRIBUTARY: INDIAN CREEK

QUANTITY: 0.020 CFS

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 12/27/1946

POINT OF DIVERSION:

T01N R04E S22 NWSE Within ELMORE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER FROM STORAGE	01/01 12/31	0.020 CFS
STOCKWATER STORAGE	01/01 12/31	20.00 AFY

PLACE OF USE: STOCKWATER FROM STORAGE Within ELMORE County

T01N R04E S22 NWSE

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.

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Stockwater use is for 900 range cattle.

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POD REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-3617

09/13/2006

1

ater Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Source	Name
63-29422	Claim	01N	04E	22	NW	SE			SAND SPRINGS RANCH & CO
63-3617	Claim	01N	04E	22	NW	SE		DRY GULCH CREEK INDIAN CREEK	ARK PROPERTIES LLC
63-29422	Water Right	01N	04E	22	NW	SE		CALDWELL DRAW CREEK INDIAN CREEK	SAND SPRINGS RANCH & CO
63-3617	Water Right	01N	04E	22	NW	SE		DRY GULCH CREEK INDIAN CREEK	JAMES O BECK

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-3617

WATER RIGHT NUMBER: 63-3617

Owner Type Name and Address
Original Owner JAMES O BECK

Current Owner MAYFIELD STAGE, ID
 ARK PROPERTIES LLC
 11204 N BAR 21 DR
 GLENNS FERRY, ID 83623-5033
 (208)366-7931

Priority Date: 12/27/1946 ✓
Basis: License ✓
Status: Active

Source Tributary
DRY GULCH CREEK INDIAN CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER FROM STORAGE	01/01 to 12/31 ✓	.02	20.00 AF ✓
STOCKWATER STORAGE	01/01 to 12/31 ✓		20.00 AF ✓
<u>Total Diversion:</u>			20.00 AF

Location of Point(s) of Diversion
DRY GULCH CREEK NW1/4SE1/4 ✓ Sec. 22, Twp 01N, Rge 04E, B.M. ✓
ELMORE County

Place of Use
STOCKWATER FROM STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	04E	22															X		

Conditions of Approval:

Remarks:

Comments:

*X02 ✓ SW is for 200 hd. range cattle
not for SW not a det at his hru
not for SW not to > 13k apd.*

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-3617

07/14/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
29422	Water Right	01N	04E	22	NW	SE		STOCKWATER		SAND SPRINGS RANCH & CO
3617	Claim	01N	04E	22	NW	SE		STOCKWATER FROM STORAGE		ARK PROPERTIES LLC
3617	Water Right	01N	04E	22	NW	SE		STOCKWATER FROM STORAGE		JAMES O BECK

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-3617

WATER RIGHT NUMBER: 63-3617

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JAMES O BECK
	MAYFIELD STAGE, ID

Priority Date: 12/27/1946

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
DRY GULCH CREEK	INDIAN CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER FROM STORAGE	/ to /		20.00 AF
STOCKWATER STORAGE	/ to /		20.00 AF
	<u>Total Diversion:</u>		20.00 AF

Location of Point(s) of Diversion

DRY GULCH CREEK	NW1/4SE1/4	Sec. 22, Twp 01N, Rge 04E, B.M.
ELMORE County		

Place of Use

STOCKWATER FROM STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	04E	22															X		

Conditions of Approval:Remarks:Comments:

State of Idaho
License and Certificate of Water Right

Water License No. R-778 Amount 20 acre feet
Water District No. _____ Priority December 27, 1946

THIS IS TO CERTIFY that JAMES O. BECK
of Mayfield, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated December 27, 1946; that Permit No. R-778
was issued under said application; that Certificate of Completion of works, with a ^{storage} carrying capacity of
20 acre-second-feet, was issued thereunder on March 21, 1947, showing that said works
were completed on the 17th day of March, 1947; and that on the 5th
day of May, 1947,

JAMES O. BECK
of Mayfield, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of Dry
Gulch, a tributary of Indian Creek, for the purpose of stock watering
under Use Permit No. R-778 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume

8 of Licenses at page 4419, on the 28th day of April, 1948;
The right hereby confirmed dates from December 27, 1946;
Outlet

The Point of ~~Diversion~~ is located
in the NW 1/4 SE 1/4, Sec. 22, Tp. 1 N., R. 4 E., B. M. Elmore County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 20 cubic-foot-per-second acre feet per annum.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
			<u>NW 1/4 SE 1/4 Section 22, Range 4 East, B.M.</u>	<u>Township 1 North,</u>	

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place
of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
28th day of April, 1948.

(SEAL)

/s/ MARK R. KULP
State Reclamation Engineer

63 3015

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. R-778This proof is for Beneficial use In Water District No. _____1. Name of applicant James O. Beck, Mayfield, Idaho2. Source of water supply: Dry Gulch, tributary to Indian Creek3. Location of point of diversion: Is in the NW 1/4 SE 1/4 of Section 28T 1 N. R 4 E. County of Elmore

4. Describe works as they exist, giving dimensions and capacities of same: _____

An earth fill dam 150 feet long X 12 feet high- slopes 2-1 and 3-1.Spillway 10 feet wide X 4 feet in depth.5. Water is used for: Stock watering6. State whether or not water has been turned into works of diversion: Yes.

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation): _____

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? Indian Creek (occasionally)

Remarks: _____

This examination was made on the 25th day of July, 19 47

(Signed) _____

Examiner.

R-778

R-778-
63-3617

APPLICATION FOR PERMIT

To Construct a Reservoir and Store and Appropriate
The Public Waters of the State of Idaho

Application No. R 27556
Permit No. R 778

1. Name of Applicant: JAMES O. BECK

Postoffice address: Mayfield

County Elmore

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 corporation are:

(a) Cash on hand: \$

(b) Treasury Stock: \$

(c) Bonds to be issued: \$

(d) Other resources:

2. Quantity of water to be stored: 20

acre feet per annum.

3. Source of water supply is Dry Gulch

(Creek) (River) (Spring), a tributary of Indian Creek

River.

4. The outlet of the proposed reservoir is located N. 60° 00' W. / 3110 feet, distant from the S. E corner of Section 22, Township 1 N., Range 4 E., B. M. and is in the NW ¼ of SE ¼ of Section 22, Township 1 N., Range 4 E., B. M. County of Elmore

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

(a) The reservoir is located in the channel of Dry Gulch

(Creek) (River).

(b) The reservoir is to be filled through a feeder canal, the point of diversion for which is located

(bearing) feet distant from

the corner of Section, Township, Range, B. M., and is in the ¼ of ¼ of Section, Township, Range, B. M.; width at bottom feet, width at top

feet, depth of water feet; average grade per mile feet; Capacity cubic feet per second.

6. (a) The area of the high water line of the reservoir is 4

acres.

(b) The reservoir capacity is 20

acre feet.

7. Height of reservoir dam 10 feet, length at top 180 feet, length at bottom 100 feet, spillway size of outlet 12 feet by 4 feet. The dam is to be constructed of materials as follows: Earth fill- rock riprap on face

(If height will exceed 10 feet, plans must be approved by Department of Reclamation, before beginning construction.)

8. (a) Will water stored in reservoir be diverted to canal or aqueduct, thence to land to be irrigated without commingling with natural flow of

(Creek) (River) ?

(b) Water stored in reservoir will be carried in the channel of

(Creek,) (River,) a distance

of miles to point of diversion located

(bearing)

feet, distant from the corner of Section

Township, Range, B. M., and in the ¼ of ¼ of Section, Township, Range

B. M.

9. Amount of water claimed from

(Creek) (River) (Spring) in addition to that

stored in reservoir

cubic feet per second.

10. Water is to be used for Stock watering

purposes.

11. If for mining, milling, power or manufacturing purposes give:

(a) Point of use of water (bearing) feet, distant from

Corner of Section

Township

Range

B. M. and is in the ¼ of ¼ of Section

Township

Range

B. M.

(b) Amount of power generated:

H. P., under

feet head.

(c) Water is to be returned to

(Creek) (River) (Spring) at a point

(bearing) feet

distant from the corner of Section

Township

Range

B. M., in

the ¼ of ¼ of Section

Township

Range

B. M.

12. Water stored in accordance with this Permit will be carried to place of use through a canal heretofore constructed under the terms of Permit No. , which is hereby referred to and made a part hereof.

13. Kind of diversion works:

(Dam, canal, flume, pipe, etc.)

14. Height of diversion dam: feet, length at top feet, length at bottom: feet. The dam is to be constructed of materials as follows:

(If height will exceed 10 feet, plans must be approved by Department of Reclamation, before beginning construction.)

15. Size of headgate: Width	feet, Height	feet.
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16. Diversion Canal: Width at bottom	feet, width at water line	feet, depth of water	feet, Dimensions of Flume
Diameter of Pipe	inches; Length of Conduit	miles. Average grade per mile	feet.

17. Estimated cost of Works: Storage Works: \$ _____ Diverston Works: \$ _____

18. Time required for completion of work None years .

19. Time required for complete application of water to proposed beneficial use is None years.

20. The land to be irrigated is described in the following tabulation:

(Give Irrigable acreage in each 40-acre subdivision.)

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total Number of Acres to be Irrigated

Remarks: Water stored to be used for stock watering- Work all completed. Work started in 1917 and finished to present dam height in 1941.

BE IT KNOWN That the undersigned hereby makes application for permit to construct a reservoir and store and appropriate the public waters of Idaho as herein set forth, and that the enclosed map is hereby made a part of this application.

JAMES O. BECK

Applicant.

By

Agent.

State Reclamation Engineer By
Date of first receipt at office of Commissioner of Reclamation 11:00 A. M. December 27, 1946

Returned to applicant for correction

Corrected application received

STATE RECLAMATION ENGINEER
APPROVAL OF ~~COMMISSIONER OF RECLAMATION~~

The number of this permit is R 778

Recorded in book R 3 , page 778 Approved January 10, 1947

This is to certify that I have examined the within application for a permit to construct a reservoir and store and appropriate the 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 _____ Completed _____ and to continue diligently and uninterrupted 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

The whole of said work to be completed on or before April 10, 1947

Beneficial use of water stored in accordance herewith, to be made on or before April 10, 1947

Witness my hand this 10th day of January, 1947

18 MARK R. KULP
Commissioner of Reclamation.
State Reclamation Engineer

IN TESTIMONY WHEREOF, We, C. A. ROBINS, Governor of the State of Idaho, and J. D. PRICE, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho and caused the Great Seal of the State of Idaho to be hereunto affixed, this 10th day of January, 1947.

(S E A L)

Countersigned:
By J. D. CY PRICE
Secretary of State

STATE OF IDAHO
By C. A. ROBINS
Governor

PERMIT NO. R-778

CERTIFICATE OF COMPLETION OF RESERVOIR AND RIGHT TO STORE WATER

Amount: 20 acre feet

Priority: December 27, 1946

To All Whom it May Concern:

This is to certify that JAMES O. BECK, of Mayfield, County of Elmore, and State of Idaho, the holder of Permit No. R- 778, issued upon Application No. 27556, bearing date of priority of December 27, 1946, authorizing the construction of a reservoir and the right to store the waters of Dry Gulch, a tributary of Indian Creek, County of Elmore, State of Idaho, for stock watering 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 20 acre feet of water per annum;

That the location of the outlet of said reservoir is in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 22, Township 1 North, Range 4 East, B.M.

That the right to store the said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer, and entered of record in Volume 3-E of Permits, at page 778, records of the Department of Reclamation, on the 21st day of March, 1947.

That the right hereby confirmed dates from December 27, 1946, and that the amount of water to which such right is, by this certificate, entitled to store annually, shall not exceed twenty (20) acre feet.

WITNESS the seal and signature of the State Reclamation Engineer of the State of Idaho, affixed at Boise, Idaho, this 21st day of March, A. D. 1947.

Proof of completion of works made March 17, 1947
Certificate of completion of works issued March 21, 1947

MARK R. KULP
State Reclamation Engineer

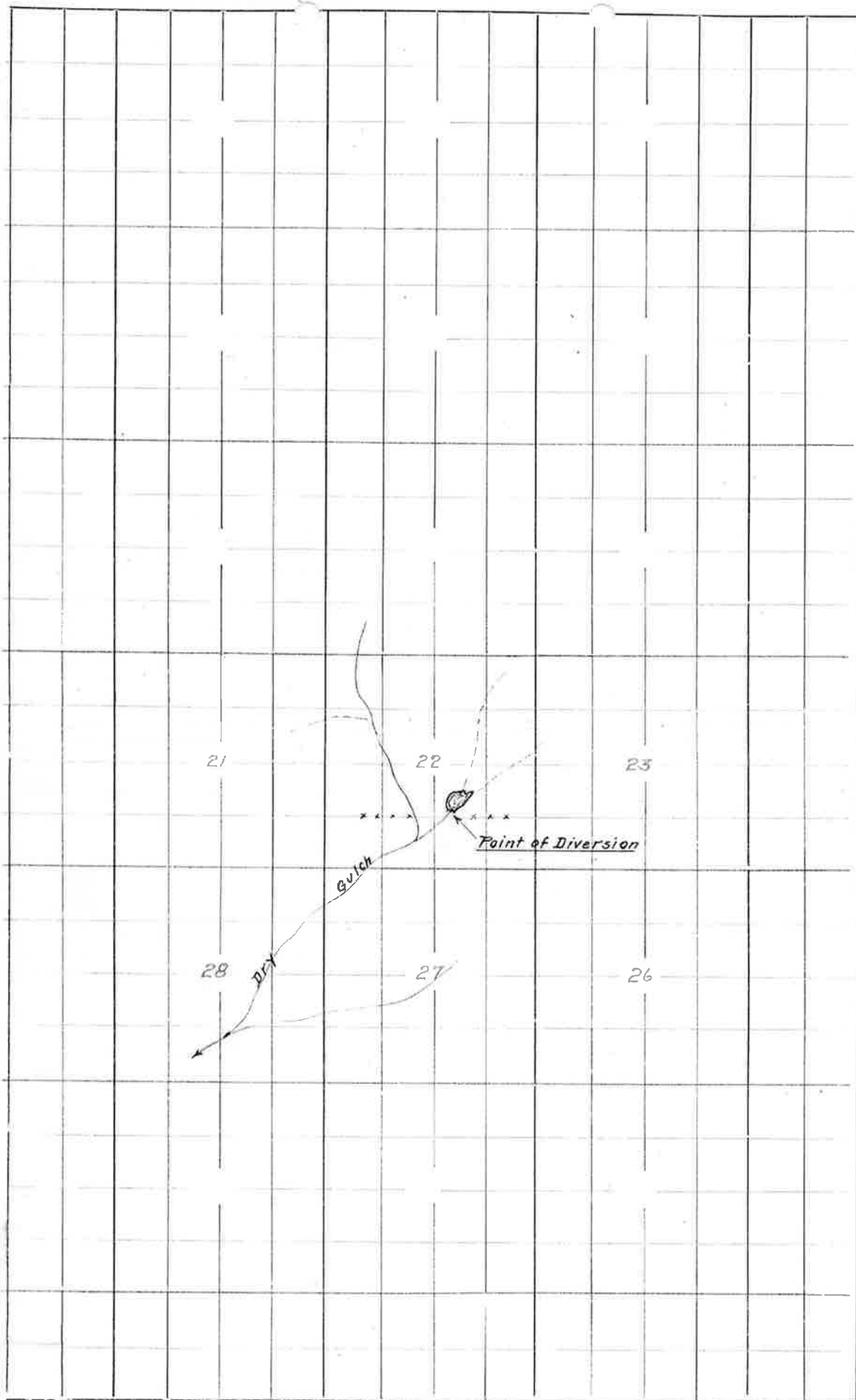
APPROVAL OF STATE RECLAMATION ENGINEER

I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, hereby extend the time for the making of proof of beneficial use under Permit to Appropriate the Public Waters of the State of Idaho, No. R-778, to May 6, 1947.

Witness my hand this 17th day of March, 1947.

MARK R. KULP
State Reclamation Engineer

PERMIT NO. R-778
P. 4419



Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

