

APPLICATION FOR PERMIT

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

Application No. R 41149

Permit No. R 1221

1. Name of Applicant: Idaho Fish and Game Department

Post office address: Box 25, Boise

County Ada

State Idaho

1. 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:

11. 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: 5,000 A.F. for initial fill - thereafter, no live storage acre feet per annum.
/ a tributary to Big Creek which is a tributary of

3. Source of water supply is Horsethief Creek, ~~XXXXXX XXXX XXXX XXXX XXXX~~ North Fork Payette River.

4. The outlet of the proposed reservoir is located S 27°22'130" E 3094.82 feet, distant from the NW corner of Section 36, Township 14 N, Range 4 E, B.M., and is in the NE 1/4 of SW 1/4 of Section 36, Township 14 N, Range 4 E, B.M. County of Valley

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

(a) The reservoir is located in the channel of Horsethief (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 1/4 of 1/4 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 269 acres.

(b) The reservoir capacity is 5,000 acre feet.

7. Height of reservoir dam 55 feet, length at top 250 feet, length at bottom 55 feet, size of outlet 6 feet

by 20 feet. The dam is to be constructed of materials as follows: Compacted earth fill on upstream side, rock fill on downstream side with sheet pile cutoff wall embedded in concrete grout cap. Spillway to be concrete lined.
(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)? No irrigation

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

, B.M.

9. (a) Area of watershed above dam site 6 square miles.

(b) Estimated maximum flow of stream 100 cubic feet per second.

10. Water is to be used for fishing and recreation purposes.

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

(a) Point of use of water feet, distant from Corner of Section, Township, Range

(bearing) B.M., and is in the 1/4 of 1/4 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 feet

distant from the corner of Section, Township, Range, B.M. to

the 1/4 of 1/4 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.)

(Give Trillium perennials in each 40-acre subdivision.)

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	

Total Number of Acres to Be Irrigated

21. Existing rights and/or valid permits appurtenant to lands described above are

REMARKS: The plans and specifications for the project as submitted for approval which indicate the size and location of the dam, spillway, and reservoir are included herein by references as complying with requirements for filling this application. The plans are labeled "Horsethief Basin Dam" and consist of 12 sheets.

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

, Applicant.

By /s/ JOHN R. WOODWORTH

Agent.

Date of first receipt at Department of Reclamation: **June 30, 1966 11:00 A.M.**

Returned to applicant for correction:

Corrected application received:

APPROVAL OF STATE RECLAMATION ENGINEER

The number of this permit is R 1221

Recorded in book R 5, page 1221. Approved July 5, 1966

This is to certify that I have examined the within application for a permit to construct a reservoir and appropriate and store 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 September 5, 1966 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 **July 5, 1967**

The whole of said work to be completed on or before **July 5, 1968**

Beneficial use of water stored in accordance herewith, to be made on or before July 5, 1970

Witness my hand this 5th day of July, 1966

/s/ R. KEITH HIGGINSON, Deputy
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, **ROBERT E. SMYLIE**, Governor of the State of Idaho, and **LOUIS E. CLAPP**

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 5th day of July, 19 66

COUNTERSIGNED

STATE OF IDAHO

By /s/ LOUIS E. CLAPP
Secretary of State.

By /s/ W. E. DREVLLOW, Acting Governor.

(SEAL)

July 8, 1966

Re: Permit No. **R-1221**

Idaho Fish and Game Department
P.O. Box 25
Boise, Idaho 83701

R-1221

We enclose Permit No. _____ in which we direct
your attention to the limitations and conditions as given on the
fourth page under approval of the State Reclamation Engineer
XXXXXXXXXXXXXXXXXXXX **no fee required**

We also enclose Departmental Receipt No. _____
which was issued covering payment in the amount of \$ _____
for the filing fee of the above mentioned permit.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:ejw

Enc: permit

R-1221

Reclamation Engineer —
Bulldog —

Hon - Sir —

Would you please write at
the bottom of this paper —
how much fill and
water — did Fifth and Game
Dept file on for Horse-
thief Dam. Further would
you dictate a letter and
send me same at your
convenience —

~~Respectfully~~ ^{R-1221}

Respectfully Yours

W W Bean
Senator next time

answer here if possible —

R-1221- Reservoir Permit for 5,000 acres
feet for original fill, thereafter, no
live storage.
Use fishing & recreation.

R-1221

January 23, 1967

Re: Permit No. R-1221

COPY
Honorable Woodrow W. Bean
Senator, District 9
Idaho State Senate
BUILDING

Dear Senator Bean:

In response to your inquiry you are advised that this office has issued storage permit R-1221 to the Idaho Fish and Game Department. This permit provides for storage of 5000 acre feet of water from Horsethief Creek to fill the reservoir. Thereafter there will be no new storage but the inflow and spill will be controlled by the outlet gate.

If you desire further information please let me know.

Very truly yours,

R. KEITH HIGGINSON
State Reclamation Engineer

RKH:ev

Enclosure

R-1221

January, 1968
~~November, 1967~~

N O T E

Plans, specifications, and drawings have been removed from
this file and placed in the dam file.

R- 1221

Proof due for ms 36711
sent "Attention Bob Salter"
1-22-68
DJ

R-1221

DON SAMUELSON, Governor
COMMISSION
GLENN STANGER, Idaho Falls
R. J. HOLMES, Twin Falls
ARLIE JOHNSON, Boise
WILLIAM B. DURBON, Moscow
RAY SIMS, Bonners Ferry

IDAHO FISH AND GAME DEPARTMENT

January 24, 1968

Re: Horsethief Creek

R. Keith Higginson, Engineer
Department of Reclamation
STATEHOUSE MAIL

Dear Sir:

Enclosed herewith is authorization to publish at the expense of the Fish and Game Department the attached Notice of Proof of Completion of Works and Application of Water to Beneficial Use.

Sincerely,

IDAHO FISH AND GAME DEPARTMENT

John R. Woodworth
John R. Woodworth
Director

Enclosure

RECEIVED
JAN 31 1968
Department of Reclamation

JOHN R. WOODWORTH, Director
POST OFFICE BOX 25
600 SOUTH WALNUT STREET
BOISE, IDAHO 83707

R-1221

Re: Permit No. B-1221
Idaho Fish & Game Department

February 1, 1968

John E. Woodworth, Director
State of Idaho, Dept. of Fish & Game
600 South Walnut
Boise, Idaho 83707

Dear Mr. Woodworth:

This acknowledges receipt of the notice of intent to make proof of completion of works and application of water to beneficial use for permit B-1221.

We have mailed the notice to the Star-News, McCall, Idaho,
to be published once a week for four consecutive weeks prior to March 18,
1968, which is the hearing date when the permit holder _____
State of Idaho, Department of Fish and Game
and two disinterested witnesses must appear before Anne Speldi
_____, notary public, to complete the enclosed
depositions. The witnesses must be familiar with the works and permit.

After the hearing, the depositions and an affidavit of publication must be submitted to this office. The affidavit may be obtained from the newspaper when the advertising bill is paid by John E. Woodworth, Director, for State of Idaho,
Department of Fish & Game. Be sure all the forms have the notary's seal and are signed.

Please feel free to contact us if we may be of any assistance.

Very truly yours,

Donald W. McElroy
Water Rights Clerk

DWN:dj

Enc: Depositions

cc: Notary

R-1221

RECEIVED
JAN 31 1968
Department of Reclamation

(This completed form authorizes the Department of Reclamation to publish the required notice at your expense.)

State Reclamation Engineer:

You are hereby authorized to have the attached notice published at my expense in the Star-News of McCall, Idaho; published in the county in which the works are situated.

STATE OF IDAHO, DEPARTMENT OF FISH AND GAME

By John R. Woodworth
(signature) John R. Woodworth, Director
600 South Walnut
Boise, Idaho 83707
(address)
January 26, 1968
(date)

In case of canals or other works designed to divert and carry more than 50 cubic feet of water per second, the following certificate must be signed by a well known and competent engineer when proof is for completion of works.

I hereby certify that the facts set forth in the attached notice are true.

By Jack Fisher
Engineer Jack Fisher, Licensed Civil Engineer, State of Idaho

R-1221

Re: Permit No. B-1221
Idaho Fish & Game Department

February 1, 1968

John R. Woodworth, Director
State of Idaho, Dept. of Fish & Game
600 South Walnut
Boise, Idaho 83707

Dear Mr. Woodworth:

This acknowledges receipt of the notice of intent to make proof of completion of works and application of water to beneficial use for permit B-1221.

We have mailed the notice to the Star-News, McCall, Idaho,
to be published once a week for four consecutive weeks prior to March 18,
1968, which is the hearing date when the permit holder State of Idaho, Department of Fish and Game
and two disinterested witnesses must appear before Anne Speldi
_____, notary public, to complete the enclosed
depositions. The witnesses must be familiar with the works and permit.

After the hearing, the depositions and an affidavit of publication must be submitted to this office. The affidavit may be obtained from the newspaper when the advertising bill is paid by John R. Woodworth, Director, for State of Idaho,
Department of Fish & Game. Be sure all the forms have the notary's seal and are signed.

Please feel free to contact us if we may be of any assistance.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:dj

Enc: Depositions

cc: Notary

B-1221

FISH & GAME
DIRECTOR

JAN 23 8 15 AM '68

JAN 23 1968

73
72

NOTICE OF PROOF OF COMPLETION OF WORKS
and
APPLICATION OF WATER TO BENEFICIAL USE

NOTICE IS HEREBY GIVEN THAT ON THE 18 th day of March, 19 68
at 10 a.m. (Boise), County of Ada, State of Idaho
before Anne Egeldi, Notary Public at (address) 600 So. Walnut,
Boise, Idaho, proof will be submitted of Completion of Works for the
diversion of 5,000 acre feet of storage, of waters of Horsethief Creek,
and of the application to Beneficial Use of said water, in
accordance with the terms and conditions of Permit No. R-1221, heretofore
issued by the Department of Reclamation of the State of Idaho

1. The name and postoffice address of the person or corporation holding said permit is Idaho Fish and Game Department, Box 25, Boise, Idaho
2. Said works of diversion of water for storage will be fully completed on the date set for such completion and the amount of water which said works are capable of conveying to the place of storage is 5,000 acre ~~cubic~~ feet per ~~second~~ annum.
3. Reservoir capacity is 5,000 acre feet.
4. The use to which said water has been applied is fishing and recreation purposes, and the amount applied to beneficial use is 5,000 acre feet.
5. The point of diversion of said waters for beneficial use is NEXSW, Sec. 36, T. 14 N, R. 4 E, B.M., Valley County,
and the amount which can be diverted is
5,000 acre ~~cubic~~ feet per ~~second~~ annum.

6. The place where said water is used is the area inundated by the reservoir.
7. The date of priority which said user is prepared to establish is June 30,
1966.

R. KEITH HIGGINSON

State Reclamation Engineer

2-1221

February 1, 1968

Re: Permit No. R-1221
Idaho Fish & Game Department

Star-News
McCall, Idaho

Gentlemen:

Enclosed is a legal notice which we wish to have published for four consecutive weeks prior to March 18, 1968. The expense of the publication is to paid by John R. Woodworth, Director, State of Idaho, Dept. of Fish & Game, 600 So. Walnut, Boise, Idaho, to whom you should furnish the affidavit of publication on or before the above date. Please acknowledge receipt of this notice by furnishing this office with a tear sheet for checking prior to the first publication.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:dj

Enc: Legal Notice

R-1221



DON SAMUELSON, Governor
COMMISSION
GLENN STANGER, Idaho Falls
R. J. HOLMES, Twin Falls
ARLIE JOHNSON, Boise
WILLIAM B. DURBON, Moscow
RAY SIMS, Bonners Ferry

JOHN R. WOODWORTH, Director

POST OFFICE BOX 25
600 SOUTH WALNUT STREET
BOISE, IDAHO 83707

IDAHO FISH AND GAME DEPARTMENT

March 18, 1968

Re: Horsethief Dam
Water Application

RECEIVED

MAR 20 1968

Department of Reclamation
STATEHOUSE MAIL

Gentlemen:

Department of Reclamation

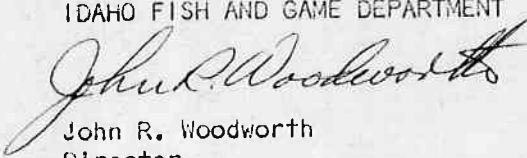
Enclosed herewith is an application for permit to appropriate public waters of Big Creek for diversion to the Department's reservoir of Horsethief Dam, Valley County, Idaho.

Also enclosed is Depositions of Witness and of Holder on Application of Water to Beneficial Use and of Completion of Works R-1221 and Publisher's Affidavit, Horsethief Dam and Reservoir.

Thank you for your cooperation in this matter.

Sincerely,

IDAHO FISH AND GAME DEPARTMENT


John R. Woodworth
Director

Enclosures

R-1221

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. R-1221

RECEIVED
MAR 10 1966
Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Completion of Works

DEPOSITION OF HOLDER

Ques. 1. State your name, residence occupation and postoffice address: _____

John R. Woodworth, Director of the Idaho Fish and Game Department, 600 So. Walnut, Boise

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf: _____
Acting for and on behalf of the Idaho Fish and Game Department as its Director, Section 36-105 sub-section (e) Idaho Code.

Ques. 3. State number, approval date of permit, and date of priority: _____

R-1221-approved July 5, 1966, priority date of June 30, 1966

Ques. 4. State source of water supply: Horsethief Creek, a tributary of Big Creek
Give location of point of diversion, showing subdivision, section, township and range

NE/4 SW/4 Section 36, Township 14 North, Range 4 East, Boise Meridian

Ques. 5. Describe your works of diversion: an earth fill dam constructed in compliance with the dam plans previously approved by the Department of Reclamation; state amount of water they are capable of conveying from point of diversion to place of use: 5,000 acre feet Give name of canal or ditch

or other works by which water is conducted to such place of use: reservoir of Horsethief

Dam; if a well, state depth of well _____; depth and size of casing _____; depth to water _____; if pump is used, state discharge of pump: _____; tell how it was measured or determined _____

_____; if sprinkler irrigation, give number and size of nozzles and operating pressure: _____

Ques. 6. State for what purpose water is used: fishing and recreation purposes
(If for irrigation, name each subdivision in which used and number of acres in each subdivision that have actually been irrigated with said water: _____)

~~no constructed reservoirs, creeks, ditches, roads, or other works, or any other works~~

R-1221

State nature of all improvements which have been made as a direct result of said use:

A dam constructed, reservoir area cleared, roads relocated, public fishery established.

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: _____

Ques. 7. If for other than irrigation purposes, show full legal description of place

of use and state purpose for which water is used:

Water is stored on Lot 4, Section 30, Township 14 North, Range 5 East Boise Meridian and on the S/2 NE/4, E/2 SW/4, SE/4 of Section 15 and the NE/4 NE/4, W/2 NE/4, E/2 W/2, NE/4 SW/4 and NW/4 SE/4 of Section 36, Township 14 North, Range 4 East Boise Meridian for public fishery and recreation use.

Ques. 8: If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder:

~~October 1, 1965~~ Use has been continuous since that date

Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used: October 1, 1965 - Time used since first use:

Use has been continuous since that date.

Ques. 10. Describe all other water rights appurtenant to same place of use: Permit

#32646 for the flow of 10 c.f.s. and R-1140 providing for water storage in the amount of

3,500 acre feet. Reservoir capacity is estimated at 5,000 acre feet. The actual use of the waters of this permit is expected to be the difference between the 3,500 acre feet of permit R-1140 and the capacity of the reservoir, estimated at 5,000 acre feet more or less.

IDAHO FISH AND GAME DEPARTMENT

(sign)

John R. Woodworth
By John R. Woodworth, Director

I hereby certify that the foregoing testimony was read to the above subscribed, before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in

Boise, County of Ada

State of Idaho, on this 18th day of March, A. D. 1968.

My commission expires: June 1, 1970

Anne Epeldi

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. R-1221

RECEIVED
MAR 20 1969
Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
and Completion of Works

DEPOSITION OF WITNESS

The deposition of two witnesses on this form, taken separately, required in each case.

Ques. 1 State your name, age, residence, occupation and postoffice address:

Jack Fisher, of legal age, residing in Boise, Civil Engineer, employed by the
Idaho Fish and Game Department

Ques. 2 Are you acquainted with John R. Woodworth, the holder of
Permit No. R-1221? How long have you known him and where does he reside?

Five years; he resides in Boise

Ques. 3. Have you read or heard said Permit No. R-1221 read, and are you familiar
with its provisions and conditions: Yes x No.

Ques. 4. State source of water supply: Horsethief Creek

Give location of place of diversion, showing subdivision, section, township and range
NE/4 SW/4, Section 36, Township 14 North, Range 4 East, Boise Meridian;
~~The natural stream course of Horsethief Creek and the reservoir of Horsethief Dam.~~

Describe works for conveying water to place of use:

The natural stream course of Horsethief Creek and the reservoir of Horsethief Dam.

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: How much water have you seen being so

Capacity of the Horsethief Creek in excess of 50 cfs and the reservoir of Horse-
conveyed? thief Dam is approximately 5000 acre feet. Normal flow of Horsethief Creek, about
10 cfs, and storage at approximately one-third of capacity.

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving
full legal description:

R-1221

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

Water is stored on Lot 4, Section 30, Township 14 North, Range 5 East, Boise Meridian, and on S/2 NE/4, E/2 SW/4, SE/4 of Section 15 and the NE/4 NE/4, W/2 NE/4, E/2 W/2, NE/4 SW/4, NW/4 SE/4 Section 36, Township 14 North, Range 4 East, Boise Meridian for public fishing and recreation use.

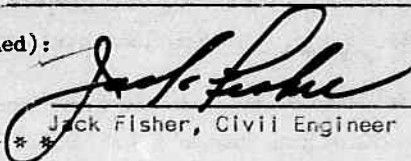
Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned? If so, in what way and to what extent? No

Ques. 10. When did you first see this water used? October, 1967

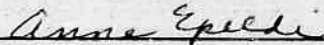
Other times you have seen such use: None

(Signed):


Jack Fisher, Civil Engineer

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in

Boise, County of Ada, State of Idaho, on this 18th day of March, A. D. 1968



Notary Public for the State of Idaho

Residing Boise

My commission expires June 1, 1970

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. R-1221

RECEIVED
MAY 20 1965
Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
and Completion of Works

DEPOSITION OF WITNESSES

The deposition of two witnesses on this form, taken separately, required in each case.

Ques. 1 State your name, age, residence, occupation and postoffice address:

T. D. Biladeau, of legal age, residing in Boise, Land Agent, employed by the Idaho
Fish and Game Department

Ques. 2 Are you acquainted with John R. Woodworth, the holder of
Permit No. R-1221? How long have you known him and where does he reside?

Five years; he resides in Boise

Ques. 3. Have you read or heard said Permit No. F-1221 read, and are you familiar
with its provisions and conditions: Yes x No.

Ques. 4. State source of water supply: Horsethief Creek

Give location of place of diversion, showing subdivision, section, township and range
NE/4 SW/4, Section 36, Township 14 North, Range 4 East, Boise Meridian;
The natural stream course of Horsethief Creek and the reservoir of Horsethief Dam.

Describe works for conveying water to place of use:

The natural stream course of Horsethief Creek and the reservoir of Horsethief Dam.

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: How much water have you seen being so

Capacity of the Horsethief Creek in excess of 50 cfs and the reservoir of Horse-
conveyed? thief Dam is approximately 5000 acre feet. Normal flow of Horsethief Creek, about
10 cfs, and storage at approximately one-third of capacity.

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving
full legal description:

R-1221

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

Water is stored on Lot 4, Section 30, Township 14 North, Range 5 East, Boise Meridian, and on S/2 NE/4, E/2 SW/4, SE/4 of Section 15 and the NE/4 NE/4, W/2 NE/4, E/2 W/2, NE/4 SW/4, NW/4 SE/4 Section 36, Township 14 North, Range 4 East, Boise Meridian for public fishing and recreation use.

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned?
If so, in what way and to what extent? No

Ques. 10. When did you first see this water used? October, 1967

Other times you have seen such use: None

(Signed):

T. D. Biladeau
T. D. Biladeau, Land Agent

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in

Boise, County of Ada, State of Idaho, on
this 18th day of March, A. D. 1968

Anne Epeldi
Notary Public for the State of Idaho
Residing Boise

My commission expires June 1, 1970

PUBLISHER'S AFFIDAVIT

STATE OF IDAHO)
) ss.
County of Valley)

John L. Youngblood, being first duly sworn, deposes and

Says:

That he is the Editor of the Cascade News, a Weekly newspaper published at Cascade, in the County of Valley, State of Idaho; that said newspaper is in general circulation in the county aforesaid and is a legal newspaper; that the advertisement, a copy of which is hereto attached, was published in said news-

paper once a week for four consecutive weeks in the regular and entire issue of every number thereof during the period and time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began

Nov. 8, 1968, and ended Nov. 22, 1968

John L. Youngblood

Subscribed and sworn to before me, a Notary Public in and for

the County of Valley, and the State of Idaho, this 20th

day of February, 1969

Richard D. Denny, Notary Public.

My commission expires 10-25, 1969

NOTICE OF PROOF OF COMPLETION OF WORKS and APPLICATION OF WATER TO BENEFICIAL USE

NOTICE IS HEREBY GIVEN THAT ON THE 18th day of March, 1968 at 10 a.m., County of Ada, State of Idaho before Anne Epeldt, Notary Public at (address) 600 So. Walnut, Boise Idaho, proof will be submitted of Completion of Works for the diversion of 5,000 acre feet of storage, of waters of Horsethief Creek, and of the application to Beneficial Use of said water, in accordance with the terms and conditions of Permit No. R-1221, heretofore issued by the Department of Reclamation of the State of Idaho

1. The name and postoffice address of the person or corporation holding said permit is Idaho Fish and Game Department, Box 25, Boise, Idaho

2. Said works of diversion of water for storage will be fully completed on the date set for such completion and the amount of water when said works are capable of conveying to the place of storage is 5,000 acre feet per annum.

3. Reservoir capacity is 5,000 acre feet.

4. The use to which said water has been applied is fishing and recreation purposes, and the amount applied to beneficial use is 5,000 acre feet.

5. The point of diversion of said waters for beneficial use is NE 1/4 SW 1/4, Sec. 38, T.14N, R.4E, B.M., Valley County, and the amount which can be diverted is 5,000 acre feet per annum.

6. The place where said water is used is the area inundated by the reservoir.

7. The date of priority which said user is prepared to establish is June 30, 1966.

R. KEITH HUGGINSON
State Reclamation Engineer

2/8-15-22-29

RECEIVED
MAR 20
Department of Reclamation

R-1221

March 21, 1968

Re: Permit No. ¹²²¹ ~~R-8888~~
Idaho Fish & Game Department

John R. Woodworth, Director
Idaho Fish & Game Department
P. O. Box 25
Boise, Idaho 83707

Dear Mr. Woodworth:

We acknowledge receipt of the depositions and affidavit of publication in the
Star-News submitted as proof of com-
pletion of works and beneficial use on Permit R-1221.

Before a certificate and license of water right can be issued, a field examination must be made by a representative from this department. We cannot tell just when this examination will be made, but our field examiner will try to contact you at the time he makes the examination so that you may show him the system.

Very truly yours,

Donald W. McKidowney
Appropriation Examiner

DWM:dj

R-1221

January 3, 1969

Re: Permits R-1140; R-1221
and 65-7032

Mr. Robert H. Remaklus
Attorney at Law
Cascade, Idaho

Dear Mr. Remaklus:

Reference is made to the above numbered filings which provide for storage of water in the Fish and Game Department's Horse Thief Basin Reservoir in Valley County.

The stipulation and order of this office, dated April 9, 1968, provided that the Fish and Game Department would install measuring devices above the head waters of Horse Thief Reservoir in the spillway of the dam and at a site above the confluence of Horse Thief Creek and Big Creek. The Warner Ditch Company was to install a measuring device at the head of its canal. In each case readings were to be made on the various weirs at least weekly and furnished to this office monthly. To date we have received no information concerning these measurements. I am also advised that the Warner Ditch Company has not installed the measuring device in its canal.

I would appreciate being advised by the parties as to how they wish to proceed with this matter so that we may resolve the protest against the licensing of Permit R-1140 and the protest against the application of the Fish and Game Department for permit to divert 30 second feet of water from Big Creek into the reservoir. If this first full season of operation of the reservoir has satisfied the objections thereto, I would appreciate a letter withdrawing the protests.

Very truly yours,

R. KEITH HIGGINSON
State Reclamation Engineer

RKH:ew

R-1221

January 3, 1969

Re: Permits R-1140; R-1221
& 65-7032

Idaho Department of Fish and Game
Attn: T. J. Jones, Special Counsel
BUILDING

Gentlemen:

Reference is made to the above numbered filings which provide for storage of water in the Fish and Game Department's Horse Thief Basin Reservoir in Valley County.

The stipulation and order of this office, dated April 9, 1968, provided that the Fish and Game Department would install measuring devices above the head waters of Horse Thief Reservoir in the spillway of the dam and at a site above the confluence of Horse Thief Creek and Big Creek. The Warner Ditch Company was to install a measuring device at the head of its canal. In each case readings were to be made on the various weirs at least weekly and furnished to this office monthly. To date we have received no information concerning these measurements. I am also advised that the Warner Ditch Company has not installed the measuring device in its canal.

I would appreciate being advised by the parties as to how they wish to proceed with this matter so that we may resolve the protest against the licensing of Permit R-1140 and the protest against the application of the Fish and Game Department for permit to divert 30 second feet of water from Big Creek into the reservoir. If this first full season of operation of the reservoir has satisfied the objections thereto, I would appreciate a letter withdrawing the protests.

Very truly yours,

R. KEITH HIGGINSON
State Reclamation Engineer

RKH:cw

R-1221

March 12, 1969

Re: Permit No. R-1140 & R-1221

Warner Ditch Company
Forrest E. Robb
J. R. Simplot Company
c/o Robert H. Remakius
Cascade, Idaho 83611

Gentlemen:

Reference is made to the above numbered permits held by the State Department of Fish and Game for construction and use of waters stored in Horseshief Basin Reservoir near Cascade, Idaho.

You will recall that in connection with this matter and the protests filed by your clients, a pre-hearing conference was held on February 6, 1968. As a result of that conference a stipulation and order was prepared in which the parties agreed to certain matters. From information received by this office it would appear that the State Fish and Game Department has fully complied with the stipulation and order through the installation of the required measuring devices and a siphon capable of drawing water from the reservoir when required to equal the quantity flowing into the reservoir. It also appears, however, that the Warner Ditch Company and others diverting water from Big Creek have failed to install the required measuring device as they agreed to do.

It is our feeling that the operation of this reservoir during the 1968 season has demonstrated that it can be so used that other rights will not be injured. I am, therefore, writing to determine whether your clients still wish to pursue their protests or whether such protests may be withdrawn. If the protests are not withdrawn we will schedule a hearing concerning this matter at an early date.

R-1221

Page 2 - Continued

You should also be advised that the Warner Ditch and other users must comply with the order dated April 9, 1968 by installing a measuring device of the type approved by this department before the beginning of the irrigation season. If such device is not installed this office will not require any replacement of water from the Horsethief Basin Reservoir.

Very truly yours,

R. KEITH HIGGINSON
State Reclamation Engineer

RKH:ew

cc: T. J. Jones, III
Idaho Department of Fish & Game
Building

R-1221

May 16, 1969

Warner Ditch Company
Forest E. Robb
J. R. Simplot Company
c/o Robert H. Renakius
Attorney at Law
Cascada, Idaho 83611

Dear Sirs:

My prior letter to you, dated March 12, 1969, asked that you advise this Department concerning the interest of your clients in further pursuing the protest against the licensing of Permit R-1140 of the Idaho Fish & Game Department. In your reply which we received on April 18, 1969, you indicated that you would discuss the matter with your clients and advise us immediately.

I am sure that you understand that the protest is related to the proof of completion of works and beneficial use of the water under a permit which has been granted by this office. The only items that your clients could challenge would be whether the works have been completed and there has been a quantity of water appropriated.

We would like very much to resolve this matter so that we can take final action concerning R-1140 and R-1121. Please let us know of your decision concerning your protest.

Very truly yours,

R. KEITH HIGGINSON
State Reclamation Engineer

RKH/jfb

cc: Idaho Fish & Game Dept.

R-1221

BEFORE THE STATE RECLAMATION ENGINEER
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMITS)
)
R-1140, # R-1221, #32646)
)
in the name of IDAHO DEPARTMENT)
)
OF FISH AND GAME)
)

AN ORDER
DENYING PROTEST

Permits #R-1140, #R-1221 and #32646 cover storage and use of water in the Horsethief Basin Reservoir, constructed by the Idaho Department of Fish and Game.

Permit #R-1140 was issued on November 14, 1962, and provided for storage of 3,500 acre feet of water behind a dam to be located within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 36, T. 14 N., R. 4 E. The water was to be used for "propagation of fish and wildlife".

Permit #R-1221 was issued on July 5, 1966, and provided for appropriation of 5,000 acre feet of water in the Horsethief Basin Reservoir, to be used for "fishing and recreation purposes".

Permit #32646 was issued on December 28, 1965, and provided for diversion of 10 second feet of water for "filling, storage, maintenance and replenishment of the reservoir, and for the propagation of fish and wildlife, and for public recreation".

Proof of completion of works and beneficial use of water have been submitted in connection with each of these three permits. These proofs were protested by the Warner Ditch Company, Forest E. Robb and J. R. Simplot Company. A conference concerning their objections was held at Cascade, Idaho, on February 6, 1968. Pursuant to that conference the protestants and applicant agreed to a Stipulation and Order which was issued by the State Reclamation Engineer on April 9, 1968. The six provisions of this Stipulation are set out below:

1. That the Idaho Fish and Game Department will install at its expense three weirs for the measurement of the stream flow of Horsethief Creek as soon as weather permits. One weir will be installed above the headwaters of Horsethief Reservoir, and if adaptable, the Fish and Game Department will use for this

R-1221

upstream weir the existing highway culvert above the headwaters of said reservoir. One temporary weir will be installed on the spillway of the Horsethief Reservoir Dam. The third weir will be installed at a site above the confluence of Horsethief Creek and Big Creek, the location of the said site of this weir below the Horsethief Reservoir Dam and above the confluence of Horsethief Creek and Big Creek is to be established by agreement between field representatives of the State of Idaho Department of Reclamation, the Idaho Fish and Game Department and the Warner Ditch Company.

2. Periodic measurements at all three weirs will be conducted at least once a week during the irrigation season by Idaho Fish and Game Department personnel with spot checks of the same to be made by representatives of the Warner Ditch Company and the State of Idaho Department of Reclamation. These measurements are to commence as soon as the weirs are installed, but in no event not later than July 1, 1968.

3. Measurement data compiled from the aforementioned checks will be furnished monthly by the party making the same to all other involved parties, that is, to the Idaho Fish and Game Department, the Warner Ditch Company and the State Department of Reclamation.

4. Prior to July 1, 1968, the Warner Ditch Company will install at its own expense a weir on its canal at its head near the point of diversion on Big Creek. Measurements at this weir will be made at least weekly by the Warner Ditch Company and furnished to all parties monthly with spot checks to be made by the State Department of Reclamation at its discretion.

5. The plans and specifications for all weirs to be installed by either the Idaho Fish and Game Department or the Warner Ditch Company are to be furnished to the State Department of Reclamation for its approval prior to commencement of construction.

6. Should the Horsethief Reservoir fail to fill during the year 1968, and should the protestants thereupon make a showing to the State Department of Reclamation and clearly demonstrate to the satisfaction of the said Department of Reclamation that the installation of a siphon or other device across, through, or under the Horsethief Reservoir Dam is necessary for downstream irrigation requirements pursuant to valid licenses and a permit held by the protestants, then and in that event and pursuant to the order of the State Department of Reclamation, the

Idaho Fish and Game Department will, at its own expense, install such device or devices as may be necessary at the dam for the carriage of the same amount of water as would be passing the upstream weir located above the headwaters of Horsethief Reservoir.

The Department of Reclamation has withheld further action concerning this matter until it could be determined from the measuring devices agreed to be installed what effect, if any, the operation of Horsethief Reservoir had upon the established rights of the protestants. Evidence available to the office indicates that the Department of Fish and Game has fully complied with the terms of the Stipulation, but that the protestants have failed to install the required measuring devices. It was also apparent that the reservoir has been operated during the last two seasons without substantial interference with the water supply of Big Creek. It should be pointed out that the only basis for objection to the issuance of license in connection with these three permits would be that the applicant had failed to complete the works and apply the water to beneficial use. There appears to be adequate evidence that all conditions of the permits and the Stipulation and Order have been met by the applicant.

It is therefore ordered that the protests of the Warner Ditch Company, Forest E. Robb and J. R. Simplot Company against the issuance of license confirming the appropriation of water under Permits #R-1140, #R-1221 and #32646 be set aside and the Department will proceed to immediately issue such licenses.

DATED this 15th day of August, 1969.


R. KEITH HIGGINSON
State Reclamation Engineer

R-1021

May 5, 1969

Re: Permit No. R-1221

Department of Fish and Game
State of Idaho
Bulking

Gentlemen:

A representative of this department has made an examination of the works covered by your Permit R-1221 and has found the following:

Quantity of water ~~diverted~~ stored: 5,000 acre feet

Amount of water that can be recognized as beneficially used under Idaho Law: 5,000 acre feet

~~The maximum quantity diverted shall not exceed 5,000 acre feet per season.~~

Purpose of use: Fishing and Recreation

The priority date established is: June 30, 1966

A fee totaling \$ 8.00 must be received within 30 days from the date of this letter in order that we can issue you the License and Certificate of Water Right as described above.

Very truly yours,

Dean R. Reynolds
Field Examiner

DRR:kh

R-1221

October 7, 1968

RE: Permit R-1221

Mr. McVein, Regional Director
Wildlife and Sport Fisheries
P. O. Box 3737
Portland, Oregon 97208

Dear Mr. McVein:

Enclosed herewith, per your request, are the copies of the above referenced permit. The fee for this service is \$1.00 which you may remit at your earliest convenience.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

R-1221

*Ed - pick # 2195
given*

January 29, 1969

RE: Permit R-1221

Mr. McVein, Regional Director
Wildlife & Sport Fisheries
P. O. Box 3737
Portland, Oregon 97208

Dear Mr. McVein:

October 7, 1968, copies of the above referenced permit were mailed to you. The fee for this service was \$1.00. Our records do not show this fee as being paid. Perhaps it is an over-sight on our part. Would you please check your records?

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

R-1221

C
O
P
Y

STATE OF IDAHO
Miscellaneous Expenditure Voucher

No.

FOR USE OF DIVISION
OF ACCOUNTS ONLY

222561

FOR USE OF DEPARTMENT

No.

FROM
DEPARTMENT**Fish and Game**

SUB-DIVISION

Fish and Game CommissionAPPROPRIATION
ACCOUNT TITLE**Fish and Game Fund****PAY TO:**

CODE NO.

Department of Reclamation**Statehouse - Annex 2****Boise, Idaho 83707****ACCOUNT CODES**

FUND	FUNCTION	SUB DIV	APP	OBJECT	COST CODES
6	6	01	6401	273	8.00
COMPUTATION CHECKED BY:				PRE-AUDITED BY:	
INCLUDED IN DAILY SUMMARY NO.				POSTED TO BUDGET CONTROL LEDGER	

DATE	EXPLANATION	AMOUNT	LEAVE BLANK
5/7/69	Ted Biladeau ADM-1-05 5/5 License & Certification Permit R-1221 Quantity of water stored: 5,000 Acre Feet for purpose of Fishing and Re- creation Horsethief Res. Sect 67-1614	8.00	

The above purchases are exempt from Idaho Sales Tax according to Tax Collectors Regulations No. 52 & 53 Idaho Sales Tax Act.

Attached**TO THE CLAIMANT:**

Enclosed please find State of Idaho warrant in full settlement of the claim.

Please address any inquiries concerning this transaction to the

STATE AUDITOR,
 Division of Accounts
 State Capitol Building,
 Boise, Idaho

A26427

MAY 12 1969

5/7/69 bc

R-1221

Source of supply Horsehead Creek
a tributary of Big Creek
Location of P.D.(s) NE 1/4 SW 1/4-36, -14 N-4E (on Stream Storage)

Water is used for Fishing & Recreation
Quantity of water found See A.I. of Capacity (2/3 full at time of inspection)
How was the measurement made? None

Measurement calculations Reservoir area covers approximately
300 A. Dam 633' Long, 51.8' high, Slopes 3:1 upstream 2:1 downstream

16' to 1/2 way up Spillway 6' X 20' X 178'. After 40' depth Spill 4.0' 17' X 20' X 8.0'
Stilling pool 24" outlet pipe with cutoff collars
every 16', 275 Long, Outlet tower To top of dam in
upstream face. Sheet piling Case 2.2' above w.s.
Outlet Tower - 6.0' X 56.0' Ormco Gate Lift 24" gate.
Trash rack on outlet pipes 4" siphon overtop of dam
To discharge small quantities of natural flow
To dev. stream watercourse. Inflow and outflow
measured by V notch weirs.

Diversion works description and diagram
See plans in Reservoir
file

Indicate area irrigated in each subdivision on the map.

Total acreage irrigated _____

If water is used for purposes other than irrigation, fully describe how the water is
used and what is done with it after the use.

Water held in Reservoir for fishing & recreation.

Who represented the permit holder at the examination?

Jack Fisher

Recommended allowance for licensing 500 A.F. Allow 1500 AC-Ft 2P

Description of required amendments. Comments. Upstream slope needs riprap
Jack Fisher stated they intended to do this work

Check with Han W

Report checked? K.H.

Examination date 8-14-68

Signature Robert Hamilton

August 18, 1969

Re: Permit Nos. R-1121 & 65-2818

State of Idaho
Department of Fish and Game
Building

Gentlemen:

Enclosed you will find your Water Licenses issued on the
above numbered permits.

Also enclosed is departmental receipts 3027 in the amount
of \$8.00 and No. 3463 in the amount of \$5.00 covering the fees.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA:kh

Enclosures

R-1221

WATER LICENSE

Water License No. R-1221 Priority June 30, 1966 Amount 5,000 acre feet

THIS IS TO CERTIFY, that STATE OF IDAHO, DEPARTMENT OF FISH AND GAME
of Boise, Idaho, made application for a permit to appropriate the public waters of
the State of Idaho, dated June 30, 1966; that Permit R-1221 was issued pursuant
to said application; that the proposed works were completed on or about October 1, 1965,
with a storage/or carrying capacity of 5,000 acre feet, said works consisting of earth fill
dam and reservoir; and that on March 18, 1968,
proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of N. A.
acre feet per season, with a maximum rate of diversion of 5,000 acre feet ~~XXXX~~ XXXX of the waters
of Horsethief Creek a tributary to Big Creek which is tributary of N. Fork Payette River
for the purpose of fishing and recreation from January 1 to December 31;
and for _____ from _____ to _____; and for
_____ from _____ to _____; and that the use
of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Recla-
mation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is
located in NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 36, T. 14 N, R. 4 E, B.M., and
other additional points _____, in the County of
Valley; and that the amount of water to which such right is
entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially
used for said purposes and shall not exceed N. A. acre feet per year.

Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	

Total number of acres irrigated _____

The right to the use of the water 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

18th day of August, 19 69.

Josh A. Barnett
Deputy State Reclamation Engineer

R-1221



RECEIVED

SEP 23 1969

DON SAMUELSON, Governor
COMMISSION
ROBERT G. KALB, State Engineer
PAUL C. KEETON, Lewiston
JOHN EATON, Coeur d'Alene
R. J. HOLMES, Twin Falls
GLENN STANDER, Idaho Falls

Department of Reclamation

IDAHO FISH AND GAME DEPARTMENT

JOHN R. WOODWORTH, Director

POST OFFICE BOX 75
600 SOUTH WALNUT STREET
BOISE, IDAHO 83727

September 22, 1969

Horsethief Reservoir
Valley County

Mr. Keith Higgonson
Reclamation Engineer
Department of Reclamation
STATEHOUSE MAIL
Boise, Idaho

Attention: Bob Hamilton

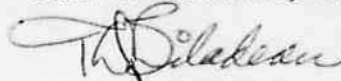
Dear Mr. Higgonson:

We are returning herewith Water License R-1221 for adjustment of date of priority.

Also enclosed are elevation capacity curve in acre feet and an area capacity curve in surface acres and an elevation area curve in surface acres all pertaining to Horsethief Reservoir.

Sincerely,

IDAHO FISH AND GAME DEPARTMENT
John R. Woodworth, Director



T. D. Biladeau, Wildlife Land Agent
Business Administration Division

TDB/ech
Enclosures

R-1221

BY

DATE

SHEET NO.

OF

DIVISION

FISHERIES

PROJECT

HORSETHIEF BASIN

LOCATION

VALLEY COUNTY

SUBJECT

AREA - CAPACITY CURVE

CAPACITY
ACRE FT

5000

4000

3000

2000

1000

0

0

50

100

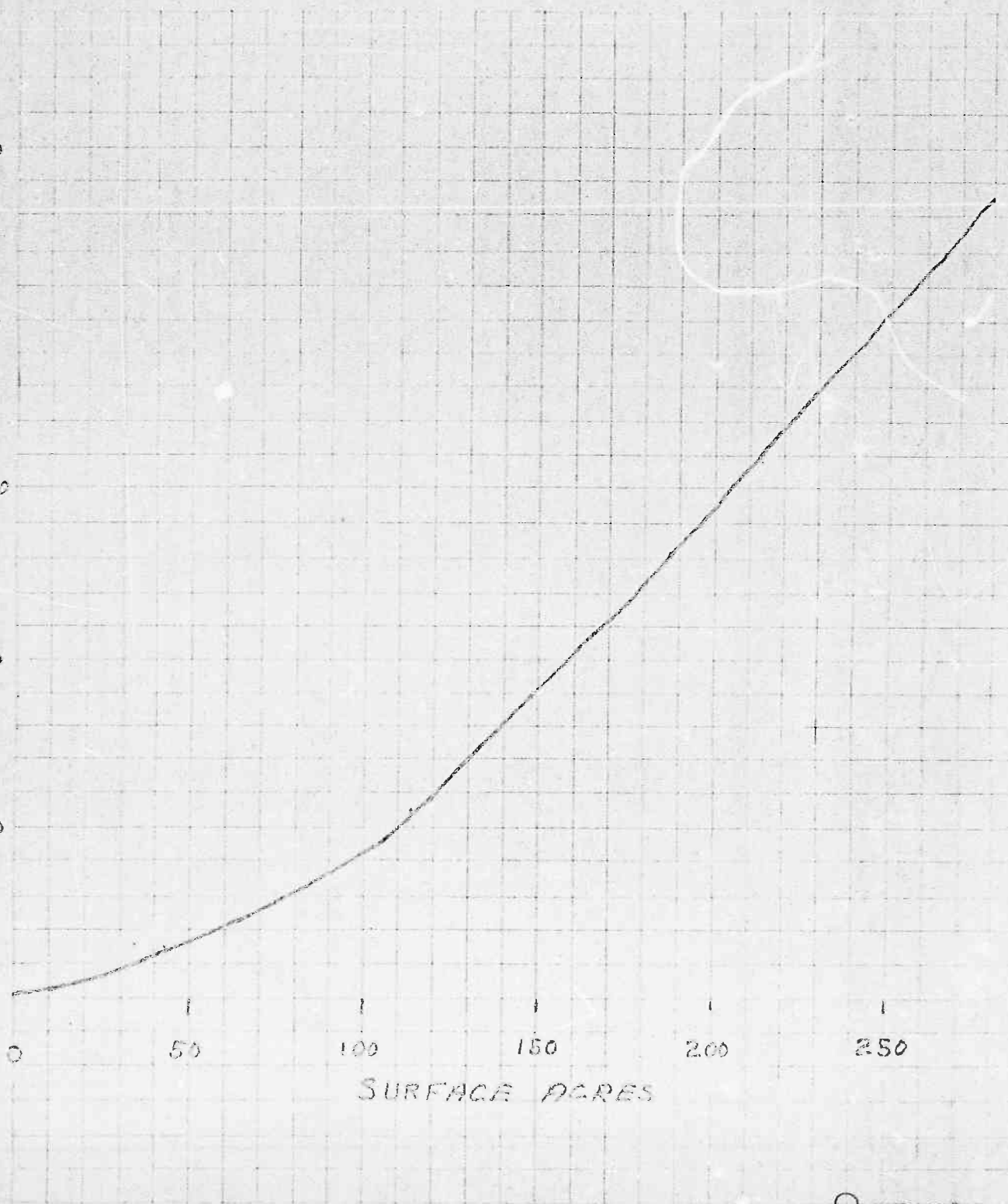
150

200

250

SURFACE ACRES

R-1221



LOCATION VALLEY COUNTY
SUBJECT AREA - CAPACITY CURVE

CAPACITY
ACRE FT

5000

4000

3000

2000

1000

0

0

50

100

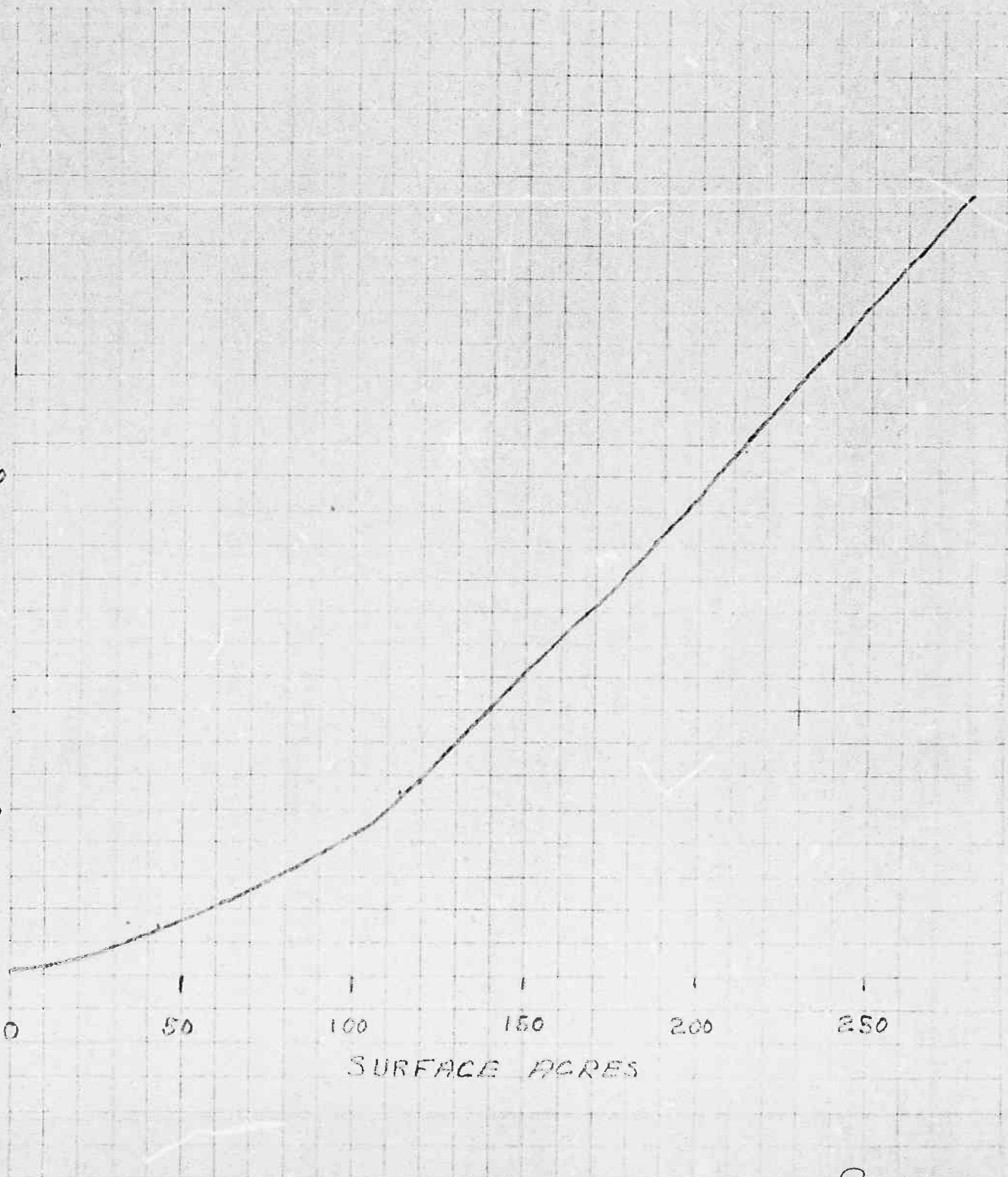
150

200

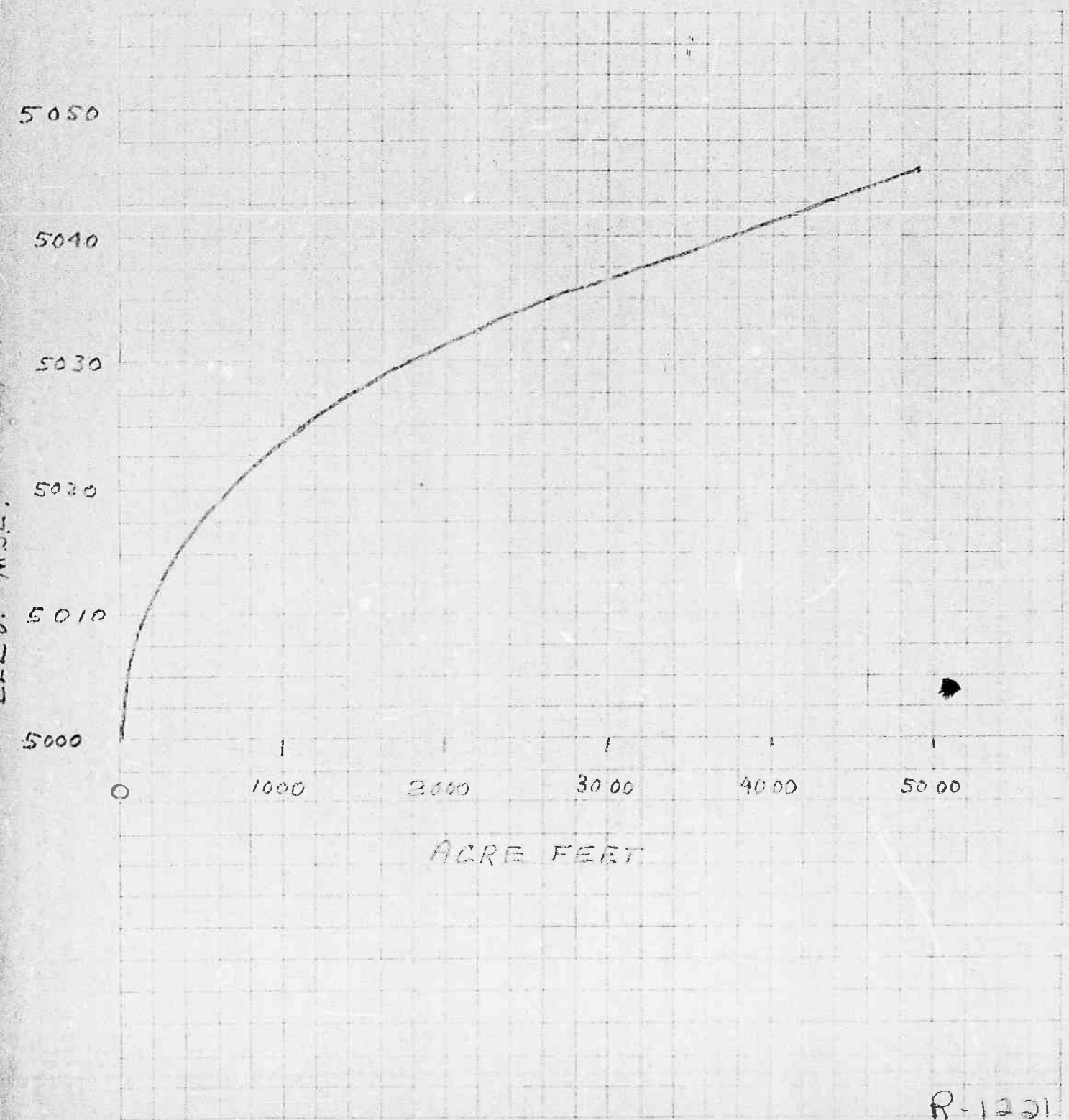
250

SURFACE ACRES

R-1221



LOCATION VALLEY COUNTY
SUBJECT ELEVATION - CAPACITY CURVE



BY

DATE

SHEET NO.

OF

DIVISION

FISHERIES

PROJECT

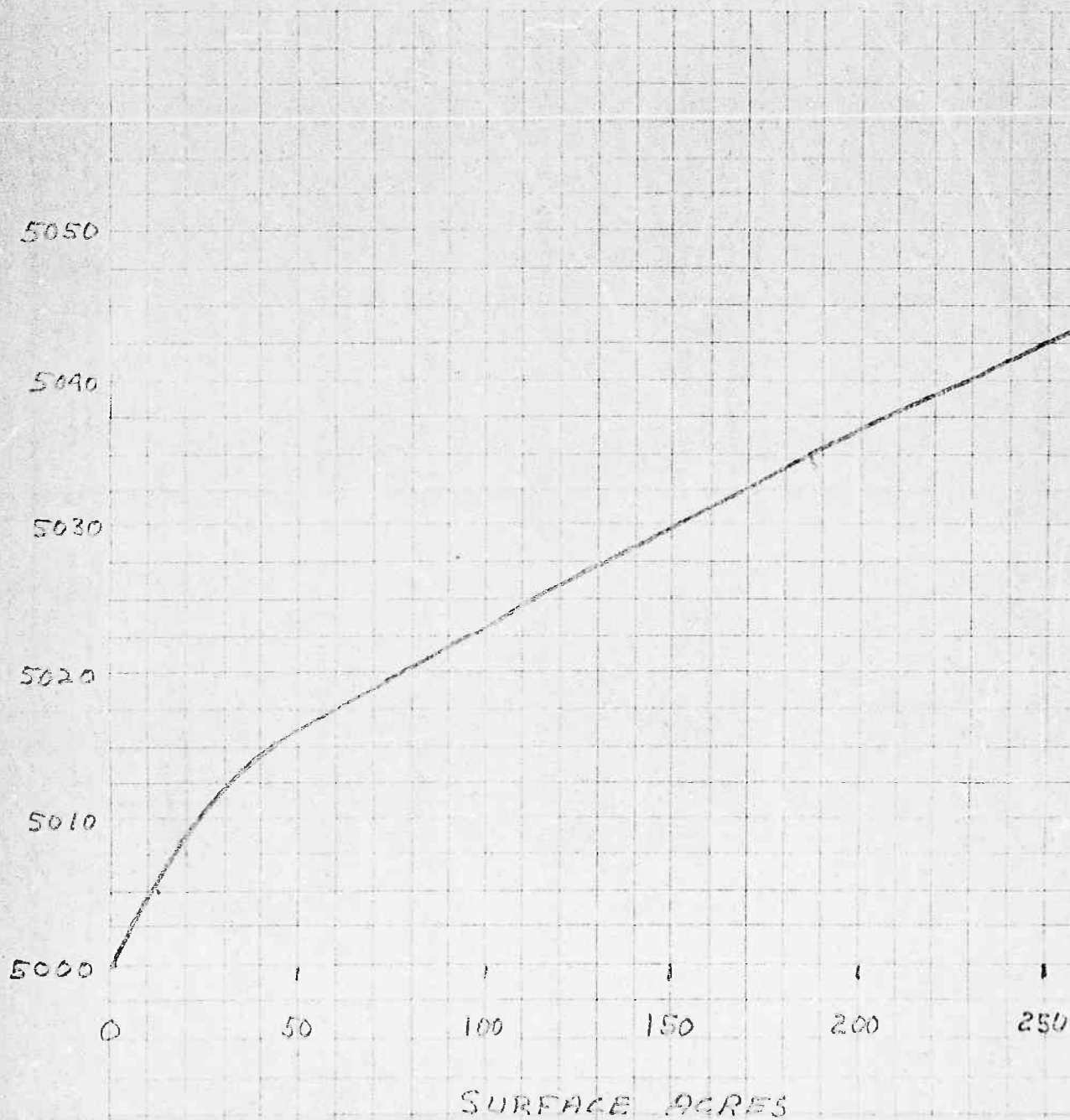
HORSETHIEF BASIN

LOCATION

VALLEY COUNTY

SUBJECT

ELEVATION - AREA CURVE

ELEVATION
M.S.L.

R-1221

BY

DATE

SHEET NO.

OF

DIVISION

FISHERIES

PROJECT

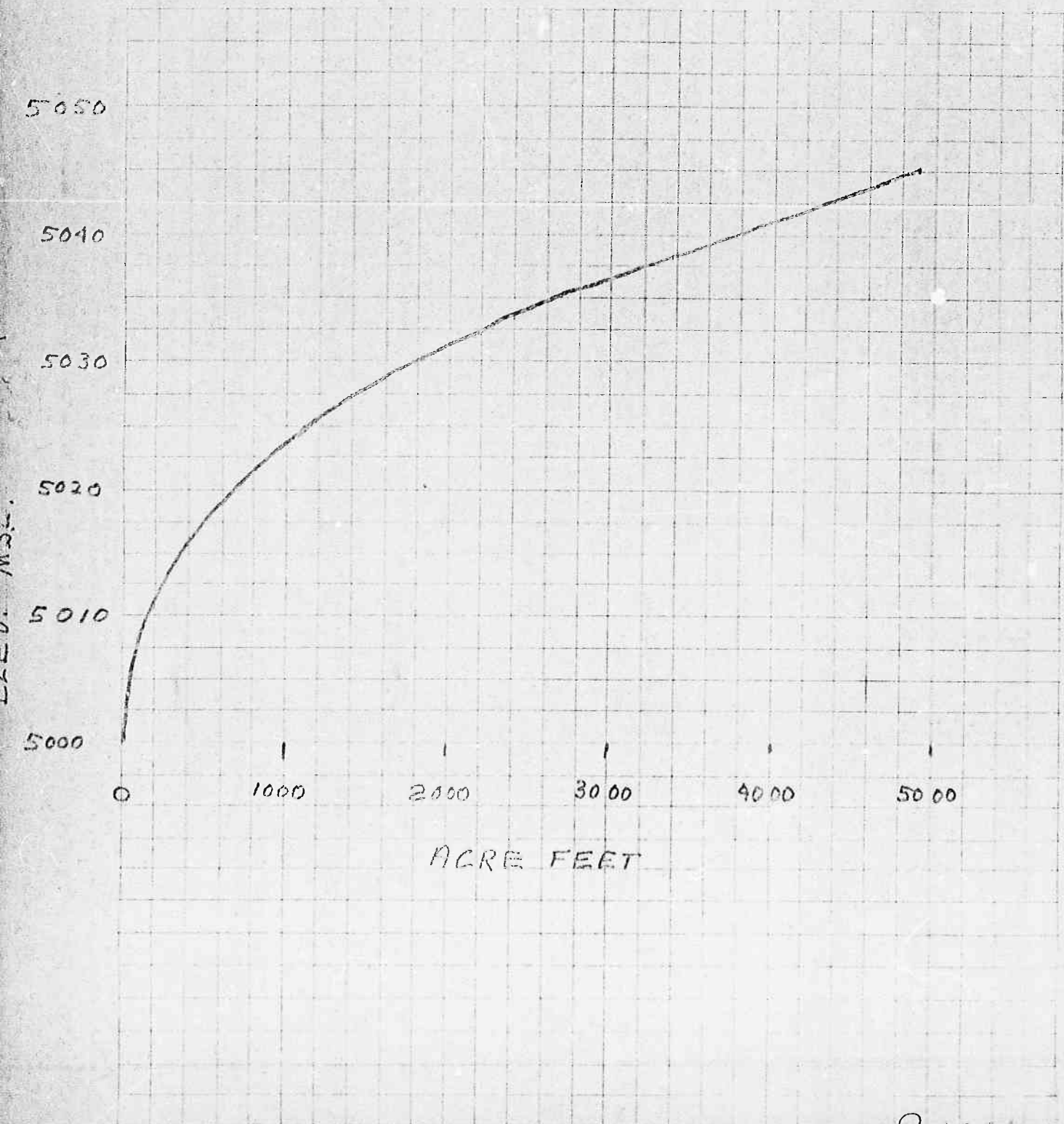
HORSETHIEF BASIN

LOCATION

VALLEY COUNTY

SUBJECT

ELEVATION - CAPACITY CURVE



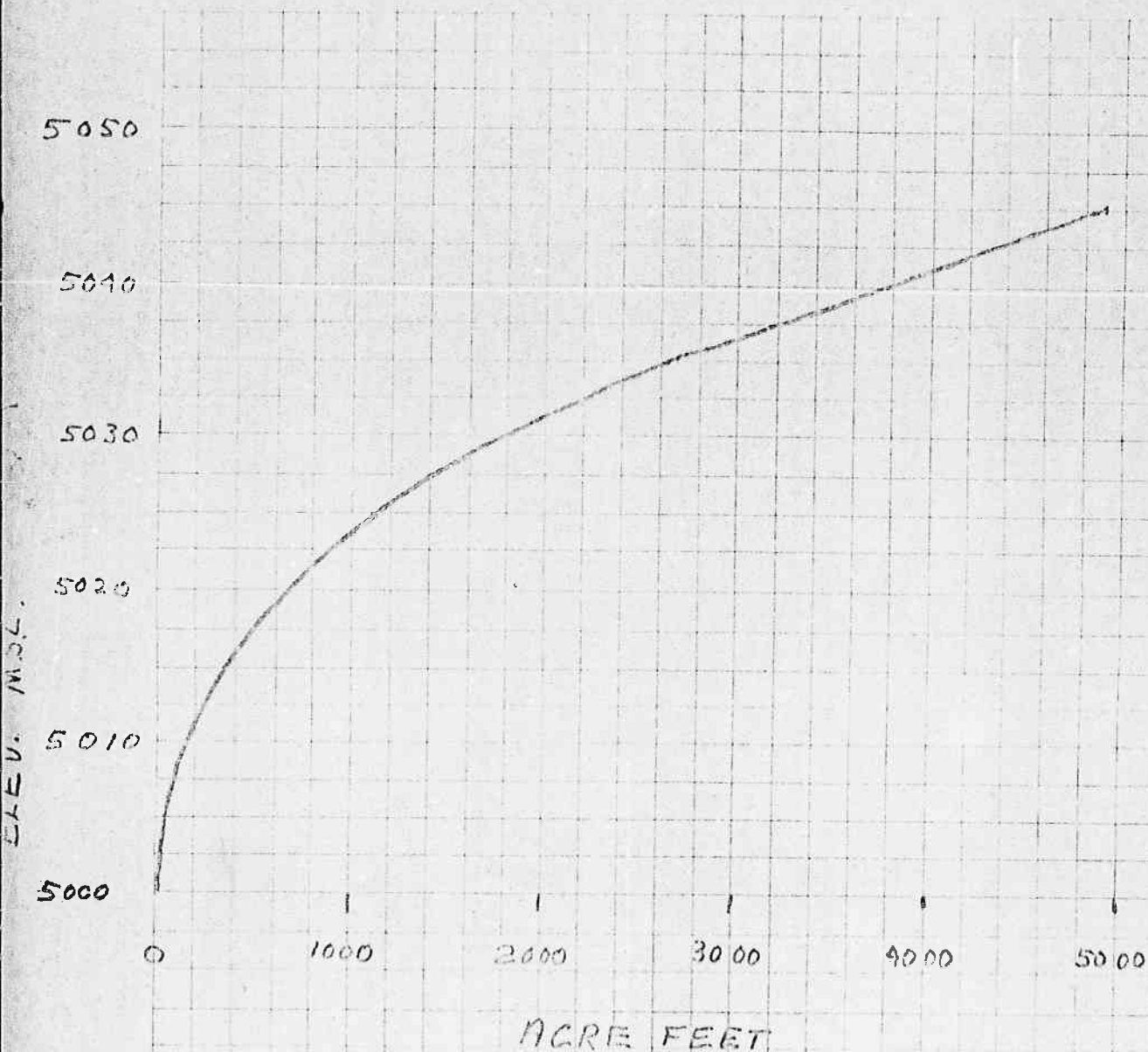
R-1221

LOCATION

VALLEY COUNTY

SURVEY

ELEVATION - CAPACITY CURVE



B-1221

license R-1221 is being returned to
us. 13500 Af. will be given a
priority date as indicated on R-1140
1500 Af. will remain the same as
R-1221

R.H.

R-1221

October 8, 1969

Re: Permit Nos. R-1140 and R-1221

State of Idaho
Department of Fish and Game
Building Mail

Dear Sirs:

Enclosed you will find your Water Licenses issued on the above
numbered permits.

Very truly yours,

C. Stephen Allred, Acting Deputy
State Reclamation Engineer

CSA:kh

Enclosures

8-1221

WATER LICENSE

Water License No. R-1221 Priority June 30, 1966 Amount 1,500 acre feet

THIS IS TO CERTIFY, that STATE OF IDAHO, DEPARTMENT OF FISH AND GAME
of Boise, Idaho, made application for a permit to appropriate the public waters of
the State of Idaho, dated June 30, 1966; that Permit R-1121 was issued pursuant
to said application; that the proposed works were completed on or about October 1, 1965,
with a storage/or carrying capacity of 5,000 acre feet, said works consisting of
earth fill dam and reservoir; and that on March 18, 1968,
proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of N. A.
acre feet per season, with a maximum rate of diversion of 1,500 acre feet ~~which is expressed~~ of the waters
which is
of Horsethief Creek a tributary to Big Creek /, tributary of N. Fork Payette River,
for the purpose of fishing and recreation from January 1 to December 31;
and for _____ from _____ to _____; and for
_____ from _____ to _____; and that the use
of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Recla-
mation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is
located in NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 36, T. 14 N, R. 4 E, B.M., and
other additional points _____, in the County of
Valley; and that the amount of water to which such right is
entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially
used for said purposes and shall not exceed N. A. acre feet per year.

Description and location of place of use:

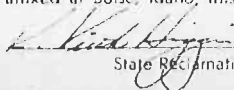
TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	

Total number of acres irrigated _____

The right to the use of the water 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

8th day of October, 19 69

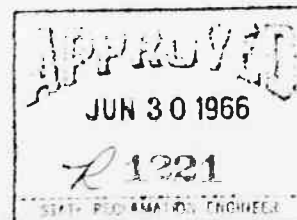

State Reclamation Engineer

R-1221

Mass and booklet to large to be
filled. can be found in permanent
file.

K.D.

STATE OF IDAHO
DEPARTMENT OF PUBLIC WORKS
ROOM 432 CAPITOL BUILDING



PROPOSAL

Schedules No. 1 and No. 2

HORSETHIEF BASIN DAM

TO: ROBERT V. DE SHAZO
COMMISSIONER OF PUBLIC WORKS

Having carefully examined the advertisement for bids, the plans, specifications, the site where the work is to be done in connection with the construction of the earth fill dam and appurtenant works on Horsethief Creek near Cascade, Idaho, as well as the terms and conditions affecting same, the undersigned hereby proposes to undertake and complete the work embraced in this improvement by furnishing all material, labor, tools, and equipment required according to the aforementioned document prepared by the Fish and Game Department and the Department of Public Works, Boise, Idaho, according to the schedule of bid prices below and to execute an agreement for the above work for the below named compensation in the form provided by the State of Idaho. Attached hereto is a guaranty of 5 percent (5%) of this bid in conformance with the Advertisement for Bids.

The undersigned agrees, if awarded the contract, to execute and deliver to the Commissioner of Public Works within ten (10) days after having been given notice of the award a satisfactory surety bond on the form provided by the State in a sum equal to one hundred percent (100%) of the contract price,

The undersigned agrees, if awarded the contract, to commence work within ten (10) days after being notified of the award and will fully complete all work thereunder within 550 consecutive calendar days and that he will sign a contract containing a liquidated damages clause and other requirements as stated by law, said liquidated damages not to exceed Fifty (\$50.00) Dollars per day for each calendar day's delay over the time specified for the completion of contract. The State reserves the right to reject any or all bids and to waive any informalities.

Pursuant to the requirements of Idaho Session Laws of 1953, Idaho Code Sec. 67-2310, the names and addresses of subcontractors to whom work will be awarded subject to approval of the Engineer, if the undersigned is awarded the contract.

SUBCONTRACTORS:

Name	Address	Type of Work

PROPOSAL

Schedule No. 1

HORSETHIEF BASIN DAM

<u>Item No.</u>	<u>Work or Material</u>	<u>Quantity and Price</u>	<u>Amount</u>
1	Clearing	Lump Sum of _____ _____ (words) _____ dollars	\$ _____
2	Excavation, unclassified	3150 cu. yds. at _____ _____ (words) _____ (\$) per CY	_____
3	Excavation for Dam Embankment Foundation	1200 cu. yds. at _____ _____ (words) _____ (\$) per CY	_____
4	Excavation, Stripping Borrow Pits	4450 cu. yds. at _____ _____ (words) _____ (\$) per CY	_____
5	Excavation for Grout Cap	145 cu. yds. at _____ _____ (words) _____ (\$) per CY	_____
6	Excavation, Earthfill Borrow Pit	24,000 cu. yds. at _____ _____ (words) _____ (\$) per CY	_____
7	Excavation, Rockfill Borrow Pit	3350 cu. yds. at _____ _____ (words) _____ (\$) per CY	_____

Proposal Schedule No. 1

<u>Item No.</u>	<u>Work or Material</u>	<u>Quantity and Price</u>	<u>Amount</u>
8	Structural Excavation	290 cu. yds. at _____ _____ (words) _____ (\$) per CY	\$ _____
9	Spillway Excavation, Entrance Channel	4400 cu. yds. at _____ _____ (words) _____ (\$) per CY	_____
10	Spillway Excavation, Structural	2100 cu. yds. at _____ _____ (words) _____ (\$) per CY	_____
11	Earthfill in Dam Embankment	22,500 cu. yds. at _____ _____ (words) _____ (\$) per CY	_____
12	Specialty Compacted Earthfill	1550 cu. yds. at _____ _____ (words) _____ (\$) per CY	_____
13	Rockfill in Dam Embankment	10,500 cu. yds. at _____ _____ (words) _____ (\$) per CY	_____
14	Riprap	1360 cu. yds. at _____ _____ (words) _____ (\$) per CY	_____
15	Graded Gravel for Filter	15 cu. yd. at _____ _____ (words) _____ (\$) per CY	_____

Proposal Schedule No. 1

<u>Item No.</u>	<u>Work or Material</u>	<u>Quantity and Price</u>	<u>Amount</u>
16	Graded Sand for Filter	8 cu. yd. at _____ _____ (words) _____ (\$) per CY \$ _____	
17	Concrete, Class "A"	280 cu. yd. at _____ _____ (words) _____ (\$) per CY _____	
18	Concrete, Class "B"	116 cu. yd. at _____ _____ (words) _____ (\$) per CY _____	
19	Furnishing and Placing Reinforcing Bars	27,000 lbs. at _____ _____ (words) _____ (\$) per lb. _____	
20	24" Conc. Pipe Cl. V	262 L.F. at _____ _____ (words) _____ (\$) per L.F. _____	
21	4" Conc. Sewer Pipe	154 L.F. at _____ _____ (words) _____ (\$) per L.F. _____	
22	Slide Gate	Lump Sum of _____ _____ (words) _____ dollars _____	
23	Gratings	Lump Sum of _____ _____ (words) _____ dollars _____	

Proposal Schedule No. 1

<u>Item No.</u>	<u>Work or Material</u>	<u>Quantity and Price</u>	<u>Amount</u>
24	Inlet Structure	Lump sum of _____ _____ (words) _____ dollars \$ _____	
25	Sheet Piling Membrane	7,200 Sq. Ft. at _____ _____ (words) _____ (\$) per SF _____	
26	Treated Timber	.20 MFBM _____ _____ (words) _____ (\$) per MFBM _____	
27	Spillway Path	Lump Sum of _____ _____ (words) _____ dollars _____	

Total of Prices Schedule No. 1. Items 1 through 27 \$ _____

Quantities in items 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, and 25 are approximate only and no claims shall be made by the Contractor on account of any excess or deficiency absolute or relative to same.

Addendums #1 and #2 Incorporated
with this bid.

Bidder

Title

Address

Proposal Schedule No. 2

1A	Move in Drilling and Grouting Equipment	Lump sum of _____ _____ (words) _____ dollars \$ _____
2A	Drilling Grout Holes In stage between depths of 0' and 30'	520 L.F. at _____ _____ (words) _____ (\$ _____) per L.F. _____
3A	Drilling Grout Holes In stage between depths of 30' and 50'	210 L.F. at _____ _____ (words) _____ (\$ _____) per L.F. _____
4A	Standard Black Pipe and Fittings for Foundation Grouting	150 lbs. at _____ _____ (words) _____ (\$ _____) per lb. _____
5A	Pressure Grouting	1000 cu. ft. at _____ _____ (words) _____ (\$ _____) per CF _____
6A	Pressure Grouting with Packer	700 cu. ft. at _____ _____ (words) _____ (\$ _____) per CF _____
Total of Prices Schedule No. 2		\$ _____

Quantities in items 2A, 3A, 4A, 5A, and 6A are approximate only and no claims shall be made by the Contractor on account of any excess or deficiency absolute or relative to same.

Proposal Schedule No. 2

chedule No. 2 is not to be included in the total price of the
ut is included in this proposal in order to obtain prices for
nd grouting should the excavation disclose the necessity for
nd grouting. These items may or may not be needed and the
ay be subject to considerable variation.

Bidder

Title

Address

and #2 Incorporated
his bid

STATE OF IDAHO
DEPARTMENT OF PUBLIC WORKS
Room 432 Capitol Building
Boise, Idaho

CONTRACTOR'S AFFIDAVIT CONCERNING TAXES

State of _____)

PROJECT: _____

County of _____)

Pursuant to the Idaho Code, Title 63, Chapter 15, I, the undersigned, being duly sworn, deposes and certify that all taxes, excises, and license fees due to the State of its taxing units, for which I or my property is liable then due or delinquent, has been paid, or arrangements have been made, before entering into a contract for construction of any public works in this State.

Name of Contractor

Address

By _____
Signature

Subscribed and sworn to before me this _____ day of _____, 19 _____

Notary Public, residing at

My commission expires: _____

REPRESENTATION BY PROSPECTIVE CONTRACTOR

Any bidder whose total bid amounts of \$25,000 or more is required to complete and sign the following representation:

"The bidder (or contractor) represents:

(a) that he () has, () has not, employed or retained any company or person [other than a full time bona fide employee working solely for the bidder (or) contractor] to solicit or secure this contract; and

(b) that he () has, () has not, paid or agreed to pay to any company or person [other than a full time bona fide employee working solely for the bidder (or) contractor] any fee, commission, percentage or brokerage fee, contingent upon or resulting from the award of this contract, and agrees to furnish information relating thereto as requested by the contracting officer.

(Note: For interpretation of the representation, including the term "Bona fide employee," see General Services Administration Regulations, Title 41, Secs. 101-7 and 101-5 (d) Fed. Reg. Dec. 31, 1952, Vol. 17, No. 253).

Whenever either part of the inquiry above is answered in the affirmative, the proposed successful bidder will be required to complete "Contractor's Statement of Contingent or Other Fees," Standard Form 119.

Failure or refusal to complete the representation above or failure to complete Standard Form 119, upon request, may be cause for rejection of the bid.

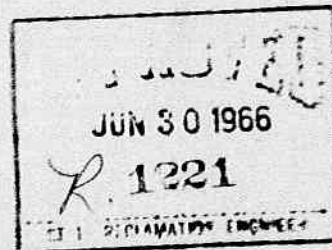
Name of Bidder

Signed by

Title

May 12, 1966

Plans and Specifications
for
Horsethief Basin Dam



ADDENDUM NO. 1

Make the following changes in the plans.

Sheet 1. Rock Source. Add "Borrow source of rock for rockfill or riprap is located immediately south of the lower end of the outlet structure."

Sheet 5. Roadway Section. Add "The section for the roadway incut is 16 feet road with 4 foot ditch. Fill section is 16 feet with 1½ to 1 fill slopes excepting where it is on dam section."

Sheet 6. Grout Cap Detail. Delete side welding on sheet piling. Welding and protection coating apply to butt joint and damaged galvanizing only.

Sheet 5. Cutoff Collars. Add two cutoff collars, one placed on each side and against sheet piling membrane. The hole through the sheet piling shall be 6 inches greater in diameter than the outside diameter of the pipe. Both collars shall be placed simultaneously.

Sheet 8. Section A-A. Change inside width of spillway to 20'-0".

Sheet 11. Stem Guides. Change stem guide spacing to 8 feet maximum.

Make the following changes in the specifications.

Page 18, Art. 30, Surveys. Add "Surveys for contract payment quantities will be made by Contractor under supervision of the Inspector."

Page 52. Add "Article 19. The Contractor shall furnish a 10' x 20' inspector's building at the site for the use of the Inspector on the project. The building shall be furnished with a work bench extending across one end of the building and a 4' x 8' wall mounted plan table. The building shall have two sliding windows 3' x 4', wood or oil heating stove, and a door capable of being locked. The building will revert to the Contractor at the completion of the project. The cost of furnishing the building shall be incidental to other items in the contract."

Page 4.1-5 A, Paragraph 4.1.05.D. Change last period to a comma.

Page 4.2.4, Paragraph 4.2.03.G. Rolling. Delete the words "12 times." Compaction will be determined by field testing as stated in Paragraph 4.2.09.C.

Page 4.2-9, Paragraph 4.2.09.D-3. Add the following, "Total width for payment is 4.0 feet."

Page 4.2-9. Delete Paragraph 4.2.09.D.4.

Page 4.4-18, Paragraph 4.4.18. Preparation for Placing. Add "Where concrete is to be placed against rock, all loose rock fragments, spalls, dirt, gravel, and other objectionable materials shall be washed from the rock faces."

Page 4.4-20, Paragraph 4.4.18. Delete next to last sentence.

Page 4.5-2, Paragraph 4.5.03.A-1. Add "Cen-Vi-Ro pipe is accepted as meeting the requirements of these specifications."

Page 4.5-3, Paragraph 4.5.03.D-2. Change concrete classification to "Class B" concrete.

Page 4.5-4, Paragraph 4.5.04.D-6. Add the following, "The stem shall be fitted with a cast iron threaded stop collar with set screw for preventing overtravel of gate in opening."

Page 4.5-4, Paragraph 4.5.04.D-7. Stem Guides. Change spacing to 8' intervals.

Page 4.5-5, Paragraph 4.5.05, A. Change walkway lumber grade to "Douglas Fir Construction Grade."

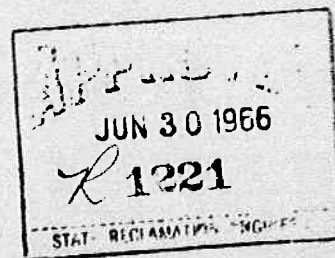
Page 4.5-5, Paragraph 4.5.05, B. Pressure Treating. Delete "Rail and rail posts."

Page 4.5-5, Paragraph 4.5.06, B-1. Steel Sheet Piling. Change A.S.T.M. designation to A-415.

All other portions of the Plans and Specifications remain unchanged.
Bid opening date remains unchanged.

Jack Fisher, Department Engineer
Idaho Fish and Game Department

June 2, 1966
Plans and Specifications
for
Horse Thief Basin Dam



ADDENDUM NO. 2

Make the following changes in the Specifications.

1. Page A. Proposal - change bid closing date and hour to 2:00 p.m., MST, June 17, 1966.
2. Page B. Advertisement for Bids - change as 1 above.
3. Pages H-2, 3, 4. (a) Bid Schedule - delete Items 15 through 20.
(b) In the next to the last paragraph on Page H-4, add Item 15, delete Items 22, 23, 24, 26, 27, 31.
(c) Old Items 15 through 20 become new Items 1-A through 6-A and constitute Schedule 2 (See 7 below).
(d) Add at the bottom of Page 4 the words "Addendums No. 1 and 2 incorporated with this bid."
4. Pages H-7, 8. Explanation of Bid Items - change bid item numbers to agree with 3 (a) and (c) above and 7 below.
5. Page 1. (a) Proposal - add the words "Schedules No. 1 and No. 2" at the top of the page.
(b) Change completion time in paragraph 3 to "550."
6. Pages 1-2, 3, 4. (a) Proposal - change item numbers as in 3 (a) and (b) above.
(b) Add at the bottom of Page 1-4 the words "Addendums No. 1 and 2 incorporated with this bid."
7. Add Pages 1-5 and 1-6 (attached) Schedule 2.
8. Add Page 1-7 (attached) Tax Affidavit.
9. Page 47 Special Conditions, Art. 3, change completion date to "550" calendar days.

Bidders are advised that all Pages 1 through 1-⁷ and Page 35 are to be completely filled in on the separate proposal form furnished. Failure to complete and submit all pages or obvious unbalancing of prices in Schedule No. 2 may result in rejection of their bid.

Proposal Schedule No. 2

1A	Move in Drilling and Grouting Equipment	Lump sum of _____ _____ (words) _____ dollars \$ _____
2A	Drilling Grout Holes in stage between depths of 0' and 30'	520 L.F. at _____ _____ (words) _____ (\$ _____) per L.F. _____
3A	Drilling Grout Holes in stage between depths of 30' and 50'	210 L.F. at _____ _____ (words) _____ (\$ _____) per L.F. _____
4A	Standard Black Pipe and Fittings for Foundation Grouting	150 lbs. at _____ _____ (words) _____ (\$ _____) per lb. _____
5A	Pressure Grouting	1000 cu. ft. at _____ _____ (words) _____ (\$ _____) per CF _____
6A	Pressure Grouting with Packer	700 cu. ft. at _____ _____ (words) _____ (\$ _____) per CF _____
Total of Prices Schedule No. 2		\$ _____

Quantities in items 2A, 3A, 4A, 5A, and 6A are approximate only
and no claims shall be made by the Contractor on account of any excess or
deficiency absolute or relative to same.

Proposal Schedule No. 2

Schedule No. 2 is not to be included in the total price of the contract but is included in this proposal in order to obtain prices for drilling and grouting should the excavation disclose the necessity for drilling and grouting. These items may or may not be needed and the quantity may be subject to considerable variation.

Bidder

Title

Address

Addendums #1 and #2 Incorporated
with this bid

STATE OF IDAHO
DEPARTMENT OF PUBLIC WORKS
Room 432 Capitol Building
Boise, Idaho

CONTRACTOR'S AFFIDAVIT CONCERNING TAXES

State of _____)

PROJECT: _____

County of _____)

Pursuant to the Idaho Code, Title 63, Chapter 15, 1, the undersigned, being duly sworn, deposes and certify that all taxes, excises, and license fees due to the State of its taxing units, for which I or my property is liable then due or delinquent, has been paid, or arrangements have been made, before entering into a contract for construction of any public works in this State.

Name of Contractor

Address

BY _____
Signature

Subscribed and sworn to before me this _____ day of _____, 19 _____.

Notary Public, residing at

My commission expires:

June 14, 1966
Plans and Specifications
for
Horsethief Basin Dam



ADDENDUM NO. 3

Make the following changes in the Specifications.

1. Page A. Proposal - change bid closing date and hour to 3:30 p.m., MST, June 23, 1966.
2. Page B. Advertisement for Bids - change as 1 above.

All other portions in the plans, specifications, and preceding addendums remain unchanged.

IDAHO FISH AND GAME DEPARTMENT
Jack Fisher
Department Engineer

ROBERT E. SMYLLIE
Governor



CARL E. TAPPAN
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

July 8, 1966

Re: Permit No. R-1221

Idaho Fish and Game Department
P.O. Box 25
Boise, Idaho 83701

We enclose Permit No. R-1221 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer

~~MAXIMUM FILING FEE~~ Departmental Receipt No. no fee required which was issued covering payment in the amount of \$ for the filing fee of the above mentioned permit.

Very truly yours,

M. Russell Bosch
M. RUSSELL BOSCH
Office Manager

MRB:ejw

Enc: permit

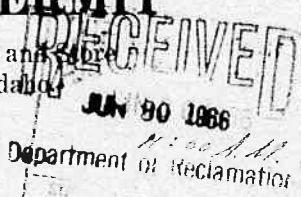
Idaho Fish & Game Department
P. O. Box 25, Boise, Idaho 83701

APPLICATION FOR PERMIT

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

Application No. R 41149

Permit No. R 1221



1. Name of Applicant: Idaho Fish and Game Department
Postoffice address: Box 25, Boise County Ada 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: 5,000 a.f. for initial fill - thereafter, no live storage

3. Source of water supply is Horsechief Creek, a tributary to Big (Creek) (River) (Spring), a tributary of North Fork Payette River.

4. The outlet of the proposed reservoir is located S 27°22' - 30"E 3094.82 feet, distant from the NW corner of Section 36, Township 14N, Range 4 E, B. M., and is in the NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 36, Township 14N, Range 4 E, B. M. County of Valley

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

- (a) The reservoir is located in the channel of Horsechief (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 _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ 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 269 acres.

(b) The reservoir capacity is 5,000 acre feet.

7. Height of reservoir dam 55 feet, length at top 250 feet, length at bottom 25 feet, size of outlet 6 feet by 20 feet. The dam is to be constructed of materials as follows: Compacted earth fill on upstream side, rock fill on downstream side with sheet pile cutoff wall embedded in concrete grout cap. Spillway to be concrete lined.

(If height of dam will exceed 10 feet or capacity of reservoir will exceed 100 acre 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 comingling with natural flow of _____ (Creek) River? No irrigation

Remarks: The plans indicate the size herein by reference. The plans are labeled

BE IT KNOWN That
the public waters of Idaho

Affidav

I, _____

 lessee of the land on which
 located, to-wit: _____

reservoir and store and app

County of _____

On this _____ day

known to me to be the person

Witness my hand and

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

[illegible]

Total Number of Acres to be Irrigated _____

21. Existing rights and/or valid permits appurtenant to lands described in Sec. 20 are _____

Remarks: The plans and specifications for the project as submitted for approval which indicate the size and location of the dam, spillway, and reservoir are included herein by references as complying with the requirements for filing this application. The plans are labeled "Horseshoe Basin Dam" and consist of 12 sheets.

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.

By John R. Woodworth Applicant.
Agent.

Affidavit of Permission to Store and Appropriate the Water of Springs

(Not to be used when spring is situated on lands owned by applicant)

I, _____ of _____, County of _____
State of _____, do hereby certify that I am the owner or
lessee of the land on which the spring mentioned in the application of _____ is
located, to-wit: _____ and that I do hereby grant unto the said
_____ permission to file on the said spring as set forth in the foregoing application for permit to construct
reservoir and store and appropriate the water from said spring.

STATE OF IDAHO,

County of _____

ss.

On this _____ day of _____, 19____, before me, a Notary Public for the State of Idaho, residing at
_____, personally appeared _____
known to me to be the person whose name _____ subscribed to the foregoing certificate, and acknowledged to me
that he executed the same.

Witness my hand and seal, the day and year in this certificate first above written.

Notary Public.

My commission expires: _____

Approval of State Reclamation Engineer

The number of this permit is R. 1221

Recorded in book R. 5, page 1221

Approved July 5, 1966

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 limitation and conditions:

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

Work to begin on or before September 5, 1966 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 July 5, 1967

The whole of said work to be completed on or before July 5, 1968

Beneficial use of water stored in accordance herewith to be made on or before July 5, 1970

Witness my hand this 5th day of July, 19 66

[Signature]
Deputy

State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLTIE, Governor of the State of Idaho,

and LOUIS E. CLAPP, 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 5th day of July, 19 66.

Countersigned:

By

[Signature]
Secretary of State.

By

[Signature]
Acting

Governor.

No. R 1221

STORAGE PERMIT

Date of first receipt at office of State Reclamation Engineer

June 30, 1966 11:00 A.M.

Returned to applicant for correction

Corrected application received

Fees, \$ none ~~xxx~~ required

FILING FEES FOR STORAGE PERMITS:

For the first 250 acre-feet \$5.00

For each additional 250 acre-feet or

fraction thereof \$0.25

FOR NORMAL FLOW PERMITS:

For the first Second foot \$5.00

For each additional Second foot or

fraction thereof \$0.25

State of Idaho

WATER LICENSE

Water License No. R-1221 Priority June 30, 1966 Amount 1,500 acre feet

THIS IS TO CERTIFY, that STATE OF IDAHO, DEPARTMENT OF FISH AND GAME
of Boise, Idaho, made application for a permit to appropriate the public waters of
the State of Idaho, dated June 30, 1966; that Permit R-1121 was issued pursuant
to said application; that the proposed works were completed on or about October 1, 1965,
with a storage or carrying capacity of 5,000 acre feet, said works consisting of
earth fill dam and reservoir; and that on March 18, 1968,
proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of N. A.
acre feet per season, with a maximum rate of diversion of 1,500 acre feet ~~which was per season~~ of the waters
which is
of Horsethief Creek a tributary to Big Creek /, tributary of N. Fork Payette River,
for the purpose of fishing and recreation from January 1 to December 31;
and for _____ from _____ to _____; and for
_____ from _____ to _____; and that the use
of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Recla-
mation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is
located in NE 1/4 SW 1/4, Sec. 36, T. 14 N, R. 4 E, B.M., and
other additional points _____, in the County of
Valley; and that the amount of water to which such right is
entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially
used for said purposes and shall not exceed N. A. acre feet per year.

Description and location of place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total number of acres irrigated _____

The right to the use of the water 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

8th day of October, 19 69.

K. H. H. H.
State Reclamation Engineer

R-1221

KEYPUNCHED

✓ ✓ 65 2966

VALLEY-BOISE SURFACE WATER

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF GEM

IN THE MATTER OF THE GENERAL DETERMINATION OF THE RIGHT TO THE USE OF THE SURFACE AND GROUND WATERS OF THE PAYETTE RIVER DRAINAGE BASIN

NOTICE OF CLAIM

TO A
WATER RIGHT

IDENT. NO.

65-2966

JUN 25 1970

Department of Reclamation

Notice is hereby given that State of Idaho, Fish and Game Department

(Name of Claimant)

Box 25, Boise, Idaho 83707

(Mailing Address)

claims a right to the diversion and beneficial use of the surface or groundwater, of or tributary to the Payette River;

The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use, or date that permit was issued) June 30, 1966
- (2) Describe source of water: (Name of stream, lake, spring, etc., or subterranean) Horsethief Creek Fish
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed: (Both Dates Inclusive)
Storage for propagation for fish & wildlife and for fishing & recreation
Use Fish Propagation Storage (Domestic, irrigation, stock, etc.) Period of Use From Jan. 1 To Dec. 31
Use Fish Propagation Storage (Domestic, irrigation, stock, etc.) Period of Use From Jan. 1 To Dec. 31
Use Fish Propagation Storage (Domestic, irrigation, stock, etc.) Period of Use From Jan. 1 To Dec. 31
- (4) Quantity of water claimed: 1,500 Cubic Feet Per Second, or 1,500 Acre Feet Per Annum, and/or 1,500 Gals. Per Minute.
- (5) A) Point of Diversion: Give location of point where water is diverted from its source NW 1/4 Sec. 36, Twp. 14 North, Rge. 4 East, B.M.; additional points:
B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities; be as specific as possible. An earth fill dam - 55' in height and 160' in length. The storage capacity is 5,000 acre feet.
- (6) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
14 N	5 E	30											X						
14 N	4 E	25			X	X					X			X	X	X	X	X	
14 N	4 E	36	X	X	X		X			X	X	X		X		X			

Total No. of acres 500

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

Storage of water for the propagation of Fish & Wildlife and for fishing & recreation use.

- (7) Effluent, sewage waste, or return water from this use is discharged into Horsethief Creek
- (8) If you are claiming water as a member of an organization, list name of organization: State of Idaho Fish and Game Department
- (9) Remarks Horsethief Reclamation
- (10) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case.
☒ C) Right based on application, license, or claim filed with State Reclamation Engineer, Office No. R-1221 Lic 65-2966

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

John R. Woodworth State of Idaho, Fish & Game Department

by its Director (Signature of Claimant)

Organization

(Signature of Spouse)

(Signature of Authorized Agent)

State of Idaho

ss.

Organization
Seal

County of Ada

On this 5th day of May, in the year 1970

a notary public, personally appeared John R. Woodworth, as director of the State of Idaho Fish & Game Dept. known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or

Notary Public residing at Boise

My commission expires

June 1, 1970

2KN 11/3/78

KEYPUNCHED
2-17-78

State of Idaho

WATER LICENSE

Water License No. R-1221 ⁶⁵⁻²⁹⁶⁶ Priority June 30, 1966 Amount 1,500 acre feet

THIS IS TO CERTIFY, that STATE OF IDAHO, DEPARTMENT OF FISH AND GAME
 of Boise, Idaho, made application for a permit to appropriate the public waters of
 the State of Idaho, dated June 30, 1966; that Permit R-1121 was issued pursuant
 to said application; that the proposed works were completed on or about October 1, 1965
 with a storage/or carrying capacity of 5,000 acre feet, said works consisting of
earth fill dam and reservoir; and that on March 18, 1968,
 proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of N. A.
acre feet per season, with a maximum rate of diversion of 1,500 acre feet ~~which is~~ ^{which is} of the waters
 of Horseshoe Creek a tributary to Big Creek /, tributary of N. Fork Payette River,
 for the purpose of fishing and recreation from January 1 to December 31;
 and for _____ from _____ to _____; and for
 _____ from _____ to _____; and that the use
 of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Recla-
 mation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is
 located in NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 36, T. 14 N, R. 4 E, B.M., and
 other additional points _____, in the County of
Valley; and that the amount of water to which such right is
 entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially
 used for said purposes and shall not exceed N. A. acre feet per year.

Description and location of place of use:

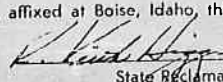
TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	

Total number of acres irrigated _____

The right to the use of the water 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

8th day of October, 1969.


 State Reclamation Engineer

65 2966