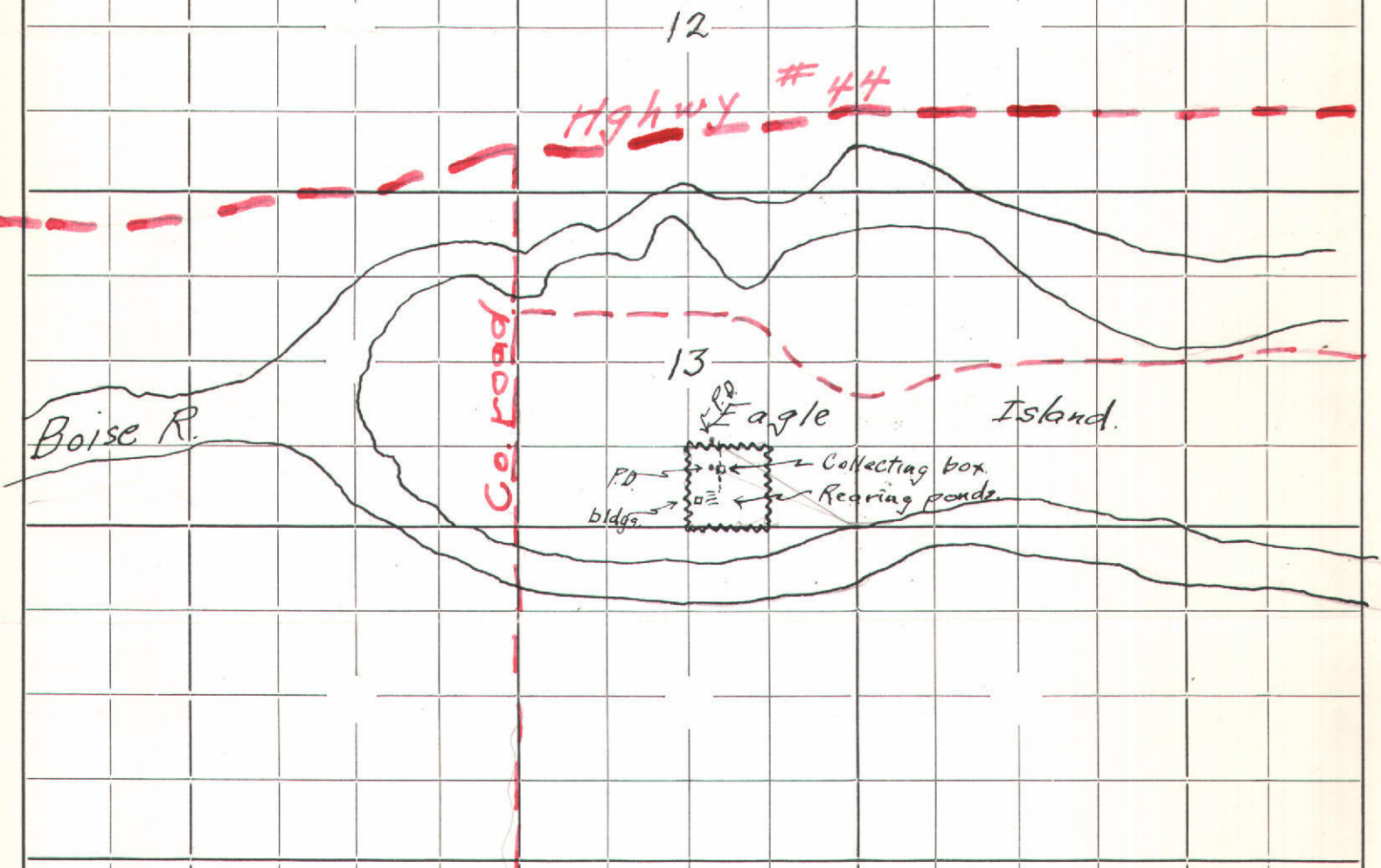


T 4 N. R 1 W. B. M.



$$T = 55^{\circ}F$$

$$Q = \#1 = 500 \text{ gpm.} = 53.55''$$

$$\#2 = 660 '' = 73.33''$$

$$128.88'' = 2.57 \text{ cfs.}$$

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

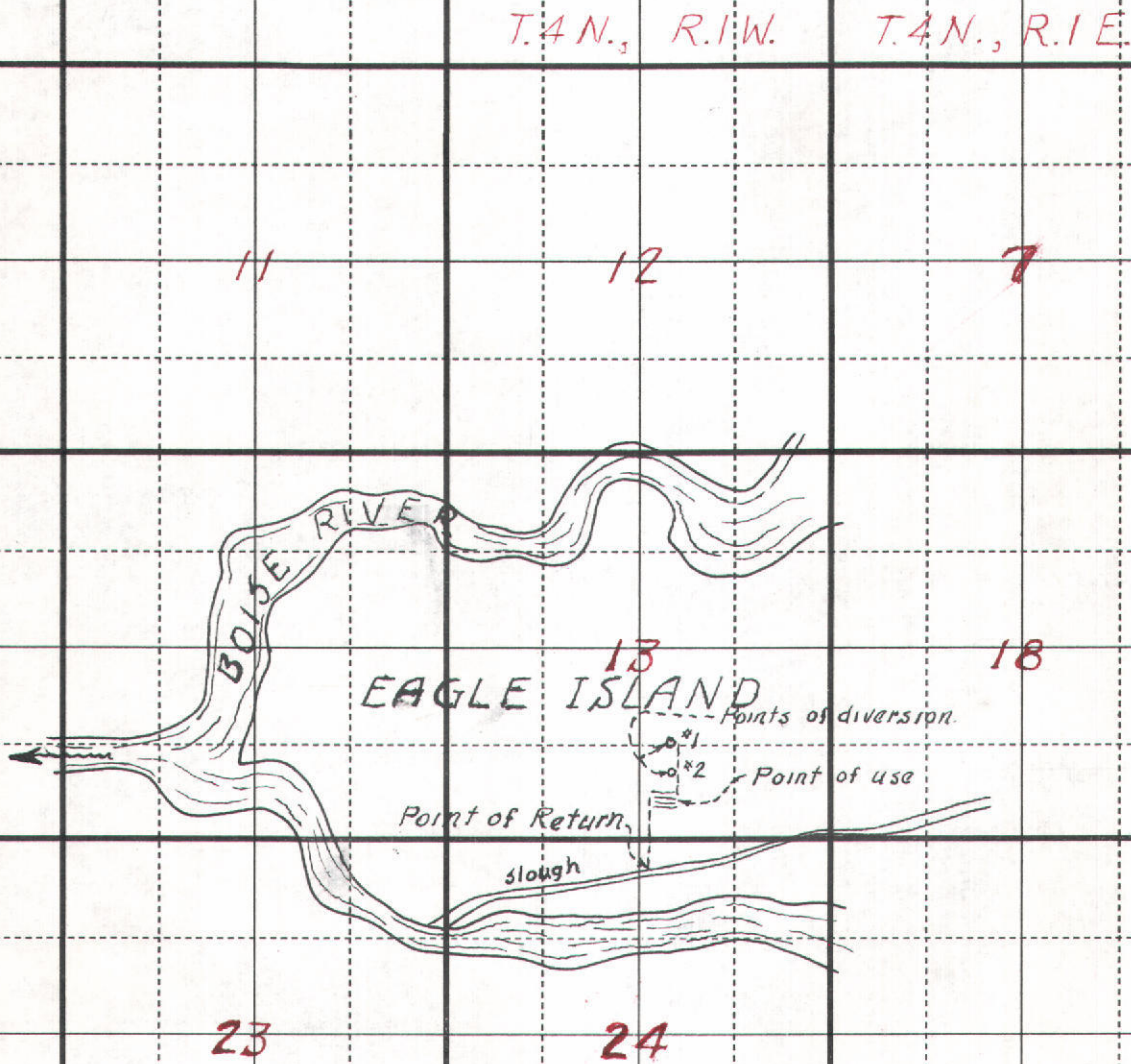
PERMIT NO. 21938

REPORT ON PROOF OF Beneficial use

STATE FISH & GAME DEPARTMENT, BOISE, IDAHO

2.57 cfs
DNRK

app. 3.5 cfs



21938

21938

Permit Map No. 21938

As Approved

FEB 17 1951

MARK R. KULP

State Reclamation Engineer

N^o 21938
63-2850

APPLICATION FOR PERMIT
To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 29660
PERMIT No. 21938
DISTRICT No.

1. Name of Applicant: FISH AND GAME DEPARTMENT, STATE OF IDAHO

Postoffice address: 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 applicant are:

- (a) Cash on hand:
- (c) Bonds to be issued:
- (d) Other resources:

2. Quantity of water claimed: 3.50 cubic feet per second.

3. Source of water supply: Subterranean flow from 2 wells. which is a tributary of
Well No. 1- 1.5 c.f.s. Well No. 2- 2 c.f.s.

4. Location of point of diversion Well No. 1-N.58°30' W. 2635 ft.
Well No. 2-N.69°15' W.2395 ft. feet distant from the S E
corner of Section 13 , T. 4 N. , R. 1 W. , B. M., and is in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$
of Section 13 , T. 4 N. , R. 1 W. , B.M., County of Ada

5. Water is to be used for Propagation of fish

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

(a) Point of use of water: feet distant from corner of Section
T. , R. , B.M., in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 13 , T. 4 N. , R. 1 W. , B.M.

(b) Amount of power generated: H.P., under feet head.

(c) Water is to be returned to Natural ,slough at a point feet
distant from the corner of Section , T. , R. , B.M., in the
NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 13 , T. 4 N. , R. 1 W. , B.M.

7. Estimated cost of works: \$ 35,000.00

8. Kind of works: Wells, pipe lines and rearing ponds.

9. Height of dam feet; length of dam at top feet; length of dam at bottom
feet; material used in dam:

10. Size of headgate: Width feet; height feet.

11. Ditch: 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.

12. The time required for the completion of such work is One (1) years.

13. The time required for the complete application of the water to the proposed use is None additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:

16. (a) Is reservoir to be used? If so, fill in (b) and (c) below:
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public water of the State of Idaho as herein set forth.

FISH AND GAME DEPARTMENT, STATE OF IDAHO *Applicant.*

By

R. J. Hofmann

Agent.

Date of first receipt at Department of Reclamation: 4:00 P. M. February 13, 1951

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 21938

Recorded in Book 78 Page 21938 Approved February 17, 1951

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

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

Work to begin on or before April 17, 1951

and to continue diligently and uninterruptedly to completion,

unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before August 17, 1951

The whole of said work to be completed on or before February 17, 1952

Beneficial use of water appropriated in accordance herewith, to be made on or before February 17, 1952

WITNESS My hand this 17th day of February, 1951

MARK R. KULP

State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, LEN JORDAN, Governor of the State of Idaho,

and IRA H. MASTERS, 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 17th

day of February, 19 51.

STATE OF IDAHO

Countersigned:

(SEAL)

(SEAL) By **IRA H. MASTERS**

By _____

LEN JORDAN

Governor.

Secretary of State.

REMARKS:

14.

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	
			CERTIFICATE OF COMPLETION OF WORKS																
TO ALL WHOM IT MAY CONCERN:																			
This is to certify that IDAHO FISH AND GAME DEPARTMENT of Boise, County of Ada, and State of Idaho, the holder of Permit No. 21938, issued upon Application No. 29660 bearing date of priority of February 13, 1951, authorizing the diversion of 3.5 second feet of the waters of subterranean flow from two wells, County of Ada, State of Idaho, for fish propogation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 3.5 second feet of the waters of said wells; that the points of diversion of said waters are in the NW ¹ / ₄ SE ¹ / ₄ and SW ¹ / ₄ SE ¹ / ₄ Section 13, Township 4 North, Range 1 West, B.M., and that the place of use of said water is in the SW ¹ / ₄ SE ¹ / ₄ Section 13, Township 4 North, Range 1 West, B.M. (Eagle Island Fish Hatchery).																			
Witness my hand this 14th day of December, A. D. 1951.																			
Proof of completion of works made December 10, 1951.																			
Certificate of completion of works issued December 14, 1951.																			
E. H. HUMPHREY Deputy State Reclamation Engineer																			
LICENSE ISSUED FOR 2.57 SEC. FT. Page 4886																			

State of Idaho

License and Certificate of Water Right

Water License No. 21938

Amount 2.57 second feet

Water District No.

Priority February 13, 1951

THIS IS TO CERTIFY that **STATE FISH AND GAME DEPARTMENT**
of Boise, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated February 13, 1951; that Permit No. 21938
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
2.57 second feet, was issued thereunder on December 14, 1951, showing that said works
were completed on the 10th day of December, 1951; and that on the 15th
day of January, 1952,

STATE FISH AND GAME DEPARTMENT
of Boise, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of two wells
~~subterranean~~ (subterranean flow) for the purpose of fish propagation
under Use Permit No. 21938 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 4886, on the 13th day of February, 1952;

The right hereby confirmed dates from February 13, 1951;

The Points of Diversion^{are} located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ and
in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13, Twp. 4 N., R. 1 W., B.M. Ada 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 2.57 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
			Eagle Island Fish Hatchery in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 13, Township 4 North, Range 1 West, B.M.		

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

13th day of February, 1952.

MARK B. KULP

State Reclamation Engineer

(SEAL)

63 2850

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69738

This is to certify that: STATE OF IDAHO
DEPT OF FISH & GAME
PO BOX 25
BOISE ID 83707
(208)334-2920

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Total</u>	<u>Source</u>
63-2635	AJC/License	04/17/1946	4 cfs	N/A			GROUND WATER
63-2850	AJC/License	02/13/1951	2.57 cfs	N/A			GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
63-2635	NO	NO	NO	YES	NO	NO
63-2850	NO	NO	NO	YES	NO	NO

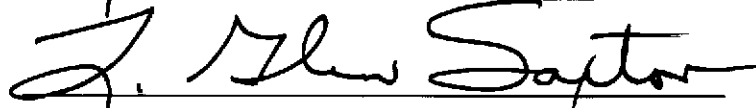
Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
63-2635	63-2635	4.00 cfs	N/A	N/A			N/A	N/A	N/A	N/A
63-2850	63-2850	2.57 cfs	N/A	N/A			N/A	N/A	N/A	N/A
TOTALS		6.57 cfs	N/A	N/A			N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 5th day of

September, 2002


Chief, Water Allocation Bureau

UNRECORDED

WATER RIGHT NO. 63-2635
As Modified by Transfer No. 69738

In accordance with the approval of Transfer No. 69738, Water Right No. 63-2635 is now described as follows.

Right Holder: STATE OF IDAHO
 DEPT OF FISH & GAME
 PO BOX 25
 BOISE ID 83707

Priority Date: 04/17/1946

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
FISH PROPAGATION	01/01	to 12/31	4.00 CFS	
			4.00 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWSE	Sec. 13 Twp 04N Rge 01W ADA County
GROUND WATER	SWSE	Sec. 13 Twp 04N Rge 01W ADA County
GROUND WATER	SWSE	Sec. 13 Twp 04N Rge 01W ADA County
GROUND WATER	SWSE	Sec. 13 Twp 04N Rge 01W ADA County
GROUND WATER	Lot 2 NWNE	Sec. 24 Twp 04N Rge 01W ADA County
GROUND WATER	Lot 2 NWNE	Sec. 24 Twp 04N Rge 01W ADA County

PLACE OF USE: FISH PROPAGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N 01W 13															X		
04N 01W 24		X															
		L 2															

MICROFILMED

1974 6 22

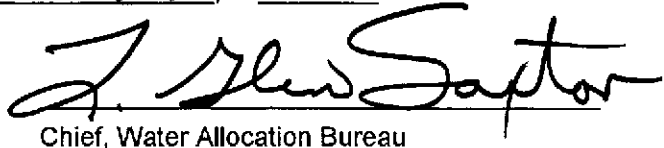
WATER RIGHT NO. 63-2635
As Modified by Transfer No. 69738

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of section 42-235, Idaho Code.
2. The total instantaneous diversion of water from all points of diversion under rights 63-2635 and 63-2850 shall not exceed 6.57 cfs.
3. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
4. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
5. The right holder shall not divert water at a rate exceeding what is reasonably necessary for the beneficial use authorized by this right.
6. Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 5th day of September, 2002


Chief, Water Allocation Bureau

UNRECORDED

WATER RIGHT NO. 63-2850
As Modified by Transfer No. 69738

In accordance with the approval of Transfer No. 69738, Water Right No. 63-2850 is now described as follows.

Right Holder: STATE OF IDAHO
 DEPT OF FISH & GAME
 PO BOX 25
 BOISE ID 83707

Priority Date: 02/13/1951

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
FISH PROPAGATION	01/01	to 12/31	2.57 CFS	
			2.57 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWSE	Sec. 13 Twp 04N	Rge 01W ADA County
GROUND WATER	SWSE	Sec. 13 Twp 04N	Rge 01W ADA County
GROUND WATER	SWSE	Sec. 13 Twp 04N	Rge 01W ADA County
GROUND WATER	SWSE	Sec. 13 Twp 04N	Rge 01W ADA County
GROUND WATER	Lot 2 NWNE	Sec. 24 Twp 04N	Rge 01W ADA County
GROUND WATER	Lot 2 NWNE	Sec. 24 Twp 04N	Rge 01W ADA County

PLACE OF USE: FISH PROPAGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N 01W 13																X	
04N 01W 24		X															
		L2															

MICROFILMED

7-1-1981

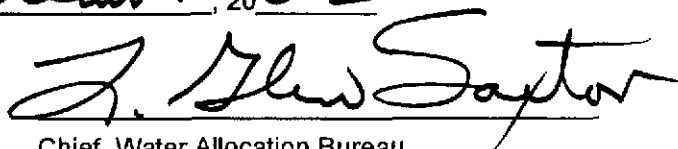
WATER RIGHT NO. 63-2850
As Modified by Transfer No. 69738

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of section 42-235, Idaho Code.
2. The total instantaneous diversion of water from all points of diversion under rights 63-2635 and 63-2850 shall not exceed 6.57 cfs.
3. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
4. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
5. The right holder shall not divert water at a rate exceeding what is reasonably necessary for the beneficial use authorized by this right.
6. Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 5th day of September, 2002


Chief, Water Allocation Bureau

RECORDED

SEP 10 2002

MEMORANDUM

TO: FILE 63-02850
FROM: VAULT
RE: TRANSFER # 69738
DATE: 7-22-2002

=====

Original Transfer Application, Form and correspondence regarding the above
referenced Transfer is located within:

FILE # 63-02635

MICROFILMED
SEP 23 2002

February 14, 1952

RE: Permit No. 21938

State Fish and Game Department
518 Front Street
Boise, Idaho

Gentlemen:

We enclose license and certificate of water right, issued under Permit No. 21938, confirming your right to the use of 2.57 second feet of water from two wells in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 13, Township 4 North, Range 1 West, B.M., with priority of February 13, 1951, for the purpose of fish propagation at the Eagle Island Fish Hatchery, located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of said section.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

Will copy in Well for file

EB

21938

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

Permit No. 21938This proof is for Beneficial use In Water District No. _____1. Name of applicant State Fish & Game Department, Boise, Idaho2. Source of water supply: Subterranean flow from two wells3. Location of point of diversion: Is in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 13T. 4 N. R. 1 W. County of Ada

4. Describe works as they exist, giving dimensions and capacities of same: These wells furnish a water supply for fish rearing ponds. Two wells are connected by 12 in. pipe to a common concrete mixing chamber and from there the water flows through a 20 in. pipe to the fish ponds, from the main line is conducted to each pond by an 8 in. pipe. Actual discharge is through a vertical pipe approximately 5 ft. high. This method of delivery is used to help create the water. For size and depth of well and location of aquifers, see the well log in proof of completion of works. The top of each well is encased in a concrete box with a wooden cover. Size of the concrete chamber is 4 ft. by 4 ft. by 6 ft. long. Each well is covered with a 16 in. metal cover bolted on to the pipe. Each well has a 12 in. gate valve close to the well so that the water can be effectively closed off. The collecting box is of concrete and is 5 ft. 9 in. wide by 10 ft. long, by approximately 8 ft. high. The pipe from well No. 1 enters from the North. The pipe from well No. 2

5. Water is used for: Propagation of fish

6. 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):

Eagle Island Fish Hatchery, in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 13, Twp. 4 North, Range 1 West, B.M.See Map

4. enters from the West and there is an additional 12 in. pipe entering from the West that that is to be used to connect it with a third well when same is drilled. From this box the water is conducted through a 20 in. steel pipe line to the place of use. At present, the pipe lines are in an open ditch but it is the intent to cover them as soon as possible. At the delivery end, water is furnished for the ponds indicated and some additional water through a 4 in. pipe is delivered to another pond to the South of the ponds described and at the end of the main pipe line there is also an overflow that can be used in cases of emergency. The output of these wells was measured on March 1, 1951, by members of the U.S.G.S. They reported on well No. 1, water pressure of 18 $\frac{1}{2}$ ft. and a discharge of 500 g.p.m. and on well No. 2, a water pressure of 20 $\frac{1}{2}$ ft. Both pressures being measured above the surface of the land surrounding the well. Second well discharge had a peak of 730 g.p.m. with an average of 660 g.p.m. As many as 6 tests were run on (Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? _____

Remarks: 4.) these wells varying in time duration from 8 to 24 hours each. Discharge at present is probably a slight amount less than that measured. A statement from the U.S.G.S. was to the effect that these two wells did not affect the yield of other wells in the area.

This examination was made on the 12th day of February, 19 52(Signed) E. M. Humphrey Examiner.21938

Permit No. 21938

Examination for Beneficial use

County Ada

S 13, 4N, 12E.

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

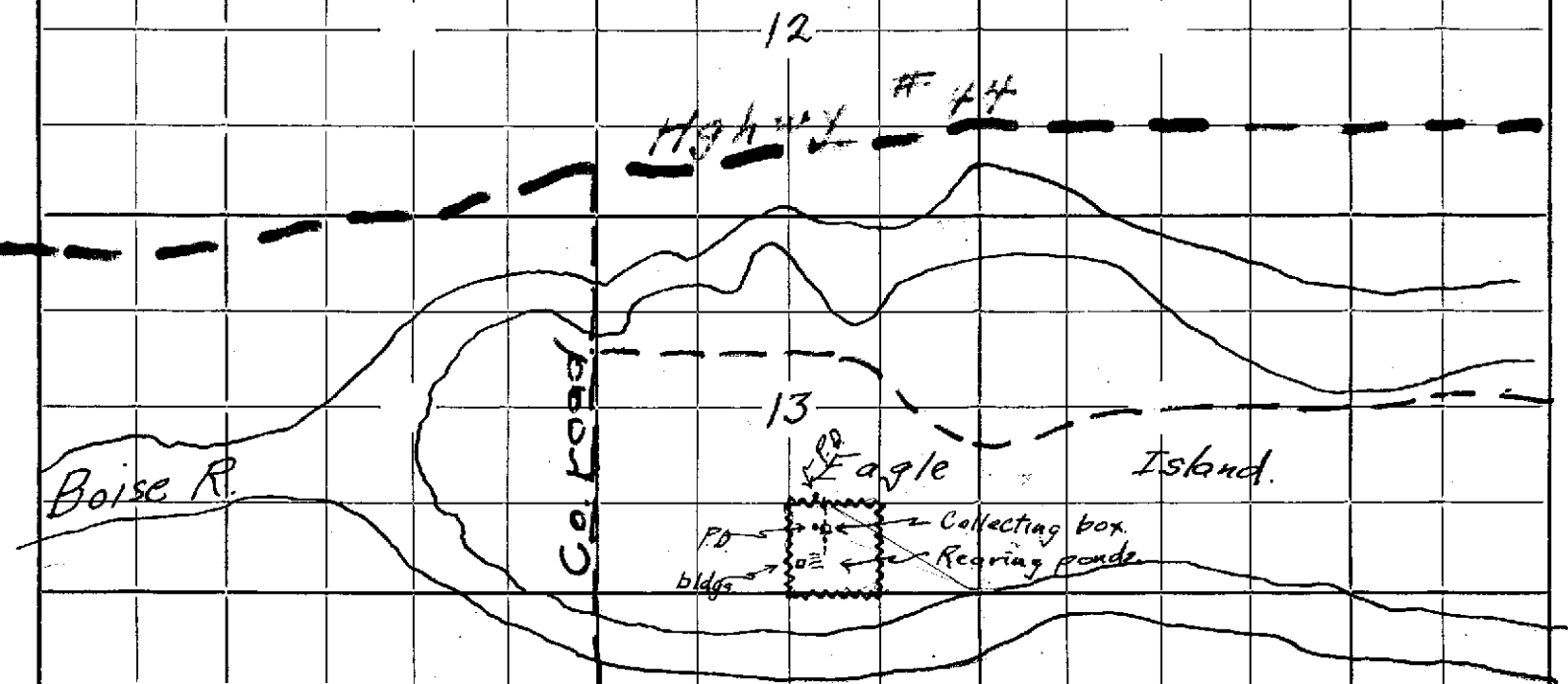
RECEIVED

FEB 13 1932

Department of Reclamation

Patron February 13, 1932
Mr. H. H. H. H.

T 4 N. R 1 W. B. M.



$T = 55^{\circ}F$

$Q = \#1 = 500 \text{ gpm.} = 55.55''$

$\#2 = 660 '' = 73.33''$

$128.88'' = 2.57 \text{ cfs.}$

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 21938

REPORT ON PROOF OF Beneficial use

STATE FISH & GAME DEPARTMENT, BOISE, IDAHO

2.57 cfs
J.R.

app. 3.5 cfs

✓
January 16, 1952

RE: Permit No. 21938

State Fish and Game Department
518 Front Street
Boise, Idaho

Gentlemen:

We acknowledge receipt of your letter of January 15, 1952, enclosing depositions in proof of beneficial use under Permit No. 21938, also affidavit of publication in the Idaho Daily Statesman.

This completes your proof but before final action is taken in the matter, the law requires that an examination be made by an engineer from this department.

We cannot say just when this examination will be made as this department has but one field engineer who makes inspections all over the State.

However, he will try to contact someone from your department at the time the examination is made so that arrangements may be made to show him over the grounds.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg

21938

DEPARTMENT OF FISH & GAME

STATE OF IDAHO

BOISE, IDAHO

518 Front Street
January 15, 1952

RECEIVED
JAN 16 1952
Department of Reclamation

State Department of Reclamation
Statehouse
Boise, Idaho

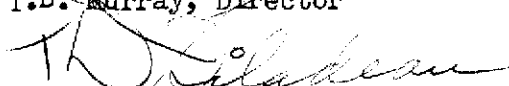
Attention: Mr. Mark R. Kulp
State Reclamation Engineer

Dear Sir:

Enclosed herewith are the following: Notice of proof of beneficial use publication, and proof of application to beneficial use with disposition of holder and disposition of witnesses in regard to Permit No. 21938, application of the Idaho Fish and Game Department as required by law.

Very truly yours,

IDAHO FISH AND GAME DEPARTMENT
T.B. Murray, Director


T.D. Biladeau
Biologist

TDB:bh
Enclosure

21938

STATE OF IDAHO, }
COUNTY OF ADA } ss.

Ida A. Marx, being duly sworn,
deposes and says: That she is the Principle Clerk of The Idaho
Daily Statesman, a daily newspaper printed and published at
Boise, Ada County, State of Idaho, and having a general circula-
tion therein and which said newspaper has been continuously and
uninterruptedly published in said County during a period of
twelve consecutive months prior to the first publication of the
notice, a copy of which is attached hereto; that said notice was
published in the regular Monday edition of The Idaho Daily
Statesman in conformity with Sec. ⁶⁰~~55~~-108, Idaho Code ~~As amended~~

as amended, for Four consecutive weekly
insertions beginning with the issue of December 18
1951, and ending with the issue of January 8
1952 Ida A. Marx

Subscribed and sworn to before me this 8 day of
January, 1952.

Ruth Yenne
Notary Public for Idaho, Residing at Boise, Idaho.

**NOTICE OF PROOF
APPLICATION OF
TO BENEFICIAL**
Notice is hereby given that at 10:00
a. m. on the 15th day of January, 1952,
at Boise, County of Ada, State of
Idaho, Anna Masgro, Notary
Public, will be submitted of the
application to beneficial use of 2.5
cubic feet per second of the waters of
Subterranean Flow in accordance with
the terms and conditions of Permit No.
21938 heretofore issued by the Depart-
ment of Reclamation of the State of
Idaho.
The name and postoffice address of
the person or corporation holding said
permit are State of Idaho, Department
of Fish and Game, 618 Front St., Boise,
Idaho.
The use to which said water has
been applied is Propagation of Fish.
The amount applied to beneficial use
is two and one-half (2.5) C. F. S.
The place where said water is used,
Eagle Island Fish Hatchery, SW $\frac{1}{4}$
SE $\frac{1}{4}$, Sec. 13, T. 4 N., R. 1 W. B. M.
The name of the canal or ditch or
other works by which said water is
conducted to such place of use is none.
The right to take water from such
works is based upon Permit No. 21938.
The source of supply from which
such water is diverted is Subterranean
Flow from two wells in NW $\frac{1}{4}$ SE $\frac{1}{4}$
and SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 13, Twp. 4 N.,
Range 1 W., B. M.
The date of priority which said user
is prepared to establish is February
13, 1902.
MARK R. KULP,
State Reclamation Engineer.
At-Des 13, 25; Jan. 1, 2.

21938

STATE OF IDAHO, }
COUNTY OF ADA } ss.

Ida A. Marx, being duly sworn,
deposes and says: That she is the Principle Clerk of The Idaho
Daily Statesman, a daily newspaper printed and published at
Boise, Ada County, State of Idaho, and having a general circula-
tion therein and which said newspaper has been continuously and
uninterruptedly published in said County during a period of
twelve consecutive months prior to the first publication of the
notice, a copy of which is attached hereto; that said notice was
published in the regular Monday edition of The Idaho Daily
Statesman in conformity with Sec. ⁶⁰~~22~~-108, Idaho Code ~~Annexed~~

as amended, for Four consecutive weekly
insertions beginning with the issue of December 18,
1951, and ending with the issue of January 8
1952. Ida A. Marx

Subscribed and sworn to before me this 8 day of
January, 1952.

Ruth Upmire
Notary Public for Idaho, Residing at Boise, Idaho.

**NOTICE OF PROOF
APPLICATION OF WATER
TO BENEFICIAL USE.**
Notice is hereby given that at 10:00
a. m. on the 15th day of January, 1952,
at Boise, County of Ada, State of
Idaho, before Anna Mastro, Notary
Public, ~~proof~~ will be submitted of the
application to beneficial use of 2.5
cubic feet per second of the waters of
Subterranean Flow in accordance with
the terms and conditions of Permit No.
21938 heretofore issued by the Depart-
ment of Reclamation of the State of
Idaho.
The name and postoffice address of
the person or corporation holding said
permit are State of Idaho, Department
of Fish and Game, 518 Front St., Boise,
Idaho.
The use to which said water has
been applied is Propagation of Fish.
The amount applied to beneficial use
is two and one-half (2.5) C. F. S.
The place where said water is used,
Eagle Island Fish Hatchery, SW1/4
SE1/4, Sec. 13, T. 4 N., R. 1 W. B. M.
The name of the canal or ditch or
other works by which said water is
conducted to such place of use is none.
The right to take water from such
works is based upon Permit No. 21938.
The source of supply from which
such water is diverted is Subterranean
Flow from two wells in NW1/4SE1/4
and SW1/4SE1/4 Section 13, Twp. 4 N.,
Range 1 W., B. M.
The date of priority which said user
is prepared to establish is February
13, 1952.
MARK R. KULP,
State Reclamation Engineer.
44-Dec. 13, 25; Jan. 1, 2, 1952

21938

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 21938

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. T. B. Murray, Boise, Idaho, Director, Idaho Fish and Game Dept.

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans. Director, Idaho Fish and Game Dept.

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. No. 21938, February 13, 1951, February 13, 1951

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Flow from 2 artesian wells, Well No. 1: N 59° 30' W, 2635' distant from the SE cor. Sec. 13, T. 4 N., R 1 W. Well No. 2: N 69° 15' W, 2395' distant from the SE cor. Sec. 13, T. 4 N., R 1 W., BM.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined.

Ans. Diversion works: 2 Artesian wells, 395' of 12" pipe and 480' of 20" pipe. Will carry 3.5 c.f.s. Well No. 1 375' deep, Well No. 2 412' deep, Wells cased with 12" and 8" steel casing with screen on the bottom. Flow measured with tank of known volume and stop watch.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Water used for the propagation of fish at the Eagle Island State Fish Hatchery. SW 1/4 SE 1/4 Sec. 13, T. 4 N., R 1 W. BM.

21938

Ques. 7. If for other than irrigation purposes; state how applied, amount of horse power generated, etc.

Ans. ~~Water is used in the rearing ponds for the propagation of fish at the Eagle~~

~~Island State Fish Hatchery~~

Ques. 8. What is the minimum amount of water required for the purpose specified above?

All the water that the wells can yield will be used. The ponds will be run for
Ans. ~~full production and the production is dependent on the amount of water available.~~

Ques. 9. 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.

Ans. ~~Acting for and in behalf of the Idaho Fish and Game Department~~

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. ~~Water has been and is being used from November 1, 1951 for the propagation of fish in the amount of 2.5 c.f.s. Through pipelines.~~

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. ~~5 artesian wells under permit No. 19805, priority April 17, 1946, Licensed for~~

~~4 c.f.s. Diverted by pipelines for the propagation of fish at the Eagle~~

~~Island State Fish Hatchery. Some of these wells have been in use since about~~

~~1933.~~

(Sign)

T. B. Murray

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 15th day of Jan.,

A. D. 1952,

Anne Mahto

My commission expires 6/1/54

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 21938

Proof of Application of Water to Beneficial Use
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.

Ans. Ivel E. Sies, 47 years, 4317 Holmes Street, Boise, Idaho
Improvement Supervisor, Idaho Fish and Game Dept.

Ques. 2. Are you acquainted with T. B. Murray, acting for and in behalf of the holder of Permit No. 21938? How long have you known him and where does he reside?

Ans. Yes, Six years, 3704 Kootenai Street, Boise, Idaho

Ques. 3. Have you read or heard read said Permit No. 21938, and are you familiar with its provisions and conditions?

Ans. Yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Artesian flow from wells, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13, T. 4 N., R. 1 W., BM.
395' of 12" pipe, 480' of 20" pipe, and a 4' x 6' concrete water collection box.

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

Ans. 3.5 C.F.S. 2.5 C.F.S.

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. No pumps

21938

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. ~~Propagation of Fish at the Eagle Island Fish Hatchery~~

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. ~~2.5 C.F.S. for propagation of fish~~

Ques. 9. (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.

Ans. ~~no irrigation~~

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. ~~None~~

Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. ~~November 1, 1951, Personally, 2.5 C.F.S. Water was used in the two new double concrete ponds, in the large concrete pond and in the dirt bass pond.~~

(Signed) Joe Luis

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, Idaho, County of Ada, State of Idaho, on this 16th day of January, A. D. 1952.

Anna Mustis
Notary Public.

My commission expires 6/1/54

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 21938

Proof of Application of Water to Beneficial Use
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.

Ans. T. D. Biladeau, 40 years, Boise, Idaho, Employee, Fish and Game Dept.

Ques. 2. Are you acquainted with T. B. Murray, acting for and in behalf of, the holder of Permit No. 21938 the Idaho Fish and Game Dept. ? How long have you known him and where does he reside?

Ans. Yes. Six years, Boise, Idaho

Ques. 3. Have you read or heard read said Permit No. 21938, and are you familiar with its provisions and conditions?

Ans. Yes.

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Artesian flow from wells, SW¹/₄ SE¹/₄, Sec. 13, T. 4 N., R. 1 W, BM.
395' of 12" pipe, and 480' of 20" pipe, and a 4' x 6' concrete water
collection box.

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

Ans. 3.5 c.f.s. and observed use 2.5 c.f.s.

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. Artesian flow

21938

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. ~~Propagation of Fish and the State Eagle Island Fish Hatchery~~

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. ~~Used for the propagation of fish~~

Ques. 9. (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.

Ans. ~~No irrigation~~

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. ~~None~~

Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. ~~November 1, 1951, Personally, 2.5 c.f.s., observed use in two new double concrete ponds, in a large concrete pond, and in a earth bass pond.~~

(Signed)

W. D. Leland

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 15th day of January, A. D. 1952 10 a.m.

Anna Mastis

Notary Public.

My commission expires 4/1/54

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re; Permit No. 21938 Date: December 15, 1951
State Fish & Game Dept.

Idaho Statesman

Boise, Idaho

Gentlemen:

Enclosed you will find notice for publication once
a week for four consecutive weeks prior to **January 15, 1952**
the date set for proof, the expense of the publication to be
paid by the applicant, **State Fish & Game Dept.**
of **518 Front St., Boise, Idaho**, to whom you should furnish
proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice, and furnish
this office with a copy of the first publication.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

By
Chief Clerk

21938

NOTICE FOR PUBLICATION
NOTICE OF PROOF APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 10:00 A. M. on the 15th day of January, 1952,
at Boise, County of Ada, State of Idaho, before
Anna Mastro, Notary Public, proof will be submitted of the
application to beneficial use of 2.5 cubic feet per second of the waters of
Subterranean Flow in accordance with the terms and conditions of Permit No. 21938
heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are
State of Idaho, Department of Fish and Game, 518 Front St., Boise, Idaho

The use to which said water has been applied is Propagation of Fish

The amount applied to beneficial use is two and one half (2.5) C.F.S.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated)

Eagle Island Fish Hatchery SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13, T. 4 N., R. 1 W. B.M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is none.

The right to take water from such works is based upon Permit No. 21938

The source of supply from which such water is diverted is Subterranean Flow from two wells in
NW $\frac{1}{4}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 13, Twp. 4 N., Range 1 W., B.M.

The date of priority which said user is prepared to establish is February 13, 1951

MARK R. KULP

State Reclamation Engineer.

21938

December 14, 1951

RE: Permit No. 21938

Idaho Fish and Game Department
518 Front Street
Boise, Idaho

Gentlemen:

We enclose certificate of completion of works issued under Permit No. 21938 for the diversion of 3.5 second feet of water from two wells in the SE $\frac{1}{4}$ Section 13, Township 4 North, Range 1 West, B.M., for fish propagation purposes at the Eagle Island Fish Hatchery.

We shall send to the Idaho Statesmen notice of beneficial use proof to be made under this permit on January 15, 1952 with instructions to publish it once a week for four consecutive weeks prior to that date and to send you the affidavit of publication together with statement of costs.

We enclose the necessary forms of depositions to be used in making this proof consisting of one for a representative of the department and one for each of two disinterested witnesses.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

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R

21938

Permit No. 21938

STATE OF IDAHO
Department of ReclamationDEC 13 1951
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of ADA } ss.
State of Idaho

Department of Fish and Game, being first duly sworn, upon his oath deposes and says:

T. B. Murray, Director
First: That he is the holder and owner of Permit to appropriate the Public Waters of the State of Idaho, No. 21938, and that his postoffice address is 18 Front St., Boise, Idaho
State of IdahoSecond: That the name of the stream which said water is to be ~~directed~~ ^{DIVERTED} is

Subterranean Flow (two wells)

Third: That the point of diversion of said water is Well No. 1 N. 59° 30' W., 2635 Feet distant from the SE corner of Sec. 13, T. 4 N., R. 1 W. Well No. 2 N. 69° 15' W. 2395 feet distant from the SE corner of Sec. 13, T. 4 N., R. 1 W.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by February 17, 1952.

Fifth: That the use for which said water is intended is Propagation of Fish.

Sixth: That on the date above mentioned, the works constructed under said permit were (or were not) fully completed and consisted of the following:

I. Kind of works: 2 wells, pipelines, and concrete rearing ponds.
(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work:

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

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir acre feet.

(c) Size of headgate: Width feet, height feet.

(d) Conduit width at bottom feet, width at water line.
(State whether ditch, flume or pipe)

feet, depth of water feet; diameter of pipe inches, average grade per mile is feet. Length of conduit is miles.

Seventh: That said works are capable of conducting to the place of intended use 3.5 second feet of water.

Eighth: That water appropriated under said permit is available for Propagation of Fish on 4000 of land described as follows: SW 1/4 of the SE 1/4 of Sec. 13, T. 4 N., R. 1 W.
(Eagle Island Fish Hatchery)

Ninth: Remarks: That the said works are capable of conducting the waters of a third and future well. 395' of 12" pipe, 480' of 20" pipe,

6' x 4' concrete collection box, 2 - double concrete ponds 170' x 8', valves and fittings, and provision for two more ponds. See attached sheets for well data.

(Sign Here)

Subscribed and sworn to before me this 12th day of Dec, 1951

My commission expires 4-1-54

Notary Public.

21938

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) December 4, 1951

(P. O.) State of Idaho, Department of Fish and Game, 518 Front St., Boise, Ida.

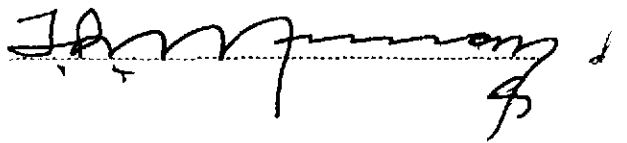
STATE RECLAMATION ENGINEER

TO THE ~~COMMISSIONER OF RECLAMATION~~:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
Idaho Daily Statesman of Boise, Idaho, published in
the county in which the works are situated.



(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)

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

Engineer.

21935

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

December 1, 1951

State Fish & Game Department
518 Front Street
Boise, Idaho

Dear Sir:

Under the terms of your permit No. 21938 you are required to complete your diversion works and make proof of beneficial use on or before February 17, 1952.

We enclose herewith a blank affidavit to be filled out, sworn to by you before a Notary Public or Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the Completion of the Works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion of Works will be issued to you.

We also enclose blank notice for proof of application of water to Beneficial Use under this permit, which should be filled out and returned to this office at least forty (40) days before the date upon which you wish to make proof. The proof must be submitted before a Notary Public or other officer authorized by law to administer oaths. The date for proof as set out in your permit, is February 17, 1952, and if proof is submitted subsequent to said date, your priority will be brought down a length of time equal to the time elapsing between the date proof should have been made and the date proof is actually made.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

21938

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

Permit No. 21938

Date February 21, 1951

We enclose herewith the above numbered permit. BE SURE AND
NOTE LIMITATIONS AND CONDITIONS OF SAME as given under approval of the
State Reclamation Engineer, on the fourth page.

State Fish & Game Department
518 Front Street
Boise, Idaho

MARK E. KULP
State Reclamation Engineer

21938

