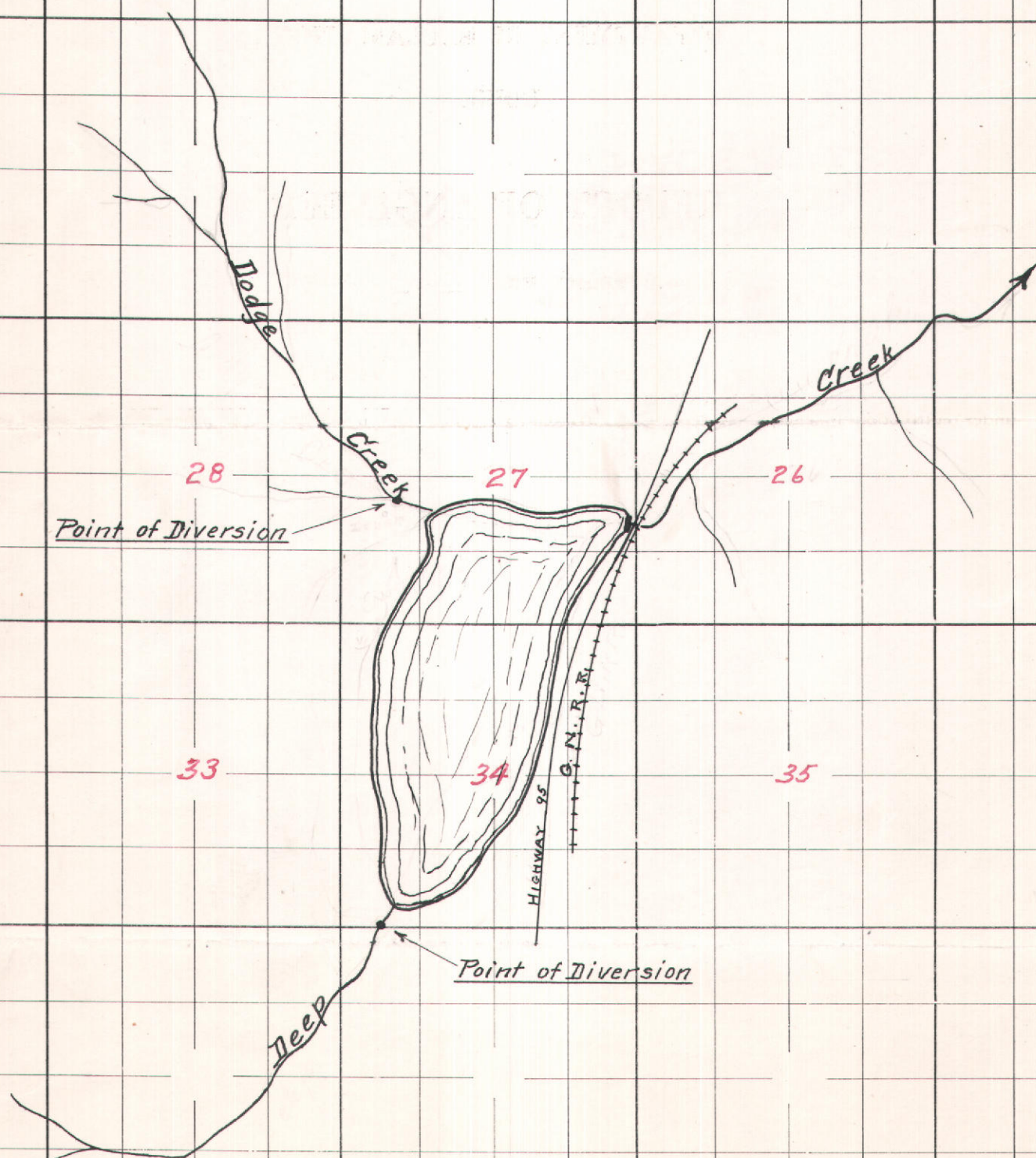
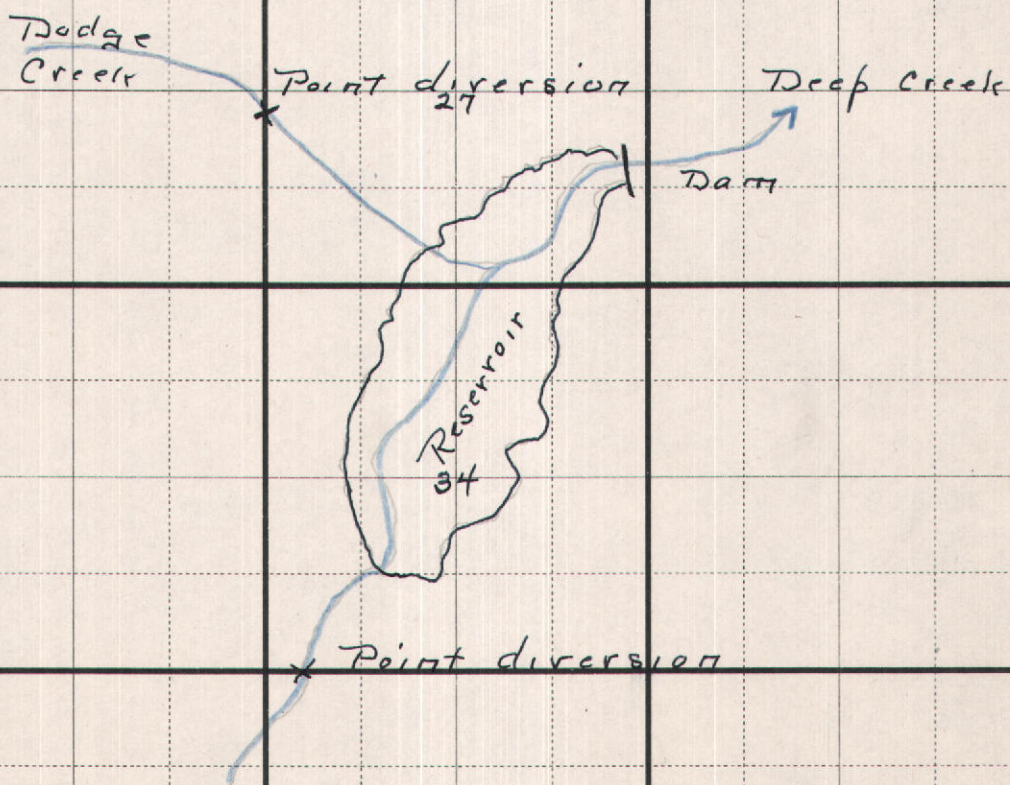




NAME OF APPLICANT State of Idaho, Fish & Game Dept

FORM No. 0

T 60 N R 1 W T 3 M



Permit Map No. 19712
As Approved
NOV 8 1945
MARK R. KULP
State Reclamation Engineer

98 2140

State of Idaho
License and Certificate of Water Right

Water License No. 18964

Amount 3.1 second feet

Water District No. _____

Priority April 8, 1940

THIS IS TO CERTIFY that A. A. MERRILL
of Idaho Falls, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated April 8, 1940; that Permit No. 18964
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
4.00 second feet, was issued thereunder on April 24, 1944, showing that said works
were completed on the 17th day of April, 1944; and that on the 23rd
day of July, 1945,
A. A. MERRILL
of Idaho Falls, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of subterranean
flood, seepage / a tributary of, for the purpose of irrigation and stock
watering, under Use Permit No. 18964 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 4401, on the 5th day of March, 1948;
The right hereby confirmed dates from April 8, 1940;
The Point of Diversion is located
in the SW 1/4 NE 1/4, Sec. 1, Tp. 5 N., R. 36 E., B. M. Jefferson 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 3.1 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated	
5 N.	36 E.	1	SW $\frac{1}{4}$ NE $\frac{1}{4}$	-	10	
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	-	40	
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	-	40	
			Lot 2	-	-	
			Lot 3	-	13	
6 N.	36 E.	55	Lot 4	-	12	
			NE $\frac{1}{4}$ SE $\frac{1}{4}$	-	10	
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	-	30	
			Number of Acres Actually Irrigated-			155

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
5th day of March, 1948.

MARK R. KULP

State Reclamation Engineer

(SEAL)

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

98-2140

Application No. 27245

Permit No. 19712

District No.

1. Name of Applicant: State of Idaho, Department of Fish and Game

Postoffice address: Box 417, 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:

(b) Treasury stock:

(c) Bonds to be issued:

(d) Other resources:

2. Quantity of water claimed: Ten (10) cubic feet per second.

3. Source of water supply: Dodge & Deep Creeks (5 c.f.s. each) which is a tributary of Deep Creek and Kootenai River, respectively

4. Location of point of diversion: Dodge Creek 2700 feet distant from the Northwest
 27 Deep Creek 610 Southwest
 corner of Section 34, T. 60 N., R. 1 W., B. M., and is in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 27, and SW $\frac{1}{4}$ SW $\frac{1}{4}$
 of Section 34, T. 60 N., R. 1 W., B. M., County of Boundary

5. Water is to be used for Propagation migratory waterfowl and fish

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

(a) Point of use of water: See Remarks feet distant from corner of Section

T. , R. , B. M., in the of Section , T. , R. , B. M.

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

(c) Water is to be returned to at a point feet

distant from the corner of Section , T. , R. , B. M., in the
 of Section , T. , R. , B. M.

7. Estimated cost of works: \$ None- present creek channels used

8. Kind of works:

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 One (1) additional years.

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

15. (a) Is reservoir to be used? Yes If so, fill in (b) and (c) below.
 (b) Name of Reservoir and number of Storage Permit: Boundary Creek Refuge- Permit No. R- 755
 (c) Date of filing of Application for Storage Permit and Name of Applicant: Nov. 3, 1945- State of Idaho, Department of Fish & Game

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

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

By John J. Boyle Agent.

Date of first receipt at Department of Reclamation: 11:30 A. M. November 3, 1945

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 19712
Recorded in Book 71 Page 19712 Approved November 8, 1945
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 January 8, 1946 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 May 8, 1946
The whole of said work to be completed on or before November 8, 1946
Beneficial use of water appropriated in accordance herewith, to be made on or before November 8, 1947

Witness my hand this 8th day of November, 1945

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, CHARLES C. GOSSETT, 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 8th
day of November, 19 45 STATE OF IDAHO
Countersigned:

(SEAL) By IRA H. MASTERS Secretary of State.

By CHARLES C. COSSETT Governor

Remarks: Filing is being requested so as to eliminate any pollution of impounded water. Water herein filed upon to be used in reservoir described in reservoir application filed at same time and in connection with this application (Permit No. R-755)

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	
			PERMIT NO. 19712 CERTIFICATE OF COMPLETION OF WORKS TO ALL WHOM IT MAY CONCERN: This is to certify that State of Idaho, Department of Fish and Game of Boise, County of Ada, and State of Idaho, the holder of Permit No. 19712, issued upon Application No. 27245 bearing date of priority of November 3, 1945, authorizing the diversion of Ten (10) second feet of the waters of Dodge and Deep Creeks (5 second feet from each) County of Boundary, State of Idaho, for propogation of migratory waterfowl and fish 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 Ten (10) second feet of the waters of Dodge and Deep Creeks (5 second feet from each) that the point of diversion of said waters from Dodge Creek is in the NW¹/₄ SW¹/₄ Section 27, and from Deep Creek in the SW¹/₄ SW¹/₄ Section 34, Township 60 North, Range 1 West, B.M. Witness my hand this 6th day of March, A.D. 1948. Proof of Completion of works made October, 7, 1946 Certificate of Completion of Works issued March 6, 1948 LICENCE ISSUED FOR 10 SEC. FT. p. 4402																
			MARK R. KULP State Reclamation Engineer																

March 8, 1948

Re: Permit 19712

Department of Fish and Game
State House
Boise, Idaho

Attn: Mr. George E. Tucker

Dear Mr. Tucker:

We enclose Certificate of Completion of Works and also License and Certificate of Water Right issued under Permit No. 19712, confirming your right to the use of 5 second feet of water from Dodge Creek and 5 second feet of water from Deep Creek, with priority of November 3, 1945; the point of diversion from Dodge Creek being in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 27 and from Deep Creek in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 34, Township 60 North, Range 1 W. B.M. The water is to be used for the propagation of migratory waterfowl and fish.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/dm
Enc.

19712

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

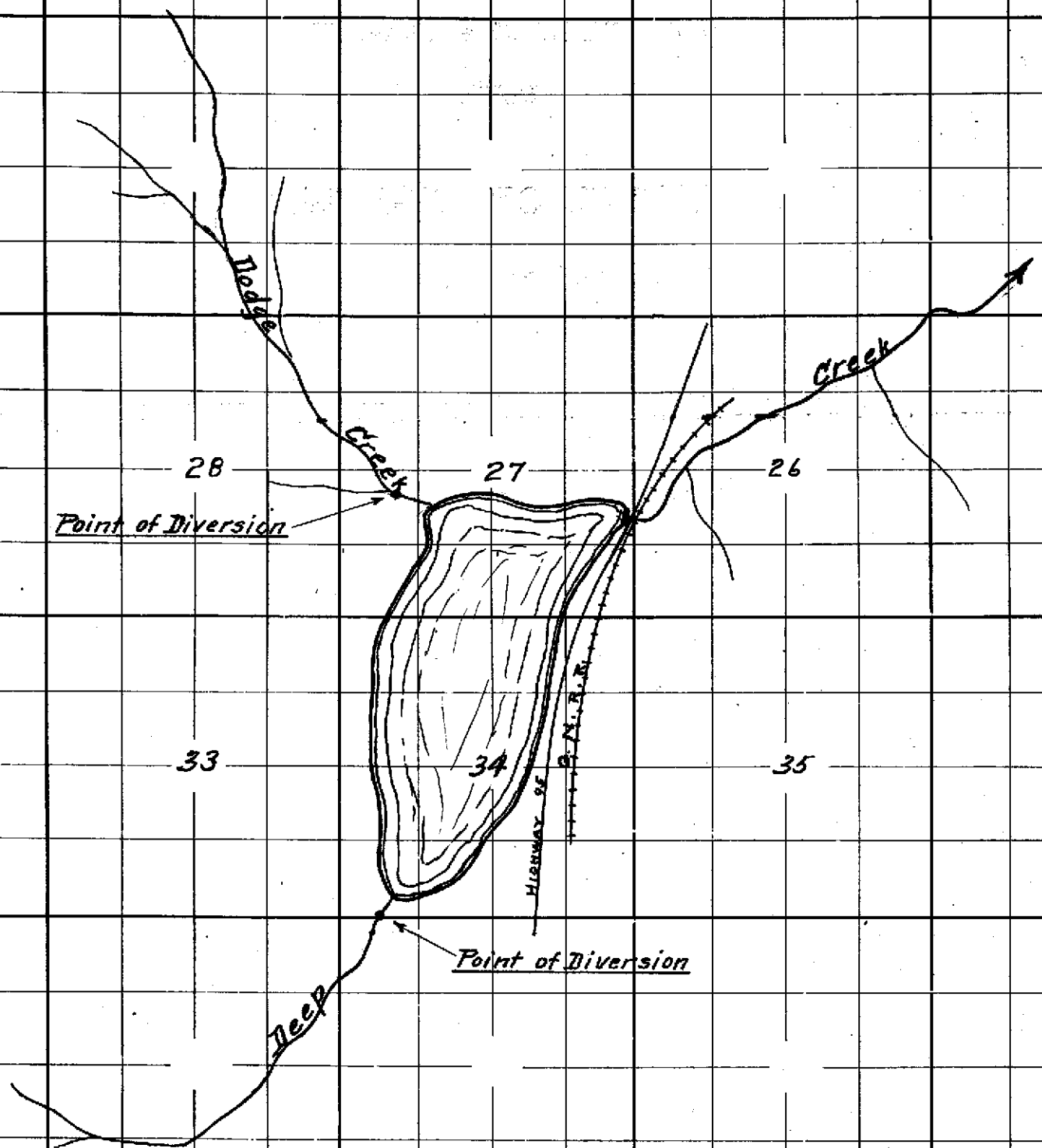
PERMIT NO. 19712

REPORT ON PROOF OF Completion of works and Beneficial Use

app - 10 cfs .

5 cfs Dodge cr
5 cfs Deep cr

misc



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

Permit No. 19712This proof is for Completion of works and Beneficial use In Water District No. _____

1. Name of applicant State of Idaho. Fish & Game Department, Boise, Idaho
2. Source of water supply: Dodge Creek, a tributary of Deep Creek, and Deep Creek, tributary of
From Deep Creek 610 ft. from S.W. corner Section 34; Kootenai River
3. Location of point of diversion: Is in the _____ of Section _____
From Dodge Creek 2700 ft. from NW corner Section 27;
T 60 N. R 1 W. County of Boundary

4. Describe works as they exist, giving dimensions and capacities of same: _____
An earth fill dam, 440 feet long X 12 feet high; Crown 12 feet wide; Upper slope
2-1, and lower slope 1-1. A reinforced concrete core wall runs the length of the
dam, the top being three feet below the dam crest. Concrete outlet pipe 36"
diameter. The amended spillway crest length is 52 feet.

5. Water is used for: Propogation of migratory water fowl and 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): _____

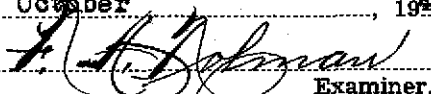
(Submit map on attached plat, showing location and details of above description.)

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

Remarks: This dam failed before completion of spillway and has received considerable
maintenance since. The present spillway is of adequate capacity.

This examination was made on the 19th day of October, 1947

(Signed)

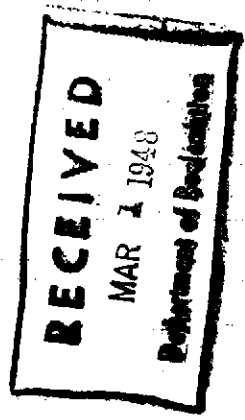

Examiner.

State Fish & Game Dept.

Permit No. 19712

Examination for Completion of Works

And Beneficial Use
County Boundary



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.

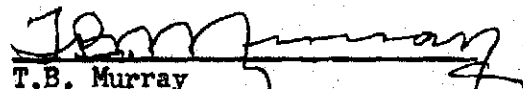
Boise, Idaho
November 8, 1947

State Department of Reclamation
Boise, Idaho

Gentlemen:

T.B. Murray, the undersigned, Director of the Idaho Fish and Game Department, hereby states that the office of Anna Mastro, Notary Public in Boise, Idaho, was open at 10:00 A.M. on this date and that no protests were received for the beneficial use of water permits No. 20115, No. 19712 and No. R-755; that the said Anna Mastro is out of town and that proof of the above applications for beneficial use was made before Mildred C. Halley, Notary Public residing in Boise, Idaho.

TBM:bt


T.B. Murray
Director, Idaho Fish & Game Department

19712

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 19712

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. State of Idaho, Department of Fish and Game, P.O. Box 417,

Ada County, Boise, Idaho.

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.

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

Ans. Permit - 19712, November 8, 1945 - November 3, 1945

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

Ans. Deep Creek 610' from SW corner of Section 34, Dodge Creek 2700' from
N E Corner Section 27, T60 N - R1W, Boundary County.

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.

Ans. No diversion - Natural channels of Dodge and Deep Creeks. Divert 10
Acre feet.

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. For impounding of water in Reservoir. Permit R. 755 for propagation of
migratory waterfowl and fish

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

Ans. Waters held in reservoir; for Migratory waterfowl and fish propagation

19712

Ques. 8. What is the minimum amount of water required for the purpose specified above?
Ans. 10 Sec. feet

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. _____

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.
Ans. 10 Sec. feet used during 1946 in Reservoir for purpose for which intended--
Propagation Migratory waterfowl and fish.

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. No diversion other than mentioned.

STATE OF IDAHO DEPT. of FISH & GAME
(Sign) John J. Boyle Supr.

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 7th day of October, A. D. 19 46.

Anna Mastre

My commission expires June 1, 1950

Dodge & Deep Creeks

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 19712

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, Director, State Fish and Game Department, Boise, Idaho

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. _____

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

Ans. 19712 November 8, 1945 - November 8, 1945

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

Ans. Dodge Cr. 2700' S. of NW Cor. Sec. 27 T.60 N-R 1 WBM NW NW 27

Deep Creek 610' E of SW Cor. Sec. 34 T. 60 N- R 1 WBM SWS NW 34

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.

Ans. None - Present channels used.

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. Propagation of Migratory Waterfowl and fish by storage in reservoir.

Dam is N. 6°-00' W. 1716' from SE Cor. Sec. 27, T.60 N. R 1 WBM

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

Ans. None

19712

[Signature]

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

Ans. 10 Sec. feet

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.

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

Ans. 10 Sec. ft. since November 1945

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. None

(Sign)

Director, State Fish and Game Dept.

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 8 day of November, A. D. 1947.

My commission expires 11-5-51

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 19712

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. Vernon B. Rich, 33, Boise, Idaho - with State Fish and Game Dept., Boise, Idaho

Ques. 2. Are you acquainted with T. B. Murray, the holder of Permit No. 19712? How long have you known him and where does he reside?

Ans. 6 months - Boise, Idaho

Ques. 3. Have you read or heard read said Permit No. 19712, 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. Dodge Cr. 2700' S. of NW Cor. Sec. 27 T. 60 N-R 1 WBM

Deep Cr. 600' E. of SW Cor. Sec. 34 T. 60 N - R 1 WBM

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. 10 sec. ft. Since July 20 1947

Ques. 6. 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. Storage in reservoir for prepagation of Migratory Waterfowl and fish.

Dam is N. 6°-00' W. 1716' from SE Cor. Sec. 27, T. 60 N-R 1 WBM

19712

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. None

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.

Ans. None

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No

Ques. 10. 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. to see ~~the~~ July 20 1947

(Signed) Simon B. Rich

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 Bowie, County of Ada, State of Idaho, on this 8 day of November, A. D. 19 47.

Michael B. Kelly
Notary Public.

My commission expires 11-5-51

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 19712

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. George E. Tucker - 57, Boise, Idaho (Civil Engineer) Boise, Idaho 1912 State St.

Ques. 2. Are you acquainted with T. B. Murray, the holder of Permit No. 19712? How long have you known him and where does he reside?

Ans. Since 1935 - Boise, Idaho

Ques. 3. Have you read or heard read said Permit No. 19712, 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. Dodge Cr. 2700' S. of NW Cor Sec. 27 T. 60 N- R 1 WBM

Deep Cr. 699' E of SW Cor Sec. 34 T. 60 N- R 1 WBM

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. 10 Sec. ft. since June 1945

Ques. 6. 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. Storage in reservoir for propagation of Migratory Waterfowl and fish.

Dam is N. 6°-00' W. 1716' from SE Cor. Sec. 27, T.60 N-R 1 WBM

19712

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. None

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.

Ans. None

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No

Ques. 10. 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. 10 Sec. ft. Since June 1945

(Signed)

George E. Tucker

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 Bonnie, County of Ada, State of Idaho, on this 8 day of November, A. D. 1947.

Melvin G. Biddle

Notary Public.

My commission expires 11-5-51

NOTICE OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10 A. M. on the 8th day of November, 1947, at Boise, County of Ada, State of Idaho, before Anna Mastro, Notary Public, proof will be submitted of the application to beneficial use of 10 cubic feet per second of the waters of Dodge and Deep Creeks in accordance with the terms and conditions of Permit No. 19712 heretofore issued by the Reclamation Dept. of the State of Idaho.

The name and post office address of the person or corporation holding said permit are State Fish and Game Dept., Boise, Idaho.

The use to which said water has been applied is Propagation migratory waterfowl and fish.

The amount applied to beneficial use is 10 Sec. Ft.

The place where said water is used

Pt. Diversion Dodge Cr. is 2700' S of NW Cor Sec. 27 T 60N R1W.

Pt. Diversion Deep Cr. is 610' E. of SW Cor. Sec. 34 T. 60N R1W.

The name of the canal or ditch or other works by which said water is conducted to such place of use is McArthur Dam constructed on Permit R-755.

The right to take water from such works is based upon Permit No. 19712.

The source of supply from which such water is diverted is Dodge and Deep Creeks.

The date of priority which said user is prepared to establish is November 3, 1945.

MARK R. KULP,
State Reclamation Engineer.
First publication Oct. 9, 1947.
Last publication Oct. 30, 1947.

Affidavit of Publication

STATE OF IDAHO }
County of Boundary } ss. -

R. L. Myers

being first duly sworn upon his oath, deposes and says: That he is the

co-publisher

of the Bonners Ferry Herald, a newspaper of general circulation, published weekly at Bonners Ferry, Boundary County, State of Idaho; that the said Bonners Ferry Herald has been continuously and uninterruptedly published in said Boundary County during a period of 18 months or 78 weeks prior to the first publication of the

hereto attached notice; that the advertisement of Idaho
State Reclamation Engineer

a Notice of Proof Application of Water to
Beneficial Use

Notice for Publication, a printed copy of which is attached hereto was published in said newspaper and not in a supplement thereof for four
consecutive issues, commencing with the issue dated Oct. 9

1947, and ending with the issue dated Oct. 30, 1947.

R. L. Myers
Co-Publisher Proprietor

Subscribed and sworn to before me this Oct 30th day of

December, 1947.

Queen Elizabeth
Notary Public in and for the County of Boundary, State of
Idaho, residing at Bonners Ferry, Idaho.

19712

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Date: October 6, 1947

Re: Permits Nos. 19712 & R-755

Bonnors Ferry Herald

Bonnors Ferry, Idaho

Gentlemen:

Enclosed you will find ² notices for publication
once a week for four consecutive weeks prior to November 8,
1947 . the date set for proof, the expense of the
publication to be paid by the applicant, State Fish & Game Department,
of 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,
in order that we may check same.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

By
Chief Clerk

19712

Notice for Publication

Notice is hereby given that at 10:00 A.M., on the 7th day of November 1946, at Boise, County of Ada, State of Idaho, before Ann Mastro, Notary Public proof will be submitted of the completion of works for the diversion of 5 cubic feet per second of the waters of Dodge Creek, a tributary of Deep Creek and 5 cubic feet per second of the waters of / Deep Creek, a tributary of Kootenai River, in accordance with the terms and conditions of a certain permit heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name of the person or corporation holding said permit is State of Idaho, Department of Fish and Game, Boise, Idaho
2. The postoffice address of such person or principal place of business of such corporation is Boise, County of Ada, State of Idaho.
3. The number of such permit is 19712, and the date set for the completion of such work is November 8, 1946.
4. Said water is to be used for Propagation of migratory water fowl and fish ~~irrigation~~.
5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is Ten (10) cubic feet per second.
6. The amount of lands for which said water is available ~~is xxxxxxxx acres, particularly described as follows~~

MARK R. KULP

Commissioner of Reclamation
State Reclamation Engineer

19712

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

Notice is hereby given that at 10 A. M. on the 8th day of November, 1947
at Boise, County of Ada, State of Idaho, before
Anna Mastro, Notary Public, proof will be submitted of the
application to beneficial use of 10 cubic feet per second of the waters of
Dodge & Deep Creeks in accordance with the terms and conditions of Permit No. 19712
heretofore issued by the Reclamation Dept. of the State of Idaho.

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

The use to which said water has been applied is Propagation migratory waterfowl and fish

The amount applied to beneficial use is 10 Sec. ft.

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

Pt. Diversion Dodge Cr. is 2700' S of NW Cor Sec. 27 T 60 N - R 1 W

Pt. Diversion Deep Cr. is 610' E. of SW Cor. Sec. 34 T. 60 N - R 1 W

The name of the canal or ditch or other works by which said water is conducted to such place of
use is McArthur Dam constructed on Permit R-755

The right to take water from such works is based upon Permit No. 19712

The source of supply from which such water is diverted is
Dodge and Deep Creeks

The date of priority which said user is prepared to establish is November 31, 1945

MARTIN A. KULP

State Reclamation Engineer.

19712

McArthur
R-757

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) October 7, 1947

(P. O.) _____

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
Bonnors Ferry Herald of Bonnors Ferry, published in
the county in which the works are situated.


State Fish and Game Department
T. B. Murray, Director

(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.

19712

November 18, 1946

Re: Permit No. 19712

State of Idaho
Fish & Game Department
Building

Gentlemen:

We acknowledge receipt of the affidavit of publication in the Bonners Ferry Herald, which with the depositions previously submitted completes the proof of completion of works under the above numbered permit.

Before final action can be taken in the matter the law requires that a field examination be made and report filed by an engineer from this department.

We shall advise you later when such report has been received.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

A

Chief Clerk

19712

NOTICE FOR PUBLICATION

Notice is hereby given that at 10:00 A. M., on the 7th day of November, 1946, at Boise, County of Ada, State of Idaho, before Ann Mastro, Notary Public, proof will be submitted of the completion of works for the diversion of 5 cubic feet per second of the waters of Dodge Creek, a tributary of Deep Creek and 5 cubic feet per second of the waters of Deep Creek, a tributary of Kootenai River, in accordance with the terms and conditions of a certain permit heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name of the person or corporation holding said permit is State of Idaho, Department of Fish and Game.

2. The postoffice address of such person or principal place of business of such corporation is Boise, County of Ada, State of Idaho.

3. The number of such permit is 19712, and the date set for the completion of such work is November 8, 1946.

4. Said water is to be used for propogation of migratory water fowl and fish.

5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, it Ten (10) cubic feet per second.

MARK R. KULP,

State Reclamation Engineer

First publication Oct. 10, 1946.

Last publication Oct. 31, 1946.

Affidavit of Publication

NOV 1 1946

STATE OF IDAHO }
County of Boundary } ss.

R. L. Myers

STATE FISH & GAME COMMISSION

being first duly sworn upon his oath, deposes and says: That he is the

co-publisher

of the Bonners Ferry Herald, a newspaper of general circulation, published weekly at Bonners Ferry, Boundary County, State of Idaho; that the said Bonners Ferry Herald has been continuously and uninterruptedly published in said Boundary County during a period of 18 months or 78 weeks prior to the first publication of the

hereto attached notice; that the advertisement of

Mark R. Kulp, State Reclamation Engineer

a

Notice for Publication, a printed copy of which is attached hereto was pub-

lished in said newspaper and not in a supplement thereof for four

consecutive issues, commencing with the issue dated Oct. 10

194 6, and ending with the issue dated Oct. 31, 194 6

R. L. Myers
Co-Publisher

Proprietor
Foreman

Subscribed and sworn to before me this 12th day of

1946

PROBATE JUDGE

Notary Public in and for the County of Boundary, State of Idaho, residing at Bonners Ferry, Idaho.

19712

✓
November 12, 1947

Re: Permits Nos. 20115, 19712 and R-755

State Fish & Game Department
Building

Attention- Mr. Geo. E. Tucker

Gentlemen:

We acknowledge receipt of depositions
in proof of beneficial use under the above numbered
permits, and also the statement of Mr. T. B. Murray
in connection therewith.

However, we have not yet received the affi-
davits of publication in connection with these proofs,
which are necessary in order to complete same.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A

19712

✓
November 12, 1946

Re: Permit No. 19712

Fish & Game Department
Building

Gentlemen:

We have duly received and placed on file
the depositions in proof of completion
of works under the above numbered permit.

However, we have not yet received the affi-
davit of publication, which the Bonners
Ferry Herald was instructed to send you, and
which is necessary to complete this proof.

Very truly yours,

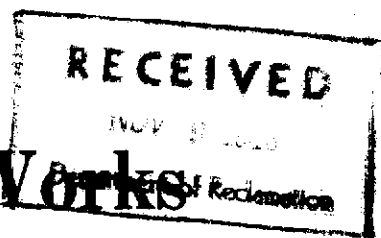
MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A

19712

PERMIT NO. 19712



Proof of Completion of Works

DEPOSITION OF HOLDER

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

Ans. State of Idaho, Department of Fish and Game
P.O. Box 417, Boise, Idaho; John J. Boyle, Supervisor Idaho Federal Aid

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business, your position with reference to same, and your authority for appearing in its behalf.

Ans. Authority for signature conferred by Idaho Fish and Game Commission
copy on file with State @ Department of Interior, Washington, D.C.

Ques. 3. State number and date of permit, amount of water you are authorized to divert, source, and point of diversion.

Ans. Permit #19712, November 8, 1945, 10 Acre feet. Points of diversion
Deep Creek 610 ft. from SW corner of Sec. 34, Dodge Cr. 2700' from NE Corner, Sec. 27 both T60N, R1W, B.M.

Ques. 4. State purpose for which water is to be used, and, if for irrigation, state the number of acres and give description of the land you intend to reclaim.

Ans. For impounding in reservoir under Permit R755 for propagation of
Migratory Waterfowl and fish.

Ques. 5. State whether or not the water has been turned into your works of diversion, and, if so, when and to what extent.

Ans. Water in use - 10 Acre feet diverted Nov. 8, 1945

Ques. 6. State whether or not the works of diversion are fully completed, and whether or not they comply in all respects with the terms of the permit.

Ans. All work fully completed.

Ques. 7. If the works of diversion do not comply with all the terms of your permit, state fully those particulars in which there is any variance.

Ans.

Ques. 8. Give description of works, state dimensions and capacity of each part, and give cost of same.

Ans. No diversion - natural channels of Deep Cr. and Dodge Cr. are used.
No costs.

(Sign here.)

The Idaho Fish & Game Dept.
John J. Boyle Supv

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 7th day of October, A. D. 1946

Anna Mastie
Notary Public.

My Commission expires June 1, 1950

19712

Boyle

PERMIT NO. 19712

Proof of Completion of Works

DEPOSITION OF HOLDER

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

Ans. ~~State of Idaho, Department of Fish and Game~~
~~P.O. Box 417, Boise, Idaho; John J. Boyle, Supervisor Idaho Federal Aid~~

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business, your position with reference to same, and your authority for appearing in its behalf.

Ans. ~~Authority for signature conferred by Idaho Fish and Game Commission~~
~~copy on file with State Department of Interior, Washington, D.C.~~

Ques. 3. State number and date of permit, amount of water you are authorized to divert, source, and point of diversion.

Ans. ~~Permit #19712, November 8, 1945, 10 Acre feet. Points of diversion~~
~~Deep Creek 610 ft. from SW corner of Sec. 34, Dodge Cr. 2700' from NE corner, Sec.~~
~~27 T4N, R20E, S14W, BLM, for which water is to be used, and, if for irrigation, state the number of~~
~~acres and give description of the land you intend to reclaim.~~

Ans. ~~For impounding in reservoir under Permit R755 for propagation of~~
~~Migratory Waterfowl and fish.~~

Ques. 5. State whether or not the water has been turned into your works of diversion, and, if so, when and to what extent.

Ans. ~~Water in use - 10 Acre feet diverted Nov. 8, 1945~~

Ques. 6. State whether or not the works of diversion are fully completed, and whether or not they comply in all respects with the terms of the permit.

Ans. ~~All work fully completed.~~

Ques. 7. If the works of diversion do not comply with all the terms of your permit, state fully those particulars in which there is any variance.

Ans. _____

Ques. 8. Give description of works, state dimensions and capacity of each part, and give cost of same.

Ans. ~~No diversion - natural channels of Deep Cr. and Dodge Cr. are used.~~
~~No costs.~~

(Sign here.)

The Idaho Fish & Game Dept
John J. Boyle Supo.

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 _____ 7th _____ day of _____ October, A. D. 1946.

Anna Masto
 Notary Public.

My Commission expires June 1, 1950

19712

The Depositions of two Witnesses, in this form, taken separately, required in each case.

Permit No. 19712

Proof of Completion of Works

DEPOSITION OF WITNESS

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

Ans. Ivol E. Sies, Boise, Idaho, Chief Conservation Officer

Ques. 2. Are you acquainted with the Idaho State Fish and Game Department, the holder of Permit No. 19712, authorizing the diversion of 10 second-feet of the waters of Dodge and Deep Creeks, at McArthur, Idaho for reservoir purposes? How long have you known him, and where does he reside?

Ans.

Ques. 3. Have you read or heard read said Permit No. 19712, and are you familiar with its terms and conditions?

Ans. Yes.

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans.

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use?

Ans. Yes.

Ques. 6. Describe the works of diversion as they now exist, and give your estimate of their capacity.

Ans. No works of diversion necessary, these stream beds carry the water to place of impoundment for use as a Migratory Waterfowl Refuge.

(Sign here.)

Ivol E. Sies

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, at my office in Boise, Idaho. County of Ada, State of Idaho, on this 7th day of October, A. D. 1946

Anna Master

19712

The Depositions of two Witnesses, in this form, taken separately, required in each case.

Permit No. 19712

Proof of Completion of Works

DEPOSITION OF WITNESS

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

Ans. Maurice H. Lundy, Rte. #1, Boise, Idaho, Leader, Pittman-Robertson
Division, Idaho Federal Aid

Ques. 2. Are you acquainted with The Idaho Fish and Game Department, the holder of Permit No. 19712, authorizing the diversion of 10 second-feet of the waters of Dodge and Deep Creeks, at McArthur, Idaho for reservoir purposes? How long have you known him, and where does he reside?

Ans.

Ques. 3. Have you read or heard read said Permit No. 19712, and are you familiar with its terms and conditions?

Ans. Yes.

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans.

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use?

Ans.

Ques. 6. Describe the works of diversion as they now exist, and give your estimate of their capacity.

Ans. No works of diversion necessary; these stream beds carry the water
to a place of impoundment for use as a Migratory Waterfowl Refuge.

(Sign here.)

Maurice H. Lundy

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, at my office in Boise, Idaho County of Ada, State of Idaho, on this 7th day of October, A. D. 1946

Anna Musto

19712

State of Idaho
ENGINEERING DEPARTMENT
BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Re: Permit No. 19712

Ann Mastro, Notary Public
Fish & Game Dept. Bldg.

Boise, Idaho, October 26, 1946

Dear ~~Sir~~ Miss Mastro:

I enclose herewith the following forms to be used in connection with proof of completion of works under Permit No. 19712- Fish and Game Department

Deposition of Permit Holder,
Depositions of Two Witnesses.

In submitting this proof the following instructions should be CAREFULLY followed out, since failure to do so may result in the loss of the permit holder's rights:

1. On November 7, 1946, the date set for proof of completion of works, the enclosed deposition forms (one for permit holder and one each for two witnesses) should be filled out and sworn to, at Boise, Idaho, before Ann Mastro, Notary Public

2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice.

When these have been received, together with report of the examining engineer, if everything is properly executed, you will be further advised as to fees due, etc., before certificate is issued.

Yours truly,

MARK E. KULP
~~Commissioner of Reclamation~~
State Reclamation Engineer

19712

19712

The Bonners Ferry Herald

Printing and Publishing

BONNERS FERRY, IDAHO

October 8, 1946.

Mr. Mark R. Kulp
State Reclamation Engineer
Boise, Idaho

Dear Mr. Kulp:

This will acknowledge receipt of notice for publication of the Idaho Department of Fish & Game which will run in our paper from October 10, 1946 through October 31, 1946, as per your instructions. A copy of the first issue will be mailed to you.

Yours very truly,

R. E. Myers

Bonnors Ferry Herald



19712

19712

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Date: October 1, 1946

Bonnars Ferry Herald

Bonnars Ferry, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to November 7, 1946 the date set for proof, the expense of the publication to be paid by the applicant, Idaho Department of Fish & Game of Boise, Idaho, to whom you should furnish affidavit 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

19712

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date)

(P. O.)

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
Bonniers Ferry Herald of *Bonniers Ferry Ida.*, published in
the county in which the works are situated.

State of Idaho - Dept of Fish & Game
John J. Boyle Supr.

(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.

19712

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Fish & Game Dept.
State House
Boise, Idaho

Boise, Idaho, **September 3, 1946**

Dear Sir:

I enclose herewith blank form upon which to give notice that you are prepared and desire to submit proof of completion of works under your permit No. 19712

This form should be filled out and mailed to the Department of Reclamation, at least 60 days before the date upon which proof is to be submitted, which proof **MUST** be on or before November 8, 1946. Upon receipt of the blank properly filled out, notice for publication will be sent to the paper direct from this office, which notice must be published a period of four weeks prior to the date of proof.

The proof may be submitted at any place convenient to you and two witnesses, where there is a notary public or other officer authorized to administer oaths.

The certificate that shall be issued under this proof does not give you a perpetual right to the use of the water for which application is made, as it only confirms the completion of the works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Very truly yours,

MARK R. KULP

Commissioner of Reclamation
State Reclamation Engineer

19712

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

Permit No. ~~19712- R-755~~
~~19713- R-756~~

Date ~~November 14, 1945~~

Dear Sir:

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
C/o John J. Boyle
Building

MARK R. KULP

State Reclamation Engineer

19712

State of Idaho, Fish & Game Dept

T 60 N R 1 W T 3 M

Dodge
Creek

Point diversion

Deep Creek

Dam

Reservoir
34

Point diversion

Permit Map No. 19712

As Approved

NOV 8 1945

MARK R. KOLP

State Reclamation Engineer

pires Aus.

NOTICE FOR PUBLICATION

Notice is hereby given that at 10:00 A. M., on the 7th day of November, 1946, at Boise, County of Ada, State of Idaho, before Ann Mastro, Notary Public, proof will be submitted of the completion of works for the diversion of 5 cubic feet per second of the waters of Dodge Creek, a tributary of Deep Creek and 5 cubic feet per second of the waters of Deep Creek, a tributary of Kootenai River, in accordance with the terms and conditions of a certain permit heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name of the person or corporation holding said permit is State of Idaho, Department of Fish and Game.

2. The postoffice address of such person or principal place of business of such corporation is Boise, County of Ada, State of Idaho.

3. The number of such permit is 19712, and the date set for the completion of such work is November 8, 1946.

4. Said water is to be used for propagation of migratory water fowl and fish.

5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is Ten (10) cubic feet per second.

MARK R. KULP,

State Reclamation Engineer

First publication Oct. 10, 1946.

Last publication Oct. 31, 1946.

Oct. 10-1946

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10 A. M. on the 8th day of November 1947, at Boise, County of Ada, State of Idaho, before Anna Mastro, Notary Public, proof will be submitted of the application to beneficial use of 10 cubic feet per second of the waters of Dodge and Deep Creeks in accordance with the terms and conditions of Permit No. 19712 heretofore issued by the Reclamation Dept. of the State of Idaho.

The name and post office address of the person or corporation holding said permit are State Fish and Game Dept., Boise, Idaho.

The use to which said water has been applied is Propagation migratory waterfowl and fish.

The amount applied to beneficial use is 10 Sec. Ft.

The place where said water is used

Pt. Diversion Dodge Cr. is 2700' S of NW Cor Sec. 27 T 60N R1W.

Pt. Diversion Deep Cr. is 610' E. of SW Cor. Sec. 34 T. 60N R1W.

The name of the canal or ditch or other works by which said water is conducted to such place of use is McArthur Dam constructed on Permit-R-755.

The right to take water from such works is based upon Permit No. 19712.

The source of supply from which such water is diverted is Dodge and Deep Creeks.

The date of priority which said user is prepared to establish is November 3, 1945.

MARK R. KULP,

State Reclamation Engineer.

First publication Oct. 9, 1947.

Last publication Oct. 30, 1947.