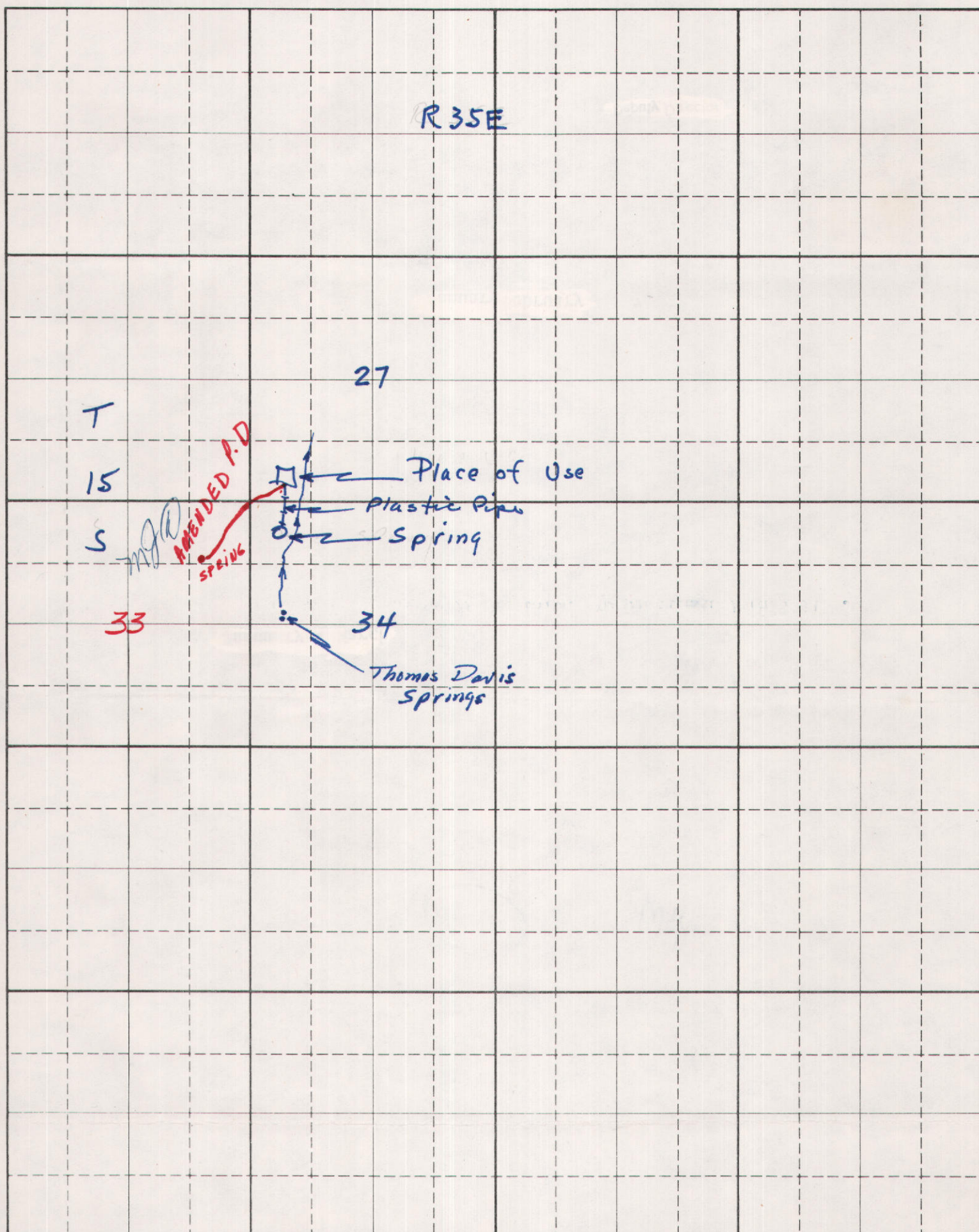


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

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.

Melvin J. Davis  
(Applicant)

DHX-5DD-150

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Mabel DAVIS

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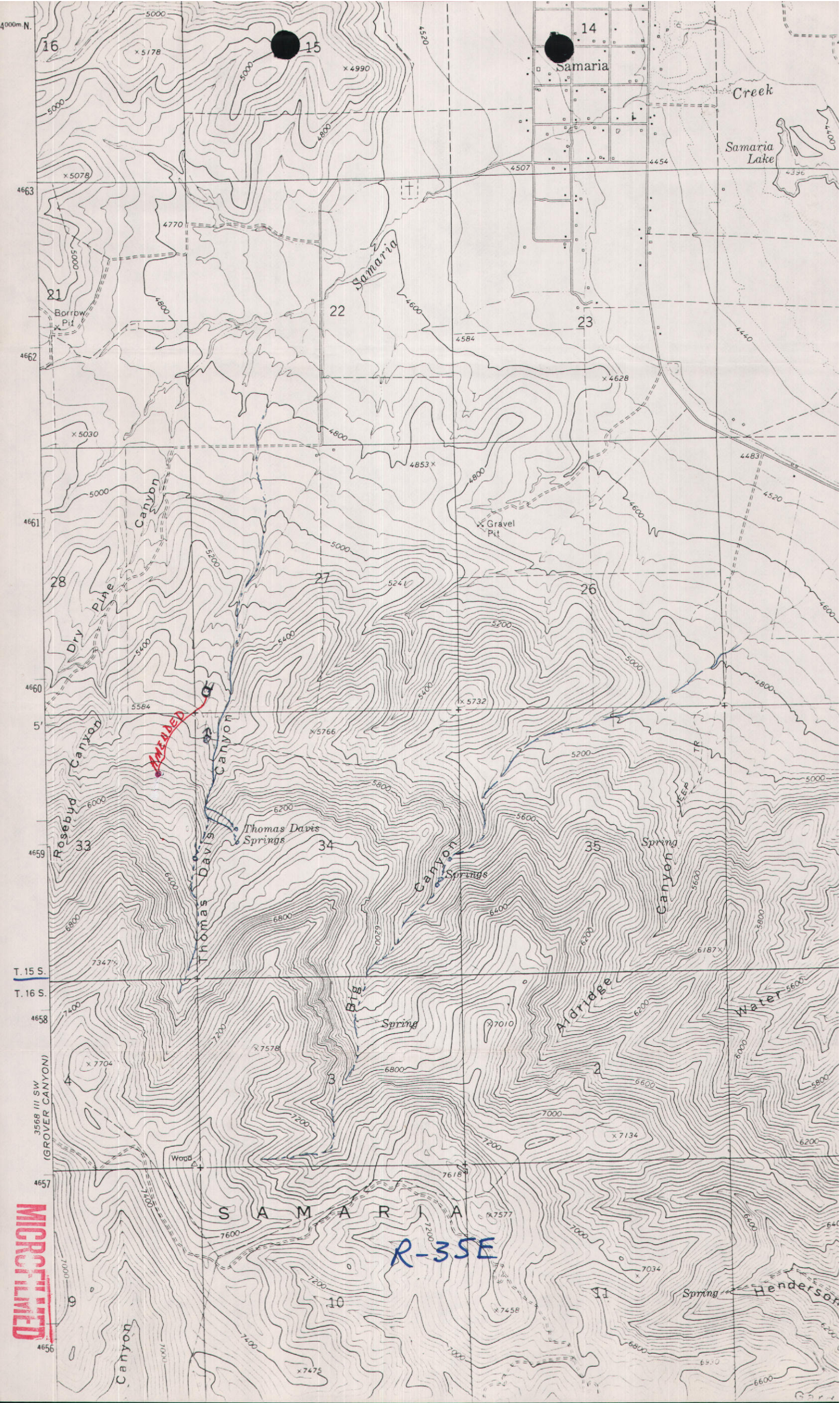
23 27  
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FRE

Received  
8.16.26  
AMENDED  
PP

3-103

RECEIVED



# AFFIDAVIT OF PUBLICATION

State of Idaho  
County of Oneida, ss.

Paula Heindel being first duly sworn on  
h. o. oath, states: That she is clerk  
of the Idaho Enterprise, a newspaper of general circula-  
tion in Oneida County, Idaho published weekly at Malad,  
in said county, that said newspaper has been published  
in said county uninterruptedly and continuously for over  
seventy-eight consecutive weeks, prior to the first publi-  
cation of the annexed notice or advertisement:

That said Idaho Enterprise was at all of the times of  
publication of said notice a newspaper of general circula-  
tion made up of at least four pages of at least five  
columns each, printed from type matter or stereotyped  
forms of at least seventeen and three fourths inches  
depth, and said newspaper during all of the times of  
publication aforesaid had more than 200 bonafide sub-  
scribers thereto living within the county of Oneida in  
which said newspaper was published at regular intervals  
not less frequently than once a week.

That the annexed notice was published per clipping  
attached in the regular and entire edition of said  
newspaper and not in any supplement thereof for 2  
successive weekly issues thereof the date of the first  
publication being the 5 day of August, 1976  
the date of the last publication being the 12 day of  
Aug, 1976.

Paula Heindel  
Subscribed and sworn to before me this \_\_\_\_\_ day of  
\_\_\_\_\_, 19\_\_\_\_.

Daniel B. Jones  
Notary Public, residing at Malad, Idaho

My Commission expires the 6th day of August, 1976.

## Costs:

29 lines at 23c per line first insertion \$ 6.67  
\_\_\_\_\_ lines tabulated at 34½c per line \$ \_\_\_\_\_  
15c per line each subsequent insertion \$ 4.35  
TOTAL \$ 11.02

(Rates for legal notices are fixed by Idaho law)

RECEIVED

AUG 15 1976

Department of Water Resources  
Eastern District Office

## NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that  
Melvin J. Davis, Malad City,  
Idaho has on 7-26-76 submitted  
Application No. 15-7032 for a  
permit to appropriate 0.02 cubic  
feet per second of water from  
springs by means of headbox and  
pipeline within the NW¼NW¼,  
Sec. 34, T. 15S, R. 35 E, B.M.,  
Oneida County; to be used from  
Jan. 1 to Dec. 31 for stockwater-  
ing purposes for 25 beef cattle  
within the SW¼SW¼, Sec. 27, T.  
15S., R. 35E, B.M.

If issued, this permit will be  
subject to all prior water rights.  
Protests against the granting of  
the permit must be filed with the  
Idaho Department of Water Res-  
ources, 1515 Lincoln Road, Idaho  
Falls, Idaho, 83401 on or before,  
August 23, 1976.

R. KEITH HIGGINSON  
Director

Published in the Idaho Enter-  
prise, Malad City, Idaho on Aug-  
ust 5, and August 12, 1976.

MICROFILMED

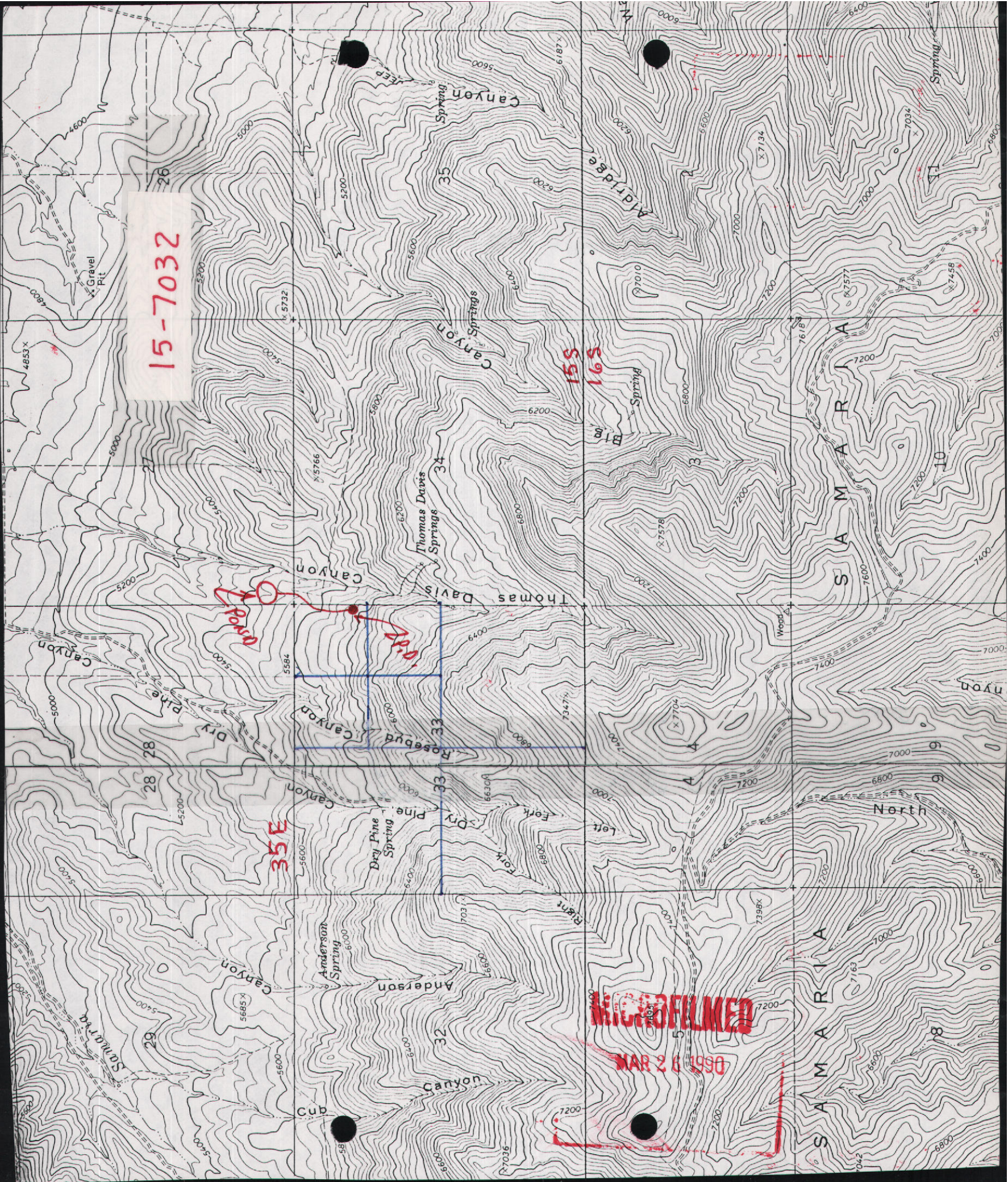
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NOT REFILMED

MAR 26 1990





#  
15-7032

MICROFILMED  
MAR 26 1980

State of Idaho  
Department of Water Resources

# WATER RIGHT LICENSE

WATER RIGHT NO. 15-07032

Priority: July 20, 1976

Maximum Diversion Rate:

0.01 CFS

Maximum Diversion Volume:<sup>1</sup>

0.4 AF

This is to certify, that MELVIN J. DAVIS

RT. 1 BOX 44A

MALAD, ID 83252

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated July 20, 1976; and has submitted Proof of Beneficial Use on October 23, 1985. An examination indicates that the works have a diversion capacity of .010 cfs of water from:

SPRING

tributary to SINKS

source, and a water right has been established as follows:

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|--------------------------|----------------------|
| STOCKWATER            | 01/01 to 12/31       | 0.01 CFS                 | 0.4 AF               |

LOCATION OF POINT(S) OF DIVERSION:

SENENE, Sec. 33, Township 15S, Range 35E  
ONEIDA County

PLACE OF USE: STOCKWATER

TWN RGE SEC

15S 35E 27

SWSW

PLACE OF USE: MUNICIPAL, same as STOCKWATER use

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 13TH day of FEBRUARY, 1990.

**MICROFILMED**

MAR 26 1990

*R. Keith Higginson*  
R. Keith Higginson, Director

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES** **RECEIVED**  
**REQUEST FOR EXTENSION OF TIME**

MAY 18 1981

To provide additional time in which to submit  
proof of beneficial use on a water right permit

Department of Water Resources

Melvin J. Davis of Rt 1 Box 44A Malad  
(Name) (Address)

State of IDAHO, deposes and says:

That he is the holder, or the duly authorized agent of the holder\*, of Permit to Appropriate the Public Waters of the State of Idaho No. 15-7032.

That under the terms and conditions of said permit, work thereunder was required to be completed on or before June 1, 1981.

That he has heretofore performed the following work described under said permit: \_\_\_\_\_

SEE ATTACHED LETTER

Costing \$ \_\_\_\_\_

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit: SEE ATTACHED LETTER

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations under said permit to June 1, 1986.

X Melvin J. Davis  
(Signature)\*

\*IF OTHER THAN HOLDER, Power of Attorney must be supplied.

**ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES**

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time within which to submit the statement of beneficial use is extended to June 1, 1986.

Signed this 5<sup>th</sup> day of June, 1981.

**MICROFILMED**

A. Glen Saxton  
Chief, Operations Bureau

April 28, 1981

RECEIVED

MAY 4 1981

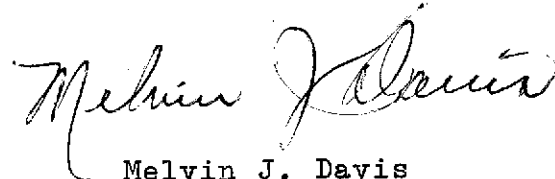
Dear Sirs;

Department of Water Resources

We have, under permit #15.7032, been trying to develop a spring, located on B.L.M. land, for stock watering. The small reservoir has been completed and fenced, and necessary plastic pipe 1 inch in diameter, has been purchased.

The J.F. Fredrickson estate has a strip of land approximately 50 yards wide which separates my property from B.L.M. land. J.W. Crowther, an attorney, drew up an easement agreement for the estate. The administrator for the estate, Lloyd Briggs, said that the easement was basically correct, and has given verbal agreement for the easement, but the sole survivor lives in Denver, Colorado and has not as yet given written permission. We hereby do ask for an extension of time for the completion of these tasks. All cement and material can be installed within 1 week upon receiving written permission for easement.

Sincerely,

  
Melvin J. Davis

MICROFILMED

Mr Davis  
P.O. Box 444  
Madison, Idaho  
83252



Department of State Revenue

State Office

450 W State Street

Boise, Idaho

MICROFILMED



BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE  
STATE OF IDAHO

IN THE MATTER OF EXTENDING THE PROOF DUE  
DATE IN CONNECTION WITH PERMIT NO. 15-7032  
IN THE NAME OF MELVIN J. DAVIS

ORDER

WHEREAS, on July 20, 1976, Melvin J. Davis applied to the Department of Water Resources for a permit to appropriate 0.02 cubic feet per second of water from springs to be diverted within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ , Sec. 34, Twp. 15S, Rge. 35E B.M., Oneida County, to be used for stockwater purposes; and,

WHEREAS, on May 16, 1978, the Department approved said application and issued Permit No. 15-7032 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before June 1, 1979; and,

WHEREAS, on April 18, 1979, the permit holder submitted a request for an extension of time; and,

WHEREAS, it appears that under the circumstances, the permit holder has been proceeding with reasonable diligence and has given good cause for delay;

IT IS, THEREFORE, HEREBY ORDERED that the time within which to submit proof of beneficial use of water under Permit No. 15-7032 be extended to June 1, 1981.

Dated this 21<sup>st</sup> day of April, 1979.

*L. Glen Saxton*  
L. GLEN SAXTON

Chief, Operations Bureau

**MICROFILMED**

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES  
OF THE  
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR PERMIT NO. )  
15-7032 IN THE NAME OF MELVIN J. DAVIS )

MEMORANDUM DECISION  
AND ORDER

On July 20, 1976, Melvin J. Davis of Malad City, Idaho, filed with the Department of Water Resources an application to appropriate 0.02 cubic feet per second of water from springs, to be diverted within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ , Sec. 34, Twp. 15S, Rge. 35E, B.M., Oneida County, to be used for stockwater purposes in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 27, Twp. 15S, Rge. 35E.

Notice of this application was published in the Idaho Enterprise on August 5 and August 12, 1976, and subsequently was protested by the Samaria Water and Irrigation Company, Alvin T. Williams, Lester W. Atkinson, and Ruth Martin Lewis, all of Malad, Idaho. On August 16, 1976, the application was amended by the applicant changing the point of diversion to the NE $\frac{1}{4}$ NE $\frac{1}{4}$ , Sec. 33, Twp. 15S, Rge. 35E, B.M., Oneida County. The amended application was advertised on August 26, and September 2, 1976, and the protestants were informed of the change.

A hearing in the matter was held in Malad, Idaho, on November 4, 1976. The applicant and the protestants were present and represented themselves. Sworn testimony was given by the applicant, Melvin J. Davis and Alvin T. Williams. Mr. William's testimony was given on his own behalf and on behalf of the Samaria Water and Irrigation Company. The concern of the protestants was that the granting of a permit would reduce the amount of water available under existing rights.

The Department having now reviewed the testimony obtained at the hearing and other available information and based upon the Director's understanding of the law, the Director of the Department of Water Resources makes the following Findings of Fact, Conclusions of Law, and Order:

FINDINGS OF FACT

1. The Samaria Water and Irrigation Company claims the right by virtue of the diversion and beneficial use of 2.00 cubic feet per second of water from Thomas Davis Canyon, with a priority of July 3, 1893. This claim has not been recorded with the Department of Water Resources.

2. The spring in question is located about 3,000 feet from Thomas Davis Creek. The water from the spring sinks into the ground a short distance from its origin and is not tributary on the surface to any stream.

CONCLUSIONS OF LAW

1. The non-tributary flows of the spring in question have not been appropriated by the water users on Thomas Davis Creek.

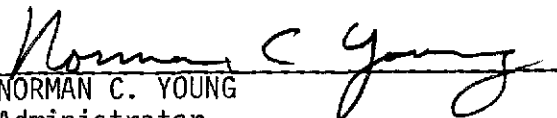
2. The applicant is entitled to an approved permit.

ORDER

IT IS, THEREFORE, HEREBY ORDERED and Application for Permit No. 15-7032 is APPROVED subject to the following conditions:

1. The right will be subject to all prior water rights.
2. Proof of construction of works and application of water to beneficial use shall be submitted to the Department of Water Resources on or before June 1, 1979.

Dated this 16<sup>TH</sup> day of May, 1978.

  
NORMAN C. YOUNG  
Administrator

15 7032

Identification No. \_\_\_\_\_

Application No. \_\_\_\_\_

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**

AMENDED **APPLICATION FOR PERMIT** AMENDED

**APPROVED**

**To Appropriate the Public Waters of the State of Idaho**  
 (TYPE OR PRINT IN INK)

1. Name of applicant Melvin J. Davis Phone: 766-2679  
 post office address Box 44A, Malad, Idaho 83252
2. Source of water supply Springs NE 1/4 which is a tributary of NE 1/4 33
3. a. Location of point of diversion is NW 1/4 of NW 1/4 of Section 34 Township 15S  
 Range 35E B.M. Oneida County; additional points of diversion if any: \_\_\_\_\_
- b. If water is not consumed, it will be discharged into \_\_\_\_\_ at a point in \_\_\_\_\_ 1/4  
 of \_\_\_\_\_ 1/4 of Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_ B.M. \_\_\_\_\_
4. Water will be used for the following purposes:  
 Amount 0.02 for Stockwater purpose from Jan. 1 to Dec. 31 (both dates inclusive)  
(cfs or acre-feet per annum)  
 Amount \_\_\_\_\_ for \_\_\_\_\_ purpose from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)  
 Amount \_\_\_\_\_ for \_\_\_\_\_ purpose from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:  
 a. 0.02 cubic feet per second and/or  
 b. \_\_\_\_\_ acre feet per annum.
6. Proposed diverting works:  
 a. Description of ditches, flumes, pumps, headgates, etc. headbox, 1 inch plastic pipeline  
and pond  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 b. Height of storage dam 10 feet, active reservoir capacity 0.7 acre feet; total reservoir  
 capacity 0.8 acre feet, materials used in storage dam: Earth  
 Period of year during which storage will occur Jan. 1 to Dec. 31 inclusive.  
(Mo. Day) (Mo. Day)  
 c. Proposed well diameter is \_\_\_\_\_ inches; proposed depth of well is \_\_\_\_\_ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use  
 is 1 years.  
 b. Estimated construction cost is \$ 135.00
8. Description of proposed uses:  
 a. If water is **not** for irrigation:  
 (1) Give the place of use of water: SW 1/4 of SW 1/4 of Section 27 Township 15S  
 Range 35E B.M. \_\_\_\_\_  
 (2) Amount of power to be generated: \_\_\_\_\_ hp under \_\_\_\_\_ feet of head.  
 (3) List number of each kind of livestock to be watered 25 beef cattle  
 \_\_\_\_\_  
 (4) Name of municipality to be served: \_\_\_\_\_, or number of families to be  
 supplied with domestic water \_\_\_\_\_  
 (5) If water is to be used for other purposes describe: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

|             |                                                                                                                    |
|-------------|--------------------------------------------------------------------------------------------------------------------|
| 10. Remarks | Reservoir is 32 ft. long by 26 ft. wide. Depth <del>varies</del> from 7 ft. at spillway to 3 ft. at the upper end. |
|-------------|--------------------------------------------------------------------------------------------------------------------|

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing \_\_\_\_\_

b. Who owns the land to be irrigated or place of use \_\_\_\_\_ Melvin J. Davis

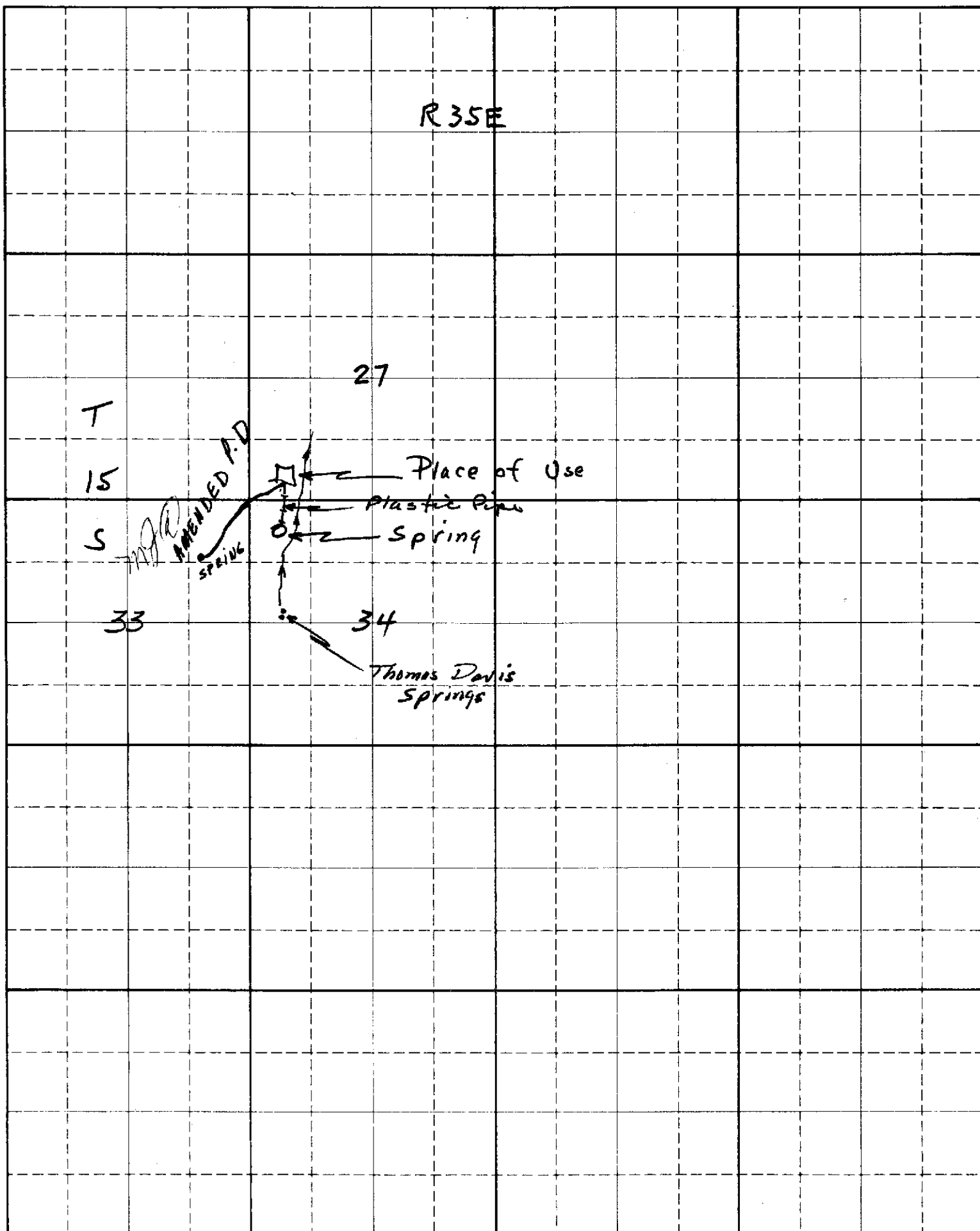
9. a. Who owns the property at the point of diversion. BLM

c. Describe any other water rights used for the same purposes as described above. None

| TWP.          | RANGE | SEC. | NE¼ |     |     |     | NW¼ |     |     |     | SE¼ |     |     |     | SW¼ |     |     |     |
|---------------|-------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
|               |       |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |
|               |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |
|               |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |
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|               |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |
| <b>TOTALS</b> |       |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

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.

*Malvin J. Davis*  
(Applicant)

7/20/76  
Proposed Priority 8-15-76 11:56A Amended  
CW 7-26-76 10:00A  
Received by CW Date 7-20-76 Time 10:55A  
Preliminary check by JW Fee \$ 10.00  
Receipted by CW Date 7-27-76 # 2481 Amended # 10.00  
Publication prepared by CW Date 7-28-76 8-15-76 # 2513  
Published in Idaho Enterprise Approved 9/9/76 me  
Publication dates Aug 5 + 12, 1976  
Publication approved CW Date 8-16-76  
Priority reduced to \_\_\_\_\_ Reason \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Protests filed by: Samaria Waters + Jerry  
Alvin J. Williams, Lester  
Atkinson, Ruth Martin Lewis  
Copies of protests forwarded by \_\_\_\_\_  
Hearing held by \_\_\_\_\_ Date \_\_\_\_\_  
Recommended for approval denial by WJW

#### ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 15-7032, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- SUBJECT TO ALL PRIOR WATER RIGHTS.
- Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 1979.
- Other: PURSUANT TO MEMORANDUM DECISION AND ORDER DATED THIS DATE.

2. Denial of said application is for the following reasons: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Witness my hand this 16<sup>TH</sup> day of May 19 78.

Norman C Young  
Administrator

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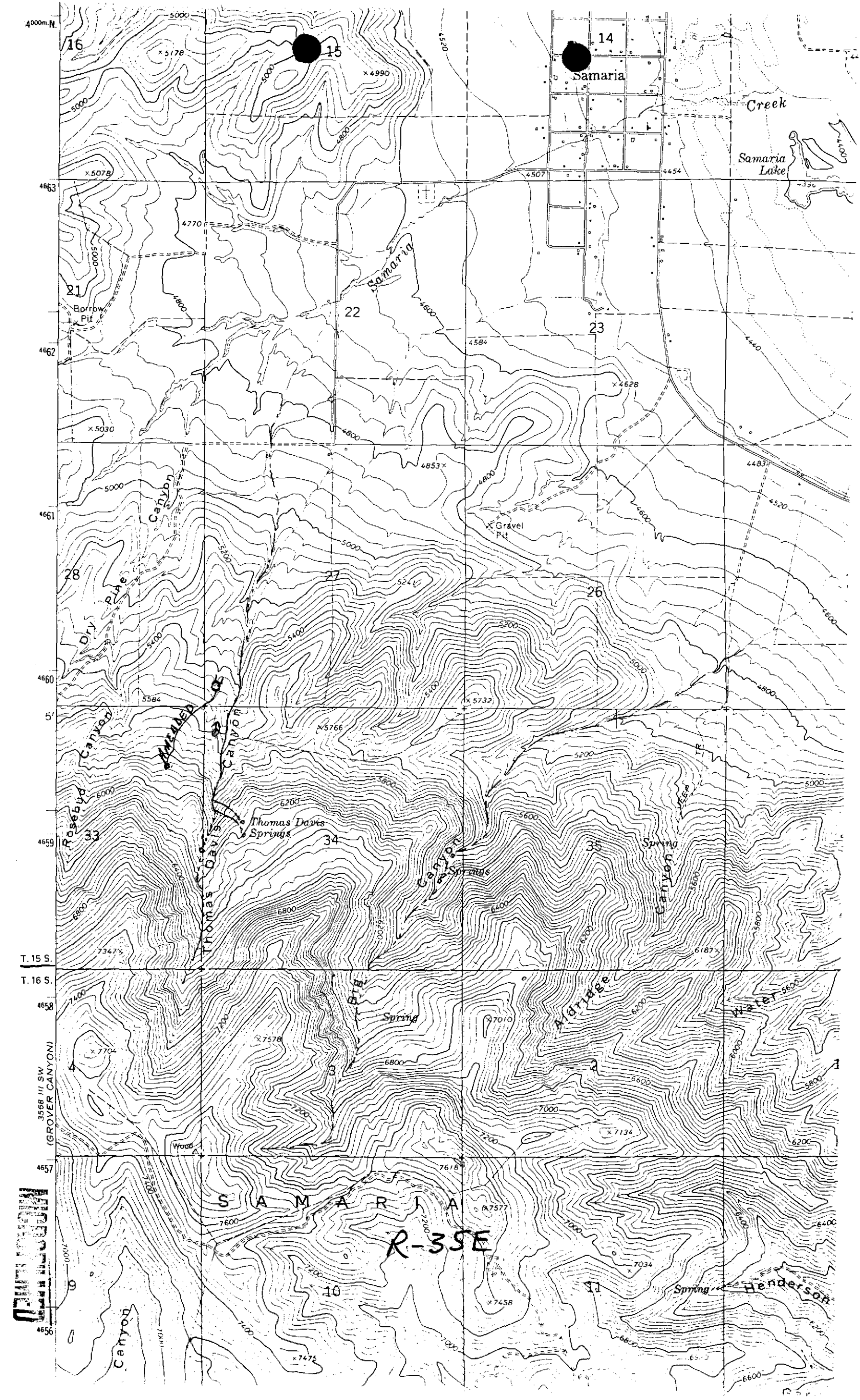
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VI  
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# AFFIDAVIT OF PUBLICATION

RECEIVED

AUG 15 1976

Department of Water Resources  
Eastern District Office

## NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Melvin J. Davis, Malad City, Idaho has on 7-26-76 submitted Application No. 15-7032 for a permit to appropriate 0.02 cubic feet per second of water from springs by means of headbox and pipeline within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ , Sec. 34, T. 15S, R. 35 E, B.M., Oneida County; to be used from Jan. 1 to Dec. 31 for stockwatering purposes for 25 beef cattle within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 27, T. 15S., R. 35E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before, August 23, 1976.

R. KEITH HIGGINSON  
Director

Published in the Idaho Enterprise, Malad City, Idaho on August 5, and August 12, 1976.

State of Idaho  
County of Oneida, ss.

Paula Heindel being first duly sworn on his oath, states: That she is clerk of the Idaho Enterprise, a newspaper of general circulation in Oneida County, Idaho published weekly at Malad, in said county, that said newspaper has been published in said county uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement:

That said Idaho Enterprise was at all of the times of publication of said notice a newspaper of general circulation made up of at least four pages of at least five columns each, printed from type matter or stereotyped forms of at least seventeen and three fourths inches depth, and said newspaper during all of the times of publication aforesaid had more than 200 bonafide subscribers thereto living within the county of Oneida in which said newspaper was published at regular intervals not less frequently than once a week.

That the annexed notice was published per clipping attached in the regular and entire edition of said newspaper and not in any supplement thereof for 2 successive weekly issues thereof the date of the first publication being the 5 day of August, 1976 the date of the last publication being the 12 day of Aug, 1976.

Paula Heindel

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

Daniel C. Jones

Notary Public, residing at Malad, Idaho

My Commission expires the 6th day of August, 1976

Costs:

29 lines at 23c per line first insertion \$ 6.67

\_\_\_\_\_ lines tabulated at 34 $\frac{1}{2}$ c per line \$ \_\_\_\_\_

15c per line each subsequent insertion \$ 4.35

TOTAL \_\_\_\_\_ \$ 11.02

(Rates for legal notices are fixed by Idaho law)

RECEIVED

SEP 7 1976

Department of Water  
Eastern District Office

*Amended*  
**NOTICE OF AMENDED  
APPLICATION FOR  
WATER PERMIT  
NOTICE IS HEREBY GIVEN**

that Application for Permit No. 15-7032 in the name of Melvin J. Davis was filed for the diversion of 0.02 c.f.s. of water from springs with point of diversion within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ , Sec. 34, T. 15S, R. 35E, B.M., Oneida County; to be used from Jan. 1 to Dec. 31 for stockwatering purposes for 25 beef cattle within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 27, T. 15S, R. 35E, B.M.

The applicant now proposes to amend Application No. 15-7032 changing the point of diversion to the NE $\frac{1}{4}$ NE $\frac{1}{4}$ , Sec. 33, T. 15S, R. 35E, B.M., Oneida County.

Any protest to the proposed amending of the application must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401, on or before September 13, 1976.

**R. KEITH HIGGINSON**  
Director

Published in the Idaho Enterprise on August 26 and September 2, 1976.

**AFFIDAVIT OF PUBLICATION**

State of Idaho  
County of Oneida, ss.

Raula Thimel being first duly sworn on his oath, states: That he is Raula of the Idaho Enterprise, a newspaper of general circulation in Oneida County, Idaho published weekly at Malad, in said county, that said newspaper has been published in said county uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement:

That said Idaho Enterprise was at all of the times of publication of said notice a newspaper of general circulation made up of at least four pages of at least five columns each, printed from type matter or stereotyped forms of at least seventeen and three fourths inches depth, and said newspaper during all of the times of publication aforesaid had more than 200 bonafide subscribers thereto living within the county of Oneida in which said newspaper was published at regular intervals not less frequently than once a week.

That the annexed notice was published per clipping attached in the regular and entire edition of said newspaper and not in any supplement thereof for 2 successive weekly issues thereof the date of the first publication being the 26 day of August, 1976 the date of the last publication being the 2 day of Sept, 1976.

Raula Thimel  
Subscribed and sworn to before me this 3rd day of September, 1976

Wanda Edwards  
Notary Public, residing at Malad, Idaho

My Commission expires the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_

Costs:

32 lines at 23c per line first insertion \$ 7.36

\_\_\_\_\_ lines tabulated at 34 $\frac{1}{2}$ c per line \$ \_\_\_\_\_

15c per line each subsequent insertion \$ 4.80

TOTAL \$ 12.16

(Rates for legal notices are fixed by Idaho law)

February 14, 1990

MELVIN J. DAVIS  
RT. 1 BOX 44A  
MALAD, ID 83252

RE: PERMIT NO. 15-07032

Dear Permit Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit.

Sincerely,

JIM JOHNSON  
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED

MAR 26 1990

January 18, 1990

MELVIN J. DAVIS  
RT. 1 BOX 44A  
MALAD, ID 83252

RE: PERMIT NO. 15-07032

Dear Permit Holder(s):

Enclosed is a draft copy of the license proposed to be issued on the above referenced water right.

This right is currently being reviewed by this office for licensing. The enclosed preliminary copy is subject to change upon further administrative review.

We ask that you review the proposed license and if you do not concur with the information, please let us know within 10 days.

Sincerely,

JIM JOHNSON  
Water Rights Supervisor

JJ:sc

Enclosure

**MICROFILMED**

**MAR 26 1990**

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

Staff Analysis Sheet  
for  
Beneficial Use Field Report

15-7032  
Permit No.

ea

RECEIVED

NOV 02 1987

Department of Water Resources

A. Prior to Conducting the Exam, the File Contains:

- ☒ Blank Field Report Form
- ☒ Copy of Permit
- ☒ Copies of any Amendments/Orders with conditions of approval
- ☐ Computer Data Proof Report
- ☒ Copy of U.S.G.S. Quad
- ☒ Check for Government Lots. If so, make a copy of Government Plat

Check of P/D index HWS 4-6-87 (Initial and date)

Overlap? ☐ yes ☒ no If yes: ☐ copy of exam(s) attached?

Type of Overlap? ☐ Add acres or uses to existing system  
☐ Increase rate of flow or volume  
☐ Other: \_\_\_\_\_

Check of P/U index HWS 4-6-87 (Initial and date)

Overlap? ☐ yes ☒ no If yes: ☐ copy of water right(s) attached?

Type of Overlap? ☐ Increase rate of flow or volume  
☐ Add P/D's  
☐ Increase number of acres within tracts  
☐ Other: \_\_\_\_\_

Aerial Photo

Required? ☐ yes ☐ no If yes: ☐ copy attached?

Scheduling Letter sent? \_\_\_\_\_ (Initial and date)

☒ Appointment made and telephone conversation memo attached

B. After Conducting the Exam, the File Contains:

- ☒ Fully completed and signed Field Report Form
- ☒ Photographs of Point of Diversion and Place of Use
- ☒ Corrected Computer Data Proof Report with recommended license information, and date and signature of examiner.

C. Review and Processing:

Exam Completed RL 7-24-87 (Signature of examiner and date)

Exam Reviewed by Senior Water Resource Agent RL 7-24-87 (Initial and date)

Exam Reviewed by Manager of Regional Office MM 10-5-87 (Initial and date)

Exam Date Entered in Computer \_\_\_\_\_ (Initial and date)

Exam sent to State Office \_\_\_\_\_ (Initial and date)

Copy of Staff Analysis Sheet sent to Manager of Regional Office and Original  
Refiled in White File \_\_\_\_\_ (Initial and date)

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**BENEFICIAL USE FIELD REPORT**

**A. GENERAL INFORMATION**

Permit No. 15-7032

1. Owner: Melvin J. Davis Phone No. 766-2679  
Current Address: Box 44A, Naled Idaho

2. Accompanied by: Owner EXAM. DATE: 5-26-87

Address: \_\_\_\_\_ Phone No. \_\_\_\_\_

Relationship to Permit Holder: \_\_\_\_\_

3. Source: Spring tributary to \_\_\_\_\_

**B. OVERLAP REVIEW**

1. Other water rights with same place of use: N.A.

☐ Copies Attached

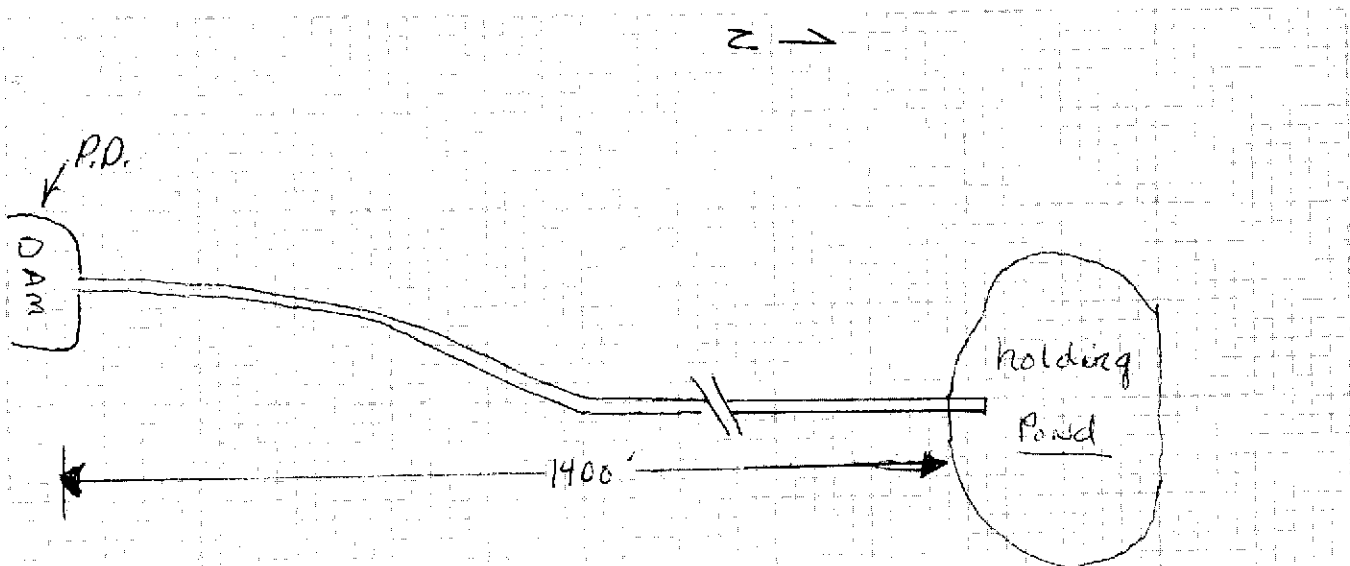
2. Other water rights with same point of diversion: N.A.

☐ Copies Attached

☐ Copies of Field Exam's Attached

**C. SYSTEM DESCRIPTION**

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



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Scale: 1" = to Scale

2. ☒ Copy of U.S.G.S. Quadrangle Attached  
Showing location(s) of point(s) of diversion and  
place(s) of use (required).

- ☒ Photo of Diversion and System Attached

(required for all but single household domestic groundwater, and stockwater.

- ☐ Aerial Photo Attached  
(required for irrigation of 10 acres or more).

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

Dam in Seng, diverted by 1" R.C. pipe to a holding pond approx. 1400 ft. away from dam.

~~holding pond size approx. 30 x 30 ft and 5 ft deep.~~

Used to water 30-cows.

☐ See Remarks on page 4 for continuation

|                                       |            |    |                  |           |                                   |
|---------------------------------------|------------|----|------------------|-----------|-----------------------------------|
| Well or Diversion Identification No.* | Motor Make | Hp | Motor Serial No. | Pump Make | Pump Serial No. or Discharge Size |
| N.A.                                  |            |    |                  |           |                                   |
|                                       |            |    |                  |           |                                   |
|                                       |            |    |                  |           |                                   |
|                                       |            |    |                  |           |                                   |

\*Code to correspond with No. on map and aerial photo

5. Point(s) of Diversion:

[illegible]

**6. Place(s) of Use:**

Indicate Method of Determination.

[illegible]

**REF ID: A66082**

**DECLASSIFIED**

MAR 26 1990

**Do not use this space**

Do not use this space

#### D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

| Measurement Equipment | Type | Make | Model No. | Serial No. | Size | Calib. Date |
|-----------------------|------|------|-----------|------------|------|-------------|
| 2 1/2 gal bucket      |      |      |           |            |      |             |
|                       |      |      |           |            |      |             |
|                       |      |      |           |            |      |             |
|                       |      |      |           |            |      |             |

2. Measurements:

2 1/2 gallon bucket in 10 min. or 0.25 gallons/min or 0.0005 cfs  
 Flow may vary depending on season etc.  
 allow 0.01 cfs for stockwater - HWJ

#### E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

1. Measured Method: Bucket & stopwatch

2. Alternate Method for Checking Purposes: NA.

#### F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: \_\_\_\_\_ psi x 2.31 = \_\_\_\_\_ ft (1); Dynamic pumping level: \_\_\_\_\_ ft (2)

Total Head: (1) + (2) = \_\_\_\_\_ (3); Flow rate: \_\_\_\_\_ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = \_\_\_\_\_ (5)

Meter Input KW: 3.6 x \_\_\_\_\_ KH x \_\_\_\_\_ CTR or \_\_\_\_\_ MULT x \_\_\_\_\_ PTR x \_\_\_\_\_ N/ \_\_\_\_\_ T = \_\_\_\_\_ (6)

Meter Input HP: (6) x 1.34 = \_\_\_\_\_ (7)

Panel Input KW: \_\_\_\_\_ Ave PF x \_\_\_\_\_ Ave Volts x \_\_\_\_\_ Ave Amps x .001732 = \_\_\_\_\_ (6)

Panel Input HP: (6) x 1.34 = \_\_\_\_\_ (7) Efficiency: (5)/(7) x 100 = \_\_\_\_\_ %

#### G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$  \_\_\_\_\_

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$  \_\_\_\_\_

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$  \_\_\_\_\_

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**MAR 26 1990**

2. Volume Calculations for Other Uses:

30 head of cattle x 12 gallons/day x 365 days/year =  $\frac{131,400 \text{ gallons}}{325,850 \text{ gpa}} = 0.4 \text{ afa}$

H. REMARKS AND OVERLAP REVIEW ANALYSIS

I. RECOMMENDATIONS

1. Recommended Amounts

| Beneficial Use           | Period of Use<br>From To | Rate of Diversion<br>Q (cfs) | Annual Volume<br>V (afa) |
|--------------------------|--------------------------|------------------------------|--------------------------|
| Stockwater               | 1-1 12-31                | 0.01                         | 0.4                      |
| Totals: 0.01 cfs 0.4 afa |                          |                              |                          |

2. Recommended Amendments

- ☐ Change P.D. as reflected above  
☐ Change P.U. as reflected above  
☐ Add P.D. as reflected above  
☐ Add P.U. as reflected above  
☒ None  
☐ Other

J. AUTHENTICATION

Field Examiner's Name  
Signature  
Certification Date  
Field Report Preparation Date

Richard Benson Jr.  
10-6-87  
6-01-87

CONSULTANT SEAL

Stacy M. Lewis

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

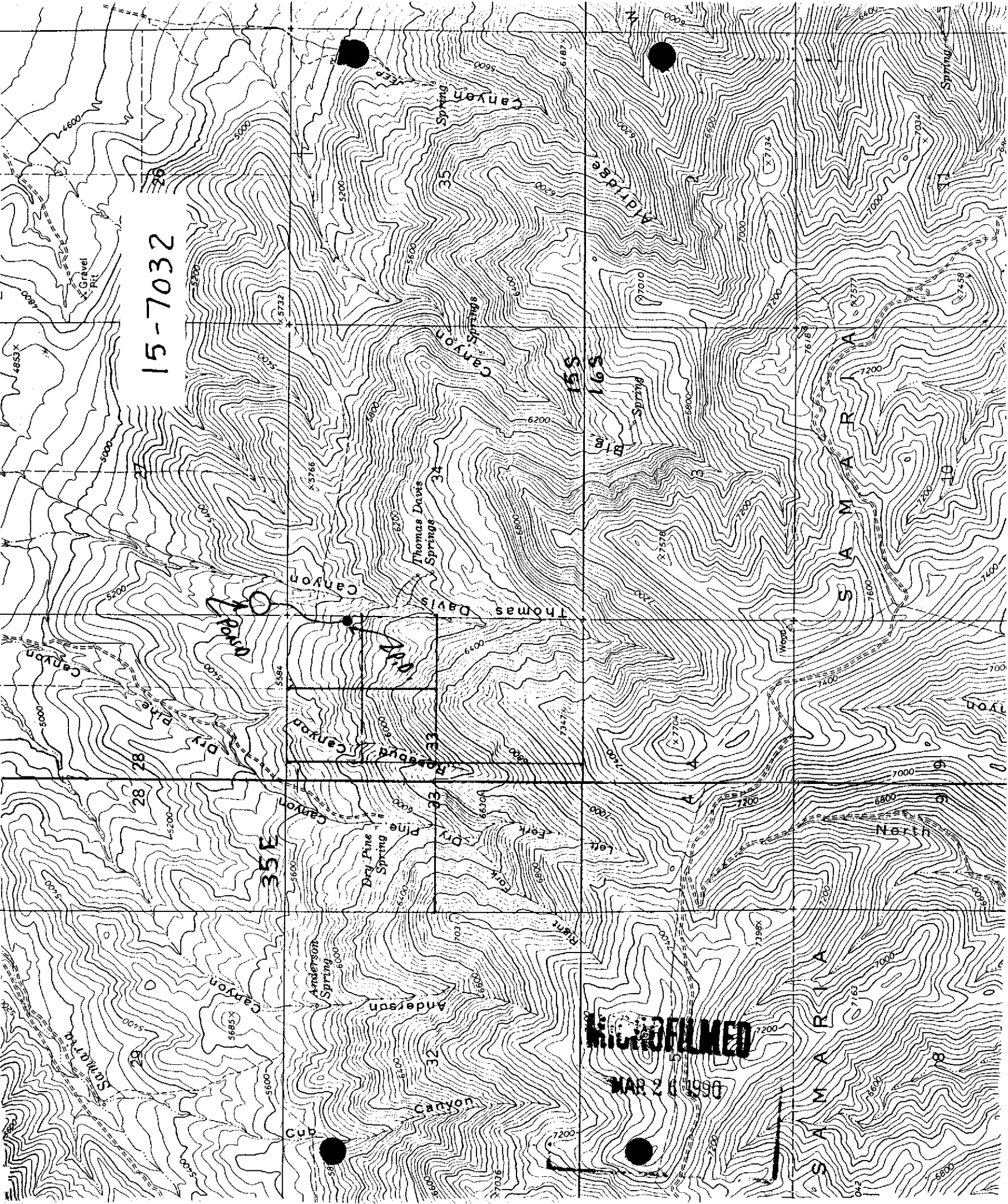
MICROFILMED

MAR 26 1990

15-7032

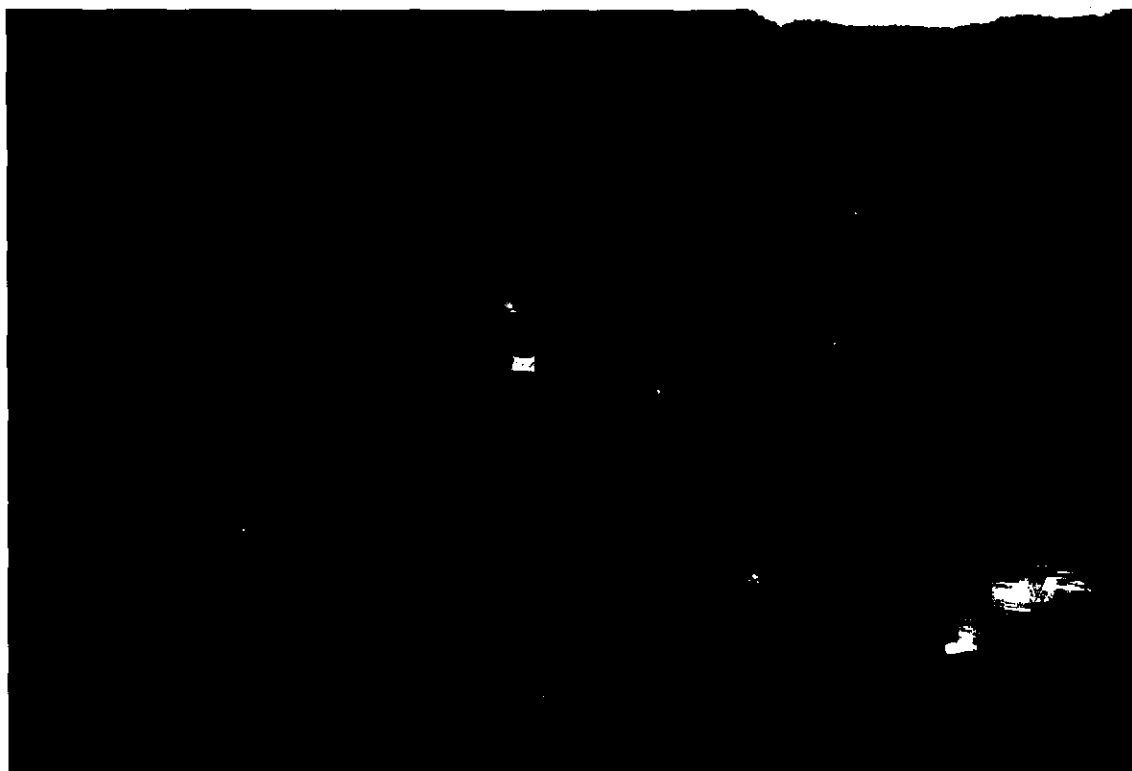
**MICROFILMED**

MAR 26 1990





#  
15-7032



MICROFILMED  
MAR 2 1984

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Eastern Region

---

150 Shoup, Suite 15  
Idaho Falls, Idaho 83402  
(208) 525-7161

FEBRUARY 19, 1986

MELVIN J. DAVIS  
RT. 1, BOX 44-A  
MALAD

ID 83252

RE: Permit No. 15-7032

Dear Permit Holder:

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this department.

A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office by phone at 525-7161 or in person in the third floor State Office Building, 150 Shoup, Idaho Falls, Idaho.

Sincerely,  
s/HAROLD W. JONES  
Sr. Resource Agent

**MICROFILMED**

MAR 26 1990

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
PROOF OF BENEFICIAL USE

RECEIVED  
OCT 23 1985  
Department of Water Resources

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has completed development under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below:

Permit No. 15-7032

Name(s) of Permit Holder: Melvin J. Davis

Post Office Address: Rt 1 Box 44A Malad Idaho  
83252 Telephone No. 766-2679

Source of Water: Spring (small)

Extent of Use:

Domestic \_\_\_\_\_ (number of households)

Stockwater 40 head range cattle (number and type of stock)

Irrigation \_\_\_\_\_ (acres)

Other/Remarks \_\_\_\_\_

Indicate the date water was first diverted and beneficially used under this permit: June 22, 1985

Measuring Device: Required? ☐ Yes ☒ No  
Installed? ☐ Yes ☒ No

Flow Measurement Port: Required? ☐ Yes ☒ No  
Installed? ☐ Yes ☒ No

MICROFILMED

Person to contact to accompany the Department representative during the field examination:

Melvin J. Davis (Name)  
Rt 1 Box 44A Malad Idaho (Address) 766-2679 (Telephone Number)

The above information is a true statement of the extent to which the above numbered permit has been developed.

Oct 19, 1985  
Date

Melvin J. Davis  
Signature of Permit Holder (and Title, if appropriate)

~~M J Davis~~  
~~Rt 1 Box 44A~~  
~~Malad Idaho 83252~~



Idaho Department of Water Resources  
Statehouse Mail  
Boise, ID 83720

June 11, 1981

Melvin J. Davis  
Route 1, Box 44A  
Malad, ID 83252

Dear Mr. Davis:

Re: Permit No. 15-7032

Enclosed is a copy of the approved request for extension of time. The time within which to submit the statement of beneficial use is extended to June 1, 1986.

Also enclosed is receipt No. 19286 in the amount of \$15.00.

Sincerely,

RITA I. FLECK  
Sr. Secretary

Enclosures

**MICROFILMED**

May 6, 1981

Melvin J. Davis  
Rt. 1, Box 44A  
Malad, Idaho 83252

Dear Mr. Davis,

RE: Permit No. 15-7032

Thank you for your letter of April 28, 1981 which you requested an extension of time for Permit No. 15-7032.

I am, however, returning your letter to you along with an extension request form. This is necessary for two reasons:

First, your letter did not state how long you needed the permit proof to beneficial use date extended to, and second, as of July 1, 1980 a law went in to affect which requires that a \$15.00 filing fee be submitted with every request for extension of time.

I have partially completed the request form referring to your letter, which you need to sign.

I have put the maximum of 5 years, even though you don't anticipate it will take that long. You can always submit your proof card when the development has been completed.

Since your proof is due by June 1, 1981, your prompt response is required. Please return the signed form with the \$15.00 filing fee as soon as possible.

If you have any questions on this matter, let me know, my phone number is 334-4162.

Sincerely,

JIM JOHNSON  
Water Distribution Supervisor



March 31, 1981

1080-1

Melvin J. Davis  
Box 44A, Route 1  
Malad, ID 83252

Dear Mr. Davis,

Re: Permit No. 15-7032

One of the conditions of approval of your water permit No. 15-7032 was that evidence of the extent of development must be submitted to this office on or before June 1, 1981. (See last page of your approved permit). Enclosed is a postcard which may be used to submit the required proof of beneficial use.

If you have not fully completed the project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted. A request for extension of time form is enclosed for your convenience. Please note that a fee of \$15.00 must be submitted with this form.

Either the beneficial use post card or a request for an extension of time must be received by this department on or before the above mentioned date, otherwise, the permit will lapse and be of no further force or effect within sixty days.

Sincerely,

RITA I. FLECK  
Sr. Secretary

Enclosures

**MICROFILMED**

April 25, 1979

Melvin J. Davis  
Box 44A, Route 1  
Malad, ID 83252

Dear Mr. Davis:

Re: Permit No. 15-7032

Enclosed is a copy of the order extending the time within which to submit proof of beneficial use to June 1, 1981.

Sincerely,

JAN GROVER  
Water Rights Supervisor

JG:rf

Enc: 1

MICROFILMED

April 17, 1979

State of Idaho  
Department of Water Resources  
Statehouse  
Boise, Idaho 83720

Dear Sirs:

I am in receipt of your letter dated March 30, 1979, which included an affidavit form, and advised me of the possibility of receiving an extension of time on the water permit No. 15-7032.

We have completed the holding pond and lined it and have on hand the necessary pipe to carry the water from the spring. Permission has also been granted by the J. F. Fredrickson Estate for an easement across their private property for this pipeline.

We have not yet received permission from the Bureau of Land Management for an easement, across their lands. We hope that permission will be granted soon, but in case of any delay, may we request an extension for the completion of this project.

Sincerely,

*Melvin J. Davis*

Melvin J. Davis

RECEIVED  
APR 26 1979  
Department of Water Resources

ok to  
extend  
2 yrs  
JG

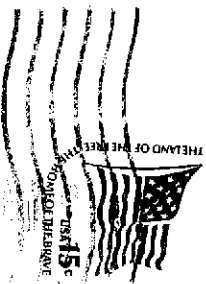
APR 26 1979  
DEPT. OF WATER RESOURCES  
BOISE, IDAHO

Melvin J. Davis

Rt 1 Box 444

Malad Idaho

83252



State of Idaho  
Department of Water Resources  
Statehouse  
Boise, Idaho 83720



State of Idaho  
**DEPARTMENT OF WATER RESOURCES**  
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS  
Governor

C. STEPHEN ALLRED  
Director

Mailing address:  
Statehouse  
Boise, Idaho 83720  
(208) 384-2215

CERTIFIED MAIL

March 20, 1979

Re: Permit No. 15-7032

100721

Melvin J. Davis  
Box 44A  
Malad, ID 83252

Dear Mr. Davis:

One of the conditions of approval of your water Permit No. 15-7032 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before June 1, 1979. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise, the permit will lapse and be of no further force or effect.

RITA FLECK  
Water Rights

Encl: Proof affidavit

RECEIVED

May 17, 1978

Re: Permit No. 15-7032

Melvin J. Davis  
Box 44A  
Malad, ID 83252

Dear Mr. Davis:

Enclosed is a copy of your approved Application for Permit No. 15-7032 along with a copy of the Memorandum Decision and Order. We direct your attention to the conditions of approval as set forth in the Order.

Any person that does not agree with the decision of the Director, may request a re-hearing before the Director within 20 days or may appeal directly to the District Court within 60 days of the date of the decision.

Sincerely,

L. GLEN SAXTON  
Chief, Operations Bureau

LGS:kw  
Encl.

cc: ✓ Samaria Water and Irrigation Co.  
✓ Alvin T. Williams  
✓ Lester W. Atkinson  
✓ Ruth Martin Lewis  
Encl: Copy of Memorandum Decision and Order

M E M O R A N D U M

TO: Loren Holmes  
FROM: Ron Carlson  
RE: Application for Permit No. 15-7032 MELVIN J. DAVIS  
DATE: August 29, 1977

I believe this is one of the applications that you and Bob attended. We have had it laying around for nearly a year waiting for a memorandum decision to be written. It appears to be your project since I find no hearing notes or memos to the file that would allow someone else to complete the decision.

I hope you remember what the issues were.

15-7032  
MELVIN J. DAVIS  
AUG 30 1977  
FBI - BOSTON

MEMORANDUM

TO: FILE NO. 15-7032

FROM: BOB FLEENOR

DATE: November 8, 1976

A water right hearing was held on the matter of Permit No. 15-7032 on November 4, 1976, in Malad, Idaho.

A Memorandum Decision based upon the evidence and testimony given at the hearing should be prepared approving the permit and issuing it to Mr. Davis.

RECEIVED  
NOV 11 1976  
FBI - BOISE

15-7032

11-4-76

Applicant: Melvin J. Davis

Protestants:- Samaria Water & Irr. Co. - Clyde Chuq, President

|                     |         |                 |
|---------------------|---------|-----------------|
| - Alvin T. Williams | 7 hrs - | } all the water |
| Lester W. Atkinson  | 6 hrs - |                 |
| - Ruth Martin Lewis | 6 hrs - |                 |

- Is the spring trib. to Thomas Davis Canyon?

- Spring is not trib. = Sinks within ~~5~~ feet.

- Was the appl. amended to a different spring? -  
No! the description was in area. -

- ~~Does~~ Is Thomas Davis Canyon trib to Samaria Ck.? When?

Runs all year

- Identify Protestants rights

Mr. Davis

does the pond exist presently. Completed last august -

Protestant -

Samaria Water & Irr. Co. - Alvin T. Williams - Rep.

July 3, 1983 filed 100<sup>inches</sup> by Pin 100<sup>inches</sup> Thomas Davis 50<sup>inches</sup> Rose ~~Did~~

Water would flow into Thomas Davis Canyon by a path of at least  
 $\frac{1}{2}$  mile. 3000 ft

Water Hasn't been developed for use by Samaria - lack of funds & interest  
Samaria presently uses maximum of 100 inches

RECORDED

All of Thomas Davis Canyon that ~~flows~~ flows out is used

When the Springs are all developed there will be additional water for Malad Valley

1. ~ Water

2. -

3. Speculation question - Environmental

- Other sources are available - 1.8 miles of stream

- Cows can't get more the 800 feet from Thomas Davis Canyon

- Why is this more acceptable - ? There is no difference

4. Funds -

EIS may be required

Water Claims by the protestants based on old Claims to Water use

Issues -

- Environmental Issue can't be considered

UNRECORDED

15-7032

Hearing

11-4-76

Issue -

-  
-  
-

Mr Davis Testimony -

~~He~~ Would improve quality of grazing -

try to

Mr Atkinson - why

Costs of development - \$300

Mr Williams - Testimony

Filed July 3, 1983

Estimate that there is approximately 400 inches available.

1.

2

3 Speculation -

Reject -

Feel that water should not be appropriated except by those that

UNRECORDED

15-7032 - Melvin J. Davis

Commissioners Room, Oneida County Courthouse, Malad City, Idaho

November 4, 1976 - 1:30 p.m.

ROSTER OF ATTENDANCE

| Name                 | Address                  | Representing     |
|----------------------|--------------------------|------------------|
| David John           | Rt 1 Malad, Idaho        | " " "            |
| Blyde Bruce          | Malad 134 N 100 W.       | Samaria W.I. Co. |
| Keith Atkinson       | 30 W 500 N Malad         | " " "            |
| ✓ Alvin H. Wilkes    | Malad, Idaho 83252       | " " "            |
| Spencer H. Atkinson  | Rt. 1 Malad, Idaho 83252 | " " "            |
| Alfred L Atkinson    | Rt. 1 Malad, Idaho       | " " "            |
| ✓ Lester W. Atkinson |                          |                  |
| Raymond R. Morten    | R.F.D. #1 Malad, Idaho   |                  |
| ✓ Rick Morten Lewis  | Pocatello, Idaho         |                  |
|                      | P.O. Box 224             |                  |
| Mary Sue Lewis       | 99 Greenwood             |                  |
|                      | Pocatello, Idaho         |                  |
| Blanche L. Williams  |                          | Samaria          |
| Paul H. Hughes       |                          |                  |
| ✓ Melvin J. Davis    | Rt 1 Box 44A Samaria     | Self             |

Name and Address of Sender

Indicate type of mail:  
☐ REGISTERED  
☐ C.O.D.  
☐ CERTIFIED

Affix stamp here if issued as certificate of mailing or for additional copies of this bill.  
POSTMARK AND DATE OF RECEIPT

| NUMBER OF ARTICLE | NAME OF ADDRESSEE, STREET AND POST OFFICE ADDRESS | POSTAGE | FEE | R.R. FEE | ACT. VAL. | HANDLING CHARGE | REMARKS |
|-------------------|---------------------------------------------------|---------|-----|----------|-----------|-----------------|---------|
|-------------------|---------------------------------------------------|---------|-----|----------|-----------|-----------------|---------|

|    |                                                      |    |    |  |  |  |         |
|----|------------------------------------------------------|----|----|--|--|--|---------|
| 1  | 220 Fred L. Jones, Milwaukee, Wis.                   | 13 | 60 |  |  |  | 29-2336 |
| 2  | 221 Walter J. Smith, 6436 Jackson St.                |    |    |  |  |  | "       |
| 3  | 222 Woodruff L. Bond, 1124 Jackson St.               |    |    |  |  |  | "       |
| 4  | 223 W. J. Walker, Box 190, Jackson St.               |    |    |  |  |  | "       |
| 5  | 224 Melvin L. Moore, Box 444, Detroit, MI            |    |    |  |  |  | 15-7832 |
| 6  | 225 Eugene H. Moore, P.O. Box 224, Detroit, MI       |    |    |  |  |  | "       |
| 7  | 226 Charles W. Moore, 67 Box 436, Detroit, MI        |    |    |  |  |  | "       |
| 8  | 227 Oliver J. Williams, Rt. 1, Box 430, Detroit, MI  |    |    |  |  |  | "       |
| 9  | 228 Margaret Whitely, 1364 100th Street, Detroit, MI |    |    |  |  |  | "       |
| 10 | 229 E. Edward Spontis, Rt. 43, Detroit, MI           |    |    |  |  |  | 13-7133 |
| 11 | 230 J. W. Whistler, 2331 State, Detroit, MI          |    |    |  |  |  | "       |
| 12 | 231 Robert M. Moore, Detroit, MI                     |    |    |  |  |  | 11-7843 |
| 13 | 232 Jay H. Miller, 45 Michigan, Detroit, MI          |    |    |  |  |  | "       |
| 14 |                                                      |    |    |  |  |  |         |
| 15 |                                                      |    |    |  |  |  |         |
| 16 |                                                      |    |    |  |  |  |         |
| 17 |                                                      |    |    |  |  |  |         |
| 18 |                                                      |    |    |  |  |  |         |
| 19 |                                                      |    |    |  |  |  |         |
| 20 | 233 Fred L. Jones, Milwaukee, Wis.                   | 13 | 60 |  |  |  | 29-2336 |

TOTAL NO. OF PIECES SENT BY SENDER 13 TOTAL NO. OF PAGES REC'D AT P.O. 13 POSTMASTER, PER (Name of employee) 13

Form 3877, Dec. 1973 APPLICATION FOR REGISTERED, REGISTERED C.O.D. AND CERTIFIED MAIL



Declaration of value is required on international registered mail. \* U. S. GOVERNMENT PRINTING OFFICE: 1974-0-230-716

FORM MUST BE MADE OUT IN INK OR BALL POINT PEN

MAILED

October 26, 1976

Oneida County Clerk  
Oneida County Courthouse  
Malad City, Idaho 83252

Gentlemen:

This is to confirm the use of the Commissioners Room for conference and/or hearing to be held by this office on Thursday, November 4, 1976, at 1:30 p.m.

Thank you for your cooperation in this matter.

Very truly yours,

RONALD D. CARLSON  
Supervisor,  
Eastern Region

RDC:CN

RECEIVED  
OCT 27 1976  
MAD

BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE  
STATE OF IDAHO

In the Matter of Protests Against Approval )  
of Application for Permit No. 15-7032 )  
in the name of MELVIN J. DAVIS )

NOTICE OF CONFERENCE  
AND/OR HEARING

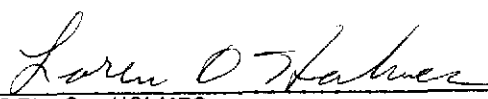
On July 26, 1976, Melvin J. Davis filed with the Department of Water Resources an application to appropriate the public waters of the State of Idaho. On August 13, 1976, the Department received protests against approval of said application from the Samaria Water and Irrigation Company and Alvin T. Williams. On August 18, 1976, a protest was received from Lester W. Atkinson, and on August 24, 1976, the Department received an additional protest from Ruth Martin Lewis. On August 16, 1976, the applicant amended the point of diversion of said application.

The Department has set the matter of protests for conference and/or hearing for Thursday, November 4, 1976, at 1:30 p.m., in the Commissioners Room of the Oneida County Courthouse, Malad City, Idaho. Any hearing will be held in accordance with the Rules and Regulation of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

Any party may request in writing five (5) days before any hearing that the oral proceedings thereof be taken in the form of stenographic notes. Any party may have such stenographic notes of the oral proceedings, or part thereof, transcribed at his own expense. A taped record of the proceedings will be maintained for the appeal period.

Failure to appear at the time and place set for hearing by the applicant or protestants may allow the Department without prejudice to dismiss the protests or the application. Any and all cost incurred by reason of such non-appearance may be assessed against such non-appearing parties.

Dated this 26th day of October, 1976.

  
LOREN O. HOLMES  
Assistant Regional Supervisor

RECEIVED  
OCT 27 1976  
WATER RESOURCES  
DIVISION

August 24, 1976

RE: Application for Permit No. 15-7032 (Amended) MELVIN J. DAVIS

Mr. Lester W. Atkinson  
Rt. #1, Box 42B  
Malad City, Idaho 83252

Dear Mr. Atkinson:

Please be advised that Melvin J. Davis has amended the above referenced application showing the point of diversion in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ , Sec. 33, T. 15S, R. 35E, instead of the previously advertised point in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ , Sec. 34, T. 15S, R. 35E.

If this change has any bearing on the protest previously filed, please contact us on or before September 13, 1976. If we do not hear from you by that time we will proceed with the scheduling of a conference and/or hearing in this matter.

Very truly yours,

RONALD D. CARLSON  
Supervisor,  
Eastern Region

RDC:CW

Letter sent to: Samaria Water & Irrigation  
Alvin T. Williams  
Ruth Martin Lewis

cc: Bob Fleenor  
Melvin J. Davis



STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
EASTERN DISTRICT

Cecil D. Andrus  
Governor

August 24, 1976

1515 Lincoln Road  
Idaho Falls, Idaho 83401  
(208) 523-7186

R. Keith Higginson  
Director

RE: Application for Permit No. 15-7032 MELVIN J. DAVIS

Ruth Martin Lewis  
P.O. Box 224  
Pocatello, Idaho 83201

Dear Ms. Lewis:

This is to acknowledge receipt of your protest to issuance of a permit pursuant to the above referenced application. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for permit (Section 42-203, Idaho Code):

- (1) Will the proposed use reduce the quantity of water under existing water rights?
- (2) Is the proposed water supply insufficient for the purposes intended?
- (3) Is the application made in good faith or for delay or speculative purposes?
- (4) Has the applicant sufficient financial resources with which to complete the project?

The Department may reject an application and refuse issuance of a permit, partially approve the permit, approve the permit for a quantity of water less than applied for, or approve the permit subject to special conditions.

A permit issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the individuals concerned through action outside of the water right proceedings.

You will be notified at a later date as to the time and place set for conference and/or hearing to discuss the matters of protest. If we may be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON  
Supervisor,  
Eastern Region

RDC: CW

cc: IDWR - State Office



**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
EASTERN DISTRICT

Cecil D. Andrus  
Governor

August 24, 1976

1515 Lincoln Road  
Idaho Falls, Idaho 83401  
(208) 523-7186

R. Keith Higginson  
Director

Melvin J. Davis  
Box 44A  
Malad City, Idaho 83252

Dear Mr. Davis:

We have enclosed a copy of the protest filed against the issuance of a permit pursuant to your Application No. 15-7032. You should be aware that the following are the principal items we can consider at a conference and/or hearing in either approving or denying an application for permit (Section 42-203, Idaho Code):

- (1) Will the proposed use reduce the quantity of water under existing water rights?
- (2) Is the proposed water supply insufficient for the purposes intended?
- (3) Is the application made in good faith or for delay or speculative purposes?
- (4) Has the applicant sufficient financial resources with which to complete the project?

The Department cannot allow a permit for irrigation purposes which would entail the use of more than a continuous flow of 0.02 cubic feet per second of water for each acre of land, or an annual amount of 5 acre feet for each acre of land, unless the applicant can show that more is required (Section 41-202, Idaho Code).

A permit issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the applicant through action outside of the water right proceedings.

You will be notified at a later date as to the time and place set for a conference and/or hearing to discuss the matters of protest. Legal counsel is not mandatory at any proceeding before the Department, although you may desire to employ an attorney in your behalf.

If we may be of any assistance, please contact us.

Very truly yours,

RONALD D. CARLSON  
Supervisor,  
Eastern Region

RDC:CW

cc: IDWR - State Office

RECEIVED

AUG 24 1976

Department of Water Resources  
Eastern District Office

Presnell, Shirley  
Aug 22, 1975

Mr. Ron Carlson,  
Regional Supervisor  
Ile Lake Department of Water  
Resource  
New Mr. Carlson.

I am writing  
this letter as a formal  
notice of application  
No 15-7032, sub-  
mitted by Melvin  
De Haan to appropriate  
waters owned by Int-  
l Great Water Right  
Agency, and the same  
Water Regulation Company  
I am a in

dependent matter right  
summed, entitled to  
use of these matter  
once a week.

I would appreciate  
an statement concerning  
this matter. by return  
mail.

Yours truly  
Bert M. Lewis  
625 N. Hayes  
Portland, Idaho  
P. O. Box 224

August 20, 1976

RE: Amended Application for Permit No. 15-7032 HARRIS

Idaho Enterprise  
P.O. Box 205  
Malad City, Idaho 83252

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

RONALD D. CARLSON  
Supervisor,  
Eastern Region

Bill submitted 9-07-76 by Cul

RDC:CW

Enc: Legal Notice (1)

**NOTICE OF AMENDED  
APPLICATION FOR  
WATER PERMIT**

**NOTICE IS HEREBY GIVEN** that Application for Permit No. 15-7032 in the name of Melvin J. Davis was filed for the diversion of 0.02 c.f.s. of water from springs with point of diversion within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ , Sec. 34, T. 15S, R. 35E, B.M., Oneida County; to be used from Jan. 1 to Dec. 31 for stockwatering purposes for 25 beef cattle within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 27, T. 15S, R. 35E, B.M.

The applicant now proposes to amend Application No. 15-7032 changing the point of diversion to the NE $\frac{1}{4}$ NE $\frac{1}{4}$ , Sec. 33, T. 15S, R. 35E, B.M., Oneida County.

Any protest to the proposed amending of the application must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401, on or before September 13, 1976.

**R. KEITH HIGGINSON**  
Director

Published in the Idaho Enterprise on August 26 and September 2, 1976.

NOTICE OF AMENDED APPLICATION FOR WATER PERMIT

Notice is hereby given that Application for Permit No. 15-7032 in the name of Melvin J. Davis was filed for the diversion of 0.02 c.f.s. of water from springs with point of diversion within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ , Sec. 34, T. 15S, R. 35E, B.M., Oneida County; to be used from Jan. 1 to Dec. 31 for stockwatering purposes for 25 beef cattle within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 27, T. 15S, R. 35E, B.M.

The applicant now proposes to amend Application No. 15-7032 changing the point of diversion to the NE $\frac{1}{4}$ NE $\frac{1}{4}$ , Sec. 33, T. 15S, R. 35E, B.M., Oneida County.

Any protest to the proposed amending of the application must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401, on or before September 13, 1976.

R. KEITH HIGGINSON

Director

Published in the Idaho Enterprise on August 26 and September 2, 1976.

RECEIVED  
SEP 13 1976  
IDAHO DEPT. OF WATER RESOURCES

Me. J.  
Me. H.  
Me. G.

August 19, 1976

RE: Application for Permit No. 15-7032

Mr. Melvin J. Davis  
Box 44A  
Malad City, Idaho 83252

Dear Mr. Davis:

Enclosed please find an additional protest submitted against the above referenced application by Lester W. Atkinson.

Very truly yours,

**RONALD D. CARLSON**  
Supervisor,  
Eastern Region

RDC: CW

**Enclosure**

cc: IDWR - State Office



# STATE OF IDAHO

## DEPARTMENT OF WATER RESOURCES

EASTERN DISTRICT

Cecil D. Andrus  
Governor

August 19, 1976

1515 Lincoln Road  
Idaho Falls, Idaho 83401  
(208) 523-7186

R. Keith Higginson  
Director

RE: Application for Permit No. 15-7032 DAVIS

Mr. Lester W. Atkinson  
Rt. #1, Box 42B  
Malad City, Idaho 83252

Dear Mr. Atkinson:

This is to acknowledge receipt of your protest to issuance of a permit pursuant to the above referenced application. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for permit (Section 42-203, Idaho Code):

- (1) Will the proposed use reduce the quantity of water under existing water rights?
- (2) Is the proposed water supply insufficient for the purposes intended?
- (3) Is the application made in good faith or for delay or speculative purposes?
- (4) Has the applicant sufficient financial resources with which to complete the project?

The Department may reject an application and refuse issuance of a permit, partially approve the permit, approve the permit for a quantity of water less than applied for, or approve the permit subject to special conditions.

A permit issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the individuals concerned through action outside of the water right proceedings.

You will be notified at a later date as to the time and place set for conference and/or hearing to discuss the matters of protest. If we may be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON  
Supervisor,  
Eastern Region

RDC: CW

cc: IDWR - State Office

RECEIVED

AUG 18 1976

Department of Water Resources  
Eastern District Office

Aug-17-1976

Mrs Ron Carlson  
Regional Supervisor  
Idaho Div of Water Resources  
1515 Lincoln Road  
Idaho Falls Idaho 83401

Dear Mrs Carlson

I am writing about the application  
no. 15-7032 Dated 7/26/76  
wherein Mr Melvin J Davis filed a  
application for water permit usage in  
the area described in the Idaho Enterprise  
Dated Aug 5, 1976

I have a independant water right and  
I was wondering if it is going to make  
a difference with it, I want to protest  
it but if it is a stream that we  
havent been getting and wont make  
any difference with our water, so  
if it takes our water I want to  
protest it

Thanks  
Foster W Atkinson  
Rt 1 Box 42B  
Malad Idaho 83252



**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
EASTERN DISTRICT

Cecil D. Andrus  
Governor

August 13, 1976

1515 Lincoln Road  
Idaho Falls, Idaho 83401  
(208) 523-7186

R. Keith Higginson  
Director

Mr. Melvin J. Davis  
Box 44A  
Malad City, Idaho 83252

Dear Mr. Davis:

We have enclosed a copy of the protest filed against the issuance of a permit pursuant to your Application No. 15-7032. You should be aware that the following are the principal items we can consider at a conference and/or hearing in either approving or denying an application for permit (Section 42-203, Idaho Code):

- (1) Will the proposed use reduce the quantity of water under existing water rights?
- (2) Is the proposed water supply insufficient for the purposes intended?
- (3) Is the application made in good faith or for delay or speculative purposes?
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You will be notified at a later date as to the time and place set for a conference and/or hearing to discuss the matters of protest. Legal counsel is not mandatory at any proceeding before the Department, although you may desire to employ an attorney in your behalf.

If we may be of any assistance, please contact us.

Very truly yours,

RONALD D. CARLSON  
Supervisor,  
Eastern Region

RDC: CW

Enclosures (2) Protests  
cc: IDWR - State Office



STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
EASTERN DISTRICT

Cecil D. Andrus  
Governor

August 13, 1976

1515 Lincoln Road  
Idaho Falls, Idaho 83401  
(208) 523-7186

R. Keith Higginson  
Director

RE: Application for Permit No. 15-7032 MELVIN J. DAVIS

Mr. Alvin T. Williams  
Rt. #1, Box 42-C  
Malad City, Idaho 83252

Dear Mr. Williams:

This is to acknowledge receipt of your protest to issuance of a permit pursuant to the above referenced application. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for permit (Section 42-203, Idaho Code):

- (1) Will the proposed use reduce the quantity of water under existing water rights?
- (2) Is the proposed water supply insufficient for the purposes intended?
- (3) Is the application made in good faith or for delay or speculative purposes?
- (4) Has the applicant sufficient financial resources with which to complete the project?

The Department may reject an application and refuse issuance of a permit, partially approve the permit, approve the permit for a quantity of water less than applied for, or approve the permit subject to special conditions.

A permit issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the individuals concerned through action outside of the water right proceedings.

You will be notified at a later date as to the time and place set for conference and/or hearing to discuss the matters of protest. If we may be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON  
Supervisor,  
Eastern Region

RDC: CW

cc: IDWR - State Office



**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
EASTERN DISTRICT

Cecil D. Andrus  
Governor

August 13, 1976

1515 Lincoln Road  
Idaho Falls, Idaho 83401  
(208) 523-7186

R. Keith Higginson  
Director

RE: Application for Permit No. 15-7032 MELVIN J. DAVIS

Mr. Clyde Chugg, President  
Samaria Water & Irrigation Company  
136 N. 100 W.  
Malad City, Idaho 83252

Gentlemen:

This is to acknowledge receipt of your protest to issuance of a permit pursuant to the above referenced application. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for permit (Section 42-203, Idaho Code):

- (1) Will the proposed use reduce the quantity of water under existing water rights?
- (2) Is the proposed water supply insufficient for the purposes intended?
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- (4) Has the applicant sufficient financial resources with which to complete the project?

The Department may reject an application and refuse issuance of a permit, partially approve the permit, approve the permit for a quantity of water less than applied for, or approve the permit subject to special conditions.

A permit issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the individuals concerned through action outside of the water right proceedings.

You will be notified at a later date as to the time and place set for conference and/or hearing to discuss the matters of protest. If we may be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON  
Supervisor,  
Eastern Region

RDC: CW

cc: IDWR - State Office

RECEIVED

AUG 13 1976

Department of Water Resources  
Eastern District Office

August 11, 1976

Mr. Ron Carlson  
Regional Supervisor  
Idaho Department of Water Resources  
1515 Lincoln Road  
Idaho Falls, Idaho 83401

Dear Mr. Carlson:

Reference to our telephone conversation this A.M. I am writing this letter protesting Application No. 15-7032 dated July 26, 1976 wherein Mr. Melvin J. Davis filed for water permit usage in the area described in the Idaho Enterprise issue dated August 5, 1976.

I along with other individuals own independant water rights and the remainder (which is the major portion) of the water is owned by the Samaria Water Irrigation Company.

This letter is written as a formal protest to Mr. Davis acquiring any water use by a pipeline method from these privately owned waters

Sincerely  
Alvin F. Williams  
Alvin F. Williams

Route #1, Box 42C  
Malden, Idaho 83252

RECEIVED

RECEIVED

AUG 13 1976

Department of Water Resources  
Eastern District Office

136 N. 100 W.  
Malad, Idaho 83252

August 11, 1976

Mr. Ron Carlson  
Regional Supervisor  
Idaho Department of Water Resources  
1515 Lincoln Road  
Idaho Falls, Idaho 83401

Dear Mr. Carlson:

I Clyde Chugg duly elected president of Samaria Water & Irrigation Company consisting of 83 share holders hereby protest Application No. 15-7032 submitted by Melvin J. Davis July 26, 1976, for the use of water as described in the Idaho Enterprise issue date of August 5, 1976.

This action is the result of a Samaria Water & Irrigation Company board meeting held at 8:00 P.M., August 10, 1976. Following board members were in attendance:

John W. Price  
Neal Hughes  
Spencer Atkinson  
Alvin Williams  
Deverl John  
Dave G. Higley  
Clyde Chugg

Water described in Mr. Davis' Application No. 15-7032 is owned by the Samaria Water & Irrigation Company and three independent share holders.

Sincerely yours,

*Clyde Chugg*

Clyde Chugg, President  
Samaria Water & Irr. Co.

15-7032

July 28, 1976

RE: Application for Permit No. 15-7032 DAVIS

Idaho Enterprise  
P.O. Box 205  
Malad City, Idaho 83252

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

RONALD D. CARLSON  
Supervisor,  
Eastern Region

Bill submitted 8-16-76 by aw

RDC:CW

Enc: Legal Notice (1)

RECEIVED

**NOTICE OF APPLICATION  
FOR WATER PERMIT**

Notice is hereby given that Melvin J. Davis, Malad City, Idaho has on 7-26-76 submitted Application No. 15-7032 for a permit to appropriate 0.02 cubic feet per second of water from springs by means of headbox and pipeline within the N $\frac{1}{4}$ W $\frac{1}{4}$ , Sec. 34, T. 15S, R. 35 E, B.M., Oneida County; to be used from Jan to Dec. 31 for stockwatering purposes for 25 beef cattle within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 27, T. 15S., R. 35E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before August 23, 1976.

**R. KEITH HIGGINSON**  
Director

Published in the Idaho Enterprise, Malad City, Idaho on August 5, and August 12, 1976.

*Called  
8-24-76  
aw*

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Melvin J. Davis,

Malad City, Idaho

has on 7-26-76 submitted Application No. 15-7032  
for a permit to appropriate 0.02 cubic feet per second ~~above right of way~~  
of water from springs  
by means of headbox and pipeline  
within the NW 1/4, Sec. 34, T. 15S, R. 35E, B.M., Oneida County;

to be used from Jan. 1 to Dec. 31  
for stockwatering purposes for 25 beef cattle

within the SW 1/4, Sec. 27, T. 15S, R. 35E, B.M.

If issued, this permit will be subject to all prior water rights. Protests  
against the granting of the permit must be filed with the Idaho Department of  
Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before \_\_\_\_\_  
August 23, 1976.

R. KEITH HIGGINSON

Director

Published in the Idaho Enterprise, Malad City, Idaho

on August 5 and August 12, 1976

MICROFILMED

me. J. H. 11-2-76

July 28, 1976

RE: Application for Permit No. 15-7032

Bureau of Land Management  
940 Lincoln Road  
Idaho Falls, Idaho 83401

Gentlemen:

Please be advised that the above referenced application has been filed by Melvin J. Davis. He has indicated that the point of diversion is located on Bureau of Land Management land, and is aware that he must obtain an easement from your office.

If you have any further questions in regards to this matter, please feel free to contact this office.

Very truly yours,

RONALD D. CARLSON  
Supervisor,  
Eastern Region

RDC:GW

Enclosure

cc: Melvin J. Davis

RECEIVED  
JUL 29 1976

July 28, 1976

RE: Application for Permit No. 15-7032

Mr. Melvin J. Davis  
Box 44A  
Malad City, Idaho 83252

Dear Mr. Davis:

Attached herewith is departmental receipt No. 2481 in the amount of \$10.00  
for the above referenced application.

Very truly yours,

RONALD D. CARLSON  
Supervisor,  
Eastern Region

RDC:CW

Attachment

UNRECORDED

These springs are to the west and  
north of Thomas Davis Springs and  
are across the canyon from them.

They have no name - Sorry to  
make so much work for you. Your advice on  
the name of the springs would be appreciated.

July 21, 1976

Malvin J. Davis  
Box 44A  
Malad City, Idaho 83252

Dear Mr. Davis:

It is again necessary we return your check No. 92-86 in the amount of \$10.00 and your application for signature at the red check on the bottom of Page 3.

Please note we have completed Item 3a, 8a(1), and the map under Item 11. We are assuming the springs you obtain your water from is not the Thomas Davis Springs. If not, and they do not have a name, perhaps we should call them unnamed springs, please advise.

Review the returned application and if it meets with your approval, please sign your name as it appears in Item 1 and return with the statutory filing fee of \$10.00 for further processing.

If you have any questions concerning this matter, please feel free to contact this office.

Very truly yours,

LOY H. JOHNSON  
Senior Water Resource Agent

LHJ:CW

Attachment

Enclosure

MICROFILM

July 9, 1976

Mr. Melvin J. Davis  
Box 44A  
Malad City, Idaho 83252

Dear Mr. Davis:

Enclosed please find your application for permit. We find it necessary to return this application as the statutory filing fee was not included and several changes were necessary.

We have taken the liberty of typing a partially completed application for your review and have enclosed a Quad Map showing your area. In Item 3, the point of diversion needs to be clarified to the nearest 40-acre subdivision. Item 8a(1), should list the proposed place of use. If you would prefer, you may indicate these locations on the Quad Map and we will transfer the legal descriptions to your application.

Item 8c, please indicate any other water rights you have for the same purpose. If none, please state.

Review this application for correctness and complete the necessary items, sign at the bottom of Page 3 exactly as your name appears in Item 1, and return with the statutory filing fee of \$10.00 for further processing.

If you have any questions concerning this matter, please feel free to contact this office.

Very truly yours,

LOREN O. HOLMES  
Assistant Regional Supervisor

LOH:CW

Enclosures

MINUTEMAN

DEPARTMENT OF WATER RESOURCES  
- STAFF ANALYSIS -

*Melvin J. Davis*

Item Initial Date

Application No. 15-7032

- ☒ Source  
☒ Point of Diversion  
☒ County  
☒ Quantity of Water and Period of Use  
☒ Description of Diverting Works  
☒ Time required for B/U of water  
☒ Place of Use or Acres Irrigated  
☒ Map  
☒ Signature  
☒ Fee

- (1) JAY 7/27/76 In form to receipt yes
- (2) " " Send Copies to:  
Idaho State Health Department  
Idaho Fish and Game Department  
☒ Bureau of Land Management
- (3) " " Request Special Use Permit from U.S.F.S.  
☒ Request Easement from B.L.M.  
Request Information from Applicant
- (4) " " In form for advertising yes
- (5) " " Platted on Map No. DD-90
- (6) " " Located within Water District No. NA
- (7) " " NA Critical groundwater area: yes no
- (8) " " Groundwater levels:  
NA Declining, Stable, Increasing  
(comment) \_\_\_\_\_
- (9) " " Other rights on the same place of use None
- (10) " " Comments: No other water known
- (11) aw 2-07-76 Annual Affidavit of Publication received (date) Sept. 7, 1976  
aw 8-16-76 Aug. 16, 1976
- (12) aw 9-13-76 Final date for protests Sept. 13, 1976  
Protests received: yes ☒ no August 23, 1976
- (13) LA 12-16-77 All requested information received from agencies or applicant: yes ☒ no no
- (14) LA 12-16-77 Action recommended:  
☒ Approve Deny
- 7-20-76 Proposed Priority  
Reason for Reduction \_\_\_\_\_  
NO Measuring device required  
See attached sheet for other conditions of approval  
No special conditions for approval
- (15) District E By Loren O'Halloran Date 12-16-77

*Approved  
Copy 116  
116*