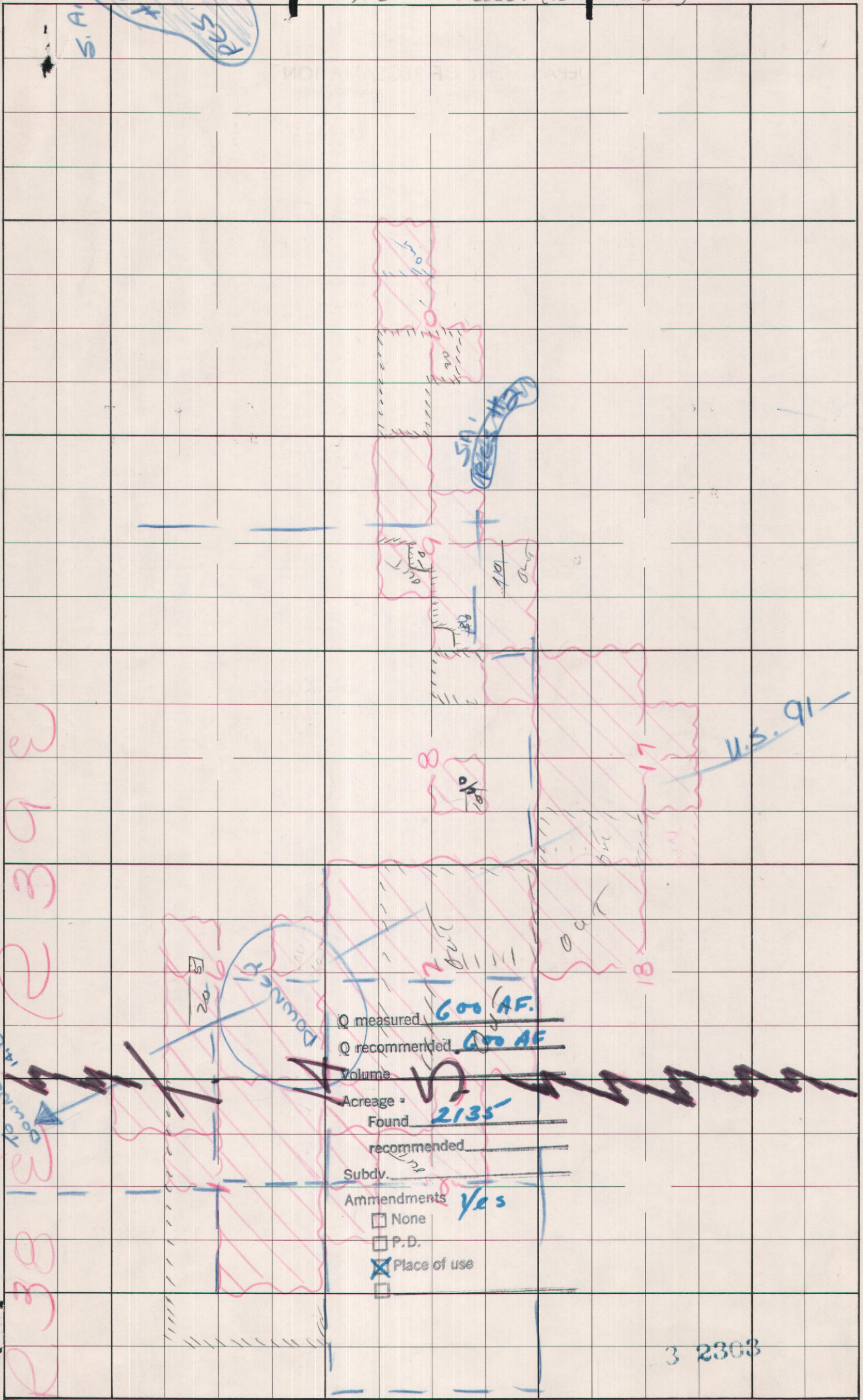
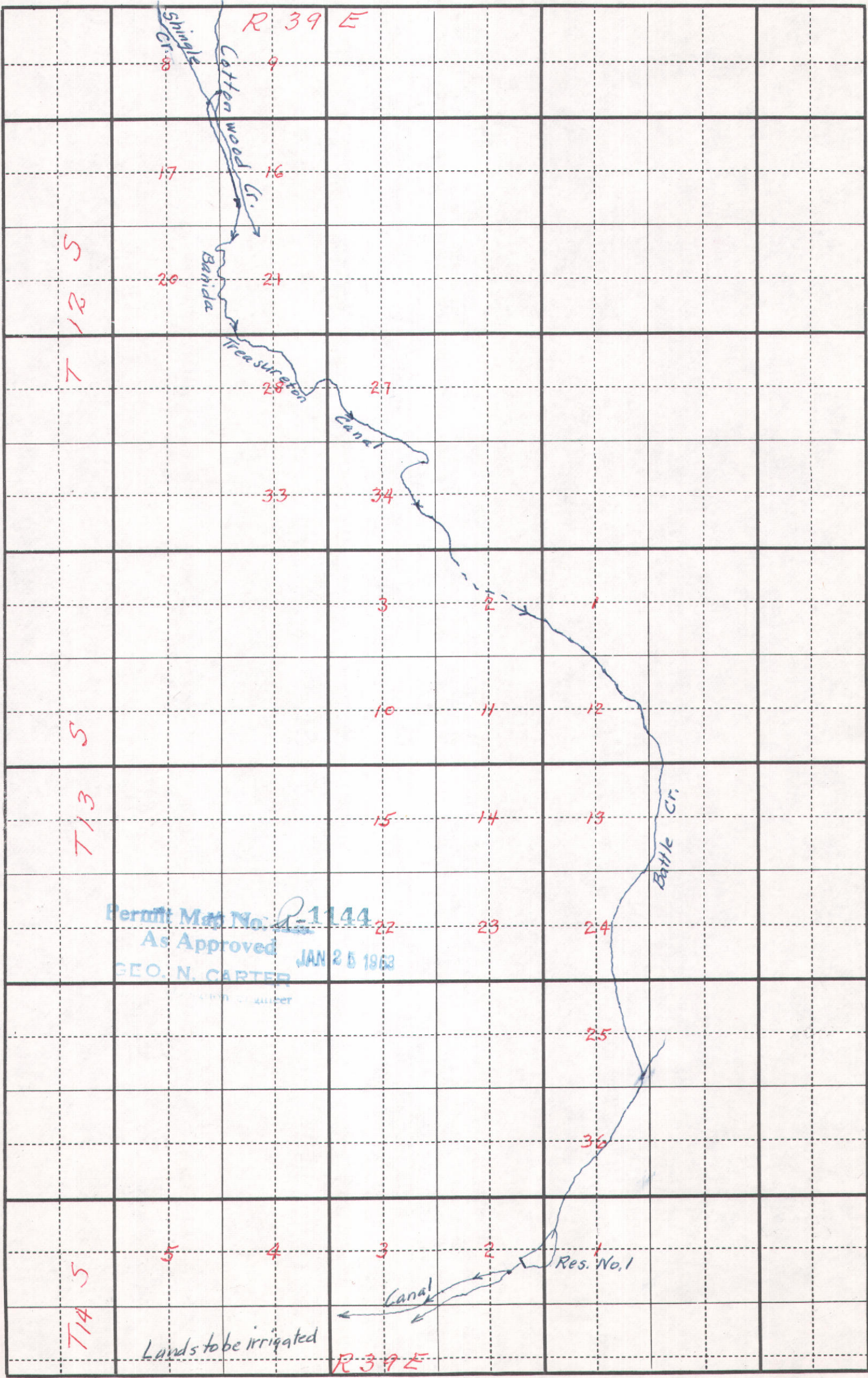


Hugh J. Geddes (water master)



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



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

IN THE MATTER OF AMENDING LICENSE
NO. 13-2303 IN THE NAME OF
STRONGARM RESERVOIR IRRIGATION DISTRICT

ORDER

WHEREAS, on January 18, 1963, Strongarm Reservoir Irrigation District filed an Application for Permit No. R-1144 (new number 13-2303) to appropriate 600 acre-feet of water from Shingle Creek and Cottonwood Creek to be stored in Strongarm Reservoir; and,

WHEREAS, on June 25, 1973, a water right license was issued for the storage and use of 600 acre-feet of water from Shingle Creek and Cottonwood Creek with the storage allowed during the period of November 2 to March 31 and the use for irrigation allowed during the period of April 1 to November 1 of each year; and,

WHEREAS, in the decree of the United States District Court entitled Utah Power and Light Company v. The Last Chance Canal, et. al. dated July 14, 1920, a season of use for irrigation was decreed on page ten as follows:

"'Irrigation Rights' include the right to divert and use water for irrigation, culinary, domestic, and agricultural purposes connected therewith, throughout the irrigation season of each year, which is defined as that portion of each calendar year which commences on the 20th day of April and closes on the 30th day of September; subject to the qualification, however, that between the 20th and 30th days of April of each year, and the 15th and 30th days of September of each year, inclusive of each of said days, no irrigation appropriator shall divert or use more than 40 per cent of his or its allotment under the "Schedule of Rights" hereinafter prescribed except as is hereinafter specifically provided in the "Schedule of Rights.""

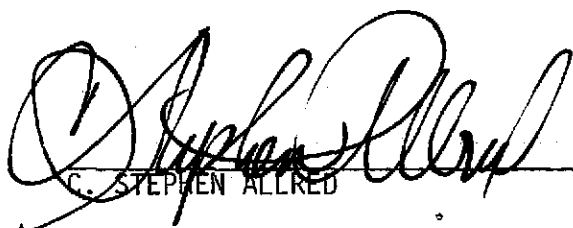
WHEREAS, License No. 13-2303 in error, did not recognize the irrigation season established in the decree;

IT IS, THEREFORE, HEREBY ORDERED That the season of storage and use on License No. 13-2303 shall be amended as follows:

Storage for irrigation from October 1 to April 19 of each year

Irrigation from April 20 to September 30 of each year

Dated this 15 day of October, 1979.


C. STEPHEN ALLRED
Director

State of Idaho
Department of Water Resources

AMENDED WATER RIGHT LICENSE

License of Water Right No. R-1144/13-2303 Priority January 18, 1963 Amount 600 acre feet

THIS IS TO CERTIFY, that STRONGARM RESERVOIR IRRIGATION DISTRICT
of Preston, Idaho, has complied with the terms and conditions of Permit
No. R-1144/13-2303 issued pursuant to Application for Permit dated January 18, 1963,
and has submitted proof to the Department of Water Resources on December 15, 1969,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the ^{storage} diversion of 600 acre feet of water from Shingle Creek (200 af)
Cottonwood Creek (400 af),
tributary to Bear River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Storage for Irrigation	from <u>October 1</u> to <u>April 19</u> at <u>N/A</u> cfs and <u>600 acre feet</u>		
Irrigation from storage	from <u>April 20</u> to <u>September 30</u> at <u>N/A</u> cfs and <u>600 acre feet</u>		
	from _____ to _____ at _____ cfs and _____		
	(both dates inclusive)		

Subject, however, to the condition that no more than 600 acre feet of water be ^{stored} ~~diverted~~ at any one time, and
that the amount of water so ^{stored} ~~diverted~~ and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
600 acre feet per year, said waters to be ^{stored} ~~diverted~~ within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ (2 points) Sec. 8,
Twp. 12S, Rge. 39E, B.M. in the County of Franklin

Description and location of place of use: See land list attachment:

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

Total number of acres irrigated _____

Water shall be diverted under this license only when there is
not sufficient water in Battle Creek to fill Strongarm Reservoirs
1 and 2.

NOTE: 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 right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 15 day of
October, 19 79.

Director

LAND LIST ATTACHMENT

[illegible]

13 9303

State of Idaho
Department of Water Administration
LICENSE OF WATER RIGHT

License of Water Right No. R-1144/13-2303 Priority Jan. 18, 1963 Amount 600 acre feet

THIS IS TO CERTIFY, that Strongarm Reservoir Irrigation District
of Preston, Idaho, has complied with the terms and conditions of Permit
No. R-1144/13-2303 issued pursuant to Application for Permit dated January 18, 1963,
and has submitted proof to the Department of Water Administration on December 15, 1969,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 600 acre feet, and that the water has in fact been applied to a
beneficial use; a right to the use of water from Shingle Cr. (200 af) & Cottonwood Cr. (400 af)
tributary of Bear River, is hereby confirmed in the following amounts:
Amount 600 af for Storage for from Nov. 2 to Mar. 31 (both dates inclusive)
Amount _____ for Irrigation from _____ to _____ (both dates inclusive)
Amount 600 af for Irrigation from April 1 to Nov. 1 (both dates inclusive)
Subject, however, to the condition that no more than 600 acre feet of water be diverted at
any one time, said waters to be diverted within the _____

SE $\frac{1}{4}$ SE $\frac{1}{4}$ (2 points), Sec. 8, Twp. 12 S, Rge. 39 E, B. M.
in the county of Franklin; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 600 acre feet per year ~~per~~
~~acre feet per acre.~~

Description and location of place of use: See Land List Attachment

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

Total number of acres irrigated 2,135

Water shall be diverted under this license only when there is not sufficient water
in Battle Creek to fill Strongarm Reservoirs 1 and 2.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 25th day of

June, 19 73.


Director

13 2303

RECEIVED

MAY 10 1975
#10-00 Permit #7187
Department of Water Administration
Eastern District Office

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR AMENDMENT

Permit No. 13-2303

Comes now Strongarm Reservoir, Irrigation Dist. of (address)

Preston, Idaho, and represents to the State Reclamation
Department of Water Administration

That he is the owner and holder of Permit to Appropriates the Public Waters of the State of Idaho
No. 13-2303, and requests that the permit and permit map be changed as follows:

1. Point of diversion: same 1/4 1/4, Sec. J.

R. B.M. Other points of diversion

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

SAME mo. - day mo. - day
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)
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)
Amount for purpose from to (both dates inclusive)
(cfs or acre-feet per annum)

3. Place of use or land to be irrigated:

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
14S	38E	1	40		40	40			40	40	40	40	40	40	40	40	40	40	520
		2				40									40			40	120
		12	40	40		40	40								40	40			240
14S	39E	6			5				40	20	40	40	40	40			40		265
		7	40	40			40	40											160
		8									40				40			40	120
		9			40	40				10	40	40	40			40			250
		10			40				40	40	20								140
		17	40	40	40	40	40			40	40					40			320

Total number of acres to be irrigated

2135

13 2303

Scale: 2 inches equal 1 mile

451

This 9th day of May 1973

R. KEITH HIGGINSON

_____ hereby approve the above application for amendment of Permit No. 13-2303.

MAY

72 61

R38E R39A

2

10 6

12

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8 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

17

13 2303

T14S

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Franklin

ss.

Wayne D. Bell

being duly sworn,

deposes and says:

That he is the *Co-publisher* of THE PRESTON CITIZEN, a weekly newspaper published at Preston, in the County of Franklin and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Preston; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for *Two* consecutive weeks in the regular and entire issue of said paper during the period and time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

January 1

, 19 *70*, and ending

with the issue of

January 8, 19 *70*

Fees, \$ *14.26*

Subscribed and sworn to before me this *15th* day

of *January*, 19 *70*.

Beverly W. Mortensen

Notary Public, Residing at Preston, Idaho

My Commission Expires *Feb.*, 19 *73*.

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that the Strongarm Reservoir Irrigation District, Preston, Idaho, has received an approved permit No. R-1144 issued by the Idaho State Reclamation Department authorizing the storage of 600 acre feet per annum of water from Shingle and Cottonwood Creeks tributary of Bear River, subject to all prior rights. The priority to be established under this permit is January 18, 1963 and the permit was approved January 25, 1963. Water is to be diverted by earth and concrete dams and canals from 2 points within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 8, T. 12 S, R. 39 E, B.M., Franklin County, to be used for irrigation in the E $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$, Sec. 1; E $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 12, T. 14 S, R. 38 E, B.M., and in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 8; all of Sec. 7; NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 8; S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 9, S $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 10; N $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17; NE $\frac{1}{4}$, Sec. 18, T. 14 S, R. 39 E, B.M.

Proof of the application of the water to beneficial use is to be submitted to the Department on or before January 25, 1970. Any protests against the issuance of a license for the above referenced permit should be filed with the Department of Reclamation within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON
State Reclamation
Engineer

Published in the Preston Citizen, Preston, Idaho, on January 1 and January 8, 1970.

Legal No. 1664-Pub. Jan. 1, 8, 1970.

13 2303

BEFORE THE STATE RECLAMATION ENGINEER

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. R-1144)
in the name of Strongarm Reservoir)
Irrigation District, Preston, Idaho)

ORDER MODIFYING REQUIREMENTS
FOR COMPLETION OF PERMIT TO
APPROPRIATE WATER

WHEREAS, the 39th Idaho Legislature made certain amendments to the Idaho Water Law;
and,

WHEREAS, these changes raised questions as to the procedures to be followed by
holders of permits issued prior to the effective date of the amendments, May 31, 1967;
and,

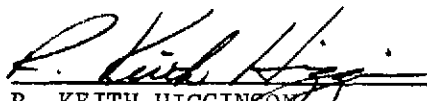
WHEREAS, on August 1, 1968, the Department of Reclamation adopted Rules of Practice
and Procedures for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. R-1144 was issued previous to that date;

NOW THEREFORE, the requirements for completion of the above-numbered permit are
hereby modified to conform to the adopted Rules of Practice and Procedures as follows:

1. The above-numbered permit will be completed under the terms of Title 42,
Chapter 2, Idaho Code, as amended by the 39th Idaho Legislature.
2. The conditions of the above-numbered permit are modified as follows:
 - a. Notice of the issuance of the permit will be published at the permit
holders expense for two weekly issues in the official newspaper of
the county in which the point of diversion lies.
 - b. The permittee will not be required to submit proof of completion
of works as originally specified, but will be required to submit
proof to the Department of Reclamation of the application of the
water to beneficial use on or before January 25, 1970. The per-
mit holder should be aware that failure to complete one-fifth
(1/5) of the works within one-half (1/2) of the time originally
set for Completion of Works may be grounds for cancellation at
the instance of the Department.

Dated this 18th day of July, 1969.


R. KEITH HIGGINSON
State Reclamation Engineer

13 2303

R-1144

Identification No. _____

Permit No. R-1144

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Strongarm Reservoir Irrigation District
b) Post Office Address Route 3 Preston, Idaho
2. Permit Number R-1144
3. Date of Priority that you are prepared to establish January 25, 1963
4. a) Source from which water was appropriated Shingle Creek and Cottonwood Creek
b) Location of the point of diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 8
Township 12 S, Range 39E Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
amount 600 acre feet for Irrigation purposes from April 15 to Oct. 1 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
600 acre feet
b) Total amount appropriated _____ cfs and/or acre feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: Hugh J. Gaddes Water Master
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: Banida Treasurton Canal
b) Describe the agreement or understanding by which you take water from the works: _____
As of this date it has been done voluntarily by the water master of
the Banida Treasurton Irrigation Company.
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) Source of diversion is Concrete
Headgate on Cottonwood Creek, to Strongarm Reservoir No. 1 and from there
distributed in the existing ditches to the places of use.
b) Describe the type and size of measuring device which you have installed at your point of diversion: _____
A two foot Parshall Flume.
c) Give well drillers name and address and date the well was completed _____

EXAMINER TYPED
1-19-70 JMS

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision:

TWP.	RANGE	SEC.	NE 1/4				NW 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	
14 S.	38 E.	1	40	40	40	40	40	40	40	40	40	40	40	40	440
		12	40	40							40	40			210
14 S.	38 E.	6			5		40	20	40	40	40		40		265
		7	40	40	40	40	40	40	40	40	40	40	40	40	640
		8					10							40	50
		9	40	40			10	40	30	40	10		40		250
		10		40	40			20							100
		17	40	40	40	40	40	40	40	40			40		400
18	40	40	40	40	40	40	40	40	40	40	40	40	40	40	160

Total number of acres irrigated 2515.00

10. Remarks: 200 Acres West Shingle Creek 400 Acres East Cottonwood Creek

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

12/3/69 (Date)

J. L. Hedrick (Signature)

State of Idaho ss. County of Franklin

On this 13 day of Dec, 1969, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Notary Public residing at Preston, Idaho

My commission expires 3-4-70

PROTEST BY CLEVELAND IRRIGATION COMPANY
STAR ROUTE, PRESTON, IDAHO

TO: R. Keith Higginson
State Reclamation Engineer
State Of Idaho
Boise, Idaho

IN RE: Application - Strongarm Reservoir Irrigation
District, Preston, Idaho for the storage of 600 acre
feet per annum of water from Shingle and Cottonwood
Creeks, tributaries of Bear River.

Your protestant, Cleveland Irrigation Company, as and for its
protest to the application as filed by the Strongarm Reservoir Irriga-
tion District, Preston, Idaho, states:

I.

That it is the owner of and the holder of and has utilized the
waters of and at all times has applied the waters of Cottonwood Creek
since the year 1885 and in addition thereto has utilized and applied
to beneficial use all the waters that arise in Cottonwood Creek and
that the use so made by your said protestant is based upon a decree
of Judge Frank S. Dietrich of the District Court of the United States
for the District of Idaho, Eastern Division in the case of Utah Power
and Light, plaintiff vs. Last Chance Canal Company bearing date of
July 14, 1920 to be diverted from said Cottonwood Creek through a
ditch diverting therefrom in the Southeast quarter of Section 33,
Township 12 South, Range 40 East of the Boise Meridian for the irri-
gation of 700 acres located in the precinct of Cleveland, Franklin
(formerly Bannock) County, Idaho.

II.

That all of the said waters that were decreed in the decree
dated the 14th day of July, 1920 in the case of Utah Power and Light
vs. Last Chance Canal Company, et al, has been utilized by the
Cleveland Irrigation Company to whom the waters were decreed and
that all of the waters of said Cottonwood Creek have been applied

beneficially and there is not now any amount of water that has not been used and applied beneficially and there is no water of any type or kind that is subject to be filed upon, nor particularly, 600 acre feet per annum of the waters of Cottonwood Creek under application no. R-1144.

III.

That your protestant is a corporation duly organized and existing under and by virtue of the laws of the State of Idaho and as such is an operating company and in good standing and entitled to be heard on its protest. That if the permit to store 600 acre feet per annum of the water of the Shingle and Cottonwood Creeks is granted to the Strongarm Reservoir Irrigation District, it would cause great and irreparable damage to the protestant, to its shareholders and also to the other users of the waters of Shingle and Cottonwood Creeks and there is not sufficient or adequate waters to fulfill the rights of the various users who have used and utilized the waters of said Cottonwood Creek for more than 90 years and that decree in favor of your said protestant awards an amount of water as of the year 1885, and at all times since that time your said protestant and its shareholders have utilized together with all the other prior users and all persons having a priority all of the waters of said Cottonwood Creek.

IV.

That in addition to the waters mentioned in the decree above the water as determined as spring run-off has been used to the extent of approximately 25 second feet of water of said flood waters of said stream and that said spring run-off has been applied beneficially and that the lands are arid in character and need the application of water for the production of crops.

V.

That there is no unappropriated waters flowing in said Cottonwood Creek, that is, taking the waters that have been decreed to the

various persons, corporations and associations and the waters that have been utilized by the various persons, corporations and associations, which includes your said protestant, utilize all of the waters of said Cottonwood Creek and there is now no water to be appropriated from said stream.

VI.

That the seasons somewhat vary but throughout all of the years as hereinbefore stated there has been a shortage of water in Cottonwood Creek and the rights of certain of the parties to receive and apply the waters to beneficial use have not been filled and that no water has been permitted to go to waste nor has been wasted and that the diversion works of your protestant is efficient and proper for the taking of said waters from said Cottonwood Creek.

WHEREFORE, Your petitioner prays that the application to appropriate the waters as set forth in said application no. R-1144 be denied and that your petitioner herein be allowed its water as heretofore appropriated and the water as heretofore applied to the land of its shareholders and to all flood waters used by said shareholders of said protestant as well as all new waters on said Cottonwood Creek and that any right granted to even the high flow or high water right would be junior and inferior to the rights of your said protestant herein.

DATED this 20th day of January, 1970.

CLEVELAND IRRIGATION COMPANY

By Fred H. Anderson
Fred H. Anderson, Director

STATE OF IDAHO)
 : SS.
COUNTY OF FRANKLIN)

On this 20th day of January, 1970, before me, the undersigned notary public in and for said county and state personally appeared Fred H. Anderson, known to me to be the director of the Cleveland Irrigation Company and acknowledged to me that he executed the foregoing instrument in behalf of said corporation.

Dell W. Smith
Dell W. Smith, Notary Public
Preston, Idaho

R-1218
R-1144

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

APPLICATION FOR EXTENSION OF TIME *ew/pe*

~~Completion of Work~~

State of Idaho
County of Franklin

Permit No. R-1144

Strongarm Reservoir Irrigation District of Preston Idaho
(name) (address)

State of Idaho, being first duly sworn, upon his oath 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. R-1144.

That under the terms and conditions of said permit, work thereunder was required to be completed by January 25, 19 68.

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

Costing \$ _____

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit: unable to arrive at a fair and equitable agreement with Bonida Irrigation Company about cost-share and terms of use of the ditch.

WHEREFORE, he asks that the State Reclamation Engineer extend the time for the completion of obligations under said permit to January 25, 19 70.

Joseph C. Hedrick
(signature)

Subscribed and sworn to before me this 16th day of NOVEMBER, 19 67.

M. Russell Smith
(notary public)

My commission expires Jan 19, 1969.

Date of receipt at office of Department of Reclamation November 16, 1967.

ACTION OF STATE RECLAMATION ENGINEER

I, R. KEITH HIGGINSON, State Reclamation Engineer of the State of Idaho, hereby approve the above application for extension of time for Permit No. R-1144 to January 25, 1970.

Witness my hand this 26th day of March, 19 68.

R. Keith Higgins
State Reclamation Engineer

R-1144
Form 12

APPLICATION FOR PERMIT

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

Application No. R 38995
Permit No. R 1144

13-2303

1. Name of Applicant: Strongarm Reservoir Irrigation District

Post office address: Preston

County

Franklin

State

Idaho

I. If applicant is a corporation, give:

(a) Date and place of incorporation:

(b) Amount of Capital Stock: \$

(c) Amount paid in: \$

(d) Names and addresses of directors:

II. The financial resources of the corporation are:

(a) Cash on hand: \$

(b) Treasury Stock: \$

(c) Bonds to be issued: \$

(d) Other resources:

2. Quantity of water to be stored: 600

acre feet per annum.

3. Source of water supply is Shingle Creek - 200 A.F. (River) (Spring), a tributary of Bear River.
Cottonwood Creek - 400 A.F.

4. The outlet of the proposed reservoir is located (bearing) feet, distant from the corner of Section , Township , Range , B.M. and is in the NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 2 , Township 14 S. , Range 39 E. B.M. County of Franklin

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

(a) The reservoir is located in the channel of Battle (Creek) (River).

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

the corner of Section , Township , Range , B.M., and in the SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of

Section 8 , Township 12 S. , Range 39 E. , B.M.; width at bottom 11 feet, width at top 20

feet, depth of water 2 feet; average grade per mile 10 feet; Capacity 35 cubic feet per second

6. (a) The area of the high water line of the reservoir is 195.5 acres.

(b) The reservoir capacity is 1850 acre feet.

7. Height of reservoir dam 45 feet, length at top 500 feet, length at bottom 100 feet, size of outlet 35 inch

by 35 inch ~~water~~ The dam is to be constructed of materials as follows: Earth fill

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

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

Battle (Creek) (River)? No

(b) Water stored in reservoir will be carried in the channel of Battle (Creek) (River) a distance

of $\frac{1}{4}$ and 2 $\frac{1}{2}$ miles to point of diversion located at existing diversions feet, distant from the corner of Section

(bearing) NW $\frac{1}{4}$ Sec. 2, and NW $\frac{1}{4}$ Sec. 9, Township 14 S. , Range 39 E. , B.M., and in the $\frac{1}{4}$ of $\frac{1}{4}$ of Section

39 E. , B.M.

9. (a) Area of watershed above dam site 82 (Including Cottonwood & Battle Creeks) square miles.

(b) Estimated maximum flow of stream 1000 cubic feet per second.

10. Water is to be used for Irrigation purposes.

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

(a) Point of use of water feet, distant from Corner of Section , Township , Range (bearing) , B.M., and is in the $\frac{1}{4}$ of $\frac{1}{4}$ of Section , Township , Range , B.M.

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

(c) Water is to be returned to (Creek) (River) (Spring) at a point feet (bearing) , B.M. in

distant from the corner of Section , Township , Range

the $\frac{1}{4}$ of $\frac{1}{4}$ of Section , Township , Range , B.M.

Decreed Water

12. Water stored in accordance with this Permit will be carried to place of use through a canal heretofore constructed under the terms of ~~Permit No. R 1144~~

which is hereby referred to and made a part hereof.

13. Kind of diversion works: Earth and Concrete dams and canals (Dam, canal, flume, pipe, etc.)

14. Height of diversion dam: 6 and 8 feet, length at top 20 & 150 feet, length at bottom 15 feet. The dam is to be constructed

of materials as follows: upper diversion all concrete - lower diversion earth with concrete section.

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

Upper 2 1/2" gate - one on lower - control by stream gate
 15. Size of headgate: Width feet, Height feet.
 16. Diversion Canal: Width at bottom 5-6 feet, width at water line 12 feet, depth of water 4 feet, Dimensions of Flume
 Diameter of Pipe inches; Length of Conduit 6 miles. Average grade per mile 5 feet.
 17. Estimated Cost of Works: Storage Works: \$ in place Diversion Works: \$ 1000 repair canal
 18. Time required for completion of work 5 years.
 19. Time required for complete application of water to proposed beneficial use is 0 years.
 20. The land to be irrigated is described in the following tabulation:

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

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	
14 S	38 E	1	40		40	40					40	40	40	40	40	40	40	40	440
		12	40	40		40	10								40	40			210
14 S	39 E	6			5				40	20	40	40	40	40			40		265
		7	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		8									10							40	50
		9			40	40				10	40	30	40	10		40			250
		10			40	40					20								100
		17	40	40	40	40	40	40	40	40	40					40			400
		18	40	40	40	40													160

Total Number of Acres to Be Irrigated 2515

21. Existing rights and/or valid permits appurtenant to lands described above are Decreed water in Battle Creek - R-76 and R-689

REMARKS: This application is for water to supplement Battle Creek during low flood water years.

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

Strongarm Reservoir Irrigation District, Applicant.

By s/ Joseph C. Hadin, Agent.

Date of first receipt at Department of Reclamation: 11:00 A.M. January 18, 1963

Returned to applicant for correction:

Corrected application received:

APPROVAL OF STATE RECLAMATION ENGINEER

The number of this permit is R 1144

Recorded in book R 5, page 1144, Approved January 25, 1963

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

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

Work to begin on or before March 25, 1963 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before July 25, 1965

The whole of said work to be completed on or before January 25, 1968

Beneficial use of water stored in accordance herewith, to be made on or before January 25, 1968

Witness my hand this 25th day of January, 19 63

s/ CARL E. TAPPAN
Assistant State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLLIE, Governor of the State of Idaho, and ARNOLD WILLIAMS

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 25th day of January, 19 63

COUNTERSIGNED

STATE OF IDAHO

By s/ ARNOLD WILLIAMS
Secretary of State.

By s/ ROBERT E. SMYLLIE
Governor.

(SEAL)

LICENSE ISSUED FOR 1000 SEC. FL.
LICENSE PAGE NO.

ACTION OF STATE RECLAMATION ENGINEER
ON EXTENSION OF TIME

I, R. Keith Higginson, State Reclamation Engineer of the State of Idaho, hereby approve the above application for extension of time for permit no. R-1144 to January 25, 1970.

Witness my hand this 26th day of March, 1968.

/s/ R. KEITH HIGGINSON
State Reclamation Engineer

APPLICATION FOR PERMIT

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

Application No. R 38995
Permit No. R 1114

1. Name of Applicant: Strongarm Reservoir Irrigation District

Post office address: Preston

County

Franklin

State

Idaho

I. If applicant is a corporation, give:

(a) Date and place of incorporation:

(b) Amount of Capital Stock: \$

(c) Amount paid in: \$

(d) Names and addresses of directors:

II. The financial resources of the corporation are:

(a) Cash on hand: \$

(b) Treasury Stock: \$

(c) Bonds to be issued: \$

(d) Other resources:

2. Quantity of water to be stored: 600

acre feet per annum.

3. Source of water supply is Shingle Creek - 200 A.P.
Cottonwood Creek - 400 A.P. (River) (Spring), a tributary of Bear River.

4. The outlet of the proposed reservoir is located feet, distant from the corner of Section Township Range B.M. and is in the NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 2 Township 14 S., Range 39 E. B.M. County of Franklin

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

(a) The reservoir is located in the channel of Battle (Creek) (River).

(b) The reservoir is to be filled through a feeder canal, the point of diversion for which is located feet distant from the corner of Section Township Range B.M., and in the both at bearing SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 8 Township 12 S., Range 39 E., B.M.; width at bottom 11 feet, width at top 20 feet, depth of water 2 feet; average grade per mile 10 feet; Capacity 35 cubic feet per second

6. (a) The area of the high water line of the reservoir is 195.5

acres.

(b) The reservoir capacity is 1850

acre feet.

7. Height of reservoir dam 45 feet, length at top 500 feet, length at bottom 100 feet, size of outlet 35 inch

by 35 inch ~~dam~~ The dam is to be constructed of materials as follows: Earth fill

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

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

Battle (Creek) (River)? No

(b) Water stored in reservoir will be carried in the channel of Battle (Creek) (River) a distance

of $\frac{1}{4}$ and $2\frac{1}{2}$ miles to point of diversion located at existing diversions feet, distant from the corner of Section Township Range B.M., and in the SE $\frac{1}{4}$ of Sec. 2, and NW $\frac{1}{4}$ of Sec. 9, Township 14 S., Range 39 E., B.M.

9. (a) Area of watershed above dam site 82 (Including Cottonwood & Battle Creeks)

square miles.

(b) Estimated maximum flow of stream 1000

cubic feet per second.

10. Water is to be used for Irrigation

purpose.

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

(a) Point of use of water feet, distant from Corner of Section Township Range B.M., and is in the $\frac{1}{4}$ of $\frac{1}{4}$ of Section Township Range B.M.

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

(c) Water is to be returned to (Creek) (River) (Spring) at a point feet distant from the corner of Section Township Range B.M. in the $\frac{1}{4}$ of $\frac{1}{4}$ of Section Township Range B.M.

12. Water stored in accordance with this Permit will be carried to place of use through a canal heretofore constructed under the terms of Decreed Water

which is hereby referred to and made a part hereof.

13. Kind of diversion work: Earth and Concrete dams and canals

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

14. Height of diversion dam: 6 and 8 feet, length at top 20 & 150 feet, length at bottom 15 feet. The dam is to be constructed

of materials as follows: upper diversion all concrete - lower diversion earth with concrete sections.

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

Upper 2nd gate - name of owner - located by stream gage

1. Size of Dam: Width 5-6 feet, height 12 feet, depth of water 1 feet, Dimensions of Flume

2. Diversion Canal: Width at bottom 5-6 feet, width at water line 12 feet, depth of water 1 feet, Dimensions of Flume

3. Diameter of Pipe 6 inches; Length of Conduit 6 miles. Average grade per mile 5 feet.

17. Estimated Cost of Works: Storage Works: \$ in place Diversion Works: \$ 1000 repair canal

18. Time required for completion of work 5 years.

19. Time required for complete application of water to proposed beneficial use is 0 years.

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

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

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
14 S	38 E	1	40		40	40					40	40	40	40	40	40	40	40	440
		12	40	40		40	10								40	40			210
14 S	39 E	6			5				40	20	40	40	40	40			40		265
		7	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		8									10							40	50
		9			40	40				10	40	30	40	10		40			250
		10			40	40					20								100
		17	40	40	40	40	40	40	40	40	40					40			400
		18	40	40	40	40													160

Total Number of Acres to Be Irrigated 2515

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REMARKS: This application is for water to supplement Battle Creek during low flood water years.

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

Strongarm Reservoir Irrigation District, Applicant.

By s/ Joseph C. Hadin, Agent.

Date of first receipt at Department of Reclamation: 11:00 A.M. January 18, 1963

Returned to applicant for correction:

Corrected application received:

APPROVAL OF STATE RECLAMATION ENGINEER

The number of this permit is R 1144

Recorded in book R 5, page 1144, Approved January 25, 1963

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

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

Work to begin on or before March 25, 1963 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before July 25, 1965

The whole of said work to be completed on or before January 25, 1968

Beneficial use of water stored in accordance herewith, to be made on or before January 25, 1968

Witness my hand this 25th day of January, 19 63

s/ CARL E. TAPPAN
Assistant State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLLIE, Governor of the State of Idaho, and ARNOLD WILLIAMS,

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 25th day of January, 19 63

COUNTERSIGNED

STATE OF IDAHO

By s/ ARNOLD WILLIAMS
Secretary of State.

By s/ ROBERT E. SMYLLIE
Governor.

(SEAL)

R-1144



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

March 14, 1991

Daryl Geddes
Strongarm Reservoir Irrigation District
7242 No. 2600 West
Preston, ID 83263

Dear Mr. Geddes:

You have asked questions concerning the water right held by the Strongarm District to divert water from Shingle Creek and Cottonwood Creek for storage in Strongarm Reservoir.

I believe you have reference to licensed right No. 13-2303 which has a priority date of January 18, 1963. Under this right your district is entitled to divert 200 acre feet of water from Shingle Creek and 400 acre feet of water from Cottonwood Creek when Battle Creek does not provide sufficient water to fill Strongarm Reservoirs 1 and 2. The period of diversion to storage is from October 1 to April 19 of each year. This period was approved so as not to interfere with the irrigation season for the rights from Cottonwood Creek as set forth in the court's decree of from April 20 to September 30.

It has been suggested that Mr. Peterson, the Bear River watermaster be directed to deliver water to which you may be entitled under this right through the Banida-Treasureton Canal. We are unable to have Mr. Peterson do this for several reasons:

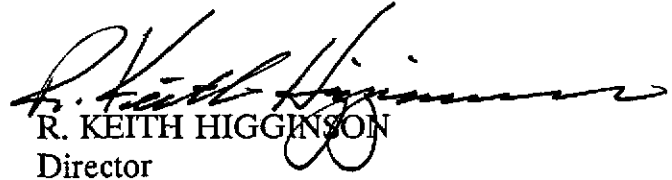
- 1) The Bear River watermaster appointment, while for year-round service, does not extend to all tributaries of the Bear River such as Cottonwood Creek.
- 2) The watermaster is responsible for the delivery and protection of rights set forth in the court's decree including the rights of the Utah Power and Light Co. which are used for power production purposes at Oneida and Cutler Dams. Unless these rights are satisfied from the flow of the Bear River and its tributaries, such as Cottonwood Creek, water may not be diverted to storage under rights with later priorities such as 13-2303 with date of January 18, 1963. UP&LCo's rights at Oneida Dam are not now being met by available flows and the company has objected to water being diverted to storage under later-priority rights at this time.
- 3) There have been some allegations that water has not been diverted under this right for a number of years thus raising the question of the validity of the right under the statutory provision that five years of non-use constitutes forfeiture.

Daryl Geddes
Page 2
March 14, 1991

4) Except for whatever easements were obtained at the time License 13-2303 was issued there is no evidence that your company acquired and presently maintains a right to the use of the Banida-Treasureton canal for diversion of water to Battle Creek and your reservoirs. Concern has also been expressed that Battle Creek cannot carry the additional flow which would be turned into it without flooding or erosion.

In summary, your company has an apparent right which would allow it to divert water from Shingle and Cottonwood Creeks if the access to the canal has been secured and if senior rights are not injured. The Strongarm District is free to exercise whatever rights you believe you hold or to seek clarification through the court.

Sincerely,


R. KEITH HIGGINSON
Director

RKH:dc

cc: Representative Geddes
Ron Carlson
Pete Peterson

Send letter to

Strongarm rights
Does state still
recognize a storage
right

7242 No. 2600 West
Preston,
83263

→ Cottonwood has tried to
hold Strongarm out of the ditch

There are about 40-50%
of Cottonwood own shares in
Strongarm -

Ed Simon

INTER-DEPARTMENT MEMO

TO: Norm Sperry

FROM: Gary Spackman

SUBJECT:

DATE: 10/15/90

Darrell Beddes, Preston, Idaho (Phone # 852-3103)
of Strongarm Irrigation called & represented that
you had agreed to negotiate a water delivery
dispute between Strongarm & the Cottonwood
Ditch Co. He wants some help & would
appreciate a call.

() For your information

() Response required

Gary
signature

October 17, 1979

Mr. Theo Smith
Watermaster
Route 2
Preston, Idaho 83263

RE: Amendment of License No. 13-2303

Dear Mr. Smith,

The Department recently became aware of a potential problem with some water rights on Cottonwood and Shingle Creeks.

A licensed water right was previously issued to Strongarm Reservoir Irrigation District for storage of 600 acre feet that allowed diversion to storage during the period of November 2 to March 31. As you may already be aware this period is not very compatible with the irrigation season identified in the Utah Power and Light Company vs. the Last Chance Canal Co. et al. Decree which limits the irrigation season from April 20th to September 30th.

In order to make the storage season match the irrigation the Department has prepared the attached order amending the storage season on the license to begin on October 1 of each year.

Regulation of water rights identified in the Last Chance Decree should be in compliance with the provisions of the decree. This, as noted on the attached order, would mean a reduction of diversions for irrigation to 60% of total allotment between periods 20th to 30th of April and 15th to 30th of September. Also all diversions for irrigation should cease on September 30th of each year.

I hope this action will clear up any confusion that may have occurred.

If I can answer any questions you may have please give me a call or contact our Eastern Region in Idaho Falls.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:mr
Enclosure
cc: Eastern Region w/Enclosure

IDENT. NO.

[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. R 1144 1 13-2303
Old No. New No.

Record

1, 2 & 3 Original Owner: Strongarm Reservoir Irrigation District
Address: Preston ID

Present Owner:

Address:

4. A. Source of Water Shingle Creek & Cottonwood Creek
B. Tributary of: Bear River5. A. Stage (A,P,L,D,S,J): L

B. Status (D,L,R,C,A,I,F - leave blank if valid):

C. Priority Date: 1-18-1963D. County: 41

E. Total Diversion Rate:

F. Total Diversion Volume: 600.

G. Transfer/Amendment (P,T of A or blank):

H. Water District: 13 M

I. DLE/Carey Act (D,C or blank):

J. Right Basis (for adjudication claims A,B,C only):

Tract Sec. Twp. Rge. Gov't Lot Rediv.6. A. Point of Diversion SESE 8 12S 39E

7. Period of Use, Use, Diversion Rate/Volume:

from 1-1 12-31
11-2 to 3-31 for AS purposes. Amount 600.
(~~as~~ or AC-FT/yr)from 4-1 to 11-1 for AR purposes. Amount 600. Affrom 11-2 to 3-31 for B purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

Special case - onstream storage w/ limited fill data

8. Use Code: AS

TWP RANGE		SEC.	NEX				NMN				SWX				SEX			
			NEX	NMN	SWX	SEX	NEX	NMN	SWX	SEX	NEX	NMN	SWX	SEX	NEX	NMN	SWX	SEX
		49S 38E	1	40		40	40	40		40								
			2			40									40			40
			12	40	40		40	40							40	40		
	49S 39E	6			5				40	20	40	40	40	40		40		
			1	40	40		40	40										
			8								40				40			40
			9			40	40			10	40	40	40			40		
			10	40					40	40	20							
			11	40	40		40	40										40

9. A. Decree Name:
B. Decree Date:

10. Remarks: ~~2 p/d in SESE, 58, T12S, R39E.~~
2 p/d in SESE, 58, T12S, R39E.

11. Other Uses (Non-irrigation explanatory information):

12. Other Rights for Same Use:

13. A. Proof Due Date:

B. Date Permit Approved or Denied:

C. Protested Date:

D. Hearing Date:

E. Old Number: R 1144

F. Proof Made (P or blank):

G. Field Exam Made (P,R,F or blank):

H. Conditions of Approval: 16

14. Diversion Means (brief narrative):

June 26, 1973

Re: Permits No. R-1144/13-2303
R-1218/13-2305

Strongarm Reservoir Irrigation District
Preston,
Idaho 83263

Gentlemen:

Enclosed herewith is one copy each of the Water Licenses issued on the above referenced permits.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enclosures (2)

13 2303

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
EASTERN DISTRICT OFFICE



Cecil D. Andrus
Governor
R. Keith Higginson
Director

240 South Holmes Avenue
Idaho Falls, Idaho 83401
(208) 523-7186

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection
Geothermal Resources

September 8, 1972

Re: Permit No. 13-2303 & 13-2305

Strongarm Reservoir Irrigation District
Preston,
Idaho 83263

Gentlemen:

Upon preparing your permits for licensing, we find that the land to be irrigated on both permits is incorrect. In order to correct the errors, we have prepared the enclosed Amendment applications.

Will you please examine the instruments and if you agree with the contents of each, please sign and return them to this office, along with the statutory filing fee of \$10 per each amendment.

If you have any questions, please do not hesitate to contact this office.

Very truly yours,

Richard M. Turnipseed

RICHARD M. TURNIPSEED
Water Resource Administrator

RMT:ba

Enclosures

The map you have is still incorrect. Joseph C. Hedden, Pres. of Strongarm Res. Dist. will get in contact with you as soon as possible. The nearest is here, it will probably be the first pair of below. Sincerely, Joseph C. Hedden, Pres.

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
EASTERN DISTRICT OFFICE



Cecil D. Andrus
Governor
R. Keith Higginson
Director

240 South Holmes Avenue
Idaho Falls, Idaho 83401
(208) 523-7186

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection
Geothermal Resources

September 8, 1972

RECEIVED

SEP 18 1972

Re: Permit No. 13-2303 & 13-2305

Department of Water Administration
Eastern District Office

Strongarm Reservoir Irrigation District
Preston,
Idaho 83263

Gentlemen:

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Very truly yours,

Richard M. Turnipseed

RICHARD M. TURNIPSEED
Water Resource Administrator

RMT:ba

Enclosures

The map you have is still incorrect. Joseph C. Hedlin, Pres. of Strongarm Res. Dist. will get in contact with you as soon as possible. The harvest is over. It will probably be the first part of October. Sincerely, Joseph C. Hedlin, Pres.

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

Permit No. R-1144/13-2303

Joe Hedin 2/14/71
10:00 am
Twin Lakes Siphon
7.5 miles N. of Preston
2 houses off 1/2 mile
1/2 mile east

This proof is for b/u - 600 AF In Water District No.

1. Name of applicant Strongarm Res. Irr. Distr., Preston, Idaho
2. Source of water supply: Shingle & Cottonwood Creeks
3. Location of point of diversion: Is in the (2 points) SE 1/4 of Section 8
T 12 S R 39 E County of Franklin

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

PROOF - Source of diversion is concrete headgate on Cottonwood Creek, to Strongarm Reservoir No. 1 and from there distributed in the existing ditches to the place of use.

MEASURING DEVICE - 2' parshall flume

5. Water is used for: irrigation
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):

PERMIT - 14S, 38E, Sec. 1 E 1/4 NE 1/4, SW 1/4 NE 1/4, S 1/4
12 E 1/4 NE 1/4, NW 1/4 NE 1/4, NE 1/4 NW 1/4, N 1/4 SE 1/4
14S, 39E, Sec. 6 SW 1/4 NE 1/4, S 1/4 NW 1/4, SW 1/4, SW 1/4 SE 1/4
7 All
8 NE 1/4 SW 1/4, SE 1/4 SE 1/4
9 S 1/4 NE 1/4, SE 1/4 NW 1/4, SW 1/4, NW 1/4 SE 1/4
10 S 1/4 NE 1/4, NE 1/4 SW 1/4 TOTAL - 2515 acres
17 N 1/4 NE 1/4 SW 1/4, NW 1/4 SE 1/4 (400 acres)
18 NE 1/4

See Amendment

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

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

Remarks: PROOF = OTHER RIGHTS -- 200 AF Shingle Creek, 400 AF Cottonwood Creek

852-3502

Ron Mumford

This examination was made on the 31 day of Aug, 1972

(Signed) Richard M. Mumford
Examiner

Protested

Joe Hedin 852-1416
ASCS OFFICE - preston
SCS OFFICE - preston

Permit No. R-1144/13-2303

Examination for b/u - Strongarm Res. Irr. Dist.

County Franklin

Quantity: 600 A^F Sec. 8 T. 12S R. 39E

Source: Single^h & Cottonwood Creeks

P.D.: SE $\frac{1}{4}$ SE $\frac{1}{4}$ (2)

Use: irrigation

Extensilestx

Pretest:

Completion of Workxxx

Other Request

Filed: 1-18-63 Made: 12-15-69
Due: 1-25-70 Priority: 1-18-63

Due:

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.

13-2303

Protested
SPECIAL

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

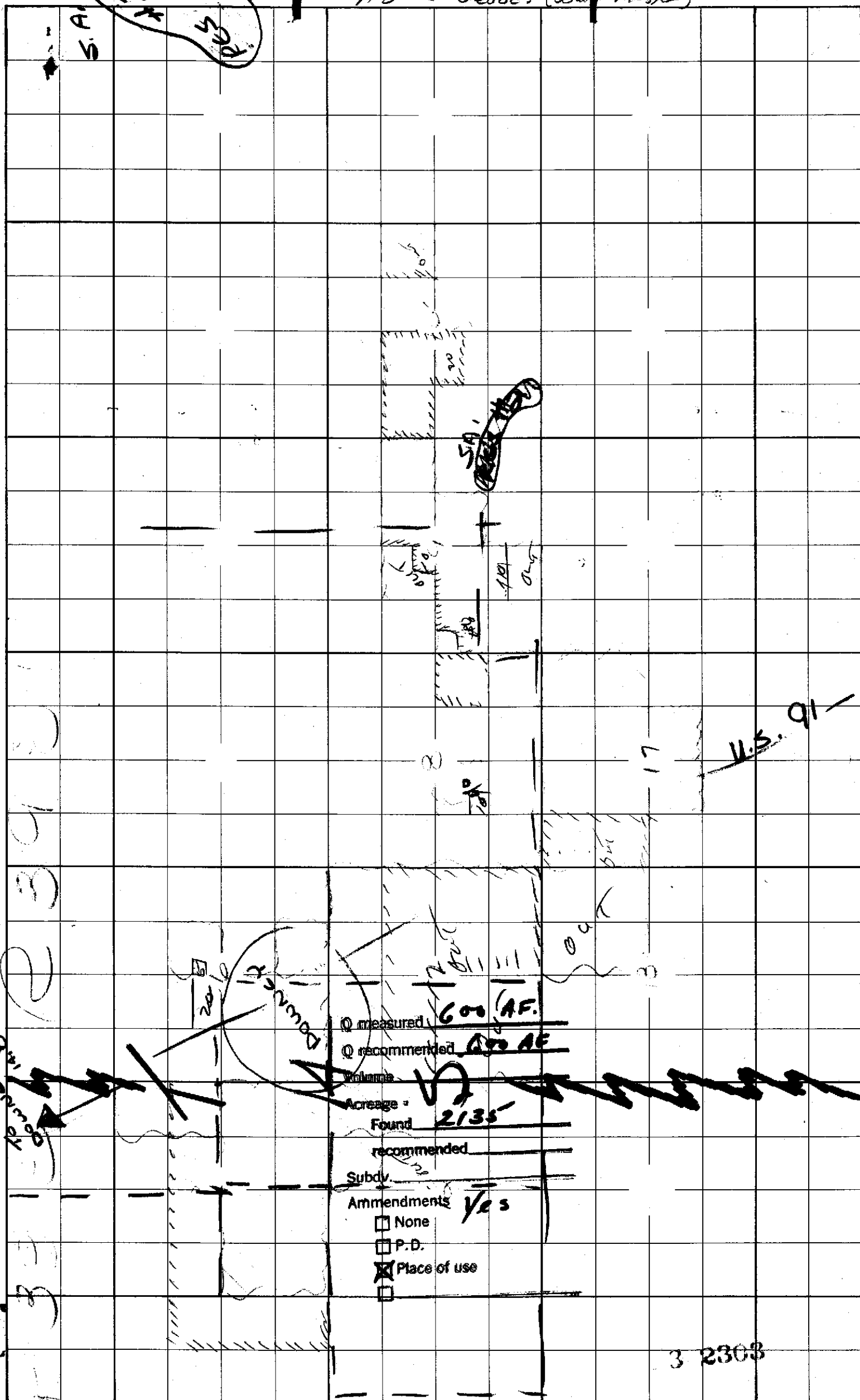
REPORT OF EXAMINER

PERMIT NO. R-1144/13-2303

REPORT ON PROOF OF b/u - Strongarm ^{Reservoir} Irr. Distr. PROTEST

13 2303

Hugh J. Geddes (work master)



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

K38C K39E

2

10.5

12

10

20

11

11.5
11.0
11.2

SW/NS

2303

May 18, 1973

Re: Permit No.'s 13-2305/R-1218
13-23-3/R-1144

Strongarm Reservoir Irrigation Dist.
Gustave C. Haden, Secretary
Route #3
Preston, Idaho 83263

Dear Mr. Haden:

Enclosed please find copies of the approved applications for amendment in connection with the above referenced permits.

The water licenses for these two permits are now pending until field exams can be conducted.

If you have any questions regarding the field exams, please contact our Eastern District Office at 240 South Holmes, Idaho Falls, Idaho.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:je
Enclosures

13 2303

May 10, 1973

Mr. J. C. Hedin, President
Strongarm Reservoir Irrig. Dist.
Preston, ID 83263

Dear Mr. Hedin:

Attached herewith is departmental receipt No. 7187 in the amount of \$20 for the applications for amendment which were received on this date in connection with 13-2303 and 13-2305.

Very truly yours,

JOHN R. FEREBAUER
Water Resource Technician

JRF:BA

Attachment

13 2303

Issue License

for use when water
is not available
from Battle Creek
Drainage —

Awaiting Exam. RWH

1970 Water From Cottonwood creek and Shingle creek
in to Shangan Res. no. 1

Oct 19 th	12. c.f.s	24 AF
" 20	13. c.f.s	26 AF
21	15. c.f.s	30 AF
22	16. c.f.s	32 AF
23	16. c.f.s	32 AF
24	17.9 c.f.s	35.9 AF
25	16.5 " "	33 AF
	16.5 " "	33 AF
	17. c.f.s	34 AF
28	17.5 c.f.s	35 AF
	17. " "	34 AF
30	16. " "	32 AF
	16. " "	32 AF
Nov 1	17.9 c.f.s	35.8 AF
	17.5 c.f.s	35 AF
3	16.5 " "	33 AF
4	16. " "	32 AF
	16. " "	32 AF
6	16.5 c.f.s	33.3 AF
		613.7 AF + 110 = 723.7 AF.

Water in May and June
about 110 acre feet

RECEIVED

JAN 7 1971

Department of Water Administration

J. C. Hedin

Cliff Gibson
Robert E. Lindhurst

13 2303

600 acre ft.

M E M O R A N D U M

Re: Permit No. 13-2303

A conference was held on October 8, 1970 at Preston, Idaho regarding the above-numbered permit.

The protestants, Cleveland Irrigation Company, were represented by Dell W. Smith, Attorney at Law, Preston. The applicants were represented by Merrill K. Gee, Attorney, Pocatello.

After discussion of the protest, it appeared that if the applicant recognized the prior decreed rights, the protestants would not object to the applicant taking water in excess of those rights. The protestants were concerned that there was no way of administering the rights. I explained that the watermaster of Water District 5A would have authority when he was on duty to distribute the waters of Cottonwood Creek to see that the prior rights were completely satisfied before water could be taken out by Strongarm Reservoir Irrigation District. The applicant stated that he recognized the decreed right of Cleveland Irrigation Company and intended to take only water over and above those rights when their reservoir failed to fill. In discussing the amount to be licensed by Strongarm Reservoir Irrigation District, they were unable to give this office any amounts of water that had been diverted from Cleveland Irrigation District into the Battle Creek drainage. Water is diverted out of the drainage by means of a canal belonging to the Banida Treasurton Irrigation Company, then into Battle Creek drainage and stored in two reservoirs. The diversion is not used all the time, only during years of short water supply in Battle Creek. I suggested that the company install measuring devices where water is turned out of Treasurton Canal to determine the amounts of water diverted into Strongarm Reservoir. I would suggest that we postpone licensing until they can give us the amounts being diverted into Battle Creek drainage. The applicants should be instructed to install measuring devices and supply the department with the amounts of water being diverted.

C. STEPHEN ALLRED
Deputy Director

Dated: October 14, 1970

CSA:cc

13 2303

13-2303 - Strongarm Reservoir Irrigation District
 Franklin County Courthouse (downstairs), Preston, Idaho
 October 8, 1970 at 1:30 p.m.

ROSTER OF ATTENDANCE

Name	Address	Representing
Robert Muddhardt	Preston	Strongarm Res. Irrig. Dist.
J. C. Hedlin	Preston #3	" " "
Merrill X Lee	Pocatello	✓ " ✓ ✓
Dean Burton	Preston Star Route	Cleveland Irrig.
Gustave Hedlin	#1 Preston	Strongarm Res. Irrig. Dist.
K. H. Shumway	Preston Star Route	Crescenton Irr. Dist. Co.
Bill W. Smith	Preston	Cleveland Irrig. Co.

BEFORE THE DIRECTOR
OF THE
IDAHO DEPARTMENT OF WATER ADMINISTRATION

In the Matter of Protest Against)
Licensing of Permit No. R-1144/13-2303)
in the name of STRONGARM RESERVOIR) APPEARANCE OF COUNSEL
IRRIGATION DISTRICT.)

MERRILL K. GEE Hereby appears as counsel for applicant
Strongarm Reservoir Irrigation District.

DATED this 8th day of October, 1970.


MERRILL K. GEE
Counsel for Applicant,
Strongarm Reservoir Irrigation District
Residing at Pocatello, Id.

13-2303

1. Inter ^{Basin} diversion

2. Expedite prior rights (1885)

(State Water Master)
S-A Vaughn Arsenism

page 20 Delich Decree April 20 - 30 Sept
1971

Cottonwood Creek 1968-95
67-68

Records Back to 1939.

Protestants Will write letter
withdrawing protest if their prior
Rights are recognized.

BEAR RIVER BASIN

10-0845. Cottonwood Creek near Cleveland, Idaho

LOCATION.--Lat 42°19'57", long 111°46'27", in SW1/4 sec. 34, T.12 S., R.40 E., Franklin County, on right bank 500 ft upstream from Cleveland irrigation canal, 2.5 miles west of Cleveland, and 4 miles downstream from proposed Cottonwood Dam.

DRAINAGE AREA.--61.7 sq mi.

PERIOD OF RECORD.--November 1938 to current year.

GAGE.--Water-stage recorder and concrete control. Altitude of gage is 5,150 (from topographic map). Prior to Dec. 29, 1944, nonrecording gage at same site and datum.

AVERAGE DISCHARGE.--30 years (1939-69), 22.4 cfs (21,500 acre-ft per year).

EXTREMES.--Current year: Maximum discharge, 396 cfs Apr. 23 (gage height, 3.47 ft); minimum daily, 3.2 cfs Sept. 8.

Period of record: Maximum discharge, 773 cfs Apr. 27, 1952 (gage height, 3.83 ft); minimum, 0.1 cfs Aug. 11, 1961.

REMARKS.--Records good. A few small diversions for irrigation of meadowland in Cottonwood Valley above station. Treasureton Canal diverts from Cottonwood Creek 10.1 miles above station in SE1/4 sec. 8, T.12 S., R.39 E., for irrigation in Battle Creek basin in vicinity of Treasureton.

DISCHARGE, IN CUBIC FEET PER SECOND, WATER YEAR OCTOBER 1968 TO SEPTEMBER 1969

DAY	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP
1	5.2	9.9	7.1	13	19	16	117	175	25	13	7.1	3.4
2	5.2	9.9	6.3	14	18	16	156	178	23	12	6.8	3.6
3	4.9	9.9	7.1	14	16	16	205	190	20	10	6.6	3.6
4	4.9	12	7.4	14	15	17	219	188	19	9.9	6.6	3.8
5	4.9	11	8.3	14	13	18	258	190	16	10	6.0	3.6
6	4.9	10	9.1	14	14	19	290	202	16	9.9	6.0	3.6
7	4.9	9.9	9.1	13	15	18	202	200	17	11	5.7	3.4
8	5.2	9.9	9.9	12	15	16	188	188	30	10	5.7	3.2
9	5.2	13	10	12	16	16	153	173	30	9.9	6.0	3.4
10	5.2	14	10	11	18	16	188	163	18	9.1	5.0	3.8
11	5.2	13	11	11	20	16	219	153	21	8.7	5.0	3.8
12	4.9	12	12	12	21	16	216	143	16	8.7	5.0	3.8
13	4.9	11	12	13	21	16	248	136	15	8.7	5.0	4.3
14	7.1	8.0	12	16	19	17	222	119	14	8.7	5.0	4.0
15	9.1	10	13	17	21	17	216	110	13	11	4.9	4.7
16	7.1	10	14	15	21	18	213	95	15	11	4.9	4.9
17	6.6	11	15	14	19	18	242	84	14	9.5	4.9	4.5
18	6.3	12	15	17	16	19	258	76	13	8.7	5.7	4.5
19	6.0	14	15	16	20	21	225	72	13	8.3	5.7	4.5
20	6.0	13	14	25	20	19	239	66	13	8.3	5.4	4.7
21	6.3	12	13	56	19	21	274	60	16	8.7	4.9	5.4
22	9.9	15	13	78	17	21	310	54	15	11	4.5	5.4
23	10	12	14	44	19	22	342	49	13	10	4.5	5.4
24	10	12	14	40	19	21	328	46	24	10	4.5	5.0
25	9.9	12	14	38	20	20	242	56	25	15	4.7	5.0
26	9.9	7.1	14	38	19	22	200	54	25	13	4.9	5.0
27	9.9	8.7	14	35	16	26	168	36	20	9.9	4.9	5.0
28	9.9	9.3	14	31	16	31	166	34	17	6.8	4.3	5.0
29	9.9	5.7	13	26	-----	40	182	32	17	6.8	4.0	5.0
30	9.9	6.8	13	23	-----	60	182	28	15	7.7	3.6	5.0
31	10	-----	13	19	-----	89	-----	28	-----	7.1	3.6	-----
TOTAL	219.3	323.1	366.8	715	502	718	6,638	3,378	548	302.4	161.4	130.3
MEAN	7.07	10.8	11.4	23.1	17.9	23.2	221	109	18.3	9.75	5.21	4.34
MAX	10	15	15	78	21	89	342	202	30	15	7.1	5.4
MIN	4.9	5.7	6.8	11	13	16	117	28	13	6.8	3.6	3.2
AC-FT	435	641	728	1,420	996	1,420	13,170	6,700	1,090	600	320	258
CAL YR 1968	TOTAL	9,659.4	MEAN	26.4	MAX	166	MIN	4.5	AC-FT	19,160		
WTR YR 1969	TOTAL	14,002.3	MEAN	38.4	MAX	342	MIN	3.2	AC-FT	27,770		

I certify that these are copies from the records of the U. S. Geological Survey.

Dean E. Bischoff
 Dean E. Bischoff, Area Engineer
 Logan Development Office
 Bureau of Reclamation

13 2303

BEAR RIVER BASIN

173

10-0845. Cottonwood Creek near Cleveland, Idaho

Location.--Lat 42°20', long 111°46', in SW $\frac{1}{4}$ sec.34, T.12 S., R.40 E., on right bank 500 ft upstream from Cleveland irrigation canal, 2.5 miles west of Cleveland, and 4 miles downstream from proposed Cottonwood Dam.

Drainage area.--61.7 sq mi.

Records available.--November 1938 to September 1968.

Gage.--Water-stage recorder and concrete control. Altitude of gage is 5,150 ft (from topographic map). Prior to Dec. 29, 1944, staff gage at same site and datum.

Average discharge.--29 years (1939-68), 29.2 cfs (21,140 acre-ft per year).

Extremes.--Maximum discharge during year, 195 cfs May 2 (gage height, 2.86 ft); minimum, 4.3 cfs Sept. 13. 1938-68: Maximum discharge, 773 cfs Apr. 27, 1952 (gage height, 3.83 ft); minimum, 0.1 cfs Aug. 11, 1961.

Remarks.--Records good except those for period of no gage-height record, which are fair. A few small diversions for irrigation of meadowland in Cottonwood Valley above station. Treasureton Canal diverts from Cottonwood Creek above station in SE $\frac{1}{4}$ sec.8, T.12 S., R.39 E., for irrigation in Battle Creek basin in vicinity of Treasureton.

DISCHARGE, IN CFS, WATER YEAR OCTOBER 1967 TO SEPTEMBER 1968

DAY	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP
1	6.3	9.1	11	11	11	21	92	163	48	9.5	6.6	5.7
2	7.1	9.1	11	11	11	21	101	166	44	9.1	6.6	5.7
3	8.7	8.0	11	11	11	21	82	183	42	9.1	6.8	5.7
4	8.7	8.0	11	11	11	23	78	153	45	8.7	7.1	5.7
5	8.7	7.7	11	11	10	26	89	153	48	9.1	6.6	5.4
6	11	7.4	11	11	11	28	72	134	55	9.1	6.3	5.4
7	8.7	9.1	11	11	11	32	61	108	53	9.1	4.7	5.2
8	8.3	9.9	11	11	11	28	53	101	62	9.1	4.7	5.2
9	8.0	11	11	13	11	26	52	95	89	9.1	6.0	4.9
10	7.7	12	11	13	11	23	64	94	82	12	6.0	4.9
11	7.7	12	11	12	11	21	100	89	68	10	5.4	4.5
12	7.7	11	11	12	12	22	117	86	58	9.9	5.2	4.7
13	8.0	11	11	12	11	24	90	86	58	11	4.9	4.5
14	8.0	11	11	12	11	23	78	103	48	16	5.2	6.0
15	8.3	11	11	12	11	22	95	88	38	15	7.4	5.7
16	8.3	11	11	12	11	22	98	76	34	15	6.6	5.7
17	8.3	11	11	12	11	24	82	67	30	15	6.8	5.7
18	8.7	11	11	12	11	22	73	64	28	12	17	5.4
19	8.3	11	11	12	12	21	78	62	24	7.7	14	5.7
20	8.3	11	11	12	15	19	67	66	17	8.0	12	6.0
21	8.3	11	11	12	19	20	62	78	15	8.0	8.3	5.7
22	8.3	11	11	12	21	21	63	89	14	8.0	17	6.6
23	8.3	11	11	11	24	24	67	73	13	7.7	12	7.1
24	8.3	11	11	11	25	28	78	72	13	7.7	8.3	6.8
25	8.3	11	11	11	22	31	78	75	12	7.7	7.1	7.1
26	8.3	11	11	10	21	34	73	72	11	7.4	6.6	7.4
27	8.3	11	12	12	21	31	73	62	11	7.1	6.3	8.0
28	9.5	11	13	14	21	38	80	56	10	7.1	6.3	6.0
29	9.5	11	13	12	21	56	106	58	10	7.1	6.0	5.4
30	9.5	11	12	11	---	76	141	55	10	6.8	6.0	5.2
31	9.5	---	10	11	---	71	---	52	---	6.6	5.7	---
TOTAL	260.9	312.3	346	361	418	899	2,442	2,859	1,068	294.7	235.5	173.0
MEAN	8.42	10.4	11.2	11.6	14.4	29.0	81.4	92.2	35.6	9.51	7.60	5.77
MAX	11	12	13	14	24	76	141	166	82	16	17	8.0
MIN	6.3	7.4	10	10	10	19	52	52	10	6.6	4.7	4.5
AC-FT	517	619	686	716	829	1,780	4,840	5,670	2,120	585	467	343

CAL YR 1967	TOTAL	12,684.3	MEAN	34.8	MAX	293	MIN	3.2	AC-FT	25,160
WTR YR 1968	TOTAL	9,669.4	MEAN	26.4	MAX	166	MIN	4.5	AC-FT	19,170

Peak discharge (base, 150 cfs)

Date	Time	Gage height	Discharge	Date	Time	Gage height	Discharge
5-22	0100	2.86	195				

The following peak discharges for water year 1966-67 were omitted from state reports for that year.

Date	Time	Gage height	Discharge	Date	Time	Gage height	Discharge
4-18	2200	2.91	208	5-20	0100	3.28	328
5-10	0730	3.28	324				

Note.--No gage-height record Nov. 21 to Jan. 5.

I certify that these are
copies from the records
of the U. S. Geological Survey.

James E. Bishell
JAMES E. BISHELL, Area Eng.
13 2303

845. Cottonwood Creek near Cleveland, Idaho

Location.--Lat 42°20', long 111°46', in SW $\frac{1}{4}$ sec. 34, T.12 S., R.40 E., on right bank 500 ft upstream from Cleveland irrigation canal, $2\frac{1}{2}$ miles west of Cleveland, and 4 miles downstream from proposed Cottonwood Dam.

Drainage area.--61.7 sq mi.

Records available.--November 1938 to September 1960.

Gage.--Water-stage recorder. Altitude of gage is 5,150 ft (from topographic map). Prior to Dec. 29, 1944, staff gage at same site and datum.

Average discharge.--21 years (1939-60), 29.4 cfs (21,280 acre-ft per year).

Extremes.--1939-60: Maximum discharge, 773 cfs Apr. 27, 1952 (gage height, 3.83 ft); minimum observed, 0.5 cfs Aug. 17, 1940.

Remarks.--A few small diversions for irrigation of meadowland in Cottonwood Valley above station. Treasureton Canal diverts from Cottonwood Creek above station in SE $\frac{1}{4}$ sec. 8, T.12 S., R.39 E., for irrigation in Battle Creek basin in vicinity of Treasureton.

Monthly and yearly mean discharge, in cubic feet per second

Water year	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	The year
1951	11.4	15.7	12.6	8.98	14.2	22.1	179	97.0	13.9	6.49	8.34	5.82	32.7
1952	8.78	9.82	10.8	10.4	11.0	12.5	223	202	28.9	8.29	8.06	6.14	44.8
1953	5.05	8.31	10.4	12.5	11.2	28.5	66.5	47.9	33.6	5.54	2.41	1.53	19.4
1954	4.29	7.12	8.82	9.95	10.4	18.6	66.0	18.8	7.89	2.77	2.40	2.68	13.3
1955	4.24	6.24	5.59	6.11	6.56	7.70	39.8	88.4	33.9	5.31	5.11	3.05	16.0
1956	3.01	6.10	17.7	17.4	14.2	46.2	153	69.4	10.7	4.82	4.80	2.13	29.0
1957	6.28	7.57	8.25	8.57	11.7	19.5	78.7	214	43.1	8.47	6.87	5.20	35.1
1958	6.49	8.09	13.0	11.1	13.9	21.6	141	155	12.0	6.89	3.99	3.77	33.1
1959	4.32	6.98	11.0	10.3	10.7	19.5	93.3	34.4	8.30	4.06	2.00	5.68	17.5
1960	6.43	7.18	6.52	8.23	9.50	26.3	110	34.7	7.43	2.62	1.42	2.07	18.6

Monthly and yearly discharge, in acre-feet

Water year	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	The year
1951	899	936	772	552	787	1,360	10,680	5,960	828	399	513	226	23,690
1952	539	584	666	541	635	772	13,290	12,480	1,720	610	373	365	32,560
1953	310	495	841	772	825	1,760	3,960	2,950	2,000	341	148	91	14,090
1954	264	424	530	612	576	1,160	3,330	1,160	469	171	148	159	9,600
1955	260	371	332	376	353	473	2,360	4,210	2,020	326	314	182	11,580
1956	185	363	1,090	1,070	817	2,840	9,100	4,270	637	297	295	127	21,090
1957	387	451	507	527	652	1,200	4,680	13,150	2,570	521	422	310	25,380
1958	399	481	800	683	773	1,330	8,370	9,540	712	424	245	225	23,980
1959	265	416	676	633	592	1,200	3,580	2,120	494	250	123	337	12,660
1960	518	427	401	506	535	1,620	6,550	2,130	442	161	87	123	11,370

Yearly discharge, in cubic feet per second

Year	WSP	Water year ending Sept. 30					Calendar year	
		Momentary maximum		Minimum day	Mean	Acre-feet	Mean	Acre-feet
		Discharge	Date					
1950	-	-	-	-	-	-	55.4	38,620
1951	1214	346	Apr. 8, 1951	3.3	32.7	23,690	31.9	23,080
1952	1244	773	Apr. 27, 1952	3.3	44.8	32,560	44.4	32,210
1953	1284	189	Apr. 28, 1953	.8	19.4	14,090	19.1	13,860
1954	1344	133	Apr. 28, 1954	1.0	13.3	9,600	12.9	9,350
1955	1394	203	June 3, 1955	2.4	16.0	11,580	16.9	12,250
1956	1444	760	Apr. 22, 1956	1.5	29.0	21,090	28.6	20,800
1957	1514	521	May 19, 1957	2.1	35.1	25,380	35.5	25,710
1958	1564	505	Apr. 18, 1958	2.8	33.1	23,980	32.7	23,680
1959	1634	406	Apr. 5, 1959	1.6	17.5	12,660	17.5	12,640
1960	1714	489	Apr. 6, 1960	1.2	18.6	11,370	-	-

I certify that these are
copies from the records
of the U. S. Geological

13 2303

845. Cottonwood Creek near Cleveland, Idaho

Location.--Lat 42°20', long 111°46', in SW $\frac{1}{4}$ sec. 34, T.12 S., R.40 E., on right bank 560 ft upstream from Cleveland irrigation canal, 2 $\frac{1}{2}$ miles west of Cleveland, and 4 miles downstream from proposed Cottonwood Dam.

Drainage area.--61.7 sq mi.

Records available.--November 1938 to September 1960.

Gage.--Water-stage recorder. Altitude of gage is 5,150 ft (from topographic map). Prior to Dec. 29, 1944, staff gage at same site and datum.

Average discharge.--21 years (1939-60), 29.4 cfs (21,280 acre-ft per year).

Extremes.--1938-60: Maximum discharge, 773 cfs Apr. 27, 1952 (gage height, 3.63 ft); minimum observed, 0.5 cfs Aug. 17, 1940.

Remarks.--A few small diversions for irrigation of meadowland in Cottonwood Valley above station. Treasureton Canal diverts from Cottonwood Creek above station in SE $\frac{1}{4}$ sec. 8, T.12 S., R.39 E., for irrigation in Battle Creek basin in vicinity of Treasureton.

Monthly and yearly mean discharge, in cubic feet per second

Water year	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	The year
1951	11.4	15.7	12.6	8.98	14.2	22.1	179	97.0	15.9	6.49	8.34	3.82	32.7
1952	8.76	9.82	10.8	10.4	11.0	12.5	225	205	28.9	8.29	6.08	6.14	44.8
1953	5.05	8.31	10.4	12.5	11.2	28.5	66.5	47.3	33.6	5.54	2.41	1.53	19.4
1954	4.29	7.12	8.62	9.95	10.4	18.8	68.6	18.6	7.89	2.77	2.40	2.84	13.3
1955	4.24	6.24	5.39	6.11	6.36	7.70	39.6	68.4	33.9	5.31	5.11	3.05	16.0
1956	3.01	6.10	17.7	17.4	14.2	46.2	153	69.4	10.7	4.82	4.80	2.13	29.0
1957	6.29	7.57	8.25	8.57	11.7	19.5	76.7	214	43.1	6.47	6.87	5.20	35.1
1958	6.49	8.09	13.0	11.1	15.9	21.6	141	155	12.0	6.89	3.99	5.77	33.1
1959	4.32	6.96	11.0	10.5	10.7	19.5	93.3	34.4	8.30	4.06	2.00	5.68	17.6
1960	8.43	7.19	6.52	8.23	9.30	28.3	110	34.7	7.45	2.62	1.42	2.07	16.6

Monthly and yearly discharge, in acre-feet

Water year	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	The year
1951	899	936	772	582	787	1,380	10,860	5,980	828	399	513	228	25,690
1952	535	584	666	641	635	772	13,290	12,480	1,720	510	373	368	32,560
1953	310	495	641	772	623	1,760	3,960	2,950	2,000	541	148	91	14,090
1954	264	424	530	612	576	1,160	3,930	1,180	469	171	148	158	9,600
1955	280	371	332	376	353	473	2,360	4,210	2,020	326	314	182	11,580
1956	185	363	1,090	1,070	617	2,840	9,100	4,270	637	297	295	127	21,090
1957	367	451	507	527	852	1,200	4,680	13,150	2,570	521	422	310	25,580
1958	399	491	800	683	773	1,330	8,370	9,540	712	424	245	225	23,980
1959	265	418	676	633	592	1,200	5,550	2,120	494	250	123	337	12,660
1960	518	427	401	508	535	1,620	6,550	2,130	442	161	87	153	11,370

Yearly discharge, in cubic feet per second

Year	WSP	Water year ending Sept. 30				Calendar year			
		Momentary maximum		Minimum day	Mean	Acre-feet	Mean	Acre-feet	
		Discharge	Date						
1950	-	-	-	-	-	-	53.4	-	36,620
1951	1214	346	Apr. 8, 1951	3.3	32.7	25,690	31.9	-	25,080
1952	1244	773	Apr. 27, 1952	3.3	44.8	32,560	44.4	-	32,210
1953	1284	189	Apr. 28, 1953	1.8	19.4	14,090	19.1	-	13,860
1954	1344	133	Apr. 28, 1954	1.0	13.3	9,600	12.9	-	9,380
1955	1394	205	June 3, 1955	2.4	16.0	11,580	16.9	-	12,250
1956	1444	260	Apr. 22, 1956	1.5	29.0	21,090	28.6	-	20,800
1957	1514	521	May 19, 1957	2.1	35.1	25,580	35.5	-	25,710
1958	1564	505	Apr. 18, 1958	2.8	33.1	23,980	32.7	-	23,860
1959	1634	406	Apr. 5, 1959	1.6	17.5	12,660	17.5	-	12,640
1960	1714	488	Apr. 6, 1960	1.2	16.6	11,370	-	-	-

I certify that these data were obtained from the records of the U. S. Geological Survey.

WATER RESOURCES DIVISION, U.S. GEOLOGICAL SURVEY

13 2308

I certify that these are figures
taken from the records of
the U. S. Geological Survey.

Wm E. Bischoff
Dean E Bischoff
Area Engineer.

Recorded Flow of Cottonwood Creek nr Cleveland, Idaho

Unit-1000 cc-*ft*

Yr. end Sept. 30	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Total
1937		0.1	0.7	0.6	0.5	3.9	8.1	2.0	0.6	0.3	0.1	0.1	17.0
40	0.4	0.4	0.3	0.5	0.6	2.2	4.2	1.1	0.4	0.1	0	0.2	10.4
41	0.4	0.4	0.3	0.5	0.5	1.4	7.0	5.7	0.6	0.4	0.5	0.3	18.0
42	0.6	0.5	0.7	0.5	0.6	1.1	8.9	4.4	0.8	0.4	0.2	0.2	18.9
43	0.2	0.6	0.6	0.7	0.7	2.7	17.1	4.9	1.9	0.7	0.5	0.3	30.9
1944	0.4	0.7	0.6	0.6	0.6	0.7	4.0	3.0	1.9	0.5	0.2	0.1	13.3
45	0.3	0.5	0.5	0.6	0.6	1.0	6.5	10.9	7.5	0.9	0.9	0.8	31.0
46	0.8	0.9	0.8	1.0	0.8	2.5	16.8	7.1	1.3	0.6	0.6	0.4	33.6
47	0.7	0.8	1.0	0.7	0.9	3.2	5.2	4.6	1.2	0.4	0.3	0.3	19.3
48	0.3	0.5	0.6	0.5	0.4	0.7	8.5	9.5	1.4	0.4	0.3	0.4	23.5
1949	0.5	0.6	0.6	0.6	0.4	1.4	9.6	5.3	1.2	0.5	0.3	0.2	21.2
50	0.7	0.8	0.6	0.9	0.8	1.9	13.1	13.7	3.7	1.0	0.6	0.5	38.3
51	0.7	0.9	0.8	0.5	0.8	1.4	10.7	6.0	0.8	0.4	0.5	0.2	23.7
52	0.5	0.6	0.7	0.6	0.6	0.8	13.3	12.5	1.7	0.5	0.4	0.4	32.6
53	0.3	0.5	0.6	0.8	0.6	1.8	4.0	3.0	2.0	0.3	0.1	0.1	14.1
1954	0.3	0.4	0.5	0.6	0.6	1.2	3.9	1.2	0.5	0.2	0.1	0.1	9.6
55	0.3	0.4	0.3	0.4	0.3	0.5	2.4	4.2	2.0	0.3	0.3	0.2	11.6
56	0.2	0.4	1.1	1.1	0.8	2.8	9.1	4.3	0.6	0.3	0.3	0.1	21.1
57	0.4	0.5	0.5	0.5	0.7	1.2	4.7	13.1	2.6	0.5	0.4	0.3	25.4
58	0.4	0.5	0.8	0.7	0.8	1.3	8.4	9.5	0.7	0.4	0.3	0.2	24.0
1959	0.3	0.4	0.7	0.6	0.6	1.2	5.6	2.1	0.5	0.3	0.1	0.3	12.7
60	0.5	0.4	0.4	0.5	0.5	1.6	6.6	2.1	0.5	0.2	0.1	0.1	13.5
61	0.2	0.5	0.5	0.5	0.5	1.0	2.4	0.9	0.3	0.1	0	0.1	7.0
62	0.3	0.5	0.5	0.5	1.8	1.3	11.1	3.6	0.8	0.5	0.3	0.2	21.4
63	0.3	0.4	0.4	0.5	1.9	1.6	3.2	5.7	1.3	0.4	0.3	0.2	16.2
64	0.3	0.5	0.5	0.6	0.5	0.6	6.4	11.1	4.1	0.9	0.4	0.3	26.2
1939-62 24 yr	Total	9.7	12.8	14.7	15.0	16.0	33.8	191.2	134.7	35.5	10.2	7.4	494.1
	Average	0.4	0.5	0.6	0.6	0.7	1.6	8.0	5.6	1.5	0.4	0.3	20.5

Notes: Taken from G.S. water supply papers

INSTRUCTIONS TO DELIVERING EMPLOYEE



Show to whom, date, and
address where delivered



Deliver ONLY
to addressee

(Additional charges required for these services)

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Received the numbered article described below.

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SIGNATURE OR NAME OF ADDRESSEE *(Must always be filled in)*

CERTIFIED NO.

1

22209

2

INSURED NO.

DATE DELIVERED

SHOW WHERE DELIVERED *(only if requested)*

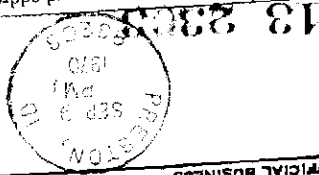
3

9-4-70

13 2303

655-16-71548-10 GPO

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS



PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE \$300

POSTMARK OF
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INSTRUCTIONS: Show name and address below and
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Moisten gummed ends, attach and hold firmly to back
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TO

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STATEHOUSE - ANNEX #2

BOISE, IDAHO 83707

STREET AND NO. OR P.O. BOX

POST OFFICE, STATE, AND ZIP CODE

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(Additional charges required for these services)

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SIGNATURE OR NAME OF ADDRESSEE *(Must always be filled in)*

CERTIFIED NO.

32210

INSURED NO.

DATE DELIVERED

9-9-70

1

Fred Anderson

2

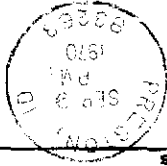
SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

3

SHOW WHERE DELIVERED *(only if requested)*

13 2303

**POST OFFICE DEPARTMENT
OFFICIAL BUSINESS**



13 2308

**RETURN
TO**

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NAME OF SENDER

DEPARTMENT OF WATER ADMINISTRATION

STREET AND NO. OR P.O. BOX

STATEHOUSE - ANNEX #2

BOISE, IDAHO 83707

POST OFFICE, STATE, AND ZIP CODE

**PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE, 100%**

**POSTMARK OF
DELIVERING OFFICE**

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Show to whom, date, and
address where delivered

☐ Deliver ONLY
to addressee

(Additional charges required for these services)

RECEIPT

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SIGNATURE OR NAME OF ADDRESSEE *(Must always be filled in)*

CERTIFIED NO.

1

Will W. Smith

23211

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

Sandra M. Biggs

DATE DELIVERED

SHOW WHERE DELIVERED *(only if requested)*

SEP 9 1979 3

43 2303

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS



POSTMARK OF
DELIVERING OFFICE

PERMIT FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE \$300

NAME OF SENDER

DEPARTMENT OF WATER ADMINISTRATION

STATEHOUSE - ANNEX #2

BOISE, IDAHO 83707

STREET AND NO. OR P.O. BOX

POST OFFICE, STATE, AND ZIP CODE

INSTRUCTIONS: Show name and address below and
complete instructions on other side, where applicable.
Moisten gummed ends, attach and hold firmly to back
of article. Print on front of article RETURN
RECEIPT REQUESTED.

RETURN
TO



NAME AND ADDRESS OF SENDER

Dept. of Water Administration

Indicate type of mail
☐ INSURED ☐ 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	DUE SENDER (IF C. O. D.)	ENDORSEMENT	R. R. FEE	S. D. FEE	S. H. FEE	RESTRICTED DELIVERY FEE	REMARKS
✓ 1 22210	Cleveland Irrigation Co., Inc. Fred H. Anderson, Director, Star Line, Creston, Idaho	06 30				15			13-2303	
✓ 4 22211	cell W. Smith, Attorney at Law, Fred Lewis Bank Bldg., Creston, Idaho	06 30				15			13-2303	
2										
3										
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19								3 2303		
20										

TOTAL NUMBER OF PIECES LISTED BY SENDER	2	TOTAL NUMBER OF PIECES RECEIVED AT POST OFFICE	2	POSTMASTER, PER (Name of receiving employee)		1 Mark "E" if "Fragile," "EP" if "Perishable," "EP" if "Eggs," "EH" if "Eggs for Hatching," "B" if "Butter," "FL" if "Fragile-Liquid," and "FLU" if "Fragile-Liquid—This Side Up." 2 Special-handling charges apply only to fourth-class parcels. Special-delivery service also includes special-handling service.
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[illegible]

NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST-OFFICE ADDRESS	POSTAGE	FEE	DUE SENDER IF C. O. D.	REMOUSEMENT	F. R. FEE	S. D. FEE	S. H. FEE	RESTRICTED DELIVERY FEE
1	22196 Eugene W. Wacker, 445 Oliver Street	06	30			15			17-7059
2	22197 Jimmie F. Wacker, 445 Oliver Street	06	30			15			17-7087
3	22198 Robert Wacker, 445 Oliver Street	06	30			15			17-7087
4	22199 Robert Wacker, 445 Oliver Street	06	30			15			17-7087
5	22200 Eugene W. Wacker, 445 Oliver Street	06	30			15			17-7087
6	22201 Eugene W. Wacker, 445 Oliver Street	06	30			15			17-7087
7	22202 Eugene W. Wacker, 445 Oliver Street	06	30			15			17-7087
8	22203 Eugene W. Wacker, 445 Oliver Street	06	30			15			17-7087
9	22204 Eugene W. Wacker, 445 Oliver Street	06	30			15			17-7087
10	22205 Eugene W. Wacker, 445 Oliver Street	06	30			15			17-7087
11	22206 Eugene W. Wacker, 445 Oliver Street	06	30			15			17-7087
12	22207 Eugene W. Wacker, 445 Oliver Street	06	30			15			17-7087
13	22208 Eugene W. Wacker, 445 Oliver Street	06	30			15			17-7087
14	22209 Eugene W. Wacker, 445 Oliver Street	06	30			15			17-7087
15	22210 Eugene W. Wacker, 445 Oliver Street	06	30			15			17-7087
16	22211 Eugene W. Wacker, 445 Oliver Street	06	30			15			17-7087
17	22212 Eugene W. Wacker, 445 Oliver Street	06	30			15			17-7087
18	22213 Eugene W. Wacker, 445 Oliver Street	06	30			15			17-7087
19	22214 Eugene W. Wacker, 445 Oliver Street	06	30			15			17-7087
20	22215 Eugene W. Wacker, 445 Oliver Street	06	30			15			17-7087

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
Warehouse - Annex 2
Boise, Idaho 83707

13-2303

September 9, 1970

C
County Clerk and Recorder
Franklin County Courthouse
89 W. Oneida
Preston, Idaho 83263

O
Dear Sir:

This letter is to confirm the use of a room at the courthouse for meetings to be held by
P this office. Our meetings are scheduled for 8th of October, 1970.

Thank you for your cooperation in this matter.

Very truly yours,

Y
Donald W. McEldowney
Appropriation Supervisor

DWEL:KE

BEFORE THE DIRECTOR
OF THE
IDAHO DEPARTMENT OF WATER ADMINISTRATION

In the Matter of Protest Against
Licensing of Permit No. R-1144/13-2303
in the name of STRONGARM RESERVOIR
IRRIGATION DISTRICT

NOTICE OF CONFERENCE
AND/OR HEARING

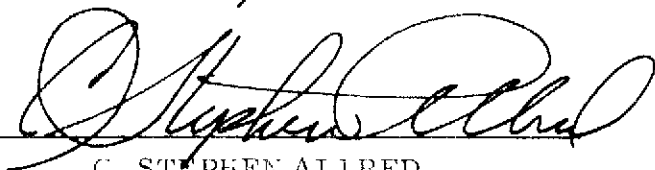
On January 18, 1963, Strongarm Reservoir Irrigation District, Preston, Idaho, filed with the Department of Water Administration an application to appropriate the public waters of the State of Idaho. On December 15, 1969, Strongarm Reservoir Irrigation District submitted Proof of Application of Water to Beneficial Use. On January 22, 1970, Cleveland Irrigation Company, by Fred H. Anderson, Director, Star Route, Preston, Idaho, submitted a protest, through their attorney Dell W. Smith, against licensing of this permit.

The Department has set the matter of protest for conference and/or hearing on October 8, 1970, at 1:30 p.m., in the Franklin County Courthouse (downstairs), 39 W Oneida, Preston, Idaho. Any hearing will be held in accordance with the Rules and Regulations of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Administration. 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 permit holder or protestant may allow the Department without prejudice to dismiss the protest or the permit. Any and all cost incurred by reason of such non-appearance may be assessed against such non-appearing parties.

Dated this 2nd day of September, 1970


C. STEPHEN ALLRED
Deputy Director

Mailed this 8th day of September, 1970, to Strongarm Reservoir Irrigation Dist., Preston, Idaho, certified No. 22209 (copy of protest enclosed); Cleveland Irrigation Company, Mr. Fred H. Anderson, Director, Star Route, Preston, Idaho, certified No. 22210; Dell W. Smith, Attorney at Law, First Security Bank Bldg., Preston, Idaho, certified No. 22211

By Kaye Henderson

13 2303

January 30, 1970

Re: Permit No. R-1144/13-2303

Mr. Gustave C. Hedin, Sec.
STRONGARM RESERVOIR IRRIGATION DIST.
Route 3
Preston, Idaho 83263

Dear Mr. Hedin:

Enclosed you will find a copy of the protest filed against the issuance of a license pursuant to your permit No. R-1144/13-2303 by Fred H. Anderson of Cleveland Irrigation Company. The following are the only provisions which will be considered in the hearing and/or conference:

1. That the permit holder has failed to show the availability of unappropriated public water in such quantity as to make his project feasible.
2. That the operation of the proposed water right under this permit has caused injury to a prior existing water right.
3. That the permit holder has not placed the water to beneficial use in accordance with the terms and conditions of his permit.
4. That the proposed licensing action of the Department of Reclamation is contrary to existing Idaho Statutory Law.

Legal counsel is not mandatory, although you may desire to employ an attorney. You may also, if you so desire, submit a written answer to the protest within ten days.

You will be notified at a later date as to the time and place of hearing. If we may be of further assistance, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

13 2303

DWM:DR
Enclosure

January 30, 1970

Re: Permit No. R-1144/13-2303 - Strongarm Reservoir Irrigation Dist.

Mr. Fred H. Anderson, Director
CLEVELAND IRRIGATION COMPANY
Star Route
Preston, Idaho 83263

Dear Mr. Anderson:

We are in receipt of your correspondence concerning the above referenced permit. The following are the only provisions which will be considered in the hearing and/or conference:

1. That the permit holder has failed to show the availability of unappropriated public water in such quantity to make his project feasible.
2. That the operation of the proposed water right under this permit has caused injury to a prior existing water right.
3. That the permit holder has not placed the water to beneficial use in accordance with the terms and conditions of his permit.
4. That the proposed licensing action of the Department of Reclamation is contrary to existing Idaho Statutory Law.

You will be notified at a later date as to the time and place of hearing. If we may be of further assistance, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR

13 2202

January 19, 1970

Gustave C. Hedin, Secy.
STRONGARM RESERVOIR IRR. DIST.
Route #3
Preston, Idaho 83263

Dear Mr. Hedin:

We acknowledge receipt of the affidavit of publication submitted in connection with the above referenced permit.

Before a license can be issued, a field examination must be made by a representative from this Department.

We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination. If someone other than yourself should be contacted, please advise.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:JMB

13 2393

December 22, 1969

Re: Permit No. R-1144 - Strongarm Reservoir Irrigation District

Preston Citizen
Box 389
Preston, Idaho 83263

Gentlemen:

Enclosed is a legal notice which we wish to have published for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for our 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 date. If you cannot publish the notice on the proposed dates, please contact the Department of Reclamation immediately.

The expense of the publication is to be paid by Gustave C. Hedish, Sec., Strongarm Res. Irr. Dist., Route #3, Preston, Idaho, to whom you should furnish an affidavit of publication.

Very truly yours,

Donald W. McElDowney
Appropriation Examiner

DWM:JMB

Enc. Legal Notice (1)

December 15, 1969

Re: Permit No. R-1144/13-2303

J. C. Hedin
Strongarm Irrigation District
Route #3
Preston, Idaho 83263

Dear Mr. Hedin:

We acknowledge receipt of your affidavit submitted as proof of beneficial use for permit R-1144/13-2303.

Before a license can be issued you must submit an affidavit of publication to this department. The affidavit of publication may be obtained from the Preston Citizen, Preston, Idaho, (after January 8) upon payment of the bill of publication.

Prior to the issuance of the license a field examination must also be made by a representative of this department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system. If someone other than yourself should be contacted by the examiner, please advise.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:JMB

13 2303

December 11, 1969

Re: Permit No. R-1144/13-2303

Gustave C. Hedish, Secretary
Strongarm Reservoir Irrigation Dist.
Route #3
Preston, Idaho 83263

Dear Mr. Hedish:

The legal notice for the above referenced permit is being published in the Preston Citizen, Preston, Idaho, on January 1 and January 8, 1970.

You will be required to submit an affidavit of publication to this department. The affidavit may be obtained from the above mentioned newspaper upon payment of the bill of publication.

Thanking you for your cooperation in this matter.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:JMB

Rec'd gmb
12-11-69
Dept. of Recl.

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that the Strongarm Reservoir Irrigation District,

Preston, Idaho, has received an approved permit No.

R-1144 issued by the Idaho State Reclamation Department authorizing the

~~diverting~~ storage of 600 ~~cubic feet~~ acre feet per annum

of water from Shingle and Cottonwood Creeks tributary of Bear River,

subject to all prior rights. The priority to be established under this permit is

January 18, 1963 and the permit was approved January 25, 1963.

Water is to be diverted by earth and ~~concrete~~ concrete dams and canals

²
from a point within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 8, T. 12 S, R. 39 E, B.M., Franklin

County

to be used for irrigation

in the E $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$, Sec. 1; E $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 12, T. 14 S, R. 38 E, B.M., and in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 6; all of Sec. 7; NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 8; S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 9; S $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 10; N $\frac{1}{2}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17; NE $\frac{1}{4}$, Sec. 18, T. 14 S, R. 39 E, B.M.

Proof of the application of the water to beneficial use is to be submitted to the Department on or before January 25, 1970. Any protests against the issuance of a license for the above referenced permit should be filed with the Department of Reclamation within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Preston Citizen, Preston, Idaho, on

January 1 and January 8, 1970.

State Reclamation Engineer: Permit No. R-1144

You are hereby authorized to have the attached notice published at my expense in the Preston Citizen of Preston, Idaho;

published in the county in which the works are situated.

(Signature)

(Address)

(Date)

INSTRUCTIONS TO DELIVERING EMPLOYEE

☒ Show to whom, date, and address where delivered ☐ Deliver ONLY to addressee
(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)

CERTIFIED NO.

21362

INSURED NO.

1

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

2

DATE DELIVERED

SHOW WHERE DELIVERED (only if requested)

3

**POST OFFICE DEPARTMENT
OFFICIAL BUSINESS**

**PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE, \$300**

13 2303

POSTMARK OF
DELIVERIN OFFICE

INSTRUCTIONS: Show name and address below and complete instructions on other side, where applicable. Moisten gummed ends, attach and hold firmly to back of article. Print on front of article **RETURN RECEIPT REQUESTED.**

**RETURN
TO**

NAME OF SENDER

Department of Reclamation

STREET AND NO. OR P.O. BOX

Annex # 2 Statehouse

POST OFFICE, STATE, AND ZIP CODE

Boise, Idaho 83707

November 3, 1969

CERTIFIED MAIL

Re: Permit No. R-1144 (New No. 13-2303)

Strongarm Reservoir Irrigation District
Preston, Idaho

Gentlemen:

One of the conditions of the approval of your permit no. R-1144/13-2303 was that proof of application of the water to beneficial use be submitted to this office on or before January 25, 1970.

Enclosed is an affidavit form which must be used to submit this proof. You may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code Amended.

Either the proof or a request for 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.



State Reclamation Engineer

RKH:DWM:JMB

Enc: Proof form

R-1144
13-2303

July 15, 1969

RE: Permit No. R-1144

Strongarm Reservoir Irrigation District
Preston
Idaho

Gentlemen:

During the 1967 session of the Idaho Legislature, certain amendments were made in the law pertaining to the procedures for making proof of beneficial use of water. In order for the Department to comply with these changes, Rules of Practice and Procedure were adopted on August 1, 1968. Generally, these procedures and the amended law make it simpler for a person to make proof and relieve the permit holder from making separate proofs of completion of works and beneficial use of water.

The enclosed order modifies your permit to comply with these rules and regulations. As a part of the new procedure, you will be required to publish a notice at your expense for two consecutive weeks in a paper as prescribed by the Department, stating that you have been issued a permit [REDACTED]. Previously, a permit holder had to publish a notice for four weeks when he submitted proof under his permit.

If you will complete the enclosed forms, we will cause the notice to be published. Should you require additional forms or information, we will be glad to supply it upon request at any time.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

SC

Enc: Order
Adv. Package

13-2303
R-1144

March 27, 1968

RE: Permit R-1144

Strongarm Reservoir Irrigation District
Preston, Idaho 83263

Gentlemen:

Enclosed herewith is a copy of the approval of the State Reclamation Engineer on the application for extension of time you submitted to this office.

You will note the extension is allowed to January 25, 1970 instead of the date requested.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosure

R-1144

March 22, 1968

Re: Permit No. R-1144

Strongarm Reservoir and Irrigation District
Preston,
Idaho

Gentlemen:

Enclosed is a copy of our letter of February 13, 1968.
As of this date we have not received a reply to this correspondence.
We would appreciate any information concerning this matter as soon
as possible.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

Enclosure: Copy of 2-23-68

C
O
P
Y

R-1144

February 13, 1968

Re: Permit No. R-1144

Strongarm Reservoir Irrigation District
Preston,
Idaho

Gentlemen:

We have received and reviewed your application for extension of time on the above referenced permit; however, before we can make final determination in connection with the extension you have requested, we wish some additional information concerning your stated negotiations concerning the use of the ditch in question.

Also, please advise the department as to any other work or negotiations you have completed in connection with this project. Your prompt attention is appreciated.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

R-1144

Re: Permit No. R-1144

November 1, 1967

Strongarm Reservoir Irrigation District
Preston, Idaho 83263

Gentlemen:

Proof of completion of works and application of water to beneficial use for the above referenced permit is due not later than January 25, 1968.

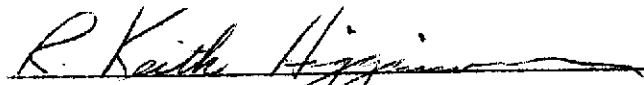
Under the terms of your permit, it is required that a notice be published once a week for four consecutive weeks in a local newspaper showing your intent to submit proof. The proof will consist of depositions which the permit holder and two disinterested witnesses must complete before the listed notary public, and must be accompanied by an affidavit of publication of the legal notice.

We have prepared the enclosed notice from the information on your permit. The complete name and address of a notary public of the State of Idaho must be entered together with a date for you to appear before the notary. Allow at least 40 days from the date the notice is mailed to this department for your appearance before the notary.

If you find any discrepancy in the notice or have made any changes, please advise this department and we will assist you in doing whatever may be necessary to assure correct publication.

If the enclosed notice is correct, complete the blank spaces and sign the form authorizing us to publish the notice at your expense and return all forms. At the time we send the notice to the newspaper, you will be supplied with further instructions.

If you do not desire to complete the proofs and obtain a license of water right, you are requested to complete the relinquishment portion of this form below and return it to the Department of Reclamation.


State Reclamation Engineer

RELINQUISHMENT

I hereby relinquish to the State of Idaho, all my right, title and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. _____.

Dated _____.

permit holder

R-1144

January 30, 1963

Re: Permit No. R-1144

Strongarm Reservoir Irrigation Dist.,
Preston, Idaho.

Gentlemen:

We enclose Permit No. R-1144 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. 31413 which was issued covering payment in the amount of \$5.50 for the filing fee of the above mentioned permit.

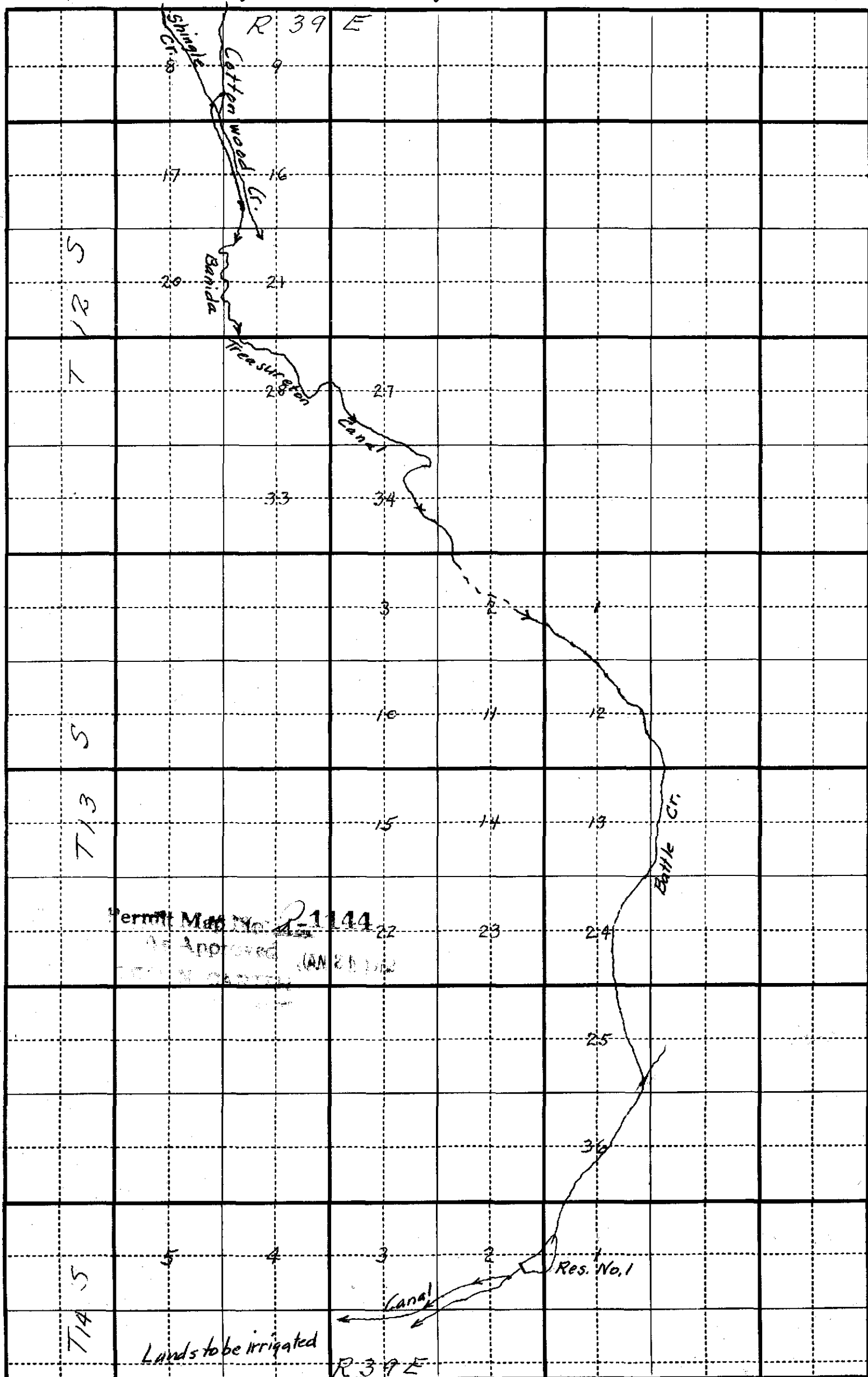
Very truly yours,

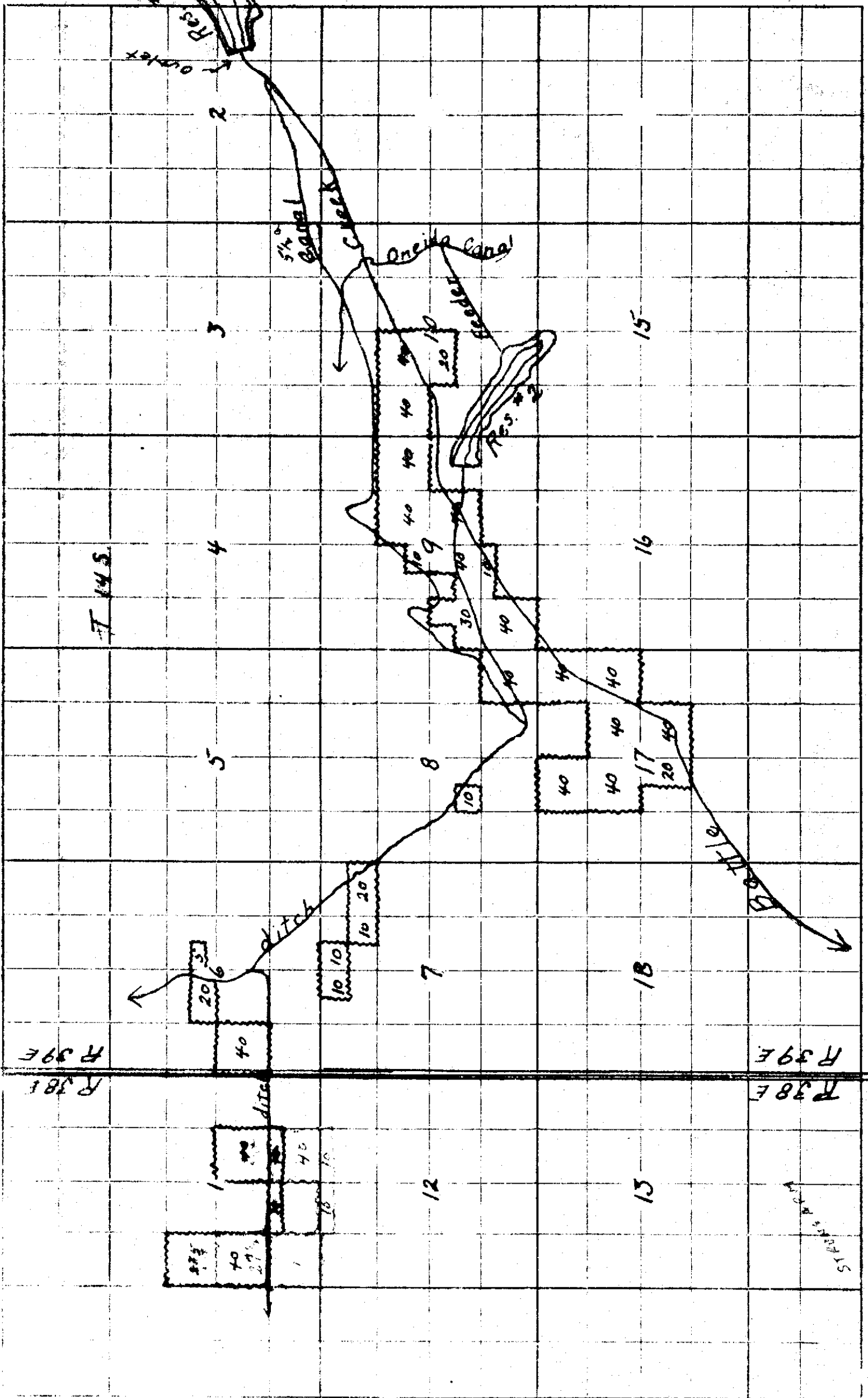
GEO. N. CARTER
State Reclamation Engineer
By

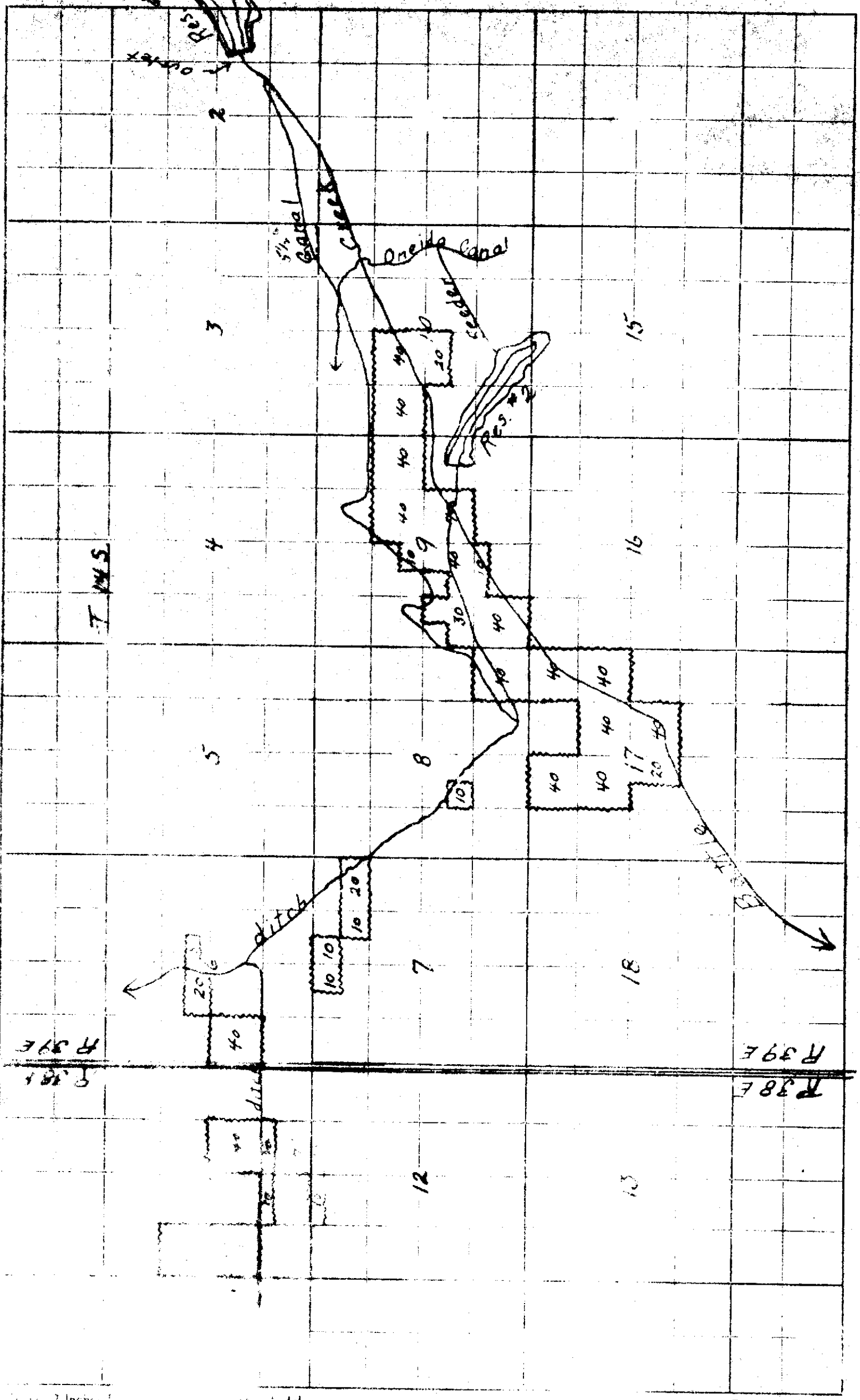
(Mrs.) Edna P. Rule
Chief Clerk

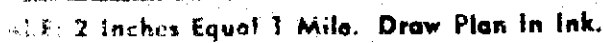
EPR:pmk
Encl.

R-1144









R-1144