

RECEIVED
NOV 26 1962

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 30592

Proof of Application of Water to Beneficial Use
and Completion of Works

Deposition of Holder

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

Ans. Allen D. Ellis, Challis, Idaho, Rancher

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

Ans. I am acting in my own behalf.

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

Ans. Permit No. 30592, July 27 1962. I would desire to establish that date of priority. Some of these waters have been used on the lands mentioned before long before the date of the permit. 10-19-62

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

The point of diversion of said water is in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 26, Twp. 14 N. Range 19 E.B.M. Custer County, Idaho.

ing from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined. If sprinkler irrigation, give number and size of nozzles and operating pressure.

Ans. The works of diversion consist of a head box within the unnamed slough and a gravity flow ditch from that point. These works are capable of conveying approximately 4 to 5 cu. ft. per sec. of water from the point of diversion to the place of use. These works remain unnamed.

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

The water and works will cover approximately 15 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, 4 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, 6 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, 25 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, total 50 acres. The land has been cleared and cultivated and leveled and is suitable for general ranching purposes as a direct result of the usage of this water. SEC 26, T. 14N, R. 19E

30592

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

Ans. Water is used strictly for irrigation purposes.

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

Ans. The minimum amount of water required for irrigation of this land is 2 inches per acre.

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. I am the same person.

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

Ans. Referring back to the answer in Question 6, I can only state that these waters have been used by myself on the lands described under Question 6 for a period of the past four growing seasons to the extent of about 2½ inches per acre.

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

Ans. I use no other waters than those described herein on the lands set out above.

(Sign)

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

State of Idaho, on this 20th day of November, A. D. 1963.

My commission expires 1-2-67

Question 6 continued...

~~cover approximately 23 to 28 acres in that plot. It will cover the Northwest subdivision of the Northwest subdivision and portions of the Northeast subdivision Northwest subdivision and Southwest subdivision Northwest subdivision of the Southwest Quarter Northeast Quarter of Section 26, covering approximately 4 acres. It will cover portions of the Southeast subdivision Southeast subdivision, Northeast subdivision Southeast subdivision, Southwest subdivision Southeast subdivision of the Northeast Quarter Northwest Quarter of Section 26 covering approximately 5 to 6 acres. Also, it will cover portions of all of the Southwest subdivision of the Northwest Quarter Northeast Quarter and portions of the South Half of the Northwest subdivision and the Northeast Quarter of the Northwest subdivision within the Northwest Quarter Northeast Quarter of Section 26 for a total of approximately 12 to 15 acres.~~

~~This land has all been cleared and cultivated and leveled and is suitable for general ranching purposes as a direct result of the usage of this particular water.~~

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

NOTICE is hereby given that at 2:00 P.M., on the 20th day of November, 1963, at Challis, County of Custer, State of Idaho, before James R. Bennetts, Notary Public, at Challis, Idaho, proof will be submitted of the completion of works for the diversion of 2 cubic feet per second of the waters of an unnamed slough, a tributary of Salmon River, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 30592, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is: Allen D. Ellis, Challis, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion and the amount of water which said works are capable of conveying to the place of use is 2 cubic feet per second.

3. The use to which said water has been applied is for irrigation - agricultural purposes, and the amount applied to beneficial use is 2 cubic feet per second.

4. The point of diversion of said water is in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 26, Twp. 14 N. Range 19 E. B. M., Custer County, Idaho.

5. The place where said water is used is NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, all in Section 26, Township 14 North, Range 19 East, Boise Meridian. Total 50 acres.

6. The date of priority which said user is prepared to establish is July 26, 1962.

CARL E. TAPPAN
State Reclamation
Engineer

Pub. Oct. 10, 17, 24, 31, 1963

AFFIDAVIT OF PUBLICATION

State of Idaho, }
County of Custer, } ss:

Richard Swindell
I, ~~Harvey M. Griddle~~, manager of The Challis Messenger, a weekly newspaper, published at Challis, Idaho, do solemnly swear that the notice hereto attached and made a part hereof, was published in the regular and entire issue of The Challis

Messenger for 4 consecutive weeks, commencing with the issue dated October 10, 19 63 and ending with the issue dated October 31, 19 63

Richard Swindell

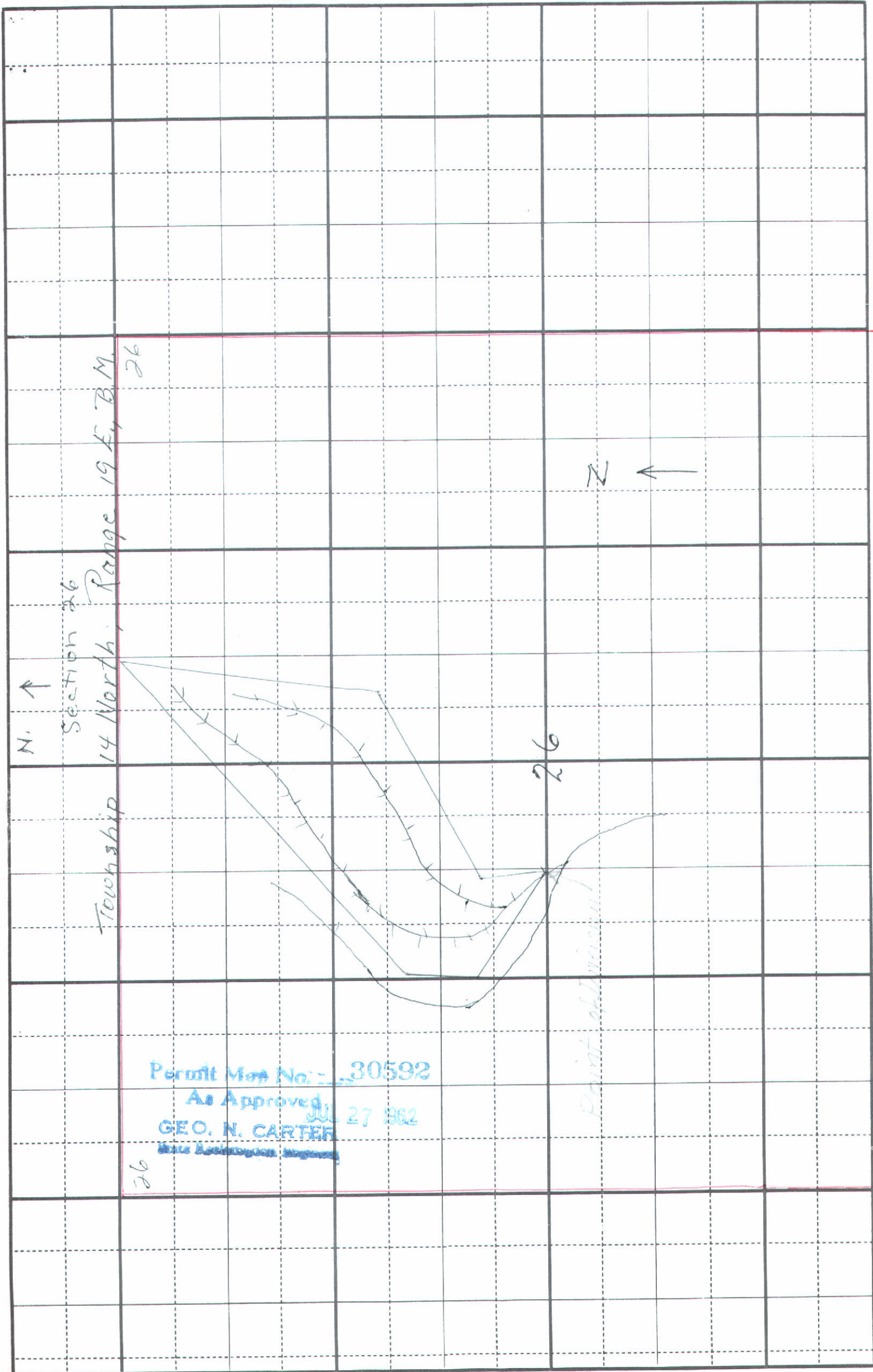
Subscribed and sworn to before me this 20th

day of November, 19 63

James R. Bennetts
Notary Public, Residing at
Challis, Idaho.

My Commission expires 1-2-67

30592



Permit Map No. 30592
As Approved
JUL 27 1962
GEO. N. CARTER
State Assessor Highway

State of Idaho

License and Certificate of Water Right

Water License No. 30592

Amount 2.0 c.f.s.

Water District No.

Priority Nov. 19, 1962

THIS IS TO CERTIFY that ALLEN D. ELLIS
 of Challis, Idaho, made application for a permit to appropriate the
 public waters of the State of Idaho, dated July 26, 1962; that Permit No. 30592
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
 2.0 second feet, was issued thereunder on February 3, 1967, showing that said works
 were completed on the 20th day of November, 1963; and that on the 20th
 day of November, 1963,

ALLEN D. ELLIS
 of Challis, State of Idaho, made proof to the satisfaction of the
 State Reclamation Engineer of Idaho, of the right to use the waters of unnamed
 slough, a tributary of Salmon River, for the purpose of irrigation
 under Use Permit No. 30592 of the Department of Reclamation,
 and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
 and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
 14 of Licenses at page 8665, on the 3rd day of February, 1967;

The right hereby confirmed dates from November 19, 1962;

The Point of Diversion is located
 in the SE 1/4 NW 1/4, Sec. 26, Tp. 14N, R. 19E, B. M. County of Custer.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
 aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
 not exceed 2.0 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract		No. Acres Described in Permit	No. Acres Actually Irrigated
14 N	19 E	26	NW1/4	NE1/4	15	15
			SW1/4	NE1/4	4	4
			NE1/4	NW1/4	6	6
			SE1/4	NW1/4	25	<u>25</u>
			Total number of acres to be irrigated:			

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

3rd day of February, 1967.

R. KEITH HIGGINSON

State Reclamation Engineer.

(SEAL)

L 8666
K.O.
copy in ne
folder 13-2183

State of Idaho
License and Certificate of Water Right

Water License No. G-25332 Amount 1.11 c.f.s.
Water District No. Priority Dec. 20, 1954

THIS IS TO CERTIFY that STRONGARM IRRIGATION DISTRICT
of Preston, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated December 20, 1954; that Permit No. G-25332
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1.11 second feet, was issued thereunder on February 3, 1967, showing that said works
were completed on the 21st day of December, 1964; and that on the 21st
day of December, 1964,
STRONGARM IRRIGATION DISTRICT
of Preston, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
, a tributary of subterranean flow, for the purpose of irrigation
, under Use Permit No. G-25332 of the Department of Reclamation,
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
14 of Licenses at page 8666, on the 3 day of February, 1967;
The right hereby confirmed dates from December 20, 1954;
The Point of Diversion is located
in the SE 1/4 SE 1/4, Sec. 25, Tp. 13S, R. 39E, B. M. County of Franklin.
That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 1.11 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
14 S	38 E	1	NW 1/4 SW 1/4	27.5	27.5
			SW 1/4 SW 1/4	40	40
			SW 1/4 SE 1/4	40	40
			NW 1/4 NE 1/4	10	10
14 S	39 E	3	NE 1/4 NW 1/4	10	10
			SE 1/4 SE 1/4	5.5	5.5
			SW 1/4 NE 1/4	5	5
			SE 1/4 NW 1/4	20	20
14 S	39 E	6	NW 1/4 SW 1/4	40	40
			NE 1/4 NE 1/4	20	20
			NW 1/4 NE 1/4	20	20
			NE 1/4 NW 1/4	10	10
14 S	39 E	7	SE 1/4 SE 1/4	40	40
			NE 1/4 SW 1/4	10	10
			SE 1/4 NE 1/4	40	40
			SW 1/4 NE 1/4	40	40
14 S	39 E	8	SE 1/4 NW 1/4	10	10
			NE 1/4 SW 1/4	40	40
			NW 1/4 SW 1/4	30	30
			SW 1/4 SW 1/4	40	40
14 S	39 E	9	SE 1/4 SW 1/4	10	10
			NW 1/4 SE 1/4	40	40
			SE 1/4 NW 1/4	40	40
			SW 1/4 NW 1/4	40	40
14 S	39 E	10	NE 1/4 SW 1/4	20	20
			NE 1/4 NE 1/4	40	40
			SW 1/4 NE 1/4	40	40
			SE 1/4 NE 1/4	40	40
14 S	39 E	17	NE 1/4 NW 1/4	40	40
			SE 1/4 NW 1/4	40	40
			NE 1/4 SW 1/4	20	20
			NW 1/4 SE 1/4	40	40

Total number of acres to be irrigated: 908

copy in new
folder 13-2183

State of Idaho
License and Certificate of Water Right

Water License No. G-25332

Amount 1.11 c.f.s.

Water District No.

Priority Dec. 20, 1954

THIS IS TO CERTIFY that STRONGARM IRRIGATION DISTRICT
of Preston, Idaho, made application for a permit to appropriate the
water of the State of Idaho, Idaho, December 20, 1954, that Permit No. G-25332

Described in Permit					

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

3rd day of February, 1967.

R. KEITH HIGGINSON

State Reclamation Engineer.

(SEAL)

State of Idaho

License and Certificate of Water Right

Water License No. 30592 Priority November 19, 1962 Amount 2.0 c.f.s.

THIS IS TO CERTIFY that **ALLEN D. ELLIS**

of **Challis, Idaho**, made application for a permit to appropriate the public waters of the State of Idaho, dated **July 26**, 1962; that Permit No. **30592** was issued under said application; that Certificate of Completion of Works, with a carrying capacity of **2.0** second feet, was issued thereunder on **February 3**, 1967, showing that said works were completed on the **20th** day of **November**, 1963; and that on the **20th** day of **November**, 1963

ALLEN D. ELLIS

of **Challis**, State of **Idaho**, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of **unnamed slough**

a tributary of **Salmon River** for the purpose of **irrigation**, under Use Permit No. **30592** of the Department of Reclamation, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume **14** of Licenses, at Page **8665**, on the **3rd** day of **February**, 1967.

The right hereby confirmed dates from **November 19**, 1962.

The Point of Diversion is located

in the **SE 1/4 NW 1/4, Sec. 26**, Twp. **14 N, R. 19 E, B.M.** **Custer** County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed **2.0** cubic feet per second.

Description and location of use:

Twp.	Range	Section	Forty-Acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
14 N	19 E	26	NW 1/4 NE 1/4	15	15
			SW 1/4 NE 1/4	4	4
			NE 1/4 NW 1/4	6	6
			SE 1/4 NW 1/4	25	25
			Total number of acres to be irrigated:		50

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this **3rd** day of **February**, 1967.

R. Keith Higgins
State Reclamation Engineer.

30592

State of Idaho

LICENSE AND CERTIFICATE
OF WATER RIGHT

Water License No. 30592

To Allen D. Ellis
Challis, Idaho

Source of Supply unnamed slough

Custer County

Amount 2.0 Sec. Ft.

Point of Diversion SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 26,

T. 14 N., R. 19 E., B.M.

Place of Use W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 26,

T. 14 N., R. 19 E., B.M.

Purpose irrigation

Date of Priority November 19, 1962

Recorded February 3, 1967

in Book 14 of Licenses, Page 8665

30592

Application For Permit To Appropriate the Public Waters of the State of Idaho

12-517

APPLICATION No. 38665
PERMIT No. 30592
DISTRICT No.

1. Name of Applicant: Allen D. Ellis

Postoffice address: Challis

County: Custer

State: Idaho

I. If applicant is a corporation, give:

- (a) Date and place of incorporation:
- (b) Amount of capital stock:
- (c) Amount paid in:
- (d) Names and addresses of directors:

II. The financial resources of the applicant are:

- (a) Cash on hand:
- (b) Treasury stock:
- (c) Bond to be issued:
- (d) Other resources:

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

3. Source of water supply: An unnamed slough which is a tributary of Salmon River

4. Location of point of diversion: 450 feet East ~~xx feet~~ distant from the SE corner of Section 26, T. 14 N, R. 19 E, B.M., and is in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of section 26, T. 14 N, R. 19 E, B. M., County of Custer

5. Water is to be used for irrigation

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

- (a) Point of use of water: feet distant from corner of Section T. , R. , B.M., in the of Section of , T. , R. , B.M.
- (b) Amount of power generated: H.P., under feet head.
- (c) Water is to be returned to at a point feet distant from the corner of Section , T. , R. , B.M., in the of Section , T. , R. , B.M.

7. Estimated cost of works: \$ 500.00

8. Kind of works: Diversion box in slough and then into gravity flow ditch

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

10. Size of headgate: Width 4 feet; height 3 feet.

11. Ditch: Width at bottom V-Type fee; width at water line 3 feet; depth of water 2 feet; dimensions of flume:

Diameter of pipe inches; length of conduit ditch approx. $\frac{1}{2}$ miles.

Average grade per mile feet.

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

13. The time required for the complete application of the water to the proposed use is NO additional years.

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

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

16. (a) Is reservoir to be used? No If so, fill in (b) and (c) below:
(b) Name of Reservoir and number of Storage Permit:
(c) Date of filing of Application for Storage Permit and Name of Applicant:

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

s/ Allen D. Ellis Applicant.

By Agent.

Date of first receipt at Department of Reclamation: 11:30 A.M. July 26, 1962

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 30592
Recorded in Book 107 Page 30592 Approved July 27, 1962
This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:
Bond in the sum of \$ to be filed on or before
Work to begin on or before September 27, 1962 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.
One-fifth of the work above specified to be completed on or before January 27, 1963
The whole of said work to be completed on or before July 27, 1963
Beneficial use of water appropriated in accordance herewith, to be made on or before July 27, 1963

WITNESS My hand this 27th day of July, 1962 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 27th day of July, 1962.
COUNTERSIGNED: STATE OF IDAHO

(SEAL) By s/ ARNOLD WILLIAMS, Secretary of State. By s/ ROBERT E. SMYLLIE, Governor.

REMARKS: The area to be irrigated is gravelly ground on which the diversion works have been in use heretofore and the water placed to beneficial use.

14.

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	
14 N	19 E	26	15	4			6		25										50
Permit No. 30592 CERTIFICATE OF COMPLETION OF WORKS																			
TO ALL WHOM IT MAY CONCERN:																			
This is to certify that ALLEN D. ELLIS of Challis, County of Custer, and State of Idaho, the holder of Permit No. 30592, issued upon Application No. 38665 bearing date of priority of November 19, 1962 (late proof) authorizing the diversion of 2.0 second feet of waters of unnamed slough, County of Custer, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 2.0 second feet of the waters of unnamed slough, tributary of Salmon River; that the point of diversion of said waters SE1/4NW1/4, Sec. 26, T. 14 N, R. 19 E, B.M. and that the lands proposed to be irrigated by the use or place of use of said water are described as follows, to-wit: W1/2NE1/4, E1/2NW1/4, Sec. 26, T. 14 N, R. 19 E, B.M.																			
Proof of Completion of Works made: November 20, 1963.																			
Witness my hand this 3rd day of February, A.D. 1967.																			
															S/ R. KEITH HIGGINSON State Reclamation Engineer				
															LICENSE ISSUED FOR 2.0 SEC. FT. LICENSE PAGE NO. 5665				

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that ALLEN D. ELLIS
 of Challis , County of Custer , and State of
 Idaho , the holder of Permit No. 30592 , issued upon
 Application No. 38665 bearing date of priority of November 19, '62
 (late proof)
 diversion of 2.0 second feet of waters of unnamed slough

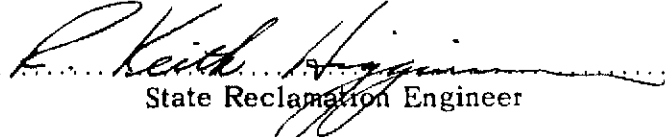
County of Custer , State of Idaho, for irrigation
 purposes, has fully complied with the provisions of the laws of the State of Idaho
 relating to the proof of completion of the works of diversion set out and described in said
 Permit; that said works are adequate for diverting and conveying to the place of intended
 use 2.0 second feet of the waters of unnamed slough
 tributary of Salmon River;

that the point of diversion of said waters SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 26, T. 14 N., ...
 R. 19 E., B.M.

and that the lands proposed to be irrigated by the use or place of use of said water are
 described as follows, to-wit: W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 26, T. 14 N., ...
 R. 19 E., B.M.

Proof of Completion of Works Made: November 20, 1963

Witness my hand this 3rd day of February , A. D. 19 67


 State Reclamation Engineer

30592

Permit No. 30592.....

**Certificate of Completion
of Works**

Dated February 3, 1967.....

Stream unnamed slough.....

County Custer.....

Amount 2.0 c.f.s.

Date of Priority November 19, 1962.....

Recorded in Book 107.....

of Permits 30592
....., page

30592

February 3, 1967

RE: Permit No. 30592

Allen D. Ellis
Challis, Idaho

Dear Mr. Ellis:

Enclosed are the Certificate of Completion of Works
and License and Certificate of Water Right on the
above numbered permit.

Also enclosed is departmental receipt No. 33560 in
the amount of \$13.00 covering the fees.

Very truly yours,

M. Russell Bosch
Office Manager

MRB:mr

Enc. certificates, receipt

30592

LAW OFFICES
FUREY, FUREY & BENNETTS
ATTORNEYS AT LAW

JACK B. FUREY
JAMES R. BENNETTS
CHALLIS, IDAHO

December 19, 1966

RECEIVED
DEC 20 1966
Department of Reclamation

SHERMAN F. FUREY, JR.
SALMON, IDAHO

State of Idaho
Department of Reclamation
107 State House
Boise, Idaho 83701

Attention: M. Russell Bosch

Re: Permit No. 30592, Allen D. Ellis

Dear Mr. Bosch:

Please find enclosed a \$13.00 check covering the permit and license fees of the above referenced permit. We are pleased to notice that the 2.0 c.f.s. has been allowed.

I am not sure after reading your letter of December 13, whether there has been an incorrect interpretation of our original application. I thought I should point out, by way of clarification, that our original request was 3 (three) inches per acre.

Very truly yours,

FUREY, FUREY & BENNETTS,

By James R. Bennetts

JRB:ff

Encl. 1

30592

December 13, 1966

Re: Permit No. 30592

Allen D. Ellis
Challis, Idaho

Dear Mr. Ellis:

Our field examiner's report on his inspection of proof of completion of works and application of water to beneficial use under the terms of Permit No. 30592 shows the headgate and ditch are capable of conveying 100 miner's inches, or 2.0 c.f.s. However, due to the limitations of your permit, we can only allow the amount of water originally requested, the amount of water actually used beneficially, or 1 (one) miner's inch per irrigated acre.

Upon receipt of the statutory fees, totaling \$13.00, we will issue the Certificate of Completion of Works for 2.0 c.f.s. and the License and Certificate of Water Right for 2.0 c.f.s. confirming the right, with priority of November 19, 1962, to the use of surface water with the point of diversion in SE 1/4 NW 1/4, Sec. 26, T. 14 N, R. 19 E, B.M., for irrigation of 50 acres in W 1/2 NE 1/4, E 1/2 NW 1/4, Sec. 26, T. 14 N, R. 19 E, B.M.

Very truly yours,

M. Russell Bosch
Office Manager

MRE:nw

30592

LAW OFFICES
FUREY, FUREY & BENNETTS
ATTORNEYS AT LAW
December 9, 1966

RECEIVED
DEC 13 1966
DEPARTMENT OF RECLAMATION

JACK B. FUREY
JAMES R. BENNETTS
CHALLIS, IDAHO

SHERMAN F. FUREY, JR.
SALMON, IDAHO

Mr. Donald J. Watts
Department of Reclamation
107 State House
Boise, Idaho 83701

Re: Permit No. 30592
Allen D. Ellis

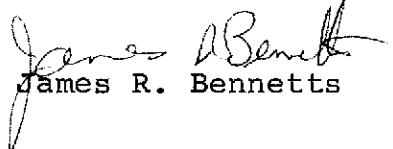
Dear Mr. Watts:

Please find enclosed the affidavit of Philip O. Edwards, County Extension Agent. Mr. Edwards informs me that he had discussed this particular matter with you this past week.

If you feel it advisable to file a statement as to water usage on this property by some disinterested parties, in addition to the enclosed statement, please advise us and we will have the same prepared and submit to you.

Very truly yours,

FUREY, FUREY & BENNETTS

By  James R. Bennetts

JRB:ff

Encl. 1

30592



AGRICULTURAL EXTENSION SERVICE
UNIVERSITY OF IDAHO
College of Agriculture

RECEIVED
DEC 13 1966
Department of Agriculture

Box 277 Phone 879-3554

CHALLIS, IDAHO - 83226

December 8, 1966

To Whom It May Concern:

I have investigated the need for irrigation water on the place now owned and operated by Allen "Mike" Ellis, located about $1\frac{1}{2}$ miles east and north of Challis, Idaho, adjacent to the area known as the "BLM scales and corrals;" in reference to water permit #30592.

Mr. Ellis has about 50 acres of shallow, gravelly, sandy loam soil mixed with very coarse gravel. The soil depth varies from 5" to 18" underlaid with coarse gravel. He has difficulty keeping the soil wet enough to raise good pasture. The gravel underlay has little water holding capacity thusly providing plenty of drainage.

Part of the field has been smoothed with the remainder too shallow to any land moving work. The field has been seeded with adapted varieties of grasses for maximum production.

The irrigation system has had some improvements. Some corrugations are used but the field has to be cut up into very short runs.

Due to the shallow gravelly soil and short lengths of runs, it would be very difficult to adequately irrigate the area on one Idaho Miner inch of water per acre. Other nearby farms with comparable soils are using more than two Idaho Miner inches of water per acre.

Very truly yours,

Philip O. Edwards
Philip O. Edwards
County Extension Agent

STATE OF IDAHO)
POE/he : ss
COUNTY OF CUSTER)

Subscribed and sworn to before me this
9th day of December 1966.

James R. Bennett
Notary Public
Residing at Challis, Idaho

30592

October 19, 1966

RE: Permit No. 30592
Allen D. Ellis

James R. Bennetts
Attorney at Law
Challis, Idaho

Dear Mr. Bennetts:

Upon visits of inspection by examiners of this department it has been noted that perhaps Mr. Ellis' ground does need more water than the 1 miner's inch per acre generally allowed by Idaho Statutes, and that in fact more water is diverted and used.

If you would obtain an affidavit of Mr. Ellis' water requirement from the Custer County S.C.S. Office some additional water could probably be licensed for the tract in question.

Very truly yours,

Donald J. Watts
Engineer

DJW:mr

30592

LAW OFFICES
FUREY, FUREY & BENNETTS
ATTORNEYS AT LAW

JACK B. FUREY
JAMES R. BENNETTS
CHALLIS, IDAHO

October 11, 1966

SHERMAN F. FUREY, JR.
SALMON, IDAHO

Department of Reclamation
107 State House
Boise, Idaho 83701

Attention: Mr. M. Russell Bosch

Re: Allen D. Ellis
Permit No. 30592

RECEIVED
OCT 12 1966

Department of Reclamation

Dear Mr. Bosch:

After reading your letter of October 7, 1966 and calling you on the telephone October 10, 1966, there is still some question in our minds as to the authorization of only 1.0 c.f.s. on the final Certificate.

I have always read 42-202 of the Idaho Code as meaning that more than one miner's inch per acre or more than one cubic foot per second per 50 acre tract could be authorized where it could be shown to the satisfaction of the Department of Reclamation that a greater amount of water is necessary. I'm certain in this particular instance a need for more than one miner's inch per acre can be shown. The ground to be covered is extremely gravelly and shallow, having been an old river wash. This may not have been apparent from a casual inspection, however, the information was contained within our original application.

Also, I would point out that the facility used to convey the water can most assuredly carry more than the fifty miner's inches authorized by your final Certificate of Completion of Work. We would certainly appreciate a review of the matter and a new inspection of the works and use of the water in this particular instance to determine the possibility of your granting a right to additional waters.

Mr. Ellis would be available to go over the ground with anyone from the Department upon reasonable notice. Any consideration given this request would be greatly appreciated.

Very truly yours,

FUREY, FUREY & BENNETTS

By *James R. Bennetts*
James R. Bennetts

JRB:sls

cc: Allen D. Ellis

30592

October 7, 1966

RE: Permit No. 30592

Allen D. Ellis
Challis, Idaho

Dear Mr. Ellis:

Our field examiner's report on his inspection of proof of completion of works and application of water to beneficial use under the terms of Permit No. 30592 shows the headgate and ditch are capable of conveying 50 miner's inches, or 1.0 c.f.s. However, due to the limitations of your permit, we can only allow the amount of water originally requested, the amount of water actually used beneficially, or 1 (one) miner's inch per irrigated acre.

Upon receipt of the statutory fees, totaling \$13.00, we will issue the Certificate of Completion of Works for 1.0 c.f.s. and the License and Certificate of Water Right for 1.0 c.f.s. confirming the right, with priority of November 19, 1962, to the use of surface water from an unnamed slough with the point of diversion in SE $\frac{1}{4}$ NW $\frac{1}{4}$, for irrigation of 50 acres in E $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 26, T. 14 N, R. 19 E, B.M.

Very truly yours,

M. Russell Bosch
Office Manager

MRB:nw

30592

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 30592

REPORT ON PROOF OF Completion of Works and Beneficial Use

Allen D. Ellis
Challis, Idaho

Willard Reed 2 9 63 - 7516

30592

29/4/82	12.1.1	12.1.1
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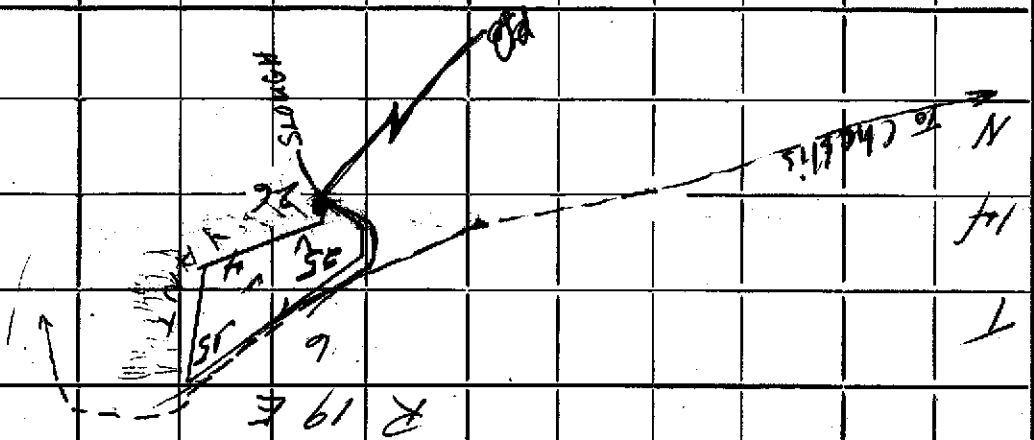
County agent listed

get the form

allow 2.0 g/s

~~Q. allow 1.0/4~~

Area - 50A
Jafel - 7



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

Permit No. 30592This proof is for Completion of Works and Beneficial Use In Water District No. _____1. Name of applicant Allen D. Ellis Challis, Idaho2. Source of water supply: Unnamed Slough3. Location of point of diversion: Is in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 26T. 14 N R. 19 E B.M. County of Custer

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

Headgate and ditch divert water from
unnamed slough or drain ditch

5. Water is used for: Irrigation

6. State whether or not water has been turned into works of diversion: _____

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):

SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 26 T 14N R 19E B.M.

NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ 50 Acres

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

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

Remarks: _____

Ron says slough looks like 1000' 50% cultivation and 50% idle
Slough approx 1/2 mile long all gravity outlet
There was a death in the family no one home during the trip

This examination was made on the

14th
14th
(Signed)

day of

July, 1961

Examiner.

30592

Allen D. Ellis
Challis, Idaho

Permit No. 30592

Examination for Completion of Works and Beneficial Use

County Custer

Sec. 26 T. 14N R. 19E B.M.

Quantity: 2.0 C.F.S.

Source: Truncated Slough

P.D.: SE NW, 26-14N-19E

Use: Irrigation

Filed: 7-26-62

Due: 11-27-63

Extension:

Completion of Works:

Other Rights: None

Made: Nov 20, 1963

Priority: Nov 17, 1962

INSTRUCTIONS TO EXAMINERS

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

RECEIVED
JUL 18 1966

Department of Reclamation

April 27, 1966

Re: Permit No. 30592
Allen D. Ellis

Mr. James R. Bennetts,
Attorney at Law,
Challis, Idaho.

Dear Mr. Bennetts:

We have received your letter dated April 26, 1966,
in which you ask when the final inspection will be made on
the above permit.

At this time, it is difficult to set a specific date,
but the examination will be made during this irrigation sea-
son. Mr. Ellis will be contacted at the time of the examina-
tion.

Very truly yours,

ROBERT W. HAMILTON
Supervisor of Water Distribution

RWH:pmk

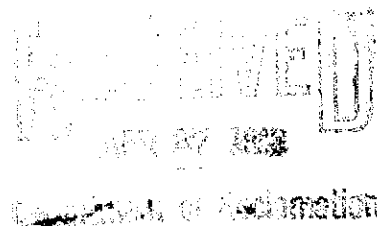
30592

LAW OFFICES
FUREY, FUREY & BENNETTS
ATTORNEYS AT LAW

JACK B. FUREY
JAMES R. BENNETTS
CHALLIS, IDAHO

April 26, 1966

SHERMAN F. FUREY, JR.
SALMON, IDAHO



State of Idaho
Department of Reclamation
107 State House
Boise, Idaho

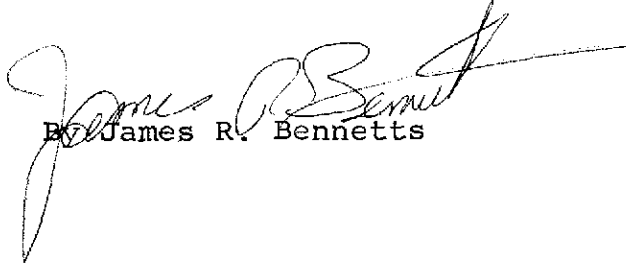
Re: Permit No. 30592
Allen D. Ellis

Dear Sirs:

August 26, 1965, I received a letter from your department indicating that inspection would be made on the Allen D. Ellis permit within a month or so. Mr. Ellis informs me that to date he has not been notified when the inspection will take place. Would you please let us know as soon as convenient what we might expect in regard to a final inspection?

Very truly yours,

FUREY, FUREY & BENNETTS


By James R. Bennetts

JRB:sls

30592

August 26, 1965

RE: Permit No. 30592
Allen D. Ellis

James R. Bennetts
Attorney at Law
Challis, Idaho

Dear Mr. Bennetts:

Our records show the above permit number to be in the name of Allen D. Ellis, Challis, Idaho.

The permit has not been inspected as yet. Mr. Ellis will be notified by telephone or letter when the examiner will be in the area.

We will try and make the inspection within the next month or so.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

Loy H. Johnson
Field Engineer

LHJ:mr

30592

LAW OFFICES
FUREY, FUREY & BENNETTS
ATTORNEYS AT LAW

August 25, 1965

JACK B. FUREY
JAMES R. BENNETTS
CHALLIS, IDAHO

SHERMAN F. FUREY, JR.
SALMON, IDAHO

Department of Reclamation
State Reclamation Engineer
State House
Boise, Idaho

Re: Mike Ellis - Permit No. 30592

Dear Sirs:

Mr Ellis has not been informed whether or not your Department has inspected his irrigation workings and approved the same under his permit. I received correspondence some time back that he would be called on in the future; however, to this date he has not heard further on the matter. Could we hear from you regarding this particular problem.

Very truly yours,

FUREY, FUREY & BENNETTS

By James R. Bennetts
James R. Bennetts

JRB:cmh

30592

October 14, 1964

Re: Permit No. 30592
Allen D. Ellis

Furey, Furey, & Bennetts
Attorneys at Law
Challis, Idaho

Attn: James R. Bennetts

Dear Mr. Bennetts:

The report of the examiner, dated July 14, 1964, notes that there was no one home at the time of the visit and the inspection was not completed.

We hope the inspection can be completed next year.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

30592

LAW OFFICES
FUREY, FUREY & BENNETTS
ATTORNEYS AT LAW

OCT 14 1964
Department of Reclamation

JACK B. FUREY
JAMES R. BENNETTS
CHALLIS, IDAHO

October 12th, 1964

SHERMAN F. FUREY, JR.
SALMON, IDAHO

Mr. Carl E. Tappan
State Reclamation Engineer
State of Idaho
107 State House
Boise, Idaho

Permit No. 30592

Dear Mr. Tappan:

Mr. Allen D. Ellis, of Challis, has requested that I write you in regard to the final survey of his water permit application. He had understood that someone from your office would check with him sometime during the year following submission of his final proofs. Would you please let us know what the status on this matter presently is within your Department.

Very truly yours,

FUREY, FUREY & BENNETTS

By

James R. Bennetts
James R. Bennetts

JRB:jab

30592

LAW OFFICES
FUREY, FUREY & BENNETTS
ATTORNEYS AT LAW

JACK B. FUREY
JAMES R. BENNETTS
CHALLIS, IDAHO

December 18th, 1963

SHERMAN F. FUREY, JR.
SALMON, IDAHO

Mr. Carl E. Tappan
State Reclamation Engineer
107 State House
Boise, Idaho 83701

Re: Permit No. 30592
Allen D. Ellis, Challis, Idaho

Attention: Mrs. Edna P. Rule
Chief Clerk

Dear Mrs. Rule:

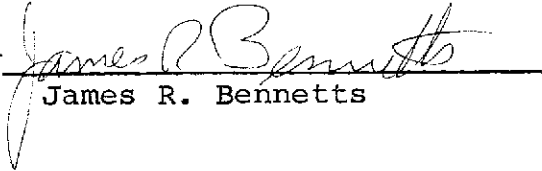
Enclosed is the Affidavit of Publication in the above
matter which was requested in your letter to Mr. Ellis,
also enclosed.

Very truly yours,

FUREY, FUREY & BENNETTS

JRB:jab
Enclosures

By


James R. Bennetts

30592

ROBERT E. SMYLLIE
Governor



CARL E. TAPPAN
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

Re: Permit No. 30592

Allen D. Ellis
Challis, Idaho

22.83

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the Publication in the Challis Messenger was not included., all submitted in proof of completion of works and beneficial use on Permit No. 30592.

Before final action is taken in the matter, the law requires that a field examination be made by an engineer from this department.

We cannot tell just when this examination will be made, but our field engineer will try and contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

Edna P. Rule
(Mrs.) Edna P. Rule
Chief Clerk

P.S. Please obtain the proof of Publication in the Challis Messenger and send to us immediately. The permit is of no value until we receive
EPR: Publication Proof. *Proofs are*

30592

LAW OFFICES
FUREY, FUREY & BENNETTS
ATTORNEYS AT LAW

JACK B. FUREY
JAMES R. BENNETTS
CHALLIS, IDAHO

December 13, 1963

SHERMAN F. FUREY, JR.
SALMON, IDAHO

State of Idaho
Department of Reclamation
107 State House
Boise, Idaho

Attention: Mr. H. Petri

Re: Permit No. 30592
Allen D. Ellis

Dear Sir:

In connection with the above referred to permit, you will find the corrections as noted in your letter of November 27, 1963.

Very truly yours,


James R. Bennetts

JRB:sls

Enclosures

30592

1M April 1962

Re: Permit No. **30592**

Allen D. Ellis
Challis, Idaho

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the Publication in the Challis Messenger ~~was not included.~~, all submitted in proof of completion of works and beneficial use on Permit No.

Before final action is taken in the matter, the law requires that a field examination be made by an engineer from this department.

We cannot tell just when this examination will be made, but our field engineer will try and contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

P.S. Please obtain the proof of Publication in the Challis Messenger and send to us immediately. The permit is of no value until we receive Publication Proof.

Miss. J. Bond J. Rife
Chief Clerk

EPR:

30592

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 30592

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Allen D. Ellis, Challis, Idaho, Rancher

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

Ans. I am acting in my own behalf.

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

Ans. Permit No. 30592, July 27, 1962. I would desire to establish that date of priority. Some of these waters have been used on the lands mentioned for a long time before the date of the permit.

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

The point of diversion of said water is in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 26, Twp. 14 N. Range 19 E.B.M. Custer County, Idaho.

ing from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined. If sprinkler irrigation, give number and size of nozzles and operating pressure.

Ans. The works of diversion consist of a head box within the unnamed slough and a gravity flow ditch from that point. These works are capable of conveying approximately 4 to 5 cu. ft. per sec. of water from the point of diversion to the place of use. These works remain unnamed.

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

The water and works will cover approximately 15 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, 4 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, 6 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, 25 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, total 50 acres. The land has been cleared and cultivated and leveled and is suitable for general ranching purposes as a direct result of the usage of this water. See 26, T. 14N. R. 19E

30592

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

Ans. Water is used strictly for irrigation purposes.

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

Ans. The minimum amount of water required for irrigation of this land is 2 inches per acre.

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. I am the same person.

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

Ans. Referring back to the answer in Question 6, I can only state that these waters have been used by myself on the lands described under Question 6 for a period of the past four growing seasons to the extent of about 2½ inches per acre.

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

Ans. I use no other waters than those described herein on the lands set out above.

(Sign) Allen D. Ellis

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

State of Idaho, on this 20th day of November, A. D. 19 63

My commission expires 1-2-67

Question 6 continued...

~~cover approximately 23 to 28 acres in that plot. It will cover the Northwest subdivision of the Northwest subdivision and portions of the Northeast subdivision Northwest subdivision and Southwest subdivision Northwest subdivision of the Southwest Quarter Northeast Quarter of Section 26, covering approximately 4 acres. It will cover portions of the Southeast subdivision Southeast subdivision, Northeast subdivision Southeast subdivision, Southwest subdivision Southeast subdivision of the Northeast Quarter Northwest Quarter of Section 26 covering approximately 5 to 6 acres. Also, it will cover portions of all of the Southwest subdivision of the Northwest Quarter Northeast Quarter and portions of the South Half of the Northwest subdivision and the Northeast Quarter of the Northwest subdivision within the Northwest Quarter Northeast Quarter of Section 26 for a total of approximately 12 to 15 acres.~~

~~This land has all been cleaned and cultivated and leveled and is suitable for general ranching purposes as a direct result of the usage of this particular water.~~

30592

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 30592

Proof of Application of Water to Beneficial Use Deposition of Witness

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

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

Ans. AMOS LEATON, 77 years old, Challis, Idaho, retired businessman
and rancher

Ques. 2. Are you acquainted with ALLEN D. ELLIS, the holder of Permit No. 30592? How long have you known him and where does he reside?

Ans. I have known the applicant for a period of some 62 years and he resides on a ranch Northeast of Challis approximately 2 miles.

Ques. 3. Have you read or heard read said Permit No. 30592, and are you familiar with its provisions and conditions?

Ans. Yes, I have read Permit No. 30592 and am familiar with its provisions and conditions.

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

The point of diversion of said water is in the $SE\frac{1}{4}NW\frac{1}{4}$ of Section 26, Twp. 14 N. Range 19 E.B.M. Custer County, Idaho.

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

Ans. The works will safely conduct over 4 cu. ft. per sec. to place of use, however, I have only seen approximately 2 cu. ft. per sec. conveyed to the place of use.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of the water and works will cover approximately 15 acres in the $NW\frac{1}{4}NE\frac{1}{4}$, 4 acres in the $SW\frac{1}{4}NE\frac{1}{4}$, 6 acres in the $NE\frac{1}{4}NW\frac{1}{4}$, 25 acres in the $SE\frac{1}{4}NW\frac{1}{4}$, total 50 acres. The land has been cleared and cultivated and leveled and is suitable for general ranching purposes as a direct result of the usage of this water.

30592

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

Ans. Non-applicable. Water is being used only for irrigation.

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

Ans. The land is gravelly with rocks. Estimated required water source - 2 inches per acre.

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

Ans. No interest in the works, water or lands above mentioned is presently held by myself.

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. I have observed Mr. Ellis putting these waters to use for general ranching purposes and especially in the raising of pasture and hay crops over the period of the past four growing seasons. I have had occasion to observe this usage several times (approximately 50 times per growing season.)

(Signed)

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Challis, County of Custer, State of Idaho, on this 20th day of November, A. D. 1963.

Notary Public.

My commission expires 1-2-67.

Question 6 continued...

~~Quarter of the Northwest subdivision within the Northwest Quarter Northeast-Quarter of Section 26 for a total of approximately 12 to 15 acres.~~

~~This land has all been cleared and cultivated and leveled and is suitable for general ranching purposes as a direct result of the usage of this particular water.~~

30592

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 30592

Proof of Application of Water to Beneficial Use
Deposition of Witness

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

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

Ans. MIKE GINI, 58 years old, Challis, Idaho, Rancher

Ques. 2. Are you acquainted with ALLEN D. ELLIS, the holder of Permit No. 30592? How long have you known him and where does he reside?

Ans. I have known the applicant for a period of some years and he resides on a ranch Northeast of Challis approximately 2 miles.

Ques. 3. Have you read or heard read said Permit No. 30592, and are you familiar with its provisions and conditions?

Ans. Yes, I have read said permit, and am familiar with its provisions and conditions.

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

* Source of water supply is in the SE 1/4 NW 1/4 of Section 26,

The point of diversion of said water is in the SE 1/4 NW 1/4 of Section 26, Twp. 14 N. Range 19 E.B.M. Custer County, Idaho.

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

Ans. I estimate that these works will safely conduct 4 1/2 cu. ft. per sec. of water, however, I have seen only approximately 2 cu. ft. per sec. conveyed.

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

The water and works will cover approximately 15 acres in the NW 1/2 NE 1/4, 4 acres in the SW 1/4 NE 1/4, 6 acres in the NE 1/4 NW 1/4, 25 acres in the SE 1/4 NW 1/4, total 50 acres. The land has been cleared and cultivated and leveled and is suitable for general ranching purposes as a direct result of the usage of this water.

30592

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

Ans. Non-applicable.

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

Ans. I would estimate that approximately 2 inches per acre would be required for profitable cultivation on the above land inasmuch as the character of the land is pretty gravelly.

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

Ans. I have no financial or other interest in the works, water and land above-mentioned.

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. I have observed Mr. Ellis applying this water to beneficial use through irrigation for a period of four growing seasons having occasion to observe him several times during each growing season and further, have observed the results of his application through his hay and pasturage production.

(Signed)

Mike Gini

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Challis, County of Custer, State of Idaho, on this 20th day of November, A. D. 1963.

James P. Barrett
Notary Public.

My commission expires 1-2-67.

Question 6 continued ...

~~within the Northwest Quarter Northeast Quarter of Section 26 for a total of approximately 12 to 15 acres.~~

This land has all been cleared and cultivated and leveled and is suitable for general ranching purposes as a direct result of the usage of this particular water.

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

NOTICE is hereby given that at 2:00 P.M., on the 20th day of November, 1963, at Challis, County of Custer, State of Idaho, before James R. Bennetts, Notary Public, at Challis, Idaho, proof will be submitted of the completion of works for the diversion of 2 cubic feet per second of the waters of an unnamed slough, a tributary of Salmon River, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 30592, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is: Allen D. Ellis, Challis, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion and the amount of water which said works are capable of conveying to the place of use is 2 cubic feet per second.

3. The use to which said water has been applied is for irrigation - agricultural purposes, and the amount applied to beneficial use is 2 cubic feet per second.

4. The point of diversion of said water is in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 26, Twp. 14 N. Range 19 E. B. M., Custer County, Idaho.

5. The place where said water is used is NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, all in Section 26, Township 14 North, Range 19 East, Boise Meridian. Total 50 acres.

6. The date of priority which said user is prepared to establish is July 26, 1962.

CARL E. TAPPAN
State Reclamation
Engineer

Pub. Oct. 10, 17, 24, 31, 1963

AFFIDAVIT OF PUBLICATION

State of Idaho, }
County of Custer, } ss:

Richard Swindell
I, ~~Harry M. Gindley~~, manager of The Challis Messenger, a weekly newspaper, published at Challis, Idaho, do solemnly swear that the notice hereto attached and made a part hereof, was published in the regular and entire issue of The Challis

Messenger for 4 consecutive weeks, commencing with the issue dated October 10, 1963, and ending with the issue dated October 31, 1963.

Richard Swindell

Subscribed and sworn to before me this 27th

day of November, 1963

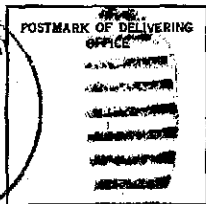
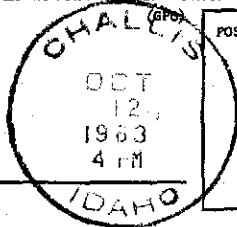
James R. Bennetts
Notary Public, Residing at
Challis, Idaho.

My Commission expires 1-2-67

Post Office Department

OFFICIAL BUSINESS

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



Return to Dept. of Reclam.
(NAME OF SENDER)

Street and Number,
or Post Office Box, } State House

~~REGISTERED~~ ARTICLE

Certified 19820

No. Post Office Boise Idaho

INSURED PARCEL

No. 16-64072-1

State

30592

RETURN RECEIPT

Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.

1 Mrs Allen Ellis
(Signature or name of addressee)

2 _____
(Signature of addressee's agent—Agent should enter addressee's name on line ONE above)

Date of delivery

8-29

, 1963

30592

October 4, 1963

Re: Permit No. 30592
Allen D. Ellis

Mr. Jack B. Purrey,
Attorney at Law,
Challis, Idaho.

Dear Mr. Purrey:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. 30592, in the name of James R. Allen D. Ellis. Final Proof is to be made before James R. Bennetts as Notary on the 20th day of November, 19 63, at 2:00 o'clock P.M., at Challis, Idaho.

As of this date we have mailed the Notice to the Challis Recorder Challis, Idaho, with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof and then mail the Affidavit of Publication and statement of costs to you.

It is important that the enclosed depositions be executed by the permit holder and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the time, on the date and before you, as Notary, as stated in the publication notice. It is very important and necessary that each question be answered in detail.

In returning the depositions to this office, be sure that all copies have been signed, that your Notary's seal has been placed on each and that all depositions, (holder and two witnesses) are being returned. Also be sure to enclose the Affidavit of Publication.

Very truly yours,

~~Geo. M. Carter~~
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:pmk
Enc.
cc: Applicant

30592

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

NOTICE is hereby given that at 2:00 P. M., on the 20th day of November 1963, at Challis, County of Custer, State of Idaho, before James R. Bennetts, Notary Public, at (address) Challis, Idaho, proof will be submitted of the completion of works for the diversion of 2 cubic feet per second of the waters of an unnamed slough, a tributary of Salmon River, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 30592, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is: Allen D. Ellis, Challis, Idaho

2. Said works of diversion will be fully completed on the date set for such completion and the amount of water which said works are capable of conveying to the place of use is 2 cubic feet per second.

3. The use to which said water has been applied is for irrigation - agricultural purposes, and the amount applied to beneficial use is 2 cubic feet per second.

4. The point of diversion of said water is ~~430' East distant from the SE Corner of Section 26, Twp. 14 N, Range 19 E, B.M., and is in the SE 1/4 NW 1/4 of Section 26, Twp. 14 N, Range 19 E, B.M., Custer County, Idaho~~

5. The place where said water is used is NW 1/4 NE 1/4 (15 acres), SW 1/4 NE 1/4 (4 acres), NE 1/4 NW 1/4 (6 acres), SE 1/4 NW 1/4 (2 acres), all in Section 26, Township 14 North, Range 19 East, Boise Meridian Total 50 acres.

6. The date of priority which said user is prepared to establish is July 26, 1962

CARL E. TAPPAN

State Reclamation Engineer

30592 *RP*

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) October 3rd, 1963

(P. O.) _____

TO THE STATE RECLAMATION ENGINEER

Boise, Idaho

Dear Sir:

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

Allen D. Ellis

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

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

Engineer

30592

Re: Permit No. 30592
Allen D. Ellis

Date: October 4, 1963

Challis Messenger,
Challis, Idaho.

Gentlemen:

Enclosed you will find Notice for Publication, once a week for four consecutive weeks prior to November 20, 1963 the date set for proof; the expense of the publication is to be paid by the applicant 's attorney, Furey, Furey & Bennetts of Challis, Idaho to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice and furnish this office with a copy or tear sheet of the first publication.**

Very truly yours,



CARL E. TAPPAN
State Reclamation Engineer

** If the first copy is not received in this office for checking purposes and errors appear in subsequent issues, it is possible that re-publication of corrected copy will be at your own expense.

CET:pmk

30592

LAW OFFICES
FUREY, FUREY & BENNETTS
ATTORNEYS AT LAW

JACK B. FUREY
JAMES R. BENNETTS
CHALLIS, IDAHO

October 3rd, 1963

RECEIVED
OCT 4 1963
Department of Reclamation

SHERMAN F. FUREY, JR.
SALMON, IDAHO

Mr. Ralph W. Thomas, Deputy
State Reclamation Engineer
107 State House
Boise, Idaho

Allen D. Ellis - Permit No. 30592

Dear Mr. Thomas:

Enclosed herewith is Notice Authorizing Publication to which
is attached in duplicate the Notice of Proof of Completion of
Works and Application of Water to Beneficial Use.

Very truly yours,

FUREY, FUREY & BENNETTS

JBF:jas

Enclosures

By Jack B. Furey
Jack B. Furey

30592

September 18, 1963

Re: Permit No. 30592
Allen D. Ellis

Jack B. Porey
Attorney at Law
Challis, Idaho

Dear Mr. Porey:

We received your letter of September 16th showing Mr. Ellis wants to complete his proof of completion of works and beneficial use of the water according to the original permit. There was an amendment to the permit filed, however, it was returned for additional information and never returned. The original permit is now our record.

The legal notice forms with authority for publication should be in this office prior to October 3rd.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:cw

30592

LAW OFFICES
FUREY, FUREY & BENNETTS
ATTORNEYS AT LAW

JACK B. FUREY
JAMES R. BENNETTS
CHALLIS, IDAHO

September 16, 1963

RECEIVED
SEP 16 1963
Department of Reclamation

SHERMAN F. FUREY, JR.
SALMON, IDAHO

Mr. George N. Carter
State Reclamation Engineer
Department of Reclamation
Room 107, State House
Boise, Idaho

Re: Permit No. 30592

Dear Mr. Carter:

We are in receipt of your notice advising the above-numbered Permit is up for cancellation. In discussing this further with Mr. Ellis, he has requested that the Application for Amendment to the original Application be withdrawn and he be permitted to submit proof of completion of works and application of water to beneficial use under the terms of the original application for permit.

We hope this is agreeable with your department and will appreciate being advised if this request is acceptable by you.

Thank you for your consideration.

Very truly yours,

FUREY, FUREY & BENNETTS

JBF:jas

By Jack B. Furey
Jack B. Furey

30592

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

August 23, 1963

Re: Permit No. 30592

To Allen D. Ellis
Challis, Idaho

It appearing to the State Reclamation Engineer that the terms and conditions of Permit No. 30592
to Appropriate the Public Waters of the State of Idaho, have not been complied with as to

Completion of Works & Beneficial Use Proofs which were due July 27, 1963

you are hereby notified in compliance with Sec. 42-311, Idaho code that said Permit No. 30592
is hereby held for cancellation.

You are hereby required to show cause before the State Reclamation Engineer on or before forty days from
date of this notice why said Permit should not be cancelled.

Said Permit No. 30592 claims the use of 2.0 cubic feet per second of the
waters of an unnamed slough with point of diversion located
SE 1/4 NW 1/4 Sec. 26., Twp. 11 N., Rge. 19 E.B.M., and
was approved July 27, 1962

In Witness Whereof, I have hereunto set my hand and affixed the seal of my office at Boise, Idaho, the

23rd day of August, 1963

cc: Jack B. Furey
Attorney
Challis, Idaho

State Reclamation Engineer.

By Assistant.

30592

May 31, 1963

Re: Permit No. 30592
Allen D. Ellis

Jack B. Furey
Attorney at Law
Challis, Idaho

Dear Mr. Furey:

Returned herewith is the application to amend points of diversion in duplicate and attached check for \$1. Also enclosed is copy of Regulations and Instructions.

Kindly describe points of diversion as in the 40-acre Sub-division. The first portion of the location is for a correct bearing and distance from a section corner. The map with the permit shows two points of diversion close together, however they appear to be in the NW $\frac{1}{4}$ Sec. 26. The spring is a new source of water and cannot be included under this permit.

Very truly yours,

CARL E. TAPPAN, Assistant
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RWT:vj

encl. application for amendment
check for \$1
Regulations and Instructions

30592

LAW OFFICES
FUREY, FUREY & BENNETTS
ATTORNEYS AT LAW

JACK B. FUREY
JAMES R. BENNETTS
CHALLIS, IDAHO

May 28th, 1963

SHERMAN F. FUREY, JR.
SALMON, IDAHO

Mr. George N. Carter
State Reclamation Engineer
Department of Reclamation
Room 107, State House
Boise, Idaho

Re: Permit No. 30592

Dear Mr. Carter:

Enclosed is the original Application for Permit of Allen D. Ellis to which we have attached two signed copies of the Application for Amendment to include two additional points of diversion.

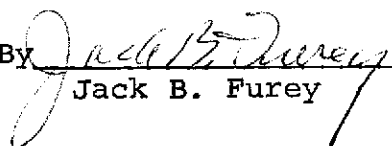
Very truly yours,

FUREY, FUREY & BENNETTS

JBF:jas

Enclosures

By


Jack B. Furey

30592

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Re: Permit No. 30592

Date: May 1, 1963

Allen D. Ellis
Challis, Idaho

Dear Mr. Ellis:

Under the terms of your Permit No. 30592 you are required to make proofs of completion of works and application of water to beneficial use on or before July 27, 1963.

Before this proof can be made, the statutory requirement is that a notice of your intention of proof be published once a week for four consecutive weeks in a newspaper in the county.

We enclose Form 36-A in duplicate, which is to be filled in and returned to this department at least forty (40) days before the above mentioned date and/or before the time you intend to make proof (this may be at any place that is convenient for you and your two witnesses), the quantity of water, for what purpose it is used, the point of points of diversion and the location of use or lands which are irrigated - - by legal description. Descriptions should be taken from your Permit, including any amendments thereto, as recorded in this department. If changes have been made and no amendments are on record, we advise that you request a form for this purpose before your notice is published.

Also enclosed is Form 11, which is the authorization for us to have the notice published in the designated county newspaper, at your expense. This is to be returned with Forms 36-A.

At the time we send the notice to the newspaper we will send you the forms for the depositions of holder and two disinterested witnesses. It is important that the depositions be executed at the time, on the date set and at the place named, before the Notary Public as advertised in the publication notice.

The amount of water allowed in a license cannot be more than is actually produced and measured and put to beneficial use, and cannot be more than the statutory amount allowable per acre of land actually found by the field inspection to have been irrigated at the time of proof.

Very truly yours,


GEO. N. CARTER
State Reclamation Engineer

Enc. Form 36A-11

30592

Permit No. 30592

August 2, 1962

Furoy & Furey,
Attorneys at Law,
Challis, Idaho.
Attention: Jack B. Furey

Dear Mr. Furey:

We enclose Permit No. 30592 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. 31159 which was issued covering payment in the amount of \$ 5.25 for the filing fee of the above mentioned permit ~~enclosed herewith~~

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

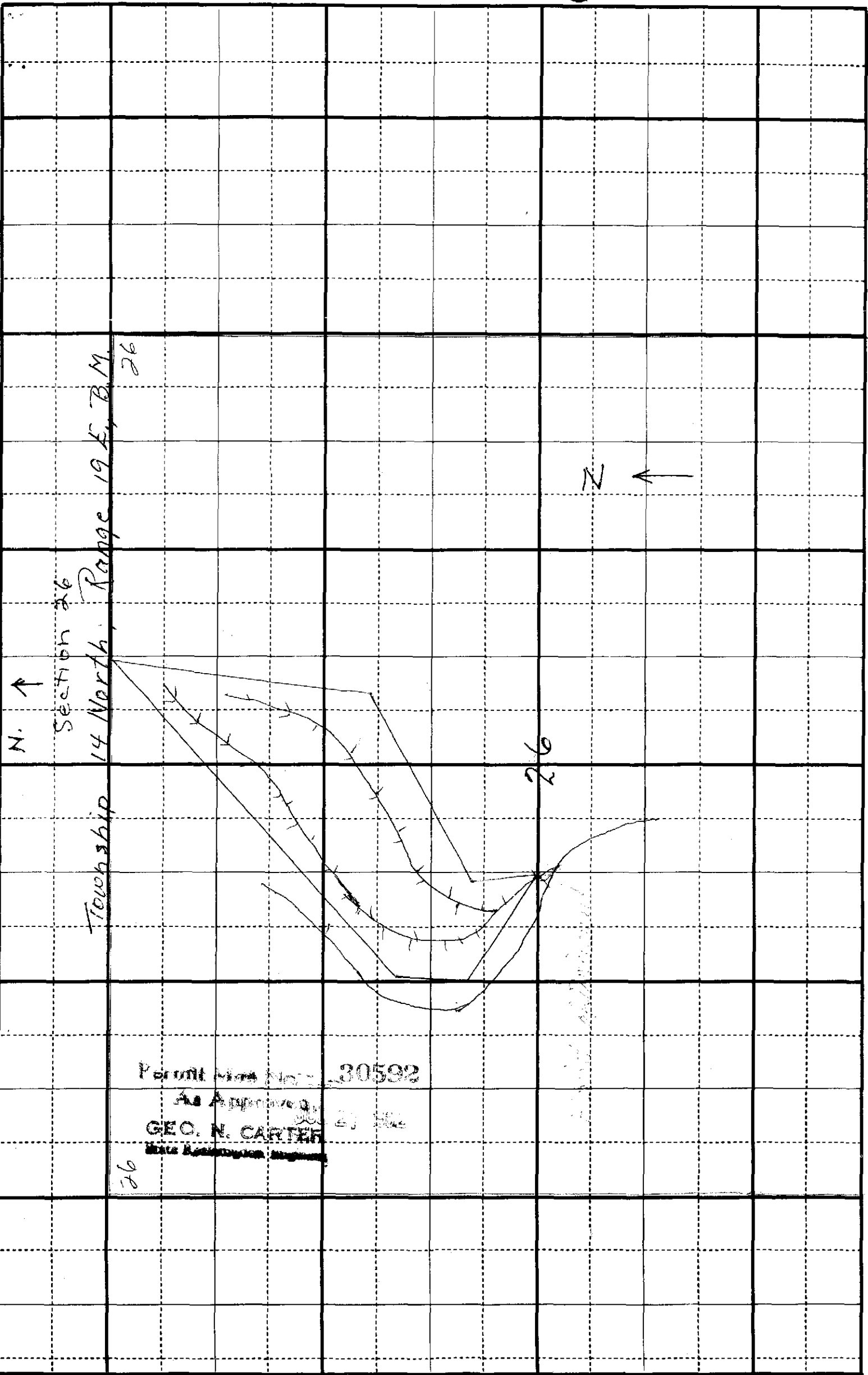
(Mrs.) Edna P. Rule
Chief Clerk

EPR:pmk

Enc.

cc: Allen D. Ellis
Challis, Idaho

30592-



July 26, 1962

Re: Application for Permit
Allen D. Ellis

Jack D. Furey
Attorney at Law
Challis, Idaho

Dear Mr. Furey:

Returned herewith is your check for \$5.50 which we
received after the application was returned to Mr. Ellis.

We had a similar experience, only we promptly
returned the check and the application was later received with-
out the check. Result - more letters.

Very truly yours,

GEO. W. CANNON
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. Check

20592

LAW OFFICES
FUREY & FUREY
ATTORNEYS AT LAW

JACK B. FUREY
CHALLIS, IDAHO

July 24, 1962

SHERMAN F. FUREY, JR.
SALMON, IDAHO

Department of Reclamation
Statehouse
Boise, Idaho

Re: Application for permit, Allen D. Ellis

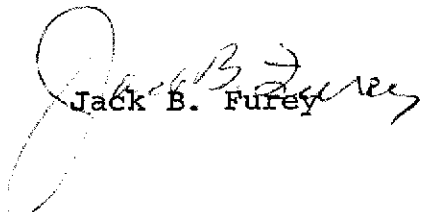
Gentlemen:

Mr. Allen D. Ellis of Challis is returning for filing his application for water permit and you will note that the twenty-five acres has now been included under 14 in the correct forty.

The straight lines indicate the outside boundary of the irrigated land and the amount of water applied for has been reduced to 2.0 cubic feet as suggested in your letter of July 19th.

Mr. Ellis' check for \$5.25 is enclosed and you can return the prior check for \$5.50 drawn by Jack B. Furey to me.

Very truly yours,


Jack B. Furey

JBF:sls

Enclosures

30592

LAW OFFICES
FUREY & FUREY
ATTORNEYS AT LAW

JACK B. FUREY
CHALLIS, IDAHO

July 19, 1962

SHERMAN F. FUREY, JR.
SALMON, IDAHO

Department of Reclamation
Statehouse
Boise, Idaho

Gentlemen:

Enclosed is a check in the amount of \$5.50, which we failed to enclosed in the water filing papers concerning Allen D. Ellis a few days ago.

Very truly yours,

Jack B. Furey

Jack B. Furey

JBF:sls

Enclosure

For Mr. Ellis

30592

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

NOTICE is hereby given that at 2:00 P.M., on the 20th day of November, 1963, at Challis, County of Custer, State of Idaho, before James R. Bennetts, Notary Public, at Challis, Idaho, proof will be submitted of the completion of works for the diversion of 2 cubic feet per second of the waters of an unnamed slough, a tributary of Salmon River, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 30592, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is: Allen D. Ellis, Challis, Idaho.

2. Said works of diversion

will be fully completed on the date set for such completion and the amount of water which said works are capable of conveying to the place of use is 2 cubic feet per second.

3. The use to which said water has been applied is for irrigation - agricultural purposes, and the amount applied to beneficial use is 2 cubic feet per second.

4. The point of diversion of said water is in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 26, Twp. 14 N. Range 19 E. B. M., Custer County, Idaho.

5. The place where said water is used is NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, all in Section 26, Township 14 North, Range 19 East, Boise Meridian. Total 50 acres.

6. The date of priority which said user is prepared to establish is July 26, 1962.

CARL E. TAPPAN
State Reclamation
Engineer

Pub. Oct. 10, 17, 24, 31, 1963

July 19, 1962

Re: Application for Permit

Allen B. Ellis
Challis, Idaho

Dear Mr. Ellis:

Returned herewith is your application for permit that we received without the filing fee.

The amount of water claimed, 3.0 cubic feet per second or 150 miners inches seems excessive, even for gravelly soil. The amount should be reduced to 2.0 cubic feet per second for which the filing fee is \$5.25 which must accompany the application.

As I understand your map, the land list under 14 is in error, and the proper location is shown in pencil. Are the straight lines the boundary of the irrigated land?

Complete the application and return with the proper filing fee and it will be processed.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:cw

Enc. application

30592