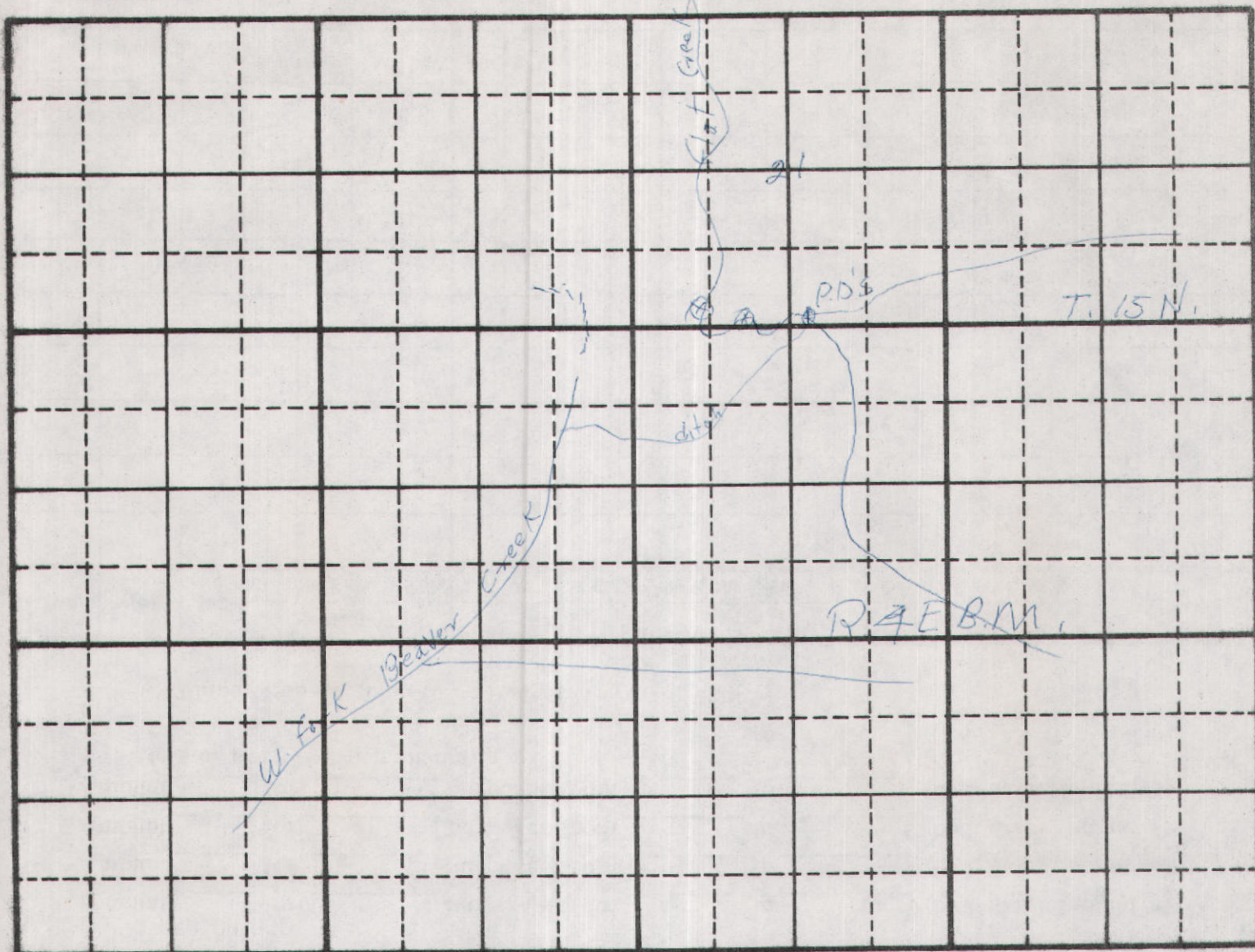


Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile

That no one will be injured by such change, and that such change will be made at permit holders own risk.

Signed at Boise, ID, this 3rd day of December, 19 76.

Gordon L. Davis  
(signature)

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

Administrator, Operations Division

I, A. KENNETH DUNN, ~~Director~~ of the Department of Water Resources

hereby APPROVE the above application for amendment on Permit No. 65-7649.

Witness my hand this 14 day of January, 19 77

A. Kenneth Dunn  
Director  
Administrator, Operations Division

DEC 2 1976  
RECEIVED



# PUBLISHER'S AFFIDAVIT

STATE OF IDAHO )  
                  ) ss.  
County of Valley )

Donald E. McMahan, being first duly sworn, deposes and says: That he is the co-editor of the Star-News, a weekly newspaper published at Cascade and McCall, in the County of Valley, State of Idaho; that said newspaper is in general circulation in the county of aforesaid and is a legal newspaper; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for <sup>two</sup> consecutive weeks in the regular and entire issue of every number thereof during the period and time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began September 2, 1976, and ended September 9, 1976.

Subscribed and sworn to before me a Notary Public in and for the County of Valley, and the State of Idaho, this 9 day of September, 1976.  
Donald E. McMahan, Notary Public.  
My commission expires April, 1980.

## NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that TOM J. DAVIS, Cascade, ID has on August 25, 1976 submitted Application No. 65-7649 for a permit to appropriate 1000 acre feet per annum of water from the West Fork of Beaver Creek trib. Payette River by means of dam within the NW $\frac{1}{4}$ SW $\frac{1}{4}$  Sec 5 T14N-R4E B.M., Valley County to be used from April 1 to October 31 for irrigation of 3015 acres within parts of Sec 7, 8, 17, 18, 19, 20, 29, 30, 31, & 32 T14N-R4E. The water is proposed to be diverted to storage from Nov 1 to July 1.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83720, on or before September 20, 1976.

R. KEITH HIGGINSON  
Director

Published in the Star-News,  
McCALL, ID on September 2  
1976 and September 9, 1976.

RECEIVED

SEP 13 1976

Department of Water Resources  
Western Regional Office

OK  
9-13-76  
RF  
MICROFILMED

16. Remarks

Also visited diversion canal from Gold Fork River used by Center Irrig. Dist. for Gold Fk. Irrig. Dist. (Gold Fork Canal). Abundant flow found at Gold Fork River (no need to shut off Davis' Flat Cr. diversion).

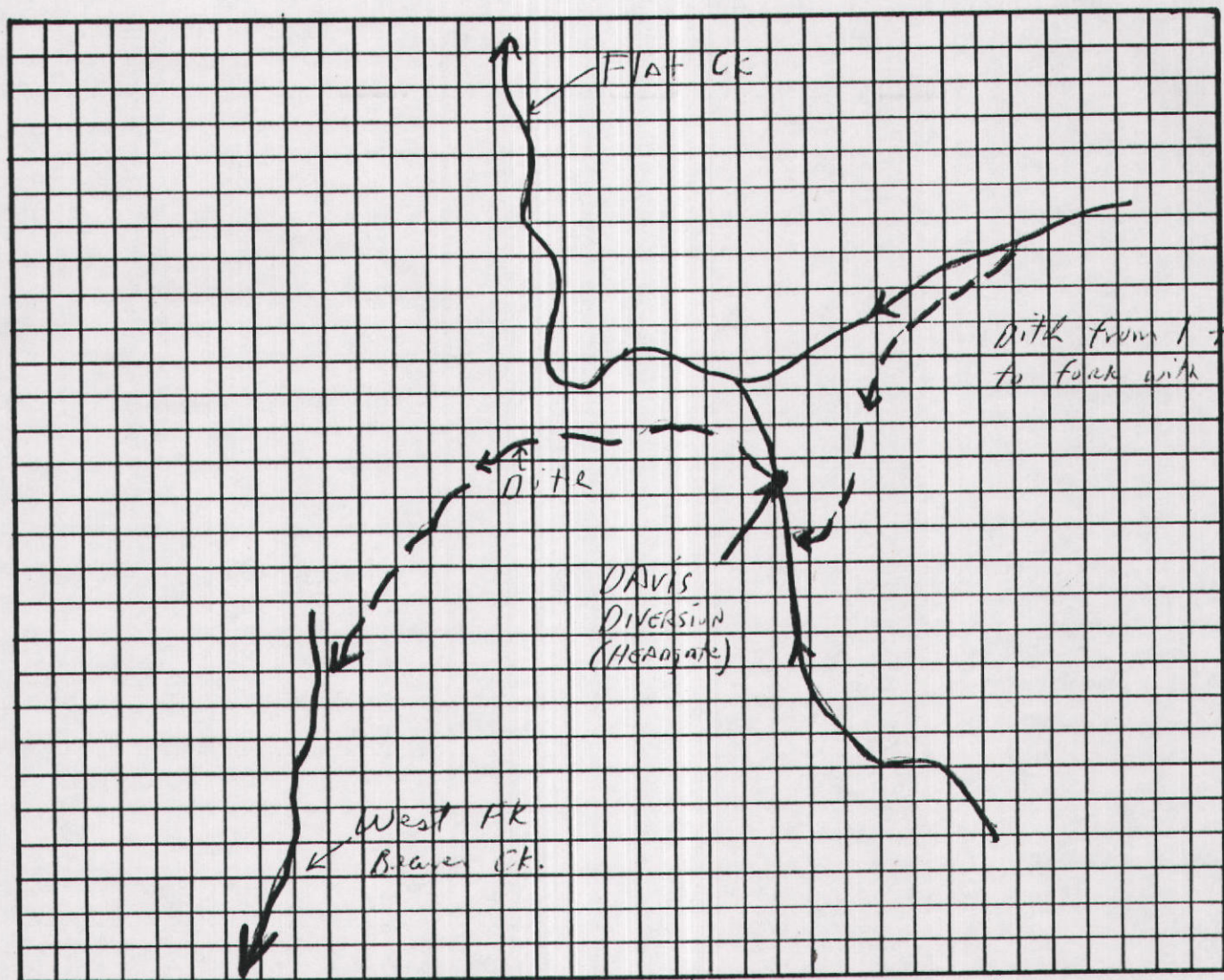
17. Followup Necessary:

☒ Yes☐ No

Describe:

Letter to Center Irrig. Dist. concerning interference with diversion works. CC to Davis Cattle Co. to Phil DAVIS AC71 Box 2005 Cascade (382-4892)

18. Sketch: Include direction, important dimensions, photo locations, landmark or reference point



JUNCTION  
OF FORKS  
IN S. 21  
T15N R4E

19. Action taken at time of inspection:

20. Signed:

*John M. Lester*

21. Follow up action: Date:

Additional Memo Prepared: ☐ Yes ☐ No

Describe:

22. Signed:

View of Davis  
headgate on unnamed  
bank of Flat Creek.

Phil Davis is  
pictured.

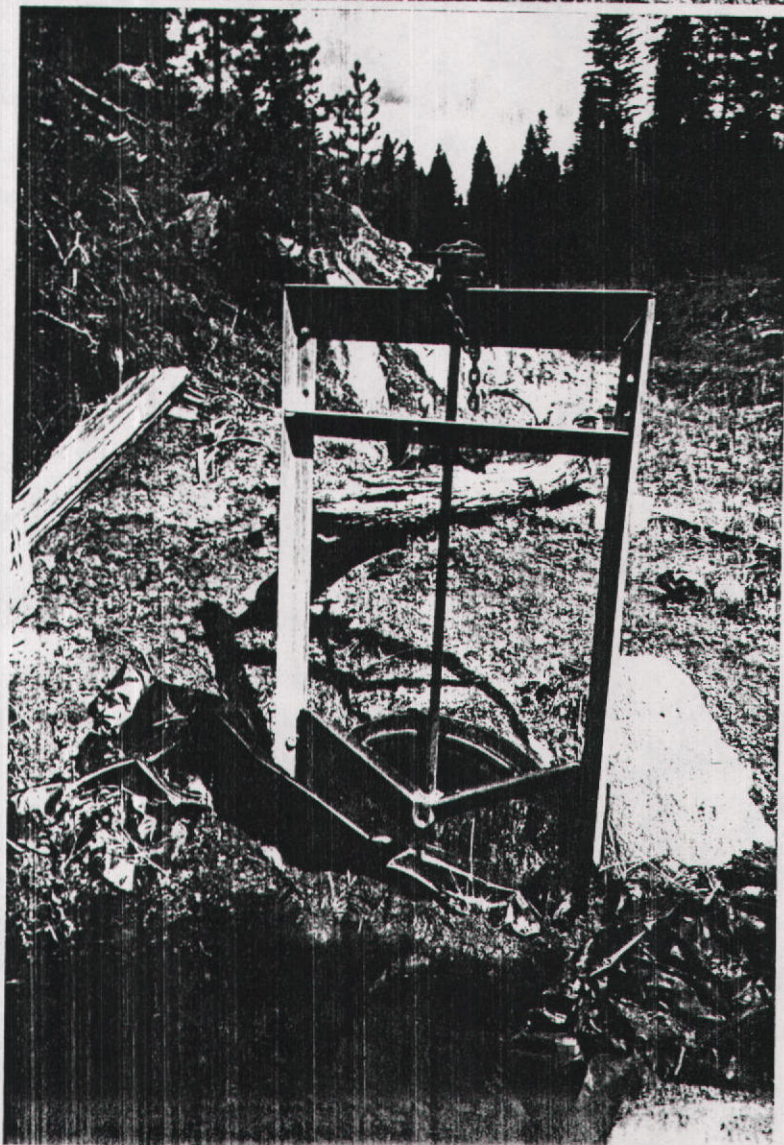
PHOTO ONE-

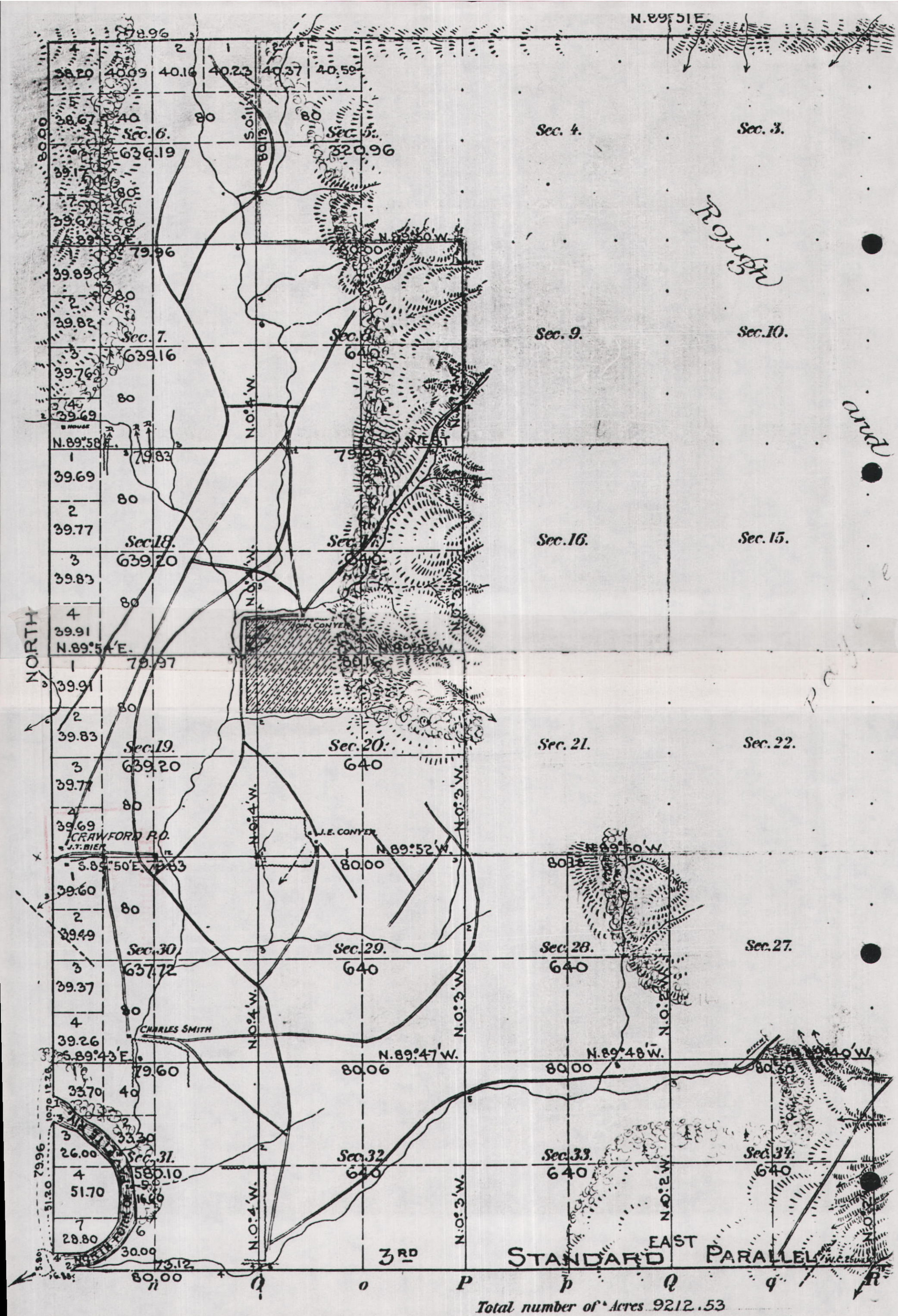


> Closer view of locked  
headgate. Plastic & mud  
were used to seal bottom  
of gate.

No flow in Davis ditch.

PHOTO TWO-







T  
15  
N

- Canal

Edike

|    |    |
|----|----|
| 20 | 21 |
| 29 | 28 |

 $\frac{3}{4}$ 

rock dam

Pip's str.

SWNW

Sec 28

P.D.

 $\frac{y}{4}$   $\blacklozenge$ 

**THE**  
**NEW**  
**AMERICAN**  
**DICTIONARY**

OF  
THE  
ENGLISH  
LANGUAGE

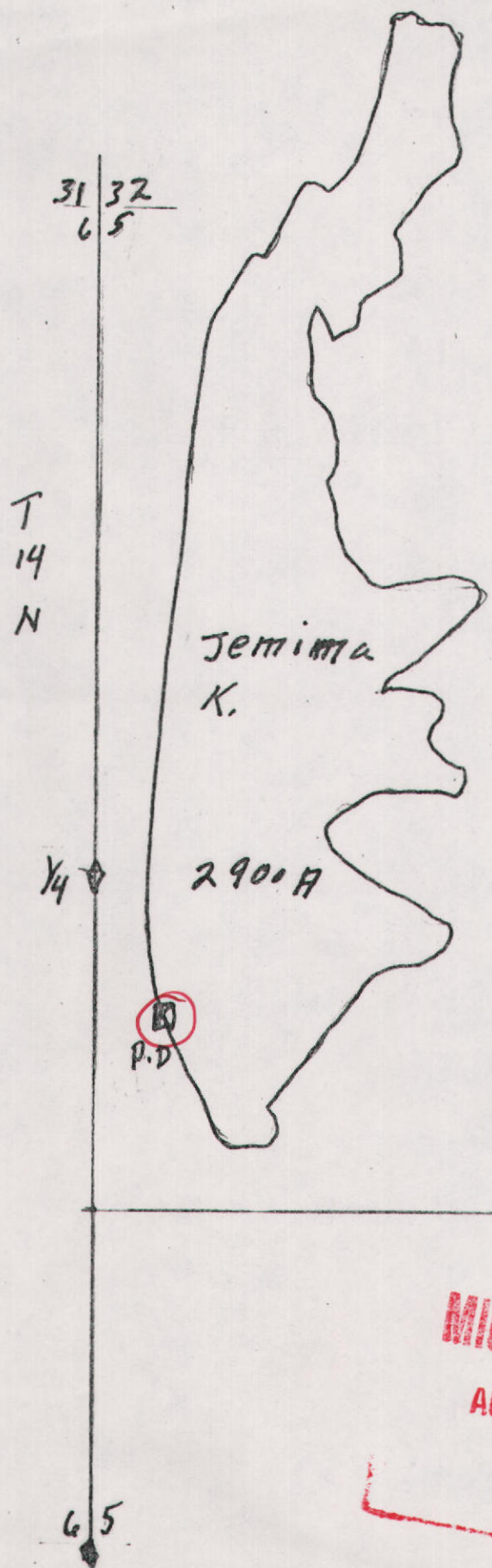
EDITED BY  
JAMES MONROE

PUBLISHED BY  
JOHN WILEY & SONS  
NEW YORK

AUG 30 1990

R4E

TOM DAVIS



MICROFILMED

AUG 30 1990

R4E

20/21  
29/28

Tom Davis

T  
15  
14

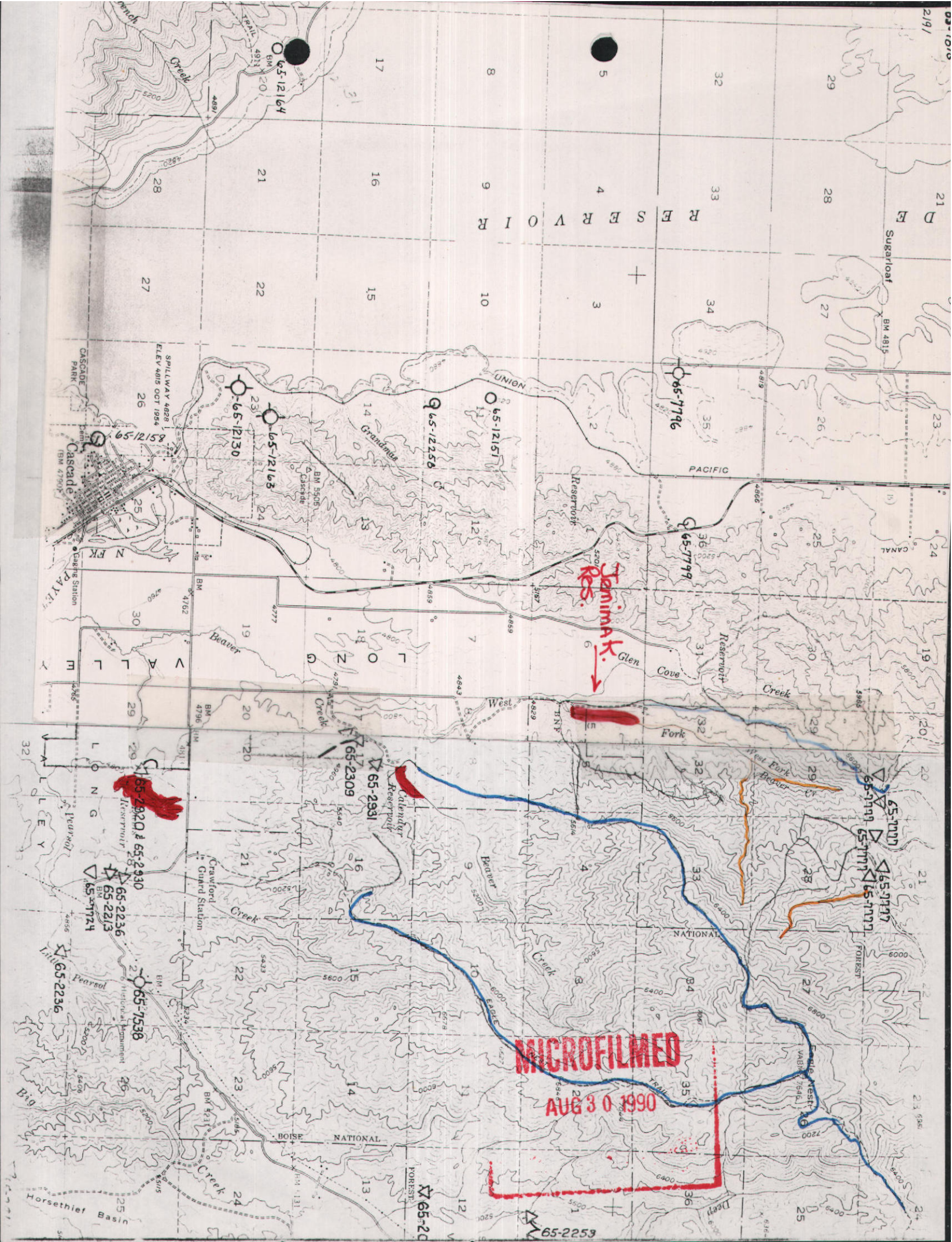
West Fork Beaver Creek

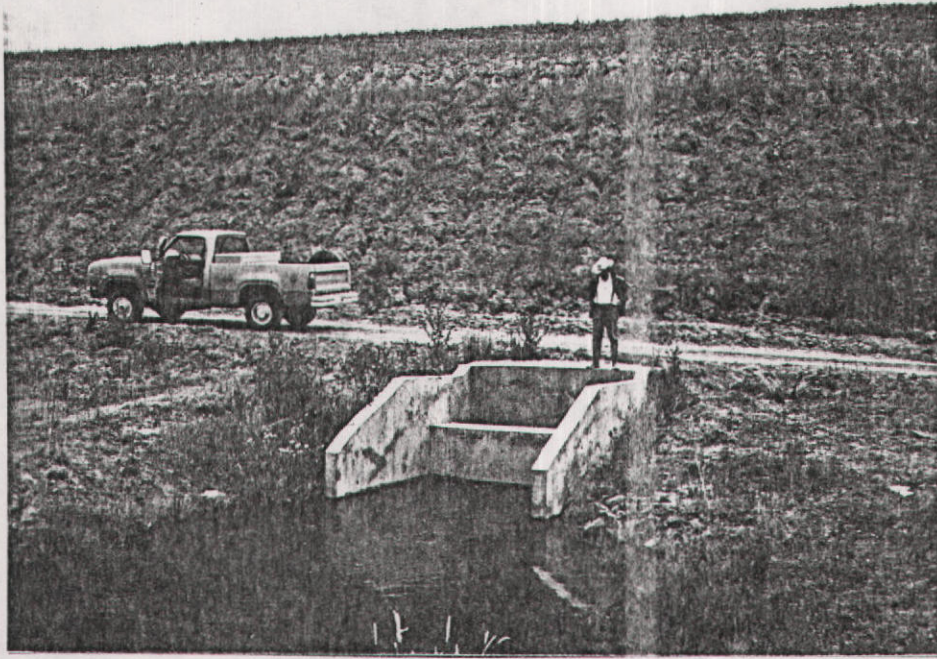
canal

P.D.

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AUG 30 1990





D65-7312

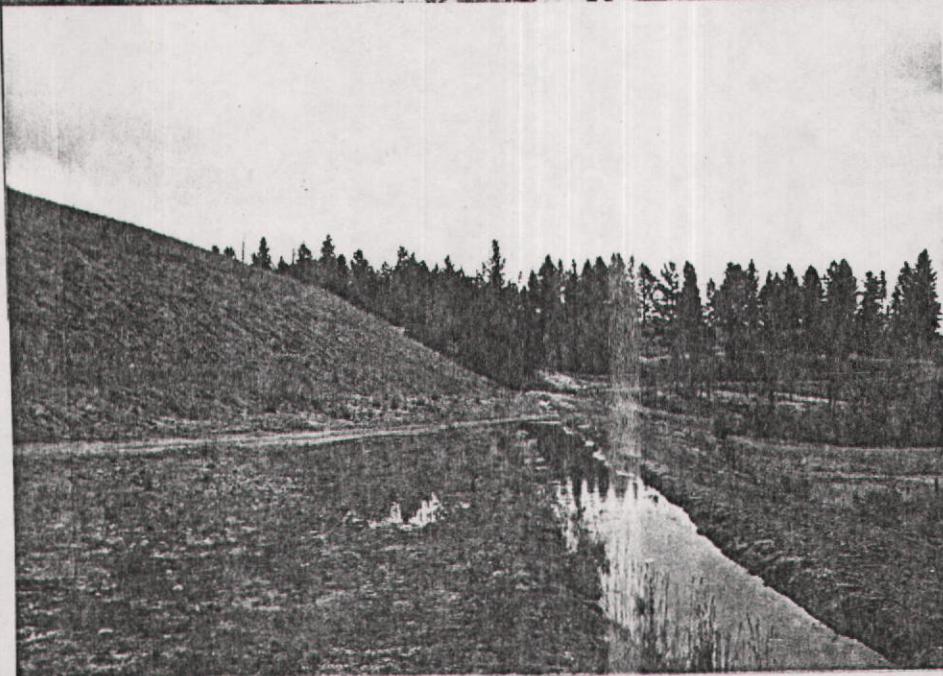
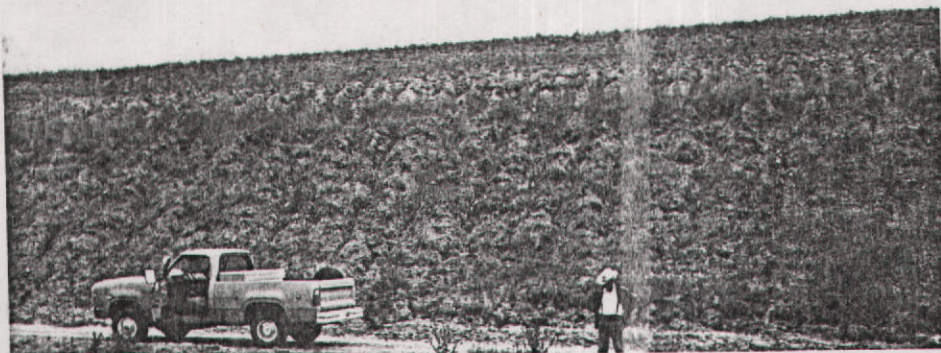
JEMIMA K DAM

8/15/81 AM

- 1) OUTLET STRUCTURE
- 2) DOWNSTREAM SLOPE AND OUTLET DITCH
- 3) WEIR ON OUTLET DITCH. DITCH FORKS DIRECTLY BELOW WEIR
- 4) UPSTREAM SLOPE
- 5) SPILLWAY ENTRANCE
- 6) GATE CONTROLS & STAFF GAGE.

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AUG 30 1990



D65-7312

JEMIMA K DAM

8/18/81 AM

1) OUTLET STRUCTURE

2) DOWNSTREAM  
SLOPE AND OUT  
DITCH

3) WEIR ON OUTLET  
DITCH. DITCH  
FORKS DIRECTLY  
BELOW WEIR

4) UPSTREAM SLOPE

5) SPILLWAY ENTRANCE

6) GATE CONTROLS  
& STAFF GAGE.

**MICROFILMED**

AUG 30 1990



D65-7312  
JEMIMA K DAM  
8/18/81 AM

1) OUTLET STRUCTURE

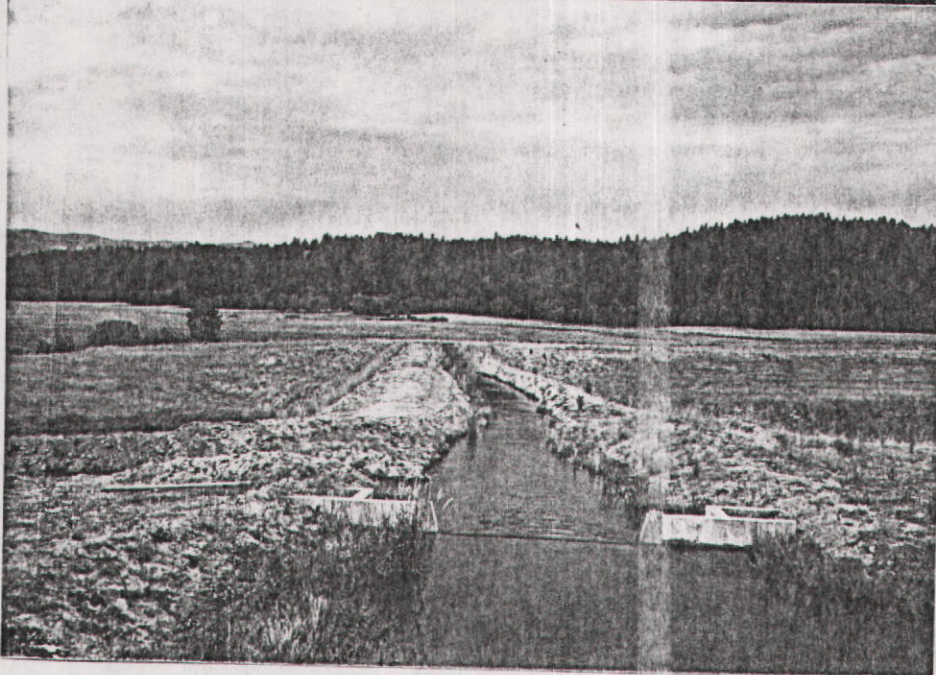
2) DOWNSTREAM  
SLOPE AND OUTLET  
DITCH

3) WEIR ON OUTLET  
DITCH. DITCH  
FORKS DIRECTLY  
BELOW WEIR

4) UPSTREAM SLOPE

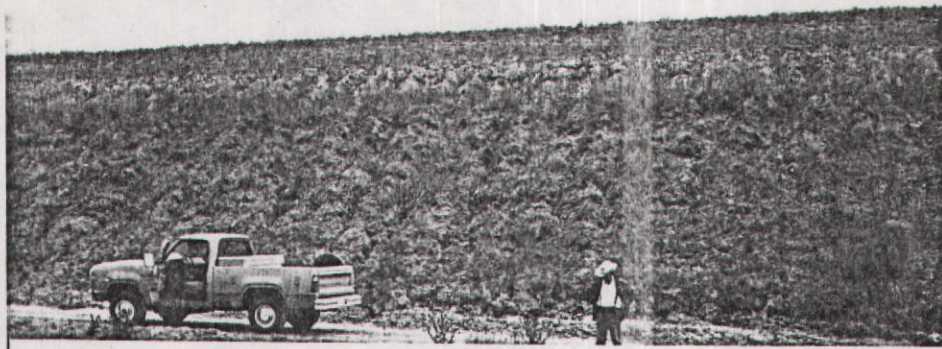
5) SPILLWAY ENTRANCE

6) GATE CONTROLS  
& STAFF GAGE.



MICROFILMED

AUG 30 1990



D65-7312

JEMIMA K DAM

8/18/81 AM

1) OUTLET STRUCTURE

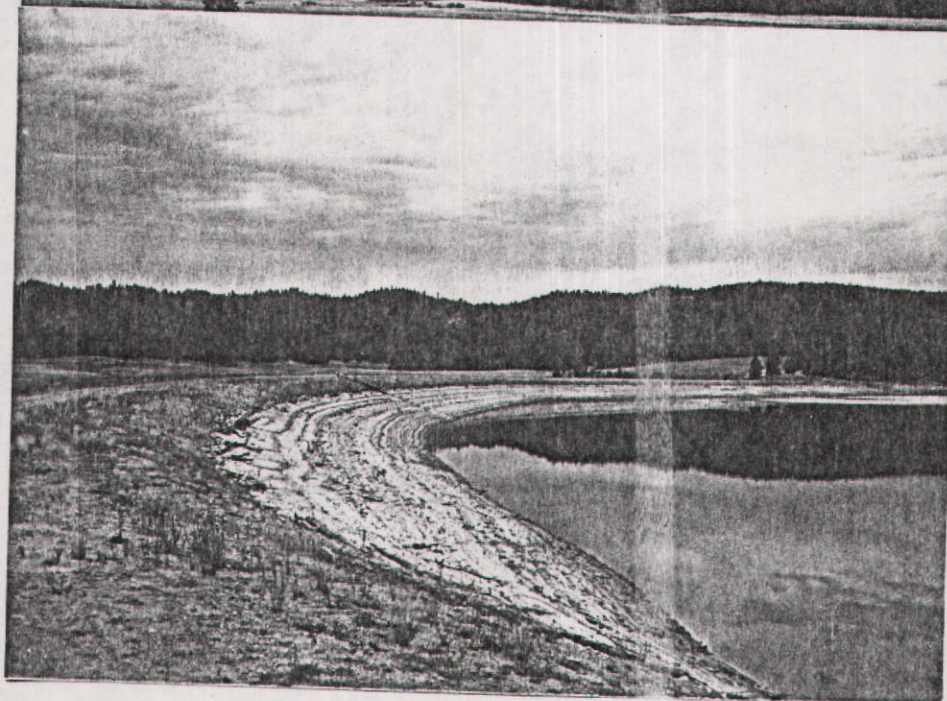
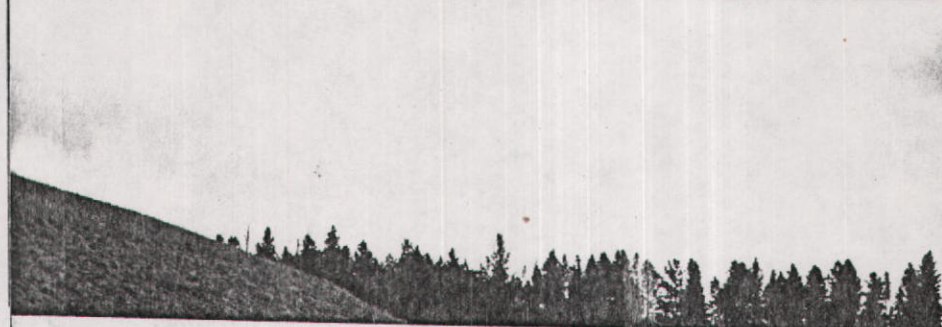
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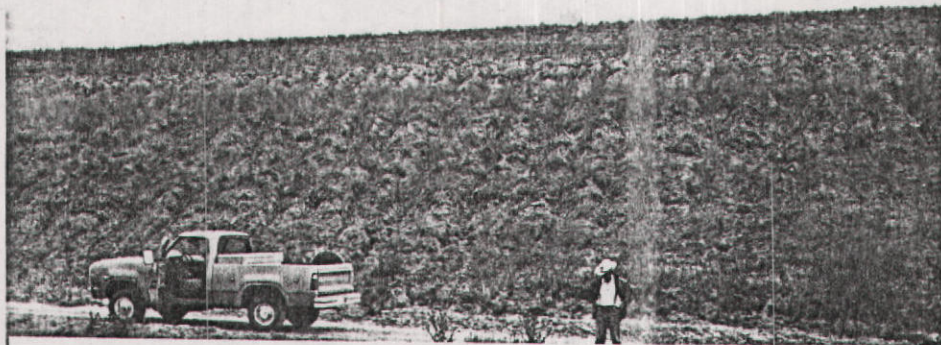
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**MICROFILMED**

AUG 30 1990



D65-7312

JEMIMA K DAM

8/18/81 AM

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DITCH

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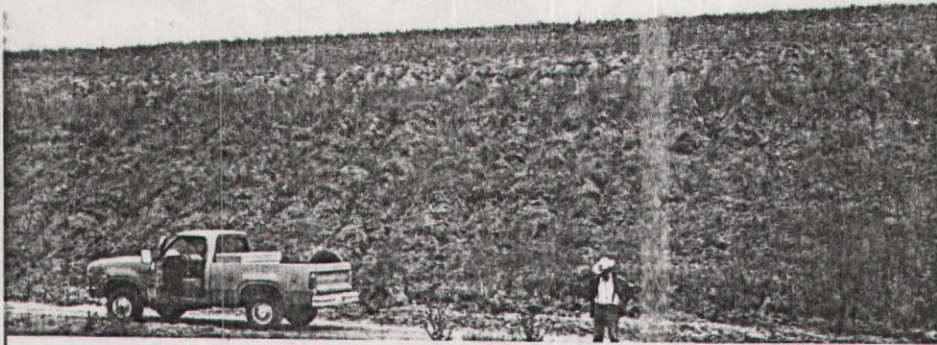
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& STAFF GAGE.



**MICROFILMED**

AUG 30 1990



D65-7312

JEMIMA K DAM

8/18/81 AMG

1) OUTLET STRUCTURE

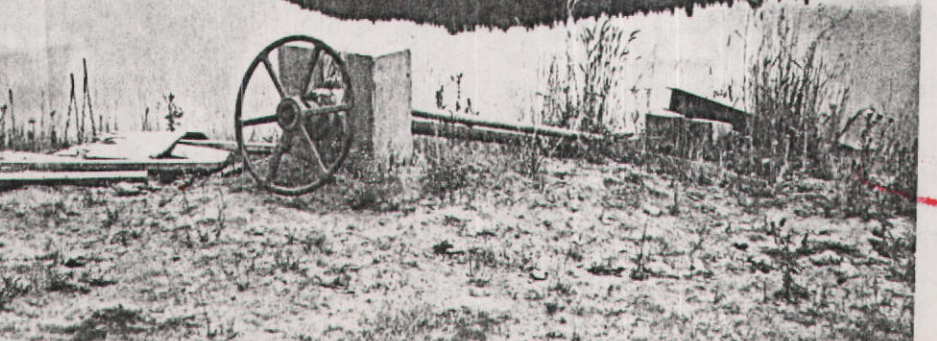
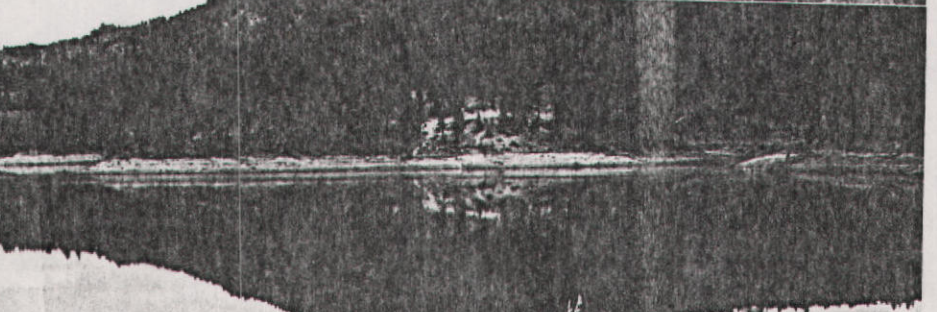
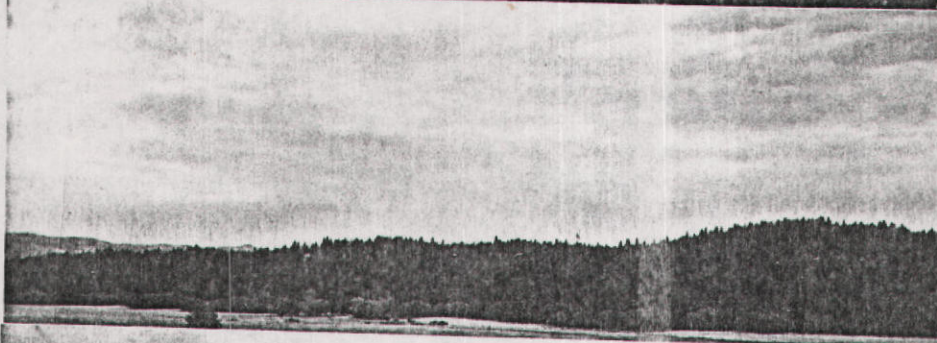
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6) GATE CONTROLS  
& STAFF GAGE.



**MICROFILMED**  
AUG 30 1990

# PUBLISHER'S AFFIDAVIT

STATE OF IDAHO )  
 ) ss.  
County of Valley )

Donald E. McMahan, being first duly sworn, deposes and says: That he is the co-editor of the Star-News, a weekly newspaper published at Cascade and McCall, in the County of Valley, State of Idaho; that said newspaper is in general circulation in the county of aforesaid and is a legal newspaper; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for Two consecutive weeks in the regular and entire issue of every number thereof during the period and time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began December 23, 1976, and ended December 30, 1976.

*D.E. McMahan*

Subscribed and sworn to before me a Notary Public in and for the County of Valley, and the State of Idaho, this 30 day of December, 1976.  
*Robert J. McMahan*, Notary Public.  
My commission expires July 1, 1980.



## Public Notices

Idaho Department of Water Resources, 92 South Cole Road, Boise, ID on or before January 10, 1977.

R. KEITH HIGGINSON  
Director

Published in the Star News, McCall, ID on December 23 and

### NOTICE OF PROPOSED AMENDING OF WATER PERMIT

Notice is hereby given that Permit No. 65-7649 in the name of TOM J. DAVIS, Cascade, ID was issued for the diversion of 1000 acre feet per annum from West Fork of Beaver Creek with the point of diversion within the NW<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub> Sec 5 T14N-R4E B.M., Valley County to be used from Apr 1 to Oct 31 for irrigation of 3015 acres within parts of Sec 7, 8, 17, 18, 19, 20, 30, 31 & 32 T14N-R4E. The water is proposed to be diverted to storage from Nov 1 to July 1.

The permit holder now proposes to amend Permit NO. 65-7679 by adding several points of diversion from West Fork of Beaver Creek within the NW<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub> Sec 5 T14N-R4E and from Flat Creek within the SW<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>, SE<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>, SW<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub> Sec 21 T15N-R4E B.M., SE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>, SW<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub> Sec 20 T15N-R4E B.M.

Any protests to this proposed amending of the permit must be filed with the Director of the

OK  
1-4-77  
*[Signature]*

MICROFILMED

State of Idaho  
Department of Water Resources

# WATER RIGHT LICENSE

WATER RIGHT NO. 65-07649

Priority: September 4, 1976      Maximum Storage Volume: 1000.0 AF

This is to certify, that TOM J. DAVIS  
CASCADE, ID 83611      has complied with the terms and conditions  
of the permit, issued pursuant to Application for Permit dated August 25, 1976; and  
has submitted Proof of Beneficial Use on October 11, 1978. An examination indicates  
that the works have a storage capacity of 3000.000 af of water from:

BEAVER CREEK, WEST FORK      tributary to BEAVER CREEK  
FLAT CREEK      tributary to GOLD FORK RIVER

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

| <u>BENEFICIAL USE</u>   | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> | <u>ANNUAL VOLUME</u> |
|-------------------------|----------------------|--------------------------|----------------------|
| IRRIGATION STORAGE      | 01/01 to 12/31       |                          | 1000.0 AF            |
| IRRIGATION FROM STORAGE | 04/15 to 10/15       |                          | 1000.0 AF            |
| Totals                  |                      |                          | 1000.0 AF            |

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 28, Township 15N, Range 04E  
SESE , Sec. 20, Township 15N, Range 04E  
SWSE , Sec. 21, Township 15N, Range 04E  
VALLEY County

PLACE OF USE: IRRIGATION STORAGE

| <u>TWN</u> | <u>RGE</u> | <u>SEC</u> |             | <u>ACRES</u> |      | <u>ACRES</u> |             | <u>ACRES</u> | <u>TOTAL</u> |
|------------|------------|------------|-------------|--------------|------|--------------|-------------|--------------|--------------|
| 14N        | 04E        | 6          | LOT 1(NENE) | 5            | SESE | 23           |             |              | 28           |
|            |            | 7          | NENE        | 30           | SENE | 25           | NESW        | 34           |              |
|            |            |            | SESW        | 34           | NESE | 24           | NWSE        | 14           |              |
|            |            |            | SWSE        | 26           | SESE | 16           |             |              | 203          |
|            |            | 8          | NWNW        | 17           | SWNW | 34           | NESW        | 27           |              |
|            |            |            | NWSW        | 39           | SWSW | 32           | SESW        | 20           | 169          |
|            |            | 17         | NWNW        | 37           | SWNW | 36           | NWSW        | 36           |              |
|            |            |            | SWSW        | 37           |      |              |             |              | 146          |
|            |            | 18         | NENE        | 26           | NWNE | 28           | SWNE        | 30           |              |
|            |            |            | SENE        | 38           | NENW | 32           | SENW        | 34           |              |
|            |            |            | NESW        | 36           | SESW | 33           | NESE        | 37           |              |
|            |            |            | NWSE        | 40           | SWSE | 25           | SESE        | 24           | 383          |
|            |            | 19         | NENE        | 23           | NWNE | 39           | SWNE        | 26           |              |
|            |            |            | SENE        | 13           | NENW | 36           | LOT 2(SWNW) | 37           |              |
|            |            |            | SENW        | 36           | NESW | 37           | LOT 3(NWSW) | 40           |              |
|            |            |            | LOT 4(SWSW) | 39           | SESW | 34           | NESE        | 23           |              |
|            |            |            | NWSE        | 15           | SWSE | 28           | SESE        | 40           | 466          |
|            |            | 20         | NWNW        | 31           | SWSW | 18           |             |              | 49           |

**MICROFILMED**

AUG 30 1990

State of Idaho  
Department of Water Resources

# WATER RIGHT LICENSE

WATER RIGHT NO. 65-07649

PLACE OF USE: IRRIGATION

| <u>TWN</u>                       | <u>RGE</u> | <u>SEC</u> | <u>ACRES</u> | <u>ACRES</u> | <u>ACRES</u> | <u>TOTAL</u> |
|----------------------------------|------------|------------|--------------|--------------|--------------|--------------|
| 29                               |            | NWNW       | 32           | SWNW         | 37           |              |
|                                  |            | SWSW       | 16           |              |              | 111          |
| 30                               |            | NENE       | 40           | NWNE         | 30           |              |
|                                  |            | SENE       | 36           | NENW         | 38           |              |
|                                  | LOT 2      | (SWNW)     | 39           | SENE         | 37           |              |
|                                  | LOT 3      | (NWSW)     | 38           | SENW         | 39           |              |
|                                  |            | NESE       | 40           | SESW         | 22           |              |
|                                  |            | SESE       | 40           | SWSE         | 38           | 568          |
| 31                               |            | NENE       | 19           | NWNE         | 37           |              |
|                                  |            | SENE       | 20           | NENW         | 32           |              |
|                                  | LOT 2      | (SENW)     | 20           |              |              | 181          |
| Total number of acres irrigated: |            |            |              |              |              | 2304         |

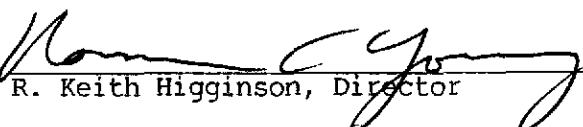
PLACE OF USE: IRRIGATION FROM STORAGE, same as IRRIGATION STORAGE use

CONDITIONS/REMARKS:

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
5. Use of water under this water right is subject to control by the watermaster of State Water District No. 65
6. The consumptive volume under this right when combined with all other rights shall provide no more than 3.0 afa per acre for the lands above.
7. Storage reservoir is located in the NWSW, S5, T14N, R4E. (Jemima K Res.)

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.  
Witness the seal and signature of the Director, affixed at Boise, this 16<sup>TH</sup>  
day of AUGUST, 1990.

Acting for

  
R. Keith Higginson, Director

MICROFILMED

AUG 24 1990

State of Idaho  
Department of Water Resources

RECEIVED  
AUG 2 1990

APPLICATION FOR AMENDMENT  
(For Licensing Purposes)  
WATER RIGHT NO. 65-07649

APPROVED  
Department of Water Resources  
1000.0  
-900.0 AF

Date of Priority: September 4, 1976

Maximum Storage Volume:

Comes now TOM J. DAVIS  
CASCADE, ID 83611

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 65-07649, and requests that the permit be changed as follows:

Source: BEAVER CREEK, WEST FORK  
Source: FLAT CREEK

tributary to BEAVER CREEK  
tributary to GOLD FORK RIVER

| BENEFICIAL USE          | PERIOD OF USE  | RATE OF DIVERSION | ANNUAL VOLUME       |
|-------------------------|----------------|-------------------|---------------------|
| IRRIGATION STORAGE      | 01/01 to 12/31 |                   | 1000.0<br>-900.0 AF |
| IRRIGATION FROM STORAGE | 04/15 to 10/15 |                   | -900.0 AF<br>1000.0 |
| Totals                  |                |                   | -900.0 AF<br>1000.0 |

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 28, Township 15N, Range 04E  
SESE , Sec. 20, Township 15N, Range 04E  
SWSE , Sec. 21, Township 15N, Range 04E  
VALLEY County

PLACE OF USE: IRRIGATION STORAGE

| TWN | RGE | SEC | ACRES         | ACRES   | ACRES   | TOTAL |
|-----|-----|-----|---------------|---------|---------|-------|
| 14N | 04E | 6   | LOT 1(NENE) 5 | SESE 23 |         | 28    |
|     |     | 7   | NENE 30       | SENE 25 | NESW 34 |       |
|     |     |     | SESW 34       | NESE 24 | NWSE 14 |       |
|     |     |     | SWSE 26       | SESE 16 |         | 203   |
|     |     | 8   | NWNW 17       | SWNW 34 | NESW 27 |       |
|     |     |     | NWSW 39       | SWSW 32 | SESW 20 | 169   |
|     |     | 17  | NWNW 37       | SWNW 36 | NWSW 36 |       |
|     |     |     | SWSW 37       |         |         | 146   |
|     |     | 18  | NENE 26       | NWNE 28 | SWNE 30 |       |

MICROFILMED

AUG 30 1990

PLACE OF USE: IRRIGATION STORAGE

| TWN | RGE | SEC   | ACRES     | ACRES         | ACRES         | TOTAL |
|-----|-----|-------|-----------|---------------|---------------|-------|
| 14N | 04E | 18    | SENE 38   | NENW 32       | SENE 34       |       |
|     |     |       | NESW 36   | SESW 33       | NESE 37       |       |
|     |     |       | NWSE 40   | SWSE 25       | SESE 24       | 383   |
|     |     | 19    | NENE 23   | NWNE 39       | SWNE 26       |       |
|     |     |       | (SENE) 13 | NENW 36       | LOT 2 SWNW 37 |       |
|     |     |       | (SENE) 36 | NESW 37       | LOT 3 NWSW 40 |       |
|     |     | LOT 4 | SWSW 39   | SESW 34       | NESE 23       |       |
|     |     |       | NWSE 15   | SWSE 28       | SESE 40       | 466   |
|     |     | 20    | NWNW 31   | SWSW 18       |               | 49    |
|     |     | 29    | NWNW 32   | SWNW 37       | NWSW 26       |       |
|     |     |       | SWSW 16   |               |               | 111   |
|     |     | 30    | NENE 40   | NWNE 30       | SWNE 37       |       |
|     |     |       | (SENE) 36 | NENW 38       | LOT 1 NWNW 31 |       |
|     |     | LOT 2 | (SWSW) 39 | SENE 39       | NESW 38       |       |
|     |     | LOT 3 | (NWSW) 38 | LOT 4 SWSW 28 | SESW 22       |       |
|     |     |       | NESE 40   | NWSE 34       | SWSE 38       |       |
|     |     |       | SESE 40   |               |               | 568   |
|     |     | 31    | NENE 19   | NWNE 37       | SWNE 38       |       |
|     |     |       | (SENE) 20 | NENW 32       | LOT 1 NWNW 15 |       |
|     |     | LOT 2 | SENE 20   |               |               | 181   |

Total number of acres irrigated: 2304

PLACE OF USE: IRRIGATION FROM STORAGE, same as IRRIGATION STORAGE use

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Caswell Idaho, this 30 day of July, 19 90.

*James H. Davis*  
**RECORDED**

AUG 30 1990

State of Idaho  
Department of Water Resources

APPLICATION FOR AMENDMENT  
(For Licensing Purposes)  
WATER RIGHT NO. 65-07649

\*\*\*\*\*

FOR DEPARTMENT USE ONLY

#C017898

Preliminary check by SC Fee = \$20.00

Received by C. Wong Date 8/2/90

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the  
above Application for Amendment for Permit No. 65-07649 with the following;

CONDITIONS/REMARKS:

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
5. Use of water under this water right is subject to control by the watermaster of State Water District No. 65
6. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for the lands above.

Witness my hand this 16<sup>TH</sup> day of August, 1990.

R. Keith Higginson  
Acting for R. Keith Higginson, Director

MICROFILMED

AUG 30 1990

Receipt # 6131

RECEIVED

DEC 3 1976

**Department of Water Resources  
Western Regional Office**

Comes now Tom J. Davis of (address) \_\_\_\_\_

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 65-7649, and requests that the permit and permit map be changed as follows: West Fork of Beaver Creek

SESE, SWSE, Sec. 20, T. 15N, R. 4E

NO CHANGE

Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)

Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)

Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)

Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)

(cfs or acre feet per annum)

3. Place of use or land to be irrigated: NO CHANGE

[illegible]

Total number of acres to be irrigated

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40-acre subdivisions, townships, ranges and ditches.

Scale: 2 inches equal 1 mile

That no one will be injured by such change, and that such change will be made at permit holders own risk.

Signed at Boise, ID, this 3rd day of December, 19 76.

(signature)

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

Administrator, Operations Division

I, A. KENNETH DUNN, ~~Director~~ of the Department of Water Resources

hereby APPROVE the above application for amendment on Permit No. 65-7649.

Witness my hand this 14 day of January, 19 77

(signature)  
Director

Administrator, Operations Division

BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE  
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 65-7649  
IN THE NAME OF TOM J. DAVIS

ORDER OF REINSTATEMENT

WHEREAS, on August 25, 1976, Tom J. Davis filed with the Department of Water Resources an application for permit to appropriate 1000 acre feet per annum to be diverted within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 5, Twp. 14N, Rge. 4E; SW $\frac{1}{4}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 21, Twp. 15N, Rge. 4E (from Flat Creek); SE $\frac{1}{4}$ SE $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 20, Twp. 15N, Rge. 4E B.M., Valley County, to be used for storage for irrigation and irrigation purposes; and,

WHEREAS, on September 24, 1976, the Department approved said application and issued Permit No. 65-7649 with the condition that proof of beneficial use be submitted to the Department on or before October 1, 1978; and,

WHEREAS, on July 31, 1978, the Department notified the permit holder by certified mail that proof of beneficial use was due and instructed the permit holder as to the steps to be taken to make said proof; and,

WHEREAS, on October 1, 1978, the permit automatically lapsed for failure to submit proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within 60 days from the date of lapsing; and,

WHEREAS, the permit holder has provided a reasonable cause as to why said permit should be reinstated by submitting proof of beneficial use on October 11, 1978;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 65-7649 be REINSTATED and the priority advanced to September 4, 1976.

Dated this 16 day of October, 1978.

*David R. Tuthill*  
DAVID R. TUTHILL, JR.

Acting Operations Bureau Chief

**MICROFILMED**

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

Application No 65-7649

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**APPLICATION FOR PERMIT**

**APPROVED**

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

- 1 Name of applicant TOM J. DAVIS Phone: 382-4162  
post office address Cascade, ID 83611
- 2 Source of water supply West Fork of Beaver Creek which is a tributary of Payette River
- 3 a Location of point of diversion is NW  $\frac{1}{4}$  of SW  $\frac{1}{4}$  of Section 5 Township 14N  
Range 4E B M Valley County, additional points of diversion if any \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
b If water is not consumed, it will be discharged into \_\_\_\_\_ at a point in \_\_\_\_\_  $\frac{1}{4}$   
of \_\_\_\_\_  $\frac{1}{4}$  of Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_ B M \_\_\_\_\_
- 4 Water will be used for the following purposes.  
Amount 1000 AF For Storage purpose from Nov 1 to July 1 (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount 1000 AF For Irrigation purpose from Apr 1 to Oct 31 (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount \_\_\_\_\_ for Pursuant to telephone conversation 8-26-76 GLS purpose from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)
- 5 Total quantity to be appropriated:  
a \_\_\_\_\_ cubic feet per second and/or  
b 1000 acre feet per annum.
- 6 Proposed diverting works  
a Description of ditches, flumes, pumps, headgates, etc \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
b Height of storage dam 72 feet, active reservoir capacity 3000 acre feet, total reservoir capacity 3000 acre feet, materials used in storage dam Earth, clay core  
Period of year during which storage will occur 11-1 to 7-1 inclusive  
(Mo Day) (Mo Day)  
c Proposed well diameter is \_\_\_\_\_ inches, proposed depth of well is \_\_\_\_\_ feet
- 7 a Time required for the completion of the works and application of the water to the proposed beneficial use is 2 years  
b Estimated construction cost is \$ 125,000
- 8 Description of proposed uses  
a If water is **not** for irrigation  
(1) Give the place of use of water \_\_\_\_\_  $\frac{1}{4}$  of \_\_\_\_\_  $\frac{1}{4}$  of Section \_\_\_\_\_ Township \_\_\_\_\_  
Range \_\_\_\_\_ B M \_\_\_\_\_  
(2) Amount of power to be generated \_\_\_\_\_ hp under \_\_\_\_\_ feet of head  
(3) List number of each kind of livestock to be watered \_\_\_\_\_  
\_\_\_\_\_  
(4) Name of municipality to be served \_\_\_\_\_, or number of families to be supplied with domestic water \_\_\_\_\_  
(5) If water is to be used for other purposes describe \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

| TWP | RANGE | SEC | NE <sup>1</sup> / <sub>4</sub> |                                |                                |                                | NW <sup>1</sup> / <sub>4</sub> |                                |                                |                                | SW <sup>1</sup> / <sub>4</sub> |                                |                                |                                | SE <sup>1</sup> / <sub>4</sub> |                                |                                |                                | TOTALS |
|-----|-------|-----|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------|
|     |       |     | NE <sup>1</sup> / <sub>4</sub> | NW <sup>1</sup> / <sub>4</sub> | SW <sup>1</sup> / <sub>4</sub> | SE <sup>1</sup> / <sub>4</sub> | NE <sup>1</sup> / <sub>4</sub> | NW <sup>1</sup> / <sub>4</sub> | SW <sup>1</sup> / <sub>4</sub> | SE <sup>1</sup> / <sub>4</sub> | NE <sup>1</sup> / <sub>4</sub> | NW <sup>1</sup> / <sub>4</sub> | SW <sup>1</sup> / <sub>4</sub> | SE <sup>1</sup> / <sub>4</sub> | NE <sup>1</sup> / <sub>4</sub> | NW <sup>1</sup> / <sub>4</sub> | SW <sup>1</sup> / <sub>4</sub> | SE <sup>1</sup> / <sub>4</sub> |        |
| 14N | 4E    | 8   |                                |                                |                                |                                |                                | 40                             | 40                             |                                | 30                             | 40                             | 40                             | 20                             |                                |                                |                                |                                | 210    |
|     |       | 7   | 40                             |                                | 40                             | 40                             |                                |                                |                                |                                | 40                             |                                | 40                             | 40                             | 40                             | 40                             | 40                             | 40                             | 360    |
|     |       | 17  |                                |                                |                                |                                |                                | 40                             | 40                             |                                |                                | 40                             | 40                             |                                |                                |                                |                                |                                | 160    |
|     |       | 18  | 40                             | 40                             | 40                             | 40                             | 40                             |                                |                                | 40                             | 40                             |                                |                                | 40                             | 40                             | 40                             | 40                             | 40                             | 480    |
|     |       | 19  | 40                             | 40                             | 40                             | 40                             | 40                             |                                |                                | 40                             | 40                             | 40                             | 40                             | 40                             | 40                             | 40                             | 40                             | 40                             | 600    |
|     |       | 20  |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                | 40                             |                                |                                |                                |                                |                                | 40     |
|     |       | 30  |                                |                                |                                |                                | 40                             | 40                             | 40                             | 40                             | 40                             | 40                             | 40                             | 40                             |                                | 40                             | 40                             |                                | 400    |
|     |       | 29  |                                |                                |                                |                                |                                |                                |                                |                                | 40                             | 40                             | 40                             | 40                             |                                |                                |                                |                                | 160    |
|     |       | 32  |                                | 40                             |                                |                                | 40                             | 40                             | 40                             | 40                             | 40                             | 40                             |                                |                                |                                |                                |                                |                                | 280    |
|     |       | 31  | 40                             | 40                             | 40                             | 40                             | 15                             |                                |                                | 20                             | 20                             |                                |                                | 30                             |                                | 40                             | 40                             |                                | 165    |

Total number of acres to be irrigated 3015

c. Describe any other water rights used for the same purposes as described above.

Glen Cove, Beaver Creek, Davis Reservoir; River Right (16 cfs) Calander Reservior  
and Smalley Reservior

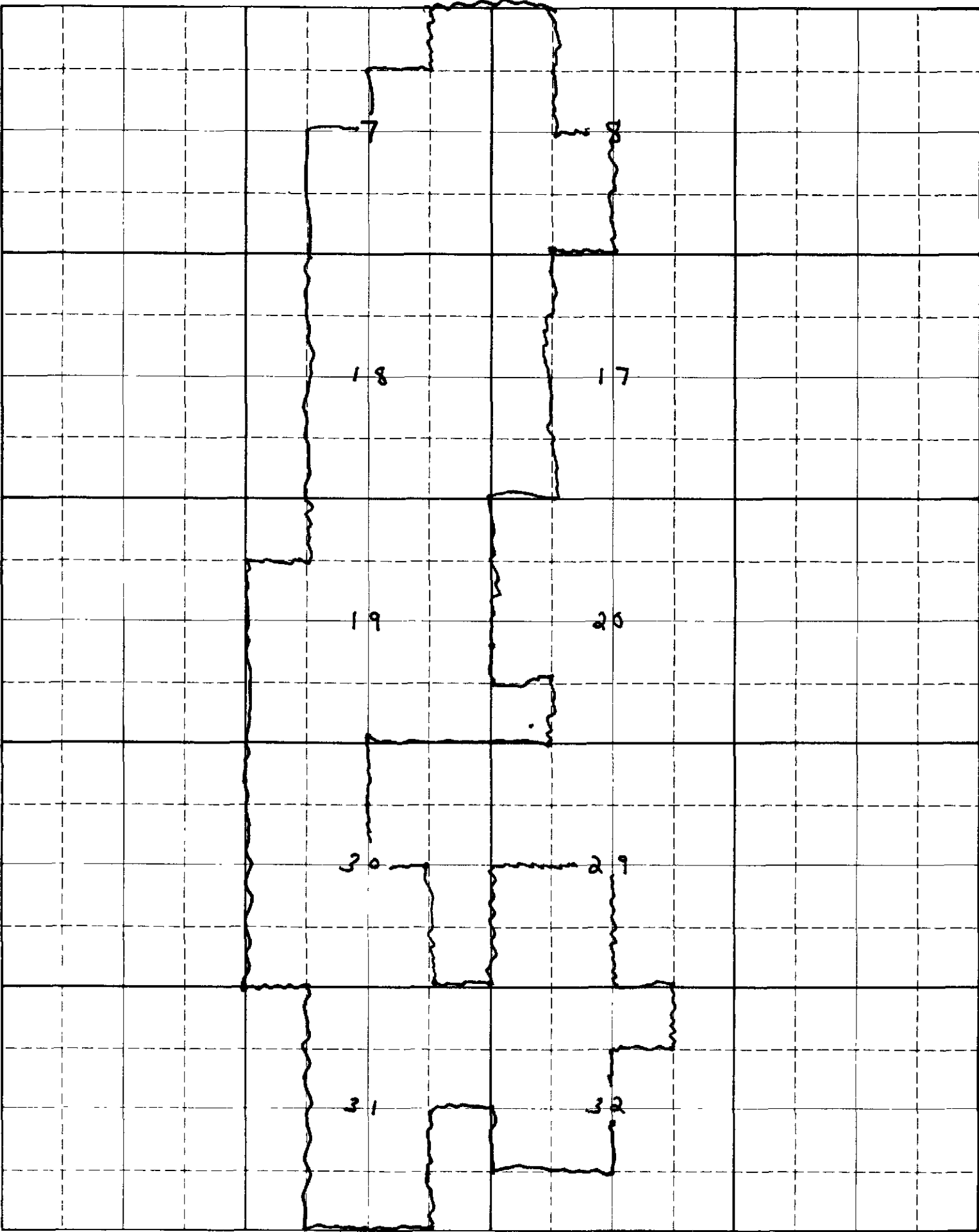
9 a. Who owns the property at the point of diversion Applicant

b. Who owns the land to be irrigated or place of use Applicant

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

10. Remarks

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



Scale 2 inches equal 1 mile

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

*[Signature]*  
(Applicant)

Proposed Priority 8-25-76

Received by RF Date 8-25-76 Time 10.30 am

Preliminary check by 6/9 Fee \$ 115.00

Receipted by RB Date 8-25-76 # 5130

Publication prepared by RF Date 8-26-76

Published in The Star News

Publication dates Sept 2+9

Publication approved RF Date 9-13-76

Priority reduced to \_\_\_\_\_ Reason \_\_\_\_\_

Protests filed by \_\_\_\_\_

Copies of protests forwarded by \_\_\_\_\_

Hearing held by \_\_\_\_\_ Date \_\_\_\_\_

Recommended for approval denial by RF

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

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No 65-7649, and said application is hereby APPROVED.

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

a SUBJECT TO ALL PRIOR WATER RIGHTS.

b Proof of construction of works and application of water to beneficial use shall be submitted on or before October 1, 1978.

c Other \_\_\_\_\_

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

Witness my hand this 24 day of September, 1976.

R. Fred King  
Director

# PUBLISHER'S AFFIDAVIT

STATE OF IDAHO )

) ss.

County of Valley )

Donald E. McMahan, being first duly sworn, deposes and says: That he is the co-editor of the Star-News, a weekly newspaper published at Cascade and McCall, in the County of Valley, State of Idaho; that said newspaper is in general circulation in the county of aforesaid and is a legal newspaper; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for <sup>two</sup> consecutive weeks in the regular and entire issue of every number thereof during the period and time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began September 2, 1976, and ended

September 9, 1976.

Subscribed and sworn to before me a Notary Public in and for the County of Valley, and the State of Idaho, this 7th day of September, 1976.  
R. Keith Higgins, Notary Public.  
My commission expires July, 1980.

Notice is hereby given that TOM J. DAVIS, Cascade, ID has on August 25, 1976 submitted Application No. 65-7042 for a permit to appropriate 1000 acre feet per annum of water from the West Fork of Beaver Creek trib. Payette River by means of dam within the NW 1/4 SW 1/4 Sec 5 T14N-R4E B.M., Valley County to be used from April 1 to October 31 for irrigation of 3015 acres within parts of Sec 7, 8, 17, 18, 19, 20, 29, 30, 31, & 32 T14N-R4E. The water is proposed to be diverted to storage from Nov 1 to July 1.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83720, on or before September 20, 1976.

R. KEITH HIGGINS

Notary

Published in the Star-News

McCall, ID on September 2

OK  
9-13-76  
RF



State of Idaho  
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705 - (208) 334-2190

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

June 12, 1991

Art Hall, President and Betty Gestrin, Secretary  
Center Irrigation District  
C/O Art Hall  
Box 383  
Cascade, ID. 83611

RE: Center Irrigation District and Davis Water Rights

Dear Art and Betty:

Mr. Tom Davis of Cascade visited the state office of this agency on 5/28/91 and discussed a problem with Mr. Glen Saxton, Chief of the Water Allocation Bureau. Mr. Davis indicated that Mr. Howard Gestrin and/or Mr. Art Hall may be interfering with a Davis diversion from Flat Creek. Mr. Davis wondered what remedies may exist in such situations.

I inspected the alleged situation on 6/7/91 and was accompanied by Mr. Phil Davis. I observed that the Davis headgate located in the headwaters area of Flat Creek was locked shut and that plastic and mud were used to further seal the headgate. No water was running through the Davis ditch. Phil Davis then cut off the lock, removed the obstructing material, and restored the flow to the ditch. The diversion delivers water to the Jemima K Reservoir by way of the West Fork of Beaver Creek. Phil Davis indicated that this situation had occurred more than once, and he thought that the Center Irrigation District was the responsible party.

Of course, I have no way to know who is responsible for this. I was told that you are officers of the irrigation district. My letter does not imply that you or anyone else associated with the Center Irrigation District are involved in the problem. If, however, you or any representative of the district are interfering in any way with the Davis or any other diversion, you should be aware that such interference is not sanctioned by Idaho law.

This agency does not have jurisdiction over enforcement of your water rights. Disputes among water right owners are civil matters to be settled between the involved parties within the limits defined by Idaho statutes, but these limits do not include locking and/or otherwise interfering with another owner's diversion. If you cannot solve the problem between yourselves, you could consider forming a water district in which a watermaster certified by this agency would regulate and deliver the disputed water based on verified water rights. A watermaster in a water district (not to be confused with an irrigation district, which is something entirely different) is the only person who can legally tamper with a diversion in situations such as this. The Department of Water Resources can assist in forming a water district. Another solution involves taking the issue to court.

Art Hall and Betty Gestrin  
June 12, 1991  
Page 2

The Center Irrigation District has decreed rights from the Gold Fork River dating to 1923 and 1934. Tom Davis has licensed rights from Flat Creek, tributary to the Gold Fork River, dating to 1972 and 1976. If a water district was established, the junior Flat Creek rights could be cut off by the watermaster in order to supply the senior rights from the river. This would not occur when the river supply was adequate. During my visit last week, I did not observe any conditions that would justify restricting the Davis' Flat Creek diversion.

If you want more information regarding water districts or other items, please contact me. However, neither party in the alleged dispute should expect the department to handle what is essentially a civil problem.

Sincerely,

A handwritten signature in cursive script that reads "Steve Lester".

Steve Lester  
Sr. Water Resource Agent

CC: Davis Cattle Company

File No. 65-07312 + 65-07649STATE OF IDAHO  
Department of Water Resources

(Davis)

## FIELD INSPECTION REPORT

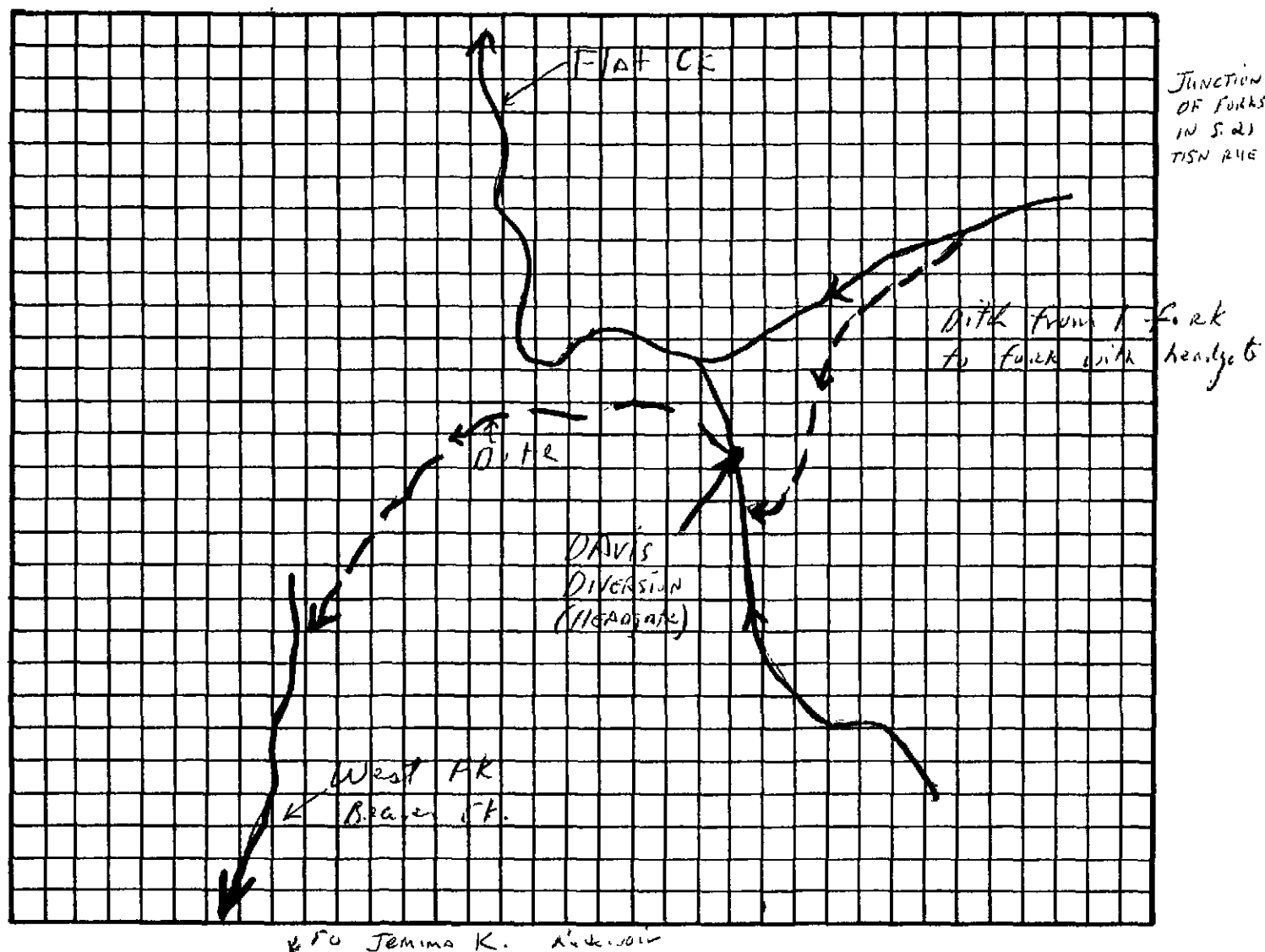
1. Date: 6/7/91 Time: 11:00 a.m. Photos: ☒ Yes ☐ No
2. Inspection involves: ☒ Water Rights ☐ Dam Safety ☐ Well Construction or Driller  
☐ Waste Well ☐ Stream Channel Alteration ☒ Water Distribution  
☒ Other interference with diversion works
3. Reason for inspection: complaint by Tom Davis concerning diversion point. See  
John Saxton's 5/28/91 memo
4. Stream name: Flat Cr.
5. Stream characteristics: \_\_\_\_\_
6. Stream width: \_\_\_\_\_ Depth: \_\_\_\_\_ Gradient: \_\_\_\_\_ Q: \_\_\_\_\_ est. \_\_\_\_\_  
meas. \_\_\_\_\_
7. Location: 1/4 1/4, Sec. 21, Twp. 17N, Rge. 4E, County Valley  
Landmark: NE of headwaters of W. Fk. Beaver Cr.
8. Person(s) contacted: Phil Davis
9. Dam name: \_\_\_\_\_ Spilling: ☐ No ☐ Yes Q \_\_\_\_\_  
Outlet open: ☐ No ☐ Yes Q \_\_\_\_\_ Spillway open: ☐ Yes ☐ Fibrd ☐ Gate open  
Freeboard: Spillway \_\_\_\_\_ Crest \_\_\_\_\_ Res. stage: ☐ Rising ☐ Falling \_\_\_\_\_ Rate
10. Area characteristics: \_\_\_\_\_
11. Weather conditions: overcast & moderate temperatures (60°F)
12. Describe activity/conditions inspected: observed Davis headgate locked shut. Also,  
plastic & mud were used to block any leakage into headgate  
this deprives Davis of water for ditch to reservoir. Ditch delivers  
water to Jeremia R. Reservoir via conveyance by W. Fk. Beaver Cr.
13. Are all requirements being met? ☐ Yes  
If not, check type violated: ☐ Statutory ☐ Rules & Regs ☐ Permit
14. Describe impact on others: \_\_\_\_\_  
During inspection, Phil Davis cut the lock off of the headgate &  
removed the plastic/mud obstruction. He used boards to make a  
checkdam at the headgate "basis" site just downstream from headgate.
15. Describe alternatives: The entire flow of the creek \* was thereby diverted  
for the Davis headgate & ditch.

\* of this fork of the creek

16. Remarks Also visited diversion canal from Gold Fork River  
used by Center Irrig. Dist. for gold fork. Irrig. Dist. (Gold Fork  
Canal). Abundant flow found at gold fork River (no  
need to shut off Davis' Flat Cr. diversion).

17. Followup Necessary: ☒ Yes ☐ No Describe: Letter to Center Irrig. Dist. concerning interference  
with diversion works. CC to Davis Cattle Co. re Phil  
Davis ACT 1 Bx 205 Cascade (382-4892)

18. Sketch: Include direction, important dimensions, photo locations, landmark or reference point



19. Action taken at time of inspection: \_\_\_\_\_

20. Signed: J. M. Lester

21. Follow up action: Date: \_\_\_\_\_ Additional Memo Prepared: ☐ Yes ☐ No

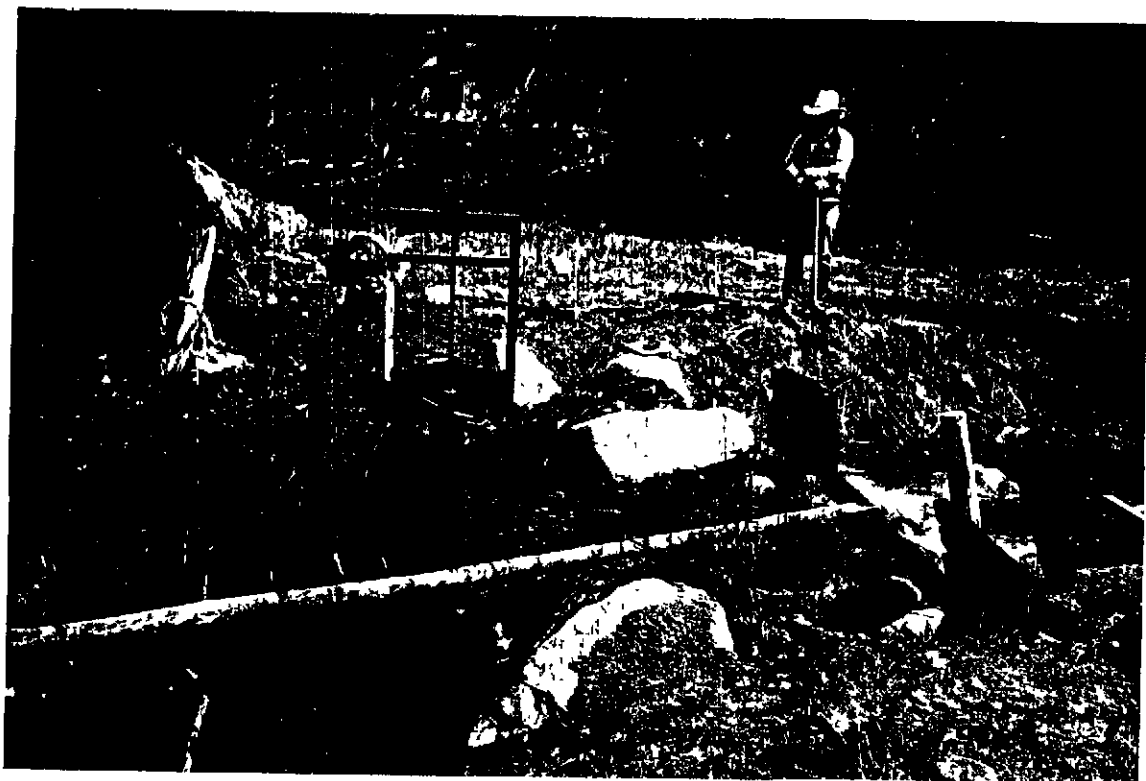
Describe: \_\_\_\_\_

22. Signed: \_\_\_\_\_

View of Davis  
headgate on unnamed  
fork of Flat Creek.

Phil Davis is  
pictured.

PHOTO ONE-



>

Closer view of locked  
headgate. Plastic & mud  
were used to seal bottom  
of gate.

No flow in Davis ditch.

PHOTO TWO-



✓ Done  
Skip ✓  
Plz check out & respond.  
- Dave  
RECEIVED  
MAY 29 1991

MEMORANDUM

Department of Water Resources  
Western Regional Office

To: Dave Tuthill  
From: L. Glen Saxton *LGS*  
RE: WATER DISTRIBUTION QUESTION - TOM DAVIS  
Date: May 28, 1991

Tom Davis from Cascade was in the state office today inquiring about the diversion of water from Flat Creek tributary to Gold Fork Creek in Valley County.

Davis was wondering whether there is a watermaster on Goldfork Creek since Howard Gestrin and Art Hall may be diverting water to which Davis may be authorized to divert to storage. I advised that even though the rights had been decreed that there was not presently an appointed watermaster. \*

I also advised Davis that I would request that one of your examiners stop by and visit with him the next time one of them is in the area. I'm not sure what the respective water rights are, but the department employee who visits with Davis should be versed on the respective water rights.

\* Gold Fk. River  
individuals &/or Gold Fk. Irrig. Dist.?

## CONVERSATION MEMORANDUM

DATE

6/4/91

FILE

NAME OF PARTY

Phil Davis 382-4892

EMPLOYEE

Tom Davis - 4162

Steve Lester

RE:

PER GLEN'S 5.28.91 memo

65-07312

Storage Rpts, Plot Ch.

- 07649

Phil called to complain of interference with  
headstoss's water for storage. Sail. dept. has  
been closed & sometimes locked shut &/or  
debris placed in front of it. Cuts Davis'  
water off from diversion to storage/diversion.

Requested help in verifying the condition of  
diversion & possible letter explaining legalities of  
this type of action etc.

[illegible]

August 16, 1990

TOM J. DAVIS  
CASCADE, ID 83611

RE: PERMIT NO. 65-07649

Dear Permit Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved application for amendment.

Should you have any questions regarding these documents, please feel free to contact our office.

Sincerely,

JIM JOHNSON  
Water Rights Supervisor

JJ:sc

Enclosure

**MicroFILMED**

AUG 30 1990

July 19, 1990

TOM J. DAVIS  
CASCADE, ID 83611

RE: PERMIT NO. 65-07649

Dear Permit Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to correspond with the findings of the Department's field examiner.

The enclosed application for amendment contains information that will be included on the license when it is issued. Please review carefully and if you concur, sign the amendment and return with the \$20.00 filing fee within 30 days.

If you do not concur with these findings or if you have any questions, please contact us within the 30-day period.

Sincerely,

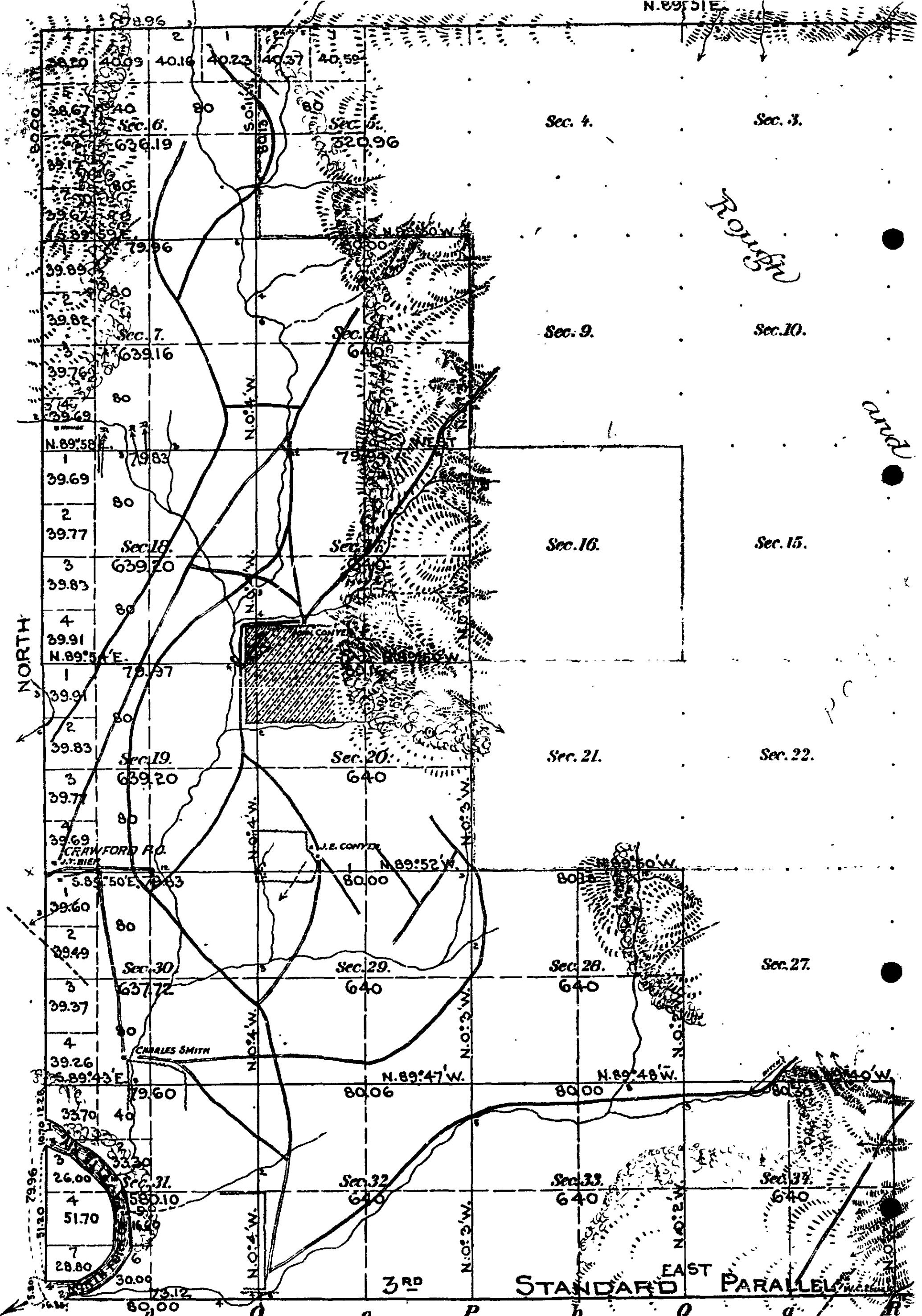
JIM JOHNSON  
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED

AUG 30 1990



Total number of Acres 9212.53

FROM MIKE STUBBSFIELD

DATE 12/3/86

MICROFILMED

TO FILE NO. 65-7649

AUG 30 1990

SUBJECT Jemima K DAM Reservoir Capacity

WATER RIGHT NO. 65-7649 WAS ORIGINALLY FILED FOR 1000 AF OF STORAGE, AND WHEN COMBINED WITH NO. 65-7312 WOULD TOTAL 3000 AF. IT APPEARS THAT 65-7649 IS TO BE LICENSED FOR 900 AF RATHER THAN 1000 AF BECAUSE THE DAM SAFETY FILES INDICATE THE RESERVOIR CAPACITY TO BE 2900 AF. IN REVIEWING THE DAM SAFETY FILE IT APPEARS A MISTAKE WAS MADE IN THE RESERVOIR CAPACITY. THE AREA-CAPACITY CURVE INDICATES THAT AT THE ~~THE~~ MAXIMUM WATER SURFACE ELEVATION IN THE RESERVOIR, IT WILL HOLD 3000 AF. I THEREFORE RECOMMEND THE LICENSED AMOUNT BE CHANGED TO 1000 AF FOR WATER RIGHT NO. 65-7649.

Amy

SIGNATURE



DATE OF EXAM 2/10/81

ACREAGE  
Found 2304 ✓  
Recommended 2304 ✓

Irrigation Requirement \_\_\_\_\_ Ac Ft/Ac

USE Irr From Storage Storage For Irr 900 4/1 11/1  
Irrigation Q= \_\_\_\_\_ c.f.s. V= 900 AF/Ann. from 11/1 to 7/1  
Domestic Q= \_\_\_\_\_ c.f.s. V= \_\_\_\_\_ AF/Ann. from \_\_\_\_\_ to \_\_\_\_\_  
Livestock Q= \_\_\_\_\_ c.f.s. V= \_\_\_\_\_ AF/Ann. from \_\_\_\_\_ to \_\_\_\_\_

Is water co-mingled? yes \_\_\_\_\_ no \_\_\_\_\_

Name source: \_\_\_\_\_  
twp. \_\_\_\_\_ N/S, Rge \_\_\_\_\_ E/W, B.M., Sec. \_\_\_\_\_, Sub. \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_ County \_\_\_\_\_

Exchange? yes \_\_\_\_\_ no \_\_\_\_\_

Name source exchanged with: \_\_\_\_\_  
twp. \_\_\_\_\_ N/S, Rge \_\_\_\_\_ E/W, B.M., Sec. \_\_\_\_\_, Sub. \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_ County \_\_\_\_\_

Point of injection: \_\_\_\_\_  
twp. \_\_\_\_\_ N/S, Rge \_\_\_\_\_ E/W, B.M., Sec. \_\_\_\_\_, Sub. \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_ County \_\_\_\_\_

Point of exchange: \_\_\_\_\_  
twp. \_\_\_\_\_ N/S, Rge \_\_\_\_\_ E/W, B.M., Sec. \_\_\_\_\_, Sub. \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_ County \_\_\_\_\_

Total Q measured \_\_\_\_\_ Method of measurement Design of Reservoir

Total Q recommended \_\_\_\_\_ Meter No \_\_\_\_\_ Type \_\_\_\_\_ Condition \_\_\_\_\_

Total V recommended 900 AF 1000  
\*900

Recommended Amendments:

P.D. OK Add SWNW Sec 28 T15N R4E  
Place of Use see separate land list  
Other Storage pond  
None

#### MEASUREMENT CALCULATION:

I believe the storage should be year round even though  
the diversion from Flat Creek may not be 200

\*Dam Safety file identifies a capacity of 2900.0 AF  
- 2000.0 65-7312

SYSTEM DESCRIPTION: point of diversion - SWNW Sec 28  
1 pt. of diversion Sec 20 & 1 pt. of diversion Sec 21 T15N  
R4E from Flat Creek - canal carries water to West Elk  
Beaver, hence to reservoir. Stored water is  
diverted to canal system under gravity flow system  
P.O. from Reservoir NWSW Sec 5 T14N R4E

REMARKS: Reservoir total capacity - 2900 AF { 900 AF = 65-7649 } ✓  
2000 AF = 65-7312 } ✓

\* Allow 1000 ac-ft w/ total of 65-7649 & 65-7312 not to  
exceed 2900 ac-ft.

Examiner's Signature John K. Meyer Date 10/2/81

Checked by DBS Date 10/2/81

Approved by [Signature] Date 3-10-83

Over for Calculations Overlap fence attached

# Calculations

## Storage for Irrigation Use

$$\begin{array}{r} V = \text{dam Safety file} \quad 2900.0 \\ - 2000.0 \quad 65-7312 \\ \hline 900.0 \text{ AF} \end{array}$$

## Irrigation from Storage Use

$$V = 5.0 \times 2304 \text{ Ac} = 13,350$$

Note: Limited to 900.0 AF

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## FIELD REPORT

Person to contact \_\_\_\_\_ Phone \_\_\_\_\_

Tributary to Hayes River

Other uses: \_\_\_\_\_

Other Points of Diversions \_\_\_\_\_

**UNCLASSIFIED**

AUG 30 1990

6 Lands to be irrigated or place of use

[illegible]

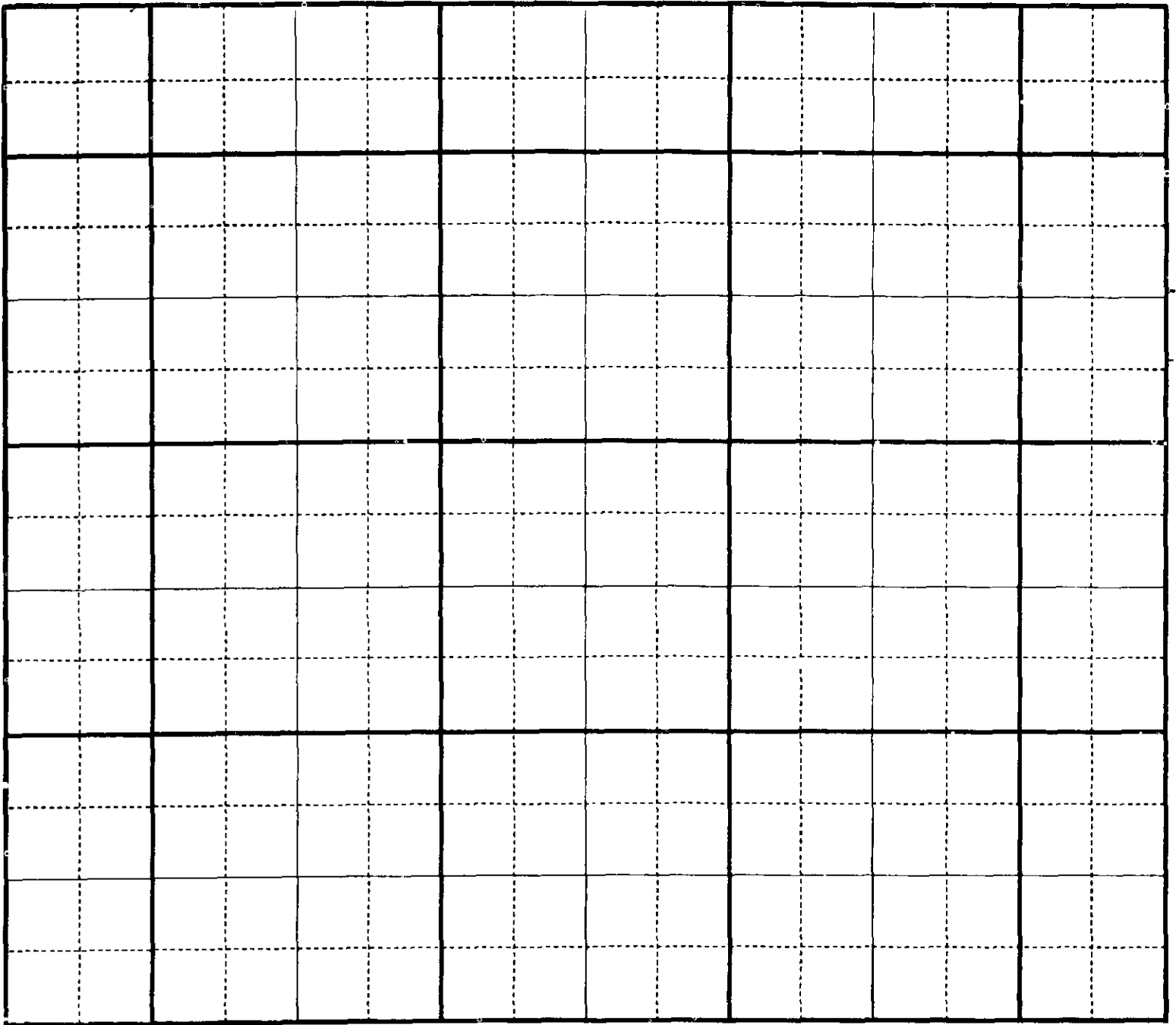
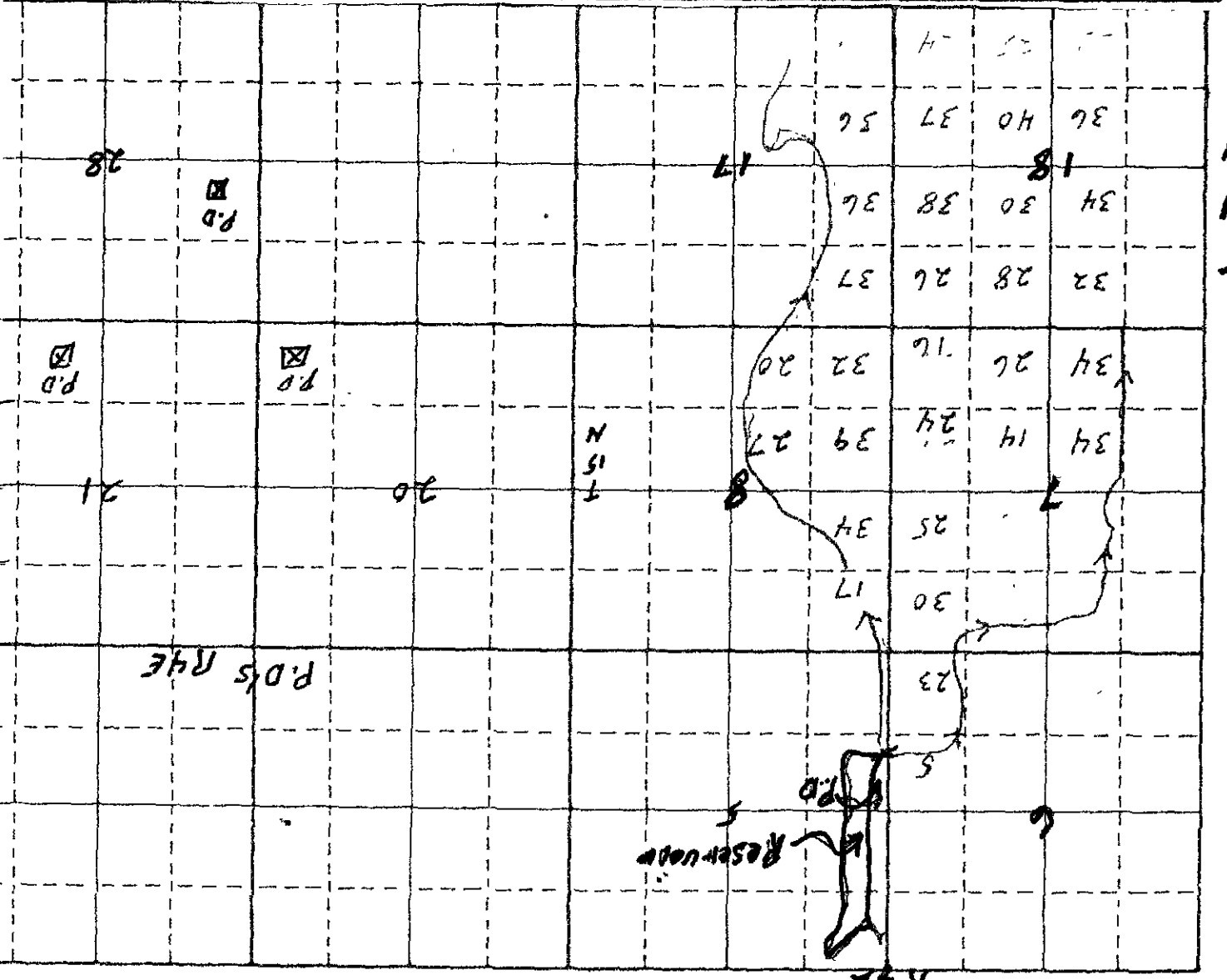
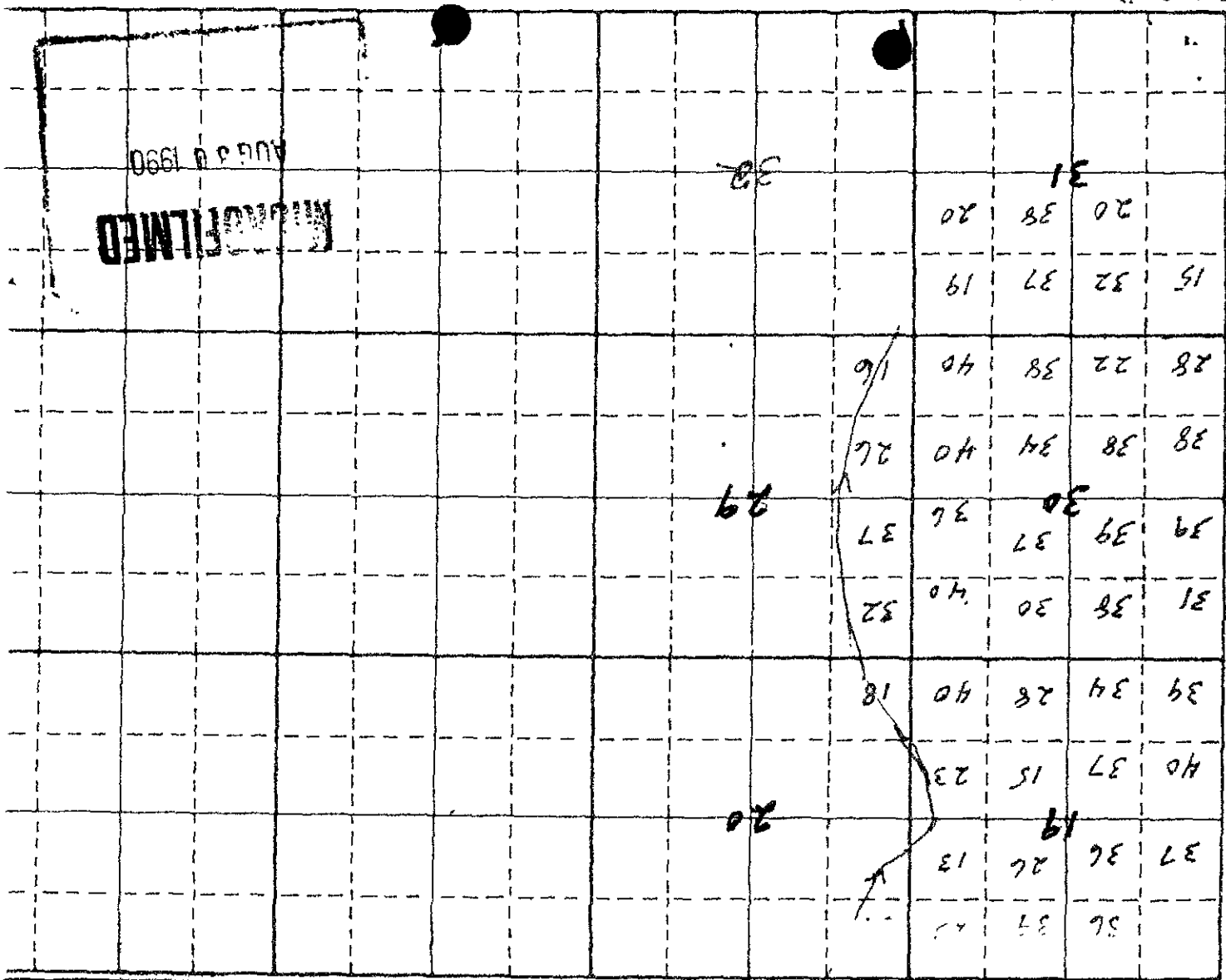


Diagram of System



Complete the following map by showing land and point of diversion as proposed by this amendment

Show 40-acre subdivisions, townships, ranges and ditches

Field Exam

LAND LIST ATTACHMENT

Description and location of place of use

| 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 |        |
| 14N  | 4E    | 6   |        |        |        |        |        |        |        |        |        |        |        |        | 5      |        | 23     |        | 28     |
|      |       | 7   | 30     |        |        | 25     |        |        |        |        | 34     |        |        | 34     | 24     | 14     | 2      | 11     | 203    |
|      |       | 8   |        |        |        |        | 17     | 34     |        |        | 27     | 37     | 32     | 2      |        |        |        |        | 119    |
|      |       | 17  |        |        |        |        | 37     | 36     |        |        | 36     | 37     |        |        |        |        |        |        | 111    |
|      |       | 18  | 26     | 28     | 30     | 32     | 32     |        |        | 3      | 36     |        |        | 33     | 27     | 16     | 23     | 24     | 385    |
|      |       | 19  | 23     | 31     | 26     | 13     | 36     |        | 37     | 31     | 37     | 40     | 37     | 34     | 23     | 15     | 22     | 14     | 446    |
|      |       | 20  |        |        |        |        |        | 31     |        |        |        | 18     |        |        |        |        |        |        | 49     |
|      |       | 29  |        |        |        |        |        | 32     | 37     |        |        | 26     | 16     |        |        |        |        |        | 111    |
|      |       | 30  | 16     | 30     | 37     | 32     | 32     | 31     | 32     | 31     | 32     | 32     | 22     | 10     | 34     | 35     | 10     |        | 479    |
|      |       | 31  | 19     | 37     | 38     | 20     | 32     | 15     |        |        |        |        |        |        |        |        |        |        | 181    |
|      |       |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        | 230    |

or O = not identified on Permit

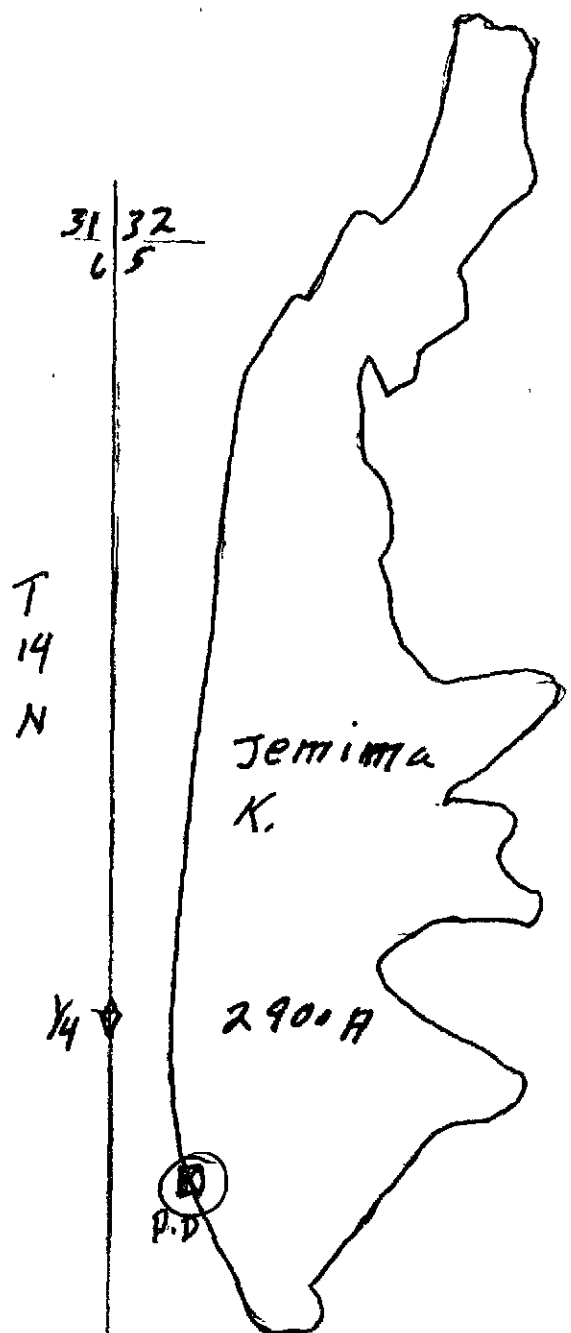
AUG 30 1990

Total number of acres irrigated \_\_\_\_\_



R4E

TOM DAVIS



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AUG 30 1990

R45

20/21  
29/28

Tom Davis

T  
15  
14

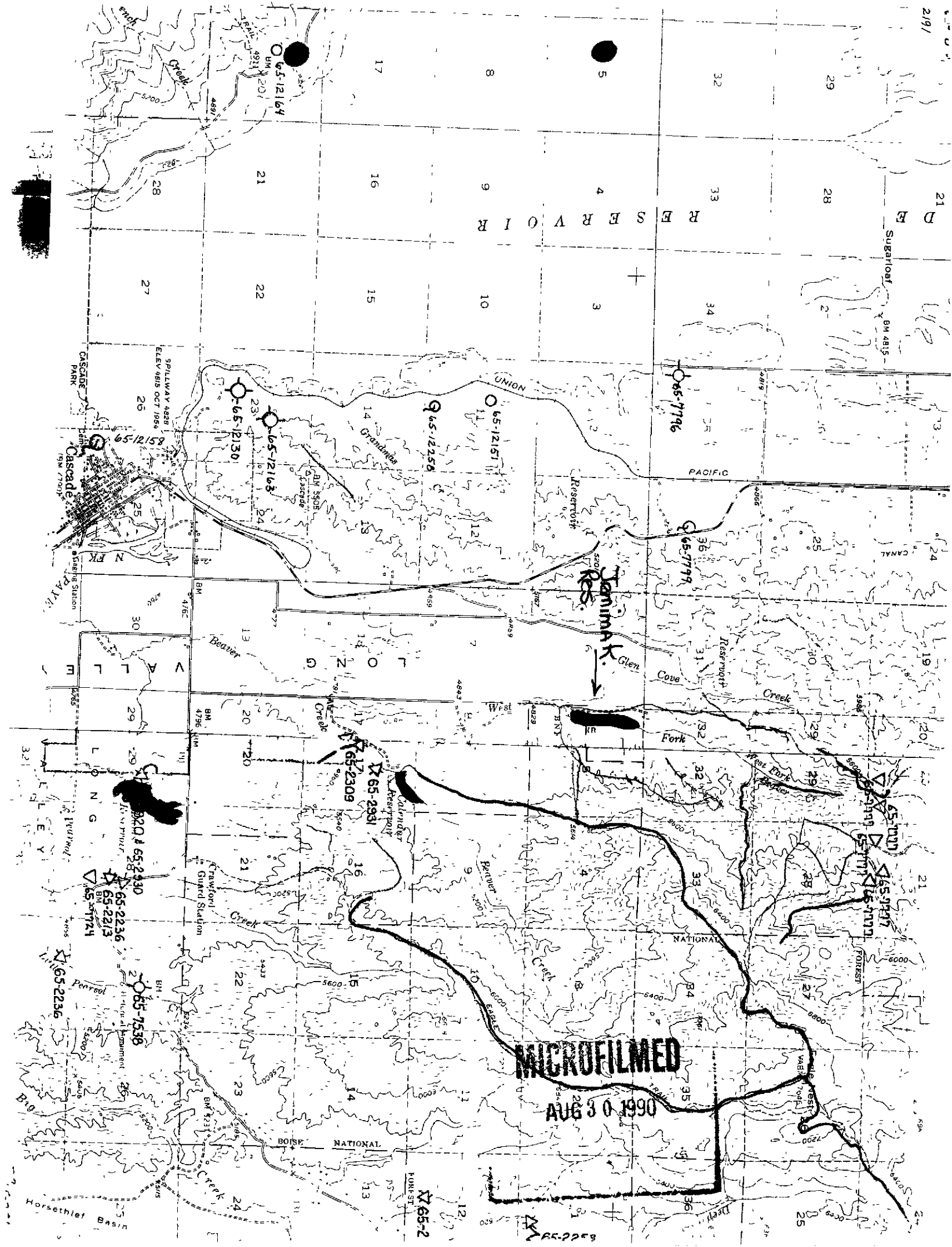
West Fork Beaver Creek

canal

PD

MICROFILMED

AUG 30 1990



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

**DAM AND RESERVOIR  
CERTIFICATE OF APPROVAL**

MICROFILMED

AUG 30 1990

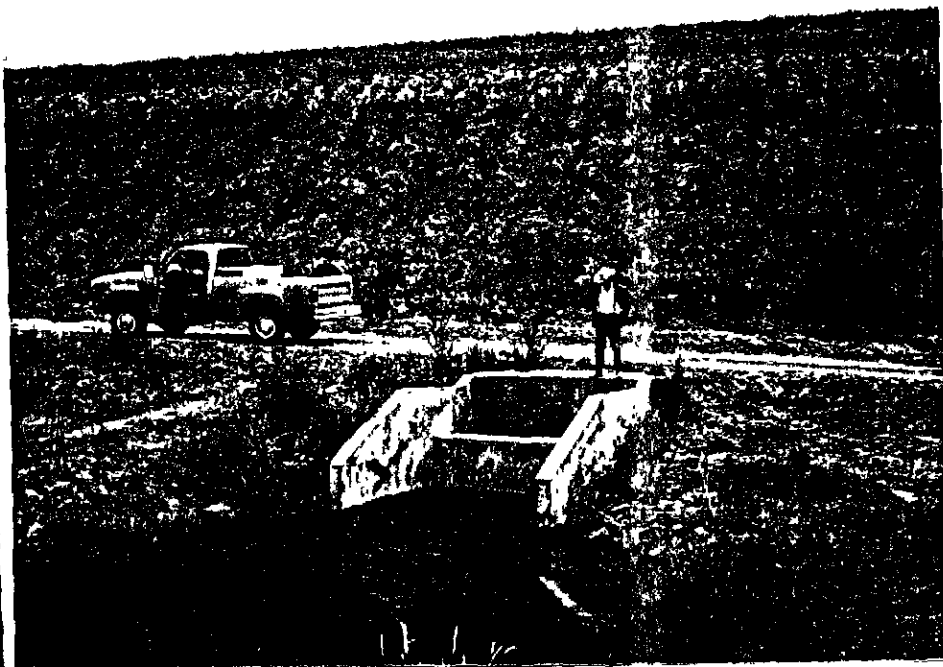
This is to certify that JEMIMA K Dam and Reservoir, located  
in Section 5, Township 14N, Range 4E, B.M., Valley County,  
State of Idaho has been inspected by the Department of Water Resources of the State of Idaho, as provided  
in Title 42, Chapter 17, Idaho Code, and approval is hereby given to impound water in accordance with and  
subject to the following terms and conditions: None

This certificate shall remain valid until revoked or modified by the Department of Water Resources or until  
the First day of November 1983.

This certificate has been issued and the seal of the  
Director affixed at Boise, Idaho this 22<sup>nd</sup>  
day of October 1981.

Norman C Young  
Norman C. Young, Administrator





D65-7312

JEMIMA K DAM

8/18/81 AM

- 1) OUTLET STRUCTURE
- 2) DOWNSTREAM SLOPE AND OUTLET DITCH
- 3) WEIR ON OUTLET DITCH. DITCH FORKS DIRECTLY BELOW WEIR
- 4) UPSTREAM SLOPE
- 5) SPILLWAY ENTRANCE
- 6) GATE CONTROLS + STAFF GAGE.

MICROFILMED

AUG 30 1990



D65-7312

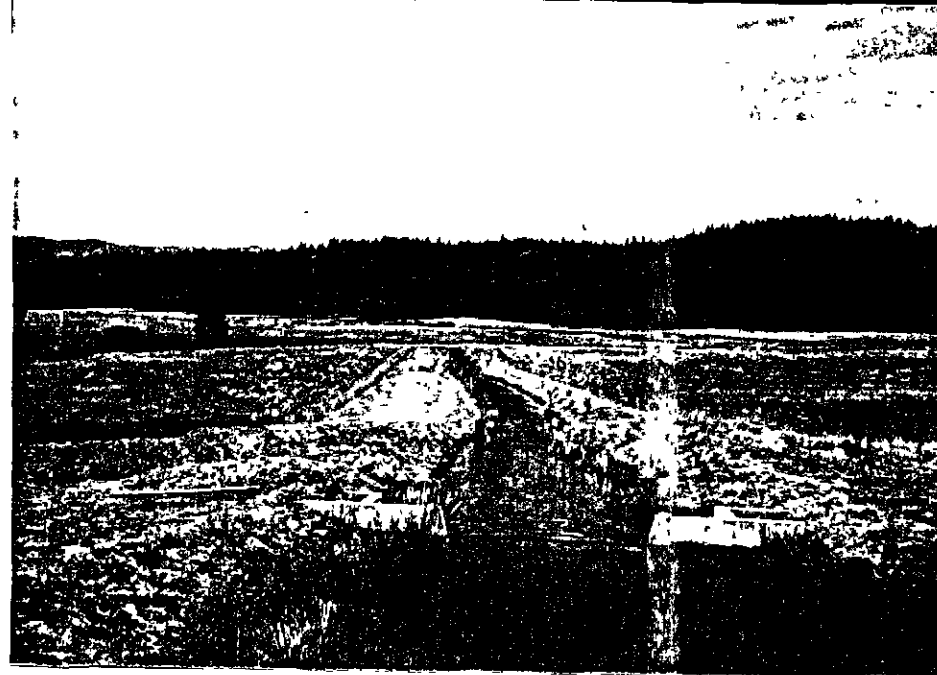
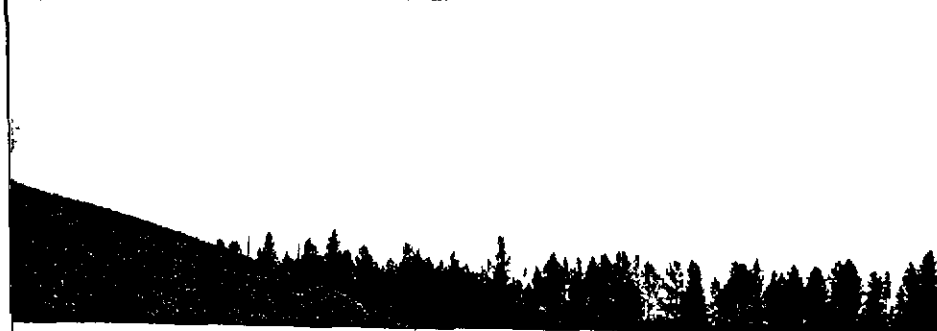
JEMIMA K DAM

8/18/81 AM

- 1) OUTLET STRUCT.
- 2) DOWNSTREAM SLOPE AND OUT DITCH
- 3) WEIR ON OUTLET DITCH. DITCH FORKS DIRECTLY BELOW WEIR
- 4) UPSTREAM SLO
- 5) SPILLWAY ENTR
- 6) GATE CONTROLS + STAFF GAGE.

**MICROFILMED**

AUG 30 1990

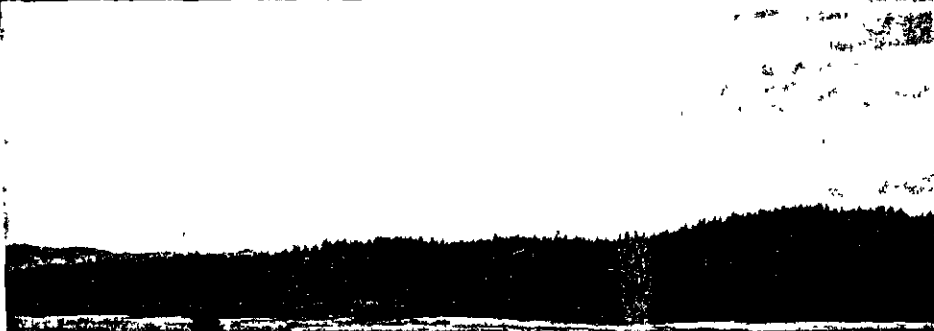
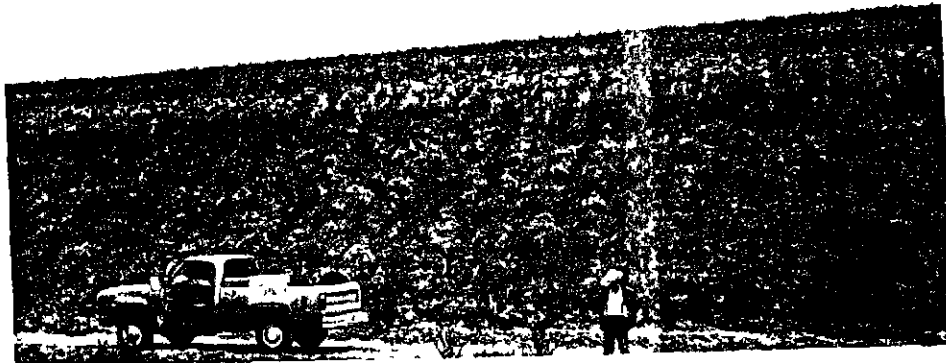


D65-7312  
JEMIMA K DAM  
8/18/81 AM

- 1) OUTLET STRUCTURE
- 2) DOWNSTREAM  
SLOPE AND OUTLET  
DITCH
- 3) WEIR ON OUTLET  
DITCH. DITCH  
FORKS DIRECTLY  
BELOW WEIR
- 4) UPSTREAM SLOPE
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- 6) GATE CONTROLS  
& STAFF GAGE.

MICROFILMED

AUG 30 1990



D65-7312

JEMIMA K DAM

8/18/81 AM

1) OUTLET STRUCTURE

2) DOWNSTREAM  
SLOPE AND OUTLET  
DITCH

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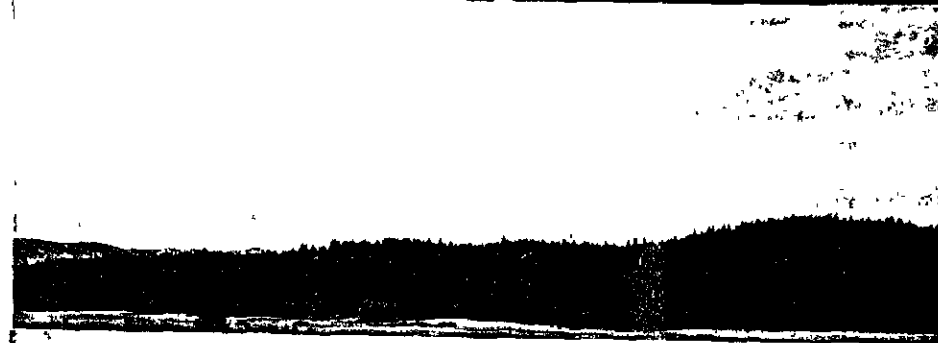
4) UPSTREAM SLOPE

5) SPILLWAY ENTRANCE

6) GATE CONTROLS  
& STAFF GAGE.

**MICROFILMED**

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D65-7312  
JEMIMA K DAM  
8/18/81 AM

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MICROFILMED

AUG 30 1990



D65-7312

JEMIMA K DAM

8/18/81 AM

1) OUTLET STRUCTURE

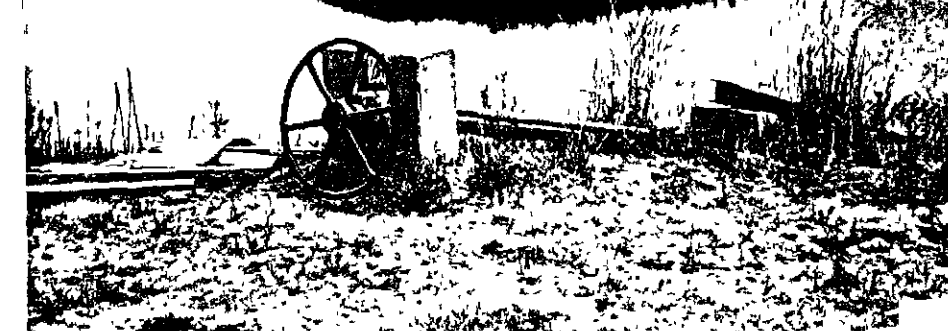
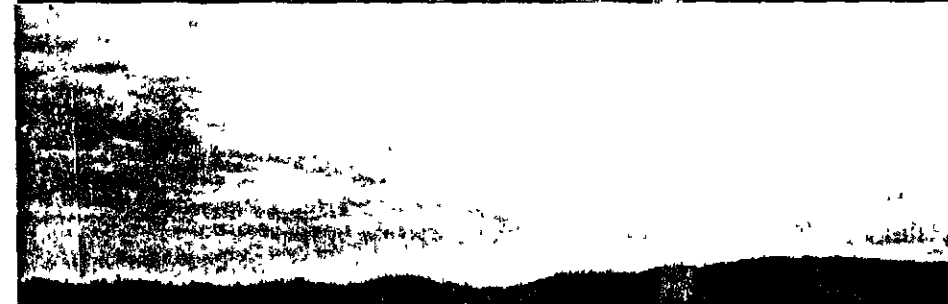
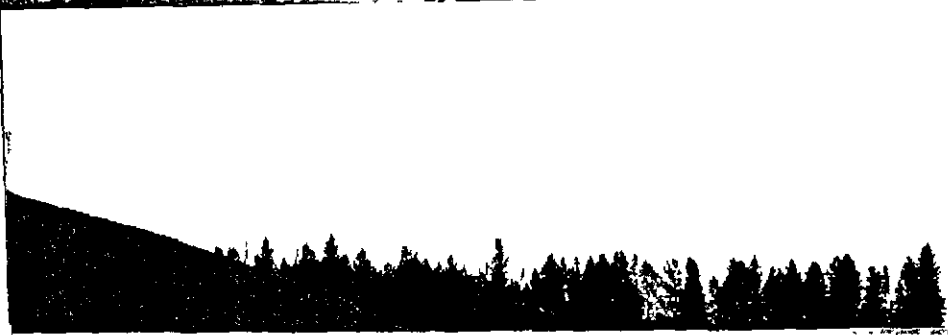
2) DOWNSTREAM  
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DITCH

3) WEIR ON OUTLET  
DITCH. DITCH  
FORKS DIRECTLY  
BELOW WEIR

4) UPSTREAM SLOPE

5) SPILLWAY ENTRANCE

6) GATE CONTROLS  
+ STAFF GAGE.



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AUG 30 1990



State of Idaho

## DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 384-2215

CERTIFIED MAIL

138085

July 31, 1978

Re: Permit No. 65-7649

Tom J. Davis  
Cascade,  
Idaho 83611

Dear Mr. Davis:

One of the conditions of approval of your water Permit No. 65-7649 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before October 1, 1978. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

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

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

RITA FLECK  
Water Rights

Encl: Proof affidavit

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January 17, 1977

Re: Permit No. 65-7649

Tom J. Davis  
Cascade, Idaho  
83611

Dear Mr. Davis:

Enclosed is a copy of the approved application for amendment issued on the above referenced permit.

Sincerely,

JANICE RENK  
Water Rights

Encl.

# PUBLISHER'S AFFIDAVIT

STATE OF IDAHO )

) ss.

County of Valley )

Donald E. McMahan, being first duly sworn, deposes and says: That he is the co-editor of the Star-News, a weekly newspaper published at Cascade and McCall, in the County of Valley, State of Idaho, that said newspaper is in general circulation in the county of aforesaid and is a legal newspaper; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for Two consecutive weeks in the regular and entire issue of every number thereof during the period and time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began December 23 1976, and ended

December 30 1976

*Donald E. McMahan*

Subscribed and sworn to before me a Notary Public in and for the County of Valley, and the State of Idaho, this 23rd day of December, 1976.

My commission expires January 1, 1977, Notary Public.



Boise, ID on or before January 10, 1977

R KEITH HIGGINSON

Director

Published in the Star News,



## PERMIT

Notice is hereby given that Permit No. 65-7649 in the name of TOM J. DAVIS, Cascade, ID was issued for the diversion of 1000 acre feet per annum from West Fork of Beaver Creek with the point of diversion within the NW<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub> Sec 5 T14N-R4E B.M., Valley County to be used from Apr 1 to Oct 31 for irrigation of 3015 acres within parts of Sec 7, 8, 17, 18, 19, 20, 30, 31 & 32 T14N-R4E. The water is proposed to be diverted to storage from Nov 1 to July 1.

The permit holder now proposes to amend Permit NO. 65-7679 by adding several points of diversion from West Fork of Beaver Creek within the NW<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub> Sec 5 T14N-R4E and from Flat Creek within the SW<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>, SE<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>, SW<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub> Sec 21 T15N-R4E B.M., SE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>, SW<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub> Sec 20 T15N-R4E B.M.

Any protests to this proposed amending of the permit must be



OK  
1-4-77  
[Signature]



# STATE OF IDAHO

## DEPARTMENT OF WATER RESOURCES

WESTERN DISTRICT — ANNEX 3

Cecil D. Andrus  
Governor

R. Keith Higginson  
Director

Statehouse  
Boise, Idaho 83720  
(208) 384-2190

December 16, 1976

RE: Notice of Proposed Amending of Water Permit No. 65-~~4312~~ - Tom J. Davis  
65-7649 - Tom J. Davis

Notice of Application for Water Permit No. 65-7777 - Tom J. Davis  
65-7790 - Richard F. Dowling  
65-7791 - Bonnie J. Fackrell

The Star News  
Box 985  
McCall, ID 83638

Gentlemen:

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

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

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear in the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

-----  
(Signature of Claimant)

Sincerely,

Bill submitted  
1-4-77



State of Idaho

## DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address.

Statehouse

Boise, Idaho 83720

(208) 384-2215

October 16, 1978

Tom J. Davis  
Cascade,  
Idaho 83611

Dear Mr. Davis:

Re: Permit No. 65-7640

Enclosed is a copy of the Order reinstating your permit and advancing your priority date.

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

Before a license can be issued, a field examination must be made by a representative of this Department. 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 you have any questions regarding the field examination, please contact our regional office in Boise.

Sincerely,

RITA FLECK  
Water Rights

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

Permit No. \_\_\_\_\_

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

## PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Tom J Davis  
b) Post Office Address Cascade, Id
2. Permit Number 65-7649
3. Date of Priority that you are prepared to establish 8/25/76
4. a) Source from which water was appropriated West Fork of Beaver Cr.  
b) Location of the point of diversion: NW 1/4 SW 1/4, Section 5  
Township 14N, Range 4E Boise Meridian, Other points of diversion:  
SW 1/4 SE 1/4, SE 1/4 SW 1/4, SW 1/4 SW 1/4, Sec 21 T. 15N, R. 4E, B.M.  
from Flat Cr. SE 1/4 SE 1/4, SW 1/4 SE 1/4, Sec 26 T. 15N, R. 4E, B.M.
5. a) The amount of water and use to which the water has been applied:  
Amount 1000 AF for Storage purposes from 11/1 to 7/1 incl.  
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)  
Amount 1000 AF for Irrigation purposes from 1/1 to 10/31 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)  
b) Total amount appropriated 1000 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: From reservoir site topography  
Bill Harris - Professional Engineer
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:  
NA  
b) Describe the agreement or understanding by which you take water from the works:  
NA
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)  
Earthfill dam and feeder canal  
b) Describe the type and size of measuring device which you have installed at your point of diversion:  
Weir size not recalled  
c) Give well driller's name and address and the date the well was completed:  
NA
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use.

10/16/78  
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9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: \_\_\_\_\_

| T                               | R  | SEC. | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | TOTAL |
|---------------------------------|----|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------|
|                                 |    |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |       |
| 14N                             | 1E | 8    |     |     |     |     |     | 40  | 40  |     | 30  | 40  | 40  | 20  |     |     |     |     | 210   |
|                                 |    | 7    | 40  |     | 40  | 40  |     |     |     |     | 40  |     |     | 40  | 40  | 40  | 40  | 40  | 360   |
|                                 |    | 17   |     |     |     |     |     | 40  | 40  |     |     | 40  | 40  |     |     |     |     |     | 160   |
|                                 |    | 18   | 40  | 40  | 40  | 40  | 40  |     | 40  | 40  | 40  | 40  | 40  | 40  | 40  | 40  | 40  | 40  | 600   |
|                                 |    | 19   | 40  | 40  | 40  | 40  | 40  |     | 40  | 40  | 40  | 40  |     | 40  | 40  | 40  | 40  | 40  | 400   |
|                                 |    | 20   |     |     |     |     |     |     |     |     |     |     | 40  |     |     |     |     |     | 40    |
|                                 |    | 30   |     |     |     |     | 40  | 40  | 40  | 40  | 40  | 40  | 40  |     | 40  | 40  |     |     | 400   |
|                                 |    | 29   |     |     |     |     |     |     |     |     |     | 40  | 40  | 40  | 40  |     |     |     | 160   |
|                                 |    | 32   |     | 40  |     |     | 40  | 40  | 40  | 40  | 40  |     |     |     |     |     |     |     | 280   |
|                                 |    | 31   | 40  | 40  | 40  | 40  | 15  |     |     | 20  | 20  |     |     |     |     |     |     |     | 165   |
| Total number of acres irrigated |    |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     | 3015  |

10. Remarks: \_\_\_\_\_

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

9/28/78  
(Date)

Tom Davis  
(Signature)

State of Idaho )  
County of Ada ) ss.

On this 28<sup>th</sup> day of Sept, 1978, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

M. A. Bunn  
Notary Public residing at Boise, Idaho

My commission expires lifetime

NOTICE OF PROPOSED AMENDING OF WATER PERMIT

Notice is hereby given that Permit No. 65-7649 in the name of TOM J. DAVIS, Cascade, ID was issued for the diversion of 1000 acre feet per annum from West Fork of Beaver Creek with the point of diversion within the NW $\frac{1}{4}$ SW $\frac{1}{4}$  Sec 5 T14N-R4E B.M., Valley County to be used from Apr 1 to Oct 31 for irrigation of 3015 acres with parts of Sec 7, 8, 17, 18, 19, 20, 30, 31 & 32 T14N-R4E. The water is proposed to be diverted to storage from Nov 1 to July 1.

The permit holder now proposes to amend Permit NO. 65-7679 by adding several points of diversion from West Fork of Beaver Creek within the NW $\frac{1}{4}$ SW $\frac{1}{4}$  Sec 5 T14N-R4E and from Flat Creek within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$  Sec 21 T15N-R4E B.M., SE $\frac{1}{4}$ SE $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$  Sec 20 T15N-R4E B.M.

Any protests to this proposed amending of the permit must be filed with the Director of the Idaho Department of Water Resources, 92 South Cole Road, Boise, ID on or before January 10, 1977.

R. KEITH HIGGINSON

Director

Published in the Star News, McCall, ID on December 23 and 30, 1976.

September 27, 1976

Re: Permit No. 65-7649

Tom J. Davis  
Cascade, ID 83611

Dear Mr. Davis:

Enclosed is a copy of your approved Application for Permit No. 65-7649 . We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

BOBBY D. FLEENOR  
Chief, Water Rights

BDF:mef

Enclosure

INTER-DEPARTMENT MEMO—1

FROM R. Hamilton

DATE 8-30-76

TO ~~D~~ file 65-7649

SUBJECT additional storage in Jemina K. Reservoir

This additional 1000 A.F. is water that can be stored above the original application

R. Hamilton  
SIGNATURE



# STATE OF IDAHO

## DEPARTMENT OF WATER RESOURCES WESTERN REGION

Cecil D. Andrus  
Governor

R. Keith Higginson  
Director

92 South Cole Road  
Boise, Idaho 83705  
(208) 384-2190

August 30, 1976

Re: Adjudication Claim No. 65-7649

Mr. Tom J. Davis  
Cascade, ID 83611

Dear Mr. Davis:

On October 27, 1969, an action was commenced in the District Court of the Third Judicial District in and for the County of Gem to determine rights to the use of the surface and/or ground waters within the Payette River Drainage Basin, in the following counties: Boise, Canyon, Gem, Payette, Valley, and Washington. As a result, the District Court has authorized the Department of Water Resources to conduct a study of the Payette River Drainage Basin and to submit to the court a proposed determination of water rights.

In connection with this action you will find a claim to a water right form prepared from information taken from the existing permit or license filed with our office. You will need to sign the claim before a Notary Public and return it to our office. We will then be able to make a recommendation to the District Court as to the extent of your water right.

If you have questions about this matter, you may call (area code 208) 384-2190, or visit our office: Department of Water Resources, Western Region, 92 South Cole Road, Boise.

Sincerely,

David R. Tuthill, Jr.  
Payette Adjudication Supervisor

DRT:lp  
Enclosure

DEPARTMENT OF WATER RESOURCES  
- STAFF ANALYSIS -

Item Initial Date

Application No. 65-7649

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

(1) CLS 8/26/76

In form to receipt

(2) \_\_\_\_\_

Send Copies to:

\_\_\_\_\_ Idaho State Health Department  
\_\_\_\_\_ Idaho Fish and Game Department  
\_\_\_\_\_ Bureau of Land Management

(3) \_\_\_\_\_

\_\_\_\_\_ Request Special Use Permit from U.S.F.S.  
\_\_\_\_\_ Request Easement from B.L.M.  
\_\_\_\_\_ Request Information from Applicant

(4) CLS 8/26/76

In form for advertising

(5) \_\_\_\_\_

Platted on Map No. \_\_\_\_\_

(6) \_\_\_\_\_

Located within Water District No. \_\_\_\_\_

(7) \_\_\_\_\_

Critical groundwater area: yes \_\_\_\_\_ no \_\_\_\_\_

(8) \_\_\_\_\_

Groundwater levels:

\_\_\_\_\_ Declining, \_\_\_\_\_ Stable, \_\_\_\_\_ Increasing

(comment) \_\_\_\_\_

(9) \_\_\_\_\_

Other rights on the same place of use see item 8(c)

(10) \_\_\_\_\_

Comments: \_\_\_\_\_

(11) RF OK

Affidavit of Publication received(date) 9-13-76

(12) \_\_\_\_\_

Final date for protests 9-20-76  
Protests received: yes \_\_\_\_\_ no ☒

(13) \_\_\_\_\_

All requested information received from agencies or applicant: yes \_\_\_\_\_ no \_\_\_\_\_

(14) \_\_\_\_\_

Action recommended:

☒ Approve \_\_\_\_\_ Deny

\_\_\_\_\_ Proposed Priority

\_\_\_\_\_ Reason for Reduction \_\_\_\_\_

NO Measuring device required

\_\_\_\_\_ See attached sheet for other conditions of approval

\_\_\_\_\_ No special conditions for approval

(15) District W By HYL Date 9-20-76



**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
WESTERN DISTRICT — ANNEX 3

Cecil D. Andrus  
Governor

Statehouse  
Boise, Idaho 83720  
(208) 384-2190

R. Keith Higginson  
Director

August 27, 1976

Re: Application for Permit No. 65-7649 - Tom J. Davis

The Star News  
Box 985  
McCall, ID 83638

Gentlemen:

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

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

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear in the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

-----  
(Signature of Claimant)

*Bill submitted*

*9-13-76*  
*RF*

Sincerely,

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that TOM L. DAVIS,  
Cascade, ID  
has on August 25, 1976 submitted Application No. 65-7649  
for a permit to appropriate 1000 ~~cubic feet per second~~ acre feet  
per annum of water from the West Fork of Beaver Creek trib. Payette River  
by means of dam  
within the NW 1/4 Sec 5 T14N-R4E B.M., Valley County  
  
  
to be used from April 1 to Oct 31  
for irrigation of 3015 acres within parts of Sec 7, 8, 17, 18, 19, 20,  
29, 30, 31 & 32 T14N-R4E. The water is proposed to be diverted to storage  
within the ~~XXXXXX~~ from Nov 1 to July 1.

If issued, this permit will be subject to all prior water rights. Pro-  
tests against the granting of the permit must be filed with the Idaho Depart-  
ment of Water Resources, Statehouse, Boise, Idaho, 83720, on or before  
September 20, 1976.

R. KEITH HIGGINSON

Director

Published in the The Star News, McCall, ID  
on September 2, 1976 and September 9, 1976.



**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
WESTERN DISTRICT — ANNEX 3

Cecil D. Andrus  
Governor

R. Kerth Higginson  
Director

Statehouse  
Boise, Idaho 83720  
(208) 384-2190

August 26, 1976

Tom J. Davis  
Cascade,  
Idaho 83611

Dear Mr. Davis:

Enclosed is your Receipt No. 5130 in the amount of \$ 115.00  
for Application for Permit No. 65-7649 which was received in this  
office on August 25, 1976.

Sincerely,

RITA BENDELE  
Senior Clerk

RB

Enclosure

August 16, 1976

Re: Application for Permit

Tom J. Davis  
Cascade, ID 83611

Dear Mr. Davis:

Pursuant to our phone conversation of August 13, 1976, I have taken the liberty of having your application for permit typed. I am returning your handwritten application and your check No. 1232 for \$536.00.

Please check over the typed application, sign it and send it with a fee of \$115.00 to this office.

Sincerely,

PETER J. CHAMBERLIN  
Senior Water Resource Agent

PJC:rb

Enc.