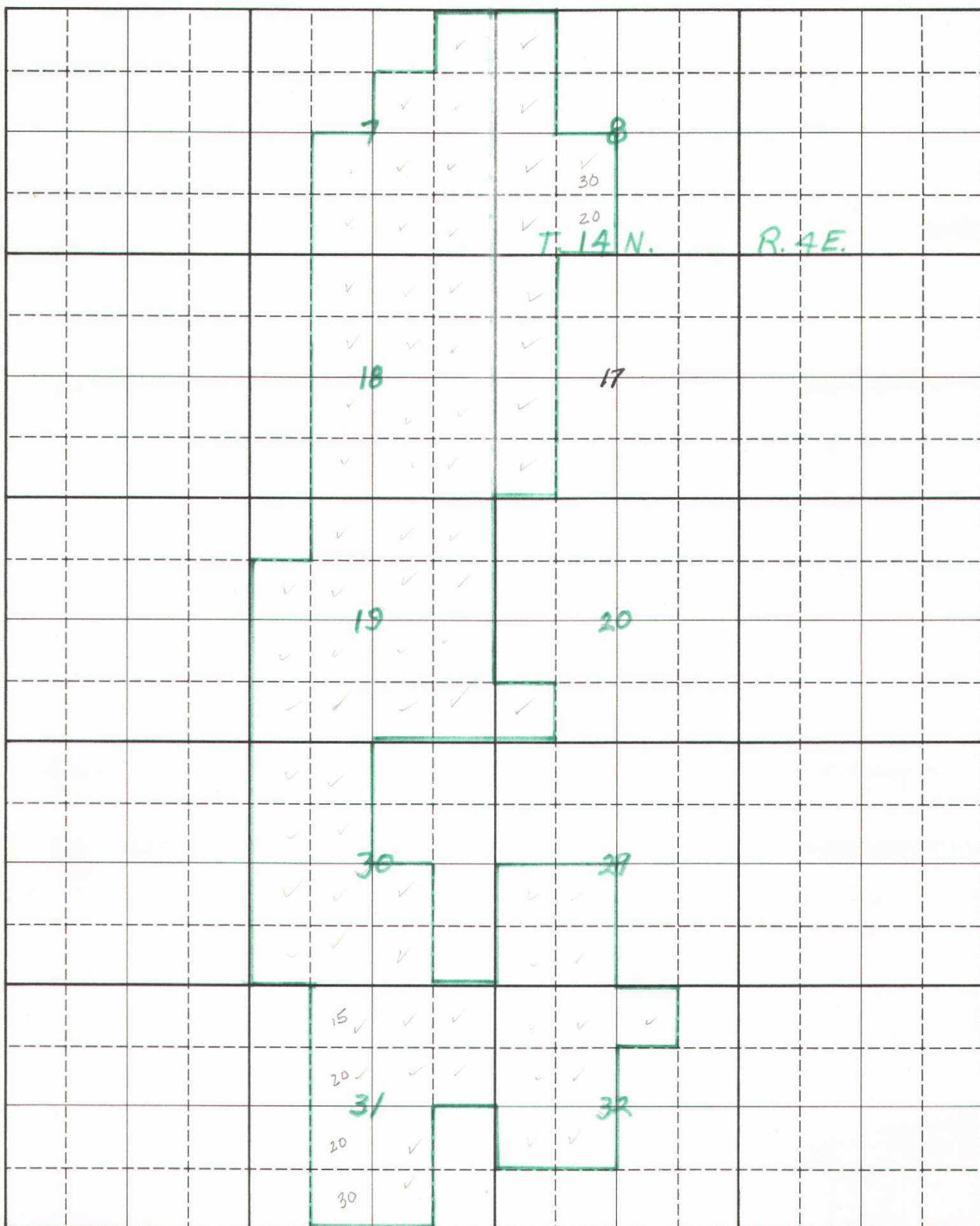


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



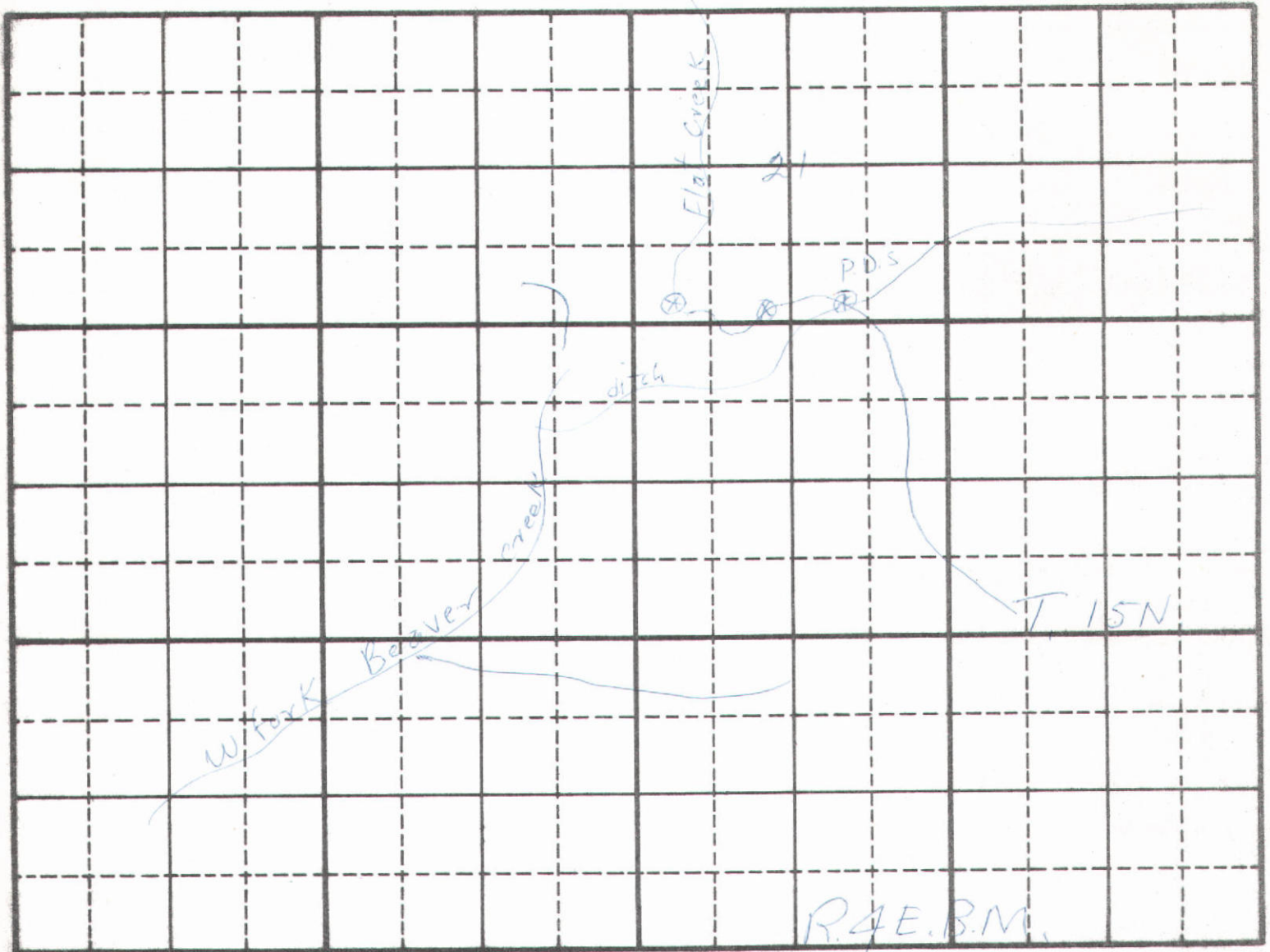
Scale: 2 inches equal 1 mile

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.

Sam J. Davis
(Applicant)

65 7312

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, Idaho, this 3rd day of December, 19 76.

Samuel 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 for Permit No. 65-7312.

Witness my hand this 14 day of January, 19 77

A. Kenneth Dunn
Director

Administrator, Operations Division

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-publisher 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 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 October 5, 1972, and ended October 12, 1972.

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 13th day of Oct, 1972.
Donald L. Lully Notary Public.
My commission expires 6-2, 1977.

RECEIVED

OCT 16 1972

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Tom J. Davis, Cascade, Idaho has on Sept. 25, 1972 submitted Application No. 65-7312 for a permit to appropriate 2000 acre feet per annum of water from West Fork Beaver Creek, trib. to Payette River by means of on stream storage within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 5, T. 14 N., R. 4 E., B.M., Valley County to be used from Nov. 1 to July 1 for irrigation of 3,015 acres within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 7, (360 acres); NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 18, (480 acres); NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 19, (600 acres); SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20, (40 acres); NW $\frac{1}{4}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 30, (400 acres); SW $\frac{1}{4}$, Sec. 29, (160 acres); NW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 32, (280 acres); NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 31, (325 acres); W $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, Sec. 8, (210 acres); W $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 17, (160 acres); all in T. 14 N, R. 4E., B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707, on or before Oct. 23, 1972.

R. KEITH HIGGINSON
Director

Published in the The Star-News,
McCall, Idaho on Oct. 5, 1972 and
Oct. 12, 1972.

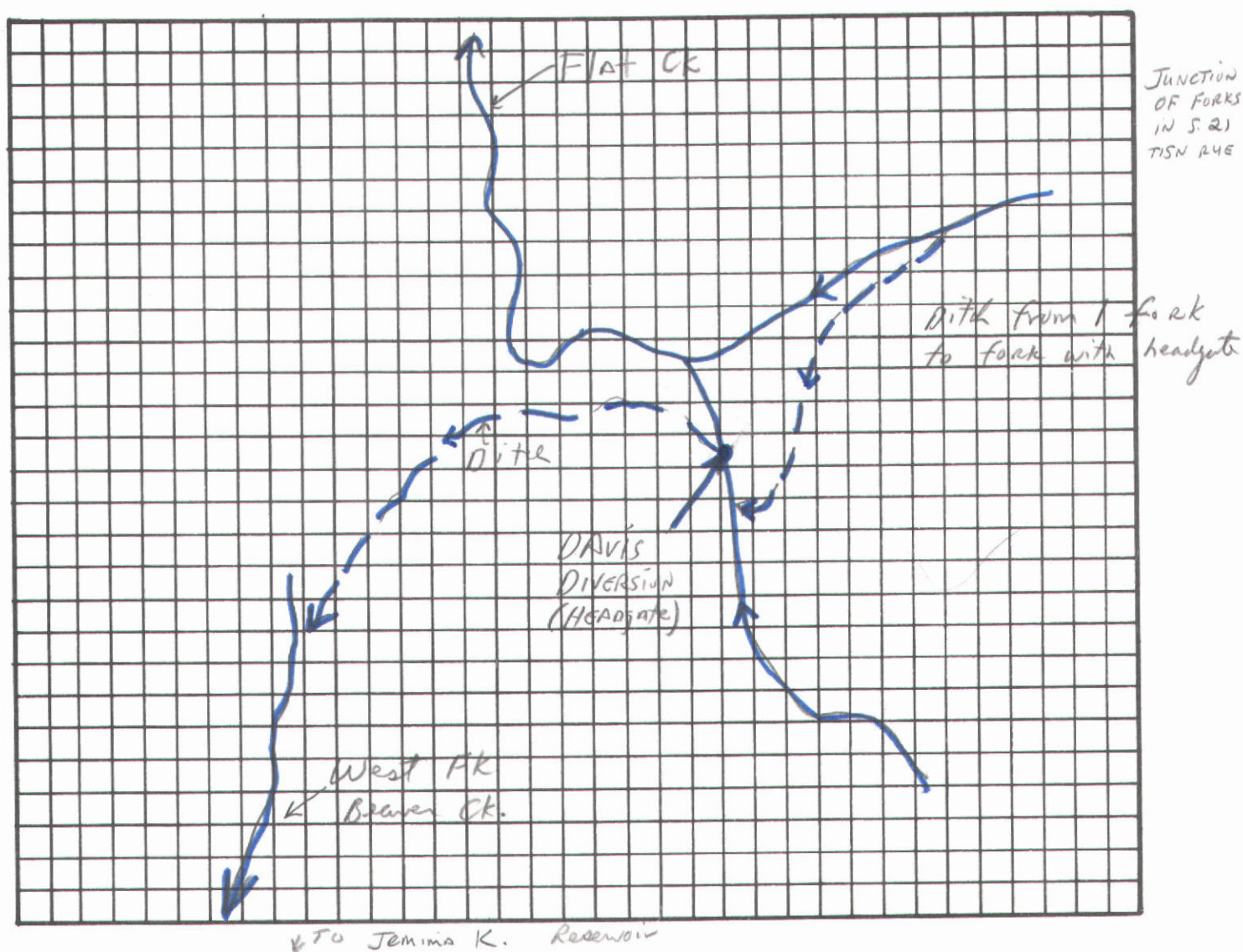
O.K.
17P
10-16-72

65 7312

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 Casade (382-4892)

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



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
fork of Flat Creek.

Phil Davis is
pictured.

PHOTO ONE-

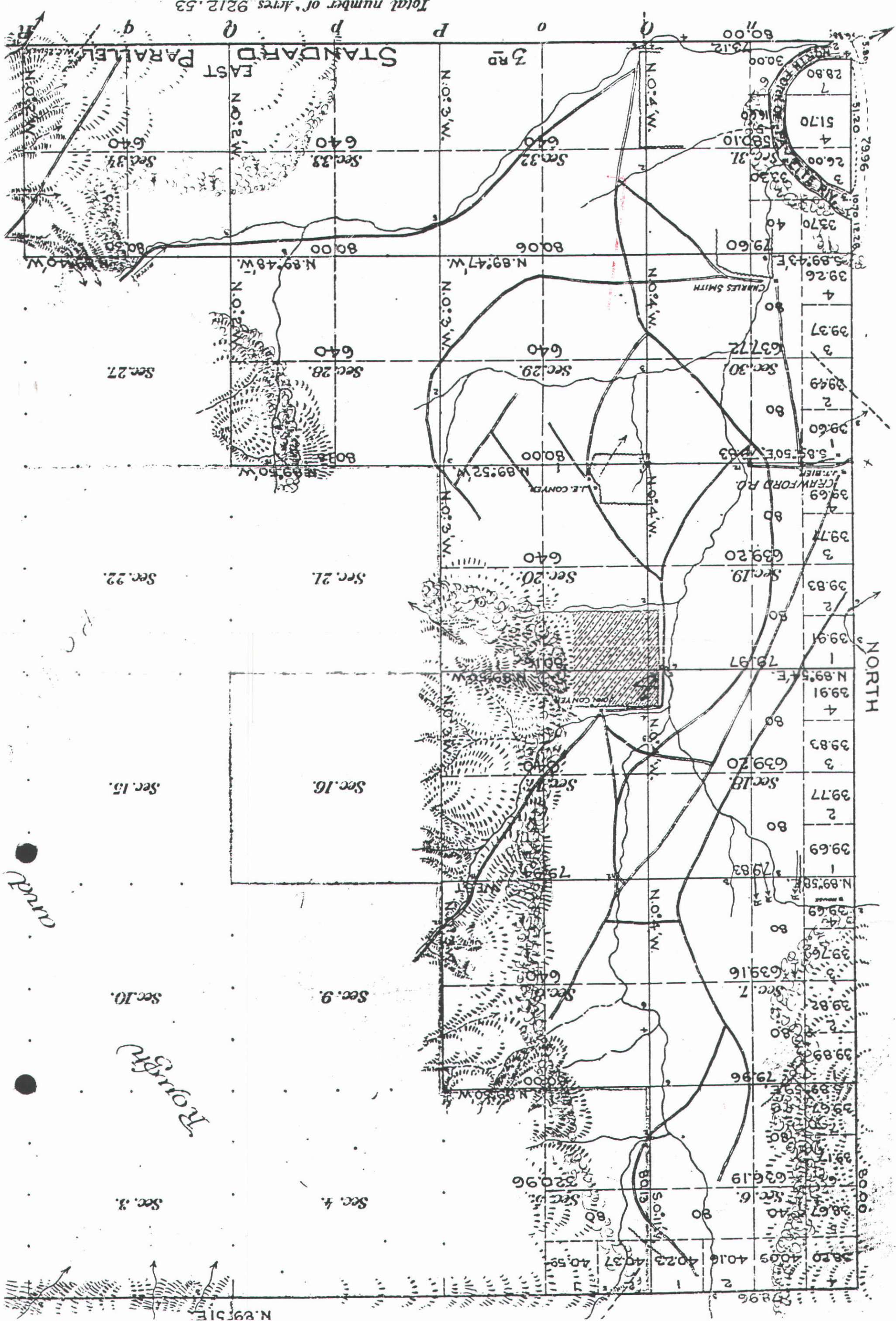


> Closer view of locked
headgate. Plastic & mud
were used to seal bottom
of gate.

No flow in Davis d.f.h.

PHOTO TWO-





Total number of Acres 9212.53

STANDARD EAST PARALLEL

3 RD

NORTH

Sec. 10.

Sec. 15.

Sec. 9.

Sec. 16.

Sec. 21.

Sec. 22.

Sec. 27.

Sec. 33.

Sec. 34.

Sec. 5.

Sec. 4.

Sec. 3.

Sec. 8.

Sec. 7.

Sec. 17.

Sec. 18.

Sec. 20.

Sec. 19.

Sec. 29.

Sec. 30.

Sec. 32.

Sec. 31.

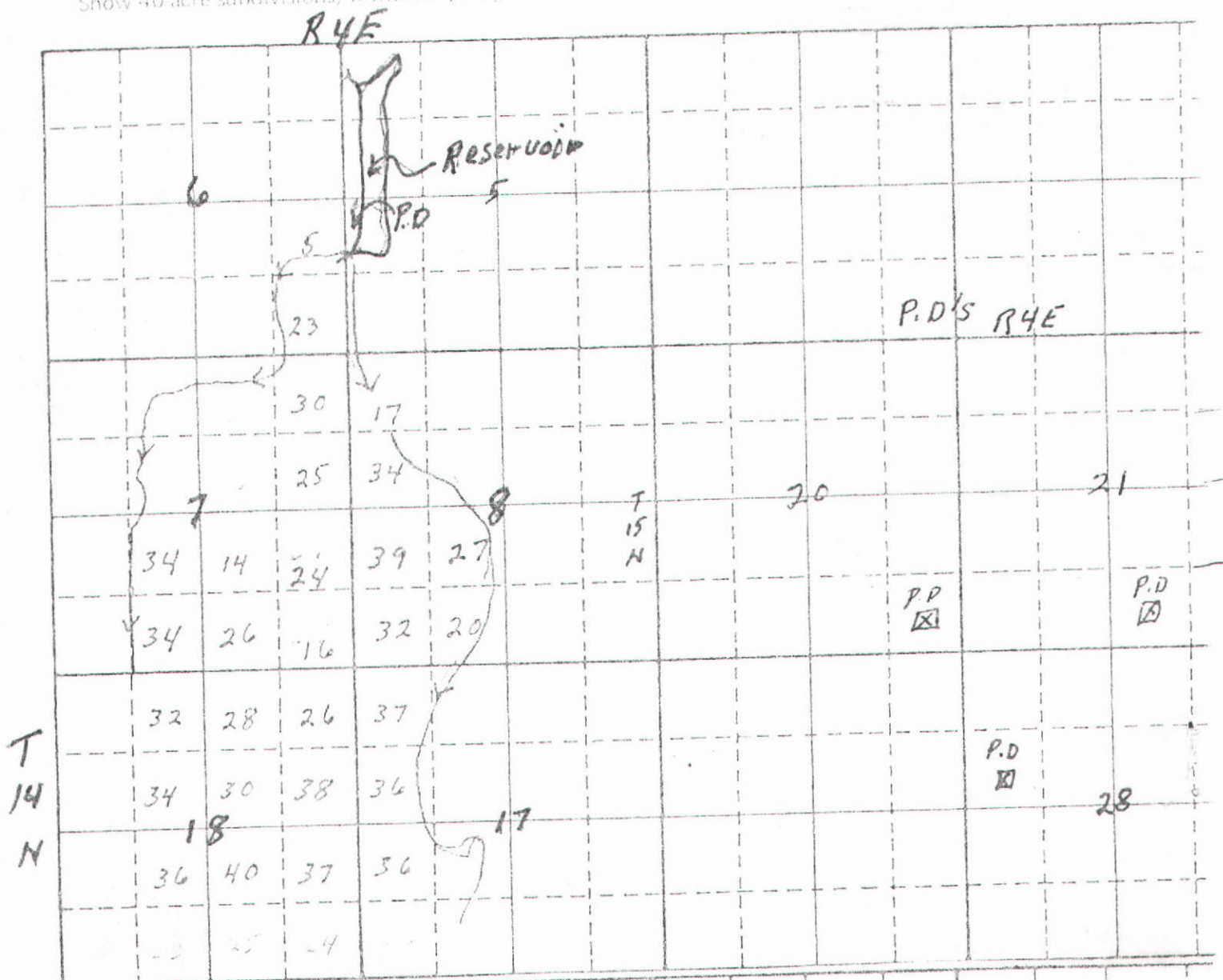
N. 89° 51' E.

and

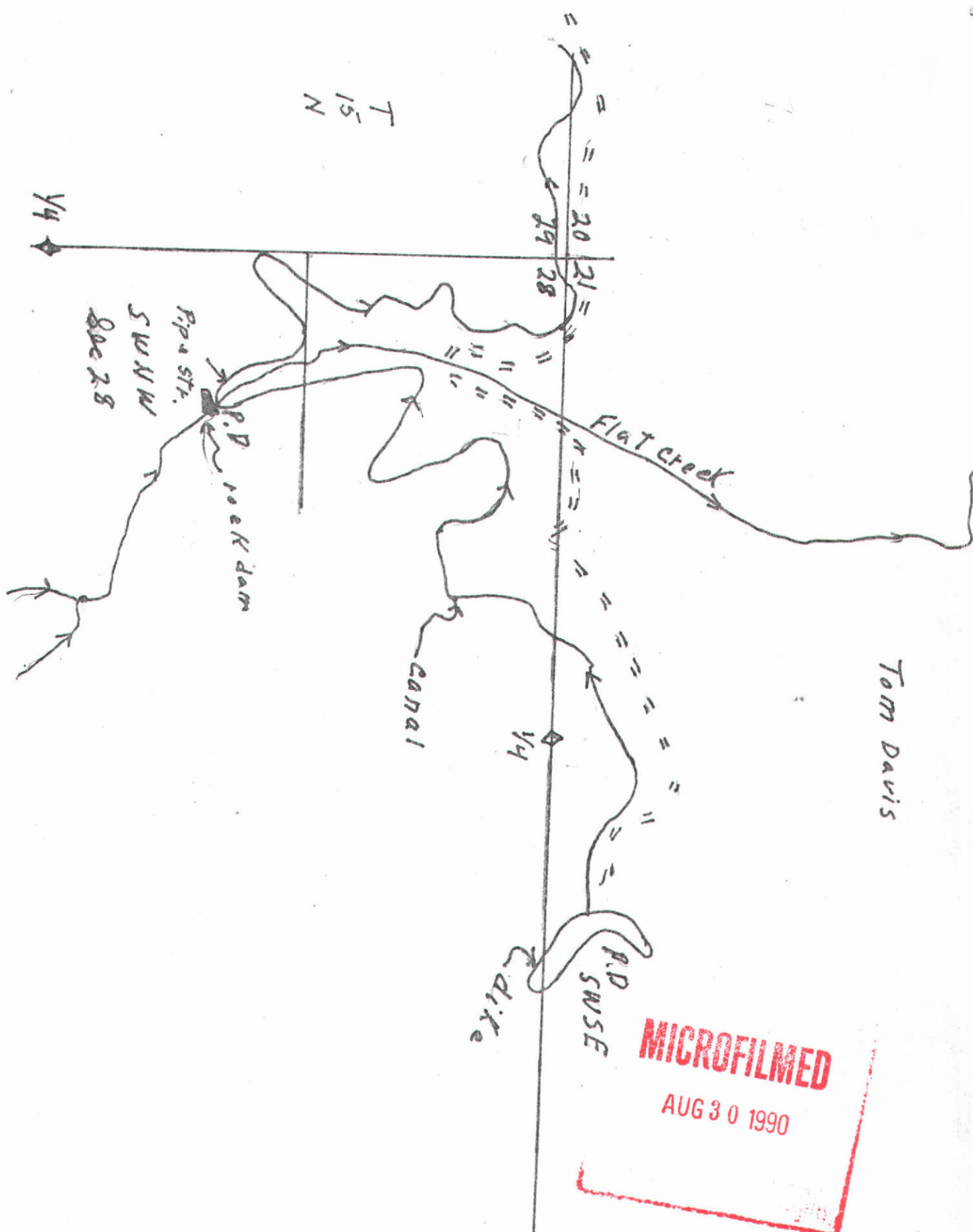
Rough

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

Show 40 acre subdivisions, townships, ranges and ditches.



Tom Davis



R4E

20/21
29/28

Tom Davis

T
15
14

West Fork Beaver Creek

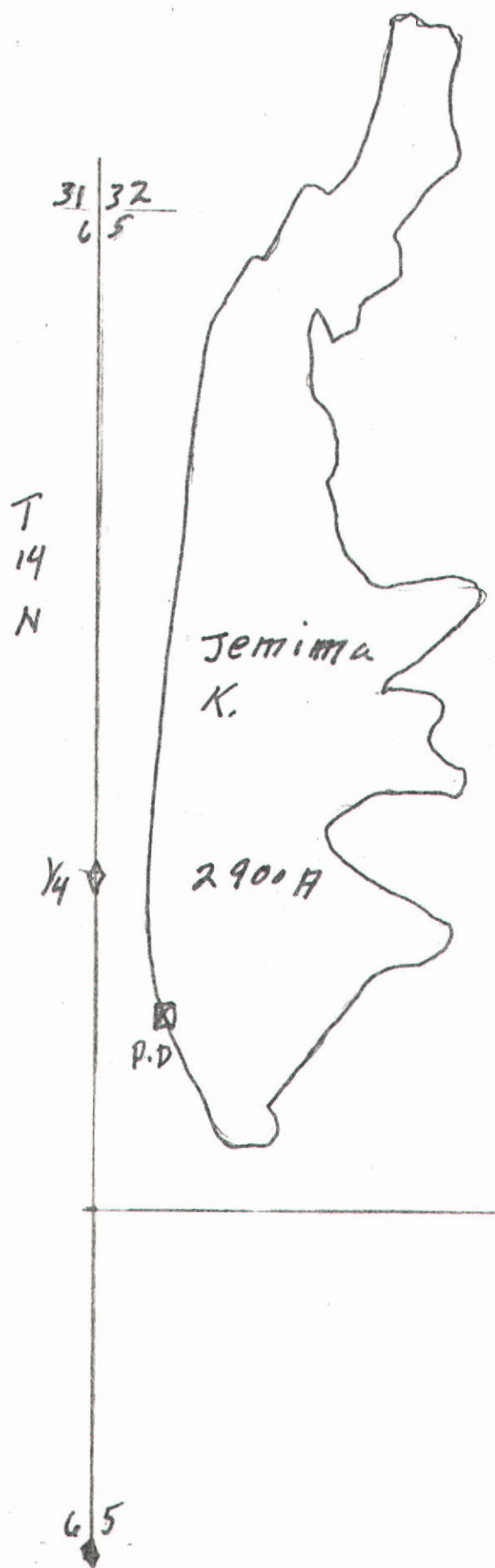
canal

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AUG 30 1990

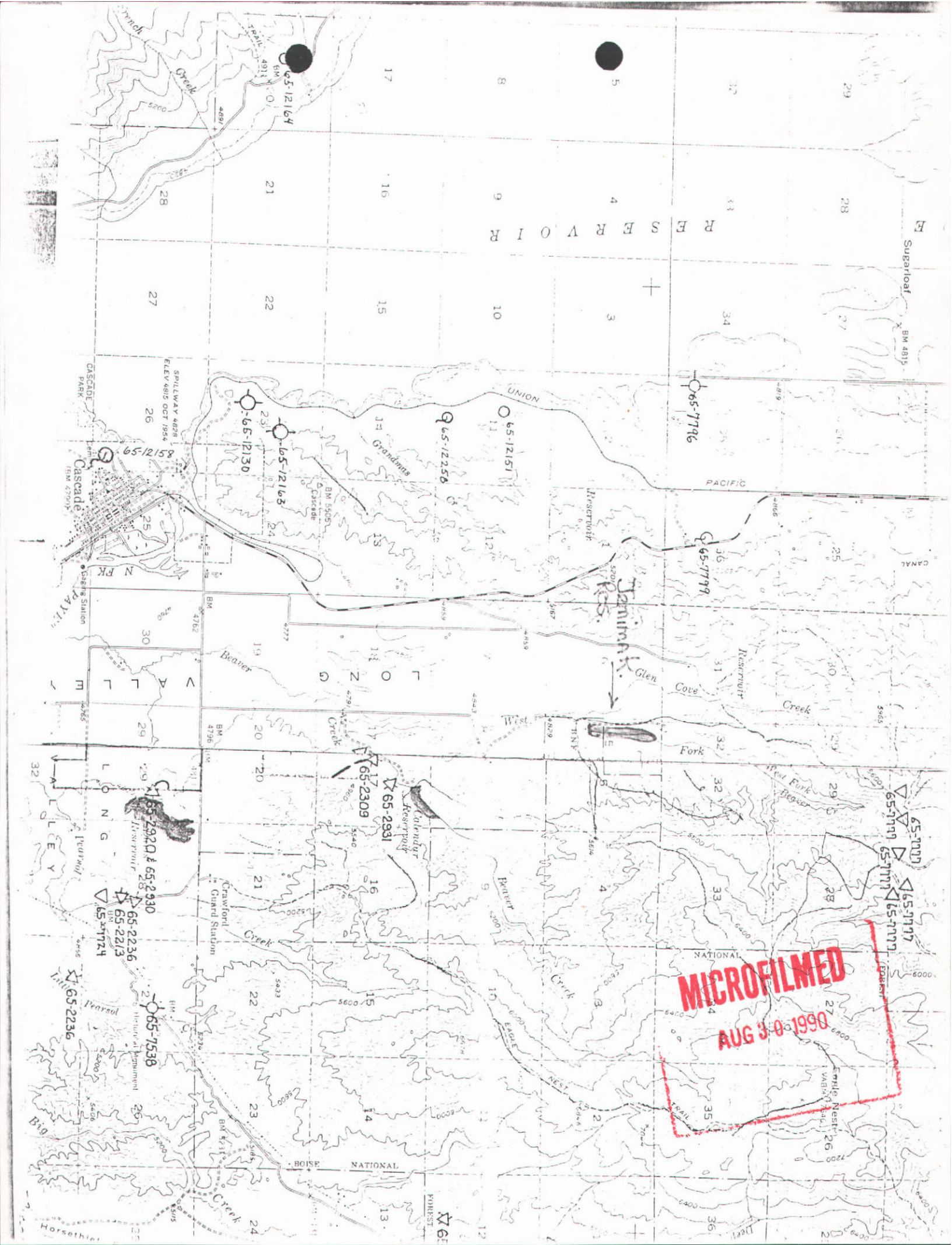
R4E

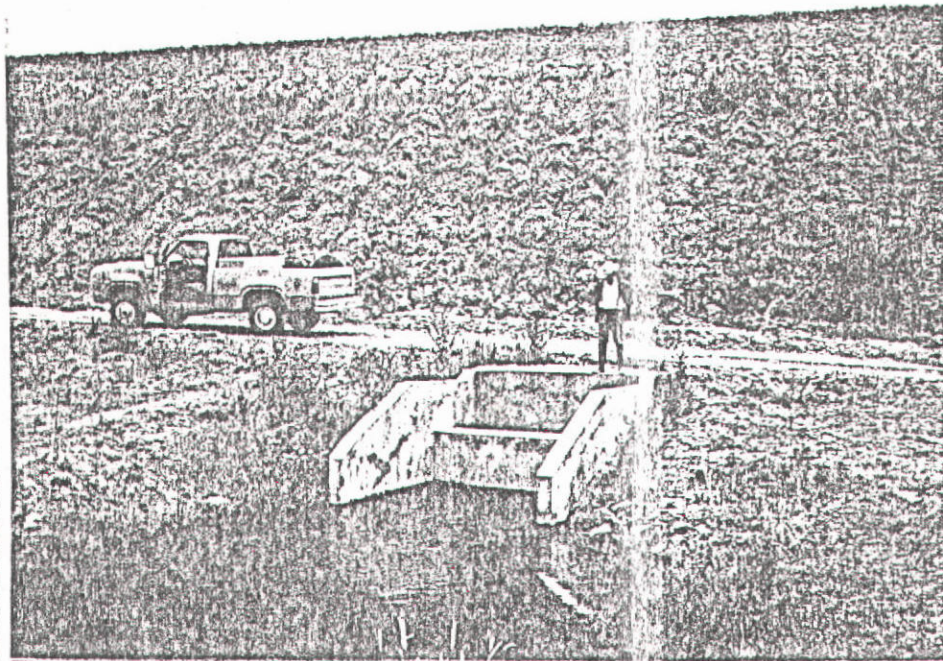
TOM DAVIS



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D65-7312

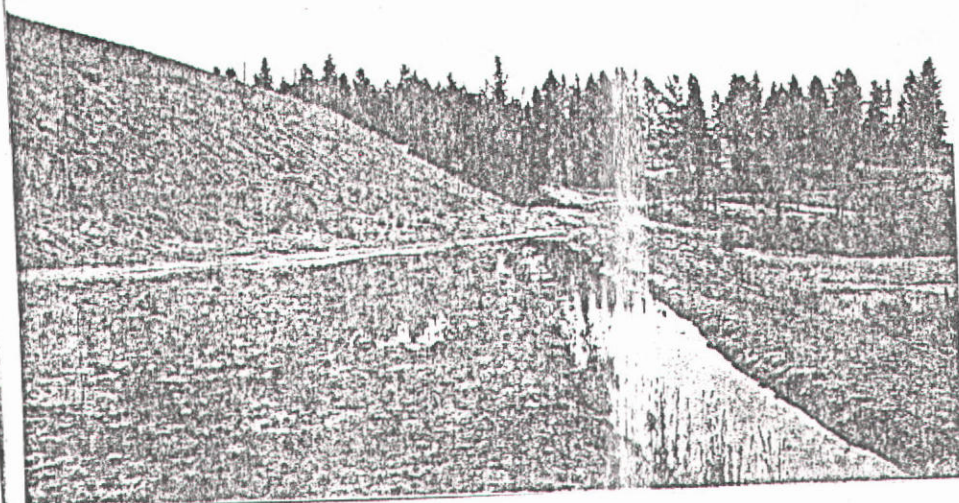
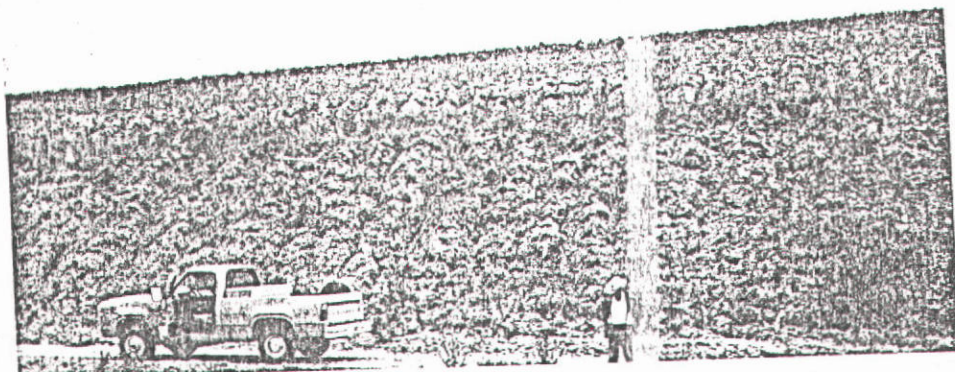
JEMIMA K DAM

8/15/81 AM

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

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D65-7312

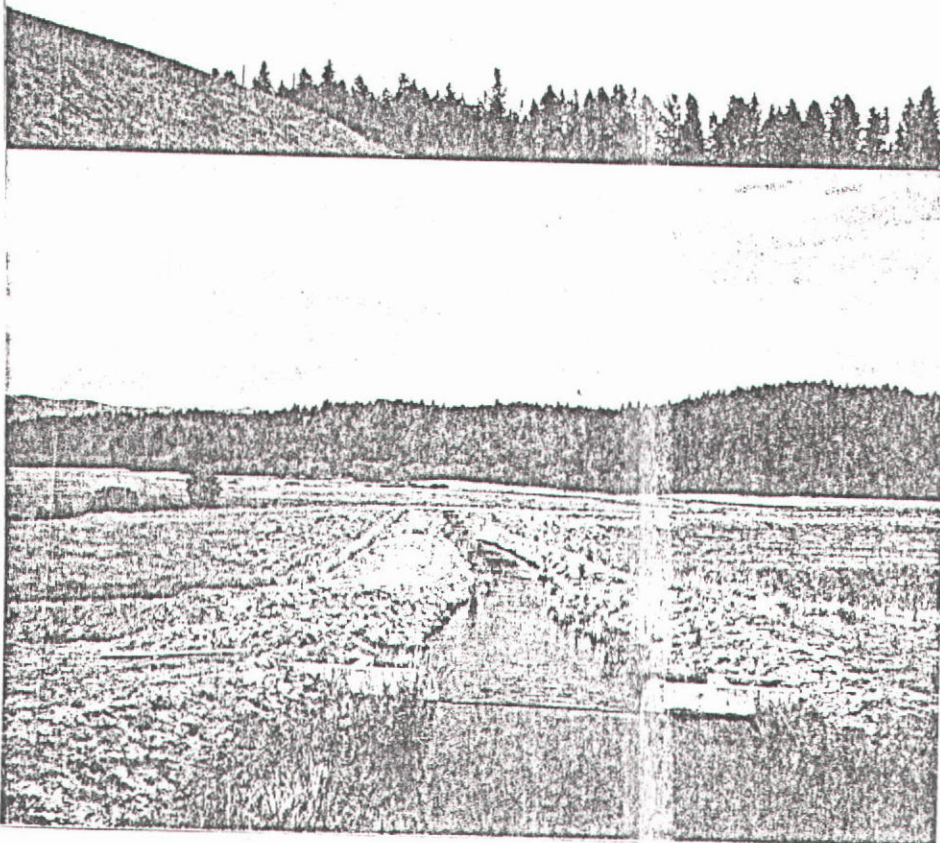
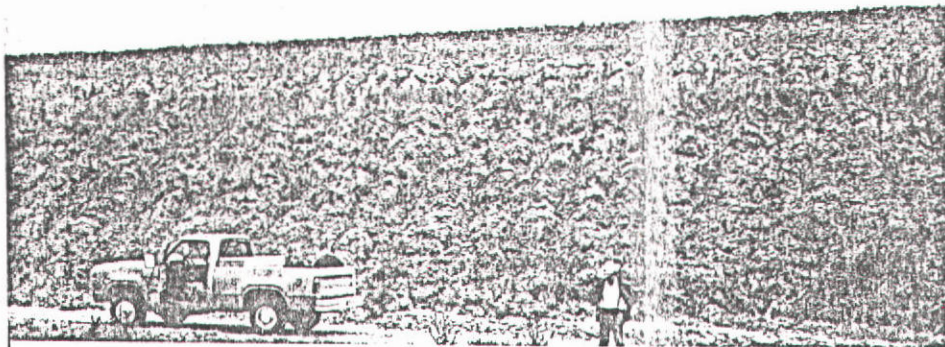
JEMIMA K DAM

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MICROFILMED

AUG 30 1990

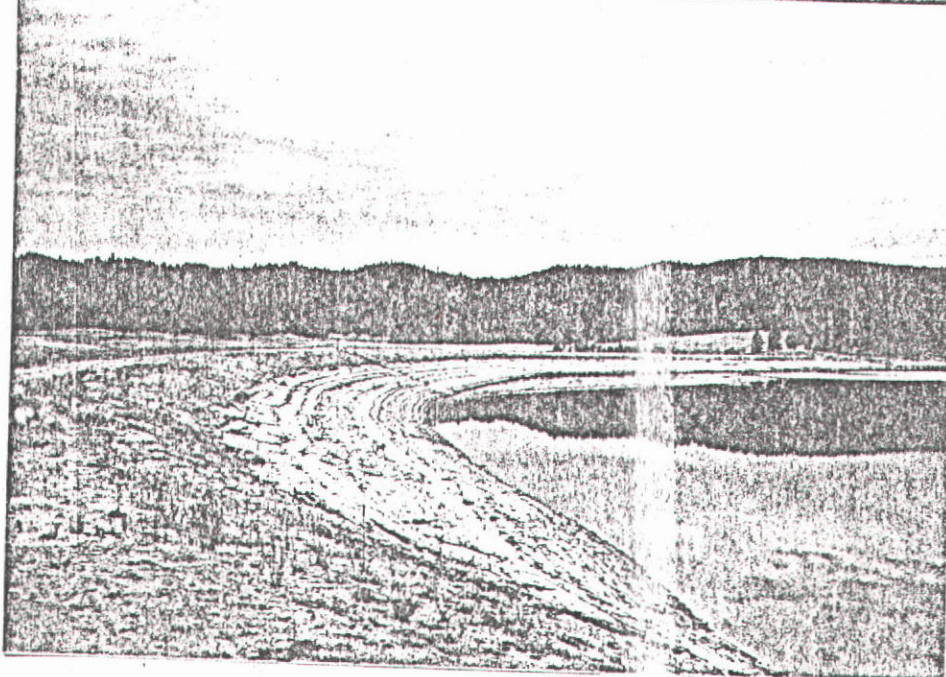
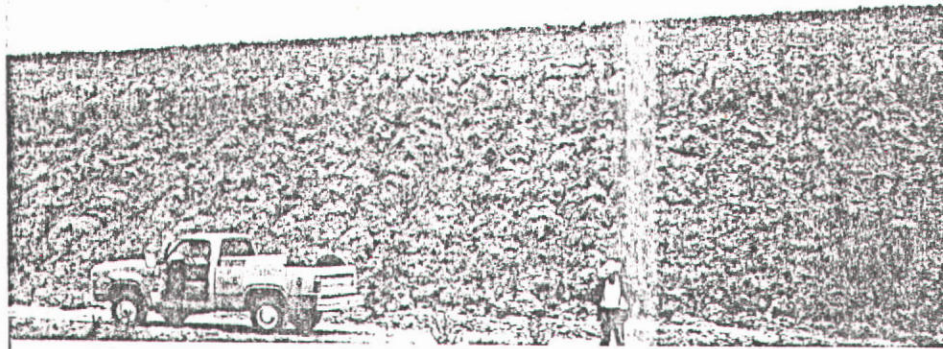


D65-7312
JEMIMA K DAM
8/15/81 AM

- 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.

MICROFILMED

AUG 30 1990



D65-7312

JEMIMA K DAM

8/15/81 AMS

1) OUTLET STRUCT

2) DOWNSTREAM
SLOPE AND OUT
DITCH

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

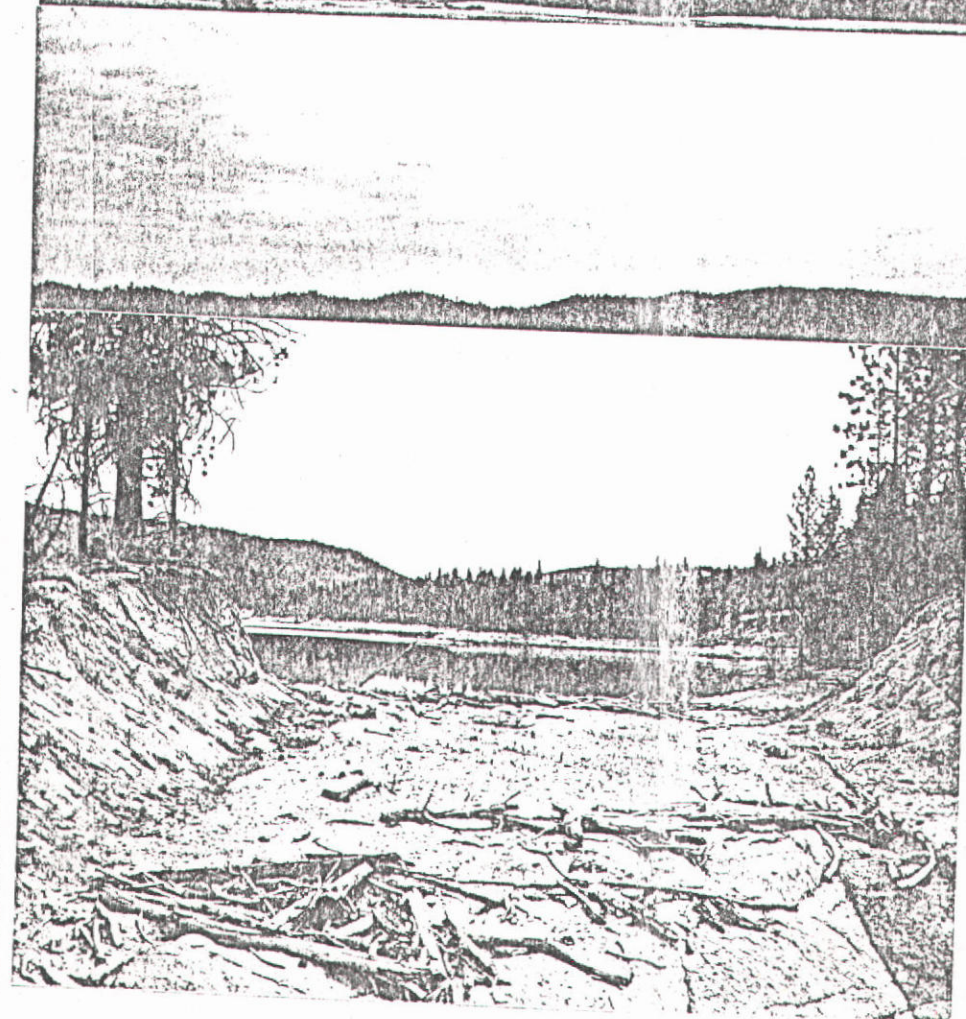
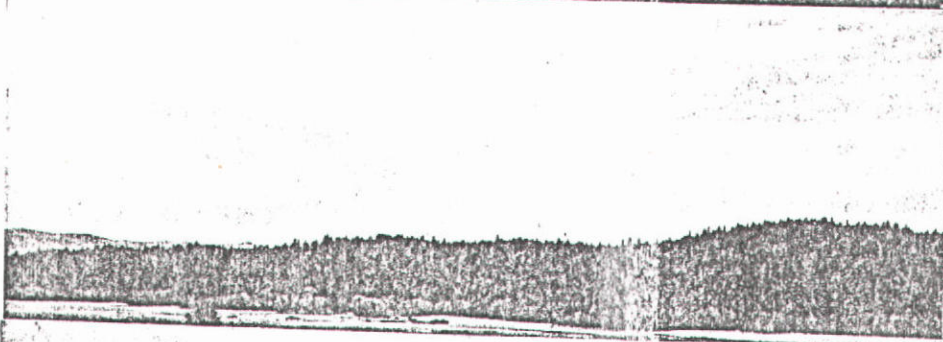
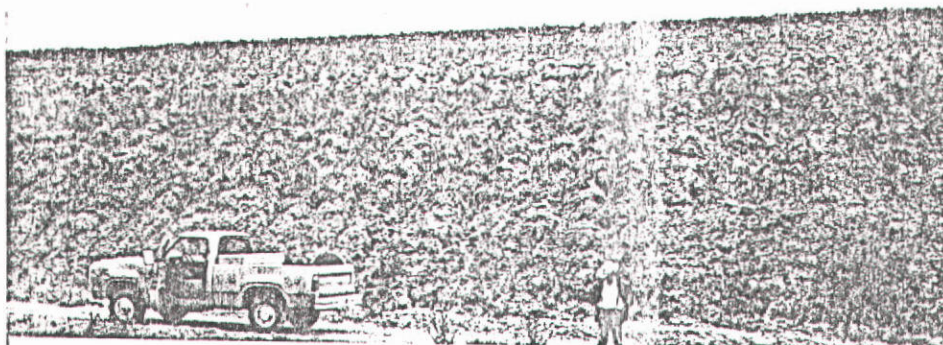
4) UPSTREAM SLO

5) SPILLWAY ENTR

6) GATE CONTROLS
& STAFF GAGE.

MICROFILMED

AUG 30 1990



D65-7312

JEMIMA K DAM

8/18/81 AMS

1) OUTLET STRUCTURE

2) DOWNSTREAM
SLOPE AND OUT
DITCH

3) WEIR ON OUTL
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FORKS DIRECTLY
BELOW WEIR

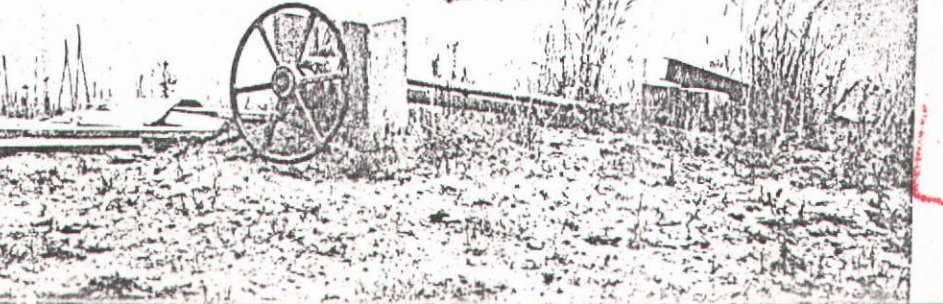
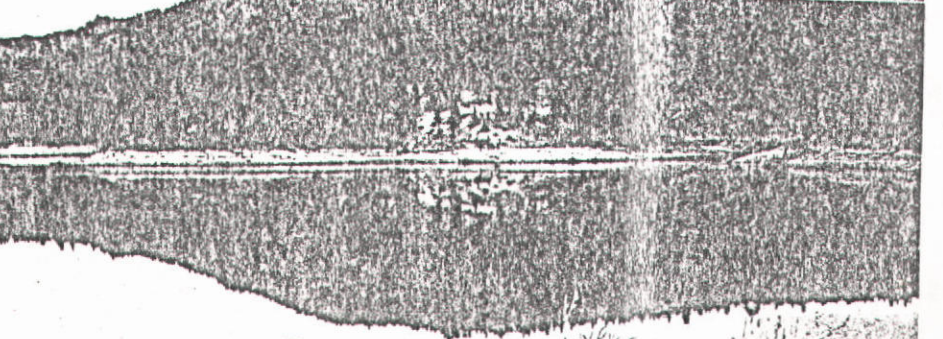
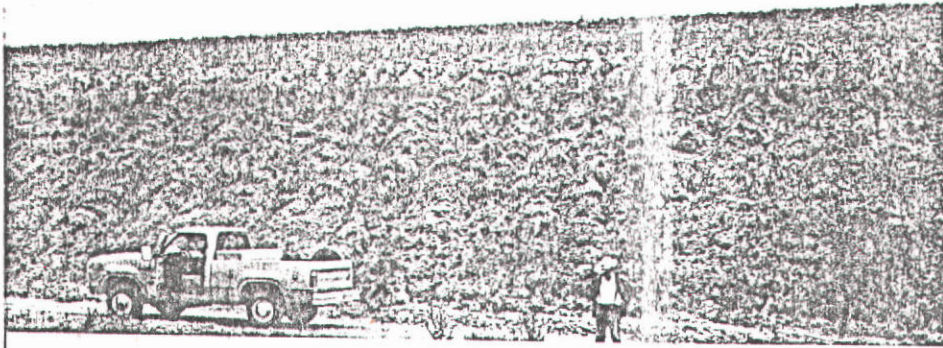
4) UPSTREAM SLO

5) SPILLWAY ENTR

6) GATE CONTROLS
& STAFF GAGE

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AUG 30 1990



D65-7312
JEMIMA K DAM
8/15/81 AM

- 1) OUTLET STRUCTURE
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MICROFILMED
AUG 30 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83709

JOHN V. EVANS

Governor

(Office at the corner of
Franklin and Cole Roads)

A. Kenneth Dunn

Director

January 13, 1982

(208) 334-2190

Tom J. Davis

Case #6

IDAHO 83611

RE: 65-7312

Dear Mr. Davis,

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

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

☒

A field examination of your system has been scheduled for

no appointment made

If this time and date is not convenient for you, please contact this office as soon as possible.

☐

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

If you have any questions regarding the field examination, please contact this office.

Sincerely,

Judy Pense

Judy Pense
Secretary

MICROFILMED

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.

My commission expires January 1, 1980.

NOTICE OF PROPOSED AMENDING OF WATER PERMIT

Notice is hereby given that Permit No. 65-7312 in the name of TOM J. DAVIS, Cascade, ID was issued for the diversion of 2000 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 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.

The permit holder now proposes to amend Permit No. 65-7312 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 B.M. 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 $\frac{1}{4}$ Sec 20 T15N-R4E B.M.

Any protest 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 & 30,
1976.

OK
1-4-77
y

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State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 65-07312

Priority: October 16, 1972

Maximum Storage Volume:

2000.0 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 September 25, 1972; and has submitted Proof of Beneficial Use on September 10, 1981. An examination indicates that the works have a storage capacity of 2900.000 af of water from:

BEAVER CREEK, WEST FORK
FLAT CREEK

tributary to BEAVER 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		2000.0 AF
IRRIGATION FROM STORAGE	04/15 to 10/15		2000.0 AF
Totals			2000.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SESE , Sec. 20, Township 15N, Range 04E
SWNW , Sec. 28, 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	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	
			SENE	36	SESW	34	NESE	23	
			LOT 4(SWSW)	39	SWSE	28	SESE	40	466
			NWSE	15	SWSW	18			
		20	NWNW	31					

MICROFILMED

AUG 30 1990

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 65-07312

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 1(NWNW) 31
	LOT 2	(SWNW)	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

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 16th
day of AUGUST, 1990.

Acting for


R. Keith Higginson, Director

MICROFILMED

AUG 30 1990

State of Idaho
Department of Water Resources

RECEIVED

AUG 2 1990

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 65-07312

Department of Water Resources

Date of Priority: October 16, 1972

Maximum Storage Volume: 2000.0 AF

Comes now
CASCADE, ID 83611

TOM J. DAVIS

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. 65-07312, and requests that the permit be changed as follows:

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

<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		2000.0 AF
IRRIGATION FROM STORAGE	04/15 to 10/15		2000.0 AF
Totals			2000.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SESE , Sec. 20, Township 15N, Range 04E
SWNW , Sec. 28, 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	

MICROFILMED

AUG 30 1990

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	18	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
		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	(SWNW) 39	SENW 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	SENW 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 Cascade Idaho, this 30 day of July, 19 70.

MICROFILMED

AUG 30 1990

(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 65-07312

FOR DEPARTMENT USE ONLY

Preliminary check by SC

Fee ☒ \$20.00

Received by C. Wong Date 8/2/90

#C017898

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. 65-07312 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 16th day of August, 1990.

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

MICROFILMED

AUG 30 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

DEC 14 1977

APPLICATION FOR EXTENSION OF TIME

Department of Water Resources

State of Idaho

County of Valley

Permit No. 65-7312

Gordon Davis
(name)

of Cascade, Idaho
(address)

State of Idaho, being first duly sworn, upon his oath deposes and says:

That he is the holder, or the duly authorized agent of the holder *, of Permit to Appropriate the Public Waters of the State of Idaho No. 65-7312.

That under the terms and conditions of said permit, work thereunder was required to be completed on or before Nov 1, 19 77.

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

Costing \$ _____

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit: The dam will be finished as soon

as some pygometer are installed. I will
need four years to complete the ditch system
under the dam.

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations under said permit to Nov 1, 19 81.

Gordon Davis
(signature) *

Subscribed and sworn before me this 13th day of December, 19 77.

seal

Robert F. Colson, Notary
My Commission Expires 11-28-81

Robert F. Colson
Notary Public residing at

Cascade, Id. 83611

My commission expires _____

ACTION OF THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time within which to submit proof of beneficial use of water is extended to November 1, 1981. IT IS FURTHER ORDERED that the permit be REINSTATED and the priority advanced to October 16, 1972, pursuant to Section 42-218a of the Idaho Code.

Witness my hand this 4 day of January, 19 78.

Billy D. Flannery
Chief, Operations Bureau

* IF OTHER THAN HOLDER, Power of Attorney must be supplied. Forms are available through the Department of Water Resources, Statehouse, Boise, Idaho 83720.

receipt # 6131

RECEIVED
DEC 3 1976

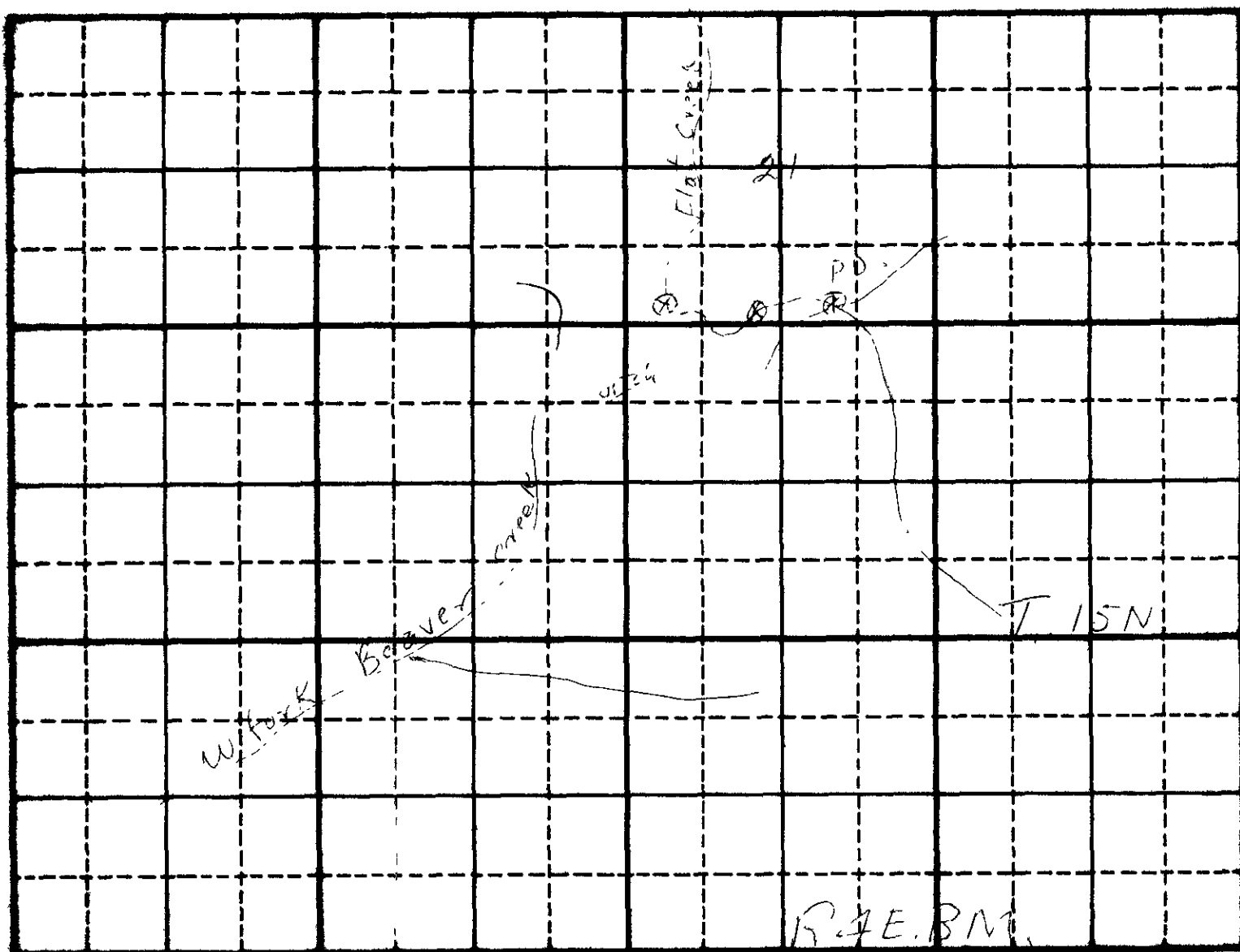
DEC 3 1976

Department of Water Resources
Western Regional Office

Permit No. 65-7312

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, Idaho, this 3rd day of December, 19 76.

Sam J. 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 for Permit No. 65-7312.

Witness my hand this 14 day of January, 19 77

A. Kenneth Dunn
Director

Administrator, Operations Division

Identification No. _____

Application No. 65-7312

APPROVED

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

(TYPE OR PRINT IN INK)

- 1 Name of applicant TOM J. DAVIS
post office address Cascade, Idaho
- 2 Source of water supply West Fk. 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 14 N.
Range 4 E. 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 2000 Af for Irrigation purpose from Nov. 1 to July 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated.
a _____ cubic feet per second and/or
b 2000 acre feet per annum.
6. Proposed diverting works
a Description of ditches, flumes, pumps, headgates, etc. On stream storage

b Height of storage dam 65 feet, active reservoir capacity 2000 acre feet, total reservoir
capacity 2000 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 5 years
b Estimated construction cost is \$ 75,000.00.
- 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. _____

65 7312

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

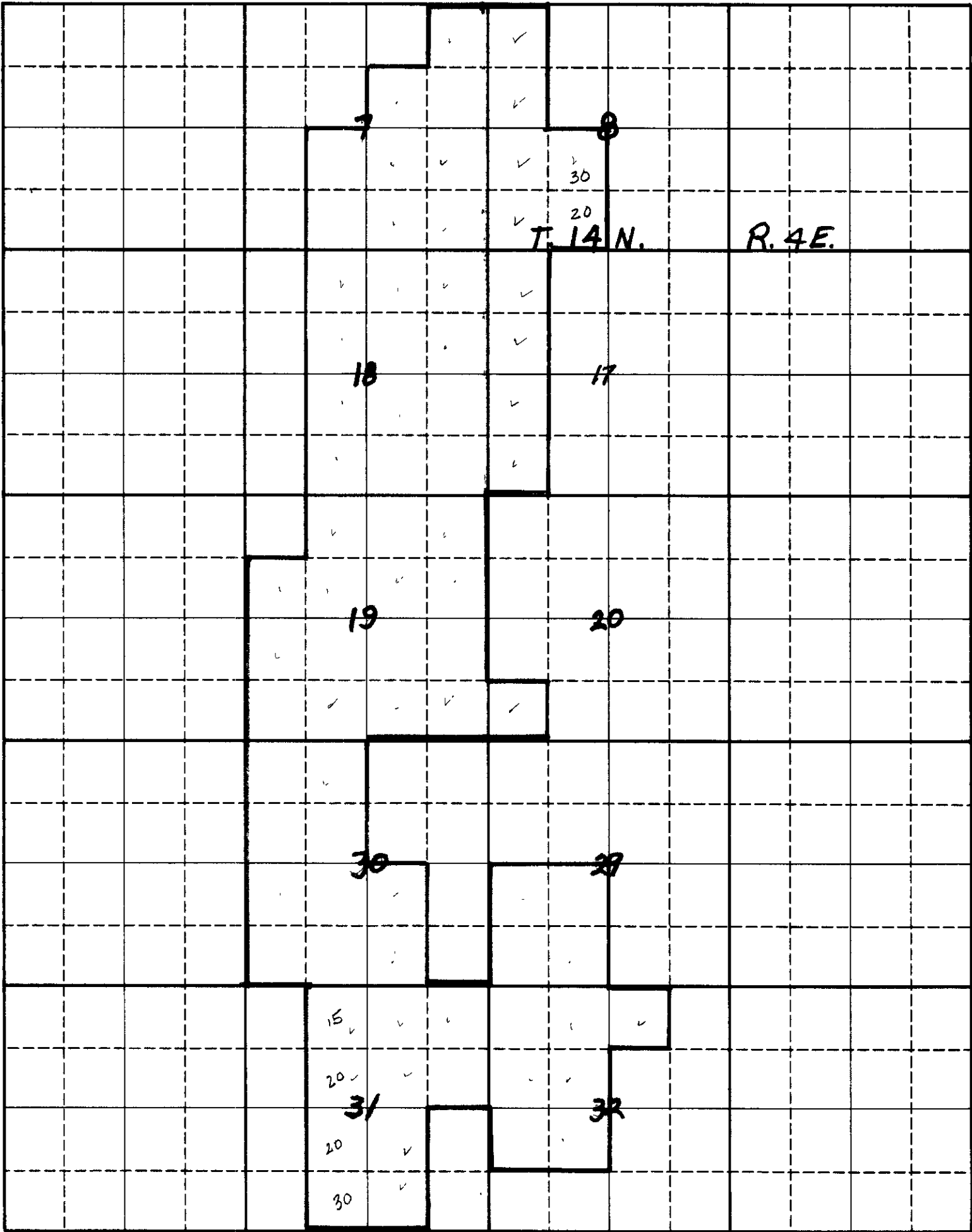
Total number of acres to be irrigated 3015

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

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.

Sam J. Davis
(Applicant)
65 7312

Received by RUH Date 9-25-72 Time 11:15 A.M.

Preliminary check by RUH Fee \$ 215.00

65 2312
sheet # 887812

Receipted by ef Date 9-25-72

Publication prepared by MP Date 9-27-72

Published in Star News

Publication dates 10-5-72, 1972

Publication approved MP Date 10-16-72

Priority reduced to 9-25-72 Reason _____

Protests filed by _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by D

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 65-7312, 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 November 1, 1977.
 - c. Other. A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works. (Special Reservoir Requirement)
Use of water under this permit is supplemental to all existing water rights with the same purpose and place of use.

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

Witness my hand this 7th day of November 1972.

R. Keith Higgins
Director

RECOMMENDEDCONDITIONS OF APPROVAL

D ☒ A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works. (Special Reservoir Requirement)

☐ Measuring devices of a type approved by this Department shall be permanently installed and maintained at the point of diversion and the point of effluent discharge.

D ☒ Use of water under this permit is supplemental to all existing water rights with the same purpose and place of use.

☐ Maximum rate of diversion shall not exceed _____ c.f.s.

☐ Settling ponds shall be installed which are capable of reducing the silt load in the return water to such a level that the quality of the waters of _____ Creek will not be impaired for other beneficial uses.

☐ Return water shall be treated to insure that the effluent meets (interstate) (intrastate) stream water quality standards.

☐ Use of water under this permit is subject to control by the watermaster of State Water District No. _____, _____ River.

☐ The proposed well shall not be drilled within _____ feet of another well.

☐ The issuance of this permit in no way grants any right-of-way or easement across the land of another person.

☐ The permit shall not be assigned or sold without first securing the written approval of the Department of Water Administration.

☐ This permit cannot be assigned, mortgaged, or conveyed without complying with Section 42-208, Idaho Code.

65 7312

☐ Other: _____

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	KAR	9/26	Application No. <u>65-7312</u> Name <u>Davis</u>
(2)			Check: ☒ Signature ☒ Point of Diversion ☒ Quantity of Water and Period of Use ☒ Description of Diverting Works ☒ Time required for C/W and application of water to B/U ☒ Place of Use ☒ Map ☒ Fee
(3)			Send copies to: ☐ Idaho State Health Department ☒ Idaho Fish and Game Department <i>ok</i> ☐ Bureau of Land Management
(4)	KAR	7/26	☐ Request Special Use Permit from U.S.F.S. <i>none</i> ☐ Request Easement from B.L.M.
(5)	KAR	9/26	In form for advertising _____
(6)	MP	10/16	Affidavit of Publication received <u>O.K.</u>
(7)	SIP	10/24/72	Final date for protests <u>oct 23, 1972</u> Protests received: yes _____ no <u>✓</u>
(8)		NA	Date and Place of hearing _____ Decision reached at hearing _____
(9)	SIP	10/24/72	Located within Water District No. <u>Basin 65</u>
(10)	SIP	10/24/72	Critical groundwater area: yes _____ no <u>✓</u>
(11)		NA	Groundwater levels: ☐ Decline (comment) _____ ☐ Stable (comment) _____ ☐ Increasing (comment) _____
(12)			Comments: _____
(13)	SIP	10/24/72	Action recommended: ☒ Approve Priority <u>9/25/72</u> ☐ Deny Reason for Reduction _____
	KAR	10/30/72	See attached sheet for conditions of approval No conditions for approval
(14)			District <u>Western</u> By <u>Ken Fort</u> Date <u>10/30/72</u> Title <u>WDE</u>

65 7312

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-publisher 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 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 October 5, 1972, and ended October 12, 1972.

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 13th day of October 1972.
Donald E. McMahan Notary Public
My commission expires 1974



RECEIVED

O.K.
177
10-16-72

65 7312



65-7312

State of Idaho
DEPARTMENT OF WATER RESOURCES

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

June 12, 1991

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

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.

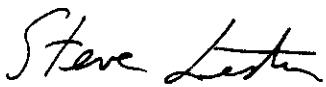
This agency does not have jurisdiction over enforcement of your water rights. Disputes among water right owners are civil matters to be settled between the involved parties within the limits defined by Idaho statutes, but these limits do not include locking and/or otherwise interfering with another owner's 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,


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

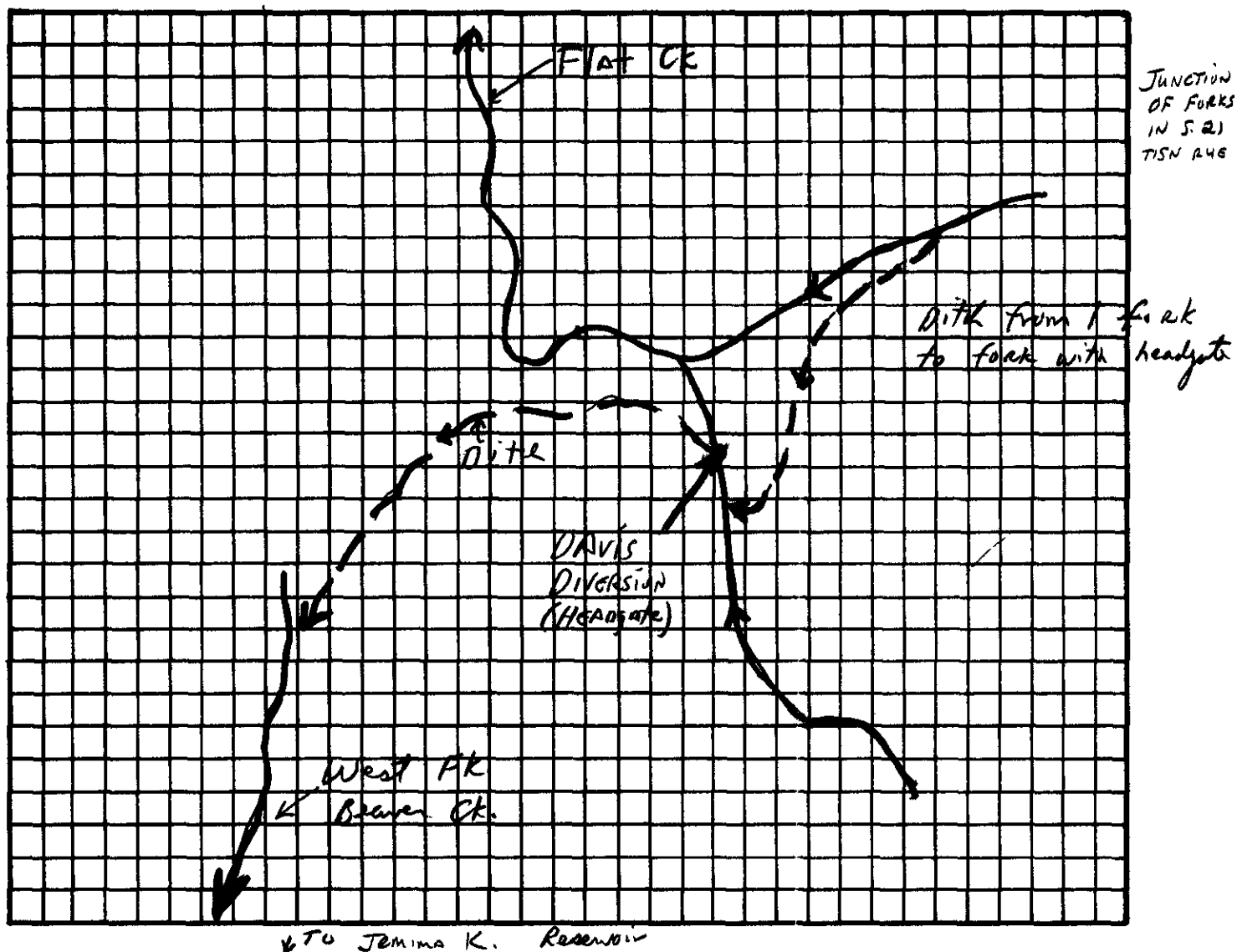
1. Date: 6/7/91 Time: 11:00 a.m. Photos: ☒ Yes ☐ No
2. Inspection involves: ☒ Water Rights ☐ Dam Safety ☐ Well Construction or Driller
☐ Waste Well ☐ Stream Channel Alteration ☒ Water Distribution
☒ Other interference with diversion works
3. Reason for inspection: Complaint by Tom Davis concerning diversion point. See
Glen Saxton's 5/28/91 memo
4. Stream name: Flat Ck.
5. Stream characteristics: _____
6. Stream width: _____ Depth: _____ Gradient: _____ Q: _____ est. _____
meas. _____
7. Location: 1/4 1/4, Sec. 21, Twp. 15N, Rge. 4E, County Valley
Landmark: NE of headwaters of W.F.K. Beaver Ck.
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.F.K. Beaver Ck.
13. Are all requirements being met? ☐ Yes
If not, check type violated: _____ Statutory _____ Rules & Regs _____ Permit
14. Describe impact on others: _____
15. Describe alternatives: The entire flow of the creek* was thereby diverted
to the Davis headgate's ditch.

* of this fork of the creek

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 HCT1 Box 2005 Cascade (382-4892)

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



19. Action taken at time of inspection: _____

20. Signed: John M. Lester

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

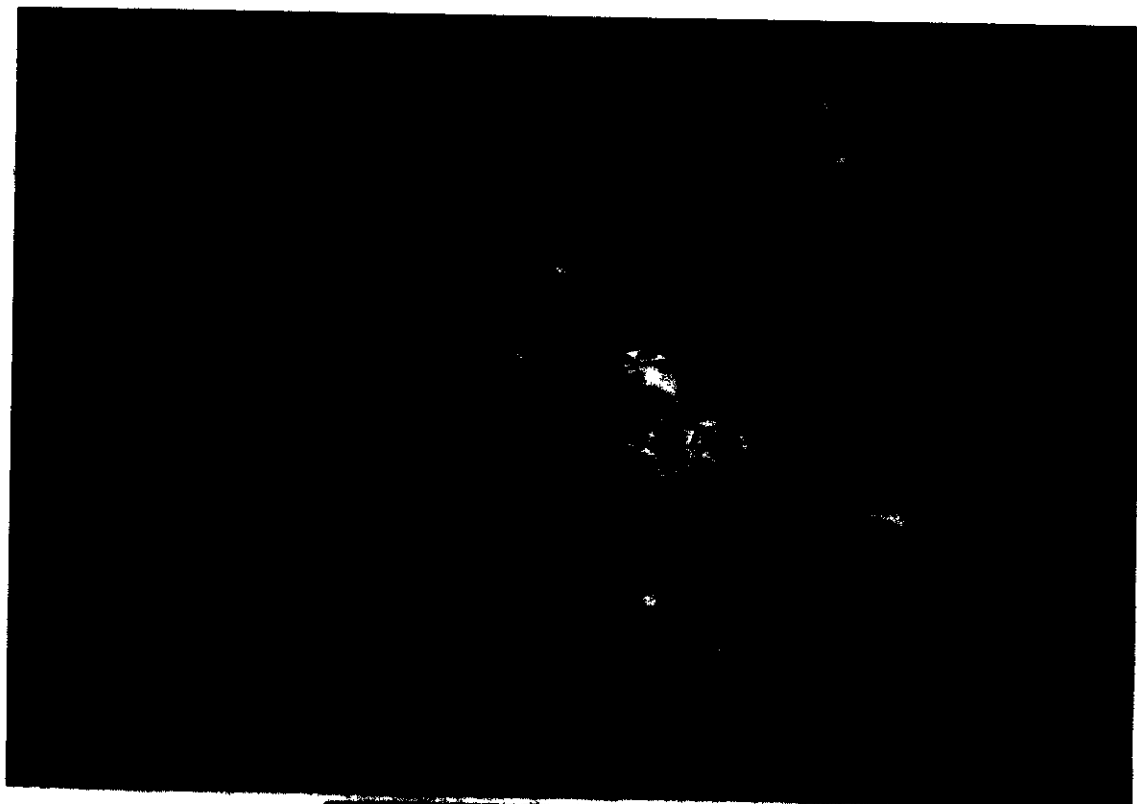
Describe: _____

22. Signed: _____

View of Davis
headgate on unnamed
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-



✓ Don
Skip ✓
Plz check out & respond.
Dave

RECEIVED
MAY 29 1991
Department of Water Resources
Western Regional Office

MEMORANDUM

To: Dave Tuthill
From: L. Glen Saxton *LS*
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
individually i/w gold Fk. Div. dist.?

CONVERSATION MEMORANDUM

DATE 6/4/91

FILE _____

NAME OF PARTY Phil Davis 382-4892EMPLOYEE Tom Davis - 4162Steve Leste

RE: _____

PER GLEN'S 5-28-91 memo65-07312Storage Rights, Plot Ck.- 07649

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

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

August 16, 1990

TOM J. DAVIS
CASCADE, ID 83611

RE: PERMIT NO. 65-07312

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. 65-07312

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,

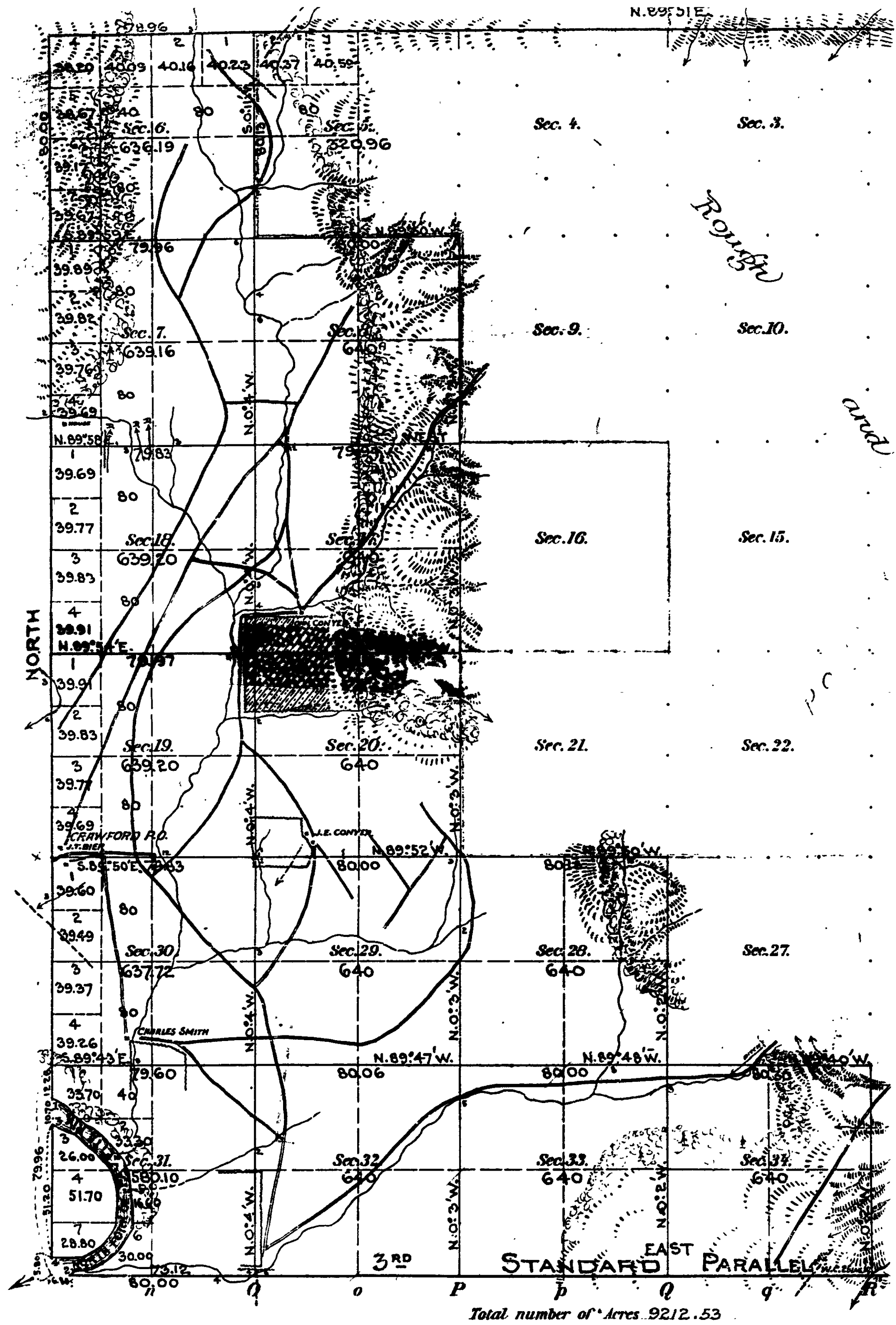
JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED

AUG 30 1990



WR-NUMBER	NAME	STG	SOURCE	T	R	S	NE	NW	SW	SE	NE	NW	SW	SE	SUM
6503578	DAVIS	D	GLEN COVE CREEK	14N 04E	6		40	10	8						58
6503585	DAVIS	D	GLEN COVE CREEK	14N 04E	6		28								37
1986	MAPPING DATA	---	COUNTY 85 QUAD T	60 14N 04E	6		36	40	20	16	30	34	29	19	260
6503585	DAVIS	D	GLEN COVE CREEK	14N 04E	7	9	3								12
6507777	DAVIS	P	FLAT CREEK	14N 04E	7	40	40	40		40	40	40	40	40	320
6508156	ROBERTS	D	SPRINGS	14N 04E	7	4				10					14
6508559	D.L. FEEDER CO. INC.	D	DEEP CREEK, WEST FOR	14N 04E	7					18					18
1986	MAPPING DATA	---	COUNTY 85 QUAD T	60 14N 04E	7	32	27	37	37	25	38	36	41	38	417
6503583	DAVIS	D	BEAVER CREEK	14N 04E	8										16
6503585	DAVIS	D	GLEN COVE CREEK	14N 04E	8				5	3	4				12
6507777	DAVIS	P	FLAT CREEK	14N 04E	8				40	40	30	40	40	20	210
1986	MAPPING DATA	---	COUNTY 85 QUAD T	61 14N 04E	8	2	6	40	40	33	39	37	34	6	277
6502536	DAVIS	D	BEAVER CREEK	14N 04E	17										28
6503583	DAVIS	D	BEAVER CREEK	14N 04E	17		1	33	23		12	15			84
6507777	DAVIS	P	FLAT CREEK	14N 04E	17				40	40	40	40			160
1986	MAPPING DATA	---	COUNTY 85 QUAD T	61 14N 04E	17		21	37	32	8	7	34	36	26	201
6502536	DAVIS	D	BEAVER CREEK	14N 04E	18										86
6503583	DAVIS	D	BEAVER CREEK	14N 04E	18										65
6507777	DAVIS	P	FLAT CREEK	14N 04E	18	40	40	40	40	40	40	40			320
6508559	D.L. FEEDER CO. INC.	D	DEEP CREEK, WEST FOR	14N 04E	18										451
1986	MAPPING DATA	---	COUNTY 85 QUAD T	60 14N 04E	18	33	36	40	37	39	39	36	37	39	451
6502002	DAVIS	D	BEAVER CREEK	14N 04E	19										160
6502536	DAVIS	D	BEAVER CREEK	14N 04E	19	39	37			40					76
6503583	DAVIS	D	BEAVER CREEK	14N 04E	19		39	38					17	23	117
6504031A	DAVIS	D	PAYETTE RIVER, NORTH	14N 04E	19				38	40	40	39	29		186
6504031B	DAVIS	D	PAYETTE RIVER, NORTH	14N 04E	19				38	40	40	39	29		186
6504031X	DAVIS	D	PAYETTE RIVER, NORTH	14N 04E	19				38	40	40	39	29		186
6507777	DAVIS	P	FLAT CREEK	14N 04E	19	40	40	40	40	40	40	40			320
1986	MAPPING DATA	---	COUNTY 85 QUAD T	60 14N 04E	19	42	40	41	40	38	34	36	37	39	465
6503583	DAVIS	D	BEAVER CREEK	14N 04E	20		2	36	27		26	21	18		130
6507777	DAVIS	P	FLAT CREEK	14N 04E	20						40				40
6509041	AUSTIN	D	SPRING	14N 04E	20										4
1986	MAPPING DATA	---	COUNTY 85 QUAD T	61 14N 04E	20	4	1	9	37	36	11	33	39	40	393
6502832	DAVIS	D	BEAVER CREEK	14N 04E	29										210
6503582	DAVIS	D	BEARSOL CREEK	14N 04E	29	9			21	36	39	34	40	40	259
6507777	DAVIS	D	FLAT CREEK	14N 04E	29						40	40	40		160
1986	MAPPING DATA	---	COUNTY 85 QUAD T	61 14N 04E	29	25	39	36	6	38	37	39	25	36	521
6502536	DAVIS	D	BEAVER CREEK	14N 04E	30										39
6502832	DAVIS	D	BEAVER CREEK	14N 04E	30	36	27	18	37					40	233

MICROFILMED
AUG 30 1990

WR-NUMBER	NAME	STG	SOURCE	T	R	S	NE	NW	SW	SE	NE	NW	SW	SE	SUM
6503582	DAVIS	D	PEARSOL CREEK	14N	04E	30	36	27	18	37	:	:	:	40 8 36 39	241
6504031A	DAVIS	D	PAYETTE RIVER, NORTH	14N	04E	30	:	:	:	:	39	:	:	28 :	106
6504031B	DAVIS	D	PAYETTE RIVER, NORTH	14N	04E	30	:	:	:	:	39	:	:	28 :	146
6504031X	DAVIS	D	PAYETTE RIVER, NORTH	14N	04E	30	:	:	:	:	39	:	:	28 :	146
6507777	DAVIS	P	FLAT CREEK	14N	04E	30	:	40	40	40	40	40	40	40	320
1986 MAPPING DATA	---	-	COUNTY 85 QUAD T	60	14N	04E	30	36	39	33	29	:	39	36 :	449
6502255	WARNER DITCH CO.	D	BIG CREEK	14N	04E	31	:	:	:	:	:	:	:	:	
6503580	DAVIS	D	PAYETTE RIVER, NORTH	14N	04E	31	:	:	:	:	:	:	:	:	
6507340	MURPHY	(L) P	GROUNDWATER	14N	04E	31	:	:	:	:	:	:	:	1	1
6507777	DAVIS	P	FLAT CREEK	14N	04E	31	40	40	40	40	15	20	20	40	255
6510328	LOYD	D	GROUNDWATER	14N	04E	31	:	9	:	:	:	:	:	:	9
6512095	YORGENSEN	P	PEARSOL CREEK	14N	04E	31	:	:	:	:	:	:	:	4	4
6512608	YORGENSEN	P	PEARSOL CREEK	14N	04E	31	:	:	:	:	:	:	:	7	7
6512966	STEVENS	P	GROUNDWATER	14N	04E	31	:	:	:	:	:	:	:	5	5
1986 MAPPING DATA	---	-	COUNTY 85 QUAD T	60	14N	04E	31	26	29	35	30	:	28	39 35 33 38	293

MICROFILMED

AUG 30 1980



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

May 12, 1983

RE: Permit No. 65-7312

Tom J. Davis
Cascade,
Idaho 83611

Dear Mr. Davis:

A representative of this Department made an examination of the works covered by your Permit No. 65-7312 and has found the following:

Amount of water that can be recognized as beneficially used under Idaho law: 2000.0 acre feet Source: Beaver Creek, West Fork of FLAT CREEK

The maximum quantity diverted shall not exceed 2000.0 acre feet per year.

Point of diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 20; SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21; SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 28; Twp. 15N, Rge. 4E, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 5, Twp. 14N, Rge. 4E, Valley County
Beneficial use: Storage for irrigation and irrigation from storage uses within the lands listed on the attached land list.

Priority date established: October 16, 1972 (late proof)?

In order for the Department to issue the above license, it will be necessary for you to amend the permit to correspond with the findings of the field examiner. We are enclosing a partially completed amendment form for your use in this matter.

Please sign the amendment application and return it to this office along with a \$20.00 filing fee within 30 days in order that we might issue your license as set forth above. If you do not concur with these findings or have any questions, please contact us within the 30-day period.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosure

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AUG 30 1990

STATE OF IDAHO

Licensing

APPLICATION FOR AMENDMENT OF A PERMIT

To change the point of diversion and/or the place of use.

Comes now Tom J. Davis Phone
of (address) 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. 65-7312, and requests that the permit and permit map be changed as follows:

1. Point of diversion: SE ¼ SE ¼, Section 20, Township 15N, Range 4E, B.M.,
County of Valley. Other points of diversion:
SW¼SE¼, Sec. 21; SW¼NW¼, Sec. 28; Twp. 15N, Rge. 4E, NW¼SW¼, Sec. 5, Twp. 14N,
Rge. 4E

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

Amount 2000.0 for storage for purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre feet per annum) irrigation
Amount 2000.0 for irrigation purposes from 4/1 to 10/31 (both dates inclusive)
(cfs or acre feet per annum) from storage
Amount for purposes from to (both dates inclusive)
(cfs or acre feet per annum)
Amount for purposes from to (both dates inclusive)
(cfs or acre feet per annum)

3. Place of use or land to be irrigated:
SEE ATTACHED LAND LIST

TWP	RGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

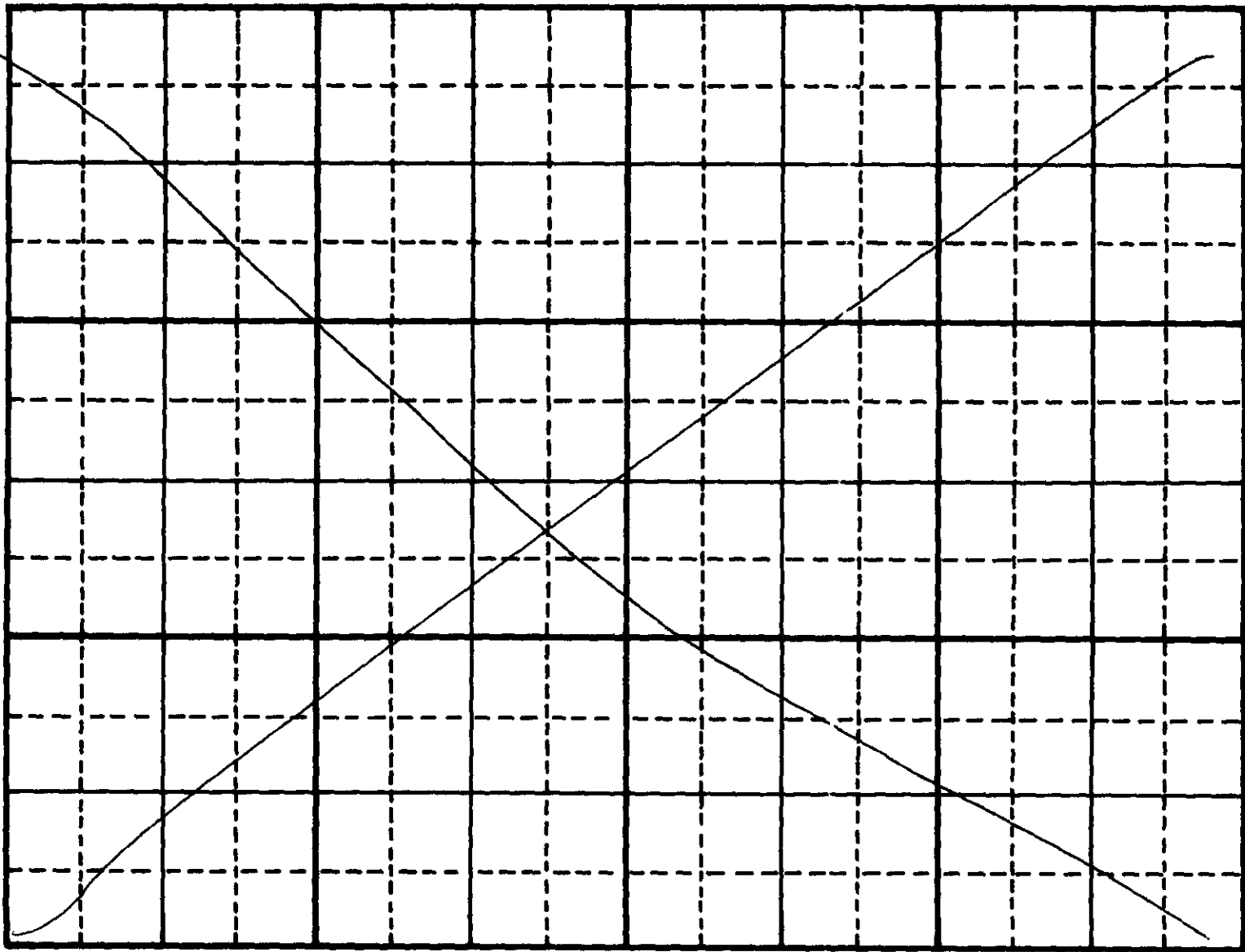
Total number of acres to be irrigated =

4. a. Who owns the property at the point of diversion?
b. Who owns the land to be irrigated or the place of use?
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing:

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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 holder's own risk.

Signed at _____, this _____ day of _____, 19 _____.

(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = \$20.00 Received by _____ Date _____

Publication prepared by _____ Date _____ Published in _____

Publication dates _____

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, _____, of the Department of Water Resources hereby

Witness my hand this _____ day of _____, 19 _____

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LAND LIST ATTACHMENT
Water Right No. 65-7312

Description and location of place of use

[illegible]

Total number of acres irrigated 2304

MICROFILMED

AUG 30 1990

LAND LIST ATTACHMENT
Water Right No. 65-7312

Description and location of place of use

[illegible]

Total number of acres irrigated 2304

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AUG 30 1990

Total number of acres irrigated _____

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

65-7312
Permit No.

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☐ Appointment letter mailed:			
☐ Telephone call made: (List Telephone No. used)			
☐ Appointment scheduled for: (Date, time, location)			

EXAMINATION

Date 10/2/81 7/7/81 Accompanied by Tom Davis Total Q measured 2000 AF
If source is surface water, estimate total flow of source _____
Methods of measurement Reservoir design Meets Permit requirements? _____

Measurement calculations:			
<u>Jermima K. Reservoir capacity 2900 AF</u>	<u>65-7649</u>	<u>1000</u>	<u>900 AF</u>
	<u>65-7312</u>		<u>2000 AF</u>

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS

System Description Three pts of diversion from Flatcreek drainage into Canal system. One pt of diversion out of reservoir. Flatcreek drainage water is diverted into the West Bk of Beaver creek hence to Jermima K. Reservoir
*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS	Irrigation requirement =		AFA/Acre	
USE	Q (cfs)	V (afa)	FROM	TO
<u>Storage for irrigation</u>		<u>2000</u>	<u>4/1</u>	<u>7/31</u>
<u>Irrigation from storage</u>		<u>2000</u>	<u>4/1</u>	<u>10/31</u>
Total				

Remarks See 65-7649 for other portion of this source.

I believe the storage portion of this right should be year round 1/2 - 12/31 although the diversion from Flat Creek may not be.

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~~Got a new~~

Date _____

10/5/87

☒ Other ? change period

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Recommended Amendments:

- ☒ Change P.D. as reflected above
- ☒ Change P.U. as reflected above

☐ Add P.D., as reflected above

☐ Add P.U., as reflected above

TWP.	RGE.	SEC:	NE%						NW%						SW%						SE%									
			NEX	NW%	SW%	SEX	NEX	NW%	SW%	SEX	NEX	NW%	SW%	SEX	NEX	NW%	SW%	SEX	NEX	NW%	SW%	SEX	NEX	NW%	SW%	SEX	NEX	NW%	SW%	SEX
See attached exhibit																														
MICROFILMED																														

Place(s) of Use

Points of diversion: SESE 802 20, SWSE 802 21 SWNW 802 28 T15N R4E
NW5W 802 5 T14N R4E

SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

See attached map

MAP (Attach Aerial Photo)

Draft License

LAND LIST ATTACHMENT

Description and location of place of use

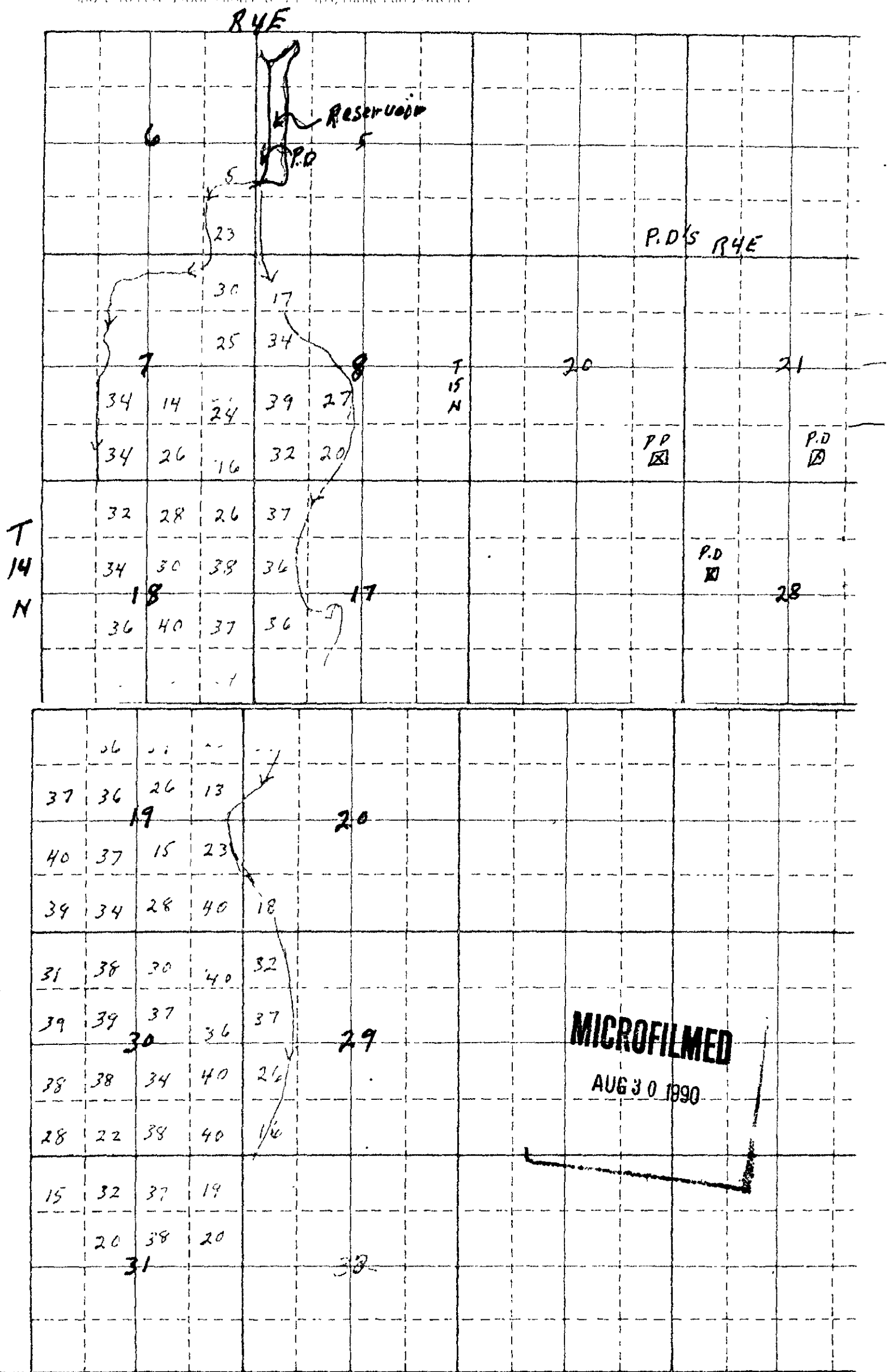
TWP.	RANGE	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
14N	4E	6													5		23		28
		7	30			25				34			34	24	14	26	16		203
		8					17	34		27	39	32	20						169
		17					37	36		36	37								146
		18	26	28	30	38	32		31	36		33	37	40	25	24			383
		19	23	39	26	13	36		37	31	37	40	39	34	23	15	28	40	466
		20						31				18							49
		29						32	37			26	16						111
		30	40	30	37	36	38	31	39	31	38	38	28	22	40	34	38	40	568
		31	19	37	38	20	32	15		22									181
																			2351

○ = not identified on permit

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Total number of acres irrigated _____

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



R4E

20/21
29/28

TOM DAVIS

T
15
N

West Fork Beaver Creek

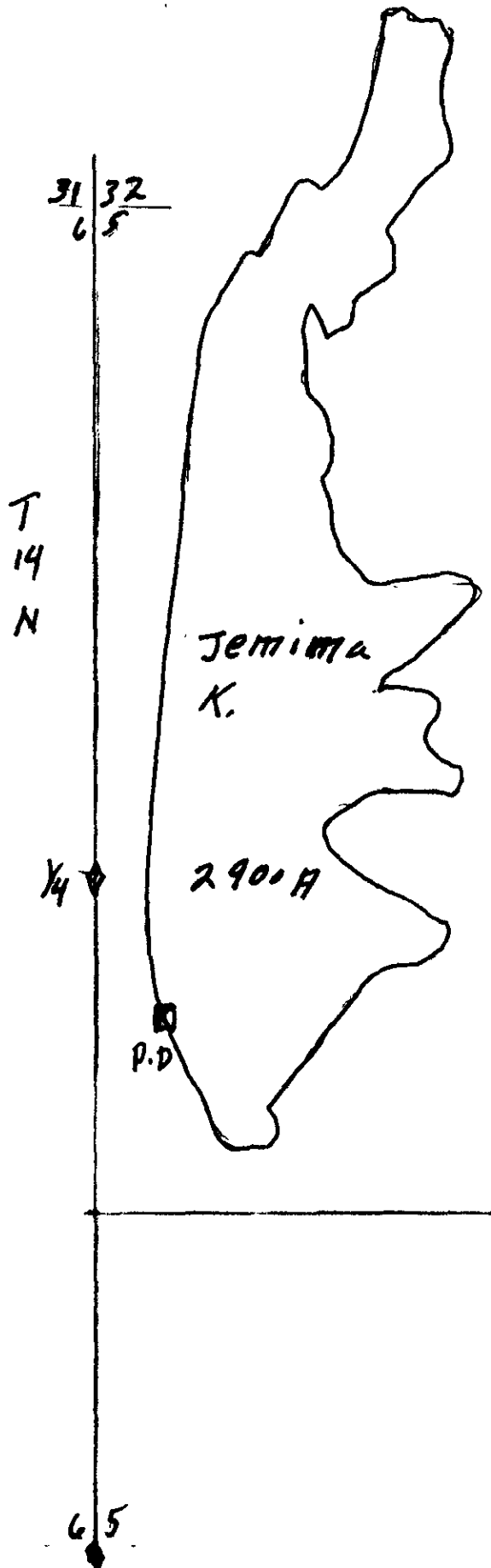
canal

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AUG 30 1990

R4E

TOM DAVIS



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AUG 30 1990

Overlap Review for 65-7312

Permit 65-7861 No Overlap because of permit stage

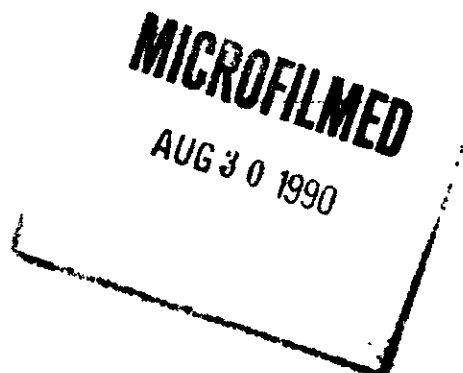
License 65-2920 Davis Dike & Dam
Mud Creek } No Overlap
different source, F/D
& P/U

Permit 65-7649 Gemma K. Dam

Note: This Permit 65-7649 is supplemental to 65-7312 due to an enlargement in the storage facility

Dam Safety file 2900.0 AF

Permit limits to 2000.0 AF



◆ INDICATORS TOTAL ◆

SOURCE: BEAVER CREEK

PRIMARY TO: NORTH LARK, PAYETTE RIVER

פירמע

PRIORITY
DATE

ust

USE PERIOD
FROM TO

MAX AMJUN
MAX HAFI

DIVERSION
PLAIN

PLATE OF USE
AND ACRTAL

WAS IS FOR
RIGHT

4/1130

REGULATION

4/15 10/15

8-24 LFS

SIAN S17
TIAN R 4E
SWNW S17
LIAN R 4E

$\frac{5R}{5R} \frac{114N}{114N} R \frac{4E}{4E}$
 $\frac{5R}{5R} \frac{114N}{114N} R \frac{4E}{4E}$
 $\frac{5R}{5R} \frac{114N}{114N} R \frac{4E}{4E}$

USF

6/19/1903

IRRIGATION

4/15 10/15

3-60 CFS

NE 54 S 17
T 14 N R 4 E

SHNE(40) SHAW(38)
SENA(40) AF54(40)
NH51(39)

REC-155

10/31/1935

IRRIGATION
FROM SILL

4/15 10/15

1818-00 AFA
--- CFS

NAME SLT
114N R 4E

$$\begin{array}{r} 545416) \\ \underline{54} \\ 16N \\ \underline{16N} \\ 4R \end{array}$$

BENEFICIAL

*
Calender
Dan

James O'Neil

Direct Flow
No. 1000

MICROFILMED
AUG 30 1990

S19 114N R 4E
 N12SE (24) SESE (15)
 S24 114N R 3E
 236

520	114N	R 4E
5606*		
518	114N	R 4E
517	114N	R 4E
516	114N	R 4E
515	114N	R 4E
514	114N	R 4E
513	114N	R 4E
512	114N	R 4E
511	114N	R 4E
510	114N	R 4E
509	114N	R 4E
508	114N	R 4E
507	114N	R 4E
506	114N	R 4E
505	114N	R 4E
504	114N	R 4E
503	114N	R 4E
502	114N	R 4E
501	114N	R 4E
500	114N	R 4E
499	114N	R 4E
498	114N	R 4E
497	114N	R 4E
496	114N	R 4E
495	114N	R 4E
494	114N	R 4E
493	114N	R 4E
492	114N	R 4E
491	114N	R 4E
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488	114N	R 4E
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483	114N	R 4E
482	114N	R 4E
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479	114N	R 4E
478	114N	R 4E
477	114N	R 4E
476	114N	R 4E
475	114N	R 4E
474	114N	R 4E
473	114N	R 4E
472	114N	R 4E
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442	114N	R 4E
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436	114N	R 4E
435	114N	R 4E
434	114N	R 4E
433	114N	R 4E
432	114N	R 4E
431	114N	R 4E
430	114N	R 4E
429	114N	R 4E
428	114N	R 4E
427	114N	R 4E
426	114N	R 4E
425	114N	R 4E
424	114N	R 4E
423	114N	R 4E
422	114N	R 4E
421	114N	R 4E
420	114N	R 4E
419	114N	R 4E
418	114N	R 4E
417	114N	R 4E
416	114N	R 4E
415	114N	R 4E
414	114N	R 4E
413	114N	R 4E
412	114N	R 4E
411	114N	R 4E
410	114N	R 4E
409	114N	R 4E
408	114N	R 4E
407	114N	R 4E
406	114N	R 4E
405	114N	R 4E
404	114N	R 4E

UNOFFICIAL USE

MAR 02, 1979

PROCESSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

PAGE 26

INDICATES TOTAL

SOURCE: BEAVER CREEK

TRIBUTARY TO: NORTH FORK, PAYETTE RIVER

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE ABL ACREAGE	BASIS FOR RIGHT
--------------	------------------	---------------	-----	--------------------	---------------------	-----------------	--------------------------	-----------------

65-2931 DAVIS, THOMAS J.
CASCADE, IDAHO 83611

8/14/1941 IRRIGATION 4/15 10/15 250.00 AFA SWNE S17
FROM STOR

SESW(28) SESW(15) LICENSE
S17 114N R 4E

* Calendar
Dam

65-2516 DAVIS, THOMAS J.
CASCADE, IDAHO 83611

9/21/1950 IRRIGATION 4/15 10/15 --- AFA NESW S17
5.60 CFS 114N R 4E

SENE(38) NESE(24) LICENSE
S24 114N R 3E

direct
flow
No Overlap

65-2832 DAVIS, THOMAS J.
CASCADE, IDAHO 83611

6/14/1966 IRRIGATION 4/15 10/15 --- AFA NESW S17
8.60 CFS 114N R 4E

direct
flow
No Overlap

NENW(21) NENW(36) LICENSE
SWNW(39) SENW(34)
NWSW(40) SWSW(40)
S29 114N R 4E
NENE(30) ANNE(27)
SWNE(18) SENE(37)
NESE(40) SNESE(36)
SESE(39)
S30 114N R 4E
443

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AUG 30 1990

* Recommend condition which limits
all stock water on same
plan to 5.00 cfs

APR 02, 1979

PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

PAGE 106

INDICATES TOTAL

SOURCE: FIVEMILE CREEK

TRIUNFARY TO: SOUTH FORK, PAYETTE RIVER

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	STATUS FOR RIGHT
--------------	------------------	---------------	-----	--------------------	---------------------	-----------------	--------------------------	------------------

65-10093	JORDAN, M D E JORDAN, HELEN 4505 GULDMAN, MERIDIAN, IDAHO 83662	11/ 8/1917	IRRIGATION	4/15 10/15	--- AFA .70 CFS	SMSE S13 1 9N R 8E	SENM(10) NEM(20) LC1 21 51 524 T 9N R 8E	BENEFICIAL USE
----------	--	------------	------------	------------	--------------------	-----------------------	--	-------------------

STOCKWATER 1/ 1 12/31

.40 AFA
.02 CFS
*---*AFA
*.12*CFS

35
SAME AS OTHER USE

65-9895	U. S. DEPT. OF AGRI- CULTURE SERVICE, FEDERAL BLDG., 324 25TH STREET, OGDEN, UTAH 84401	6/ 1/1957	DOMESTIC	1/ 1 12/31	.40 AFA .02 CFS	SE 524 T 9N R 8E	SWNE 524 T 9N R 8E	BENEFICIAL USE
---------	--	-----------	----------	------------	--------------------	---------------------	-----------------------	-------------------

REMARKS: FIVEMILE SUMMER HOME.

INDICATES TOTAL

SOURCE: FLAT CREEK

TRIUNFARY TO: GOLD FURK

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	STATUS FOR RIGHT
--------------	------------------	---------------	-----	--------------------	---------------------	-----------------	--------------------------	------------------

65-2817	L. & M INVESTMENTS C/O EDWARD PYLANDER, ROUTE 1, STAR, IDAHO 83669	12/ 6/1965	IRRIGATION	4/15 10/15	--- AFA 4.00 CFS	SWNE S 9 115N R 4E	NEM(10) SWNE(15) S 3 115N R 4E NENE(25) SENE(30) NESE(30) SWSE(40) SESE(20) S 4 115N R 4E NENE(30) S 9 115N R 4E	PERMIT
---------	--	------------	------------	------------	---------------------	-----------------------	---	--------

REMARKS: THIS PERMIT RIGHT IS
NOT ORIGINATED BY THE PRESENT
ADJUDICATION PROCEDURE, AND IS
INCLUDED FOR INFORMATION
PURPOSES ONLY. NORMAL
STATUTORY PROCEDURES MUST BE
COMPLETED FOR LICENSING.

DOMESTIC 1/ 1 12/31

120.00 AFA
2.00 CFS
*---*AFA
*4.00*CFS

SAME AS OTHER USE

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AUG 30 1990

Page 157

TRIBUTARY TO: GOLD FISH CREEK

RIGHT

1

SESM S21	S B 114N R 4E	SESM S21
115N R 4E		115N R 4E
SMSM S21	NENE(40)	SMAE(40)
115N R 4E	SENE(40)	NESH(40)
SESE S20	SESH(40)	N-SL(40)
115N R 4E	NHSE(40)	SME(40)
SESE S20	SESE(40)	
115N R 4E	S 7 114N R 4E	

10 Overlap - Permitting

MICROFILMED

AUG 30 1990

SESE(40)	R	4E
S19 114N	R	4E
SHSM(40)		
S20 114N	R	4E
SENM(40)	SENM(40)	
S18M(40)	SFM(40)	
SESM(40)	SESM(40)	
SHSM(40)	SESM(40)	
SHST(40)	SMSE(40)	
S30 114N	R	4E
SESM(40)	SHSM(40)	
SHSM(40)	SFSM(40)	
S29 114N	R	4E
SHNE(40)	SENM(40)	
SHNM(40)	SENM(40)	
SENM(40)	SENM(40)	
SHSM(40)	SENM(40)	
S32 114N	R	4E
SENE(40)	SENM(40)	
SENM(40)	SENM(40)	
SENM(15)	SENM(15)	
SENM(20)	SENM(20)	
SENM(40)	SENM(40)	
SENM(40)	SENM(40)	
S31 114N	R	4E
S3015*		

MAR 02, 1979

PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

PAGE 224

* INDICATES TOTAL *

SOURCE: PLARSON CREEK

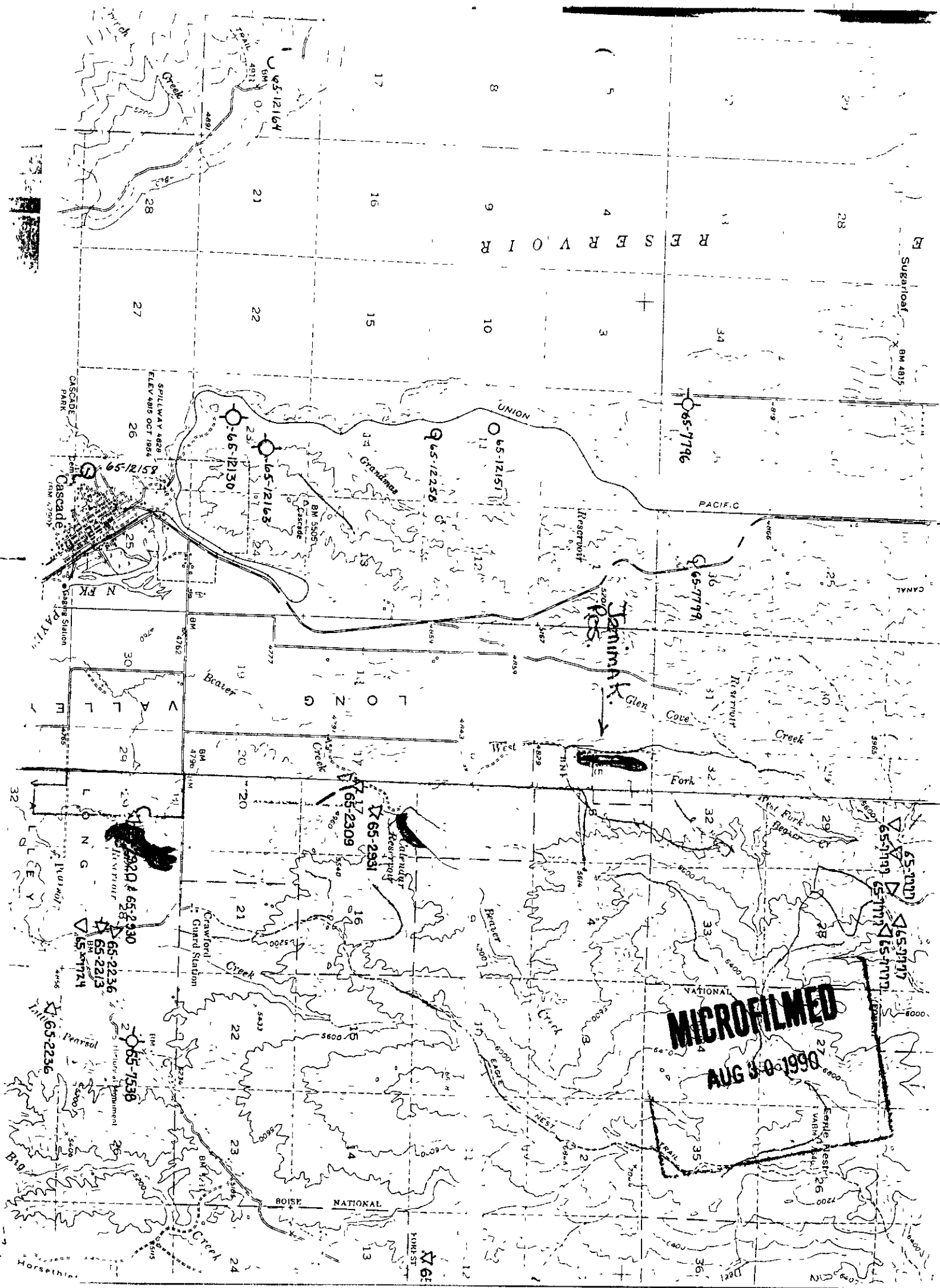
TRIBUTARY TO: NORTH FORK, PAYETTE RIVER

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACRAGE	BASIS FOR RIGHT
65-2213	D.L. FEEDER CO., INC. C/O DAVID LITTLE, PRES., EMMETT, IDAHO 83617	9/24/1917	IRRIGATION	4/15 10/15	---	AFA NWSE S28 -20 CFS T14N R 4E	NWSE(11) S33 T14N R 4E *11*	LICENSE
65-2236	D. L. FEEDER COMPANY, INC. C/O DAVID LITTLE, PRES., EMMETT, IDAHO 83617	12/20/1918	IRRIGATION	4/15 10/15	---	AFA 1.06 CFS	NWSE S27 T14N R 4E NWSE S28 T14N R 4E S33 T14N R 4E NFWN(5) NWSE(10) S34 T14N R 4E *52*	LICENSE
65-9763	BYERS, HARRY F. BOX 151, HONOLULU, HAWAII	4/ 1/1925	IRRIGATION	4/15 10/15	---	AFA -50 CFS	LOT 5 S 5 4 T13N R 4E LOT 3 S 5 5 T13N R 4E LOT 4 S 5 5 T13N R 4E *25*	BENEFICIAL USE
65-1502	DAVIS, J. LASCADY, IDAHO 83611	4/ 1/1931	IRRIGATION	4/15 10/15	---	AFA 11.92 CFS	NWNE S28 T14N R 4E NWSE S28 T14N R 4E NFWN(36) NWSE(39) SENE(34) NWSE(40) SESW(36) NWSE(5) NWSL(37) SWSL(37) S29 T14N R 4E NFWN(36) NWSE(27) SWSL(18) NWSE(37) NFWN(40) NWSE(40) SWSL(36) SESE(39) S30 T14N R 4E *555* SAME AS OTHER USE	BENEFICIAL USE
			IRRIGATION FROM STGR	10/ 1 6/10	1200.00 AFA --- CFS *---*AFA *11.92*CFS			

MICROFILMED
AUG 30 1990

No Overlap source
diff d

THROUGH JUNE 10. SOURCES FOR THIS RIGHT ARE PLARSON CREEK TRIBUTARY TO NORTH FORK, PAYETTE RIVER & UNNAMED STREAM TRIBUTARY TO HEAVY CREEK.



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

DAM AND RESERVOIR

CERTIFICATE OF APPROVAL

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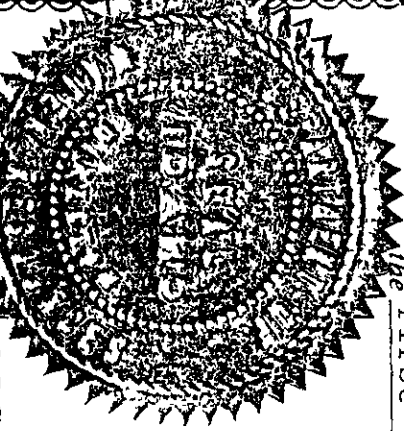
AUG 30 1990

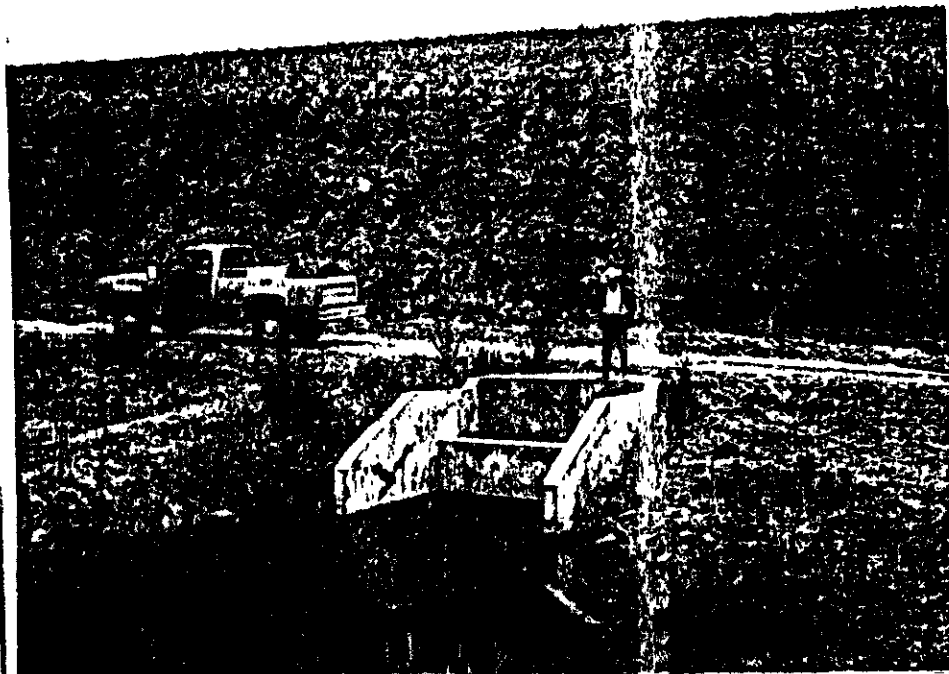
This is to certify that JEMIMA K Dam and Reservoir, located
in Section 5, Township 14N, Range 4E, B.M. Valley County,
State of Idaho has been inspected by the Department of Water Resources of the State of Idaho, as provided
in Title 42, Chapter 17, Idaho Code, and approval is hereby given to impound 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 22nd
day of October 1981.

Norman C. Young
Norman C. Young, Administrator





D65-7312

JEMIMA K DAM

8/18/81 AM

1) OUTLET STRUCT

2) DOWNSTREAM
SLOPE AND OUT
DITCH

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

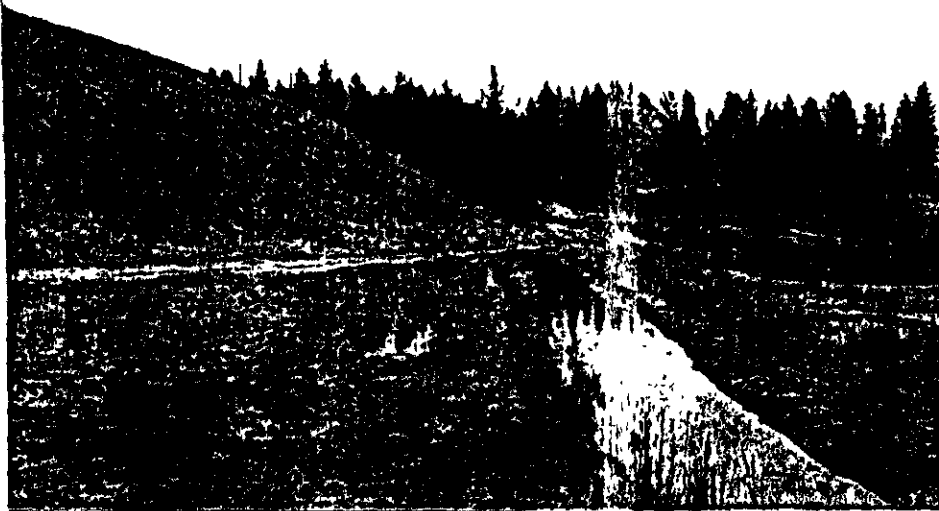
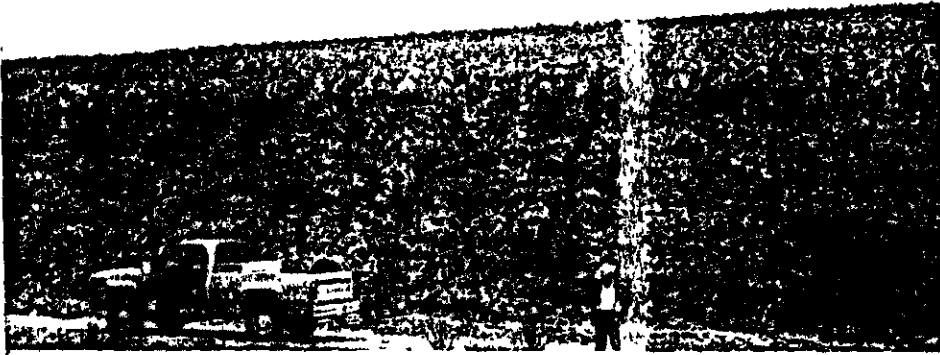
4) UPSTREAM SLO

5) SPILLWAY ENTR

6) GATE CONTROLS
+ STAFF GAGE.

MICROFILMED

AUG 30 1990

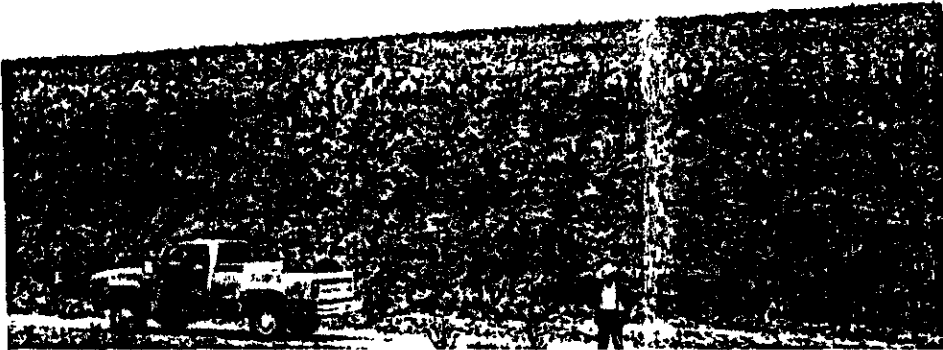


D65-7312
JEMIMA K DAM
8/18/81 AM

- 1) OUTLET STRUCT
- 2) DOWNSTREAM
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- 6) GATE CONTROL
+ STAFF GAGE

MICROFILMED

AUG 30 1990



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

1) OUTLET STRUCTURE

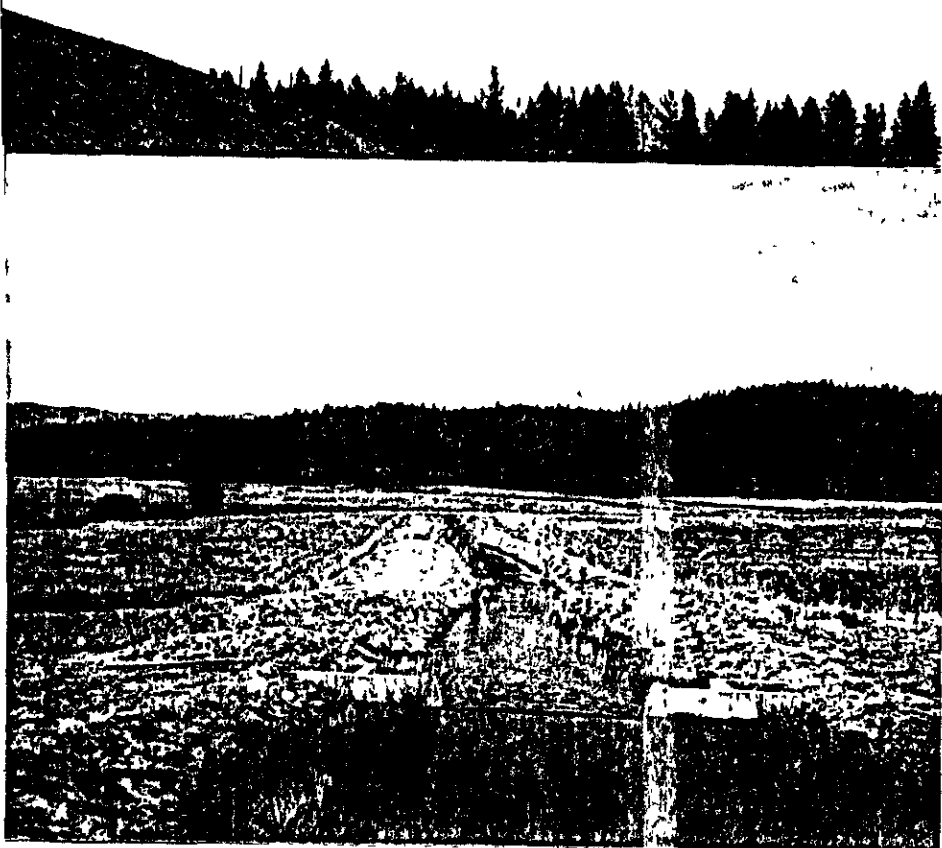
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4) UPSTREAM SLOPE

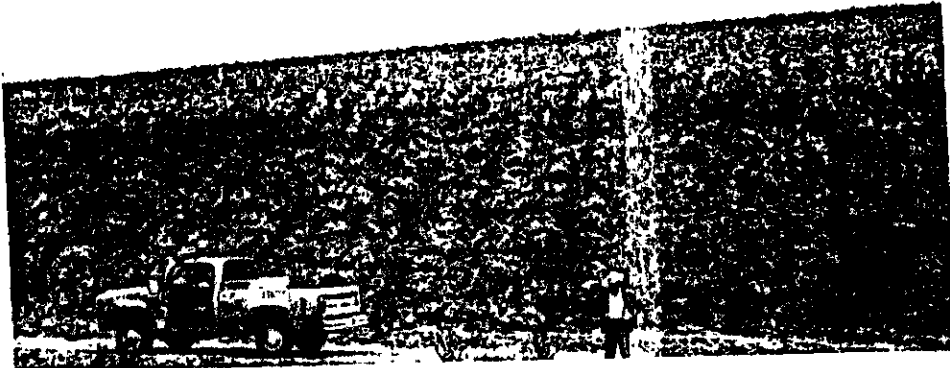
5) SPILLWAY ENTRANCE

6) GATE CONTROLS
& STAFF GAGE.



MICROFILMED

AUG 30 1990



D65-7312
JEMIMA K DAM
8/15/81 AM

1) OUTLET STRUCT

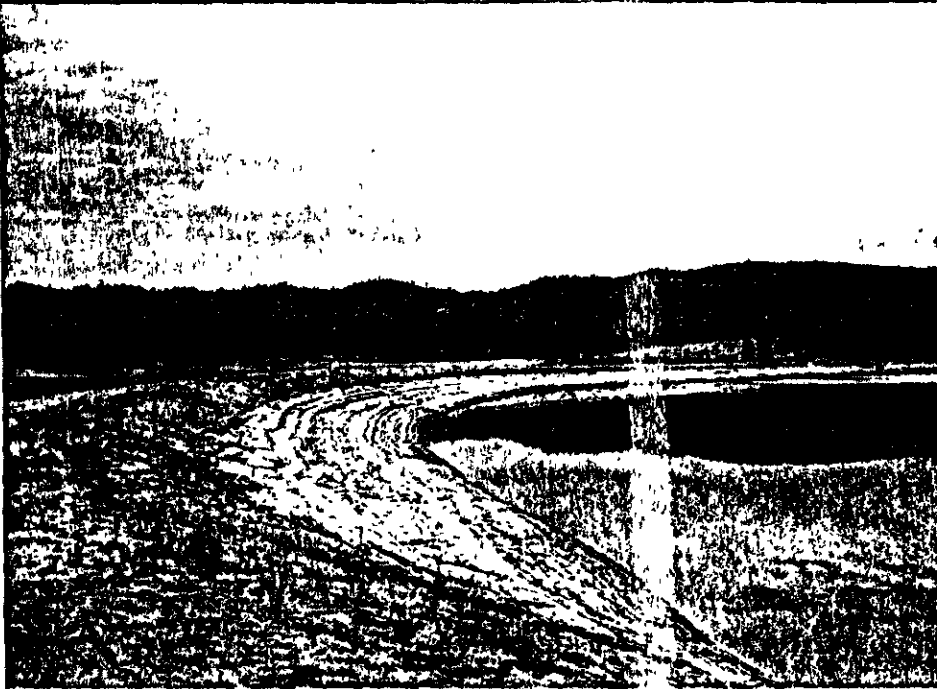
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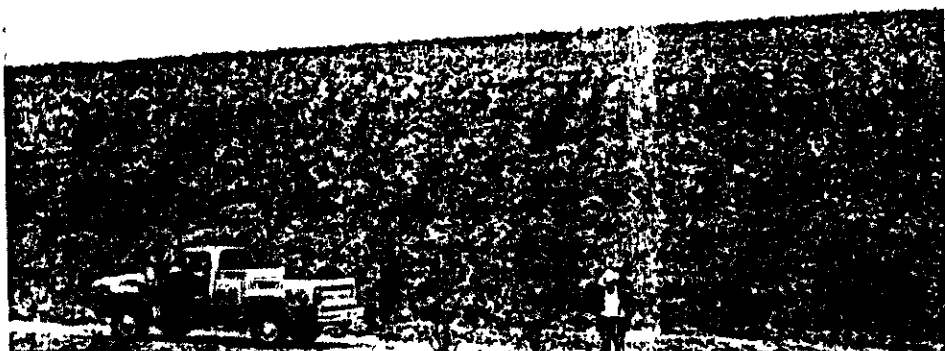
5) SPILLWAY ENTR

6) GATE CONTROLS
& STAFF GAGE.



MICROFILMED

AUG 30 1990



D65-7312

JEMIMA K DAM

8/18/81 AM

1) OUTLET STRUCTURE

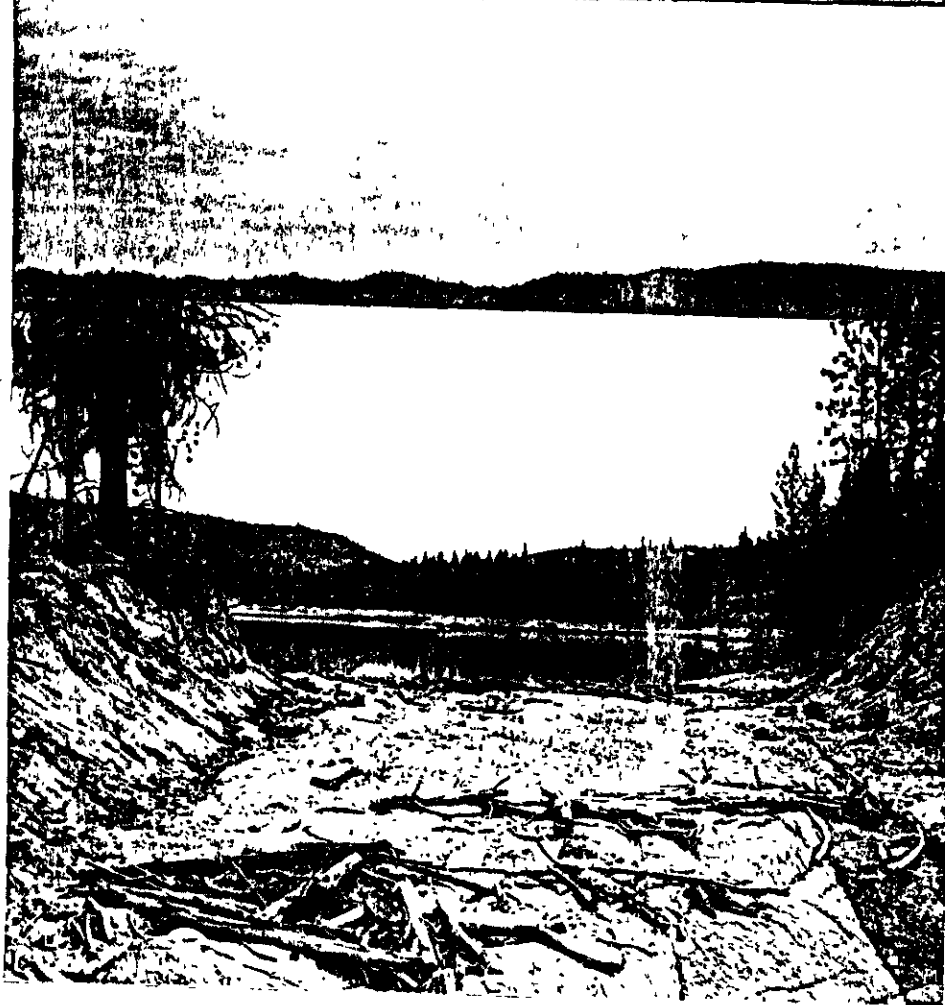
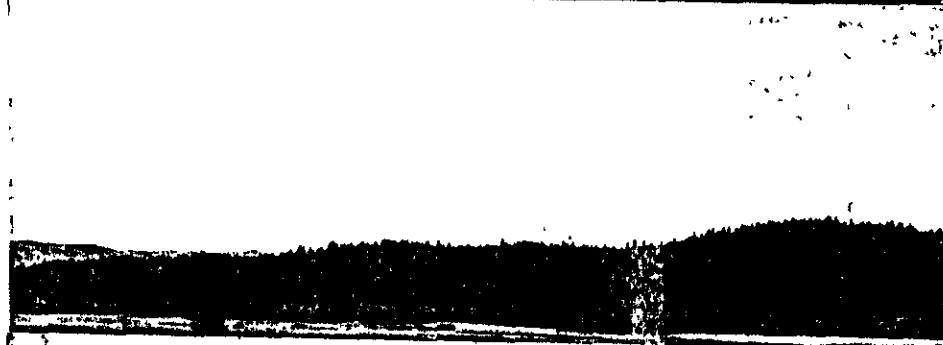
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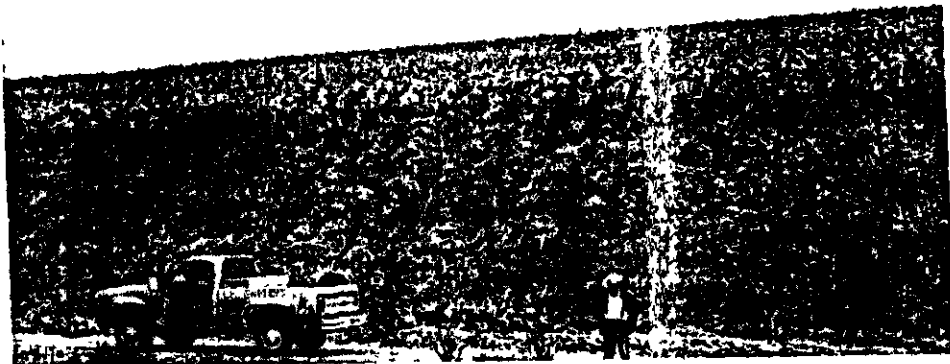
5) SPILLWAY ENTR

6) GATE CONTROLS
& STAFF GAGE.



MICROFILMED

AUG 30 1990



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

1) OUTLET STRUCTURE

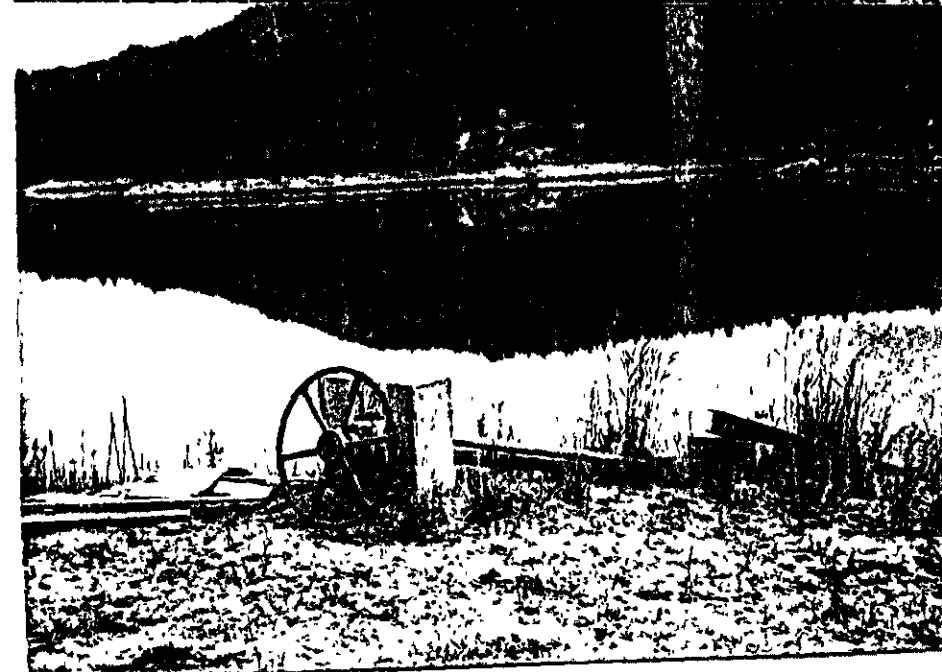
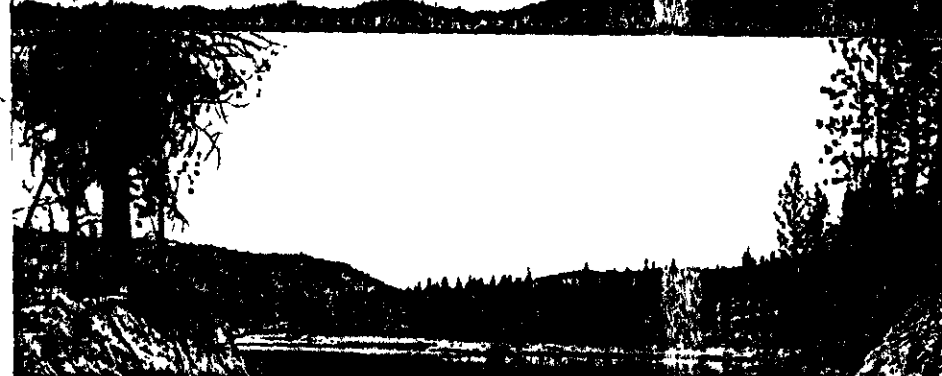
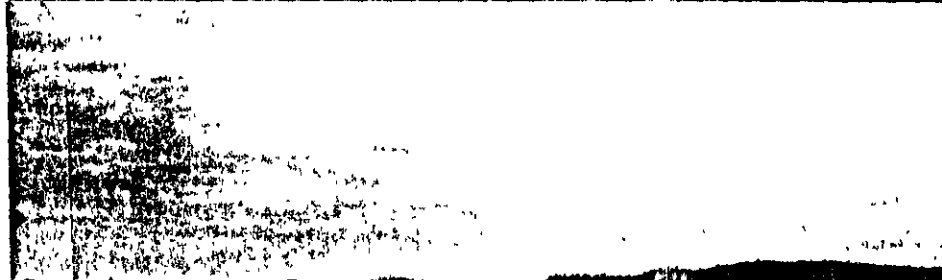
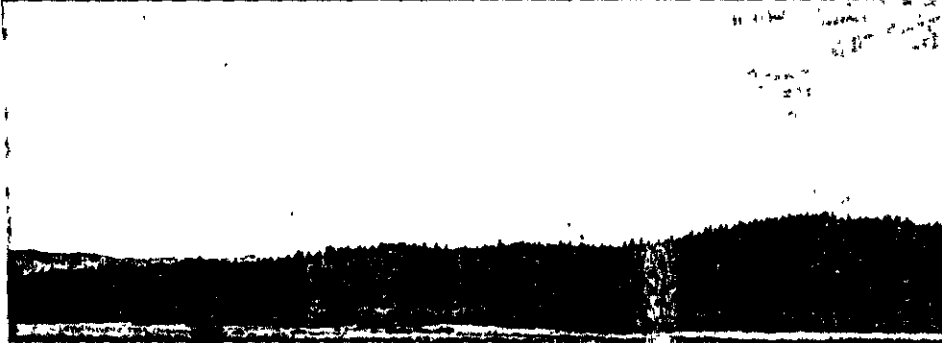
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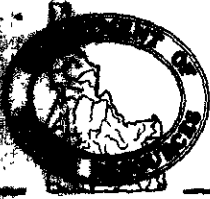
5) SPILLWAY ENTRANCE

6) GATE CONTROLS
& STAFF GAUGE.



MICROFILMED

AUG 30 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83709

ARMEN V. EVANS
Governor

(Office at the corner of
Franklin and Cole Roads)

A. Kenneth Dunn
Director

(208) 334-2190

RE:

Dear _____,

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

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

☐ A field examination of your system has been scheduled for

_____.

If this time and date is not convenient for you, please contact this office as soon as possible.

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

If you have any questions regarding the field examination, please contact this office.

Sincerely,

Judy Pense

Judy Pense
Secretary

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

DAVIS, TOM J.
CASCADE, ID 83611

#138587

AUGUST 31, 1981

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 65-7312 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE NOVEMBER 01, 1981. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY 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. A REQUEST FOR EXTENSION OF TIME FORM IS ENCLOSED FOR YOUR CONVENIENCE. PLEASE NOTE THAT A FEE OF \$15.00 MUST BE SUBMITTED WITH THIS FORM.

EITHER THE BENEFICIAL USE POST CARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE MENTIONED DATE, OTHERWISE, THE PERMIT WILL LAPSE AND BE OF NO FURTHER FORCE OR EFFECT WITHIN 60 DAYS.

SINCERELY,

RITA FLECK
SR. SECRETARY

ENCLOSURES

MICROFILMED

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 65-7312

Name(s) of Permit Holder: Tom J. Davis
Post Office Address: Cascade Idaho 83611
Tel. No. 833-382-4162

Source of Water: Flat Creek + Beaver Creek
Extent of Use: ☐ Domestic (number of households)
☐ Stockwater (number and type of stock)
☐ Irrigation 3015 (acres)
☐ Other

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

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

Date

Signature of Permit Holder

Lorn J. Davis
Cascadia
83611

PLACE
TEN CENT
STAMP
HERE

RECEIVED



SEP 10 1981

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE

Department of Water Resources, BOISE, IDAHO 83720

MICROFILMED

December 5, 1977

Re: Permit No. 65-7312

Tom J. Davis
Cascade, ID 83611

Dear Mr. Davis:

We are in receipt of your letter concerning the above referenced permit in which you request an extension of time within which to submit proof of beneficial use.

However, we need more information concerning the amount of work completed and the reason for the delay in the work. The enclosed Application for Extension of Time form, when completed, will give us this necessary information. Please return the application as soon as possible.

If you have any questions please contact me.

Sincerely,

Bill MacAllister
Water Resource Agent

BM:aw
Enclosure

RECEIVED

January 9, 1978

Re: Permit No. 65-7312

Tom J. Davis
Cascade,
Idaho 83611

Dear Mr. Davis:

We are enclosing a copy of the approved application for extension of time which extends the time within which to submit proof of beneficial use on Permit No. 65-7312 to November 1, 1981. Please note that this permit has also been reinstated and the priority advanced to October 16, 1972.

Sincerely,

JAN GROVER
Supervisor,
Water Rights

JG:JFR

Encl.

ALVORD RANCH
Princeton, Oregon

Cascade, Idaho

November 19, 1977

RECEIVED

NOV 22 1977

Department of Water Resources

State of Idaho
Dept of Water Resources

Dear Sirs:

I wish to ask for an extension
of time on permit No ~~344~~ 65-7312
We are now in the process of finishing
the Geneva K Dam. It will take five
years to complete the canals and ditches
to bring water to all of the 3000+ acres
to be irrigated under this filing.

Best regards

Tom Davis

MICROFILMED

TELEPHONE CONVERSATION MEMORANDUM

DATE 11-18-77

FILE 65-7312

Name of Party Tom J. Davis

Employee Bob Fleenor

Re: Extension request

Mr. Davis called 11-18-77 and said he would send in a letter requesting an extension
of time.



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Kerth Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

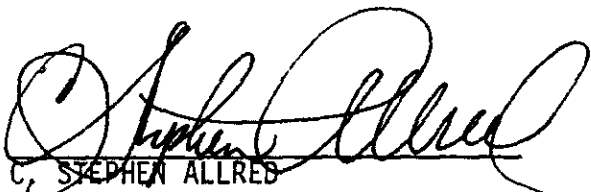
November 10, 1977

Tom J. Davis
Cascade, Idaho
83611

Dear Mr. Davis:

You are hereby notified that under the provisions of Section 42-218a of the Idaho Code, Permit No. 65-7312 has lapsed since you have not notified us that you have completed the project by the date required on your permit. You were provided forms for that purpose in our notice to you dated August 31, 1977 .

Your permit cannot be reinstated unless you submit the proof of beneficial use affidavit, enclosed, or show other reasonable cause why the permit should be reinstated within 60 days from the date of this lapse notice.



C. STEPHEN ALLRED
Director

CSA:jfr

Encl.

11/10/77

August 31, 1977

CERTIFIED MAIL

138892

Re: Permit No. 65-7312

Tom J. Davis
Cascade, Idaho 83611

Dear Mr. Davis:

One of the conditions of approval of your water Permit No. 65-7312 (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 November 1, 1977. 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.



C. STEPHEN ALLRED
Director

CSA:jfr

Enc: Proof affidavit

RECEIVED
SEP 1 1977
IDAHO DEPT OF AGRICULTURE



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

January 17, 1977

Re: Permit No. 65-7649 & 65-7312

Tom J. Davis
Cascade, Idaho
83611

Dear Mr. Davis:

Enclosed is a copy of the approved applications for amendments issued on the above referenced permits.

Sincerely,

JANICE RENK
Water Rights

Encl.

PUBLISHER'S AFFIDAVIT

STATE OF IDAHO)

) ss.

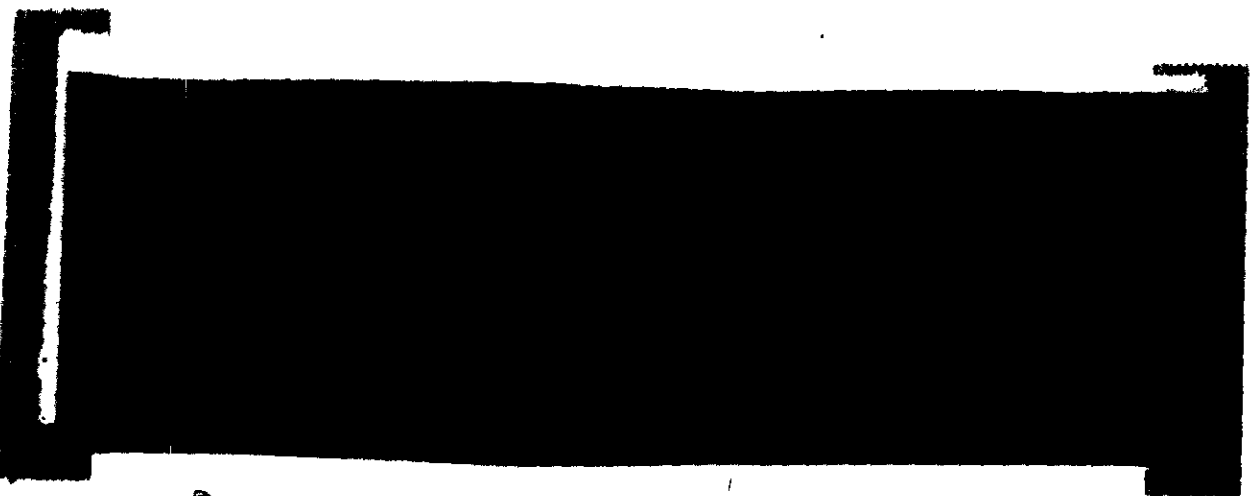
County of Valley)

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 27 day of December, 1976.

My commission expires January 1, 1977, Notary Public.



OK
1-11-77
J

INDEXED



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. ~~65-7312~~ - 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
y

NOTICE OF PROPOSED AMENDING OF WATER PERMIT

Notice is hereby given that Permit No. 65-7312 in the name of TOM J. DAVIS, Cascade, ID was issued for the diversion of 2000 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 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.

The permit holder now proposes to amend Permitt No. 65-7312 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 B.M. 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 $\frac{1}{4}$ Sec 20 T15N-R4E B.M.

Any protest 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 & 30, 1976.



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

WESTERN DISTRICT — ANNEX 3

RECEIVED

DEC 18 1974

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2190

December 17, 1974

Mr. Tom T. Davis
Cascade, ID 83611

Re: 65-2940, 65-2931 & 65-7312

Dear Mr. Davis:

Enclosed are certificates for storage of water behind Smalley and Calendar Dams. The Department has issued these certificates in accordance with FLEC 42, Chapter 17 of the Idaho Code. The certificates are issued for a one-year period, at which time the dams will be re-examined and other certificates issued, if they are in satisfactory condition.

A recent inspection revealed that the dams were in generally satisfactory condition; however, some maintenance work must be done at the dams prior to expiration of the certificates.

Smalley -- Some clearing has been done at the dam but more is needed. All trees, willows and other brush must be removed along with debris and driftwood from all parts of the dam and spillway channel. Cattle have caused some damage to the downstream slope and seepage areas along the toe and left abutment, and they should be kept away.

Calendar -- All trees and brush must be removed completely from all parts of the dam and all debris and driftwood must be removed from the upstream face of the dam and from the spillway channel.

Jemima K -- Our inspection of November 8 indicated that work had been done to the spillway channel, but no certificate will be issued until the as-built plans and revised spillway plans have been received and approved by this Department, and until then the Department must be assured that the spillway is capable of handling the design spillway flow with adequate freeboard at the dam. More permanent and stronger bracings will be needed for the outlet control stem and vent pipe, but this will not be required prior to storing water for the coming year. Also, it was noted that wave action had caused some erosion on the upstream face of the dam. If this condition becomes any worse, wrap or some other type of erosion control will be required.

Please contact me if you have any questions.

Sincerely,

Kenneth H. Foit

KENNETH H. FOIT, P.E.
Western District Engineer
Hf:cla

enclosures

cc IDWR - state office

November 9, 1972

Re: 65-7312

Tom J. Davis
Cascade,
Idaho

Dear Mr. Davis:

Enclosed is a copy of your approved Application for Permit No. 65-7312. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF: cd

Enclosures

65-7312

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse — Annex 2
Boise, Idaho 83707
(208) 384-2215
Western District Office



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

September 27, 1972

RE: APPLICATION FOR PERMIT NO. 65-7312 Tom J. Davis
65-7311 Walter Geiser
65-7310 Leo R. Ploger

The Star News
Box 985
McCall, Idaho 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 on 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,

65 7312

Western District Office

September 27, 1972

RE: APPLICATION FOR PERMIT NO. 65-7312 Tom J. David

C
Mr. Ted Biladeau
Idaho Fish and Game Department
Engineering Division
STATEHOUSE MAIL

Dear Mr. Biladeau:

C
We are enclosing a copy of the above referenced application for permit, which may be of interest to your agency.

Please review the application and if you have any comments, please submit them to our Department as soon as possible.

P
We normally complete the processing of an application within a six (6) week period and we are required to take final action shortly thereafter.

If we may be of any assistance to you in the meantime, please do not hesitate to contact this Department.

Y
Sincerely,

KENNETH H. FOIT, P.E.
Western District Engineer

KHF:mkp

Enclosure

65 7312

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that TOM J. DAVIS, Cascade, Idaho

has on Sept. 25, 1972 submitted Application No. 65-7312

for a permit to appropriate ~~subsurface water~~ 2000 acre feet

per annum of water from West Fork Beaver Creek, trib. to Payette River

by means of on stream storage

within the NW 1/4, Sec. 5, T. 14 N., R. 4 E., B.M., Valley County

to be used from July 1 to Nov. 1

for the irrigation of 3,015 acres within the NE 1/4, SE 1/4, E 1/4, SE 1/4, Sec. 7,

360 acres); NE 1/4, E 1/4, E 1/4, SE 1/4, Sec. 18, (480 acres); NE 1/4, NE 1/4, SE 1/4, SE 1/4, Sec. 19,

500 acres); SW 1/4, SW 1/4, Sec. 20, (40 acres); NW 1/4, SW 1/4, W 1/4, SE 1/4, Sec. 30, (400 acres); SW 1/4,

Sec. 29, (160 acres); NE 1/4, NE 1/4, NE 1/4, SE 1/4, Sec. 32, (280 acres); NE 1/4, E 1/4, E 1/4, W 1/4, SE 1/4, Sec. 31, (160

acres); W 1/4, SW 1/4, Sec. 8, (210 acres); W 1/4, W 1/4, Sec. 17, (160 acres); all in T. 14N, R. 4E., B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707, on or before Oct. 23, 1972.

R. KEITH HIGGINSON

Director

Published in the The Star News, McCall, Idaho

on Oct. 5, 1972 and Oct. 12, 1972

65 7312