

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 28518/51-2157 Priority March 19, 1960 Amount 14.5 cfs
(late proof)

THIS IS TO CERTIFY, that the State of Idaho, Department of Parks
of Boise, Idaho, has complied with the terms and conditions of Permit
No. 28518/51-2157 issued pursuant to Application for Permit dated March 7, 1960,
and has submitted proof to the Department of Water Administration on March 30, 1965,
that he has applied water to a beneficial use, an examination by the Department indicates that the
works have a capacity of 14.5 cfs, and that the water has in fact been applied to a
beneficial use, a right to the use of water from unnamed springs
tributary of _____, is hereby confirmed in the following amounts:

Amount 14.5 cfs for Wildlife prop. from Jan. 1 to Dec. 31 (both dates inclusive)

Amount 14.5 cfs for Recreation from Jan. 1 to Dec. 31 (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Subject, however, to the condition that no more than 14.5 cfs of water be diverted at
any one time, said waters to be diverted within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ (2 points), NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$,
SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13; NE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14; NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 23; NW $\frac{1}{4}$ NW $\frac{1}{4}$,
Sec. 24; Twp. 6 South, Rge. 6 East, B.M.
in the county of Owyhee and that the amount of water so diverted and to which such

right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 6500 acre feet per year ~~or~~

~~_____ acre feet per year.~~

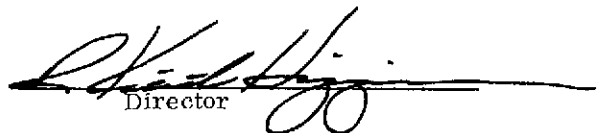
Description and location of place of use: (Bruneau Dunes State Park)

TWP	RANGE	SEC	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
6 S	6 E	13			X					X	X		X	X		X	X		
		14							X	X	X	X	X	X	X	X	X	X	
		23	X	X			X	X	X	X	X	X	X	X		X			
		24					X	X											

Total number of acres irrigated _____

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 2 day of
October, 19 73.


Director

51 2157

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

51-2157

APPLICATION No. 36497
PERMIT No. 28518
DISTRICT No.

Assigned to Dept of Parks
Statehouse

1. Name of Applicant: State of Idaho, Department of Fish and Game

Postoffice address: 518 Front St., Boise

County: Ada

State: Idaho

I. If applicant is a corporation, give:

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

II. The financial resources of the applicant are:

- (a) Cash on hand:
(b) Treasury stock:

- (c) Bond to be issued:
(d) Other resources:

2. Quantity of water claimed: 14.5

cubic feet per second.

3. Source of water supply: Subterranean springs that emerge and flow entirely upon the lands designated on page 2 hereof.

4. Location of point of diversion:

feet distant from the

corner of Section , T. , R. , B.M., and is in the Lands described under No. 14.
of section , T. , R. , B. M., County of Owyhee

5. Water is to be used for Flood irrigation of the lands and storage for propagation of game fish and waterfowl and for public recreational purposes.

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

(a) Point of use of water: feet distant from corner of Section

T. , R. , B.M., in the of Section of , T. , R. , B.M.

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

(c) Water is to be returned to at a point feet

distant from the corner of Section , T. , R. , B.M., in the
of Section , T. , R. , B.M.

7. Estimated cost of works: \$

8. Kind of works: Natural springs and lakes

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

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

11. Ditch: Width at bottom fee; width at water line feet; depth of water feet;
dimensions of flume:

Diameter of pipe inches; length of conduit miles.

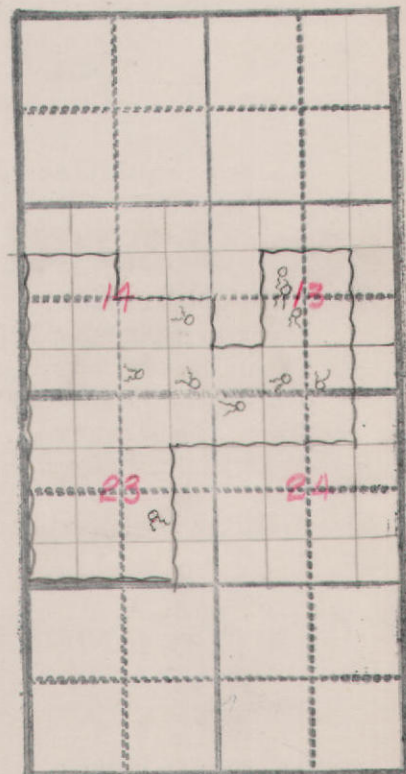
Average grade per mile feet.

12. The time required for the completion of such work is 5 years.

13. The time required for the complete application of the water to the proposed use is 0 additional years.

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

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None



16. (a) Is reservoir to be used? Yes, natural basins If so, fill in (b) and (c) below:
(b) Name of Reservoir and number of Storage Permit: Bruneau Sand Dune Lakes
(c) Date of filing of Application for Storage Permit and Name of Applicant:

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

STATE OF IDAHO, Department of Fish and Game
Applicant.

By s/ Ross Leonard, Director Agent.

Date of first receipt at Department of Reclamation 10:00 A.M. March 7, 1960

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 28518
Recorded in Book 100 Page 28518 Approved March 18, 1960
This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:
Bond in the sum of \$ to be filed on or before
Work to begin on or before May 18, 1960 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.
One-fifth of the work above specified to be completed on or before September 18, 1962
The whole of said work to be completed on or before March 18, 1965
Beneficial use of water appropriated in accordance herewith, to be made on or before March 18, 1965

WITNESS My hand this 18th day of March, 1960 s/ GEO. N. CARTER
State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, ROBERT E. SMYLIE, Governor of the State of Idaho, and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 18th day of March, 1960.
COUNTERSIGNED: STATE OF IDAHO

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

REMARKS: The lands to be irrigated are United States Lands. The applicant has made application to purchase the land under the provisions of the Recreation Act of June 11, 1926 (44 Stat. 741), as amended June 4, 1954 (68 Stat. 173; 43 U.S.C. 869f); as amended Sept. 21, 1959 (73 Stat. 571). The springs emerge, flow and remain entirely upon the lands described in No. 114 of this application and form lakes within various basins located on the lands. The waters are used within the basins to create and maintain lakes which are used to promote growth of aquatic plants used in the propagation of game fish and waterfowl. Storage of waters within the

Twp.	Range	Sec.	NE1/4				NW1/4				SW1/4				SE1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
lakes in the amount of 6500 acre feet is herein applied for. It will take a period of approximately five years to accumulate water storage in the amount of 6500 acre feet.																			
6 S	6 E	13				5				6	25		20	30		6	.10		102
"	"	14							10	10	30	38	30	30	30	30	30	30	268
"	"	23	30	30			30	30	30	20	40	30	20	20		20			300
"	"	24					20	35											55
Total number of acres to be irrigated																			725

LICENSE REQUIRED FOR 1/4 SEC. FT.

LICENSE REQUIRED FOR 1/4 SEC. FT. LICENSE P

Application for Amendment
LAND LIST
Permit No. 28518

Comes now JOHN R. WOODWORTH, acting for and on behalf of the STATE OF IDAHO, FISH AND GAME DEPARTMENT, and represents to the State Reclamation Engineer of the State of Idaho:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. 28518, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

T. 6 S., R. 6 E., B. M., Owyhee County, Idaho
Sec. 13, SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$; Sec. 14, S $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$; Sec. 23, N $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$; Sec. 24, N $\frac{1}{2}$ NW $\frac{1}{4}$,
making a total of 1360 acres.

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Boise, Idaho, this 34d day of February, 1965.

s/ STATE OF IDAHO FISH AND GAME DEPARTMENT

By: John R. Woodworth, Director

Date of Receipt at Office of Department of Reclamation: February 4, 1965

APPROVAL OF STATE RECLAMATION ENGINEER

I, RALPH W. THOMAS, Deputy, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to Appropriate the Public Waters of the State of Idaho, No. 28518. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

s/ RALPH W. THOMAS,
Deputy State Reclamation Engineer

Recorded: February 8, 1965

ASSIGNMENT ✓

For value received, the State of Idaho, Fish and Game Department, hereby assigns all of it's rights, title and interest in and to the following designated Permits to Appropriate the Public Waters of the State of Idaho, Permits No. 28518 and R-1062 to the State of Idaho Department of Parks, Statehouse, Boise, Idaho.

/s/ PERMIT HOLDER
STATE OF IDAHO, FISH AND GAME DEPARTMENT

JOHN R. WOODWORTH, Director.

State of Idaho)
 : ss
County of Ada)

On this 5th day of May, 1967, before me, a Notary Public for the State of Idaho, personally appeared John R. Woodworth, known to me to be the persons (Director of the Idaho Fish and Game Department), that executed the within instrument and acknowledged to me that such Fish and Game Department executed the same.

In witness whereof, I have hereunto set my hand and affixed my Notarial Seal the day and year in this certificate first above written.

/s/ T. O. BILADEAU
Notary Public for Idaho, residing at Boise, Idaho.

(S E A L)

My commission expires: November 21, 1968

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION



Cecil D. Andrus
Governor
R. Keith Higginson
Director

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215

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

October 16, 1973

Re: Permit No. 96-7035, 51-7009,
28518/51-2157

Department of Parks
Statehouse
Boise, Idaho 83707

Gentlemen:

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

We are also enclosing copies of the approved amendments for permits 96-7035 and 51-7009 along with Receipt No. 12421 in the amount of \$10.00 and Receipt No. 12422 in the amount of \$6.50.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

jfr

Enclosures

51 2157



STEVEN W. BLY, Director
R. P. Peterson, Deputy Director

Idaho State

PARKS & RECREATION DEPARTMENT

STATEHOUSE MAIL - 2263 WARM SPRINGS AVE., BOISE, IDAHO 83720
PHONE: (208) 384-2154

CECIL D. ANDRUS
Governor of Idaho

**IDAHO STATE PARKS &
RECREATION BOARD**

GEORGE MILLER, Chairman
Box 247, Bonners Ferry, ID 83805
WILLIAM FROME, Vice Chairman
505 E. Main St., St. Anthony, ID 83445
KENT GIST, Member
Box 349, Fruitland, ID 83619
MERLE ALLISON, Member
Box 336, Filer, ID 83328
WILLIAM STELLMON, Member
1122 10th Avenue, Lewiston, ID 83501
EARL GUNNELL, Member
Box 115, Soda Springs, ID 83276

RECEIVED
SEP 25 1973

Department of Water Administration

September 24, 1973

Mr. Bobby D. Fleenor, Assistant Director
Department of Water Administration
614 State Street
Statehouse - Annex 2
Boise, ID 83720

Dear Mr. Fleenor:

As requested in letter dated August 29, 1973, please find enclosed a check in the amount of \$6.50 for issuing a water license for Permit No. 28518/51-2157.

Also enclosed please find the original license for Permit No. 51-2249 which requires revision as you discussed with Mr. Merle Derdall recently.

Thank you for your cooperation and we will look forward to your reply.

Sincerely,

Steven W. Bly
Steven W. Bly
Director

Trv

enc

51 2157

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION



Cecil D. Andrus
Governor

R. Keith Higginson
Director

614 State Street
Statehouse - Annex 2
Boise, Idaho 83720
(208) 384-2190

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

August 29, 1973

Department of Parks
State of Idaho
Boise, Idaho

Gentlemen:

A representative of this Department has made an examination of the works covered by your Permit No. 28518/51-2157 and has found the following:

Quantity of water diverted: 14.5 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 14.5 cfs

The maximum quantity of water diverted shall not exceed 6500 acre feet per year.

Beneficial use: Wildlife propagation and recreational purposes within the SW1/4NE1/4, SE1/4NW1/4, NE1/4SW1/4, S1/2SW1/4, W1/2SE1/4, Sec. 13; S1/2NW1/4, SW1/4, SE1/4, Sec. 14; N1/2NE1/4, NW1/4, SW1/4, NW1/4SE1/4, Sec. 23; N1/2NW1/4, Sec. 24, Twp. 6 S, Rge. 6 E, B.M.

Point of diversion: SE1/4NW1/4 (2 points) NE1/4SW1/4, SE1/4SW1/4, SW1/4SE1/4 Sec. 13; NE1/4SE1/4, SW1/4SE1/4, SE1/4SE1/4, Sec. 14; NW1/4SE1/4, Sec. 23; NW1/4NW1/4, Sec. 24; Twp. 6 S, Rge. 6 E, B.M.

The priority date established: March 19, 1960 (late proof)

A fee totaling \$6.50 must be received within 30 days from the date of this letter in order that we can issue a Water License as set forth in this letter.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF/bjg

51 2157

51-2249

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

1. Name of permit holder Dept. of Parks
Post office address Statehouse Phone _____
Person to contact _____ Phone _____
Subterranean springs that emerge and flow
2. Source of water supply: Groundwater ☒ Surface water ☐ entirely upon the land designated.
(name spring, stream, etc.)
Tributary to _____

3. Water will be used for the following purposes.
Flood irrigation of the lands and storage for propagation of
Amount 14.5 c.f.s. for game fish and waterfowl and for public recreational purposes.
_____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
_____ AF/Annum (nature of use)

Period of Use from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
_____ AF/Annum (nature of use)

Period of Use. from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

Permit No. 28518/51-2157
Examination for B U

4. Total amount to be appropriated.

Max Rate of Diversion 14.5 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____
County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____
County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____
County

Other Points of Diversions SE $\frac{1}{4}$ NW $\frac{1}{4}$ (two points), NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13; NE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14; NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 23; NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 24; twp. 6 S, R. 6 E B.M. (in Owyhee County)

Description of diverting works: The waters emerge, flow and are held as natural lakes. The spring flow is estimated at 4.5 c.f.s. and water courses will so convey.

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use.

TWP	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
6 S.	6 E.	13			XX				XX	XX	XX	XX	XX	XX		XX	XX		
		14			XX	XX			XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	
		23	XX	XX			XX	XX	XX	XX	XX	XX	XX	XX		XX			
		24					XX	XX											

R.

6 E.

51 2157

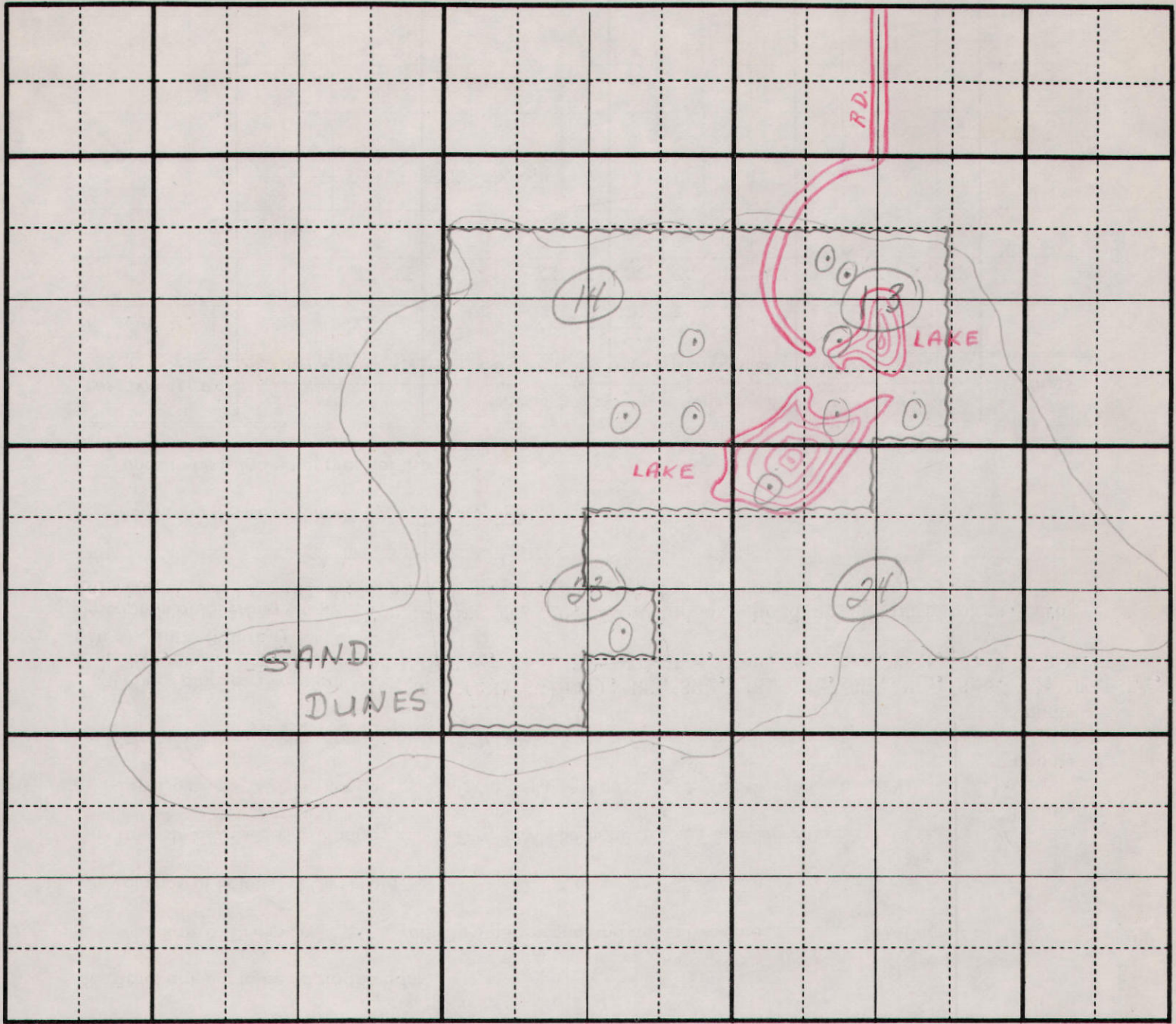
T.
6
5

Diagram of System

DATE

EXAMINATION RECORDS

_____	_____
_____	_____
_____	by: _____
_____	_____
_____	by: _____
_____	_____
_____	by: _____
_____	_____
_____	by: _____

DATE OF EXAM 4 August 72

ACREAGE
Found _____
Recommended _____

Irrigation Requirement _____ Ac Ft/Ac

USE
Irrigation Q=_____ c.f.s. V=_____ AF/Ann. from _____ to _____
Domestic Q=_____ c.f.s. V=_____ AF/Ann. from _____ to _____
Livestock Q=_____ c.f.s. V=_____ AF/Ann. from _____ to _____

USE? Recreation, esthetics, wildlife propagation
Allow 14.5 cfs as requested V = 13,595 Ac Ft/Sec

Is water co-mingled? yes _____ no ✓

Name source: Underground Springs
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 14.5 cfs Method of measurement Estimated

Total Q recommended 14.5 Meter No. _____ Type _____ Condition _____

Total V recommended 13,595 Ac Ft/Sec

Recommended Amendments:

? P.D. _____
Place of Use _____
Other _____
None _____

MEASUREMENT CALCULATION:
Q = 14.5 cfs
V = (14.5 x 2) (365) = 13,595 Ac Ft/Sec

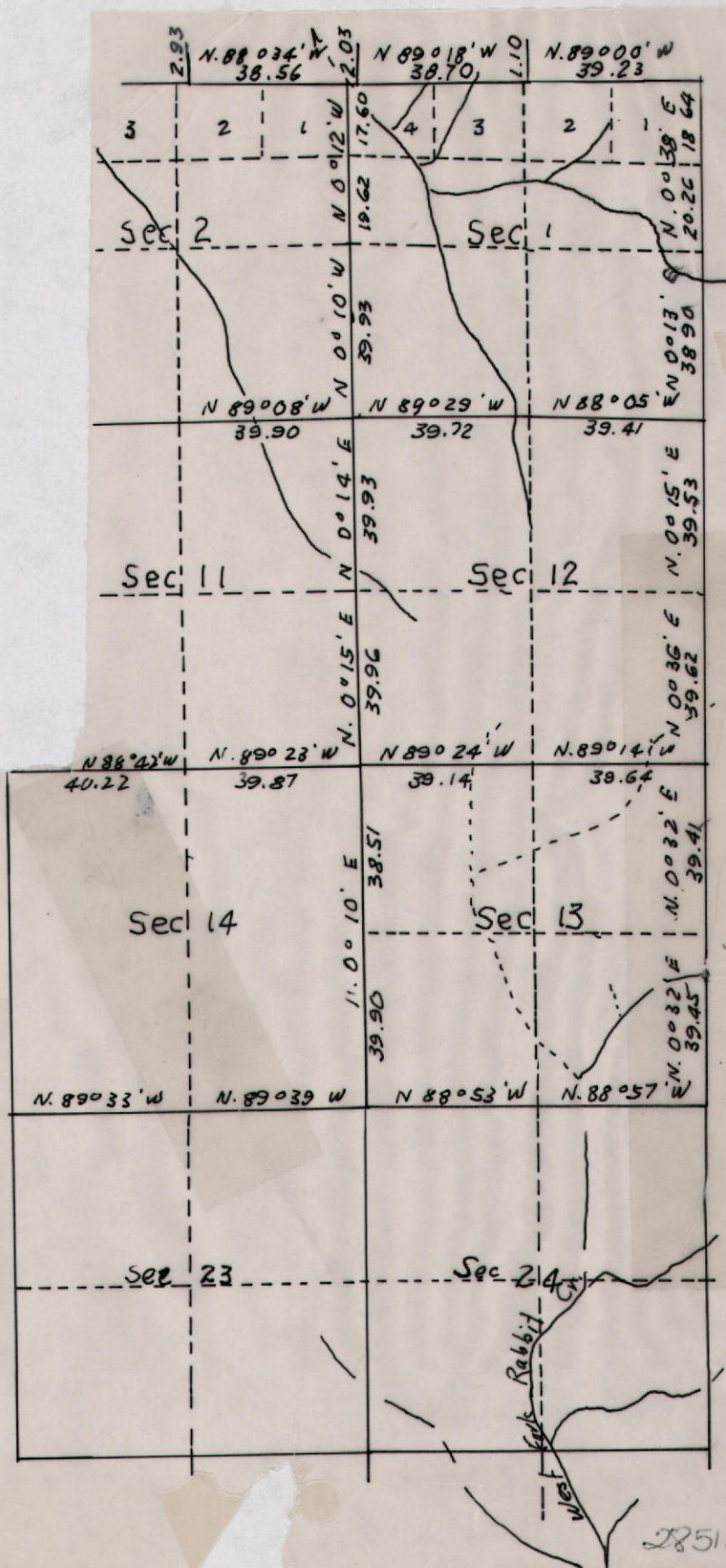
SYSTEM DESCRIPTION:
The Spring system has no diversion but is free flowing forming some large lakes which are growing in size each year.
No irrigation takes place from these springs
Some natural swampy areas are formed

REMARKS:
PD are as listed on permit. I cannot determine exact PD as the Springs are all under water covering a large portion of the available park lands. The Major Spring is located in the NW 1/4 Sec 13 T6S R6E. See enclosed Map for information

Examiner's Signature James Parker Date 31 Aug 72
Checked by _____ Date _____
Approved by _____ Date _____

R 6 E

Copy of latest Twp
Platt from
Cadastral Engineers
Office.



129

225

R 6 E Owyhee County

TS S.H. [51]

Dwy hae hwy

To Hammett —

Stack 4000

FARM AREA

Gate

Brush

Dittles

T
6
5

14

R.M.

Springs

Parking
AREA

Spring 3

- Spring #2

Spoil bank

23

24

RIM

28510

June 14, 1967

RE: Permit R-1062 and 28518

State of Idaho
Department of Parks
B U I L D I N G

Gentlemen:

Enclosed are the assignments on the above referenced
permits from the Idaho Fish and Game Department to the
Department of Parks.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:efw

Enclosures

C
O
P
Y

28518

28518

ASSIGNMENT

For Value Received, the STATE OF IDAHO, FISH AND GAME DEPARTMENT, hereby assigns all of its rights, title and interest in and to the following designated Permits to Appropriate the Public Waters of the State of Idaho, Permits No. 28518 and R-1062 to the STATE OF IDAHO, DEPARTMENT OF PARKS, Statehouse, Boise, Idaho.

PERMIT HOLDER
STATE OF IDAHO, FISH AND GAME DEPARTMENT

By John R. Woodworth
~~PERMIT HOLDER~~ By John R. Woodworth, Director

STATE OF IDAHO }
County of Ada } ss.

On this 5th day of May, 1967, before me, a Notary Public for the State of Idaho, personally appeared JOHN R. WOODWORTH, known to me to be the Director of the Idaho Fish and Game Department, that executed the within instrument and acknowledged to me that such Fish and Game Department executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed by Notarial Seal, the day and year in this certificate first above written.

W. D. [Signature]
Notary Public for Idaho
Residing at Boise, Idaho

My Commission Expires: 12-21-1968

RECEIVED
JUN 9 1967

Department of Reclamation

28518

Idaho DEPT. OF PARKS
STATEHOUSE, BOISE, IDAHO



STATE PARK BOARD

WM. FROME, Chairman
505 E. Main St.
St. Anthony, Idaho

ERNEST DAY, Vice-Chairman
420 Crestline Drive
Boise, Idaho

MRS. BETH DURHAM, Member
221 7th Avenue
Lewiston, Idaho

HAROLD T. BROWN, Member
Box 374
Filer, Idaho

EMERY HEDLUND, Member
1746 Main Street
St. Maries, Idaho

J. CECIL SANDBERG, Member
214 University Avenue
Blackfoot, Idaho

WILHELM M. BECKERT, Director
JON E. SODERBLOM, Assistant Director

June 7, 1967

RECEIVED
JUN 9 1967

Department of Reclamation

Department of Reclamation
107 Statehouse
Boise, Idaho

Gentlemen:

Enclosed is the executed assignment from the Fish and Game Department to the Department of Parks for Permits to Appropriate Public Waters of the State of Idaho, No. 28518 and R-1062.

Should you have any questions, please contact us.

Sincerely,

Wilhelm M. Beckert
Director

ch

enc

28518

May 5, 1965

Re: Permit No. 28518
and R-1062

John R. Woodworth, Director
Idaho Fish and Game Department
518 Front Street
Boise, Idaho

Dear Mr. Woodworth:

We acknowledge receipt of the deposition ~~ON THE CHRONICLE~~ two witnesses, also affidavit of publication in the ON THE CHRONICLE, all ~~28518 and R-1062~~ proof of completion of works and beneficial use on Permit No.

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

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

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:

28518

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

NOTICE is hereby given that at 10:00 A.M., on the 30th day of March 1965, at 518 Front St., Boise, County of Ada, State of Idaho, before Anne Epeldi, Notary Public, at 518 Front Street, Boise, proof will be submitted of the completion of works for the diversion of 14.5 cubic feet per second and storage of 6500 acre feet per annum of the waters of Sand Dunes Springs, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 28518 and R-1062, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and post-office address of the person or corporation holding said permit is: State of Idaho, for the use and benefit of the Department of Fish and Game, 518 Front Street, Boise, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion and the amount of water which said works are capable of conveying to the place of use is 14.5 cubic feet per second, and storage of 6500 acre feet per annum.

3. The use to which said water has been applied is flood irrigation, storage for propagation of game fish and waterfowl, and for public recreational purposes, and the amount applied to beneficial use is 14.5 cubic feet per second, and storage of 1700 acre feet per annum.

4. The point of diversion of said water is various springs emerging at undetermined sites within the water storage areas of Sections 13 and 24, T. 6 S., R. 6 E.B.M.

5. The place where said water is used is Sec. 13, SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$; Sec. 14, S $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$; Sec. 23, N $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$; and Sec. 24, N $\frac{1}{2}$ NW $\frac{1}{4}$, all of T. 6 S., R. 6 E.B.M., Idaho. Total 1360 acres.

6. The date of priority which said user is prepared to establish is March 7, 1960.

CARL E. TAPPAN,
State Reclamation
Engineer.

2-18-4

RECEIVED
APR 29 1965
Department of Reclamation

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
COUNTY OF OWYHEE) ss.

I, Everett A. Colley, being first duly sworn, depose and say:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was and now am over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned.

2. That during the time of the publication of the notice hereinafter mentioned, I was and now am the editor or co-publisher of THE OWYHEE CHRONICLE, a newspaper of general circulation printed and published weekly, on Thursday of each and every week in the City of Homedale and County of Owyhee and State of Idaho.

3. That the said THE OWYHEE CHRONICLE has been printed and published continuously and uninterruptedly in said County during a period of seventy-eight weeks prior to the first publication of the attached notice.

4. That said notice NOTICE OF PROOF OF COMPLETION
OF WORKS and APPLICATION OF WATER TO
BENEFICIAL USE

of which a printed copy, taken from said newspaper, is hereto annexed, was published in the regular issue thereof, and not in a supplement thereto, in said newspaper, in four (consecutive) calendar weekly issue(s) of said newspaper, on the following date(s):

Feb. 18, 1965

Feb. 25, 1965

March 4, 1965

March 11, 1965

(Signed) Everett A. Colley

Subscribed and sworn to before me this 11th day of March,
A. D., 1965

Roy L. Lane
Notary Public in and for the State of Idaho.

residing at Homedale, Idaho.

My commission expires May 15, 1965

28518

April 26, 1965

RE: Permits R-1062 & 28518
Fish & Game Department

Owyhee Chronicle
20 East Idaho Avenue
Homedale, Idaho

Gentlemen:

In regards to your letter of April 3, 1965, we have contacted the State Fish & Game Department and they cannot find a copy of the publication affidavit for the above listed permits.

We require an affidavit to file with the proofs of Completion of Works and Beneficial Use; therefore, would you please forward a copy of the affidavit to this office.

Thanking you in advance,

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

M. RUSSELL BOSCH
Assistant
State Water Rights & Records

MRB:ct

28518

THE OWYHEE CHRONICLE

PHONE 337-3581

PUBLISHING
PRINTING
ADVERTISING

EVERETT A. COLLEY, PUBLISHER

20 EAST IDAHO AVENUE
HOMEDALE, IDAHO

April 3, 1965

28518

State of Idaho
Dept. of Reclamation
107 State House
Boise, Idaho 83701

Dear Sir,

We received a telephone call from you office saying that you had not received an Affidavit of Publication on legal notice re: Permit No. 28518 & R-1062 (Department of Fish and Game) which ran in our newspaper Feb. 18 & 25, March 4 & 11, 1965.

To quote from your letter of instructions which accompanied the legal notice insertion order "the expense of the publication is to be paid by the applicant . . . to whom you should furnish proof of publication on or prior to the date set for proof." We followed these instructions and the Affidavit was sent to the Fish and Game department.

If you require another Affidavit for your files will you please let me know and I'll be glad to furnish you with same.

Sincerely,

THE OWYHEE CHRONICLE

By

Everett A. Colley

28518

FISH & GAME
DIRECTOR

STATE OF IDAHO

RECEIVED

APR 1 1965

FEB 15 8 19 AM '65

DEPARTMENT OF RECLAMATION

Department of Reclamation

BOISE, IDAHO

Permit No. 28518

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
and Completion of Works

DEPOSITION OF HOLDER

Ques. 1. State your name, residence, occupation and postoffice address:
John R. Woodworth, Director of Idaho Fish and Game Department, acting for and on behalf of the Idaho Fish and Game Department, 518 Front Street, Boise, Idaho.

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

Ques. 3. State number, approval date of permit, and date of priority you propose to establish under the permit; No. 28518, approved March 18, 1960, priority date of March 7, 1960.

Ques. 4. State source of water supply: Natural springs
Give location of point of diversion, showing subdivision, section, township and range:
The emerging waters emerge, flow and maintain the Bruneau Sand Dune Lakes, located in SW⁴NE⁴, S²NW⁴, SW⁴, W²SE⁴, Sec. 13; S²N², S², Sec. 14; N²NE⁴, W², NW⁴SE⁴, Sec. 23; N²NW⁴, Sec. 24, all in T6S, R6E8M, Idaho.

Ques. 5. Describe your works of diversion: The waters emerge, flow and are held as natural lakes. The spring flow is estimated at 4.5 c.f.s. and water courses will so convey.

_____ ; state amount of water they are capable of con-

veying from point of diversion to place of use _____ ; Give name of canal or ditch

or other works by which water is conducted to such place of use: not named

_____ ; if a well, state depth of well _____ ; depth and size of cas-

ing: _____ ; depth to water _____ ; if pump is used,

state discharge of pump: _____ ; tell how it was measured or determined: _____

_____ ; if sprinkler irrigation, give number and size of nozzles and

operating pressure: _____

Ques. 6. State for what purpose water is used: _____

If for irrigation, name each subdivision in which used and number of acres in each subdivision that have actually been irrigated with said water : _____

Waters are stored as natural lakes and used for the propagation of fish and game and for public fishing. Approximately 320 acres of land are inundated.

State nature of all improvements which have been made as a direct result of said use:

A boat launching ramp has been constructed and a number of trees have been planted.

Exam typed 3-31-71. (CR)

28518

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: _____

Ques. 7. If for other than irrigation purposes, state purpose and how used:

Waters are stored and maintained for the propagation of fish and game by creation of natural lakes.

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

4.5 c.f.s.

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

Original applicant

Ques. 10. State when and in what amount the water diverted under above mentioned permit has been first used: _____ Time used since first use: _____

Water was first stored in 1957. Use has been continuous to the present date.

Ques. 11. Describe all other water rights appurtenant to same place of use:

None

IDAHO FISH AND GAME DEPARTMENT
(sign) By John R. Woodworth
John R. Woodworth, Director

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

Boise, County of Ada

State of Idaho, on this 30th day of March, A.D. 1965.

Anne E. Peltz

My Commission expires: June 1, 1966

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
2017
Dept. of Reclamation

PERMIT NO. 28518

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

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

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

Ans. Ivol E. Sies, of legal age, residing in Boise, Idaho. Improvement Supervisor,
Idaho Fish and Game Department, 518 Front Street, Boise, Idaho

Ques. 2. Are you acquainted with John R. Woodworth, the
holder of Permit No. 28518? How long have you known him and where does
he reside?

Ans. I have known him for 2 years. He resides in Boise, Idaho.

Ques. 3. Have you read or heard read said Permit No. 28518, and are you
familiar with its provisions and conditions?

Ans. Yes

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

Ans. Natural springs, located in Secs. 13 & 24, T6S, R6E1M, Idaho

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

Ans. 4.5 c.f.s. and I have seen approximately 4.5 c.f.s. flow during flood runoff.

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

Ans. Water is used for propagation of fish and game by storage within natural
basins at the sites of emergence.

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

Ans. Water has been stored in natural basins and used for the propagation of fish and wildlife and for recreation purposes.

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

Ans. _____

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

Ans. No

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

Ans. Water was first stored in the natural basins in 1959 with the water area and amount increasing each subsequent year. It appears that approximately 10 inches of surface water flows on the sites during the late summer months.

(Signed) Jual E. Liew

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Boise, County of Ada, State of Idaho, on this 30th day of March, A. D. 19 65.

Anne Galdi
Notary Public.

My commission expires June 1, 1966.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
APR 1 1915
Department of Reclamation

PERMIT NO. 28518

Proof of Application of Water to Beneficial Use
Deposition of Witness

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

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

Ans. T. D. Biladeau, of legal age, residing in Boise, Idaho. Land Agent,
Idaho Fish and Game Department, 518 Front Street, Boise, Idaho.

Ques. 2. Are you acquainted with John R. Woodworth, the holder of Permit No. 28518? How long have you known him and where does he reside?

Ans. I have known him for 2 years. He resides in Boise, Idaho.

Ques. 3. Have you read or heard read said Permit No. 28518, and are you familiar with its provisions and conditions?

Ans. Yes

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

Ans. Natural springs, located in Secs. 13 & 24, T6S, R6E, Idaho

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

Ans. 4.5 c.f.s. and I have seen approximately 4.5 c.f.s. flow during flood runoff.

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

Ans. Water is used for propagation of fish and game by storage within natural basins at the sites of emergence.

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

Ans. Water has been stored in natural basins and used for the propagation of fish and wildlife and for recreation purposes.

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

Ans.

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

Ans. No

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

Ans. Water was first stored in the natural basins in 1959 with the water area and amount increasing each subsequent year. It appears that approximately 10 inches of surface water flows on the sites during the late summer months.

(Signed) G. B. Ladson

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Boise, County of Ada, State of Idaho, on this 30th day of March, A. D. 1965.

Anne Epaldi
Notary Public.

My commission expires June 1, 1966

STATE OF IDAHO

ROBERT F. ANDERSON
GOVERNOR

COMMISSION

GLENN STANGER IDAHO FALLS
R J HOLMES TWIN FALLS
ARLIE JOHNSON BOISE
WILLIAM B DURBON MOSCOW
FRANK CULLEN COEUR D ALENE

Fish and Game Department

JOHN R. WOODWORTH
DIRECTOR

518 FRONT STREET BOISE, IDAHO

March 30, 1965

RECEIVED
APR 1 1965
Department of Reclamation

Mr. Carl E. Tappan
State Reclamation Engineer
Department of Reclamation
State House

Dear Sir:

Subject: Bruneau Sand Dunes Lakes

Enclosed are depositions of holder and witnesses, Proof of Application of Water to Beneficial Use and Proof of Completion of Works, Permit Number R-1062, and depositions of holder and witnesses, Proof of Application of Water to Beneficial Use and Completion of Works, Permit Number 28518.

Sincerely,

IDAHO FISH AND GAME DEPARTMENT

John R. Woodworth
John R. Woodworth
Director

Enclosures

February 15, 1965

Re: Permit No. 28518 ; R-1062

John R. Woodworth, Director
Idaho Dept. of Fish and Game
BUILDING

Dear Mr. Woodworth:

Enclosed are the amendments to the land
list on the above numbered permits, which have been
recorded in this office.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

Enc. amendments

RECEIVED
FEB 12 1965
Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) February 10, 1965
(P. O.) 518 Front Street, Boise, Idaho

TO THE STATE RECLAMATION ENGINEER

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published
at my expense in the Owyhee Chronicle of
Homedale, Idaho Published in
the county in which the works are situated.

STATE OF IDAHO, FISH AND GAME DEPARTMENT

By

John R. Woodworth
John R. Woodworth, Director

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

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

Engineer

RECEIVED
FEB 13 1966

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

Department of Reclamation

NOTICE is hereby given that at 10:00 A. M., on the 30 day of March
1965, at 518 Front St., Boise, County of Ada, State of Idaho, before
Anne Epeldi, Notary Public, at (address) 518 Front Street,
Boise, proof will be submitted of the completion of works for the diversion of ~~storage~~
and storage 6500 acre feet per annum
14.5 cubic feet per second of the waters of Sand Dunes Springs
and of the application to beneficial use of said water, in accordance with
the terms and conditions of Permit Nos. 28518 and R-1062, heretofore issued by the Department of
Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit
is: State of Idaho, for the use and benefit of the Department of Fish and Game, 518 Front
Street, Boise, Idaho

2. Said works of diversion will be fully completed on the date set for such completion
and the amount of water which said works are capable of conveying to the place of use is
14.5 cubic feet per second ~~and~~ ^{storage of} 6500 acre feet per annum

3. The use to which said water has been applied is flood irrigation, storage for
propagation of game fish and waterfowl, and for public recreational
purposes, and the amount applied to beneficial use is 14.5 cubic
feet per second and storage of 1700 acre feet per annum

4. The point of diversion of said water is various springs emerging at undetermined sites
within the water storage areas of Sections 13 and 24, T. 6 S., R. 6 E.B.M.

5. The place where said water is used is Sec. 13, SW⁴NE⁴, S²NW⁴, SW⁴, W²SE⁴;
Sec. 14, S²N², S²; Sec. 23, N²NE⁴, W², NW⁴SE⁴; and Sec. 24, N²NW⁴, all of T. 6 S., R. 6 E.B.M.,
Idaho.

Total 1360 acres.

6. The date of priority which said user is prepared to establish is March 7, 1960

CARL E. TAPPAN

State Reclamation Engineer

28518

Re: Permit No. 28518 & R-1062
Department of Fish & Game

Date: Feb. 12, 1965

Owyhee Chronicle,
Homedale, Idaho.

Gentlemen:

Enclosed you will find Notice for Publication, once a week for four consecutive weeks prior to March 30, 1965 the date set for proof; the expense of the publication is to be paid by the applicant State of Idaho, Department of Fish and Game of 518 Front St., Boise, Idaho to whom you should furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,

Carl E. Tappan
CARL E. TAPPAN
State Reclamation Engineer

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

28518

Re: Permit No. 28518 and R-1062

February 12, 1965

State of Idaho,
Department of Fish & Game,
518 Front Street,
Boise, Idaho.

Gentlemen:

This acknowledges the Notice of Proof of Completion of Works and Application of water to Beneficial Use under Permit No. 28518 & R-1062. The proofs are to be made at 10:00 o'clock A.M., on the 30th day of March, 1965, before Anne Espital, 518 Front St., Boise, Idaho, Notary Public.

As of this date, we have mailed the Notice to the Owyhee Chronicle Homedale, Idaho, with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof then mail the affidavit of publication and statement of costs to you.

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

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

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(MRS.) EDNA P. RULE
Chief Clerk

Encl.
EPR:pmk
cc: Notary

28518



STATE OF IDAHO

ROBERT F. ANDERSON
GOVERNOR

COMMISSION

GLENN STANGER IDAHO FALLS
R. J. HOLMES TWIN FALLS
ARLIE JOHNSON BOISE
WILLIAM S. DURSON MOSCOW
FRANK CULLEN COEUR D'ALENE

Fish and Game Department

JOHN R. WOODWORTH
DIRECTOR

518 FRONT STREET BOISE, IDAHO

February 10, 1965

RECEIVED
FEB 12 1965

Department of Reclamation

Mr. Carl E. Tappan
State Reclamation Engineer
Department of Reclamation
State House

Dear Sir:

Subject: Permit No. 28518, Bruneau Sand Dunes

Enclosed in duplicate is notice of proof of completion of works and application of water to beneficial use, Permit No. 28518, together with authorization to publish the notice.

When the notice is submitted to the Owyhee Chronicle, please request that two proofs of publication be submitted to the office of the Idaho Fish and Game Department.

Sincerely,

IDAHO FISH AND GAME DEPARTMENT

John R. Woodworth
John R. Woodworth
Director

Enclosures

Application for Amendment

RECEIVED

FEB 4 1965

LAND LIST

Permit No. 28518

Comes now John R. Woodworth, acting for and on behalf of the State of, and represents
Idaho, Fish and Game Department,
to the STATE RECLAMATION ENGINEER of the State of Idaho:

That he is the owner and holder of Permit to appropriate the Public Waters of the
State of Idaho, No. 28518, and requests that the list of lands to be irrigated,
as described in said permit, be changed to read as follows:

T. 6 S., R. 6 E.B.M., Owyhee County, Idaho

Sec. 13, SW⁴NE⁴, S²NW⁴, SW⁴, W²SE⁴;

Sec. 14, S²N², S²;

Sec. 23, N²NE⁴, W², NW⁴SE⁴;

Sec. 24, N²NW⁴.

_____, making a total of 1360 acres.

That an additional amount of water is not asked for, and that the rights of others
will not be adversely affected by such change.

Signed at Boise, Idaho this 3rd day of February, 1965

STATE OF IDAHO FISH AND GAME DEPARTMENT

By John R. Woodworth
John R. Woodworth, Director

Date of receipt at office of Department of Reclamation February 4, 1965

APPROVAL OF STATE RECLAMATION ENGINEER

Ralph W. Thomas, Deputy

I, ~~REG. N. CARPER~~, State Reclamation Engineer of the State of Idaho, hereby approve
the above and foregoing application for amendment to Permit to appropriate the Public
Waters of the State of Idaho, No. 28518. This approval constitutes a new permit
and is issued as an amendment to the original permit, to which it refers, and of which
it becomes a part, and said application is approved only insofar as the rights of others
will not be adversely affected thereby.

Recorded: February 8, 1965

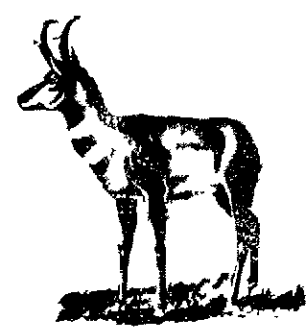
Ralph W. Thomas
Deputy
State Reclamation Engineer

28518



STATE OF IDAHO

ROBERT F. B. LEE
GOVERNOR



COMMISSION

GLENN STANGER IDAHO FALLS
R. J. HOLMES TWIN FALLS
ARLIE JOHNSON BOISE
WILLIAM B. DURSON MOSCOW
FRANK CULLEN COEUR D'ALENE

Fish and Game Department

JOHN R. WOODWORTH
DIRECTOR

518 FRONT STREET BOISE, IDAHO

February 3, 1965

RECEIVED
FEB 4 1965
DEPARTMENT OF RECLAMATION

State Reclamation Engineer
Department of Reclamation
State House

Dear Sir:

Subject: Sand Dunes Lakes

Enclosed are applications for amendment, land list, Permit No.
R-1062 and Permit No. 28518.

Sincerely,

IDAHO FISH AND GAME DEPARTMENT

John R. Woodworth

John R. Woodworth
Director

Enclosures

DEPARTMENT OF RECLAMATION

ORDER DISMISSING PROTEST and
Allowing Certificate of Completion
of Works & License and Certificate
of Water Right for propagation of
fish and waterfowl and for public
recreational purposes

Albert Black, Asa L. Black, Joseph E. Black and Clarence A. Miller, Jr. of Bruneau, Idaho, protested issuance of a license confirming the right or rights claimed under said Permit No. 28513, claiming prior right to the water for livestock.

The use of water for propagation of game fish and water fowl and for public recreational purposes is a beneficial use.

The protest of the above named protestants is hereby dismissed and the Certificate of Completion of Works and License and Certificate of Water Right will be issued to the said Idaho Department of Fish and Game, in the amount found by the field examiner to be warranted.

Ralph W. Thomas
Deputy State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

In re: PERMIT NO. 28518
State of Idaho, Department of
Fish and Game,
Holder

ORDER DISMISSING PROTEST and
Allowing Certificate of Completion
of Works & License and Certificate
of Water Right for propagation of
fish and waterfowl and for public
recreational purposes

John R. Woodworth, Director, acting for and on behalf of the Idaho Fish and Game Department made proof of completion of works and beneficial use of water under Permit No. 28518 on January 26, 1965, pursuant to the legal notice published in the Owyhee Chronicle.

Albert Black, Asa L. Black, Joseph E. Black and Clarence A. Miller, Jr. of Bruneau, Idaho, protested issuance of a license confirming the right or rights claimed under said Permit No. 28518, claiming prior right to the water for livestock.

Examination on the ground discloses that an access road, parking area boat ramp and toilet facilities have been constructed. Trees have been planted in spots around the lake and fish have been planted in the water. The lake is also a habitat for water fowl. The use of the water by livestock has not been denied.

The use of water for propagation of game fish and water fowl and for public recreational purposes is a beneficial use.

The State Reclamation Engineer, by granting subsequent water license, cannot interfere in any manner with vested rights of prior appropriators.

The protest of the above named protestants is hereby dismissed and the Certificate of Completion of Works and License and Certificate of Water Right will be issued to the said Idaho Department of Fish and Game, in the amount found by the field examiner to be warranted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the State Department of Reclamation at Boise, Idaho, this 3rd day of February, 1965.

Ralph W. Thomas

Deputy State Reclamation Engineer

DEPARTMENT OF RECLAMATION

ORDER DISMISSING PROTEST and
Allowing Certificate of Completion
of Works & License and Certificate
of Water Right for propagation of
fish and waterfowl and for public
recreational purposes

Albert Black, Asa L. Black, Joseph E. Black and Clarence A. Miller, Jr. of Bruneau, Idaho, protested issuance of a license confirming the right or rights claimed under said Permit No. 28518, claiming prior right to the water for livestock.

The use of water for propagation of game fish and water fowl and for public recreational purposes is a beneficial use.

The protest of the above named protestants is hereby dismissed and the Certificate of Completion of Works and License and Certificate of Water Right will be issued to the said Idaho Department of Fish and Game, in the amount found by the field examiner to be warranted.

Ralph W. Thomas
Deputy State Reclamation Engineer

Feb. 3, 1965

Re: Permit No. 28518

Albert Black, et al
Bruneau, Idaho

Dear Mr. Black:

Enclosed is copy of order dismissing protest
in regard to above noted permit.

Any person feeling aggrieved by any decision
of the State Reclamation Engineer may appear to the courts
within 60 days.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

C
O
P
Y

28518

Feb. 3, 1965

Re: Permit No. 28518

Idaho Dept. of Fish & Game

Building

Gentlemen:

Enclosed is copy of order dismissing protest in regard to above noted permit.

Any person feeling aggrieved by any decision of the State Reclamation Engineer may appeal to the courts within 60 days.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RTlew

Enc. copy of order

C
O
P
Y

MEMORANDUM

FROM: Loy H. Johnson

January 26, 1965

TO: Mr. Tappan

SUBJECT: Investigation of protest by Albert Black, et al, of State of Idaho Department of Fish and Game Permit No. 28518.

I made a tour of the area, as requested. The red line with arrows, on the accompanying map, indicates route of travel by foot.

I was only able to identify two spring areas, although three are shown on the map.

Spring No. 1: SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 13 - This spring is very easy to identify by the fresh water crest and water oozing to the surface and flowing into the lake in small quantity. This part of the spring is approximately one foot above the lake surface. There is a possibility of a larger flow from the spring below the surface of the lake.

Spring No. 2: NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 24 - This spring is identified by the bank of what appears to be excavated material placed on the west side in the development of the spring. No visible flow from the spring noted as the lake surface is considerably higher than the development work.

Spring No. 3: NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 24 - This spring is in the bottom of the lake and the location copied from Indian Cove Quadrangle sheet.

The other springs mentioned in the Department of Fish and Game Permit No. 28518 are under water. There is a possibility of locating them by boat.

It is reported that the large east lake was once two separate lakes, separated by a dyke in the approximate center of the SW $\frac{1}{4}$, Sec. 13. When the Department of Fish and Game became interested the north lake was some three feet higher than the south lake. The dyke either broke or was eroded away by wind and wave action making one large lake on the east.

The present east lake surface appears to be stabilized now as there is a ditch in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23 that drains into the lake area on the west. I estimated a discharge of 1.5 c.f.s. flowing from the east lake to the west lake. I would estimate the east lake water level to be two feet higher than the west side water level.

According to the Fish and Game Department the lakes hold their own through the hot summer months and add to their size during the winter months, their thought being that the water surface area is increasing each year.

There are no fences around the lake other than shown on the map. The stockmen who use this as a "common grazing unit" are allowed the same stock water and grazing privileges as they have always had, and water and grazing are used by both cattle and sheep growers.

The Department of Fish and Game has a lease agreement with the BLM for the recreational area and has constructed roads, parking area, boat ramp, toilet, and planted fish (bass and trout). They have also planted trees around the perimeter at various places. These waters are also becoming a habitat for water fowl.

There were desert land filings made in the BLM office for the land immediately north of the lake area in Sections 11, 12, 13 and 14, but the BLM has rejected one and is holding the other in suspension until the disposition of this area can be decided. There have been thoughts of making it a state park or a national monument, and even a work camp project.

As the protestants have not been injured nor have they been denied the full use of their stockwater and grazing rights, I see no reason why Permit No. 28518 cannot be allowed.


Loy H. Johnson
Field Engineer

LHJ:mr

MEMORANDUM

FROM: Loy H. Johnson

January 26, 1965

TO: Mr. Tappan

SUBJECT: Investigation of protest by Albert Black, et al, of State of Idaho Department of Fish and Game Permit No. 28518.

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As the protestants have not been injured nor have they been denied the full use of their stockwater and grazing rights, I see no reason why Permit No. 23518 cannot be allowed.

Loy H. Johnson
Field Engineer

LHJ:mr

January 26, 1965

28518

Fish and Game Department
BUILDING

Gentlemen:

Enclosed is copy of protest, filed January 25, 1965,
against issuance of a water license pursuant to Permit No.
28518.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

C
O
P
Y

28518

RECEIVED
1912

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

*
*
*

IN THE MATTER OF PERMIT)
NO. 28518 FOR THE APPROPRIATION)
OF THE PUBLIC WATERS OF THE)
STATE OF IDAHO, GRANTED TO THE)
STATE OF IDAHO, FOR THE USE AND)
BENEFIT OF THE DEPARTMENT OF)
FISH AND GAME,)

P R O T E S T

Permit Holder.)

ALBERT BLACK, ASA L. BLACK,)
JOSEPH E. BLACK and CLARENCE)
A. MILLER, JR.,)

Protestants.)

*
*
*

STATE OF IDAHO,)
COUNTY OF ADA,) ss.

COME NOW each of the above named protestants and protest,
and object to, the statements made by the officers, agents and
employees, or any of them, of the Department of Fish and Game
of the State of Idaho for purposes of proof of completion of
works and for purposes of proof of application to beneficial use
under, and in accordance with the terms and conditions of, said

Permit No. 28518, and protest, and object to the granting and issuance of a license confirming the right or rights claimed under said Permit No. 28518, all for each of the reasons and for each of the grounds set forth as follows:

I

That the waters of Sand Dunes Springs sought to be appropriated under said Permit No. 28518 were originally confined underground waters and that the flow of water from said Sand Dunes Springs, as such flow presently exists, was obtained as a result of development work performed by the above named Albert Black at great cost and expense to him; that the said Albert Black performed said development work more than twenty-five years ago and immediately thereafter appropriated the entire flow of said Sand Dunes Springs for livestock purposes by watering livestock from said flow and thereby applying said waters to beneficial use; that the use of the waters of Sand Dunes Springs sought to be appropriated under said Permit No. 28518 will reduce the quantity of water in Sand Dunes Springs to a quantity less than that required to satisfy the existing rights to the use thereof.

II

That each of the protestants is now, and for a long time prior to the issuance of said Permit No. 28518 has been, the

owner of the rights to the use of the waters of Sand Dunes Springs for livestock, and that the use of the waters of Sand Dunes Springs proposed by the said Permit Holder and sought to be appropriated under said Permit No. 28518 will reduce the quantity of water to such extent that it will deprive the owners of existing rights in said waters to the use of the waters of Sand Dunes Springs.

III

That the flow of the waters of Sand Dunes Springs does not exceed existing rights to the use thereof for livestock.

IV

That the supply of water in Sand Dunes Springs is insufficient for the purposes for which it is sought to be appropriated under said Permit No. 28518.

V

That the said Permit Holder has not performed any construction work nor constructed any diversion works under said Permit No. 28518.

VI

That said Permit Holder has not made any improvements or additions to the diversion works constructed by the protestant Albert Black, which said last mentioned diversion works were

completed many years prior to the issuance of said Permit No. 28518.

VII

That said Permit Holder has not diverted any water from the said Sand Dunes Springs.

VIII

That said Permit Holder has not applied any of the waters of Sand Dunes Springs to beneficial use.

IX

That the surface material in the vicinity of Sand Dunes Springs and to which the water of Sand Dunes Springs could be conveyed as proposed in said Permit No. 28518 are composed entirely, or almost entirely, of sand, and no crops or orchards can be raised in the vicinity of Sand Dunes Springs and there is no land in the vicinity of Sand Dunes Springs which is susceptible of irrigation and the waters of Sand Dunes Springs, therefore, cannot be applied to beneficial use for irrigation as proposed by said Permit Holder.

X

That none of the water of Sand Dunes Springs has ever been used for any purpose except the watering of livestock.

XI

That the use of the public water of the State of Idaho, including the waters of Sand Dunes Springs, for storage for

propagation of game fish and water fowl is not authorized by the Constitution and the laws of the State of Idaho.

XII

That use of the waters of Sand Dunes Springs for storage for propagation of game fish and water fowl is not a beneficial use, and under the Constitution and laws of the State of Idaho a license for water rights can be issued only upon proof of application to beneficial use.

XIII

That the use of the public waters of the State of Idaho, including the waters of Sand Dunes Springs, for public recreation purposes is not a use authorized by the Constitution and the laws of the State of Idaho.

XIV

That the use of the waters of Sand Dunes Springs for public recreation purposes is not a beneficial use, and under the Constitution and laws of the State of Idaho a license for water rights can be issued only upon proof of application to beneficial use.

XV

That the public waters of the State of Idaho including the waters of Sand Dunes Springs, can be appropriated only for

domestic, agricultural, manufacturing or mining purposes and appropriation of said waters for any other purpose is not authorized nor is the use of said waters for any other purpose authorized, and a license evidencing the right to use the public waters of the State of Idaho including the waters of Sand Dunes Springs can be issued only for domestic, agricultural, manufacturing or mining purposes.

Albert Black
Albert Black

SUBSCRIBED AND SWORN to before me this 25th day of January, 1965.

Sam O. Hable
Notary Public for the State of Idaho,
Residing at Bruneau, Idaho,

Asa L. Black
Asa L. Black

SUBSCRIBED AND SWORN to before me this 25th day of January, 1965.

Sam O. Hable
Notary Public for the State of Idaho,
Residing at Bruneau, Idaho.

Joseph E. Black
Joseph E. Black

SUBSCRIBED AND SWORN to before me this 25th day of January, 1965.

Sam O. Hable
Notary Public for the State of Idaho,
Residing at Bruneau, Idaho.

Clarence A. Miller Jr.
Clarence A. Miller, Jr.

SUBSCRIBED AND SWORN to before me this 25th day of January, 1965.

Sam O. Kelle
Notary Public for the State of Idaho;
Residing at Bruneau, Idaho.

Permit # 28518

RECEIVED
JAN 25 1907

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

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IN THE MATTER OF PERMIT
NO. 28518 FOR THE APPROPRIATION
OF THE PUBLIC WATERS OF THE
STATE OF IDAHO, GRANTED TO THE
STATE OF IDAHO, FOR THE USE AND
BENEFIT OF THE DEPARTMENT OF
FISH AND GAME,

Permit Holder.

ALBERT BLACK, ASA L. BLACK,
JOSEPH E. BLACK and CLARENCE
A. MILLER, JR.,

Protestants.

P R O T E S T

★
★
★

STATE OF IDAHO,)
) ss.
COUNTY OF ADA,)

COME NOW each of the above named protestants and protest,
and object to, the statements made by the officers, agents and
employees, or any of them, of the Department of Fish and Game
of the State of Idaho for purposes of proof of completion of
works and for purposes of proof of application to beneficial use
under, and in accordance with the terms and conditions of, said

Permit No. 28518, and protest, and object to the granting and issuance of a license confirming the right or rights claimed under said Permit No. 28518, all for each of the reasons and for each of the grounds set forth as follows:

I

That the waters of Sand Dunes Springs sought to be appropriated under said Permit No. 28518 were originally confined underground waters and that the flow of water from said Sand Dunes Springs, as such flow presently exists, was obtained as a result of development work performed by the above named Albert Black at great cost and expense to him; that the said Albert Black performed said development work more than twenty-five years ago and immediately thereafter appropriated the entire flow of said Sand Dunes Springs for livestock purposes by watering livestock from said flow and thereby applying said waters to beneficial use; that the use of the waters of Sand Dunes Springs sought to be appropriated under said Permit No. 28518 will reduce the quantity of water in Sand Dunes Springs to a quantity less than that required to satisfy the existing rights to the use thereof.

II

That each of the protestants is now, and for a long time prior to the issuance of said Permit No. 28518 has been, the

owner of the rights to the use of the waters of Sand Dunes Springs for livestock, and that the use of the waters of Sand Dunes Springs proposed by the said Permit Holder and sought to be appropriated under said Permit No. 28518 will reduce the quantity of water to such extent that it will deprive the owners of existing rights in said waters to the use of the waters of Sand Dunes Springs.

III

That the flow of the waters of Sand Dunes Springs does not exceed existing rights to the use thereof for livestock.

IV

That the supply of water in Sand Dunes Springs is insufficient for the purposes for which it is sought to be appropriated under said Permit No. 28518.

V

That the said Permit Holder has not performed any construction work nor constructed any diversion works under said Permit No. 28518.

VI

That said Permit Holder has not made any improvements or additions to the diversion works constructed by the protestant Albert Black, which said last mentioned diversion works were

completed many years prior to the issuance of said Permit No. 28518.

VII

That said Permit Holder has not diverted any water from the said Sand Dunes Springs.

VIII

That said Permit Holder has not applied any of the waters of Sand Dunes Springs to beneficial use.

IX

That the surface material in the vicinity of Sand Dunes Springs and to which the water of Sand Dunes Springs could be conveyed as proposed in said Permit No. 28518 are composed entirely, or almost entirely, of sand, and no crops or orchards can be raised in the vicinity of Sand Dunes Springs and there is no land in the vicinity of Sand Dunes Springs which is susceptible of irrigation and the waters of Sand Dunes Springs, therefore, cannot be applied to beneficial use for irrigation as proposed by said Permit Holder.

X

That none of the water of Sand Dunes Springs has ever been used for any purpose except the watering of livestock.

XI

That the use of the public water of the State of Idaho, including the waters of Sand Dunes Springs, for storage for

propagation of game fish and water fowl is not authorized by the Constitution and the laws of the State of Idaho.

XII

That use of the waters of Sand Dunes Springs for storage for propagation of game fish and water fowl is not a beneficial use, and under the Constitution and laws of the State of Idaho a license for water rights can be issued only upon proof of application to beneficial use.

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XV

That the public waters of the State of Idaho including the waters of Sand Dunes Springs, can be appropriated only for

domestic, agricultural, manufacturing or mining purposes and appropriation of said waters for any other purpose is not authorized nor is the use of said waters for any other purpose authorized, and a license evidencing the right to use the public waters of the State of Idaho including the waters of Sand Dunes Springs can be issued only for domestic, agricultural, manufacturing or mining purposes.

Albert Black
Albert Black

SUBSCRIBED AND SWORN to before me this 25th day of January, 1965.

Sam O. Hobbs
Notary Public for the State of Idaho,
Residing at Brunswick, Idaho.

Asa L. Black
Asa L. Black

SUBSCRIBED AND SWORN to before me this 25th day of January, 1965.

Sam O. Hobbs
Notary Public for the State of Idaho,
Residing at Brunswick, Idaho.

Joseph E. Black
Joseph E. Black

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Sam O. Hobbs
Notary Public for the State of Idaho,
Residing at Brunswick, Idaho.

Clarence A. Miller Jr.
Clarence A. Miller, Jr.

SUBSCRIBED AND SWORN to before me this 25th day of January, 1965.

Sam O. Felt
Notary Public for the State of Idaho,
Residing at Burien, Idaho.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

IN THE MATTER OF PERMIT
NO. 28518 FOR THE APPROPRIATION
OF THE PUBLIC WATERS OF THE
STATE OF IDAHO, GRANTED TO THE
STATE OF IDAHO, FOR THE USE AND
BENEFIT OF THE DEPARTMENT OF
FISH AND GAME.

Permit Holder.

**ALBERT BLACK, ASA L. BLACK,
JOSEPH E. BLACK and CLARENCE
A. MILLER, JR.,**

Protestants.

PROTEST

STATE OF IDAHO,)
) ss.
COUNTY OF ADA,)

COME NOW each of the above named protestants and protest, and object to, the statements made by the officers, agents and employees, or any of them, of the Department of Fish and Game of the State of Idaho for purposes of proof of completion of works and for purposes of proof of application to beneficial use under, and in accordance with the terms and conditions of, said

Permit No. 28518, and protest, and object to the granting and issuance of a license confirming the right or rights claimed under said Permit No. 28518, all for each of the reasons and for each of the grounds set forth as follows:

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II

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Albert Black
Albert Black

SUBSCRIBED AND SWORN to before me this 25th day of January, 1965.

Sam O. Noble
Notary Public for the State of Idaho,
Residing at Bruneau, Idaho.

Asa L. Black
Asa L. Black

SUBSCRIBED AND SWORN to before me this 25th day of January, 1965.

Sam O. Noble
Notary Public for the State of Idaho,
Residing at Bruneau, Idaho.

Joseph E. Black
Joseph E. Black

SUBSCRIBED AND SWORN to before me this 25th day of January, 1965.

Sam O. Noble
Notary Public for the State of Idaho,
Residing at Bruneau, Idaho.

Clarence A. Miller Jr.
Clarence A. Miller, Jr.

SUBSCRIBED AND SWORN to before me this 25th day of January, 1965.

Sam A. Hobbs
Notary Public for the State of Idaho,
Residing at Bruneau, Idaho.

ANDERSON, KAUFMAN AND ANDERSON

LAWYERS

IDAHO BUILDING

BOISE, IDAHO 83701

TELEPHONE 342-4591
POST OFFICE BOX 2773

EUGENE H. ANDERSON
SAMUEL KAUFMAN
RICHARD ANDERSON
WILLIAM F. RINGERT

January 25, 1965

RECEIVED
JAN 26 1965
FISH AND GAME DEPARTMENT

Department of Reclamation
State House
Boise, Idaho

Re: Permit No. 28518

Gentlemen:

I hand you herewith original and three copies of Protest by Albert Black, Asa L. Black, Joseph E. Black and Clarence A. Miller, Jr., to the issuance of a license under Permit No. 28518, and to the proof which will be submitted of the completion of works and of the application to beneficial use. Said proof is to be submitted before Anne Epeldi, Notary Public, at 518 Front Street, Boise, Idaho, at 10:00 A. M. on January 26, 1965.

Please file the original of said protest in your office and serve a copy thereof on the Fish and Game Department of the State of Idaho. The other copies of the protest are for your files or for service on the Attorney General, as you may see fit.

Please furnish us notice of the time and place of any hearing which may be conducted in connection with the proof to be submitted by the Fish and Game Department or in connection with said protest.

Yours very truly,

ANDERSON, KAUFMAN AND ANDERSON

By *William F. Ringert*
William F. Ringert

WFR:b
Encls.

-28518

DEC 9 1964

STATE RECLAMATION

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) December 7, 1964

(P. O.) Boise, Idaho

TO THE STATE RECLAMATION ENGINEER

Boise, Idaho

Dear Sir:

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

STATE OF IDAHO
Fish and Game Department

By

John R. Woodworth, Director

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

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

Engineer

28513

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

DEC 9 1964

Department of Reclamation

NOTICE is hereby given that at 10:00 A. M., on the 26th day of January 1965, at 518 Front Street, Boise, County of Ada, State of Idaho, before Anne Epeldi, Notary Public, at (address) 518 Front Street, Boise, Idaho, proof will be submitted of the completion of works for the diversion of 14.5 cubic feet per second of the waters of Sand Dunes Springs, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 28518, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is: State of Idaho, for the use and benefit of the Department of Fish and Game, 518 Front Street, Boise, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion and the amount of water which said works are capable of conveying to the place of use is 14.5 cubic feet per second.

3. The use to which said water has been applied is flood irrigation, storage for propagation of game fish and waterfowl, and for public recreational purposes, and the amount applied to beneficial use is 14.5 cubic feet per second.

4. The point of diversion of said water is various springs emerging at undetermined sites within the water storage areas of Sections 13 and 24, T. 6 S., R. 6 E.B.M.

5. The place where said water is used is Sec. 13, SW⁴NE⁴, SE⁴NW⁴, SW⁴SW⁴, E²SW⁴, W²SE⁴; Sec. 14, S²NE⁴, S²; Sec. 23, N²NE⁴, W², NW⁴SE⁴; Sec. 24, N²NW⁴, all of T. 6 S., R. 6 E.B.M., Idaho.

Total 725 acres.

6. The date of priority which said user is prepared to establish is March 18, 1960.

CARL E. TAPPAN

State Reclamation Engineer

28518 8

Re: Permit No. 28518
State of Idaho
Department of Fish & Game

Date: Dec. 9, 1964

Owyhee Chronicle,
Homedale, Idaho.

Gentlemen:

Enclosed you will find Notice for Publication, once a week
for four consecutive weeks prior to January 26, 1965
the date set for proof; the expense of the publication is to be paid
by the applicant Department of Fish and Game
of 518 Front St., Boise, Idaho, to whom you should
furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,

Carl E. Tappan
CARL E. TAPPAN
State Reclamation Engineer

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

P.S. The above applicant has requested that you send them two Affidavits
of Publication. Thank you.

28518

December 9, 1964

Re: Permit No. 28518

Mr. John R. Woodworth, Director,
Department of Fish and Game,
518 Front Street,
Boise, Idaho.

Dear Mr. Woodworth:

This acknowledges the Notice of Proof of Completion of Works and Application of water to Beneficial Use under Permit No. 28518. The proofs are to be made at 10:00 o'clock A.M., on the 26th day of January, 1965 before Anne Spaldt, 518 Front St., Boise, Idaho, Notary Public.

As of this date, we have mailed the Notice to the Owyhee Chronicle Hamedale, Idaho, with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof then mail the affidavit of publication and statement of costs to you.

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

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

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(MRS.) EDNA P. RULE
Chief Clerk

Encl.
EPR:pmk
cc: Notary

28518

STATE OF IDAHO

ROBERT E. SMYLIE
GOVERNOR

COMMISSION
GLENN STANGER IDAHO FALLS
R. J. HOLMES TWIN FALLS
ARLIE JOHNSON BOISE
WILLIAM B. DURBIN MOSCOW
FRANK CULLEN COEUR D'ALENE

Fish and Game Department

JOHN R. WOODWORTH
DIRECTOR

518 FRONT STREET BOISE, IDAHO

December 7, 1964

Mr. Carl E. Tappan
State Reclamation Engineer
Department of Reclamation
State House

Dear Sir:

Subject: Permit No. 28518, Bruneau Sand Dunes

Enclosed in duplicate is Notice of Proof of Completion of Works and Application of Water to Beneficial Use, Permit No. 28518, together with authorization to publish the notice.

When the notice is submitted to the Owyhee Chronicle, please request that two proofs of publication be submitted to the office of the Idaho Fish and Game Department.

Sincerely,

IDAHO FISH AND GAME DEPARTMENT

John R. Woodworth
John R. Woodworth
Director

Enclosures

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Re: Permit No. 28518

Date:

Dec. 1, 1964

Dept. of Fish and Game
BUILDING

Dear Sirs:

Under the terms of your Permit No. 28518 you are required to make proofs of completion of works and application of water to beneficial use on or before **March 18, 1965**

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

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

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

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

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

Very truly yours,

Carl E. Tappan
CARL E. TAPPAN
State Reclamation Engineer

Enc. Form 36A and 11
cc:

28518

March 23, 1960

Re: Permit No. 28518

State of Idaho,
Department of Fish & Game,
518 Front Street,
Boise, Idaho.

Attention: Ross Leonard, Director

Gentlemen:

We enclose Permit No. 28518 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

You will note, under Question 12, that we have changed the required time for completion of works and complete application of the water to the proposed use to five years. However, you may make the required proofs at any time you are prepared to do so within that time.

Very truly yours,

GEO. W. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

Encl.
EPR:pmk

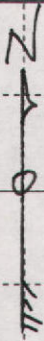
28518

T.5S. , R.6E. B.M.
T.6S. , R.6E. B.M.

3

2

1



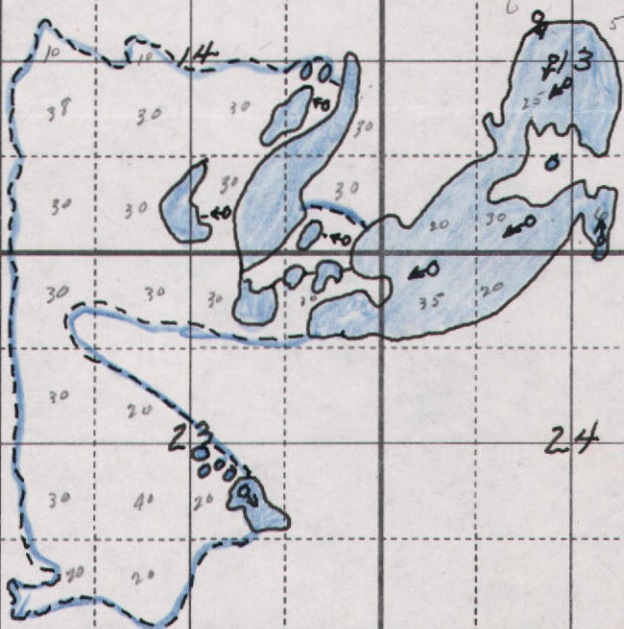
10

11

12

R 6 E B M
R 7 E B M

15



Legend

-  Existing Water Area
-  Approximately - Maximum Water Area of Springs

Permit Map No. **28518**
As Approved **MAR 18 1960**
GEO. N. CARTER
State Reclamation Engineer

T.5S. R.6E. B.M.
T.6S. R.6E. B.M.

3

2

1



10

11

12

R.6E. B.M.
R.7E. B.M.

15



Legend



Existing Water Area



Approximately-Maximum Water Area
or Springs

Permit Map No. 28518

As Approved

MAR 18 1960

GEO. N. CARTER

State Reclamation Engineer

44-224

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

NOTICE is hereby given that at 10:00 A.M., on the 30th day of March 1965, at 518 Front St., Boise, County of Ada, State of Idaho, before Anne Epeldi, Notary Public, at 518 Front Street, Boise, proof will be submitted of the completion of works for the diversion of 14.5 cubic feet per second and storage of 6500 acre feet per annum of the waters of Sand Dunes Springs, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 28518 and R-1062, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and post-office address of the person or corporation holding said permit is: State of Idaho, for the use and benefit of the Department of Fish and Game, 518 Front Street, Boise, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion and the amount of water which said works are capable of conveying to the place of use is 14.5 cubic feet per second, and storage of 6500 acre feet per annum.

3. The use to which said water has been applied is flood irrigation, storage for propagation of game fish and waterfowl, and for public recreational purposes, and the amount applied to beneficial use is 14.5 cubic feet per second, and storage of 1700 acre feet per annum.

4. The point of diversion of said water is various springs emerging at undetermined sites within the water storage areas of Sections 13 and 24, T. 6 S., R. 6 E.B.M.

5. The place where said water is used is Sec. 13, SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$; Sec. 14, S $\frac{1}{2}$ N $\frac{1}{2}$ S $\frac{1}{2}$; Sec. 23, N $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$; and Sec. 24, N $\frac{1}{2}$ NW $\frac{1}{4}$, all of T. 6 S., R. 6 E.B.M., Idaho. Total 1360 acres.

6. The date of priority which said user is prepared to establish is March 7, 1960.

CARL E. TAPPAN
State Reclamation
Engineer.

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

NOTICE is hereby given that at 10:00 A.M., on the 26th day of January 1965, at 518 Front Street, Boise County of Ada, State of Idaho, before Anne Epeldi Notary Public, at 518 Front Street, Boise, Idaho, proof will be submitted of the completion of works for the diversion and storage of 14.5 cubic feet per second of the water of Sand Dunes Springs and of the application to beneficial use of said water in accordance with the terms and conditions of Permit No. 28518, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is: State of Idaho, for the use and benefit of the Department of Fish and Game, 518 Front Street, Boise, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion and the amount of water said works are capable of conveying to the place of use is 14.5 cubic feet per second.

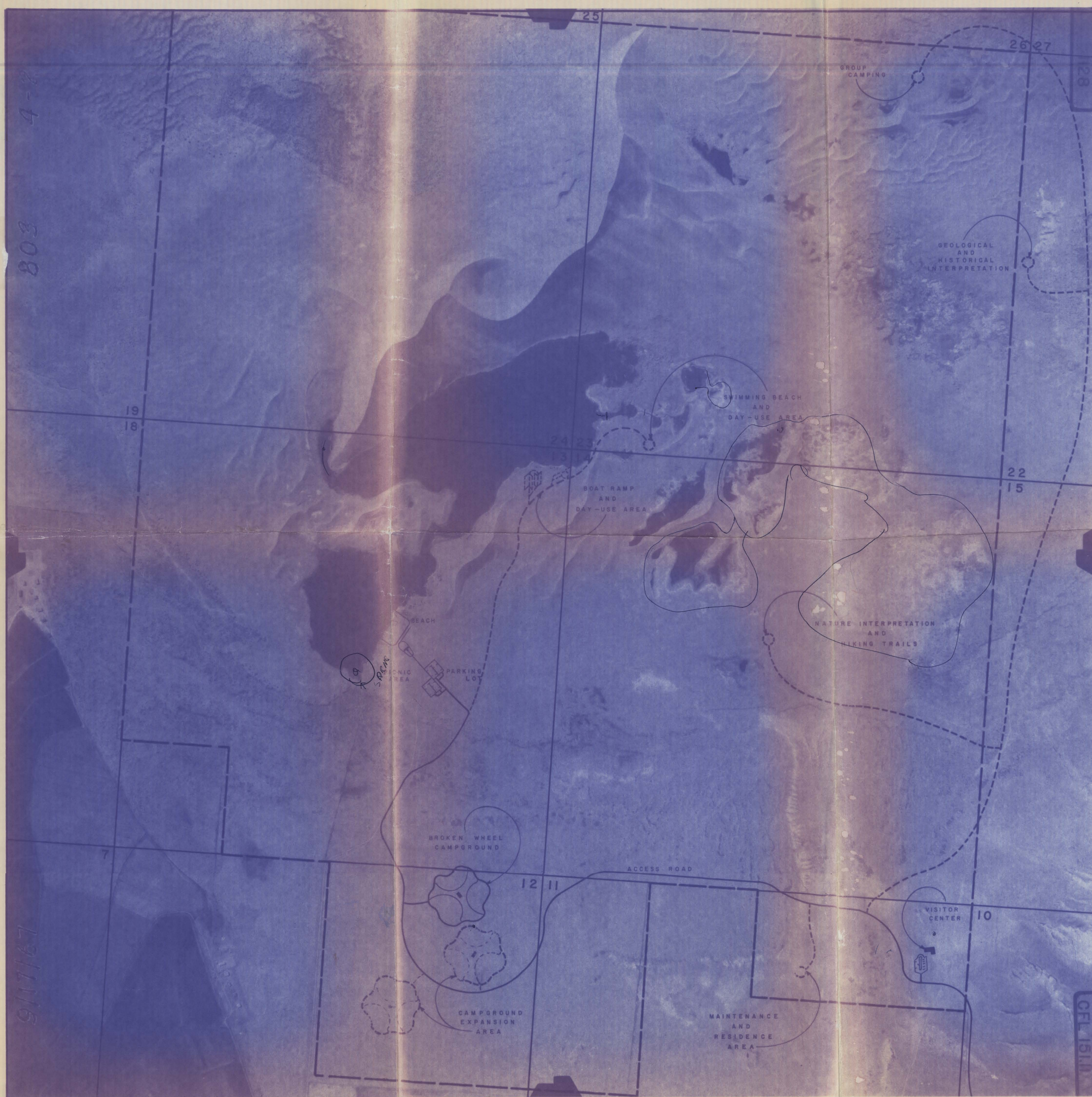
3. The use to which said water has been applied is flood irrigation, storage for propagation of game fish and waterfowl, and for public recreational purposes, and the amount applied to beneficial use is 14.5 cubic feet per second.

4. The point of diversion of said water is various springs emerging at undetermined sites within the water storage areas of Sections 13 and 24, T. 6 S., R. 6 E.B.M.,

5. The place where said water is used is Sec. 13, SW $\frac{1}{4}$, NE $\frac{1}{4}$, SE $\frac{1}{4}$, NW $\frac{1}{4}$, SW $\frac{1}{4}$, SW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$; Sec. 14, S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$; Sec. 23, N $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$, NW $\frac{1}{4}$, SE $\frac{1}{4}$; Sec. 24, N $\frac{1}{2}$ NW $\frac{1}{4}$, all of T. 6 S., R. 6 E.B.M., Idaho. Total 725 acres.

6. The date of priority which said user is prepared to establish is March 7, 1960.

CARL E. TAPPAN,
State Reclamation
Engineer.



BRUNEAU DUNES STATE PARK

MASTER PLAN



IDAHO DEPT. OF PARKS			
BRUNEAU DUNES STATE PARK			
MASTER PLAN			
DRAWN DERDALL	SCALE 1"= 600'-0"	DWG. 36-1	
DESIGNED MISNER	DATE JUNE 12, 1968		
APPROVED [Signature]			SHEET 1 OF 1