

RECEIVED

JUL 22 1969

Department of Reclamation

AFFIDAVIT OF PUBLICATION

Mary Lou Warden

being first duly

sworn, says she is the Chief Clerk
of the IDAHO COUNTY FREE PRESS, a weekly newspaper which
is published and issued weekly at Grangeville, Idaho County,
State of Idaho, and which is of general circulation in said county
and state; that the said notice, of which the one hereto attached
is a true copy, was published in said paper for two weeks,
being published two times, the first publication being
on the 10th day of July, 1969,
and the last publication on the 17th day of
July, 1969; and that the said notice
was published in the newspaper proper and not a supplement;
that said newspaper has been continuously and uninterruptedly
published in said county during a period of more than seventy-
eight consecutive weeks prior to the first publication of said
notice or advertisement.

Mary Lou Warden

Subscribed and sworn to before me this 17th day
of July, 1969.

Richard C. Hatch, Notary Public
for State of Idaho, residing at Grangeville, Idaho.

NOTICE OF EXISTING
WATER PERMIT

Notice is hereby given that Dale E. Astle, Box 36, Riggins, Idaho has received an approved permit No. 32478 issued by the Idaho State Reclamation Department authorizing the diversion of .08 cubic feet per second of water from a Spring (.02 cfs) and Papoose Creek (.06 cfs) tributary of Squaw Creek, subject to all prior rights. The priority to be established under this permit is August 11, 1965 and the permit was approved August 13, 1965. Water is to be diverted by ditch, storage tank, pipe, valves, etc. from a point within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 17 (Spring); SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 18, T. 24 N, R. 1 E, B.M., Idaho County to be used for culinary use and irrigation in the W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 17, T. 24 N, R. 1 E, B.M. Proof of the application of the water to beneficial use is to be submitted to the Department on or before August 13, 1969. Any protests against the issuance of a license for the above referenced permit should be filed with the Department of Reclamation within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON
State Reclamation Engineer
Published in the Idaho County Free Press, Grangeville, Idaho on July 10 and July 17, 1969. Jy10-17

78-2078

32478

2.66
1.3
798
266
34.58

3
450
.06
2790

81.6
982
8.58
12
93.2
1.2

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

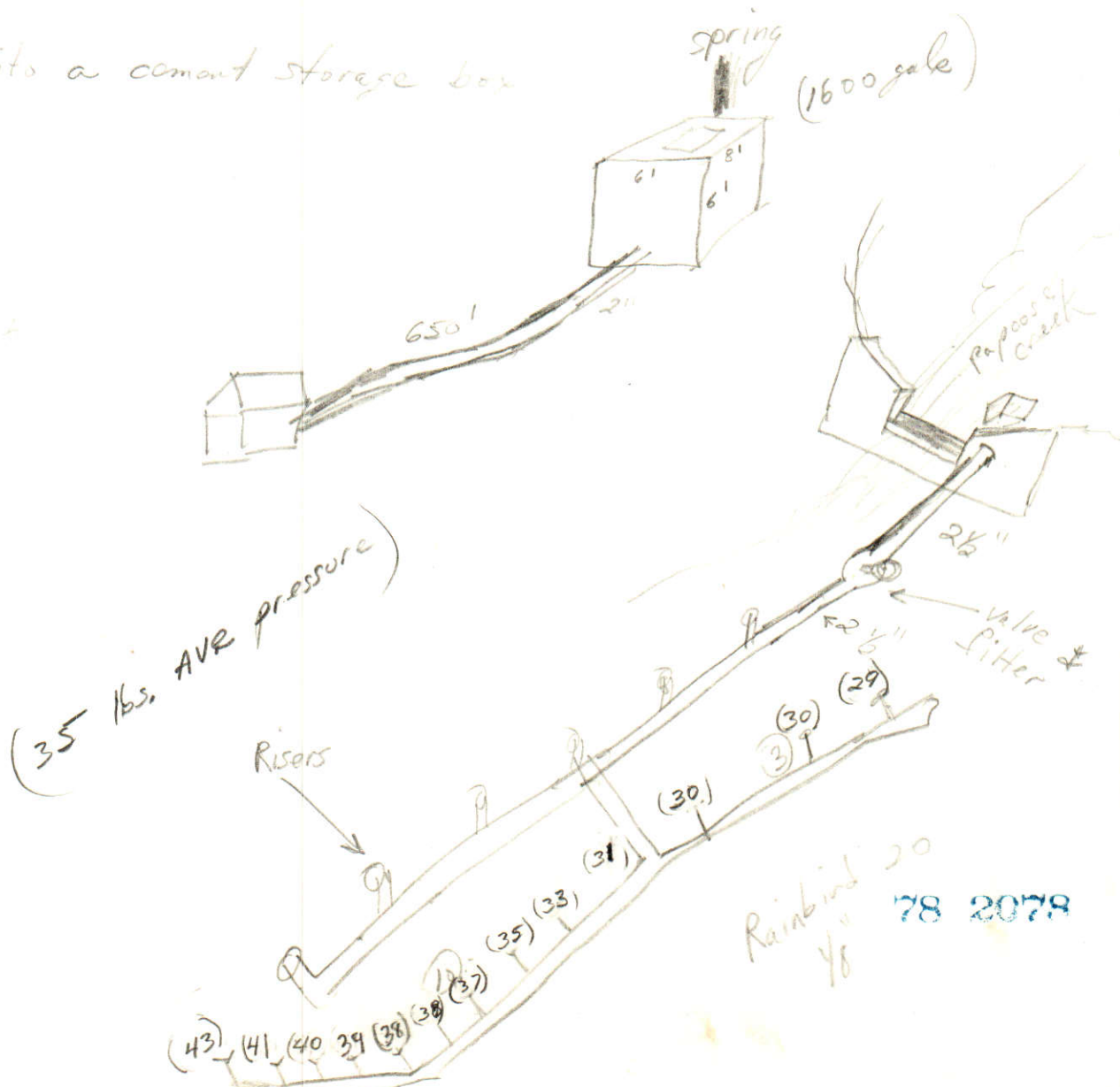
REPORT OF EXAMINER

PERMIT NO. 78-2078

REPORT ON PROOF OF Dale E. Astle

spring runs into a cement storage box

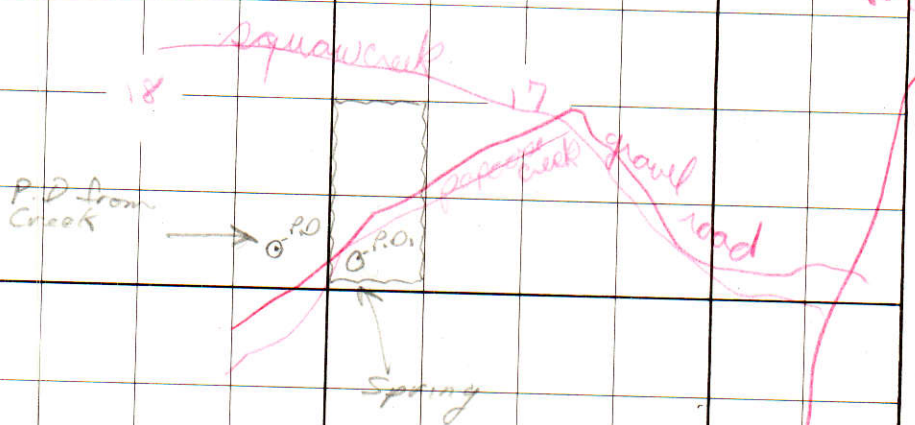
2.66
11
5.6
2.1
29.2



Rainbird 20
1/8" 78 2078

Range 1 East

township 24 north



Q measured .07 cts (irr.) + .02 cts (dom.)
Q recommended .06 cts (irr.) + .02 cts (dom.) = .08 cts
Volume 4.5 AF/acre X 3 = 13.5 AF/season

Acreage -

Found 3 acres

recommended 3 acres

Subdv. 2

Amendments

☒ None

☐ P.D.

☐ Place of use

☐ _____

Priority August 11, 1965

**NOTICE OF EXISTING
WATER PERMIT**

Notice is hereby given that Dale E. Astle, Box 36, Riggins, Idaho has received an approved permit No. 32478 issued by the Idaho State Reclamation Department authorizing the diversion of .08 cubic feet per second of water from a Spring (.02 cfs) on Papoose Creek (.06 cfs) tributary of Squaw Creek, subject to all prior rights. The priority to be established under this permit is August 11, 1965 and the permit was approved August 13, 1965. Water is to be diverted by ditch, storage tank, pipe, valves, etc. from a point within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 17 (Spring); SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 18, T. 24 N, R. 1 E, B.M., Idaho County to be used for culinary use and irrigation in the W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 17, T. 24 N, R. 1 E, B.M. Proof of the application of the water to beneficial use is to be submitted to the Department on or before August 13, 1969. Any protests against the issuance of a license for the above referenced permit should be filed with the Department of Reclamation within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON

State Reclamation Engineer
Published in the Idaho County Free Press, Grangeville, Idaho on July 10 and July 17, 1969. Jy10-17

June 26, 1969

Re: Permit No. 32478
Dale E. Astle

Idaho County Free Press
Box 267
Grangeville, Idaho 83530

Gentlemen:

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

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

Dale E.

The expense of the publication is to be paid by _____
Astle, Box 36, Riggins, Idaho 83549

to whom you should furnish an affidavit of publication.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

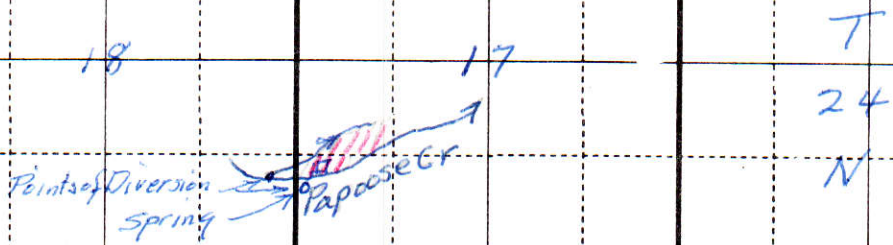
DWM:DR
Enc: Legal notice
cc: Dale E. Astle

NOTE: The permit holder is required to obtain an affidavit of publication from the above referenced newspaper and to submit it to the Department at once.

32478

NAME OF APPLICANT Dale F Astle

Form No. 0



RIE

Permit No. 32478
As approved
CARL E. TAPPAN AUG 13 1965
State Reclamation Engineer

LICENSING DATA ANALYSIS

1. Permit No. 78-2078

2. Name license is to be issued in Dale E. Astle
Assignment required - Yes No ✓

3. Date of first receipt Aug 11, 1965 Date proof due Aug 13, 1969 Made June 16, 1969

4. Priority Late proof - Yes No ✓

5. Source Spring & Pappoose Creek tributary Squaw Creek

6. Point of diversion:
Twp. 24 N/S, Rge. 1 E/W, B.M., Sec. 18, SE $\frac{1}{4}$ SE $\frac{1}{4}$
Twp. 24 N/S, Rge. 1 E/W, B.M., Sec. 17, SW $\frac{1}{4}$ SW $\frac{1}{4}$
Twp. N/S, Rge. E/W, B.M., Sec. , $\frac{1}{4}$ $\frac{1}{4}$
Amendment required - Yes No ✓

7. Beneficial use for license:
Amt. .02 for domestic from JAN 1 to Dec 31 AF .57
Amt. .06 for irrigation from May 1 to Oct 1 AF 13.5
Amt. for from to AF
Amount not to exceed at any one time .08 c.f.s. or 14.07 acre feet per
season or 4.5 acre feet per acre
Amendment required - Yes (NO) DO Amendment Req.

8. Permitted Amount: .08 c.f.s. Volume for season AF

9. Measured Amount: .09 Reason for reduction — limit
to Permitted amount

10. Description and location of place of use:

[illegible]

Total No. of acres 3

Supplemental acreage - Yes _____ No ✓

Total permitted acres 3

Amendment required - Yes No

11. Remarks: _____

12. Measuring device required - Yes _____ No ✓

13. Type of letter required: (Fee Notice *Special*)

14. Analysis by J. Boeser Date 30 Oct 70 Checked by Shy Date 1-14-71

18 2078

State of Idaho
Department of Water Administration
LICENSE OF WATER RIGHT

License of Water Right No. 78-2078 Priority 8-11-65 Amount 0.08 c.f.s.

THIS IS TO CERTIFY, that DALE E. ASTLE
of Riggins, Idaho, has complied with the terms and conditions of Permit
No. 78-2078 issued pursuant to Application for Permit dated 8-11-65,
and has submitted proof to the Department of Water Administration on 6-16-69,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 0.09 c.f.s., and that the water has in fact been applied to a
beneficial use; a right to the use of water from Spring and Papoose Creek
tributary of Squaw Creek, is hereby confirmed in the following amounts:
Amount 0.06 c.f.s. for Irrigation from May 1 to Oct. 1 (both dates inclusive)
Amount 0.02 c.f.s. for Domestic 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 0.08 c.f.s. of water be diverted at
any one time, said waters to be diverted within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 18 (creek) and
SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 17 (spring), Twp. 24 N., Rge. 1 E., B.M.
in the county of Idaho; 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 13.5 acre feet per year or _____
4.5 acre feet per acre, for irrigation purposes and 0.57 acre feet per
year for domestic purposes.
Description and location of place of use:

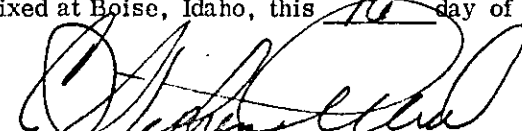
TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
24 N	1 E	17									1	2							3
Place of Use for Domestic Purposes																			
24 N	1 E	17										X							

Total number of acres irrigated 3

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 16th day of

MARCH, 1971.


Deputy Director

78 2078

32478
78-2 18

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

APPLICATION No. 40632
PERMIT No. 32478
DISTRICT No.

1. Name of Applicant: Dale E. Astle

Postoffice address: Box 56, Riggins

County: Idaho

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:

(c) Bond to be issued:

(b) Treasury stock:

(d) Other resources:

Total 0.08

2. Quantity of water claimed: Spring .02; Papoose Cr. .06 / cubic feet per second.

3. Source of water supply: Spring and Papoose Creek which is a tributary of Squaw Creek

4. Location of point of diversion: feet distant from the

corner of Section , T. , R. , B.M., and is in the SW¹/₄ SW¹/₄, Section 17 (spring)
SE¹/₄ SE¹/₄

of section 18 , T. 24 N , R. 1 E. , B. M., County of Idaho

5. Water is to be used for culinary use (house use) and irrigation

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

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

T. , R. , B.M., in the SW¹/₄ SW¹/₄ of Section 17 , T. 24 N. , R. 1 E. , 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: \$ 250.00

8. Kind of works: Ditch, 6x8x6 cement storage tank, , pipe, valves, etc.

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 1 feet; height 1½ feet.

11. Ditch: Width at bottom 1 fee; width at water line 1½ feet; depth of water ¼ (3 inches) feet;

dimensions of flume:

Diameter of pipe 2", 1½" and 1¼ inches; approx. length of conduit 0.3 miles.

Average grade per mile 15 feet.

12. The time required for the completion of such work is 2 years.

13. The time required for the complete application of the water to the proposed use is 2 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? **No** If so, fill in (b) and (c) below:
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

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

s/ Dale E. Astle Applicant.

By _____ Agent.

Date of first receipt at Department of Reclamation: 10:30 A.M. August 11, 1965

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is **32478**
 Recorded in Book **113** Page **32478** Approved **August 13, 1965**
 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 **October 13, 1965** 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 **August 13, 1966**
 The whole of said work to be completed on or before **August 13, 1967**
 Beneficial use of water appropriated in accordance herewith, to be made on or before **August 13, 1969**

WITNESS My hand this 13th day of August, 1965

s/ CARL E. TAPPAN
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLLIE, Governor of the State of Idaho,
and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to
be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 13th
day of August, 19 65

STATE OF IDAHO

day of _____, 19____.

Countersigned:

(SEAL) By s/ ARNOLD WILLIAMS
Secretary of State.

STATE OF IDAHO

By s/ ROBERT E. SMYLLIE
Governor.

REMARKS: This spring has been in use in this house since 1961. The irrigating water has been used intermittently since this country has been settled.
As soon as we can get the money we are going to build a new house at the place so marked on the map.
I am putting the water pipe to the spot now so it will be there when the time comes. ,

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	
24 N	1 E	17									1 2								3
AFFIDAVIT OF PERMISSION TO FILE ON SPRINGS																			
I, DELBERT F. WICKS, of Riggins, Idaho, County of Idaho, State of Idaho, do hereby certify that I am the owner of the land on which the spring mentioned in the application of Dale E. Astle, is located, to-wit: approx. S. 989 ft. E. 4960 ft. to SE cor. Sec. 17, T. 24 N., R. 1 E.B.M., and that I do hereby grant unto the said applicant permission to file on the said spring as set forth in the foregoing application.																			
s/ Delbert F. Wicks																			
STATE OF IDAHO)) ss County of Idaho)																			
On this 10 day of August, 1965, before me, a Notary Public for the State of Idaho, residing at Riggins, personally appeared Dale E. Astle & Delbert F. Wicks, known to me to be the persons whose names _____ subscribed to the foregoing certificate, and acknowledged to me that they executed the same.																			
Witness my hand and seal, the day and year in this certificate first above written.																			
s/ Walt. Schleicher Notary Public																			
My commission expires January 15, 1968																			
(SEAL)																			

Permit 32478 +
CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that DALE E. ASTLE of Riggins, County of Idaho, and State of Idaho, the holder of Permit No. 32478, issued upon Application No. 40632 bearing date of priority of August 11, 1965, authorizing the diversion of 0.06 second feet of waters of Papoose Creek and 0.02 second feet of waters of a spring, County of Idaho, State of Idaho, for culinary and irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 0.06 second feet of the waters of Papoose Creek, and 0.02 second feet of the waters of a spring, both a tributary of Squaw Creek; that the point of diversion of said waters is SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 17 (spring); SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 18 (Papoose Creek), T. 24 N, R. 1 E, B.M. and that the lands proposed to be irrigated by the use or place of use of said water are described as follows, to-wit: W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 17, T. 24 N, R. 1 E, B.M.

Proof of Completion of Works made: August 10, 1967.

Witness my hand this 17th day of August, A.D. 1967.

S/ R. KEITH HIGGINSON
State Reclamation Engineer

LICENSE ISSUED FOR 0.08 SEC. FT.
LICENSE PAGE NO. _____

RECEIVED

JUL 28 1969

Department of Reclamation

AFFIDAVIT OF PUBLICATION

Mary Lou Warden

being first duly

sworn, says she is the Chief Clerk
of the IDAHO COUNTY FREE PRESS, a weekly newspaper which
is published and issued weekly at Grangeville, Idaho County,
State of Idaho, and which is of general circulation in said county
and state; that the said notice, of which the one hereto attached
is a true copy, was published in said paper for ^{two} weeks,
being published two times, the first publication being
on the 10th day of July, 1969,
and the last publication on the 17th day of
July, 1969; and that the said notice
was published in the newspaper proper and not a supplement;
that said newspaper has been continuously and uninterruptedly
published in said county during a period of more than seventy-
eight consecutive weeks prior to the first publication of said
notice or advertisement.

Mary Lou Warden

Subscribed and sworn to before me this 17th day
of July, 1969.

Richard C Hatch, Notary Public

for State of Idaho, residing at Grangeville, Idaho.

78-2078

32478

RECEIVED
JUN 23 1969

Department of Reclamation

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Identification No. _____

Permit No. 32478

RECEIVED

JUN 16 1969

Department of Reclamation

1. a) Name of Permit Holder Dale E. Astle
- b) Post Office Address Box 36 Riggins, Idaho 83549
2. Permit Number 32478
3. Date of Priority that you are prepared to establish August 11, 1965
4. a) Source from which water was appropriated spring and Papoose Cr. / tributary of Logan Cr.
- b) Location of the point of diversion: SW 1/4 SW 1/4, Section 17 (spring)
Township 24N, Range 1E Boise Meridian, Other points of diversion: SE 1/4 SE 1/4 Sec. 18 T. 24N R 1E, B.M. (Papoose Cr.)

5. a) The amount of water and use to which the water has been applied: Jan 1 December 31
amount .02 cfs for culinary purposes from Jan 1 to Dec 31 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount .06 for irrigation purposes from May 1 to Oct. 15 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated .08 cfs and/or acre feet per annum
- c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: Measurement made by Clyde Hansen, will from Soil Conservation Service, Panguitch, Idaho. Minimum water that will flow in 9-1/8" No 3315 at ave. 50 # pressure

6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
 - a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: _____
 - b) Describe the agreement or understanding by which you take water from the works: _____

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) Spring; 1600 gal. storage tank, pipe to house; Papoose Cr. Current Headgate, 1800 ft 2 1/2" PVC pipe 300 ft. 2" PVC pipe 6 valves, 440' of 2" sprinkler pipe. Gravity flow system. 13-1/8" nozzle sprinklers.

- b) Describe the type and size of measuring device which you have installed at your point of diversion: 2 1/2" pipe line from diversion to sprinklers - size & No. of sprinklers
water quantity determined by number of sprinklers operating & at what pressure
- c) Give well drillers name and address and date the well was completed None

ex. typed

32478

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use Culinary use at our home on papoose Cr.

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: the land runs between papoose Cr. and the Road going to the 7 devils Rec. Area.

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
24N	1E	17										1.3	2.18						3.48

Total number of acres irrigated 3.48

10. Remarks: During high water I use more sprinklers than when water is low - up to 18 sprinklers according to the S.C.S. 9 sprinklers will use ^{app} 27 gal a minute. (2 hose 1/8" No 33/100 at app. 50# pressure).

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

June 19, 1969
(Date)

Dale E. Astle
(Signature)

State of Idaho

County of Idaho ss.

On this 19 day of June, 1969, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Walt Schlichter

Notary Public residing at Biggins Idaho

My commission expires January 1, 1971

32478

March 17, 1971

Re: Permit No. 78-2078 (32478)

C

Mr. Dale E. Astle
Box 36
Riggins, Idaho 83549

Dear Mr. Astle:

Enclosed herewith is your Water License issued on the above numbered permit.

P

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF/kh

Enclosure

78 2078

January 29, 1971

Re: Permit No. 78-2078 (32478)

Mr. Dale E. Astle
Box 36
Riggins, Idaho 83549

Dear Mr. Astle:

A representative of this department has made an examination of the works covered by your Permit No. 78-2078 and has found the following:

Quantity of water diverted: 0.09 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho law: 0.08 c.f.s.

The maximum quantity diverted shall not exceed 14.07 acre feet per season.

Beneficial Use: Domestic purposes and Irrigation of 3 acres within the
W¹SW¹ Sec. 17, T. 24 N., R. 1 E., B.M.

The priority date established is : August 11, 1965

If you do not concur with these findings, please advise us within 10 days; otherwise, a license will be issued as set forth in this letter.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:kh

78 2078

2.66
1.3
798
2.66
34.58

3
450
1.06
1700

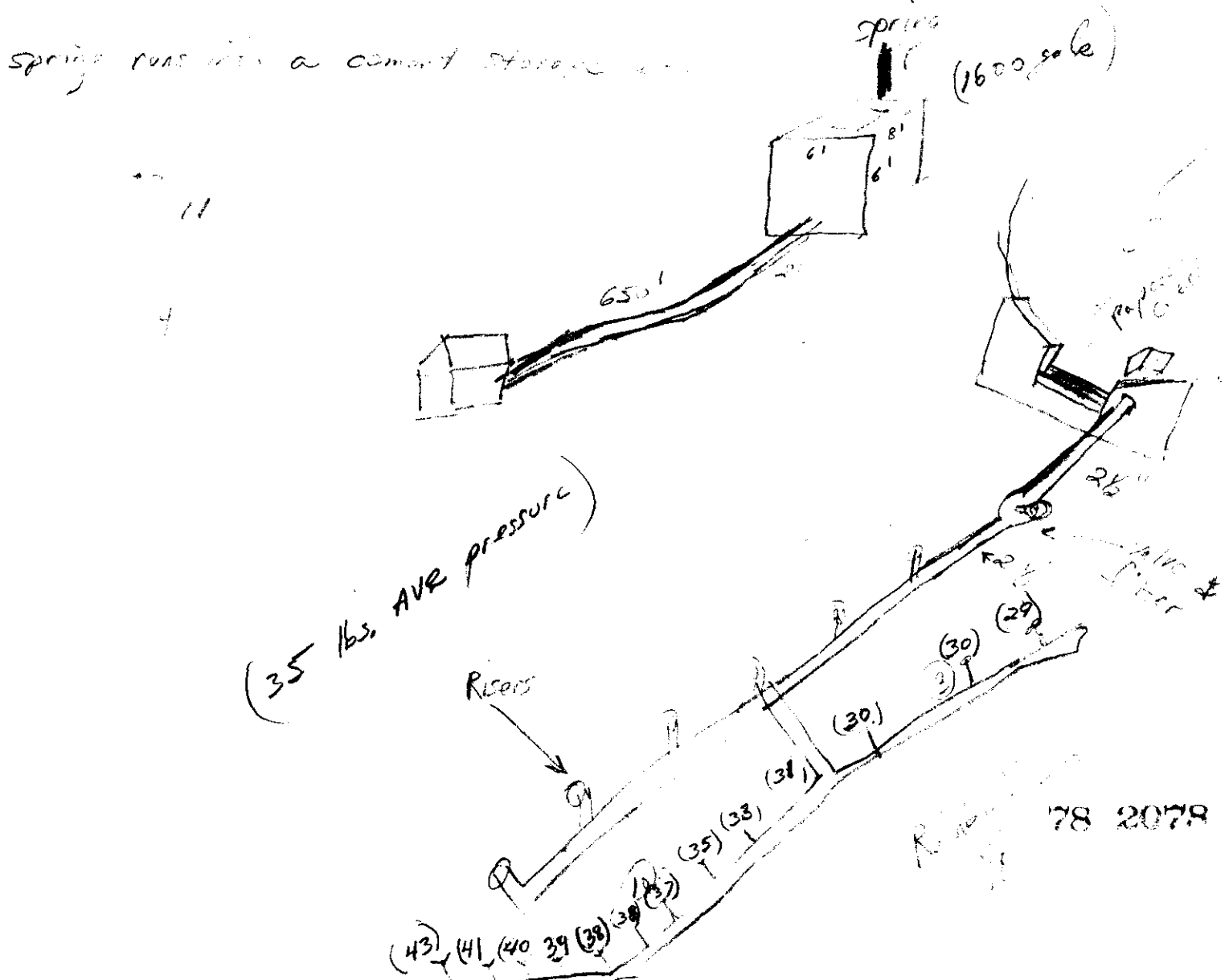
2.66
1.3
798
2.66
34.58

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. 78-2078

REPORT ON PROOF OF Dale E. Astle



P.D. from
Creek

→ G.P.O.

G.P.O.

Spring

Q recommended .07 cts (irr.) + .02 cts (dom.)

Q recommended .06 cts (irr.) + .02 cts (dom.) = .08 cts

Volume 4.5 AF X 3 = 13.5 AF/season

Acreage -

Found 3 acres

recommended 3 acres

Subdv. 2

Amendments

☒ None

☐ P.D.

☐ Place of use

☐

Priority August 11, 1965

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

Permit No. 32478/78-2078

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

1. Name of applicant Dale E. Astle, Box 36, Riggins, Idaho 83549

2. Source of water supply: spring and Papoose Creek trib. Squaw Creek

3. Location of point of diversion: Is in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 18
SW $\frac{1}{4}$ SW $\frac{1}{4}$ 17

T. 24 N R. 1 E County of Idaho

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

Spring - 1600 gal. storage tank, pipe to house; Papoose Creek - cement headgate, 1800 feet 2 $\frac{1}{2}$ inch PUC pipe, 300 feet 2" PUC pipe, 6 valves, 440' of al 2" sprinkler pipe. Gravity flow system. 13 1/8" nozzle sprinklers.

5. Water is used for: Domestic and irrigation

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

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

T. 24 N., R. 1 E., B.M. Sec. 17 W $\frac{1}{2}$ SW $\frac{1}{4}$ 3 acres

Water from Papoose Creek irrigates 3 acres of pasture water from spring is used to supply 1 family for domestic purposes.

Date Astle was present at exam.

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

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

Remarks:

See front page for drawing of system (domestic + irrigation)

13 Nozzles @ 35 lb pressure = 266 gals per nozzle = 34 gpm.

$\frac{34}{450} = .075$

This examination was made on the 8th day of Oct, 1978

(Signed) Fred E. ... Examiner.

Permit No. 78-2078

Examination for b/u

County Idaho 18

Sec. 17 T. 24N R. 1E
Quantity: Permit - 0.08 c.f.s. Proof - 0.08 c.f.s.

Source: spring and Papoose Creek

P.D.: SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 17 (spring)
SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 18 (Papoose Creek)

Use: culinary use and irrigation

Extension:

Protest: Mrs. N. O. Taylor

Completion of Works: August 17, 1967

Other Rights:

Filed: August 11, 1965

Due: August 13, 1969

Made: June 16, 1969

Priority: August 11, 1965

INSTRUCTIONS TO EXAMINERS

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

Water Dist. No.

[illegible]

October 5, 1970

Re: Permit No. 78-2078

Mrs. N. O. Taylor
Box 325
Riggins, Idaho 83549

Dear Mrs. Taylor:

Regarding our conference at Riggins on October 1 and our subsequent visit to Papoose Creek, I said that I would send you a letter telling you of our decision regarding your protest. As we discussed at that time, the only points we could consider in licensing of the permit are whether or not the applicant had developed previously-unappropriated water under the terms of his permit and whether or not the licensing of such permit would cause injury to prior water rights.

The problems we discussed appear to be of distribution of water rather than problems dealing with licensing of the permit. I believe you agreed that at certain times of the year water is available for other individuals to utilize. In viewing the Creek, I would have to disagree with you that the brush placed in the Creek would obstruct flows to your point of diversion. As we discussed, if the water supply was insufficient to reach you to fill your prior right than upstream users would be entitled to attempt to use the water without regard to whether or not you received water.

I would suggest that in the event problems develop during the next irrigation season over the delivery of water, that you contact this Department. I will attempt to have someone from our Department go up there and again investigate your complaint.

In as much as your protest does not appear to be founded on items we can consider in licensing, you are hereby notified that your protest against the licensing of Permit No. 78-2078 is set aside and we will proceed with the preparation of the license.

If you have any questions, please feel free to contact me.

Very truly yours,

C. STEPHEN ALLRED
Deputy Director

CSA:cc

cc: Mr. Dale E. Astle

78 2078

78-2078 - Dale E. Astle
Riggins City Hall, Riggins, Idaho
October 1, 1970 at 1:30 p.m.

ROSTER OF ATTENDANCE

Name	Address	Representing
------	---------	--------------

Carol Astle	Box 36	Riggins, Idaho
Wynne A. Taylor	Box 325	Riggins, Idaho 83549
Lois E. Comstock	Box 385	Riggins, Idaho
Mrs. Mrs. Ken Turleaga	Box 337	Riggins, Ida
Anril Fredlund	Box 24	Riggins, Ida
M. Wayne Stinger	Box 24	Riggins, Ida
Dale E. Astle	Box 36	Riggins, Ida. 83549

Hygiene State
July 10, 1909

RECEIVED

JUL 14 1909

State of Idaho
Hygiene Reclamation
District - Annex 2
June, State 83707

Department of Reclamation

Dear Sir,

I received your letter July 12, 1909
regarding the application for
permit No. 73-7010 by Mr. Paul J. Hygiene.

There were also notes of
existing water permit in the
State of Idaho. Hygiene State
July 10, 1909, a letter that will be
called for 36 Hygiene State -
permit # 32478, has received
a permit by the State with
Reclamation Bureau of .08 cu
ft. per second of water from a
spring (.03 cfs) and Hygiene Creek
(.06 cfs) tributary of Hygiene Creek
subject to all Hygiene rights.

We have had water right
since early July 1905 permit
32408 for .04 cu ft of d.d.

We spring that is mentioned
is not on Mr. Collier property.
The creek is fed by this spring
and supplies for Hygiene the
area.

I advise you that there
we are all without water.

I wish to protect against
the summer of a license for
above referenced permit.

Will you please keep me
informed of any action on the
above request.

Yours very truly
August 14, 1909
(Geo. W. A. Taylor)

84502 / 8202-82

September 9, 1970

C
Eiggins City Hall
Eiggins,
Idaho 83549

O
Dear Sirs:

This letter is to confirm the use of a room at the City Hall for meetings to be held by this office. Our meetings are scheduled for the 1st of October, 1970.

P
Thank you for your cooperation in this matter.

Very truly yours,

Y
Donald W. McIlldowney
Appropriation Supervisor

DWM:KH

78-2078

32478

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

78-2078

78-2078

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
Statehouse - Annex 2
Boise, Idaho 83797

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐

Show to whom, date, and
address where delivered

☐

Deliver ONLY
to addressee

(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO.

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

CERTIFIED NO.

1

22147

INSURED NO.

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED

3

SHOW WHERE DELIVERED *(only if requested)*

9-2-70

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

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

POSTMARK OF
DELIVERING OFFICE

SEP 8
P.M.
1970

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

RETURN
TO

NAME OF SENDER

Department of Water Administration

STREET AND NO. OR P.O. BOX

Statehouse Annex # 2

POST OFFICE, STATE, AND ZIP CODE

Boise, Idaho 83707

POD Form 3811 Apr. 1967

025-16-71548-10

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Show to whom, date, and
address where delivered

☐ Deliver ONLY
to addressee

(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO. SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)

Paul E. Atle

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

CERTIFIED NO.

22148

INSURED NO.

DATE DELIVERED

SHOW WHERE DELIVERED (only if requested)

30478
18-2078

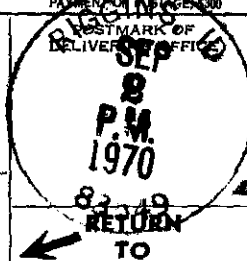
POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

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

c55-16-71648-10

POD Form 3811 Apr. 1967

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



NAME OF SENDER

Department of Water Administration

STREET AND NO. OR P.O. BOX

Statehouse Annex # 2

POST OFFICE, STATE, AND ZIP CODE

Boise, Idaho 83707

NAME AND ADDRESS OF SENDER

Department of Water Administration

Indicate type of mail
☐ INSURED ☐ C. O. D.
☒ CERTIFIED

Affix stamp here if issued as certificate of mailing or for additional copies of this bill.
 POSTMARK AND DATE OF RECEIPT

NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST-OFFICE ADDRESS	POSTAGE	FEE	DUE SENDER IF C. O. D.	ENDORSEMENT	R. R. FEE	S. D. FEE	S. M. FEE	RESTRICTED DELIVERY FEE
1	John W. Taylor, Ogden, Idaho	06	30			15			18-10-28-78 740
2	Orlando E. Hottle, Box 36, Riggs, Idaho	06	30			15			28-10-28-78 740
3	Paul E. Taylor, 1771 South Grand, Elmdale, California	06	30			15			28-10-28-78 740
4									
5	William G. Gentry, Box 229, Riggs, Idaho	06	30			15			28-10-28-78 740
6	David Hubbard, Riggs, Idaho	06	30			15			28-10-28-78 740
7	James H. Campbell, Riggs, Idaho	06	30			15			28-10-28-78 740
8	James H. Campbell, Riggs, Idaho	06	30			15			28-10-28-78 740
9	William G. Gentry, Box 229, Riggs, Idaho	06	30			15			28-10-28-78 740
10	David Hubbard, Riggs, Idaho	06	30			15			28-10-28-78 740
11	James H. Campbell, Riggs, Idaho	06	30			15			28-10-28-78 740
12	William G. Gentry, Box 229, Riggs, Idaho	06	30			15			28-10-28-78 740
13	David Hubbard, Riggs, Idaho	06	30			15			28-10-28-78 740
14	James H. Campbell, Riggs, Idaho	06	30			15			28-10-28-78 740
15	William G. Gentry, Box 229, Riggs, Idaho	06	30			15			28-10-28-78 740
16	David Hubbard, Riggs, Idaho	06	30			15			28-10-28-78 740
17	James H. Campbell, Riggs, Idaho	06	30			15			28-10-28-78 740
18	William G. Gentry, Box 229, Riggs, Idaho	06	30			15			28-10-28-78 740
19	David Hubbard, Riggs, Idaho	06	30			15			28-10-28-78 740
20	James H. Campbell, Riggs, Idaho	06	30			15			28-10-28-78 740

TOTAL NUMBER OF PIECES LISTED BY SENDER 13

TOTAL NUMBER OF PIECES RECEIVED AT POST OFFICE

POSTMASTER, PER (Name of receiving employee)

Mark "F" if "Fragile," "P" if "Perishable," "E" if "Eggs," "EH" if "Eggs for Hatching," "B" if "Butter," "FL" if "Fragile Liquid," and "FLU" if "Fragile Liquid—This Side Up."
 *Special-handling charges apply only to fourth-class parcels. Special delivery service also includes special-handling service.

Take #32400

with this

fling
CPT

72-2078

32478

BEFORE THE DIRECTOR
OF THE
IDAHO DEPARTMENT OF WATER ADMINISTRATION

In the Matter of Protest Against)
Licensing of Permit No. 32478/78-2078)
in the name of DALE E. ASTLE)
_____)

NOTICE OF CONFERENCE
AND/OR HEARING

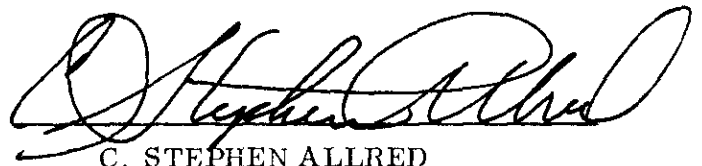
On August 11, 1965, Dale E. Astle, Box 36, Riggins, Idaho filed with the Department of Water Administration an application to appropriate the public waters of the State of Idaho. On June 23, 1969, Dale E. Astle submitted proof of application of water to beneficial use. On July 14, 1969, Mrs. N. O. Taylor, Riggins, Idaho, submitted a protest against licensing of this permit.

The Department has set the matter of protest for conference and/or hearing on October 1, 1970, at 1:30 p.m., in the Riggins City Hall, Riggins, Idaho. Any hearing will be held in accordance with the Rules and Regulations of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Administration. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

Any party may request in writing five (5) days before any hearing that the oral proceedings thereof be taken in the form of stenographic notes. Any party may have such stenographic notes of the oral proceedings, or part thereof, transcribed at his own expense. A taped record of the proceedings will be maintained for the appeal period.

Failure to appear at the time and place set for hearing by the permit holder or protestant may allow the Department without prejudice to dismiss the protest or the permit. Any and all cost incurred by reason of such non-appearance may be assessed against such non-appearing parties.

Dated this 1st day of September, 1970.


C. STEPHEN ALLRED
Deputy Director

Mailed this 1st day of September, 1970, to Mrs. N. O. Taylor, Riggins, Idaho,
by certified mail No. 22147; Mr. Dale E. Astle, Box 36, Riggins, Idaho, by certified mail No. 22148
Copy of protest included with 22148

By _____

78-2078
32478

February 17, 1970

Re: Permit No. 32478 (New No. 78-2078)

Mr. Dale E. Astle
Box 36
Riggins, Idaho 83549

Dear Mr. Astle:

Please accept our apology for the ^{un}timely delay in answering your letter of January 19, 1970. This is to advise that your permit is still in good standing at this time, however, the Department has suspended action under the permit until we can come into your area and conduct this and other related items.

We are proposing that a field trip and a probable conference of protestants will be scheduled for the first part of April, 1970. We will advise you by mail at least ten days prior to the conference date as to the time and place and of any field examination to be conducted. We will make a re-attempt to complete the matter of protest for your permit prior to the irrigation season in your area.

If we can be of further assistance, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:dr

78-2078
32478

January 16, 1970

Re: Permit No 32478

Mr. Donald W McEldowney
Appropriation Examiner
Dept. of Reclamation
Statehouse - Annex 2
Boise, Idaho 83707

Department of Reclamation

Dear Mr. McEldowney

I would like to know the present status of my water permit No. 32478. The last correspondence I have had with your office was dated July 23, 1969. It was your acknowledgement of receiving the affidavit of publication which I submitted to you. In this letter you told me that any further action on this permit is pending the outcome of the protest which Mrs. N. O. Taylor filed with your office concerning my permit. Since that time I have been waiting for your inspector to come up to look into Mrs. Taylor's claims. The reason I didn't write a letter answering the protest is that I thought it would be easier and simpler to speak to your inspector and show him how ridiculous Mrs. Taylor's claims are. Quite a bit of time has gone by and I have seen no one nor have I heard from your office.

In Mrs. Taylor's letter of protest she says: "The spring that is mentioned, is not on Mr. Astles property. The creek is fed by this spring and supplies 4 families in this area." This statement is ridiculous. Certainly the spring isn't on my land. But it isn't on Mrs. Taylor's either. As you know from your records the spring is on Mr. Delbert Wicks land, and I have written permission to develop it for culinary use. Also the spring is a very, very small contributor to papoose creek's water. At the most it runs about 2 inches of water and that in the spring of the year. There are two of us using the spring for culinary use, Mr. Arvid Fredlund and myself. Even if we were to let the whole spring flow into the creek if the creek were already dry, (which it does do on a dry year) it wouldn't run over 75 to 100 feet down the creek bed until it would disappear in the bottom of the creek bed. There are 4 families that use papoose creek water for irrigation but only 2 as I have said that use the spring.

I have seen Mrs. Taylor and explained that I realize that her water permit No. 32408 has a prior use date than mine, that her .04 Cu. in. comes first and then mine. Perhaps if you would write to her and explain this she might withdraw her protest.

78-3078

32478

I would like to get this settled soon, before the coming growing season. Mrs. Taylors son-in-law is moving here this spring and I for see trouble and water fights if this isn't settled before then.

I would like to request that your inspector come and look into this problem and straighted it out as soon as possible. I would like for you to inform me when he will be coming so that we can be sure and be here.

please let me know the status of my permit and answer my questions as soon as possible. Thank you for help on this matter.

Very truly yours

D. E. Atte

78-2078

32478

July 23, 1969

Re: Permit No. 32478

C
O
P
Y

Dale E. Astle
Box 36
Riggins, Idaho

Dear Mr. Astle:

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

This is to advise that any further action on this permit is pending the outcome of the protest.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR

78-2078
32478

July 15, 1969

Re: Permit No. 32478

Mr. Dale E. Astle
Box 36
Riggins, Idaho

Dear Mr. Astle:

You will find enclosed a copy of the protest filed against the issuance of a license pursuant to your permit no. 32478 by Mrs. N. O. Taylor. The following are the only provisions which will be considered in the hearing and/or conference:

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

Legal counsel is not mandatory, although you may desire to employ an attorney. You may also, if you so desire, submit a written answer to the protest within ten (10) days.

If we may be of further assistance, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:tg
Enc: copy of protest

72-2072
30478

July 15, 1969

Re: Permit No. 32478
Dale E. Astle

C
Mrs. N. O. Taylor
Riggins, Idaho

Dear Mrs. Taylor:

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

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

Y
If the Department may be of further assistance, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:Tg

Enc: none

78-2078
32478

June 26, 1969

Re: Permit No. 32478

Dale E. Astle
Box 36
Riggins, Idaho 83549

Dear Mr. Astle:

We acknowledge receipt of your affidavit submitted as proof of beneficial use for permit 32478.

Before a license can be issued you must submit an affidavit of publication to this department. The affidavit of publication may be obtained from the Idaho County Free Press (see copy of enclosed letter) upon payment of the bill of publication.

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

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR

Enc: Copy of letter to newspaper

32478

**NOTICE OF EXISTING
WATER PERMIT**

Notice is hereby given that Dale E. Astle, Box 36, Riggins, Idaho has received an approved permit No. 32478 issued by the Idaho State Reclamation Department authorizing the diversion of .08 cubic feet per second of water from a Spring (.02 cfs) on Papoose Creek (.06 cfs) tributary of Squaw Creek, subject to all prior rights. The priority to be established under this permit is August 11, 1965 and the permit was approved August 13, 1965. Water is to be diverted by ditch, storage tank, pipe, valves, etc. from a point within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 17 (Spring); SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 18, T. 24 N, R. 1 E, B.M., Idaho County to be used for culinary use and irrigation in the W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 17, T. 24 N, R. 1 E, B.M. Proof of the application of the water to beneficial use is to be submitted to the Department on or before August 13, 1969. Any protests against the issuance of a license for the above referenced permit should be filed with the Department of Reclamation within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON
State Reclamation Engineer
Published in the Idaho County Free Press, Grangeville, Idaho on July 10 and July 17, 1969. Jy10-17

June 26, 1969

Re: Permit No. 32478
Dale E. Astle

Idaho County Free Press
Box 267
Grangeville, Idaho 83530

Gentlemen:

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

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

The expense of the publication is to be paid by Dale E. Astle, Box 36, Riggins, Idaho 83549

to whom you should furnish an affidavit of publication.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR
Enc: Legal notice
cc: Dale E. Astle

NOTE: The permit holder is required to obtain an affidavit of publication from the above referenced newspaper and to submit it to the Department at once.

32478

RECEIVED

JUN 11 1964

NOTICE OF EXISTING WATER PERMIT

Department of Reclamation

Notice is hereby given that Dale E. Astle, Box 36, Riggins, Idaho

has received an approved permit No.

32478 issued by the Idaho State Reclamation Department authorizing the diversion ~~/storage~~ of .08 cubic feet per second ~~/acre/feet/per/annum~~ (.02) (.06) of water from Spring and Papoose Creek/tributary of Squaw Creek.

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

August 11, 1965 and the permit was approved August 13, 1965 .

Water is to be diverted by ditch, storage tank, pipe, valves, etc.

from a point within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 17 (Spring); SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 18, T. 24 N,

R. 1 E, B.M., Idaho County

to be used for culinary use and irrigation

in the $W\frac{1}{2}SW\frac{1}{4}$, Sec. 17, T. 24 N, R. 1 E, B.M.

Proof of the application of the water to beneficial use is to be submitted to the Department on or before August 13, 1969. Any protests against the issuance of a license for the above referenced permit should be filed with the Department of Reclamation within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Idaho County Free Press, Grangeville, Idaho on

[illegible]

State Reclamation Engineer:

Permit No. 32478

You are hereby authorized to have the attached notice published at may expense in the Idaho County Free Press of Grangeville, Idaho, published in the county in which the works are situated.

✓ Dale E. Astle
(Signature)

✓ Box 36, Riggins, Idaho 83549
(Address)

✓ June 11, 1969
(Date)

32478

June 17, 1969

Re: Permit No. 32478

Dale E. Astle
Box 36
Riggins, Idaho 83549

Dear Mr. Astle:

Enclosed you will find that we are returning the proof of application of water to beneficial use form submitted to the Department on June 16th. Please complete the reverse side of the form and have it notarized before submitting it again.

Upon receipt of the completed proof form, we will go ahead with the advertising for this permit.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR

Enc: Proof form

32478

June 5, 1969

Re: Permit No. 32478

Dale E. Astle
Box 36
Riggins, Idaho 83549

Dear Mr. Astle:

In answer to your letter of June 2, 1969. The points of diversion on Permit 32478 read as follows: SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 17 (spring); SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 18, T. 24 N. R. 1 E., B.M., Idaho County. We have enclosed a copy of the map submitted in connection with said permit and it reads the same.

If your points of diversion are still located in the sections as designated above, an amendment form will not be necessary. However, if the points of diversion differ from those listed above, we have enclosed an amendment form for your use.

Amendment forms must be accompanied by a \$5.00 filing fee when submitted to the Department.

If we may be of further service, please advise.

Very truly yours,

Gary L. Page
Survey Examiner

GLP:DR

Enc: Amendment form

Copy of map

32478

Q

June 2, 1969

RECEIVED

Mr. Donald W. Mc Eldowney JUN 2 1969

Dear Sir

Department of Reclamation

We recieved your letter regarding our Permit No. 32478 for water. Since we applied for the permit we have changed our method of irrigation.

Last fall with the help of the Soil Conservation Service office in Shreveville we have installed a gravity flow sprinkling system. We therefore have a different point of diversion - and a different way of conveying the water to my fields.

The point of diversion is still within the SE $\frac{1}{4}$ SE $\frac{1}{4}$
32478

②

Sec. 17 T. 24 N R 1 E. BM.

It is only up the canyon
approx 400 feet from the old
point of diversion. Here we
have installed a cement
headgate and have our filtering
screens. We use $2\frac{1}{2}$ in P.V.C.
pipe (1500 feet) along
the west side of my property.
there are 2 secondary lines
which are 2 inch PVC pipe
which go from the main
line to the creek. Each of
these secondary lines have
3 risers with valve stems
for my surface aluminum
pipe which has the sprinklers.
all the main line pipe are
buried 2 feet deep. 32478

(3)

The cost of this system was approx. 1,500.00. The ASC office in Haverhill, helped us with 750.00.

From reading your letter together we need forms to file an ammendment to the prob form. Would you please send us the necessary forms and information as to how they need to be filled out.

As soon as we receive these forms we will finish filling out the forms you sent.

Thank you for your help -

Sincerely,

Dale E. Astle
32478

June 1, 1969

Re: Permit No. 32478

Dale E. Astle
Box 36
Riggins, Idaho

Dear Mr. Astle:

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

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

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

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR

Enc: Order
Proof due notice
Proof package
Advertising package

32478

BEFORE THE STATE RECLAMATION ENGINEER

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 32478)

in the name of Dale E. Astle)

Box 36, Riggins, Idaho)

ORDER MODIFYING REQUIREMENTS
FOR COMPLETION OF PERMIT TO
APPROPRIATE WATER

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

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

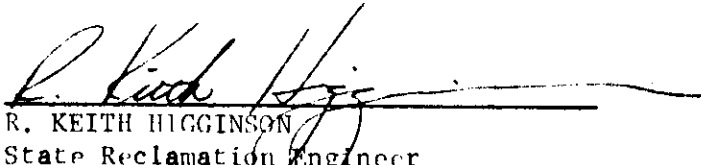
WHEREAS, on August 1, 1968, the Department of Reclamation adopted Rules of Practice and Procedures for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. 32478 was issued previous to that date;

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

1. The above-numbered permit will be completed under the terms of Title 42, Chapter 2, Idaho Code, as amended by the 39th Idaho Legislature.
2. The conditions of the above-numbered permit are modified as follows:
 - a. Notice of the issuance of the permit will be published at the permit holders expense for two weekly issues in the official newspaper of the county in which the point of diversion lies.

Dated this 28th day of May, 19 69.


R. KEITH HIGGINSON
State Reclamation Engineer

32478

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Show to whom, date, and
address where delivered

☐ Deliver ONLY
to addressee

(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO.

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

CERTIFIED NO.

21058

1

Dale E. Astle

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

DATE DELIVERED

SHOW WHERE DELIVERED *(only if requested)*

3

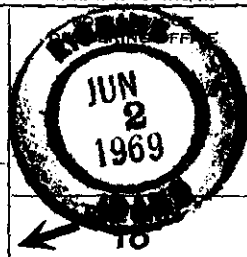
**POST OFFICE DEPARTMENT
OFFICIAL BUSINESS**

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

655-16-71548-10

POD Form 3811 Apr. 1967

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



NAME OF SENDER

STREET AND NO. OR P.O. BOX

POST OFFICE, STATE, AND ZIP CODE

June 1, 1969

Re: Permit No. 32478

Dale E. Astle
Box 36
Riggins, Idaho

Dear Mr. Astle:

One of the conditions of the approval of your permit
32478 was that proof of application of the water to
beneficial use be submitted to this office on or before _____
August 13, 1969.

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

Either the proof or a request for extension must be received
by this department on or before the above mentioned date, otherwise
the permit will lapse and be of no further force or effect.



State Reclamation Engineer

Enclosure: Proof form

DR

Form 5

32478

Permit No. _____

STATE OF IDAHO
Department of Reclamation

RECEIVED
AUG 11 1967
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO
County of Idaho } ss.

Dale E. Astle, being first duly sworn, upon his oath deposes and says:

First: That he is the holder and owner of Permit to appropriate the Public Waters of the State of Idaho, No. 32478, and that his postoffice address is Box 36 Riggins State of Idaho.

Second: That the name of the stream from which said water is to be diverted is Spring and Papoose Cr.

Third: That the point of diversion of said water is SW 1/4 S. W 1/4 Sec 17 (Spring); SE 1/4 SE 1/4 Sec 18 (Papoose Cr.) T 24 N R 1 E

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by August 13, 1967.

Fifth: That the use for which said water is intended is House use and irrigation

Sixth: That on the date above mentioned, the works constructed under said permit were ~~not~~ fully completed and consisted of the following:

I. Kind of Works: 6X8X6 cement storage tank, pipe, valves, etc. - irrigation ditch
(RESERVOIR, DAM, DITCH, FLUME, PIPE OR OTHERWISE)

II. Dimensions of work: _____

(a) Height of dam _____ feet, length of dam at top _____ feet, length of dam at bottom _____ feet. Material used in construction _____

(STATE WHETHER WOOD, EARTH STONE OR CONCRETE)

(b) Capacity of reservoir _____ acre feet.

(c) Size of headgate: Width 1 feet, height 1 1/2 feet.

(d) Conduit ditch width at bottom 1 feet, width at water line 1 1/3

(STATE WHETHER DITCH, FLUME OR PIPE)

feet, depth of water 1/4 feet; diameter of pipe 1 1/2 inches, average grade per mile is 15 feet. Length of conduit is 0.3 miles.

Seventh: That said works are capable of conducting to the place of intended use Spring 102 cr-106 - total 100 second feet of water.

Eighth: That water appropriated under said permit is available for 3 acres of land described as follows: NW 1/4 SW 1/4 of the SW 1/4 Sec. 17
T 24 N R 1 E

Ninth: Remarks:—That _____

Dale E. Astle

(SIGN HERE)

Subscribed and sworn to before me this 10th day of August, 1967

Alan Williamson
NOTARY PUBLIC

My commission expires 9-22-68

32478

Permit No. ...32478.....

**Certificate of Completion
of Works**

Dated August.17....., 19.67....

Stream : Papoose Creek & a spring

County ...Idaho.....

Amount 0.08 c.f.s.....

Date of Priority . August.11, 1965

Recorded in Book 113.....

of....Permits....., page .32478..

32478

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that DALE E. ASTLE
 of Riggins , County of Idaho , and State of
 Idaho , the holder of Permit No. 32478 , issued upon
 Application No. 40632 .. bearing date of priority of ... August 11, 1965, authorizing the
 diversion of 0.06 Papoose Creek,
 0.02 second feet of waters of ... a spring, ...

 County of ... Idaho , State of Idaho, for .. culinary and irrigation
 purposes, has fully complied with the provisions of the laws of the State of Idaho
 relating to the proof of completion of the works of diversion set out and described in said
 Permit; that said works are adequate for diverting and conveying to the place of intended
 use 0.06 Papoose Creek, tributary of
 0.02 second feet of the waters of ... a spring, ...
 Squaw Creek;

that the point of diversion of said waters is SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 17 (spring); SE $\frac{1}{4}$ SE $\frac{1}{4}$,
 Sec. 18 (Papoose Creek), T. 24 N., R. 1 E., B.M.

and that the lands proposed to be irrigated by the use or place of use of said water are
 described as follows, to-wit: W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 17, T. 24 N., R. 1 E., B.M.

Proof of Completion of Works Made: August 10, 1967

Witness my hand this 17th ... day of August , A. D. 19 .. 67...

R. Keith Higgins
 State Reclamation Engineer

32478

S T A T E O F I D A H O
DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: 32478

June 1, 1967

Dale E. Astle
Box 56
Riggins, Idaho 83549

Dear Mr. Astle:

Under the terms of your Permit No. 32478 you are required to complete your diversion works on or before August 13, 1967. I enclose blank affidavit to be filled out, sworn to by you before a Notary Public, or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the said permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, a Certificate of Completion will be issued to you.

The certificate to be issued under this proof will not give a perpetual right to the use of water for which application was made, as it only confirms the completion of works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Very truly yours,


State Reclamation Engineer

Enc. Form 6

532478

September 1, 1965

RE: Permit Nos. 32408, N. O. Taylor
32476, Arvid Fredlund
32477, Paul Albert Campbell
32478, Dale E. Astle
License No. 15844, C. M. Clay

Arvid Fredlund
Box 24
Riggins, Idaho

Dear Mr. Fredlund:

We received your request in regard to water rights out of Papoose Creek and also a protest to proofs under Permit No. 32408.

This office cannot make a survey with instruments, of acreage irrigated under water permits. The area of land is estimated by pacing or taken from recent maps in the S.C.S. Office.

Water License No. 15844 was issued to C. M. Clay, priority of June 26, 1924, for 2.64 c.f.s. out of Shingle and Papoose Creeks for irrigation of 132 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 25; E $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$, Sec. 36, Twp. 24 N., Rge. 1 W., B.M.

Permit No. 32408 was issued to N. O. Taylor, filed June 18, 1965, for 0.12 c.f.s. out of Papoose Creek for irrigation of 6 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 17, Twp. 24 N., Rge. 1 E., B.M.

The other three permits all have the same priority, being filed August 11, 1965.

The water code in Idaho provides that the first in time has the first right to the available water up to the amount used beneficially. The District Courts have decreed in other cases that when undisturbed water in a stream will not reach a prior right on account of sinking, the next right upstream has the right to use the water.

32478

continued

Arvid Fredlund, page 2

Use rights obtained by diversion and beneficial use of the water without a permit from this office are legal in this state. Such rights are not recorded and can only become recorded, dating back to first use, by action in the District Court. This office has no record of such rights to use the water.

This office cannot assume division of the waters of any stream until the rights of the various users have been decreed by the District Court.

The records of this office are shown above. If the users of the water cannot agree as to rights to the water, the only recourse is to take the matter to the District Court.

Very truly yours,

RALPH W. THOMAS
Deputy State Reclamation Engineer

RWT:mr

cc: Paul Albert Campbell
Dale E. Astle
N. O. Taylor

§ 32478

August 23, 1965

Re: Permit No. 32478

Mr. Dale E. Astle,
Box 56,
Piggins, Idaho.

Dear Mr. Astle:

We enclose Permit No. 32478 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. 32670 which was issued covering payment in the amount of \$5.00 for the filing fee of the above mentioned permit.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(MRS.) EDNA P. RULE
Chief Clerk

Encl.
EPR:pmk

832478

August 17, 1967

Re: Permit No. 32478

Dale E. Astle
Box 36
Riggins, Idaho 83549

Dear Mr. Astle:

Enclosed is the Certificate of Completion of Works for the
above referenced permit.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

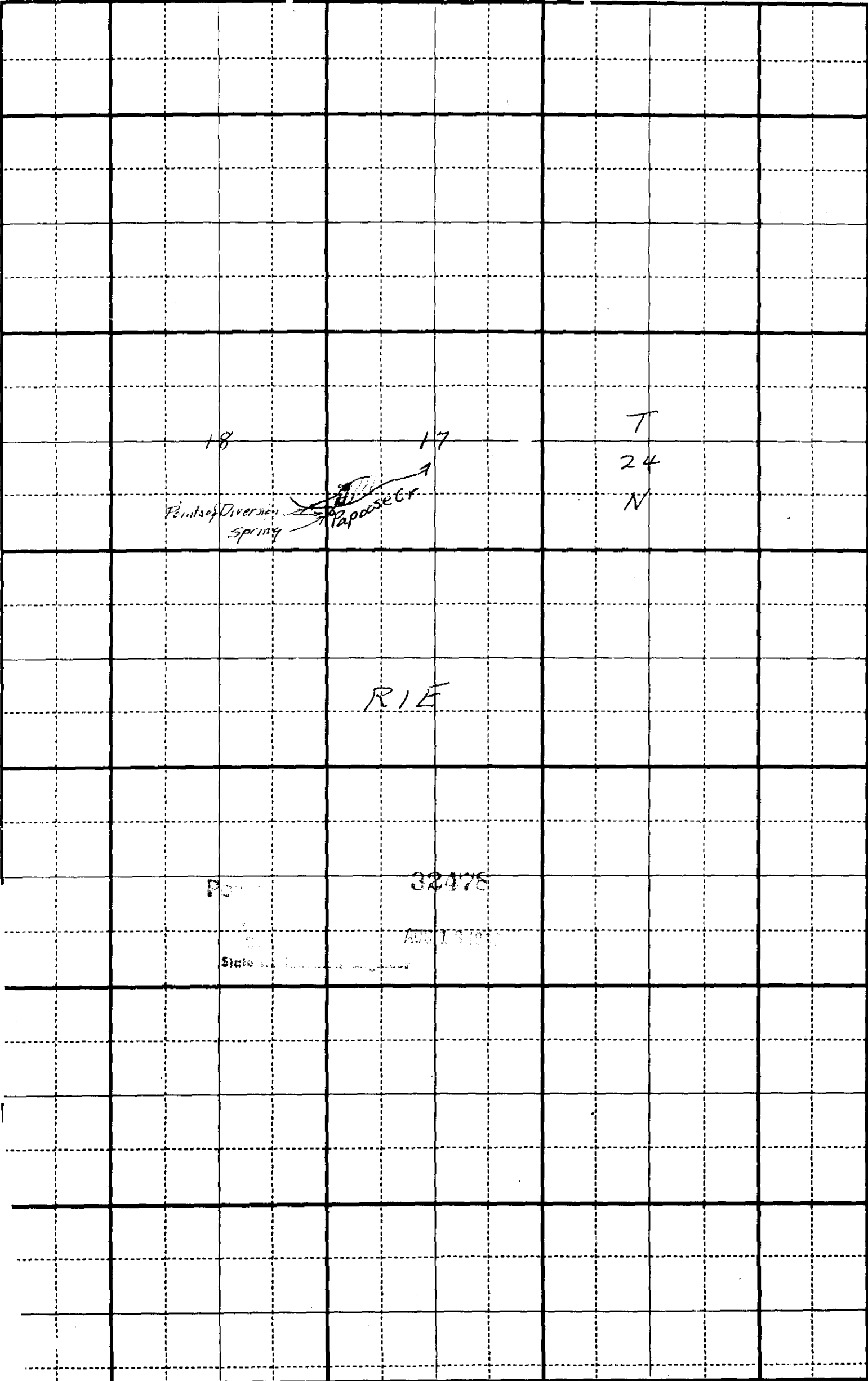
DWM:dj

Enc: Certificate

B32478

NAME OF APPLICANT Pale E. Astle

Form No. 0



SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

B 32478