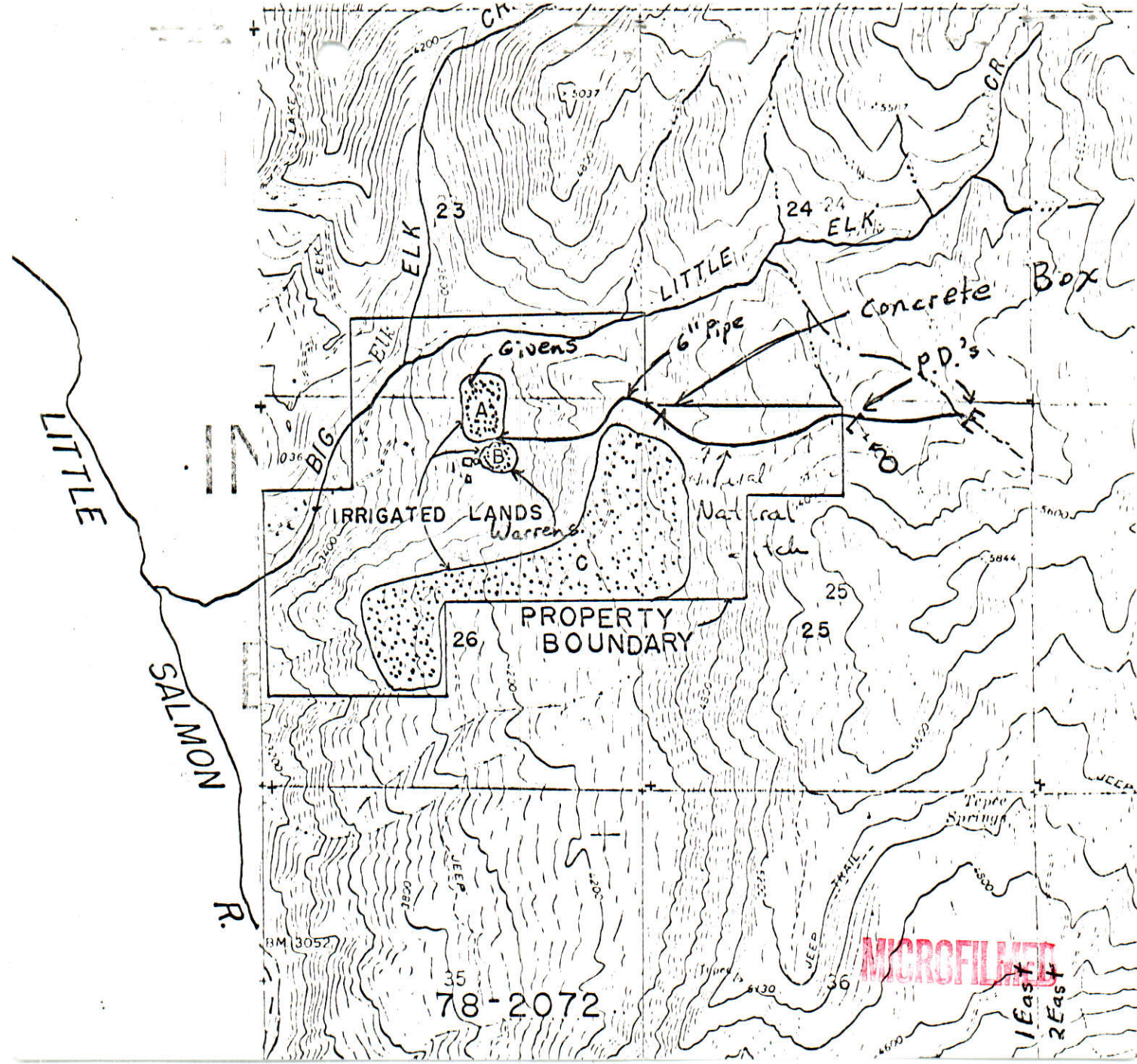




NOTICE OF PROPOSED
AMENDING
OF WATER PERMIT

Notice is hereby given that permit No. 31555/78-2072 in the name of M. R. Givens, Rt. 1 Elk Lake Rd., New Meadows, ID was issued for the diversion of 12.0 c.f.s. of water from Little Elk Creek and Big Elk Creek, trib. to Little Elk is tributary to Big Elk with point of diversion SE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 23, T. 22 N, R. 1 E, B.M. Idaho County to be used for domestic use and for irrigation of 600 acres within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 23, S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 24, N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 25, NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 26, T. 22 N, R. 1 E, B.M.

The permit holder now proposes to amend permit No. 31555/78-2072 changing the point of diversion within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 19, T. 22 N, R. 2 E, B.M.; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 25, T. 22 N, R. 1 E, B.M. Idaho County. The source of water will be the two unnamed streams, trib. to Little Elk Creek.

Any protests to this proposed amending of the permit must be filed with the Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83720 on or before November 4 1974.

R. KEITH HIGGINSON
Director

Published in the Idaho County Free Press Grangeville, ID on October 16, 1974 and October 23, 1974 . O16-23

AFFIDAVIT OF PUBLICATION

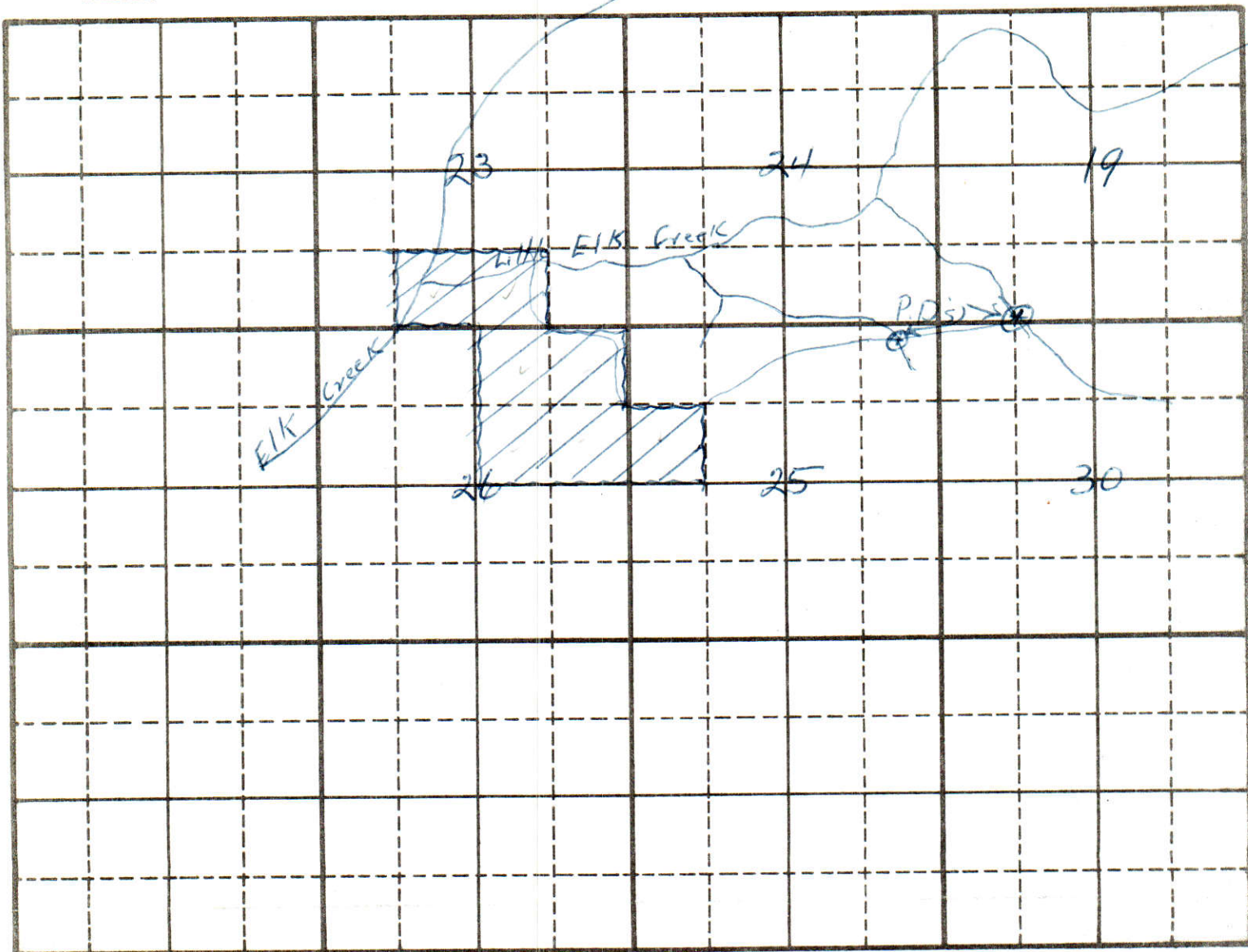
Ann Adams being first duly sworn, says he is the society editor of the IDAHO COUNTY FREE PRESS, a weekly newspaper which is published and issued weekly at Grangeville, Idaho County, State of Idaho, and which is of general circulation in said county and state; that the said notice, of which the one hereto attached is a true copy, was published in said paper for two weeks, being published two times, the first publication being on the 16 day of October, 1974, and the last publication on the 23 day of October, 1974; 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.

Subscribed and sworn to before me this 23 day of October, 1974

Marilyn J. Stolley, Notary Public
for State of Idaho, residing at Grangeville, Idaho.

MICROFILMED

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



Scale: 2 inches equal 1 mile

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

Signed at New Meadows Id., this 3 day of October, 19 74.

M. R. Swens
(signature)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, _____, Director of the Department of Water Resources
hereby _____

Witness my hand this _____ day of _____, 19 _____.

Director

greatly appreciated. Please send it as
quickly as possible.

Thankyou and

Sincerely yours
Duane L Thompson.

**NOTICE OF APPROVED
APPLICATION FOR WATER**

Notice is hereby given that Al Givens, 1508 Parker Avenue Caldwell, Idaho has received an approved permit No. 31555 to divert 12.0 cubic feet per second of water from Little Elk Creek and Big Elk Creek; Little Elk Creek is a tributary of Big Elk Creek. The priority to be established under this permit is November 27, 1963. Water will be diverted by headboxes and ditches within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 23, T. 22 N., R. 1 E., B.M., Idaho County and is to be used for irrigation and domestic purposes in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 23; S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 24; N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 25; NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 26, T. 22 N., R. 1 E., B.M.

Any protests against the intent of the permit must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Idaho County Free Press, Grangeville, Idaho, on February 6 and February 13, 1969.

F6-13

31555

AFFIDAVIT OF PUBLICATION

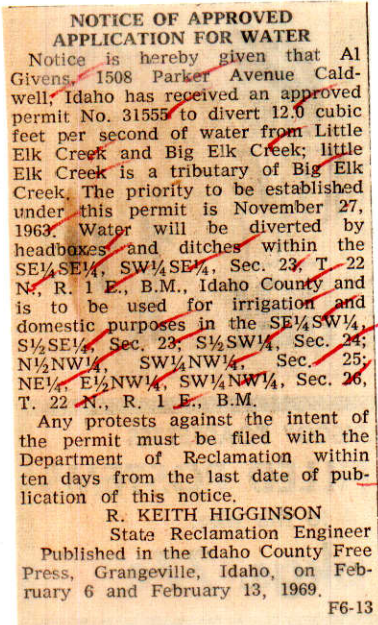
Gary D. Cash being first duly

sworn, says ~~he~~ is the Office Manager
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 6th day of February, 1969,
and the last publication on the 13th day of
February, 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.

Gary D. Cash

Subscribed and sworn to before me this 6th day
of March, 1969.

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



31555

**NOTICE OF PROPOSED
AMENDING OF WATER
PERMIT**

Notice is hereby given that Permit No. 78-2072 in the name of M.R. Givens was issued for the diversion of 12 cubic feet per second of water from Little Elk Creek and Big Elk Creek with the points of diversion within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 23, T 22 N, R 1 E to be used for irrigation and domestic use within portions of Sec. 23, 24, 25, & 26, T 22 N, R 1 E.

The permit holder now proposes to amend Permit No. 78-2072 by changing the source of water to unnamed streams tributary to Little Elk Creek for the diversion of 1.29 cfs within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 25, T 22 N, R 1 E for irrigation and domestic purposes within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 23, W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 25, NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 26 all in T 22 N, R 1 E for 140.5 acres and 2 households.

Any protests to this proposed amending of the permit must be filed with the Director of the Idaho Department of Water Resources, 92 South Cole Road, Boise, Idaho 83705 on or before February 26, 1979.

C. STEPHEN ALLRED
Director

Published in the Idaho County Free Press on 2/7 & 2/14/79.

F7-14

OK-KK
2/24/79

AFFIDAVIT OF PUBLICATION

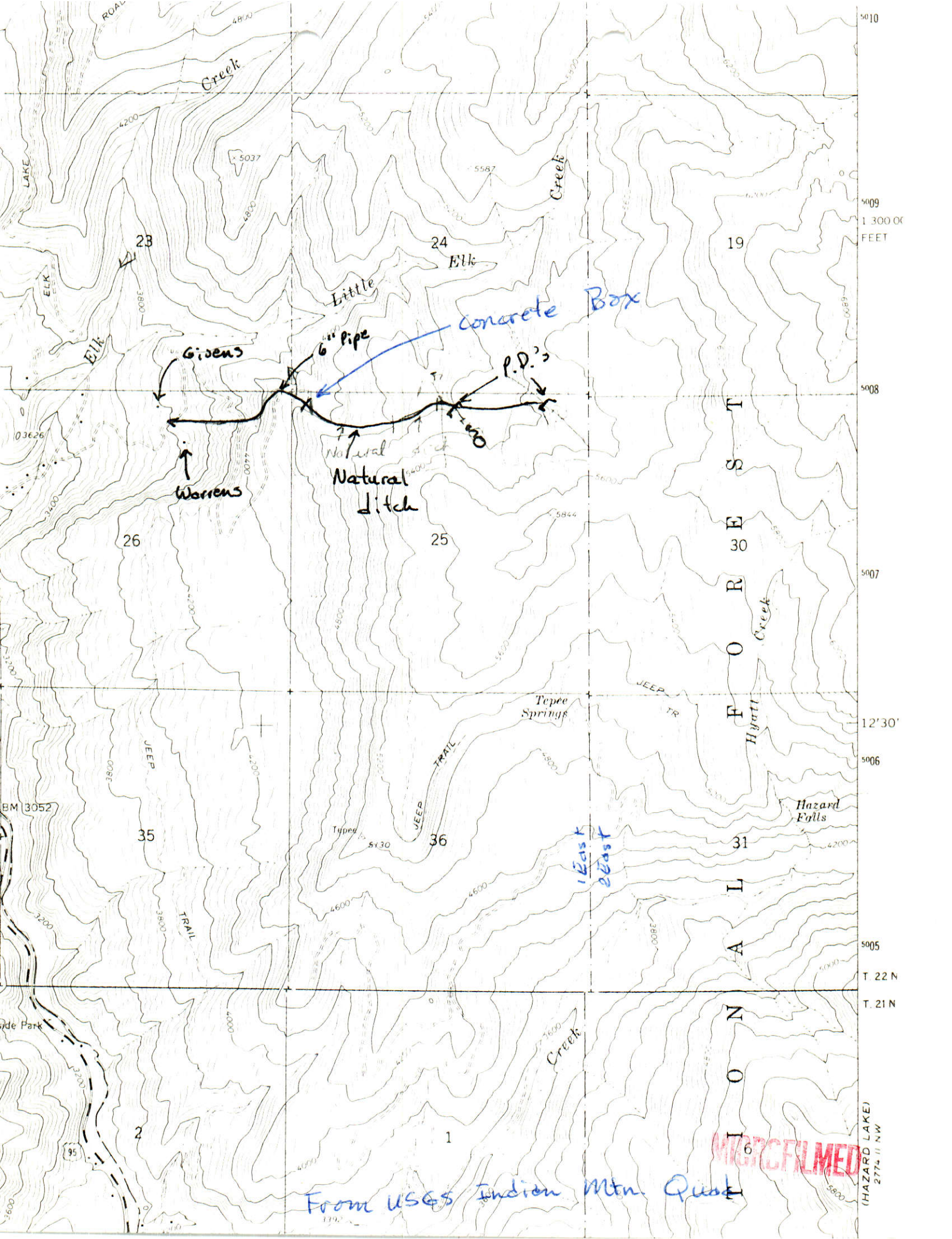
Nora C. Donaldson being first duly sworn, says he is the OFFICE MANAGER of the IDAHO COUNTY FREE PRESS, a weekly newspaper which is published and issued weekly at Grangeville, Idaho County, State of Idaho, and which is of general circulation in said county and state; that the said notice, of which the one hereto attached is a true copy, was published in said paper for 2 weeks, being published 2 times, the first publication being on the 7 day of FEBRUARY, 1979, and the last publication on the 14 day of FEBRUARY, 1979; 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.

Nora C. Donaldson
Subscribed and sworn to before me this 15 day of February, 1979.
Marilyn J. Stolley, Notary Public
for State of Idaho, residing at Grangeville, Idaho.

REGISTERED
FILE

Department
Western

MICROFILMED



5010

5009

1 300 00

FEET

5008

5007

12° 30'

5006

5005

T 22 N

T 21 N

(HAZARD LAKE)

2774 II NW

MICROFILMED

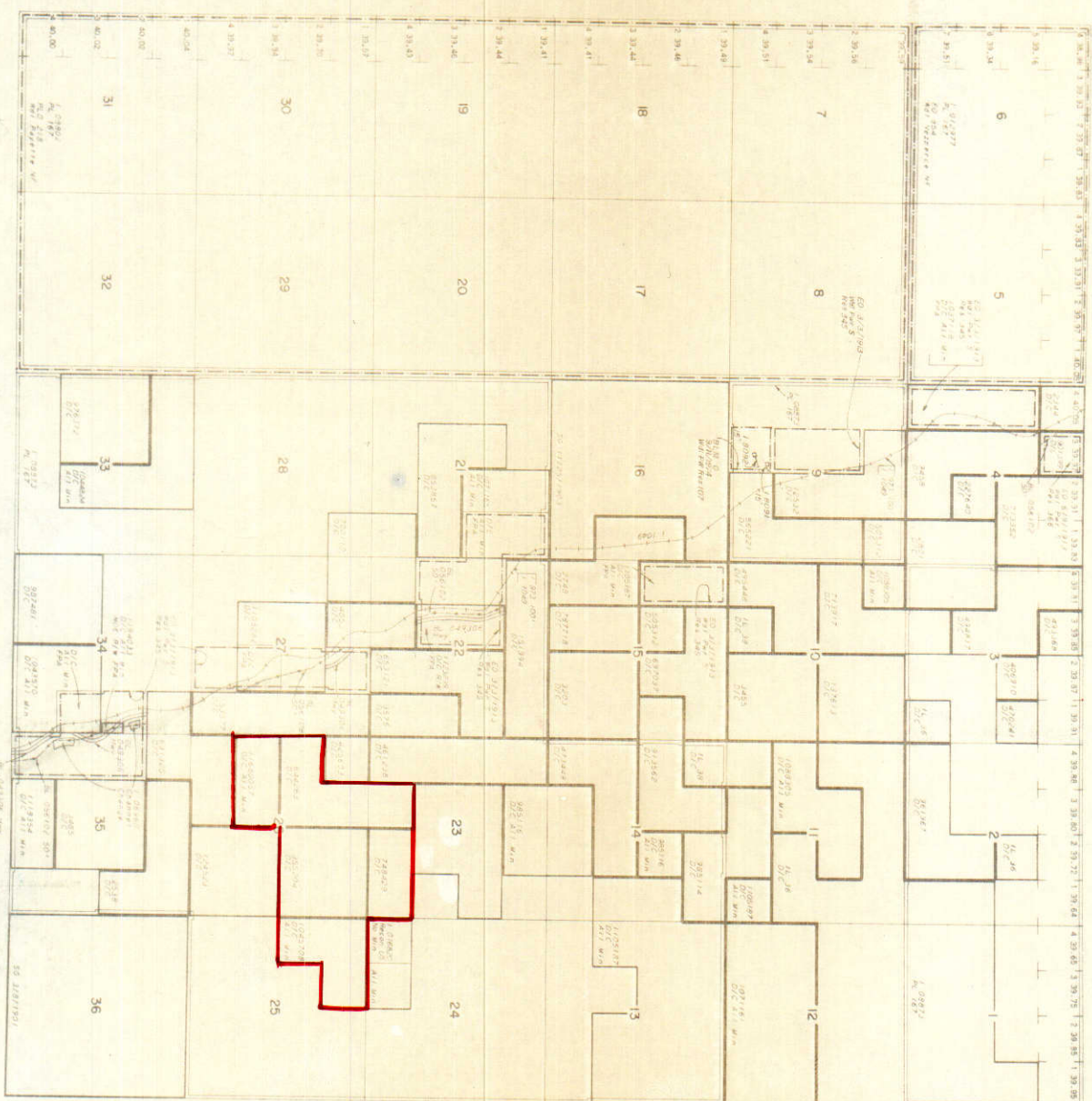
From USGS Indian Mtn. Quast

COEUR D'ALENE DISTRICT
COTTONWOOD

MT PLAT

[illegible]

MICROFILMED



SCALE in Chains

ADAMS COUNTY IDAHO COUNTY

Lat 45°12'N
Long 116°17'W

CURRENT TO	CURRENT TO
181975	

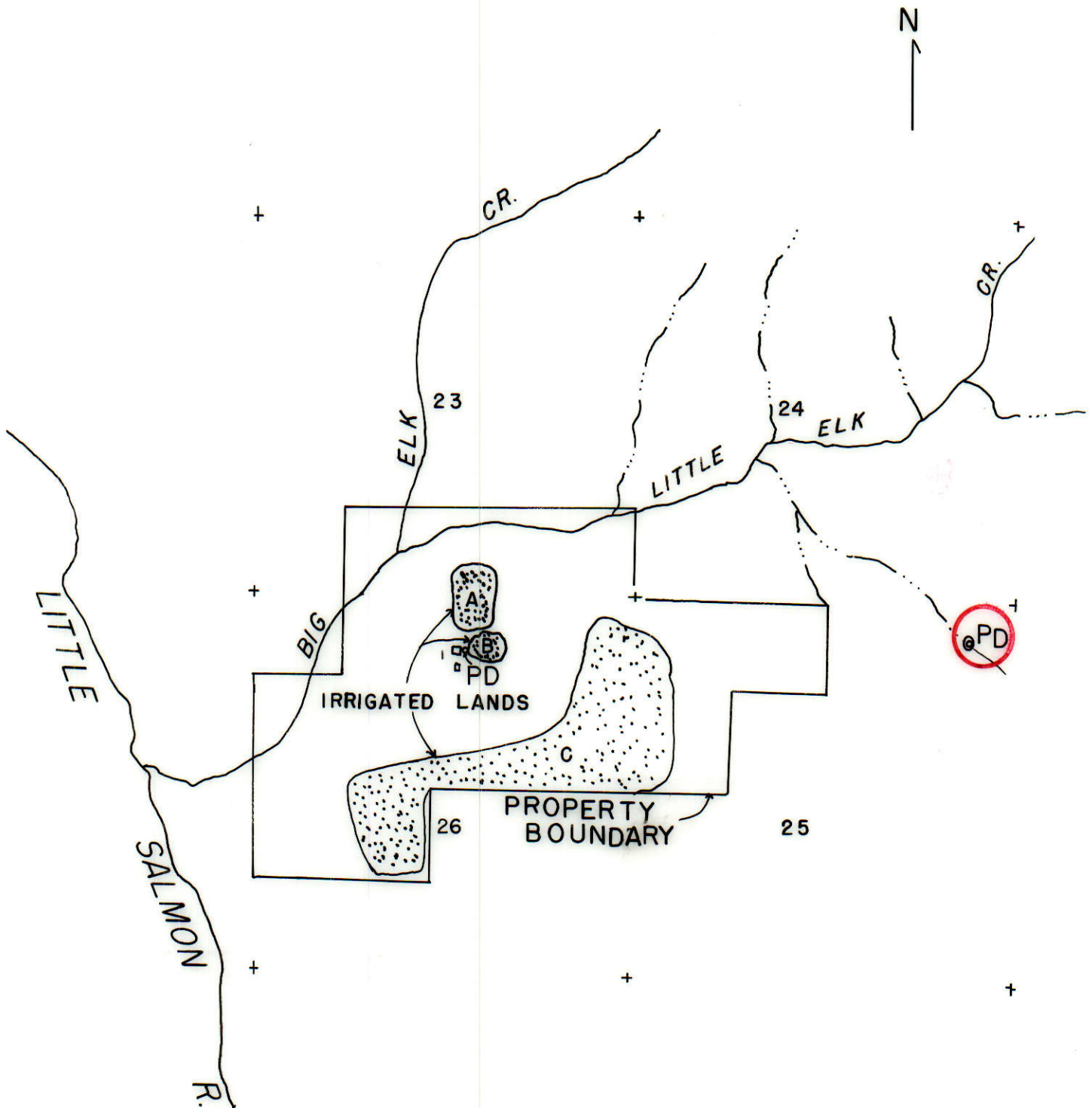
FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LANDS REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS.

1 09302 2nd PL 162 7447 of Long 7/21/1951
Completed 11/16/1961 All NE surface again by USFS
1 09312 2nd PL 162 7447 of Long 7/21/1951
Completed 12/6/1965 All NE surface again by USFS
1 09327 2nd PL 162 7447 of Long 7/21/1951
Completed 12/9/1964 All NE surface again by USFS
Not given 74 order issues (14376 total Prod)
Sec 24 9/18/51

[illegible][illegible]

Pw. 5. Nos. 345 EO 3.3/1913
 Sec. 4. SE. 1/4, NE. 5/4.
 Sec. 9. SE. 1/4, NE. 5/4.
 SO 1127.11925 Open to entry 50b1 to Sec. 24 PWA
 Pw. 5. Nos. 345 EO 3.3/1913
 Sec. 24. SE. 1/4.
 Sec. 35. SE. 1/4, NE. 5/4.
 Pw. 5. Nos. 345 Open to entry 50b1 to Sec. 24 PWA
 Sec. 24. SE. 1/4.
 Sec. 35. SE. 1/4, NE. 5/4.

STATUS OF PUBLIC DOMAIN LAND AND MINERAL TITLES	MT PLAT
INDEX TO SEGREGATED TRACTS	
ORIGINAL SURVEY	
MEASURE	



78-2072

MICROFILMED

PJC-9-15-75

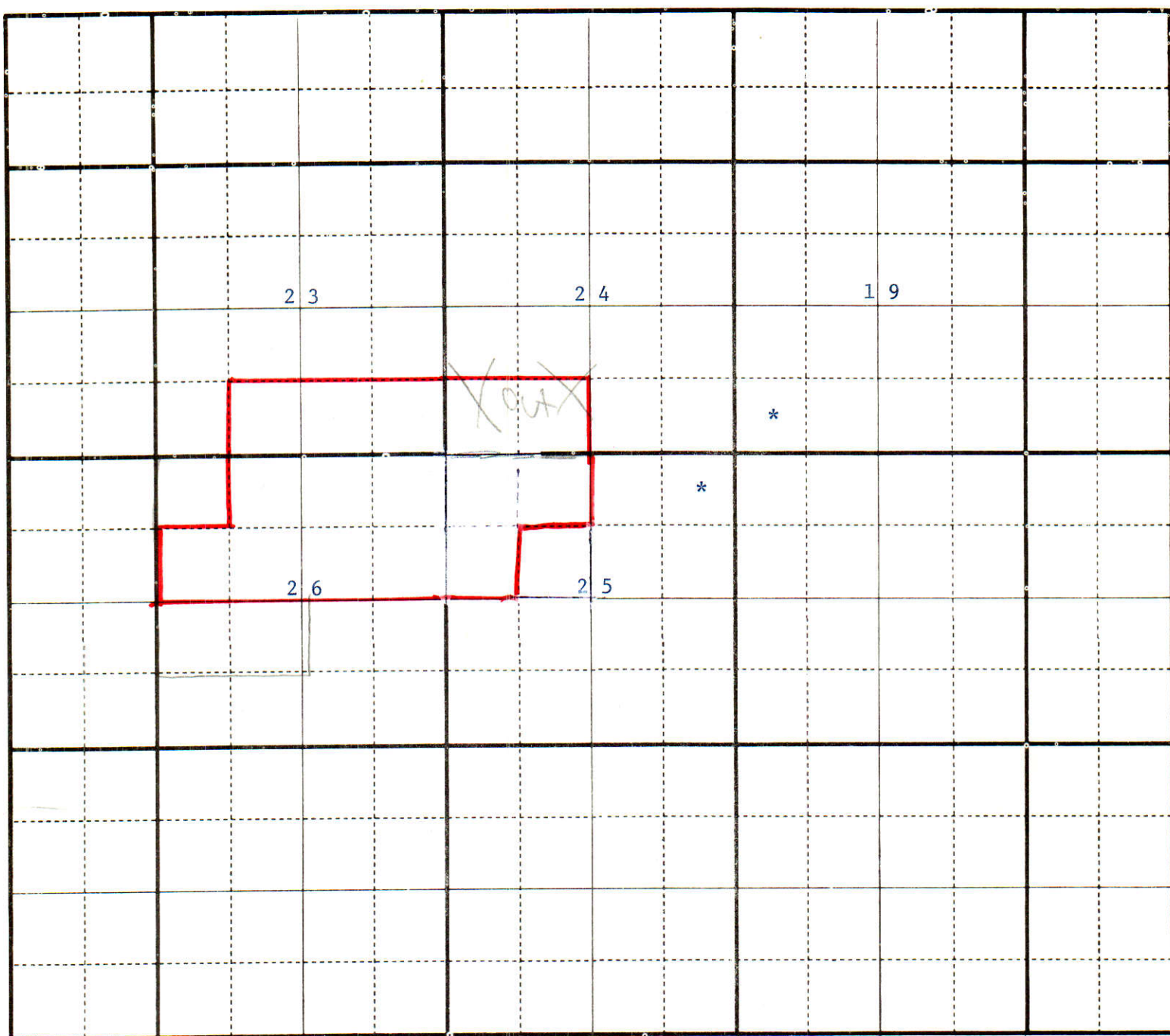
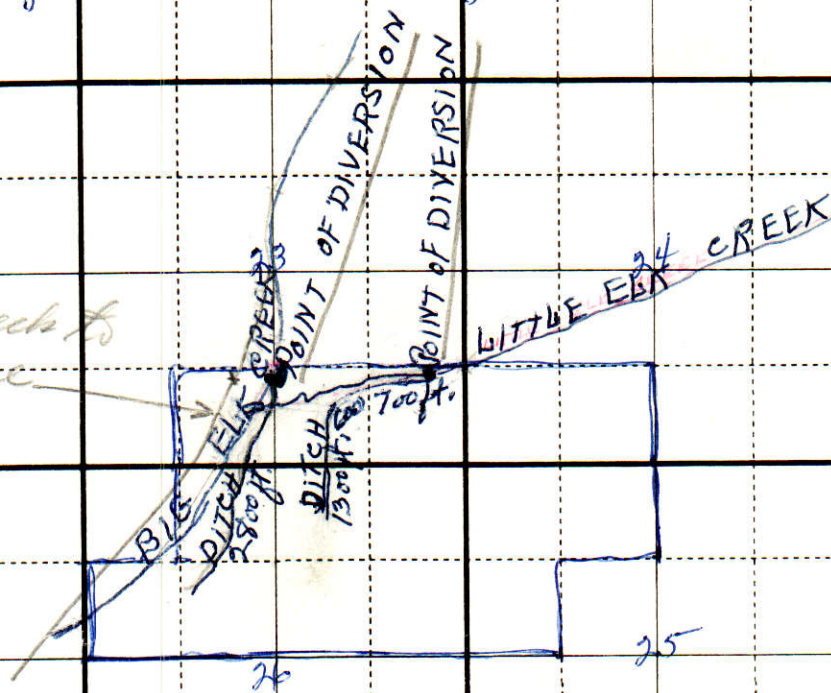


Diagram of System

Township no. 22N

Range no. 1E, B.M. Mass

USSS Map shows Creek to
be here

Permit Map No. 31555

As Approved

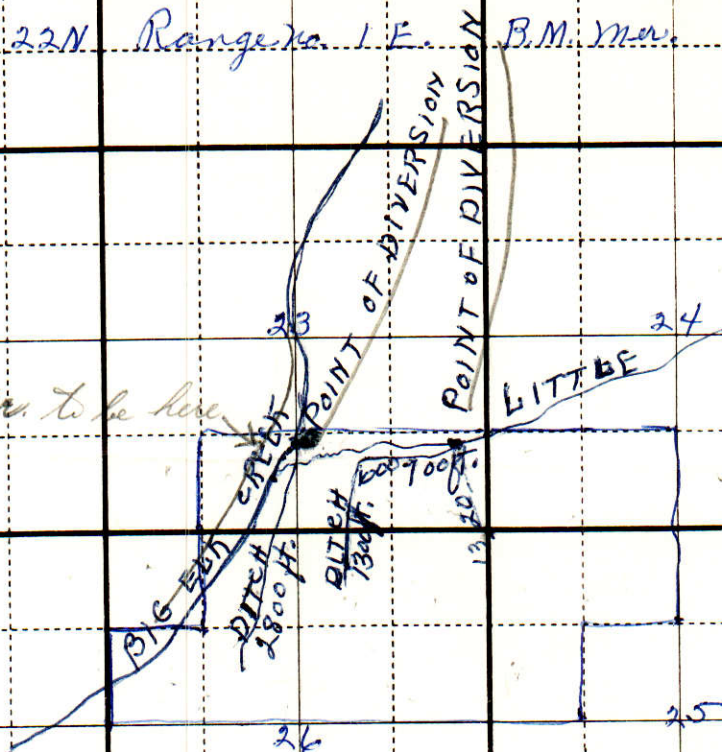
NOV 29 1963

CARL E. TAPPAN

State Reclamation Engineer

Township No. 22N Range No. 1E B.M. Mar.

Map shows Cr. to be here



Permit Map No. 31555

As Approved

CARL E. TAPPAN

State Reclamation Engineer

NOV 29 1963

Office

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 31555/78-2072 Priority November 27, 1963 Amount 1.29 cfs

THIS IS TO CERTIFY, that M. R. GIVENS
of New Meadows, Idaho, has complied with the terms and conditions of Permit
No. 78-2072 issued pursuant to Application for Permit dated November 27, 1963,
and has submitted proof to the Department of Water Resources on October 4, 1974,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 1.29 cfs of water from unnamed streams,
tributary to Little Elk Creek, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from May 1 to October 1	at 1.29 cfs and	390.8 acre feet
Domestic	from January 1 to December 31	at 0.08 cfs and	2.4 acre feet
	from to at cfs and		

(both dates inclusive)

Subject, however, to the condition that no more than 1.29 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
393.2 acre feet per year, said waters to be diverted within the NE¹/₄NE¹/₄, NW¹/₄NE¹/₄, Sec. 25,
Twp. 22N, Rge. 1E, B. M. in the County of Idaho

Description and location of place of use:

Twp.	Range	Sec.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				Totals
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
22N	1E	23																	8.5
		25					8.5	14											22.5
		26	14	13.5	11	28.5				8.5	34								109.5

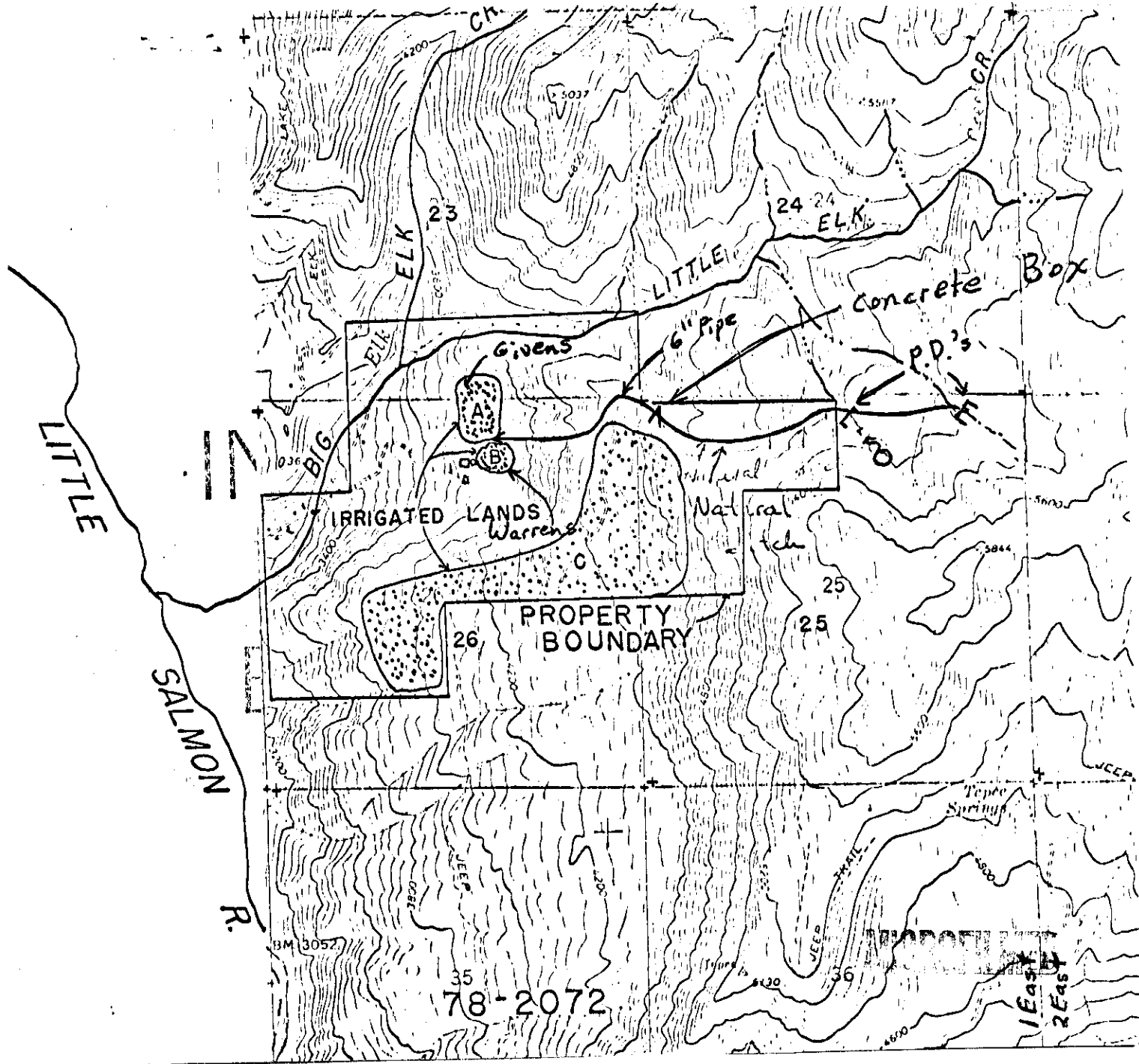
Total number of acres irrigated 140.5

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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 14 day of
June, 19 79.

Director



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED

APPLICATION FOR AMENDMENT OF A PERMIT

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

Comes now M. R. Givens

of (address) Route 1, Elk Lake Road, New Meadows, Idaho, and represents to the
Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho
No. 78-2072, and requests that the permit and permit map be changed as follows:

1. Point of diversion: NE ¼ NE ¼, Section 25, Township 22N, Range 1E, B.M.,
County of Idaho. Other points of diversion:
NW NE Sec. 25 T22N R1E BM

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

Amount 1.29 for Irrigation purposes from 5/1 to 10/1 (both dates inclusive)
(cfs or acre feet per annum)
Amount 0.08 for Domestic purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre feet per annum)
Amount for purposes from to (both dates inclusive)
(cfs or acre feet per annum)
Amount for purposes from to (both dates inclusive)
(cfs or acre feet per annum)

3. Place of use or land to be irrigated:

TWP	RGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
22N	1E	23															8.5		8.5
		25						8.5	14										22.5
		26	14	13.5	11	28.5				8.5	34								109.5

Total number of acres to be irrigated = 140.5

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

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Show 40-acre subdivisions, townships, ranges and ditches.

[illegible]

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

Signed at _____, this 22 day of Jan, 19 79.

M. R. Gineza
(Signature)

Preliminary check by LS Fee = \$20.00

Received by KK Date 1/30/79 #12564

Publication prepared by KL Date 2/1/79

Published in Idaho County Free Press

Publication dates 2/7 & 2/14

I, C. STEPHEN ALLRED, Director of the Department of Water Resources hereby

APPROVE this Application for Amendment for Permit No. 78-2072.

Witness my hand this 14 day of June

1979
Director

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PROTESTED
PERMIT NO. 31555/78-2072
IN THE NAME OF M. R. GIVENS

MEMORANDUM DECISION
AND ORDER

On November 27, 1963, Orel E. Rader applied to the Department of Water Resources for a permit to appropriate 12 cubic feet per second of water from Little Elk Creek and Big Elk Creek within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ and the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 23, Twp. 22N, Rge. 1E, B.M., Idaho County, to be used for domestic and irrigation purposes for 600 acres of land in portions of Sections 23, 24, 25, and 26; all in Twp. 22N, Rge. 1E B.M. On November 29, 1963, the permit was issued.

On December 9, 1965, the permit was assigned to M. R. Givens by Orel Rader and Evelyn Rader.

Notice of the approved application was advertised in the Idaho County Free Press, Grangeville, Idaho on February 6 and 13, 1969. Protests against the intent of the permit were received by the Department on February 12, 1969 from Deane L. Thompson and on February 21, 1969 from Irvin M. Derry. Letters of concern about the permit were received by the Department on February 19, 1969 from Joe S. Miller and Lois M. Miller and from Deane L. Thompson and Beatrice J. Thompson.

On October 4, 1974, Proof of application of water to beneficial use was submitted to the Department by M. R. Givens for the use of 5.2 cubic feet per second of water for domestic and irrigation purposes for 237 acres of land. Also on October 4, 1974, M. R. Givens submitted an Application for amendment to the Department in which it was requested to change the point of diversion to the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 19, and the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 25; all in Twp. 22N, Rge. 1E B.M., Idaho County, and to change the source of water to two (2) unnamed streams tributary to Little Elk Creek.

Notice of the proposed amendment was advertised in the Idaho County Free Press, Grangeville, Idaho on October 16 and 23, 1974. A protest against the proposed amendment was received by the Department on October 25, 1974 from Irvin M. Derry.

On September 10, 1975, a Department representative conducted a field examination to determine the extent of application of water to beneficial use. At the time of the examination the water flow from the two unnamed streams was very low and no irrigation was taking place. A determination of the acres irrigated and

MICROFILMED

the number of families served was made and the permit holder and protestants were advised of the field examination finding and the Department's recommendations for diversion rate.

On May 17, 1978, a conference was held at McCall, Idaho. The permit holder was represented by her son, Mr. Al Givens, and the protestants were present and represented themselves except Mr. Deane Thompson who was represented by his wife, Beatrice Thompson. The permit and protests were discussed, and it was agreed by all parties to allow the Department to prepare a decision in the matter based upon the information presented at the conference and the results of a new field examination to be conducted during the 1978 irrigation season.

The protested issue was whether or not the diversion of water under this right would reduce the water available to the downstream users.

On July 14 and August 4, 1978, a Department representative re-examined the extent of application of water to beneficial use under this permit. The re-examination confirmed the acreage and the number of domestic uses determined by the first examination, but revised the diversion rate to 1.29 cubic feet per second based upon additional measurements and a comparison to the flows of other streams in the area. The permit holder and protestants were subsequently advised of the results of the re-examination.

On January 29, 1979, an amended Application for amendment was received by the Department from M. R. Givens. The amended amendment sought to change the point of diversion to the NE $\frac{1}{4}$ NE $\frac{1}{4}$ and the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 25, Twp. 22N, Rge. 1E, B.M., Idaho County, and to change the place of use to portions of Sections 23, 25, and 26; all in Twp. 22N, Rge. 1E B.M. The amended Application for amendment was advertised on February 14 and 27, 1979, in the Idaho County Free Press, Grangeville, Idaho. No protests were received against the granting of the amended Application for Amendment.

Based upon the information presented at the conference, the official records of the Department of Water Resources, and the Director's understanding of the law, the Director of the Department of Water Resources makes the following Findings of Fact, Conclusions of Law, and Order:

FINDINGS OF FACT

1) The protestants are all users of water of Little Elk Creek or Big Elk Creek, to which Little Elk Creek is tributary with points of diversion located downstream from the points of diversion of the permit holder. The protestants were concerned that the diversion of water upstream would decrease the water available to them, particularly, during the last summer when their water supply is already

insufficient.

2) The permit holder indicated that during the late summer the quantity of water available at his points of diversion becomes very small and would be insufficient to reach Little Elk Creek if not diverted under this permit.

3) The 1963 Indian Mountain Quadrangle Map published by the United States Geological Survey shows the two unnamed streams, which are the source of this permit, as being intermittent which indicates that they are dry during portions of the year.

4) The amount of water that has actually been diverted and applied to beneficial use under this permit is 1.29 cubic feet per second and not 12 cubic feet per second as originally applied for.

CONCLUSIONS OF LAW

1) During portions of the year there is water available in excess of the amount required by the downstream users which may be appropriated under this permit. During other portions of the year, the water diverted under this permit would not reach the downstream users and use of water under this permit will not damage the downstream users.

2) The permit holder is entitled to a license from the Department of Water Resources for the application of water from two unnamed streams tributary to Little Elk Creek during the period of time it will not interfere with prior water rights.

ORDER

IT IS, THEREFORE, HEREBY ORDERED that License No. 78-2072 be issued subject to the following conditions and limitations:

1) The license is subject to all prior water rights.

2) The maximum rate of diversion allowed under this license shall be 1.29 cubic feet per second and the maximum annual volume diverted shall not exceed 393.2 acre feet.

3) The rate of diversion under this license and any constitutional right which may have been developed for use on the same lands shall not exceed 0.02 cubic feet per acre nor 0.04 cubic feet per second for domestic use.

Dated this 14 day of June, 1979.


C. STEPHEN ALLRED

Director

DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO)

COUNTY OF ADA)

CERTIFICATE OF MAILING

I HEREBY CERTIFY that I have on this date served a true and correct copy of the foregoing MEMORANDUM DECISION AND ORDER by depositing a copy thereof in the United States mail postage prepaid and addressed to:

M. R. Givens
Route 1, Elk Lake Road
New Meadows, ID 83654

Irvin M. Derry
Box 128
New Meadows, ID 83654

Joe and Lois Miller
Route 1
New Meadows, ID 83654

Mr. and Mrs. Deane Thompson
P. O. Box 263
Riggins, ID 83549

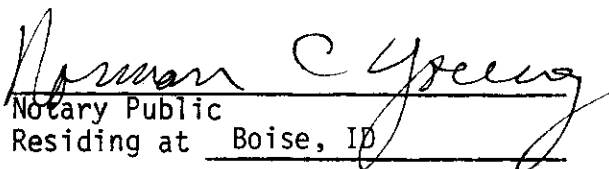
Raymond L. Warren
Route 1
New Meadows, ID 83654

Mr. and Mrs. Stanley Lysiak
Route 1
New Meadows, ID 83650

Dated this 19th day of June, 19 79.



On this 19th day of June, 19 79, personally appeared before me the signer of the above instrument, who duly acknowledged to me that he (she) executed the same.


Notary Public
Residing at Boise, ID

My commission expires

5/25/83

MICROFILMED

INTER-DEPARTMENT MEMO — 1

FROM Glen Saxton

DATE 6-7-78

TO Dave Shaw

Re: Permit 78-2072 (Givens)

SUBJECT

Ray Warren, the man that has an interest in the Ditch used by Givens was in the office a week or two ago talking w/ Fleenor. Warren was in again today talking to Ken Dummer about his ditch sharing problem.

Even tho he isn't a proper protestant in the Givens matter, we should make a point to advise him as well as the others of the field exam results & proposed lic to be issued.

TURE
HJ

Raymond L. WARREN
Rt. 1, ELK LAKE RD.
New Meadows, ID.

83454

Provide copy of ~~the~~
proposed license.

Kend

78-4003
69

INTER-DEPARTMENT MEMO — 1

DATE 3-28-78

FROM Rita Fleck

TO File

SUBJECT Protested Permit No. 78-7072 -- M. R. Givens

Pursuant to telephone conversation of this date, Dean L. Thompson new address is:

Dean L. Thompson (protestant)
2910 S. Cloverdale Road
Boise, ID 83705

His wife still lives at the Riggins' address.

MICROFILMED

R F

SIGNATURE

John Light

Box 46

Riggins, Id

Send copy of
notice of
hearing

MICROFILMED

Route 1, New Meadows, Idaho 83654
October 24, 1974

Mr. R. Keith Higginson
State Reclamation Engineer
State House
Boise, Idaho 83701

Mr. Higginson:

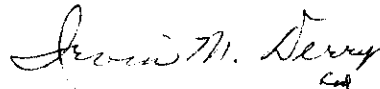
We protest the application # 31555/78-2072 in the name of M.R. Givens, Rt. 1, New Meadows, Idaho to divert 12.0 c.f.s. of water from Elk Creek and its tributary Little Elk Creek.

We have prior uwater use right to irrigate 450 acres from Elk creek both above and below where little Elk drains into Big Elk. There is not sufficient water flow to fully irrigate this pasture all year as it is.

We hope you will review this application carefully. Our file number is 78.4002, if you care to refer to our application.

Thank you for your careful consideration.

Sincerely,

A handwritten signature in cursive script that reads "Irvin M. Derry". The signature is written in dark ink and is positioned above the printed name.

Irvin M. Derry

MICROFILMED

AFFIDAVIT OF PUBLICATION

Ann Adams being first duly sworn, says he is the society editor 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 16 day of October, 1974, and the last publication on the 23 day of October, 1974; 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.

Ann Adams

Subscribed and sworn to before me this 23 day of October, 1974

Marilyn J. Stalley, Notary Public
for State of Idaho, residing at Grangeville, Idaho.

OK
11-6-74
CW

MICROFILMED

No action to be
taken on amend-
ment (as it is
protested) until
field exam is
completed.

Receipt # 103

APPLICATION FOR AMENDMENT

OCT 8 1974

Permit No. 31555/78-2072

Comes now M. R. Givens of (address) _____

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 31555/78-2072, and requests that the permit and permit map be changed as follows:

1. Point of diversion: SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 19 Twp. 22 N
Rge. 2 E, B.M., County of Idaho. Other points of diversion:

NE¹/₄NE¹/₄, Sec. 25, T. 22 N, R. 1 E. Source of water changed to 2 unnamed streams
which are tributary to Little Elk Creek. This is the same water that would have
been used under original point of diversion.

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

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre feet per annum)

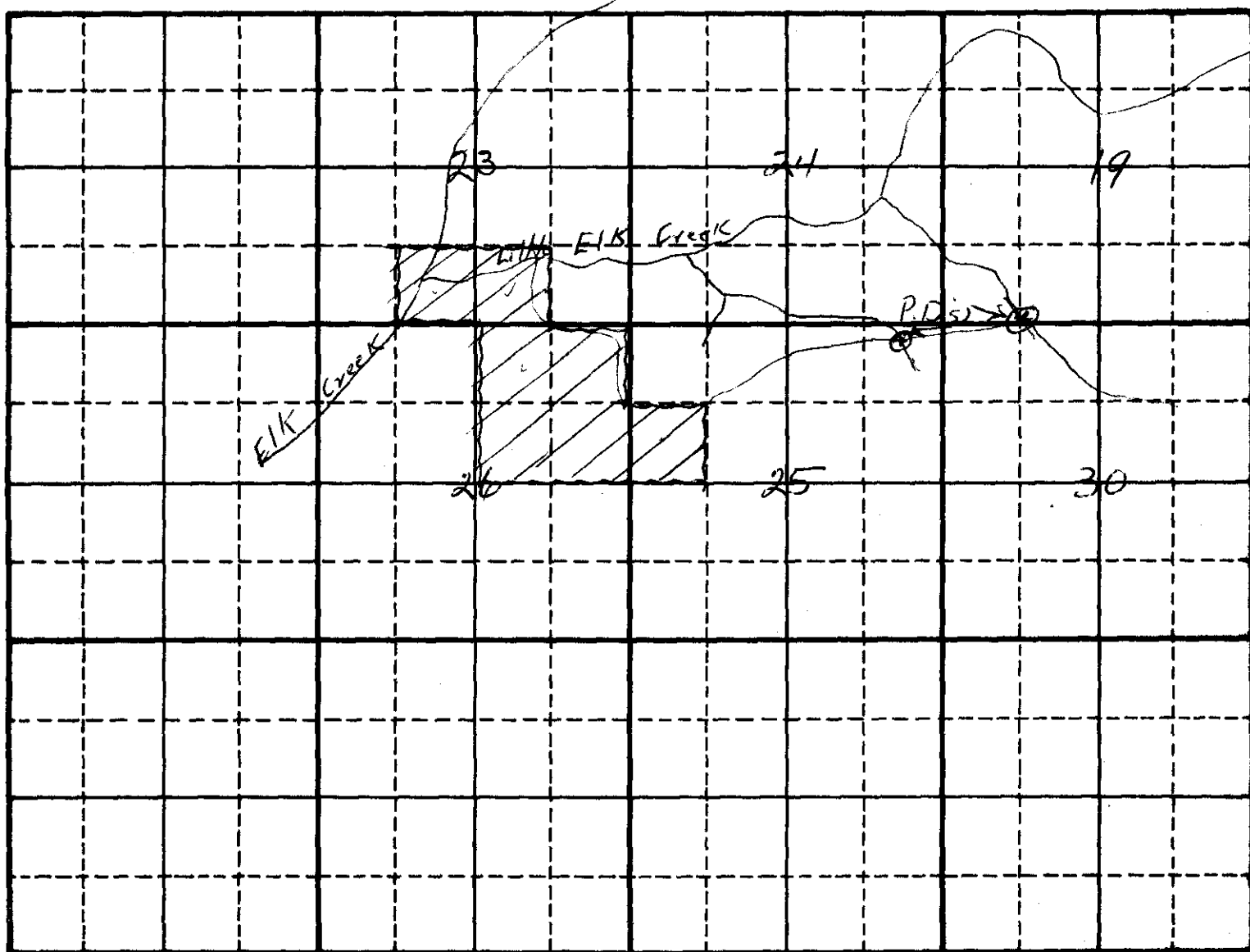
3. Place of use or land to be irrigated:

[illegible]

Total number of acres to be irrigated

MICROFILMED

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



Scale: 2 inches equal 1 mile

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

Signed at New Meadows Id., this 3 day of October, 19 74.

M. R. Owens
(signature)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, _____, Director of the Department of Water Resources
hereby _____

Witness my hand this _____ day of _____, 19 _____.

Director

Department of Reclamation

Route 1, New Meadows, Idaho 83654
February 20, 1969

✓ *PH*
✓ *Derry*

Mr. R. Keith Higginson
State Reclamation Engineer
State House
Boise, Idaho 83701

Mr. Higginson:

We protest the application # 31555 of Al Givens, 1508 Parker Avenue, Caldwell, Idaho, to divert 12.0 cubic feet per second of water from Big Elk Creek and its tributary Little Elk Creek.

We have prior water use rights to irrigate 450 acres from Elk Creek both above and below where Little Elk drains into Big Elk Creek. During the dry season in August, there is not sufficient water flow in Elk Creek to fully irrigate this pasture, on which we are running cattle to make a living.

Our property is described as follows:

In township 22, North, Range 1 East, Boise Meridian:

In Section 22: $S\frac{1}{2}NE\frac{1}{4}$, and the $SE\frac{1}{4}$.

In Section 23: $W\frac{1}{2}NW\frac{1}{4}$, $W\frac{1}{2}SW\frac{1}{4}$, and all that part of the $SE\frac{1}{4}SW\frac{1}{4}$ lying west of the main fork of Elk Creek.

In Section 26: All that part of the $NW\frac{1}{4}NW\frac{1}{4}$ lying west of Elk Creek.

In Section 27: $E\frac{1}{2}NE\frac{1}{4}$, and the $NE\frac{1}{4}SE\frac{1}{4}$.

containing approximately 560 acres, but either more or less.

We want this protest to go on record, as any such diversion from Elk Creek or Little Elk Creek would deem the above described real property useless. Since the water flow in Elk Creek and Little Elk Creek is insufficient to meet our present irrigating needs, additional applications must not be considered.

Yours very truly,

Irvin M. Derry

Irvin M. Derry

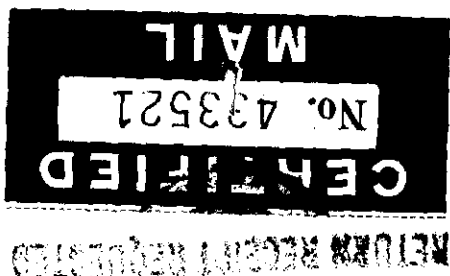
21555

Subscribed and sworn to before me
this 18th day of February 1969

Keith Angleton
Regina, Class 835-49
My Commission Expires 11-14-72

31555

Irvin M. Derry
Route 1.
New-Meadows, Idaho 83654



Mr. R. Keith Higginson
State Reclamation Engineer
State House
Boise, Idaho 83701

3/555

①

RM

Dell

Mr. Leane L. Thompson
Mrs. Beatrice J. Thompson
P.O. Box 263
Riggins, Idaho
February 18, 1969

RECEIVED

FEB 19 1969

Department of Reclamation

To:

State of Idaho
Dept. of Reclamation
State Reclamation Engineer
Boise, Idaho

Subject: Letter of Concern + Water Rights Claim.

Dear Sirs:

This is a letter of Concern over the amount of water applied for by Mr Al Givens of 1508 Parker Avenue, Caldwell Idaho and Water Application Permit # 31555 for 12.0 cubic feet per second; to be diverted from Big Elk Creek + Little Elk Creek, Tributaries of the Little Salmon River in Idaho County, State of Idaho

Our main concern lies in the amount of water to be diverted from Little Elk Creek. The reason for this concern is that our entire water supply comes from Little Elk Creek, both for our domestic use and irrigation and some stock watering. We irrigate approximately 4 acres of Pasture and $\frac{1}{2}$ acre of truck garden and berries in the summer. Our stock consists of Rabbits,
3-555

Chickens and two to four head of beef calves. During the dry season there is hardly enough water for this purpose without the water being diverted above us. Also we have two neighboring places that use this water for irrigation purposes. We do not as yet have a well for domestic water use. It is in our plans for the future or as soon as we can afford it.

B.T. This water comes to our place from Little Elk Creek by way of approximately 700 feet of open ditch, which I and our two neighbors maintain. This ditch has been in use for at least the past 10 years, as near as we can find out. Our place has been irrigated approximately 7 years.

Our property lies in the $N\frac{1}{2}$ of $NW\frac{1}{4}$ of Section 36, Township 22 North, Range 1 E.B.M. in Idaho County, State of Idaho.

We would like to know if this letter has sufficient information for a letter of concern.

Husband - W.ife

Sincerely,
Deane L. Thompson
Beatrice J. Thompson

31555

RECEIVED

FEB 10 1969

Feb 16, 1969
D.M.C.

R. Keith Higginson
State Reclamation Engineer

Dear Sir:

We were in to see you Feb. 10 but talked to another man. He advised us that a letter of concern would be better than a letter of protest.

Our concern is about permit No 31555 given to Al Livers, 1505 Parker Ave, Caldwell Idaho to divert 12.0 cubic feet per second of water from Little Elk Creek & Big Elk Creek.

We are concerned about the amount of water as we have users right out of Little Elk Creek and during August and September it takes practically all the water for use on our place and our neighbors on the same ditch. The water is used for irrigation and domestic purposes. Water from our ditch has been used for over 20 or 35 years.

We sold 2 portions of our land and they are supposed to share our water - we are in N $\frac{1}{2}$ NW $\frac{1}{4}$ Sec 26 TWP 22 N Rge 1 E BN.

One piece of ground about $2\frac{1}{2}$ acres was sold to Richard & Eva Blakely Rt 1 New Meadows, Ida.

2nd piece sold to Herbert & Geraldine Walker Higgins, Idaho.

31555

Also Dean Thompson has use of water
He is Rt 1 New Meadows, Idaho.

Our address Joe S. Miller
Rt 1 New Meadows, Idaho 83654.

Respectfully,
Joe S. Miller

Joe S. Miller

FEB 12 1969

Department of Reclamation

RHA

Date: 2-14-69

Mr. Deane L. Thompson
Box 263
Riggins, Idaho
Feb. 10, 1969

Mr. G. Keith Heggensen
State Reclamation Engineer
 Boise, Idaho

Dear Sir:

Enclosed is a copy of a "Notice of Approved Application for water". I and several of my neighbors wish to protest this Application. I do not know how to go about filing a protest of this type so am writing to you for information as to what I must do, whom I must see and where I must file my protest, also if there is a standard form to fill out that can be sent to me by mail. The deadline for filing this protest is Feb. 23, 1969, so we haven't much time.

The reason for filing this protest is that if permit No. 31555 is granted and this much water is taken out of Little Elk Creek it will leave us without any water all we use the water for domestic purposes as well as irrigation. All information will be.

31555

greatly appreciated. Please send it as
quickly as possible.

Thank you and

Sincerely yours
Waverly L. Thompson

Notice of Intent to Divert Water from the
Columbia River to the Snake River
Valley, Idaho, under permit No. 21555 to divert 100 cubic
feet per second of water from Little
Big Creek and Big Elk Creek, Little
Elk Creek is a tributary of Big Elk
Creek. The priority to be established
under this permit is September 27,
1903. Water will be diverted by
headrace and ditches within the
SE1/4, SW1/4, Sec. 23, T. 22
N., R. 1 E., S. 1 M., Idaho County and
is to be used for irrigation and
domestic purposes in the SE1/4, SW1/4,
SW1/4, Sec. 23, SW1/4, Sec. 24;
NE1/4, SW1/4, Sec. 25;
NE1/4, SW1/4, Sec. 26;
T. 22 N., R. 1 E., S. 1 M.
Any protests against the intent of
the permit must be filed with the
Department of Reclamation within
ten days from the last date of pub-
lication of this notice.
R. KEITH HIGGINSON
State Reclamation Engineer
Published in the Idaho County Free
Press, Grangeville, Idaho, on Feb-
ruary 6 and February 13, 1903. F&13

21555

Maize L. Thompson
Box 263
Piquette, Idaho

RETURN RECEIPT REQUESTED

CERTIFIED

No. 433516

MAIL

Mr. R. Keith Higgins
State Reclamation Engineer

Boise

Idaho 83702

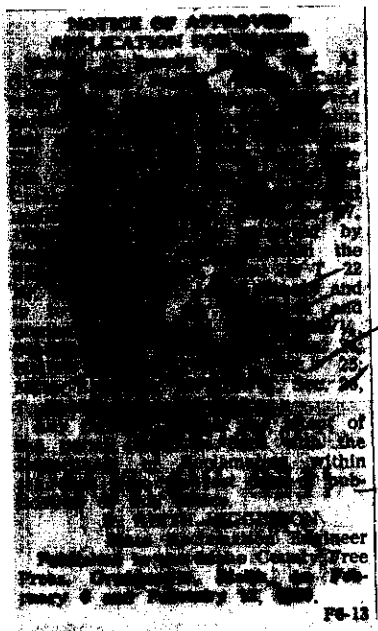
31555

31555

FRANKLIN D. ROOSEVELT
U.S. POSTAGE



AFFIDAVIT OF PUBLICATION



..... Gary D. Cash being first duly sworn, says ~~she~~ is the Office Manager 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 6th day of February 1969, and the last publication on the 13th day of February 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.

..... Gary D. Cash

Subscribed and sworn to before me this 6th day of March 1969.

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

31555

BEFORE THE STATE RECLAMATION ENGINEER

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. _____)

In the name of M. E. Given)

Fall Creek Store, New Meadows, 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,

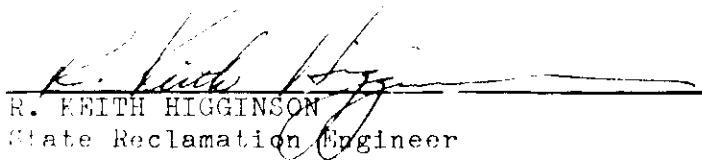
WHEREAS, on August 1, 1967, the Department of Reclamation adopted Rules of Practice and Procedures for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. _____ 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.
 - b. The permittee will not be required to submit proof of completion of work as originally specified, but will be required to submit proof to the Department of Reclamation of the application of the water to beneficial use on or before November 29, 1974. The permit holder should be aware that failure to complete one-fifth (1/5) of the work within one-half (1/2) of the time originally set for Completion of Works may be grounds for cancellation at the instance of the Department.

Dated this 9th day of January, 1967.


R. KEITH HIGGINSON
State Reclamation Engineer

31555

A S S I G N M E N T

For value received, I hereby assign all of my right, title and interest in and to Permit to appropriate the Public Waters of the State of Idaho, No. 31555 to M. R. Givins of Rt 1 - Fall Creek Store, New Meadows Idaho.

*

Orel Rader
Permit Holder

Evelyn Rader
Wife of Permit Holder

STATE OF IDAHO)

County of Boundary)

On this 9th day of Dec., 1965, before me, a Notary Public for the State of Idaho, residing at Bonnere Ferry, Idaho personally appeared Orel Rader and Evelyn Rader ^{are} known to me to be the persons whose names are subscribed to the within instrument, and duly acknowledged to me that they 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.

My Commission expires May 18, 1969

Alice L. Kruegel
Notary Public, Residing at
Bonnere Ferry, Idaho

* If fractional part of permit is to be assigned, the fractional part of the land to which the assigned fraction is appurtenant should be described by legal subdivisions.

31555

AL GIVENS

1508 PARKER AVE Rt 2

CALDWELL IDAHO 83605

- (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.

Applicant.

Agent.

Date of first receipt at Department of Reclamation: 2:45 P.M. November 27, 1963

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 31555

Recorded in Book 110 Page 31555 Approved November 29, 1963

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 January 29, 1964 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 May 29, 1966

The whole of said work to be completed on or before November 29, 1968

Beneficial use of water appropriated in accordance herewith, to be made on or before November 29, 1974

WITNESS My hand this 29th day of November, 1963

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.....29th.....

day of November, 1963.

STATE OF IDAHO

Countersigned:

(SEAL)

By s/ ARNOLD WILLIAMS Secretary of State.

By s/ ROBERT E. SMYLLIE Governor.

REMARKS:

14.

[illegible]

Orel E. Rader
New Meadows, Idaho

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

APPLICATION No. 39663
PERMIT No. 31555
DISTRICT No.

to
M. R. Gierke
#1, Fall Creek Sta.
New Meadows, Idaho

1. Name of Applicant: Orel E. Rader
c/o Fall Creek Sta.

Postoffice address: New Meadows

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

2. Quantity of water claimed: 12.0 cubic feet per second.

3. Source of water supply: Little Elk Creek and Big Elk Creek which is a tributary of Little Elk is tributary of Big Elk

4. Location of point of diversion: feet distant from the
corner of Section , T. , R. , B.M., and is in the SE $\frac{1}{4}$ SE $\frac{1}{4}$
SW $\frac{1}{4}$ SE $\frac{1}{4}$
of section 23 , T. 22N , R. 1 E. , B. M., County of Idaho

5. Water is to be used for Irrigation and domestic

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: \$ 2500.00

8. Kind of works: Headboxes - ditches

9. Height of dam wing dams feet; length of dam at top feet; length of dam at bottom
feet; material used in dam: earth & rocks

10. Size of headgate: Width 2 feet; height 2 feet.

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

Diameter of pipe inches; length of conduits 1 $\frac{1}{4}$ 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 6 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: Use right in Little Elk Cr.

ASSIGNMENT

For value received, I hereby assign all of my right, title and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. 31555 to M. R. Givens of Route 1, Fall Creek Store, New Meadows, Idaho.

/s/ OREL RADER
Permit Holder

/s/ EVELYN RADER
Wife of Permit Holder

STATE OF IDAHO
County of Boundary

On this 9th day of December, 1965, before me, a Notary Public for the State of Idaho, residing at Bonners Ferry, Idaho, personally appeared Orel Rader and Evelyn Rader known to me to be the persons whose names are subscribed to the within instrument, and duly acknowledged to me that they 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/ Alice L. Kruegel
Notary Public, Residing at Bonners Ferry, Idaho

My Commission expires May 18, 1969

(Seal)

ROUTING SLIP

Distribution		Provided for your:	
Date: 12/21/98		Information	✓
To:		Comments	
From: <i>JR</i>		Approval	
		Signature	
Special Notes:			
2 originals received & Western- forwarding for your information before filing. Copies kept & retained.			

— Cindy Hodges
JR Maria Minicucci

then Vault file
 & S.O.

GREGORY FITZMAURICE, P.A.

ATTORNEYS AT LAW

200 SOUTH COLLEGE

GRANGEVILLE, IDAHO 83530

TELEPHONE (208) 983-2080

FAX (208) 983-2084

GREGORY FITZMAURICE
JANE E. SPENCER

RECEIVED

DEC 21 1998

WATER RESOURCES
WESTERN REGION

December 18, 1998

RECEIVED

DEC 23 1998

Department of Water Resources

✓Cindy Hodges, Sr. Water Resource Agent
Department of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705-5082

Maria Minicucci, Sr. Water Resource Agent
Department of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705-5082

RE: Al Givens license # 78-02072

Dear Ms. Hodges and Ms. Minicucci:

My office represents Al Givens of the Elk Creek area of Idaho County, Idaho. Mr. Givens has requested that I review certain correspondence and documents related to his water permit # 78-02072. Mr. Givens has also requested that I provide you with a letter of my representation and an update on the status of his water right.

As you are aware certain land owners, Shannon Zuber and David Pitts have obtained a permit to appropriate water for fire protection from unknown streams which are a tributary of Elk Creek. The Zuber and Pitt's property lie adjacent to or near Mr. Givens property. As detailed in Ms. Hodges' letter of July 26, 1996, the appropriation is not a direct diversion from the same source as Mr. Givens' right, but is a by-product of his diversion and constitutes use of waste water. Mr. Givens and my office agree with the analysis of Ms. Hodges. Mr. Givens has not and will not guarantee that there will be waste water available to meet the permits requested by the above parties. Further, Mr.

Page: 2
December 18, 1998

Givens is under no legal obligation to divert water so that the above parties can fulfill their rights.

My office further agrees that the IDWR has no jurisdiction to require delivery or regulation of existing water rights in this situation. Mr. Givens, of course, will cooperate with all requests by IDWR concerning field inspection of his permit and/or permits issued allowing use of waste water from his appropriation. He has no ill will concerning the actions by IDWR in accessing his property in October 1997, for the purpose of inspection. He is aware that Ms. Minicucci was acting under false representations at the time she entered on the property without consent. Mr. Givens, in order to avoid any misunderstanding, would only request advance notice of any request to inspect his diversion. He looks forward to a continuing cordial relationship with IDWR and its representatives.

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

Sincerely yours,

A handwritten signature in black ink, appearing to read 'GREGORY FITZMAURICE', with a long horizontal flourish extending to the right.

GREGORY FITZMAURICE

GF:dk

cc: Mr. Al Givens

RECEIVED

DEC 21 1998

WATER RESOURCES
WESTERN REGION

GREGORY FITZMAURICE, P.A.

ATTORNEYS AT LAW

200 SOUTH COLLEGE

GRANGEVILLE, IDAHO 83530

TELEPHONE (208) 983-2080

FAX (208) 983-2084

GREGORY FITZMAURICE
JANE E. SPENCER

December 18, 1998

RECEIVED

DEC 23 1998

Enclosure

Cindy Hodges, Sr. Water Resource Agent
Department of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705-5082

✓ Maria Minicucci, Sr. Water Resource Agent
Department of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705-5082

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Page: 2
December 18, 1998

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Sincerely yours,

A handwritten signature in black ink, appearing to read 'GREGORY FITZMAURICE', with a long horizontal flourish extending to the right.

GREGORY FITZMAURICE

GF:dk

cc: Mr. Al Givens
C:\WPWIN60\WORK98\GIVENS.LE2

WATER RIGHT NUMBER 78-2072

OWNER LAST NAME - RADER
OWNER LAST NAME - GIVENS
ADDRESS LINE 1 -
ADDRESS LINE 3 -
SOURCE - UNNAMED STREAMS
STAGE - LICENSE
TOTAL DIV. VOLUME - 393.20 AFA
DIVERSION POINT - WENP 25 22N 01E LCT
FROM - 05-04 TO - 10-01 USE - IRRIGATION
FROM - 01-01 TO - 12-31 USE - DOMESTIC
USE - IRRIGATION

FIRST NAME - ORFL F.
FIRST NAME - M. R.
ADDRESS LINE 2 -
CITY - NEW MEADOWS
TRIBUTARY OF - LITTLE ELK CREEK
PRIORITY - 11-27-1963
WATER DIST. - DLF/CAREY ACT -
272.0 92.0 104.0 19.0 1.0 0.0 0.0 0.0 0.0 2.8
272.0 92.0 104.0 19.0 1.0 0.0 0.0 0.0 0.0 2.6
USE DIV. RATE - 1.2900 CFS
USE DIV. RATE - .0800 CFS

VERIFIED LGS

ORIG OWNER - 0
ORIG OWNER -

STATE - ID ZIP CODE -
COUNTY - IDAHO
TOTAL DIV. RATE - 1.2900 -CFS
RIGHT BASIS -
USE DIV. VOLUME - 390.80 AFA
USE DIV. VOLUME - 2.40 AFA
PLACE OF USE - TWN 22N RNG 01E SEC 26 TRACT NENE LOT AC 14 TRACT NENE LOT AC 14
PLACE OF USE - TWN 22N RNG 01E SEC 25 TRACT SENE LOT AC 14 TRACT SENE LOT AC 28
PLACE OF USE - TWN 22N RNG 01E SEC 23 TRACT NWNW LOT AC 08 TRACT NWNW LOT AC 34
DATE - TOTAL ACRES 139

USE - IRRIGATION
USE - IRRIGATION
DEGREE NAME -
REMARKS - AC. IRR.=140.5.
NON IRRIG USE -
OTHER RIGHTS FOR SAME USE -
PROOF DUE -
PROOF MADE - FLD EXAM -
DIVERSION MEANS -

PROTESTED -

HEARING -

OLD NO. - 31555

VERIFIED LGS

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 31555 178-2072
Old No. New No.

Record

1. Original Owner: ~~Mr. R. Givens~~ Orel E. RaderPresent Owner: M. R. Givens

2. Address:

3. City: New Meadows State: Id Zip:4. A. Source of Water: Unnamed StreamsB. Tributary of: Little Elk Creek5. A. Stage (A,P,L,D,S,J): L

B. Status (D,L,R,C,A,I,F - leave blank if valid):

C. Priority Date: 11-27-1963D. County: 49E. Total Diversion Rate: 1.29F. Total Diversion Volume: 393.2

G. Transfer/Amendment (P,T of A or blank):

H. Water District:

I. DLE/Carey Act (D,C or blank):

J. Right Basis (for adjudication claims A,B,C only):

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion	<u>NENE</u>	<u>25</u>	<u>22N</u>	<u>1E</u>		
	<u>NWNE</u>	<u>25</u>	<u>22N</u>	<u>1E</u>		

7. Period of Use, Use, Diversion Rate/Volume:

from 5-1 to 10-1 for A purposes. Amount 1.29/390.8
(cfs or AC-Ft/yr)from 1-1 to 12-31 for D purposes. Amount .08/2.4

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

8. Use Code: *A*

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	
22N	1E	23															8		
		25						8	14										
		26	14	14	11	28				8	34								

9. A. Decree Name:

B. Decree Date:

10. Remarks: A. *Ac. Irr. = 140.5.*
 B.
 C.
 D.
 E.

11. Other Uses (Non-irrigation explanatory information):

12. Other Rights for Same Use:

13. A. Proof Due Date:

B. Date Permit Approved or Denied:

C. Protested Date:

D. Hearing Date:

E. Old Number: *31555*

F. Proof Made (P or blank):

G. Field Exam Made (P,R,F or blank):

H. Conditions of Approval: _____

14. Diversion Means (brief narrative):

June 19, 1979

M. R. Givens
Route 1, Elk Lake Road
New Meadows, ID 83654

Dear Mr. Givens:

Re: Permit No. 78-2072

Enclosed is a copy of the approved application for amendment, the Memorandum Decision and Order granting the issuance of a license, and the license. Please note the conditions of the license as indicated on the order.

Any person who does not agree with the decision of the Department may request a rehearing before the Director within 20 days or may appeal directly to the district court within 60 days of the date the decision is mailed.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:rf

Enc: App. for Amend.
Memo. Dec. & Order
License
Cert. of Mail.

cc: See Cert. of Mailing

RECEIVED
JUN 20 1979

INTER-DEPARTMENT MEMO — 1

FROM Rita

TO File

SUBJECT

The new property owners of the land Mr. Deane Thompson owned are:

Mr. and Mrs. Stanley Lysiak
Route 1
New Meadows, ID 83650

A copy of the department's Memorandum Decision and Order should be sent to them.

78-2072


SIGNATURE

January 8, 1979

Mr. Al Givens
Route 1, Elk Lake Road
New Meadows, ID 83654

RE: Enclosed Amended Application for Amendment for Permit 78-2072

Dear Mr. Givens:

Enclosed is the Amended Application for Amendment of permit 78-2078 which we discussed in our phone conversation of January 8, 1978. Also enclosed for your information is a copy of the license draft which was prepared as a result of the field examination conducted last summer.

If you have any questions please feel free to contact this office. Please note there is a \$20.00 amendment fee to cover the cost of advertising the amendment.

Yours truly,

DAVID B. SHAW
Western Regional Supervisor

DBS:kk

Enclosure



AFFIDAVIT OF PUBLICATION

.....Nora C. Donaldson..... being first duly sworn, says he is the Office Manager..... 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 2..... weeks, being published 2..... times, the first publication being on the 7..... day of FEBRUARY....., 1979....., and the last publication on the 14..... day of FEBRUARY..... 1979.; 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.

.....Nora C. Donaldson.....

Subscribed and sworn to before me this 15..... day of February....., 1979.....

.....Marilyn J. Stalley....., Notary Public
for State of Idaho, residing at Grangeville, Idaho.

OK-KK
2/26/79



Department of
Business

.....2/26/79.....

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

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

FEBRUARY 1, 1979

Idaho County Free Press
Box 267
Granseville, ID 83530

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before FEBRUARY 26, 1979.

Yours truly,

Karla Knecht
Secretary

Encl.

MICROFILMED

NOTICE OF PROPOSED AMENDING OF WATER PERMIT

Notice is hereby given that Permit No. 78-2072 in the name of M. R. Givens was issued for the diversion of 12 cubic feet per second of water from Little Elk Creek and Big Elk Creek with the points of diversion within the $SE\frac{1}{4}SE\frac{1}{4}$, $SW\frac{1}{4}SE\frac{1}{4}$, Sec. 23, T 22N, R 1E to be used for irrigation and domestic use within portions of Sec. 23, 24, 25, & 26, T 22N, R 1E.

The permit holder now proposes to amend Permit No. 78-2072 by changing the source of water to unnamed streams tributary to Little Elk Creek for the diversion of 1.29 cfs within the $NE\frac{1}{4}NE\frac{1}{4}$, $NW\frac{1}{4}NE\frac{1}{4}$, Sec. 25, T 22N, R 1E for irrigation and domestic purposes within the $SW\frac{1}{4}SE\frac{1}{4}$, Sec. 23, $W\frac{1}{2}NW\frac{1}{4}$, Sec. 25, $NE\frac{1}{4}$, $SE\frac{1}{4}NW\frac{1}{4}$, $NE\frac{1}{4}SW\frac{1}{4}$, Sec. 26 all in T 22N, R 1E for 140.5 acres and 2 households.

Any protests to this proposed amending of the permit must be filed with the Director of the Idaho Department of Water Resources, 92 South Cole Road, Boise, Idaho 83705 on or before February 26, 1979.

C. STEPHEN ALLRED
Director

Published in Idaho County Free Press on 2/8 & 2/15/79.

MICROFILMED

State of Idaho
Department of Water Resources
AMENDMENT ANALYSIS SHEET

INITIAL REVIEW BY: CLS
Right Number 78-2072 Applicant M.R. Givens
Purpose of Amendment: ☒ Change point of diversion. ☐ Add diversion point(s).
☐ Increase amount. ☒ Change place of use. ☐ Other _____

CHECK:

- ☒ Description of amended point(s) of diversion.
- ☒ Amount, nature and period of use. If increased, delay date of priority.
- ☒ Description of amended places of use. If expanded, delay date of priority.
- ☒ Ownership of point of diversion and place of use.
- ☒ Map.
- ☒ Signature (must be permit holder).
- ☒ Fee.
- ☐ Existing water rights from the same source, amended place of use.
- ☐ Right number(s) _____
- ☒ Yes ☐ No Should amendment be advertised?
- ☐ Yes ☐ No Should date of priority be delayed? If yes, to what date? _____

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Amendment published correctly.
- ☐ Protests processed.
- ☒ Approve.
- ☐ Deny.

Conditions _____

By DBS Date 2/26/79

STATE OFFICE PROCESSING:

- ☐ Amendment correct and complete. By _____ Date _____
- ☐ Approved copy sent to applicant and to Region. By _____ Date _____

MICROFILMED

CONVERSATION MEMORANDUM

DATE 9-8-78FILE 78-2072NAME OF PARTY Mr. Al GivensEMPLOYEE David Shaw

RE: Memo of 8/15/78 of license draft.
Mr. Givens asked why the license draft was reduced from 2.88 to 1.29 cfs. I explained the 2.88 was the full legal amount of $0.02 \text{ cfs/acre} \times 140 \text{ acres} = 2.8 \text{ cfs}$ plus $0.04 \text{ cfs/household} \times 2 \text{ households} = 0.08 \text{ cfs}$ and $2.8 + .08 = 2.88 \text{ cfs}$ whereas the 1.29 cfs is our best determination of the maximum water actually diverted. I explained the 1.29 cfs is what we would issue the license for. Mr. Givens asked for the conversion of cfs to gpm.

Mr. Givens also said he felt the ditch being used should not be called the Givens-Warren ditch but rather should be called the Stilman ditch since Mr. Stilman built the ditch.

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83705

JOHN V. EVANS

Governor

(Office at the corner of
Franklin and Cole Roads)

C. STEPHEN ALLRED

Director

(208) 384-2190

August 18, 1978

Mr. Irvin M. Derry
Box 128
Riggins, ID 83549

RE: Re-Examination of Permit Number 78-2072

Dear Mr. Derry:

Enclosed are the results of a new field exam conducted during the summer of 1978 on the above-numbered permit. The exam was conducted and the information is being provided as agreed in the conference held in McCall on May 17, 1978.

The Director's plan at this time is to prepare a memorandum decision and order to issue the water right license as outlined in the attached draft license.

If you disagree with the issuance of the proposed license, please show cause by October 1, 1978 why the license should not be issued as drafted.

If you have questions or would like additional information in this matter, please contact this office.

Yours truly,

David B. Shaw
Western Regional Supervisor

DBS/st

Enclosure

CC: M. R. Stevens
Raymond L. Warren
Deane Thompson
Joe & Lois Miller

Al Givens 628-3707

MICROFILMED

August 18, 1978

Raymond L. Warren
Route #1
New Meadows, Idaho 83654

RE: Re-Examination of Permit Number 78-2072

Dear Mr. Warren:

Enclosed are the results of a new field exam conducted during the summer of 1978 on the above-numbered permit. The exam was conducted and the information is being provided as agreed in the conference held in McCall on May 17, 1978.

The Director's plan at this time is to prepare a memorandum decision and order to issue the water right license as outlined in the attached draft license.

If you disagree with the issuance of the proposed license, please show cause by October 1, 1978 why the license should not be issued as drafted.

If you have questions or would like additional information in this matter, please contact this office.

Yours truly,

David B. Shaw
Western Regional Supervisor

DBS/st

Enclosure

MICROFILMED

August 18, 1978

Mr. & Mrs. Deane Thompson
P.O. Box 263
Riggins, ID 83549

RE: Re-Examination of Permit Number 78-2072

Dear Mr. & Mrs. Thompson:

Enclosed are the results of a new field exam conducted during the summer of 1978 on the above-numbered permit. The exam was conducted and the information is being provided as agreed in the conference held in McCall on May 17, 1978.

The Director's plan at this time is to prepare a memorandum decision and order to issue the water right license as outlined in the attached draft license.

If you disagree with the issuance of the proposed license, please show cause by October 1, 1978 why the license should not be issued as drafted.

If you have questions or would like additional information in this matter, please contact this office.

Yours truly,

David B. Shaw
Western Regional Supervisor

DBS/st

Enclosure

MICROFILMED

August 18, 1978

Joe & Lois Miller
Route #1
New Meadows, ID 83654

RE: Re-Examination of Permit Number 78-2072

Dear Mr. & Mrs. Miller:

Enclosed are the results of a new field exam conducted during the summer of 1978 on the above-numbered permit. The exam was conducted and the information is being provided as agreed in the conference held in McCall on May 17, 1978.

The Director's plan at this time is to prepare a memorandum decision and order to issue the water right license as outlined in the attached draft license.

If you disagree with the issuance of the proposed license, please show cause by October 1, 1978 why the license should not be issued as drafted.

If you have questions or would like additional information in this matter, please contact this office.

Yours truly,

David B. Shaw
Western Regional Supervisor

DBS/st

Enclosure

RECEIVED
AUG 21 1978

August 18, 1978

Mr. Irvin M. Derry
Box 128
Riggins, ID 83549

RE: Re-Examination of Permit Number 78-2072

Dear Mr. Derry:

Enclosed are the results of a new field exam conducted during the summer of 1978 on the above-numbered permit. The exam was conducted and the information is being provided as agreed in the conference held in McCall on May 17, 1978.

The Director's plan at this time is to prepare a memorandum decision and order to issue the water right license as outlined in the attached draft license.

If you disagree with the issuance of the proposed license, please show cause by October 1, 1978 why the license should not be issued as drafted.

If you have questions or would like additional information in this matter, please contact this office.

Yours truly,

David B. Shaw
Western Regional Supervisor

DBS/st

Enclosure

MICROFILMED

August 18, 1978

Mr. M.R. Givens
Route 1, Elk Lake Road
New Meadows, ID 83654

RE: Re-Examination of Permit Number 78-2072

Dear Mr. Givens:

Enclosed are the results of a new field exam conducted during the summer of 1978 on the above-numbered permit. The exam was conducted and the information is being provided as agreed in the conference held in McCall on May 17, 1978.

The Director's plan at this time is to prepare a memorandum decision and order to issue the water right license as outlined in the attached draft license.

If you disagree with the issuance of the proposed license, please show cause by October 1, 1978 why the license should not be issued or why it should not be issued as drafted.

If you have questions or would like additional information in this matter, please contact this office.

Yours truly,

David B. Shaw
Western Regional Supervisor

DBS/st

Enclosure

MICROFILMED

August 15, 1978

M E M O R A N D U M

TO: FILE NO 78-2072

FROM: William MacAllister *WMA*

SUBJECT: Re- Examination of Permit Number 78-2072

On July 14, 1978 and August 4, 1978, I inspected the water use described in permit number 78-2072. On my July 14th examination Mr. Al Givens showed me the diversion works and indicated that I would have to return to measure the rate of diversion at another time since he was not diverting any water from the two streams described in the permit as yet. Mr. Givens agreed to call me when he was diverting water.

During my July 14th inspection I was able to confirm the two sources of water as two unnamed streams. A copy of a USGS 7½ minute map is attached and the map shows the points of diversion and the route of the delivery system. I confirmed that Peter Chamberlin's recommendations concerning the irrigated acres and the number of domestic uses were correct.

In the first week of August Mr. Givens called me and told me that he had inadvertently neglected to call me when he first started diverting water. He indicated that the flow had dropped in the last week and he would like a measurement as soon as possible. I told him that I was already planning to make the measurement on August 4.

On August 4, 1978 I made a flow measurement of the Given's diversion at the cement box that controls the flow of water into the six inch plastic pipe part of the delivery system. At that time I talked with M.R. Givens, the permit holder, and she expressed her concern over the domestic supply delivered through the Givens-Warrens Ditch. Mrs. Givens indicated that three wells had been drilled in attempts to obtain a sufficient supply of water. Two of the wells are dry holes and the third is adequate during the winter months only.

It appears that this water right filing covers at least part of an existing constitutional use right that was developed in the early part of this century for the land now owned by M.R. Givens and Ray Warrens. On August 9th Mr. Warrens contacted me and expressed concern that the Department would allow the Givens to perfect a licensed water right that would give the Givens the right to all of the water in the Warren-Givens Ditch. He indicated that he felt he controlled 1/3 of the constitutional use right by deed. In a later discussion with Mr. Al Givens he disputed whether Mr. Warrens did indeed control 1/3 of the use right by deed.

MICROFILMED

Memo To File No. 78-2072
August 15, 1978
PAGE TWO

FINDINGS:

Q Beneficially Used

Domestic	0.08 cfs	from Jan 1 to Dec 31
Irrigation	<u>1.29</u> cfs	from May 1 to Oct 1
TOTAL =	1.29 cfs	

V Beneficially Used

Domestic (2)	2.4 AFA	
Irrigation	<u>390.8</u> AFA	(1.29 cfs x 1.98 x 151 days)
	393.2 AFA	

WM/st

FLOW CALCULATION

To estimate the flow in the Givens-Warren Ditch at its peak flow records for the similar water year 1976 were studied. During June of that year the peak flows in the Little Salmon River at Riggins were in the 2000 cfs to 3000 cfs range and later in that month the flow settled down to 1200 cfs. Since during my examination of July 14, 1978 the Givens were not diverting water, I assume that the best estimate of the maximum flow in the Little Salmon during diversion of water by the Givens is 1200 cfs. On August 4, 1976 the flow in the Little Salmon River was 400 cfs. Thus the flow in the Little Salmon River fell to 1/3 of the June flow during which the Givens would be diverting the water.

Now assuming that the streams from which the Givens divert water decreased similarly the flow in the concrete box at the maximum would be 1.04 cfs, since the flow I measured on August 4 was 0.346 cfs in the concrete box. (See measurement notes)

To estimate the flow diverted at the point of diversion the Moritz's loss method and the printout is attached. The estimate of the flow diverted is 1.29 cfs.

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Date 5/1/88 DISCHARGE MEASUREMENT NOTES

Date 8-7-18 **DISCHARGE MEASUREMENT NOTES**
Given Diversion River at from 2 unnamed streams

[illegible]

No. _____ of _____ Sheets. Comp. by _____

REPORT

8/15/78 W.H.M.

* MACALLISTER'S MODIFICATION OF MORITZ *
* LOSS CALCULATION FOR *
* THE GIVENS-WARRENS DITCH *
* WATER RIGHT NO. 78-2072 *

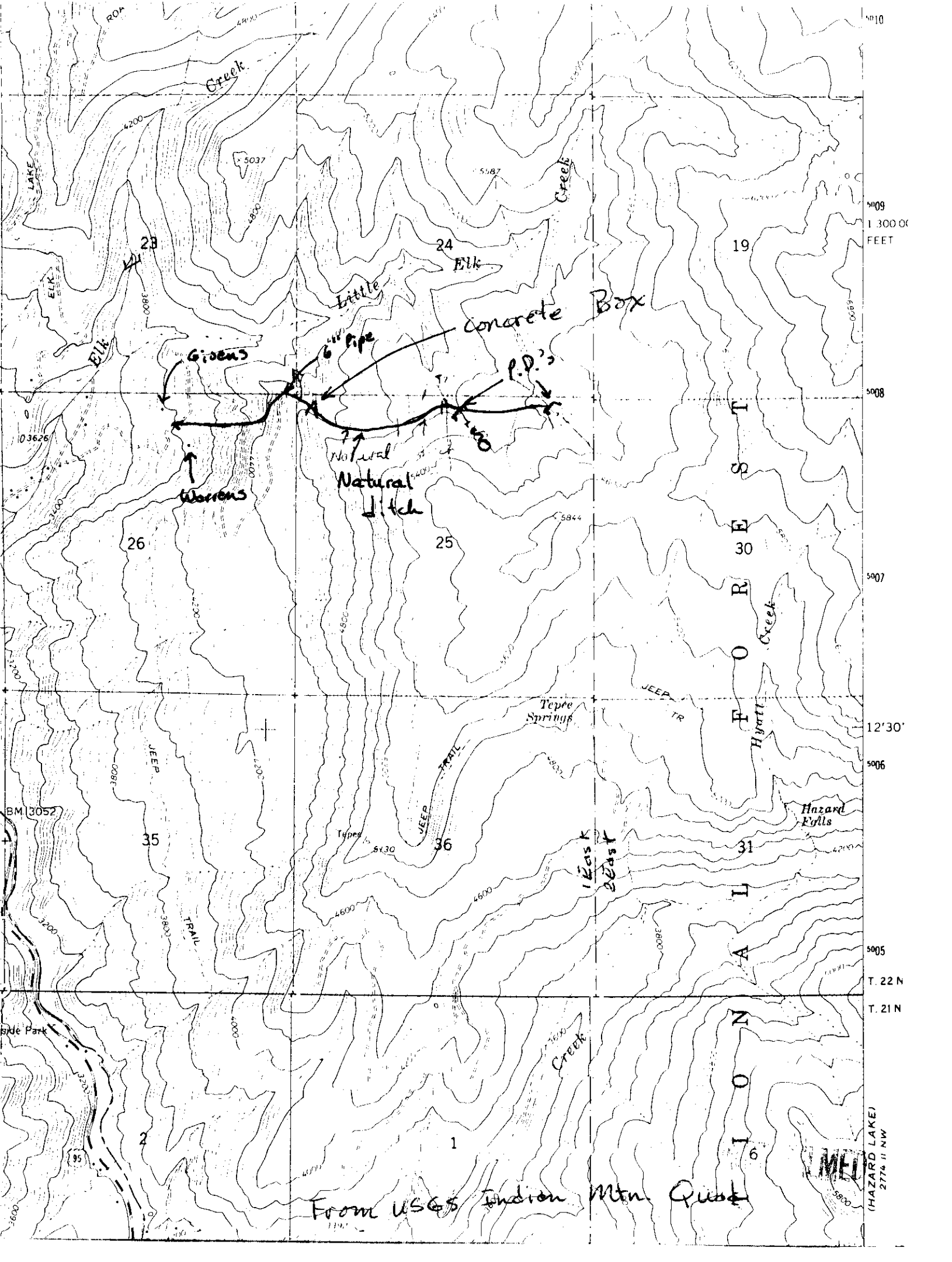
Q DIVERTED: 1.29
Q DELIVERED: 1.04
PERCENTAGE LOSS: 23.8

TYPE OF SOIL: SANDY LOAM
SOIL CONSTANT= 1.50 (FEET/DAY)
LENGTH OF HEAD OF DITCH: .80
LENGTH OF DELIVERY SECTION: .00

LOSS TABLE FOR HEAD OF DITCH

MILE	Q (CFS)	LOSS (CFS)
.80	1.04	.25

MICROFILMED



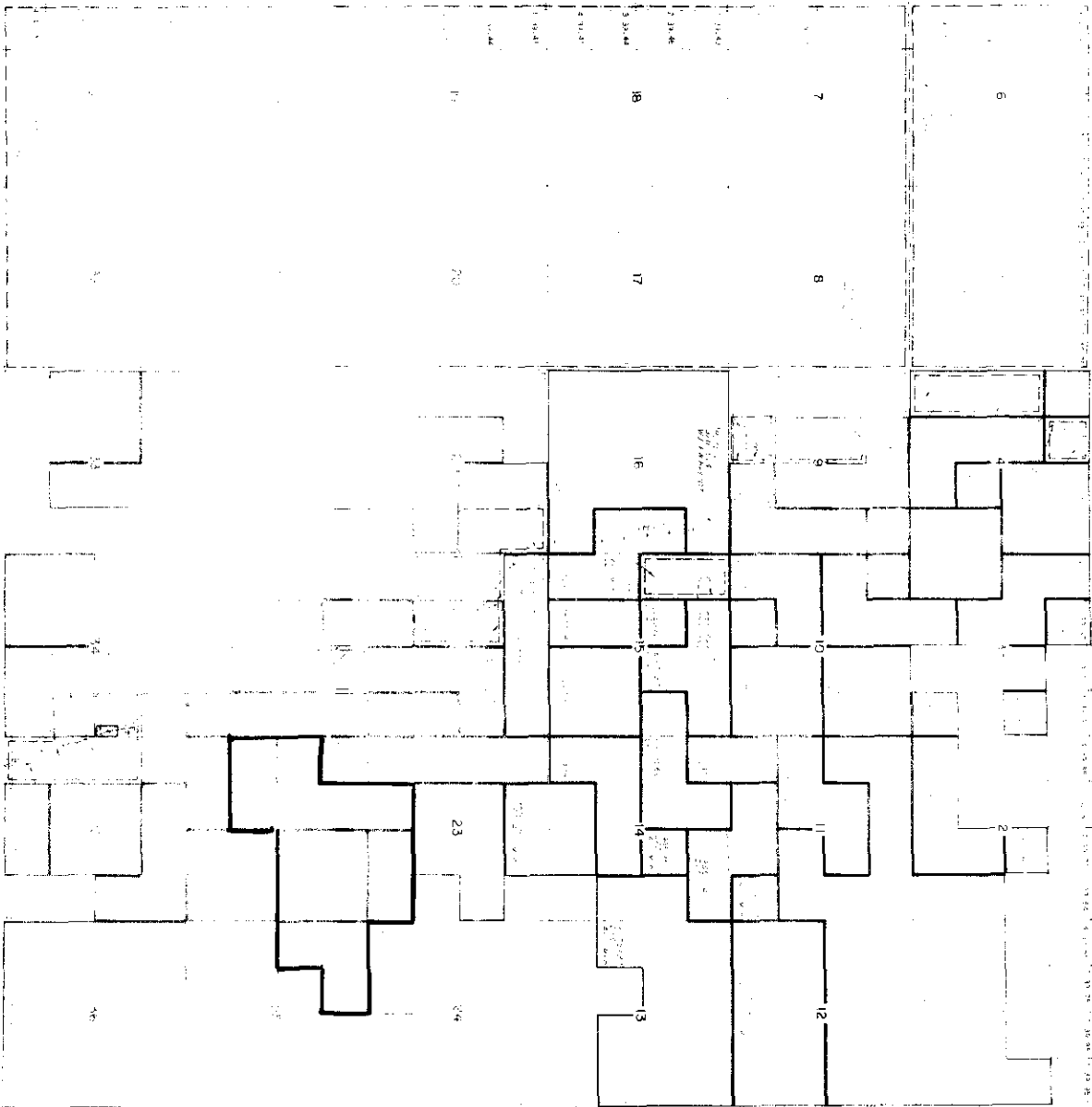
TOWNSHIP 22 NORTH RANGE 1 EAST OF THE BOISE MERIDIAN, IDAHO

Section 1

STATUS OF PLAT
LAND AND MINES

MT PLAT

INDEX TO SEGREGATED
TOWNSHIP PLAT
SECTION NO. 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100



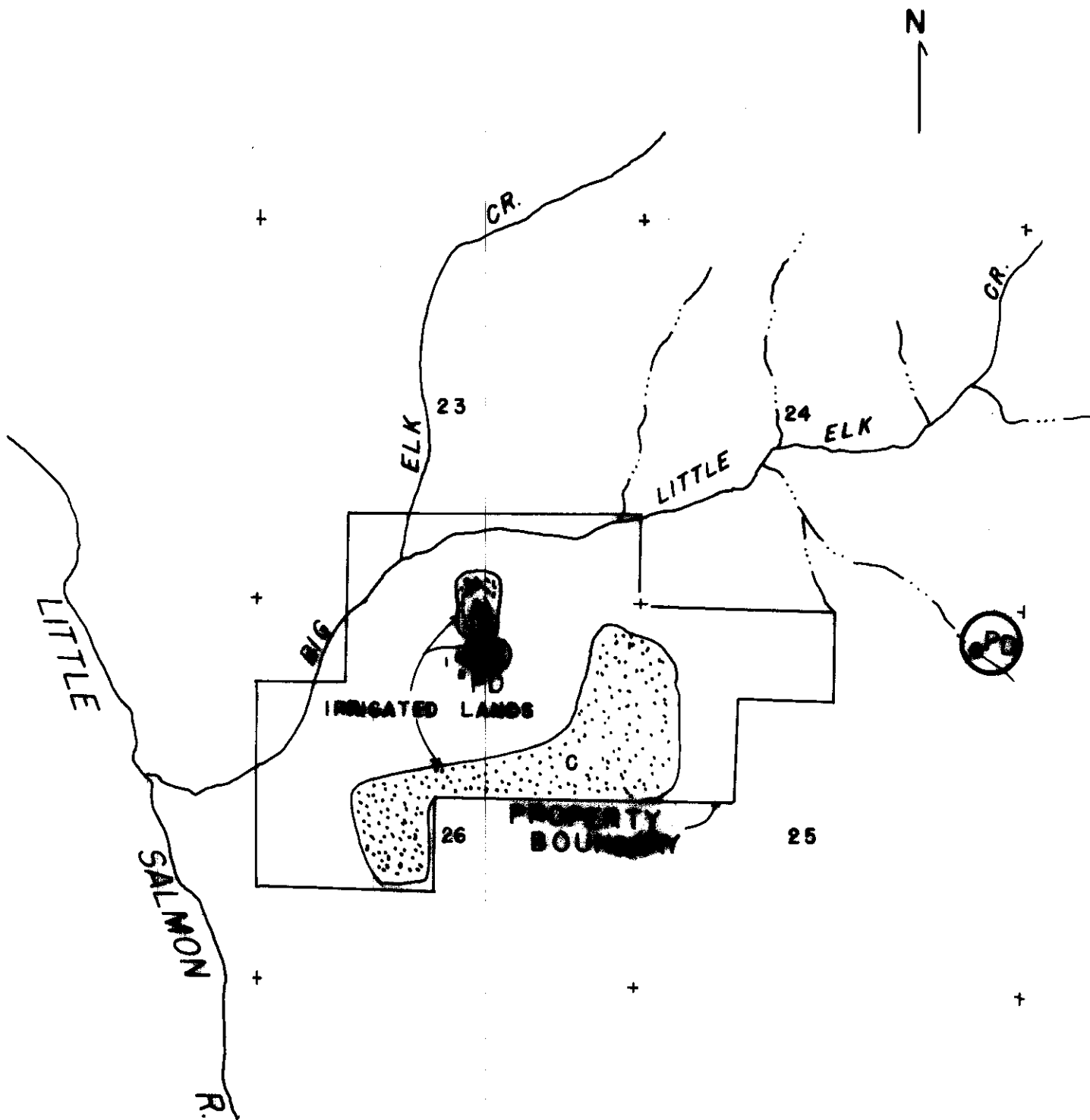
SCALE in Chains
0 10 20 30 40
ADAMS COUNTY IDAHO COUNTY

Plat No. 1 of 1
T. 22 N. R. 1 E. S. 1
Adams County, Idaho

Plat No. 1 of 1
T. 22 N. R. 1 E. S. 1
Adams County, Idaho

Plat No. 1 of 1
T. 22 N. R. 1 E. S. 1
Adams County, Idaho

Plat No. 1 of 1
T. 22 N. R. 1 E. S. 1
Adams County, Idaho



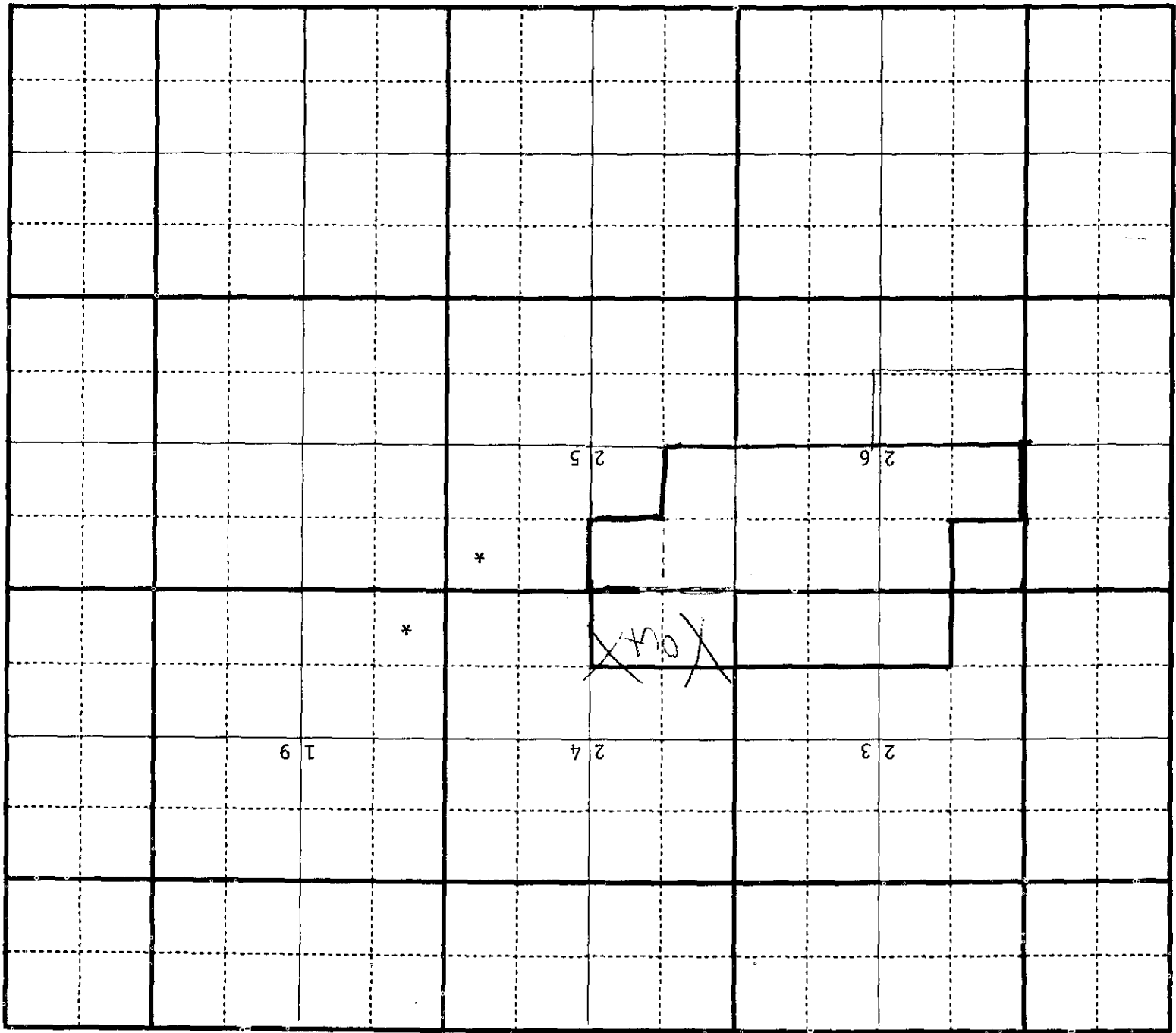
78-2072

MICROFILM

PJC-9-15-75

FIELD REPORT

TOTAL ACREAGE 140.5



DATE OF EXAM 9-10-75

ACREAGE
Found 140.5
Recommended 140.5

Irrigation Requirement 5.0 Ac Ft/Ac

USE
Irrigation Q = 2.8 c.f.s. V = 702.5 AF/Ann. from May 1 to Oct 1
Domestic Q = 0.08 c.f.s. V = 2.4 AF/Ann. from Jan. 1 to Dec. 31
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no X

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

Exchange? yes _____ no X

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 0.5' = 0.074 cfs Method of measurement Weir & estimate

Total Q recommended 2.88 cfs Meter No. _____ Type _____ Condition _____

Total V recommended 705 a.f. / ann

Recommended Amendments:

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

MEASUREMENT CALCULATION:

0.5' on weir - during irrigating season run 3" plus 6" domestic line full - estimate of 50% loss of water through basalt in ditch.
Total Q = 0.08 cfs (domestic) + (0.02 cfs x 140.5 a. [irrigation]) = 2.88 cfs.
Total V = 5 a.f. / ac. / ann x 140.5 a. = 702.5 a.f. / ann. - given 5 a.f. ann. due to high loss in conveyance.

SYSTEM DESCRIPTION:

Domestic system - 2 1/2" PVC pipe to house from ditch - a house gravity flow system. PD is rock wall across stream causing flow into ditch. Orchard is sprinkler irrigated. Has well for domestic to one house - 6 casing sub pump. Berkeley pump 1/2 H.P. serial # 7107011. Well is 95' deep. Also has another well that is dry hole. Irrigated pasture by flooding.

REMARKS:

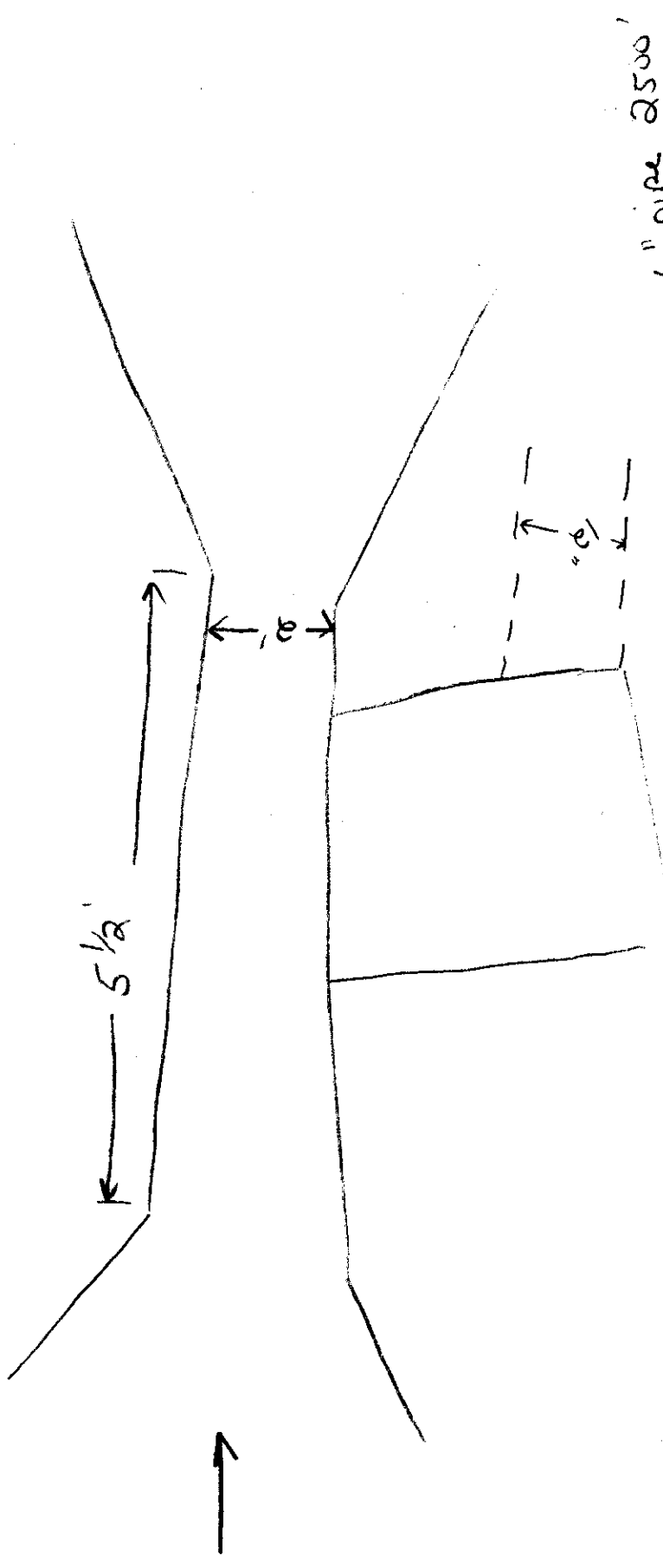
approx 50% loss in conveyance, PD may dry up in some summers. Water loss is in basalt fractures. Well dries up during summers. At the time I visited this area water was too low to irrigate.

Examiner's Signature Peter Chombarhin Date 9-22-75

Checked by _____ Date _____

Approved by _____ Date _____

Not at home Aug 27 () 78



12" for 75 then 6" pipe 2500'
then dumps into ditch to
place of use
water for pasture through
slide area

Given's

78-2072

5/17/78

- Protestants still want to protest - Conference will be held

Applicant {
- Applicant intended to divert water from springs & unnamed trib to Little Elk Ck.
- $\frac{1}{2}$ of water (springs) to not trib to Little Elk Ck - Springs dry up in summer.
- $\frac{1}{2}$ of water from trib which would eventually reach Little Elk Ck.
- ditch in use for at least 30 years (confirmed) and for a number of years prior (12-17 years) ~~un~~ unconfirmed

protestant - Thought appropriator would take water from Elk Creek & Little ^{Elk} Creek

- Water first used after turn of century -
- 78-7108 app for water from same ditch as Given's (Rader Creek) - deed shows owner has $\frac{1}{2}$ water in creek - ^{deed} dates from 1962
- Field exam 9/22/75 measured 0.074 cfs

Re-exam during larger flow period

Identify sources

"

other users on the ditch which diverts water from Trib to Little Elk Creek.

- Warren's share ditch w/ Given's -
Warrens were at conference.

Send copies of decisions to Mr. Warren

MICROFILMED

In the matter of)
the Protested Permit)
Number 78-2072, in)
the Name of M.R.)
Givens)

Agreement

We, the undersigned hereby agree to allow the Dept. of Water Resources to reach a decision in the above captioned matter based on the Departments understanding of the information presented at the conference held on May 17, 1978 in McCall, Idaho.

We also understand that we have the right to appeal the Departments decision to the District Court.

Signed at McCall, Idaho on
May 17, 1978

Joe S Miller

Lain M. Miller

Beatrice J. Thompson

Irwin M. Denny

Albert W. Givens & Co
M.R. Givens

Box 1 new meadows
Idaho 83654.

"

Box 263 Riggins, Ida.

Box 128 Riggins, Ida. 83439

Elk Creek New Meadows Idaho

McCall, Idaho

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 31555/78-2072 }
IN THE NAME OF M. R. GIVENS }

NOTICE OF CONFERENCE
AND/OR HEARING

On November 27, 1963, Orel E. Rader filed an application for permit and was subsequently granted Permit No. 31555/78-2072. This permit was approved with the condition that beneficial use be submitted on or before November 29, 1968. On December 9, 1965 all right and title to the permit was assigned to M. R. Givens. From February 12 thru February 21, 1969, the Department of Reclamation received protests against the issuance of a license from Irvin M. Derry, Deane L. Thompson, Mrs. Beatrice J. Thompson, Joe S. Miller and Lois M. Miller.

The Department of Water Resources has set the matter of protest for conference and/or hearing on Wednesday, May 17, 1978 at 10:30 at the U. S. Forest Service conference room, McCall, 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 Resources. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

Any party may request in writing five 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 applicant or protestant may allow the Department of Water Resources without prejudice to dismiss the protests or the permit. Any and all cost incurred by reason of such non-appearance may be assessed against such non-appearing parties.

Dated this 2nd day of May, 1978.



DAVID B. SHAW

Western Regional Supervisor

100-100000-1000

U. S. Forest Service conference room, McCall, Idaho

Wednesday, May 17, 1978

XXXXXXXXXXXXXX20XXXXX - 10:30 a.m.

ROSTER OF ATTENDANCE

Name	Address	Representing
Mary O'Leary	Riggins	Int in Thompson
Raymond L. Hansen	Rt. 1, New Meadows	~~Thompson~~ Prop.
Lee Hansen	Rt. 1, New Meadows 83654	Protests
Charles & Barbara Spence	Elk Lake Rd	"
Kevin O'Leary	Rt. 1, new-meadows.	self int.
Lisa Miller	Rt 1 new meadows.	protest
Joe Miller	" " "	letter of concern
Beatrice Thompson	Riggins	" "
Lillian Peters	Riggins	Protest
E. S. Van Eften	NEW MEADOWS	Interest
Albert W. Givens	new meadows	Interested
		Represent applicant

MICROFILMED

NAME AND ADDRESS OF SENDER		NAME OF ADDRESSEE, STREET, AND POST-OFFICE ADDRESS		Indicate type of mail		I certify that we have		Affix stamp here if issued as certificate of mailing or for additional copies of this bill.	
NUMBER OF ARTICLE				☐ REGISTERED	☐ COD	☐ Commercial Insurance	☐ A deductible clause of \$	POSTMARK AND DATE OF RECEIPT	
1	139487	Mr. J. H. Hunsman	Route 1, Elk Lake Road	☒ CERTIFIED					
2									
3									
4									
5	139488	Joe & Eric M. Miller, Et al	1000 W. 10th Avenue, Elko 83654						
6									
7									
8	139489	John H. Hunsman, Et al	1000 W. 10th Avenue, Elko 83654						
9									
10									
11	139490	John H. Hunsman, Et al	1000 W. 10th Avenue, Elko 83654						
12									
13	139491	John Hunsman, 2910 S. Clearwater	Elko 83654						
14									
15									
TOTAL NUMBER OF PIECES LISTED BY SENDER		TOTAL NUMBER OF PIECES RECEIVED AT POST OFFICE		POSTMASTER, PER (Name of receiving employee)		The full declaration of value is required on all domestic and international mail. Commercial Insurance—Payment of the full registry is required valued up to \$1,000 or the full amount of the deductible if the deductible is \$1,000. The maximum indemnity payable is \$10,000 for registered mail, COD and \$200 for insured mail. Special handling charges apply only to fourth-class parcels. Special delivery service also includes special handling.			

FORM MUST BE COMPLETED BY TYPEWRITER, INK OR BALL POINT PEN

ACCEPTANCE OF REGISTERED, INSURED, C.O.D. AND CERTIFIED MAIL

NAME AND ADDRESS OF SENDER		NAME OF ADDRESSEE, STREET, AND POST-OFFICE ADDRESS		POSTAGE		FEE		Handling Charge		Actual Value (if Registered)		DUE SENDER IF C. O. D.		R. R. FEE		S. O. S. H. FEE	
1	139492	Structure Thompson															
2		PO Box 263															
3		Regina, AL 33549															
4																	
5																	
6																	
7																	
8																	
9																	
10																	
11																	
12																	
13																	
14																	
15																	

NAME AND ADDRESS OF SENDER

Indicate type of mail
☐ REGISTERED ☐ COD
☐ INSURED ☒ CERTIFIED

I certify that we have
☐ Commercial Insurance
☐ A deductible clause of \$

Affix stamp here if issued as certificate of mailing order additional copies of this will POSTMARK AND DATE OF RECEIPT

TOTAL NUMBER OF PIECES LISTED BY SENDER

TOTAL NUMBER OF PIECES RECEIVED AT POST OFFICE

POSTMASTER, PER (Name of receiving employee)

The full declaration of value is required on all domestic and international mail. Commercial Insurance—Payment of the full registry is required valued up to \$1,000 or the full amount of the deductible if the deductible \$1,000. The maximum indemnity payable is \$10,000 for registered mail, COD and \$200 for insured mail. Special handling charges apply only to fourth-class parcels. Special delivery service also includes special handling

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

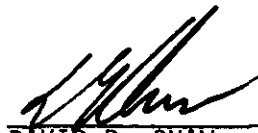
IN THE MATTER OF PROTESTED
PERMIT NO. 31555/78-2072 IN
THE NAME OF M. R. GIVENS

NOTICE OF CONFERENCE
AND/OR HEARING
DATE CANCELLATION

Notice is hereby given that the Department of Water Resources has delayed the conference and/or hearing concerning the above protested permit at the request of the applicant.

The Department will reschedule the conference and/or hearing in the near future, at which time all interested parties will again be notified.

Dated this 27 day of March, 1978.



DAVID B. SHAW

Western Regional Supervisor

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 31555/78-2072 }
IN THE NAME M. R. GIVENS }

NOTICE OF CONFERENCE
AND/OR HEARING

On November 27, 1963, Orel E. Rader filed an application for permit and was subsequently granted Permit No. 31555/78-2072. This permit was approved with the condition that beneficial use be submitted on or before November 29, 1968. On December 9th, 1965 all right and title to the permit was assigned to M. R. Givens. From February 12 thru February 21, 1969, the Department of Reclamation received protests against the issuance of a license from Irvin M. Derry, Deane L. Thompson, Mrs. Beatrice J. Thompson, Joe S. Miller and Lois M. Miller.

The Department of Water Resources has set the matter of protest for conference and/or hearing on Thursday, April 20, 1978 at 10:30 at the U. S. Forest Service conference room, McCall, 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 Resources. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

Any party may request in writing five 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 applicant or protestant may allow the Department of Water Resources without prejudice to dismiss the protests or the permit. Any and all cost incurred by reason of such non-appearance may be assessed against such non-appearing parties.

Dated this 17 day of March, 1978.



DAVID B. SHAW

Western Regional Supervisor

MICROFILMED

CONVERSATION MEMORANDUM

DATE 3-27-78

FILE 78-2072

NAME OF PARTY Allen Givens (Son of Applicant)

EMPLOYEE Rita Fleck

RE: Notice of Conference and/or Hearing Scheduled for April 20, 1978, McCall,
Idaho

Mr. Allen Givens telephoned today to request that we postpone the confer-
ence and/or hearing scheduled for April 20, 1978 at McCall, Idaho. The entire
family will be out of state and he requests that we schedule it for about three
weeks later.

RECORDED

NAME AND ADDRESS OF SENDER		NAME OF ADDRESSEE, STREET, AND POST-OFFICE ADDRESS		POSTAGE		FEE		Handling Charge (If Registered)		DUE SENDER IF C.O.D.		R. R. FEE		S. D. FEE		S. H. FEE		REST. DEL. FEE	
NUMBER OF ARTICLE																			
1		139460 M. R. Stevens		13		10												78-2072	
2		Route 1, Elk Lake Road																	
3		P.O. M. Meadows, Idaho 83654																	
4		139461 Maria M. Henry, Box 128																	
5		Regina, Idaho 83549																	
6		139462 Joe & Mrs. Miller, Route 1																	
7		P.O. M. Meadows, Idaho 83654																	
8		139463 Anne & Duane Thompson																	
9		P.O. Box 263, Regina, Idaho 83549																	
10																			
11																			
12		EACH OF THESE PEOPLE WERE ALSO SENT A COPY OF THE NOTICE OF CONFERENCE AND/OR																	
13		HEARING DATE CANCELLATION ORDER																	
14																			
15																			
TOTAL NUMBER OF PIECES LISTED BY SENDER		TOTAL NUMBER OF PIECES RECEIVED AT POST OFFICE		POSTMASTER, PER (Name of receiving employee)		Declaration of value is required on international registered mail. Special-handling charges apply only to third- and fourth-class parcels. Special-delivery service also includes special-handling service.													

FORM MUST BE COMPLETED BY TYPEWRITER, INK OR BALL POINT PEN

INTER-DEPARTMENT MEMO — 1

FROM *Glen*DATE *1-12-78*TO *File 78-2072*

SUBJECT

the hearing in this matter can be scheduled. It should be held in ~~the office~~ unless a suitable place ~~could be located in the building~~ in ^{McCall or} New Meadows where yearly Goose Cr water Dist. meeting is held.

NOT FILMED

SIGNATURE



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83705

JOHN V. EVANS
Governor

(Office at the corner of
Franklin and Cole Roads)

C. STEPHEN ALLRED
Director

(208) 384-2190

September 22, 1977

Re: Permit No. 31555/78-2072
M. R. Givens

RECEIVED
OCT 3 1977

Mr. M. R. Givens
Route 1, Elk Lake Road
New Meadows, ID 83654

Department of Water Resources
Western Regional Office

Dear Mr. Givens:

Enclosed please find a copy of our letter of this date to Mr. Irvin
M. Derry.

Please advise us within 20 days if you do not agree with the findings
of the field examination as set forth in the above mentioned letter.

If Mr. Derry still wishes to proceed with his protest against this
license, we will notify you of the time and place set for conference
and/or hearing.

If you have any questions regarding this matter, please contact us.

Sincerely,

L. Glen Saxton
L. GLEN SAXTON, P.E.
Western Regional Supervisor

LGS:rf

Enc.

*Mr. Derry has sold
his property on Elk Lake Rd
and moved away so I don't
think a hearing will be necessary.*

M. R. Givens

*Irvin M. Derry
Box 128
Riggins, Id.
phone 628-3636*

*address
from Idaho
Co. assessor
on 10-7-77
HJH*

January 6, 1978

Re: Permit No. 31555/78-2072
(M. R. Givens)

Mr. Irvin M. Derry
Box 128
Riggins, ID 83549

correct address
- work phone - 628-3241
- home phone - 628-3636

Dear Mr. Derry:

I have been attempting to contact an Irvin M. Derry, Route 1, New Meadows, Idaho concerning a protest against the above referenced permit to appropriate water from Little Elk Creek and Big Elk Creek in Idaho County.

Would you please advise me if you are the same Irvin Derry, and if so, advise me if you still have an interest in the protest against the permit of Mr. M. R. Givens.

Thank you for your consideration in this matter.

Sincerely,

L. GLEN SAXTON, P.E.
Western Regional Supervisor

LGS:rf

MICROFILMED

September 22, 1977

Re: Permit No. 31555/78-2072
H. R. Givens

Irvin H. Derry
Route 1
New Meadows, ID 83654

Dear Mr. Derry:

On October 25, 1974, the Department received a protest from you against the issuance of a water license in connection with the above referenced permit. A representative of the Department has made an examination of the works covered by this permit and has found the following:

- Quantity of water diverted: 2.03 cubic feet per second
- Source: two (2) unnamed streams tributary to Little Elk Creek
- The maximum quantity diverted shall not exceed 704 acre feet per year.
- Beneficial use: Irrigation of 140.5 acres within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 23, NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 25; NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 26 T22N-R1E B.M. and domestic use for two (2) houses.
- Points of diversion: NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 25 T22N-R1E B.M.
- Priority date established: November 29, 1963

If you do not wish to continue your protest against the issuance of this license, please contact this office. If we have not heard from you within 30 days, we will assume you wish to continue the protest and a hearing will be scheduled.

Sincerely,

L. GLEN SAXTON, P.E.
Western Regional Supervisor

LGS:rf

cc: M. R. Givens

MAILED

September 22, 1977

Re: Permit No. 31555/78-2072
M. R. Givens

Mr. M. R. Givens
Route 1, Elk Lake Road
New Meadows, ID 83654

Dear Mr. Givens:

Enclosed please find a copy of our letter of this date to Mr. Irvin M. Derry.

Please advise us within 20 days if you do not agree with the findings of the field examination as set forth in the above mentioned letter.

If Mr. Derry still wishes to proceed with his protest against this license, we will notify you of the time and place set for conference and/or hearing.

If you have any questions regarding this matter, please contact us.

Sincerely,

L. GLEN SEXTON, P.E.
Western Regional Supervisor

LGS:rf

Enc.

RECEIVED
SEP 27 1977

October 29, 1974

Re: Permit No. 31555/78-2072

M. R. Givens
Route #1, Elk Lake Road
New Meadows, ID 83654

Dear Mr. Givens:

Enclosed you will find a copy of the protest filed against the issuance of a license pursuant to your Permit No. 31555/78-2072 by Irvin M. Derry. The following are the principle items which will be considered in a conference &/or hearing:

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.

You will be notified at a later date as to the time and place set for a conference &/or hearing to discuss the matters of protest. Legal counsel is not mandatory at any proceeding before the Department, although you may desire to employ an attorney in your behalf.

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

Sincerely,

BOBBY D. FLKENOR
Chief, Water Rights

BDF:JG
Enc: Copy of protest

October 29, 1974

Re: Permit No. 31555/78-2072 - M. R. Givens

Irvin M. Derry
Route #1
New Meadows, ID 83654

Dear Mr. Derry:

We acknowledge receipt of your protest filed against the issuance of a license pursuant to Permit No. 31555/78-2072 in the name of M. R. Givens. The following are the principle items which will be considered in a conference &/or Hearing:

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.

You will be notified at a later date as to the time and place set for a conference &/or hearing to discuss the matters of protest. Legal counsel is not mandatory at any proceedings before the Department, although you may desire to employ an attorney in your behalf.

If we may be of assistance, please contact us.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:JG

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor
R. Keith Higginson
Director

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



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

October 11, 1974

Idaho County Free Press
Box 267
Grangeville, ID 83530

Re: Proposed Amending of Water Permit No. 31555/78-2072 - M. R. Givens

Gentlemen:

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

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

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

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

(signature of claimant)

Sincerely,

Bill submitted
11-6-74
[Signature]

NOTICE OF PROPOSED AMENDING OF WATER PERMIT

Notice is hereby given that permit No. 31555/78-2072 in the name of M. R. GIVENS, Rt. 1, Elk Lake Rd., New Meadows, ID was issued for the diversion of 12.0 c.f.s. of water from Little Elk Creek and Big Elk Creek, trib. to Little Elk is tributary to Big Elk with point of diversion SE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 23, T. 22 N, R. 1 E, B.M. Idaho County to be used for domestic use and for irrigation of 600 acres within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 23, S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 24, N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 25, NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 26, T. 22 N, R. 1 E, B.M.

The permit holder now proposes to amend permit No. 31555/78-2072 changing the point of diversion within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 19, T. 22 N, R. 2 E, B.M.; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 25, T. 22 N, R. 1 E, B.M. Idaho County.

Any protests to this proposed amending of the permit must be filed with the Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83720, on or before November 4, 1974.

R. KETH HIGGINSON

Director

Published in the Idaho County Free Press, Grangeville, ID on October 16, 1974 and October 23, 1974.

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
WESTERN DISTRICT OFFICE



Cecil D. Andrus
Governor
R. Keith Higginson
Director

614 State Street
Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2190

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

October 8, 1974

M. R. Givens
Rt. 1, Elk Lake Rd.
New Meadows, ID 83654

Dear Mr. Givens:

Enclosed is your Receipt No. 103 in the amount of \$ 10.00 for
Amendment No. 78-2072 which was received in this office
on October 4, 1974.

Sincerely,

CATHY L. ATKINSON
Stenographer

CLA:c

Enclosure

Identification No. _____

Permit No. 31555/78-2072

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder M. R. Givens
b) Post Office Address Route 1, Elk Lake Road, New Meadows, Idaho
2. Permit Number 31555/78-2072
3. Date of Priority that you are prepared to establish Nov. 27, 1963
4. a) Source from which water was appropriated 2 unnamed streams trib. to Little Elk Creek
b) Location of the point of diversion: SW ¼ SW ¼, Section 19
Township 22 N, Range 2 E, Boise Meridian, Other points of diversion:
NE ¼ NE ¼, Sec. 25, T. 22 N, R. 1 E.
5. a) The amount of water and use to which the water has been applied:
Amount 5.0 for Irrigation purposes from April 1 to Oct. 31 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount 0.2 for Domestic purposes from Jan. 1 to Dec. 31 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 5.2 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: None made
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) Water diverted from unnamed streams into gravity ditch and taken to place of use.

b) Describe the type and size of measuring device which you have installed at your point of diversion: None

c) Give well driller's name and address and the date the well was completed: _____

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use:
Domestic use for five families in NW ¼ NE ¼, Sec. 26, SW ¼ SE ¼, Sec. 23, T. 22 N,
R. 1 E, B.M.

Exam typed 11/21/74 by JG

RECORDED

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: _____

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
22N	1E	26	25	30	20	35	25			12									147
		23											20			30			50
		25							40										40

Total number of acres irrigated 237

10. Remarks: _____

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

October 3, 1974
(Date)

M. R. Givens
(Signature)

State of Idaho)
County of Idaho) ss.

On this 3rd day of October, 19 74, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Albert W. Givens
Notary Public residing at Rt 1
New Meadows Idaho

My commission expires 5-1-76

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)

(Additional charges required for these services)

☐ Show address
where delivered

☐ Deliver ONLY
to addressee

RECEIPT

Received the numbered article described below

REGISTERED NO.

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

CERTIFIED NO.

1

INSURED NO.

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED

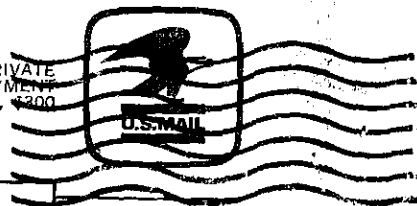
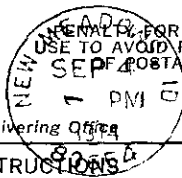
SEP 4 1974

3

SHOW WHERE DELIVERED *(Only if requested, and include ZIP Code)*

MICROFILMED

POSTAL SERVICE
MAIL BUSINESS



Postmark of Delivering Office

SENDER INSTRUCTIONS

Print in the space below your name, address, including ZIP Code.



- If special services are desired, check block(s) on other side.
- Moisten gummed ends and attach to back of article.

**RETURN
TO**



**DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720**

PS Form 3811
June 1973

August 30, 1974

CERTIFIED MAIL

#25956

Re: Permit No. 31555/78-2072

M. R. Givens
Route #1, Fall Creek Store
New Meadows, ID 83654

Dear Mr. Givens:

One of the conditions of approval of your water Permit No. 31555/78-2072 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before November 29, 1974. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

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

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



R. KEITH HIGGINSON
Director

RKH:jg
Enc: Proof affidavit

DON SAMUELSON
GOVERNOR



P. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

October 3, 1969

Re: Permit No. 78-2072

Mrs. Muriel G. Herlihy
Route 1, Fall Creek Store
New Meadows, Idaho 83654

Dear Mrs. Herlihy:

Thank you for your letter of September 30, 1969.

We regret to inform you that our Department will not be able to hold an informal hearing on the dates suggested in your letter.

The date for a conference and/or hearing will have to be set by the Department. The permit holder and the protestants will be notified by mail ten days prior to the meeting.

It is possible that this date will be set for some time in November. If not, it could be next spring before the Department will be able to hold a conference for this permit.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR

78-2072
31555

J

|

your friend toward Elk Lake

In fact I'd be expecting
pleased if you could arrive
an hour ahead of meeting time
so that I can show you some
very pertinent facts about the
land and its water supply. All
the properties involved except
the springs were once part of a
range. 600 acre ranch for which
the water spring was originally
made by Brad Meador

Presenting the plans and
also meets with your approval.

I am sincerely

Mrs. Muriel Burns Healey

1

1

1

State of Idaho.
Dept Reclamation
D.W. McEldowney

Sept 30, 1919
RECEIVED

OCT 2 1919

Department of Reclamation

Dear Sir:

At long last I have arrived at a date when all the complainants can be present at an informal hearing on my application for water rights renewal. We would like to have you come either Wed, Thurs, or Fri. Oct 3, 4, or 5. We would prefer Thurs the 4th if it can be arranged by you.

My son mentioned that you could meet us either in McCall or Riggs, but would it not be possible to meet right here in our canyon? I have a furnished and unoccupied cabin just 2 miles from the state highway on Elk Lake road that would be convenient to all of us, the first house on the right is

78-2072/3555

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.

30850

INSURED NO.

DATE DELIVERED

3-4-64

1

2

3

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

SHOW WHERE DELIVERED *(only if requested)*

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

M. R. Givens

INSURED NO.

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED

SHOW WHERE DELIVERED (only if requested)

3

7-20-72
31535

March 18, 1969

Re: Permit No. 31555

Al Givens
1308 Parker Avenue, Route 2
Caldwell, Idaho

Dear Mr. Givens:

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

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:TG

31555

C
O
P
Y

March 6, 1969

Re: Permit No. 31555

Mr. M. R. Givens
Route #1
Fall Creek Store
New Meadows, Idaho

Dear Mr. Givens:

Enclosed is a copy of a protest which we failed to enclose
in our letter of February 27, 1969.

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

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

enclosure: Copy of protest

cc: Mr. Al Givens
1508 Park River Avenue
Caldwell, Idaho

31555

Re: Permit 31555

February 27, 1969

Mr. Deane L. and Mrs. Beatrice J. Thompson
P. O. Box 263
Riggins, Idaho

Dear Mr. and Mrs. Thompson:

Thank you for your letter of concern dated February 18, 1969. Pursuant to the provisions of the Idaho Code, a copy of your letter has been forwarded to the applicant, M. R. Givens. The original letter has been placed in the folder of permit No. 31555.

You should be advised that there is a possibility that a general, informal conference will be held to discuss the matters of the letters of concern which were received. You will be advised of any such conference so that you may attend if you so desire.

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

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

31555

February 27, 1969

Re: Permit No. 31555

Mr. M. R. Givens
Route #1
Fall Creek Store
New Meadows, Idaho

Dear Mr. Givens:

Enclosed is a copy of a protest filed in connection with your notice of approved permit which was recently published in the area of your ranch.

We have also received two letters of concern which we are enclosing. These letters are not to be considered as protests but merely as indication that other rights exist on Little and Big Elk Creeks. These letters will be filed in the permit and will be considered at the time final action is taken on the permit in question.

The only proposal at this time is a possible scheduling of an information conference to review the matter of protest and the letters of concern which we have received in connection with the water permit filed in 1963. However, before final action will be taken in respect to licensing the permit, a conference and/or public hearing will be held to settle the matter of the protest.

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

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

enclosure: Copy of protest
Copy of letters of concern

cc: Al Givens
1508 Park River Avenue
Caldwell, Idaho

CERTIFIED MAIL: RRR

31555

February 27, 1969

Re: Permit No. 31555
M. R. Givens

Mr. Ervin M. Derry
Route #1
New Meadows, Idaho 83654

Dear Mr. Derry:

We have received your protest in connection with the above referenced permit. A copy of your protest will be forwarded to the permit holder as directed by the Idaho Code.

You will be advised at a later date as to the time, place, and date of a conference and/or hearing to review the matters of the protest. However, official action as to any hearings in the matter of the protest will be deferred until such time as there is official action pending with Permit No. 31555.

Proof of beneficial use in connection with this permit is not required until some time in the future. However, before any licensing action will take place, we will afford the protestant and the permit holder a chance to review the matter of the protest.

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

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

31555

February 27, 1969

Re: Permit 31555

Mr. Joe S. and Mrs. Lois M. Miller
Route #1
New Meadows, Idaho 83654

Dear Mr. and Mrs. Miller:

Thank you for your letter of concern dated February 16, 1969. Pursuant to the provisions of the Idaho Code, a copy of your letter has been forwarded to the applicant, M. R. Givens. The original letter has been placed in the folder of permit No. 31555.

You should be advised that there is a possibility that a general, informal conference will be held to discuss the matters of the letters of concern which were received. You will be advised of any such conference so that you may attend if you so desire.

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

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

31555

February 17, 1969

Re: Permit No. 31555

C
Duane L. Thompson
Box 263
Riggins, Idaho

O
Dear Mr. Thompson:

P
The legal notice concerning the above referenced permit was published in order to inform the public that permit 31555 was approved in 1963. The notice also affords the opportunity for anyone to protest when it is known that the intent of the permit will injure a prior existing water right, or in any case, when it is known that there is not public water available for appropriation. You should be advised that a permit such as 31555 is issued subject to existing prior rights. In other words, water will only be available for permit 31555 at such time as all existing prior established water rights are filled.

Y
If M. R. Givens could irrigate all 600 acres under the permit, should water be available for their 1963 priority, then it would be possible for M. R. Givens to submit proof of beneficial use on all 12 cubic feet per second called for in the permit. However, if the water available is somewhat less than 12 cubic feet per second or they cannot irrigate the full 600 acres, then it would be expected that they will receive a right to only that amount of water placed to beneficial use subject to prior rights.

We do not have printed forms for protesting. A protest must be received in duplicate form and must identify by name and complete mailing address the protestant. It must also identify the permit or application being protested and set forth in detail the reasons for the protest. Therefore, if you would desire to protest this approved permit, prior to the issuance of the license, the Department of Reclamation will review the matter of protest and schedule a conference and/or hearing to review the matter.

31555

Duane L. Thompson

-2-

February ~~24~~ 1969

Several of your neighbors have stopped in to the Department of Reclamation and have discussed the matter. It is understood that they desire to submit a letter of concern instead of filing a formal protest as they felt that they did not have sufficient grounds to protest,

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

9

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:tg

C
O
P
Y

31555

January 29, 1969

Re: Permit No. 31555

Idaho County Free Press
Grangeville, Idaho

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.
M. R. Givens,

The expense of the publication is to be paid by _____
Route 1, Fall Creek Store, New Meadows, Idaho

to whom you should furnish an affidavit of publication.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:tg

Enc: legal notice

cc: M. R. Givens, Al Givens

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

31555

**NOTICE OF APPROVED
APPLICATION FOR WATER**

Notice is hereby given that Al Givens, 1508 Parker Avenue Caldwell, Idaho has received an approved permit No. 31558 to divert 12.0 cubic feet per second of water from Little Elk Creek and Big Elk Creek; Little Elk Creek is a tributary of Big Elk Creek. The priority to be established under this permit is November 27, 1963. Water will be diverted by headboxes and ditches within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22, T. 22 N., R. 1 E., B.M., Idaho County and is to be used for irrigation and domestic purposes in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 23, S $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 24, N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 25, NE $\frac{1}{4}$, E $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 26, T. 22 N., R. 1 E., B.M.

Any protests against the intent of the permit must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON

State Reclamation Engineer
Published in the Idaho County Free Press, Grangeville, Idaho, on February 6 and February 13, 1969.

F6-13

RECEIVED

FEB 13 1969

Department of Reclamation

file

NOTICE OF APPROVED APPLICATION FOR WATER

Notice is hereby given that ~~one of the following persons~~,
~~Al Givens, 1508 Parker Avenue~~
~~Idaho~~ Caldwell, Idaho
has received an approved permit No. 31555 to divert ~~state~~
12.0 cubic feet per second ~~state~~ of water from
Little Elk Creek and Big Elk Creek ; little Elk Creek is
a tributary of Big Elk Creek
. The priority to be established
under this permit is November 27, 1963.
Water will be diverted by ~~her~~ and ditches
within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 23, T. 22 N., R. 1 E., B. M., Idaho County
and is to be used for irrigation and domestic purposes
in the SE $\frac{1}{4}$ SW $\frac{1}{4}$,
S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 23; S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 24; NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 25;
NE $\frac{1}{4}$, ~~SW~~ E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 26, T. 22 N., R. 1 E., B. M.

Any protests against the intent of the permit must be filed with the
Department of Reclamation within ten days from the last date of publication
of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Idaho County Free Press, Grangeville, Idaho
on February 6 and February 13, 1969.

State Reclamation Engineer:

Permit No. 31555

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

M. R. Givens
(signature)

Rt 1 New Meadows Idaho
(address)

Jan 14, 1969
(date)

Received
1-20-1969
JRM

December 2, 1968

Re: Permit No. 31555

Al Givens
1508 Parker Avenue
Route 2
Caldwell, Idaho 83605

Dear Mr. Givens:

Enclosed herewith is a copy of the assignment you submitted to this Department for recording. The original has been placed in our files.

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

Very truly yours,

M. Russell Bosch
Administrative Assistant

MRB:df
Enclosure

31555

November 26, 1968

Re: Permit No. 31555

Al Givens
1508 Parker Avenue
Caldwell, Idaho

Dear Mr. Givens:

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 those 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:tg
Enc. order
proof package
advertising package

31555

Re: Permit No. 31555

June 19, 1968

Orel E. Rader
c/o Fall Creek Station
New Meadows, Idaho 83654

Dear Mr. Rader:

Proof of completion of works ~~and application of water to beneficial use~~ for the above referenced permit is due not later than November 29, 1968.

Under the terms of your permit, it is required that a notice be published once a week for four consecutive weeks in a local newspaper showing your intent to submit proof. The proof will consist of depositions which the permit holder and two disinterested witnesses must complete before the listed notary public, and must be accompanied by an affidavit of publication of the legal notice.

We have prepared the enclosed notice from the information on your permit. The complete name and address of a notary public of the State of Idaho must be entered together with a date for you to appear before the notary. Allow at least 40 days from the date the notice is mailed to this department for your appearance before the notary.

If you find any discrepancy in the notice or have made any changes, please advise this department and we will assist you in doing whatever may be necessary to assure correct publication.

If the enclosed notice is correct, complete the blank spaces on both forms, sign the form authorizing us to publish the notice at your expense, and return all forms. At the time we send the notice to the newspaper, you will be supplied with further instructions.

If you do not desire to complete the proofs and obtain a license of water right, you are requested to complete the relinquishment portion of this form below and return it to the Department of Reclamation.

State Reclamation Engineer

RELINQUISHMENT

I hereby relinquish to the State of Idaho, all my right, title and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. _____.

Dated _____

Permit Holder

31555

June 19, 1968

Re: Permit No. 31555

Orel E. Rader
c/o Fall Creek Station
New Meadows, Idaho 83654

Dear Mr. Rader:

Please be advised that since your permit is for water in excess of 6.4 c.f.s., you are required under the conditions of your permit to advertise the proof of completion of works as indicated in the enclosed form letter.

You should be aware that if you have applied all of the water under this permit to beneficial use you can at this time file proof of beneficial use also. If you so desire, please advise us. If you intend to submit proof of completion of works only, then at a later date you will be required to advertise the proof of beneficial use also.

Please contact us if you have any questions.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:dj

Enc: Forms 36A, 36 & 11

B 31555

May 26, 1964

Re: Permit No. 31555

Mr. Orel E. Rader,
c/o Fall Creek Station,
New Meadows, Idaho.

Dear Mr. Rader:

We have received an inquiry concerning your Permit No. 31555. Our records show you have applied for 12.0 C.F.S. of water from Little Elk Creek in Idaho County. The lands to be irrigated are

SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 23;
N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 25;
S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 24;
NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 26;
Township 22 North, Range 1 E.B.M.

It is our understanding that you have sold some of this land. In order that we may keep our records up to date, will you please send us assignments showing the land and amount of water sold. There is a .50¢ recording fee for each assignment.

We are enclosing forms for these assignments.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

ROBERT W. HAMILTON
Supervisor of Water Distribution

Encl. - Assignment Forms
RWH:pmk
cc: Joe Miller
c/o Fall Creek Station
New Meadows, Idaho

31555

March 17, 1964

Re: Permit No. 31555

Mr. Orel E. Rader
c/o Fall Creek Station
New Meadows, Idaho

Dear Mr. Rader:

Since you were in the office January 27, 1964, we have been waiting for word from you regarding the course to be taken in the above noted permit.

You were to advise us whether you would relinquish this permit and file for supplemental water from Big Elk Creek and establish your use right on Little Elk Creek, or let the permit stand as is.

By this time you have probably determined how you would handle the matter. We would appreciate it if you would advise us of your decision so we may complete our records in the matter.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

D. L. RHODES, Assistant
State Water Rights Clerk

DLR:ew

B 31555

1-27-64

The Fader came in this A.M. to discuss this permit. The stream + f.d. as we have it is correct.

They will advise us, regarding use, right they have on Little Elk. They may want to retain use right + file for supplemental water from Big Elk.

§ 31555

January: 20, 1964

Re: Permit No. 31555

Mr. Orel E. Rader
c/o Fall Creek Station
New Meadows, Idaho

Dear Sir:

On December 20, 1963, we wrote to you with questions concerning point of diversion on subject permit.

We never have received a reply from you.

Enclosed is a copy of our letter to you along with a copy of your sketch map with corrections. We ask that you reply immediately so that we may process your permit.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

D. L. RHODES, Assistant
State Water Rights Clerk

DLR:ew

Enc. copy of letter
sketch map

31555

December 20, 1963

Re: Permit No. 31555

Mr. Orel E. Rader
c/o Fall Creek Station
New Meadows, Idaho

Dear Sir:

We have a question concerning the point of diversion on Big Elk Creek shown on subject application as being in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 23, T. 22 N., R. 1 E.

According to our U. S. G. S. topographical map Big Elk Creek does not run through that particular subdivision and your point of diversion is probably in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 23.

It is important that we have the exact location of where water is being taken out of a stream. We ask that you be sure about this point of diversion and would appreciate it if you would substantiate it for the record.

If you agree with us that the point of diversion should be in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, it will be necessary to amend the permit. We are enclosing a form for this purpose in the event it is needed. There is a fee of \$1.00 for recording each amendment.

Also enclosed is your copy of the sketch map submitted with your application.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

D. L. RHODES, Assistant
State Water Rights Clerk

DLR:ew

Enc. map

31555

December 17, 1963

Re: Permit No. **31555**

Mr. Orel E. Rader,
New Meadows, Idaho.

Dear Mr. Rader:

We enclose Permit No. **31555** 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. **31942**
which was issued covering payment in the amount of \$ **7.75**
for the filing fee of the above mentioned permit., ~~was given to~~
you while in our office.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(MRS.) EDNA P. RULE
Chief Clerk

Encl.
EPR:pmk

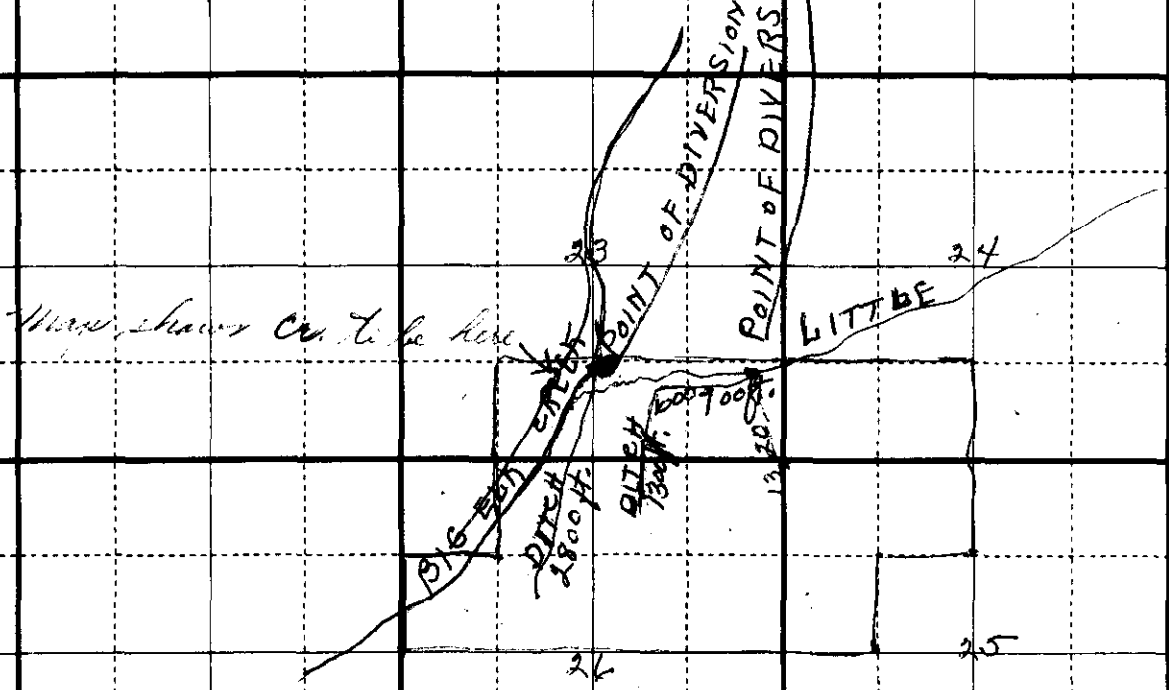
631555

NAME OF APPLICANT

Orrel E. Rader

Form No. 0

Township No. 22N Range No. 1E B.M. Mon.



Permit Map No. 31555

As /
State Engineer

NOV 20 1963

Official Seal

SCALE: 2 inches Equal 1 Mile. Draw Plan In Ink.

31555