

PUBLISHER'S AFFIDAVIT

STATE OF IDAHO)

) ss.

County of Valley)

Donald E. McMahan

, being first duly sworn, deposes and

says: That he is the Publisher of the Star-
News, a Weekly newspaper published at Cascade and McCall, in the County
of Valley, State of Idaho; that said newspaper is in general circulation
in the county aforesaid and is a legal newspaper; that the advertise-
ment, a copy of which is hereto attached, was published in said news-
paper once a week for Two consecutive weeks in
the regular and entire issue of every number thereof during the period
and time of publication, and was published in the newspaper proper
and not in a supplement; and that publication of such notice began
March 4 1971, and ended March 11 1971

Subscribed and sworn to before me, a Notary Public in and for
the County of Valley and the State of Idaho, this 11th
day of March 1974,
Donald L. Lully, Notary Public.
My commission expires 6-2 1974

77 2151

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that
Wm. A. Merrick, 1106 Howard,
Boise, Idaho, has received an
approved Permit No. 30725/77-
2151 issued by the Idaho De-
partment of Water Administ-
ration authorizing the diver-
sion of 0.3 cubic feet per se-
cond of water from an unnam-
ed stream, tributary to Big
Creek. The priority to be es-
tablished under this permit is
Sept. 14, 1962, and the permit
was approved Sept. 20, 1962.

Water is to be diverted by
headgate and pipe from a point
within the NW quarter NE
quarter, Sec. 35, T. 21N, R. 9E,
B.M., Valley County, to be used
for domestic, irrigation and
stock watering purposes in the
SW quarter NE quarter, Sec.
35, T. 21N, R. 9E, B.M.

Proof of the application of
the water to beneficial use is
to be submitted to the Dep-
artment on or before Septem-
ber 20, 1973. Any protest a-
gainst the issuance of the li-
cense for the above referenced
permit should be filed with the
Idaho Department of water
Administration within ten (10)
days of the last date of publica-
tion of this notice or prior to
the licensing of the permit.
Licensing may commence prior
to the date beneficial use proof
is due without further notice.

R. Keith Higginson, Director
Idaho Dept. of Water Ad-
ministration Statehouse, Boi-
se, Idaho
Published in the Star News
on March 4 & 11, 1971

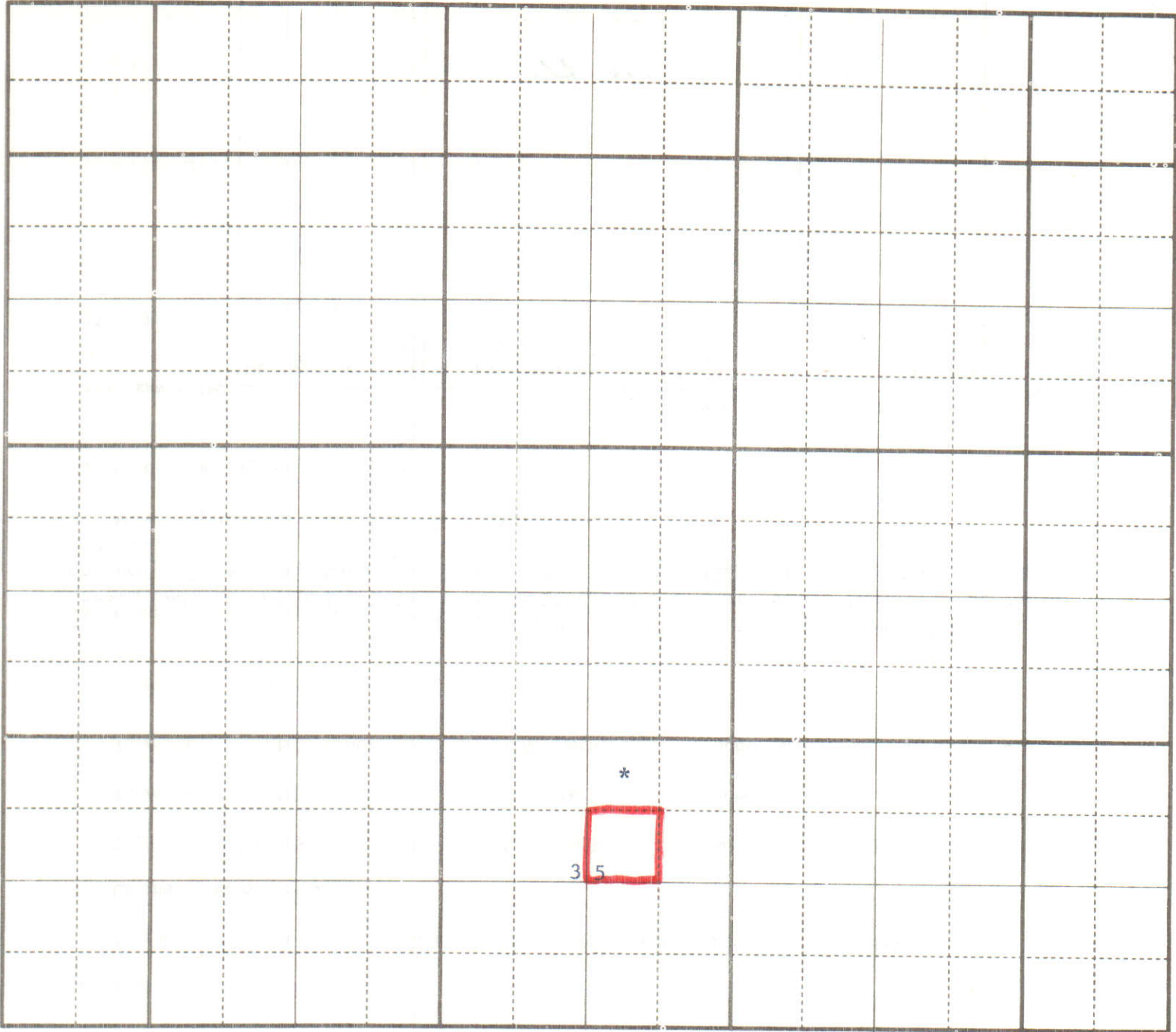
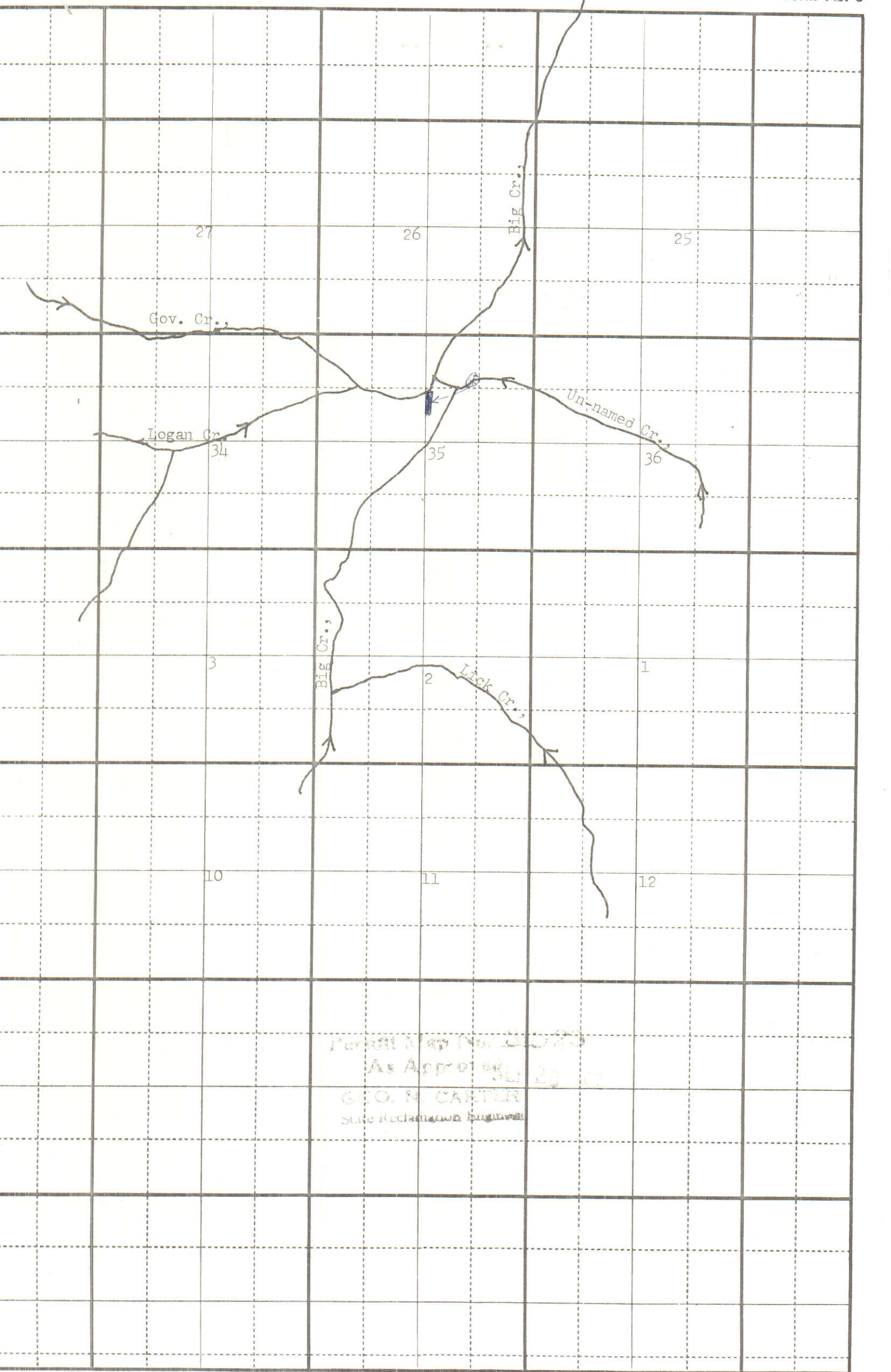


Diagram of System

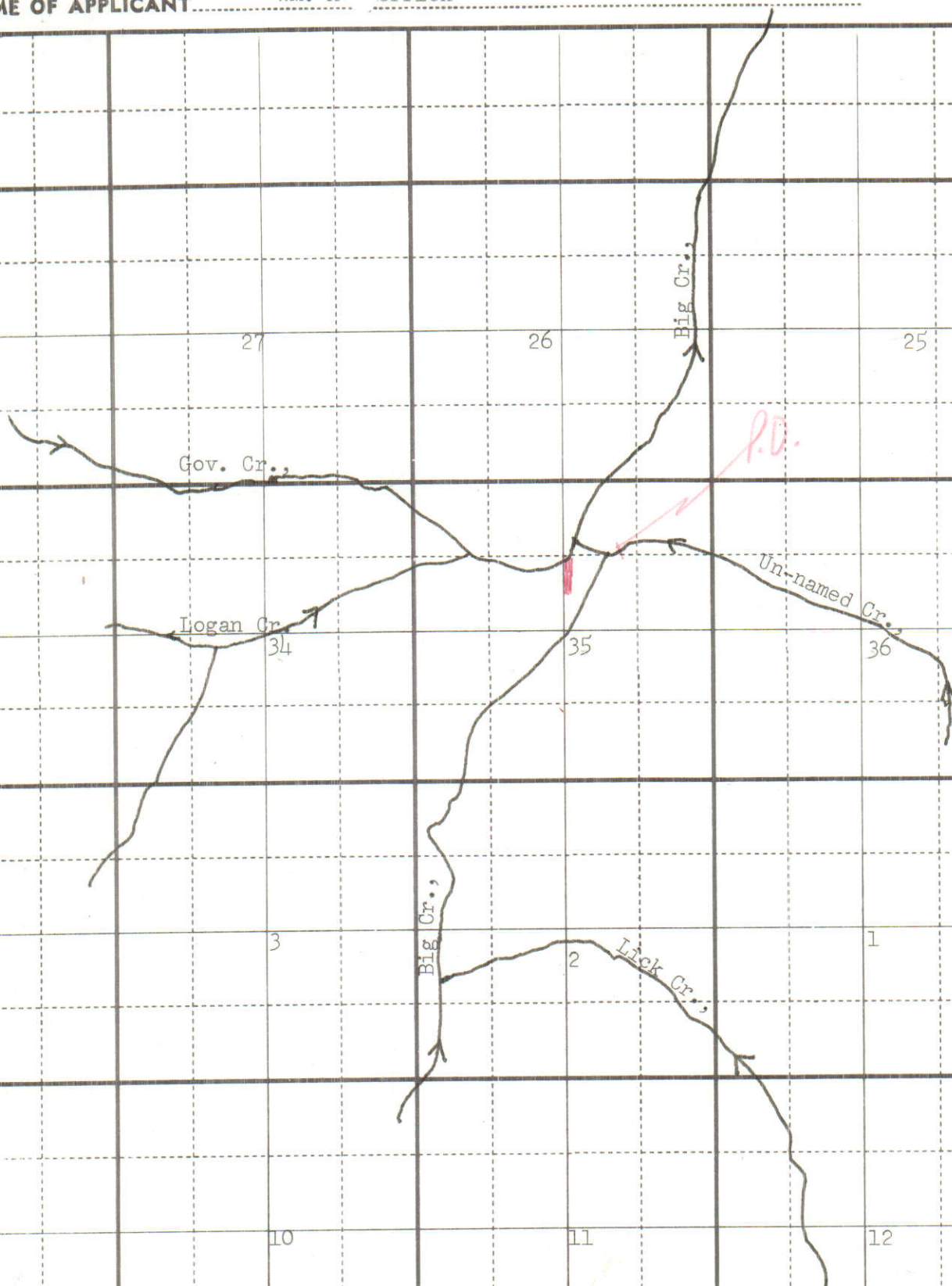


Permit Map No. 30725
 As Approved JUL 20 1913
 GEO. N. CARTER
 State Reclamation Engineer

NAME OF APPLICANT

Wm. A. Merrick

Form No. 0



Permit Map No. 30725
As Approved SEP 20 1962
GEO. N. CARTER
State Reclamation Engineer

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

30725

State of Idaho
Department of Water Administration

WATER RIGHT LICENSE

License of Water Right No. 30725/77-2151 Priority Sept. 14, 1962 Amount 0.06 cfs

THIS IS TO CERTIFY, that WM. A. MERRICK
of Boise, Idaho, has complied with the terms and conditions of Permit
No. 30725/77-2151 issued pursuant to Application for Permit dated September 14, 1962,
and has submitted proof to the Department of Water Administration on July 25, 1973,
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 0.06 cfs of water from an unnamed stream,
tributary to Big Creek, and that the permit holder has applied to a beneficial use &
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Domestic	from <u>Jan. 1</u> to <u>Dec. 31</u>	at <u>0.04</u> cfs and	<u>1.2 acre feet</u>
Stockwater	from <u>Jan. 1</u> to <u>Dec. 31</u>	at <u>0.02</u> cfs and	<u>0.2 acre feet</u>
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 0.06 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
1.4 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 35,
Twp. 21 N, Rge. 9 E, B. M. in the County of Valley

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
21 N	9 E	35			X														

Total number of acres irrigated _____

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 7 day of
February, 19 74.

Director

Identification No. _____

Permit No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

RECEIVED

JUL 25 1973

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Department of Water Administration

1. a) Name of Permit Holder William A. Merrick
b) Post Office Address 1106 Howard St., Boise, Idaho 83706
2. Permit Number 30725/77-2151
3. Date of Priority that you are prepared to establish Sept. 20, 1973
4. a) Source from which water was appropriated Unnamed stream
b) Location of the point of diversion: NW 1/4 NE 1/4, Section 35
Township 21 N., Range 9 E., Boise Meridian, Other points of diversion:

5. a) The amount of water and use to which the water has been applied:
amount _____ for _____ purposes from _____ to _____ 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)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 0.3 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: _____

6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: NA

b) Describe the agreement or understanding by which you take water from the works: _____

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) A double capped 8" casing 20' long (Galvanized) buried in stream bed, 10' of which holes were drilled and a 2" gate valve installed at top & Bottom of lower end, then a 2" NPS Plastic pipe installed on top valve, 1000' pipe to property.
b) Describe the type and size of measuring device which you have installed at your point of diversion: _____

c) Give well drillers name and address and date the well was completed _____

Exam typed 8/15/73 by joe

77 2151

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use NA

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

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres irrigated _____

10. Remarks: The above water is used for domestic sprinkling irrigation and stock. It is used for approximately 5 to 6 months per year. Due to high altitude and winter conditions it is impossible to use the water during the winter months.

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

25 July 73
(Date)

x William A. Merrick
(Signature)

State of Idaho)
County of Ada) ss.

On this 25 day of July, 19 73, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Deanna Feldt
Notary Public residing at Bowle, Idaho

My commission expires June 15, 1977

PUBLISHER'S AFFIDAVIT

STATE OF IDAHO)
) ss.
County of Valley)
Donald E. McMahan, being first duly sworn, deposes and

says: That he is the Publisher of the Star-News, a Weekly newspaper published at Cascade and McCall, in the County of Valley, State of Idaho; that said newspaper is in general circulation in the county aforesaid and is a legal newspaper; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for Two consecutive weeks in the regular and entire issue of every number thereof during the period and time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began March 4, 1971, and ended March 11, 1971.

Subscribed and sworn to before me, a Notary Public in and for the County of Valley, and the State of Idaho, this 11th day of March, 1971.
Donald E. McMahan, Notary Public.
My commission expires 1974.

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 30725/77-2151)
in the name of Wm. A. Merrick)
_____)

ORDER MODIFYING REQUIREMENTS
FOR COMPLETION OF PERMIT TO
APPROPRIATE WATER

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

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

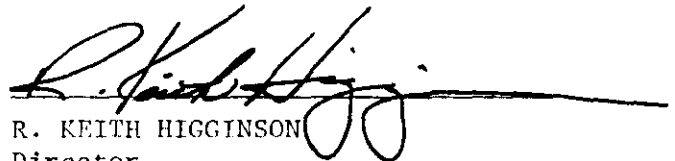
WHEREAS, on August 1, 1968, the Department of Water Administration adopted Rules of Practice and Procedure for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. 30725 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 Procedure as follows:

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

Dated this 11th day of February, 1971.


R. KEITH HIGGINSON
Director

77 2151

3-16-71

77-2150 - Dean Cummins

77-2151 - William Merrick

77-2152 - Chet Moulton

These inspections are in a remote area and should be made together. William Merrick was in and suggested the examiner contact him and possibly fly in with the owners when they go.

Bob Fleenor

77-2151

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

APPLICATION No. 38798
PERMIT No. 30725
DISTRICT No.

1. Name of Applicant: Wm. A. Merrick

Postoffice address: Boise

County: Ada

State: Idaho

I. If applicant is a corporation, give:

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

II. The financial resources of the applicant are:

- (a) Cash on hand:
- (b) Treasury stock:
- (c) Bond to be issued:
- (d) Other resources:

2. Quantity of water claimed: 0.3 cubic feet per second.

3. Source of water supply: Un-named stream which is a tributary of Big Creek

4. Location of point of diversion: Approx. 2100' SW feet distant from the NE corner of Section 35, T. 21 N, R. 9 E, B.M., and is in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of section 35, T. 21 N, R. 9 E, B. M., County of Valley

5. Water is to be used for Domestic, irrigation and stock

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: \$250.00

8. Kind of works: Headgate

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

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

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

Diameter of pipe 4" to 6" inches; length of conduit 700' to 1000' miles.
Average grade per mile Less than 20% feet.

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

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

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

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

16. (a) Is reservoir to be used? No If so, fill in (b) and (c) below:
(b) Name of Reservoir and number of Storage Permit:
(c) Date of filing of Application for Storage Permit and Name of Applicant:

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

s/ William A. Merrick Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 4:00 P.M. September 14, 1962

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 30725
Recorded in Book 108 Page 30725 Approved Sept. 20, 1962
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 November 20, 1962 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 March 20, 1965
The whole of said work to be completed on or before September 20, 1967
Beneficial use of water appropriated in accordance herewith, to be made on or before September 20, 1973

WITNESS My hand this 20th day of September, 1962

s/ CARL E. TAPPAN, Assistant
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 20th day of September, 1962.

Countersigned: STATE OF IDAHO
(SEAL) By ARNOLD WILLIAMS, Secretary of State. By s/ ROBERT E. SMYLLIE, Governor.

s/ By: PAULA L. FLEENOR, Deputy Secretary of State
REMARKS:

14.

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
21 N	9 E	35	X				Permit No. 30725 + CERTIFICATE OF COMPLETION OF WORKS												3.5
TO ALL WHOM IT MAY CONCERN:																			
This is to certify that WILLIAM A. MERRICK of Boise, County of Ada, and State of Idaho, the holder of Permit No. 30725, issued upon Application No. 38798 bearing date of priority of September 14, 1962 authorizing the diversion of 0.3 second feet of waters of an un-named stream, County of Valley, State of Idaho, for stock, domestic, & irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 0.3 second feet of the waters of an un-named stream, tributary of Big Creek; that the point of diversion of said waters is in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 35, Township 21 North, Range 9 East, Boise Meridian and that the lands proposed to be irrigated by the use or place of use of said water are described as follows, to-wit: SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 35, Township 21 North, Range 9 East, Boise Meridian.																			
Proof of Completion of Works made: September 18, 1967.																			
Witness my hand this 26th day of October, A.D. 1967.																			
S/ R. KEITH HIGGINSON State Reclamation Engineer																			

SEE SURVEY FOR 0.06 SEC. FT.

USE 1 SILD FOR 06 SEC. FT.
LICENSE PAGE NO.

January 25, 1974

Re: Permit No. 30725/77-2151

William A. Merrick
1106 Howard Street
Boise, Idaho 83706

Dear Mr. Merrick:

A representative of this Department has made an examination of the works covered by your Permit No. ~~30725/77-2151~~ and has found the following:

Quantity of water diverted: ~~0.06 cfs~~ Source: ~~unnamed stream~~

Amount of water that can be recognized as beneficially used under Idaho law: ~~0.06 cfs~~

The maximum quantity diverted shall not exceed ~~1.4~~ acre feet per year.

Beneficial use: ~~For domestic and stockwater purposes within the SW 1/4, Sec. 35, Twp. 21 N, Rge. 9 E~~

Point of diversion: ~~NW 1/4, Sec. 35, Twp. 21 N, Rge. 9 E, B.M.~~

Priority date established: ~~September 14, 1962~~

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

Sincerely,

BOBBY D. FLEENOR
Assistant Director

jfr

77 2151

FIELD REPORT

TOTAL ACREAGE 3.5

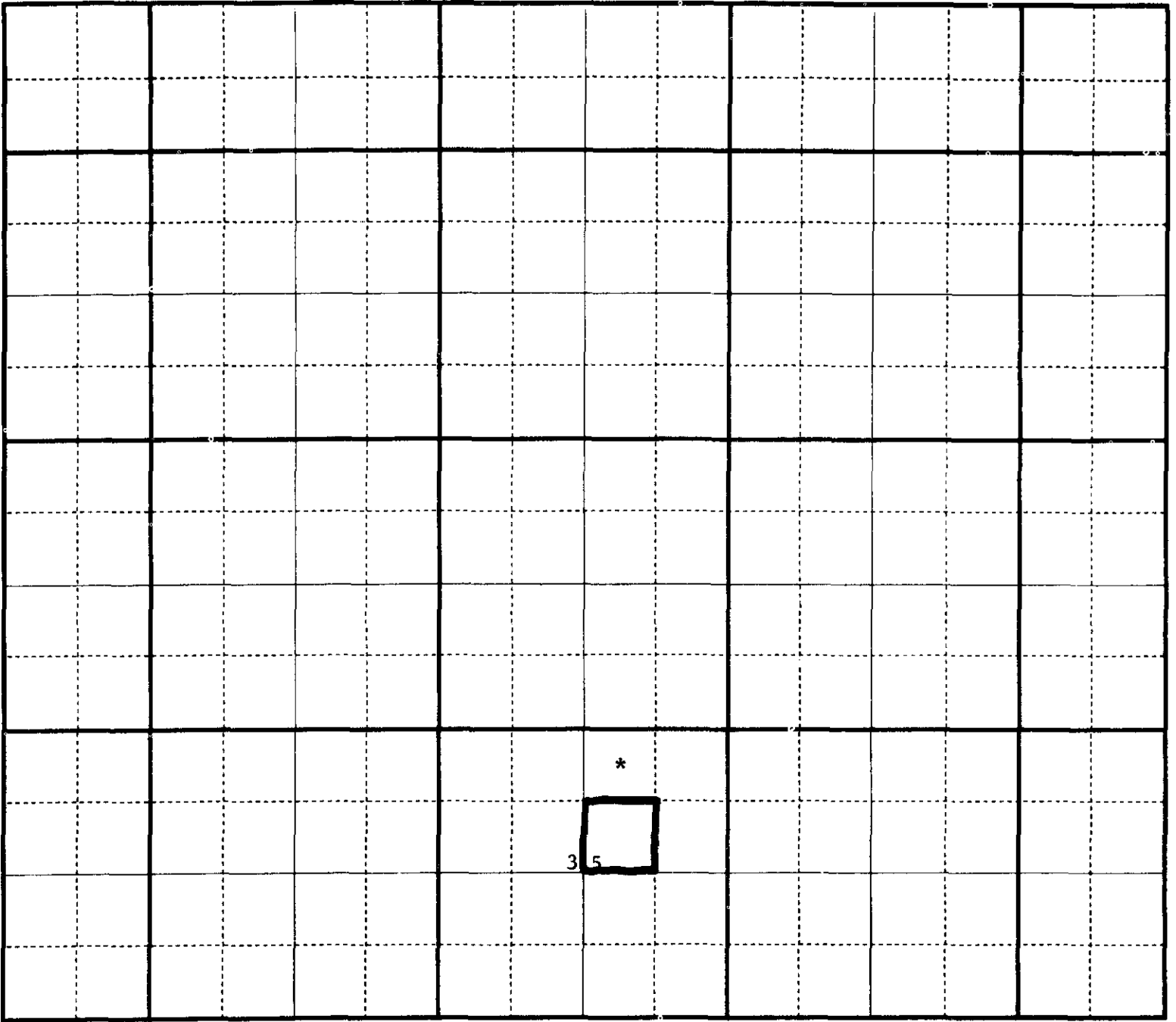
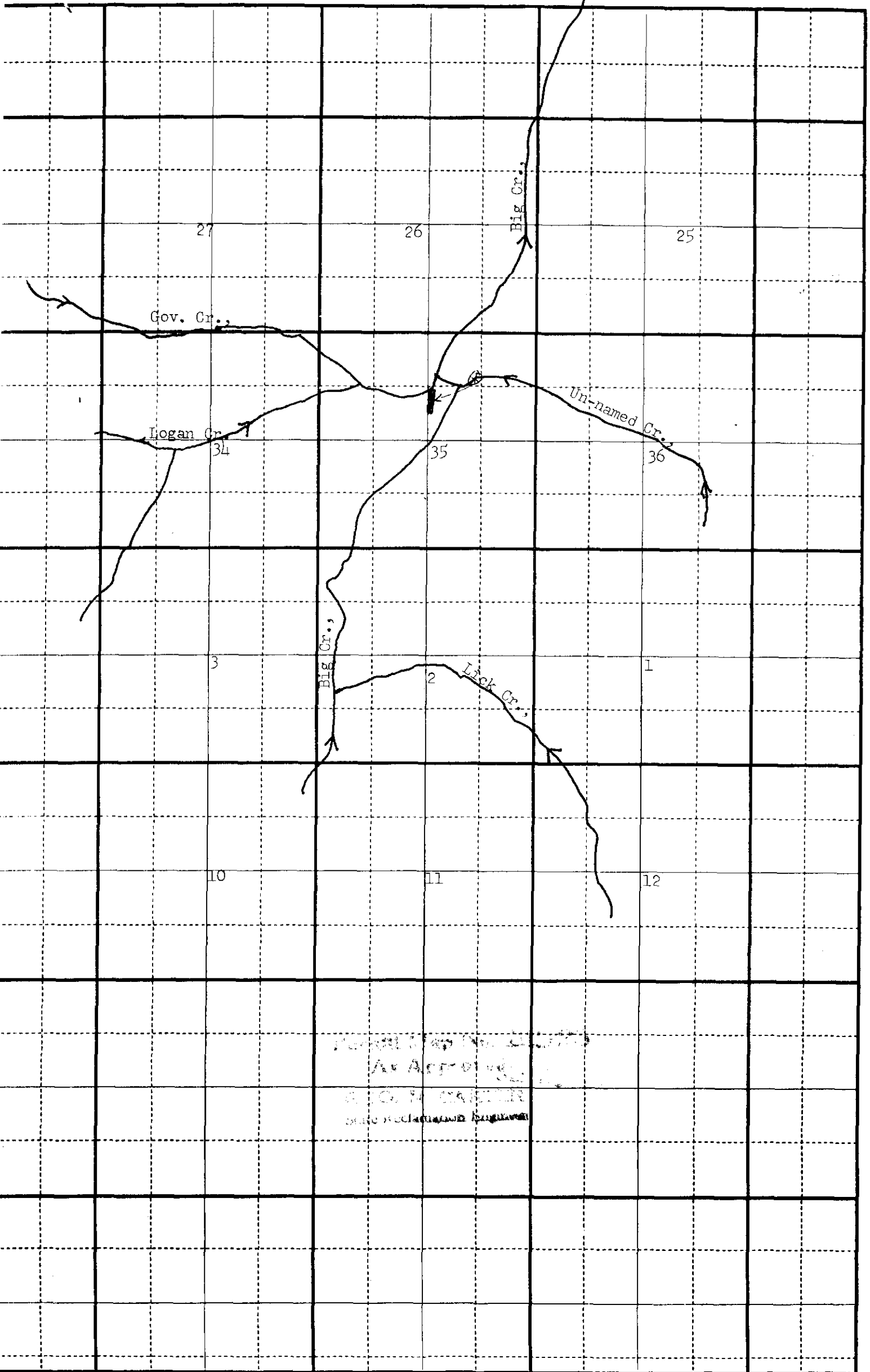


Diagram of System

NAME (APPLICANT Wm. Herrick

Form No. 0



Record Map No. 2075
As Approved
G. G. H. CARTER
State Geologist

DATE OF EXAM 8/7/1973

ACREAGE

Found _____

Recommended _____

Irrigation Requirement _____ Ac Ft/Ac

USE

Irrigation Q = 0.04 c.f.s. V = 1.2 AF/Ann. from 1/1 to 12/31
Domestic Q = 0.04 c.f.s. V = 1.2 AF/Ann. from 1/1 to 12/31
Livestock Q = 0.02 c.f.s. V = 0.2 AF/Ann. from 1/1 to 12/31

Is water co-mingled? yes_____ no_____

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

Exchange? yes _____ no ✓ _____

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

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

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

Total Q measured _____ Method of measurement _____

Total Q recommended 0.06 cfs Meter No. _____ Type _____ Condition _____

Total V recommended 1.4 A.F./Aver.

Recommended Amendments:

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

MEASUREMENT CALCULATION:

SYSTEM DESCRIPTION:

SYSTEM DESCRIPTION:
Double cased 8" casing (perforated) w/ gate valve & 2" pipeline approx
1000' to place of use.

REMARKS:

REMARKS: Stockwater for 2-3 horses.
Domestic for one cabin.

Examiner's Signature M. C. Capri, Senior Date 8/7/1973

Checked by _____ Date _____

Approved by _____ Date _____

77 2151

August 15, 1973

Re: Permit No. 30725/77-2151

William A. Merrick
1106 Howard St.
Boise, Idaho 83706

Dear Mr. Merrick:

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

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

Sincerely,

D. Marlene Reich
Water Rights Supervisor

DDR:JC

77 2151

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 to whom, date and 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.

24595

①

William H. Merrick

②

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

DATE DELIVERED

4-2-73

③

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

77 2151

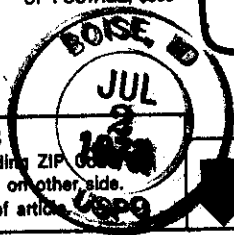
77-2151

**U.S. POSTAL SERVICE
OFFICIAL BUSINESS**

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



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 ADMINISTRATION
STATEHOUSE - ANNEX #2
BOISE, IDAHO 83707**

PS Form 3811 Nov. 1970 c55-16-81277-1

77 2451

July 2, 1973

Certified Mail # 24595

Re: Permit No. 77-2151/30725

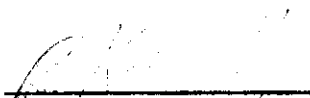
William A. Merrick
1106 Howard St.
Boise, Idaho 83706

Dear Mr. Merrick:

One of the conditions of approval of your water Permit No. 30725/77-2151 (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 September 20, 1973. 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

Enc: Proof affidavit

77 2151

March 17, 1971

Re: Permit No. 77-2151

Mr. William A. Merrick
1106 Howard St.
Boise, Idaho 83706

Dear Mr. Merrick:

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

Since proof of beneficial use of water is not required until September 20, 1973, the Department will notify you sixty days in advance of the due date. We wish to advise you, however, that if you have fulfilled the requirements under the permit, you may submit proof any time prior to the above date.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR

77 2151

February 22, 1971

Re: Permit No. 30725/77-2151

Mr. William A. Merrick
1106 Howard Street
Boise, Idaho

Dear Mr. Merrick:

The legal notice for the above-referenced permit is being published in the
Star News, McCall, Idaho on March 4, 1971
and March 11, 1971.

You will be required to submit an affidavit of publication to this department.
The affidavit may be obtained from the above-mentioned newspaper upon payment of
the bill of publication.

Thank you for your cooperation in this matter.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:CM

77 2151

February 22, 1971

Re: Permit No. 30725/77-2151

The Star News
Post Office Box #985
McCall, Idaho 83638

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 to 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 cannot publish the notice on the proposed dates, please contact the Department of Water Administration immediately.

The expense of the publication is to be paid by William A. Merrick,
1106 Howard St., Boise, Idaho, to whom you should furnish
an affidavit of publication.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:CM

Enc: Legal Notice

77 2151

RECEIVED

NOTICE OF EXISTING WATER PERMIT

FEB 19 1971

Notice is hereby given that Wm. A. Merrick, 1106 Howard, Boise,
Idaho, Department of Water Administration
 has received an approved Permit No. 30725/77-2151
 issued by the Idaho Department of Water Administration author-
 izing the diversion ~~of~~ of 0.3 cubic feet per second ~~from~~
~~of~~ of water from an unnamed stream, tributary to Big Creek.
 The priority to be established under this permit is Sept. 14, 1962,
 and the permit was approved Sept. 20, 1962.

Water is to be diverted by headgate and pipe
 from a point within the NW¹/4, Sec. 35, T. 21N, R. 9E, B.M., Valley
County,
 to be used for domestic, irrigation and stock watering purposes
 in the SW¹/4, Sec. 35, T. 21N, R. 9E, B.M.

Proof of the application of the water to beneficial use is to be sub-
 mitted to the Department on or before Sept. 20, 1973. Any protests
 against the issuance of the license for the above referenced permit should
 be filed with the Idaho Department of Water Administration within ten (10)
 days of the last date of publication of this notice or prior to the licensing
 of the permit. Licensing may commence prior to the date beneficial use proof
 is due without further notice.

R. KEITH HIGGINSON, Director
 Idaho Dept. of Water Administration
 STATEHOUSE, Boise, Idaho

Published in the Star News, McCall, Idaho,
 on March 4, 1971, and March 11, 1971

Permit No. 30725/77-2151

Director:

You are hereby authorized to have the above notice published at my expense
 in the Star News of McCall, Idaho;
 published in the county in which the works are situated.

William A. Merrick
 (Signature)
Feb 18, 1971
 (Date)

1106 Howard St
 (Address)
Boise, Idaho 83706

77 2151

February 12, 1971

Re: Permit No. 30725 (New No. 77-2151)

Wm. A. Merrick
1106 Howard
Boise, Idaho

Dear Mr. Merrick:

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 permit holder to make proof of beneficial use of water.

The enclosed order modifies the above referenced permit to comply with these rules and regulations. As a part of the new procedure, you will be required to publish a notice at your expense for two consecutive weeks in a newspaper as prescribed by the Department.

If you will complete the enclosed form and return it to the Department, we will cause the notice to be published. If you have any questions regarding this matter, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR

Enc: Order

Advertising package

77 2151

October 26, 1967

Re: Permit No. 30725

William A. Merrick
1106 Howard
Boise, Idaho

Dear Mr. Merrick:

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

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:dj

Enc: Certificate

30725

Permit No. .. 30725.....

**Certificate of Completion
of Works**

Dated October 26, 19 67....

Stream .. Un-named.....

County .. Valley.....

Amount 0.3 c.f.s.....

Date of Priority .. September 14, 1962

Recorded in Book 108.....

of Permits....., page 30725.

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that WILLIAM A. MERRICK
 of Boise, County of Ada, and State of
Idaho, the holder of Permit No. 30725, issued upon
 Application No. 38798 bearing date of priority of September 14, 1962 authorizing the
 diversion of 0.3 second feet of waters of an un-named stream,

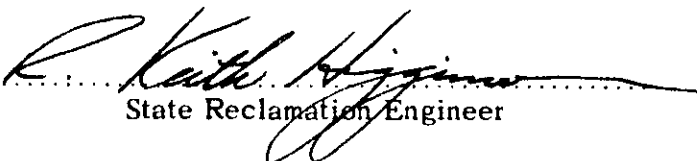
 County of Valley, State of Idaho, for stock, domestic, & irrigation
 purposes, has fully complied with the provisions of the laws of the State of Idaho
 relating to the proof of completion of the works of diversion set out and described in said
 Permit; that said works are adequate for diverting and conveying to the place of intended
 use 0.3 second feet of the waters of an un-named stream,
tributary of Big Creek;

that the point of diversion of said waters is in the NW1/4, Section 35,
Township 21 North, Range 9 East, Boise Meridian

and that the lands proposed to be irrigated by the use or place of use of said water are
 described as follows, to-wit: SW1/4, Section 35, Township 21 North, Range
9 East, Boise Meridian.

Proof of Completion of Works Made: September 18, 1967.

Witness my hand this 26th day of October, A. D. 19 67....


 State Reclamation Engineer

30725

Permit No. 30725STATE OF IDAHO
Department of Reclamation

RECEIVED

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Valley

ss.

William A. Merrick, being first duly sworn, upon his oath deposes and says:First: That he is the holder and owner of Permit to appropriate the Public Waters of the State of Idaho, No. 30725, and that his postoffice address is 1106 Howard St. State of Boise, Idaho.Second: That the name of the stream from which said water is to be diverted is No nameThird: That the point of diversion of said water is Within 1000' of mouthFourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by Sept. 20, 1967.Fifth: That the use for which said water is intended is Domestic purposes Irrigation StockSixth: That on the date above mentioned, the works constructed under said permit were (~~or~~ ~~was~~) fully completed and consisted of the following:I. Kind of Works: Pipe line
(RESERVOIR, DAM, DITCH, FLUME, PIPE OR OTHERWISE)

II. Dimensions of work:

(a) Height of dam feet, length of dam at top feet, length of dam at bottom feet. Material used in construction 2" plastic hose extending from a 20' length of 8" galvanized drilled culverting buried under stream bed.

(STATE WHETHER WOOD, EARTH STONE OR CONCRETE)

(b) Capacity of reservoir acre feet.(c) Size of headgate: Width feet, height feet.(d) Conduit width at bottom feet, width at water line

(STATE WHETHER DITCH, FLUME OR PIPE)

feet, depth of water 2' feet; diameter of pipe 2 inches, average grade per mile is feet. Length of conduit is XXXX less than 1000'Seventh: That said works are capable of conducting to the place of intended use 0.3 second feet of water.Eighth: That water appropriated under said permit is available for 3 1/2 acres of land described as follows: 5 West 1/2 of the NE 1/4 of section 35 of Twp 21 N Range 9 E of the Boise MeridianNinth: Remarks:—That project serves three owners of land parcels as per letter dated March 23, 1965. Said three owners have worked a cooperative in completing work and will share in future maintenance or improvements.Subscribed and sworn to before me this 18 day of Sept, 1967William A. Merrick
(SIGN HERE)John C. Coffey
NOTARY PUBLICMy commission expires April 10 1967

30725

copy

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho
June 29, 1967

Re: Permit 30725

William A. Merrick
1106 Howard
Boise, Idaho

Dear Mr. Merrick:

Under the terms of your Permit No. 30725 you are required to complete your diversion works on or before September 20, 1967. I enclose blank affidavit to be filled out, sworn to by you before a Notary Public, or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the said permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, a Certificate of Completion will be issued to you.

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

Very truly yours,

State Reclamation Engineer

Enc. Form 6

30725

Department of Reclamation,
107 State House,
Boise, Idaho.

March 3, 1965

RE: PERMIT NO. 30725

Gentlemen:

In keeping with the requirements of Permit No. 30725 for appropriation of water from the "Un-named Stream", which is a tributary of Big Creek, I wish to report the following completed work to deliver said water to the property of the applicant.

During the period since issuance of the above mentioned permit, three persons sharing in appropriation of these waters joined in finances and labor to properly prepare diversion of water to related properties. These three persons were, namely; William Merrick, Dean Cummins, and Chet Moulton.

A section of the stream-bed was lowered for a distance of approximately 30-feet with a fall of one-to-eight. A double-capped 20-foot length of 8" galvanized culverting, half of which was drilled, was placed in this depression and covered over with selected gravel material until the stream-bed level was regained.

A 2" drain for flushing the depressed casing was installed on the bottom of the outlet cap and a 2" outlet gate-valve was installed above the drain. Several hundred feet of 2" plastic hose was extended from the outlet to, and across, Big Creek where it will be connected to plastic hose laterals to the properties of the three above named applicants.

The 2" plastic hose was buried several inches below ground from the point of outlet from the "Un-named Stream" to the place of crossing Big Creek. At this point, a cable was suspended across Big Creek and the plastic hose attached thereto at close spacing intervals.

The cost of plastic hose (\$127.15), galvanized culverting (\$49.40), drilling of pipe, outlet plug and gate-valve, cable, and joining nipples and connectors for coupling lengths of plastic hose (\$22.50), and blasting powder (\$16.40), amounted to a total materials cost of \$215.45. Labor for said installation, burying of plastic hose, depressing a section of stream, etc, is \$288.00 -- based on 96 man hours at \$3.00 an hour. Total cost assigned to project as of January 1, 1965, is \$503.45.

It is estimated three-fifths of the project was completed before the close of 1964. When final completion is finished, a culminating report will be filed with your office.

Sincerely,

William A. Merrick
Wm. Merrick, Permit No. 30725
1106 Howard,
Boise, Idaho.

35-21N-9E

30725

October 4, 1962

Re: Permit No. 30725

Mr. Wm. A. Merrick,
1106 Howard,
Boise, Idaho.

Dear Mr. Merrick:

We enclose Permit No. 30725 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. 31235 which was issued covering payment in the amount of \$5.00 for the filing fee of the above mentioned permit.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

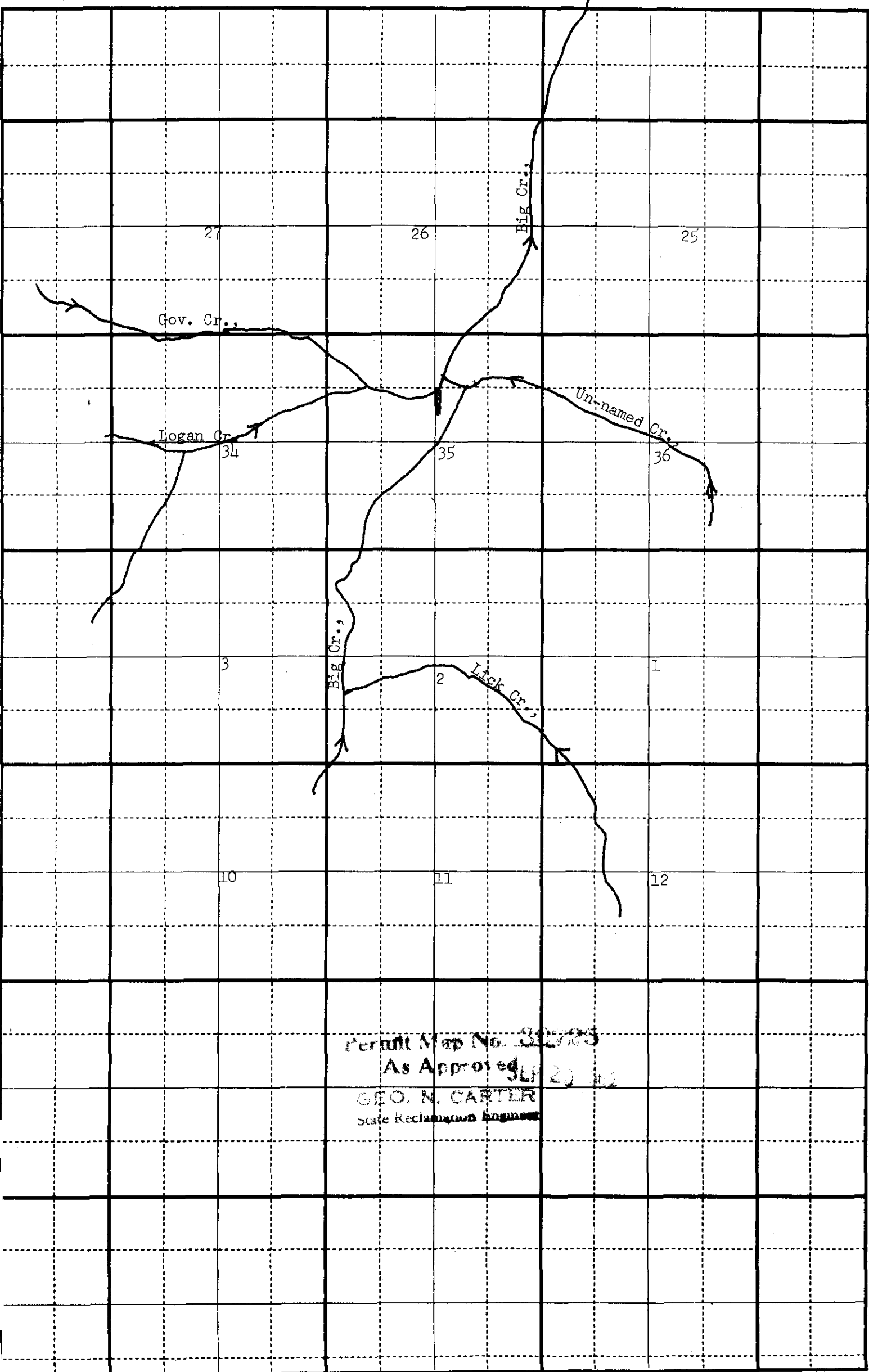
(Mrs.) Edna P. Rule
Chief Clerk

EPR:pmk
Encl.

30725

NAME OF APPLICANT Wm. A Merrick

Form No. 0



Permit Map No. 30725
 As Approved
 GEO. N. CARTER
 State Reclamation Engineer

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

30725