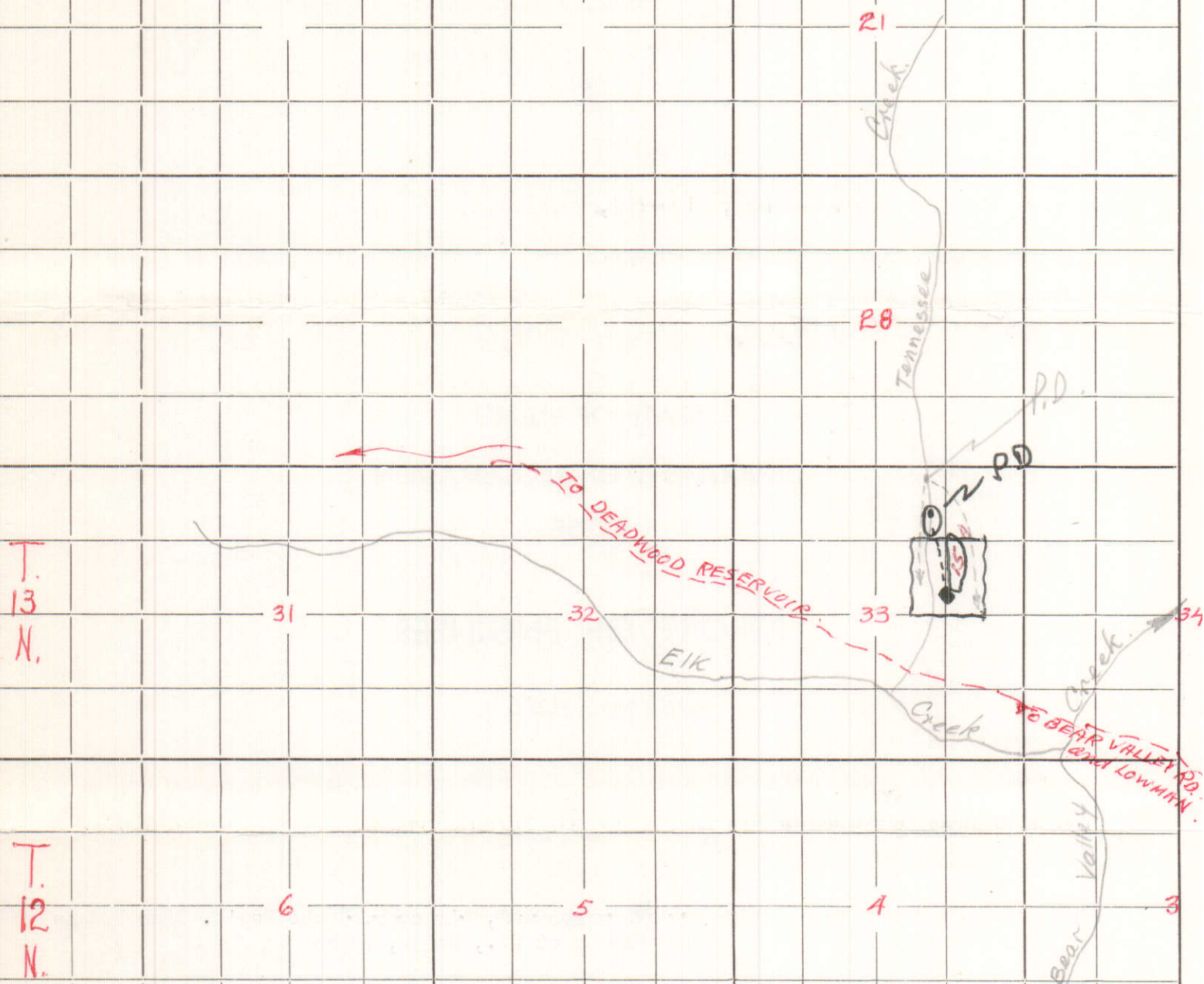


R-9E.



Area = 15 Acres

Sub = 1

Q = .30 cfs or 15" or 135

Use Domestic

Allow

.01 cfs = 4 1/2 GPM

Allow

.31 cfs

PUBLISHER'S AFFIDAVIT

STATE OF IDAHO)

County of Valley) ss.

RECEIVED
DEC 14 1960

Julia C. Laque, being first duly sworn, deposes and

says: That she is the asst. Manager of the Cascade News ~~PAYETTE LAKES~~ ~~STAR~~, a weekly newspaper published at 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 three 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

November 11, 1960, and ended November 25, 1960

Julia C. Laque

Subscribed and sworn to before me, a Notary Public in and for

the County of Valley, and the State of Idaho, this 5th

day of December, 1960

James Martin, Notary Public.

My commission expires Nov 16, 1961

Notice for Publication NOTICE OF PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 a.m. on the 12th day of December, 1960, at 518 Front Street, Boise, County of Ada, State of Idaho, before Anne Epeldi, Notary Public, proof will be submitted of the application to beneficial use of 0.8 cubic feet per second of the waters of Tennessee Creek in accordance with the terms and conditions of Permit No. 26166 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are: State of Idaho Department of Fish and Game, 518 Front St., Boise, Idaho.

The use to which said water has been applied is domestic and irrigation.

The amount applied to beneficial use is 0.8 c.u.f.s.

The place where said water is used, give full and accurate legal description: E $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$; W $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 33, Township 13 North, Range 9 East, Boise Meridian.

The name of the canal or ditch or other works by which said water is conducted to such place of use is a private ditch.

The right to take water from such works is based upon Permit No. 26166.

The source of supply from which such water is diverted is Tennessee Creek.

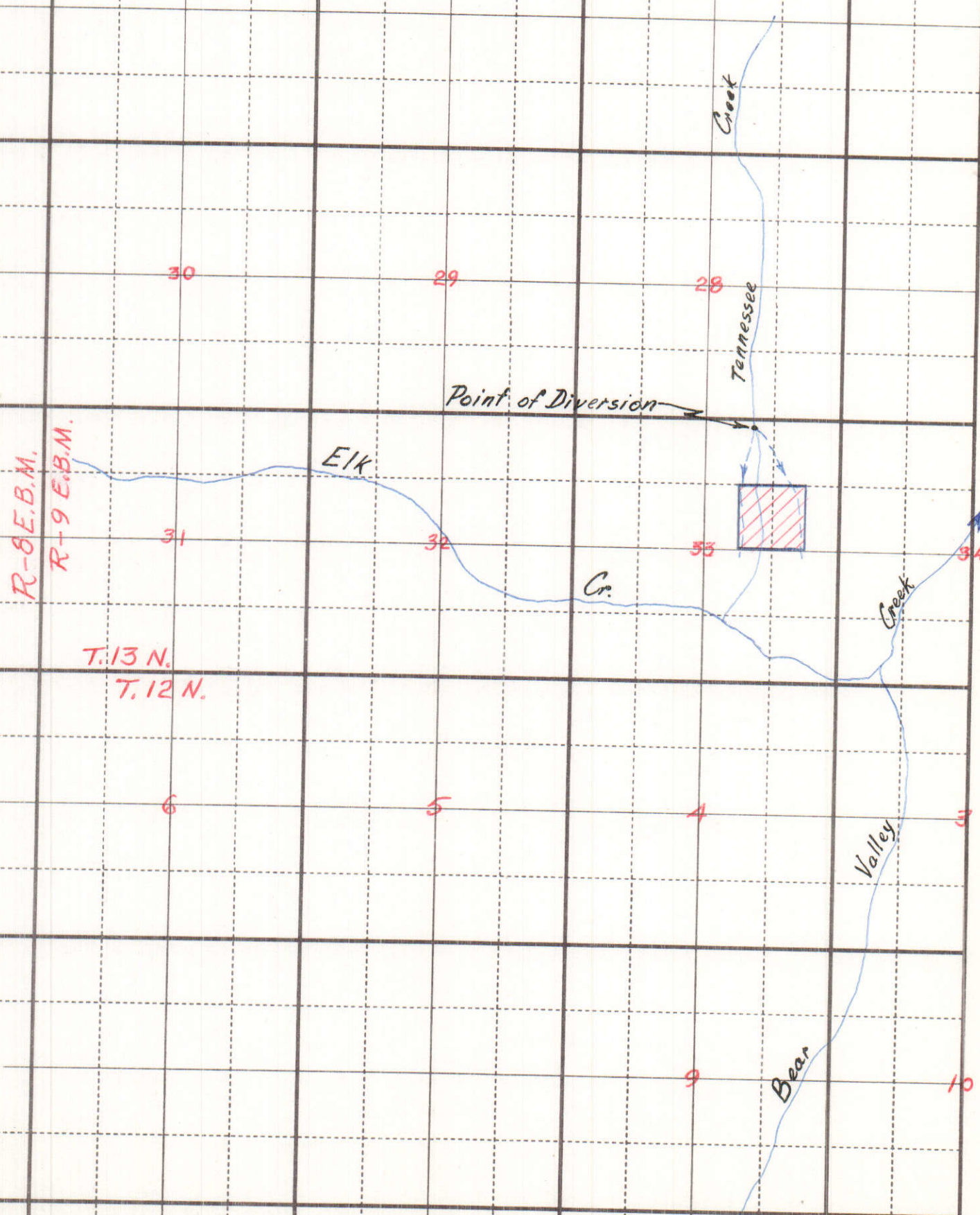
Point of Diversion (legal description) South 81 degrees East a distance of 1040 feet from the north quarter corner of Section 33, and is in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 33, Township 13 North, Range 9 East, Boise Meridian.

The date of priority which said user is prepared to establish is January 27, 1956.

Geo. N. Carter
State Reclamation
Engineer

11-11, 18, 25NC

26166

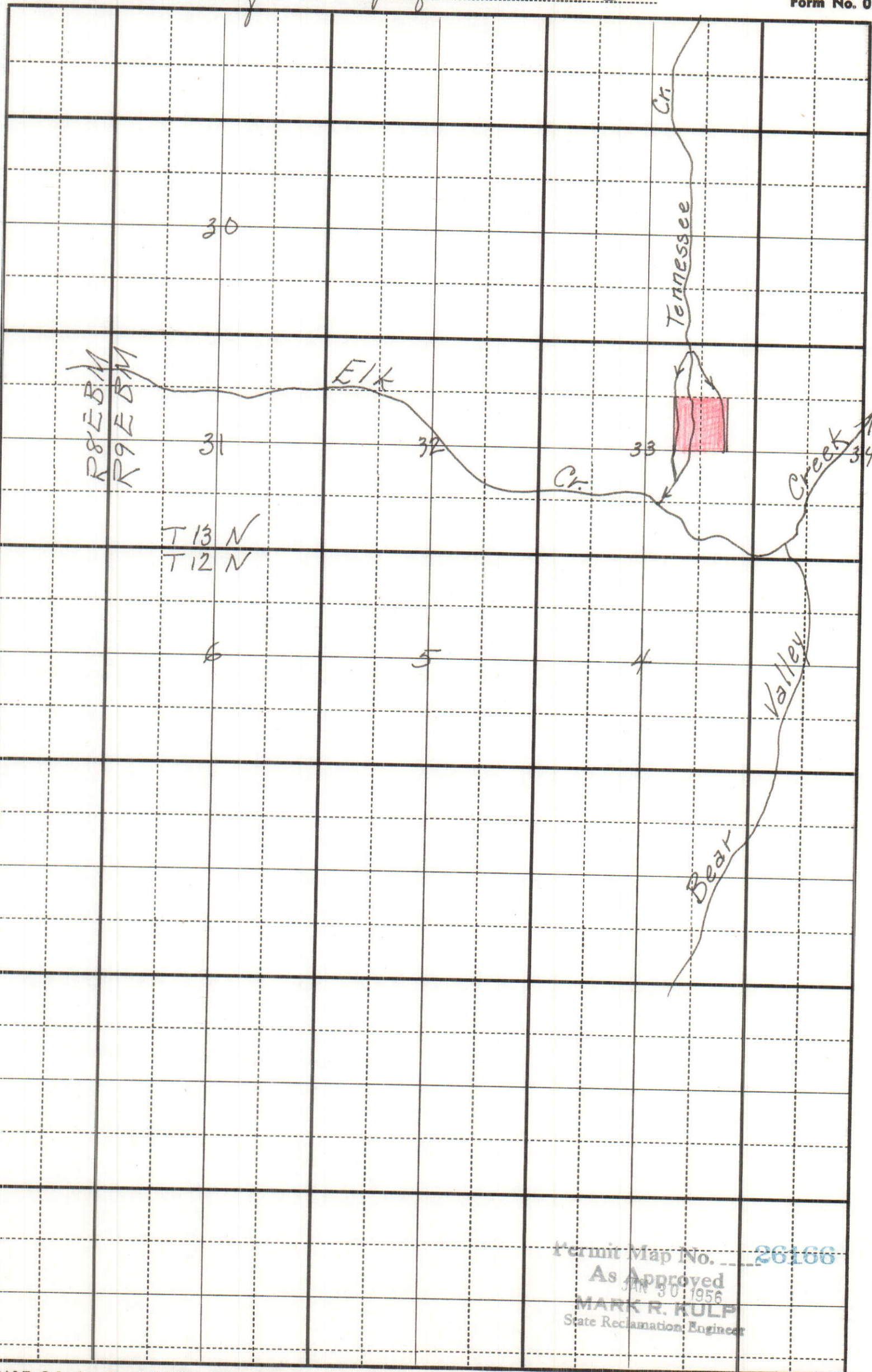


Permit Map No. 26166
As Approved
JAN 30 1958
MARK R. KULP
State Reclamation Engineer

NAME OF APPLICANT

State of Idaho Dept of Fish & Game

Form No. 0



Permit Map No. 26166
As Approved
JAN 30 1956
MARK R. KULP
State Reclamation Engineer

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

26166

+ 8652
K.O.

new
folder 77-2124

State of Idaho License and Certificate of Water Right

Water License No. 26166 77-2124

Amount 0.31 c.f.s.

Water District No.

Priority January 27, 1956

THIS IS TO CERTIFY that IDAHO DEPARTMENT OF FISH AND GAME
of Boise, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated January 27, 1956; that Permit No. 26166
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.8 second feet, was issued thereunder on December 8, 1958, showing that said works
were completed on the 3rd day of December, 1958; and that on the 12th
day of December, 1960, IDAHO DEPARTMENT OF FISH AND GAME

of Boise, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of Tennessee
Creek, a tributary of Elk Creek, for the purpose of domestic use and
irrigation, under Use Permit No. 26166 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume

14 of Licenses at page 8652, on the 30 day of January, 1967;

The right hereby confirmed dates from January 27, 1956;

The Point of Diversion is located

in the NW 1/4 NE 1/4, Sec. 33, Tp. 13 N, R. 9 E., B. M. Valley County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 0.31 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
13 N	9 E	33	SE 1/4 NE 1/4	20	15
			Total number of acres to be irrigated:		15
			(also domestic use)		

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
30th day of January, 1957.

/s/ R. KEITH HIGGINSON

State Reclamation Engineer.

(SEAL)

77 2124

State of Idaho License and Certificate of Water Right

Water License No. G-29210

Amount 0.22 c.f.s.

Water District No. _____

Priority December 13, 1960

THIS IS TO CERTIFY that STATE OF IDAHO - DEPARTMENT OF PUBLIC LANDS
of Boise, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated December 13, 19 60; that Permit No G-29210
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.22 second feet, was issued thereunder on January 30, 19 67, showing that said works
were completed on the 14th day of December, 19 65; and that on the 14th
day of December, 19 65,

STATE OF IDAHO - DEPARTMENT OF PUBLIC
LANDS

of Boise, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well

, a tributary of subterranean flow, for the purpose of recreational and
domestic use, under Use Permit No. G-29210 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
14 of Licenses at page 8651, on the 30 day of January, 19 67;

The right hereby confirmed dates from December 13, 19 60;

The Point of Diversion is located

in the SW 1/4 NE 1/4, Sec. 3, Tp. 18 N, R. 3 E, B. M. Valley County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 0.22 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
<u>18 N</u>	<u>3 E</u>	<u>3</u>	<u>N/4</u>	<u>(recreational and domestic use)</u>	

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

30th day of January, 19 67.

/s/ R. KEITH HIGGINSON

State Reclamation Engineer.

(SEAL)

State of Idaho

License and Certificate of Water Right

Water License No. 26166 Priority January 27, 1956 Amount 0.31 c.f.s.

THIS IS TO CERTIFY that IDAHO DEPARTMENT OF FISH AND GAME

of Boise, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated January 27, 1956; that Permit No. 26166 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 0.8 second feet, was issued thereunder on December 8, 1958, showing that said works were completed on the 3rd day of December, 1958; and that on the 12th day of December, 1960

IDAHO DEPARTMENT OF FISH AND GAME

of Boise, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of Tennessee Creek

a tributary of Elk Creek for the purpose of domestic and irrigation under Use Permit No. 26166 of the Department of Reclamation, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 14 of Licenses, at Page 8652, on the 30th day of January, 1967.

The right hereby confirmed dates from January 27, 1956.

The Point of Diversion is located

in the NW 1/4 NE 1/4, Sec. 33, Twp. 13N, R. 9E, B.M. Valley County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 0.31 cubic feet per second.

Description and location of use:

Twp.	Range	Section	Party-Acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
13N	9E	33	SE1/4 NE1/4	20	15
			Total number of acres to be irrigated:		15
			(also domestic use)		

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 30th day of January, 1967.

R. Keith Higgins
State Reclamation Engineer.

26166

State of Idaho

LICENSE AND CERTIFICATE
OF WATER RIGHT

Water License No. 26166

To Idaho Department of Fish and
Game
Boise, Idaho

Source of Supply Tennessee Creek

Valley County

Amount 0.31 Sec. Ft.

Point of Diversion NW1/4NE1/4, Sec.
33, T. 13 N, R. 9 E, B.M.

Place of Use SE1/4NE1/4, Sec. 33,
T. 13 N, R. 9 E, B.M.

Purpose irrigation and domestic

Date of Priority January 27, 1956

Recorded January 30, 1967

in Book 14 of Licenses, Page 8652

26166

77-2124

No. 26166

APPLICATION FOR PERMIT To Appropriate the Public Waters of the State of Idaho

Application No. 34054
Permit No. 26166
District No.

Idaho Fish and Game Department
518 Front Street
Boise, Idaho

1. Name of Applicant: ROSS LEONARD, ACTING FOR and IN BEHALF OF THE IDAHO DEPARTMENT OF FISH AND GAME

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) Bonds to be issued:

(d) Other resources:

2. Quantity of water claimed: 0.8 cubic feet per second.

3. Source of water supply: Tennessee Creek, which is a tributary of Elk Creek which is a tributary of Middle Fork Salmon River

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

corner of Section , T. , R. , B. M., and is in the NW $\frac{1}{4}$ NE $\frac{1}{4}$

of Section 33 , T. 13 N., R. 9 E. , B. M., County of Valley

5. Water is to be used for Domestic and irrigation

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

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

T. , R. , B. M., in the of Section , 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: \$ 600.00

8. Kind of works: Diversion and irrigation canals

9. Height of dam feet; length of dam at top feet; length of dam at bottom

feet; material used in dam:

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

11. Ditch: Width at bottom one foot ~~two~~; width at water line two feet; depth of water one foot ~~two~~

dimensions of flume:

Diameter of pipe inches; length of conduit miles.

Average grade per mile feet.

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

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

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

(c) Date of filing of Application for Storage Permit and Name of Applicant:

By ROSS LEONARD, Director Agent.

Corrected application received:

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	
13 N.	9 E.	33			20	20												40 acres	
Permit No. 26166 Certificate of Completion of Works																			
TO ALL WHOM IT MAY CONCERN: This is to certify that ROSS LEONARD, ACTING FOR and IN BEHALF OF THE IDAHO DEPARTMENT OF FISH AND GAME of Boise, County of Ada, and State of Idaho, the holder of Permit No. 26166, issued upon Application No. 34054 bearing date of priority of January 27, 1956, authorizing the diversion of 0.8 second feet of waters of Tennessee Creek, which is tributary of Elk Creek which is a tributary of Middle Fork Salmon River County of Valley, State of Idaho, for Domestic and irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use .80 second feet of the waters of Tennessee Creek that the point of diversion of said waters NW¹/₄NE¹/₄ Section 33, Township 13 North, Range 9 East, BM (South 81° East a distance of 1040 feet from the north quarter corner of Sec. 33, T.13N., R.9E. BM) and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 40 acres in E¹/₂SW¹/₄NE¹/₄, W¹/₂SE¹/₄NE¹/₄ Section 33, Township 13 North, Range 9 East, BM Proof of Completion of Works made: December 3, 1958 Witness my hand this 8th day of December, A.D. 1958 /s/ Geo. N. Carter State Reclamation Engineer Proof of Completion of Works made: December 3, 1958 Certificate of Completion of Works issued: December 8, 1958.																			
USE ISSUED FOR <u>6.3</u> / SEC. FT. LICENSE PAGE NO. <u>8652</u>																			

WATER RIGHT NUMBER 77-2124

VERIFIED LGS

OWNER LAST NAME - STATE OF IDAHO FIRST NAME - ORIG OWNER -
ADDRESS LINE 1 - DEPT. OF FISH & GAME ADDRESS LINE 2 -
ADDRESS LINE 3 - CITY - BOISE STATE - ID ZIP CODE - 83720
SOURCE - TENNESSEE CREEK TRIBUTARY OF - ELK CREEK
STAGE - LICENSE STATUS - PRIORITY - 01-27-1956 COUNTY - VALLEY TOTAL DIV. RATE - .3100 -CFS
TOTAL DIV. VOLUME - .00 AFA TRFR/AMEND - WATER DIST. - DLE/CAREY ACT - RIGHT BASIS -
DIVERSION POINT - NWNE 33 13N 09E LOT 10 REDIV - 272.0 92.0 279.0 153.0 14.0 2.0 0.0 0.0 0.0 0.0 0.5
FROM - TO - USE - IRRIGATION USE DIV. RATE - .3100 CFS USE DIV. VOLUME - .00 AFA
FROM - TO - USE - DOMESTIC USE DIV. RATE - .0000 CFS USE DIV. VOLUME - .00 AFA
USE - IRRIGATION PLACE OF USE - TWN 13N/RNG 09E SEC 33 TRACT SENE LOT AC 15
DECREE NAME - DATE - TOTAL ACRES 15
REMARKS -
NON IRRIG USE -
OTHER RIGHTS FOR SAME USE -
PROOF DUE - PERMIT/DENIED - PROTESTED - HEARING - OLD NO. - 26166
PROOF MADE - FLD EXAM - COND. OF APPROVAL -
DIVERSION MEANS -

VERIFIED LGS

IDENT. NO. 99-2124

WATER RIGHT
DATA ENTRY LOG

[illegible]

- DATA ENTRY -

Record

Present Owner: _____

from _____ to _____ for A purposes. Amount .31
(cfs or ~~AC-FT~~/yr)

from _____ to _____ for D purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

CSA 9-26-79

8. Use Code: *A*

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks: A.
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: 261 66

F. Proof Made (P or blank):

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

H. Conditions of Approval: _____

14. Diversion Means (brief narrative):

January 30, 1967

Re: Permit No. 26166

Idaho Department of Fish and Game
Boise, Idaho

Gentlemen:

Enclosed is the License and Certificate of Water Right on the above
numbered permit.

Very truly yours,

M. Russell Bosch
Office Manager

MRB:nw

26166

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

Permit No. 26166

This proof is for Beneficial Use

In Water District No. _____

1. Name of applicant Ross Leonard, Director, Idaho Fish & Game

2. Source of water supply: Tennessee Creek

3. Location of point of diversion: Is in the NW 1/4 NE 1/4 of Section 33

T. 13 N R. 9 E.B.M. County of Valley

4. Describe works as they exist, giving dimensions and capacities of same: Diversion is located approx. 100 yds up stream from cabin site, with a total of 40' of head. Domestic water is picked up in 5" fiber pipe, upstream and is screen covered, and the pipe is approx 20' long. The pipe size is reduced to 2" galv. and lays in the stream bed for about 40'. This is carried for the remainder of the distance to the house. The house has inside water and a wood stove water heater.

5. Water is used for: domestic and irrigation

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

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

40 acres in the S 1/2 NE 1/4 of Sec. 33., Twp. 13 N., Rge. 9 E.B.M.

for showers.

Irrigation water is diverted via a ditch (for all practical purposes) this ditch conveying the water thru a 15 acre pasture which is mostly subirrigated however there is evidence that diversion dams are used from time to time. The ditch varies from 8" to 12" wide & from 6" to 8" deep. This field is used as temporary pasture for Fish & Game & Forest Service horses.

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

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

Remarks: Bill Pogue of the Fish & Game Dept. along.

We stayed in the cabin the week of Sept. 14, 1966 used the water system.

This examination was made on the 15 day of Sept, 1966

(Signed)

Donald W. McElroy
Examiner

Mat

26166

INSTRUCTIONS TO EXAMINERS

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

Belasquez
2100' x 2" r.m.
and later
Ross Leonard, Director, Idaho Fish & Game
518 Front Street, Boise, Idaho

Permit No. 26166

Examination for Beneficial Use

County Valley

Sec. 33 T. 13 N. R. 2 E.

Quantity: 0.8 c.f.s.

Source: Tennessee Cr.

P.D.: NW. NE., Sec. 33, T. 13 N. - R. 9 E. B. 1.

Use: Domestic & Irrigation

Filed: Jan. 27, 1956

Dec: Jan. 30, 1961

Made: Dec. 12, 1960 b/u

Extension: —

Priority: Jan. 27, 1956

Completion of Works: 12-8-58

Other Rights: none

Drillers name:

Protects:

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 26166

REPORT ON PROOF OF Beneficial Use

Ross Leonard, Director, Idaho Dep't. Fish & Game
518 Front St., Boise, Idaho

R-9E.

T.
13
N.

T.
12
N.

21

28

31

32

33

EIR

TO DEADWOOD RESERVOIR

PD



BEAR VALLEY R.
(AND LOW MTH)

Area = 15 Acres

Subs = 1

Q = .30 cfs or 15" or 13"

Use Domestic

allow .01 cfs = 4 1/2 GPM

allow .31 cfs

December 15, 1960

RE: Permit No. 26166

Ross Leonard, Director
Idaho Dep't. of Fish and Game
518 Front Street
Boise, Idaho

Dear Mr. Leonard:

We acknowledge receipt of the Deposition of Holder and two witnesses, also affidavit of publication in the Cascade News, all submitted in proof of beneficial use on Permit No. 26166.

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

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

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR

26166

DEC 14 1960

STATE OF IDAHO

ROBERT E. SMYLLIE
GOVERNOR

Department of Reclamation

Department of Fish and Game

ROSS LEONARD
DIRECTOR

COMMISSION

GLENN STANGER IDAHO FALLS
R. J. HOLMES TWIN FALLS
ARLIE JOHNSON BOISE
TOM FELTON MOSCOW
FRANK CULLEN COEUR D'ALENE

December 12, 1960

Mr. Geo. N. Carter
State Reclamation Engineer
State House
Boise, Idaho

Dear Sir:

With reference to Permit No. 26166, there are enclosed herewith deposition of holder and depositions of two witnesses pertaining to proof of application of water to beneficial use. Also enclosed is publisher's affidavit pertaining to publication of the notice of application.

Also enclosed is publisher's affidavit of publication in the matter of the Department of Fish and Game's application for permit to appropriate public waters, No. 37077.

Very truly yours,

Ross Leonard
Ross Leonard, Director

Enclosures

26166

RECEIVED
DEC 1 4 1960

Department of Reclamation

Form 16.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. ✓ 26166

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. ✓ Ross Leonard, Boise, Idaho, Director, ✓ Idaho Department of Fish and Game,
518 Front Street, Boise, Idaho.

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

Ans. _____

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. ✓ Permit No. 26166 dated January 30, 1956, Priority date January ²⁷ 30, 1956.

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Tennessee Creek; Diversion point is South 81° East 1040 feet distant from
the north quarter corner of Sec. 33, T. 13 N., R. 9 E., B.M., and is in the NW $\frac{1}{4}$ NE $\frac{1}{4}$,
Sec. 33, T. 13 N., R. 9 E., B.M., Valley County, Idaho.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined. If sprinkler irrigation, give number and size of nozzles and operating pressure.

Ans. A two-inch steel pipeline, extending from Tennessee Creek to a cabin, a distance
of 2100 feet, which pipeline provides water for domestic uses and which is capable of
delivering one inch of water. Also a private canal which delivers water from Tennessee
Creek to pasture lands located east of Tennessee Creek and which is capable of deliver-
ing water in the amount of 0.8 c.f.s.

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

Ans. Water is used for domestic purposes and for irrigation of land. The following
lands are irrigated: E $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ (2 acres irrigated), W $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ (5 acres irrigated),
Sec. 33, T. 13 N., R. 9 E., B.M. The irrigated land is natural meadow.

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

Ans. _____

26166

Ques. 7. If for other than irrigation purposes; state how applied, amount of horse power generated, etc.

Ans. Domestic use - A pipeline from the creek to and within a modern resident building.

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

Ans. 0.8 c.f.s.

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

Ans. Not applicable

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. During the summers of 1959 and 1960 water has been used for domestic purposes and for irrigation in the amount of 0.8 c.f.s.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. None

STATE OF IDAHO, Department of Fish & Game
(Sign) By Ross Leonard
Ross Leonard, Director

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

State of Idaho, on this 12th day of December, A. D. 1960.

Anne Epeldei

My commission expires June 1, 1962

26616

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
DEC 2 1916
Department of Reclamation

PERMIT NO. 26166

Proof of Application of Water to Beneficial Use

Deposition of Witness

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

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

Ans. W. R. Horning, of legal age, residing at 1911 2nd St. South, Nampa,
occupation of Conservation Officer.

Ques. 2. Are you acquainted with Ross Leonard, the holder of Permit No. 26166? How long have you known him and where does he reside?

Ans. I have known him for over ten years. He resides at Boise, Idaho.

Ques. 3. Have you read or heard read said Permit No. 26166, and are you familiar with its provisions and conditions?

Ans. Yes

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

Ans. Tennessee Creek, place of diversion is South 81° East 1040 feet distance from the north quarter corner of Sec. 33, T. 13 N., R. 9 E., B.M., and is in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Sec. 33. Water is conveyed to place of use through two canals approximately one foot wide and one foot deep.

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

Ans. The pipeline and canal together will deliver water in the amount of .8 c.f.s.

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

Ans. Water is used for domestic purposes in a modern residence building and for irrigation, and is used in the E $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ and the W $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33, T. 13 N., R. 9 E., B.M.

26166

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

Ans. Not applicable

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

Ans. Natural meadow land. 0.8 c.f.s. is required for profitable cultivation.

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

Ans. None

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

Ans. During the summers of 1959 and 1960 I have witnessed water being used for domestic purposes and for irrigation in the approximate amount of 0.8 c.f.s.

(Signed) ✓

W. R. Hanning

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Boise,
County of Ada, State of Idaho, on this 12th day of December,
A. D. 19 60.

Gene E. Peltier

Notary Public.

My commission expires June 1, 1962

26166

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
DEC 1 4 1960
Department of Reclamation

PERMIT NO. 26166

Proof of Application of Water to Beneficial Use

Deposition of Witness

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

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

Ans. T. D. Biladeau, of legal age, residing at 2802 W. Bannock St., Boise,
occupation of Land Agent.

Ques. 2. Are you acquainted with Ross Leonard, the holder of Permit No. 26166? How long have you known him and where does he reside?

Ans. I have known him for over ten years. He resides at Boise, Idaho.

Ques. 3. Have you read or heard read said Permit No. 26166, and are you familiar with its provisions and conditions?

Ans. Yes

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

Ans. Tennessee Creek, place of diversion is South 81° East 1040 feet distant from the north quarter corner of Sec. 33, T. 13 N., R. 9 E., B.M., and is in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Sec. 33. Water is conveyed to place of use through two canals approximately one foot wide and one foot deep.

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

Ans. The pipeline and canal together will deliver water in the amount of .8 c.f.s.

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

Ans. Water is used for domestic purposes in a modern residence building and for irrigation, and is used in the E $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ and the W $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33, T. 13 N., R. 9 E., B.M.

26166

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

Ans. Not applicable

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

Ans. Natural meadow land. 0.8 c.f.s. is required for profitable cultivation.

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

Ans. None

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

Ans. During the summers of 1959 and 1960 I have witnessed water being used for domestic purposes and for irrigation in the approximate amount of 0.8 c.f.s.

(Signed)

F. D. Siladeau

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

County of Ada, State of Idaho, on this 12th day of December, A. D. 19 60.

Inna E. Eldi

Notary Public.

My commission expires June 1, 1962

26166

PUBLISHER'S AFFIDAVIT

STATE OF IDAHO)

County of Valley)

ss.

Julia C. Logue, being first duly sworn, deposes and

says: That she is the ASS. Manager of the Cascade News ~~Star~~, a weekly newspaper published at 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 Three 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

November 11, 1960, and ended November 25, 1960

Julia C. Logue

Subscribed and sworn to before me, a Notary Public in and for

the County of Valley, and the State of Idaho, this 5th

day of December, 1960

[Signature], Notary Public.

My commission expires Nov. 16, 1961

NOTARY PUBLIC
APPROVED BY WATER
TO BENEFICIAL USE

Notice is hereby given that at 10:00 a.m. on the 12th day of December, 1960, at 518 Front Street, Boise, County of Ada, State of Idaho; before Anne Epeldi, Notary Public, proof will be submitted of the application to beneficial use of 0.8 cubic feet per second of the waters of Tennessee Creek in accordance with the terms and conditions of Permit No. 26166 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are: State of Idaho Department of Fish and Game, 518 Front St., Boise, Idaho.

The use to which said water has been applied is domestic and irrigation.

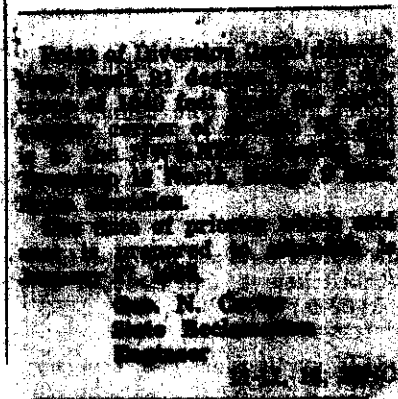
The amount applied to beneficial use is 0.8 c.u.f.s.

The place where said water is used, give full and accurate legal description: E $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$; W $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 33, Township 13 North, Range 9 East, Boise Meridian.

The name of the canal or ditch or other works by which said water is conducted to such place of use is a private ditch.

The right to take water from such works is based upon Permit No. 26166.

The source of supply from which such water is diverted is Tennessee Creek.



26166

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

November 4, 1960

Re: Permit No. 26166
Department of Fish and Game

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

Gentlemen:

This acknowledges the Notice of Proof of ~~Completion of Work~~ and Application of Water to Beneficial Use under Permit No. 26166. The proofs are to be made at 10:00 o'clock A.M., on the 12th day of December, 1960, ~~xxxxxx~~ before Anne Spaldi, 518 Front St., Boise, Idaho, Notary Public.

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

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

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

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. ~~Rutledge~~
Chief Clerk

Encl.

EPR: pmk

cc: Notary

26166

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

Re: Permit No. 26166
State of Idaho
Department of Fish and Game

Date: Nov. 4, 1960

Cascade News,
Cascade, Idaho.

Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to **December 12, 1960** the date set for proof; the expense of the publication is to be paid by the applicant

State of Idaho, Department of Fish and Game of 518 Front St., Boise, Idaho to whom you should furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,


GEO. N. CARTER
State Reclamation Engineer

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

Encl.

26166

RECEIVED
NOV 4 1960

STATE OF IDAHO

Department of Reclamation

ROBERT E. SMYLIE
GOVERNOR

Department of Fish and Game

ROSS LEONARD
DIRECTOR

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

November 2, 1960

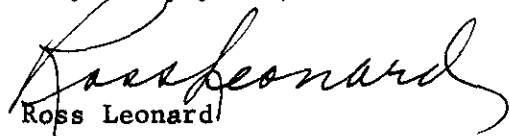
Bear Valley C. O. Quarters
Permit No. 26166

Mr. Geo. N. Carter
State Reclamation Engineer
State House
Boise, Idaho

Dear Mr. Carter:

Enclosed herewith is notice for publication of notice of proof
of application of water to beneficial use, in duplicate, and
notice of authorization to publish the same in the Cascade News.

Very truly yours,


Ross Leonard
Director

Enclosures

26166

RECEIVED
NOV 10 1960
STATE OF IDAHO
DEPARTMENT OF RECLAMATION

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) November 2, 1960
(P.O.) 518 Front Street, Boise, Idaho

TO THE STATE RECLAMATION ENGINEER

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at
my expense in the Cascade News of
Cascade, Valley County, Idaho published in the county in which the
works are situated.

STATE OF IDAHO
Department of Fish and Game
By Ross Leonard
Ross Leonard, Director

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

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

Ross Leonard

26166

RECEIVED
NOV 4 1960

Notice for Publication
NOTICE OF PROOF OF APPLICATION OF WATER
TO BENEFICIAL USE

Department of Reclamation

Notice is hereby given that at . . . **10:00** . . . A. M. on the . . . **12th** . . . day of
December, 1960 . . . , ~~1956~~ at . . . **518 Front Street, Boise** . . . , County of
Ada . . . , State of Idaho, before . . . **Anne Epeldi, Notary Public**, . . .
. . . , proof will be submitted of the application to beneficial use of
0.8 . . . cubic feet per second of the waters of . . . **Tennessee Creek** . . .
. . . in accordance with the terms and conditions of Permit No. **26166** . . .
heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are:

State of Idaho, Department of Fish and Game, 518 Front St., Boise, Idaho . . .

The use to which said water has been applied is . . . **domestic and irrigation** . . .

The amount applied to beneficial use is . . . **0.8 c.f.s.** . . .

The place where said water is used, give full and accurate legal description: . . .

E $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 33, Township 13 North, Range 9 East, Boise Meridian, . . .

The name of the canal or ditch or other works by which said water is conducted to such
place of use is . . . **a private ditch** . . .

The right to take water from such works is based upon Permit No. **26166** . . .

The source of supply from which such water is diverted is **Tennessee Creek** . . .

Point of Diversion (legal description) **South 81° East a distance of 1040 feet from**
the north quarter corner of Section 33, and is in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 33, Township 13 North,
Range 9 East, Boise Meridian.

The date of priority which said user is prepared to establish is . . . **January 30, 1956** . . .

Geo. W. Carter

State Reclamation Engineer

26166

TD

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

RE: Permit No. 26166

Date Nov. 1, 1960

Poss Leonard, Director
Dept. of Fish and Game
Boise, Idaho

Dear Sir:

The date for proof of application of water to beneficial use, as set out under the terms of Permit No. 26166 is due not later than Jan. 30, 1961. If by this date you are not prepared to make this proof, you may make it at a later date, however, your priority will be advanced the same length of time for which the proof is late.

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

We enclose Form 10, in duplicate, which is to be filled in and returned to this department at least forty (40) days before the above mentioned date or before the time you intend to make proof. This form, in duplicate, is to include the time of day, the date (allowing for four weeks publication), the name of the town, the address of the Notary Public before whom you will appear to make the depositions of proof (this may be at any place that is convenient for you and your two witnesses), the quantity of water, for what purpose it is used, the point or points of diversion and the location of use or lands which are irrigated—by 40-acre legal land description. Descriptions should be taken from your Permit, including any amendments thereto, as recorded in this department. If changes have been made and no amendments are on record, we advise that you request a form for this purpose before your Notice is published.

Also enclosed is Form 11, which is the authorization for us to have the Notice published in the designated county newspaper, at your expense. This is to be returned with Forms 10.

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

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

26166

Enc. Form 10 - 11
instructions

December 8, 1958

Re: Permit No. 26166
Dept. Fish and Game

Mr. Ross Leonard, Director
State Department of Fish and Game
518 Front Street
Boise, Idaho

Dear Mr. Leonard:

Enclosed is the Certificate of Completion of Works issued under
Permit No. 26166.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Chief Clerk

EPR:nls
Enc.

26166

RT

STATE OF IDAHO

ROBERT E. SMYLLIE
GOVERNOR

RECEIVED
DEC 5 1958
Department of Reclamation

COMMISSION

GLENN STANGER IDAHO FALLS
R. J. HOLMES TWIN FALLS
ARLIE JOHNSON BOISE
TOM FELTON MOSCOW
FRANK CULLEN COEUR D'ALENE

Department of Fish and Game

ROSS LEONARD
DIRECTOR

December 1, 1958

Bear Valley C. O. Site

Mr. Geo. N. Carter
State Reclamation Engineer
State House
Boise, Idaho

Dear Sir:

Enclosed herewith is Affidavit of Holder, Proof of Completion
of Works, for water permit No. 26166.

Very truly yours,

Ross Leonard
Ross Leonard, Director

Enclosure

26166

Permit No. 26166

STATE OF IDAHO
Department of Reclamation

Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Ada

ss.

Ross Leonard, acting for and in behalf of the State of Idaho, Department of Fish and Game, 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. 26166, and that his postoffice address is 518 Front St., Boise State of Idaho.

Second: That the name of the stream from which said water is to be diverted is Tennessee Creek.

Third: That the point of diversion of said water is South 81° East a distance of 1040 feet from the north quarter corner of Sec. 33, T. 13 N., R. 9 E. B.M., Idaho. NW NE 1/4

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by January 30, 1959.

Fifth: That the use for which said water is intended is irrigation & dom.

Sixth: That on the date above mentioned, the works constructed under said permit were (~~XXXXXXXXXX~~) fully completed and consisted of the following:

I. Kind of works: ditches (Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work:

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

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir acre feet.

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

(d) Conduit Ditch width at bottom 1 feet, width at water line 1.5 (State whether ditch, flume or pipe)

feet, depth of water 1 feet; diameter of pipe inches, average grade per mile is 1 feet. Length of conduit is 7/8 miles.

Seventh: That said works are capable of conducting to the place of intended use 80 second feet of water.

Eighth: That water appropriated under said permit is available for 40 acres of land described as follows: E 1/2 SW 1/4 NE 1/4, W 1/2 SE 1/4 NE 1/4 Sec. 33, T. 13 N., R. 9 E. B.M.

Ninth: Remarks: That part of the old stream channel is used as a ditch for carriage of water to place of use.

STATE OF IDAHO, Department of Fish and Game

By

(Sign Here) Ross Leonard, Director

Subscribed and sworn to before me this 2nd day of December, 1958.

My commission expires June 1, 1962

Notary Public.

26166

RT

S T A T E O F I D A H O

DEPARTMENT OF RECLAMATION

BOISE.

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Boise, Idaho November 26, 1958

Idaho Fish & Game Department
518 Front St.,
Boise, Idaho

Dear Sir:-

Under the terms of your permit No. 26166 you are required to complete you diversion works on or before January 30, 1959. 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 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, together with a fee of \$5.00, 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,

Geo. N. Carter
State Reclamation Engineer

26166

February 3, 1956

Re: Permit No. 26166

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

ATTENTION: Mr. Ross Leonard

Dear Mr. Leonard:

We enclose Permit No. 26166 in the name of the Dep't. of Fish and Game and direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

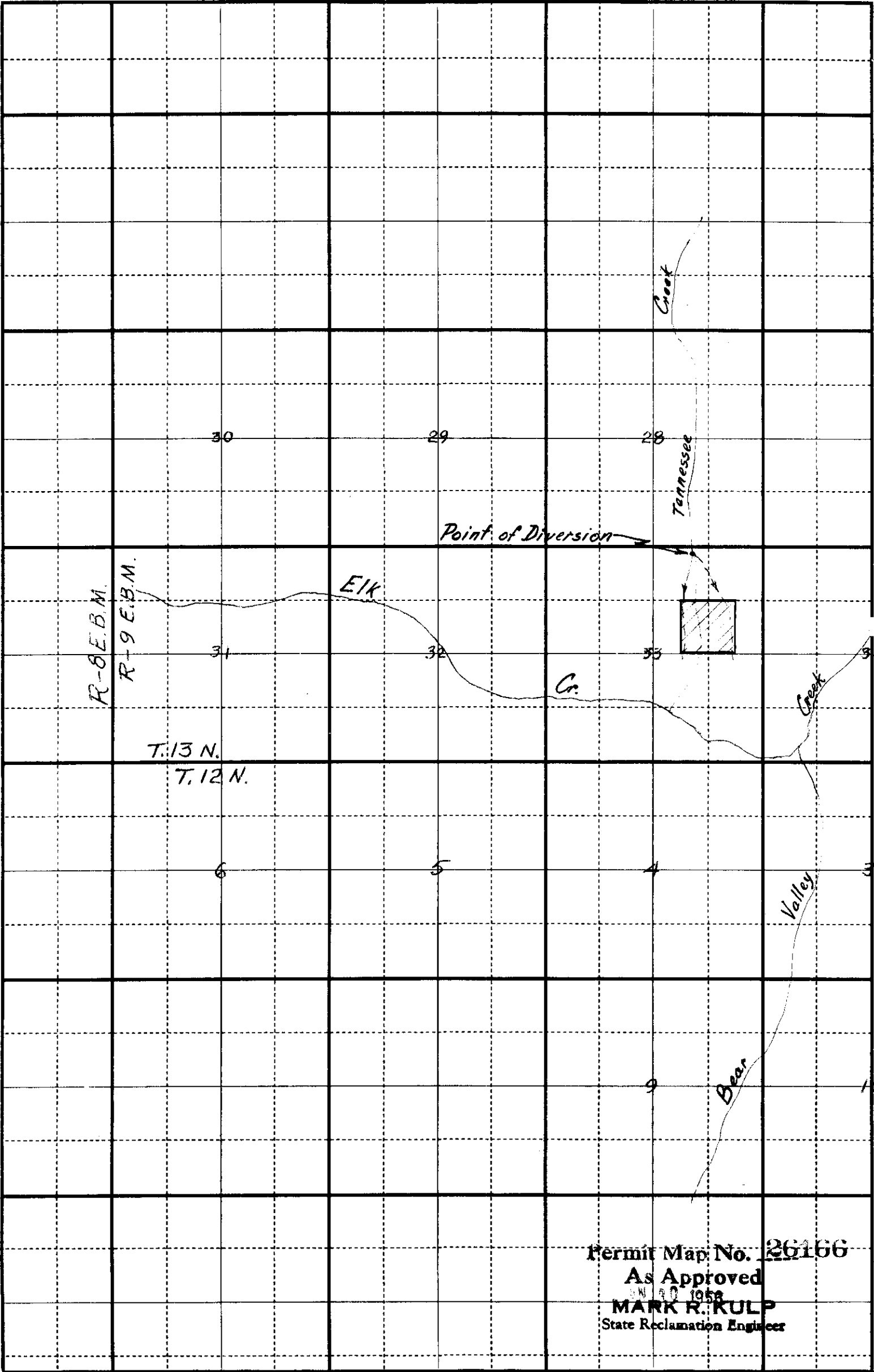
Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR
Encl.

26166



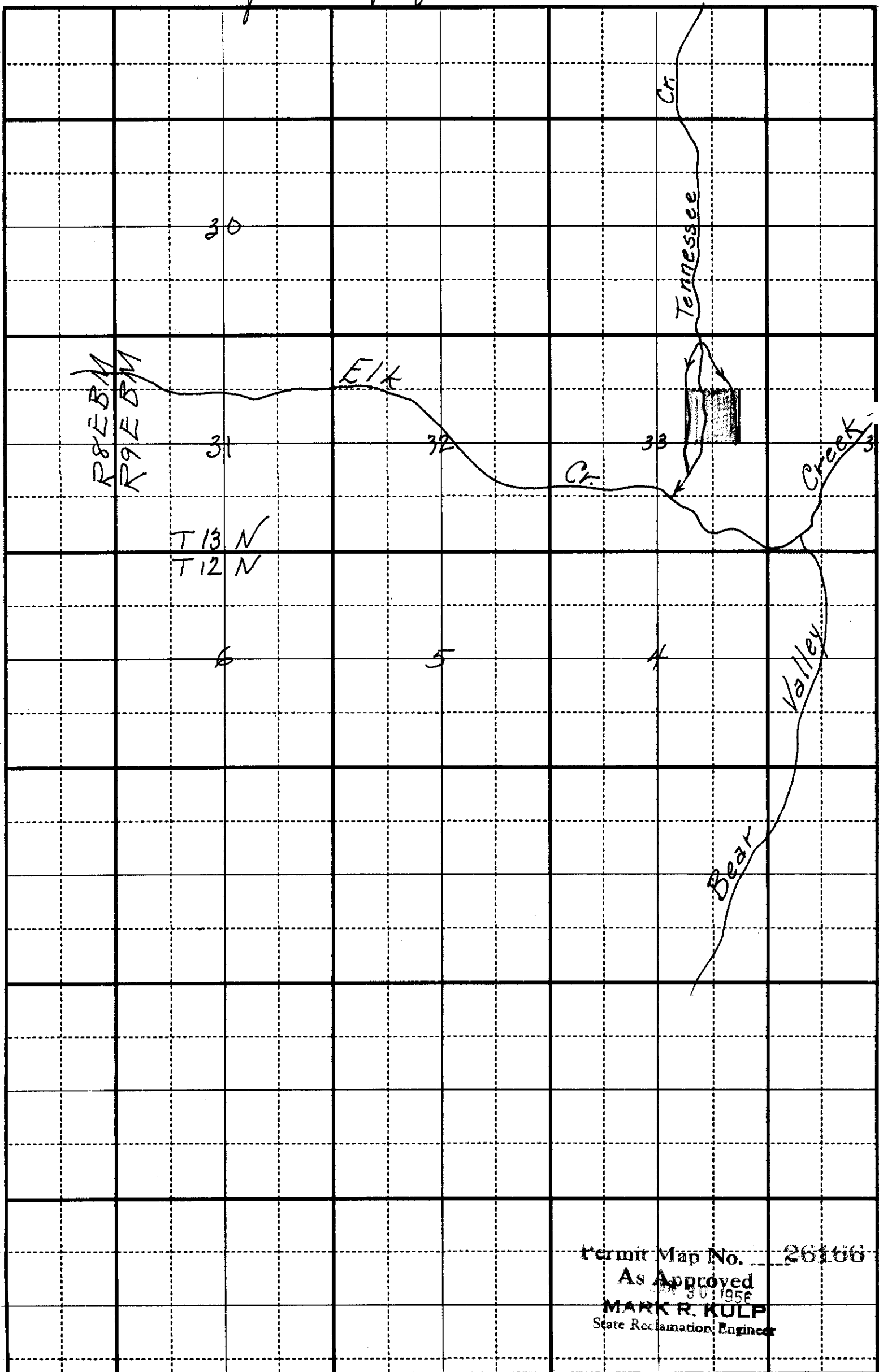
Permit Map No. 26166
As Approved
JUN 20 1958
MARK R. KULP
State Reclamation Engineer

26166

NAME OF APPLICANT

State of Tenn Dept of Fish & Game

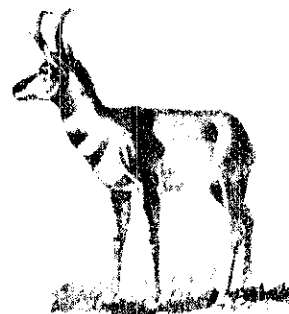
Form No. 0



Permit Map No. 26166
As Approved
JUN 30 1956
MARK R. KULP
State Reclamation Engineer

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

26166



STATE OF IDAHO

Department of Fish and Game

318 FRONT STREET BOISE, IDAHO

January 20, 1956

COMMISSION

GLENN STANGER . . . IDAHO FALLS
O. W. MCCONNELL . . . GRANGEVILLE
R. J. HOLMES . . . TWIN FALLS
RAY SIMS . . . BONNERS FERRY
ARLIE JOHNSON . . . BOISE

ROSS LEONARD
DIRECTOR

Bear Valley

Mark R. Kulp
State Reclamation Engineer
State House
Boise, Idaho

RECEIVED
JAN 27 1956
Department of Reclamation

Dear Sir:

Enclosed herewith is an application to appropriate 40 inches of water of Tennessee Creek for domestic use and irrigation.

This department holds a special use permit issued by the U. S. Forest Service for the $E\frac{1}{2}SW\frac{1}{4}SE\frac{1}{4}$, $W\frac{1}{2}SE\frac{1}{4}NE\frac{1}{4}$, Section 33, Township 13 North, Range 9 East, Boise Meridian. The application herewith submitted is primarily to assure water use on these lands, as it is possible that the waters of Tennessee Creek may be appropriated for mining purposes.

Very truly yours,

Ross Leonard
Ross Leonard, Director

RL:TDB:bh
Enc:

26166

January 20, 1956

Bear Valley

Mark R. Kulp
State Reclamation Engineer
State House
Boise, Idaho

Dear Sir:

Enclosed herewith is an application to appropriate 40 inches of water of Tennessee Creek for domestic use and irrigation.

This department holds a special use permit issued by the U. S. Forest Service for the E¹/₄SW¹/₄SE¹/₄, W¹/₄SE¹/₄NE¹/₄, Section 33, Township 13 North, Range 9 East, Boise Meridian. The application herewith submitted is primarily to assure water use on these lands, as it is possible that the waters of Tennessee Creek may be appropriated for mining purposes.

Very truly yours,

Ross Leonard, Director

RL:TDB:bh
Enc:

**Notice for Publication
NOTICE OF PROOF OF
APPLICATION OF WATER
TO BENEFICIAL USE**

Notice is hereby given that at 10:00 a.m. on the 12th day of December, 1960, at 518 Front Street, Boise, County of Ada, State of Idaho, before Anne Epeldi, Notary Public, proof will be submitted of the application to beneficial use of 0.8 cubic feet per second of the waters of Tennessee Creek in accordance with the terms and conditions of Permit No. 26166 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are: State of Idaho Department of Fish and Game, 518 Front St., Boise, Idaho.

The use to which said water has been applied is domestic and irrigation.

The amount applied to beneficial use is 0.8 c.f.s.

The place where said water is used, give full and accurate legal description: E $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$; W $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 33, Township 13 North, Range 9 East, Boise Meridian.

The name of the canal or ditch or other works by which said water is conducted to such place of use is a private ditch.

The right to take water from such works is based upon Permit No. 26166.

The source of supply from which such water is diverted is Tennessee Creek.

Point of Diversion (legal description) South 81 degrees East a distance of 1040 feet from the north quarter corner of Section 33, and is in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 33, Township 13 North, Range 9 East, Boise Meridian.

The date of priority which said user is prepared to establish is January 27, 1956.

Geo. N. Carter
State Reclamation
Engineer

11-11, 18, 25NC

NOTICE TO CREDITORS