

**NOTICE OF APPLICATION FOR  
PERMIT TO APPROPRIATE THE  
PUBLIC WATERS OF THE  
STATE OF IDAHO**

Notice is hereby given that Elk Bend Mutual Water Company, Box 525, Twin Falls, Idaho, has on January 26, 1970, submitted Application No. 75-7009 to appropriate the public waters of a ground water source. The proposed use is for domestic purposes from January 1 to December 31.

The application proposes a maximum diversion and appropriation of 0.3 cubic feet per second of water to be diverted by well, pump, motor, and tank within two points in Lot 9, Sec. 10, T. 18 N., R. 21 E., B.M., in Lemhi County, and is to be used within the Lot 1 Sec. 15; Lots 8, 9, 11, 12, 13, and SE $\frac{1}{4}$ SE $\frac{1}{4}$  Sec. 10, T. 18 N., R. 21 E., B.M.

Any permit issued pursuant to this application will be subject to ALL PRIOR WATER RIGHTS and subject to the CONTROL OF A STATE WATERMASTER. Any protest against this application must be filed with the Idaho Department of Reclamation on or before March 2, 1970.

R. KEITH HIGGINSON  
State Reclamation  
Engineer

Published in The Recorder-Herald on February 12th and February 19th, 1970.

2-12-2tc

# Affidavit of Publication

STATE OF IDAHO }  
County of Lemhi } ss.

JERRY G. ROSIN

being first duly sworn, deposes and says that he is one of the printers (publisher) of the RECORDER HERALD, a newspaper published weekly at Salmon, Lemhi County, Idaho, and of general circulation therein,

That the NOTICE OF APPLICATION FOR PERMIT TO APPROPRIATE  
THE PUBLIC WATERS OF THE STATE OF IDAHO a true

printed copy of which is attached to the margin hereof, has been and was correctly printed and published in the regular and entire issue of every number of said newspaper and not in any supplement thereof or thereto for two consecutive issues, commencing with the issue dated 2-12, 19 70 and ending with the issue dated 2-19, 19 70.

*Jerry G. Rosin*

Subscribed and sworn to before me, this 19th  
day of February, 19 70

*Verl Armstrong*

Notary Public for the State of Idaho,  
Residing at Salmon, Idaho

Publication Fee \$ 9.84

75-7009

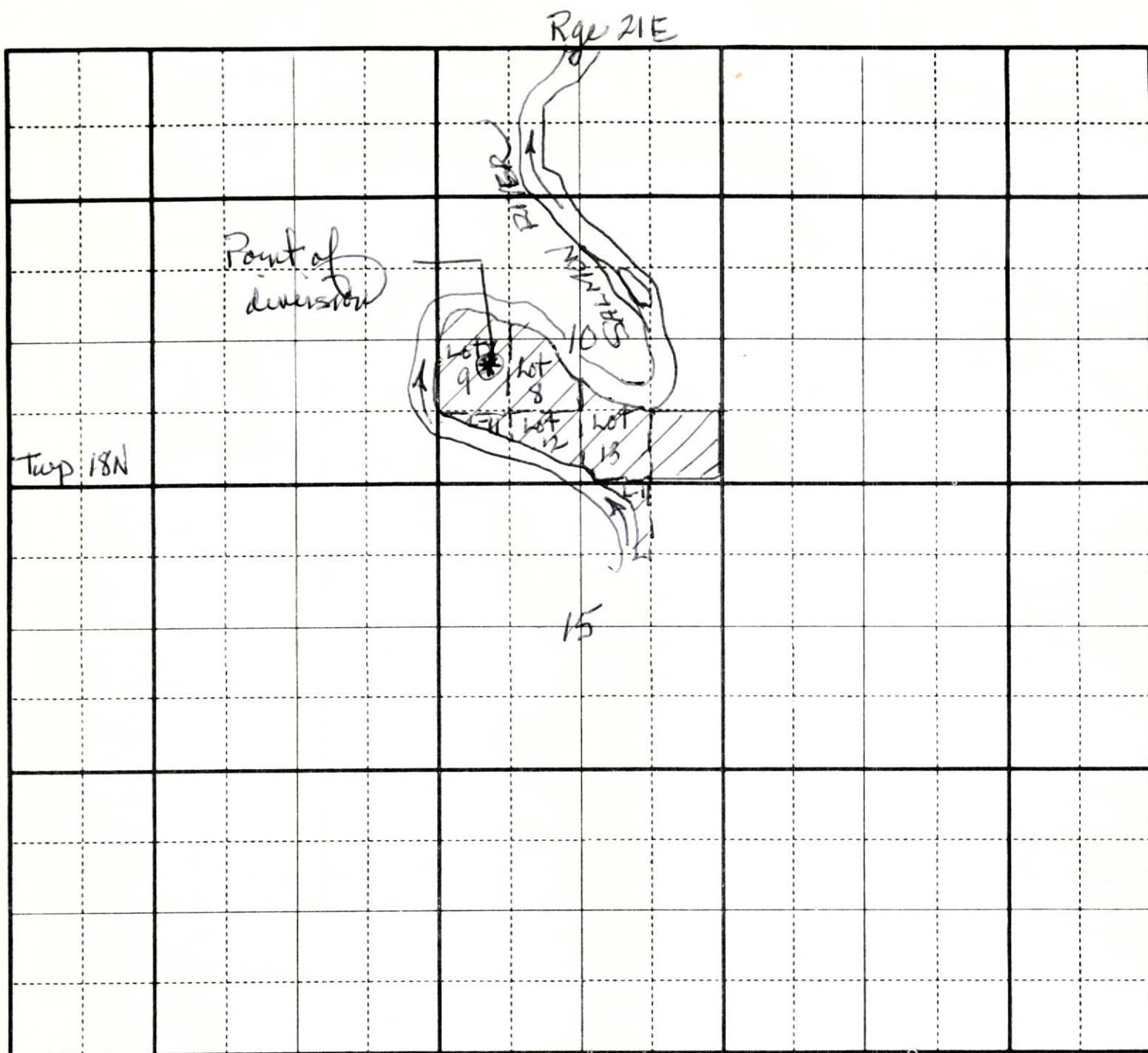
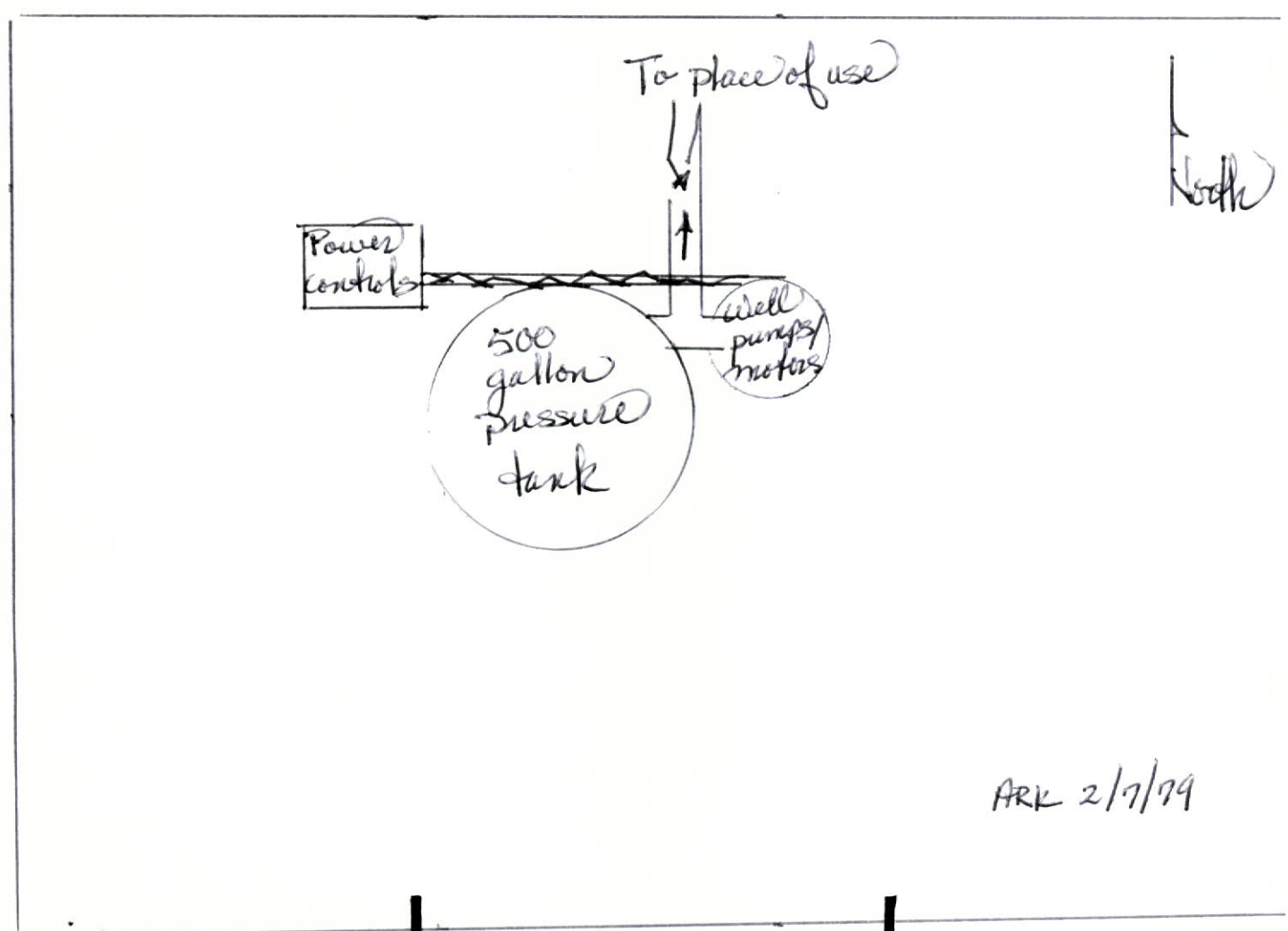


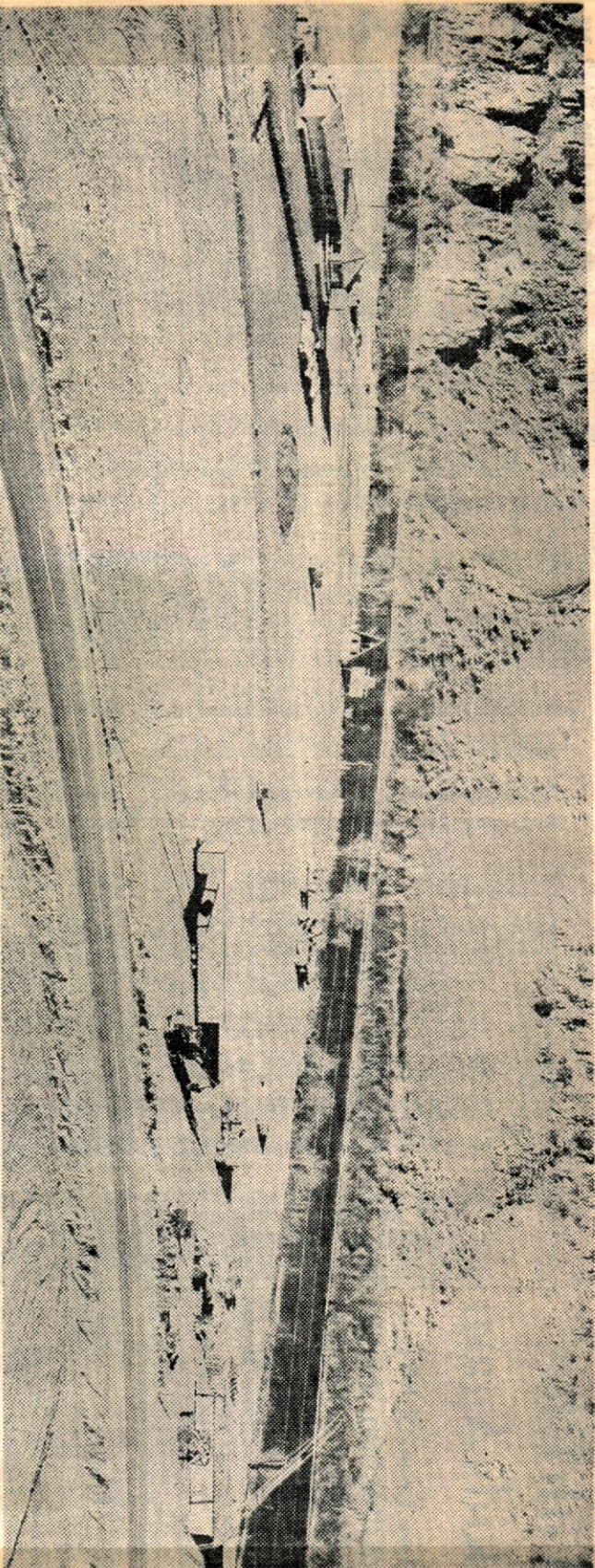
Diagram of System



ARK 2/7/79



## Development Takes Form Along Salmon River



M. PENN PHILLIPS LANDS, Inc., Azusa, Calif., is undertaking a land development program for homesite construction 21 miles south of Salmon along the Salmon River and U.S. Highway 93. This view of the area shows the highway in the foreground with an office and residence for the superintendent

at left, a model home near the river, a motel unit just arrived for installation, and construction on a building incorporating a six-unit motel, service station and small store. The development is part of 1,200 acres the firm is subdividing for sale.

## Firm Develops Site on Salmon as Colony for Californians

SALMON — A California land company is developing some 1,200 acres along the Salmon River for sale — primarily to Southern Californians — as home-site lots.

M. Penn Phillips, Inc., Azusa, Calif., is building a six-unit motel, combination store-service station, trailer park, laundry facilities and shower, in addition to eventual platting of some 1,200 home-site lots, according to Mel Brown, company second vice president.

Brown, who is superintendent of the development program, said a sales program is planned to start within 30 days in the Southern California area.

He reported 254 lots have been platted and recorded for the first of four units planned. Lots will range from 50 X 100 feet up to six acres, selling from \$1,590 to \$3,900.

Brown said the company — which has undertaken development at Eurp, Calif. on the Colorado River; Hesperia,

Calif.; Klamath Falls, Ore.; and Christmas Valley, near Bend — has received approval of its sales program from the California Real Estate Commission.

"We have to have approval in California to sell land out-of-state," he explained. "They inspect what we have done and what we haven't finished, such as the water line. We have to put up a bond for protection of the California buyer."

The home-site lots will be

sold "chiefly off the map" in California, Brown said. The company plans to fly its salesmen to the site to acquaint them with what they will be selling.

Septic plants and leach fields will dispose of sewage, he said. The septic tanks reportedly will be placed 100 feet from any well and at least 100 feet from the Salmon River. This is required by law in California but not in Idaho, Brown said, adding that the company is following recommendations of the Lemhi

County Commission and Idaho Department of Health.

A 16-inch well has been drilled 31 feet deep on the site, with a volume test to be run on the well to determine how much water is available, he said. He expects the well to provide water for more than half the proposed development.

Some 3½ miles of roads have been installed, Brown said. The 1,200-acre site is on the former Corbett ranch land.

WELL WITHOUT VALID PERMIT - (For follow-up)

75-7008



State of Idaho  
Department of Water Resources

WATER RIGHT LICENSE

(late proof)  
License of Water Right No. 75-7009 Priority April 8, 1970 Amount 0.27 cfs

THIS IS TO CERTIFY, that Elk Bend Mutual Water Co.  
of Twin Falls, Idaho, has complied with the terms and conditions of Permit  
No. 75-7009 issued pursuant to Application for Permit dated January 26, 1970,  
and has submitted proof to the Department of Water Resources on May 12, 1978,  
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 0.27 cfs of water from a Groundwater source,  
tributary to \_\_\_\_\_, 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
<u>Domestic</u> <u>(32 units)</u>	from <u>January 1</u> to <u>December 31</u>	at <u>0.27</u> cfs and	<u>38.4 acre feet</u>
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 0.27 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  
38.4 acre feet per year, said waters to be diverted within the Government Lot 9, Sec. 10,  
Twp. 18N, Rge. 21E, B.M. in the County of Lemhi

Description and location of place of use:

Twp.	Range	Sec.	NEW				NW¼				SW¼				SE¼				Totals
			NEW	NW¼	SW¼	SE¼	NEW	NW¼	SW¼	SE¼	NEW	NW¼	SW¼	SE¼	NEW	NW¼	SW¼	SE¼	
18N	21E	10	Lots 8, 9, 11, 12 & 13																X
		15	Lot 1																

Total number of acres irrigated \_\_\_\_\_

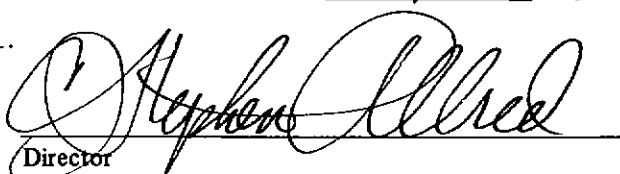
Remarks:

Salmon River Estates, Unit 1

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 21 day of  
August, 1979.

  
Director

BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE  
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 75-7009  
IN THE NAME OF ELK BEND MUTUAL WATER CO.

ORDER OF REINSTATEMENT

WHEREAS, on January 26, 1970, the Elk Bend Mutual Water Company filed with the Department of Water Resources an application for permit to appropriate 0.30 cubic feet per second of groundwater to be diverted within Lot 9, Sec. 10, Twp. 18N, Rge. 21E, B.M., Lemhi County, to be used for domestic purposes; and,

WHEREAS, on March 13, 1970, the Department approved said application and issued Permit No. 75-7009 with the condition that proof of construction of works and application for water to beneficial use be submitted to the Department on or before March 1, 1975; and,

WHEREAS, on March 6, 1975, the Department extended the time within which to submit proof of beneficial use of water to March 1, 1978; and,

WHEREAS, on December 30, 1977, the Department notified the permit holder by certified mail that proof of beneficial use was due and instructed the permit holder as to the steps to be taken to make said proof; and,

WHEREAS, on March 14, 1978, the Department notified the permit holder that Permit No. 75-7009 had lapsed for failure to submit the required proof; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within 60 days from the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing as to why said permit should be reinstated by submitting proof of beneficial use of water on May 12, 1978;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 75-7009 be REINSTATED and the priority advanced to April 8, 1970.

Dated this 24<sup>th</sup> day of May, 1978.

*L. Glen Saxton*  
L. GLEN SAXTON  
Chief, Operations Bureau

MICROFILMED

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR EXTENSION OF TIME

RECEIVED

FEB 8 1978

Department of Water Resources

STATE OF IDAHO :  
: ss.  
County of Lemhi :

ELK BEND MUTUAL WATER COMPANY of P.O. Box 789, Salmon, Idaho 83467, being first duly sworn, upon his oath deposes and says:

That he is the holder, or the duly authorized agent of the holder, of Permit to appropriate the Public Waters of the State of Idaho No. 75-7009.

That under the terms and conditions of said permit, work thereunder was required to be completed on or before March 1, 1978.

That he has heretofore performed the following work described under said permit: Construction of water mains, pressure tanks, well and pump system.

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit:

The management of the Elk Bend Mutual Water Company is in the process of being transferred from the Penn Phillips Properties, Inc. offices in California to the homeowners at Elk Bend and that additional time is necessary to obtain verification of the reports.

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations under said permit to March 1, 1983.

E.C. Lapham  
Chairman, Elk Bend Mutual Water Company

SUBSCRIBED AND SWORN To before me this 6<sup>th</sup> day of February, 1978.

Myra L. Leland  
Notary Public for State of Idaho  
Residing at Salmon, Idaho  
Commission expires: 10/78.

ACTION OF THE DEPARTMENT OF WATER RESOURCES  
Chief, Operations Bureau

I, BOBBY D. FLEENOR, Director of the Idaho Department of Water Resources, hereby DENY this extension of time request on Permit No. 75-7009 pursuant to Section 42-204, Idaho Code which states that a permit holder may only be granted one extension of time.

Witness my hand this 13 day of February, 1978.

Bobby D. Fleenor  
Director, Chief, Operations Bureau

DENIED

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

IN THE MATTER OF EXTENDING THE PROOF DUE )  
DATE IN CONNECTION WITH PERMIT NO. 75-7009 )  
in the name of ELK BEND MUTUAL WATER CO. )

ORDER

WHEREAS, on January 26, 1970, Elk Bend Mutual Water Co. applied to the Department of Water Resources (formerly the Department of Water Administration) for a permit to appropriate .3 cubic feet per second of groundwater within Lot 9, Sec. 10, Twp. 18N, Rge. 21E, B.M., Lemhi County, to be used for domestic purposes; and,

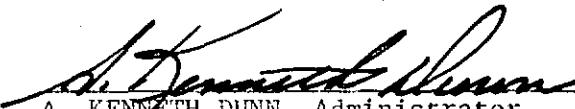
WHEREAS, on March 13, 1970, the Department approved said application and issued Permit No. 75-7009 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before March 1, 1975; and,

WHEREAS, on March 3, 1975, the Department received a request for an extension of time for said permit; and,

WHEREAS, it appears that under the circumstances the permit holder has been proceeding with reasonable diligence and has given good cause for delay; and,

IT IS, THEREFORE, HEREBY ORDERED that the time within which to submit proof of beneficial use of water under Permit No. 75-7009 be extended to March 1, 1978.

Dated this 6<sup>th</sup> day of March, 1975.

  
A. KENNETH DUNN, Administrator  
Operations Division

BDF:JG

MICROFILMED

Identification No. 75-7009  
Application No. \_\_\_\_\_

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
**APPLICATION FOR PERMIT**

To Appropriate the Public Waters of the State of Idaho  
(TYPE OR PRINT IN INK)

APPROVED

1. Name of applicant Elk Bend Mutual Water Co.  
post office address Box 525, Twin Falls, Idaho 83301
2. Source of water supply Subterranean which is a tributary of \_\_\_\_\_
3. a. Location of point of diversion is Lot 9 ~~xxx~~ 1/4 of Section 10 Township 18 North  
Range 21 E. B.M. Lemhi County; additional points of diversion if any: \_\_\_\_\_  
There will be two wells within Lot 9
- b. If water is not consumed, it will be discharged into \_\_\_\_\_ at a point in \_\_\_\_\_ 1/4  
of \_\_\_\_\_ 1/4 of Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_ B.M. \_\_\_\_\_
4. Water will be used for the following purposes:  
Amount .3 cfs for Domestic purpose from January 1 to December 31 (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purpose from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purpose from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:  
a. .3 cubic feet per second and/or  
b. \_\_\_\_\_ acre feet per annum.
6. Proposed diverting works:  
a. Description of ditches, flumes, pumps, headgates, etc. 7 1/2 horsepower electric motor and pump,  
1150 gallon tank with a Hydropneumatic add-air tank control system. 6 inch main  
line distribution system
- b. Height of storage dam \_\_\_\_\_ feet, active reservoir capacity \_\_\_\_\_ acre feet; total reservoir  
capacity \_\_\_\_\_ acre feet, materials used in storage dam: \_\_\_\_\_  
Period of year during which storage will occur \_\_\_\_\_ to \_\_\_\_\_ inclusive.  
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is 16 inches; proposed depth of well is 40 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use  
is 5 years.  
b. Estimated construction cost is \$ \_\_\_\_\_.
8. Description of proposed uses:  
a. If water is **not** for irrigation: Lot 1, Section 15, Lots 8, 9, 11, 12, 13 and SE 1/4 SE 1/4  
(1) Give the place of use of water: xxx 1/4 of Section 10 Township 18 North  
Range 21 E. B.M.  
(2) Amount of power to be generated: \_\_\_\_\_ hp under \_\_\_\_\_ feet of head.  
(3) List number of each kind of livestock to be watered \_\_\_\_\_  
(4) Name of municipality to be served \_\_\_\_\_, or number of families to be  
supplied with domestic water 361 lots.  
(5) If water is to be used for other purposes describe: fire protection

75-7009



b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

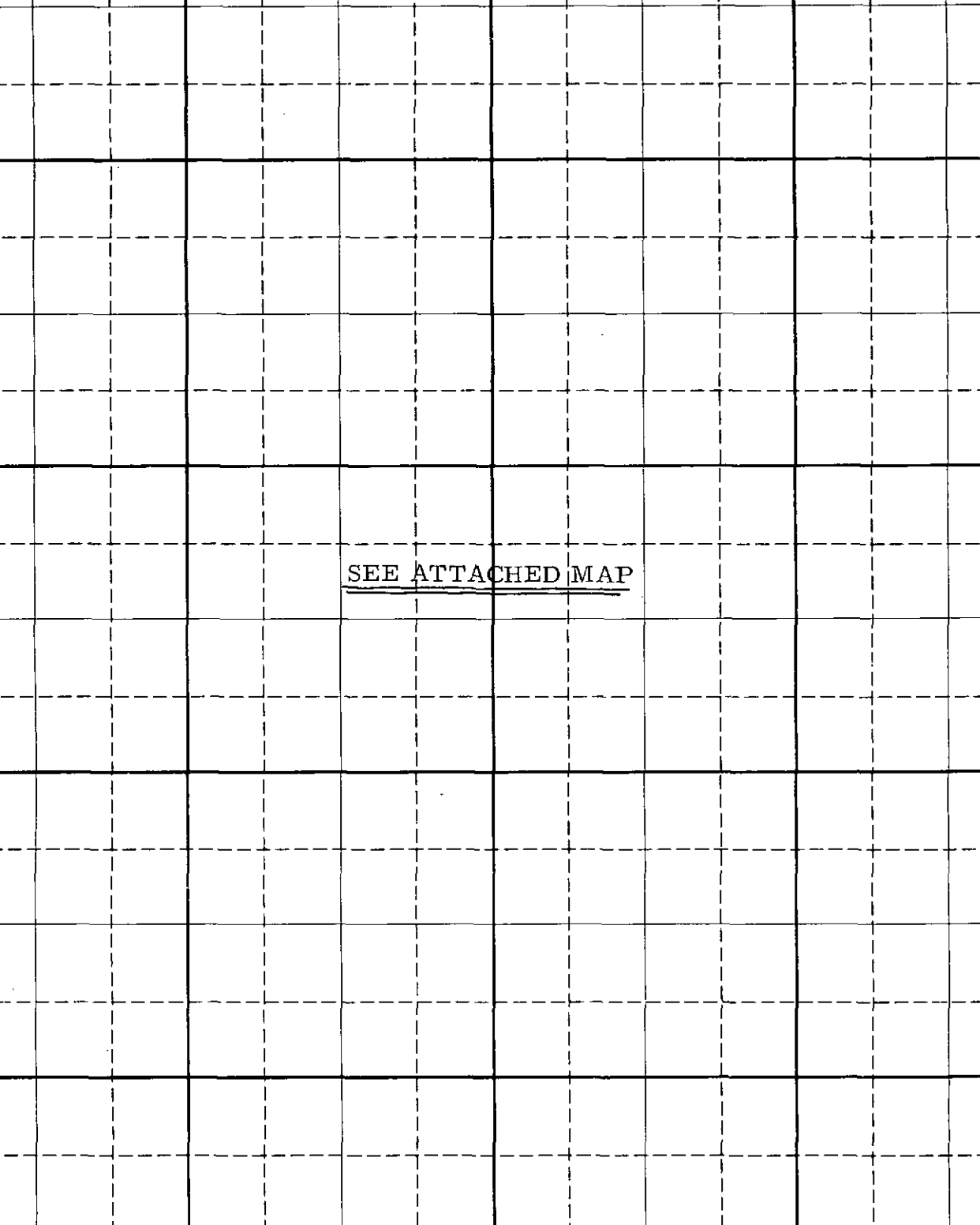
[illegible]

Total number of acres to be irrigated\_\_\_\_\_

c. Describe any other water rights used for the same purposes \_\_\_\_\_

9. a. Who owns the property at the point of diversion Applicant  
b. Who owns the land to be irrigated or place of use Applicant at time of this application  
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing \_\_\_\_\_

10. Remarks As each lot in this development is sold, each purchaser will receive one share of stock in the Elk Bend Mutual Water Company. Distribution system includes fire hydrants within 300 feet of each lot and distribution system adjacent to each lot.



SEE ATTACHED MAP

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

By [Signature]  
(Applicant)

75-7009

Received by ej Date 1-26-70 Time 8:00 am  
Preliminary check by D Fee \$ 10<sup>00</sup>  
... Received by ej Date 1-27-70  
Publication prepared by hh Date 2-4-70  
Published in Recorder-Herald  
Publication dates 2-12 + 19-70  
Publication approved ds Date 3-9-70  
Priority reduced to \_\_\_\_\_ Reason \_\_\_\_\_

Protests filed by: \_\_\_\_\_  
Copies of protests forwarded by \_\_\_\_\_  
Hearing held by \_\_\_\_\_ Date \_\_\_\_\_  
Recommended for approval denial by DMC

APPROVED

ACTION OF STATE RECLAMATION ENGINEER

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 75-7009, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- SUBJECT TO ALL PRIOR WATER RIGHTS.
- Proof of construction of works and application of water to beneficial use shall be submitted on or before March 1, 19 75.
- Other: The permit holder shall permanently install and maintain measuring devices of a type approved by the department as part of the diverting works.

2. Denial of said application is for the following reasons: \_\_\_\_\_

Witness my hand this 13th day of March, 19 70.

P. Keith Higgins  
State Reclamation Engineer



DEPARTMENT OF RECLAMATION

STAFF ANALYSIS

Application No. 75-7009 Name Elk Bend Mutual Water Co.

Source ground-water

Point of Diversion Lot 9, Sec. 10, T. 18 N., R. 21 E., B.M., Lemhi County

Quantity 0.3 c.f.s. Use Domestic Period January 1 - December 31

Quantity            Use            Period           

Quantity            Use            Period           

Well Size 16 Diameter Proposed Depth 40 Feet

Use Domestic use for 361 lots

Date Forwarded 2/4/70 Date Returned 2-13-70 Received by Deane

RECOMMENDATIONS: No other wells in this township  
cannot foresee any problems other than a lack  
of ground water. The area is underlain by  
Challis Volcanics, Ordovician sedimentary rocks  
and Precambrian Belt Series. Ground water  
will have to be derived from shallow alluvium.

Qty. 0.3 Use Dom Period 1-1 ~ 12-31 AF            AFA           

Qty.            Use            Period            AF            AFA           

Qty.            Use            Period            AF            AFA           

ACTION: Approved            Denied           

Conditions of approval or reason for denial:           

Investigation            By Sheel H. Chapman Title WRIT

Date 2-12-70

75-7009

## STAFF ANALYSIS

Application No. 75-7009 Name Elk Bend Mutual Water Co.  
Source Groundwater  
Point of Diversion Lot 9, Sec. 10, T. 18N, R. 21E, B.M., Lemhi County  
Quantity .3 Use Domestic Period Jan. 1 - Dec. 31  
Quantity            Use            Period             
Quantity            Use            Period             
Well Size 16 Diameter Proposed Depth 40 Feet  
Use Domestic use for 361 lots  
Date Forwarded 2-4-70 Date Returned 2-4 Received by ds

RECOMMENDATIONS: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Qty. \_\_\_\_\_ Use \_\_\_\_\_ Period \_\_\_\_\_ AF \_\_\_\_\_ AFA \_\_\_\_\_

Qty. \_\_\_\_\_ Use \_\_\_\_\_ Period \_\_\_\_\_ AF \_\_\_\_\_ AFA \_\_\_\_\_

Qty. \_\_\_\_\_ Use \_\_\_\_\_ Period \_\_\_\_\_ AF \_\_\_\_\_ AFA \_\_\_\_\_

ACTION:      Approved ☒      Denied \_\_\_\_\_

Conditions of approval or reason for denial: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

ENGINEERING \_\_\_\_\_ By *A. H. Dunn* Title *Asst. State Engr.*

Date *2-4-70*

25-7009

# Affidavit of Publication

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Any permit issued pursuant to this application will be subject to ALL PRIOR WATER RIGHTS and subject to the CONTROL OF A STATE WATERMASTER. Any protest against this application must be filed with the Idaho Department of Reclamation on or before March 2, 1970.

R. KEITH HIGGINSON  
State Reclamation  
Engineer

Published in The Recorder-Herald on February 12th and February 19th, 1970.

2-12-2tc

STATE OF IDAHO }  
County of Lemhi } ss.

JERRY G. ROSIN

being first duly sworn, deposes and says that he is one of the printers (publisher) of the RECORDER HERALD, a newspaper published weekly at Salmon, Lemhi County, Idaho, and of general circulation therein,

That the NOTICE OF APPLICATION FOR PERMIT TO APPROPRIATE

THE PUBLIC WATERS OF THE STATE OF IDAHO

a true printed copy of which is attached to the margin hereof, has been and was correctly printed and published in the regular and entire issue of every number of said newspaper and not in any supplement thereof or thereto for two consecutive issues, commencing with the issue dated 2-12, 19 70 and ending with the issue dated 2-19, 19 70.

Subscribed and sworn to before me, this 19th day of February, 19 70

*Neil Armstrong*  
Notary Public for the State of Idaho,  
Residing at Salmon, Idaho

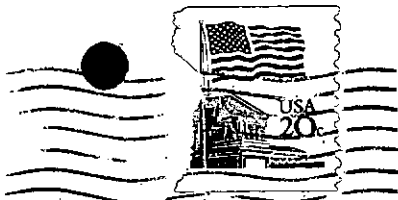
Publication Fee \$ 9.84

75-7009





**RECEIVED**  
JUL 25 1988



**RECEIVED**

AUG 16 1988

Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES  
STATEHOUSE  
BOISE, IDAHO 83720

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
COMMENCEMENT OF WORKS

Permit No. 75-7009

Name(s) of Permit Holder(s): ELK BEND MUTUAL WATER COMPANY

Post Office Address: P.O. Box 789

Salmon, ID 83467 Tel. No. 756-2412

☐ I hereby certify that construction of diversion works for the above referenced permit began on July 1, 1988 (date). I understand that I must

continue to develop the water system with due diligence to maintain a valid permit.

☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control\*:

Edna Chaudhry  
Edna Chaudhry

\*Note: A financing difficulty is  
not an acceptable reason.

7-30-88  
Date

Signature of Permit Holder

WATER RIGHT NUMBER 75-7009

OWNER LAST NAME - ELK BEND MUTUAL WATER CO.

FIRST NAME - ORIG OWNER -

ADDRESS LINE 1 - P.O. BOX 789

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - SALMON

STATE - ID ZIP CODE - 83467

SOURCE - GROUNDWATER

TRIBUTARY OF -

STAGE - LICENSE

STATUS -

PRIORITY - 04-08-1970 COUNTY - LEMHI

TOTAL DIV. RATE - .2700 -CFS

TOTAL DIV. VOLUME - 38.40 AFA TRFR/AMEND -

WATER DIST. - OLE/CAREY ACT - RIGHT BASIS -

DIVERSION POINT - NESW 10 18N 21E LOT 09 REDIV -

0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0

FROM - 01-01 TO - 12-31 USE - DOMESTIC

USE DIV. RATE - .2700 CFS USE DIV. VOLUME - 38.40 AFA

USE - DOMESTIC

PLACE OF USE - TWN 18N RNG 21E SEC 15 TRACT

LOT 01 AC

USE - DOMESTIC

PLACE OF USE - TWN 18N RNG 21E SEC 10 TRACT SESE

LOT AC TRACT

LOT 08 AC

TRACT

LOT 09 AC

TRACT

LOT 11 AC

TRACT

LOT 12 AC

TRACT

LOT 13 AC

DATE -

TOTAL ACRES 0

DECREE NAME -

REMARKS - P/U SALMON R. EST., UNIT 1.

NON IRRIG USE - D/32 UNITS.

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. -

PROOF MADE - FLD EXAM - COND. OF APPROVAL - 01

DIVERSION MEANS -





State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

June 30, 1981

Mailing address:  
Statehouse  
Boise, Idaho 83720  
(208) 334-4440

Salmon River Meadows Mutual Water Co.

Ms. Gladys Loomis

P. O. Box 2472

Salmon, ID 83467

Dear Ms. Loomis:

In response to your letter of June 27, 1981, I have located two (2) water right filings in the name of Elk Bend Mutual Water Co. I have enclosed for your information a copy of each.

The Department issued water right license 75-7009 in 1979. There is nothing further that needs to be done on this filing. The license is considered "real" property and is appurtenant to the land described on the license. There is not a procedure by which the name can be changed on a license.

Permit 75-7114, also issued in the name of Elk Bend Mutual Water Co., however, is different from a license in several respects. A permit is considered "personal" property and is not considered appurtenant to the place of use in the same respect as a license. For this reason, permit 75-7114 is, according to Department records, owned by Elk Bend Mutual Water company. The permit could be assigned by Elk Bend to another owner, however. The new owner then could submit the proof of beneficial use for the permit which is due on or before February 1, 1984. Otherwise, Elk Bend would have to submit the proof.

If you need an assignment form, our Eastern Regional Office in Idaho Falls (phone 525-7161) would be happy to send you one.

Please feel free to contact me or our regional office if we can be of further assistance to you.

Sincerely,

L. Glen Saxton

Chief, Operations Bureau

LGS:ew

Enclosure

cc: Eastern Region

RECEIVED

JUL 25 1988

RECEIVED

JUN 29 1981

Department of Water Resources

copy to  
75-7009  
4  
75-7114

Salmon River Meadows  
Mutual Water Co.  
P.O. Box 2472  
Salmon, Id. 83467

June, 27, 1981

Glen Saxton  
Dept. of Water Administration  
Statehouse Annex 2  
Boise, Idaho 83707

Dear Mr. Saxton;

We need information on who holds the water rights on Salmon River Meadows and Salmon River Meadows Annex, a Penn Phillips developed subdivision, located some 27 miles south of the City of Salmon on U.S. 93.

The operation of the Water Company was arbitrarily turned over to the owners in 1977 and there is no record of a water permit having been included in the transaction.

Could you instruct us in a procedure to secure and prove up on a water permit or right for this area?

Please send necessary forms and/or any information you may have.

We would appreciate prompt attention. We do not want to loose our water rights.

Sincerely,

Gladys Loomis, Secty./Treas.

RECEIVED

JUL 25 1988

ACT  
ION

N OWNER LAST NAME - ELK BEND MUTUAL WATER CO.

CITY - TWIN FALLS

STATE - ID

N SOURCE - GROUNDWATER

N STAGE - LICENSE

PRIORITY - 04-08-1970

COUNTY - LEMHI

TOTAL DIV. RATE -

.2700CFS

N TOTAL DIV. VOLUME - 38.40 AFA

N DIVERSION POINT - 10 18N 21E LOT 09

N FROM - 01-01 TO - 12-31 USE - DOMESTIC

USE DIV. RATE -

.2700CFS

USE DIV. VOLUME -

38.40 AFA

N USE - DOMESTIC

PLACE OF USE - TWN 18N RNG 21E SEC 10 TRACT SESE

N USE - DOMESTIC

PLACE OF USE - TWN 18N RNG 21E SEC 10

LOT 08

LOT 09

N

LOT 11

LOT 12

N

LOT 13

N USE - DOMESTIC

PLACE OF USE - TWN 18N RNG 21E SEC 15

LOT 01

N REMARKS - P/U SALMON R. EST., UNIT 1.

N NON IRRIG. USE - D/32 UNITS.



IDENT. NO. 75-7009

WATER RIGHT  
DATA ENTRY LOG

[illegible]



State of Idaho

## DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:

Statehouse  
Boise, Idaho 83720  
(208) 384-2215

August 28, 1979

Elm Bend Mutual Water Company  
P.O. Box 789  
Salmon, Idaho 83467

Dear Sirs,

RE: Permit No. 75-7009

Enclosed is a copy of the Water Right License issued on the above referenced permit.

Sincerely,

*Jan Grover*  
JAN GROVER  
Water Rights Supervisor

JG:lr

Enclosure

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# STATE OF IDAHO

## DEPARTMENT OF WATER RESOURCES

John V. Evans  
Governor

C. Stephen Allred  
Director

Statehouse  
Boise, Idaho 83720  
(208) 384-2215

August 7, 1979

Elk Bend Mutual Water Company  
P. O. Box 789  
Salmon, ID 83467

Gentlemen:

A representative of this Department made an examination of the works covered by your Permit No. 75-7009 on August 9, 1978, and has found the following:

Amount of water that can be recognized as beneficially used under  
Idaho law: 0.27 cfs Source: groundwater

The maximum quantity diverted shall not exceed 38.4 acre feet per  
year.

Point of diversion: Govt. Lot 9, Sec. 10, Twp. 18N, Rge. 21E, B.M.

Beneficial use: Domestic use for 32 units within Govt. Lots 8, 9, 11, 12,  
and 13, Sec. 10; Govt. Lot 1, Sec. 15; all in Twp. 18N, Rge. 21E, B.M.

Priority date established: April 8, 1970 (late proof)

If you do not concur with these findings please contact us within 10 days, otherwise a  
water license will be issued as set forth above.

Sincerely,

JAN GROVER  
Water Rights Supervisor

JG/kw

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# DEPARTMENT OF WATER ADMINISTRATION

## FIELD REPORT

Received  
June 6  
1978

1. Name of permit holder Elk Bend Mutual Water Co.  
Post office address P.O. Box 789, Salmon, Idaho Phone \_\_\_\_\_  
Person to contact James C. Herndon Phone 756-2412

2. Source of water supply: Groundwater ☒ Surface water ☐ \_\_\_\_\_  
(name spring, stream, etc.)  
Tributary to \_\_\_\_\_

3. Water will be used for the following purposes:

Amount .30 c.f.s. for Domestic (361 Lots)  
\_\_\_\_\_ AF/Annum (nature of use)

Period of Use: from Jan 1 to Dec 31  
(mo.-day) inclusive (mo.-day)

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

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

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

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

Other uses: \_\_\_\_\_

Permit No. 75-7009  
b/c  
Examination for \_\_\_\_\_

4. Total amount to be appropriated:

Max Rate of Diversion .30 cubic feet per second and annual volume \_\_\_\_\_ AF/Annum.

5. Location of Point(s) of Diversion: (2 wells)

Township 18N N/S, Range 21E E/W, B.M., Section 10, Subdivision Lot 9 1/4 1/4 Lenex  
County \_\_\_\_\_  
Township \_\_\_\_\_ N/S, Range \_\_\_\_\_ E/W, B.M., Section \_\_\_\_\_, Subdivision 1/4 1/4 1/4 1/4  
County \_\_\_\_\_  
Township \_\_\_\_\_ N/S, Range \_\_\_\_\_ E/W, B.M., Section \_\_\_\_\_, Subdivision 1/4 1/4 1/4 1/4  
County \_\_\_\_\_

Other Points of Diversions: \_\_\_\_\_

Description of diverting works: submersible pump with 5HP, 13 impellers,  
16" diam casing, 36' deep

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or 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	
18N	21E	15					Lot one												
		10			Lots				8, 9, 11, 12, & 13									X	

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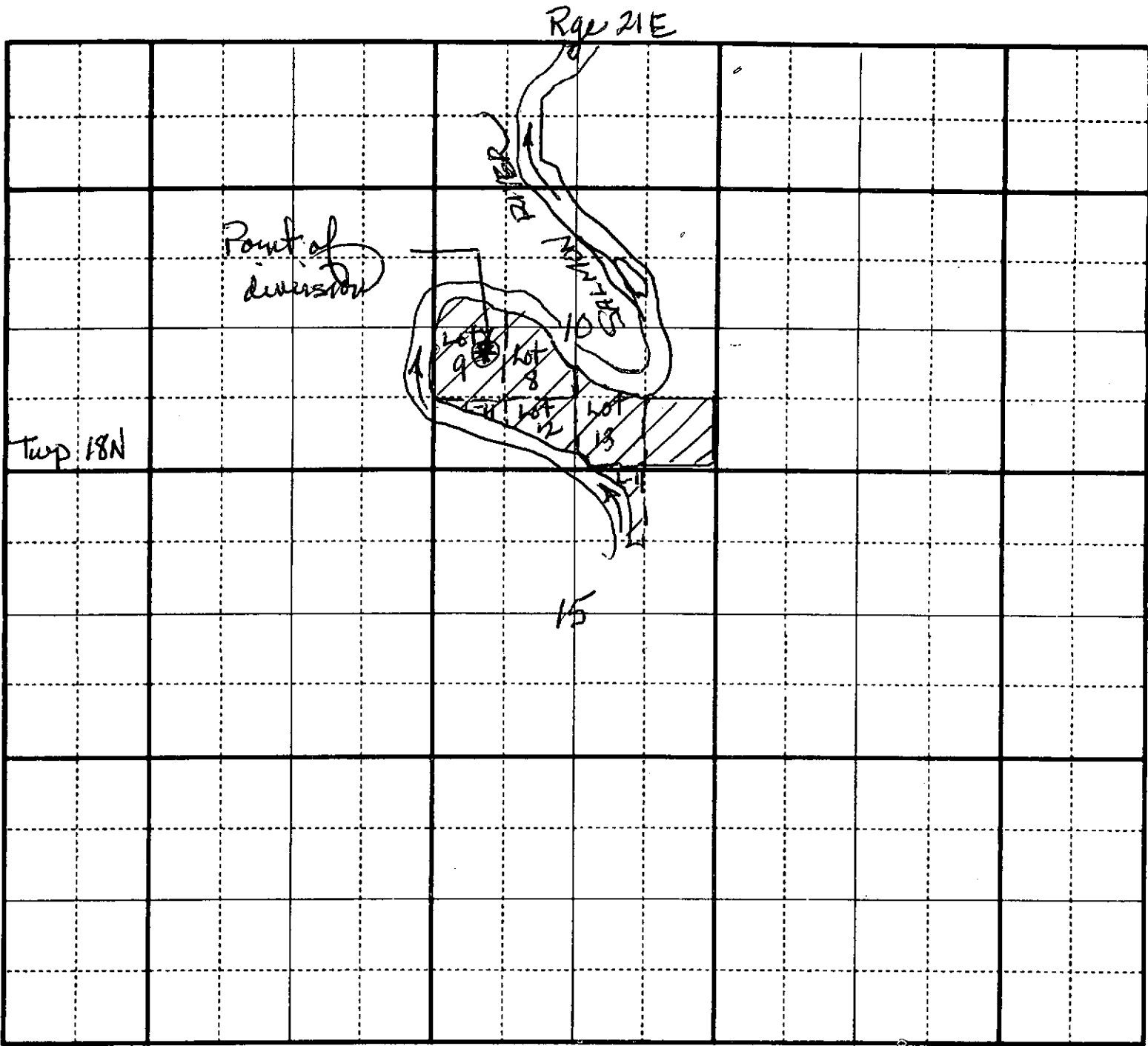
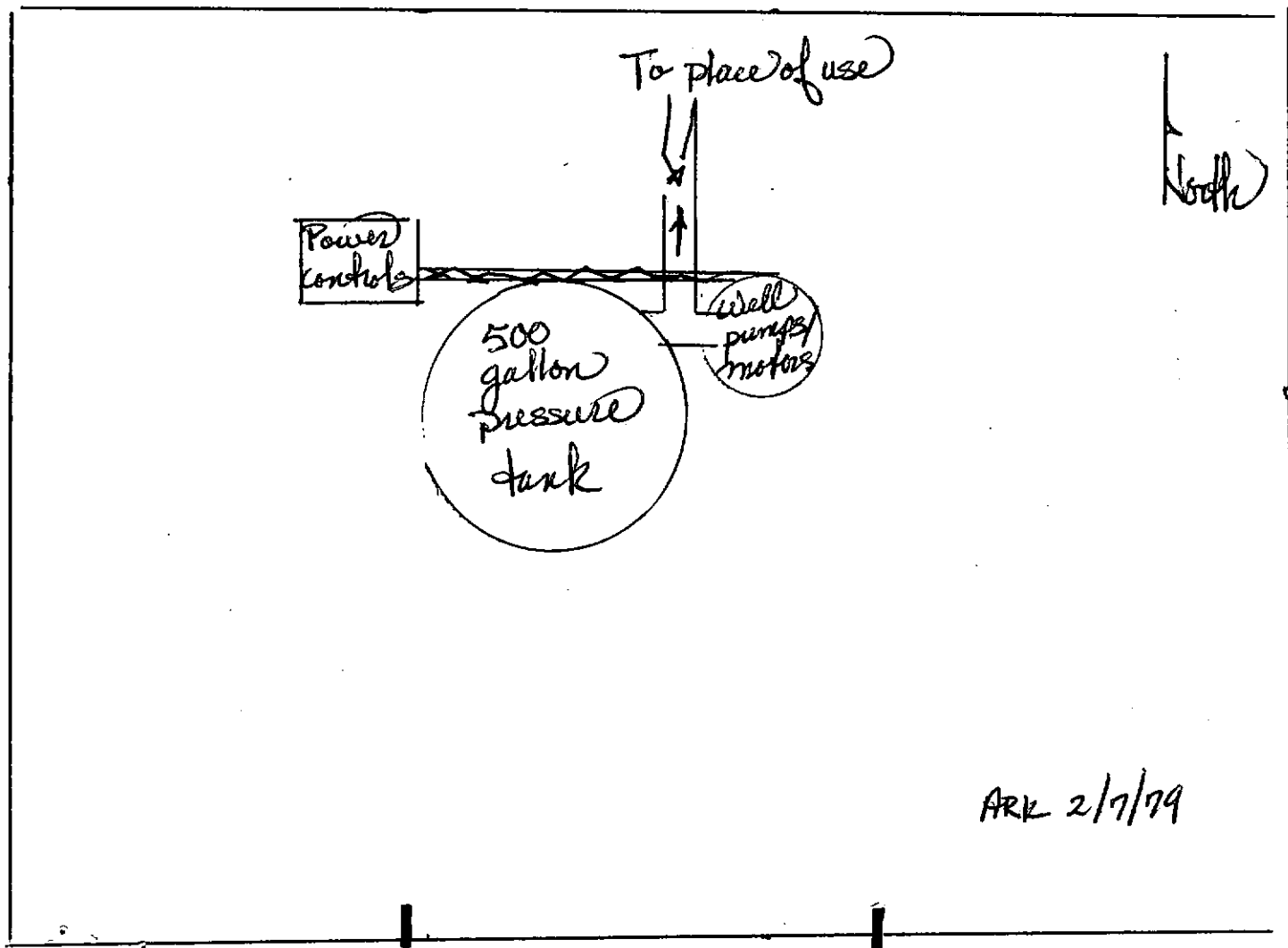


Diagram of System



DATE OF EXAM 8/9/78

ACREAGE  
Found n/a  
Recommended n/a

Irrigation Requirement n/a Ac Ft/Ac

USE  
Irrigation Q = .27 c.f.s. V = 24 AF/Ann. from Jan 1 to Dec 31  
Domestic Q = .27 c.f.s. V = 24 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: n/a  
twp.    N/S, Rge    E/W, B.M., Sec.   , Sub.    1/4    1/4    County   

Exchange? yes    no X

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

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

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

Total Q measured n/a Method of measurement Theoretical

Total Q recommended .27 Meter No. n/a Type n/a Condition n/a

Total V recommended 24 Aft/yr (no In line meter or other measuring device)

Recommended Amendments:

P.D.     
Place of Use     
Other     
None

#### MEASUREMENT CALCULATION:

$$Q = \frac{(5.5 \text{ H.P.})(.70 \text{ efficiency})(8.814)}{(20') + (.45 \text{ psi})(2.31')} = .27 \text{ cfs}$$

$$V = 20 \text{ units} \times 1.20 \text{ Aft/yr} = 24 \text{ Aft/yr}$$

#### SYSTEM DESCRIPTION:

Groundwater is diverted from a 30' deep well having a 16" diam casing its extra length. Two submersible pumps are placed in the well one is 5.0 H.P. the other is 5.0 H.P. There is also a 500 gallon steel pressure tank - operating pressure is maintained between 45 psi & 100 psi. The well pressure tank and controls are located in a wooden building. Buried mainline runs parallel to subdivision streets with T-branching to individual hookups.

REMARKS: This project is for Salmon River Estates - unit one only. There are currently 32 hookups of which only 20 are connected to individual users.

Examiner's Signature Anthony P. Kozlowski Date 2/7/79

Checked by John D. Carson Date   

Approved by    Date



REPORT ON  
INVESTIGATION SURVEY  
OF  
ELK BEND MUTUAL WATER COMPANY  
ELK BEND - BENNI COUNTY, IDAHO

PRELIMINARY

see Salmon River Estates  
Unit 1

ELLSWORTH ENGINEERING, INC.  
140 N. Corner Ave.  
Idaho Falls, Idaho

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## INTRODUCTION

### AUTHORIZATION

This survey was authorized by the Elk Bend Mutual Water Company based upon an agreement dated January 24, 1978.

### PURPOSE

The purpose of this survey was to determine if the existing domestic water system serving the Elk Bend and adjacent subdivision areas had been constructed in accordance with the approved Health Department plans. Further, the survey was to identify any deficiencies between the facilities constructed and the construction plans. Further, the survey was to identify any deficiencies between the facilities constructed and the construction plans and the estimated costs of correcting said deficiencies.

### LOCATION

The Elk Bend Mutual Water Company has been formed by property owners within the Salmon River Estates and Salmon River Meadows subdivisions to operate and maintain the domestic water systems currently existing within the subdivisions.

The service area for the company consists of the Salmon River Estates - Elk Bend Unit, Salmon River Estates - Steelhead Bend Unit, Salmon River Meadows and Salmon River Meadows Annex, all of which are located adjacent to the Salmon River approximately 20 miles South of Salmon.

### ACKNOWLEDGMENTS

We gratefully acknowledge the assistance of personnel from the Penn-Phillips Corporation and the Elk Bend Water Users Association in providing information relating to the system as currently constructed.

## ORIGINAL DESIGN FACILITIES

In reviewing the available plans for the originally designed facilities, the following items were proposed for construction within the individual units:

### SALMON RIVER ESTATES-ELK BEND UNIT:

The original plans for this area (dated October 1969) proposed to construct a 6", 4" and 2" distribution system which would provide service to all lots within the subdivision. Water supply was to be from a single well located in Lot 2, Block 5. The distribution system was proposed to be constructed of either pvc or ac pipe, Class 150.

We were unable to locate any plans relating to the design of the well and pumping facility proposed on the October 1969 General Layout; however, we did locate a set of plans dated February 1970 entitled "Additional Water Supply System for Salmon River Estates-Elk Bend Unit" which proposed to develop a well utilizing a 20 hp pump and motor pumping directly to the system. It also proposed to utilize a 30 kw EK-15 R Onan Electric Generator as a power source. All facilities were to be located in a frame building 16' x 11'.

In reviewing the available correspondence regarding the Elk Bend Unit facilities we were able to determine the following information:

1. A letter from Newton-Schafer to the Health Department dated January 1970 transmitting design criteria for the water system.

Supply: 1 well of 120 gpm capacity  
Storage: 1150 gallon pressure tank  
Fire: Hydrants at 600 foot intervals

2. A letter from Newton-Schafer to the Health Department dated March 3, 1970 transmitting data for additional water supply station for Elk Bend with the following items:

Supply: 12" well with a 250 gpm pump  
Electrical for pump: From 30 kw generator

3. A letter dated March 6, 1970 from the Health Department to Newton-Schafer approving the plans for the additional water station.

4. A letter dated July 16, 1971 from the Health Department to State of California noting that the water systems for Units 1 & 2 had not been fully approved due to lack of fire flow capabilities.

5. A copy of the Health Department's sanitary survey which indicates a provisional approval of the system.

SALMON RIVER ESTATES - UNIT TWO:

The original plans for this area (dated April 28, 1970 with amendment of May 12, 1970) proposed the construction of a 6" and 4" distribution system which would provide service to all lots within the division. Water supply was proposed from two (2) wells. Well No. 1 was proposed on Lot 13, Block 1, Well No. 2 was proposed on Lot 98, Block 1. The distribution system was proposed to be either pvc or ac pipe Class 200.

The original plans for Well No. 1 and Pump Station No. 1 (dated April 1970) called for a 7 1/2 hp pump and motor on a 12" well casing which pumped to a 1150 gallon pressure tank all located within a 15' x 12' frame building.

The original plans for Well No. 2 and Pump Station No. 2 were identical to No. 1 plans.

In addition to the distribution and well systems plan we also reviewed plans for a high level water system to serve Block 6 dated April 1972. These plans called for a "Sta-rite 8P4E2" submersible pump to be used as a booster to provide additional head.

In reviewing the correspondence that we were able to locate on Salmon River Estates Unit 2 (Steelhead Bend) we gathered the following information:

1. A letter dated May 26, 1970 from the Health Department to Lemhi County indicating approval of the distribution system with restrictions as noted in letter of May 14th.

2. A letter dated May 12, 1970 from Newton-Schafer to the Health Department indicating two wells would be constructed to provide 180 gpm capacity. Also, the letter indicated that when 440 volt 3 phase power was available a 25 hp pump and motor would be installed in each well with a capacity to produce 580 gpm. Also 15 additional fire hydrants would be installed when the fire flows were developed.

3. A letter dated May 14, 1970 from the Health Department to Newton-Schafer indicating approval of distribution system plans with comments.

4. A letter dated March 26, 1973 from Penn-Phillips to State Health noting the capacity of Well No. 1 is not sufficient to handle all of Unit 2 if it reaches full density with the statement "We placed a fund in escrow to drill and equip another well when the demand requires an additional supply".

SALMON RIVER MEADOWS AND SALMON RIVER ANNEX:

Plans which we were able to obtain on this system consisted of two sheets (Sheet 3 of 4 and 4 of 4) dated February 1971 and amended April 2, 1971. Sheet 3 of 4 proposed the construction of a 16" well with a modified 7 1/2 hp pump pumping to a 1150 gallon pressure tank, all located in a 15' x 11' frame building. In addition the plan also called for an Onan electric generator to be installed outside of the building as a source of power for a larger hp pump when the demand required additional supply.

Sheet 4 of 4 is a data sheet which indicated that five (5) wells were proposed for this area; three of which were to be constructed at the Meadows and two at the Annex. The Meadows' pumps were to be 30 hp each while the Annex was to have 20 hp units after Idaho Power Company had brought 3 phase power to the site. Without the Onan generators, each site was limited in its operation to 7 1/2 hp units.



In reviewing the correspondence that we could locate regarding this area we also obtained the following information:

1. Design approval of the distribution systems was made on October 20, 1971.

2. A letter dated November 19, 1971 from Newton-Schafer to the Health Department reviewing the design criteria for both units indicates 2 wells (2a & 3a) will be required to meet the Annex water demand ( $95+180=275$  gpm). A storage of 10,000 gallons was to be provided. Control was to be by floats in the tanks.

The Meadows called for three (3) wells to be drilled (or more if demand required). A 20,000 gallon storage would be provided; control was to be through floats in the tank. This tank was to be located on Lot 33, Block 19 at approximately elevation 4570.

Unfortunately, we have not found any indication that the well systems for either unit has been approved by the Health Department, although they have conducted a sanitary survey on the facility which indicated provisional approval of the system.

## EXISTING FACILITIES AND CONDITIONS

### SALMON RIVER ESTATES - UNIT ONE:

The development area consists of 283 platted lots. There are currently 32 hookups of which 20 are connected to individual users. The well is 36' deep and cased its entire depth with 16" casing. Two submersible pumps are placed in the 16" casing - a 1/2 hp and 5 hp pump produce 65 gpm maximum flow. Storage consists of a 500 gallon steel pressure tank. Well control is provided by a pressure switch which turns the pump on at 45 psi and off at 70 psi. The well, pressure tank and controls are located in a wooden building located on Lot 2, Block 5. *note certified measurement. Based on a well pump test by AEP Duffer.*

It was noted that the drain line from the pressure tank drains back into the well sump. It was further noted that the electrical system lacked nominal maintenance, i.e. panels without covers, romex connections without flex conduit and etc.

There have been numerous consumer complaints about inadequate water during peak use days. Evidently the well cannot produce a sustained yield of 65 gpm and air is drawn into the system in about 6 hours of sustained use. Water use is therefore in excess of 3 gallons per minute per unit as compared to the revised original design rate of approximately .88 gallon per minute per unit.

There was no conformation on the underground facilities; however, district officials indicated that the distribution system sizes and locations were generally where they were supposed to be. They are having problems, however, in the location of valves to shut off or isolate sections of the mainline facilities. This has been occasioned by county road graders tearing out the valve boxes. Additionally, there are no fire hydrants on the system.

### SALMON RIVER ESTATES - UNIT TWO - STEELHEAD BEND:

The development consists of 281 lots of which 8 are occupied. A single well is located in the development. The well is 40' deep and cased its entire depth with 16" casing. A 5 hp submersible pump produces approximately 65 gpm to a 500 gallon pressure tank. A 4" galvanized pipe leads to the distribution system. Well control is provided by a pressure switch which turns the pump on at 44 psi and off at 62 psi. The well, controls and pressure tank are located in a wooden building.

A portion of this development is located above Highway 93 on a hill. Water is supplied to 40 lots in that section of which only 1 is actually occupied. Water to this upper area is provided by the main well and raised up the hill by a 1.5 hp submersible booster pump located in a concrete pit below the hill. A 50 gallon pressure tank is located on the hill to store water provided by the booster pump.

The concrete pit in which the booster pump facility is located constitutes a hazard to the life of any person who goes into it. The pit is placed in a location in which all of the drainage water from the upper roadway is directed adjacent to the pit. Holes in the wall of the pit allow water access to the pit in such quantities that the sump pump in the pit cannot remove it. Additionally, the sump pit is so shallow that all of the water cannot be removed from the pit floor before the pump shuts off. Also, the discharge from the sump is in the same general locations as the holes in the pit walls - thereby causing the sump pump to work against itself. This condition keeps excess moisture in the pit at all times. This fact coupled with the fact that there are bare electric wires exposed at the controls and the breaker box (no cover) and romex used for the wiring make the potential for electrocution extremely great.

Control of the booster is supposed to be via probe controls in the tank on the hill which will turn the booster on and off. These are not operational due to cutting of the control wires at an unknown location. The pump is currently operated by a pressure switch. Maintenance of pressure in the upper tank has previously been by a compressor unit; however, this has been removed due to freezing problems.

We were not able to review the actual distribution system; however, the operators reported that the line sizes and locations were in general agreement with the plans in those locations where they had occasion to investigate the system. System operation is limited by the lack of availability of valves to shut off sections of the system. This has been occasioned by the removal of valve box cover by road graders as they grade the roads. Also there is only 1 fire hydrant on the system.

#### SALMON RIVER MEADOWS:

There are currently 14 hookups on the system with a total development potential of 620 units. Water is produced by a 45' well and 5 hp submersible pump through a 16" casing. Production is believed to be in the range of 265 gpm. Storage is provided by a 500 gallon pressure tank near the well and a 20,000 gallon tank on a hill above the development. The large tank must be filled by manual switching and rides on the system.

At the present time the operation of the tank causes problems for some homes in the vicinity of the tank. If the tank rides on the system the homes have very low pressure as they are at the same approximate elevation as the tank. If the well pressure is set up to provide adequate pressures to the homes then the tank overflows. To avoid this problem the tank is currently valved off from the system and is not in use.

At the present time there appears to be adequate capacity from the well if there is no power failure.

Again, we were not able to review the distribution system; however, the operators reported that the line sizes and locations were in general agreement with plans in those locations where they had occasion to investigate the system.

Maintenance personnel noted to us that they have experienced considerable problems with the distribution system throughout this area. The problems have all centered around large rocks being incorporated in the backfill material placed around and adjacent to the distribution pipe. These rocks have been placing undue pressure on the system which has in turn led to shearing of the pipeline in numerous locations.

System operation is limited by the lack of availability of valves to shut off sections of the system. This has been occasioned by the removal of valve box covers by road graders as they grade the roads. Also there are no fire hydrants in the system.

#### SALMON RIVER MEADOWS ANNEX:

There are currently only 2 water services in this area although it has a potential of 250 units being developed. A single well has been drilled with an 8" casing. A 5 hp submersible pump is placed at 49'. The capacity of the well is unknown at this time although it was test pumped at 250 gpm. There is a 500 gallon pressure tank near the well and a 10,000 gallon steel tank located on a hill above the well. The 10,000 gallon tank must be filled by manual switching and rides on the system. Operational problems for this area have been minimal due in part to its limited usage and what appears to be a better design for placement of the tank. The failure to have an automatic control on the tank will cause problems with increasing usage.

As in the other systems, we were not able to inspect the distribution system; however, past experience in locating has indicated they are placed in about the correct location and are of the correct pipe. Also, all of the valve boxes and covers have also been pulled by the grading operations of the roads, thereby causing considerable problems in shutting off portions of the distribution system. As with the Meadows area, maintenance personnel have had considerable problems with improper backfill of the distribution system which has in turn caused numerous breaks where large rocks were bearing directly upon the pipe.

## IDENTIFIED DEFICIENCIES - EXISTING FACILITIES VS ORIGINAL DESIGN

Prior to presenting this information we would like to call attention to a number of considerations which have general applicability to each of the four systems investigated.

- A. The lack of any "as-built" or "record" drawings of the facilities actually constructed provides a severe handicap to both the analysis of the facilities and the daily operation and maintenance of the system.
- B. The lack of a "complete" correspondence file on the entire project leaves a lot to interpretation as relates to original intent, conditions encountered which warranted changes and etc. The deficiencies in the correspondence file also makes its impossible to determine exactly when and what items were finally approved for construction.
- C. All of the original designs were for basically 100% developed areas and their required facilities. At some point there was a obvious committment made to a stage development program (which is not uncommon in projects of this nature). However, we have been unable to determine either the number of stages proposed or the timetable for their implementation and the designated responsible agency for completion of the various stages.
- D. The design standards by which the original facilities were designed (in 1969, 70 and 71) and at least partially approved, have changed considerably in the intervening years. Items approved then would not be approvable today.
- E. The items listed herein as deficiencies relate to the original plans and submitted data. We have not updated the deficiencies to current health department standards since, in theory, if the entire system had been constructed originally, today's standards would not apply.



#### SALMON RIVER - ELKBEND UNIT 1:

This area is deficient in water supply, storage and power facilities. In addition, the distribution system valves are non-accessible and there are no fire protection capabilities.

Correction of these items can be accomplished by:

- a) Construction of a new 250 gpm well with a 1150 gallon storage tank and a 30 kw generator.
- b) The installation of a new 1150 gallon storage tank at the existing well.
- c) The installation of fire hydrants.
- d) The location of all distribution valves and installation of valve boxes, covers and grade.
- e) The preparation of record drawings of the system.

#### SALMON RIVER ESTATES UNIT 2 (STEELHEAD BEND):

This area is deficient in water supply, storage and control facilities. Also there is limited fire capabilities and the system valves are not accessible.

Correction to plan design includes:

- a) The installation of a 1150 gallon pressure tank and a 7 1/2 hp pump and motor at the existing well.
- b) The construction of an additional well, storage tank and pumping facilities with an approximate capacity of 250 gpm.
- c) The upgrading of the hillside booster station.
- d) Installation of adequate hillside storage.
- e) The installation of fire hydrants.
- f) The location of all distribution valves and installation of valve boxes, covers and grade rings.
- g) The preparation of record drawings of the system.

#### SALMON RIVER MEADOWS:

This area is deficient in supply, storage, controls and power supply. The distribution system valves are also nonaccessible and there are no fire fighting capabilities.

Correction to plan design should include:

- a) Construction of two (2) additional wells with approximately 120 gpm capacity, storage tanks and generator facilities.
- b) Replacement of the existing pressure tank with an 1150 gallon tank.
- c) Installation of adequate controls to utilize the existing 20,000 gallon tank.
- d) Installation of fire hydrants.
- e) Locating of all distribution system valves and installation of valve boxes and covers and grade rings.
- f) The preparation of record drawings for the system.

SALMON RIVER MEADOWS ANNEX:

This area is deficient in supply, storage, controls and power supply. The distribution system valves are also nonaccessible and there are no fire fighting capabilities.

Correction to plan design should include:

- a) Development of one (1) additional well with installation of a pump, controls and power supply.
- b) Replacement of the existing pressure tank with a new 1150 gallon tank.
- c) Installation of a new pump power supply at the existing well.
- d) Installation of a control system for the existing 10,000 gallon tank.
- e) Installation of fire hydrants.
- f) Locating of all distribution system valves and the installation of valve boxes, covers and grade rings.
- g) The preparation of record drawings for the system.

## ESTIMATED COSTS

To correct the previously listed deficiencies the following estimated costs will be incurred (based upon 1978 prices).

### SALMON RIVER ESTATES:

#### a) New Well

Drilling, casing & seal	40 L.F. @ \$60	\$2,400	
1150 gallon storage tank (AWWA)		4,000	
250 gpm pump & motor		5,000	
Controls		1,000	
Piping & valves		2,500	
BCOG		5,000	
Electrical (misc.)		1,000	
Generator		7,000	
			\$27,900

#### b) Replace Existing Storage Tank

New 1150 gallon AWWA tank	4,000	
New piping & valves	1,000	
		5,000

#### c) Installation of Fire Hydrants (Exact Number required is Unknown)

4" hydrant units	15 each @ \$600	9,000	
4" gate valves & boxes	15 each @ 225	3,375	
4" pipe	450 L.F. @ 5.00	2,250	
			14,625

d) Location and Adjustment of Valves (exact number is unknown)

Locate 30 each @ 50.00	1,500	
Valve box & cover 30 each @ 35.00	1,050	
Grade Ring 30 each @ 25.00	750	
		3,300

e) Record Drawings

1 lump sum @ 2,500		2,500
--------------------	--	-------

Sub-total	\$53,325
Contingencies 10%	5,330
Administrative 5%	2,665
Engrg. 8%	4,265
ESTIMATED TOTAL	\$65,585

SALMON RIVER ESTATES - UNIT 2:

a) Upgrade Existing Well

New 1150 gallon pressure tank	4,000	
New 7 1/2 hp pump	1,500	
		5,500

b) New Well

Drilling, casing & seal 40 L.F. @ 60	2,400	
1150 gallon storage tank (AWWA)	4,000	
250 gallon pump & motor	5,000	
Controls	1,000	
Piping & valves	2,500	
BCOG	5,000	
Electrical (misc.)	7,000	
		27,900

c) Upgrade Booster Station

Building modifications	1 L.S.	2,000
Electrical Modifications	1 L.S.	1,500
Controls	1 L.S.	5,000
New Booster	1 L.S.	1,500

10,000

d) Hillside Storage	1 lump sum @	7,500
e) Fire Hydrants		
4" hydrant unit 15 each @ 600		9,000
4" gate valves & boxes 15 each @ 225		3,375
4" pipe 450 L.F. @ 5.00		<u>2,250</u>
		14,625
f) Location and Adjustment of Valves (exact number unknown)		
Locate 35 each @ 50		1,750
Valve Box & Cover 35 each @ 35		1,225
Grade Rings 35 each @ 25		<u>875</u>
		3,850
g) Record Drawings	1 lump sum @	3,500
	Sub-total	72,875
	Contingencies 10%	7,287
	Administrative 5%	3,644
	Engrg. 8%	<u>5,830</u>
	ESTIMATED TOTAL	\$89,636

SALMON RIVER MEADOWS:

a) Construct two (2) New Wells		
Drilling casing & sealing 80 L.F. @ 60		4,800
1150 gallon storage tanks AWWA 2 ea. @ 4000		8,000
120 gpm pump & motors 2 each @ 3500		7,000
Controls 2 @ 1000		2,000
Piping & Valves		5,000
Bldg. 2 @ 5000		10,000
Misc. Elec.		2,000
Generators 2 @ 7000		<u>14,000</u>
		52,800
b) Tank Replacement		
New 1150 AWWA Tank		4,000
New piping & valves		<u>1,000</u>
		5,000

c)	New 20,000 gallon tank controls	2,500	
	Booster pump for low pressure	2,000	
			4,500

d)	Installation of Fire Hydrants (exact number unknown)		
	4" hydrant units 25 each @ 600	15,000	
	4" gate valve & box 25 each @ 225	5,625	
	4" piping 750 L.F. @ 5.00	3,750	
			24,375

e)	Location and Adjustment of Valves (exact number unknown)		
	Locate 40 each @ 50	2,000	
	Valve Box & Cover 40 each @ 35	1,400	
	Grade Ring 40 each @ 25	1,000	
			4,400

f)	Record Drawings	1 L.S. @	3,500
----	-----------------	----------	-------

Sub-total	\$94,575.00
Contingencies 10%	9,455.00
Administrative 5%	4,225.00
Engrg. 8%	7,565.00
	<u>\$115,820.00</u>

SALMON RIVER MEADOWS ANNEX

a)	Development of additional well		
	1150 gallon AWWA tank	4,000	
	Pump & motor	3,500	
	Controls	1,000	
	Piping & Valves	2,500	
	Building	5,000	
	Elect.	1,000	
	Generator	7,000	
			\$24,000

b) Replace Existing Tank		
New 1150 gallon AWWA tank	4,000	
New Piping & Valves	<u>1,000</u>	5,000

c) Upgrade Existing Well		
New pump	2,500	
New Controls	1,000	
Generator	<u>7,000</u>	10,500

d) New Control for 10,000 Gallon Tank    1 L.S.		2,500
---	--	-------

e) Fire Hydrants (exact number required is unknown)		
4" hydrant units 10 each @ 600	6,000	
4" gate valve & boxes 10 each @ 225	2,250	
4" pipe    300 L.F. @ 5.00	<u>1,500</u>	9,750

f) Location and Adjustment of Valves (exact number is unknown)		
Locate 20 each @ 50	1,000	
Valve Box & cover 20 each @ 35	700	
Grade Ring 20 each @ 25	<u>500</u>	2,200

g) Record Drawing        1 Lump Sum		1,500
-------------------------------------	--	-------

Sub-total	\$55,450
Contingencies 10%	5,545
Administrative 5%	2,770
Engrg. 8%	<u>4,440</u>
	\$68,205

TOTAL ALL FOUR SYSTEMS.....\$339,250



May 25, 1978

Re: Permit No. 75-7009

Elk Bend Mutual Water Company  
P. O. Box 789  
Salmon, ID 83467

Gentlemen:

Enclosed is an order of reinstatement. Please note that the priority date has been advanced to April 8, 1970.

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.

If you have any questions regarding the field examination, please contact our Regional Office in Idaho Falls, Idaho.

Sincerely,

JANICE RENK  
Water Rights

RECEIVED  
MAY 25 1978

Identification No. \_\_\_\_\_

Permit No. 75-7009

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAY 12 1970

Department of Water Resources

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Elk Bend Mutual Water Company  
b) Post Office Address P.O. Box 789, Salmon, Idaho 83467
2. Permit Number 75-7009
3. Date of Priority that you are prepared to establish March 13, 1970
4. a) Source, from which water was appropriated Subterranean  
b) Location of the point of diversion: Lot 9  $\frac{1}{4}$  Section 10  
Township 18 North, Range 21, East Boise Meridian, Other points of diversion: \_\_\_\_\_
5. a) The amount of water and use to which the water has been applied:  
Amount .3 cfs for domestic purposes from January 1 to December 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)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ incl.  
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)  
b) Total amount appropriated .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: Charles Dahle, a licensed well driller made 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:  
\_\_\_\_\_  
\_\_\_\_\_  
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) Submersible pump with 5 h.p., 13 impellers.  
16" casing; depth--36 feet.  
\_\_\_\_\_  
\_\_\_\_\_  
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: Charles Dahle, P.O. Box  
273, Salmon, Idaho 83467; well completed in 1970.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
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 houses and mobile homes  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Exam typed 5-30-78

MICROFILMED

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

T	R	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL
			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 $\frac{1}{4}$	

Total number of acres irrigated \_\_\_\_\_

10. Remarks: Plans are being made to have the Ellsworth Engineering firm of Idaho Falls, Idaho, take water measurements. The measurements will be made within the next thirty (30) days.

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

May 10, 1978 (Date) CC Bowman Secretary ELK Bend Mutual Water Co. ✓ E. C. [Signature] President

State of Idaho )  
County of Lemhi ) ss.

On this 10<sup>th</sup> day of May, 19 78, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

[Signature]  
Notary Public residing at Idaho  
Salmon, Idaho

My commission expires 10/1/78



# STATE OF IDAHO

## DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus  
Governor

R. Keith Higginson  
Director

Statehouse  
Boise, Idaho 83720  
(208) 384-2215

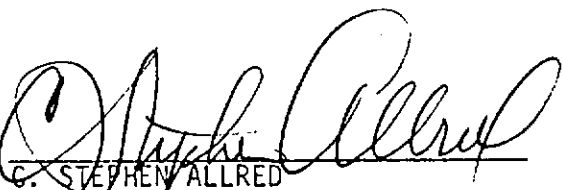
March 14, 1978

Elk Bend Mutual Water Co.  
P. O. Box 789  
Salmon, Idaho 83467

Gentlemen:

You are hereby notified that under the provisions of Section 42-218a of the Idaho Code, Permit No. 75-7009 has lapsed since you have not notified us that you have completed the project by the date required on your permit. You were provided forms for that purpose in our notice to you dated December 30, 1977.

Your permit cannot be reinstated unless you submit the proof of beneficial use affidavit, enclosed, or show other reasonable cause why the permit should be reinstated within 60 days from the date of this lapse notice.

  
C. STEPHEN ALLRED  
Director

CSA:jfr

Encl.

MICROFILMED

February 17, 1978

Re: Permit No. 75-7009  
Elk Bend Mutual Water Co.

Mr. James C. Herndon  
Attorney  
P. O. Box 789  
Salmon, Idaho 83467

Dear Mr. Herndon:

Pursuant to your letter dated February 15, 1978, please find enclosed a copy of a letter from John R. Coleman dated February 28, 1975 requesting an extension of time. Also enclosed is a copy of an Order extending the proof due date to March 1, 1978.

As indicated in a letter dated February 13, 1978, from Bobby D. Fleenor, I suggest that the "Proof of Beneficial Use form" be completed and returned to avoid a loss of the permit. Note that the proof must be submitted by Elk Bend Mutual Water Company or the permit could be assigned to a new party by Elk Bend Mutual Water Company and then the new owner could submit proof.

If you have further questions regarding this matter, please contact this office.

Sincerely,

L. GLEN SAXTON  
Chief, Operations Bureau

LGS:jfr

Encl.

RECEIVED

FEB 16 1978

LAW OFFICES OF  
JAMES C. HERNDON  
HERNDON HOTEL BLOCK  
P. O. BOX 789  
SALMON, IDAHO 83467

J. CHARLES HERNDON [1911-1966]

Department of Water Resources

TELEPHONE 756-2412  
AREA CODE 208

February 15, 1978

State of Idaho  
Department of Water Resources  
Statehouse  
Boise, Idaho 83720

Attention: Bobby D. Fleenor  
Chief, Operations Bureau

*B. Fleenor*

Re: Elk Bend Mutual Water Company  
Permit No. 75-7009

Dear Bobby:

We would appreciate an explanation as to why we cannot receive an extension as set forth in the regulations. We are rather short of records in this office regarding the Elk Bend Mutual Water Company. Perhaps the present extension request was a second request?

There are no new owners. As we understand it, the well was drilled by the Elk Bend Mutual Water Company but under different management. If another extension was requested and approved at a prior time, please send us a copy of it.

Very truly yours,

*James C. Herndon*

JAMES C. HERNDON

JCH/lsm

RECEIVED

February 13, 1978

Re: Permit No. 75-7009

Elk Bend Mutual Water Company  
P. O. Box 789  
Salmon, Idaho 83467

Gentlemen:

We regret that an additional extension of time cannot be granted under Idaho statutes. We do suggest, however, that the "Proof of beneficial use form" be completed and returned to avoid a loss of this permit and then the transfer to the new owners could be made. A proof of beneficial use form is enclosed for this purpose.

Sincerely,

BOBBY D. FLEENOR  
Chief, Operations Bureau

BDF:jfr

Encls.

December 30, 1977

CERTIFIED MAIL

13 8199

Re: Permit No. 75-7009

Elk Bend Mutual Water Co.  
c/o John R. Coleman  
Parry, Robertson, Daly & Larson  
P. O. Box 525  
Twin Falls, Idaho 83301

Gentlemen:

One of the conditions of approval of your water Permit No. 75-7009 (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 March 1, 1978. 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.



C. STEPHEN ALLRED  
Director

CSA:jfr

Enc: Proof affidavit

MICROFILMED



March 7, 1975

Re: Permit No. 75-7009

Elk Bend Mutual Water Co.  
B/o John R. Coleman  
Parry, Robertson, Daly & Larson  
P. O. Box 525  
Twin Falls, ID 83301

Gentlemen:

Enclosed is an Order which extends the proof due date in connection with the above referenced permit.

The time within which to submit proof of beneficial use of water has been extended to March 1, 1978.

Sincerely,

D. Darlene Reich  
Water Rights Supervisor

DDR:JG  
Enclosure

RECEIVED  
MAR 10 1975

RECEIVED

MAR 3 1975 *ok*

PARRY, ROBERTSON, DALY & LARSON  
LAWYERS

THE IDAHO FIRST NATIONAL BANK BUILDING  
P.O. BOX 525  
TWIN FALLS, IDAHO 83301

R. P. PARRY  
T. M. ROBERTSON  
JOHN H. DALY (1913-1988)  
BERT LARSON  
C. G. MCINTYRE  
JOHN R. COLEMAN  
THOMAS G. NELSON  
JOHN A. ROSHOLT  
FRED D. DECKER  
ROBERT C. PAINE

Department of Water Resources

TELEPHONE  
(208) 733-3722

OUR FILE NUMBER  
1-7723-3

February 28, 1975

Mr. R. Keith Higginson  
Director  
Department of Water Administration  
Southern District Office  
Statehouse - Annex 2  
Boise, Idaho 83707

Re: Water Permit No. 75-7009  
Elk Bend Mutual Water Company

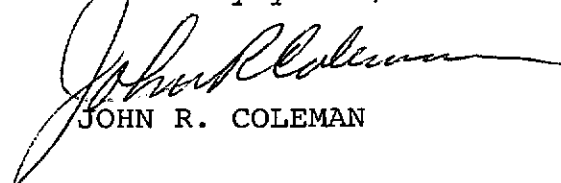
Dear Keith:

I have just completed getting the information current on the above designated permit from our clients and have been informed by them that they are not operating to capacity as yet by reason of the fact that the subdivision which the well will serve has not been completely occupied. We, therefore, would like to apply for an extension of time to put on our final proof in this matter for another three years if at all possible.

The application as you will note from your files is for water to be used for domestic purposes in a summer home subdivision in Lemhi County, Idaho. The system is presently being operated for the benefit of those people who have moved upon the project but the project has not been sufficiently populated as yet to require the use of the water system to its capacity and we anticipate that there will be at least another three years involved before the system will be to its capacity and we can make final proof in accordance with the full extent of our permit.

If you need any further information concerning this matter, please feel free to contact me. Please consider this letter as an application for an additional three year period within which to submit the proof of beneficial use.

Sincerely yours,

  
JOHN R. COLEMAN

MICROFILMED

JRC:sh

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

SENDER INSTRUCTIONS

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

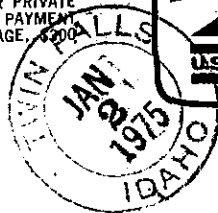
- Complete items 1 and 2 on reverse side.
- Moisten gummed ends and attach to back of article.

RETURN  
TO



DEPARTMENT OF WATER RESOURCES  
STATEHOUSE  
BOISE, IDAHO 83720

PENALTY FOR PRIVATE  
USE TO AVOID PAYMENT  
OF POSTAGE, \$200



- **SENDER:** Complete items 1 and 2.  
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).

- ☐ Show to whom and date delivered..... 15¢  
☐ Show to whom, date, & address of delivery.. 35¢  
☐ DELIVER ONLY TO ADDRESSEE and  
show to whom and date delivered..... 65¢  
☐ DELIVER ONLY TO ADDRESSEE and  
show to whom, date, and address of  
delivery ..... 85¢

2. ARTICLE ADDRESSED TO:

3. ARTICLE DESCRIPTION:

REGISTERED NO.      CERTIFIED NO.      INSURED NO.

26393

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE

4.

DATE OF DELIVERY

JAN 1975

POSTMARK

JAN 2 1975  
IDAHO

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S  
INITIALS

December 31, 1974

CERTIFIED MAIL

#26393

Re: Permit No. 75-7009


Elk Bend Mutual Water Co.  
Box 525  
Twin Falls, Idaho 83301

Gentlemen:

One of the conditions of approval of your water Permit No. 75-7009 (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 March 1, 1975. 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

NOT RECORDED

March 17, 1970

Re: Permit No. 75-7009

Elk Bend Mutual Water Co.  
Box 525  
Twin Falls, Idaho 83301

Gentlemen:

We enclose a copy of your approved application for permit 75-7009 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

Very truly yours,

C. Stephen Allred, ~~Assistant~~ Deputy  
State Reclamation Engineer

CSA:kh

Enclosures: Copy of permit  
Receipt No. 4110 for \$10  
2 informational letters

P.S. Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed on your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

cc. Parry, Robertson, Daly & Larson  
Attn: John R. Coleman  
P.O. Box 525  
Twin Falls, Idaho 83301

75-7009

DON SAMUELSON  
GOVERNOR



R. KEITH HIGGINSON  
State Reclamation Engineer

## STATE OF IDAHO

DEPARTMENT OF RECLAMATION  
STATEHOUSE - ANNEX 2  
BOISE, IDAHO 83707

March 3, 1970

Re: Application for Permit No. 75-7009 - Elk Bend Mutual Water Co.

Recorder-Herald  
Box 310  
Salmon, Idaho 83467

Gentlemen:

Would you please submit an affidavit of publication and a certified bill in connection with the above referenced item(s). The legal notice was to be published in your paper on February 12 and 19, 1970.

As the above permit application cannot be approved until we are in receipt of the affidavit, it is important that we receive it as soon as possible.

May we please have your prompt attention to this matter.

Very truly yours,

Donald W. McEldowney  
Appropriation Examiner

DWM:DR

75-7009

February 4, 1970

Re: Application for Permit No. 75-7009 - Elk Bend Mutual Water Co.

Recorder-Herald  
Box 310  
Salmon, Idaho 83467

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 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 of Reclamation 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 the claimant)

Very truly yours,

Donald W. McEldowney  
Appropriation Examiner

DWM:DR  
Enc: Legal notice

*Bill submitted  
3-9-70  
dw*

*75-7009*



NOTICE OF APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Notice is hereby given that Elk Bend Mutual Water Company, Box 525, Twin Falls,  
Idaho, has on January 26, 1970,  
submitted Application No. 75-7009 to appropriate the public waters of  
a ground water source.

The proposed ~~use is for~~ use is for domestic purposes from January 1 to December 31

The application proposes a maximum diversion and appropriation of 0.3  
cubic feet per second ~~acre-foot~~ of water to be diverted by \_\_\_\_\_  
well, pump, motor, and tank within ~~the~~ two points in Lot 9,  
Sec. 10, T. 18 N., R. 21 E., B.M., in Lemhi County,

and is to be used within the Lot 1 Sec. 15; Lots 8, 9, 11, 12, 13, and SE 1/4 Sec. 10,  
Sec. 10, T. 18 N., R. 21 E., B.M.,

Any permit issued pursuant to this application will be subject to ALL PRIOR  
WATER RIGHTS and subject to the CONTROL OF A STATE WATERMASTER. Any protest  
against this application must be filed with the Idaho Department of Reclamation on  
or before March 2, 1970.

R. KEITH HIGGINSON

State Reclamation Engineer

Published in the Recorder-Herald  
on February 12th and February 19th, 1970.

*dr*  
*75-7009*

RECEIVED

JAN 23 1970

PARRY, ROBERTSON, DALY & LARSON

LAWYERS

FIDELITY BANK BUILDING

P. O. BOX 525

TWIN FALLS, IDAHO 83301

Department of Reclamation

R. P. PARRY

T. M. ROBERTSON

JOHN H. DALY (1913-1968)

BERT LARSON

C. G. MCINTYRE

JOHN R. COLEMAN

THOMAS G. NELSON

JOHN A. ROSHOLT

FRED D. DECKER

ROBERT C. PAINE

TELEPHONE

(208) 733-3722

January 23, 1970

Hon. R. Keith Higginson  
State Reclamation Engineer  
State House Annex #2  
Boise, Idaho 83702

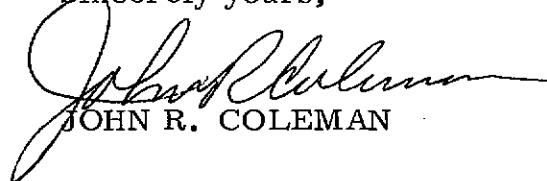
Dear Keith:

With regard to our client, Elk Bend Mutual Water Company, I am enclosing herewith a signed application for a permit, together with our check payable to your order in the amount of \$10.00 and a two page map of the proposed project.

The system described in this application will be used strictly for domestic purposes and will serve some 361 lots in Lemhi County. Those lots being shown on the enclosed map. By reason of the amount of water involved and the number of lots involved, the California real estate board has required that an application be filed in this matter in order for the developer to advertise the lots for sale in California.

If you have any questions concerning this matter or if additional information is needed, please feel free to contact me.

Sincerely yours,

  
JOHN R. COLEMAN

JRC:sn

Enc.

25-7009

PAYEE: DETACH THIS STATEMENT BEFORE DEPOSITING CHECK

PARRY, ROBERTSON, DALY & LARSON

TW FALLS, IDAHO 83301

DATE	INVOICE NO.	DESCRIPTION	GROSS AMOUNT	DEDUCTIONS	NET AMOUNT
1/23/70	110--	Elk Bend Mutual Water Company, filing application			\$10.00

75-7009

## Development Takes Form Along Salmon River



M. PENN PHILLIPS LANDS, Inc., Azusa, Calif., is undertaking a land development program for homesite construction 21 miles south of Salmon along the Salmon River and U.S. Highway 93. This view of the area shows the highway in the foreground with an office and residence for the superintendent

## Firm Develops Site on Salmon as Colony for Californians

SALMON — A California land company is developing some 1,200 acres along the Salmon River for sale — primarily to Southern Californians — as home-site lots.

M. Penn Phillips, Inc., Azusa, Calif., is building a six-unit motel, combination store-service station, trailer park, laundry facilities and shower, in addition to eventual platting of some 1,200 home-site lots, according to Mel Brown, company second vice president.

Brown, who is superintendent of the development program, said a sales program is planned to start within 30 days in the Southern California area.

He reported 254 lots have been platted and recorded for the first of four units planned. Lots will range from 50 X 100 feet up to six acres, selling from \$1,590 to \$3,900.

Brown said the company — which has undertaken development at Eurp, Calif. on the Colorado River; Hesperia,

Calif.; Klamath Falls, Ore.; and Christmas Valley, near Bend — has received approval of its sales program from the California Real Estate Commission.

"We have to have approval in California to sell land out-of-state," he explained. "They inspect what we have done and what we haven't finished, such as the water line. We have to put up a bond for protection of the California buyer."

The home-site lots will be

sold "chiefly off the map" in California, Brown said. The company plans to fly its salesmen to the site to acquaint them with what they will be selling.

Septic plants and leach fields will dispose of sewage, he said. The septic tanks reportedly will be placed 100 feet from any well and at least 100 feet from the Salmon River. This is required by law in California but not in Idaho, Brown said, adding that the company is following recommendations of the Lenth

County Commission and Idaho Department of Health.

A 16-inch well has been drilled 31 feet deep on the site, with a volume test to be run on the well to determine how much water is available, he said. He expects the well to provide water for more than half the proposed development.

Some 3½ miles of roads have been installed, Brown said. The 1,200-acre site is on the former Corbett ranch land.

75-7009

WELL WITHOUT VALID PERMIT - (For follow-up)

75-7009

December 23, 1969

Re: Former Corbett Ranch

County Assesor  
City Hall  
Salmon, Idaho 83467

Dear Sir:

As we have correspondence that must reach the new owners of the land formerly owned by the Corbett Ranch, could you please inform us as to the mailing address of the M. Penn Phillips Co., Inc. of Azusa, California.

Any assistance you could give us in this matter would be greatly appreciated.

Very truly yours,

Donald W. McEldowney  
Appropriation Examiner

DWM:JMB

75-7008