

No 538

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Washington } ss.

Dorothy A. Barth, being duly sworn,
deposes and says:

That he is the Clerk of
THE WEISER SIGNAL, a weekly newspaper published at
Weiser, in the County of Washington and State of Idaho; that
said paper has been and is in general circulation in the
county aforesaid, and in the vicinity of Weiser; that the ad-
vertisement, a copy of which is attached hereto, was pub-

lished in said newspaper once a week for 2 consec-
utive weeks in the regular and entire issue of said paper dur-
ing the period and time of publication, and was published in
the newspaper proper and not in a supplement; that said
paper has been established and regularly published for more
than seventy-eight consecutive weeks prior to the date of
first publication of said advertisement.

Such notice was published in the issue beginning with

July 8, 1971, and ending
with the issue of July 15, 1971.

Dorothy A. Barth
Fees, \$ 14.04

Subscribed and sworn to before me this 16
day of July, 1971.

Notary Public
Notary Public, Residing at Weiser, Idaho.

My Commission Expires 5-1, 1973

RECEIVED
JUL 22 1971
Depart.

No. 538

NOTICE OF

EXISTING WATER PERMIT

Notice is hereby given that
Lee Thorson, Route 1, Weiser,
Idaho, has received an approved
Permit No. 20169/69-2042
issued by the Idaho Department
of Water Administration
authorizing the diversion of 0.4
cubic feet per second of water
from a spring (0.1") and Rob-
inson Creek (20.0"). The
priority to be established under
this permit is June 1, 1965, and
the permit was approved
September 15, 1947.

Water is to be diverted by
box, pipe and dam from a point
within the NW1/4NE1/4 Sec. 12,
T. 14N, R. 6W, B.M., Wash-
ington County, to be used for
domestic purposes and fish pond
in the above description.

Proof of the application of
the water to beneficial use was
submitted to the Department on
June 8, 1971. Any protest
against the issuance of the
license for the above referenc-
ed permit should be filed with
the Idaho Dept. of Water Admin-
istration, Statehouse, Boise,
Idaho, 83707, within ten (10)
days of the last date of
publication of this notice.

R. KEITH HIGGINSON
Director

Published in the Weiser
Signal, Weiser, Idaho, on July
8th and July 15th, 1971. 32-25

67 2394

Diagram of System

EXAMINATION RESULTS

14

Twp. 14N. R. 6W. B.M.

Small 3 acre lake

Robinson Cr.

Spring and
Point of diversion

12

will use approx
200' of 1" pipe.To 4th July Creek.

To Mand's Creek.

From $\frac{1}{4}$ corner of Section 18/12 the place of
use (domestic) lay S $25^{\circ}00'E$. 822.0' to
NW corner of a 4.05 acre tract owned by
Mr Thorson. It was formerly part of
Patented mining claim Independence #2.

NAME OF APPLICANT Lee Thorson

FORM No. 0

Township 14 N Range 6 W B.M.

Small 3 Acre Lake
Robinson Creek
Tributary to
4th of July
Creek - Tributary
to Manns Creek
Place of
use for
Spring
Water
Spring & Point of
Diversion
Will use approx
200' of 1" Pipe

From $\frac{1}{4}$ corner of Sections 1 & 12 the place of
use (Domestic) is S 25° 00' E, 822' 0" to N.W.
Corner of 4.05 Acre tract owned by Mr.
Thorson. It was formerly part of patented
Mining Claim Independence #2.

Permit Map No. 20169
As Approved
SEP 15 1947
MARK R. KULP
State Reclamation Engineer

State of Idaho
Department of Water Administration

WATER RIGHT LICENSE

License of Water Right No. 20169/67-2394 Priority June 1, 1965 Amount 0.40 cfs

THIS IS TO CERTIFY, that LEE THORSON
of Weiser, Idaho, has complied with the terms and conditions of Permit
No. 20169/67-2394 issued pursuant to Application for Permit dated September 8, 1947,
and has submitted proof to the Department of Water Administration on June 8, 1971 (late proof),
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 0.48 cfs of water from a spring & Robinson Creek,
tributary to Fourth of July Creek, and that the permit holder has applied to a beneficial use &
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Domestic</u> from <u>Jan. 1</u> to <u>Dec. 31</u> at <u>0.002</u> cfs and <u>2.4 acre feet (spring)</u>			
<u>Fish Prop.</u> from <u>Jan. 1</u> to <u>Dec. 31</u> at <u>0.40</u> cfs and <u>5.0 acre feet</u>			
			<u>(Robinson Creek)</u>
	from to at cfs and		
	(both dates inclusive)		

Subject, however, to the condition that no more than 0.40 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
7.4 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 12,
Twp. 14 N, Rge. 6 W, B. M. in the County of Washington

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
14 N	6 W	12		X															

Total number of acres irrigated _____

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

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 3 day of
October, 19 73.

Director

No 538

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county aforesaid, and in the vicinity of Weiser; that the ad-
vertisement, a copy of which is attached hereto, was pub-
lished in said newspaper once a week for 2 consecu-
tive weeks in the regular and entire issue of said paper dur-
ing the period and time of publication, and was published in
the newspaper proper and not in a supplement; that said
paper has been established and regularly published for more
than seventy-eight consecutive weeks prior to the date of
first publication of said advertisement.

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July 8, 1971, and ending
with the issue of July 15, 1971.

Dorothy A. Barth
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Notary Public, Residing at Weiser, Idaho.

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T. 14N, R. 6W, B.M., Wash-
ington County, to be used for
domestic purposes and fish pond
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Proof of the application of
the water to beneficial use was
submitted to the Department on
June 8, 1971. Any protest
against the issuance of the
license for the above referenc-
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the Idaho Dept. of Water Admin-
istration, Statehouse, Boise,
Idaho, 83707, within ten (10)
days of the last date of
publication of this notice.

R. KEITH HIGGINSON
Director

Published in the Weiser
Signal, Weiser, Idaho, on July
8th and July 15th, 1971. 32-2s

RECEIVED
JUL 22 1971
Dept.

67 2394

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 20169/69-2042)

IN THE NAME OF LEE THORSON)

ORDER

WHEREAS, on September 8, 1947, Lee Thorson applied to the Department of Water Administration (formerly the Department of Reclamation) for a permit to appropriate 0.4 cubic feet per second of water from a spring (0.1") and Robinson Creek (20.0") from a point within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 12, T. 14N, R. 6W, B.M., Washington County, to be used for domestic and fish pond purposes; and,

WHEREAS, on September 15, 1947, the Department approved the application and issued Permit No. 20169 with the condition that one-fifth of the work be completed on or before March 15, 1949; and that the whole of said work be completed on or before September 15, 1950; and that the water be appropriated to a beneficial use on or before September 15, 1953; and,

WHEREAS, proof of completion of works was made on September 14, 1950; and,

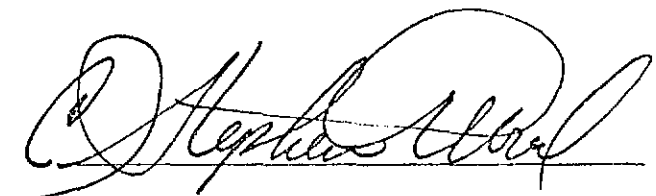
WHEREAS, on May 10, 1971, the Department notified the permit holder that Permit No. 20169/69-2042 was subject to cancellation for failure to submit proof of beneficial use of water due on September 15, 1953; and,

WHEREAS, proof of beneficial use of water was received by the Department on June 8, 1971; and,

WHEREAS, Section 42-218a of the Idaho Code provides that in the event that proof of beneficial use is submitted after the deadline set forth in the conditions of approval, the priority date of such permit shall be advanced the same number of days that said proof is late;

IT IS, THEREFORE, HEREBY ORDERED that the priority under Permit No. 20169/69-2042 be advanced to June 1, 1965.

Dated this 10th day of June, 1971.



C. STEPHEN ALLRED
Deputy Director

BDF:DR

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 20169/69-2042)
in the name of LEE THORSON)
_____)

ORDER MODIFYING REQUIREMENTS
FOR COMPLETION OF PERMIT TO
APPROPRIATE WATER

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

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

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

WHEREAS, Permit No. 20169 was issued previous to that date;

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

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

Dated this 10th day of June, 1971.


C. STEPHEN ALLRED
Deputy Director

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Identification No. _____

Permit No. _____

RECEIVED
JUN 8 1971
Department of Water Administration

1. a) Name of Permit Holder Lee Thorson
b) Post Office Address Route #1, Weiser, Idaho, 83672
2. Permit Number 20169/69-2042
3. Date of Priority that you are prepared to establish 9-8-47
4. a) Source from which water was appropriated spring for domestic and Robinson Cr. for fish pond
b) Location of the point of diversion: NW 1/4 NE 1/4, Section 12
Township 14 N, Range 6 W, Boise Meridian, Other points of diversion:
5. a) The amount of water and use to which the water has been applied:
amount 10.1" for domestic purposes from Jan. 1 to Dec. 31 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount 20.0" for fish pond purposes from Jan. 1 to Dec. 31 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 20.1 inches cfs and/or acre feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: _____
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: _____
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) _____
b) Describe the type and size of measuring device which you have installed at your point of diversion: _____
c) Give well drillers name and address and date the well was completed _____

exam typed 9-24-71

67-2042

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use NW¹/₄NE¹/₄ Sec. 12, T. 14N, R. 6W, B.M.

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

TWP.	RANGE	SEC.	INE 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	

Total number of acres irrigated _____

10. Remarks: _____

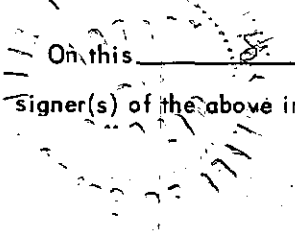
The above information is a true statement of the extent to which the above numbered permit has been developed.

6-8-71
(Date)

Lee Thorson
(Signature)

State of Idaho)
County of Ada) ss.

On this 8 day of June, 19 71, personally appeared before me the
signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.



Donald W. Eldredge
Notary Public residing at Boise, Idaho

My commission expires 2-18-74

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

~~67-2043~~
67-2394

Application No. 27774
Permit No. 20169
District No.

1. Name of Applicant: LEE THORSON

Postoffice address: Route 4, Weiser

County: Washington

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: 20.1 inches ; ~~cubic-foot-per-second-~~

land; 20" from Robinson Creek

3. Source of water supply: 0.1" from spring on Forest Service/ which is a tributary of Fourth of July Creek, which is tributary to Mann's Creek

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 12 , T.14 N. , R.6 W. , B.M., County of Washington

5. Water is to be used for 0.1" from spring for domestic; 20" from Robinson Creek for fish pond

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: \$ 2,500.00

8. Kind of works: Dam on stream for fish pond. Box and pipe from spring

9. Height of dam 10 feet; length of dam at top 70 feet; length of dam at bottom 12

feet; material used in dam: Rock and clay

4' X 12' spillway- rock bottom

10. Size of headgate: Width 15" pipe feet; height feet;

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

dimensions of flume:

Diameter of pipe 3/4 inch pipe from / spring inches; length of conduit miles.

Average grade per mile feet.

12. The time required for the completion of such work is Three (3) years.

13. The time required for the complete application of the water to the proposed use is Three (3) additional years.

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

14-A. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:

15. (a) Is reservoir to be used? If so, fill in (b) and (c) below.
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

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

LEE THORSON *Applicant.*

By

Agent.

Date of first receipt at Department of Reclamation: 4:50 P. M. September 8, 1947

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 20169

Recorded in Book 72

Page 201.69

Approved September 15, 1947

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ _____ to be filed on or before _____

Work to begin on or before November 15, 1947

and to continue diligently and uninterruptedly to completion,

unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before March 15, 1949

The whole of said work to be completed on or before September 15, 1950

Beneficial use of water appropriated in accordance herewith, to be made on or before September 15, 1953

Witness my hand this 15th day of September , 1947

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, C. A. ROBINS, Governor of the State of Idaho,
and J. D. "CY" PRICE, Secretary of State of the State of Idaho, have caused this instrument to
be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this.....

day of _____, 19____

STATE OF IDAHO

Countersigned:

(SEAL)

By J. D. "CY" PRICE

By — — — C. A. ROBINS

Governor,

Secretary of State.

Remarks: This water is to maintain a small fish pond (approx. 3 acres); and the water from the spring is for a summer home.

14.

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	
			Permit No. 20169 CERTIFICATE OF COMPLETION OF WORKS TO ALL WHOM IT MAY CONCERN: This is to certify that LEE THORSON of Rt. 4, Weiser, County of Washington, and State of Idaho, the holder of Permit No. 20169, issued upon Application No. 27774 bearing date of priority of September 8, 1947, authorizing the diversion of 20.1 inches of the waters of a spring (0.1") and Robinson Creek (20"), County of Washington, State of Idaho, for domestic (spring) and fish pond 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 20.1 inches of the waters of said spring and Robinson Creek; that the point of diversion of said waters is in the NW¹/₄ NE¹/₄ Section 12, Township 14 North, Range 6 West, B.M. and that the place of use of said waters, both for the lawn irrigation and fish pond is in the NW¹/₄ NE¹/₄ Section 12, Township 14 North, Range 6 West, B.M. Witness my hand this 26th day of September, A. D. 1950. Proof of Completion of Works made September 14, 1950. Certificate of Completion of Works issued September 26, 1950. MARK R. KULP State Reclamation Engineer																

WATER RIGHT NUMBER 67-2394

OWNER LAST NAME - THORSON ✓

FIRST NAME - LEE ✓

ORIG OWNER -

ADDRESS LINE 1 -

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - WEISER ✓

STATE - ID ZIP CODE -

SOURCE - SPRING ✓

TRIBUTARY OF - FOURTH OF JULY CREEK ✓

SOURCE - ROBINSON CREEK ✓

TRIBUTARY OF - FOURTH OF JULY CREEK ✓

STAGE - LICENSE

STATUS -

PRIORITY - 06-01-1965 ✓ COUNTY - WASHINGTON TOTAL DIV. RATE - .4000 -CFS

TOTAL DIV. VOLUME -

7.40 AFA TRFR/AMEND -

WATER DIST. - 67 ✓ DLE/CAREY ACT - RIGHT BASIS -

DIVERSION POINT - NWNE 12 14N 06W LOT REDIV -

0.0 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 - .0020 CFS USE DIV. VOLUME - 2.40 AFA

FROM - 01-01 TO - 12-31 USE - FISH PROP.

USE DIV. RATE - .4000 CFS USE DIV. VOLUME - 5.00 AFA

USE - DOMESTIC ✓

PLACE OF USE - TWN 14N RNG 06W SEC 12 TRACT NWNE LOT AC

DECREE NAME -

DATE - TOTAL ACRES 0

REMARKS -

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED =

HEARING -

OLD NO. - 20169 ✓

PROOF MADE - FLD EXAM - COND. OF APPROVAL -

DIVERSION MEANS -

9/78

IDENT. NOT

IDENT. NO. 67-2394

ID A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG[illegible]

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION



Cecil D. Andrus
Governor
R. Keith Higginson
Director

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

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

October 15, 1973

Re: Permit No. 20169/67-2394

Lee Thorson
Route 1
Weiser, Idaho 83672

Dear Mr. Thorson:

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

Sincerely,

BOBBY D. FLEENOR
Assistant Director

jfr

Enclosure

67 2394

September 14, 1973

Mr. Lee Thorson
Route 1
Weiser, Idaho 83672

Dear Mr. Thorson:

A representative of this Department has made an examination of the works covered by your Permit No. ~~20169/67-2394~~ and has found the following:

Quantity of water diverted: 0.48 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 0.40 cfs

The maximum quantity diverted shall not exceed 7.4 acre feet per year.

Beneficial use: ~~Domestic purposes and Fish propagation within the NW1/4NW1/4 Sec. 12, Twp. 14 N, Rge. 6 W, B.M.~~

~~Source: spring & Robinson Creek~~

Point of diversion: ~~NW1/4NW1/4 Sec. 12, Twp. 14 N, Rge. 6 W, B.M.~~

Priority date established: June 1, 1965

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

Sincerely,

BOBBY D. FLEENOR
Assistant Director

67 2394

BDF/bjg

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

1. Name of permit holder Lee Thorson
Postoffice address Route 1, Weiser, Idaho Phone 549-0192
Person to contact _____ Phone _____

2. Source of water supply: Groundwater ☐ Surface water ☒ Spring & Robinson Creek
(name spring, stream, etc.)
Tributary to North Fork Snake Cr.

3. Water will be used for the following purposes:

Amount 20.1 c.f.s. for Domestic and Fish pond purposes
_____ AF/Annum (nature of use)

Period of Use: from January 1 to December 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: _____

4. Total amount to be appropriated:

Max Rate of Diversion 20.1 cubic-feet-per-second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 14 N/S, Range 6 E/W, B.M., Section 12, Subdivision NW 1/4 NE 1/4, _____
County _____

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____
County _____

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____
County _____

Other Points of Diversions: _____

Description of diverting works: N.A.

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	
14N	6W	12		X															

New # 67-2394

Permit No. 69-2042/20169

Examination for B/U

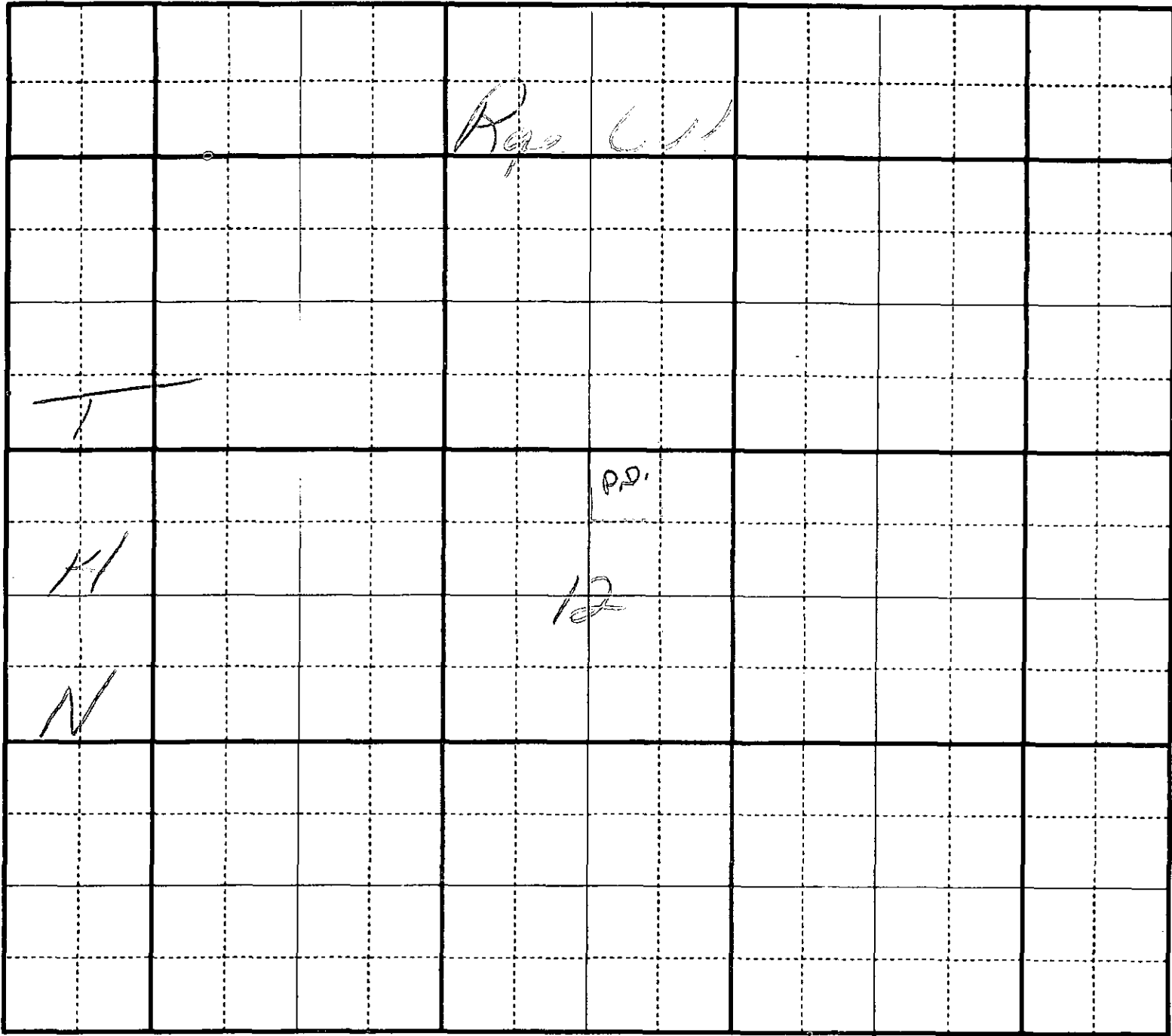


Diagram of System

DATE	EXAMINATION RECORDS
	by: _____
	by: _____
	by: _____
	by: _____

DATE OF EXAM July 9, 1973

ACREAGE

Found
Recommended

Irrigation Requirement Ac Ft/Ac

USE

Irrigation Q = c.f.s. V = AF/Ann. from to
Domestic Q = .08 c.f.s. V = 2.4 AF/Ann. from 1/1 to 12/31
Livestock Q = c.f.s. V = AF/Ann. from to

Storage for fish pond Q = 4 cfs, V = 5.0 AF/Ann. 1/1 12/31

Is water co-mingled? yes no ✓

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

Exchange? yes no ✓

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

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

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

Total Q measured N/A Method of measurement

Total Q recommended 0.48 cfs Meter No. Type Condition

Total V recommended 7.4 AF/Ann

Recommended Amendments:

P.D.
Place of Use
Other
None ✓

MEASUREMENT CALCULATION:

SYSTEM DESCRIPTION:

Pipeline from springs to cabins for domestic use & lawns.
Fish Pond (Approx 3 Ac. Surface Area holding approx 5 AF.) with 3'x5'
x 8' concrete spillway into creek. Pond fills from
spring runoff & various unnamed creeks running
into it.

REMARKS:

Examiner's Signature McClayne Barron Date 7/9/1973

Checked by Date

Approved by Date

August 2, 1971

Re: Permit No. 20169/69-2042

C
Mr. Lee Thorson
Route # 1
Weiser, Idaho 83672

Dear Mr. Thorson:

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

P
Before a license can be issued, a field examination must be made by a representative from 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.

Very truly yours,

Y
Donald W. McEldowney
Appropriation Supervisor

DWM:DR

67 2394

June 29, 1971

Re: Permit No. 20169/69-2042

Mr. Lee Thorson
Route #1
Weiser, Idaho

Dear Mr. Thorson:

The legal notice for the above-referenced permit is being published in the
Weiser Signal, Weiser, Idaho on July 8th
and July 15th, 1971.

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

Thank you for your cooperation in this matter.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/BB

67 2394

June 29, 1971

Re: Permit No. 20169/69-2042 - Lee Thorson

The Weiser Signal
P. O. Box 709
Weiser, Idaho

Gentlemen:

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

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

The expense of the publication is to be paid by Lee Thorson, Route #1,
Weiser, Idaho 83672, to whom you should furnish
an affidavit of publication.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

67 2394

DWM/BB

Enc: legal notice

REF ID: A66087

571

Department of Water Administration

September 15, 1947

NW & NE

above description

~~notice on or prior to the date of the hearing.~~

~~The Commission may commence proceedings for the revocation of the license~~

~~to the date the license is due without further notice.~~

Director

on July 8th and July 15th, 1971

Permit No. 20169/69-2042

Director:

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

(Signature)

(Address)

(Date)

~~67 2394~~

June 17, 1971

Re: Permit No. 20169/69-2042

Mr. Lee Thorson
Route 1
Weiser, Idaho 83672

Dear Mr. Thorson:

We acknowledge receipt of your affidavit submitted as proof of beneficial use for the above referenced permit. Enclosed you will find an Order which advances the priority under this permit to June 1, 1965.

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

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

If you have any questions or if we may be of further assistance, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR
Enc: Orders (2)
Adv. authorization

67 2394

May 24, 1971

Re: Permit No. 69-2042

Mr. Lee Thorson
Route #4
Weiser, Idaho 83672

Dear Mr. Thorson:

Under the terms and conditions of approval, Permit No. 20169/69-2042, the permit holder was required to submit proof of beneficial use, stating the amount of water that had been applied to beneficial use as well as other information. If they fail to submit the required proof, this means that no water right has been established under the permit.

The permit holder may, at this time, submit proof of beneficial use and accept a reduced priority, or may allow the permit to be cancelled and file a claim to a water right. We are enclosing a beneficial use form and claim to a water right form. A personal appearance would not be necessary in connection with this matter so long as either the proof of beneficial use is received before the date on the pre-cancellation order or that the claim to a water right is filed and the permit is allowed to be cancelled.

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

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/bb

Enc: b/u form
claim form

67 2394

RECEIVED

Weiser, Idaho
May 12, 1971

MAY 13 1971

Department of Water Administration

State of Idaho
Department of Water Administration
Statehouse--Annex 2
Boise, Idaho 83707

Permit No. 20169-69-2042

Attention R. Keith Higginson:

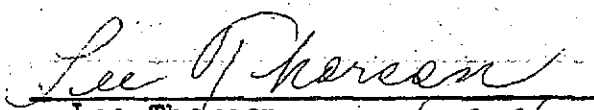
I have just received your certified letter concerning the above permit. I do not understand the statement made therein, "failure to submit proof of beneficial use of water due on September 15, 1953."

Apparently I have overlooked complying with some regulation concerning this permit. However, I do not know what this procedure was and will appreciate information as to what is necessary at this time to keep the permit in good standing.

If there are forms to be completed, please forward same. If it is necessary for me to make a personal appearance before the Director of the Department of Water Administration I will be glad to do so.

In other words, please advise me what is necessary at this time to protect this Permit. I will appreciate prompt information so the matter can be taken care of within the time specified.

Thank you.


Lee Thorson,
Route # 1
Weiser, Idaho 83672

67 2394

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S).
REQUIRED FEE(S) PAID.

☐ Show to whom, date and address
where delivered

☐ Deliver ONLY
to addressee

RECEIPT

Received the numbered article described below.

REGISTERED NO.

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

CERTIFIED NO.

31237

1

Lee Hoover

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

Ernest Hoover

DATE DELIVERED

SHOW WHERE DELIVERED (only if requested)

3

5-11-77

67 2394

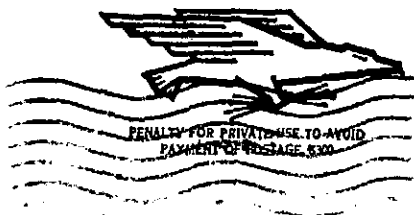
69-2092

c55-16-71848-11 847-108 GPO

**POST OFFICE DEPARTMENT
OFFICIAL BUSINESS**



POSTMARK OF DELIVERING OFFICE



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

Print your name and address below. If you want to restrict delivery, or to have the address of delivery shown on this receipt, check block(s) on other side. Moistened gummed ends and attach this card to back of article.

**RETURN
TO**



67 2394

**DELIVERY POINT OF ORIGIN
SINGLE COPY - 1/2
BOISE, IDAHO 83702**

POB-Form 3811 Apr. 1969 c55-16-71548-11

May 10, 1971

CERTIFIED MAIL #31237

Re: Permit No. 20169 (New No. 69-2042)

Lee Thorson
Route 4
Weiser, Idaho 83672

Dear Mr. Thorson:

It appearing to the Department of Water Administration that the terms and conditions of Permit 20169/69-2042 to appropriate the public waters of the State of Idaho have not been complied with as to failure to submit proof of beneficial use of water due on September 15, 1953, you are hereby notified that under the provisions of Section 42-311, Idaho Code, as amended, said permit is hereby held for cancellation, and you are required to show cause before the Director of the Department of Water Administration on or before June 19, 1971, why said permit should not be cancelled.

Permit 20169/69-2042 claims the use of 0.1" of water from a Spring and 20" of water from Fourth of July Creek, the points of diversion were to be located within the NW 1/4 of Sec. 12, T. 14N, R. 6W, B.M., and the permit was approved September 15, 1947.

R. Keith Higginson

R. KEITH HIGGINSON
Director

67 7394

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

DEPARTMENT OF RECLAMATION

Mr. Lee Thorson
Route 4
Weiser, Idaho

Boise, Idaho

July 1, 1953

Dear Sir:

We enclose herewith blank notice for proof of application of water to beneficial use under your Permit No. 20169. This notice should be filled out in duplicate and returned to this office at least 40 days before the date upon which you wish to make this proof, in order to allow time for the four weeks' publication required by law.

This proof must be submitted before a Notary Public or other officer authorized by law to administer oaths.

The date for proof, as set out in your permit, is not later than September 15, 1953, and if proof is submitted later than said date, your priority will be brought down a length of time equal to the time elapsing between the date the proof is due and the date proof is actually made.

Very truly yours,

MARK R. XULP

State Reclamation Engineer

20169

20169

October 4, 1950

Mr. Lee Thorson
Route 4
Weiser, Idaho

Dear Mr. Thorson:

In response to a request that your reservoir be inspected for safety because of its location in respect to a sawmill, county road, picnic ground and other property downstream, and the dangers involved in case it should fail, I made an inspection on October 2, 1950.

On returning to this office I looked up your filings, and find that you have no filing on this dam and reservoir as presently constructed. You do have a direct flow permit, No. 20369, for twenty inches of water from Robinson Creek, for a fish pond, the dam for which is ten feet high and seventy feet long.

Dams ten feet high and under do not carry the same restrictions under the law as to those that are higher. Plans and specifications for dams over ten feet high must be submitted to this department and receive approval before construction. Apparently you have built your dam higher than at first intended, or you did not understand the filing regulations. This, however, will not excuse you in case of dam failure.

Your dam has fourteen feet of water, which makes it considerably over ten feet high. It remains full of water, which makes an additional strain on it, and there is a definite plane of leakage through the dam.

In view of these facts, your best move now is to partially drain by removal of the flash-boards in the spillway, or opening of the dam.

This letter is a definite order from this Department for the immediate removal of flash-boards in the spillway, and the reduction of stored water to that amount impounded below the level of the spillway. The stored water in the pond shall not then be increased without complying with the laws of Idaho as they pertain to such dams and reservoirs.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

By
E. N. Humphrey
Deputy State Reclamation Engineer

N/A

20169

REPORT ON LEE THORSON'S RESERVOIR

At the request of Fred Sargent of the Weiser National Forest an inspection of this reservoir was made August 23, 1950. The request was made because the dam showed signs of weakening. If the dam should fail the safety of several families, a saw mill, a road, and a camp ground would be imperiled.

Mr. Thorson filed on this site September 8, 1947 and was given a permit, no. 20169, to build this dam. The dimensions of this dam was to be 10' high, 70' long, and the pond was to cover approximately 3 acres.

The dam is located on Robinson Creek, a tributary to 4th of July Creek, which is a tributary to Mann Creek. It is located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 12, T.14 N., R.6 W., Washington County.

The existing dam is approximately 15' high, 85' long, with a top width of 7'. The upstream slope is 3:1 and the downstream slope is 2:1. Freeboard is 2'. The outlet pipe is 14" in diameter and has a vertical gatelift at the upper end. The catwalk leading out to the gatelift was submerged and appeared to be quite rickety. The lake formed by the dam covers about 3 acres.

It appears that Mr Thorson raised an old logging road fill from 8' to its present height of 15'. A distinct seam is noticeable on the downstream side where the new fill was added to the old. Starting at the center of the dam this seam leaks water all of the way to the right abutment. This section of the fill has saturated so as to make it mucky. A few large boulders have been placed on this section but will not stop the fill from sluffing when and if a sluffing should occur. The fill has not sluffed as yet but the saturated section will not support the weight of a man.

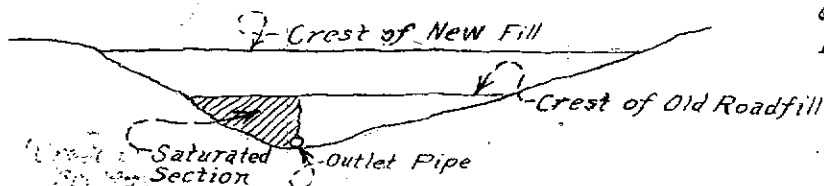
The spillway is a concrete structure, the walls of which are from 6" to 7" thick. The opening in the spillway is 8' wide and 30" deep but at the present time about 2' of flashboards are inserted. The foundation appears to be placed on solid material, but the structure is placed in the middle of an 80' fill that has a 9' top width. The spillway is placed about 200' from the dam in a low saddle.

Some of the pressure on the dam could be relieved by removing the flashboards from the spillway.

It recommended that this dam be put in a safe condition either by repairing the leak or by lowering the water level in the reservoir.

This reservoir is used for a fish pond.

Alfred G. Larson
Alfred G. Larson



SKETCH OF DAM
Looking Upstream

20169

met Johnson

Thoreson was over hill
working on a road.

told to pull boards out of
spill way.

✓
September 27, 1950

Re: Permit No. 20169

Mr. Lee Thorson
Route 4
Weiser, Idaho

Dear Mr. Thorson:

We enclose Certificate of Completion of Works issued on your Permit No. 20169 for the diversion of 0.1 of an inch of water from a spring for domestic use, and 20 inches of water from Robinson Creek for a fish pond, with point of diversion in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 12, Township 14 North, Range 6 West, B.M. and place of use in the same subdivision.

We also enclose Departmental Receipt No. 22690 for the \$5.00 fee paid in connection with this proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh
Enc.

20169

Permit No. 20169

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

RECEIVED
SEP 15 1950
Department of Reclamation

STATE OF IDAHO

County of Washington

ss.

Lee Thorson, 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. 20169, and that his postoffice address is Weiser

State of Idaho

Second: That the name of the stream which said water is to be directed is a spring on East side of Robinson Creek, and from Robinson Creek

Third: That the point of diversion of said water is NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 12, Twp. 14 N., Range 6 WBM in Washington County, Idaho

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by September 15, 1950.

Fifth: That the use for which said water is intended is Domestic use from spring, and from Robinson Creek for fish pond

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

I. Kind of works Cement box at headgate and 300 feet of 2" to 3/4" pipe
(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 width at bottom feet, width at water line
(State whether ditch, flume or pipe)

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

Seventh: That said works are capable of conducting to the place of intended use 20" from ~~1 second feet of water~~ Robinson Creek, and 0.1 inch from spring.

Eighth: That water appropriated under said permit is available for acres of land described as follows: Sufficient for dwelling and lawn, and also for small fish pond. Both located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 12, Twp. 14 N., Range 6 W., B.M.

Ninth: Remarks: That

Lee Thorson
(Sign Here)

Subscribed and sworn to before me this 14th day of September, 1950

My commission expires January 1, 1954

Notary Public.

20169

September 15, 1950

Re: Permit No. 20169

Mr. Lee Thorson
Route 4
Weiser, Idaho

Dear Mr. Thorson:

We acknowledge receipt of your Affidavit in Proof of Completion of Works under Permit No. 20169, accompanied by your check for the \$5.00 fee.

We note, however, that while this Permit is for .1 of an inch of water from a spring for domestic purposes, and 20 inches from Robinson Creek for a fish pond, you are only making proof on the water diverted from the spring for domestic use. We assume that you do not intend to proceed with diversion of the water from Robinson Creek for a fish pond.

However, your affidavit is not quite complete in that it does not describe the place of use by subdivision, Section, Township and Range as called for under Question 8; also under Question 3, you describe the point of diversion in the NE $\frac{1}{4}$ of Section 12. It should be shown to the forty acre subdivision, which the Permit gives as the NW $\frac{1}{4}$ NE $\frac{1}{4}$.

We return the deposition for the above corrections.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh
Enc.

20169

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Mr. Lee Thorson
Route 4
Weiser, Idaho

Boise, Idaho July 1, 1950

Dear Sir:-

Under the terms of your permit No. 20169-----you are required to complete your diversion works on or before Sept. 15, 1950----- I enclose herewith 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.

Yours truly,

MARK R. KULP

State Reclamation Engineer

20169

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

D E P A R T M E N T O F R E C L A M A T I O N

B O I S E

Permit No. 20169

Date September 19, 1947

Dear Sir:

We enclose herewith the above numbered permit. BE SURE AND
NOTE LIMITATIONS AND CONDITIONS OF SAME as given under approval of the
State Reclamation Engineer, on the fourth page.

Mr. Lee Thorsen
Route 4
Weiser, Idaho

MARK R. KULP
State Reclamation Engineer

20169

Twp. 14N. R. 6W. B.M.

Small 3 acre lake

Robinson Cr.

Spring and
Point of diversion
Place of
use for
spring waterwill use approx
200' of 1" pipe.

1/2

To 4th July Creek.

To Mann's Creek.

From 1/4 corner of Section 18/12 the place of
use (domestic) lay S 25° 00' E. 822.0' to
NW corner of a 4.05 acre tract owned by
Mr Thorson. It was formerly part of
Patented mining claim Independence #2.

Township 14 N. Range 6 W. B.M.

Small 3 Acre Lake
Robinson Creek
Tributary to
4th of July
Creek - Tributary
to Mann's Creek
Place of
use for
spring
water
Spring & Point of
diversion
Will use approx.
200' of 1" Pipe

From $\frac{1}{4}$ corner of sections 1 & 12 the place of
use (Domestic) is S 25° 00' E. 822' 0" to N.W.
Corner of 4.05 Acre tract owned by Mr.
Thorson. It was formerly part of patented
Mining Claim Independence #2.

Permit Map No. 20169

As Approved
SEP 15 1947

MARK R. KULF
State Reclamation Engineer