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Department of Reclamation

APR 11 1969

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Department of Reclamation

Public Notices

NOTICE OF PROCEDURE FOR ISSUANCE OF LICENSE UNDER PERMIT NO. R-1182

Notice is hereby given that the United States of America, Bureau of Reclamation, Department of Interior, P. O. Box 8008, Boise, Idaho, has heretofore been issued a permit, No. R-1182 to store 5000 acre feet per annum from Mann Creek tributary of the Weiser River. The priority established under this permit is January 30, 1964. The water will be diverted by a dam and reservoir within the channel of Mann Creek (SE 1/4 NE 1/4, Sec. 11, T. 12 N, R. 5 W, B. M.), Washington County, Idaho. The water is to be used for irrigation in the 4700 acres lying within the Mann Creek drainage basin and approximately bounded on the north by the Joslyn Ditch; the east by the Joslyn and Mann Creek Ditches; the west by the Otto Cromwell, Lolley, Hanna, Gilderay-Lynch, and Jefferson-Ohms Ditches; and on the south by the Galloway Ditch. It will also be used in the 850 acres lying approximately within the Monroe Creek drainage below the existing Monroe Creek Feeder Canal, above the Galloway Ditch and bounded on the east and west by existing ditches. Pursuant to the rules of practice and procedure adopted by the Department of Reclamation on August 1, 1968, proof of beneficial use, issuance of license and fees of the Department of Reclamation under this permit will be determined under the procedures adopted in Chapter 374, General Laws of the State of Idaho, 1967.

Any protest must be filed with the Department of Reclamation, State of Idaho, Boise, Idaho, within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer
Published in the Upper Country
News-Reporter, Cambridge, Idaho,
on March 27, and April 3, 1969.

Sate of Idaho
County of Washington } ss.

Stuart Dopf, being first duly sworn, deposes and says that he is the publisher, foreman, principal clerk, of THE NEWS-REPORTER, a weekly newspaper published at Cambridge, Washington County, Idaho, and that said paper has been published continuously for more than 78 weeks immediately preceding the first publication of the attached notice; that said paper is in general circulation in the county aforesaid and in the vicinity of Cambridge, Idaho; that the notice, a copy of which is attached hereto, was published in said newspaper once a week for two consecutive weeks in the regular and entire issue of every number thereof during the period and time of publication, and was published in the newspaper proper and not in a supplement thereto; that the publication of said notice began with the issue of March 27, 1969, and ended with the issue of April 3, 1969.

Stuart Dopf

Subscribed and sworn to before me this

12th day of April, 1969.

Robert S. Wood

Notary Public for Idaho, residing at
Cambridge, Idaho

AID
APR 23 1969
Sec. No. _____

R-1182

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. R-1182/67-2389 Priority Jan. 30, 1964 Amount 5,000 acrefeet

THIS IS TO CERTIFY, that the U.S. BUREAU OF RECLAMATION
of Boise, Idaho, has complied with the terms and conditions of Permit
No. R-1182/67-2389 issued pursuant to Application for Permit dated January 30, 1964,
and has submitted proof to the Department of Water Resources on January 5, 1973,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the storage of 5,000 acre feet of water from Mann Creek,
tributary to the Weiser River, 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
Storage for Irrigation	from <u>Jan. 1</u> to <u>Dec. 31</u> at <u>-</u> cfs and <u>5,000 acre feet</u>		
	from <u> </u> to <u> </u> at <u> </u> cfs and <u> </u>		
Irrigation	from <u>March 15</u> to <u>Nov. 15</u> at <u>-</u> cfs and <u>5.0 acre feet per acre</u> (both dates inclusive)		

Subject, however, to the condition that no more than 5,000 af of water be stored at any one time, and
that the amount of water so stored 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
5,000 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 11,
Twp. 12 N, Rge. 5-W, B.M. in the County of Washington

Description and location of place of use:

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
(1)	4700	acres	lying within the Mann Creek drainage basin and approximately bounded on the north by the Joslyn Ditch; the east by the Joslyn and Mann Creek Ditches; the west by the Otto-Cromwell, Lollev, Hanna, Gilderay-Lynch, and Jefferson-Ohms Ditches; and on the south by the Galloway Ditch.																
(2)	850	acres	approximately lying within the Monroe Creek drainage below the existing Monroe Creek Feeder Canal, above the Galloway Ditch and bounded on the east and west by existing ditches.																

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 25 day of
November, 19 75.

Director

APPLICATION FOR PERMIT

To Construct a Reservoir and Appropriate and Store
The Public Waters of the State of Idaho

Application No. R 39854
Permit No. R 1182

United States of America, acting through the Regional Director,

1. Name of Applicant: Region 1, Bureau of Reclamation, Department of Interior

Post office address: P. O. Box 937, Boise County Ada State Idaho

I. If applicant is a corporation, give:

(a) Date and place of incorporation:

(b) Amount of Capital Stock: \$

(c) Amount paid in: \$

(d) Names and addresses of directors:

II. The financial resources of the corporation are:

(a) Cash on hand: \$

(b) Treasury Stock: \$

(c) Bonds to be issued: \$

(d) Other resources:

2. Quantity of water to be stored: 5000 acre feet per annum.

3. Source of water supply is Mann (Creek) (River) (Spring), a tributary of Weiser River.

4 The outlet of the proposed reservoir is located N. 03° 40' E. 2240 feet, distant from the NE corner of Section 11, Township 12 N., Range 5 W., B.M. and is in the SE 1/4 of NE 1/4 of Section 11, Township 12 N., Range 5 W., B.M. County of Washington

5. Fill out either (a) or (b).

(a) The reservoir is located in the channel of Mann (Creek) (River) (Spring)

(b) The reservoir is to be filled through a feeder canal, the point of diversion for which is located feet distant from

the corner of Section, Township, Range, B.M., and is in the 1/4 of 1/4 of

Section, Township, Range, B.M.; width at bottom feet, width at top

feet, depth of water feet; average grade per mile feet; Capacity cubic feet per second

6. (a) The area of the high water line of the reservoir is 340 acres.

(b) The reservoir capacity is 15,000 acre feet.

7. Height of reservoir dam about 135 feet above stream bed up and downstream 3 feet
feet, length at top 1200 feet, length at bottom 660 feet, size of outlet 3 feet

The dam is to be constructed of materials as follows: Earthfill, composed of pervious rolled earthfill section, overlain by sand and gravel with a pervious cover of cobble and rockfill.
(If height will exceed 10 feet, plans must be approved by Department of Reclamation, before beginning construction.)

8. (a) Will water stored in reservoir be diverted to canal or aqueduct, thence to land to be irrigated without commingling with natural flow of Mann

to Mann Creek for various existing downstream diversions. (Creek) (River) (Spring) 20 cfs will be diverted directly to Joslyn Ditch, balance

(b) Water stored in reservoir will be carried in the channel of Mann (Creek) (River) (Spring) a distance

of variable miles to point of diversion located downstream from dam feet distant from the corner of Section

Township, Range, B.M., and in the 1/4 of 1/4 of Section Township, Range

, B.M.

9. (a) Area of watershed above dam site 56 square miles.

(b) Estimated maximum flow of stream 1540 (max. flow of record 1937-62) cubic feet per second.

10. Water is to be used for irrigation purposes.

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

(a) Point of use of water feet, distant from Corner of Section, Township, Range

(bearing) B.M., and is in the 1/4 of 1/4 of Section, Township, Range, B.M.

(b) Amount of power generated: H.P., under feet head.

(c) Water is to be returned to (Creek) (River) (Spring) at a point feet

distant from the corner of Section, Township, Range, B.M. in

the 1/4 of 1/4 of Section, Township, Range, B.M.

12. Water stored in accordance with this Permit will be carried to place of use through a canal heretofore constructed under the terms of Permit No. 7, various private diversion rights

which is hereby referred to and made a part hereof.

13. Kind of diversion works:

(Dam, canal, flume, pipe, etc.)

14. Height of diversion dam: feet, length at top feet, length at bottom feet. The dam is to be constructed

of materials as follows:

(If height will exceed 10 feet, plans must be approved by Department of Reclamation, before beginning construction.)

15. Size of headgate: Width	feet, Height	feet.
16. Diversion Canal: Width at bottom	feet, width at water line	feet, depth of water
		feet, Dimensions of Flume
Diameter of Pipe	inches; Length of Conduit	miles. Average grade per mile
		feet.
17. Estimated Cost of Works: Storage Works: \$3,600,000	Diversion Works: \$	
18. Time required for completion of work	4	years.
19. Time required for complete application of water to proposed beneficial use is	5	years.
20. The land to be irrigated is described in the following tabulation:		

(Give Irrigable acreage in each 40-acre subdivision.)

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
			Total irrigable area to be served supplemental water is estimated at 5,550 acres. This is composed of two area described as follows: (1) 4700 acres lying within the Mann Creek drainage basin and approximately bounded on the ^{south} <u>mouth</u> by the Joslyn Ditch; the east by the Joslyn and Mann Creek Ditches; the west by the Otto Cromwell, Lolley, Hama, Gilderay-Lynch, and Jefferson-Ohms Ditches; and on the south by the Galloway Ditch. (2) 850 acres approximately lying within the Monroe Creek drainage below the existing Monroe Creek Feeder Canal, above the Galloway Ditch and bounded on the east and west by existing ditches. Attached USBR Drawing No. 354-125-52 shows the areas described above.																

Application No. R-26524, Permit No. R-696, approved January 29, 1941, covers an application and related 21. Existing rights and/or valid permits appurtenant to lands described above are / permit to construct a reservoir and store and appropriate the public waters of the State of Idaho. The reservoir described in the application was planned to have a capacity of ~~10,000~~ 10,000 acre-feet.

REMARKS: The current application is for 5,000 acre-feet of additional storage in the reservoir to be constructed under the provisions of Permit No. R-696. The reservoir is to be constructed on Mann Creek. Thus the total capacity of the reservoir will be 15,000 acre-feet, and the area that will benefit from this storage will be 4,700 acres on Mann Creek and 850 acres on Monroe Creek.

BE IT KNOWN That the undersigned hereby makes application for permit to construct a reservoir and appropriate and store the public waters of Idaho as herein set forth, and that the enclosed map is hereby made a part of this application.

United States of America, Department of Interior
Bureau of Reclamation....., Applicant.

By s/ H. T. NELSON....., Agent.

Date of first receipt at Department of Reclamation: 8:00 A.M. January 30, 1964
Returned to applicant for correction:
Corrected application received:

APPROVAL OF STATE RECLAMATION ENGINEER

The number of this permit is R 1182
Recorded in book R 5, page 1182. Approved February 24, 1964
This is to certify that I have examined the within application for a permit to construct a reservoir and appropriate and store 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 April 24, 1964 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.
One-fifth of the work above specified to be completed on or before February 24, 1966
The whole of said work to be completed on or before February 24, 1968
Beneficial use of water stored in accordance herewith, to be made on or before February 24, 1973
Witness my hand this 24th day of February, 1964.
s/ CARL E. TAPPAN
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLLIE, Governor of the State of Idaho, and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 24th day of February, 1964.

COUNTERSIGNED

STATE OF IDAHO

By s/ ARNOLD WILLIAMS Secretary of State.

(SEAL)

By s/ ROBERT E. SMYLLIE Governor.

ACTION OF STATE RECLAMATION ENGINEER
EXTENSION OF TIME

I, R. Keith Higginson, State Reclamation Engineer of the State of Idaho, hereby approve the above application for extension of time for Permit Nos. R-696 and R-1182, to February 24, 1969.

Witness my hand this 2nd day of January, 1968.

/s/ R. KEITH HIGGINSON
State Reclamation Engineer

WARNING

The pending transfer on this right is being held in abeyance until 7/1/1999 per Idaho Code, 42-1763B (effective 7/1/96) and Order Staying Proceedings dated 6/96.

NO FURTHER ACTION WILL BE TAKEN ON THIS RIGHT UNTIL 7/99!

Bill Text

H0704

|||| LEGISLATURE OF THE STATE OF IDAHO ||||
Fifty-third Legislature Second Regular Session - 1996

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 704

BY RESOURCES AND CONSERVATION COMMITTEE

AN ACT

RELATING TO INTERIM AUTHORITY FOR RENTAL OF WATER TO AUGMENT FLOWS DURING THE MIGRATION OF SNAKE RIVER SALMON; AMENDING CHAPTER 17, TITLE 42, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 42-1763B, IDAHO CODE, TO STATE LEGISLATIVE FINDINGS AND INTENT, TO PROVIDE WATER RENTALS, TO PROVIDE CONDITIONS ON WATER RENTALS, TO PROVIDE APPLICATION TO CERTAIN CONTRACTUAL OBLIGATIONS, TO PROVIDE EFFECTIVENESS CONTINGENT ON CERTAIN CONDITIONS OCCURRING AND TO PROVIDE A SUNSET CLAUSE.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Chapter 17, Title 42, Idaho Code, be, and the same is hereby amended by the addition thereto of a **NEW SECTION**, to be known and designated as Section 42-1763B, Idaho Code, and to read as follows:

42-1763B. INTERIM AUTHORITY FOR RENTAL OF STORAGE WATER TO AUGMENT FLOWS DURING THE MIGRATION OF SNAKE RIVER SALMON.

(1) Legislative findings and intent regarding rental of storage water from U.S. bureau of reclamation projects in the Snake River basin within Idaho to augment lower Snake River flows during the migration of Snake River salmon.

(a) The legislature finds that the U.S. bureau of reclamation requested the release of four hundred twenty-seven thousand (427,000) acre feet of water to augment salmon flows in order to satisfy the conditions of the biological opinion issued by the national marine fisheries service on March 2, 1995. The legislature authorizes the U.S. bureau of reclamation to release water from its projects under the limited conditions of this section in 1996, 1997, 1998 and 1999.

(b) It is the intent of the legislature to promptly consider the repeal of subsections (2) and (3) of this section in the event that the provisions of the biological opinion issued by the national marine fisheries service on March 2, 1995, related to the provision of flows for salmon from the Snake River basin above Brownlee Reservoir are modified or declared arbitrary, capricious or otherwise unlawful, or are set aside by any federal court.

(2) Rental of storage water from U.S. bureau of reclamation storage.

(a) Notwithstanding the legislative approval required in section 42-108, Idaho Code, any storage water release from U.S. bureau of reclamation reservoirs within the state of Idaho for

use to augment river flow during the migration of Snake River salmon pursuant to this section must be rented through the water bank operated by the Idaho water resource board pursuant to sections 42-1761 through 42-1764, Idaho Code, or through local water rental committees, created pursuant to section 42-1765, Idaho Code, under their respective water bank rules; provided however, that the agricultural preference provisions of local rental pool rules shall not apply to any uncontracted space rented by the U.S. bureau of reclamation pursuant to this section.

(b) For any rental of water pursuant to this section, the director shall not be required to determine under section 42-1763, Idaho Code, whether the water supply is sufficient for the purpose for which it is sought, whether the rental would cause the use of water to be enlarged beyond that authorized under the water right to be rented, whether such use is in the public interest, or whether such use is consistent with the factors enumerated under subsection (3) of section 42-401, Idaho Code.

(3) Conditions on storage water rentals.

(a) Any storage water made available under this section shall be obtained only from willing lessors. Any water rented under this section from reservoirs located within a basin having a local rental pool committee established pursuant to section 42-1765, Idaho Code, shall be rented pursuant to this section only through the local rental pool committee.

(b) Storage water made available under this section shall be limited to four hundred twenty-seven thousand (427,000) acre feet annually. These releases from storage shall be reduced by other water the U.S. bureau of reclamation provides for augmentation of salmon flows from the Snake River and its tributaries.

(c) In no event shall the release of water under this section cause the water surface of Cascade Reservoir to be below the elevation required to maintain a storage volume of three hundred

2

thousand (300,000) acre feet, fifty thousand (50,000) acre feet of which is dead space, which is currently estimated to be at an elevation of four thousand eight hundred nine and two-tenths (4,809.2) feet.

(d) The U.S. bureau of reclamation shall submit a report to the director by January 15 of each year describing the time, volume, and purpose of storage water released for salmon purposes during the past year and shall report on the plan for releases for the spring and summer chinook by April 1 and on the plan for releases for the fall chinook by July 15 of each year.

(e) All storage water rented from U.S. bureau of reclamation reservoirs under this section must be used for power production purposes within the state of Idaho.

(f) Nothing herein shall entitle the U.S. bureau of reclamation to rent storage water upon termination or expiration of the permission given in this section.

(4) Nothing in this section shall be construed to alter in any way the existing contractual obligations of the U.S. bureau of reclamation or to constitute a finding by the legislature that the rental or use of storage water for augmentation of flows for salmon migration is a beneficial use of water, that it is in the public interest, or whether such use injures existing water rights.

(5) This section shall not become effective until the

director certifies to the governor that the U.S. bureau of reclamation's applications to transfer water right numbers 4617, 4618, 4623, 4625, 4626, 4627, 4628, 4629, 4630, 4631, 4632, 4633 and 4636, and to amend water right permit numbers 25-07004 and 63-3618 will be held in abeyance until July 1, 1999.

(6) On and after January 1, 2000, this act shall be null, void and of no force and effect.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

June 5, 1996

The Honorable Philip E. Batt
Governor, State of Idaho
State Capitol
Boise, ID 83720-0034

F. E. I.

RE: CERTIFICATION REQUIRED BY H.B. 704

Dear Governor Batt:

This letter certifies that the Department of Water Resources will hold the U.S. Bureau of Reclamation's Applications for Transfer Numbers 4616, 4617, 4618, 4623, 4625, 4626, 4627, 4628, 4629, 4630, 4631, 4632, 4633 and 4636 and Applications to Amend Permit Numbers 25-07004 and 63-03618 in abeyance until July 1, 1999. This certification is required under subsection 5 of Section 42-1763B, Idaho Code, as a condition for the effectiveness of House Bill 704 approved by the 1996 Legislature which will become effective July 1, 1996.

The department will hold in abeyance all actions associated with the applications including action on requests for discovery or other matters relating to the applications. If you have questions about this matter or if I can provide additional information, I am available at your convenience.

Sincerely,

KARL J. DREHER
Director

c: The Honorable Pete T. Cenarrusa
John W. Keys, III
IDWR service list for BOR transfers
IDWR - Western Region
IDWR - Southern Region
IDWR - Eastern Region

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATIONS	)	
FOR TRANSFER NOS. 4616, 4617, 4618,	)	
4623, 4624, 4625, 4626, 4627, 4628, 4629,	)	
4630, 4631, 4632, 4633, 4636, AND FOR	)	ORDER STAYING
THE AMENDMENT OF WATER RIGHT	)	PROCEEDINGS
PERMIT NOS. 25-07004 AND 63-03618	)	
IN THE NAME OF THE UNITED STATES	)	
BUREAU OF RECLAMATION	)	
_____	)	

On May 15, 1995, the United States Bureau of Reclamation (Bureau) filed fifteen applications for transfer of water rights and two applications for amendment of water right permits with the Idaho Department of Water Resources (Department). The applications seek approval to use a combined total of up to 427,000 acre feet of water per year from Bureau reservoirs for flow augmentation purposes as a proposed contribution to salmon recovery efforts. The applications seek authorization to release water for the requested purposes beginning in the Spring of 1996.

Pursuant to the consent of the parties, the director entered an order on September 19, 1995, providing among other things that the Bureau's pending applications would be held without further action until April 1, 1996. In accordance with the stipulation of the parties, the order also directed the parties to address the issues and concerns raised by the Bureau's applications through draft legislation or other alternative means.

Legislation prepared in response to the issues and concerns identified as a result of this proceeding was introduced before the 1996 Idaho Legislature as House Bill No. 704. The legislation was approved on March 15, 1996, as Session Laws Ch. 282 to be codified as section 42-1763B, Idaho Code, with an effective date of July 1, 1996. Subsection 5 of section 42-1763B provides that the section shall not become effective until the director certifies to the Governor that the U.S. Bureau of Reclamation's applications at issue in this proceeding will be held in abeyance until July 1, 1999. Section 42-1763B, Idaho Code, as added by H.B. 704 provides as follows:

42-1763B. INTERIM AUTHORITY FOR RENTAL OF STORAGE WATER TO AUGMENT FLOWS DURING THE MIGRATION OF SNAKE RIVER SALMON. (1) Legislative findings and intent regarding rental of storage water from U.S. bureau of reclamation projects in the Snake River basin within Idaho to augment lower Snake River flows during the migration of Snake River salmon.

(a) The legislature finds that the U.S. bureau of reclamation requested the release of four hundred twenty-seven thousand (427,000) acre feet of water to augment salmon flows in order to satisfy the conditions of the biological opinion issued by the national marine fisheries service on March 2, 1995. The legislature authorizes the U.S. bureau of reclamation to release water from its projects under the limited conditions of this section in 1996, 1997, 1998 and 1999.

(b) It is the intent of the legislature to promptly consider the repeal of subsections (2) and (3) of this section in the event that the provisions of the biological opinion issued by the national marine fisheries service on March 2, 1995, related to the provision of flows for salmon from the Snake River basin above Brownlee Reservoir are modified or declared arbitrary, capricious or otherwise unlawful, or are set aside by any federal court.

(2) Rental of storage water from U.S. bureau of reclamation storage.

(a) Notwithstanding the legislative approval required in section 42-108, Idaho Code, any storage water release from U.S. bureau of reclamation reservoirs within the state of Idaho for use to augment river flows during the migration of Snake River salmon pursuant to this section must be

rented through the water bank operated by the Idaho water resource board pursuant to sections 42-1761 through 42-1764, Idaho Code, or through local water rental committees, created pursuant to section 42-1765, Idaho Code, under their respective water bank rules; provided however, that the agricultural preference provisions of local rental pool rules shall not apply to any uncontracted space rented by the U.S. bureau of reclamation pursuant to this section.

(b) For any rental of water pursuant to this section, the director shall not be required to determine under section 42-1763, Idaho Code, whether the water supply is sufficient for the purpose for which it is sought, whether the rental would cause the use of water to be enlarged beyond that authorized under the water right to be rented, whether such use is in the public interest, or whether such use is consistent with the factors enumerated under subsection (3) of section 42-401, Idaho Code.

(3) Conditions on storage water rentals.

(a) Any storage water made available under this section shall be obtained only from willing lessors. Any water rented under this section from reservoirs located within a basin having a local rental pool committee established pursuant to section 42-1765, Idaho Code, shall be rented pursuant to this section only through the local rental pool committee.

(b) Storage water made available under this section shall be limited to four hundred twenty-seven thousand (427,000) acre feet annually. These releases from storage shall be reduced by other water the U.S. bureau of reclamation provides for augmentation of salmon flows from the Snake River and its tributaries.

(c) In no event shall the release of water under this section cause the water surface of Cascade Reservoir to be below the elevation required to maintain a storage volume of three hundred thousand (300,000) acre feet, fifty thousand (50,000) acre feet of which is dead space, which is currently estimated to be at an elevation of four thousand eight hundred nine and two-tenths (4,809.2) feet.

(d) The U.S. bureau of reclamation shall submit a report to the director by January 15 of each year describing the time, volume, and purpose of storage water released for salmon purposes during the past year and shall report on the plan for releases for the spring and summer chinook by April 1 and on the plan for releases for the fall chinook by July 15 of each year.

(e) All storage water rented from U.S. bureau of reclamation reservoirs under this section must be used for power production purposes within the state of Idaho.

(f) Nothing herein shall entitle the U.S. bureau of reclamation to rent storage water upon termination or expiration of the permission given in this section.

(4) Nothing in this section shall be construed to alter in any way the existing contractual obligations of the U.S. bureau of reclamation or to constitute a finding by the legislature that the rental or use of storage water for augmentation of flows for salmon migration is a beneficial use of water, that it is in the public interest, or whether such use injures existing water rights.

(5) This section shall not become effective until the director certifies to the governor that the U.S. bureau of reclamation's applications to transfer water right numbers 4616, 4617, 4618, 4623, 4625, 4626, 4627, 4628, 4629, 4630, 4631, 4632, 4633 and 4636, and to amend water right permit numbers 25-07004 and 63-3618 will be held in abeyance until July 1, 1999.

(6) On and after January 1, 2000, this act shall be null, void and of no force and effect.

Having reviewed the prior stipulation of the parties in this proceeding and the provisions of House Bill 704, to be codified as section 42-1763B, Idaho Code, the director orders as follows:

ORDER

IT IS HEREBY ORDERED that, in accordance with the provisions of House Bill 704, to be codified as section 42-1763B(5), Idaho Code, effective July 1, 1996, the U.S. Bureau of Reclamation's Applications to transfer water right numbers 4616, 4617, 4618, 4623, 4624, 4625, 4626, 4627, 4628, 4629, 4630, 4631, 4632, 4633 and 4636, and to amend water right permit numbers 25-07004 and 63-3618 shall be held in abeyance until July 1, 1999.

IT IS FURTHER ORDER that:

1. All matters associated with this proceeding, including issues regarding the scope and nature of potential discovery and the holding of any hearing, shall be held in abeyance

until July 1, 1999, and the existing rights of the parties to raise issues regarding these matters shall not be diminished as a result of the issuance of this order.

2. The U.S. Bureau of Reclamation shall be authorized to release water to augment Snake River flows for salmon migration purposes during 1996, 1997, 1998 and 1999 in accordance with the provisions of section 42-1763B, Idaho Code.

3. Pursuant to section 42-1763B(3)(d), Idaho Code, the Bureau shall submit a report to the director by January 15 of each year describing the time, volume, and purpose of storage water released for salmon purposes during the past year and shall report on the plan for releases for the spring and summer chinook by April 1 and on the plan for releases for the fall chinook by July 15 of each year.

4. The Bureau, in addition, shall provide at least seven-days prior notice to the director of the actual amount, source and timing of water releases as they are made under section 42-1763B, Idaho Code, or if impracticable, as soon as feasible under the circumstances.

5. This is an interlocutory order issued pursuant to Rule 710 of the Department's Rules of Procedure, IDAPA 37.01.010710.

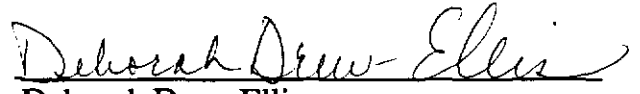
DATED this 5th day of June 1996.



KARL J. DREHER
Director

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have, this 7th day of June, 1996, served the foregoing upon all parties of record in this proceeding, according to the Department of Water Resource's most current service list, by mailing a copy thereof to each party.


Deborah Drew-Ellis
Legal Secretary



RE 549-1769



HORNER-WEST COMPANY

Insurance - Real Estate

31 E. MAIN - WEISER, IDAHO

DARWIN ADAMS

BUS. PH. 549-1160

Bureau of Rec

214 Broadway

John W. Galt

Horner West - Sec. Treas

Darwin Adams - 549-1160

MICROFILM

Bldg.

Bureau of Rec.

342 2711

2

Thomas

room 520

Ext. 165

OFFICIAL BALLOT

for

**Special Election Upon Question of
Formation of Fire Protection District No. 1**

Held on Tuesday, September 12, 1972

QUESTION SUBMITTED:

FIRE PROTECTION DISTRICT — YES ☐

FIRE PROTECTION DISTRICT — NO ☐

Instructions to Voter:

Each elector shall indicate his or her vote by placing a cross (X) in the square opposite the words expressing his or her choice on the question.

December 1, 1975

Re: Permit Nos. R-1182/67-2389
R-696/67-2386

U. S. Bureau of Reclamation
Regional Director, Region 1
Box 043, 550 West Fort St.
Boise, ID 83724

Gentlemen:

Enclosed herewith are copies of the water licenses issued on the above referenced permits along with Receipt No. 3226 for \$10.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:rb

Enc.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals	
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼		
			Total irrigable area to be served supplemental water is estimated at 5,550 acres. This is composed of two area described as follows:																	
			(1) 4700 acres lying within the Mann Creek drainage basin and approximately bounded on the <u>mouth</u> by the Joslyn Ditch; the east by the Joslyn and Mann Creek Ditches; the west by the Otto Cromwell, Lolley, Hanna, Gilderay-Lynch, and Jefferson-Ohms Ditches; and on the south by the Galloway Ditch.																	
			(2) 850 acres approximately lying within the Monroe Creek drainage below the existing Monroe Creek Feeder Canal, above the Galloway Ditch and bounded on the east and west by existing ditches.																	
			Attached USBR Drawing No. 354-125-52 shows the areas described above.																	

Total Number of Acres to Be Irrigated

Application No. R-26524, Permit No. R-696, approved January 29, 1941, covers an application and related 21. Existing rights and/or valid permits appurtenant to lands described above are / permit to construct a reservoir and store and appropriate the public waters of the State of Idaho. The reservoir described in the application was planned to have a capacity of ~~10,000~~ 10,000 acre-feet.

REMARKS: The current application is for 5,000 acre-feet of additional storage in the reservoir to be constructed under the provisions of Permit No. R-696. The reservoir is to be constructed on Mann Creek. Thus the total capacity of the reservoir will be 15,000 acre-feet, and the area that will benefit from this storage will be 4,700 acres on Mann Creek and 850 acres on Monroe Creek.

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

FIELD REPORT

1. Name of permit holder Bureau of Reclamation

Post office address 550 West Fort St., Boise, Idaho Phone

Person to contact Phone

2. Source of water supply: Groundwater ☐ Surface water ☒ Mann Creek
(name spring, stream, etc.)
Tributary to Weiser River

3. Water will be used for the following purposes:

Amount 5,000 c.f.s. for Irrigation
AF/Annum (nature of use)

Period of Use: from March 15 to Nov. 15
(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:

5,000 acre feet

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

5. Location of Point(s) of Diversion:

Township 12 N N/S, Range 5 W E/W, B.M., Section 11, Subdivision SE $\frac{1}{4}$ NE $\frac{1}{4}$ Washington

County

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

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

Other Points of Diversion: _____

Description of diverting works: See attachments

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use. See attachments

[illegible]

Permit No. R-1182/67-2389

Examination for b/u

Proof of Application of Water to Beneficial Use

Supplement

Permit No. R-1182

Items 4(b), 6(a) and 7(a). Water for irrigation of land under this permit is diverted through the following ditches:

Mann Creek area:

Joslyn
Mann Creek
Otto Cronwall
Lolley
Adams
Webb
Hanna
Shinkle-Wisher
Lund
Bradshaw
Buchanan
Payne
Serreta-Gilderoy
Jefferson-Ohms
Gilderoy-Lynch
Barton

Monroe Creek area:

Monroe Creek feeder
East Side Canal
Lower canal

RECORDED

Supplement
Item 9
Mann Creek Lands

Permit No.
Sheet 1 of 6

<u>Section</u>	<u>Township</u>	<u>Range</u>	<u>Total Irrigable</u>
1	12 N.	5 W.	
		SW $\frac{1}{4}$ NE $\frac{1}{4}$	0.2
		SE $\frac{1}{4}$ NE $\frac{1}{4}$	1.1
		NE $\frac{1}{4}$ SE $\frac{1}{4}$	14.3
		NW $\frac{1}{4}$ SE $\frac{1}{4}$	22.7
		SW $\frac{1}{4}$ SE $\frac{1}{4}$	31.8
		SE $\frac{1}{4}$ SE $\frac{1}{4}$	27.7
		Total Section 1	97.8
12	12 N.	5 W.	
		NE $\frac{1}{4}$ NE $\frac{1}{4}$	45.1
		NW $\frac{1}{4}$ NE $\frac{1}{4}$	42.0
		SW $\frac{1}{4}$ NE $\frac{1}{4}$	45.6
		SE $\frac{1}{4}$ NE $\frac{1}{4}$	42.5
		NE $\frac{1}{4}$ NW $\frac{1}{4}$	2.7
		NW $\frac{1}{4}$ NW $\frac{1}{4}$	2.3
		SW $\frac{1}{4}$ NW $\frac{1}{4}$	3.5
		SE $\frac{1}{4}$ NW $\frac{1}{4}$	29.3
		NE $\frac{1}{4}$ SW $\frac{1}{4}$	38.3
		NW $\frac{1}{4}$ SW $\frac{1}{4}$	3.1
		SE $\frac{1}{4}$ SW $\frac{1}{4}$	11.9
		NE $\frac{1}{4}$ SE $\frac{1}{4}$	48.1
		NW $\frac{1}{4}$ SE $\frac{1}{4}$	36.5
		SW $\frac{1}{4}$ SE $\frac{1}{4}$	22.7
		SE $\frac{1}{4}$ SE $\frac{1}{4}$	30.3
		Total Section 12	403.9
13	12 N.	5 W.	
		NE $\frac{1}{4}$ NE $\frac{1}{4}$	13.7
		NW $\frac{1}{4}$ NE $\frac{1}{4}$	11.4
		SW $\frac{1}{4}$ NE $\frac{1}{4}$	9.0
		SE $\frac{1}{4}$ NE $\frac{1}{4}$	28.1
		NE $\frac{1}{4}$ SE $\frac{1}{4}$	39.8
		NW $\frac{1}{4}$ SE $\frac{1}{4}$	3.9
		SW $\frac{1}{4}$ SE $\frac{1}{4}$	11.4
		SE $\frac{1}{4}$ SE $\frac{1}{4}$	42.1
		Total Section 13	159.4
24	12 N.	5 W.	
		NE $\frac{1}{4}$ NE $\frac{1}{4}$	34.5
		NW $\frac{1}{4}$ NE $\frac{1}{4}$	28.9
		SW $\frac{1}{4}$ NE $\frac{1}{4}$	34.3
		SE $\frac{1}{4}$ NE $\frac{1}{4}$	36.8

<u>Section</u>	<u>Township</u>	<u>Range</u>	<u>Total Irrigable</u>
		NE $\frac{1}{4}$ NW $\frac{1}{4}$	10.8
		SE $\frac{1}{4}$ NW $\frac{1}{4}$	10.8
		NE $\frac{1}{4}$ SW $\frac{1}{4}$	16.9
		SE $\frac{1}{4}$ SW $\frac{1}{4}$	14.1
		NE $\frac{1}{4}$ SE $\frac{1}{4}$	31.4
		NW $\frac{1}{4}$ SE $\frac{1}{4}$	38.1
		SW $\frac{1}{4}$ SE $\frac{1}{4}$	38.3
		SE $\frac{1}{4}$ SE $\frac{1}{4}$	37.0
		Total Section 24	331.9
25	12 N.	5 W.	
		NE $\frac{1}{4}$ NE $\frac{1}{4}$	32.9
		NW $\frac{1}{4}$ NE $\frac{1}{4}$	36.5
		SW $\frac{1}{4}$ NE $\frac{1}{4}$	23.4
		SE $\frac{1}{4}$ NE $\frac{1}{4}$	37.7
		NE $\frac{1}{4}$ NW $\frac{1}{4}$	18.6
		NW $\frac{1}{4}$ NW $\frac{1}{4}$	0.1
		SW $\frac{1}{4}$ NW $\frac{1}{4}$	2.0
		SE $\frac{1}{4}$ NW $\frac{1}{4}$	18.0
		NE $\frac{1}{4}$ SW $\frac{1}{4}$	15.7
		NW $\frac{1}{4}$ SW $\frac{1}{4}$	19.0
		SW $\frac{1}{4}$ SW $\frac{1}{4}$	1.9
		SE $\frac{1}{4}$ SW $\frac{1}{4}$	8.5
		NE $\frac{1}{4}$ SE $\frac{1}{4}$	35.1
		NW $\frac{1}{4}$ SE $\frac{1}{4}$	30.8
		SW $\frac{1}{4}$ SE $\frac{1}{4}$	38.0
		SE $\frac{1}{4}$ SE $\frac{1}{4}$	41.3
		Total Section 25	359.5
36	12 N.	5 W.	
		NE $\frac{1}{4}$ NE $\frac{1}{4}$	37.2
		SE $\frac{1}{4}$ NE $\frac{1}{4}$	7.6
		Total Section 36	44.8
7	12 N.	4 W.	
		SW $\frac{1}{4}$ NW $\frac{1}{4}$	1.3
		NW $\frac{1}{4}$ SW $\frac{1}{4}$	4.7
		SW $\frac{1}{4}$ SW $\frac{1}{4}$	5.5
		Total Section 7	11.5
18	12 N.	4 W.	
		SW $\frac{1}{4}$ NW $\frac{1}{4}$	7.4
		NE $\frac{1}{4}$ SW $\frac{1}{4}$	8.6
		NW $\frac{1}{4}$ SW $\frac{1}{4}$	23.7
		SW $\frac{1}{4}$ SW $\frac{1}{4}$	15.5
		SE $\frac{1}{4}$ SW $\frac{1}{4}$	26.4
		SW $\frac{1}{4}$ SE $\frac{1}{4}$	5.1
		Total Section 18	86.7

<u>Section</u>	<u>Township</u>	<u>Range</u>	<u>Total Irrigable</u>
19	12 N.	4 W.	
		NW $\frac{1}{4}$ NE $\frac{1}{4}$	9.6
		SW $\frac{1}{4}$ NE $\frac{1}{4}$	13.1
		NE $\frac{1}{4}$ NW $\frac{1}{4}$	30.1
		NW $\frac{1}{4}$ NW $\frac{1}{4}$	35.0
		SW $\frac{1}{4}$ NW $\frac{1}{4}$	33.8
		SE $\frac{1}{4}$ NW $\frac{1}{4}$	26.2
		NE $\frac{1}{4}$ SW $\frac{1}{4}$	33.1
		NW $\frac{1}{4}$ SW $\frac{1}{4}$	35.3
		SW $\frac{1}{4}$ SW $\frac{1}{4}$	33.8
		SE $\frac{1}{4}$ SW $\frac{1}{4}$	24.5
		NW $\frac{1}{4}$ SE $\frac{1}{4}$	11.7
		SW $\frac{1}{4}$ SE $\frac{1}{4}$	16.1
		Total Section 19	302.3
29	12 N.	4 W.	
		NE $\frac{1}{4}$ SW $\frac{1}{4}$	2.3
		Total Section 29	2.3
30	12 N.	4 W.	
		NE $\frac{1}{4}$ NE $\frac{1}{4}$	4.2
		NW $\frac{1}{4}$ NE $\frac{1}{4}$	38.5
		SW $\frac{1}{4}$ NE $\frac{1}{4}$	10.9
		SE $\frac{1}{4}$ NE $\frac{1}{4}$	4.9
		SE $\frac{1}{4}$ NW $\frac{1}{4}$	30.3
		NW $\frac{1}{4}$ NW $\frac{1}{4}$	38.9
		SW $\frac{1}{4}$ NW $\frac{1}{4}$	37.7
		SE $\frac{1}{4}$ NW $\frac{1}{4}$	12.1
		NE $\frac{1}{4}$ SW $\frac{1}{4}$	16.8
		NW $\frac{1}{4}$ SW $\frac{1}{4}$	27.2
		SW $\frac{1}{4}$ SW $\frac{1}{4}$	38.2
		SE $\frac{1}{4}$ SW $\frac{1}{4}$	35.2
		NE $\frac{1}{4}$ SE $\frac{1}{4}$	15.6
		NW $\frac{1}{4}$ SE $\frac{1}{4}$	10.9
		SW $\frac{1}{4}$ SE $\frac{1}{4}$	13.8
		Total Section 30	335.2
31	12 N.	4 W.	
		SW $\frac{1}{4}$ NE $\frac{1}{4}$	14.6
		NE $\frac{1}{4}$ NW $\frac{1}{4}$	35.0
		NW $\frac{1}{4}$ NW $\frac{1}{4}$	38.0
		SW $\frac{1}{4}$ NW $\frac{1}{4}$	30.9
		SE $\frac{1}{4}$ NW $\frac{1}{4}$	33.5
		NE $\frac{1}{4}$ SW $\frac{1}{4}$	36.5
		NW $\frac{1}{4}$ SW $\frac{1}{4}$	19.2
		SW $\frac{1}{4}$ SW $\frac{1}{4}$	12.5
		SE $\frac{1}{4}$ SW $\frac{1}{4}$	30.4

<u>Section</u>	<u>Township</u>	<u>Range</u>	<u>Total Irrigable</u>
		NW $\frac{1}{4}$ SE $\frac{1}{4}$	12.8
		SW $\frac{1}{4}$ SE $\frac{1}{4}$	25.5
		Total Section 31	288.9
6	11 N.	4 W.	
		NE $\frac{1}{4}$ NE $\frac{1}{4}$	1.8
		NW $\frac{1}{4}$ NE $\frac{1}{4}$	35.7
		SW $\frac{1}{4}$ NE $\frac{1}{4}$	36.6
		SE $\frac{1}{4}$ NE $\frac{1}{4}$	5.2
		NE $\frac{1}{4}$ NW $\frac{1}{4}$	29.8
		NW $\frac{1}{4}$ NW $\frac{1}{4}$	11.8
		SW $\frac{1}{4}$ NW $\frac{1}{4}$	7.3
		SE $\frac{1}{4}$ NW $\frac{1}{4}$	30.3
		NE $\frac{1}{4}$ SW $\frac{1}{4}$	30.0
		NW $\frac{1}{4}$ SW $\frac{1}{4}$	1.2
		SE $\frac{1}{4}$ SW $\frac{1}{4}$	33.8
		NE $\frac{1}{4}$ SE $\frac{1}{4}$	22.6
		NW $\frac{1}{4}$ SE $\frac{1}{4}$	35.3
		SW $\frac{1}{4}$ SE $\frac{1}{4}$	36.1
		SE $\frac{1}{4}$ SE $\frac{1}{4}$	36.6
		Total Section 6	354.1
7	11 N.	4 W.	
		NE $\frac{1}{4}$ NE $\frac{1}{4}$	29.5
		NW $\frac{1}{4}$ NE $\frac{1}{4}$	32.7
		SW $\frac{1}{4}$ NE $\frac{1}{4}$	31.2
		SE $\frac{1}{4}$ NE $\frac{1}{4}$	31.4
		NE $\frac{1}{4}$ NW $\frac{1}{4}$	31.2
		SE $\frac{1}{4}$ NW $\frac{1}{4}$	16.0
		SE $\frac{1}{4}$ SW $\frac{1}{4}$	3.8
		NE $\frac{1}{4}$ SE $\frac{1}{4}$	29.1
		NW $\frac{1}{4}$ SE $\frac{1}{4}$	31.6
		SW $\frac{1}{4}$ SE $\frac{1}{4}$	33.2
		SE $\frac{1}{4}$ SE $\frac{1}{4}$	24.1
		Total Section 7	293.8
17	11 N.	4 W.	
		NW $\frac{1}{4}$ NW $\frac{1}{4}$	8.6
		SW $\frac{1}{4}$ NW $\frac{1}{4}$	16.1
		NE $\frac{1}{4}$ SW $\frac{1}{4}$	0.2
		Total Section 17	24.9
18	11 N.	4 W.	
		NE $\frac{1}{4}$ NE $\frac{1}{4}$	39.3
		NW $\frac{1}{4}$ NE $\frac{1}{4}$	31.4
		SW $\frac{1}{4}$ NE $\frac{1}{4}$	25.2
		SE $\frac{1}{4}$ NE $\frac{1}{4}$	35.4

<u>Section</u>	<u>Township</u>	<u>Range</u>	<u>Total Irrigable</u>
		NE $\frac{1}{4}$ SW $\frac{1}{4}$	0.9
		SW $\frac{1}{4}$ SW $\frac{1}{4}$	5.7
		NE $\frac{1}{4}$ SE $\frac{1}{4}$	39.7
		NW $\frac{1}{4}$ SE $\frac{1}{4}$	32.6
		SW $\frac{1}{4}$ SE $\frac{1}{4}$	32.7
		SE $\frac{1}{4}$ SE $\frac{1}{4}$	33.1
		Total Section 18	276.0
19	11 N.	4 W.	
		NE $\frac{1}{4}$ NE $\frac{1}{4}$	37.9
		NW $\frac{1}{4}$ NE $\frac{1}{4}$	27.1
		SW $\frac{1}{4}$ NE $\frac{1}{4}$	24.4
		SE $\frac{1}{4}$ NE $\frac{1}{4}$	38.0
		NE $\frac{1}{4}$ NW $\frac{1}{4}$	10.3
		SE $\frac{1}{4}$ NW $\frac{1}{4}$	1.7
		NE $\frac{1}{4}$ SW $\frac{1}{4}$	0.3
		SE $\frac{1}{4}$ SW $\frac{1}{4}$	1.5
		NE $\frac{1}{4}$ SE $\frac{1}{4}$	37.5
		NW $\frac{1}{4}$ SE $\frac{1}{4}$	29.3
		SW $\frac{1}{4}$ SE $\frac{1}{4}$	29.9
		SE $\frac{1}{4}$ SE $\frac{1}{4}$	39.9
		Total Section 19	277.8
20	11 N.	4 W.	
		NW $\frac{1}{4}$ NW $\frac{1}{4}$	5.8
		SW $\frac{1}{4}$ NW $\frac{1}{4}$	3.5
		SW $\frac{1}{4}$ SW $\frac{1}{4}$	1.7
		Total Section 20	11.0
29	11 N.	4 W.	
		SW $\frac{1}{4}$ NW $\frac{1}{4}$	1.0
		Total Section 29	1.0
30	11 N.	4 W.	
		NE $\frac{1}{4}$ NE $\frac{1}{4}$	38.0
		NW $\frac{1}{4}$ NE $\frac{1}{4}$	37.4
		SW $\frac{1}{4}$ NE $\frac{1}{4}$	34.5
		SE $\frac{1}{4}$ NE $\frac{1}{4}$	32.9
		NE $\frac{1}{4}$ NW $\frac{1}{4}$	6.1
		SE $\frac{1}{4}$ NW $\frac{1}{4}$	18.4
		NE $\frac{1}{4}$ SW $\frac{1}{4}$	20.6
		SW $\frac{1}{4}$ SW $\frac{1}{4}$	2.1
		SE $\frac{1}{4}$ SW $\frac{1}{4}$	35.8
		NE $\frac{1}{4}$ SE $\frac{1}{4}$	21.8
		NW $\frac{1}{4}$ SE $\frac{1}{4}$	39.5
		SW $\frac{1}{4}$ SE $\frac{1}{4}$	38.4
		SE $\frac{1}{4}$ SE $\frac{1}{4}$	16.4
		Total Section 30	341.9

<u>Section</u>	<u>Township</u>	<u>Range</u>	<u>Total Irrigable</u>
31	11 N.	4 W.	
		NW $\frac{1}{4}$ NE $\frac{1}{4}$	37.0
		SW $\frac{1}{4}$ NE $\frac{1}{4}$	32.2
		NE $\frac{1}{4}$ NW $\frac{1}{4}$	34.8
		NW $\frac{1}{4}$ NW $\frac{1}{4}$	14.4
		SW $\frac{1}{4}$ NW $\frac{1}{4}$	25.5
		SE $\frac{1}{4}$ NW $\frac{1}{4}$	36.3
		NE $\frac{1}{4}$ SW $\frac{1}{4}$	28.7
		NW $\frac{1}{4}$ SW $\frac{1}{4}$	32.2
		NW $\frac{1}{4}$ SE $\frac{1}{4}$	1.8
		Total Section 31	242.9
36	11 N.	5 W.	
		NE $\frac{1}{4}$ SE $\frac{1}{4}$	1.9
		Total Section 36	1.9
1	10 N.	5 W.	
		NE $\frac{1}{4}$ NE $\frac{1}{4}$	10.0
		NW $\frac{1}{4}$ NE $\frac{1}{4}$	36.5
		NE $\frac{1}{4}$ NW $\frac{1}{4}$	20.4
		Total Section 1	66.9
Mann Creek Total			4,316.4

MONROE CREEK LANDS

Page 1 of 2

Sec.	Twn.	Rge.	Total Irrigable
3	11 N	5W	
	SW $\frac{1}{4}$	NW $\frac{1}{4}$	15.4
	NE $\frac{1}{4}$	SW $\frac{1}{4}$	2.4
	NW $\frac{1}{4}$	SW $\frac{1}{4}$	14.2
	SW $\frac{1}{4}$	SW $\frac{1}{4}$	4.7
	SE $\frac{1}{4}$	SW $\frac{1}{4}$	24.2
	NW $\frac{1}{4}$	SE $\frac{1}{4}$	3.3
	SW $\frac{1}{4}$	SE $\frac{1}{4}$	36.7
Total Sec. 3			100.9
10	11N	5W	
	NE $\frac{1}{4}$	NE $\frac{1}{4}$	0.5
	NW $\frac{1}{4}$	NE $\frac{1}{4}$	34.9
	SW $\frac{1}{4}$	NE $\frac{1}{4}$	24.7
	NE $\frac{1}{4}$	SE $\frac{1}{4}$	12.5
	NW $\frac{1}{4}$	SE $\frac{1}{4}$	36.5
	SW $\frac{1}{4}$	SE $\frac{1}{4}$	26.9
	NE $\frac{1}{4}$	NW $\frac{1}{4}$	20.5
	SE $\frac{1}{4}$	NW $\frac{1}{4}$	2.2
Total Sec. 10			158.7
15	11N	5W	
	NE $\frac{1}{4}$	NE $\frac{1}{4}$	7.5
	NW $\frac{1}{4}$	NE $\frac{1}{4}$	32.4
	SW $\frac{1}{4}$	NE $\frac{1}{4}$	37.0
	SE $\frac{1}{4}$	NE $\frac{1}{4}$	16.2
	SE $\frac{1}{4}$	NW $\frac{1}{4}$	1.1
	NE $\frac{1}{4}$	SW $\frac{1}{4}$	10.7
	SW $\frac{1}{4}$	SW $\frac{1}{4}$	18.1
	SE $\frac{1}{4}$	SW $\frac{1}{4}$	20.0
	NW $\frac{1}{4}$	SE $\frac{1}{4}$	25.6
Total Sec. 15			163.6
21	11N	5W	
	NE $\frac{1}{4}$	NE $\frac{1}{4}$	13.0
	SW $\frac{1}{4}$	NE $\frac{1}{4}$	6.9
	SE $\frac{1}{4}$	NE $\frac{1}{4}$	20.5
	SE $\frac{1}{4}$	SW $\frac{1}{4}$	13.3
	NE $\frac{1}{4}$	SE $\frac{1}{4}$	15.7
	NW $\frac{1}{4}$	SE $\frac{1}{4}$	27.6
	SW $\frac{1}{4}$	SE $\frac{1}{4}$	21.1
Total Sec. 21			118.1
22	11N	5W	
	NW $\frac{1}{4}$	NW $\frac{1}{4}$	3.1

Monroe Creek Lands Cont'd.

Sec.	Twn.	Rge.	Total Irrigable
28	11N	5W	
	NW $\frac{1}{4}$	NE $\frac{1}{4}$	15.0
	SW $\frac{1}{4}$	NE $\frac{1}{4}$	0.7
	NE $\frac{1}{4}$	NW $\frac{1}{4}$	34.0
	NW $\frac{1}{4}$	NW $\frac{1}{4}$	21.4
	SW $\frac{1}{4}$	NW $\frac{1}{4}$	31.0
	SE $\frac{1}{4}$	NW $\frac{1}{4}$	23.5
	NE $\frac{1}{4}$	SW $\frac{1}{4}$	9.6
	NW $\frac{1}{4}$	SW $\frac{1}{4}$	38.7
	SW $\frac{1}{4}$	SW $\frac{1}{4}$	9.9
Total Sec. 28			183.8
29	11N	5W	
	NE $\frac{1}{4}$	NE $\frac{1}{4}$	1.4
	SE $\frac{1}{4}$	NE $\frac{1}{4}$	27.8
	NE $\frac{1}{4}$	SE $\frac{1}{4}$	21.9
	NW $\frac{1}{4}$	SE $\frac{1}{4}$	3.3
Total Sec. 29			54.4

Monroe Creek Total

787.6

ACREAGE
Found 5104.0
Recommended 5104.0

USE

Irrigation Q=_____c.f.s.	V= <u>5000</u>	AF/Ann. from <u>Mar 15</u>	to <u>Nov 15</u>
Domestic Q=_____c.f.s.	V=_____	AF/Ann. from _____	to _____
Livestock Q=_____c.f.s.	V=_____	AF/Ann. from _____	to _____

Approved by _____ Date _____

October 22, 1975

Re: Permits No. R-696/67-2386
R-1182/67-2389

U.S. Bureau of Reclamation
Regional Director, Region 1
Box 043, 550 West Fort St.
Boise, Idaho 83724

Gentlemen:

A representative of this Department has made an examination of the works covered by the above referenced permits and has found the following:

Permit R-696/67-2386

Quantity of water stored: 10,000 acre feet Source: Mann Creek

Amount of water that can be recognized as beneficially used under Idaho law: 10,000 acre feet

Point of diversion: SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 11, Twp. 12 N, Rge. 5 W, B.M.,
Washington County

Beneficial use: Storage from Jan. 1 to Dec. 31 for the irrigation of 4,296 acres (see enclosed land list description)

Priority established: December 14, 1940

Permit R-1182/67-2389

Quantity of water stored: 5,000 acre feet Source: Mann Creek

Amount of water that can be recognized as beneficially used under Idaho law: 5,000 acre feet

Point of diversion: SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 11, Twp. 12 N, Rge. 5 W, B.M.,
Washington County

Beneficial use: Storage from Jan. 1 to Dec. 31 for irrigation purposes within:

- (1) 4700 acres lying within the Mann Creek drainage basin and approximately bounded on the north by the Joselyn Ditch; the

Page 2
U.S. Bureau of Reclamation
Re: 67-2386 & 67-2389
October 22, 1975

east by the Joslyn and Mann Creek Ditches; the west by the Otto Cromwell, Lolley, Hanna, Gilderay-Lynch, and Jefferson-Ohms Ditches; and on the south by the Galloway Ditch.

(2) 850 acres approximately lying within the Monroe Creek drainage below the existing Monroe Creek Feeder Canal, above the Galloway Ditch and bounded on the east and west by existing ditches.

Priority established: January 30, 1964

The lands found being irrigated by our examiner under Permit No. R-696/67-2386 differ from those described under the permit, therefore, it will be necessary to amend the permit before a water license is issued. Enclosed is a partially completed application for amendment for your use in this matter. Please sign the application and return it to this office with a \$10.00 filing fee within 30 days in order that we may issue water licenses as set forth in this letter.

If you do not concur with these findings or have any questions, please contact us within the 30-day period.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:DR

Enc: App for amend

RECEIVED

January 10, 1973

Re: Permits No. R-696/67-2386
R-1182/67-2389

Bureau of Reclamation
Regional Director, Region 1
Box 043, 550 West Fort St.
Boise, Idaho 83702

Gentlemen:

We acknowledge receipt of the affidavits submitted as proof of beneficial use for the above referenced permits.

Before water licenses 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 exam so that you may arrange to have someone show him the systems.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR

bc: Western District Office
Field exam reports (3)

w/ attachments

67 2389

67-2389
Identification No. _____

Permit No. R-1182

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

RECEIVED
JUN 5 1964
Department of Water Administration

1. a) Name of Permit Holder United States of America, acting through the Regional Director,
Pacific Northwest Region, Bureau of Reclamation
b) Post Office Address Box 043, 550 West Fort Street, Boise, Idaho 83702

2. Permit Number R-1182

3. Date of Priority that you are prepared to establish January 30, 1964

4. a) Source from which water was appropriated Mann Creek

b) Location of the point of diversion: SE 1/4 NE 1/4, Section 11
Township 12 N., Range 5 W., Boise Meridian, Other points of diversion:
laterals and ditches described on the attached supplement

5. a) The amount of water and use to which the water has been applied:

amount 2,950 a.f. for irrigation purposes from April 11 to October 15 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 2,950 ~~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: Wayne I. Johnson, Construction Engineer, a
U.S.B.R. engineer, measured the storage capacity

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: see tabulation of ditches and canals on attached supplement

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) See attached supplement

b) Describe the type and size of measuring device which you have installed at your point of diversion: weirs at Joslyn and Mann Creek ditch diversions and below Mann Creek diversion in Mann Creek

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

Exam typed 1-10-73 by AK

67 2389

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

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: See attached tabulation of irrigated land by 40 acre subdivisions

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	

Total number of acres irrigated 5,104.0

10. Remarks: Total capacity of Mann Creek Reservoir is 12,950 acre feet. Permit No. R-696/67-2386 provides for 10,000 acre feet. All storage is used on both the Mann Creek and Monroe Creek areas without reference to permit priorities.

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

1-2-73
(Date)

E F Sullivan
Regional Director, (Signature)
Pacific Northwest Region, Bureau of Reclamation

State of IDAHO)
County of Ada) ss.

On this 2nd day of January, 19 73, personally appeared before me the signer(x) of the above instrument, who duly acknowledged to me that he ~~(has)~~ ~~(has)~~ executed the same.


My commission expires 6-10-75

John H. Welch
Notary Public residing at Boise, Idaho



IN REPLY
REFER TO: 424
870.

United States Department of the Interior
BUREAU OF RECLAMATION

PACIFIC NORTHWEST REGIONAL OFFICE
FEDERAL BUILDING & U.S. COURTHOUSE
BOX 043-550 WEST FORT STREET
BOISE, IDAHO 83702

JAN 4 1973

RECEIVED
Department of Water Administration

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

Dear Mr. Higginson:

Re: Permit R-696/67-2386
R-1182-67-2389

Enclosed are two Proof of Application of Water to Beneficial Use forms completed for the two permits referred to above. Both cover storage in Mann Creek Reservoir and diversion of water for use on lands in the Mann Creek and Monroe Creek areas.

The initial application for the reservoir was filed on December 14, 1940, for a total capacity of 10,000 acre-feet, including some dead storage. Actual construction of the reservoir was delayed until about 1964 when it was determined the total capacity would be in excess of 10,000 acre-feet. Thus on January 30, 1964, we applied for an additional 5,000 acre-feet, resulting in permit R-1182.

As constructed the reservoir has a capacity of 12,950 acre-feet with 1610 acre-feet being inactive. The inactive space is part of the 10,000 acre-feet permitted under No. R-696/67-2386. The enclosed area-capacity table for the reservoir shows how the capacity has been determined at different elevations.

The water from Mann Creek Reservoir is applied on irrigable lands in both Mann Creek and Monroe Creek on a pooled basis, with the exception that the first 1,600 acre-feet of active storage is considered, for operational purposes, to be a preferred capacity for Monroe Creek. In effect this replaces Mann Creek water that had been diverted by the Monroe Creek Irrigation District for storage in Barton Reservoir.

A representative of the Agricultural Stabilization and Conservation Service has informed us that the most recent aerial photos of the Mann Creek and Monroe Creek areas were flown in 1968. These photos would show the areas being irrigated prior to construction of Mann Creek

67 2389

Reservoir, but probably would not show development of the new lands to receive water from the reservoir. For the latter reason we have not obtained prints. We have been informed new photos will be taken in 1974.

Sincerely,



Regional Director

Enclosures

cc:

Mr. George H. Binning, Secretary-Treasurer, Monroe Creek Irrigation District, Box 48, Weiser, Idaho 83672 (w/copy of 2 proofs)

Mr. Milton Kerner, Secretary-Treasurer, Mann Creek Irrigation District, Box 351, Weiser, Idaho 83672 (w/copy of 2 proofs)

67 2389

July 21, 1970

Mr. Robert A. Fery
THE FEDERAL LAND BANK OF SPOKANE
Spokane, Washington 99201

Dear Mr. Fery:

Please find enclosed the information our department was able
to locate on the water rights in question.

If we can be of any further assistance in this matter, please
feel free to contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/cm

Enclosures

67-2389
R-1182

THE FEDERAL LAND BANK OF SPOKANE
SPOKANE, WASHINGTON 99201



JUL 6 1970

June 30, 1970

Department of Water Administration

Idaho Department of Reclamation
c/o Steve Allred, Deputy
Box 937
Reclamation Building
Boise, Idaho

Dear Mr. Allred:

I recently investigated the Mann Creek Irrigation District and Monroe Creek Irrigation District. I need to know the storage permits or rights from Spangler Reservoir and Barton Reservoir.

Thank you in advance.

Yours truly,

Robert A. Fery
Robert A. Fery
Engineer Appraiser

81152 67-2389

67-2386 67-2386

67-2386

67-2386 67-2386

67-2386 67-2386



81188
67-2389

June 23, 1969

Re: Permit No. R-1182

Regional Office, Region I
Bureau of Reclamation
United States Dept. of the Interior
Box 8008
Boise, Idaho 83707

Gentlemen:

We acknowledge receipt of the affidavit of publication submitted in connection with the above referenced permit. Since proof of beneficial use of the water is not required until February 24, 1974 the Department will notify you sixty days in advance of this date as to further requirements. We wish to advise you, however, that if you have fulfilled the requirements under the permit you may submit proof anytime prior to the above date.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR

R-1182

RECEIVED

JUN 17 1969

Department of Reclamation

APR 11 1969

AFFIDAVIT OF PUBLICATION

Department of Reclamation

Public Notices

NOTICE OF PROCEDURE FOR ISSUANCE OF LICENSE UNDER PERMIT NO. R-1182

Notice is hereby given that the United States of America, Bureau of Reclamation, Department of Interior, P. O. Box 8008, Boise, Idaho, has heretofore been issued a permit, No. R-1182 to store 5000 acre feet per annum from Mann Creek tributary of the Weiser River. The priority established under this permit is January 30, 1964. The water will be diverted by a dam and reservoir within the channel of Mann Creek (SE 1/4 NE 1/4, Sec. 11, T. 12 N., R. 5 W., B. M.), Washington County, Idaho. The water is to be used for irrigation in the 4700 acres lying within the Mann Creek drainage basin and approximately bounded on the north by the Joslyn Ditch; the east by the Joslyn and Mann Creek Ditches; the west by the Otto Cromwell, Holley, Hanna, Gilderay-Lynch, and Jefferson-Olms Ditches; and on the south by the Galloway Ditch. It will also be used in the 850 acres lying approximately within the Monroe Creek drainage below the existing Monroe Creek Feeder Canal, above the Galloway Ditch and bounded on the east and west by existing ditches. Pursuant to the rules of practice and procedure adopted by the Department of Reclamation on August 1, 1968, proof of beneficial use, issuance of license and fees of the Department of Reclamation under this permit will be determined under the procedures adopted in Chapter 374, General Laws of the State of Idaho, 1967.

Any protest must be filed with the Department of Reclamation, State of Idaho, Boise, Idaho, within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer
Published in the Upper Country
News-Reporter, Cambridge, Idaho,
on March 27, and April 3, 1969.

Sate of Idaho
County of Washington } ss.

Stuart Dopf, being first duly sworn, deposes and says that he is the publisher, foreman, principal clerk, of THE NEWS-REPORTER, a weekly newspaper published at Cambridge, Washington County, Idaho, and that said paper has been published continuously for more than 78 weeks immediately preceding the first publication of the attached notice; that said paper is in general circulation in the county aforesaid and in the vicinity of Cambridge, Idaho; that the notice, a copy of which is attached hereto, was published in said newspaper once a week for two consecutive weeks in the regular and entire issue of every number thereof during the period and time of publication, and was published in the newspaper proper and not in a supplement thereto; that the publication of said notice began with the issue of March 27 19 69, and ended with the issue of April 3, 19 69.

Stuart Dopf

Subscribed and sworn to before me this

12th day of April, 19 69

Robert S. Thord

Notary Public for Idaho, residing at
Cambridge, Idaho

- AID

APR 23 1969

Sub No. _____

R-1182



IN REPLY
REFER TO: 424

UNITED STATES
DEPARTMENT OF THE INTERIOR

BUREAU OF RECLAMATION

REGIONAL OFFICE, REGION I

BOX 8008

BOISE, IDAHO 83707

RECEIVED

JUN 17 1969

Department of Reclamation

JUN 16 1969

JUN 16 1969

Mr. Donald W. McEldowney
Appropriation Examiner
Department of Reclamation
Statehouse - Annex 2
Boise, Idaho 83707

Re: Permit No. R-1182

Dear Mr. McEldowney:

Enclosed is the original Affidavit of Publication from The News-Reporter of Cambridge, Idaho, concerning the notice of procedure for issuance of license under Permit No. R-1182. The affidavit was received soon after the notice was published, but inadvertently was filed with our financial records instead of being forwarded to you. Thank you for calling our attention to the fact that you had not received it.

Sincerely,

Regional Supervisor of Irrigation

Enclosure

R-1182

June 11, 1969

Re: Permit No. R-1182

Regional Director, Region I
Bureau of Reclamation
United States Dept. of the Interior
Box 8008
Boise, Idaho 83707

Gentlemen:

As of this date we have not yet received the affidavit of publication to be submitted in connection with the above referenced permit. Proof of beneficial use is not required until February 24, 1974 however, many newspapers do not keep copies of these advertisements in their files. We, therefore, recommend that you obtain this affidavit from the Upper County News Reporter, Cambridge, Idaho, and submit it to the Department as soon as possible. This insures that when you are ready to submit proof of beneficial use there will be no unnecessary delay or added expense.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DRR:DR

R-1182

NOTICE OF PROCEDURE FOR ISSUANCE OF

LICENSE UNDER PERMIT NO. R-1182

Notice is hereby given that the United States of America, Bureau of Reclamation, Department of the Interior, P. O. Box 8008, Boise, Idaho, has heretofore been issued a permit, No. R-1182, to store 5000 acre feet per annum from Mann Creek, tributary of the Weiser River. The priority established under this permit is January 30, 1964. The water will be diverted by dam and reservoir within the channel of Mann Creek in Washington County, Idaho. The water is to be used for irrigation in the 4700 acres lying within the Mann Creek drainage basin and approximately bounded on the north by the Joslyn Ditch; the east by the Joslyn and Mann Creek Ditches; the west by the Otto Cromwell, Lolley, Hanna, Gilderay-Lynch, and Jefferson-Ohms Ditches; and on the south by the Galloway Ditch. It will also be used in the 850 acres lying approximately within the Monroe Creek drainage below the existing Monroe Creek Feeder Canal, above the Galloway Ditch and bounded on the east and west by existing ditches. Pursuant to the rules of practice and procedure adopted by the Department of Reclamation on August 1, 1968, proof of beneficial use, issuance of license, and fees of the Department of Reclamation under this permit will be determined under the procedures adopted in Chapter 374, General Laws of the State of Idaho, 1967.

Any protest must be filed with the Department of Reclamation, State of Idaho, Boise, Idaho, within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Upper County News Reporter, Cambridge, Idaho, on

and

R-1182

April 14, 1969

C
Re: Permit No. R-1182
Bureau of Reclamation

O
Upper County News Reporter
Cambridge, Idaho

Gentlemen:

P
Please find Enclosed the bill and affidavit of publication for the above referenced permit along with the voucher which you must sign. Please sign the voucher and forward it along with the other items to the Bureau of Reclamation, Department of Interior, P. O. Box 8008, Boise, Idaho.

Y
Your assistance in this matter is greatly appreciated.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:TG

Enc: voucher
bill
affidavit of publication

R-1182

March 20, 1969

Re: Permit No. R-1182

United States of America
Bureau of Reclamation
Department of the Interior
P. O. Box 8008
Boise, Idaho

ATTENTION: H. T. Nelson

Gentlemen:

Thank you for your suggested revision of the legal notice which the Department forwarded to you previously.

The Department is causing the notice to be published the 27th of March and the 3rd of April, 1969, in the Upper County News Reporter as you suggested with one exception. We have included the legal description of the point of outlet on Mann Creek so that the public will be correctly informed as to the full location of the reservoir and dam.

If this addition is not satisfactory with your department, please inform the Department of Reclamation so that we may notify the newspaper. Please notify us if possible before the first date of publication. If you fail to do so, you will be charged for any expenses incurred by the newspaper.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:TG

R-1182

March 20, 1969

Re: Permit No. R-1182

Upper County News Reporter
Cambridge, Idaho

Gentlemen:

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

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

United States
of America, Bureau of Reclamation, Department of Interior,
The expense of the publication is to be paid by _____
P. O. Box 8008, Boise, Idaho

to whom you should furnish an affidavit of publication.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM: TG

Enc: Voucher and legal notice

NOTE: Please follow the instructions on the voucher to receive payment for the publication of the legal notice. Also please forward an affidavit of publication to the abovementioned so they may in turn forward it to us.

R-1182



UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION

REGIONAL OFFICE, REGION I
BOX 8008
BOISE, IDAHO 83707

IN REPLY
REFER TO: 424

RHA
RECEIVED

MAR 17 1969

Department of Reclamation

MAR 14 1969

Mr. R. Keith Higginson
State Reclamation Engineer
State of Idaho
Statehouse - Annex
Boise, Idaho 83707

Re: Permit No. R-1182

Dear Mr. Higginson:

Your order dated December 3, 1968 requires that a notice of the issuance of Permit No. R-1182 be published at the expense of the Bureau of Reclamation. The letter submitting the letter to us included an advertising package, including a proposed notice for publication in the Upper County News Reporter of Cambridge, Idaho.

Enclosed is a signed Form 11 authorizing publication of the notice at the expense of the United States. Also enclosed is an advertising order, which will provide a means for payment when it has been signed and returned by an official of the newspaper.

Attached to the approval is a redraft of the proposed notice. The current address of this office is used in the redraft, and suggested revisions were made to make the purpose of the notice clear to those who read it.

You may proceed with publication of the notice if the redraft is satisfactory.

Sincerely,

[Signature]
Regional Director

Enclosure

FILED	
1969	
WATER RIGHTS	
ADPROP	<i>Done</i>
DIST	
ADJ	
INVESTIGATION	
V. LLS	

R-1182

(This completed form authorizes the Department of Reclamation to publish the required notice at your expense.)

State Reclamation Engineer:

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

[Signature]
(signature)

Regional Director

Bureau of Reclamation

[Address]
(address)

March 12, 1969

(date)

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

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

Engineer

R-1182

NOTICE OF PROCEDURE FOR ISSUANCE OF

LICENSE UNDER PERMIT NO. R-1182

Notice is hereby given that the United States of America, Bureau of Reclamation, Department of Interior, P. O. Box 8008, Boise, Idaho, has heretofore been issued a permit, No. R-1182 to store 5000 acre feet per annum from Mann Creek tributary of the Weiser River. The priority established under this permit is January 30, 1964. The water will be diverted by a dam and reservoir within the channel of Mann Creek (SE¹/₄NE¹/₄, Sec. 11, T. 12 N, R. 5 W, B. M.), Washington County, Idaho. The water is to be used for irrigation in the 4700 acres lying within the Mann Creek drainage basin and approximately bounded on the north by the Joslyn Ditch; the east by the Joslyn and Mann Creek Ditches; the west by the Otto Cromwell, Lolley, Hanna, Gilderay-Lynch, and Jefferson-Ohms Ditches; and on the south by the Galloway Ditch. It will also be used in the 850 acres lying approximately within the Monroe Creek drainage below the existing Monroe Creek Feeder Canal, above the Galloway Ditch and bounded on the east and west by existing ditches. Pursuant to the rules of practice and procedure adopted by the Department of Reclamation on August 1, 1968, proof of beneficial use, issuance of license and fees of the Department of Reclamation under this permit will be determined under the procedures adopted in Chapter 374, General Laws of the State of Idaho, 1967.

Any protest must be filed with the Department of Reclamation, State of Idaho, Boise, Idaho, within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Upper County News Reporter, Cambridge, Idaho, on March 27, and April 3, 1969.

R-1182

NOTICE OF PROCEDURE FOR ISSUANCE OF

LICENSE UNDER PERMIT NO. R-1182

Notice is hereby given that the United States of America, Bureau of Reclamation, Department of the Interior, P. O. Box 8008, Boise, Idaho, has heretofore been issued a permit, No. R-1182, to store 5000 acre feet per annum from Mann Creek, tributary of the Weiser River. The priority established under this permit is January 30, 1964. The water will be diverted by dam and reservoir within the channel of Mann Creek in Washington County, Idaho. The water is to be used for irrigation in the 4700 acres lying within the Mann Creek drainage basin and approximately bounded on the north by the Joslyn Ditch; the east by the Joslyn and Mann Creek Ditches; the west by the Otto Cromwell, Lolley, Hanna, Gilderay-Lynch, and Jefferson-Ohms Ditches; and on the south by the Galloway Ditch. It will also be used in the 850 acres lying approximately within the Monroe Creek drainage below the existing Monroe Creek Feeder Canal, above the Galloway Ditch and bounded on the east and west by existing ditches. Pursuant to the rules of practice and procedure adopted by the Department of Reclamation on August 1, 1968, proof of beneficial use, issuance of license, and fees of the Department of Reclamation under this permit will be determined under the procedures adopted in Chapter 374, General Laws of the State of Idaho, 1967.

Any protest must be filed with the Department of Reclamation, State of Idaho, Boise, Idaho, within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Upper County News Reporter, Cambridge, Idaho, on

_____ and _____

R-1182

BEFORE THE STATE RECLAMATION ENGINEER

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. R-1182)

in the name of UNITED STATES OF AMERICA)

Bureau of Reclamation, Dept. of Interior)

P.O. box 937, Boise, Idaho)

ORDER MODIFYING REQUIREMENTS
FOR COMPLETION OF PERMIT TO
APPROPRIATE WATER

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

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

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

WHEREAS, Permit No. R-1182 was issued previous to that date;

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

1. The above-numbered permit will be completed under the terms of Title 42, Chapter 2, Idaho Code, as amended by the 39th Idaho Legislature.
2. The conditions of the above-numbered permit are modified as follows:
 - a. Notice of the issuance of the permit will be published at the permit holders expense for two weekly issues in the official newspaper of the county in which the point of diversion lies.
 - b. The permittee will not be required to submit proof of completion of works as originally specified, but will be required to submit proof to the Department of Reclamation of the application of the water to beneficial use on or before February 24, 1974. The permit holder should be aware that failure to complete one-fifth (1/5) of the works within one-half (1/2) of the time originally set for Completion of Works may be grounds for cancellation at the instance of the Department.

Dated this 3 day of December, 1968.


R. KEITH HIGGINSON
State Reclamation Engineer

sent to: United States of America
U.S. Bureau of Reclamation
Federal Building
700 West
Boise Idaho

per RKH
instructions

December 2, 1968

Re: Permit No. R-1182

United States of America
Bureau of Reclamation,
Department of Interior
P. O. Box 937
Boise, Idaho

Gentlemen:

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

The enclosed order modifies your permit to comply with those rules and regulations. As a part of the new procedure, you will be required to publish a notice at your expense for two consecutive weeks in a paper as prescribed by the Department, stating that you have been issued a permit ~~and are required to publish proof of beneficial use~~. Previously, a permit holder had to publish a notice for four weeks when he submitted proof under his permit.

If you will complete the enclosed forms, we will cause the notice to be published. Should you require additional forms or information, we will be glad to supply it upon request at any time.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:tg
Enc: order
advertising package

R-1182

January 11, 1968

RE: Permit No. R-696 and R-1182

Bureau of Reclamation
P.O. Box 8008
Boise, Idaho 83707

Gentlemen:

Enclosed herewith is a copy of your extension of time which has been approved by the State Reclamation Engineer. The original has been maintained for our files (referenced above).

This extension is to February 24, 1969 as requested.

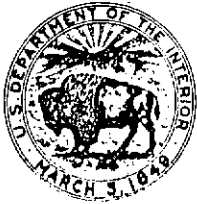
Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:efw

Enc: extension of time copy

R-1182



UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION

REGIONAL OFFICE, REGION I

BOX 8008

BOISE, IDAHO 83707

IN REPLY
REFER TO: 424

DEC 19 1967

RECEIVED
DEC 20 1967
Department of Reclamation

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

Dear Mr. Higginson:

Enclosed is an application for extension of time to submit proof of completion of construction in connection with Permits R-696 and R-1182. These are the two permits for construction of the dam and reservoir on Mann Creek. Construction of the dam is substantially complete, but some work remains to be done. Because of the delay in receipt of our appropriation for this fiscal year, we will not have the work completed by February 24, 1968 as provided in the two permits.

A one-year extension of time will permit completion of the work, and very likely appropriation of water to beneficial use as planned. If this occurs, we can complete the necessary actions to perfect this water right on or before February 1969.

Very truly yours,

Wm. H. Moon

Assistant Regional Director

Enclosure

R-1182

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

APPLICATION FOR EXTENSION OF TIME

State of Idaho)
County of Ada)

Permit No. R-696
R-1182

The United States of America, Acting through
the Regional Director, Region 1, Bureau of P. O. Box 8008, Boise
(name) of Reclamation, (address)

State of Idaho, 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 Appropri-
ate the Public Waters of the State of Idaho No. R-1182 and R-696

That under the terms and conditions of said permit, work thereunder was required to be
completed by February 24, 19 68.

That he has heretofore performed the following work described under said permit: _____
Dam completed to point where full storage is possible. Minor completion work
remains, including modification of 2 sleeve valves, construct drain along down-
stream toe, construction of recreation facilities.

Completed work Costing \$ 3,583.314

That he is unable to complete the remainder of the work within the required time for the
following reasons, to-wit: Appropriation for fiscal year starting July 1, 1967 was
delayed until November 20, 1967 when the public works appropriation Bill was signed
by the President. This has delayed award of contracts to complete the work.

WHEREFORE, he asks that the State Reclamation Engineer extend the time for the com-
pletion of obligations under said permit to February 24, 19 69.

Norman H. Moore
(signature) Acting Regional Director

Subscribed and sworn to before me this 18th day of December, 19 67.

John H. Welch
(notary public)

My commission expires 6-10-71.

Date of receipt at office of Department of Reclamation 12-20-67

ACTION OF STATE RECLAMATION ENGINEER

I, R. Keith Higginson, State Reclamation Engineer of the State of Idaho,
hereby approve the above application for extension of time for Permit Nos.
R-696 and R-1182, February 24, 1969.

Witness my hand this 2nd day of January, 19 68.

R. Keith Higginson
State Reclamation Engineer

R-1182

Form 12

RECEIVED
DEC 20 1967
Department of Reclamation

November 3, 1967

Re: Permit No. R-1182

Regional Director, Region I
Bureau of Reclamation
Box 937
Boise, Idaho

Dear Sir:

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

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

Please contact us if you have any further questions.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:dj

R-1182

Re: Permit No. R-1182

November 3, 1967

Regional Director, Region I
Bureau of Reclamation
Box 937,
Boise, Idaho

Dear Sir:

Proof of completion of works ~~and application of water to beneficial use~~ for the above referenced permit is due not later than February 24, 1968.

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

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

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

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

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


State Reclamation Engineer

RELINQUISHMENT

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

Dated _____.

permit holder

R-1182

NOTICE OF APPROVED APPLICATION FOR WATER

Notice is hereby given that the United States of America, Bureau of Reclamation, Department of Interior, P. O. Box 937, Boise, Idaho has received an approved permit No. R-1182 to store 5000 acre feet per annum / tributary of the Weiser River. from Mann Creek, The priority to be established under this permit is January 30, 1964. The water will be diverted by reservior, dam, within Washington County. the Channel of Mann Creek, The water is to be used for irrigation in the 4700 acres lying within the Mann Creek drainage basin and approximately ound bounded by the mouth by the Joslyn Ditch; the east by the Joslyn and Mann Creek Ditches; the west by the Otto Cromwell, Lolley, Hanna, Gilderay-Lynch, and Jefferson-Ohms Ditches; and on the south by the Galloway Ditch. It will also be used in the 850 acres approximately lying within the Monroe Creek drainage below the existing Monroe Creek Feeder Canal, above the Galloway Drich and bounded on the east and west by existing ditches.

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

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Upper County News Reporter, Cambridge, Idaho on

_____ and _____.

R-1182



UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION

REGIONAL OFFICE, REGION I
BOX 8008
BOISE, IDAHO 83707

IN REPLY
REFER TO: 424

DEC 22 1966
Department of Reclamation

DEC 21 1966

Mr. Carl E. Tappan
State Reclamation Engineer
Department of Reclamation
107 State House
Boise, Idaho 83701

Re: Permit No. R-1182

Dear Mr. Tappan:

Your approval of Permit No. R-1182 issued to the United States for construction of Spangler Dam and Reservoir on Mann Creek specifies that one-fifth of the work is to be completed on or before February 24, 1966. You are hereby notified that the planned construction is now one-fifth complete, considering total estimated costs.

This Bureau has acquired the land needed for the dam and reservoir, and all pre-construction activities have been completed. An award for construction of the dam has been made to Murphy Brothers of Spokane, Washington, and construction work is in progress.

Very truly yours,

William H. Moore

Acting Regional Director

R-1182

B-128

Fin. 4-61

USBR-Region 1

RECEIVED

FEB 20 1964

CHECK TRANSMITTAL SLIP

A.E. No.

44

Bureau of Reclamation

Box 937, Boise, Idaho

Department of Reclamation

PAYEE

Idaho State Reclamation Engineer

Filing Fee

Purchase Order No.

application for permit

Your Invoice No.

Man Creek Res.

Amount

\$ 9.75

R-1182

March 2, 1964

Re: Permit No. R-1182
U. S. A., Bureau of Reclamation

Mr. Harold T. Nelson,
Regional Director,
Region 1, Bureau of Reclamation,
P. O. Box 937,
Boise, Idaho.

Dear Mr. Nelson:

We enclose Permit No. R-1182 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. 32095 which was issued covering payment in the amount of \$ 9.75 for the filing fee of the above mentioned permit.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(MRS.) EDNA P. RULE
Chief Clerk

Encl.
EPR:pmk

R-1182

January 30, 1964

424

14X0661

RE: Application for Permit

Harold T. Nelson, Regional Director
Region I, Bureau of Reclamation
Box 937
Boise, Idaho

Dear Mr. Nelson:

Enclosed is the signed voucher for the filing fee for an application for Construction and Rehabilitation Mann Creek Project.

As soon as the check is received the application will be processed.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(Mrs.) Edna P. Rulo
Chief Clerk

ELR:mr

Enc. voucher

R-1182



IN REPLY
REFER TO: 424

UNITED STATES
DEPARTMENT OF THE INTERIOR

BUREAU OF RECLAMATION

REGIONAL OFFICE, REGION I

BOX 937

BOISE, IDAHO 83701

RECEIVED
JAN 30 1964

Department of Reclamation

JAN 29 1964

Mr. Carl E. Tappan
State Reclamation Engineer
Department of Reclamation
107 State House
Boise, Idaho

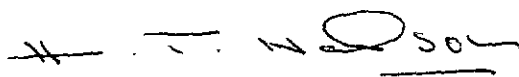
Dear Mr. Tappan:

Enclosed is an application for a permit to construct a reservoir and appropriate and store the public waters of the State of Idaho. The application is for a permit to construct additional capacity and store 5,000 acre-feet additional water in a reservoir on Mann Creek. The reservoir on Mann Creek was initially included in Application No. R-26524, Permit No. R-696.

We have drafted the current application in the manner suggested by you on November 18, 1963, when you returned our amended application for a permit for the reservoir on Mann Creek.

Enclosed also is a voucher for \$9.75, the amount of the filing fee. Please sign and return the voucher to this office.

Very truly yours,


Regional Director

Enclosure

R-1182