

No. 442

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Washington } ss.

Dorothy A. Booth, 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 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.

Such notice was published in the issue beginning with
Nov. 19, 1970, and ending
with the issue of Nov. 26, 1970.

Dorothy A. Booth
Fees, \$ 10.50

No. 442
**NOTICE OF EXISTING
WATER RIGHT**

Notice is hereby given that Joe L. Magee, Route No. 3, Weiser, Idaho, has received an approved permit No. 32116 issued by the Idaho State Department of Water Administration authorizing the diversion of 02 cubic feet per second of water from an unnamed spring, subject to all prior rights. The priority to be established under this permit is October 26, 1964, and the permit was approved October 29, 1964. Water is to be diverted by pipe, and dam, and pond from a point within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 31, T. 11 N. R. 3 W. B.M., Washington County, to be used for stock watering in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 31, T. 11 N. R. 3 W. B.M. and in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 6, T. 10 N. R. 3 W. B.M. Proof of the application of the water to beneficial use is to be submitted to the Department on or before October 29, 1970. Any protests against the issuance of a license for the above referenced permit should be filed with the Department of Water Administration within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON
Director

Published in the Signal American,
Weiser, Idaho, on November 19
and November 26, 1970. 72-25

Subscribed and sworn to before me this 26
day of November, 1970.

[Signature]
Notary Public, Residing at Weiser, Idaho.

My Commission Expires 4-1-, 1974.

T.
11
N

3 1

*

T.
10
N

6

Diagram of System

R-3 W.

67 2326

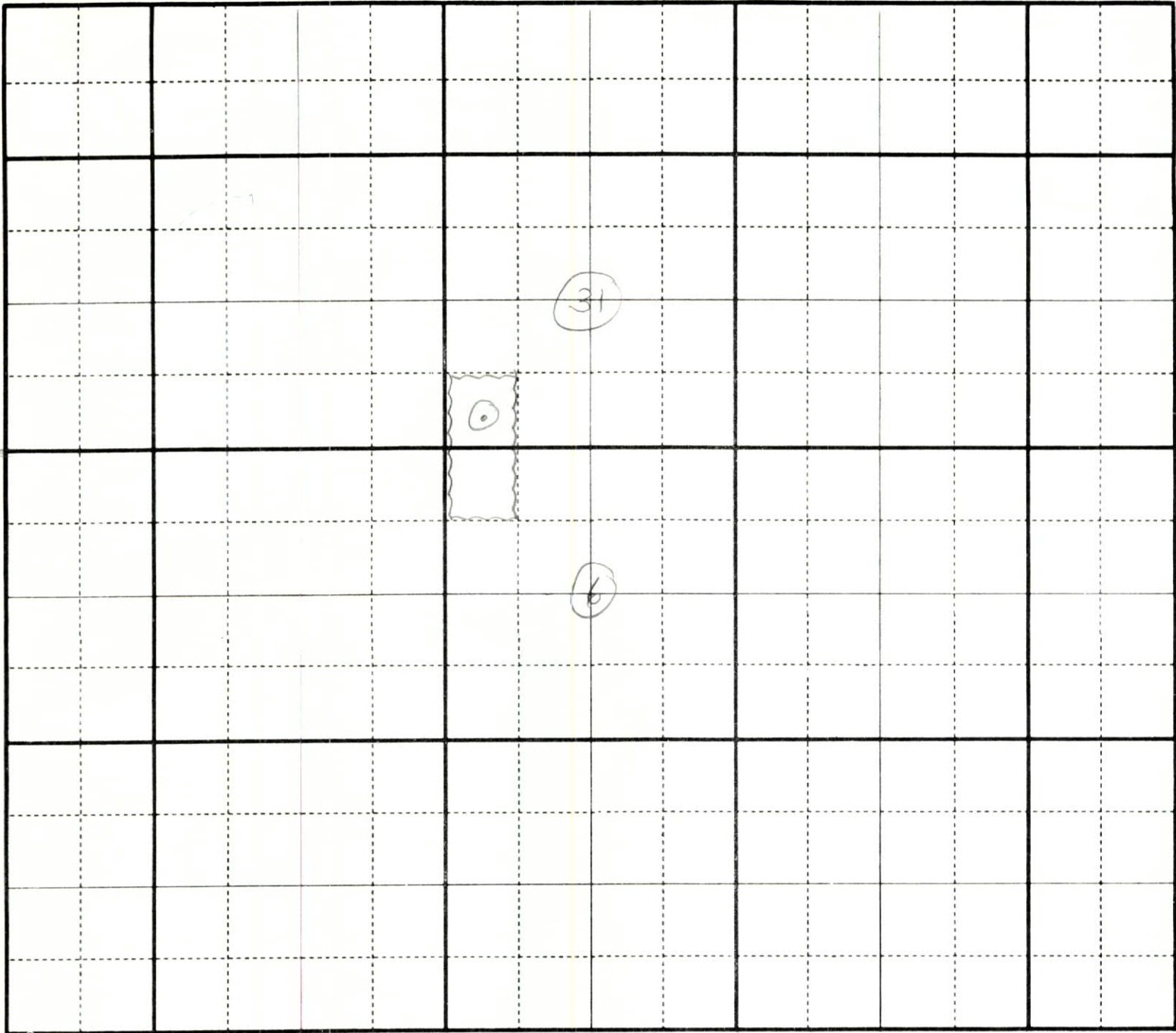


Diagram of System

DATE

EXAMINATION RECORDS

_____	_____
_____	_____
_____	by: _____
_____	_____
_____	by: _____
_____	_____
_____	by: _____
_____	_____
_____	by: _____

JOE MAGEE

[illegible]

Permit Map No. 32116
As Approved OCT 29 1964
CARL E. TAPPAN
State Reclamation Engineer

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

h 32116

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 32116/67-2326 Priority Oct. 26, 1964 Amount 0.02 cfs

THIS IS TO CERTIFY, that JOE L. MAGEE
of Weiser, Idaho, has complied with the terms and conditions of Permit
No. 32116/67-2326 issued pursuant to Application for Permit dated October 26, 1964,
and has submitted proof to the Department of Water Administration on October 27, 1970,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 0.02 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from an unnamed spring
tributary of _____, is hereby confirmed in the following amounts:

Amount 0.02 cfs for Stockwater from Jan. 1 to Dec. 31 (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Subject, however, to the condition that no more than 0.02 cfs of water be diverted at
any one time, said waters to be diverted within the _____

SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 31, Twp. 11 N, Rge. 3 W, B.M.

in the county of Washington; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 1.4 acre feet per year ~~or~~ _____

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 $\frac{1}{4}$	
11 N	3 W	31										X							
10 N	3 W	6					X												

Total number of acres irrigated _____

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 14 day of
March, 19 73.


Director

67 2326

No 442

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Washington } ss.

Dorothy A. Booth, 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 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.

Such notice was published in the issue beginning with
Nov. 19, 1970, and ending
with the issue of Nov. 26, 1970.

Dorothy A. Booth
Fees, \$ 10.50

Subscribed and sworn to before me this 26
day of November, 1970.

James H. Ray
Notary Public, Residing at Weiser, Idaho.

My Commission Expires 4-1-, 1974.

No. 442
**NOTICE OF EXISTING
WATER RIGHT**

Notice is hereby given that Joe L. Magee, Route No. 3, Weiser, Idaho, has received an approved permit No. 32116 issued by the Idaho State Department of Water Administration authorizing the diversion of .02 cubic feet per second of water from an unnamed spring, subject to all prior rights. The priority to be established under this permit is October 26, 1964, and the permit was approved October 29, 1964. Water is to be diverted by pipe and dam, and pond from a point within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 31, T. 11 N., R. 3 W., B.M., Washington County, to be used for stock watering in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 31, T. 11 N., R. 3 W., B.M. and in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 6, T. 10 N., R. 3 W., B.M. Proof of the application of the water to beneficial use is to be submitted to the Department on or before October 29, 1970. Any protests against the issuance of a license for the above referenced permit should be filed with the Department of Water Administration within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON
Director
Published in the Signal American,
Weiser, Idaho, on November 19
and November 26, 1970. 72-25

OK
2-3-71

67-2326

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

APPLICATION No. 40252
PERMIT No. 32116
DISTRICT No.

1. Name of Applicant: Joe L. Magee

Postoffice address: Rt. #3, 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) Bond to be issued:
- (d) Other resources:

2. Quantity of water claimed: .02 cubic feet per second.

3. Source of water supply: Unnamed Spring which is a tributary of None

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

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

of section 31 , T. 11 N., R. 3 W., B. M., County of Washington

5. Water is to be used for Stock watering

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 NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 6 10 N. 3 W.
SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 31 , T. 11 N. , R. 3 W. , 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: \$ 100.00

8. Kind of works: *Pipe & watering tank Mr. Magee has built pond rather than install*
60'x40'x6' 8' dam, 2' freeboard. Pond 60'x40'x6' average depth. 12" overflow pipe 20' L
160 x 70 x 5 dam 10-27-70 R.H. 9-29-69

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

feet; material used in dam:

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

11. Ditch: Width at bottom 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.

12. The time required for the completion of such work is 5 years.

13. The time required for the complete application of the water to the proposed use is 1 additional years.

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

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

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

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

s/ Joe L. Magee Applicant.

By _____ Agent.

Date of first receipt at Department of Reclamation: 3:00 P.M. October 26, 1964

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 32116

Recorded in Book 112 Page 32116 Approved October 29, 1964

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 December 29, 1964 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 April 29, 1967

The whole of said work to be completed on or before October 29, 1969

Beneficial use of water appropriated in accordance herewith, to be made on or before October 29, 1970

WITNESS My hand this 29th day of October, 1964

s/ CARL E. TAPPAN
State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, ROBERT E. SMYLIE, 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 29th

day of October, 1964
Countersigned: _____

STATE OF IDAHO

Countersigned:

(SEAL)

Bv. s/ ARNOLD WILLIAMS

By s/ ROBERT E. SMYLIE

Governor.

Secretary of State.

REMARKS: Land where spring is located in U. S. land

(See file for "Affidavit of Permission to file on Springs")

14.

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	

LICENSE ISSUED FOR 0.02 SEC. 11.
 LICENSE PAGE NO. _____

LICENSE ISSUED FOR 0.02 SEC. #1
 LICENSE PAGE NO. _____

Identification No. _____

Permit No. 32116/67-2326

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

RECEIVED

OCT 27 1970

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Department of Water Administration

1. a) Name of Permit Holder Joe L. Magee
b) Post Office Address Route #3, Weiser, Idaho
2. Permit Number 32116/67-2326
3. Date of Priority that you are prepared to establish October 26, 1964
4. a) Source from which water was appropriated unnamed spring
b) Location of the point of diversion: SW 1/4 SW 1/4, Section 31
Township 11 N, Range 3 W, Boise Meridian, Other points of diversion:
5. a) The amount of water and use to which the water has been applied:
amount .02 for stockwatering purposes from Jan. 1 to Dec. 31 incl.
(cfs and/or acrefeet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acrefeet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acrefeet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated .02 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: estimated - self
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) Pond - 110' x 70' dam, 8' with 2' of free board, 12" overflow pipe
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 5-5-71. (CR)

67-2326
32116

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: _____

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	

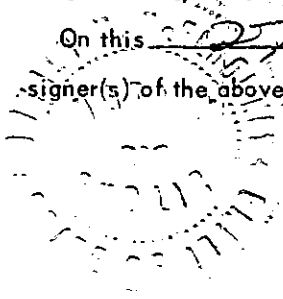
10. Remarks: Contact Pete Rooney Rt 2 Weiser 549-2542
for exam. Total number of acres irrigated _____

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

10-27-70 Joe L. Magee
(Date) (Signature)

State of Idaho)
County of Boise) ss.

On this 27 day of Oct., 19 70, personally appeared before me the
signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.



Donald M. Ellison
Notary Public residing at Boise, Idaho

My commission expires 2-18-74

BEFORE THE STATE RECLAMATION ENGINEER

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 32116)

in the name of Joe L. Magee)

Route #3, Weiser, 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,

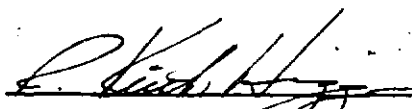
WHEREAS, on August 1, 1968, the Department of Reclamation adopted Rules of Practice
and Procedures for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. 32116 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 October 29, 1970. The per-
mit 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 18th day of July, 1969.


R. KEITH HIGGINSON
State Reclamation Engineer

32116
67-2326

WATER RIGHT NUMBER 67-2326

OWNER LAST NAME - MAGEE

FIRST NAME - JOE L.

ORIG OWNER -

ADDRESS LINE 1 -

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - WEISER

STATE - ID ZIP CODE -

SOURCE - SPRING

TRIBUTARY OF -

STAGE - LICENSE

STATUS -

PRIORITY - 10-26-1964 COUNTY - WASHINGTON TOTAL DIV. RATE - .0200 -CFS

TOTAL DIV. VOLUME -

1.40 AFA TRFR/AMEND -

WATER DIST. -

DLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - SWSW 31 11N 03W LOT REDIV -

272.0 288.0 2.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.9

FROM - 01-01 TO - 12-31 USE - STOCKWATER

USE DIV. RATE -

.0200 CFS USE DIV. VOLUME -

.00 AFA

USE - STOCKWATER

PLACE OF USE - TWN 10N RNG 03W SEC 06 TRACT NWNW LOT AC

USE - STOCKWATER

PLACE OF USE - TWN 10N RNG 03W SEC 31 TRACT SWSW 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. - 32116

PROOF MADE -

FLD EXAM -

COND. OF APPROVAL -

DIVERSION MEANS -

CIVIL 1984

9/78

IDENT.

67-2326

I D 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]

March 20, 1973

Re: Permit No. 32116/67-2326

Mr. Joe L. Magee
Route # 3
Weiser, Idaho 83672

Dear Mr. Magee:

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

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR

Enc: Copy of license

67 2326

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

1. Name of permit holder Joe L. Magee
Post office address Route 3, Weiser, Idaho Phone Richard Mooney 0754
Person to contact Pete Mooney, Route 2, Weiser, Idaho Phone 549-2542

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

3. Water will be used for the following purposes:

Amount 0.02 c.f.s. for Stock watering
_____ AF/Annum (nature of use)

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

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

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

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

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

Other uses: _____

4. Total amount to be appropriated:

Max Rate of Diversion 0.02 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 11 N N/S, Range 3 W E/W, B.M., Section 31, Subdivision SW $\frac{1}{4}$ SW $\frac{1}{4}$, Washington
County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____
County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____
County

Other Points of Diversions: _____

Description of diverting works: pond (110 x 20), dam (8') with 2' of free board, 12" overflow pipe

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or 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 $\frac{1}{4}$	
10N	3W	6						X											
11N	3W	31											X						

Permit No. 32116/67-2326
Examination for b/u

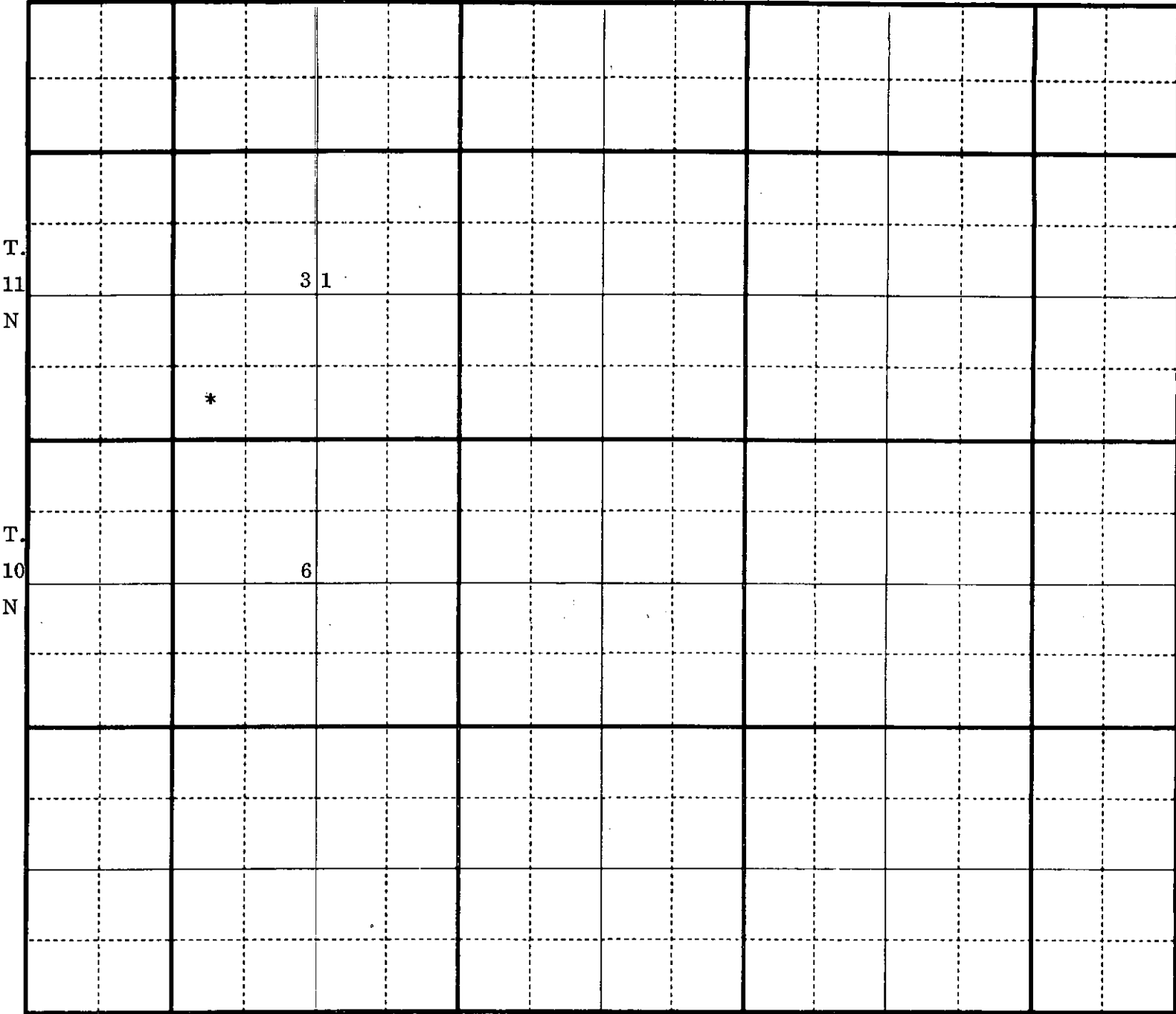


Diagram of System

DATE OF EXAM 18 July & 31 Aug 72

ACREAGE

Found
Recommended

Irrigation Requirement Ac Ft/Ac

USE

Irrigation Q = c.f.s. V = AF/Ann. from to
Domestic Q = c.f.s. V = AF/Ann. from to
Livestock Q = .02 c.f.s. V = 14.60 AF/Ann. from JAN 1 to Dec 31
1.4 AF
141

Is water co-mingled? yes no ✓

Name source: Unnamed Spring
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 .02 Method of measurement Estimated

Total Q recommended .02 Meter No. Type Condition

Total V recommended 14.60 Ac Ft/ANN

Recommended Amendments:

P.D.
Place of Use
Other
None

MEASUREMENT CALCULATION:

Q = .02
V = (.02)(2)(365) = 14.60 Ac Ft/ANN
1.4 AF

SYSTEM DESCRIPTION:

Pond below spring 16' x 20' with 12" corrugated pipe overflow into ditch beside road
This pond is alongside the road

REMARKS:

Number of Stock varies. Approx 100 head Cattle.

This spring flows a good stream in the Spring and late fall but slows down in the Summer

Examiner's Signature James Barker Date 31 Aug, 72

Checked by Date

Approved by Date

549-0497

549-

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

1. Name of permit holder Joe L. Magee
Postoffice address Route #3, Weiser, Idaho Phone _____
Person to contact _____ Phone _____

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

3. Water will be used for the following purposes:

Amount .02 c.f.s. for Stockwatering
_____ 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: _____

Permit No. 32116/67-2326
Examination for B/U

4. Total amount to be appropriated:

Max Rate of Diversion .02 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 11 N N/S, Range 3 W E/W, B.M., Section 31, Subdivision SW 1/4 SW 1/4, Washington 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 Diversion: _____

Description of diverting works: Pond - 16'x20'x6', dam 8' with 2' of free board, 12" overflow pipe.

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	
10 N	3 W	6						XX											
11 N	3 W	31										XX							

TOTAL ACRAGE

R.3 W.

67 2326

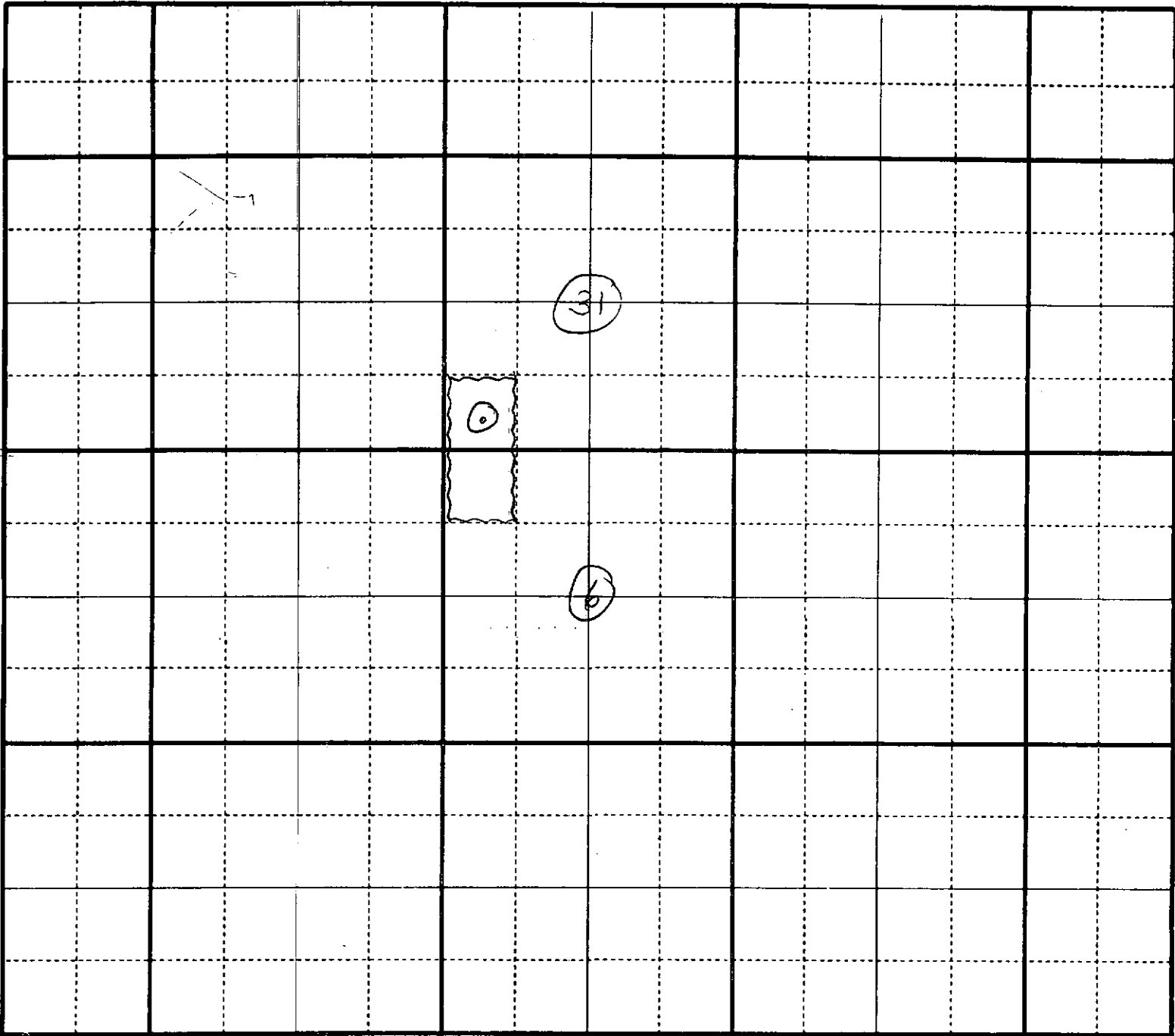


Diagram of System

DATE

EXAMINATION RECORDS

_____	_____
_____	_____
_____	_____ by: _____
_____	_____
_____	_____
_____	_____ by: _____
_____	_____
_____	_____
_____	_____ by: _____
_____	_____

18 July 72
25 May 72

DATE OF EXAM _____

ACREAGE
Found _____
Recommended _____

Irrigation Requirement _____ Ac Ft/Ac

USE
Irrigation Q=_____ c.f.s. V=_____ AF/Ann. from _____ to _____
Domestic Q=_____ c.f.s. V=_____ AF/Ann. from _____ to _____
Livestock Q=_____ c.f.s. V=_____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no _____
Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Exchange? yes _____ no _____
Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

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

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

Total Q measured _____ Method of measurement _____

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

Total V recommended _____

Recommended Amendments:
P.D. _____
Place of Use _____
Other _____
None _____

TRY #2
18 July 72

MEASUREMENT CALCULATION:
~~Found a small pond beside the road. I can not determine that any use has been made recently. Searched entire area and could find no other works. This area appears to be abandoned range land. There was no sign of livestock for miles.~~

WRONG
description
try again

SYSTEM DESCRIPTION:
~~CAN NOT find any works of any kind. Nearest neighbor doesn't know this man or of the spring. HAVE BEEN unable to contact permit holder.~~

REMARKS:
~~Recommend Pre Can notice be sent. Possibly the description is way off. I sure can't find it.~~

Examiner's Signature James Brooks Date 31 May 72
Checked by _____ Date 18 July 72
Approved by _____ Date _____

February 3, 1971

Re: Permit No. 32116/67-2326

Mr. Joe L. Magee
Route #3
Weiser, Idaho 83672

Dear Mr. Magee:

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

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. If someone other than yourself should be contacted, please advise.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG

Joe L. Magee
Route #3
Weiser, Idaho

83672

RECEIVED

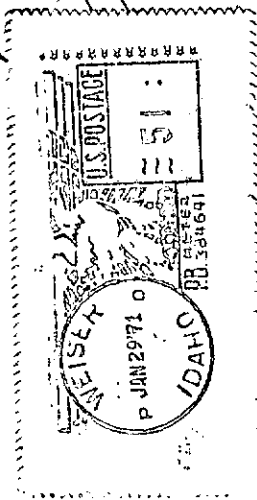
FEB 1 1971

Department of Water Administration

RETURN RECEIPT REQUESTED



Mr. Donald W. McClellan
State of Idaho
Department of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707



67 2326

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

January 27, 1971

Re: Permit No. 32116/67-2326

Mr. Joe L. Magee
Route # 3
Weiser, Idaho 83672

Dear Mr. Magee:

As of this date, we have not yet received the affidavit of publication to be submitted in connection with permit No. 67-2326. You should be aware that many newspapers do not keep copies of these advertisements for their files. We, therefore, recommend that you obtain this affidavit as soon as possible from the Signal American, Weiser, Idaho, and submit it promptly to the Department. Please be advised that a license will not be issued until we are in receipt of this affidavit.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Donald W. McEldowney".

Donald W. McEldowney
Appropriation Supervisor

DWM:CM

67 2326

January 27, 1971

Re: Permit No. 32116/67-2326

Mr. Joe L. Magee
Route # 3
Weiser, Idaho 83672

Dear Mr. Magee:

As of this date, we have not yet received the affidavit of publication to be submitted in connection with permit No. 67-2326. You should be aware that many newspapers do not keep copies of these advertisements for their files. We, therefore, recommend that you obtain this affidavit as soon as possible from the Signal American, Weiser, Idaho, and submit it promptly to the Department. Please be advised that a license will not be issued until we are in receipt of this affidavit.

Very truly yours,

Donald W. McElDowney
Appropriation Supervisor

DWM:CM

67 2326

November 5, 1970

Re: Permit No. 32116/67-2326

Mr. Joe L. Magee
Route #3
Weiser, Idaho

Dear Mr. Magee:

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

The legal notice for the above referenced permit is being published in the Signal American, Weiser, Idaho on November 19 and November 26, 1970. You will be required to submit to this department an affidavit of publication, which may be obtained from the above mentioned newspaper upon payment of the bill of publication.

If you have any questions, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG

32116
67-2326

November 5, 1970

Re: Permit No. 32116/67-2326

The Weiser Signal
P.O. Box 709
Weiser, Idaho 83672

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 Joe L. Magee, Route #3, Weiser, Idaho, to whom you should furnish an affidavit of publication.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG
Enc: legal notice

67-2326
32116

RECEIVED

OCT 27 1970

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Joe L. Magee, Route #3, Weiser, Idaho
has received an approved ^{Department of Water Administration} permit No.

32116 issued by the Idaho State Reclamation Department authorizing the
diversion ~~storage~~ of .02 cubic feet per second ~~acres/feet/year/annum~~
of water from an unnamed spring

subject to all prior rights. The priority to be established under this permit is

October 26, 1964 and the permit was approved October 29, 1964.

Water is to be diverted by ~~pipe and watering tank~~ Dam - pond and pipe
from a point within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 31, T. 11 N, R. 3 W, B.M.,

Washington County

to be used for stock watering

in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 31, T. 11 N, R. 3 W, B.M. and in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 6,
T. 10 N, R. 3 W, B.M.

Proof of the application of the water to beneficial use is to be submitted to the
Department on or before October 29, 1970. Any protests against
the issuance of a license for the above referenced permit should be filed with the
Department of Reclamation within ten (10) days of the last date of publication of
this notice or prior to the licensing of the permit. Licensing may commence prior
to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Signal American, Weiser, Idaho on
November 19 and November 26, 1970.

State Reclamation Engineer:

Permit No. 32116

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

(Signature)

(Address)

(Date)

67-2326
32116

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Show to whom, date, and
address where delivered

☐ Deliver ONLY
to addressee

(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO.

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

CERTIFIED NO.

INSURED NO.

DATE DELIVERED

SHOW WHERE DELIVERED (only if requested)

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

1

2

3

655-16-71548-10 GPO

e55-16-71648-10

POD Form 3811 Apr. 1967

POST OFFICE DEPARTMENT
OFFICIAL BUSINESSPENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE, \$300POSTMARK OF
DELIVERING OFFICE

INSTRUCTIONS: Show name and address below and complete instructions on other side, where applicable. Moisten gummed ends, attach and hold firmly to back of article. Print on front of article **RETURN RECEIPT REQUESTED.**

**RETURN
TO**

NAME OF SENDER

Dept. of Water Administration

STREET AND NO. OR P.O. BOX

Statehouse - Annex 2

POST OFFICE, STATE, AND ZIP CODE

Boise, Idaho 83707

July 31, 1970

Re: Permit No. 32116/67-2326

Mr. Joe L. Magee
Route #3
Weiser, Idaho 83672

Dear Mr. Magee:

One of the conditions of the approval of your Permit No. 32116/67-2326 was that proof of application of the water to beneficial use be submitted to this office on or before October 29, 1970.

Enclosed is an affidavit form which must be used to submit proof of beneficial use. You may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended.

Either the proof affidavit or a request for extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.

R. Keith Higginson

Director

Enc: Proof affidavit
RKH:DR

CERTIFIED MAIL

#22058

67-2326
32116

September 30, 1969

Re: Permit No. 67-2326

Joe L. Magee
Route #3
Weiser, Idaho 83672

Dear Mr. Magee:

As requested by you on September 29, 1969, we have amended your permit to show that you have a dam 8 feet in height to hold the water from an unnamed spring rather than the metal tank with a pipe leading from the spring to the tank.

Very truly yours,

Robert W. Hamilton
Supervisor of Water Distribution

RWH:mh

C
O
P
Y

3-2114
67-2326

July 15, 1969

RE: Permit No. 32116

Joe L. Magee
Route #3
Weiser, Idaho

Dear Mr. Magee:

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 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 paper as prescribed by the Department, stating that you have been issued a permit ~~_____~~. 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

sc
Enc: Order
Adv. Package

32116

November 5, 1964

Re: Permit No. 32116

Mr. Joe L. Magee,
Rt. #3,
Weiser, Idaho.

Dear Mr. Magee:

We enclose Permit No. 32116 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. 32507 which was issued covering payment in the amount of \$ 5.00 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

B 32116

AFFIDAVIT OF PERMISSION TO FILE ON SPRINGS

The Bureau of Land Management, charged with the administration and care of the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 31, T. 11 N., R. 3 W., B.M. does hereby grant to the said Joe L. Magee permission to file on a spring located on the above described land.

It is further agreed that Joe L. Magee hereby grants to the United States or its successors in interest, permission to construct a trough adjacent to this spring and to obtain water for livestock permitted to graze the W $\frac{1}{2}$ W $\frac{1}{2}$, Section 31, T. 11 N., R. 3 W., B.M.

Edward C. Booker
District Manager

Date 10/26/64

STATE OF IDAHO)

County of Ada) ss

On this 26th day of October, 1964, before me, a Notary Public for the State of Idaho, residing at BOLLE, IDAHO, personally appeared Joe L. Magee, known to me to be the person who subscribed to the foregoing certificate, and acknowledged to me that he executed the same.

Witness my hand and seal, the day and year in this certificate first above written.

My Commission expires March 13, 1966

Rupert

Notary Public

RECEIVED

OCT 28 1964

Permit Map No. 32116

Department of Reclamation

As Approved

OCT 29 1964

CARL E. YAPPAN

State Reclamation Engineer

32116

AFFIDAVIT OF PERMISSION TO FILE ON SPRINGS

The Bureau of Land Management, charged with the administration and care of the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 31, T. 11 N., R. 3 W., B.M. does hereby grant to the said Joe L. Magee permission to file on a spring located on the above described land.

It is further agreed that Joe L. Magee hereby grants to the United States or its successors in interest, permission to construct a trough adjacent to this spring and to obtain water for livestock permitted to graze the W $\frac{1}{2}$ W $\frac{1}{2}$, Section 31, T. 11 N., R. 3 W., B.M.

Edward C. Booker
District Manager

Date

10/26/64

STATE OF IDAHO)

County of Ada) ss

On this 26th day of October, 1964, before me, a Notary Public for the State of Idaho, residing at BOISE, IDAHO, personally appeared individual, known to me to be the person who subscribed to the foregoing certificate, and acknowledged to me that he executed the same.

Witness my hand and seal, the day and year in this certificate first above written.

My Commission expires

March 13, 1966

August
Notary Public

RECEIVED
OCT 26 1964

Department of Reclamation

Permit Map No. 32116
As Approved
CARL E. TAPPAN
State Reclamation Engineer

32116

NAME OF APPLICANT.....JOE MAGEE.....

Form No. 0

p	z	w
-----	-----	-----

T

11

U

31

70.

Place of Use	
--------------	--

T

10

2

Permit No. 32116

As Approved OCT 29 1964

~~CARLE F. TADDEA~~

State Reclamation Engineer

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

h 32116