

R 1 E

SPRING + P.D.

31

PD

WEISER RIVER  
UPPER  
K.S. Hwy 95

E. FK. WEISER RIVER

Amend PD to Sw SE 31

" Use to " 31

No readvertisement

Domestic

Allow-

Q .02 cfs or 1 inch

RECORDED  
JUN 25 1964  
Department of Reclamation

**Affidavit of Publication**

State of Idaho, County of Adams, ss:

I, Bert J. Rogers, being first duly sworn upon my Oath, depose and say that I am the publisher of The Adams County

Leader, a newspaper; that a copy of the "Notice of Appli-

of Water to Beneficial Use " as per clipping hereto attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for

four ( 4 ) consecutive weeks, the first publication of the

same being made in the issue dated May 14, 1964

and the last in the issue dated June 4, 1964; that said newspaper is of general circulation in Adams County Idaho, printed and published weekly at Council therein and that said newspaper has been continuously and uninterruptedly published in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of

said "Notice" as aforesaid.

*Bert J. Rogers*

Subscribed and sworn to before me this

day of JUN - 9 1964, 1964

*Robert X. Wood*

Notary Public for Idaho,  
Residing at Council, Idaho

**NOTICE OF PROOF OF COMPLETION OF WORKS and APPLICATION OF WATER TO BENEFICIAL USE**

NOTICE is hereby given that at 10 A. M., on the 18 day of June, 1964, at Council, County of Adams, State of Idaho, before Ferd Muller, Notary Public, at Council, Idaho, proof will be submitted of the completion of works for the diversion of 0.1 cubic feet per second of the waters of a spring, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 31039, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is: Ennis J. White, Council, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion and the amount of water which said works are capable of conveying to the place of use is 0.1 cubic feet per second.

3. The use to which said water has been applied is domestic purposes, and the amount applied to beneficial use is 0.1 cubic feet per second.

4. The point of diversion of said water is SE 1/4 NW 1/4 Section 31 T 18 N., R. 1 E., B.M.

5. The place where said water is used is NW 1/4 SE 1/4 Section 31, T 18 N., R. 1 E., B.M. 300 feet from point of diversion.

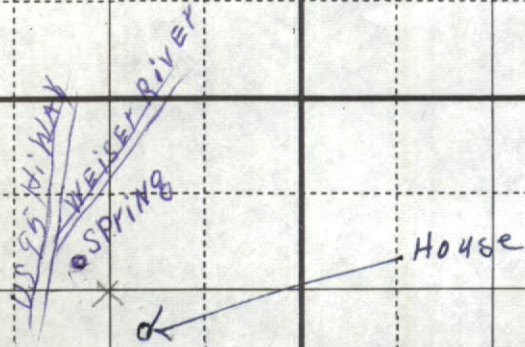
6. The date of priority which said user is prepared to establish is 3-12-63.

CARL E. TAPPAN  
State Reclamation Engineer  
Pub. May 14, 21, 28 & June 4.

31039

NAME OF APPLICANT *Emmie White*

Form No. 0



*Sec 31 T18N R1E*

Permit Map No. **31039**  
As Approved  
**GEO. N. CARTER** MAR 15 1963  
State Reclamation Engineer

NOTICE OF PROOF OF COM-  
PLETION OF WORKS  
and  
APPLICATION OF WATER TO  
BENEFICIAL USE

NOTICE is hereby given that at 10 A. M., on the 18 day of June, 1964, at Council, County of Adams, State of Idaho, before Ferd Muller, Notary Public, at Council, Idaho, proof will be submitted of the completion of works for the diversion of 0.1 cubic feet per second of the waters of a spring, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 31039, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is: Ennis J. White, Council, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion and the amount of water which said works are capable of conveying to the place of use is 0.1 cubic feet per second.

3. The use to which said water has been applied is domestic purposes, and the amount applied to beneficial use is 0.1 cubic feet per second.

4. The point of diversion of said water is SE $\frac{1}{4}$ NW $\frac{1}{4}$  Section 31 T 18 N., R. 1 E., B.M.

5. The place where said water is used is NW $\frac{1}{4}$ SE $\frac{1}{4}$  Section 31, T 18 N., R. 1 E., B.M. 300 feet from point of diversion.

6. The date of priority which said user is prepared to establish is 3-12-63.

CARL E. TAPPAN  
State Reclamation Engineer  
Pub. May 14, 21, 28 & June 4.

✓ 31039 ✓

State of Idaho  
License and Certificate of Water Right

Water License No. 31039 Amount .02 c.f.s.  
Water District No. Priority June 15, 1963

THIS IS TO CERTIFY that ENNIS J. WHITE  
of Council, Idaho, made application for a permit to appropriate the  
public waters of the State of Idaho, dated March 12, 1963; that Permit No. 31039  
was issued under said application; that Certificate of Completion of works, with a carrying capacity of  
.02 second feet, was issued thereunder on November 4, 1964, showing that said works  
were completed on the 18th day of June, 1964; and that on the 18th  
day of June, 1964,

ENNIS J. WHITE  
of Council, State of Idaho, made proof to the satisfaction of the  
State Reclamation Engineer of Idaho, of the right to use the waters of a spring  
, a tributary of Weiser River, for the purpose of domestic use  
, under Use Permit No. 31039 of the Department of Reclamation  
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,  
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume  
13 of Licenses at page 8044, on the 4 day of November, 1964;  
The right hereby confirmed dates from June 15, 1963;  
The Point of Diversion is located  
in the SW 1/4 SE 1/4, Sec. 31, Tp. 18 N, R. 1 E, B. M. Adams County  
That the amount of water to which such right is entitled and hereby confirmed, for the purposes  
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall  
not exceed .02 cubic feet per second.

Description and location of use:

| Twp. | Range | Sec. | Forty-acre Tract               | No. Acres Described in Permit | No. Acres Actually Irrigated |
|------|-------|------|--------------------------------|-------------------------------|------------------------------|
| 18 N | 1 E.  | 31   | SW 1/4 SE 1/4 For domestic use |                               |                              |
|      |       |      |                                |                               |                              |
|      |       |      |                                |                               |                              |
|      |       |      |                                |                               |                              |
|      |       |      |                                |                               |                              |
|      |       |      |                                |                               |                              |
|      |       |      |                                |                               |                              |
|      |       |      |                                |                               |                              |
|      |       |      |                                |                               |                              |

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this  
4th day of November, 1964.

RALPH W. THOMAS  
Deputy State Reclamation Engineer.

(SEAL)

✓ 26491

**State of Idaho**  
**License and Certificate of Water Right**

Water License No. 26491 Amount 5.04 c.f.s.  
Water District No. \_\_\_\_\_ Priority August 8, 1956

THIS IS TO CERTIFY that J. GRANT BALDWIN and EVELYN F. BALDWIN  
of May, Idaho, made application for a permit to appropriate the  
public waters of the State of Idaho, dated August 8,, 19 56; that Permit No. 26491  
was issued under said application; that Certificate of Completion of works, with a carrying capacity of  
5.04 second feet, was issued thereunder on November 3,, 1964, showing that said works  
were completed on the 16th day of October, 1964; and that on the 16th  
day of October, 19 64,

J. GRANT BALDWIN & EVELYN F. BALDWIN

of May, State of Idaho, made proof to the satisfaction of the  
State Reclamation Engineer \_\_\_\_\_ of Idaho, of the right to use the waters of a group  
unnamed  
of springs / \_\_\_\_\_, a tributary of Pahsimeroi River, for the purpose of fish propagation  
\_\_\_\_\_, under Use Permit No. 26491 of the Department of Reclamation  
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,  
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume  
13 of Licenses at page 8043, on the 3rd day of November, 19 64;

The right hereby confirmed dates from August 8,, 19 56;

The Point of Diversion is located NW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub>, Sec. 33; S<sup>1</sup>/<sub>2</sub>SE<sup>1</sup>/<sub>4</sub>, SE<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>, Sec. 29;  
in the 1/4 1/4, Sec. --, Tp. 13 N., R. 23 E., B. M. Custer County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes  
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall  
not exceed 5.04 cubic feet per second.

Description and location of use:

| Twp.  | Range | Sec. | Forty-acre Tract                                                                | No. Acres<br>Described in Permit | No. Acres<br>Actually Irrigated |
|-------|-------|------|---------------------------------------------------------------------------------|----------------------------------|---------------------------------|
| 13 N. | 23 E. | 29   | N <sup>1</sup> / <sub>2</sub> SE <sup>1</sup> / <sub>4</sub> - fish propagation |                                  |                                 |

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this  
3rd day of November, 19 64.

s/ RALPH W. THOMAS  
Deputy State Reclamation Engineer.

(SEAL)

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

67-2311

APPLICATION No. 39122  
PERMIT No. 31039  
DISTRICT No.

1. Name of Applicant: Ennis J. White  
Postoffice address: Council County: Adams 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: (c) Bond to be issued:  
 (b) Treasury stock: (d) Other resources:
2. Quantity of water claimed: 1/10 cubic feet per second.
3. Source of water supply: Spring which is a tributary of Weiser River
4. Location of point of diversion: 300 feet distant from the center  
 corner of Section 31, T. 18 N, R. 1 E, B.M., and is in the SE  $\frac{1}{4}$  NW  $\frac{1}{4}$   
 of section 31, T. 18 N, R. 1 E, B. M., County of Adams
5. Water is to be used for Domestic purposes
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  $\frac{1}{4}$  SE  $\frac{1}{4}$  of Section 31, T. 18 N, R. 1 E, 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: \$400.00
8. Kind of works: Pump pressure tank pipeline
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 One years.
13. The time required for the complete application of the water to the proposed use is None 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? No 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/ Ennis J. White                      Applicant.

By \_\_\_\_\_ *Agent.*

Date of first receipt at Department of Reclamation: 1:30 P.M. March 12, 1963

Returned to applicant for correction:

Corrected application received:

### Approval of State Reclamation Engineer

The number of this permit is 31039

Recorded in Book 109 Page 31039 Approved March 15, 1963

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 May 15, 1963 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 September 15, 1963

The whole of said work to be completed on or before **March 15, 1964**

Beneficial use of water appropriated in accordance herewith, to be made on or before March 15, 1964

WITNESS My hand this 15th day of March, 1963

s/ CARL E. TAPPAN, Assistant  
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.....15th.....

day of March, 1963.

STATE OF IDAHO

Countersigned: \_\_\_\_\_

(SEAL)

By s/ ROBERT E. SMYLLIE  
Governor

By s/ ARNOLD WILLIAMS  
Secretary of State.

REMARKS:

14.

| Twp.                       | Range | Sec. | NE <sup>1</sup> / <sub>4</sub>                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                |                                |                                | NW <sup>1</sup> / <sub>4</sub> |                                |                                |                                | SW <sup>1</sup> / <sub>4</sub> |                                |                                |                                | SE <sup>1</sup> / <sub>4</sub> |                                |                                |                                | Totals |
|----------------------------|-------|------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------|
|                            |       |      | NE <sup>1</sup> / <sub>4</sub>                                                                                                                                                                                                                                                                                                                                                                                                                                                           | NW <sup>1</sup> / <sub>4</sub> | SW <sup>1</sup> / <sub>4</sub> | SE <sup>1</sup> / <sub>4</sub> | NE <sup>1</sup> / <sub>4</sub> | NW <sup>1</sup> / <sub>4</sub> | SW <sup>1</sup> / <sub>4</sub> | SE <sup>1</sup> / <sub>4</sub> | NE <sup>1</sup> / <sub>4</sub> | NW <sup>1</sup> / <sub>4</sub> | SW <sup>1</sup> / <sub>4</sub> | SE <sup>1</sup> / <sub>4</sub> | NE <sup>1</sup> / <sub>4</sub> | NW <sup>1</sup> / <sub>4</sub> | SW <sup>1</sup> / <sub>4</sub> | SE <sup>1</sup> / <sub>4</sub> |        |
|                            |       |      | Application for Amendment<br>POINT OF DIVERSION<br>Permit No. 31039                                                                                                                                                                                                                                                                                                                                                                                                                      |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |        |
|                            |       |      | Comes now ENNIS J. WHITE and represents to the State Reclamation Engineer of the State of Idaho:                                                                                                                                                                                                                                                                                                                                                                                         |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |        |
|                            |       |      | That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 31039.                                                                                                                                                                                                                                                                                                                                                                             |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |        |
| B. M.                      |       |      | That the point of diversion is described in said Permit as being located: SE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> , Sec. 31, T. 18 N., R. 1 E.,                                                                                                                                                                                                                                                                                                                    |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |        |
| 1 E., E. M.                |       |      | That he now requests that the point of diversion be changed to a point located SW <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> , Sec. 31, T. 18 N., R.                                                                                                                                                                                                                                                                                                                     |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |        |
|                            |       |      | That the reason for desiring to make such change is as follows: _____                                                                                                                                                                                                                                                                                                                                                                                                                    |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |        |
|                            |       |      | That no one will be injured by such change, and that such change will be made at Permit Holder's own risk.                                                                                                                                                                                                                                                                                                                                                                               |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |        |
|                            |       |      | Signed at Council, Idaho, this 9 day of October, 1964.                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |        |
|                            |       |      | s/ ENNIS J. WHITE                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |        |
|                            |       |      | Date of Receipt at Department of Reclamation: October 12, 1964                                                                                                                                                                                                                                                                                                                                                                                                                           |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |        |
|                            |       |      | APPROVAL OF STATE RECLAMATION ENGINEER                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |        |
|                            |       |      | I, RALPH W. THOMAS, Deputy State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 31039. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby. |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |        |
|                            |       |      | s/ RALPH W. THOMAS<br>Deputy State Reclamation Engineer                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |        |
| Recorded: November 4, 1964 |       |      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |        |

Application for Amendment ✓  
LAND LIST  
Permit No. 31039

Comes now ENNIS J. WHITE and represents to the State Reclamation Engineer of the State of Idaho:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 31039, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

Place of use SW $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 31, T. 18 N., R. 1 E., E. M., making a total of \_\_\_\_ acres.

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Council, Ida. this 9 day of Oct., 1964

s/ ENNIS J. WHITE

Date of receipt at office of Department of Reclamation: October 12, 1964

APPROVAL OF STATE RECLAMATION ENGINEER

I, RALPH W. THOMAS, Deputy State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 31039. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

w/ RALPH W. THOMAS,  
Deputy State Reclamation Engineer

Recorded November 4, 1964

Permit No. 31039 ✓  
CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that ENNIS J. WHITE of Council, County of Adams, and State of Idaho, the holder of Permit No. 31039, issued upon Application No. 39122, bearing date of priority of March 12, 1963, authorizing the diversion of 1/10 second feet of waters of a spring, County of Adams, State of Idaho, for domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use .02 second feet of the waters of spring, tributary of Weiser, that the point of diversion of said waters SW $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 31, T. 18 N., R. 1 E. B. M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit:

domestic use in SW $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 31, T. 18 N., R. 1 E., B. M.

Witness my hand this 4th day of November, A. D. 1964.

s/ RALPH W. THOMAS  
Deputy State Reclamation Engineer

Proof of Completion of Works Made: June 18, 1964

LICENSE ISSUED FOR .02 SEC. FT.  
LICENSE PAGE NO. 8044

WATER RIGHT NUMBER 67-2311

OWNER LAST NAME - WHITE

FIRST NAME - ENNIS J.

ORIG OWNER -

ADDRESS LINE 1 -

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - COUNCIL

STATE - ID ZIP CODE -

SOURCE - SPRING

TRIBUTARY OF - WEISER RIVER

STAGE - LICENSE

STATUS -

PRIORITY - 06-15-1963 COUNTY - ADAMS

TOTAL DIV. RATE -

.0200 -CFS

TOTAL DIV. VOLUME -

.00 AFA TRFR/AMEND -

WATER DIST. -

DLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - SWSE 31 18N 01E LOT

REDIV -

272.0 288.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 84.8

FROM - TO -

USE - DOMESTIC

USE DIV. RATE -

.0200 CFS

USE DIV. VOLUME -

.00 AFA

USE - DOMESTIC

PLACE OF USE - TWN 18N RNG 01E SEC 31 TRACT SWSE 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. - 31039

PROOF MADE -

FLD EXAM -

COND. OF APPROVAL -

DIVERSION MEANS -

9/78

IDENT. NO. 67-2311

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

WATER RIGHT  
DATA ENTRY LOG[illegible]

November 4, 1964

Re: Permit No. 31039

Ennis J. White  
Council, Idaho

Dear Mr. White:

Enclosed are Amendments to the point of diversion and to the land list, also Certificate of Completion of Works and License and Certificate of Water Right.

Departmental Receipt 32519, in the amount of \$12.00, covering the fees, is attached herewith.

Very truly yours,

CARL E. TAPPAN  
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule  
Chief Clerk

EPR:ew

Enc. amendments  
certificates  
receipt

31039

Application for Amendment

POINT OF DIVERSION

Permit No. 31039

RECEIVED  
OCT 12 1964

Department of Reclamation

Comes now Ennis J. White and represents to the State Reclamation Engineer of the State of Idaho:

That he is (~~am~~) the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 31039.

That the point of diversion is described in said Permit as being located:  
SE 1/4, Sec. 31, T. 18 N., R. 1 E., B.M.

That he now requests that the point of diversion be changed to a point located: SW 1/4, Sec. 31, T. 18 N., R. 1 E., B.M.

That the reason for desiring to make such change is as follows:

That no one will be injured by such change, and that such change will be made at Permit Holder's own risk.

Signed at Council Bluffs, this 9 day of Oct 1964  
Ennis J. White

Date of Receipt at Department Of Reclamation: October 12, 1964

APPROVAL OF STATE RECLAMATION ENGINEER

Ralph L. Thomas, Deputy

I, ~~George W. Carter~~, State Reclamation Engineer of the State of Idaho, HEREBY APPROVE the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 31039. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

Recorded in Book 109 of  
Permits, at Page 31  
November 4, 1964

Ralph L. Thomas  
State Reclamation Engineer  
Deputy

31039

Application for Amendment

LAND LIST

Permit No. 31039

RECEIVED  
OCT 12 1964

Department of Reclamation

Comes now Ennis J. White, and represents  
to the STATE RECLAMATION ENGINEER of the State of Idaho:

That he is the owner and holder of Permit to appropriate the Public Waters of the  
State of Idaho, No. 31039, and requests that the list of lands to be irrigated,  
as described in said permit, be changed to read as follows:

Place of use SW  $\frac{1}{4}$  SE  $\frac{1}{4}$ , Sec. 31, T. 18 N., R. 1 E., B.M.

\_\_\_\_\_, making a total of \_\_\_\_\_ acres.

That an additional amount of water is not asked for, and that the rights of others  
will not be adversely affected by such change.

Signed at Council Bluffs this 9 day of Oct, 1964

Ennis J. White

Date of receipt at office of Department of Reclamation October 12, 1964

APPROVAL OF STATE RECLAMATION ENGINEER

Ralph W. Thomas, Deputy

I, ~~Ennis J. White~~, State Reclamation Engineer of the State of Idaho, hereby approve  
the above and foregoing application for amendment to Permit to appropriate the Public  
Waters of the State of Idaho, No. 31039. This approval constitutes a new permit  
and is issued as an amendment to the original permit, to which it refers, and of which  
it becomes a part, and said application is approved only insofar as the rights of others  
will not be adversely affected thereby.

Recorded in Book 19 of  
Permits, page 31039  
November 4, 1964

Ralph W. Thomas  
Deputy  
State Reclamation Engineer

31039

October 12, 1964

Re: Permit No. 31039

Annis J. White  
Council, Idaho

Dear Mr. White:

We received the applications to amend the point of diversion and place of use without the fees which total \$12.00, being \$2.00 for recording the amendments, plus ten dollars for the certificates of water right.

Your permit is subject to cancellation if the fees are not paid.

Very truly yours,

RALEIGH L. THOMAS, Deputy  
State Reclamation Engineer

RT:ew

31039

August 23, 1964

RE: Permit No. 31039

Ennis J. White  
Council, Idaho

Dear Mr. White:

Our field engineer's report on his inspection of proof of completion of works and application of water to beneficial use shows the pump and pipe line are capable of conveying 1 miner's inch, or 0.02 c.f.s. of surface water for domestic use.

The inspector found that the point of diversion and place of use were in the SW<sub>4</sub>SE<sub>4</sub>, Sec. 31 rather than as shown on your permit. It will be necessary to amend both before the certificates of water right can be issued.

Complete the amendments, return them with a fee of \$2.00 for recording, and the \$10.00 statutory fees for the certificates and we will issue the Certificate of Completion of Works and License and Certificate of Water Right, confirming the right, with priority of June 15, 1963, to the use of 0.02 second foot of surface water with the point of diversion in the SW<sub>4</sub>SE<sub>4</sub>, Sec. 31 from a spring for domestic use in the SW<sub>4</sub>SE<sub>4</sub>, Sec. 31, T. 18 N., R. 1 E., B.M.

Very truly yours,

CARL E. TAPPAN  
State Reclamation Engineer  
By

(Mrs.) Edna P. Rule  
Chief Clerk

TER:mr

Enc. amendment forms

31039

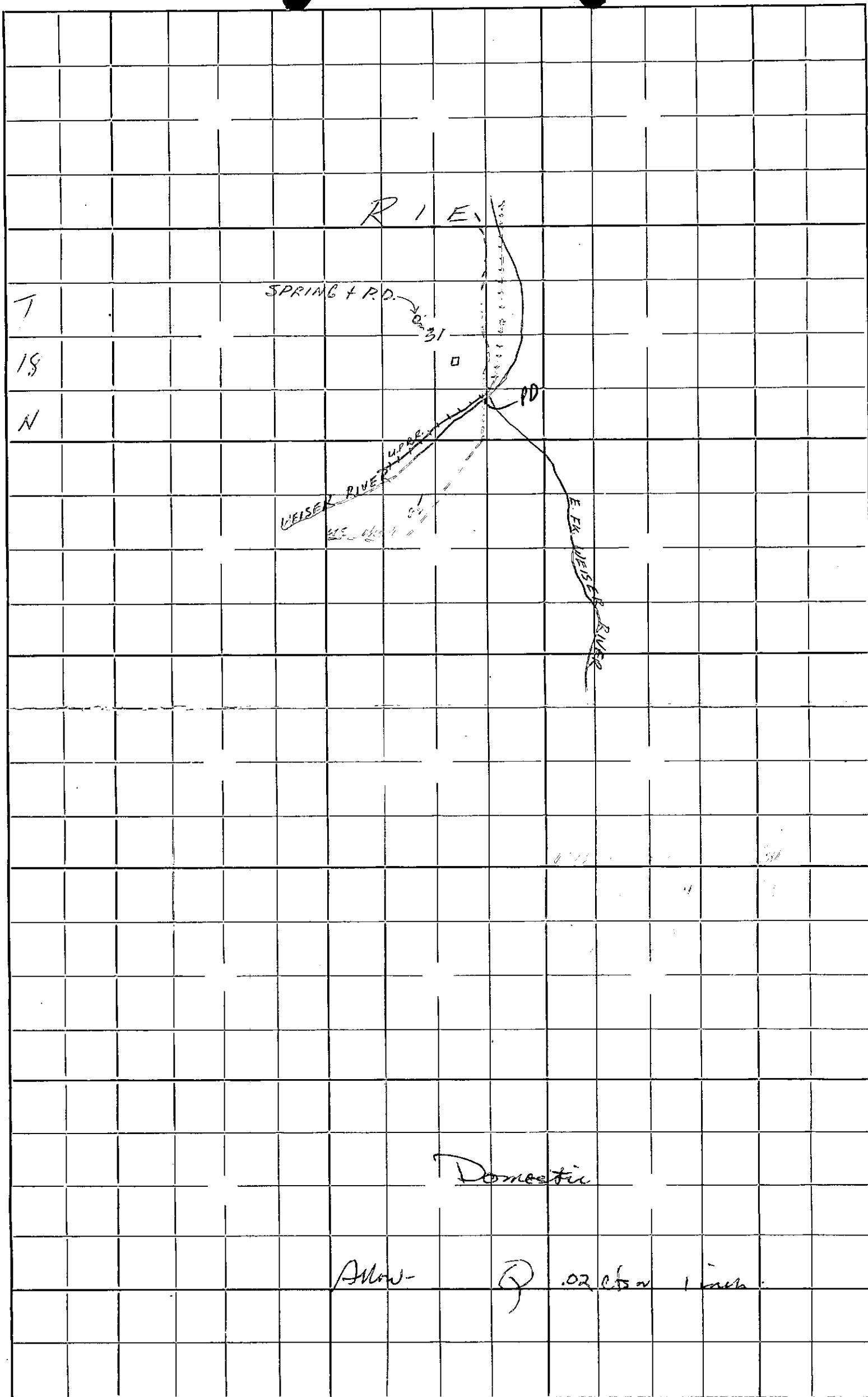
STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE

REPORT OF ENGINEER

PERMIT NO. 31039

REPORT ON PROOF OF Completion of Works & Beneficial Use

Ennis J. White, Council, Idaho



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

Permit No. 31039This proof is for Completion of Works & Bene. Use

In Water District No. \_\_\_\_\_

1. Name of applicant Ennis J. White2. Source of water supply: Spring3. Location of point of diversion: Is in the SE 1/4 of Section 31T. 18N R. 1E County of Adams

4. Describe works as they exist, giving dimensions and capacities of same: 1/2<sup>HP</sup> Century Motor  
# A118 - E.E. Myers. Reciprocating pump - High Duty - "1 3/4" x 8" size  
50 gallon storage tank. Concrete catch basin around rock outcropping  
with spring flowing from underneath. 1 1/4" over flow pipe basin, a 3' x  
4' x 7' concrete block house enclosing both spring and pump. 1"  
inlet on pump to 3/4" Outlet and 200' 3/4" plastic pipe to house.

5. Water is used for: Domestic purposes6. State whether or not water has been turned into works of diversion: yes.

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

1/4<sup>th</sup> of 40 ac. is also 30' x 10' 30' x 10'  
Wood corner says 5/8 SE 1/4 Sec 31

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

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

Remarks: Mr. Ennis White along

P.D. 100' x 50' 50' x 10', 7' x 10', 12' x 10' 10' x 10'

30# to 50# pressure at house - Maximum pressure at pump 80#

This examination was made on the 20<sup>th</sup> day of August, 1964

(Signed)

L. J. Johnson

Examiner.

31039

Ennis J. White  
Council, Idaho

Permit No. 31039

Examination for Completion of Works & Bene. Use

County Adams

Quantity: 0.1 cfs Sec. 31 T. 18N R. 1E<sup>BM</sup>

Source: Spring

P. D.: SENE, 31-18N-1E

Use: Domestic

Filed: 3-12-63

Due: 3-15-64

Extension:

Protest:

Completion of Works:

Other Rights: None

### INSTRUCTIONS TO EXAMINERS

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

RECEIVED  
APR 30 1963

Department of Water, Idaho

31039

1M April 1962

July 6, 1964

Re: Permit No. 31039

Ennis J. White  
Council, Idaho

Dear Mr. White:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the ADAMS COUNTY LEADER, all submitted in proof of completion of works and beneficial use on Permit No. 31039

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

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

Very truly yours ,

GEO. N. CARTER  
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule  
Chief Clerk

EPR: ct

31039

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

Permit No. 31039

\*\*\*\*\*

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE  
and Completion of Works  
\*\*\*\*\*

DEPOSITION OF HOLDER

RECEIVED  
JUN 19 1964

Department of Reclamation

RECEIVED  
JUN 25 1964

Department of Reclamation

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

Ennis J White Council Ida.

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

Ques. 3. State number, approval date of permit, and date of priority you propose to establish under the permit: No 31039 June 1, 1963.

Ques. 4. State source of water supply: Spring  
Give location of point of diversion, showing subdivision, section, township and range:

SE 1/4 NW 1/4 31 18 N 1 E

Ques. 5. Describe your works of diversion: Pump and pressure tank

\_\_\_\_\_ ; state amount of water they are capable of conveying from point of diversion to place of use one tenth <sup>second ft.</sup>; Give name of canal or ditch

or other works by which water is conducted to such place of use: domestic

\_\_\_\_\_ ; if a well, state depth of well \_\_\_\_\_ ; depth and size of casing:

\_\_\_\_\_ ; depth to water \_\_\_\_\_ ; if pump is used,

state discharge of pump: \_\_\_\_\_ ; tell how it was measured or determined: estimated

\_\_\_\_\_ ; if sprinkler irrigation, give number and size of nozzles and

operating pressure: \_\_\_\_\_

Ques. 6. State for what purpose water is used: Household domestic

If for irrigation, name each subdivision in which used and number of acres in each subdivision that have actually been irrigated with said water: \_\_\_\_\_

State nature of all improvements which have been made as a direct result of said use:

Domestic use

31039

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

Ques. 7. If for other than irrigation purposes, state purpose and how used:

Domestic

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

One tenth second foot or less

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

Ques. 10. State when and in what amount the water diverted under above mentioned permit has been first used: 1 ft. June 1962 Time used since first use:

Two years

Ques. 11. Describe all other water rights appurtenant to same place of use:

7 miners inches for irrigation, used in conjunction with three other parties from large spring located on National Forest land about 4000 ft from my property.  
SW 1/4 SE 4 Twp 18N - R. 1E.

(sign) Ernie J. White

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

Council, County of Adams

State of Idaho, on this 18th day of June, A.D. 1964.

[Signature]

My Commission expires: June - 4 - 1966

31039

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

RECEIVED  
JUN 19 1964

JUN 25 1964

Department of Reclamation

PERMIT NO. 31039

**Proof of Application of Water to Beneficial Use**  
**Deposition of Witness**

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

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

Ans. Otto Bodner, 58, nine miles No. of Council, Farmer,  
Council, Idaho

Ques. 2. Are you acquainted with Charles White, the holder of Permit No. 31039? How long have you known him and where does he reside?

Ans. Yes, eight years, Teton, Idaho

Ques. 3. Have you read or heard read said Permit No. 31039, and are you familiar with its provisions and conditions?

Ans. Yes

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

Ans. Spring, point of diversion-324 N 1/2 Sec 31, T 18N., R 1E W

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

Ans. 0.1 cubic foot per second

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

Ans. Domestic

31039

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

Ans. \_\_\_\_\_

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

Ans. \_\_\_\_\_

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

Ans. No

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

Ans. I have been to the land and observed the spring  
from where the water comes.

Otto Boehmer  
(Signed)

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Cannock, County of Blaine, State of Idaho, on this 10th day of June, A. D. 1934.

Leed Muller

Notary Public.

My commission expires June 4, 1936.

31039

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

RECEIVED  
JUN 25 1964  
Department of Reclamation  
RECEIVED  
JUN 19 1964  
Department of Reclamation

PERMIT NO. 31039

**Proof of Application of Water to Beneficial Use**  
**and Completion of Works**  
**Deposition of Witness**

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

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

Ans. Edwin J. Strandberg, age 55, Tamarack, Idaho, Trout

Farmer, P.O. Box 146, Tamarack, Idaho

Ques. 2. Are you acquainted with Ernie White, the holder of Permit No. 31039? How long have you known him and where does he reside?

Ans. Yes, five years, Tamarack, Idaho

Ques. 3. Have you read or heard read said Permit No. 31039, and are you familiar with its provisions and conditions?

Ans. Yes

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

Ans. Spring, point of diversion- SW 1/4 Sec 31, T 18N., R 12E  
Conveyed by pipe.

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

Ans. 0.1 cubic feet per second

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

Ans. Domestic

31039

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

Ans. \_\_\_\_\_

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

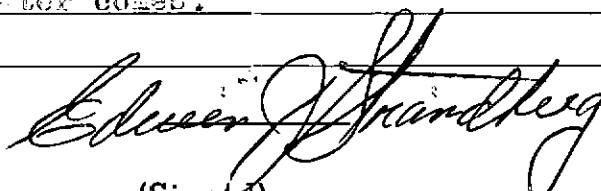
Ans. \_\_\_\_\_

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

Ans. No

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

Ans. I have been on the land and observed the spring  
from where the water comes.

  
(Signed)

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Council, County of ACQUIS, State of Idaho, on this 18th day of June, A. D. 1964.



Notary Public.

My commission expires June 4, 1966.

31039

RECEIVED  
JUN 25 1964  
Department of Reclamation

### Affidavit of Publication

State of Idaho, County of Adams, ss:

I, Bert J. Rogers, being first duly sworn upon my Oath, depose and say that I am the publisher of The Adams County

Leader, a newspaper; that a copy of the "Notice of Appli

of Water to Beneficial Use " as per clipping hereeto attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for

four ( 4 ) consecutive weeks, the first publication of the

same being made in the issue dated May 14, 1964

and the last in the issue dated June 4, 1964; that said newspaper is of general circulation in Adams County Idaho, printed and published weekly at Council therein and that said newspaper has been continuously and uninterruptedly published in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of

said "Notice " as aforesaid.

Subscribed and sworn to before me this

day of JUN - 9 1964 1964

Notary Public for Idaho,  
Residing at Council, Idaho

### NOTICE OF PROOF OF COMPLETION OF WORKS and APPLICATION OF WATER TO BENEFICIAL USE

NOTICE is hereby given that at 10 A. M., on the 18 day of June, 1964, at Council, County of Adams, State of Idaho, before Ferd Muller, Notary Public, at Council, Idaho, proof will be submitted of the completion of works for the diversion of 0.1 cubic feet per second of the waters of a spring, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 31039, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is: Ennis J. White, Council, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion and the amount of water which said works are capable of conveying to the place of use is 0.1 cubic feet per second.

3. The use to which said water has been applied is domestic purposes, and the amount applied to beneficial use is 0.1 cubic feet per second.

4. The point of diversion of said water is SE $\frac{1}{4}$ NW $\frac{1}{4}$  Section 31 T 18 N., R. 1 E., B.M.

5. The place where said water is used is NW $\frac{1}{4}$ SE $\frac{1}{4}$  Section 31, T 18 N., R. 1 E., B.M. 300 feet from point of diversion.

6. The date of priority which said user is prepared to establish is 3-12-63.

CARL E. TAPPAN  
State Reclamation Engineer  
Pub. May 14, 21, 28 & June 4.

31039

June 19, 1964

Re: Permit 31039  
Ennis J. White

Ferd Muller, Notary Public  
Council, Idaho

Dear Ferd,

Today we received the proofs under subject water permit.

We are returning the proofs to you for two reasons, namely that the source of water claimed under Question 11 should be shown on Holder's deposition, and the addition of publisher's Affidavit of Publication which should have accompanied the proofs.

Will you, please, obtain this additional information and return the proofs to this office promptly to avoid delays.

Thank you very much.

Very truly yours,

CARL E. TAPPAN  
State Reclamation Engineer

By  
H. Petri  
State Water Rights Clerk

HP:ct

Enc. Proofs

31039

May 6, 1964

Re: Permit No. 31039

Mr. Ennis J. White,  
Council, Idaho.

Dear Mr. White:

This acknowledges the Notice of Proof of Completion of Works and Application of water to Beneficial Use under Permit No. 31039. The proofs are to be made at 10:00 o'clock A.M., on the 18th day of June, 19 64, before Ferd Muller, Council, Idaho, Notary Public.

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

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

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

Very truly yours,

CARL E. TAPPAN  
State Reclamation Engineer  
By

(MRS.) EDNA P. RULE  
Chief Clerk

Encl.  
EPR:pmk  
cc: Notary

31039

RECEIVED

MAY 6 1964

NOTICE OF PROOF OF COMPLETION OF WORKS  
and  
APPLICATION OF WATER TO BENEFICIAL USE

NOTICE is hereby given that at 10 A. M., on the 18 day of June 1964, at Council, County of Adams, State of Idaho, before Ferd Muir, Notary Public, at (address) Council, Idaho, proof will be submitted of the completion of works for the diversion of 0.1 cubic feet per second of the waters of a spring, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 31039, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is: Ennis J. White, Council, Idaho

2. Said works of diversion will be fully completed on the date set for such completion and the amount of water which said works are capable of conveying to the place of use is 0.1 cubic feet per second.

3. The use to which said water has been applied is domestic purposes, and the amount applied to beneficial use is 0.1 cubic feet per second.

4. The point of diversion of said water is SE  $\frac{1}{4}$  N  $\frac{1}{4}$ , Section 31  
T. 18 N., R. 1 E., B. 7 M.

5. The place where said water is used is N  $\frac{1}{4}$  SE  $\frac{1}{4}$ , Section 31, T. 18 N.,  
R. 1 E., B. 7 M., 300 feet from point of diversion

Total \_\_\_\_\_ acres

6. The date of priority which said user is prepared to establish is May 1, 1963  
March 12, 1963.

CARL E. TRAPPAN

State Reclamation Engineer

31039

NEP

Re: Permit No. 31039  
Ennis J. White

Date: May 6, 1964

Adams County Leader,  
Council, Idaho.

Gentlemen:

Enclosed you will find Notice for Publication, once a week  
for four consecutive weeks prior to June 18, 1964  
the date set for proof; the expense of the publication is to be paid  
by the applicant Ennis J. White  
of Council, Idaho to whom you should  
furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,

*Carl E. Tappan*  
CARL E. TAPPAN  
State Reclamation Engineer

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

31039

MAY 6 1964

Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) May 5, 1964

(P. O.) Council, Idaho

TO THE STATE RECLAMATION ENGINEER

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the Legal notices of Adams County Leader published in the county in which the works are situated.

Ernest J. White

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

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

Engineer

31039

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

April 21, 1964

Re: Permit No. 31039

To Ennis J. White

Council, Idaho

It appearing to the State Reclamation Engineer that the terms and conditions of Permit No. 31039  
to appropriate the Public Waters of the State of Idaho, have not been complied with as to  
Completion of Works & Beneficial Use Proofs which were due March 15, 1964

you are hereby notified in compliance with Sec. 42-311, Idaho code that said Permit No. 31039  
is hereby held for cancellation.

You are hereby required to show cause before the State Reclamation Engineer on or before forty days from  
date of this notice why said Permit should not be cancelled.

Said Permit No. 31039 claims the use of 0.1 cubic feet per second of the  
waters of Springs with point of diversion located  
SE 1/4 NW 1/4 Sec. 31., Twp. 18 N., Rge. 1 E.B.M.  
and  
was approved March 15, 1963

In Witness Whereof, I have hereunto set my hand and affixed the seal of my office at Boise, Idaho, the

21st day of April, 1964

Carl E. Duffan

State Reclamation Engineer.

By

Assistant.

31039

POST OFFICE DEPARTMENT  
OFFICIAL BUSINESS

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

|                                                                                                                                                                                                                                                              |                                 |                                          |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|------------------------------------------|
| <p>31039</p> <p>COUNCIL<br/>APR 22</p> <p>INSTRUCTIONS: Fill in spaces below and complete instructions on other side, if applicable. Moisten gummed ends, attach and hold firmly to back of article. Print on front of article RETURN RECEIPT REQUESTED.</p> |                                 | <p>POSTMARK OF<br/>DELIVERING OFFICE</p> |
|                                                                                                                                                                                                                                                              |                                 | <p>RETURN<br/>TO</p>                     |
| REGISTERED NO.                                                                                                                                                                                                                                               | NAME OF SENDER                  |                                          |
|                                                                                                                                                                                                                                                              | State Department of Reclamation |                                          |
| CERTIFIED NO.                                                                                                                                                                                                                                                | STREET AND NO. OR P. O. BOX     |                                          |
| 19049                                                                                                                                                                                                                                                        | Room 107 Statehouse             |                                          |
| INSURED NO.                                                                                                                                                                                                                                                  | CITY, ZONE AND STATE            |                                          |
|                                                                                                                                                                                                                                                              | Boise, Idaho                    |                                          |

FOD Form 3811, Apr. 1962

31039

# INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Deliver *ONLY* to  
addressee

☐ Show address where  
delivered

*(Additional charges required for these services)*

## RECEIPT

Received the numbered article described on other side.

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

*E. J. White*

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

*Flarence Capps*

DATE DELIVERED

SHOW WHERE DELIVERED (only if requested)

March 28, 1963

Re: Permit No. 31039

Mr. Ennis J. White,  
Council, Idaho.

Dear Mr. White:

We enclose Permit No. 31039 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. 31473 which was issued covering payment in the amount of \$ 5.00 for the filing fee of the above mentioned permit.

Very truly yours,

GEO. N. CARTER  
State Reclamation Engineer  
By

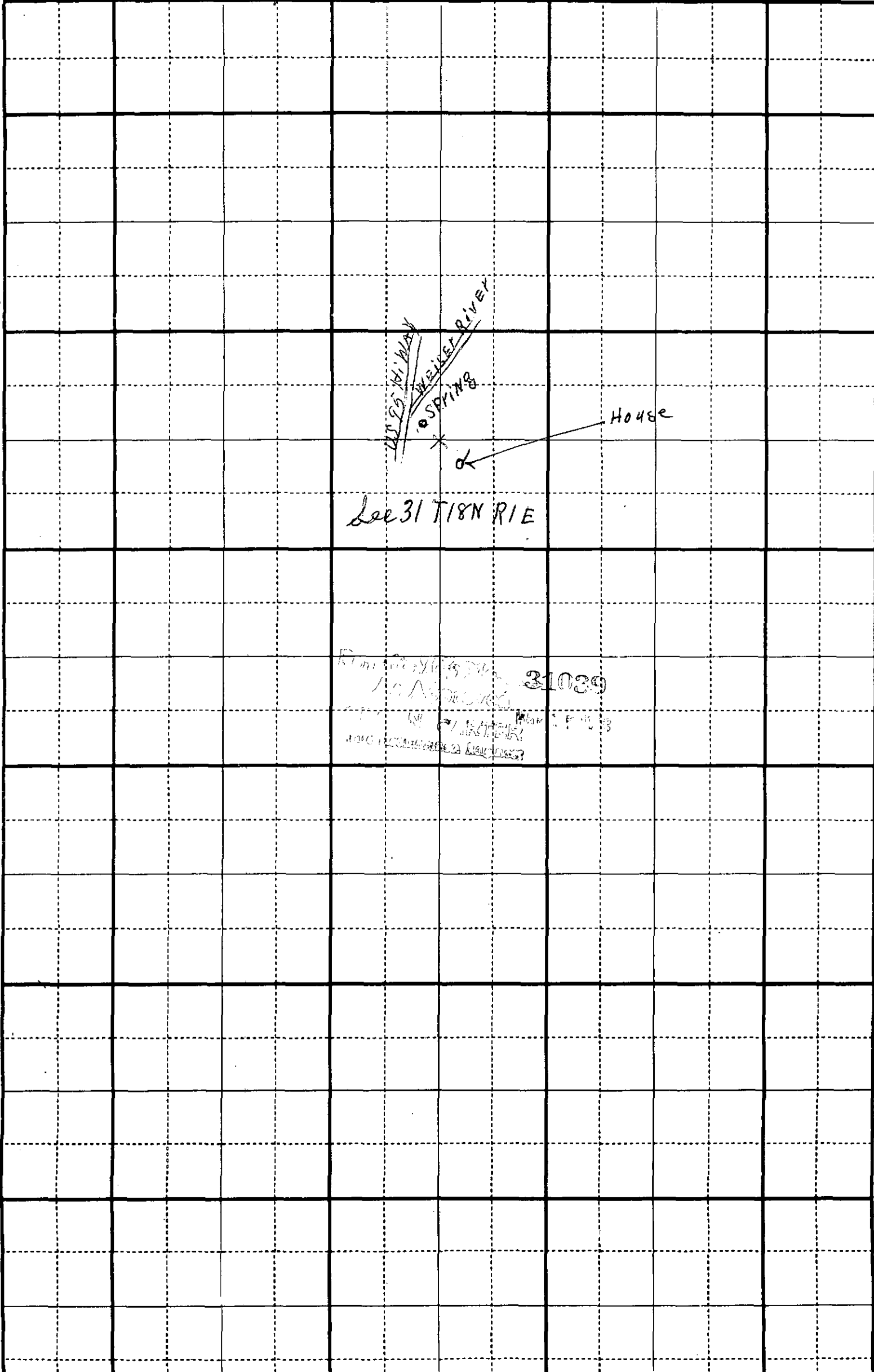
(Mrs.) Edna P. Rule  
Chief Clerk

EPR:pmk  
Encl. --

31039

NAME OF APPLICANT *Emmie White*

Form No. 0



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

31039

SPECIAL USE PERMIT

Act of June 4, 1897, or February 15, 1901  
This permit is revocable and nontransferable

Ennis J. White  
DATE OF PERMIT

July 9, 1962  
RANGER DISTRICT

| REGION   | STATE        | FOREST         | RANGER DISTRICT |
|----------|--------------|----------------|-----------------|
| <u>4</u> | <u>Idaho</u> | <u>Payette</u> | <u>Council</u>  |

Permission is hereby granted to Ennis J. White

of Council, Idaho

hereinafter called the permittee, to use subject to the conditions set out below, the following described lands or improvements:

Portion of S $\frac{1}{2}$ SE $\frac{1}{4}$ , Sec 31, T18N, R1E, Boise Meridian for right-of-way of minimum essential width for pipeline, powerline and spring.

right-of-way for 300 feet

This permit covers approx. .1 acres and/or XXXX and is issued for the purpose of:

Developing a spring as a source of water supply and piping water for domestic use.

A cement headbox 4'x4'x4' will be installed at the spring and a small electric motor housed at the site. The electric powerline will be buried in the same trench with the pipeline.

The exercise of any of the privileges granted hereby constitutes acceptance of all the conditions of this permit.

1. In consideration for this use, the permittee shall pay to the Forest Service, U.S. Department of Agriculture, the sum of Eleven Dollars (\$ 11.00 ) for the period from July 10 19 62, to May 1 19 63, and thereafter annually on May 1

Eleven Dollars (\$ 11.00 ):  
Provided, however, Charges for this use may be made or readjusted whenever necessary to place the charges on a basis commensurate with the value of use authorized by this permit.

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2. Construction or occupancy and use under this permit shall begin within one months, and construction, if any, shall be completed within two months, from the date of the permit. This use shall be actually exercised at least 200 days each year, unless otherwise authorized in writing.

3. Development plans; layout plans; construction, reconstruction, or alteration of improvements; or revision of layout or construction plans for this area must be approved in advance and in writing by the forest supervisor. Trees or shrubbery on the permitted area may be removed or destroyed only after the forest officer in charge has approved, and has marked or otherwise designated that which may be removed or destroyed. Timber cut or destroyed will be paid for by the permittee as follows: Merchantable timber at appraised value; young-growth timber below merchantable size at current damage appraisal value; *provided* that the Forest Service reserves the right to dispose of the merchantable timber to others than the permittee at no stumpage cost to the permittee. Trees, shrubs, and other plants may be planted in such manner and in such places about the premises as may be approved by the forest officer in charge.

4. The permittee shall maintain the improvements and premises to standards of repair, orderliness, neatness, sanitation, and safety acceptable to the forest officer in charge.

5. This permit is subject to all valid claims.

6. The permittee, in exercising the privileges granted by this permit, shall comply with the regulations of the Department of Agriculture and all Federal, State, county, and municipal laws, ordinances, or regulations which are applicable to the area or operations covered by this permit.

7. The permittee shall take all reasonable precautions to prevent and suppress forest fires. No material shall be disposed of by burning in open fires during the closed season established by law or regulation without a written permit from the forest officer in charge or his authorized agent.

8. The permittee shall exercise diligence in protecting from damage the land and property of the United States covered by and used in connection with this permit, and shall pay the United States for any damage resulting from negligence or from the violation of the terms of this permit or of any law or regulation applicable to the national forests by the permittee, or by any agents or employees of the permittee acting within the scope of their agency or employment.

9. The permittee shall fully repair all damage, other than ordinary wear and tear, to national forest roads and trails caused by the permittee in the exercise of the privilege granted by this permit.

10. No Member of or Delegate to Congress or Resident Commissioner shall be admitted to any share or part of this agreement or to any benefit that may arise herefrom unless it is made with a corporation for its general benefit.

11. Upon abandonment, termination, revocation, or cancellation of this permit, the permittee shall remove within a reasonable time all structures and improvements except those owned by the United States, and shall restore the site, unless otherwise agreed upon in writing or in this permit. If the permittee fails to remove all such structures or improvements within a reasonable period, they shall become the property of the United States, but that will not relieve the permittee of liability for the cost of their removal and restoration of the site.

12. This permit is not transferable. If the permittee through voluntary sale or transfer, or through enforcement of contract, foreclosure, tax sale, or other valid legal proceeding shall cease to be the owner of the physical improvements other than those owned by the United States situated on the land described in this permit and is unable to furnish adequate proof of ability to redeem or otherwise reestablish title to said improvements, this permit shall be subject to cancellation. But if the person to whom title to said improvements shall have been transferred in either manner above provided is qualified as a permittee and is willing that his future occupancy of the premises shall be subject to such new conditions and stipulations as existing or prospective circumstances may warrant, his continued occupancy of the premises may be authorized by permit to him if, in the opinion of the issuing officer or his successor, issuance of a permit is desirable and in the public interest.

13. In case of change of address, the permittee shall immediately notify the forest supervisor.

14. The temporary use and occupancy of the premises and improvements herein described may be sublet by the permittee to third parties only with the prior written approval of the forest supervisor but the permittee shall continue to be responsible for compliance with all conditions of this permit by persons to whom such premises may be sublet.

15. This permit may be terminated upon breach of any of the conditions herein or at the discretion of the regional forester or the Chief, Forest Service.

16. In the event of any conflict between any of the preceding printed clauses or any provision thereof and any of the following clauses or any provisions thereof, the preceding printed clauses will control.

17. This permit is accepted subject to the conditions set forth above and to conditions 18 to 20 attached hereto and made a part of this permit.

|      |                              |       |
|------|------------------------------|-------|
| DATE | SIGNATURE OF ISSUING OFFICER | TITLE |
|      |                              |       |

18. Clearing for the pipeline and the electric powerline to the pump will be restricted to the minimum essential width. Any soil disturbed will be seeded with perennial grass.
19. This permit confers no right upon the permittee to the use of the water involved. Such rights must be obtained and retained under applicable state law.
20. This permit shall have no force or effect until the permittee has signified acceptance of its provisions and conditions by signing below and returning the duplicate copy to the Forest Supervisor.

July 9 1962  
Date

James M. Hookaday  
Acting Forest Supervisor

I (We) have read the foregoing permit and agree to accept and abide by its terms and conditions.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Permittee

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**NOTICE OF PROOF OF COM-  
PLETION OF WORKS  
and  
APPLICATION OF WATER TO  
BENEFICIAL USE**

NOTICE is hereby given that at 10 A. M., on the 18 day of June, 1964, at Council, County of Adams, State of Idaho, before Ferd Muller, Notary Public, at Council, Idaho, proof will be submitted of the completion of works for the diversion of 0.1 cubic feet per second of the waters of a spring, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 31039, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is: Ennis J. White, Council, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion and the amount of water which said works are capable of conveying to the place of use is 0.1 cubic feet per second.

3. The use to which said water has been applied is domestic purposes, and the amount applied to beneficial use is 0.1 cubic feet per second.

4. The point of diversion of said water is SE $\frac{1}{4}$ NW $\frac{1}{4}$  Section 31 T 18 N., R. 1 E., B.M.

5. The place where said water is used is NW $\frac{1}{4}$ SE $\frac{1}{4}$  Section 31, T 18 N., R. 1 E., B.M. 300 feet from point of diversion.

6. The date of priority which said user is prepared to establish is 3-12-63.

CARL E. TAPPAN  
State Reclamation Engineer  
Pub. May 14, 21, 28 & June 4.