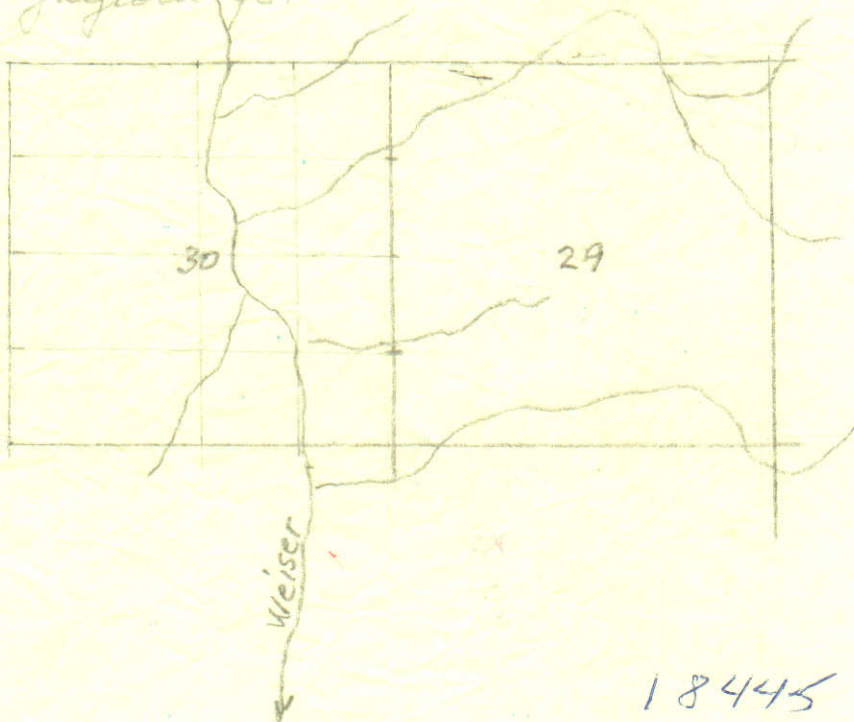


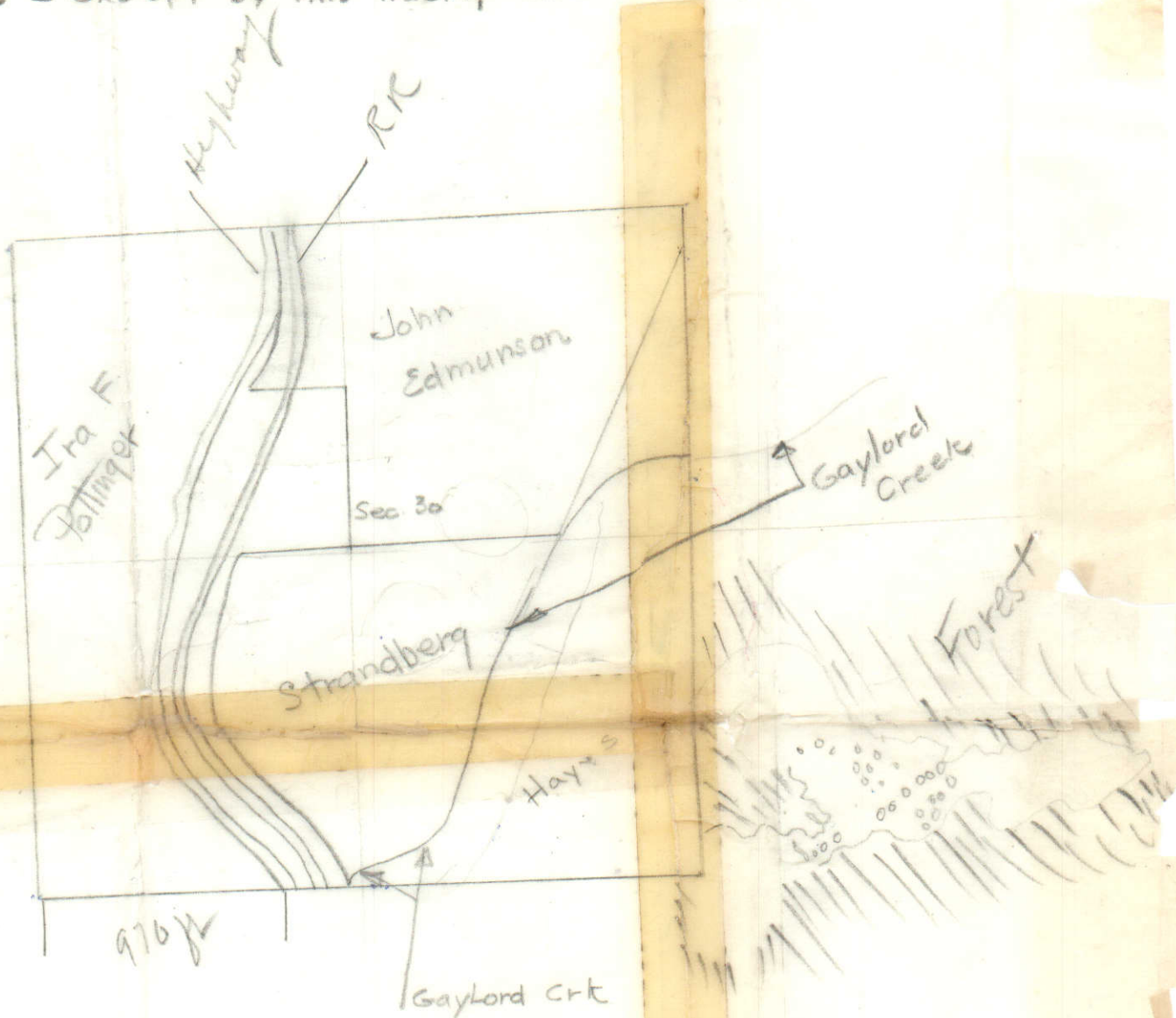
Sec 30 18N-1E
Gaylord Co.



18445

This map was trac'd from County Recon.

Our survey established S. Line of Sec 30
and found Gaylord Creek in position at the
mouth approx. as shown below. Cannot confirm exact location of
Balance of creek - except by this tracing and knowledge on hand only



From this map I would say that #28067
is correct except I could not find the

18445

RECEIVED
MAY 10 1961

Department of Reclamation

R1E

T
18
N

30

31



Gaylord Crk

approx. Point of
diversion

Permit # 18445

SE 1/4 SE 1/4

I have put place of use the same as

#28067. Originally they were not this

way (18445) If this is wrong locate as

original in 18445

Gaylord Creek located at mouth from survey of S. Line Sec. 30

Balance of Creek from Quadrangle sheet.

18445

Affidavit of Publication

State of Idaho, County of Adams, ss:

I, F. E. 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 Proof*

Appel 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 consecutive weeks, the first publication of the same being made in the issue dated *April 16, 1948*

and the last in the issue dated *May 7, 1948*;

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 of Proof as aforesaid.

Subscribed and sworn to before me this *14th*

day of *July*, 19 *48*.

Mark R. Kulp
Notary Public for Idaho,
Residing at Council, Idaho

Notice for Publication NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 A. M. on the 20th day of May, 1948, at Boise, County of Ada, State of Idaho, before Anna Mastro - Notary Public, proof will be submitted of the application to beneficial use of 5 cubic feet per second of the waters of Gaylord Creek in accordance with the terms and conditions of Permit No. 18445 heretofore issued by the State Reclamation Department of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are State Fish and Game Department - Boise, Idaho.

The use to which said water has been applied is Fish Cultural purposes.

The amount applied to beneficial use is 5 sec. feet.

The place where said water is used is Southeast Quarter of Section 30, Township 18 North Range 1 East, B.M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is No name.

The right to take water from such works is based upon Permit No. 18445.

The source of supply from which such water is diverted is Gaylord Creek.

The date of priority which said user is prepared to establish is May 20, 1937.

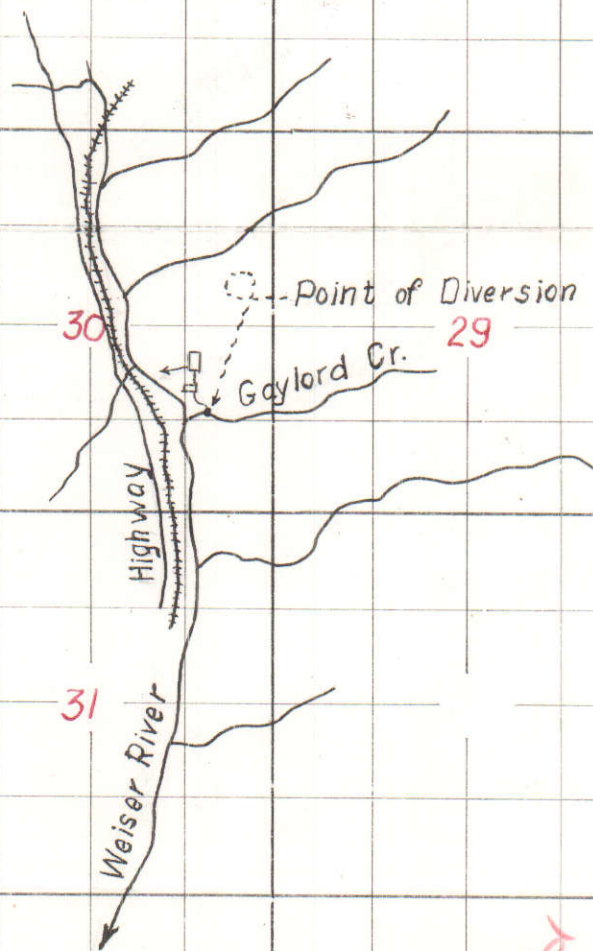
18445
MARK R. KULP
State Reclamation Engineer.
Pub. April 16, 23, 30; May 7.



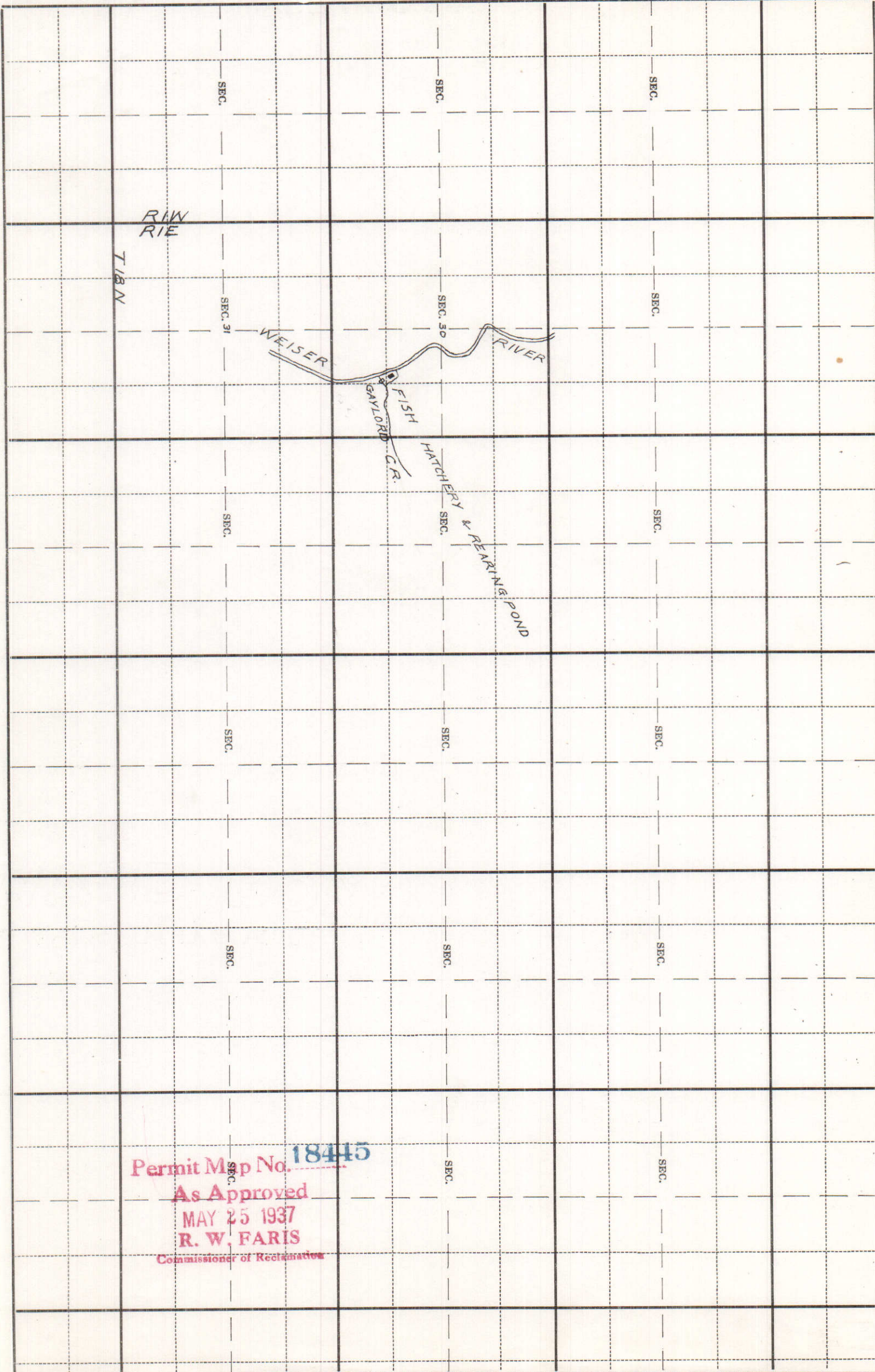
18445

6/15/48

T. 18N., R. 1E.



See amended
Map
received May 10, 1961.



5884
70
+

State of Idaho
License and Certificate of Water Right

Water License No. 18445

Amount 5.0 c.f.s.

Water District No.

Priority May 20, 1937

THIS IS TO CERTIFY that STATE FISH AND GAME DEPARTMENT - Assignee-
EDWIN J. and PHYLLIS STRANDBERG
of McCall, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated May 20, 1937; that Permit No. 18445
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
5.0 second feet, was issued thereunder on March 25, 1942, showing that said works
were completed on the 17th day of March, 1942; and that on the 20th
day of May, 1948, STATE FISH AND GAME DEPARTMENT - Assignee -
EDWIN J. and PHYLLIS STRANDBERG

of McCall, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of Gaylord
Creek, a tributary of Weiser River, for the purpose of Fish Hatchery, Rearing Ponds &
Domestic, under Use Permit No. 18445 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
11 of Licenses at page 7085, on the 26th day of May, 1961;
The right hereby confirmed dates from May 20, 1937;

The Point of Diversion is located
in the SE 1/4 SE 1/4, Sec. 30, 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 5.0 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	30	S 1/2 SE 1/4 For Fish Hatchery, Rearing Ponds and 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

26th day of May, 1961

/s/ GEO. N. CARTER

State Reclamation Engineer.

(SEAL)

67 2172

N^o 18445

67-2172

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

Application No. 25745
Permit No. 13445
District No.

Assigned to

Edwin J. Phyllis
Strandberg
McCall

1. Name of Applicant: STATE FISH AND GAME DEPARTMENT

Postoffice address: Boise County: Ada State: Idaho

I. If applicant is a corporation, give:

- (a) Date and place of incorporation:
- (b) Amount of capital stock:
- (c) Amount paid in:
- (d) Names and addresses of directors:

II. The financial resources of the applicant are:

- (a) Cash on hand:
- (b) Treasury stock
- (c) Bonds to be issued:
- (d) Other resources:

2. Quantity of water claimed: 5 cubic feet per second.

3. Source of water supply: Gaylord Creek which is a tributary of Weiser River

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

corner of Section , T. , R. , B. M., and is in the NE $\frac{1}{4}$ of SE $\frac{1}{4}$
of Section 30 , T. 18 N. , R. 1 E. , B. M., County of Adams

5. Water is to be used for: Fish Hatchery, Rearing Ponds and Domestic

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

- (a) Point of use of water: feet distant from corner of Section
T. , R. , B. M., in the of Section , T. , R. , B. M.
- (b) Amount of power generated: H. P., under feet head.
- (c) Water is to be returned to at a point feet
distant from the corner of Section , T. , R. , B. M., in the
of Section , T. , R. , B. M.

7. Estimated cost of works: \$2,000.00

8. Kind of works: Open Ditch, Small Dam and Rearing Ponds.

9. Height of dam 4 feet; length of dam at top 50 feet; length of dam at bottom 50
feet; material used in dam: Earth

10. Size of headgate: Width 2 feet; height 3 feet.

11. Ditch: Width at bottom 2 feet; width at water line 3 feet; depth of water 1
feet; dimensions of flume:

Diameter of pipe inches; length of conduit approx. 500 ft. ~~notes~~

Average grade per mile 26.4 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 6 additional years.

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

15. (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 waters of the State of Idaho as herein set forth.

STATE FISH AND GAME DEPARTMENT

Applicant.

By W. R. McIntyre

Agent.

Date of first receipt at Department of Reclamation: 9:00 A. M., May 20, 1937

Returned to applicant for correction:

Corrected application received:

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is 18445

Recorded in Book 67 Page 18445 Approved May 25, 1937

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 July 24, 1937 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 November 25, 1939

The whole of said work to be completed on or before May 25, 1942

Beneficial use of water appropriated in accordance herewith, to be made on or before May 25, 1948

Witness my hand this 25th day of May, 1937

R. W. FARIS

Commissioner of Reclamation.

Remarks:

14.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
			In testimony whereof, we, BARZILLA W. CLARK, Governor of the State of Idaho, and IRA H. MASTERS, Secretary of State of the State of Idaho, have hereunto 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 25th day of May, 1937. STATE OF IDAHO By BARZILLA W. CLARK Governor (SEAL) Countersigned: By IRA H. MASTERS Secretary of State ----- PERMIT NO. 18445 CERTIFICATE OF COMPLETION OF WORKS TO ALL WHOM IT MAY CONCERN: This is to certify that STATE FISH AND GAME DEPARTMENT of Boise, County of Ada, and State of Idaho, the holder of No. 18445, issued upon application No. 25745 bearing date of priority of May 20, 1937, authorizing the diversion of 5.0 feet of the waters of Gaylord Creek, tributary of Weiser River, County of Adams, State of Idaho, for fish hatchery, rear and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of the works of diversion set out and described in said permit; that said works are adequate for diverting and conveying place of intended use 5.0 second feet of the waters of Gaylord Creek, that the point of diversion of said waters NE¼SE¼, Twp. 18 N., Rge. 1 E. B. M. Witness my hand this 25th day of March, 1942. E. V. BERG. COMMISSIONER OF RECLAMATION Completion made: March 17, 1942. Certificate issued: March 25, 1942. -----																

ASSIGNMENT

For value received, I hereby assign all my right, title and interest in and to Permit to appropriate the Public Waters of the State of Idaho, No. 18445 to Paul T. Hayes of McCall, Idaho.

/s/ T. B. Murray
Permit holder
Director, State Fish and Game Department

Wife of Permit holder.

State of Idaho)
) ss.
County of Ada)

On this 21st day of May, 1948, before me, a Notary Public for the State of Idaho, residing at Boise, Idaho personally appeared T. B. Murray, known to me to be the person whose name is subscribed to the within instrument, and duly acknowledged to me that he executed the same.

In witness whereof, I have hereunto set my hand and affixed my Notarial seal, the day and year in this certificate first above written.

/s/ Anna Mastro
Notary Public, residing at Boise, Idaho

My commission expires 6/3/50

(SEAL)

ASSIGNMENT ✓

For value received, I hereby assign my right, title, and interest in and to Permit to appropriate the Public Waters of the State of Idaho, No. 18445 to Edwin J & Phyllis Strandberg of McCall, Idaho. This pertains to property as originally filed only.

/s/ Paul T. Hayes
Permit Holder
/s/ Florida Hayes
Wife of Permit Holder

State of Idaho)
) ss
County of Valley)

On this 25 day of July, 1960, before me, a Notary Public for the State of Idaho, residing at McCall, Idaho personally appeared Paul T. Haynes and Florida Haynes known to me to be the persons whose names are subscribed to the within instrument, and duly acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal, the day and year in this certificate first above written.

/s/ Neal Boydston
Notary Public, residing at

My commission expires May 23, 1961

Application for Amendment
POINT OF DIVERSION ✓
Permit No. 18445

Comes now Edwin J. & Phyllis ^F Strandberg and represent to the State Reclamation Engineer of the State of Idaho: That they are the owners and holders of Permit to appropriate the Public Waters of the State of Idaho, No. 18445. That the points of diversion is described in said Permit as being located: NE¹/₄SE¹/₄ Sec. 30 T 18N R 1E

That they now request that the points of diversion be changed to points located: SE¹/₄SE¹/₄ Sec. 30 T 18N R 1 E

That the reason for desiring to make such change is as follows: Because these are the actual points. That no one will be injured by such change, and that such change will be made at Permit Holder's own risk.

Signed at McCall, Idaho, this 17 day of May, 1961.

/s/ Edwin J. Strandberg
/s/ Phyllis ^F Strandberg

Date of Receipt at Department of Reclamation May 19, 1961

APPROVAL OF STATE RECLAMATION ENGINEER

I, GEO. N. 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. 18445. 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 adverse affected thereby.

/s/ GEO. N. CARTER
State Reclamation Engineer

Recorded in Book 67 of
Permits, at Page 18445
May 26, 1961

PERMIT ISSUED FOR 5.0 SEC. 71.
Page 7085

WATER RIGHT NUMBER 67-2172

OWNER LAST NAME - IDAHO STATE FISH & GAME DEPT.

OWNER LAST NAME - STRANDBERG

OWNER LAST NAME - STRANDBERG

ADDRESS LINE 1 -

ADDRESS LINE 3 -

SOURCE - GAYLORD CREEK

STAGE - LICENSE

TOTAL DIV. VOLUME -

DIVERSION POINT - SESE 30 18N 01E LOT REDIV -

FROM - TO -

FROM - TO -

USE - FISH PROP.

DECREE NAME -

REMARKS - FOR FISH HATCHERY, REARING PONDS AND DOMESTIC USE

NON IRRIG USE - FISH PROP.

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PROOF MADE -

DIVERSION MEANS - C

FIRST NAME - ORIG OWNER - O

FIRST NAME - EDWIN J.

FIRST NAME - PHYLLIS

ORIG OWNER -

ORIG OWNER -

ADDRESS LINE 2 -

CITY - MCCALL

TRIBUTARY OF - WEISER RIVER

STATE - ID ZIP CODE -

PRIORITY - 05-20-1937

COUNTY - ADAMS

TOTAL DIV. RATE -

5.0000 -CFS

WATER DIST. - 67

DLE/CAREY ACT -

RIGHT BASIS -

272.0 288.0 43.0

0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.2

USE DIV. RATE -

5.0000 CFS

USE DIV. VOLUME -

.00 AFA

USE DIV. RATE -

.0000 CFS

USE DIV. VOLUME -

.00 AFA

PLACE OF USE - TWN 18N RNG 01E SEC 30

TRACT SWSE LOT

AC

TRACT SESE LOT

AC

DATE -

TOTAL ACRES

0

PROTESTED -

HEARING -

OLD NO. - 18445

PERMIT/DENIED -

COND. OF APPROVAL -

FLD EXAM -

IDENT. NO. 67-2172

WATER RIGHT
DATA ENTRY LOG

[illegible]

May 26, 1961

RE: Permit No. 18445

Mr. Edwin J. Strandberg
Box 756
McCall, Idaho

Dear Mr. Strandberg:

Enclosed herewith are License and Certificate of Water Right, Assignment of Permit and Amendment to the Point of Diversion on Permit No. 18445 which have been recorded in this office.

Also enclosed is departmental receipt No. 30586 in the amount of \$6.50 for fees covering the above items.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

Enc. license
assignment
amendment
receipt

18445 21

RECEIVED

MAY 19 1961

Application for Amendment

Department of Reclamation

POINT OF DIVERSION

Permit No. 18445

Comes now Edwin J. & Phyllis A. Strandberg and represent to the State Reclamation Engineer of the State of Idaho:

That ~~they~~ is (are) the owner S and holder S of Permit to appropriate the Public Waters of the State of Idaho, No. 18445.

That the point S of diversion is described in said Permit as being located:

NE 1/4 SE 1/4 Sec 30 T18N R1E

That the ~~he~~ y now requests that the point S of diversion be changed to a point S located: SE 1/4 SE 1/2 Sec 30 T18N R1E

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

Because these are the actual points

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

Signed at McCall Idaho, this 17 day of May, 1961.

Edwin J. Strandberg
Phyllis A. Strandberg

Date of Receipt at Department of Reclamation May 19, 1961

APPROVAL OF STATE RECLAMATION ENGINEER

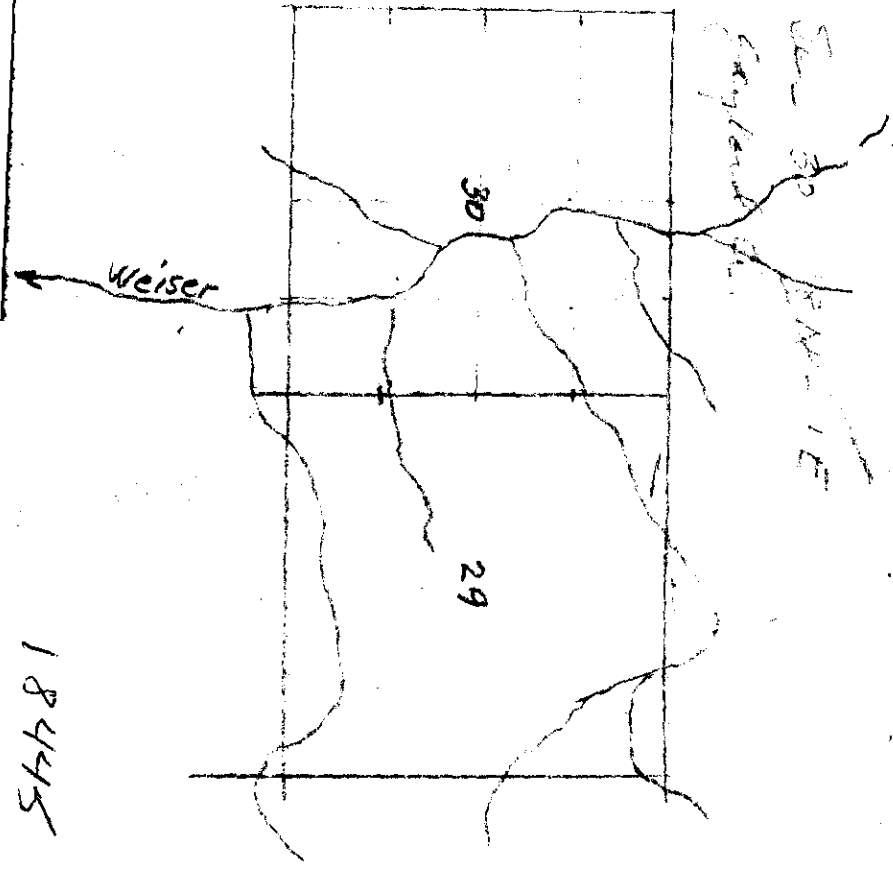
I, GEO. N. CARTER, State Reclamation Engineer of the State of Idaho, HEREBY APPROVE the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 18445. This approval constitutes a new permit and is issued as an amendment to the original permit, 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.

Geo. N. Carter
State Reclamation Engineer

Recorded in Book 67 of
Permits, at Page 18445
May 26, 1961

18445

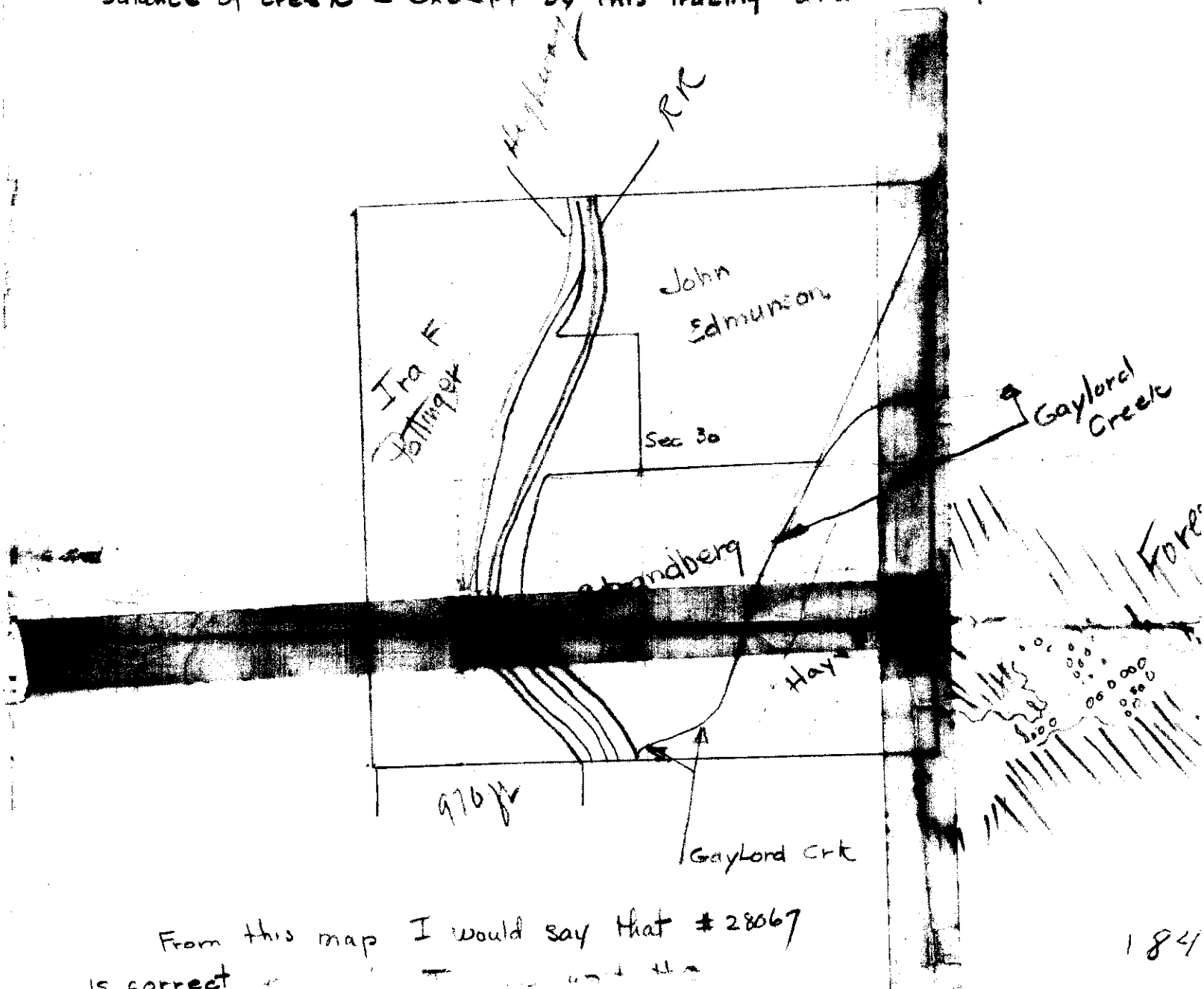
K7



18445

This map was traced from County Record

Our survey established S. Line of Sec 30 and found Gaylord Creek in position at the mouth approx. as shown below. Cannot confirm exact location of balance of creek - except by this tracing and knowledge on hand only.



From this map I would say that #28067 is correct

May 16, 1961

Re: Permits No. 18445; 28067

Mrs. E. J. Strandberg
P. O. Box 756
McCall, Idaho

Dear Mrs. Strandberg:

Enclosed is a blank form for amending the point of diversion.

The Point of Diversion amendment for Permit No. 28067 which you submitted has been destroyed as it appears from the maps you submitted that the point of diversion, as shown, is quite accurate.

Permit No. 18445 shows the point of diversion is in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 30, and it appears that the point is actually in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 30. That point of diversion should be amended. The place of use is shown as the SE $\frac{1}{4}$, Section 30 which will cover the actual place of use and does not require an amendment.

Return the completed amendment to the point of diversion for Permit No. 18445 and we will prepare the record of the assignment, the amendment and the water license.

Very truly yours,

GEO. W. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. amendment form

18445

RECEIVED
MAY 20 1961

Department of Reclamation

R1E

T
18
N

30

Gaylord Crk.

approx. Point of
divergence

31

Weiser River

Permit # 18445

SE 1/4 SE 1/4

I have put place of use the same as

#28067. Originally they were not this

way (#2415) to the same way to the

Gaylord Creek located at mouth from survey of S. line Sec. 30

Balance of Creek from Quadrangle sheet.

RECEIVED

MAY 5 1961

Department of Reclamation

Box 756
McCall, Idaho
May 4, 1961

Dear Mr Carter,

Enclosed please find assignment from Mr Hayes, Point of Diversion Amendment and money.

I am going in to see Mr Donart on Monday.

I wanted to tell you I do not believe our project will cost what I estimated in permit # 28067, also we made our flume of wood and cement instead of galvanized pipe. We find galvanized material is toxic to fish.

We are realizing as we go along there will be a lot of things different. For instance our hatchery has to be up stream where the water is warmer.

Since this is the first time we have done anything like this I am quite ignorant about the situation, and changes necessary - what is necessary in a case like this.

I was in a blinding snowstorm from Cascade to New Meadows last night coming home. It looks like winter in McCall this A.M.

Thank you again for your time yesterday.

Mrs. E.J. Strandberg

License - #18445	-	\$ 5.00
Assignment - "	-	.50
Amend - #18445	-	1.00
		<u>\$6.50</u>

hold for determination
of location of PD and
place of use.
R.T.

18445

May 5, 1961

Re: Permits No. 18445; 28067

Mrs. E. J. Strandberg
P. O. Box 756
McCall, Idaho

Dear Mrs. Strandberg:

Your letter of May 4th received with assignment of Permit No. 18445, amendment to the point of diversion for Permit No. 28067 and a Postal Money Order for \$6.50 fees.

The map in Permit No. 18445 file shows Gaylord Creek running almost due west through the center of SE $\frac{1}{4}$, Section 30 with the point of diversion a short way above the mouth of the creek. The map in Permit No. 28067 shows Gaylord Creek running southwesterly across the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 30, with the point of diversion in that 40-acre subdivision slightly over one-fourth mile above the mouth of the creek. This map was taken from the Quadrangle sheet which is possibly the most accurate map available. The U. S. G. L. O. map made from the original land survey in 1898 shows Gaylord Creek running almost due west through the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 31, and an extra creek running west through the center of the SE $\frac{1}{4}$, Sec. 30.

Both permits should show the same location for Gaylord Creek, and if true, the same point of diversion and place of use. Kindly complete the two blank sketch map forms enclosed and return to this office, one map for each file. We believe the location of the Weiser River is sufficiently accurate. The distance from the mouth of Gaylor Creek to the point of diversion should be shown.

The material you submitted will be held pending until the correct maps are received and corrections can be made properly.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. sketch map forms

18445

July 27, 1959

Re: Application for Permit 36028
Permit No. 18445

Mrs. Phyllis F. Strandberg
Box 182
McCall, Idaho

Dear Mrs. Strandberg:

The State Fish and Game Department had Permit No. 18445 for 5 cubic feet per second for a fish hatchery, rearing ponds and domestic use, from Gaylord Creek.

When you were in the office Monday we told you that the proof of completion of works had been made. In checking the records we find that the Fish and Game Department made proof of beneficial use of the water May 20, 1948, day before they assigned the permit to Mr. Paul T. Hayes, of McCall. Mr. Hayes was notified that the Water License would be issued to him upon payment of the \$5.00 fee, March 16, 1950, and November 17, 1953.

The fact that the proof of beneficial use has been proven does not change the validity of Permit 18445 as the validity of the permit depends entirely upon whether the use of the water had been abandoned.

Very truly yours,

GEO. W. CARTER
State Reclamation Engineer

GNC:RT:ew

18445

RT

November 17, 1953

RE: Permit No. 18445

Mr. Paul T. Hayes
McCall
Idaho

Dear Mr. Hayes:

In checking our files in response to a request in regard to filings on Gaylord Creek, we find that License has never been issued on your Permit No. 18445.

We wrote you about this on March 16, 1950, advising that upon receipt of the statutory fee of \$5.00 a License could be issued for 5 second feet of water from Gaylord Creek.

We have received no reply to this letter and no doubt you have overlooked it. It is important that you give the matter your attention in order that your water right may be completed.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg

18445

✓
March 16, 1950

Re: Permit No. 18445

Mr. Paul T. Hayes
McCall, Idaho

Dear Mr. Hayes:

We now have on file the report of our Field Engineer on examination for Beneficial Use under Permit No. 18445 assigned to you by the State Fish and Game Department.

Therefore, upon receipt of the statutory fee of \$5.00, a License will be issued for five (5) second feet of water from Geylord Creek for fish cultural purposes in the SE $\frac{1}{4}$ Section 30, Township 18 North, Range 1 East, B.M.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh

18445

✓
18445
18445

May 24, 1948

Mr. Paul T. Hayes
McCall, Idaho

Dear Mr. Hayes:

We enclose Assignment of Permit No. 18445, State Fish and Game Department to Paul T. Hayes of McCall, Idaho, which has been duly recorded in this office.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By .

Chief Clerk

A/dm
Enc.

18445

17225

Affidavit of Publication

State of Idaho, County of Adams, ss:

I, F. E. 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 Proof*

Appl 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 consecutive weeks, the first publication of the

same being made in the issue dated *April 16, 1948*

and the last in the issue dated *May 7, 1948*;

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 of Proof as aforesaid.

Subscribed and sworn to before me this *14th*

day of *June*

is *48*.

Blair Tucker
Notary Public for Idaho,
Residing at Council, Idaho

Notice for Publication NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 A. M. on the 20th day of May, 1948, at Boise, County of Ada, State of Idaho, before Anna Mastro - Notary Public, proof will be submitted of the application to beneficial use of 5 cubic feet per second of the waters of Gaylord Creek in accordance with the terms and conditions of Permit No. 18445 heretofore issued by the State Reclamation Department of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are State Fish and Game Department - Boise, Idaho.

The use to which said water has been applied is Fish Cultural purposes.

The amount applied to beneficial use is 5 sec. feet.

The place where said water is used is Southeast Quarter of Section 30, Township 18 North Range 1 East, B.M.

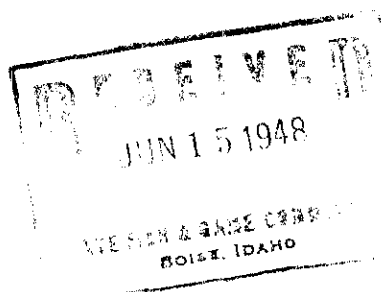
The name of the canal or ditch or other works by which said water is conducted to such place of use is No name.

The right to take water from such works is based upon Permit No. 18445.

The source of supply from which such water is diverted is Gaylord Creek.

The date of priority which said user is prepared to establish is May 20, 1937.

18445
MARK R. KULP
State Reclamation Engineer.
Pub. April 16, 23, 30; May 7.



STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 18445

This proof is for Beneficial use

In Water District No.

1. Name of applicant Fish & Game Dept., Boise, Idaho (Assigned to Paul T. Hayes, McCall, Ida.)

2. Source of water supply: Gaylord creek

3. Location of point of diversion: Is in the NE¹ SE¹ of Section 30

T. 18 N. R. 1 E. County of Adams

4. Describe works as they exist, giving dimensions and capacities of same: A board dam, 7 ft. high, and 20 ft. long. It has a flash board control 3 ft. wide, 3 ft. high, and 6 ft. long. The outlet is a 12 inch corrugated galvanized pipe about 125 ft. long, and has a screened intake 3 ft. high and 7 ft. long. At the time of this investigation, the pipe was flowing $\frac{1}{2}$ full. The pipe leads to wooden tanks and then, via 12 inch pipe about 125 ft. long, into 3 concrete tanks, 6 ft. wide, 60 ft. long, and 5 ft. high. From these tanks it flows into the Weiser River through a 12 inch pipe about 60 ft. long.

5. Water is used for: Fish cultural purposes

6. 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):

Place of use- SE¹ Section 30, Twp. 18 North, Range 1 East, E. M.

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

8. What large stream would the water here appropriated finally reach? Snake River via Weiser River

Remarks:

This examination was made on the 2 day of June, 1949

(Signed)

F. A. Tolman

Examiner.

18445

Fish & Game Department
Boise, Idaho

Permit No. 18445

Paul T. Hays

Examination for Beneficial use

County Adams

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
MAR 8 1950
Dept of Reclamation

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

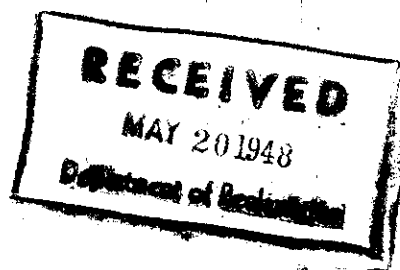
PERMIT NO. 18445

REPORT ON PROOF OF Beneficial use

5 cfs
Inlet

App. 5 cfs.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



Permit No. 18445

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. T. B. Murray, Director, State Fish and Game Department - Boise, Idaho

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.

Ans. _____

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. 18445 - May 25, 1937 - May 25 1937

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Gaylord Creek in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 30, T. 18 N. R. 1 E. B. M.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use.

Ans. Small dam, open ditch : - 5 sec. ft.

Ques. 6. State for what purpose water is used and describe place of use. (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 whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Fish cultural purposes in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 30, T. 18 N. R. 1 E. B. M.

Ques. 7. If for other than irrigation purposes; state how applied, amount of horse power generated, etc.

Ans. _____

18445

TBM

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

Ans. 5 sec. ft.

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.

Ans.

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. Used for fish cultural purposes since May 1937 ; 5 sec. ft.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans.

(Sign)

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 Boise, County of Ada, State of Idaho, on this 20th day of May, A. D. 1948.

My commission expires

4/3/00

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 18445

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. George E. Tucker - 58 - Civil Engineer - 1912 State St., Boise, Idaho

Ques. 2. Are you acquainted with T. B. Murray - Director State Fish & Game Dept, the holder of Permit No. 18445? How long have you known him and where does he reside?

Ans. Yes, Since 1935 - Boise, Idaho

Ques. 3. Have you read or heard read said Permit No. 18445, 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. Gaylord Creek in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 30. T. 18 N. R. 1 E.B.M. Dam 4' high x 50' long
Open ditch to rearing ponds.

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. 5 sec. ft.

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. Fish cultural purposes in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 30, T. 18 N. - R. 1 E.B.M.

18445

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

Ans. 5 Sec. ft. for fish cultural purposes
since 1937

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. Since July 1945 1 1/2 sec. ft.

(Signed) George E. Tucker

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 Boise, County of Ada, State of Idaho, on this 20th day of May, A. D. 1948.

Anna Mastro
Notary Public.

My commission expires 4/1/50

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 18445

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. Frank H. Oster - ~~56~~ - Surveyor - 116 E. Idaho St. - Boise, Idaho

Ques. 2. Are you acquainted with T. B. Murray - Director, State Fish & Game Dept the holder of Permit No. 18445? How long have you known him and where does he reside?

Ans. Yes - About 1 year - Boise, Ida.

Ques. 3. Have you read or heard read said Permit No. 18445, 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. Gaylord Creek in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 30 T. 18 N. R. 1 E. B.M. Dam 4' high x 50' long
Open ditch to rearing ponds.

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. 5 sec. feet

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. Fish cultural purposes in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 30, T. 18 N. - R. 1 E. B.M.

18445

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

Ans. 5 sec. ft. for fish cultural purposes
since 1937

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. Since 1943. 5 c.f.s.

(Signed)

Frank H. Peter

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 Boise, County of Ada, State of Idaho, on this 20th day of May, A. D. 19 48.

Anna Mactro

Notary Public.

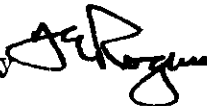
My commission expires

6/3/50

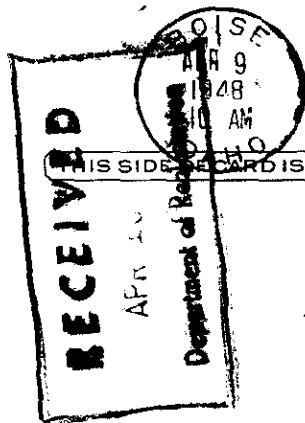
4/7/48

We hereby acknowledge receipt of copy for
publication of Notice Re Permit No. 18445, and
first publication will be made April 16, and
publication will be completed May 7.

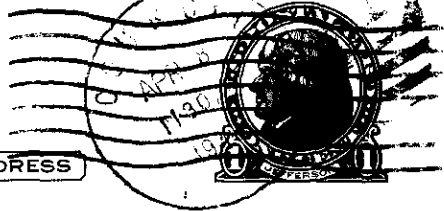
Adams County Leader,
Council, Idaho

By  Publisher

18445



THIS SIDE OF CARD IS FOR ADDRESS



Mark R. Kulp
Dept. of Reclamation,
Boise, Idaho

Attention Chief Clerk

✓
April 7, 1948

Re: Permit No. 18445

State Fish and Game Department
State House
Boise, Idaho

Attn: Mr. George E. Tucker

Dear Mr. Tucker:

Notice has been sent to the Adams County Leader stating that beneficial use proof under Permit No. 18445 is to be made on May 20, 1948.

We enclose herewith the necessary forms of deposition to be used in making this proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/dm
Encl.

18445

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) April 6, 1948.....

(P. O.) Boise, Idaho.....

STATE RECLAMATION ENGINEER:

TO THE ~~COMMISSIONER OF RECLAMATION~~

Boise, Idaho.

Dear Sir:

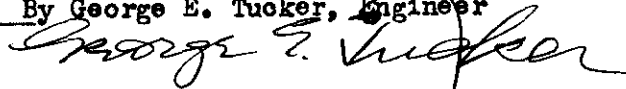
You are hereby authorized to have the attached notice published at my expense in the

Adams County Leader of Council, Idaho, published in
the county in which the works are situated.

T. B. Murray, Director

Idaho Fish and Game Department

By George E. Tucker, Engineer



(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.

18445

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Date: April 6, 1948

Re: Permit No. 18445

Adams County Leader

Council, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to May 20, 1948 . the date set for proof, the expense of the publication to be paid by the applicant, State Fish & Game Department of Boise, 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 of the first publication, in order that we may check same.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

By

Chief Clerk

18445

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Gaylord Creek

Boise, Idaho

March 1, 1948

Fish & Game Department

Building

Dear Sir:

We enclose herewith blank notice for proof of application of water to beneficial use under your Permit No. 18445. This notice should be filled out in duplicate and returned to this office at least 40 days before the date upon which you wish to make this proof, in order to allow time for the four weeks' publication required by law.

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

The date for proof, as set out in your permit, is not later than May 25, 1948, and if proof is submitted later than said date, your priority will be brought down a length of time equal to the time elapsing between the date the proof is due and the date proof is actually made.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

18445

NOTICE FOR PUBLICATION
NOTICE OF PROOF APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 10:00 A. M. on the 20th day of May, 19 48,
at Boise, County of Ada, State of Idaho, before
Anna Mastro - Notary Public, proof will be submitted of the
application to beneficial use of 5 cubic feet per second of the waters of
Gaylord Creek in accordance with the terms and conditions of Permit No. 18445
heretofore issued by the State Reclamation Department of the State of Idaho.
The name and postoffice address of the person or corporation holding said permit are
State Fish and Game Department - Boise, Idaho
The use to which said water has been applied is Fish Cultural purposes
The amount applied to beneficial use is 5 sec. feet
The place where said water is used (if for irrigation, give full and accurate description of the
lands irrigated) Southeast quarter of Section 30, Township 18 North, Range 1 East, B.M.

The name of the canal or ditch or other works by which said water is conducted to such place of
use is No name
The right to take water from such works is based upon Permit No. 18445
The source of supply from which such water is diverted is Gaylord Creek

The date of priority which said user is prepared to establish is May 20, 1937

MARK H. KULP
State Reclamation Engineer.

18445

March 26, 1942

Re: 18445

State Fish & Game Dept.
Building

Gentlemen:

We are enclosing a Certificate of Completion of Works for 5.0 second feet of the waters of Gaylord Creek to be used for a fish hatchery, rearing ponds, and domestic use with point of diversion in the NE¹/₄SE¹/₄, Sec. 30, Twp. 18 N., Rge. 1 E. D. M.

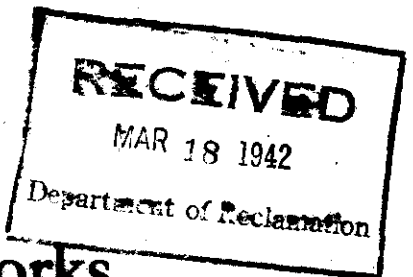
Very truly yours,
H. V. BEHC.
Commissioner of Reclamation

BY: Chief Clerk.

ml.
encl.

18445

~~78-11-1~~

Permit No. 18445STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Adams

ss.

James O. Beck

of State Fish & Game Department

, being first duly sworn, upon his oath deposes and says:

First: That he is the holder and owner of Permit to appropriate the Public Waters of the State of Idaho, No. 18445, and that his postoffice address is Boise State of Idaho.

Second: That the name of the stream from which said water is to be directed is Gaylord Creek, a tributary of the Weiser River.

Third: That the point of diversion of said water is in the NW of SE of Section 30, T. 18N. R. 1 E, B.M., County of Adams.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by May 25, 19 42.

Fifth: That the use for which said water is intended is fish hatchery, rearing ponds and domestic.

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

1. Kind of works: open ditch, small dam and rearing ponds
(Reservoir, dam, ditch, flume, pipe or otherwise.)

II. Dimensions of work:

(a) Height of dam 4 feet, length of dam at top 50 feet, length of dam at bottom 50 feet. Material used in construction earth.

(State whether wood, earth, stone or concrete.)

(b) Capacity of reservoir acre feet.

(c) Size of headgate: Width 2 feet, height 3 feet.

(d) Conduit ditch width at bottom 2 feet, width at water line 3 feet, depth of water 4 feet; diameter of pipe inches, average grade per mile is 26.4 feet. Length of conduit is 500 ft.

Seventh: That said works are capable of conducting to the place of intended use 5 cu. second feet of water.

Eighth: That water appropriated under said permit is available for propagation of fishes of land described as follows:

Ninth: Remarks: That the water is used for the propagation of fish and for no irrigation; also used for domestic purposes and rearing ponds.

Subscribed and sworn to before me this

17

day of

March

19

42My commission expires 6-24-45*James O. Beck*

(Sign here)

Marion E. Lee

Notary Public.

P. H. G. 5 e. 7. 4.
No fees due
R. 9. 7. 7.

18445

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Mar. 5, 1942

Re: 18445

**Fish & Game Dept.
Blag.**

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Boise, Idaho,

Dear Sir:—

Under the terms of your permit No.....**18445**.....you are required to complete your diversion works on or before.....**May 25, 1942**..... I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

The certificate to be issued under this proof will not give a perpetual right to the use of water for which application was made, as it only confirms the completion of works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Yours truly,

E. V. BERG

Commissioner of Reclamation.

18445

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Permit No. 18445

Boise, Idaho, **June 1, 1937**

Dear Sir:

I enclose herewith above numbered permit. BE SURE AND NOTE LIMITATIONS AND CONDITIONS OF SAME as given under approval of the Commissioner of Reclamation on the third page.

W. R. McIntyre
State Fish and Game Department
Boise, Idaho

R. W. FARIS
Commissioner of Reclamation.

Encl.
Office Receipt No. 16216, \$6.00.

18445

