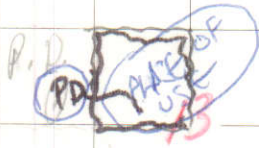


Rge. 19E.

Hannett

Trp. 18.



FOR LICENSE ALLOW 24.0 C.F.S. FOR FISH CULTURE
(NON CONSUMPTIVE)

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.

Fish & Game Dept.
518 Front Street
Boise, Idaho

Permit No. 31871

Concrete headgate
open canal, pipeline
Q-25.0 c.f.s.

Parcel 4 LDR

Examination for Comp. of Works & Beneficial Use

County Blaine

Quantity: 24.0 c.f.s. Sec. 13 T. 1S R. 19E

Source: Loving (Graham) Creek

P.D.: SW 1/4, Sec. 13, T. 1 S, R. 19 E, B.M.

Use: Fish cultural

Extension:

Protest:

Completion of Works:

Other Rights: 1.0 c.f.s. of Graham (Loving) Creek and
15.0 c.f.s. of unnamed spring

Filed: May 8, 1964

Due: May 8, 1967

Made: May 1, 1967

Priority: May 8, 1964

36" STEEL ARMED CURTAIN
STEEL & WOODEN C.A.T.

31871

RECEIVED
MAY 4 1967
Department of Reclamation

Affidavit of Publication

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

NOTICE is hereby given that on the 1st day of May 1967, at Boise, County of Ada, State of Idaho, before Anne Epeldt, Notary Public, at (address) 600 South Walnut, Boise, Idaho, proof will be submitted of the completion of works for the diversion of 24.0 cubic feet per second of the waters of Loving (Graham) Creek, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 31871, 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: State of Idaho, Fish and Game Department, 600 South Walnut, Boise, Idaho 83707.

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 25.0 cubic feet per second.

3. The use to which said water has been applied is Fish cultural purposes and the amount applied to beneficial use is 24.0 cubic feet per second.

4. The point of diversion of said water is SW 1/4 NW 1/4, Sec. 13, T. 1 S., R. 19 E., B. M.

5. The place where said water is used is E 1/2 SE 1/4 NW 1/4, Sec. 13, T. 1 S., R. 19 E., B. M.

6. The date of priority which said user is prepared to establish is May 8, 1961.

A. KEITH HIGGINSON
State Reclamation Engineer
3/16-1/7

STATE OF IDAHO, }
County of Blaine, } ss.

BERWYN BURKE, being first duly sworn deposes and says that he is now and at all times herein mentioned has been the publisher of The Hailey Times, which is now, and at all times herein mentioned has been a newspaper as defined in Section 58-106 of the Idaho Code Annotated as amended by Chapter 38 of the Laws of 1939, and printed, regularly issued and published weekly at Hailey, in Blaine County, Idaho, and having a general circulation in said county, and not less than 200 bona fide subscribers living within said county, and that said newspaper has been continuously and uninterruptedly so printed and published as a weekly newspaper in said county during the period of 78 consecutive weeks prior to the first publication of the annexed true copy and at all times since, and that said annexed true copy was so published in the regular edition of said newspaper, The Hailey

Times, and not in any supplement thereof, for Four consecutive weeks commencing with the first publication thereof on the

sixteenth day of March, 19 67
and ending with the last publication thereof on the

sixth day of April, 19 67

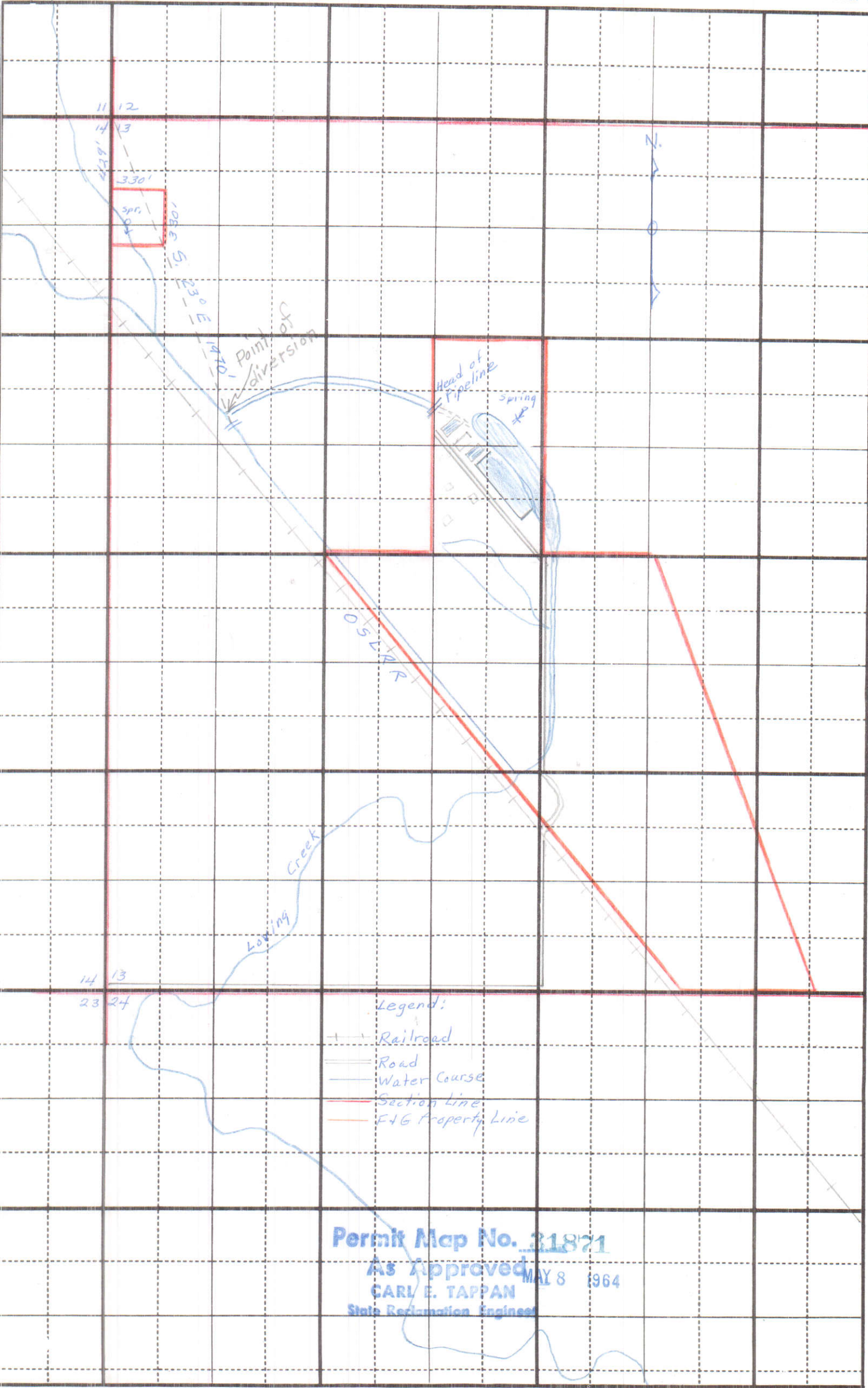
Cost of this publication is \$ 23.40

Berwyn Burke
BERWYN BURKE, Publisher.

Subscribed and sworn to before me, this 7th day
of April, 19 67

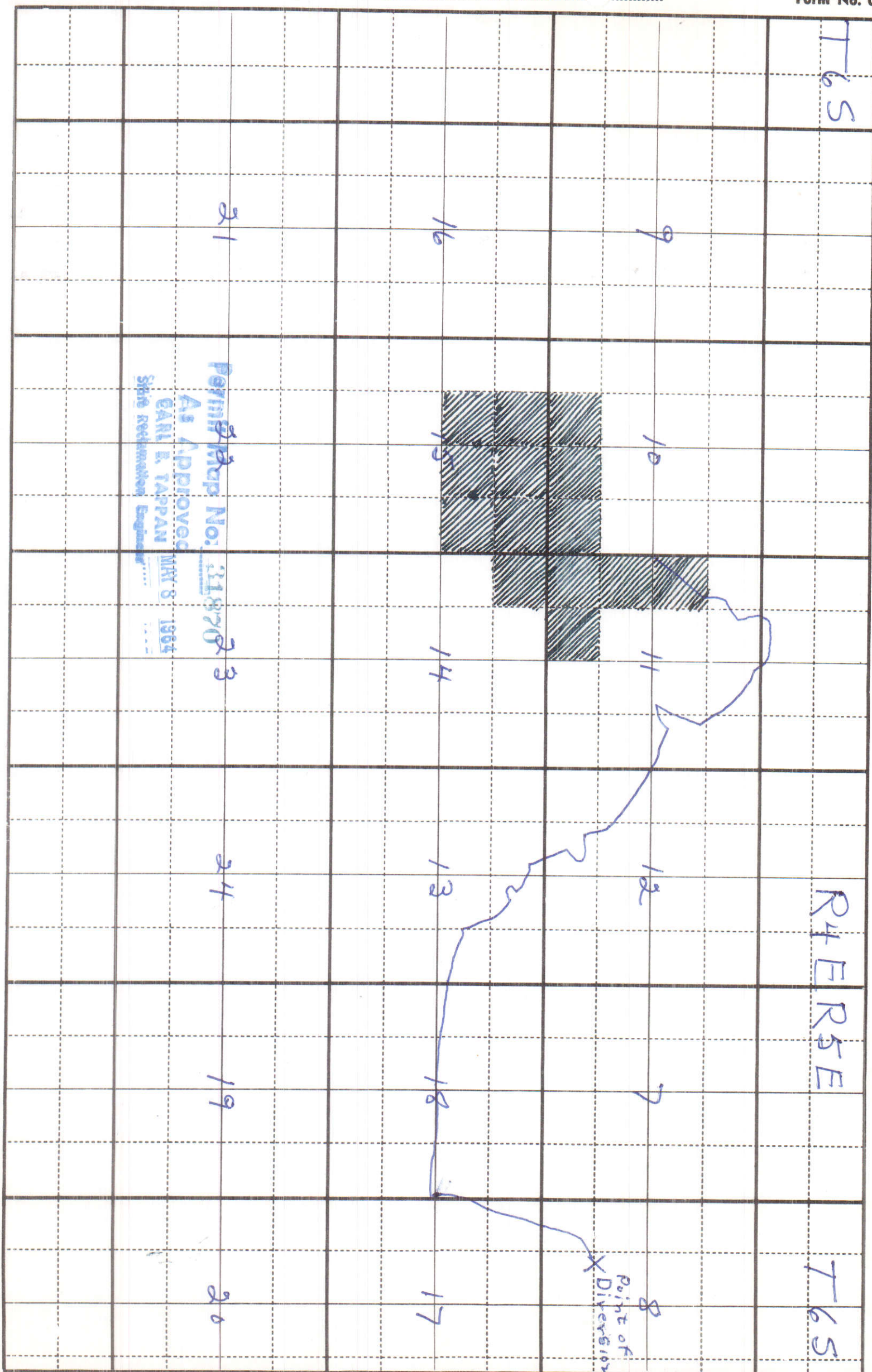
[Signature]
Notary Public for Idaho
Residing at Hailey,
Blaine County, Idaho.

31871



NAME OF APPLICANT.....rlin Matthews

Form No. 0



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

531870

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

NOTICE is hereby given that on the 1st day of May 1967, at Boise, County of Ada, State of Idaho, before Anne Epeldi, Notary Public, at (address) 600 South Walnut, Boise, Idaho, proof will be submitted of the completion of works for the diversion of 24.0 cubic feet per second of the waters of Loving (Graham) Creek, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 31871, 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: State of Idaho, Fish and Game Department, 600 South Walnut, Boise, Idaho 83707.

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 25.0 cubic feet per second.

3. The use to which said water has been applied is fish cultural purposes and the amount applied to beneficial use is 24.0 cubic feet per second.

4. The point of diversion of said water is SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 13, T. 1 S., R. 19 E., B. M.

5. The place where said water is used is E $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 13, T. 1 S., R. 19 E., B. M.

6. The date of priority which said user is prepared to establish is May 8, 1964.

R. KEITH HIGGINSON
State Reclamation Engineer
3/16-1/7

WATER LICENSE

Water License No. 31871 Priority May 8, 1964 Amount 24.0 c.f.s.

THIS IS TO CERTIFY, that Idaho Fish & Game Department
of Boise, Idaho, made application for a permit to appropriate the public waters of
the State of Idaho, dated May 8, 1964; that Permit 31871 was issued pursuant
to said application; that the proposed works were completed on or about 1965,
with a storage/or carrying capacity of 24.0 c.f.s., said works consisting of
pipe, earth ditch canal and hatchery ponds; and that on May 1, 1967,
proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of N.A.
acre feet per season, with a maximum rate of diversion of 24.0 cubic feet per second of the waters
of Loving (Graham) Creek, tributary of Silver Creek,
for the purpose of Fish culture from January 1 to December 31;
and for _____ from _____ to _____; and for
_____ from _____ to _____; and that the use
of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Recla-
mation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is
located in SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 13, T. 1 S, R. 19 E, B.M., and
other additional points _____, in the County of
Blaine; and that the amount of water to which such right is
entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially
used for said purposes and shall not exceed N.A. acre feet per year.

Description and location of place of use:

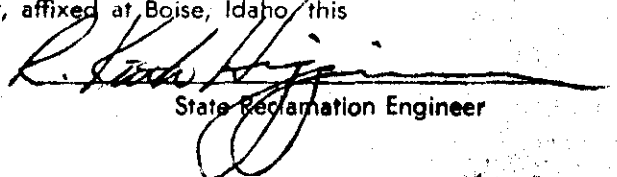
TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
<u>1 S</u>	<u>19 E</u>	<u>13</u>								<u>X</u>									

Total number of acres irrigated _____

The right to the use of the water 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

16th day of May, 19 69.


State Reclamation Engineer

37 2695

31871

37-2615

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

APPLICATION No. 39996
PERMIT No. 31871
DISTRICT No.

1. Name of Applicant: State of Idaho, 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) Bond to be issued:
- (d) Other resources:

2. Quantity of water claimed: 24.0 cubic feet per second.

3. Source of water supply: Loving (Graham) Creek which is a tributary of Silver Creek

4. Location of point of diversion: S. 23° E., 1970 feet distant from the Northwest corner of Section 13, T. 1 S., R. 19 E., B.M., and is in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of section 13, T. 1 S., R. 19 E., B. M., County of Blaine

5. Water is to be used for Fish cultural purposes

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

(a) Point of use of water: S 48° 35' E. 2600 feet distant from northwest corner of Section 13 T. 1 S., R. 19 E., B.M., in the E $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section ~~12~~ 13, T. 1 S., R. 19 E., B.M.

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

(c) Water is to be returned to Loving Creek at a point N. 5° W. 1300 feet distant from the south quarter corner of Section 13, T. 1 S., R. 19 E., B.M., in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 13, T. 1 S., R. 19 E., B.M.

7. Estimated cost of works: \$ 26,000.00

8. Kind of works: A diversion structure, open canal and 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 nine feet; height five feet.

11. Ditch: Width at bottom 11 feet; width at water line 30 feet; depth of water 3.5 feet; dimensions of flume:

Diameter of pipe 33 inches; length of conduit canal 1300 feet; pipeline 580 feet ~~xxxx~~

Average grade per mile one foot ~~xxxx~~

12. The time required for the completion of such work is 3 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~~ hatchery are: One c.f.s. of the waters of Graham Creek (Loving Creek) decreed water conveyed to State by deed, priority of 1884 and 1888, and 15 c.f.s. of the waters of unnamed spring located in E $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 13

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.

State of Idaho Fish and Game Department *Applicant.*

By s/ John R. Woodworth, Director *Agent.*

Date of first receipt at Department of Reclamation: 10:00 A.M., May 8, 1964

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 31871

Recorded in Book 111 Page 31871 Approved May 8, 1964

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

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

Work to begin on or before July 8, 1964

and to continue diligently and uninterruptedly to completion,

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

One-fifth of the work above specified to be completed on or before November 8, 1965

The whole of said work to be completed on or before May 8, 1967

Beneficial use of water appropriated in accordance herewith, to be made on or before May 8, 1967

WITNESS My hand this 8th day of May, 1964

s/ CARL E. TAPPAN
State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, ROBERT E. SMYLIE, Governor of the State of Idaho,

and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to

be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this.....8th.....

day of May, 1964.

STATE OF IDAHO

Countersigned:

(SEAL)

By s/ ARNOLD WILLIAMS

By s/ ROBERT E. SMYLTIE

Governor.

Secretary of State.

REMARKS: Waters of Loving Creek are to be diverted and directed to the State's Hayspur Fish Hatchery and then directed through the hatchery and rearing ponds in a nonconsumptive use and returned to Loving Creek at a point below the fish cultural works.

14.

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

LICENSE ISSUED FOR 24.0 SEC. FT.

LICENSE PAGE NO.

LICENSE ISSUED FOR 24.0 SEC. FT.
 LICENSE PAGE NO.

January 29, 1970

Re: Permit No. 37-2695

Department of Fish and Game
Mr. Ted Biladeau
Statehouse
Building Mail

Dear Ted:

Enclosed herewith is a copy of the Water License issued on the above numbered permit. All Water Licenses this office issues to the Department of Fish and Game will forwarded directly to you.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:kh

Enclosure

37-2695
31271

May 16, 1969

Re: Permit No. 31871

State of Idaho
Department of Fish and Game
Building

Dear Sir:

Enclosed you will find your Water License issued on the
above numbered permit.

Also enclosed is departmental receipt No. 3028 in the
amount of \$9.20 covering the fees.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA:kh
Enclosures

31871

2-REMITTANCE ADVICE

STATE OF IDAHO
Miscellaneous Expenditure Voucher

No.

FOR USE OF DIVISION
OF ACCOUNTS ONLY

201273

No.

FOR USE OF DEPARTMENT

FROM
DEPARTMENT Fish and GameSUB-DIVISION Fish and Game CommissionAPPROPRIATION
ACCOUNT TITLEFish and Game Fund**PAY TO:**

CODE NO.

Department of ReclamationStatehouse - Annex 2Boise, Idaho 83707

ACCOUNT CODES					
FUND	FUNCTION	SUB. DIV.	APPR.	OBJECT	COST CODES
6	6	01	6401	273	9.20
COMPUTATION CHECKED BY:				PRE-AUDITED BY:	
INCLUDED IN DAILY SUMMARY NO.				POSTED TO BUDGET CONTROL LEDGER	

DATE	EXPLANATION	AMOUNT	LEAVE BLANK
5/5/69	Permit #31871 4/30 Ted Biladeau 1-3-3-12 License and Certification of Water Rights 24.0 c. f. s. Fish Culture purposes Hayspur hatchery Sect 67-1614	9.20	

The above purchases are exempt from Idaho Sales Tax according to Tax Collectors Regulations No. 52 & 53 Idaho Sales Tax Act.

Attached

TO THE CLAIMANT:

Enclosed please find State of Idaho warrant in full settlement of the claim.

Please address any inquiries concerning this transaction to the

STATE AUDITOR,
 Division of Accounts
 State Capitol Building,
 Boise, Idaho

5/5/69 bc

A15483

31871

April 30, 1969

Re: Permit No. 31871

Idaho Fish & Game Department
State of Idaho
Building

Gentlemen:

A representative of this department has made an examination of the works covered by your Permit 31871 and has found the following:

Quantity of water diverted: 24.0 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 24.0 c.f.s.

~~XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX~~
The maximum quantity diverted shall not exceed _____ acre feet per season.

Purpose of use: Fish culture purposes

The priority date established is: May 6, 1964

A fee totaling \$ 9.20 must be received within 30 days from the date of this letter in order that we can issue you the License and Certificate of Water Right as described above.

Very truly yours,

Dean R. Reynolds
Field Examiner

DRR:kh

3/6 71

Form 23

2M-4-65 /

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. 31871✓

REPORT ON PROOF OF Completion of Works & Beneficial Use

11/15

Harrods

P.D. ~~PAID~~ ~~FOR~~ ~~USE~~

FOR LEASE ALLOW 24.0 C.F.S. FOR FISH CULTURE
(NON CONSUMPTIVE)

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF EXAMINER

Permit No. 31871

This proof is for Comp. of Works & Beneficial Use

In Water District No.

1. Name of applicant Idaho Fish & Game Department

2. Source of water supply: Loving (Graham) Creek, tributary of Silver Creek

3. Location of point of diversion: Is in the SW 1/4 of Section 13

T. 1 S. R. 19 E. County of Blaine

4. Describe works as they exist, giving dimensions and capacities of same:

33" STEEL ARMO CONDUIT 16' LONG
EARTH DITCH CANAL TO WATERWAY POND

5. Water is used for: Fish culture

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):

Fish cultural purposes in the E 1/4 Sec. 13, T. 1 S, R. 19 E, B.M.

(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. BATHGOLD CONTACTED.

Q = 24.0 cfs.

This examination was made on the 9th day of JULY, 1968

(Signed)

John Reynolds

Examiner.

Priority May 8, 1964

3871

plat
nxt

DR
SC.

Concrete headgate
open canal, pipeline
Q - 25.0 c.f.s.

Period 1

36. *Small dark (red)*

Steel & wooden C.A.T.

37-

P.D.: SW 1/4, Sec. 13, T. 1 S, R. 19 E, B.M.

Extension:

Protest:

Completion of Works:

Other Rights: 1.0 c.f.s. of Graham (Loving) Creek and
15.0 c.f.s. of unnamed spring

Filed: May 8, 1964

Due: May 8, 1967

Made: May 1, 1967

Priority: May 8, 1964

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.

16871

May 2, 1967

Re: Permit No. 31271

Idaho Fish & Game Department
John R. Woodworth, Director
P. O. Box 25
Boise, Idaho 83707

Dear Mr. Woodworth:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the Hailey Times all submitted in proof of completion of works and beneficial use on Permit No. 31271.

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 to contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

Donald W. McElowney
Water Rights Clerk

DWM:dj

P.S. Enclosed is your receipt from The Hailey Times. We do not need it for our files.

631871

RECEIVED
MAY 8 1967

Department of Reclamation

DEPARTMENT OF RECLAMATION
DIRECTOR

MAY 4 3 02 PM '67

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

NOTICE is hereby given that on the 1st day of May 1967, at Boise, County of Ada, State of Idaho, before Anne Epeidl, Notary Public, at (address) 600 South Walnut, Boise, Idaho, proof will be submitted of the completion of works for the diversion of 21.0 cubic feet per second of the waters of Laying (Grubbs) Creek, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 31871, 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: State of Idaho, Fish and Game Department, 600 South Walnut, Boise, Idaho 83707.

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 25.0 cubic feet per second.

3. The use to which said water has been applied is fish cultural purposes, and the amount applied to beneficial use is 21.0 cubic feet per second.

4. The point of diversion of said water is SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 13, T. 1 S. R. 19 E. B. M.

5. The place where said water is used is E $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 13, T. 1 S. R. 19 E. B. M.

6. The date of priority which said user is prepared to establish is May 8, 1961.

R. KEITH HICKINSON
State Reclamation Engineer
7/16-177

Affidavit of Publication

STATE OF IDAHO, }
County of Blaine, } ss.

BERWYN BURKE, being first duly sworn deposes and says that he is now and at all times herein mentioned has been the publisher of The Hailey Times, which is now, and at all times herein mentioned has been a newspaper as defined in Section 58-106 of the Idaho Code Annotated as amended by Chapter 38 of the Laws of 1939, and printed, regularly issued and published weekly at Hailey, in Blaine County, Idaho, and having a general circulation in said county, and not less than 200 bona fide subscribers living within said county, and that said newspaper has been continuously and uninterruptedly so printed and published as a weekly newspaper in said county during the period of 78 consecutive weeks prior to the first publication of the annexed true copy and at all times since, and that said annexed true copy was so published in the regular edition of said newspaper, The Hailey

Times, and not in any supplement thereof, for Four consecutive weeks commencing with the first publication thereof on the

sixteenth day of March, 19 67

and ending with the last publication thereof on the

sixth day of April, 19 67

Cost of this publication is \$ 23.40

Berwyn Burke
BERWYN BURKE, Publisher.

Subscribed and sworn to before me, this 7th day
of April, 19 67.

J. F. ENSIGN
Notary Public for Idaho
Residing at Hailey,
Blaine County, Idaho.

631871

RECEIVED
MAY 4 1967

Department of Reclamation

Affidavit of Publication

STATE OF IDAHO, }
County of Blaine, } ss.

BERWYN BURKE, being first duly sworn deposes and says that he is now and at all times herein mentioned has been the publisher of The Hailey Times, which is now, and at all times herein mentioned has been a newspaper as defined in Section 58-106 of the Idaho Code Annotated as amended by Chapter 38 of the Laws of 1939, and printed, regularly issued and published weekly at Hailey, in Blaine County, Idaho, and having a general circulation in said county, and not less than 200 bona fide subscribers living within said county, and that said newspaper has been continuously and uninterruptedly so printed and published as a weekly newspaper in said county during the period of 78 consecutive weeks prior to the first publication of the annexed true copy and at all times since, and that said annexed true copy was so published in the regular edition of said newspaper, The Hailey

Times, and not in any supplement thereof, for Four consecutive weeks commencing with the first publication thereof on the

sixteenth day of March, 1967
and ending with the last publication thereof on the

sixth day of April, 1967

Cost of this publication is \$ 23.40

Berwyn Burke
BERWYN BURKE, Publisher.

Subscribed and sworn to before me, this 7th day
of April, 1967.

[Signature]
Notary Public for Idaho
Residing at Hailey,
Blaine County, Idaho.

631871

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. 31871

RECEIVED
MAY 1 1967

Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Completion of Works

DEPOSITION OF HOLDER

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

John R. Woodworth, Director, Fish & Game Dept, Box 25, Boise, Idaho 83707

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

Acting for and in behalf of the State of Idaho, Fish and Game Dept, Boise, as its Director.

Ques. 3. State number, approval date of permit, and date of priority: #31871

Approved May 8, 1964 - Priority date: May 8, 1964

Ques. 4. State source of water supply: Loving Creek, a tributary of Silver Creek
Give location of point of diversion, showing subdivision, section, township and range
S 23⁰ E, 1970 feet distance from the NW corner of Sec. 13, T 1 S, R 19 E BM, Blaine
County, Idaho, and is within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 13.

Ques. 5. Describe your works of diversion: A concrete headgate 9 inches in width and 5 feet
in height and an open canal and a
pipeline; state amount of water they are capable of con-

veying from point of diversion to place of use: 25.0 cfs; Give name of canal or ditch

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

_____; 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 _____

_____; if sprinkler irrigation, give number and size
of nozzles and operating pressure: _____

Ques. 6. State for what purpose water is used: Fish cultural purposes
(If for irrigation, name each subdivision in which used and number of acres in
each subdivision that have actually been irrigated with said water:

31871

D

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

Six concrete fish raceways 400'x12'x5' have been added to the Hatchery production potential.

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, show full legal description of place of use and state purpose for which water is used:

Water is used in the E $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 13, T. 1 S., R. 19 E.B.M. and is used for the cultivation and production of game fish.

Ques. 8: 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:

Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used: 1965 in the amount of 24.0 cfs Time used since first use:

Operation has been continuous since March 1, 1965.

Ques. 10. Describe all other water rights appurtenant to same place of use: _____

One cfs of the waters of Graham (Loving) Creek decreed priority of 1884 and 1888 and 15 cfs of the waters of unnamed spring located in the E $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 13, T. 1 S. R. 19 E.B.M.

STATE OF IDAHO
FISH AND GAME DEPARTMENT

(sign)

John R. Woodworth
John R. Woodworth, Director

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

600 South Walnut St., Boise, Idaho, County of Ada

State of Idaho, on this 1st day of May, A. D. 19 67.

My commission expires: June 1, 1970

531871

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho
Permit No. 31871

RECEIVED
MAY 1 1967
Department of Reclamation

* * * * *

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:

Paul Cuplin, of legal age, residing in Boise, Biologist, 600 S. Walnut, Boise, Idaho

Ques. 2 Are you acquainted with the Director of the Fish & Game Dept., the holder of Permit No. 31871? How long have you known him and where does he reside?

Five years - He resides in Boise, Idaho.

Ques. 3. Have you read or heard said Permit No. 31871 read, and are you familiar with its provisions and conditions: Yes X No.

Ques. 4. State source of water supply: Loving Creek, a tributary of Silver Creek

Give location of place of diversion, showing subdivision, section, township and range
SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 13, T. 1 S., R. 19 E.B.M., Blaine County, Idaho

Describe works for conveying water to place of use: A concrete headgate - an open canal and pipeline 33 inches in diameter.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: 25.0 cfs How much water have you seen being so conveyed? 25.0 cfs

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving full legal description:

B 31871

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

E $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 13, T. 1 S., R. 19 E.B.M., Blaine County, Idaho. Used for
cultivation and production of game fish.

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.

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned?
If so, in what way and to what extent? None ✓

Ques. 10. When did you first see ^{water for} this water used? 1965, March 1 11990 1069

Other times you have seen such use: Approximately six times per year

(Signed):

Paul Cuplin ✓
PAUL CUPLIN

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 1st day of May, A. D. 19 67

Anne Epeldei ✓
Notary Public for the State of Idaho
Residing Boise, Idaho

My commission expires June 1, 1970

531871

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

Permit No. 31871

* * * * *

RECEIVED
MAY 1 1967
Department of Reclamation

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:

Ivor Sies, of legal age, residing in Boise, Construction Supervisor, 600 S. Walnut, Boise

Ques. 2 Are you acquainted with the Director of the Fish & Game Dept., the holder of Permit No. 31871? How long have you known him and where does he reside?

Five years - He resides in Boise, Idaho.

Ques. 3. Have you read or heard said Permit No. 31871 read, and are you familiar with its provisions and conditions: Yes X No.

Ques. 4. State source of water supply: Loving Creek, a tributary of Silver Creek

Give location of place of diversion, showing subdivision, section, township and range
SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 13, T. 1 S., R. 19 E.B.M., Blaine County, Idaho

Describe works for conveying water to place of use: A concrete headgate - an open canal and pipeline 33 inches in diameter.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: 25.0 cfs How much water have you seen being so conveyed? 25.0 cfs

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving full legal description:

31871

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

E½ SE¼ NW¼, Section 13, T. 1 S., R. 19 E.B.M., Blaine County, Idaho. Used for
cultivation and production of game fish.

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.

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned? If so, in what way and to what extent? None

Ques. 10. When did you first see this water used? 1965, March 1

Other times you have seen such use: Approximately six times per year.

(Signed): *Ivol Sies* ✓
IVOL SIES

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 1st day of May, A. D. 1967

Anne E. Eldred ✓
Notary Public for the State of Idaho
Residing Boise, Idaho

My commission expires June 1, 1970

631871

DON SAMUELSON, Governor
COMMISSION
GLENN STANGER, Idaho Falls
R. J. HOLMES, Twin Falls
ARLIE JOHNSON, Boise
WILLIAM B. DURBON, Moscow
FRANK CULLEN, Coeur d'Alene

IDAHO FISH AND GAME DEPARTMENT
May 1, 1967



JOHN R. WOODWORTH, Director

POST OFFICE BOX 25
600 SOUTH WALNUT STREET
BOISE, IDAHO 83707

Re: Hayspur Fish Hatchery
Permit #31871

Department of Reclamation
STATE HOUSE

RECEIVED
MAY 1 1967

Attention: Mr. R. Keith Higginson, Reclamation Engineer

Department of Reclamation

Gentlemen:

In compliance with published notice in the Hailey Times on May 1st, 1967, before Anne Epeldi, at 600 South Walnut, Boise, Idaho, depositions of Holder and Witness were taken as Proof of Completion of Works and Application of Water to Beneficial Use under Permit #31871.

No other persons appeared to present evidence.

Enclosed herewith, for your records, are said depositions.

Sincerely,

IDAHO FISH AND GAME DEPARTMENT
John R. Woodworth, Director

T. D. Biladeau, Land Agent
Business Administration Division

Enclosures

b 31871

RECEIVED
MAR 10 1967

Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) March 7, 1967

(P. O.) Box 25, Boise, Idaho 83707

TO THE STATE RECLAMATION ENGINEER

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published
at my expense in the Hailey Times of
Hailey, Idaho Published in
the county in which the works are situated.

STATE OF IDAHO
FISH AND GAME DEPARTMENT

By

John R. Woodworth
John R. Woodworth, Director

(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

631871

RECEIVED
MAR 10 1967

NOTICE OF PROOF OF COMPLETION OF WORKS
and

APPLICATION OF WATER TO BENEFICIAL USE Department of Reclamation

NOTICE is hereby given that at ~~1960~~ 1967 ~~A. M.~~, on the 1st day of May
1967, at Boise, County of Ada, State of Idaho, before
Anne Epeldi, Notary Public, at (address) 600 South Walnut, Boise
_____, proof will be submitted of the completion of works for the diversion of
24.0 cubic feet per second of the waters of Loving (Graham) Creek
_____, and of the application to beneficial use of said water, in accordance with
the terms and conditions of Permit No. 31871, 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: State of Idaho, Fish and Game Department, 600 South Walnut, Boise, Idaho 83707

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
25.0 cubic feet per second.

3. The use to which said water has been applied is Fish cultural
_____, purposes, and the amount applied to beneficial use is 24.0 cubic
feet per second.

4. The point of diversion of said water is South 23° East a distance of 1,970 feet from
the northwest corner of Sec. 13, T. 1 S., R. 19 E. B.M., Blaine County, Idaho, and is in the
SW¼ NW¼ of said Section 13. T 1 S. R 19 E

5. The place where said water is used is South 48° 35' East a distance of 2,600 feet
from the northwest corner of Sec. 13, T. 1 S., R. 19 E. and is in the (E¼ SE¼ NW¼) of said Sec. 13.
T 1 S. R 19 E

Total _____ acres.

6. The date of priority which said user is prepared to establish is May 8, 1964.

State Reclamation Engineer

631871

ms

March 10, 1967

Re: Permit No. 31871

State of Idaho
Fish & Game Department
600 South Walnut
Boise, Idaho 83707

Gentlemen:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. 31871. The proofs are to be made at Boise, Idaho, on the 1st day of May, 19 67, before Anne Epeldt, Notary Public.

As of this date, we have mailed the Notice to the Hailey Times, 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,

MRB:rw

M. Russell Bosch
Office Manager

Encl.

cc: Notary

31871

March 10, 1967

Re: Permit No. 31871

Hailey Times
Hailey, Idaho

Gentlemen:

Enclosed you will find a legal notice which we wish to have published for four consecutive weeks prior to May 1, 1967. The expense of the publication is to be paid by John R. Woodworth, Director of State of Idaho, Fish & Game Department, 600 South Walnut, Boise, Idaho 83707, to whom you should furnish proof of publication on or prior to the above date.

Please acknowledge receipt of this notice and furnish this office with a copy or tear sheet of the notice for checking at least one week prior to the first publication.

Very truly yours,

M. Russell Bosch
Office Manager

MRB:nw

31871

DON SAMUELSON, Governor
COMMISSION
GLENN STANGER, Idaho Falls
R. J. HOLMES, Twin Falls
ARLIE JOHNSON, Boise
WILLIAM B. DURBON, Moscow
FRANK CULLEN, Coeur d'Alene



JOHN R. WOODWORTH, Director

POST OFFICE BOX 25
600 SOUTH WALNUT STREET
BOISE, IDAHO 83707

IDAHO FISH AND GAME DEPARTMENT

March 8, 1967

Re: Hayspur Hatchery
Permit No. 31871

RECEIVED
MAR 10 1967
Department of Reclamation

Department of Reclamation
STATE HOUSE

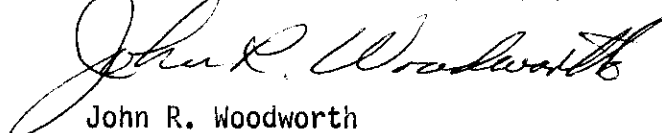
Attention: Mr. R. Keith Higginson, Reclamation Engineer

Gentlemen:

Enclosed herewith is authorization for your Department to publish, at the expense of the Fish and Game Department, notice of completion of works and application of water to beneficial use as specified in Permit No. 31871.

Sincerely,

IDAHO FISH AND GAME DEPARTMENT


John R. Woodworth
Director

Enclosures

31871

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Re: Permit No. 31871

Date: March 1, 1967

State of Idaho Fish and Game
518 Front Street
Boise, Idaho

Dear Sir:

Under the terms of your Permit No. 31871 you are required to make proofs of completion of works and application of water to beneficial use on or before **May 8th 1967**

Before this proof can be made, the statutory requirement is that a notice of your intention of proof be published once a week for four consecutive weeks in a newspaper in the county.

We enclose Form 36-A in duplicate, which is to be filled in and returned to this department at least forty (40) days before the above mentioned date and/or before the time you intend to make proof (this may be at any place that is convenient for you and your two witnesses), the quantity of water, for what purpose it is used, the point or points of diversion and the location of use, or lands which are irrigated - - by legal description. Descriptions should be taken from your Permit, including any amendments thereto, as recorded in this department. If changes have been made and no amendments are on record, we advise that you request a form for this purpose before your notice is published, or you may have to readvertise and complete another set of proof forms.

Also enclosed is Form 11, which is the authorization for us to have the notice published in the designated county newspaper, at your expense. This is to be returned with Forms 36-A

At the time we send the notice to the newspaper we will send you the forms for the depositions of holder and two disinterested witnesses. It is important that the depositions be executed at the time, on the date set, and at the place named, before the Notary Public as advertised in the publication notice.

The amount of water allowed in a license cannot be more than is actually produced and measured and put to beneficial use, and cannot be more than the statutory amount allowable per acre of land actually found by the field inspection to have been irrigated at the time of proof.

Very truly yours,


//CARL E. LARSEN R. Keith Higginson
State Reclamation Engineer

Enc. Form 36A and 11
cc:

31871

May 19, 1964

Re: Permit No. 31871

Idaho Fish and Game Department,
518 Front St.,
Boise, Idaho.

Gentlemen:

We enclose Permit No. 31871 in which we direct
your attention to the limitations and conditions as given
on the fourth page under approval of the State Reclamation
Engineer.

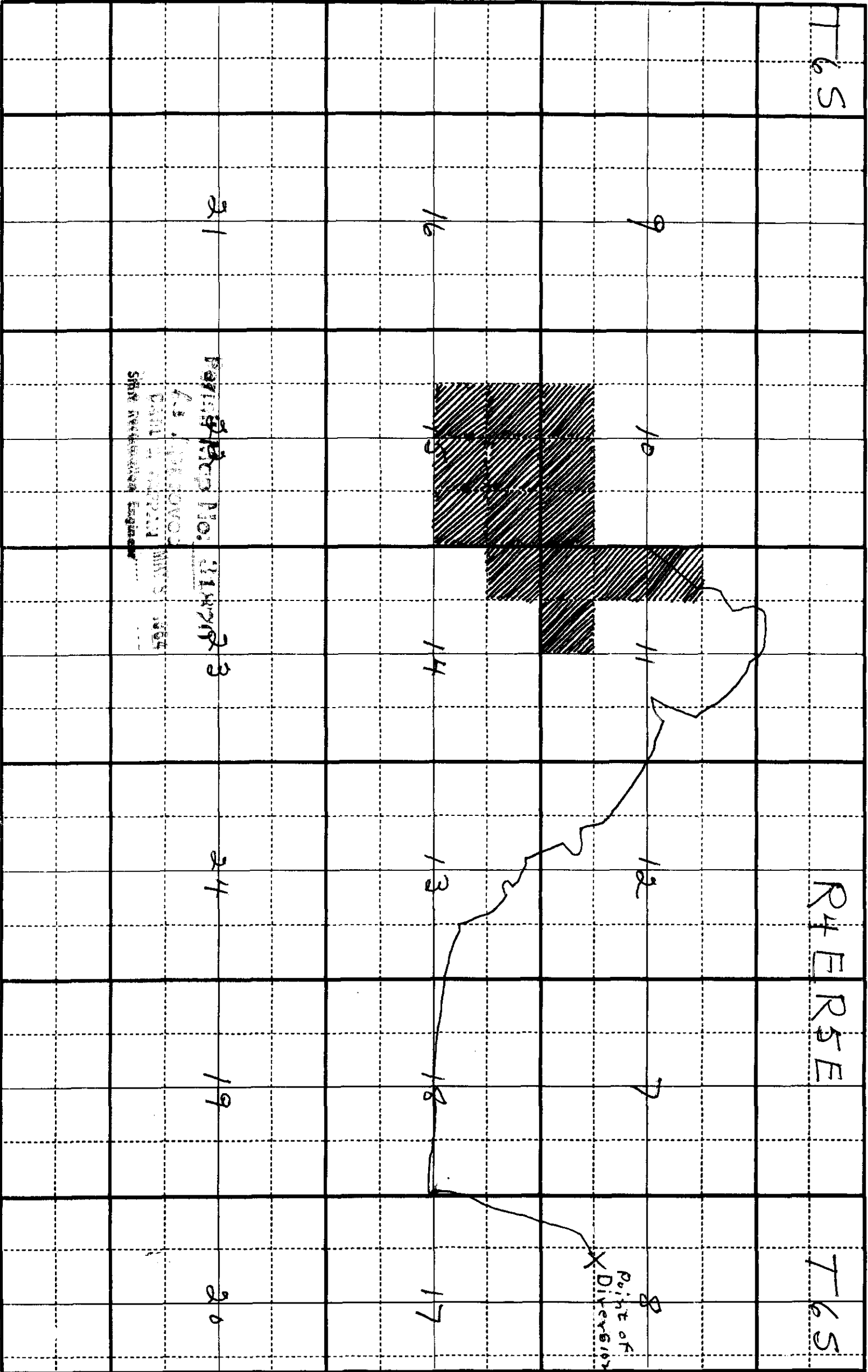
Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(MRS.) EDNA P. RULE
Chief Clerk

Encl. - Permit
EPR:pmk

\$31871



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

NOTICE is hereby given that on the 1st day of May 1963, at Boise, County of Ada, State of Idaho, before Anne Epeldi, Notary Public, at (address) 600 South Walnut, Boise, Idaho, proof will be submitted of the completion of works for the diversion of 24.0 cubic feet per second of the waters of Loving (Graham) Creek, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 31871, 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: State of Idaho, Fish and Game Department, 600 South Walnut, Boise, Idaho 83707.

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 25.0 cubic feet per second.

3. The use to which said water has been applied is Fish cultural purposes and the amount applied to beneficial use is 24.0 cubic feet per second.

4. The point of diversion of said water is SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 12, T. 1 S., R. 12 E., B. M.

5. The place where water is applied to beneficial use is