

**Notice For Publication
NOTICE OF PROOF APPLICATION
OF WATER TO BENEFICIAL USE**

NOTICE IS HEREBY GIVEN that at 10:00 a.m. on the 12th day of November, 1954, at Boise, County of Ada, State of Idaho, before Anna Mastro, Notary Public, at 518 Front St., Boise, Idaho, proof will be submitted of the application to beneficial use of 915 acre feet per annum of the waters of Elk Creek in accordance with the terms and conditions of Permit No. R 756 heretofore issued by the Department of Reclamation of the State of Idaho.

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

The use to which said water has been applied is migratory waterfowl and fish propagation.

The amount applied to beneficial use is 915 acre feet per annum.

The place where said water is used Elk Creek Dam Reservoir in the E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ Section 26, and NE $\frac{1}{4}$ and E $\frac{1}{2}$ NW $\frac{1}{4}$ Section 35, Twp. 40 North, Range 2 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

present Elk Creek channel.

The right to take water from such works is based upon Permit No. R 756.

The source of supply from which such water is diverted is Elk Creek, tributary of the North Fork of the Clearwater River.

The date of priority which said user is prepared to establish is 3rd day of November, 1945.

MARK, R. KULP, R-756
State Reclamation Engineer

10-14, 21 c 10-14-54

See # 19713

$Q = 915$ acre feet.

Foot note by F.A. Tolman
says capx is 950 acre feet.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
County of Clearwater) ss.

Julian Dahl

being first duly sworn, on oath, deposes and says:

That I am and at all times herein mentioned have been a citizen of the United States and of the State of Idaho, over 21 years of age, and that I am not a party to nor interested in the above entitled proceeding; that I am and at all times herein mentioned have been the Editor, foreman, of the CLEARWATER TRIBUNE: that said Clearwater Tribune is a newspaper of general circulation, printed and published weekly at Orofino, in the County of Clearwater and State of Idaho; that the Clearwater Tribune has been continuously and uninterruptedly published in Clearwater County, Idaho, during the period of seventy-eight consecutive weeks prior to the first publication of attached copy of

Notice of proof application
of water to beneficiaial use

That said notice of proof

of which the annexed is a full, true and correct printed copy, was published in the regular and entire issue of said newspaper, and not in any supplement

thereof, for full period of 2 consecutive issues commencing on the 14 day of Oct., 1954, and ending on the 21 day of Oct., 1954

Julian Dahl
Subscribed and sworn to before me this 21 day of Oct., 1954

Notary Public in and for the State of Idaho,
Residing at Orofino, therein.

My commission expires June 30, 1956.

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

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The use to which said water has been applied is migratory waterfowl and fish propagation.

The amount applied to beneficial use is 915 acre feet per annum.

The place where said water is used Elk Creek Dam Reservoir in the E $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ Section 26, and NE $\frac{1}{4}$ and E $\frac{1}{4}$ NW $\frac{1}{4}$ Section 35, Twp. 40 North, Range 2 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 present Elk Creek channel.

The right to take water from such works is based upon Permit No. R 756.

The source of supply from which such water is diverted is Elk Creek, tributary of the North Fork of the Clearwater River.

The date of priority which said user is prepared to establish is 3rd day of November, 1945.

MARK, R. KULP, R-756
State Reclamation Engineer
10-14, 21 c

R-756

Platting of P.D. and land use not possible
at this time because this area has not been
surveyed; therefore, Quad sheets for platting
are not available.

State of Idaho
License and Certificate of Water Right

Water License No. R-756 Amount 915 acre feet
Water District No. _____ Priority November 3, 1945

THIS IS TO CERTIFY that STATE FISH & GAME DEPARTMENT
of Boise, Idaho, construct a reservoir and store and
made application for a permit to appropriate the
public waters of the State of Idaho, dated November 3, 1945; that Permit No. R-756
was issued under said application; that Certificate of Completion of works, with a ~~capacity~~ ^{storage} capacity of
915 ~~acres~~ ^{acres} feet, was issued thereunder on September 14, 1951, showing that said works
were completed on the 7th day of September, 1951; and that on the 12th
day of November, 1954,
STATE FISH & GAME DEPARTMENT
of Boise, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of Elk Creek
River, a tributary of No. fork Clearwater /, for the purpose of propogation migratory fowl
and fish, under Use Permit No. R-756 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
9 of Licenses at page 5491, on the 23rd day of May, 1955;
The right hereby confirmed dates from November 3, 1945;
The Point of ^{outlet} ~~Division~~ is located
in the SE 1/4 NE 1/4, Sec. 35, Tp. 40 N., R. 2 E., B. M. Clear- / ^{water} 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 915 ~~acres~~ ^{acres} feet per ~~second~~ annum.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
			Elk Creek Dam Reservoir in the E 1/2 SE 1/4 and SE 1/4 Section 26, and NE 1/4 and E 1/2 NW 1/4 Section 35, Township 40 North, Range 2 East, B.M.		

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
23rd day of May, 1955.

MARK R. KULP
State Reclamation Engineer.

(SEAL)

ACT
ION

N OWNER LAST NAME - STATE OF IDAHO
N ADDRESS LINE 1 - DEPT. OF FISH & GAME ADDRESS LINE 2 - BOX 25
N CITY - BOISE STATE - ID ZIP CODE - 83720
N SOURCE - ELK CREEK TRIBUTARY OF - CLEARWATER RIVER, NORTH FORK
N STAGE - LICENSE PRIORITY - 11-03-1945 COUNTY - CLEARWATER
N TOTAL DIV. VOLUME - 915.00 AFA
N DIVERSION POINT - SENE 35 40N 02E
N USE - WILDLIFE STORAGE USE DIV. VOLUME - 915.00 AFA
N USE - WILDLIFE FROM STORAGE USE DIV. VOLUME - 915.00 AFA
N USE - FIRE PROTC. STORAGE USE DIV. VOLUME - 915.00 AFA
N USE - FIRE PROTC. FROM STORAGE USE DIV. VOLUME - 915.00 AFA
N USE - WILDLIFE STORAGE PLACE OF USE - TWN 40N RNG 02E SEC 26 TRACT SESW TRACT NESE
N TRACT NWSE TRACT SWSE
N TRACT SESE
N USE - WILDLIFE STORAGE PLACE OF USE - TWN 40N RNG 02E SEC 35 TRACT NENE TRACT NWNE
N TRACT SWNE TRACT SENE
N TRACT SENW
N OLD NO. - R756

IDENT. NO. 832023

WATER RIGHT
DATA ENTRY LOG

[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. R 756 183-2023
 Old No. New No.

Record

1. Original Owner: State of Idaho

Present Owner: _____

2. Address: Dept. of Fish & Game, Box 25

3. City: Boise State: ID Zip: 83720

4. A. Source of Water: Elk Creek
 B. Tributary of: Clearwater River, North Fork

5. A. Stage (A,P,L,D,S,J): L

B. Status (D,L,R,C,A,I,F - leave blank if valid):

C. Priority Date: 11-3-1945

D. County: 35

E. Total Diversion Rate: _____

F. Total Diversion Volume: 915

G. Transfer/Amendment (P,T of A or blank):

H. Water District:

I. DLE/Carey Act (D,C or blank):

J. Right Basis (for adjudication claims A,B,C only):

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion	<u>SENE</u>	<u>35</u>	<u>40N</u>	<u>2E</u>		

7. Period of Use, Use, Diversion Rate/Volume:

from _____ to _____ for AWS purposes. Amount 915 afa
 (cfs or AG-FT/yr)

from _____ to _____ for WR purposes. Amount 915 afa

from _____ to _____ for FS purposes. Amount 915 afa

from _____ to _____ for FR purposes. Amount 915 afa

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

8. Use Code: WJ

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks: A.
B.
C.
D.
E.

11. Other Uses (Non-irrigation explanatory information):

12. Other Rights for Same Use:

13. A. Proof Due Date:

B. Date Permit Approved or Denied:

C. Protested Date:

D. Hearing Date:

E. Old Number: R 156

F. Proof Made (P or blank):

G. Field Exam Made (P,R,F or blank):

H. Conditions of Approval:

14. Diversion Means (brief narrative):

May 23, 1955

RE: Permits Nos. 19713 & R-756

State Fish & Game Department
B U I L D I N G

Gentlemen:

We enclose License and Certificate of Water Right issued under Permit No. 19713 confirming your right to the use of 25 second feet of water from Elk Creek with priority of November 3, 1945, and point of diversion in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 26, Township 40 North, Range 2 East B.M. for the propagation of migratory fowl and fish in Sections 26 and 35, same Township and Range.

Also License and Certificate of Water Right issued under Permit No. R-756 confirming your right to the storage and appropriation of 915 acre feet of water from Elk Creek with priority of November 1, 1945, with point of outlet in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 35, Township 40 North, Range 2 East B.M. for the propagation of migratory fowl and fish in Sections 26 and 35, same Township and Range.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hl1
Enc.

R-756

File

ELK VALLEY DAM
AREA VOLUME TABLE

<u>Contour</u>	<u>Area Acres</u>	<u>Percent</u>	<u>Volume Acre Feet</u>	<u>Percent</u>
74 75	570	100	18,382	100
70	535	94	15,620	85
65	500	88	13,033	71
60	465		10,621	
55	429		8,386	
50	392		6,334	
45	354		4,469	
40	312		2,804	
35	265		1,362	
74 30	200		200	

REC

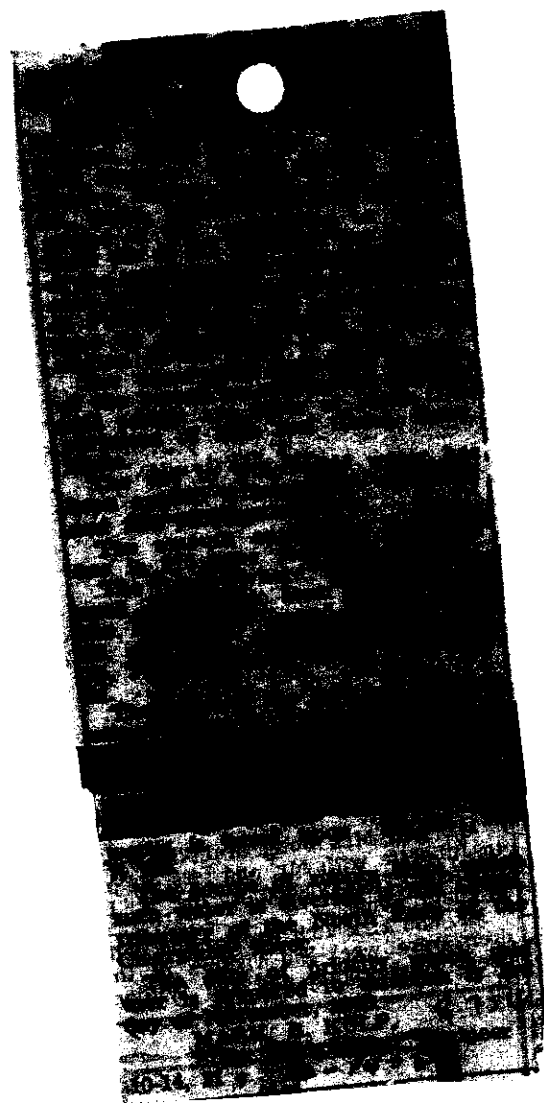
Depot

83-2023

R-756

Plans on Permit No. R-756 on roll in B-297

R-754



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. R-756

REPORT ON PROOF OF Beneficial use

FISH & GAME DEPARTMENT, Boise, Idaho

*915 acre ft
max.*

app. 915 a ft.

R-756

See # 19713

$Q = 915$ acre feet.

Foot note by F.A. Tolman
says cap is 950 acre feet.

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

Permit No. R-756This proof is for Beneficial use

In Water District No. _____

1. Name of applicant State Fish & Game Department, Boise, Idaho2. Source of water supply: Elk Creek, a tributary of north fork Clearwater River3. Location of point of ^{outlet} ~~diversion~~: Is in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 35T. 40 N. R. 4 E. County of Clearwater

4. Describe works as they exist, giving dimensions and capacities of same: Earth & rock fill dam 112 yds long x 24' w on crest H. = approx. 18'. Slopes upstream 5:1 downstream 2:1. Good spillway thru solid rock on right abutment. W. = 16' freeboard = 6' freeboard can be reduced to 4 feet. Good rock rip rap.

5. Water is used for: propagation of fish and migratory water fowl.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: Elk Creek Dam Reservoir, in the E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ Section 26; and NE $\frac{1}{4}$ and E $\frac{1}{2}$ NW $\frac{1}{4}$ Section 35; Twp. 40 North, Range 2 East, 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: _____

This examination was made on the 1st day of Oct, 1952(Signed) E. N. Humphrey Examiner.May 17-55.

R-756

Examination for Beneficial use

County Clearwater

532 401 28

A = 915 a.m. 11/10/54

2000 fish & steel

Outlet = SEENE 500', 4000' 2K

Later map at 1000'

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
MAY 17 1955

Department of Reclamation

Boise, Idaho 8-11-54

2100 Ave 7000 2-3-51

11/10/54

2
December 20, 1954

RE: Permit Nos. 19713 - R-756

Ross Leonard, Director
Department of Fish and Game
Building

Dear Mr. Leonard:

We have placed on file the depositions, also affidavit of publication in the Clearwater Tribune all in proof of Beneficial Use on the above numbered Permits.

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

We cannot say just when this examination will be made, but our field engineer will contact someone from your Department at the time he makes the examination in order that he may arrange to show him over the ground.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:cu

P-756

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
County of Clearwater) ss.

Julian Dahl

being first duly sworn, on oath, deposes and says:

That I am and at all times herein mentioned have been a citizen of the United States and of the State of Idaho, over 21 years of age, and that I am not a party to nor interested in the above entitled proceeding; that I am and at all times herein mentioned have been the Editor, foreman, of the CLEAR-WATER TRIBUNE: that said Clearwater Tribune is a newspaper of general circulation, printed and published weekly at Orofino, in the County of Clearwater and State of Idaho; that the Clearwater Tribune has been continuously and uninterruptedly published in Clearwater County, Idaho, during the period of seventy-eight consecutive weeks prior to the first

publication of attached copy of

Notice of proof application
of water to beneficial use

That said notice of proof

of which the annexed is a full, true and correct printed copy, was published in the regular and entire issue of said newspaper, and not in any supplement

thereof, for full period of 2 consecutive issues commencing on the 14 day of

Oct., 1954, and ending

on the 21 day of Oct.

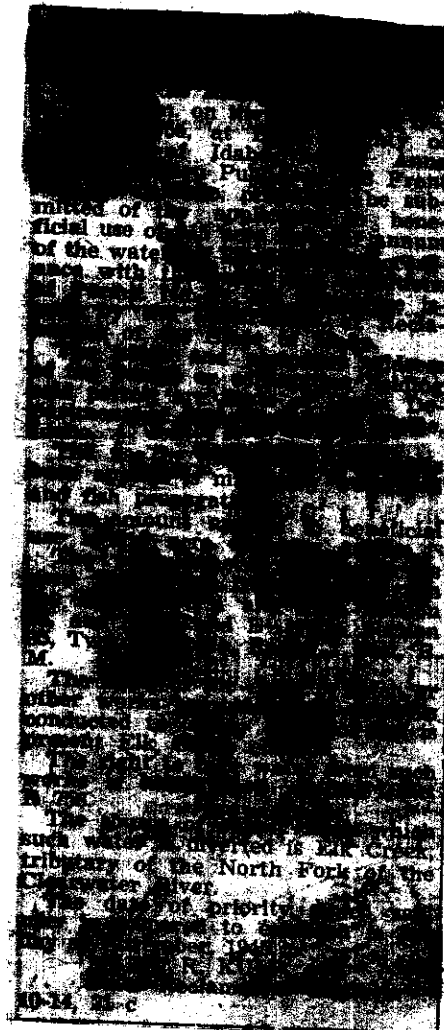
1954

Julian Dahl
Subscribed and sworn to before me this 21 day

of Oct., 1954.

Notary Public in and for the State of Idaho,
Residing at Orofino, therein.

My commission expires June 30, 1958.



R-756

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. R-756

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Ross Leonard, Director, Idaho 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. Acting for and in behalf of the State of Idaho, Department of Fish and Game
as its Director.

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

Ans. R-756 dated November 8, 1945, priority Date: November 8, 1945.

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

Ans. Elk Creek, a tributary of the North Fork of Clearwater River. Point of Diversion
or reservoir outlet is E. 27th N., 1580 feet, distant from the center of Sec. 35 T. 40 N.,
R. 2 E. and is in the SE¹/₄ of Sec. 35, T. 40 N., R. 2 E.B.M. in the County of Clearwater.

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. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined. If sprinkler irrigation, give number and size of nozzles and operating pressure.

Ans. A dam - cement core, rock and earth fill 350' long and 23' high - spillway size
30' by 6'. Waters spilled flow in the natural channel of Elk Creek and is used in
the propagation of fish and migratory waterfowl. 25 c.f.s. and storage of 915 acre
feet per annum.

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. Used for propagation of fish and migratory waterfowl in the natural channel of
Elk Creek and storage of water in Elk Creek Dam Reservoir.

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

Ans. Waters are stored in Elk Creek Dam Reservoir and allowed to flow in the natural channel of Elk Creek

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

Ans. 915 acre feet of storage and 25 c.f.s. as provided in permit No. 19713

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. Full use of the waters was made in 1950 and has been so used to date. 25 c.f.s. as provided in Permit No. 19713 and 915 acre feet of storage.

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. Since 1950 all the waters of Elk Creek flow into and through the reservoir of Elk Creek Dam and flow through the natural channel of Elk Creek

(Sign)

Lawrence

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 12th day of November, A. D. 1951,

Anna Mastro

My commission expires June 1, 1958

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. R-756

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. Ivol Sies, age 49, Boise, Idaho, Employee State of Idaho Department of
Fish and Game, Boise, Idaho

Ques. 2. Are you acquainted with Ross Leonard, the
holder of Permit No. R-756? How long have you known him and where does
he reside?

Ans. Yes, 6 years. He resides at Boise, Idaho

Ques. 3. Have you read or heard read said Permit No. R-756, 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 con-
veying water from point of diversion to place of use.

Ans. Elk Creek. Place of diversion: SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 35 E. 40 N., R. 2 E.B.M.
The natural stream channel of Elk Creek.

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

Ans. The works will safely conduct to place of use approximately 200 c.f.s. Seen
the entire stream flow of Elk Creek so conveyed.

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 im-
provements which have been made as a direct result of said use.

Ans. Water is used for the propagation of fish and migratory waterfowl by storage
in Elk Creek Dam Reservoir and by stream flow.

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

Ans. Water is stored in Elk Creek Dam Reservoir and is used for the propagation of fish and migratory waterfowl.

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. Have observed storage of 915 acre feet of waters in a reservoir of Elk Creek Dam and have observed a flow of 25 c.f.s. of waters in Elk Creek. Such use has been observed yearly since the year 1950.

(Signed) Paul Sles

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 12th day of November,
A. D. 19 54.

Anna Masters

Notary Public.

My commission expires June 1, 1958

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. R-756

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. T. D. Biladeau, age 43, Boise, Employee State of Idaho Department of
Fish and Game, Boise, Idaho

Ques. 2. Are you acquainted with Ross Leonard, the
holder of Permit No. R-756? How long have you known him and where does
he reside?

Ans. Yes, 6 years. He resides at Boise, Idaho

Ques. 3. Have you read or heard read said Permit No. R-756, 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 con-
veying water from point of diversion to place of use.

Ans. Elk Creek. Place of diversion: SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 35 T. 40 N., R. 2 E.B.M.
The natural stream channel of Elk Creek.

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

Ans. The works will safely conduct to place of use approximately 200 c.f.s.
Seen the entire stream flow of Elk Creek so conveyed.

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 im-
provements which have been made as a direct result of said use.

Ans. Water is used for the propagation of fish and migratory waterfowl by storage
in Elk Creek Dam Reservoir and by stream flow.

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

Ans. Water is stored in Elk Creek Dam Reservoir and is used for the propagation of fish and migratory waterfowl.

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.

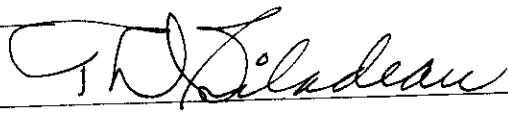
Ans. _____

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

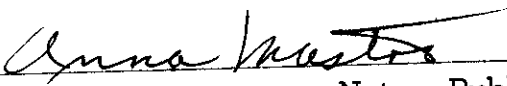
Ans. No

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. Have observed storage of 915 acre feet of waters in a reservoir of Elk Creek Dam and have observed a flow of 25 c.f.s. of waters in Elk Creek. Such use has been observed yearly since the year 1950.

(Signed) 

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Boise,
County of Ada, State of Idaho, on this 12th day of November,
A. D. 1954.


Notary Public.

My commission expires June 1, 1958.

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Re: Permits 19713 & R.756

Date: October 11, 1954

Clearwater Tribune

Orofino, Idaho

Gentlemen:

Enclosed you will find ² notices for publication once a week for four consecutive weeks prior to November 12, 1954 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

R-756

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) September 2, 1954

(P. O.) Idaho Fish and Game Department, 518 Front St., Boise, Idaho

TO THE STATE RECLAMATION ENGINEER:

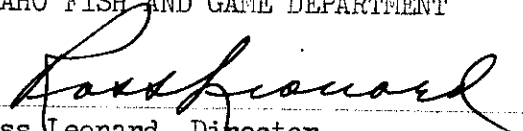
Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
Clearwater Tribune of Orofino, Idaho published in

the county in which the works are situated.

IDAHO FISH AND GAME DEPARTMENT


Ross Leonard, 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.

R-756

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

Notice is hereby given that at 10:00 A. M. on the 12th day of November, 1954,
at Boise, County of Ada, State of Idaho, before
Anna Mastro, Notary Public, at 518 Front St., Boise, Idaho, proof will be submitted of the
application to beneficial use of 915 ~~acres~~ acres feet per ~~annum~~ annum of the waters of Elk Creek
in accordance with the terms and conditions of Permit No. R 756
heretofore issued by the Department of Reclamation of the State of Idaho.

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

The use to which said water has been applied is migratory waterfowl and fish propagation

The amount applied to beneficial use is 915 acre feet per annum

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated)
Elk Creek Dam Reservoir ⁱⁿ the E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ Section 26, and NE $\frac{1}{4}$ and E $\frac{1}{2}$ NW $\frac{1}{4}$ Section 35,
Twp. 40 North, Range 2 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 present Elk Creek channel

The right to take water from such works is based upon Permit No. R 756

The source of supply from which such water is diverted is Elk Creek, tributary of the North
Fork of the Clearwater River

The date of priority which said user is prepared to establish is 3rd
8th day of November, 1945

MARK R. KULP

State Reclamation Engineer.

R. 756

S T A T E O F I D A H O

DEPARTMENT OF RECLAMATION

Boise, Idaho

Department of Fish & Game

September 1, 1954

Building

Dear Sir,

We enclose herewith blank notice for proof of application of water to beneficial use under your Permit No. R-756. 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 November 8, 1954, 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

R-756

September 18, 1951

RE: Permit No. R-756

State Fish and Game Department
518 Front Street
Boise, Idaho

Gentlemen:

We enclose certificate of completion of works issued under Permit No. R-756, for the appropriation and storage of 915 acre feet per annum of the waters of Elk Creek, with point of outlet in the SE¹/₄ NE¹/₄ Section 35, Township 40 North, Range 2 East, B.M.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg

R-756

Permit No. R-756

Proof of Completion of Works

DEPOSITION OF HOLDER

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

Ans. T. D. Biladeau, Biologist

Ques. 2. If acting on behalf of a corporation, state its name, principal place of business, your position with reference to same, and your authority for appearing in its behalf.

Ans. Acting for and in behalf of the Idaho Fish and Game Department, Boise, Idaho.

Ques. 3. State number and date of permit, acre feet of water you claim for storage, and source of same.

Ans. R-756 of November 3, 1945; 915 acre feet of the waters of Elk Creek, a tributary of the North Fork of the Clearwater River

Ques. 4. Under terms of permit construction was required to be completed by November 8th 19 51

Ques. 5. Construction was actually completed on the date of October 19 50

Ques. 6. Does the construction fully comply with the specifications? Yes

Ques. 7. Of what material was the dam built? earth fill with concrete core

Ques. 8. State whether or not the water has been turned into your reservoir, and if so, when and to what extent.

Ans. Water has been stored in the reservoir to capacity of 915 acre feet. The reservoir was filled from spring run-off water of 1951 and retained in storage.

Ques. 9. The capacity of the reservoir is 915 acre feet.

Ques. 10. The area of the high water line of the reservoir is 91 acres.

Ques. 11. The height of the dam above bottom of reservoir is 20 feet, above low water is 17 feet.

Ques. 12. The dimensions of the spillway are 25' wide by 9' deep and the bottom of the spillway is 9 feet below the top of the dam.

Ques. 13. Dimensions of the reservoir outlet are 7' x 5'

Ques. 14. Describe the gate and control unit.

Ans. Flash board section cut below and through the spillway

Ques. 15. The reservoir outlet is made of Reinforced concrete

Ques. 16. Is the reservoir filled through a feeder canal? No

Ques. 17. If so, where is the point of diversion for same?

Ans. ¼ ¼ Section, Twp Range

R-756

Ques. 18. Does the feeder canal comply with the specifications in the permit?

Ques. 19. If not, explain

Ques. 20. Cost of constructing feeder canal? \$.....None..... Cost of reservoir? \$43,700.00

Ques. 21. State whether or not the works from reservoir outlet to place of use are fully completed, and whether or not they comply with the specifications in permit. If not, explain.

Ans. Yes

Ques. 22. Water has (has not) been delivered to place of intended use? ...Yes.....

Ques. 23. Give description of dam, state dimensions, and give slope of face both upstream and downstream. Also method and material for protecting against wave action.

Ans. Earth fill with concrete core 300' crest 20' high and 20' top width

Slope 3 to 1 upstream and 2 to 1 downstream, slopes are protected by one foot of dumped rock riprap.

Ques. 24. State the purpose for which the water is to be used and give the place of use, and if for irrigation, state the number of acres, and give the legal description of same.

Ans. The water is to be used for propagation of fish and wildlife purposes and is to be used in the reservoir as storage. The reservoir is located on the following described land: E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ Sec. 26; the NE $\frac{1}{2}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 35, all in T. 40 N., R. 2 E., B.M.

(Sign here)

J. D. Siladeau
Biologist for the Idaho Fish & Game Dept.

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 7th day of Sept, A. D. 1957.

Anna Master
Notary Public

My commission expires 6-1-58

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

State Fish & Game Dept.
518 Front St.
Boise, Idaho

Boise, Idaho

September 1, 1951

Dear Sir:-

Under the terms of your Permit No. R-756.....you are required to complete your diversion works on or before.....November 8, 1951..... 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,

MARK R. KULP

State Reclamation Engineer

R-756

September 11, 1948

Re: Permits Nos. 19713 & R-756

State Fish and Game Department
Building

Attention: Mr. George H. Tucker

Dear Mr. Tucker:

We enclose the approval of the State Reclamation Engineer of the applications of the Fish and Game Department for extension of time for completion of works under Permits Nos. 19713 and R-756 to November 8, 1951.

These should be attached to the original permits of which they now form a part.

Very truly yours,

DAK R. KJUL
State Reclamation Engineer
By

Chief Clerk

A/gt

Encls.

R-756

Permit No. R-756

Application for Extension of Time FOR COMPLETION OF WORKS

T. B. Murray, Director, State Fish and, of Boise
Game Department
State of Idaho, being first duly sworn, upon his oath deposes and says:

He is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho
No. R-756

Under the terms and conditions of said permit, construction work thereunder was required to be
completed by November 8, 19 48

That he has heretofore performed the following work described under said permit.....

Surveys, maps and estimates

costing \$ 500.00

That he is unable to complete the remainder of the work within the required time, for the fol-
lowing reasons, to-wit:

Due to shortage of competent labor and excessive cost of materials.

State Reclamation Engineer

WHEREFORE, He asks that the ~~Commissioner of Reclamation~~ extend the time for the comple-
tion of works under said permit to November 8, 19 51

Subscribed and sworn to before me this 3rd day of September, 19 48

T. B. Murray
Director

Anna Musten

Notary Public.

My commission expires 4/3/50

Date of receipt at office of Department of Reclamation Sept. 7, 1948

STATE RECLAMATION ENGINEER
APPROVAL OF ~~COMMISSIONER OF RECLAMATION~~
State Reclamation Engineer

1. Mark R. Kulp, Commissioner of Reclamation of the State of Idaho, hereby extend the time for the com-
pletion of construction work under Permit to Appropriate the Public Waters of the State of Idaho, No. R-756 to

November 8, 19 51

Witness my hand this 8th day of September, 19 48

Mark R. Kulp
State Reclamation Engineer

R-756

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Department of Fish & Game

Boise, Idaho **September 1, 1948**

Building

Dear Sirs:

Under the terms of your permit No. R-756 you are required to complete your diversion works on or before November 8, 1948. 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,

MARK R. KULP

State Reclamation Engineer

R-756

Arnold Williams
~~XXXXXXXXXX~~

✓
November 28, 1945

Re: Permit No. R-756

Idaho Fish & Game Department
Building

Gentlemen:

The plans submitted with your application for permit to construct a reservoir on Elk Creek, for what is designated the Elk River Refuge, have been examined, and are hereby approved.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

A

R-756

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

Permit No. ~~19712-1-755~~

Date November 14, 1945

Dear Sir: ~~19712-1-755~~

We enclose herewith the above numbered permit. BE SURE AND
NOTE LIMITATIONS AND CONDITIONS OF SAME as given under approval of the
State Reclamation Engineer, on the fourth page.

State Fish & Game Department
c/o John J. Doyle
Building

W. H. HILL
State Reclamation Engineer