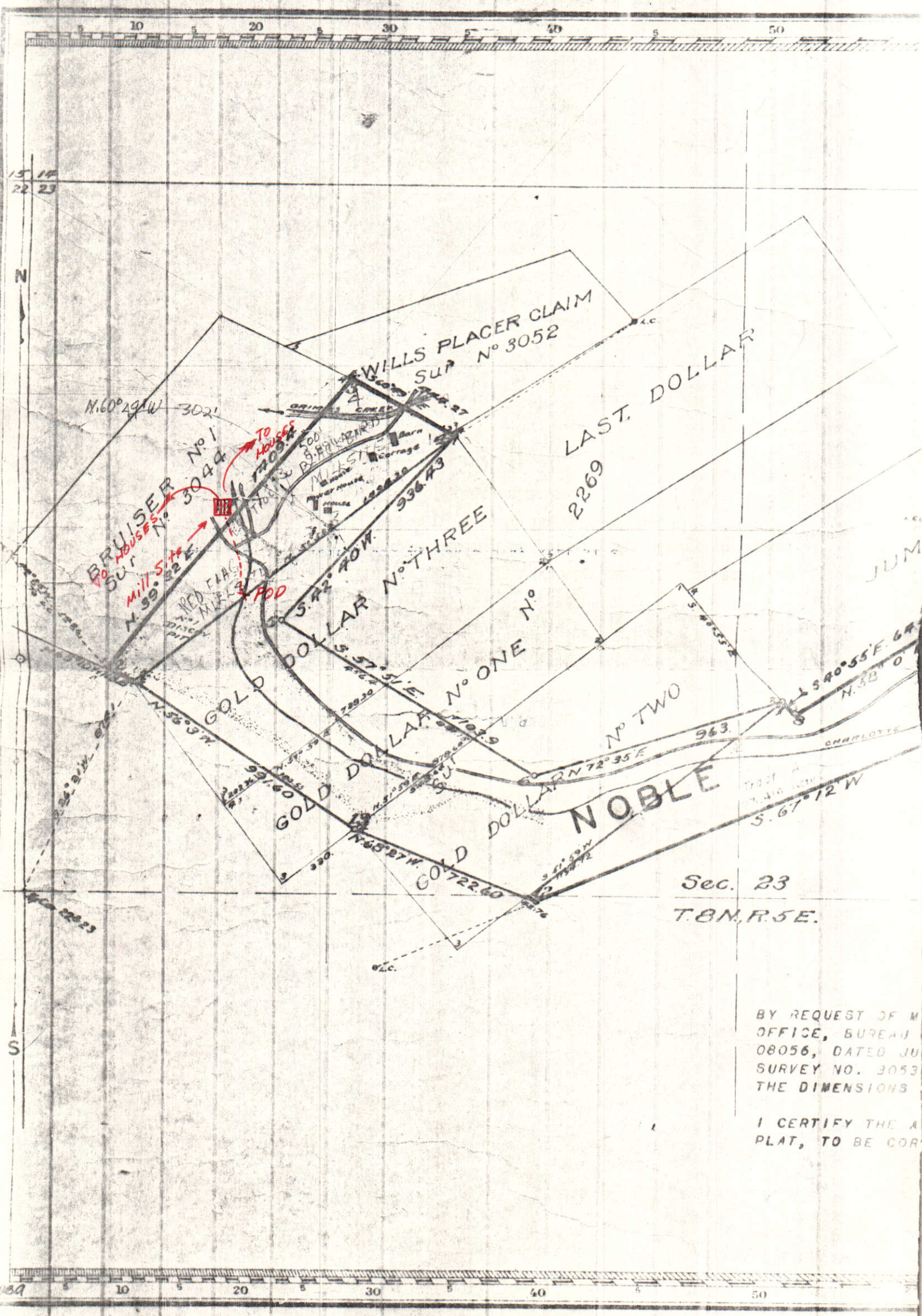




BY REQUEST OF M
OFFICE, BUREAU
08056, DATED JU
SURVEY NO. 3053
THE DIMENSIONS

I CERTIFY THE A
PLAT, TO BE COR

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Boise

Florence Adams, being
duly sworn, desposes and says:
that he is the manager and prin-
cipal clerk of THE IDAHO WORLD
a weekly newspaper published at
Idaho City, in the County of Boise
and State of Idaho; that said paper
has been and is in general circu-
lation in the county aforesaid, and
in the vicinity of Idaho City; that
the advertisement, a copy of which
is hereto attached, was published
in said newspaper once a week

for 2 consecutive weeks in
the entire and regular issue of
every number of said paper during
the period and time of publication
and was published in the news-
paper and not a supplement; that
said paper has been established
and regularly and continuously
published for more than seventy-
eight weeks past previous to the
first publication of this notice.
Such notice was published in the

issue beginning with Sept 12,
1975, and ending with the issue
of Sept 19, 1975.

Florence Adams
Subscribed and sworn to before me

this 24th day of Sept, 1975

Robert J. Taffield
Clerk of Dist Court

NOTICE OF APPLICATION
FOR WATER PERMIT

Notice is hereby given that
CLIFFORD McELHANON, Box
7543, Boise, ID 83707 has on 8-29-
75 submitted Application No. 63-
8199 for a permit to appropriate
1.0 cubic feet per second of water
from Charlotte Gulch Creek by
means of a diversion dam, ditch
and pipeline within the SW $\frac{1}{4}$ -
NW $\frac{1}{4}$, Sec. 23, T. 8 N, R. 5 E.
B.M. Boise County to be used
from Jan. 1 to Dec. 31 for domes-
tic and Mining and Milling with-
in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$,
Sec. 23, T. 8 N, R. 5 E, B.M.

If issued, this permit will be
subject to all prior water rights.
Protests against the granting of
the permit must be filed with the
Idaho Department of Water Re-
sources, Statehouse, Boise, Idaho,
83720, on or before Sept. 29, 1975.

R. KEITH HIGGINSON
Director

Published in The Idaho World,
Idaho City on Sept. 12, 1975 and
Sept. 19, 1975.

OW
cls
10-22-75

RECEIVED

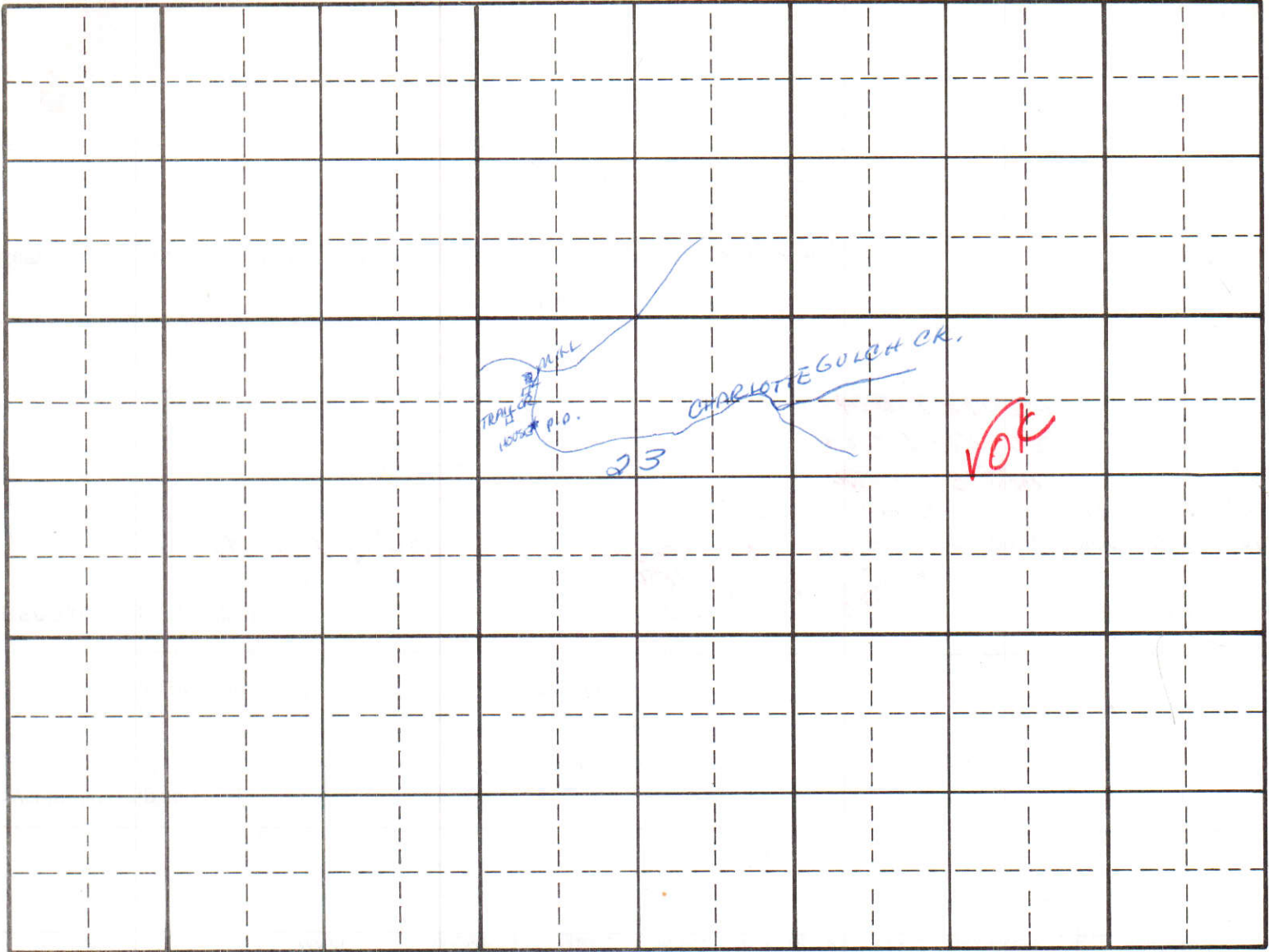
OCT 27

Department of Water Resources

MICROFILMED

MICROFILMED

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

✓ same as permit

Point(s) of diversion: SW 1/4 NW 1/4, SEC. 23, TWP. 8N, RGE 5E, P.M.

Place(s) of Use ✓ same as permit

TWP.	RGE.	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
8N	5E	23					X	X											

Recommended Amendments:

- ☐ Change P.D. as reflected above
☐ Change P.U. as reflected above

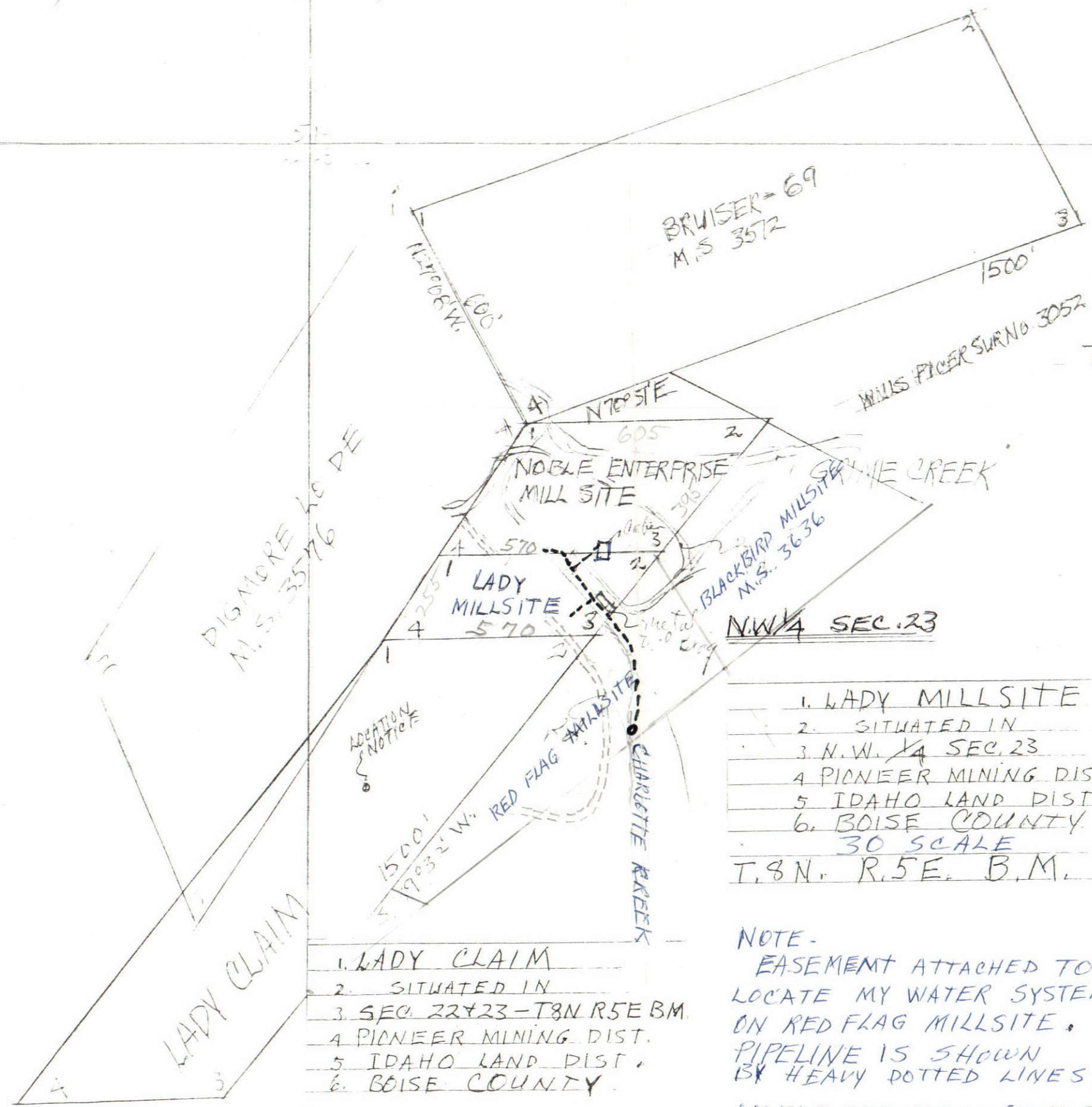
- ☐ Add P.D. as reflected above
☐ Add P.U. as reflected above

- ☒ None
☐ Other

Jim 1-20-84

Examiner's Signature Jan Grover
Checked by 6h5
Approved by Kay Walker

Date 11/16/82
Date 4/15/83
Date 1-19-84



1. LADY CLAIM
2. SITUATED IN
3. SEC. 22 & 23 - T.8N. R.5E. B.M.
4. PIONEER MINING DIST.
5. IDAHO LAND DIST.
6. BOISE COUNTY.

1. LADY MILLSITE
 2. SITUATED IN
 3. N.W. 1/4 SEC. 23
 4. PIONEER MINING DIST.
 5. IDAHO LAND DIST.
 6. BOISE COUNTY.
- 30 SCALE
T.8N. R.5E. B.M.

NOTE.
EASEMENT ATTACHED TO
LOCATE MY WATER SYSTEM
ON RED FLAG MILLSITE.
PIPELINE IS SHOWN
BY HEAVY DOTTED LINES.
NOBLE ENTERPRISE (FORMERLY
FOX) MILLSITE IS ALSO
MY PROPERTY.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 63-8199 Priority August 29, 1975 Amount 0.12 cfs

THIS IS TO CERTIFY, that Clifford McElhanon
of Boise, Idaho, has complied with the terms and conditions of Permit
No. 63-8199 issued pursuant to Application for Permit dated August 29, 1975,
and has submitted proof to the Department of Water Resources on September 30, 1980,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.12 cfs of water from Charlotte Gulch Creek,
tributary to Grimes Creek, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Domestic (1 Unit)	from <u>January 1</u> to <u>December 31</u> at	<u>0.04</u> cfs and	<u>1.2</u> acre feet
Mining & Milling	from <u>January 1</u> to <u>December 31</u> at	<u>0.12</u> cfs and	<u>n/a</u>
	both dates inclusive)		

Subject, however, to the condition that no more than 0.12 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
n/a acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 23,
Twp 8N, Rge 5E in the County of Boise

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SE $\frac{1}{4}$	SW $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SE $\frac{1}{4}$	SW $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SE $\frac{1}{4}$	SW $\frac{1}{4}$	
8N	5E	23		X		X									

Total number of acres irrigated _____

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 13TH day of FEBRUARY, 19 84.

MICROFILMED

Acting for the Director

Norman C. Young

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF REMOVAL OF THE MEASURING }
DEVICE REQUIREMENT FOR PERMIT NO. 63-8199 }
IN THE NAME OF CLIFFORD MCELHANON }

ORDER

WHEREAS, on August 29, 1975, Clifford McElhanon applied to the Department of Water Resources for a permit to appropriate 1.00 cubic feet per second of water from Charlotte Gulch Creek tributary to Grimes Creek, to be diverted within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23, T8N, Rge. 5E B.M., Boise County, to be used for mining and milling and domestic purposes; and,

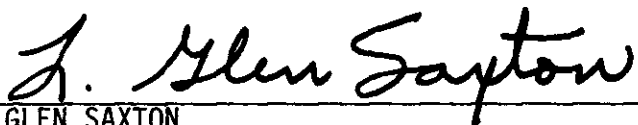
WHEREAS, on October 28, 1975, the Department approved said application and issued Permit No. 63-8199 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before October 1, 1980; and,

WHEREAS, on September 30, 1980, the Department received the statement of beneficial use along with a request for removal of the measuring device requirement; and,

WHEREAS, the Department has determined that the rate of flow diverted under Permit No. 63-8199 does not require the installation of a measuring device;

IT IS, THEREFORE, HEREBY ORDERED that the condition of approval requiring the installation and maintenance of a permanently installed measuring device, be and is, REMOVED from Permit No. 63-8199.

Dated this 7th day of October, 1980.


L. GLEN SAXTON

Chief, Operations Bureau

UNRECORDED

Identification No. _____

Application No. 63-8199

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPROVED

APPLICATION FOR PERMIT

Plummer
63-7790
63-4068

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

CM

1. Name of applicant Clifford McElhanon Phone: 343-7788
post office address Box 7543, Boise, ID 83707

2. Source of water supply Charlotte Gulch Creek which is a tributary of Grimes Creek

3. a. Location of point of diversion is SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 23 Township 8 N
Range 5 E B.M. Boise County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____

4. Water will be used for the following purposes:

Amount 1.0 cfs for mining & milling purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.16 cfs for domestic purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 1.0 cubic feet per second and/or

b. _____ acre feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. diversion dam, ditch to pipeline
thence to mill buildings

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____

Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.

b. Estimated construction cost is \$ 5000.

8. Description of proposed uses:

a. If water is **not** for irrigation:

(1) Give the place of use of water: SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 23 Township 8 N
Range 5 E B.M.

(2) Amount of power to be generated: _____ hp under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water 4.

(5) If water is to be used for other purposes describe: mining & milling

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total number of acres to be irrigated _____

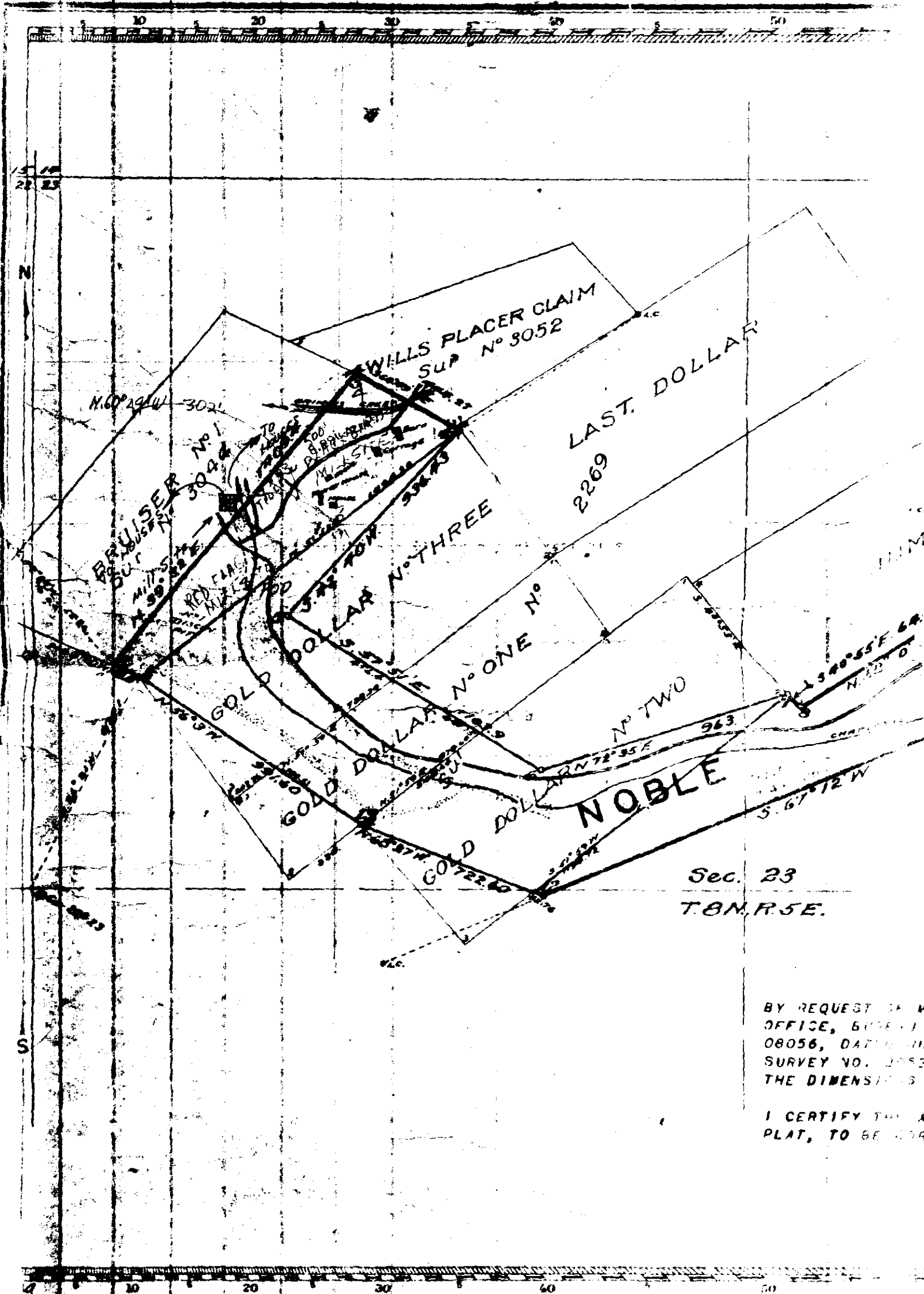
c. Describe any other water rights used for the same purposes as described above. unknown

9. a. Who owns the property at the point of diversion U.S.F.S.

b. Who owns the land to be irrigated or place of use U.S.F.S.

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing Mining claim Bruiser No. 1 Survey # 3044

10. Remarks Bruiser No. 1 - Mining Claim, Fox & Lady Mill site



Sec. 23
T. 8 N. R. 5 E.

BY REQUEST OF THE
OFFICE, BUREAU OF
08056, DATED IN
SURVEY NO. 2052
THE DIMENSIONS
I CERTIFY THAT A
PLAT, TO BE FOR

A blank sheet of graph paper featuring a uniform grid of small squares. The grid consists of 20 columns and 20 rows, creating a total of 400 square units. The lines are thin and black, set against a white background. There are no margins, text, or other markings on the page.

Chiffre M. E. Chano
(Applicant)

Proposed Priority 8-29-1975

Received by CLS Date 8/29/75 Time 1:55 pm
Preliminary check by KHF Fee \$ 25.⁰⁰
Receipted by CLS Date 8/29/75 # 1292
Publication prepared by yg Date 9/4/75
Published in Idaho World
Publication dates Sept 12 & 19
Publication approved CLS Date 10-22-75
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by KHF 1/28/76

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 63-8199, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before October 1, 19 80.
- c. Other: A measuring device of a type approved by the Director shall be permanently installed and maintained as part of the diverting works.
The issuance of this permit in no way grants any right-of-way or easement across the land of another person.

2. Denial of said application is for the following reasons: _____

Witness my hand this 28 day of October, 19 75.

R. Karl Hjort
Director

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Boise

Florence Adams, being
duly sworn, desposes and says:
that he is the manager and prin-
cipal clerk of THE IDAHO WORLD
a weekly newspaper published at
Idaho City, in the County of Boise
and State of Idaho; that said paper
has been and is in general circu-
lation in the county aforesaid, and
in the vicinity of Idaho City; that
the advertisement, a copy of which
is hereto attached, was published
in said newspaper once a week

for 2 consecutive weeks in
the entire and regular issue of
every number of said paper during
the period and time of publication
and was published in the news-
paper and not a supplement; that
said paper has been established
and regularly and continuously
published for more than seventy-
eight weeks past previous to the
first publication of this notice.
Such notice was published in the

issue beginning with Sept 12,

1975, and ending with the issue

of Sept 19, 1975.

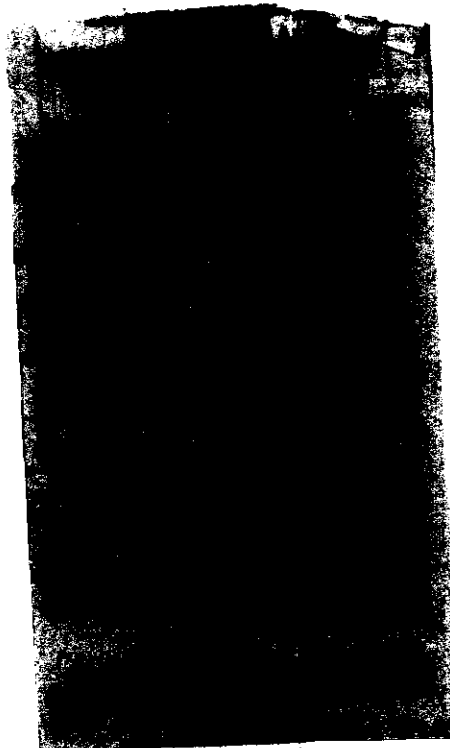
Florence Adams

Subscribed and sworn to before me

this 24th day of Sept, 1975

Robert J. Fairfield

Clerk of Dist Court



OB
CLS
10-22-75

RECEIVED

OCT 27

Department of Water Resources

WATER RIGHT NUMBER 63-8199

OWNER LAST NAME - MC ELHANON FIRST NAME - CLIFFORD ORIG OWNER -
ADDRESS LINE 1 - 4414 CLINTON ST. ADDRESS LINE 2 -
ADDRESS LINE 3 - CITY - BOISE STATE - ID ZIP CODE - 83704
SOURCE - CHARLOTTE GULCH CREEK TRIBUTARY OF - GRIMES CREEK
STAGE - LICENSE STATUS - PRIORITY - 08-29-1975 COUNTY - BOISE TOTAL DIV. RATE - .1200 -CFS
TOTAL DIV. VOLUME - .00 AFA TRFR/AMEND - WATER DIST. - 63 DLE/CAREY ACT - RIGHT BASIS -
DIVERSION POINT - SWNW 23 08N 05E LOT REDIV - 272.0 312.0 84.0 17.0 47.0 0.0 0.0 0.0 0.0 0.0 0.2
FROM - 01-01 TO - 12-31 USE - MINING USE DIV. RATE - .1200 CFS USE DIV. VOLUME - .00 AFA
FROM - 01-01 TO - 12-31 USE - DOMESTIC USE DIV. RATE - .0400 CFS USE DIV. VOLUME - 1.20 AFA
USE - MINING PLACE OF USE - TWN 08N RNG 05E SEC 23 TRACT NWNW LOT AC TRACT SWNW LOT AC
DECREE NAME - DATE - TOTAL ACRES 0
REMARKS -
NON IRRIG USE -
OTHER RIGHTS FOR SAME USE -
PROOF DUE - 10-01-1980 PERMIT/DENIED - 10-28-1975 PROTESTED - HEARING - OLD NO. -
PROOF MADE - P FLD EXAM - COND. OF APPROVAL -
DIVERSION MEANS - DAM, DITCH & PIPELINE.

VERIFIED FE

3/79

IDENT. NO. 63-8199

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT DATA ENTRY LOG

[illegible]

February 14, 1984

RE: Permit No. 63-8199

Clifford McElhanon
4414 Clinton St.
Boise, ID 83704

Dear Mr. McElhanon:

Enclosed herewith is a copy of the Water Right License issued on the above referenced Permit.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jim Johnson", with a long horizontal flourish extending to the right.

JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosure

MICROFILMED

10 DAY LICENSE REVIEW

License vs. Permit

- No. correct A & B
- ✓ Priority date correct
- Amount equal to or less than
- Name same
- Permit date correct
- Proof due date correct
- Source correct
- Use correct
- Period of use/use correct
- Rate of diversion/use equal to or less than
- Point of diversion description same or different
- County same
- Place of use description same or different
- Other water used on p/u? N/A

License vs. Field Exam

- Amount for rate of diversion correct
 - Capacity correct
 - Amount for each use correct
 - Total amount correct
 - Volume for each use correct
 - Total volume correct
 - Field exam showing p/d correct
 - Field exam showing p/u correct
 - Does field exam show more land irrigated than permit allows? N/A
 - Overlap review complete
 - Conditions of approval correct
 - ✓ Initial field exam
- Jui* 1-20-84

Cover Letter vs. License

- Name correct
- Number correct
- Amount correct
- P/D description correct
- P/U description correct
- Priority correct
- Conditions correct
- Initial license
- Sign letter

RECORDED
INDEXED

Name

Jui

Date

1-23-84



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

January 23, 1984

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

RE: Permit No. 63-8199

Clifford McElhanon
4414 Clinton St.
Boise, ID 83704

Dear Mr. McElhanon:

A representative of this Department has made an examination of the works covered by your Permit No. 63-8199, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 0.12 cfs Source: Charlotte Gulch Creek trib. to Grimes Creek

The maximum quantity diverted shall not exceed n/a acre feet
per year.

Point(s) of diversion: SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 23, Twp 8N, Rge 5E

Beneficial use: Domestic use for 1 unit & mining & milling within
NW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23, Twp 8N, Rge 5E

Priority date established: August 29, 1975

Conditions (if any):

If you do not concur with these findings please contact us within 10 days, otherwise a water license will be issued as set forth above.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:kw

RECEIVED

63-8199

Permit No. _____

DATE INITIALS

REMARKS

- ☐ Appointment letter mailed: 5/17/81 h/h
- ☐ Telephone call made: 5/1/81
(List Telephone No. used) 342-8889
- ☐ Appointment scheduled for: 5/8/81 On 10:01 10:30
(Date, time, location) Past Pioneerville for 5 miles to Charlotte
Gulch Rd. turn right 1/4 mile. North
Enterprise

EXAMINATION

Date 5/8/81 Accompanied by Cliff McElhanon Total Q measured 55 gpm

If source is surface water, estimate total flow of source

Methods of measurement STOPWATCH & GAL. BUCKET Meets Permit requirements? YES

Measurement calculations:

Measurement calculations:

$55 \text{ gpm} \div 448.8 = 0.12 \text{ cfs } \checkmark \text{ OK}$

$5\frac{1}{2} \text{ gpm} \times 10 \text{ sec} = \underline{5.5 \times 10 = 55 \text{ gpm}} \checkmark$

[illegible]

System Description 1/2" CASING (PIPE) 2' DOWN IN CREEK - PUMP (HAND) WITH 4" PIPELINE TO MILL SITE. APPROX. 20' WFT. ROCK DAM IN FRONT OF CASING IN CK. 4" PIPE TO 3" PIPE VALVE WHERE MEAS. THEN THRU 3-1" PIPES TO HOUSE (1-1") + OVERFLOW (1-1") + MILL SITE (1-1")
*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

Irrigation requirement = _____ AFA/Acre

USE

USE	allow capacity (afa)	FROM	TO
MINING & Milling	0.12 ✓	Non-Consumptive	11/12/31
DOMESTIC - 1 HOME	0.04 ✓	11/	12/31
		allow 1.2 afa	
		per normal	
		usage routine	

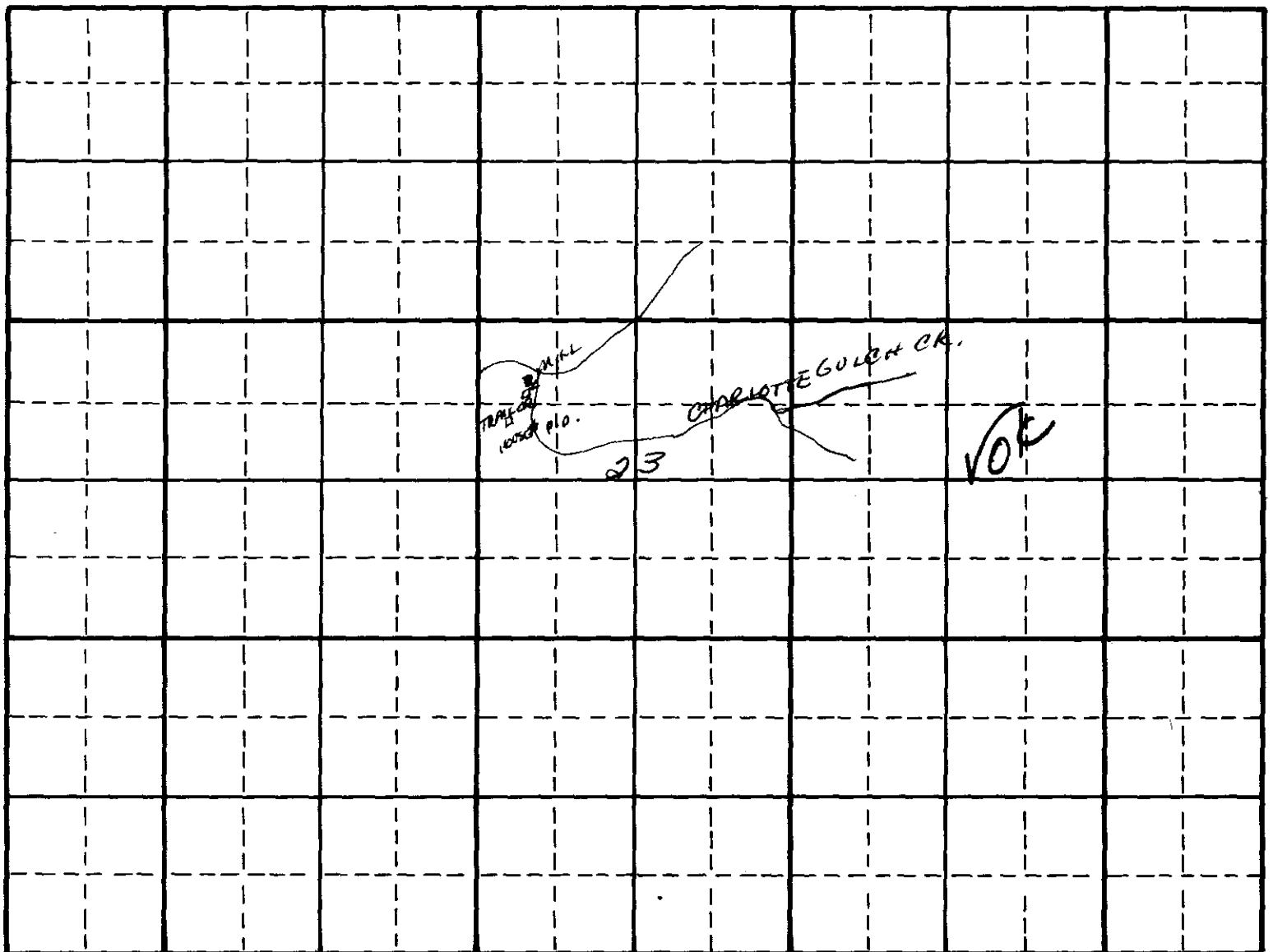
Total 0.1295

Remarks HAND PUMP SIPHONS WATER UP TO MILL.

MICROFILMED

MICROFILMED

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

✓ same as permit

Point(s) of diversion: SW 1/4 NW 1/4, SEC. 23, TWP. 8N, RGE 5E, B.M.

Place(s) of Use ✓ same as permit

TWP.	RGE.	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
8N	5E	23					X	X											

Recommended Amendments:

- ☐ Change P.D. as reflected above
- ☐ Add P.D. as reflected above
- ☒ None
- ☐ Change P.U. as reflected above
- ☐ Add P.U. as reflected above
- ☐ Other

Examiner's Signature Jan Grover Date 11/16/82
Checked by 655 Date 4/15/83
Approved by Kay Wacker Date 1-19-84



State of Idaho
DEPARTMENT OF WATER RESOURCES
WESTERN REGION, 92 South Cole Road, Boise, Idaho 83709

JOHN V. EVANS
Governor

(Office at the corner of
Franklin and Cole Roads)

C. STEPHEN ALLRED
Director

(208) 384-2190

October 17, 1980

Clifford McKlhanen
4414 Clinton St.
Boise, ID 83704

RE: Permit No. 63-8199

Dear Mr. McKlhanen:

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department.

☐ A field examination of your system has been scheduled for

If this time and date is not convenient for you, please contact this office as soon as possible.

☐ A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office.

Sincerely,

Kay Walker
Secretary

MICROFILMED

October 14, 1980

Clifford McElhanon
4414 Clinton Street
Boise, ID 83704

Dear Mr. McElhanon:

Re: Permit No. 63-8199

This office acknowledges receipt of your letter dated September 29, 1980 in which you request the removal of the measuring device requirement and also the statement of beneficial use postcard.

As per the attached order, the measuring device has been removed from your permit.

Before a license can be issued, a field examination of the water distribution system must be made by a representative of this department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions regarding the field examination, please contact our regional office in Boise at 334-2190.

Sincerely,

RITA FLECK
Sr. Secretary

Enclosure

cc: Western Region

MICROFILMED

RECEIVED

SEP 30 1980

September 29, 1980

Department of Water Resources

Clifford McElhanon
4414 Clinton Street
Boise, Idaho 83704

Idaho Department of Water Resources
State House
Boise, Idaho 83720

RE: Water Application
Permit #63-8199

Dear Sir:

I am enclosing the completed post card you sent me a few days ago.

My project is completed. However, I have made some changes in the original plan.

I have in use, a "Pipeline Syphon". I have located a 12" steel pipe vertically on the east side of the creek. This is held in position by timbers and a tree. Inside this pipe is a 4" PVC pipe that carries the water down to the mill and houses. My controls consist of one each 2" gate valve and two each 1" gate valve. The excess water is returned to Charlotte Creek and Grimes Creek.

I am requesting you to waiver the measuring device you requested on the last page of the application.

I'm enclosing a map of the property and a copy of the "Water Line Easement" on the Red Flag Millsite.

If there is any more information you need, please let me know. Please note my change of address, effective June 1, 1980.

Yours truly,


Clifford McElhanon
4414 Clinton Street
Boise, Idaho 83704

MICROFILMED

Clifford McElhanon

Water Line Easement

Jane L. Anderson, grantor of Boise County,
State of Idaho, do hereby grant and convey to Clifford
McElhanon, located at 4414 Clinton Street,
Boise, Idaho 83704, grantee, for One Dollar and other
valuable considerations, receipt of which is hereby acknowledged, a right of
way and easement for the erection and continued operation, maintenance, repair,
alteration, inspection and replacement of the pipe line, over, on, and across
the following premises, belonging to the said grantor in Boise
County, State of Idaho, in the following location, to-wit:

RED FLAG MILLSITE--M.S. 3636

Together with all right of ingress and egress necessary for the full and
complete use, occupation and enjoyment of the easement hereby granted, and all
rights and privileges incident thereto, including the right from time to time
to cut, trim and remove trees, brush, overhanging branches and other
obstructions which may injure or interfere with the Grantee's use, occupation,
or enjoyment of this easement and the operation, maintenance and repair of
Grantee's water system.

Executed and delivered this 23 day of September 19 80

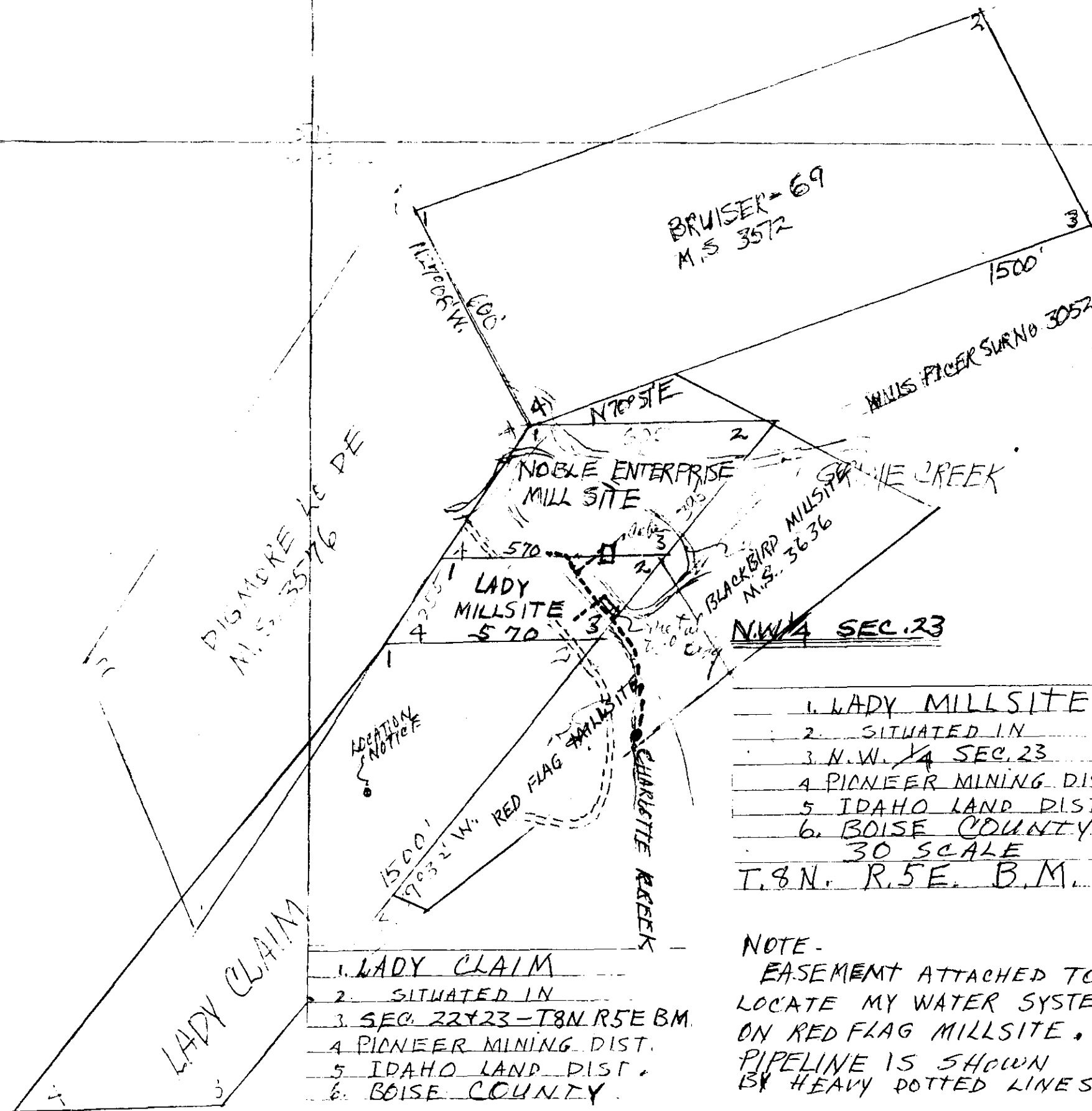
WITNESSES:

Naomi J. Hatch
Hila M. Davis

SIGNED:

Jane L. Anderson

MICROFILMED



1. LADY MILLSITE
 2. SITUATED IN
 3. N.W. 1/4 SEC. 23
 4. PIONEER MINING DIST.
 5. IDAHO LAND DIST.
 6. BOISE COUNTY
- 30 SCALE
T.8N. R.5E. B.M.

NOTE-

EASEMENT ATTACHED TO
LOCATE MY WATER SYSTEM
ON RED FLAG MILLSITE.
PIPELINE IS SHOWN
BY HEAVY DOTTED LINES.

NOBLE ENTERPRISE (FORMERLY
FOX) MILLSITE IS ALSO
MY PROPERTY.

MICROFILMED

CLIFFORD McELHANON
4414 CLINTON ST.
BOISE, IDAHO, 83704

PLACE
TEN CENT
STAMP
HERE

RECEIVED
SEP 30 1980



Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 63-81

Name(s) of Permit Holder: CLIFFORD McELHANON

Post Office Address: 4414 CLINTON ST.

BOISE, IDAHO, 83704 Tel. No. 342-88

Source of Water: CHARLOTTE GULCH

Extent of Use: ☒ Domestic 3 (number of households)
☐ Stockwater (number and type of stock)
☐ Irrigation (acres)
☒ Other MINING - MILLING

Measuring Device: Required? ☒ Yes ☐ No Installed? ☐ Yes ☐ No

Access Port: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No

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

9-29-80

Date

Clifford McElhanon
Signature of Permit Holder

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

MC ELHANON, CLIFFORD
P.O. BOX 7543
BOISE, ID 83707

138363

JULY 31, 1980

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 63-8199 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE OCTOBER 01, 1980. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF OF BENEFICIAL USE.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU HAVE NOT PREVIOUSLY RECEIVED AN EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME PROVIDED THE DELAY IS FOR REASONABLE CAUSE AS INDICATED IN SECTION 42-204, IDAHO CODE, AMENDED. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. A REQUEST FOR EXTENSION OF TIME FORM IS ENCLOSED FOR YOUR CONVENIENCE. PLEASE NOTE THAT A FEE OF \$15.00 MUST BE SUBMITTED WITH THIS FORM.

EITHER THE BENEFICIAL USE POST CARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE MENTIONED DATE, OTHERWISE, THE PERMIT WILL LAPSE AND BE OF NO FURTHER FORCE OR EFFECT WITHIN 60 DAYS.

SINCERELY,

RITA FLECK
SR. SECRETARY

ENCLOSURES

MICROFILMED

CONVERSATION MEMORANDUM

DATE Aug. 20, 1980FILE 63-8199

NAME OF PARTY

Clifford McElhanon

EMPLOYEE

Rita L. Fleck

RE:

Beneficial Use - Measuring Device

Mr. McElhanon has changed his diversion means from the proposed dam to a siphon system.

His concern is about the measuring device requirement and whether it was necessary and what type he should use for his particular system.

I advised Mr. McElhanon to write to the department requesting removal of the measuring device requirement.

New Address

4414 Clinton

Boise, ID 83704

MICROFILMED

October 28, 1975

Re: Permit No. 63-8199

Clifford McElhanon
Box 7543
Boise, ID 83707

Dear Mr. McElhanon:

Enclosed is a copy of your approved Application for Permit No. 63-8199. We direct your attention to the conditions of approval as listed on the fourth page,

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing the different types of measuring devices accepted by this office.

Please be advised that the Idaho Supreme Court has ruled that a water right initiated and/or put to beneficial use by aid of trespass on private property is invalid.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:rb

Enc.

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 63-8199

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

(1) 6hs 9/3/75
(2) 6hs 9/3/75

In form to receipt

Send Copies to:

☐ Idaho State Health Department
☐ Idaho Fish and Game Department
☐ Bureau of Land Management

(3) 6hs 9/3/75

☒ Request Special Use Permit from U.S.F.S.
☐ Request Easement from B.L.M.
☐ Request Information from Applicant

(4) 6hs 9/3/75

In form for advertising

(5) _____

Platted on Map No. _____

(6) RWH 9-29-75

Located within Water District No. 63

(7) _____ NA

Critical groundwater area: yes _____ no _____

(8) _____ NA

Groundwater levels:

_____ Declining, _____ Stable, _____ Increasing

(comment) _____

(9) RWH 9-29-75

Other rights on the same place of use None

(10) _____

Comments: _____

(11) Chs 10-22-75

Affidavit of Publication received(date) Ok

(12) _____

Final date for protests _____
Protests received: yes _____ no _____

(13) RWH 9-29-75

All requested information received from agencies or applicant: yes _____ no ☒

(14) RWH 9-29-75

Action recommended:

☒ Approve

_____ Proposed Priority

_____ Reason for Reduction _____

☒ Measuring device required

_____ See attached sheet for other conditions of approval

_____ No special conditions for approval

(15) District Western

By R. Hamilton Date 9-29-75

FLH

10-22-75

RECEIVED

OCT 1 1975

Department of Water Resources

note: that
this is for mining
w/ USFS owning property.
USFS should be notified



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN DISTRICT — ANNEX 3

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2190

Sept. 5, 1975

The Idaho World
Box 144
Idaho City, ID 83631

Re:;Application for Permit No. 63-8199, Clifford McElhanon

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear in the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(Signature of Claimant)

Sincerely,

Bill submitted
10-22-75
cls

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that CLIFFORD MCKELHANON
Box 7543, Boise, ID 83707
has on 8-29-75 submitted Application No. 63-8199
for a permit to appropriate 1.0 cubic feet per second ~~acre feet~~
~~per second~~ of water from Charlotte Gulch Creek
by means of diversion dam, ditch and piping
within the S4, N14, Sec. 23, T. 8 N, R. 5 E, B.M. Boise, County

to be used from Jan. 1 to Dec. 31
for Domestic and Mining and Milling

within the S4, N14, Sec. 23, T. 8 N, R. 5 E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83720, on or before Sept. 29, 1975.

R. KEITH HIGGINSON

Director

Published in the The Idaho World, Idaho City
on Sept. 12, 1975 and Sept. 19, 1975.

Sept. 4, 1975

Clifford McElhanon
Box 7543
Boise, ID 83707

Re: Application for Permit No. 63-8199

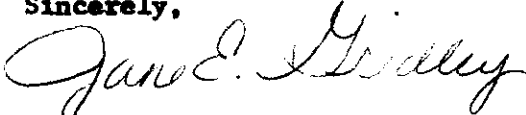
Dear Mr. McElhanon:

During the processing of your Application for Permit, we have noted that your place of use and point of diversion are located on U.S. Forest Service land.

Before we can make the final approval of your application, it will be necessary for you to supply this department with a copy of your special use permit granted by the U.S.F.S.

If we can be of any further assistance in this matter, please feel free to contact this department.

Sincerely,



JANE E. GRIDLEY
Sr. Clerk

JG/jg

RECEIVED
SEP 10 1975
FBI - BOISE