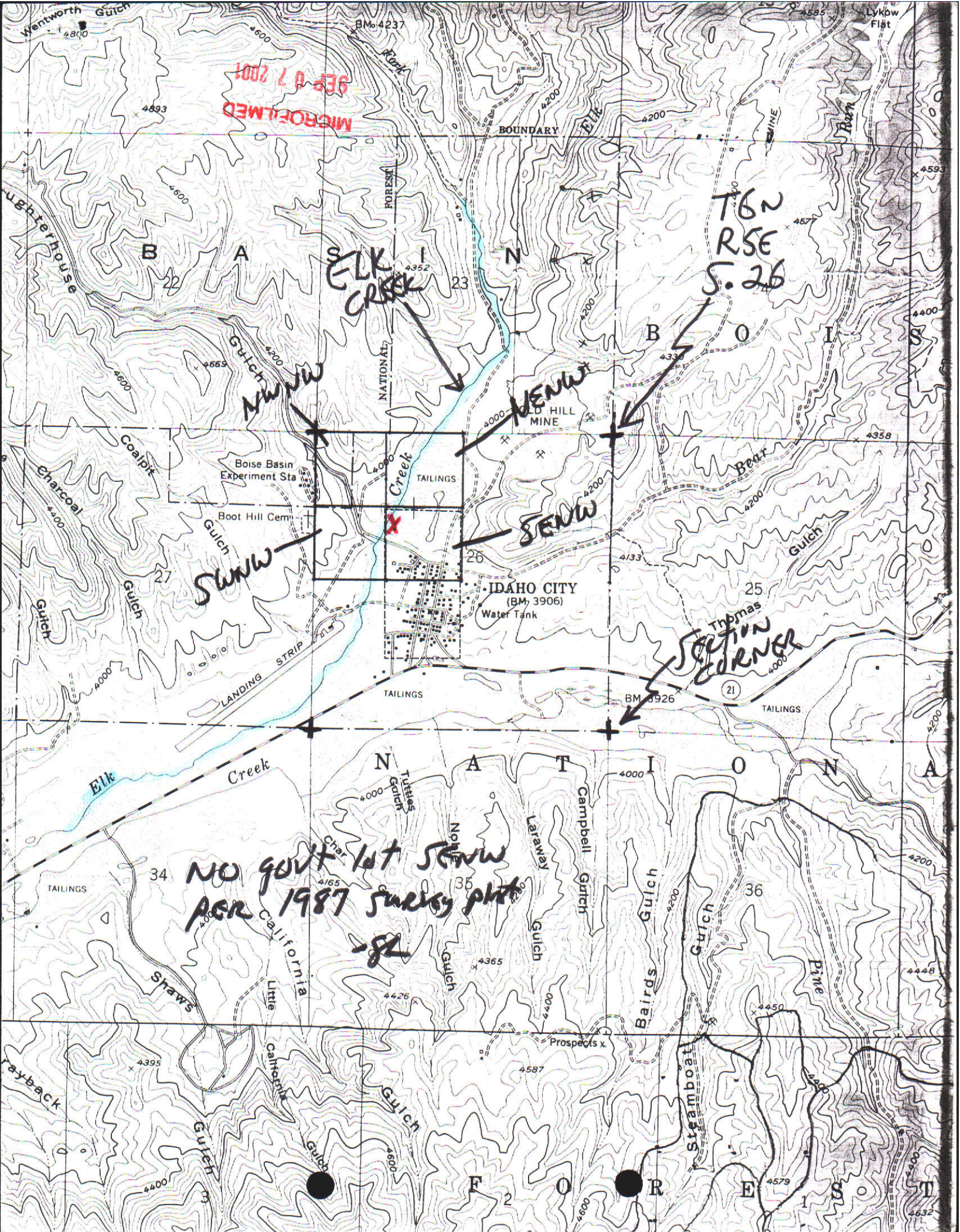




MICROFILMED  
SEP 7 2001

T6N  
R5E  
S. 26

SWNW

NENW

SENW

SECTION  
CORNER

NO GOVT lot SE NW  
PER 1987 survey plat  
-SL

ELK  
CREEK

IDAHO CITY  
(BM 3906)  
Water Tank

NATIONAL  
HIGHWAY

Creek

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Two 6N-11 5-E

320767218  
7400

NEW  
JEN  
27

U.S. Gen. Land Office  
1938 Survey.

- open ditch
- Pump plant
- Storage tank

Id

~~25 Highway~~

Boiser Lowman  
Creek

~~Mores 34~~

PD is approx 320 yds SW. of 14 Cor  
Place of use is Idaho City  
Amount - Full capacity of pump  
18 inches of water

MICROFILMED  
SEP 07 2001

Tract # in  
Mineral Place Survey  
# 1483 possibly on  
edge or over on  
N.S. land.



Twp 6 N. R. 5 E.

320 yds SW of

1/4 Cor.

27

Idaho

26

25

Highway

Boise-Lawman  
Creek

Mores

34

35

36

ELK CREEK

P.D.

1/4 Cor. 23  
26

U.S. Gen. Land Office  
1938 Survey.

open ditch

Pump plant.

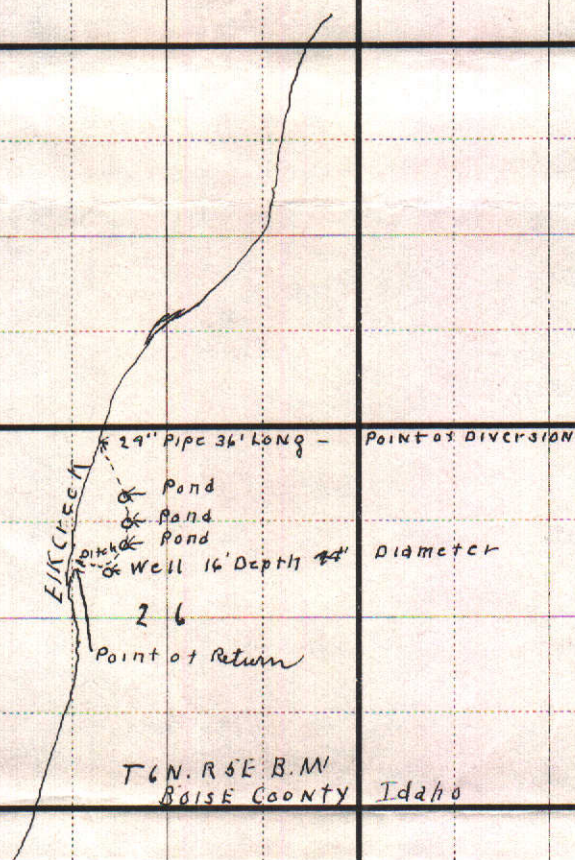
Storage tank.

P.D. is approx. 320 yds SW. of 1/4 Cor.  
Place of use is Idaho City  
Amount - Full capacity of pump  
18 inches of water.

NAME OF APPLICANT

Village of Idaho City Fred T. Peck

FORM No. 0



Permit Map No. 19741  
As Approved  
DEC 22 1945  
MARK R. KULP  
State Reclamation Engineer

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

Water License No. 19741

Amount 0.38 second foot

Water District No.

Priority December 25, 1945

THIS IS TO CERTIFY that VILLAGE OF IDAHO CITY  
of Idaho City, Idaho, made application for a permit to appropriate the  
public waters of the State of Idaho, dated December 17, 1945; that Permit No. 19741  
was issued under said application; that Certificate of Completion of works, with a carrying capacity of  
two second feet, was issued thereunder on November 13, 1948, showing that said works  
were completed on the 15th day of October, 1948; and that on the 30th  
day of December, 1949,

VILLAGE OF IDAHO CITY

of IDAHO CITY, 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  
Boise River  
a tributary of More's Creek, thence /, for the purpose of domestic water supply for  
village, under Use Permit No. 19741 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  
8 of Licenses at page 4792, on the 16th day of July, 1951;

The right hereby confirmed dates from December 25, 1945;

The Point of Diversion is located

in the NE 1/4 NW 1/4, Sec. 26, Tp. 6 N., R. 5 E., B.M. Boise 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 0.38 cubic feet per second.

Description and location of use:

| Twp.                                         | Range | Sec. | Forty-acre Tract                                   | No. Acres<br>Described in Permit | No. Acres<br>Actually Irrigated |
|----------------------------------------------|-------|------|----------------------------------------------------|----------------------------------|---------------------------------|
| Village of Idaho City,<br>Range 5 East, B.M. |       |      | in the SE 1/4 NW 1/4 and NE 1/4 SW 1/4 Section 26, |                                  | Township 6 North,               |

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

16th day of July, 1951.

MARK R. KULP

State Reclamation Engineer

(SEAL)

63 2627

# APPLICATION FOR PERMIT

## To Appropriate the Public Waters of the State of Idaho

Application No. 27274  
Permit No. 19741  
District No.

Fred T. Peck, Village Clerk  
Idaho City, Idaho

1. Name of Applicant: The Village of Idaho City

Postoffice address: Idaho City                      County: Boise                      State: Idaho

I. If applicant is a corporation, give:

- (a) Date and place of incorporation: Idaho City, Idaho, Oct. 17, 1895  
(b) Amount of capital stock:  
(c) Amount paid in:  
(d) Names and addresses of directors: W. Garrecht, Chairman of Trustees; Ernie Kalk,  
Dave Williams, Harry Penrod and Norris Hall, Trustees; Harry Palmer, Treas. and  
Fred T. Peck, Clerk

II. The financial resources of the applicant are:

- (a) Cash on hand: \$1,500.00  
(b) Treasury stock: None  
(c) Bonds to be issued: None  
(d) Other resources: Village lots

2. Quantity of water claimed: Two (2)                      cubic feet per second.

3. Source of water supply: Elk Creek                      which is a tributary of Boise River (Moore's Creek)

4. Location of point of diversion: 1400                      feet distant from the Northwest  
corner of Section 26, T. 6 N., R. 5 E., B. M., and is in the NE  $\frac{1}{4}$  NW  $\frac{1}{4}$   
of Section 26, T. 6 N., R. 5 E., B. M., County of Boise

5. Water is to be used for feeding a well dug in tailings of Elk Creek- domestic water supply

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

- (a) Point of use of water: 2000                      feet distant from N W                      corner of Section 26  
T. 6 N., R. 5 E., B. M., in the SE  $\frac{1}{4}$  NW  $\frac{1}{4}$  of Section 26, T. 6 N., R. 5 E., B. M.  
(b) Amount of power generated:                      H. P., under                      feet head.  
(c) Water is to be returned to Elk Creek                      at a point 1800                      feet  
distant from the N W                      corner of Section 26, T. 6 N., R. 5 E., B. M., in the  
SE  $\frac{1}{4}$  NW  $\frac{1}{4}$  of Section 26, T. 6 N., R. 5 E., B. M.

7. Estimated cost of works: \$ 500.00

8. Kind of works: Ditch and 36 feet of pipe

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

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

11. Ditch: Width at bottom 2                      feet; width at water line                      feet; depth of water .5                      feet;

dimensions of flume:

Diameter of pipe                      inches; length of conduit                      miles.

Average grade per mile                      feet.

12. The time required for the completion of such work is Three (3)                      years.

13. The time required for the complete application of the water to the proposed use is One (1)                      additional years.

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

15. (a) Is reservoir to be used? If so, fill in (b) and (c) below.  
 (b) Name of Reservoir and number of Storage Permit:  
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

The Village of Idaho City                      *Applicant.*

By Fred T. Peck, Village Clerk Agent.

Date of first receipt at Department of Reclamation: 9:00 A. M. December 17, 1945

Returned to applicant for correction: December 17, 1945

Corrected application received: December 22, 1945

### Approval of State Reclamation Engineer

The number of this permit is 19741

Recorded in Book 71 Page 19741 Approved December 22, 1945

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 February 20, 1946 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 June 22, 1947

The whole of said work to be completed on or before December 22, 1948

Beneficial use of water appropriated in accordance herewith, to be made on or before December 22, 1949

Witness my hand this 22nd day of December, 1945

MARK R. KULP  
*State Reclamation Engineer.*

IN TESTIMONY WHEREOF, We, ARNOLD WILLIAMS, Governor of the State of Idaho,

and IRA H. MASTERS, 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 22nd

day of December, 1945

STATE OF IDAHO

Countersigned:

(SEAL)

By IRA H. MASTERS  
Secretary of State.

By ARNOLD WILLIAMS  
Governor

Remarks :

14.

| Twp.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Range | Sec. | NE <sup>1</sup> / <sub>4</sub> |                                |                                |                                | NW <sup>1</sup> / <sub>4</sub> |                                |                                |                                | SW <sup>1</sup> / <sub>4</sub> |                                |                                |                                | SE <sup>1</sup> / <sub>4</sub> |                                |                                |                                | Totals |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------|
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |       |      | NE <sup>1</sup> / <sub>4</sub> | NW <sup>1</sup> / <sub>4</sub> | SW <sup>1</sup> / <sub>4</sub> | SE <sup>1</sup> / <sub>4</sub> | NE <sup>1</sup> / <sub>4</sub> | NW <sup>1</sup> / <sub>4</sub> | SW <sup>1</sup> / <sub>4</sub> | SE <sup>1</sup> / <sub>4</sub> | NE <sup>1</sup> / <sub>4</sub> | NW <sup>1</sup> / <sub>4</sub> | SW <sup>1</sup> / <sub>4</sub> | SE <sup>1</sup> / <sub>4</sub> | NE <sup>1</sup> / <sub>4</sub> | NW <sup>1</sup> / <sub>4</sub> | SW <sup>1</sup> / <sub>4</sub> | SE <sup>1</sup> / <sub>4</sub> |        |
| <p>CERTIFICATE OF COMPLETION OF WORKS</p> <p>TO ALL WHOM IT MAY CONCERN:</p> <p>This is to certify that THE VILLAGE OF IDAHO CITY of Idaho City, County of Boise, and State of Idaho, the Permit No. 19741, issued upon Application No. 27274, bearing date of priority of December 17, 1945, authorizing the of two (2) second feet of the waters of Elk Creek, a tributary of More's Creek, thence Boise River, County of Boise, Idaho, for feeding a well in tailings of Elk Creek, for domestic water supply, has fully complied with the provision laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in so that said works are adequate for diverting and conveying to the place of intended use two (2) second feet of the wa Elk Creek; that the point of diversion of said waters is 1400 ft. distant from the Northwest corner of Section 26, T North, Range 5 East, B.M., and in the NE<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub> of said Section 26; and that the place of use of said water is in the Section 26, Township 6 North, Range 5 East, B.M.</p> <p>Witness my hand this 13th day of November, A.D. 1948.</p> <p style="text-align: right;">MARK R. KULP<br/>State Reclamation Engineer</p> <p>Proof of completion of Works made October 15, 1948<br/>Certificate of Completion of Works issued November 13, 1948.</p> <p>LICENSE ISSUED FOR 0.36 SEC. FT.<br/>Page 4792</p> |       |      |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |        |

RECEIVED

AUG - 8 2001

**BEFORE THE DEPARTMENT OF WATER RESOURCES**

Department of Water Resources

**OF THE STATE OF IDAHO**

IN THE MATTER OF APPLICATION )  
FOR TEMPORARY CHANGE OF A )  
WATER RIGHT 63-2627 IN THE NAME )  
OF THE CITY OF IDAHO CITY )  
\_\_\_\_\_ )

**ORDER AUTHORIZING  
TEMPORARY CHANGE**

WHEREAS, a drought emergency has been declared for Boise County to allow administrative actions to lessen the severe impacts of the drought conditions in the county; and

WHEREAS, Section 42-222A, Idaho Code, provides that upon declaration of a drought emergency, the director of the Department of Water Resources (Department) is authorized to allow temporary changes in the point of diversion, the place of use, and the purpose of use for valid existing water rights or temporary exchanges of water, as provided in Section 42-240, Idaho Code, when the director determines that such changes can be accomplished in accordance with the provisions of Section 42-222A, Idaho Code; and

WHEREAS, on July 20, 2001, the City of Idaho City ("applicant") submitted the attached Temporary Change Application ("application") to the Department; and

WHEREAS, the Department has reviewed the application and has determined the application can be approved with certain conditions; and

WHEREAS, The applicant assumes all risk and is the responsible party if diversion and use of water under the temporary change approval causes injury to other water rights or constitutes an enlargement in use of the original right;

**ORDER**

IT IS HEREBY ORDERED that the application is **APPROVED** subject to the following conditions:

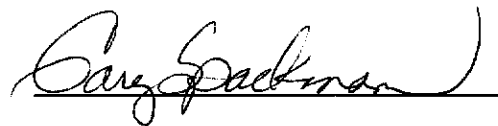
1. Diversion and use of right no(s). 63-2627 is authorized only at the point of diversion and place of use described on the application or as otherwise approved in this order.
2. This temporary change approval does not authorize construction of a new well as a new point of diversion.
3. The water right holder shall obtain a stream channel alteration permit prior conducting any work that would disturb the stream channel of Elk Creek below the ordinary high water mark.

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SEP 10 - 2001

4. This temporary change approval may only be used to provide a replacement water supply to lands or other uses that normally have a full water supply, except for the drought condition. This temporary change approval may not be used to provide water for new development or to allow expansion of the use of water under existing water rights.
5. The applicant agrees to hold the director and the state of Idaho harmless from all liability on account of the diversion and use of water under this temporary change approval.
6. This temporary change approval does not grant any right-of-way or easement to use the diversion works or conveyance works of another person or entity.
7. The watermaster of Water District no. 63 is authorized to administer the temporary change approval.
8. Water shall not be diverted from the new point of diversion until water is rented from the Boise River Rental Pool. The water right holder shall not divert more water from Elk Creek than is rented from the Boise River Rental Pool.
9. The permit holder shall install a measuring device prior to diverting water from the points of diversion described by this approval. The water right holder shall report the volume of water diverted from Elk Creek by January 15, 2002.
10. This temporary change approval expires on January 1, 2002 unless rescinded or extended by the director. Thereafter, the water right shall revert to the point of diversion, place of use and nature of use existing prior to the temporary change approval.

DATED this 7<sup>th</sup> day of August, 2001.



GARY SPACKMAN  
Regional Manager

5/94

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AUG - 8 2001

Ident. No. FG-63-01

RECEIVED

JUL 20 2001

WATER RESOURCES  
WESTERN REGIONSTATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

## TEMPORARY CHANGE APPLICATION

(To change point of diversion, place of use or purpose of use)

Name of applicant CITY OF IDAHO CITY Phone 208-392-4584Post Office address PO Box 130 Idaho City 83631

## A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use  
☐ Change purpose of use ☒ Other

2. Describe the proposed change(s) and the reason(s) therefor Install temporary check dam to increase water table due to drought conditions

## B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number 63-4073 Priority 12/17/1945 Amount .36 cfs Nature CITY WATER Period of Use 1/1 to 12/31 } delete  
63-4712 1/1/1964     }  
63-2627 12/25/1945 .36 DOMESTIC 1/1 to 12/31 } period assumed, not defined in license

2. Total amount of water being transferred .36 cubic feet/second and/or  acre-feet per annum. License

3. Source of water ELK Creek tributary to Mores Creek

4. Point(s) of Diversion: PROPOSED point is checkdam on creek

| Ident No. | Gov't Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion         |
|-----------|-----------|-----|-----|-----|------|------|------|--------|----------------------------------|
|           |           | SE  | NW  |     | 26   | 6N   | SE   | BOISE  | Idaho City Water Treatment Plant |
|           |           |     |     |     |      |      |      |        |                                  |
|           |           |     |     |     |      |      |      |        |                                  |
|           |           |     |     |     |      |      |      |        |                                  |

5. Lands irrigated or Place(s) of Use: No Change

| TWP | RGE | SEC | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
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• Revisions per 7/25/01 tel. call with  
Beth Wilson, City Clerk.  
-gr

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SEP 6 / 2001

6. General Information:

- a. Who owns the water right to be changed? City of Idaho City
- b. Describe the arrangement allowing use of the right \_\_\_\_\_
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this application:  
None
- d. Has the water right sought to be transferred been used this year? YES If yes, explain. USE CREEK  
water all year
- e. Absent the changes, how would the right be used for the remainder of the year? USE right as available  
water allows, risk is city will run out of water without temporary change
- f. Describe other water rights used for the same purpose.  
See Summary dated 6/14/01
- g. Remarks:

Joint 404 Application sent to Boise office of Army Corps same day mailed  
temp. change application. Did not send SCA filing to IDWR.... Western  
Region office will follow up with city & Corps to correct this oversight.

I hereby assume all risk in accordance with Section 42-222A, Idaho Code, and assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in voiding its approval.

Steven C. Hansen  
(Signature of applicant)

FOR DEPARTMENT USE ONLY

Received by KG Date 7/20/01 Fee \$50  
Receipted 7/20/01 #11028059 Recommend: approve deny  
Watermaster recommendation \_\_\_\_\_

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Temporary Change Application No. \_\_\_\_\_

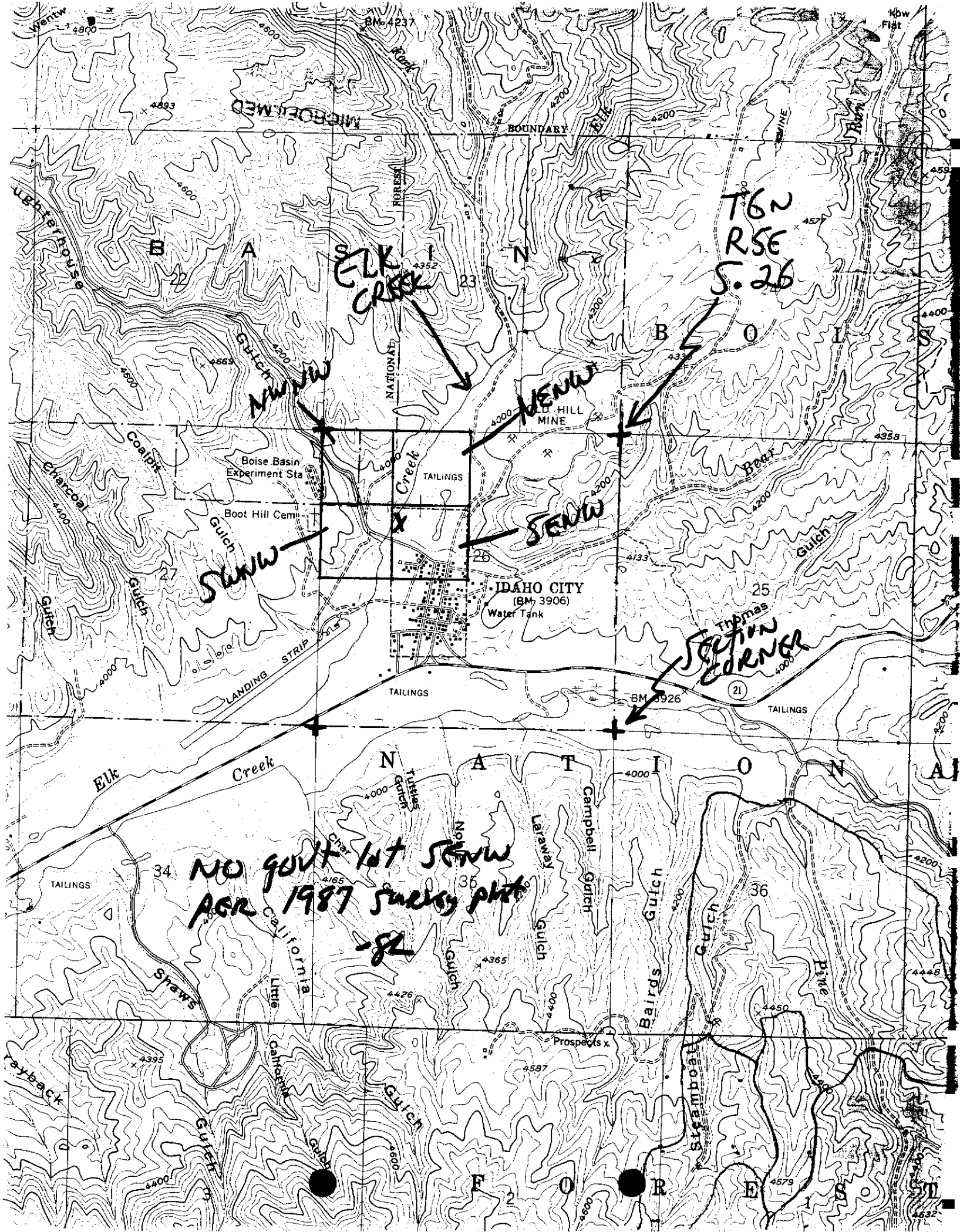
And said application is hereby Approved, subject to the following limitations and conditions:

See Order Authorizing Temporary Change dated August 7, 2001.

Witness my hand this 7th day of August, 2001

MICROFILMED  
SEP 07 2001

Dary Sackman  
Western Regional Mgr.



# **SUMMARY OF ELK CREEK WATER RIGHTS & ADJUDICATION CLAIMS FOR CITY OF IDAHO CITY**

  
Prepared by Steve Lester, IDWR Western Region  
June 14, 2001

## WATER RIGHT RECORDS – See printouts highlighted in blue.

- 63-2627 License for .36 cfs with 12-25-1945 priority, ditch diversion in NENW to pond, shallow collection “well”<sup>1</sup> and storage tank in SENW. See 1951 field exam report for confirmation. An Adjudication Claim with this number has not been filed, but the water and priority appear to be covered by Adjudication Claims 63-4073 and 63-15422.
- 63-4073 Statutory Claim (“grandfather right”) for 3.0 cfs with 12-17-1945 priority for .36 cfs and 1-10-1965 priority for 3.0 cfs, 2 shallow wells in SENW to collect creek water. Note priority for .36 cfs portion is almost identical to that described in 63-2627. Collection wells are probably same point referenced in 1951 field exam of 63-2627. The 1951 data mentions 1 well, perhaps second well added after that time. This water right is claimed in the Adjudication.
- 63-4712 Statutory Claim for 4.0 cfs with 1-1-1864 priority, subsurface collection with pump and pipeline to storage tank, all in SENW. Again, this appears to refer to the “well(s)” noted above. This water and priority are not claimed in the Adjudication, perhaps due to dubious validity of this record (?).

## ADJUDICATION CLAIM RECORDS – See printouts highlighted in red.

- 63-4073 3.0 cfs with 12-17-1945 priority for .36 cfs and 1-10-1965 priority for 3.0 cfs, 2 shallow wells in SENW to collect creek water. The .36 cfs portion appears to be essentially the same water as Water Right 63-2627 (note almost identical priority) and Adjudication Claim 63-15422.
- 63-15422 .36 cfs with 12-17-1945 priority, collection wells in SENW. This Adjudication Claim describes a portion of Water Right 63-4073 and appears to more or less duplicate the water and priority in Water Rights 63-2627 (all) and 63-4073 (portion) and Adjudication Claim 63-4073 (portion).

**MICROFILMED**

<sup>1</sup> “Well” listed in records refers to a collection method not technically a well. Technically a well must be 18 or more feet deep. The “well” reference indicates shallow collection of creek water in a previously dredged area. The shallow ground water collected in this manner can most likely be considered Elk Creek water.

## CONCLUSIONS

City appears to have at least .36 cfs with 1945 priority from Elk Creek as reflected in Water Right license 63-2627. The diversion works from 1951 exam appear to have changed prior to Adjudication commencement (1987). Current diversion works appear to include two shallow ground water "wells" or collection points from which water is pumped. The 1945 water is currently claimed as Adjudication Claims 63-4073 and 63-15422 (duplicate coverage for .36 cfs).

The original diversion point for .36 cfs from the 1951 exam was in NENW but delivered water to a pond and at least one "well" in SENW for subsequent pumping into the city system. It looks reasonable to conclude that the City diversion point for Elk Creek water is now in SENW via two collection cisterns or "wells." It also seems reasonable to assume the shallow ground water at the collection area in SENW is hydraulically connected to Elk Creek due to historical dredging and the proximity of the "wells" to the creek.

**The City can file a Temporary Change Application plus a Joint Application for Permit to alter Elk Creek. Expedited processing will occur if these two filings are made. This action can result in an approved new diversion point at the creek for City water. Due to the confusing water right and adjudication history, the City should file a temporary change to Water Right license 63-2627 if the use of Elk Creek water under all City diversions will be limited to .36 cfs. If more than .36 cfs needs to be diverted, the city should consult with IDWR for the best way to proceed.**

**A copy of this summary should be filed with the Temporary Change Application along with a map showing the proposed diversion point on Elk Creek.**

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SEP 07 1984

IDAHO DEPARTMENT OF WATER RESOURCES  
Water Right Report

## WATER RIGHT NO. 63-2627

| <u>Owner Type</u> | <u>Name and Address</u>                    |
|-------------------|--------------------------------------------|
| Current Owner     | CITY OF IDAHO CITY<br>IDAHO CITY, ID 83631 |

**Priority Date:** 12/25/1945  
**Basis:** License  
**Status:** Active

| <u>Source</u> | <u>Tributary to</u> |
|---------------|---------------------|
| ELK CREEK     | MORES CREEK         |

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|--------------------|
| DOMESTIC              | /           | /         | 0.36 CFS              |               |                    |
| Total Diversion       |             |           | 0.36 CFS              |               |                    |

**Location of Point(s) of Diversion:**

**ELK CREEK                      NENW                      Sec. 26                      Township 06N                      Range 05E                      BOISE County**

**Place(s) of use:**

Place of Use Legal Description: DOMESTIC BOISE County

[illegible]

Remarks:

1. General P/U WITHIN CITY LIMITS OF VILLAGE OF IDAHO CITY.

**Dates:**

Licensed Date: 08/28/1979  
Decreed Date:  
Permit Proof Due Date:  
Permit Proof Made Date:  
Permit Approved Date:  
Permit Moratorium Expiration Date:  
Enlargement Use Priority Date:  
Enlargement Statute Priority Date:  
Application Received Date:  
Protest Deadline Date:  
Number of Protests: 0

**Other Information:**

Receipt Number(s):  
 State or Federal:  
 Owner Name Connector:  
 Water District Number: 63

MICROFILMED

SEP 01 2001

06/08/2001

IDAHO DEPARTMENT OF WATER RESOURCES  
Adjudication Claim Report

WATER RIGHT NO. 63-15422

← AKA: A63-15422,  
Adjudication claim  
63-15422

Owner Type      Name and Address  
Current Owner      CITY OF IDAHO CITY  
                         PO BOX 130  
                         IDAHO CITY, ID 83631  
                         (208)392-4584

Priority Date:      12/17/1945  
Basis:              Beneficial Use  
Status:              Active

Source                                      Tributary to  
ELK CREEK                                      MORES CREEK

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|--------------------|
| DOMESTIC              | 1/01        | 12/31     | 0.36 CFS              |               |                    |
| Total Diversion       |             |           | 0.36 CFS              |               |                    |

## Location of Point(s) of Diversion:

ELK CREEK                      SENW                      Sec. 26                      Township 06N                      Range 05E                      BOISE County

## Place(s) of use:

Place of Use Legal Description: DOMESTIC                      BOISE County

| <u>Township</u> | <u>Range</u> | <u>Section</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> |
|-----------------|--------------|----------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|
| 06N             | 05E          | 26             |            | NENW         |              |            | NWNW         |              |            | SWNW         |              |            | SENE         |              |
|                 |              |                |            | NESW         |              |            | NWSW         |              |            | SWSW         |              |            |              |              |
|                 |              |                |            | NWSE         |              |            |              |              |            |              |              |            |              |              |

## Remarks:

1. General      IDAHO CITY IS A MUNICIPALITY OPERATING AS A WATER UTILITY.  
WELLS ARE CLOSE TO CREEK AND USED FOR FILTERING.  
ITEM 5-CONT'D. DIAMETER 31 1/2" +/- 1".  
THIS WAS INITIALLY FILED AS A STATUTORY CLAIM-NUMBER 63-4073, WHICH LISTED TWO PRIORITY DATES.  
\_\_\_IN ITEM 5, THEY INDICATED WELL DIMENSIONS WERE 15" 9"-I BELIEVE THIS SHOULD BE 15' 9"-L.W.  
\_\_\_ALSO RECEIPT NO. W002987 FOR \$10.00 \_\_\_SEE A63-04073.

## Dates:

Licensed Date:  
Claim Received Date:  
Decreed Date:  
Enlargement Use Priority Date:  
Enlargement Statute Priority Date:

## Other Information:

Receipt Number(s): W002827

MICROFILMED

SEP 8 / 2001

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

## REPORT OF ENGINEER

Permit No. 19741

= 63-2627

This proof is for Beneficial use

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

1. Name of applicant Village of Idaho City, Idaho City, Idaho2. Source of water supply Elk Creek, a tributary of Mores Cr.3. Location of point of diversion: Is in the NE 1/4 NW 1/4 of Section 26T. 6 N. R. 5 E. County of Boise

4. Describe works as they exist, giving dimensions and capacities of same. The creek bed has been placer mined, thus the reason for using culvert pipes in places. Water is diverted from Elk Creek thru an 18" culvert pipe into an open ditch. Goes thru an other culvert pipe before reaching the pond. There is an overflow for by-pass around the pond approx. 100 yds. above forest service headquarters. A 6" C.I. pipe leads from the pond directly into the well. Same is screened. Pond is approx. 20' x 40' x 4' deep. Water is pumped into town water mains and on thru into a storage tank located in NE part of town on hill. Tank is 21' d. x 16' h. is war surplus. Water mains are 6" d. Well is 40" d. x 16' deep. Pump house is over well. Wood const. with corrugated roof (galv) size 10' x 18' x 8' h. Uses a heating stove in winter.

5. Water is used for domestic water supply for Village of Idaho City.6. State whether or not water has been turned into works of diversion: yesInsufficient capacity as now being operated.

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):

Village of Idaho City, in SE 1/4 NW 1/4 and NE 1/4 SW 1/4 Section 26, Township 6 North,Range 5 East, R. M.Used for domestic and irrigation of lawns and gardens. Village population is approx. 300 people.

Motor is U. S., 5 hp., 1 phase, 220 v., 60 cycle, 1800 rpm., No. 405-348.  
Pump is a Deming Mueller Centrifugal Size 8, capcy 155 gpm., 100' head, 1750rpm  
Serial 6463. Pipe from pump is 4" d. then 6" mains.

Gage is 43 lbs when tank is full 43 lbs.

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

8. What large stream would the water here appropriated finally reach? Boise River via Mores CrRemarks: This system is used also for fire protection for the town.They intend to move the well and increase the capacity of the whole system.

1951 Field Exam  
Report

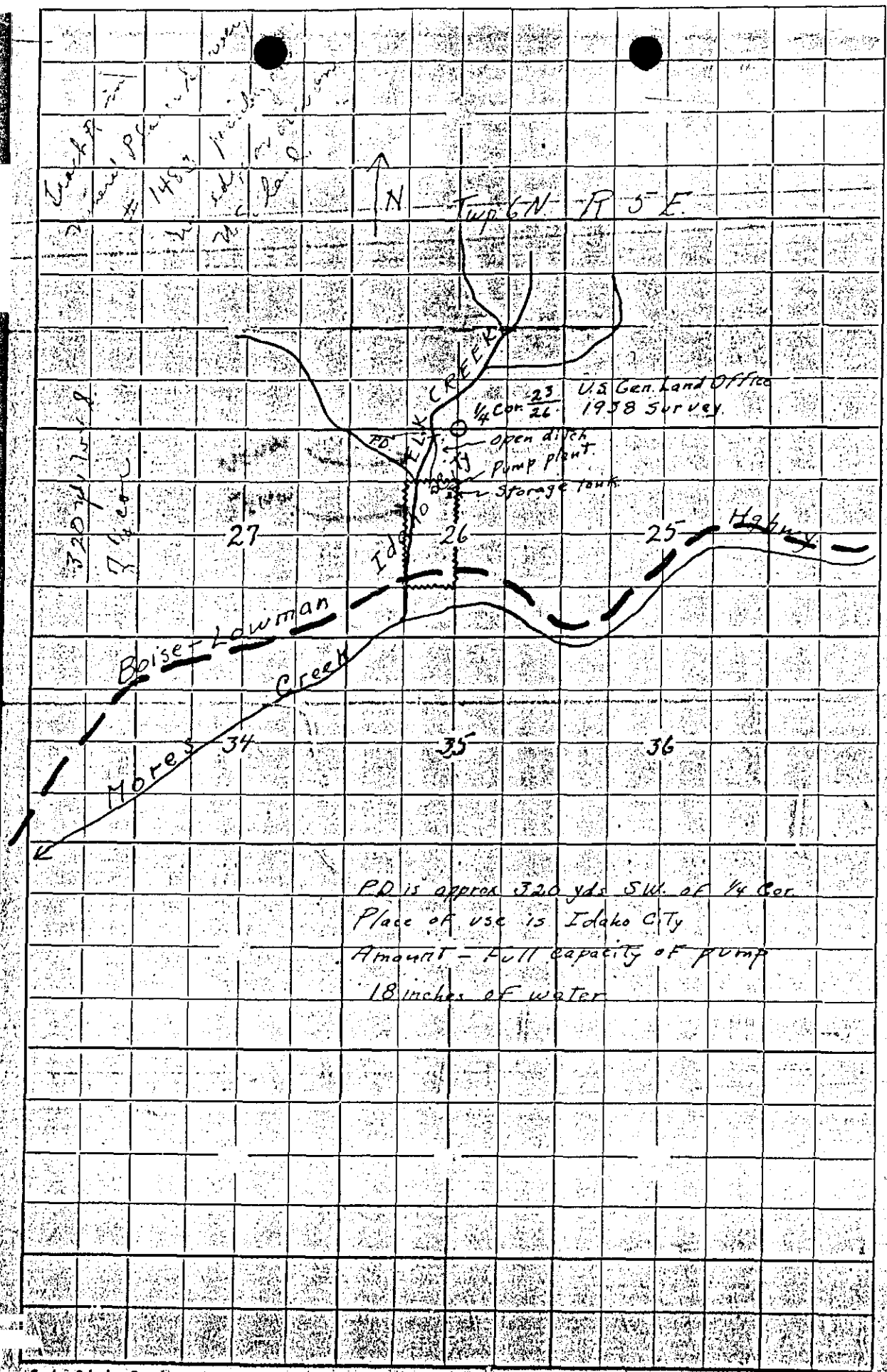
This examination was made on the 16 th day of June, 1951

(Signed)

E. J. Humphrey

Examiner

19741



Scale: 2 Inches Equals 1 Mile. Draw Map in Ink.

1974

06/08/2001

IDAHO DEPARTMENT OF WATER RESOURCES  
Water Right Report

## WATER RIGHT NO. 63-4073

Owner Type                      Name and Address  
Current Owner                      CITY OF IDAHO CITY  
                                                 PO BOX 162  
                                                 IDAHO CITY, ID 83631

Priority Date:            12/17/1945  
Basis:                    Statutory Claim  
Status:                   Active

Source                                      Tributary to  
ELK CREEK                                      MORES CREEK

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|--------------------|
| IRRIGATION            | 4/01        | 10/31     | 1.5 CFS               |               |                    |
| DOMESTIC              | 1/01        | 12/31     | 1.5 CFS               |               |                    |
| Total Diversion       |             |           | 3 CFS                 |               |                    |

## Location of Point(s) of Diversion:

ELK CREEK                      SENW                      Sec. 26                      Township 06N                      Range 05E                      BOISE County

## Place(s) of use:

Place of Use Legal Description: IRRIGATION                      BOISE County

| <u>Township</u> | <u>Range</u> | <u>Section</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> |
|-----------------|--------------|----------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|
| 06N             | 05E          | 26             |            | SESW         |              |            | NESW         |              |            | SWSW         |              |            | SESW         |              |
|                 |              |                |            | NWSE         |              |            | SWSE         |              |            |              |              |            |              |              |

Place of Use Legal Description: DOMESTIC same as IRRIGATION

## Remarks:

## 1. General

WATER TAKEN FROM 2 SHALLOW WELLS ADJACENT TO ELK CR.  
PRIORITIES ARE 12-17-1945 OF .36 CFS & 1-10-1965 OF 3.0 CFS.

## Dates:

Licensed Date:  
Decreed Date:  
Enlargement Use Priority Date:  
Enlargement Statute Priority Date:  
Application Received Date:  
Protest Deadline Date:  
Number of Protests: 0

## Other Information:

# IDAHO City Temp Change Appl

7/26/01

- ① Application = paperclipped info. Revised as noted.
  - ② SCA filing sent to Corrs. Kathy G. working on details for IDWR portion of the 404 filing. She will expedite it.
  - ③ Wittermaster pointed out NEED for rental pool water to cover 1945 priority in Lic. 63-2627.
  - ④ City is in touch with LCC to get a 72 AF lease from rental pool (see 7/25 comm. memo).
  - ⑤ Could issue temp change with conditions:
    - (1) no work in Elk Creek until SCA approval
    - (2) no ~~dis~~ " " " " " Rental pool lease approved.
  - ⑥ City plans to follow up:
    - (1) transfer appl. this winter for permanent change.
    - (2) visit with IDWR & SRBA Filings ... needs some attention.
- good!
- Licence 63-2627 closed in SRBA more or less - see my 6/14/01 summary city submitted with applications.

# CONVERSATION MEMORANDUM

DATE 7/25/01

FILE \_\_\_\_\_

NAME OF PARTY LEE Sison

EMPLOYEE 82

RE: IDaho city Temp. Change - Concerns

LEE called in reply to my call & fax to him.

## CONCERNS

1) already shut off / was in upper Boise system per dept.'s directive.

2) 1945 priority water "long gone" this year.

3) city needs mitigation to continue diverting 1945 priority license (note: city's other filings are b.w. rights, not deliverable).

e \$6.50 per Af 4) can scrape up enough rental pool water to cover city's situation

assume: .36 cfs x 2 ~ .72 Af/day

e 100 days to end irrig season ~ 72 Af.

I called Beth Wilson at city & relayed concerns. City will contact Lee to seek lease for balance of irrig. season

City plans to file transfer this winter for more permanent MICROFILME City also plans to work on AJ claims to BETTER affect the city uses/rights.



State of Idaho  
DEPARTMENT OF WATER RESOURCES

2735 Airport Way, Boise, Idaho 83705

Phone: (208) 334-2190 FAX: (208) 334-2348 [www.idwr.state.id.us/idwr/idwrhome.htm](http://www.idwr.state.id.us/idwr/idwrhome.htm)

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

FAX TRANSMITTAL COVER SHEET

FAX # (208) 334-2348

DATE: 7/25/01

TO: LEE Sisco  
Boise River Watermaster  
fax 378-1274

FROM: Steve Lester

DOCUMENT DESCRIPTION:

HERE'S fax copy per phone message I left  
you today. Requesting your comments on Temp. Change Appl. Also  
included cc of joint 404 appl. City filed because temp. change  
will not authorize work in stream. PLEASE Reply ASAP so  
WE CAN move ahead with drought related problem.

TOTAL PAGES SENT:

10

+ COVER SHEET

CONTACT:

Thanks Lee,

-SL

-URGENT-

# CONVERSATION MEMORANDUM

DATE 7/25/07

FILE \_\_\_\_\_

NAME OF PARTY

BETH Wilson City Clerk 392-4584

EMPLOYEE

32

RE:

Temp. Change Appl. + SCA

① Temp Change - ok REUSE AS follows, items:

A1 = add pld

B1 = 63-2627, not ones listed

B2 = .36 d/s

(B4 = new point on creek)

b4 = YES, use creek water year around

b6 = would use as available water allows, risk is will  
run out of water if can't use temp checkdam

② SCA

visited to Army Corps Boise office same day that  
visited temp. change app.

I will coordinate w/ Corps to get things set  
sorted out.

MICROFILMED

SEP 07 2007

City of Idaho City



**Phillip J. Canody**  
*Mayor*

PO Box 130  
Idaho City, ID 83631

(208) 392-4584

email: [cityfolk@micron.net](mailto:cityfolk@micron.net)

Website: [netnow@micron.net/~cityfolk](http://netnow@micron.net/~cityfolk)

Fax: (208) 392-4285

# CONVERSATION MEMORANDUM

DATE 2/23/07

**FILE**

NAME OF PARTY Phillip Canady (Mayor) & Steve Sanders (Hco Sup't)

EMPLOYEE 52 1392-4910

RE: Office visit to IDAHO City Elk Creek issue

City historically diverted Elk Creek water via 2 "shallow wells" (pipes w/ pumps) in dredged area near creek. Confusing wr/aj records but appears City has at least .36 cfs with 1945 priority from creek. This is reflected in license 63-2827 which incorrectly lists none as pld.

SABA claim 63-15422 lists a same priority & date but correctly shows SBAW P/O. See map.

Maya grew up in El City & recalls fairly large dam + pond on creek at one time several decades ago. Said City used that to ensure its water supply.

Question - with low water year, can city install small check dam of removable burlap in creek to check up the & ensure adequate supply & its pumps?

Is this part of h.r.? except from 'sea'? Part of but not model's sea?

City will v records to see if has divot  
2.36 q's. If so, will file add'l JRA claim.

Call manager w/ dept. response.

MICROFILMED

SEP 07 2001

OR it ~~other~~ to add ple ... got into  
issue & N/A etc ... in it <sup>was</sup>? domestic? domestic? ...

Elk Cr. 2/23/07

| Sequence No | Split Sur Basis | Status | Priority Date | Diversion Rate | Source List | Water Use List           | Owner List                              |
|-------------|-----------------|--------|---------------|----------------|-------------|--------------------------|-----------------------------------------|
| 148 D       | Decreed         | Active | 5/6/97        | 0.05           | ELK CREEK   | IRRIGATION               | A ROSSI (Original Owner), SOUTH BOISE V |
| 4004 A      | Statutory Claim | Active | 9/1/51        | 0.04           | ELK CREEK   | DOMESTIC, IRRIGATION     | BETH A WILSON (Current Owner), CHRISTI  |
| 4004 B      | Statutory Claim | Active | 9/1/51        | 0.04           | ELK CREEK   | IRRIGATION               | ELK CREEK CORP (Current Owner), FRED    |
| 4921        | Statutory Claim | Active | 1/1/60        | 0.04           | ELK CREEK   | IRRIGATION               | ELK CREEK CORP (Current Owner), WINIF   |
| 5002        | Statutory Claim | Active | 1/1/48        | 0.06           | ELK CREEK   | DOMESTIC, IRRIGATION, ST | CINDY BRADLEY (Current Owner), STEVE    |
| 8203        | License         | Active | 9/7/75        | 0.04           | ELK CREEK   | IRRIGATION               | EMER WOOD (Current Owner), KATHLEEN     |
| 15422       | Beneficial Use  | Active | 12/17/45      | 0.36           | ELK CREEK   | DOMESTIC                 | CITY OF IDAHO CITY (Current Owner)      |
| 24636       | Beneficial Use  | Active | 1865-01-01    | 0.02           | ELK CREEK   | STOCKWATER               | GARY BOYLE (Representative), GHELETA I  |
| 24637       | Beneficial Use  | Active | 1865-01-01    | 0.02           | ELK CREEK   | STOCKWATER               | GARY BOYLE (Representative), GHELETA I  |
| 24638       | Beneficial Use  | Active | 1865-01-01    | 0.02           | ELK CREEK   | STOCKWATER               | GARY BOYLE (Representative), GHELETA I  |

AJ  
Chms

AJ  
rev 4

WV's

|       |                 |        |            |      |           |                         |                                         |
|-------|-----------------|--------|------------|------|-----------|-------------------------|-----------------------------------------|
| 148 D | Decreed         | Active | 1865-06-01 | 0.05 | ELK CREEK | IRRIGATION              | A ROSSI (Original Owner), SOUTH BOISE V |
| 2136  | License         | Active | 5/16/10    | 25   | ELK CREEK | MINING                  | BOISE BASIN IMPROVEMENT CO (Current     |
| 2202  | License         | Active | 7/16/12    | 15   | ELK CREEK | MINING                  | BOISE BASIN IMPROVEMENT CO (Current     |
| 2262  | License         | Active | 6/12/15    | 15   | ELK CREEK | MINING                  | BUENA VISTA GOLD MINES CO (Current C    |
| 2520  | License         | Active | 5/25/36    | 8    | ELK CREEK | S MINING                | LOUIE E PACKER (Current Owner)          |
| 2627  | License         | Active | 12/25/45   | 0.36 | ELK CREEK | DOMESTIC                | CITY OF IDAHO CITY (Current Owner)      |
| 3473  | License         | Active | 1/6/66     | 0.5  | ELK CREEK | IRRIGATION, RECREATION, | US DEPT OF AGRICULTURE (Current Own     |
| 4004  | Statutory Claim | Active | 9/1/51     | 0.04 | ELK CREEK | DOMESTIC, IRRIGATION    | FRED PROFFER (Current Owner), WINIFRE   |
| 4073  | Statutory Claim | Active | 12/17/45   | 3    | ELK CREEK | DOMESTIC, IRRIGATION    | CITY OF IDAHO CITY (Current Owner)      |
| 4141  | Statutory Claim | Active | 7/18/58    | 0.02 | ELK CREEK | DOMESTIC                | JOHANNA VICTORIA WORBOIS (Current C     |
| 4712  | Statutory Claim | Active | 1864-01-01 | 4    | ELK CREEK | MUNICIPAL               | CITY OF IDAHO CITY (Current Owner)      |
| 5002  | Statutory Claim | Active | 1/1/48     | 0.05 | ELK CREEK | IRRIGATION, STOCKWATER  | CINDY BRADLEY (Current Owner), STEVE    |
| 8203  | License         | Active | 9/7/75     | 0.04 | ELK CREEK | IRRIGATION              | SYLVAN B WOOD (Current Owner)           |

Additional research info



SD-4110  
INQUIRY

Idaho Department of Water Resources  
Adjudication Remarks Screen

Date: 02/23/01  
Time: 09:16:08

Water Right Number: A63-04073

FIRST PAGE

GEN

WATER TAKEN FROM 2 SHALLOW WELLS ADJACENT TO ELK CR.  
PRIORITIES ARE 12-17-1945 OF .36 CFS & 1-10-1965 OF 3.0 CFS.  
THE PRIORITY OF 12/17/1945 FOR .36 CFS WAS A STATUTORY CLAIM  
FILED WITH THE PRIORITY OF 1/10/1965 FOR 3.0 CFS. THEY HAVE  
FILED 1 STATUTORY CLAIM PREVIOUSLY. THEY HAVE FILED A SEPARATE  
CLAIM IN THIS ADJUDICATION FOR THE EARLIER PRIORITY; HENCE THE  
REASON THE PRIORITY WAS CHANGED ON THIS CLAIM TO 1965.  
ITEM 5 CONT'D-DIAMETER 31 1/2" +/- 1". MULTIPLE STAGE  
CENTRIFUGAL PUMPS.  
WELLS ARE CLOSE TO CREEK AND USED FOR FILTERING SYSTEMS..  
IDAHO CITY IS A MUNICIPALITY OPERATING AS A WATER UTILITY.  
ACTUAL ACRES IRRIGATED=30  
ALSO A CHANGE FROM PREVIOUS CLAIM IN POU.  
ALSO RECEIPT NO. W2987 FOR ADDITIONAL \$10.00  
SEE A63-15422

(GOLD4=Prev Screen) (GOLD6=End of Data)  
(GOLD5=Next Screen)

(Enter=Exit)  
(GOLD8=Cancel)

SD-4104  
INQUIRY

Idaho Department of Water Resources  
Adjudication Screen 2

Date: 02/23/01  
Time: 09:16:58

Water Right Number: A63-04073

2. Priority Date: 1/10/1965

3. Source:

Trib:

4. Point of Diversion::

| TWP | Range | Sect | 1/4 | 1/4 | 1/4 | Lot | PoD<br>Flag | County<br>Code | County<br>Name |
|-----|-------|------|-----|-----|-----|-----|-------------|----------------|----------------|
|-----|-------|------|-----|-----|-----|-----|-------------|----------------|----------------|

5. Description of Diverting Works:

THE CITY HAS TWO WELLS W/APPROX. EQUAL DIMENSIONS 15' 9",----

6. Water Uses:

| Use Code | Description | From<br>/ | To<br>/ | CFS (and/or) AFA |
|----------|-------------|-----------|---------|------------------|
|----------|-------------|-----------|---------|------------------|

7. Total Diversion Rate:

3.000

8. Total Diversion Volume:

9. Consumptive Use:

Kilowatts:

(Enter=Exit)

(GOLD8=Cancel)

✓  
July 18, 1951

Re: Permit No. 19741

Mrs. Anne Peck  
Village Clerk  
Idaho City, Idaho

Dear Mrs. Peck:

We enclose License and Certificate of Water Right issued under Permit No. 19741, confirming the right of the Village of Idaho City to the use of 0.36 second foot of water from Elk Creek, with priority of December 23, 1945, point of diversion being in the NE $\frac{1}{4}$  NW $\frac{1}{4}$  Section 26, Township 6 North, Range 5 East, B.M., and the water to be used for domestic water supply for the Village of Idaho City.

We also enclose Departmental Receipt No. 23552 for the \$5.00 fee paid in connection with this proof.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

A:bh  
Enc.

19741

✓  
June 19, 1951

Re: Permit No. 19741

Mrs. Anne Peck  
Village Clerk  
Idaho City, Idaho

Dear Mrs. Peck:

We now have on file the report of our Field Engineer on examination for beneficial use under Permit No. 19741.

Therefore, upon receipt of the statutory fee of \$5.00, a License will be issued for 0.38 second foot or 18 inches of water from Elk Creek, for domestic use for the Village of Idaho City.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

A:bh

19741



U.S. Motor 5hp.  
1 ph. 220v. 1800 rpm  
405348 = serial

Pump = Fleming Mueller  
centrifugal  
Size 8 Cap 155 g.p.m.  
100' h. 1750 rpm  
6463 = serial

4" line x 15' then 6"  
main line

43<sup>II</sup> when tank is full.

Pump in a wooden  
bld. 10' x 18' x 8' gable roof  
concrete floor. Requires  
heat in winter time

Form 23

Water tank in a 42000 gal.  
war surplus tank  
steel 21' d x 16' h.  
stands on hill in East  
portion of town.

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION

BOISE

REPORT OF ENGINEER

PERMIT NO. 19741

REPORT ON PROOF OF Beneficial use

app. 2 c.f.s.

19' water  
9 138  
9  
65

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

Permit No. 19741This proof is for Beneficial use In Water District No. \_\_\_\_\_1. Name of applicant Village of Idaho City, Idaho City, Idaho2. Source of water supply: Elk Creek, a tributary of More's Creek3. Location of point of diversion: Is in the NE  $\frac{1}{4}$  NW  $\frac{1}{4}$  of Section 26T. 6 N. R. 5 E. County of Boise

4. Describe works as they exist, giving dimensions and capacities of same. The creek bed has been placer mined, thus the reason for using culvert pipes in places. Water is diverted from Elk Creek thru an 18" x 30" culvert pipe into an open ditch. Goes thru an other culvert pipe before reaching the pond. There is an overflow for by-pass around the pond approx. 100 yds. above forest service headquarters. A 6" C.I. pipe leads from the pond directly into the well. Same is screened. Pond is approx. 20' x 40' x 4' deep. Water is pumped into town water mains and on thru into a storage tank located in NE part of town on hill. Tank is 21' d. x 16' h. is war surplus. Water mains are 6" d.. Well is 40" d. x 16' deep. Pump house is over well. Wood const, with corrugated roof (galv) size 10' x 18' x 8' h. Uses a heating stove in winter.

5. Water is used for: Domestic water supply for Village of Idaho City.6. State whether or not water has been turned into works of diversion: yesInsufficient capacity as now being operated.

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):

Village of Idaho City, in SE  $\frac{1}{4}$  NW  $\frac{1}{4}$  and NE  $\frac{1}{4}$  SW  $\frac{1}{4}$  Section 26, Township 6 North,Range 5 East, B. M.Used for domestic and irrigation of lawns and gardens. Village population is approx. 300 people.

Motor is U. S., 5 hp., 1 phase, 220 v., 60 cycle, 1800 rpm., No. 405 348  
Pump is a Deming Mueller Centrifugal Size 8, capcy 155 gpm., 100' head, 1750rpm  
Serial 6463. Pipe from pump is 4" d. then 6" mains.

Gage is ~~43 lbs~~ when tank is full 43 lbs.

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

8. What large stream would the water here appropriated finally reach? Boise River via Mores CrRemarks: This system is used also for fire protection for the town.They intend to move the well and increase the capacity of the whole system.This examination was made on the 16 th day of June, 1951(Signed) E. N. Humphrey Examiner.

19741

# 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.

Village of Idaho City  
Idaho City, Idaho  
Permit No. 19741

Examination for Beneficial use

County Boise

26

6 N - 5 E

Q = 2 cfs

S = Elk Cr.

Sd = 1400' for NE NW 5 26

6 N. 5 E

in NE NW

to face a well for  
dom. water supply.

Well is dug in tailings  
of Elk Cr.

RECEIVED  
JUN 18 1951  
Department of Reclamation,

40

Almost due N & S line.  
Take water out of Elk Cr  
Then 18" culvert pipe x 30' long.

Overflow is 26' x 6' located  
Approx. 100 yds above Forest  
Service Hdy. in Idaho City  
Then another culvert 16" d. x 50'  
Forest Service line  
Then 16" corrugated culvert  
from same system for  
irrigation across road  
to Hg. approx 200'

6" c.f. pipe screened lead  
from pond to pump.

Pond is approx. 20' x 40' x 4' deep

Well is 40" d. & 16' deep  
Pipe from pond enters & down

19741

August 21, 1950

Village of Idaho City  
Idaho City, Idaho

Gentlemen:

We are referring your letter to the State Department of Health, who are more competent to give advice on domestic water supplies than we are.

The Department of Reclamation has an appropriation for aid in small project investigations which is not necessarily limited to irrigation - and on application, will be glad to run lines and profiles from your proposed new source of supply, but will not be able to design your works.

We have not as yet been able to make an inspection on your proof of beneficial use under Permit No. 19741, but our field engineer will contact you at the time the inspection is made, or we will be glad to have you call at the office at anytime.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer

MRK:bh

CC: State Department of Health.

19741

January 18, 1950

Re: Permit No. 19741

Mrs. Anne Peck  
Village Clerk  
Idaho City, Idaho

Dear Mrs. Peck:

We acknowledge receipt of corrected depositions of yourself and two witnesses, submitted in Proof of Beneficial Use under Permit No. 19741.

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

We are unable to say just when this examination will be made as this Department has but one Field Engineer who makes examinations all over the State.

However, the Field Engineer for this Department will try and contact someone on the premises at the time he makes the examination in order that they may arrange to show him over the grounds.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

A:bn

19741

# Affidavit of Publication

STATE OF IDAHO ) ss.  
County of Boise  
T.R. Adams

XXXXXXXXXX

Duane R. Alters, being duly sworn, deposes and says:  
That he is the publisher of the IDAHO MOUNTAINEER 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 circulation 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 news-

paper once a week for ...four.... consecutive weeks in the regular and entire issue of every number of said paper during the period and time of publication, and was published in the newspaper proper and not in a supplement. Such notice was published in the issues beginning

with Dec. 8....., 1949.. and ending with the issue of Dec. 29....., 1949..

Fees \$...12.50

T.R. Adams

Subscribed and sworn to before me this 7<sup>th</sup>.....

day of January, 1950

Katherine M. Brogan  
Notary Public Residing at Idaho City, Idaho  
Clerk District Court

My Commission Expires ..... 194.....

By Pileen Mathis  
her deputy

## NOTICE FOR PUBLICATION

### NOTICE OF PROOF

#### APPLICATION OF WATER

##### TO BENEFICIAL USE

Notice is hereby given that at 10:00 A. M. on the 30th day of December 1949, at Idaho City, County of Boise, State of Idaho, before Katherine M. Brogan, Clerk of the District Court, proof will be submitted of the application to beneficial use of two cubic feet per second of the waters of Elk Creek, a tributary of Mores creek in accordance with the terms and conditions of Permit No. 19741 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and post office address of the person or corporation holding said permit are Village of Idaho City, Idaho.

The use to which said water has been applied is domestic water supply for the Village

The amount applied to beneficial use is two cubic feet.

The place where said water is used on land owned by the Village of Idaho City, which is the SE 1/4 of the NW 1/4 of the SW 1/4 of Sec. 26 T. 6. N. R. 5 E. B. M..

The name of the canal or ditch or other works by which said water is conducted to such place of use is private ditch

The right to take water from such works is based upon Permit No. 19741.

The source of supply from which such water is diverted is Elk Creek a tributary of More's creek.

The date of priority which said user is prepared to establish is December 25, 1945.

MARK R. KULP  
State Reclamation Engineer  
Pub. Began Dec. 8 to Dec. 29, 49

19741

19741

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

RECEIVED  
JAN 14 1950  
Department of Reclamation

Permit No. 19741

## Proof of Application of Water to Beneficial Use

### Deposition of Holder

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

Ans. Anne Peck - Idaho City, Idaho - Clerk and Treasurer for the  
VILLAGE OF IDAHO CITY, IDAHO; P. O. Address Box 28, Idaho City, 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. VILLAGE OF IDAHO CITY, IDAHO - (Authorized as Clerk and Treas.) (Anne Peck)

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

Ans. Permit No. 19741 - December 17, 1945

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

Ans. is 1400 feet distant in a southeasterly direction from the northwest  
corner of Section 26. Twp. 6 N. R. 5 E., and is in the NE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of said Sec. 26.

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

Ans. Consists of a 24 inch pipe - 36 ft. long which passes through an embankment  
on the east side of Elk Creek. The amount of water is regulated by a piece of  
sheet iron which is used as a gate, and from the end of the pipe there is a  
ditch about 500 ft. in length which empties into a dredge pond, and from there  
enters into 3 other dredge ponds, seepage supplying water for a well.

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. Water is used for domestic purposes for the Village of Idaho City, and is used  
in the SE $\frac{1}{4}$  of the NW $\frac{1}{4}$ , and the NE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Sec. 26, Twp. 6 N. R. 5 E.

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

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

19741

1974

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

Ans. Two (2) second feet of water

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

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

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

Ans. Used from date of first permit Dec. 17th, 1945 - Two (2) second feet  
used continuously.

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. None

(Sign) \_\_\_\_\_

Aune Peck

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 Idaho City, County of Boise,

State of Idaho, on this 30<sup>th</sup> day of Dec, A. D. 1949.

My commission expires \_\_\_\_\_

John M. Doogan  
Chief Deputy Clerk

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

PERMIT NO. 19741**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. Harry Palmer, age 57. Residence, Idaho City, Idaho. County Treasurer

Ques. 2. Are you acquainted with ANNE PECK, the holder of Permit No. 19741? How long have you known <sup>her</sup> ~~him~~ and where does she reside?

Ans. For ten years - Residence: Idaho City, Idaho

Ques. 3. Have you read or heard read said Permit No. 19741, and are you familiar with its provisions and conditions?

Ans. Yes

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

Ans. Elk Creek; Diversion is 1400 feet distant in a southeasterly direction from the northwest corner of Section 26 Twp. 6 N. R. 5 E., and is in the NE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of said Sec. 26. Installation of 24 in. pipe 36 ft. long and ditch to point of use.

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

Ans. Two (2) second feet

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

Ans. Domestic use for Village of Idaho City

19741

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

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

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

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

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

Ans. No.

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

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

(Signed) Harry Palmer

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 Idaho City

County of Boise, State of Idaho, on this 30 day of December

A. D. 19 49

My commission expires \_\_\_\_\_

Frederic M. Dugan  
Notary Public.

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

PERMIT NO. 19741

## 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. Fred T. Peck, age 68 - Res: Idaho City, Idaho - miner.  
P. O. address: Box 28, Idaho City, Idaho

Ques. 2. Are you acquainted with ANNE PECK, the holder of Permit No. 19741? How long have you known <sup>her</sup> ~~him~~ and where does he reside?

Ans. 20 years. Res: Idaho City, Idaho

Ques. 3. Have you read or heard read said Permit No. 19741, and are you familiar with its provisions and conditions?

Ans. Yes

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

Ans. Elk Creek; Diversion is 1400 feet distant in a southeasterly direction from the northwest corner of Section 26, Twp. 6 N. R. 5 E., and is in the NE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of said Sec. 26. Installation of 24 in. pipe 36 ft. long, and ditch to point of use.

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

Ans. Two (2) second feet.

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

Ans. Domestic use - Village of Idaho City

19741

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

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

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

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

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

Ans. No  
\_\_\_\_\_

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

Ans. Witnessed work installed.  
\_\_\_\_\_  
\_\_\_\_\_

(Signed) Fred T. Puck

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 Idaho City

County of Boise, State of Idaho, on this 30<sup>th</sup> day of December

A. D. 1919

My commission expires \_\_\_\_\_

William M. Morgan  
Notary Public.

✓  
January 10, 1950

Re: Permit No. 19741

Village of Idaho City  
Anne Peck, Village Clerk  
Idaho City, Idaho

Dear Mrs. Peck:

We are sorry to have to return the depositions in Proof of Beneficial Use under the above numbered Permit, as they are not acceptable in their present form.

Form No. 16 should be executed by yourself, in behalf of the Village of Idaho City. In other words, Question 1 should state your own name and Question 2 should state that you are acting in behalf of the Village.

The witnesses' depositions on Form 17 should state whether or not they are acquainted with you, as the statement that they are acquainted with the Village of Idaho City is more or less meaningless.

We enclose another set of forms for your use in case you find that more convenient than correcting the ones which are returned herewith.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

A:bh  
Enc.

19741

# State of Idaho

## DEPARTMENT OF RECLAMATION BOISE

### INSTRUCTIONS

#### PROOF OF BENEFICIAL USE OF WATER

JAN 10 1950  
Department of Reclamation

Re: Permit No. 19741  
Village of Idaho City

BOISE, IDAHO, December 20, 1949.

Mrs. Katherine M. Brogan,  
County Recorder  
Idaho City, Idaho

DEAR ~~SIR~~ Mrs. Brogan:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 19741

#### DEPOSITION OF PERMIT HOLDER, DEPOSITIONS OF TWO WITNESSES.

In submitting this proof the following instructions should be CAREFULLY followed out, since failure to do so may result in the loss of rights:

1. On December 30, 1949, the date set for proof, the enclosed forms (one for permit holder and one each for two disinterested witnesses) should be filled out and sworn to, at Idaho City, Idaho before Katherine M. Brogan, County Recorder

2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice.

When these have been received, together with report of the examining engineer, if everything is properly executed, you will be further advised as to fees due, etc., before certificate is issued.

Yours truly,

Jan. 9, 1950

MARK R. KULP

Encls. 1 Permit Holder Proof of Application  
2 Proof of Application by witnesses  
1 Affidavit of Publication

~~Commissioner of Reclamation~~  
State Reclamation Engineer

Anne Peck, Clerk  
Village of Idaho City

19741

19741

December 15, 1949

Idaho Mountaineer  
Idaho City, Idaho

Gentlemen:

Your issue of December 8, 1949, contains Notice of Proof of Beneficial Use to be made on December 30, 1949 on Permit No. 19741 of the Village of Idaho City.

We note two corrections which we will ask you to kindly make in the subsequent issues, as follows:

1. The name "Mark R. Kulp" should be above his title of State Reclamation Engineer.
2. The name "Anne Peck, Clerk" should not appear in the notice.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

A:bb

19741

STATE OF IDAHO     )  
                              :   ss.  
County of Boise    )

On this 2nd day of December in the year 1949, before me,  
Katherine M. Brogan, Clerk of the District Court in and for  
the County of Boise, State of Idaho, personally appeared *John P. Gorman*  
Ann Peck, Clerk of the Village of Idaho City, Idaho, known  
to me to be the person whose name is subscribed to the  
within instrument, and acknowledged to me that she executed  
the same.

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

*Katherine M. Brogan*  
\_\_\_\_\_  
Clerk of the District Court  
County of Boise, State of  
Idaho.

19741

STATE OF IDAHO     )  
                              :     ss.  
County of Boise    )

On this 2nd day of December in the year 1949, before me,  
Katherine M. Brogan, Clerk of the District Court in and for  
the County of Boise, State of Idaho, personally appeared *John P. Gorman*  
*E. Gorman* Ann Peck, Clerk of the Village of Idaho City, Idaho, known  
to me to be the person whose name is subscribed to the  
within instrument, and acknowledged to me that she executed  
the same.

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

*Katherine M. Brogan*  
\_\_\_\_\_  
Clerk of the District Court  
County of Boise, State of  
Idaho.

19741

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

Date: December 5, 1949

Re: Permit No. 19741

Idaho Mountaineer

Idaho City, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to December 30, 1949 the date set for proof, the expense of the publication to be paid by the applicant, Village of Idaho City of

, 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.

Very truly yours,

MARK R. KUIP

State Reclamation Engineer

By

Chief Clerk

19741

Form 10

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

Notice is hereby given that at 10:00 A. M. on the 30th day of December, 1949,  
at Idaho City, County of Blaine, State of Idaho, before  
Catherine Morgan, Clerk of the District Court, proof will be submitted of the  
application to beneficial use of Two cubic feet per second of the waters of Elk Creek, a tributary  
of More's creek in accordance with the terms and conditions of Permit No. 19741  
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

Village Of Idaho City, Idaho

The use to which said water has been applied is domestic water supply for village

The amount applied to beneficial use is two cubic feet

The place where said water is used (if for irrigation, give full and accurate description of the  
lands irrigated) on land owned by the Village Of Idaho City, which is the SE $\frac{1}{4}$  of the NW $\frac{1}{4}$   
NE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Sec. 26 T. 6. N. R. 5. E. B. M.

The name of the canal or ditch or other works by which said water is conducted to such place of  
use is private ditch

The right to take water from such works is based upon Permit No. 19741

The source of supply from which such water is diverted is Elk creek a tributary of  
More's creek

The date of priority which said user is prepared to establish is Dec. 25, 1945

Mark R. Kulp  
State Reclamation Engineer.

John R. Gorman  
Chairman, Trustee  
Anne Pegu-Olsen

19741

✓  
December 5, 1949

Re: Permit No. 19741

Anne Peck  
Village Clerk  
Idaho City, Idaho

Dear Madam:

Reference is made to Notice of Beneficial Use Proof to be made under Permit No. 19741.

Since this Notice did not state the time and place where this proof was to be made, or name the Notary Public or other official, we have filled it in, setting the date at 10:00 A.M. December 30, 1949, proof to be made before Katherine M. Brogan, Clerk of the District Court.

Of course it is now too late to have the four publications prior to December 22, which is the date this proof is due, so we have set the earliest possible date for making this proof, December 30, 1949, which will allow 4 weeks publication if publication starts this week. In order to save time, we are enclosing a copy of this Notice with letter addressed to the Idaho Mountaineer, which we will ask you to take to the Mountaineer Office, if the date we have filled in this Notice is satisfactory to you.

Very truly yours,

MARK H. KULP  
State Reclamation Engineer  
By

Chief Clerk

A:bh  
Enc.

19741

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) December 2nd. 1949

(P. O.) Idaho City, 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

The Idaho Mountaineer of Idaho City, Idaho published in  
the county in which the works are situated.

*John F. Gorman - Chairman Justice*  
*by: Anne Beck - Clerk*  
*Village of Idaho City, Idaho*

(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.

19741

S T A T E   O F   I D A H O

D E P A R T M E N T   O F   R E C L A M A T I O N

Boise, Idaho

October 4, 1949

Village of Idaho City

Idaho City, Idaho

Dear Sir:

We enclose herewith blank notice for proof of application of water to beneficial use under your Permit No. 19741. 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 December 22, 1949, 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,

W. H. KIP

State Reclamation Engineer

19741

✓  
November 17, 1948

Re: Permit No. 19741

Village of Idaho City  
Idaho City, Idaho

Attention: Anne Peck  
Clerk

Dear Madam:

We enclose Certificate of Completion of Works issued under your Permit No. 19741 for the diversion of two (2) second feet of water from Elk Creek for domestic water supply for the Village of Idaho City.

We also enclose Departmental Receipt No. 21018 for the \$5.00 fee paid in connection with completion of works proof.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

A/gt  
Encls.

19741

Permit No. 19741

STATE OF IDAHO  
Department of Reclamation

# Proof of Completion of Works

## AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Boise

ss.

Anna Peck, Village Clerk of the Village of Idaho City, being first duly sworn, upon his oath deposes and says:

First: That he is the holder and owner of Permit to appropriate the Public Waters of the State of Idaho, No. 19741, and that his postoffice address is Idaho City, State of Idaho.

Second: That the name of the stream which said water is to be ~~directed~~ is Elk Creek, tributary of Mores Creek.

Third: That the point of diversion of said water is 1400 feet distant from the NW corner of Section 26, and in the NE 1/4 NW 1/4 Section 26, Twp 6 N., Range 5 E. B.M.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by December 22, 1948.

Fifth: That the use for which said water is intended is domestic water supply.

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

I. Kind of works: ditch and 36 feet of pipe - Feeder to city water system.  
(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work:

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

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir acre feet.

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

(d) Conduit width at bottom feet, width at water line.  
(State whether ditch, flume or pipe)

feet, depth of water feet; diameter of pipe 6 & 4 inches, average grade per mile is feet. Length of conduit is miles. 36 feet of pipe

Seventh: That said works are capable of conducting to the place of intended use 2.0 second feet of water.

Eighth: That water appropriated under said permit is available for acres of land described as follows: Domestic village water supply.

Ninth: Remarks: That Works have been completed according to terms of said permit.

Anna Peck, Clerk  
(Sign Here)

Subscribed and sworn to before me this 15th day of October, 1948

My commission expires

Notary Public.

19741

**State of Idaho**  
**DEPARTMENT OF RECLAMATION**  
**BOISE**

**INSTRUCTIONS**

**PROOF OF COMPLETION OF WORKS**

Village of Idaho City  
C/o Fred T. Peck, Village Clerk  
Idaho City, Idaho  
Dear Sir:-

Boise, Idaho September 30, 1948

Under the terms of your permit No. 19741 ----- you are required to complete your diversion works on or before December 22, 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 H. KUTP

State Reclamation Engineer

19741

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

Permit No. 19741

Date December 29, 1945

Dear Sir:

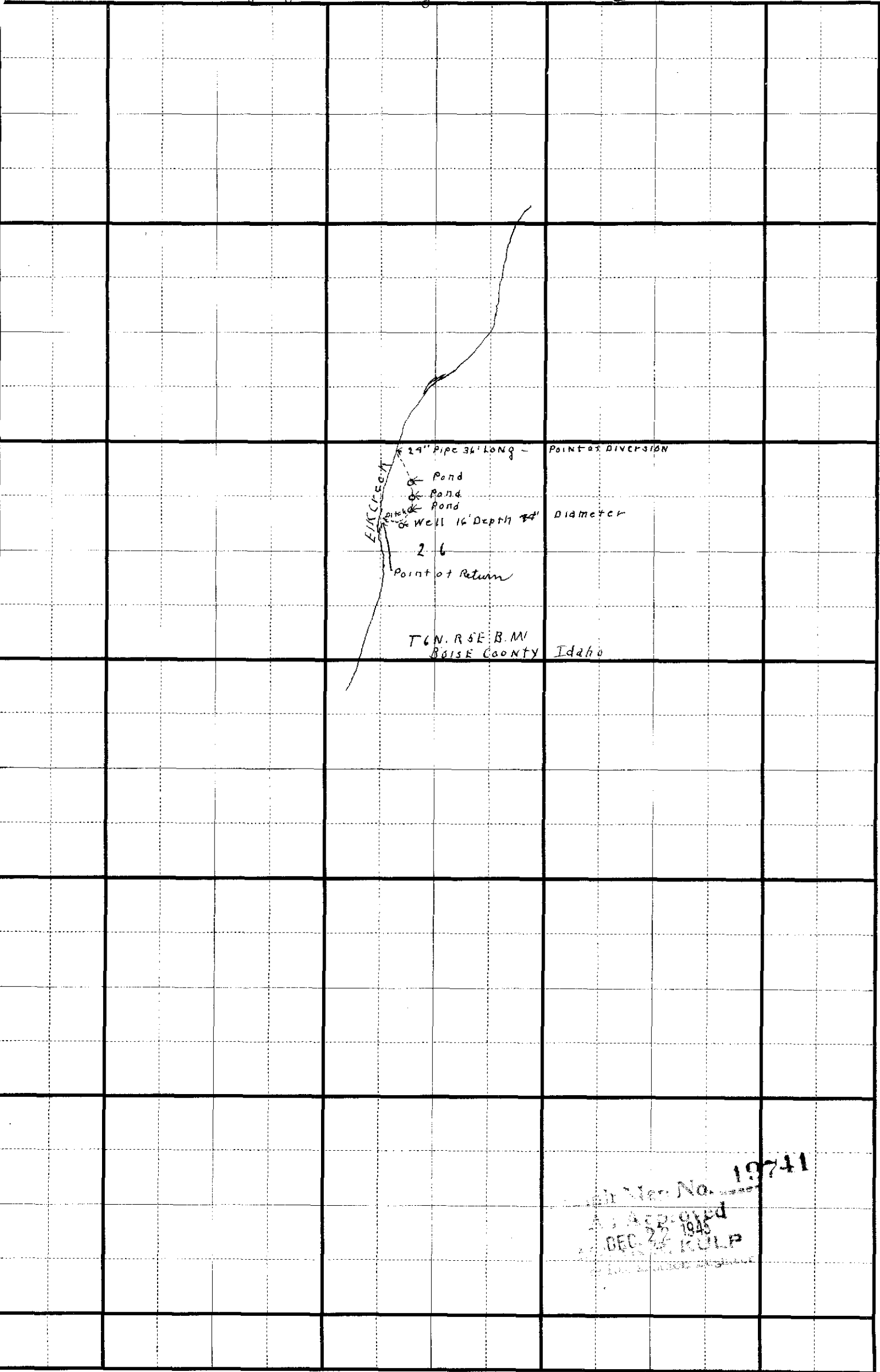
We enclose herewith the above numbered permit. BE SURE AND  
NOTE LIMITATIONS AND CONDITIONS OF SAME as given under approval of the  
State Reclamation Engineer, on the fourth page.

MARK A. KULP

Village of Idaho City  
c/o Fred T. Beck, Village Clerk  
Idaho City, Idaho

State Reclamation Engineer

19741



Arnold Williams  
XXXXXXXXXXXX

December 20, 1945

Re: Application No. 27274

Mr. Fred T. Peck  
Village Clerk  
Idaho City, Idaho

Dear Mr. Peck:

The above numbered application  
is again returned, with the request  
that you kindly sign same, on the  
line indicated on the third page of  
same.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

A  
Incl.

Chief Clerk

19741

Arnold Williams  
XXXXXXXXXXXX

December 17, 1945

Re: Application No. 27274

Mr. Fred T. Peck,  
Village Clerk,  
Idaho City, Idaho

Dear Mr. Peck:

We acknowledge receipt of the application of the Village of Idaho City for permit to appropriate Two (2) second feet of water from Elk Creek, to be collected in a well, for domestic water supply; also money order for the \$5.25 filing fee, Departmental Receipt # 19263 for which is enclosed herewith.

We are returning the application for your signature on the line indicated on the third page.

Also please answer Question 13- giving the additional time you will require, if any, for making beneficial use of the water applied for.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

A  
Encls.

19741

GOLD MINING

\*

LUMBERING

\*

HUNTING

\*

FISHING

# Village of Idaho City

Dec. 14. th. 1945

IDAHO CITY, IDAHO

State of Idaho Department Of Reclamation  
Boise, Idaho

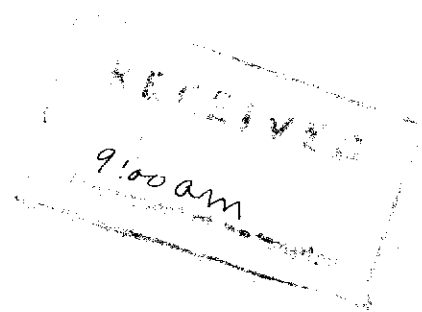
Dear sir:

Enclosed find money order for \$5.25. Last summer the village dug a well and installed a pumping plant which connects up with thier water mains, this water is all used for domestic purposes.

The bed of Elk creek where this well is located is about 1000 feet wide, three years ago when we had the high water here, the channel was changed over to the west side so the town would not be washed out and a embankment about 24 feet was built, this dryed up most of the seepage, and to protect our well we are asking for this water right, the ditch and pipe are already dug and installed, but this next summer we will have to install a head gate with wings and perhaps lower the pipe in the embankment. The ditch is about 75 feet north of the well and gives us enough seepage to supply the well.

Very truly yours

Fred T. Peck  
Village clerk



19741

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

Notice is hereby given that at 10:00 A. M. on the 30th day of December 1949, at Idaho City, County of Boise, State of Idaho, before Katherine M. Brogan, Clerk of the District Court, proof will be submitted of the application to beneficial use of two cubic feet per second of the waters of Elk Creek, a tributary of Mores creek in accordance with the terms and conditions of Permit No. 19741 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and post office address of the person or corporation holding said permit are Village of Idaho City, Idaho.

The use to which said water has been applied is domestic water supply for the Village

The amount applied to beneficial use is two cubic feet.

The place where said water is used on land owned by the Village of Idaho City, which is the SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  NE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Sec. 26 T. 6. N. R. 5 E. B. M..

The name of the canal or ditch or other works by which said water is conducted to such place of use is private ditch

The right to take water from such works is based upon Permit No. 19741.

The source of supply from which such water is diverted is Elk Creek a tributary of More's creek.

The date of priority which said user is prepared to establish is December 25, 1945.

MARK R. KULP

State Reclamation Engineer  
Pub. Began Dec. 8 to Dec. 29, 49

12-22-49/19741

# NOTICE FOR PUBLICATION

## NOTICE OF PROOF

### APPLICATION OF WATER

#### TO BENEFICIAL USE

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State Reclamation Engineer  
MARK R. KULP

~~ANNE PECK, Clerk~~

Pub. Began Dec. 8 to Dec. 29, 49

19741