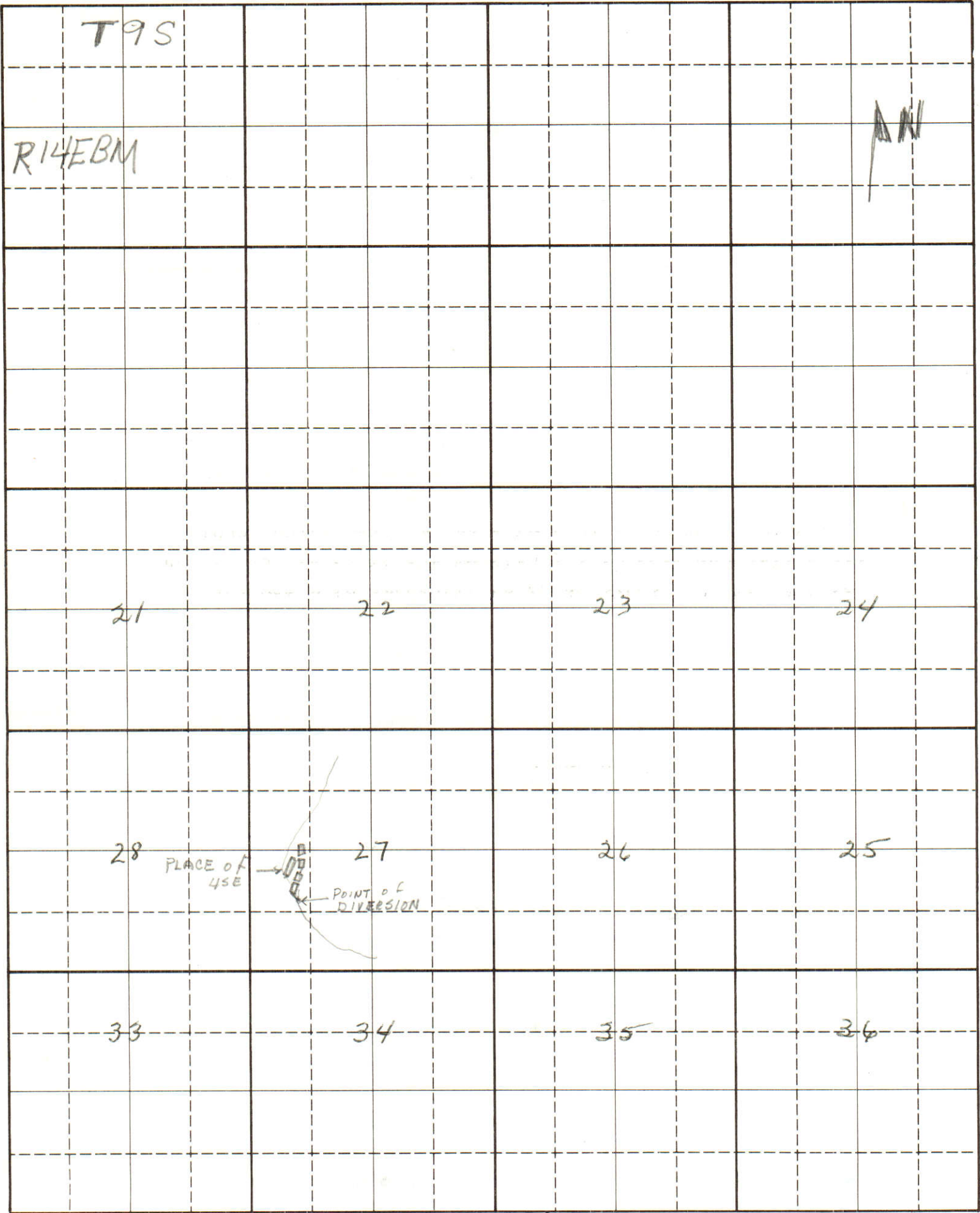


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

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.

Max Olson
(Applicant)

47 7138

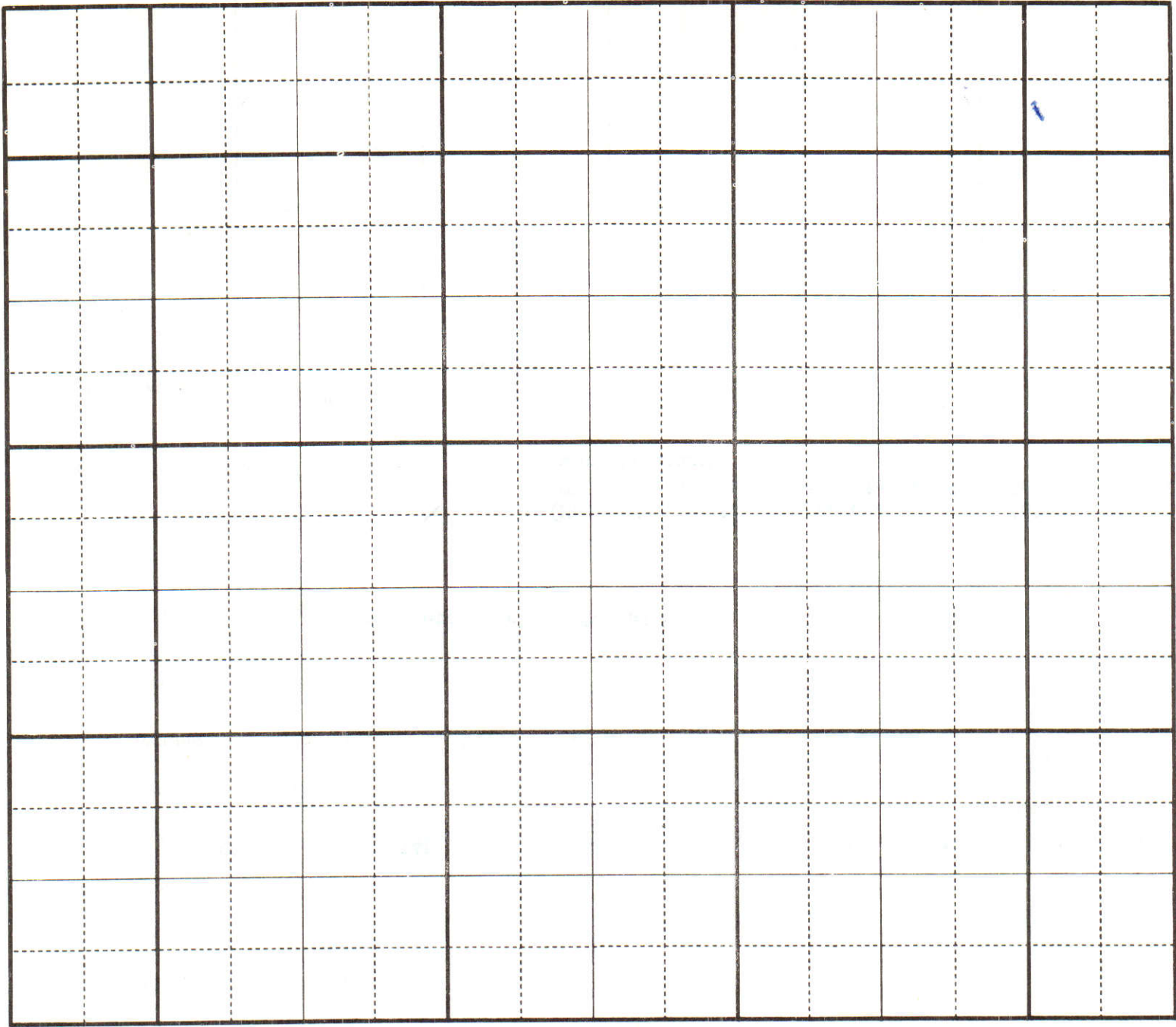
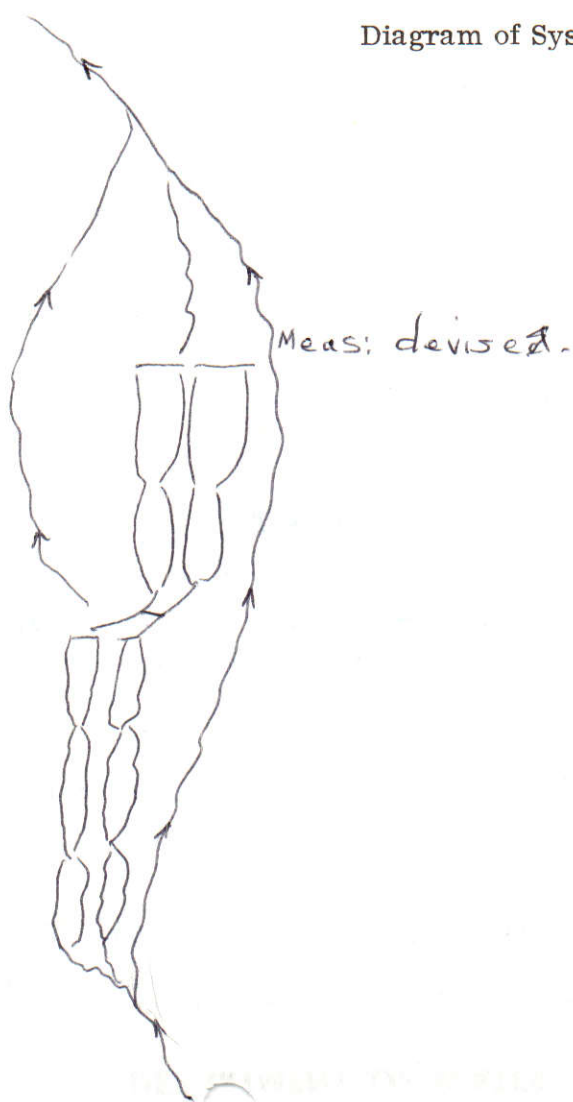


Diagram of System



AFFIDAVIT of PUBLICATION

RECEIVED

APR 10 1972

Department of Water Administration

STATE OF IDAHO
County of Twin Falls

ss.

I, **Robert E. Bailey**, do solemnly swear that I am the printer and editor of **THE BUHL HERALD**, a weekly newspaper of general circulation, published once each week at Buhl, Idaho; that the notice attached hereto was published in said newspaper two consecutive weeks, the first publication having been made on the 30th day of March, 1972, and the last publication having been made on the 6th day of April, 1972; that said notice was published in the regular and entire issue of every number of the paper during the period and time of publication, and that the said notice was published in the newspaper proper, and not in the supplement thereof.

That said newspaper has been printed and published continuously in **Buhl, Twin Falls County, Idaho**, for a period of more than 78 weeks prior to the first publication of the attached notice.

Robert E. Bailey

Subscribed and sworn to before me this

7th day of April, 1972

Lois D. Matthews

Notary Public.

Buhl, Idaho

Residing at

January 1, 1973

My Commission Expires

Legal Department

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Max Olson, Route No. 3, Buhl, Idaho, has on March 21, 1972, submitted Application No. 47-7138 for a permit to appropriate 16.0 cubic feet per second of water from an unnamed stream, tributary of the Snake River by means of dam, headgates, and ditch within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 27, T. 9S, R. 14E, B.M., Twin Falls County to be used from Jan. 1 to Dec. 31 for fish propagation purposes within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 27, T. 9S, R. 14E, 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 Administration, Statehouse, Boise, Idaho, 83707, on or before April 17, 1972.

R. KEITH HIGGINSON
Director

Published in the Buhl Herald, Buhl, Idaho, on March 30 and April 6, 1972.
(12t2)

47 7138

MAX OLSON
Route# 3
Buhl, Idaho 83316

RE: Application for Permit
No. 47-7138

NW 1/4, SW 1/4 SEC 27
T. 9 S. R. 14 E BM

Main diversion dam is of concrete, 8" thick, 8' wide, 3' deep

Other diversions are also of concrete and about same size.
Diversion ditch to facility is 24" concrete

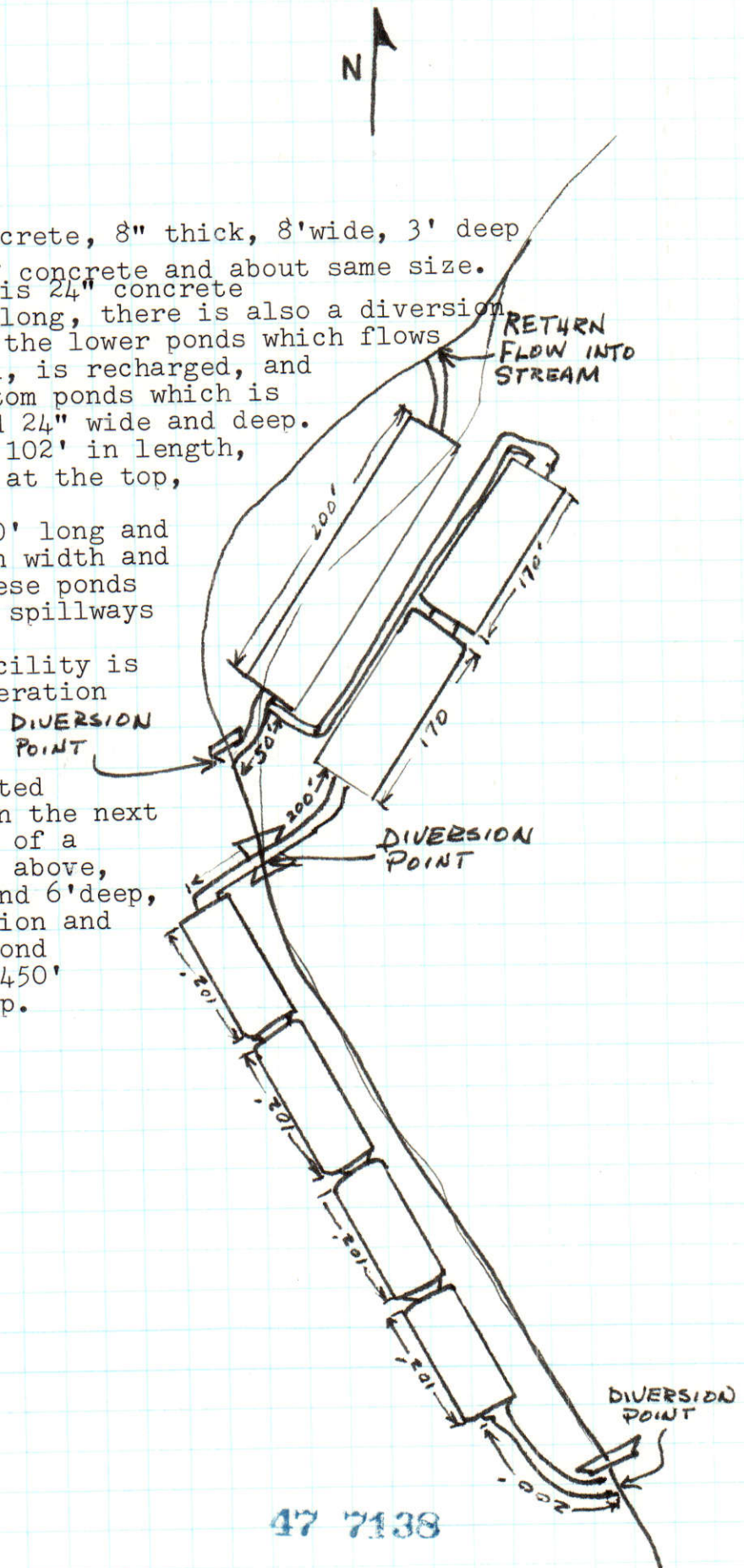
diversion ditch to facility is 24" concrete ditch approximately 200 ft. long, there is also a diversion ditch from the top ponds to the lower ponds which flows back into the stream channel, is recharged, and then flows into the two bottom ponds which is approximately 200' long, and 24" wide and deep.

The top three ponds measure 102' in length, 20' in width at bottom, 24' at the top, and are about 6' in depth.

The two bottom ponds are 170' long and about the same dimensions in width and depth as the top ponds. These ponds are earth ponds with cement spillways on the ends.

The above portion of the facility is complete and has been in operation since May of 1970. **DIVERSION**

The bottom diversion and ponds have not been constructed but will be completed within the next two years. It will consist of a diversion the same as those above, a pond 200' long 30' wide and 6' deep, and ditches from the diversion and from the tail of the last pond of concrete, approximately 450' total, and 24" wide and deep.



47 7138

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 47-7138 Priority March 21, 1972 Amount 11.33 cfs

THIS IS TO CERTIFY, that MELVIN M. MELTON
of Salmon, Idaho, has complied with the terms and conditions of Permit
No. 47-7138 issued pursuant to Application for Permit dated March 21, 1972,
and has submitted proof to the Department of Water Resources on January 9, 1974,
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 11.33 cfs of water from an unnamed stream,
tributary to the Snake River, 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
<u>Fish</u> from <u>Jan. 1</u> to <u>Dec. 31</u> at <u>11.33</u> cfs and <u>n/a</u>			
<u>Propagation</u> from _____ to _____ at _____ cfs and _____			
_____ from _____ to _____ at _____ cfs and _____			

(both dates inclusive)

Subject, however, to the condition that no more than 11.33 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 is 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 NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 27,
Twp. 9 S, Rge. 14 E, B. M. in the County of Twin Falls

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
9 S	14 E	27									X								

Total number of acres irrigated _____

A measuring device of a type approved by this Department shall be permanently
maintained as part of the outlet works.

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, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 10 day of
March, 19 75.

MICROFILMED

Director

LICENSE ISSUED FOR 11.33 CFS. FI.
LICENSE PAGE NO. _____

Identification No. _____

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
APPLICATION FOR PERMIT

APPROVED

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

ASSIGNED TO: MELVIN M. MELTON
SALMON, ID 83467

1. Name of applicant Max Olson
post office address Route 3 Buhl, Idaho 83316
2. Source of water supply unnamed stream which is a tributary of Snake River
3. a. Location of point of diversion is NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 27 Township 9 S
Range 14 E. B.M. Twin Falls County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into unnamed creek at a point in NW $\frac{1}{4}$
of SW $\frac{1}{4}$ of Section 27 Township 9 S Range 14 E. B.M. Twin Falls County
4. Water will be used for the following purposes:
Amount 16 cfs for fish propagation 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)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 16 cfs cubic feet per second and/or
b. none acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. cement, diversion dam, cement ditch to earth fish ponds with cement headgates and check gates.

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 2 years.
b. Estimated construction cost is \$ 3,500.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 27 Township 9 South
Range 14 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 _____.
(5) If water is to be used for other purposes describe: fish propagation in seven ponds, a nonconsumptive use.

47 7138

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

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

c. Describe any other water rights used for the same purposes as described above. none

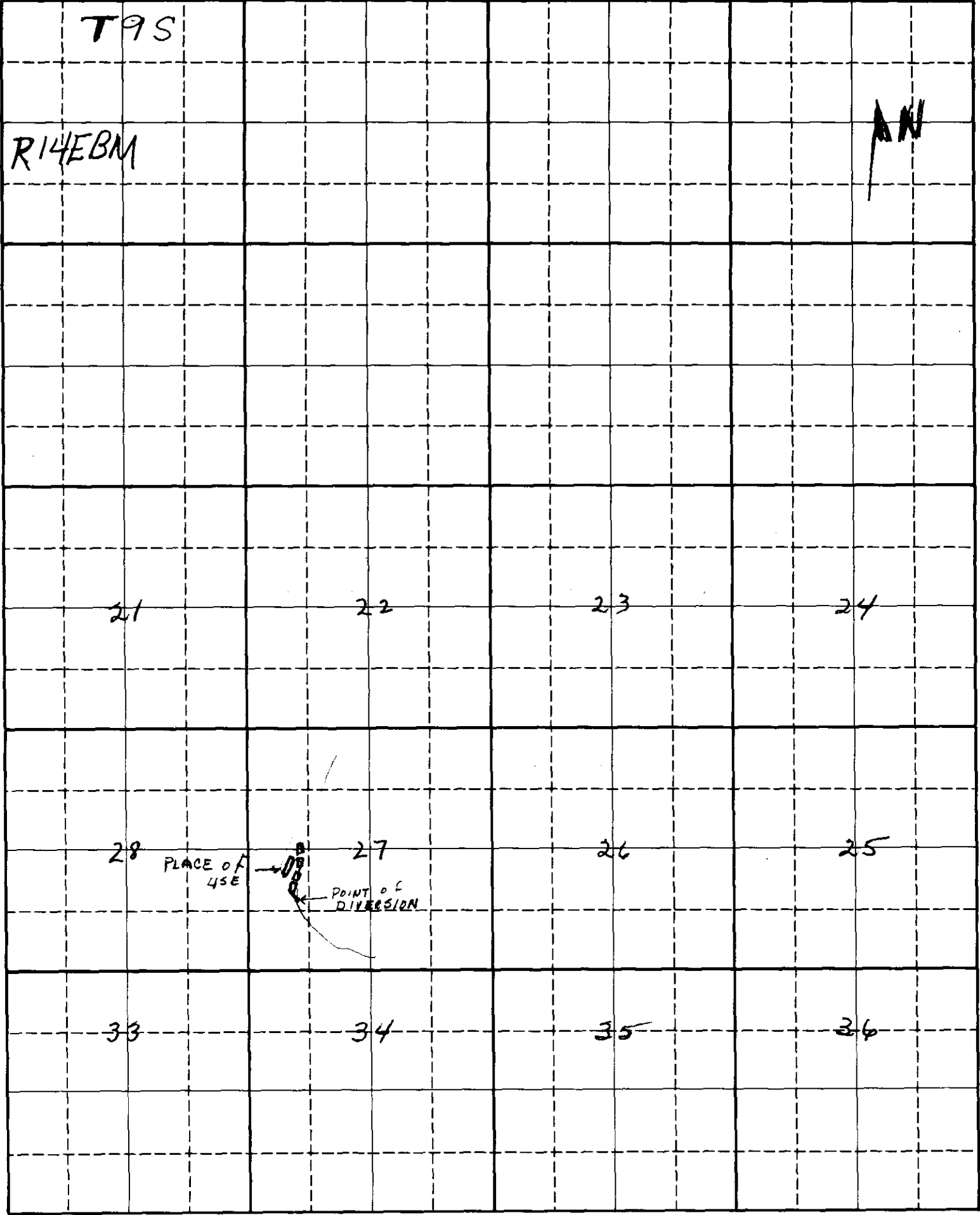
9. a. Who owns the property at the point of diversion Max Olson

b. Who owns the land to be irrigated or place of use Max Olson

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks This water is presently being diverted and placed into beneficial use by applicant by fish propagation purposes since May 1, 1970, which will be shown by a Claim to Water Right applied for in conjunction with this application. Applieant now has six fish ponds in production and purposes to put one more pond into production in the near future.

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

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.

Max Olson
(Applicant)

47 7138

47 7138

Received by WJ Date 3/21/72 Time 10:30 A

Preliminary check by WJ Fee \$ 175.00

Received by WJ Date 3-21-72 init #8206

Publication prepared by CR Date 3-24-72

Published in Buhl Herald

Publication dates 3-30 & 4-6-72

Publication approved CR Date 4-19-72

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by D. B. F.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 47-7138, 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 June 1, 19 74.
- c. Other: Adequate measuring devices of a type approved by this Department shall be permanently installed and maintained as part of the diversion works and outlet works.
Measuring device removed at the inlet works only, pursuant to order of 1/8/74.

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

Witness my hand this 17 day of May 19 72.

L. Keith Higin
Director

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION
OF THE
STATE OF IDAHO

IN THE MATTER OF REMOVAL OF THE MEASURING)
DEVICE REQUIREMENT AT THE INLET WORKS ONLY)
FOR PERMIT NO. 47-7138 IN THE NAME OF)
MELVIN M. MELTON.)

ORDER

WHEREAS, on March 21, 1972, Max Olson applied to the Department of Water Administration for a permit to appropriate 16 cubic feet per second of water from an unnamed stream, tributary to the Snake River, to be diverted within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 27, Twp. 9S, Rge. 14E, B.M., Twin Falls County, to be used for fish propagation purposes; and,

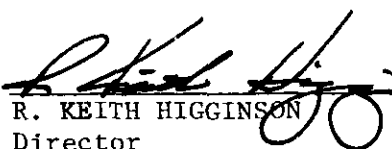
WHEREAS, on May 17, 1972, the Department approved said application and issued Permit No. 47-7138 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before June 1, 1974, and that adequate measuring devices of a type approved by this Department shall be permanently installed and maintained as part of the diversion works and outlet works; and,

WHEREAS, on January 3, 1974, the Department received an assignment from the permit holder thereby assigning all his right, title, and interest, in and to Permit No. 47-7138 to Melvin M. Melton, along with a request for removal of the measuring device requirement at the inlet works only; and,

WHEREAS, it has been determined by the Department that the permit holder has shown just cause to relieve the measuring device requirement at the inlet works;

IT IS, THEREFORE, HEREBY ORDERED that the condition of approval of Permit No. 47-7138 that a measuring device be installed at the inlet works is REMOVED. The permit holder should be aware, however, that the Department will require a measuring device to be installed and maintained at the outlet works.

Dated this 8 day of January, 1974.


R. KEITH HIGGINSON
Director

BDF:JC

47 7138

A S S I G N M E N T

For value received, I hereby assign all of my right,
title and interest in and to Permit to Appropriate the Public Waters
of the State of Idaho, No. 47-7138 to Melvin M. Melton
of Salmon, Idaho.

Max Olson
Permit Holder Max Olson

Wife of Permit Holder

STATE OF IDAHO)
County of Twin Falls) ss.

On this 5th day of September, 1973, before me, a
Notary Public for the State of Idaho, residing at Twin
Falls, personally appeared Max Olson
_____, known to me to be the person whose name
are subscribed to the within instrument, and duly acknowledged to me
that he executed the same.

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

Hemi LeMoigne
Notary Public, Residing at
Twin Falls, Idaho.

My Commission expires June 1, 1977.

If fractional part of permit is to be assigned, the fractional part
of the land to which the assigned fraction is appurtenant should be
described by legal subdivisions.

47 7138

AFFIDAVIT of PUBLICATION

STATE OF IDAHO }
County of Twin Falls } ss.

I, **Robert E. Bailey**, do solemnly swear that I am the printer and editor of **THE BUHL HERALD**, a weekly newspaper of general circulation, published once each week at Buhl, Idaho; that the notice attached hereto was published in said newspaper two consecutive weeks, the first publication having been made on the 30th day of March, 1972, and the last publication having been made on the 6th day of April, 1972; that said notice was published in the regular and entire issue of every number of the paper during the period and time of publication, and that the said notice was published in the newspaper proper, and not in the supplement thereof.

That said newspaper has been printed and published continuously in **Buhl, Twin Falls County, Idaho**, for a period of more than 78 weeks prior to the first publication of the attached notice.

Robert E. Bailey
Subscribed and sworn to before me this 7th day of April, 1972
Ernest J. Matthews
Notary Public.

Buhl, Idaho
Residing at
January 1, 1973
My Commission Expires

Legal Department
NOTICE OF APPLICATION
FOR WATER PERMIT
Notice is hereby given that Max Olson, Buhl, Idaho, has on March 1, 1972 submitted Application for a permit to use one cubic feet per second of water from an unnamed stream, tributary of the Snake River, within the NW 1/4 of Sec. 14E, R. 14E, T. 14N, B. 1E, to be used for fish hatchery purposes within the NW 1/4 of Sec. 14E, R. 14E, T. 14N, B. 1E. This permit will be subject to prior water rights. The permit is being applied for under the provisions of the Idaho Department of Water Administration, Boise, Idaho, and will be before April 17, 1972. **MAX OLSON**
Publisher of the Buhl Herald, Buhl, Idaho. Notice to Max Olson (1242)

March 10, 1975

Re: Permit No. 47-7138

Melvin M. Melton
Box 1023
Salmon, Idaho 83467

Dear Mr. Melton:

Enclosed herewith is a copy of the water license issued on the above referenced permit.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:jfr

Enclosure

Microfilm

February 21, 1975

Mr. Melvin Melton
Box 1023
Salmon, Idaho 83467

Dear Mr. Melton:

A representative of this Department has made an examination of the works covered by your Permit No. 47-7138 and has found the following:

Quantity of water diverted: 11.33 cfs Source: unnamed stream

Amount of water that can be recognized as beneficially used under Idaho law: 11.3 cfs

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

Beneficial use: For fish propagation within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 27,
Twp. 9S, Rge. 14E

Point of diversion: NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 27, Twp. 9S, Rge. 14E, B.M.

Priority date established: March 21, 1972

If you do not concur with these findings, please advise us within 10 days; otherwise a license will be issued as set forth in this letter.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:jr

FIELD REPORT

1. Name of permit holder M. M. Melton (Melvin)

Phone

Person to contact

Phone

2. Source of water supply: Groundwater ☐ Surface water ☒ unnamed stream

Tributary to Snake River (name spring, stream, etc.)

3. Water will be used for the following purposes:

Amount 16 c.f.s. for fish propagation
 AF/Annum (nature of use)

Period of Use: from Jan. 1 to Dec. 31
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses:

Permit No. 47-7138
Examination for b/u

Permit No. 47-7138

4. Total amount to be appropriated:

Max Rate of Diversion 16 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 9S N/S, Range 14E E/W, B.M., Section 27, Subdivision NW $\frac{1}{4}$ SW $\frac{1}{4}$, Twin Falls
County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4 _____
County _____

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4 _____
County _____

Other Points of Diversions:

Description of diverting works: concrete ditch & diversion

Measuring device required: yes ☒ no ☐ (Measuring device was removed for the inlet works ONLY, a measuring device is required for the outlet work however)

Lands to be irrigated or place of use.

6. Lands to be irrigated or place of use.

[illegible]**TOTAL ACREAGE**

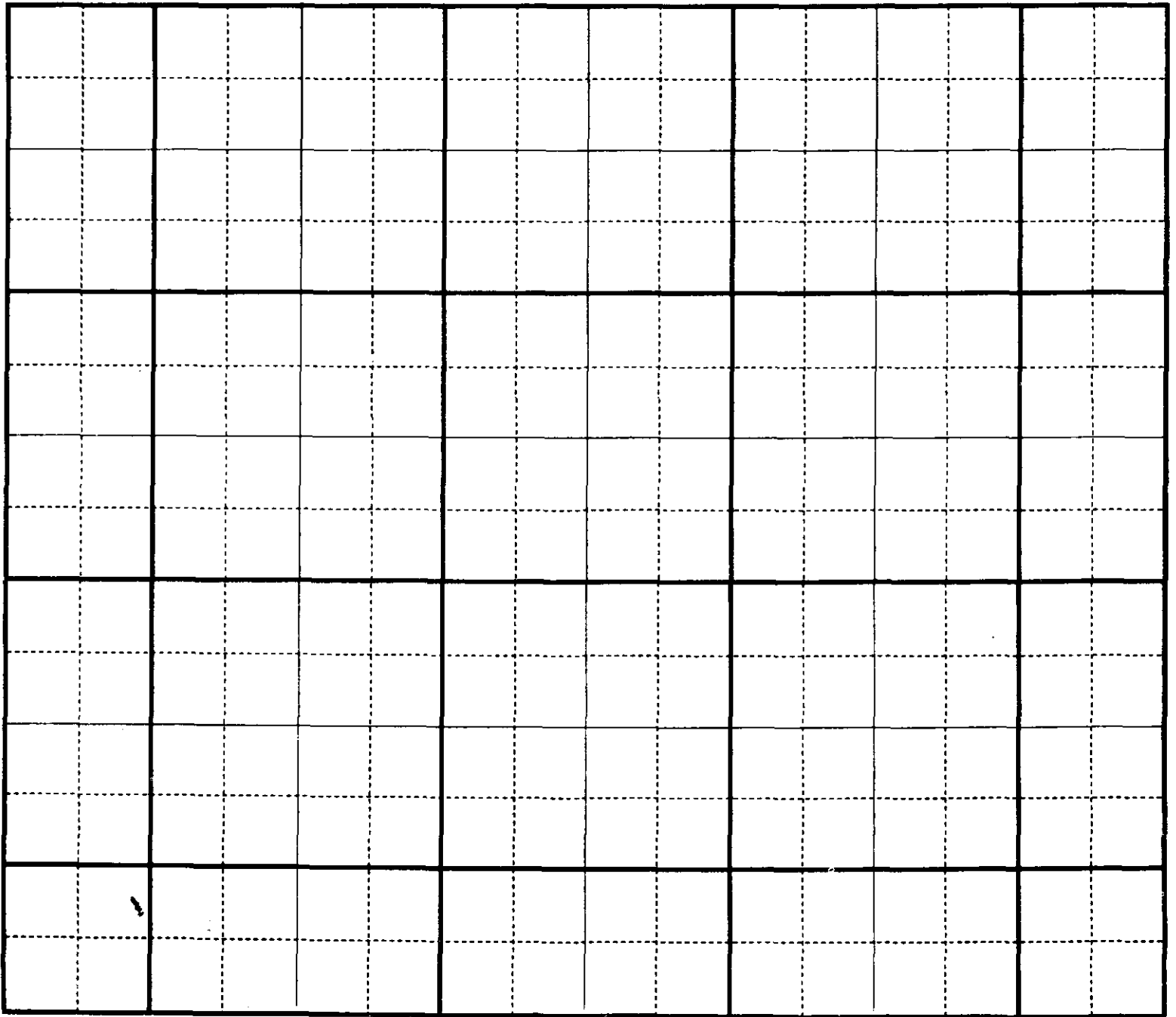
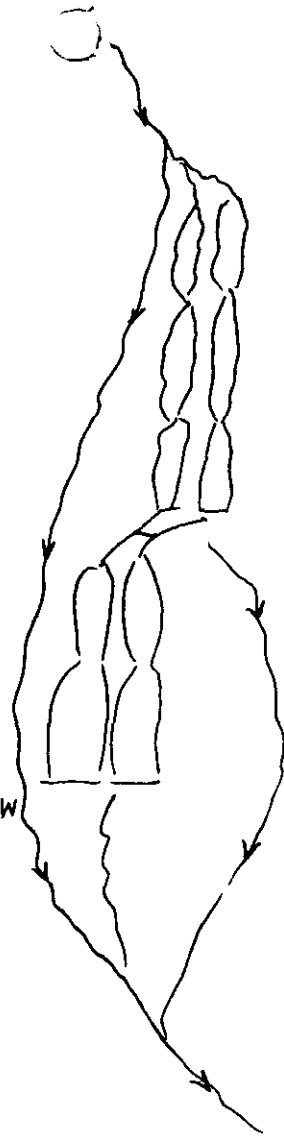


Diagram of System

Mass: 10^{15} g.



DATE OF EXAM 8-19-74

ACREAGE

Found ✓
Recommended ✓

Irrigation Requirement ✓ Ac Ft/Ac

USE

Irrigation Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Fish Propagation Q = 11.33 c.f.s. V = Not Needed for Fish Prop.
from Jan 1 to Dec 31

Is water co-mingled? yes _____ no ✓

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Exchange? yes _____ no ✓

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of injection: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of exchange: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Total Q measured 11.33 c.f.s. Method of measurement (2) Weirs, Cippolletti

Total Q recommended 11.33 c.f.s. Meter No. ✓ Type 4" Condition good

Total V recommended Not Needed

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None _____

MEASUREMENT CALCULATION:

Q = 11.33 c.f.s.
V = Not Needed for Fish Prop.
(2) 4' crest Cippolletti Weirs Reading at .62 and .50 = 11.33 c.f.s.
.62 = 6.57 c.f.s.
.50 = 4.76 c.f.s.

SYSTEM DESCRIPTION:

Water diverts from Source into fish ponds and is
meas. at outlet devices.

REMARKS

all the water was being diverted
to fish ponds.

Examiner's Signature Jay Lunderburg Date 8-26-74

Checked by Bob Hynes Date 8-27-74

Approved by _____ Date _____

FARRY LEMOUNG TO ✓ on max flow time for
MEASUREMENT mls 4-9-74

March 13, 1974

Re: Permit No. 47-7138

Melvin M. Melton
Bmx 1023
Salmon, ID 83467

Dear Mr. Melton:

We acknowledge receipt of the affidavit 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. 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 concerning the field exam, please contact our Southern District Office at 1041 Blue Lakes Blvd., North, Twin Falls, Idaho.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JC

47-7138

Identification No. _____

Permit No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

RECEIVED
JAN 10 1974
Department of Reclamation Administration

1. a) Name of Permit Holder Roger Tracy and M. M. Melton
b) Post Office Address Box 1023, Salmon, Idaho
2. Permit Number 47-7138
3. Date of Priority that you are prepared to establish _____
4. a) Source from which water was appropriated unnamed stream
b) Location of the point of diversion: NW 1/4 SW 1/4, Section 27
Township 9 South, Range 14 East Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
amount 16 cfs for Fish propagation purposes from Jan to Dec. incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 16 C.F.S. cfs and/or acre feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: _____
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: _____
b) Describe the agreement or understanding by which you take water from the works: _____
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) concrete ditch and
diversion
b) Describe the type and size of measuring device which you have installed at your point of diversion: _____
c) Give well drillers name and address and date the well was completed _____

Examined 3/13/74
Examined by _____

47 7138

47 7138

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use fish propogation. The water runs into
earthen ponds and is near Buhl, Idaho.

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
		27																	

Total number of acres irrigated _____

10. Remarks: _____

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

12/13/73
(Date)

Rogers L. Toney
(Signature)

In M. Toney

State of Idaho)
County of Lemhi) ss.

On this 13th day of December, 1973, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Edgar F. Smith
Notary Public residing at Salmon, Idaho

My commission expires Nov. 76

January 8, 1974

Re: Permit No. 47-7138

Melvin M. Melton
Salmon,
Idaho 83467

Dear Mr. Melton:

We acknowledge receipt of the assignment conveying the above referenced permit to you. The assignment has been recorded and the Department's records changed. We have also placed in Claim No. 47-4026 the assignment which shows a change of ownership for this water right.

Enclosed is an Order which removes the measuring device requirement from the inlet works ONLY. Please be advised that the Department will require a measuring device at the outlet works.

If you have any questions concerning this matter, please contact us.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JC
Enclosure

47 7138

RECEIVED

DEC 31 1973

Department of Water Administration
Southern District Office

INTER-DEPARTMENT MEMO — 1

DATE December 26 1973

RECEIVED
JAN 3 1974
Department of Water Administration

FROM

Bob Fleenor

TO

Southern District

SUBJECT Permit No. 47-7138

Permit No. 47-7138 is presently in the name of Max Olson. Any change, such as a request for removal of the measuring device must be made by the permit holder.

Bob

SIGNATURE

47 7138

RECEIVED

1911

1911

Division

In regard to the measuring device requirement on Application No. 47-7138, we are petitioning the Department of Water Administration to waive the measuring device requirement on the inlet of the works. The water is diverted from the stream through a concrete lined ditch to the place of use and no water is lost through seepage. The measuring devices are installed on the outlet works. They are cipolletti weirs and conform to the State standards.

Cecil Le May
Agent for
M. M. Melton &
Roger Tracey

47 7138

INTER-DEPARTMENT MEMO — 1

DATE December 26, 1973

FROM Bob Fleenor

TO Southern District

SUBJECT Permit No. 47-7138

Permit No. 47-7138 is presently in the name of Max Olson. Any change, such as a request for removal of the measuring device must be made by the permit holder.

47 7138

SIGNATURE

RECEIVED

DEC 24 1973

Department of Water Administration

In regard to the measuring device requirement on Application No. 47-7138, we are petitioning the Department of Water Administration to waive the measuring device requirement on the inlet of the works. The water is diverted from the stream through a concrete lined ditch to the place of use and no water is lost through seepage. The measuring devices are installed on the outlet works. They are cipolletti weirs and conform to the State standards.

Carmel LeMayne
Agent for
M. M. Melton &
Roger Tracey

47 7138

May 24, 1972

Re: Permit No. 47-7138

Mr. Max Olson
Route # 3
Buhl, Idaho 83316

Dear Mr. Olson:

Enclosed is a copy of your approved Application for Permit No. 47-7138. 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 the point of diversion and outlet works has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

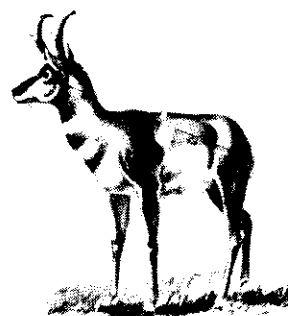
Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enc: Copy of permit
Information letter

bc: Southern District Office

17 7138



CECIL D. ANDRUS, Governor
 COMMISSION
 ROBERT G. KALB, Sandpoint
 PAUL C. KEETON, Lewiston
 JOHN EATON, Cascade
 JACK HEMINGWAY, Sun Valley
 H. JACK ALVORD, Pocatello

IDAHO FISH AND GAME DEPARTMENT

April 17, 1972

JOSEPH C. GREENLEY
 Director

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

Department of Water Administration
 Statehouse - Annex 2
 Boise, Idaho

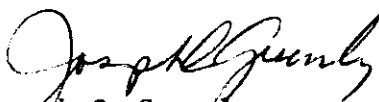
Gentlemen:

Re: Application for Water Permit No. 47-7138(Max Olson)

Our department has no objection to the granting of this permit. Apparently Mr. Olson has already been using this water since 1970 and has six ponds in production. His present plans are to put one more pond into fish production.

Sincerely,

IDAHO FISH AND GAME DEPARTMENT


 Joseph C. Greenley
 Director

cc: Bob Bell

47 7138

ROBERT C. WEAVER

ATTORNEY AT LAW

BUHL, IDAHO 83316

March 29, 1972

State of Idaho
Dept. of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

Dear Mr. Higginson:

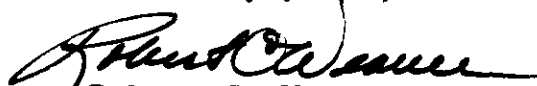
RE; Application for Permit No.
47-7138

Enclosed please find a letter from the banking institution at which Mr. Olson banks, and the copy of the preliminary design showing the size of the facilities.

As shown on the application and the preliminary design the major portion of this facility is already built and has been in use since May of 1970. Mr. Olson has had approximately 16 cfs of water flowing through the facility during that period of time. He has been raising from 50,000 to 100,000 fish in the ponds at a time, and hopes to increase this amount by about 25,000 to 50,000 fish when the large lower pond has been constructed and placed in operation. He has the proper facilities to run that amount of water through his hatchery and it is necessary for the proper growth and health of the fish that that amount of water flows through his ponds.

As far as estimating the construction times, the first part of the construction which has been completed in 1970 began in February of 1970 and was complete in May of 1970. On this amount of construction Mr. Olson has expended approximately \$7,000.00. On the balance of the construction, construction has been started on the diversion in March of 1972 and the lower pond should be completed within 8 months from that date. The cost of this stage of construction will be approximately \$2,000.00. At that time the entire facility will be in operation.

Sincerely yours,


Robert C. Weaver

Enc: 2
RCW/jms

47 7138

The Farmers National Bank

BOX 392

BUHL, IDAHO 83316

March 27, 1972

Mr. R. Keith Higginson
State of Idaho
Dept. of Reclamation
State House, Annex - 2
Boise, Idaho 83707

Re: Max Olson

Dear Mr. Higginson:

Mr. Olson has been a customer of this bank for many years. We have extended him credit at various times which has always been paid as agreed.

He is the owner of real property in the area and a permanent resident. His financial statement on file in our bank indicates a Net Worth of a low-six figured sum.

We feel he is financially responsible and capable of developing several fish ponds.

Sincerely yours,



Shelby Williams
Vice President

SW/jw

47 7138

MAX OLSON
Route# 3
Buhl, Idaho 83316

RE: Application for Permit
No. 47-7138

NW 1/4, SW 1/4 Sec 27
T. 9 S. R. 14 E BM



Main diversion dam is of concrete, 8" thick, 8' wide, 3' deep
Other diversions are also of concrete and about same size.

Diversion ditch to facility is 24" concrete
ditch approximately 200 ft. long, there is also a diversion
ditch from the top ponds to the lower ponds which flows
back into the stream channel, is recharged, and
then flows into the two bottom ponds which is
approximately 200' long, and 24" wide and deep.
The top three ponds measure 102' in length,
20' in width at bottom, 24' at the top,
and are about 6' in depth.

The two bottom ponds are 170' long and
about the same dimensions in width and
depth as the top ponds. These ponds
are earth ponds with cement spillways
on the ends.

The above portion of the facility is
complete and has been in operation
since May of 1970.

The bottom diversion and
pond have not been constructed
but will be completed within the next
two years. It will consist of a
diversion the same as those above,
a pond 200' long 30' wide and 6' deep,
and ditches from the diversion and
from the tail of the last pond
of concrete, approximately 450'
total, and 24" wide and deep.

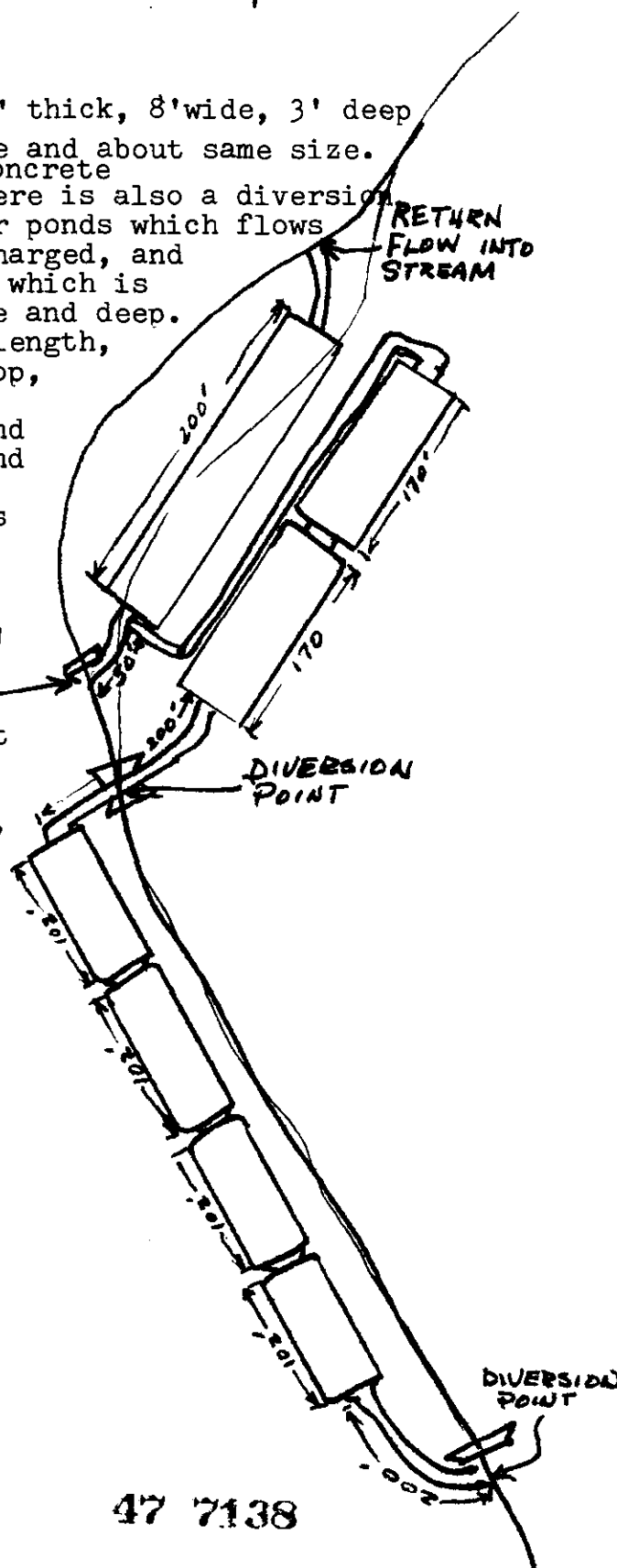
DIVERSION
POINT

RETURN
FLOW INTO
STREAM

DIVERSION
POINT

DIVERSION
POINT

47 7138



STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor
R. Keith Higginson
Director

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215



Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

March 24, 1972

Re: Application for Permit No. 47-7138 - Max Olson

Mr. Ted Biladeau
Engineering Division
Dept. of Fish & Game
Boise, Idaho

Dear Mr. Biladeau:

We are enclosing a copy of an application that may be of interest to your agency. Please review the application and if you have any comments, please submit them to our Department as soon as possible. We normally complete the processing of an application within a 6-week period and we are required to take final action shortly thereafter.

If we may be of further assistance, please contact us.

Very truly yours,


Donald W. McEldowney
Appropriation Supervisor

DWM/BL

Enclosure

47 7138

March 24, 1972

Re: Application for Permit No. 47-7138

Mr. Max Olson
Route #3
Buhl, Idaho 83316

Dear Mr. Olson:

In order to further consider your application for permit, we will require additional information not included with the above referenced application as follows:

1. A letter from a financial institution showing that you are financially able to complete the project as described in the application. (See Section 42-203 of the Idaho Code)
2. A preliminary design of the hatchery facilities, indicating the size of raceways, general layout, the size of pipelines or other diversion works and such other information as will fully describe the method and means of diversion and verify the need for the quantity of water requested.
3. A justification, based upon the preliminary design and the estimated production of the hatchery, for the amount of water requested.
4. An estimated schedule of construction, giving dates for the start of construction, the finish of construction, and the date that full operation of the hatchery is anticipated.

47 7138

Page 2
Max Olson
Re: 47-7138
March 24, 1972

You should be aware that all applications, if approved, will require the installation and maintenance of adequate measuring devices both at the point of diversion and the point of return of the water. These devices must be of a type approved by the Department; they can be of any generally recognized standard measuring device type. You should include the installation of these devices in your preliminary plans for construction.

We would appreciate receiving this information on or before April 24, 1972. Thank you for your cooperation in this matter.

Very truly yours,

Donald W. McElDowney
Appropriation Supervisor

DWM/BL

Enc: Information ltr.

47 7138

March 24, 1972

Re: Application No. 47-7138 - Max Olson
Claim No. 47-4015 - Lenard Easterday, LaRay Easterday,
Ronald Easterday & Elden Easterday,
dba Easterday Farms

Buhl Herald
P.O. Box 312
Buhl, Idaho 83316

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 on 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)

Very truly yours,

Fred Eisenbarth
Appropriation Examiner

FE:CR

Enc: Legal Notices (2)

47 7138

LEGAL

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Max Olson, Route No. 3, Buhl, Idaho, has on March 21, 1972, submitted Application No. 47-7138 for a permit to appropriate 16.0 cubic feet per second of water from an unnamed stream, tributary of the Snake River by means of dam, headgates, and ditch within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 27, T. 9S, R. 14E, B.M., Twin Falls County to be used from Jan. 1 to Dec. 31 for fish propagation purposes within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 27, T. 9S, R. 14E, 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 Administration, Statehouse, Boise, Idaho, 83707, on or before April 17, 1972.

R. KEITH HIGGINSON
Director

Published in the Buhl Herald,
Buhl, Idaho, on March 30 and April
6, 1972.
(12t2)

21.
3-28-72
JK

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Max Olson, Route #3,

Buhl, Idaho

has on March 21, 1972 submitted Application No. 47-7138

for a permit to appropriate 16.0 cubic feet per second ~~more feet per second~~

of water from an unnamed stream, tributary of the Snake River

by means of dam, headgates, and ditch

within the NW¹SW¹, Sec. 27, T. 9S, R. 14E, B.M., Twin Falls County

to be used from Jan. 1 to Dec. 31

for fish propagation purposes

within the NW¹SW¹, Sec. 27, T. 9S, R. 14E, B.M.

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R. KEITH MCGINSON

Director

Published in the Buhl Herald, Buhl, Idaho

on March 30 and April 6, 1972.

47 7138

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2

Boise, Idaho 83707

(208) 384-2215

March 21, 1972



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

Mr. Robert C. Weaver
Attorney at Law
110 N. Broadway
Buhl, Idaho 83316

Dear Mr. Weaver:

Attached herewith is your receipt No. 8206 in the amount of \$ 185.00
for the application for permit and claim to water right submitted in the name of
Max Olson,
which was received in this office.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosure: Receipt

47 7188

ROBERT C. WEAVER

ATTORNEY AT LAW

BUHL, IDAHO 83316

March 17, 1972

State of Idaho
Department of Water Administration
614 West State
Boise, Idaho

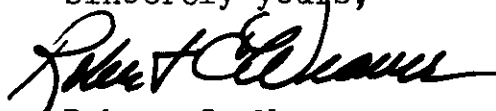
Gentlemen:

Enclosed please find a Claim to Water Right and Application for Permit to Appropriate the Public Waters of the State of Idaho for Mr. Max Olson of Buhl, Idaho.

I am sending both of these applications in at this time to enable Mr. Olson to receive a water license and also to establish a priority date of May 1, 1970, in case there is ever a question about the date of application to beneficial use.

Note { I would appreciate your sending any correspondence regarding either of these claims to this office. I am representing Mr. Olson in this matter. If there is any questions regarding either of these claims, please don't hesitate to write or call me at the above address and telephone number.

Sincerely yours,


Robert C. Weaver

RCW/jms

47 7136