

AFFIDAVIT OF PUBLICATION

OCT 25 1954

STATE OF IDAHO)
County of Clearwater) ss.

Julian Dahl

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

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

Notice of proof application
of water to beneficial use

That said notice of proof

of which the annexed is a full, true and correct printed copy, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for full period of 2 consecutive issues commencing on the 14 day of

Oct., 1954, and ending on the 21 day of Oct. 1954.

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

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

My commission expires June 30, 1956

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

NOTICE IS HEREBY GIVEN that at 10:00 a.m. on the 12th day of November, 1954, at Boise, County of Ada, State of Idaho, before Anna Mastro, Notary Public, at 518 Front St., Boise, Idaho, proof will be submitted of the application to beneficial use of 25 cubic feet per second of the waters of Elk Creek in accordance with the terms and conditions of Permit No. 19713 heretofore issued by the Department of Reclamation of the State of Idaho.

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

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

The amount applied to beneficial use is 25 cubic feet per second.

The place where said water is used Elk Creek Dam Reservoir for storage and maintenance of stream flow below dam in the E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ Section 26, and NE $\frac{1}{4}$ and E $\frac{1}{2}$ NW $\frac{1}{4}$ Section 35, Twp. 40 North, Range 2 East, B.M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is present Elk Creek channel.

The right to take water from such works is based upon Permit No. 19713.

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

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

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

19713

T. 40 N., R. 2 E.

Elk River

Elk River Reservoir

outlet

35

ELK CREEK

Non Consumptive Use
Allow Full Filling.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
County of Clearwater)

Robert D. Werner

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

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

publication of attached copy of
Notice of Publication

That said **Notice**

of which the annexed is a full, true and correct printed copy, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for the full period of **four** con-

secutive issues commencing on the **4th** day of **October**, 195**1**, and ending on the **25th** day of **October**, 195**1**.

Robert D. Werner

Subscribed and sworn to before me this **3rd** day of **December**, 195**1**.

R. W. Merrill

Notary Public in and for the State of Idaho
Residing at Orofino, therein
My Commission Expires Dec. 30, 1954

RECEIVED
DEC 7 1951
Department of Reclamation

LEGAL NOTICES

NOTICE FOR PUBLICATION

NOTICE IS HEREBY GIVEN that at 10:00 a.m. on the 5th day of November, 1951, at Boise, County of Ada, State of Idaho, before Anna Mastro proof will be submitted of the completion of works for the diversion of 25 cubic feet per second of the waters of Elk Creek, a tributary of the North Fork of the Clearwater River in accordance with the terms and conditions of a certain permit heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name of the person or corporation holding said permit is the Idaho Fish and Game Department.

2. The postoffice address of such person or principal place of business of such corporation is 518 Front Street Boise, County of Ada, State of Idaho.

3. The number of such permit is 19713 and the date set for the completion of such work is November 8, 1951.

4. Said water is to be used for propagation of fish and for wildlife purposes.

5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is 25 cubic feet per second.

6. The amount of lands to which said water is available is 91 acres, particularly described as follows: Portions of E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ Sec. 26; the NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 35 all in T. 40 N., R. 2E, of the Boise Meridian, Idaho, which location is the reservoir area.

MARK R. KULP,
State Reclamation Engineer
Oct. 4, 11, 13, 25c

19713

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

NOTICE IS HEREBY GIVEN that at 10:00 a.m. on the 12th day of November, 1954, at Boise, County of Ada, State of Idaho, before Anna Mastro, Notary Public, at 518 Front St., Boise, Idaho, proof will be submitted of the application to beneficial use of 25 cubic feet per second of the waters of Elk Creek in accordance with the terms and conditions of Permit No. 19713 heretofore issued by the Department of Reclamation of the State of Idaho.

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

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

The amount applied to beneficial use is 25 cubic feet per second.

The place where said water is used Elk Creek Dam Reservoir for storage and maintenance of stream flow below dam in the E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ Section 26, and NE $\frac{1}{4}$ and E $\frac{1}{2}$ NW $\frac{1}{4}$ Section 35, Twp. 40 North, Range 2 East, B.M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is present Elk Creek channel.

The right to take water from such works is based upon Permit No. 19713.

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

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

MARK, R. KULP,
State Reclamation Engineer
10-14, 21 c / 0-14-15

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

State of Idaho

License and Certificate of Water Right

Water License No. 12713

Amount 25 second feet

Water District No.

Priority November 3, 1945

THIS IS TO CERTIFY that STATE FISH & GAME DEPARTMENT

of Boise, Idaho

, made application for a permit to appropriate the

public waters of the State of Idaho, dated November 3, 1945; that Permit No. 19713

was issued under said application; that Certificate of Completion of works, with a carrying capacity of

25 second feet, was issued thereunder on November 20, 1952, showing that said works

were completed on the 5th day of November, 1951; and that on the 12th

day of November, 1954,

STATE FISH & GAME DEPARTMENT

of Boise

, State of Idaho

, made proof to the satisfaction of the

State Reclamation Engineer

of Idaho, of the right to use the waters of Elk Creek

, a tributary of no. fork Clearwater / River, for the purpose of propagation migratory fowl and

fish, under Use Permit No. 19713 of the Department of Reclamation

and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,

and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume

9 of Licenses at page 5490, on the 23rd day of May, 1955;

The right hereby confirmed dates from November 3, 1945;

The Point of Diversion is located

in the NW 1/4 SE 1/4, Sec. 26, Tp. 40 N, R. 2 E, B. M. Clearwater 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 25 cubic feet per second.

Description and location of use:

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

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

23rd day of May, 1955.

MARK R. KULP

State Reclamation Engineer.

(SEAL)

APPLICATION FOR PERMIT To Appropriate the Public Waters of the State of Idaho

Application No. 27247
Permit No. 19713
District No.

1. Name of Applicant: STATE OF IDAHO, DEPARTMENT OF FISH AND GAME

Postoffice address: Box 417, Boise County: Ada State: Idaho

I. If applicant is a corporation, give:

- (a) Date and place of incorporation:
- (b) Amount of capital stock:
- (c) Amount paid in:
- (d) Names and addresses of directors:

II. The financial resources of the applicant are:

- (a) Cash on hand:
- (c) Bonds to be issued:

- (b) Treasury stock:
- (d) Other resources:

2. Quantity of water claimed: 25 cubic feet per second.

3. Source of water supply: Elk Creek which is a tributary of North fork Clearwater River

4. Location of point of diversion: 840 feet distant from the centre
corner of Section 26, T. 40 N., R. 2 E., B. M., and is in the NW $\frac{1}{4}$ SE $\frac{1}{4}$
of Section 26, T. 40 N., R. 2 E., B. M., County of Clearwater

5. Water is to be used for Propagation of migratory waterfowl and fish

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

- (a) Point of use of water: See Remarks feet distant from corner of Section
T. , R. , B. M., in the of Section , T. , R. , B. M.
(b) Amount of power generated: H. P., under feet head.
(c) Water is to be returned to at a point feet
distant from the corner of Section , T. , R. , B. M., in the
of Section , T. , R. , B. M.

7. Estimated cost of works: \$ None- present creek channel used

8. Kind of works:

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 feet; width at water line feet; depth of water 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 Three (3) additional years.

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

15. (a) Is reservoir to be used? Yes If so, fill in (b) and (c) below.
 (b) Name of Reservoir and number of Storage Permit: Elk Creek Reservoir- Permit No.R756
 (c) Date of filing of Application for Storage Permit and Name of Applicant: Nov. 3, 1945- State of Idaho, Fish and Game Department

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.

STATE OF IDAHO, DEPARTMENT OF FISH AND GAME *Applicant.*

By John J. Boyle Agent.

Date of first receipt at Department of Reclamation: 11:30 A. M. November 3, 1945

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 19713

Recorded in Book 71 Page 19713 Approved November 8, 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 January 8, 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 May 8, 1947

The whole of said work to be completed on or before November 8, 1948

Beneficial use of water appropriated in accordance herewith, to be made on or before November 8, 1951

Witness my hand this 8th day of November, 1945

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, CHARLES C. GOSSETT, 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 8th.....

day of November, 1945

STATE OF IDAHO

Countersigned:

(SEAL)

By IRA H. MASTERS
Secretary of State.

By CHARLES C. GOSSETT
Governor

Remarks: In order to avoid pollution to impounded waters from all sources and for the refilling of the reservoir after draining, this permit is requested. Water applied for to be used in the reservoir covered by reservoir application filed in connection with this application (Permit No. R-756)

14.

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
			APPROVAL OF STATE RECLAMATION ENGINEER ----- I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, hereby extend the time for completion of construction work under Permit to Appropriate the Public Waters of the State of Idaho, No. 19713 to November 8, 1951. Witness my hand this 8th day of September, 1948. MARK R. KULP State Reclamation Engineer TO ALL WHOM IT MAY CONCERN: CERTIFICATE OF COMPLETION OF WORKS This is to certify that STATE FISH AND GAME DEPARTMENT of Boise, County of Ada, and State of Idaho, the holder of Permit No. 19713, issued upon Application No. 27247 bearing date of priority of November 3, 1945, authorizing the diversion of twenty-five (25) second feet of the waters of Elk Creek, a tributary of the North fork of the Clearwater River, County of Clearwater, State of Idaho, for propagation of migratory water fowl and fish purposes, has fully complied with the provision of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use Twenty-five (25) second feet of the waters of Elk Creek; that the point of diversion of said waters is in the NW$\frac{1}{4}$ SE$\frac{1}{4}$ Section 26, Township 40 North, Range 2 East, B.M. and that the place of use of said water is E$\frac{1}{2}$ SE$\frac{1}{4}$ SW$\frac{1}{4}$ and SE$\frac{1}{4}$ Section 26, Township 40 North, Range 2 East, B.M. NE$\frac{1}{4}$ and E$\frac{1}{2}$ NW$\frac{1}{4}$ Section 35, Township 40 North, Range 2 West, B.M. Witness my hand this 20th day of November, A.D. 1952. E.N. Humphrey Deputy State Reclamation Engineer Proof of completion of works made November 5, 1951. Certificate of completion of works issued November 20, 1952.																

ISSUED FOR 25 SEC. FT.
8. 5490

WATER RIGHT NUMBER 83-2015

ACT
ION

OWNER LAST NAME - STATE OF IDAHO
ADDRESS LINE 1 - DEPT. OF FISH & GAME
ADDRESS LINE 2 - BOX 25
CITY - BOISE
STATE - ID ZIP CODE - 83720
SOURCE - ELK CREEK
STAGE - LICENSE
DIVERSION POINT - NWSE 26 40N 02E
USE - WILDLIFE
PLACE OF USE - TWN 40N RNG 02E SEC 16
USE DIV. RATE - 25.0000CFS
TRACT SESE
TRACT NWSE
TRACT SENE
TRACT SWNE
TRACT SENW
TRIBUTARY OF - CLEARWATER CREEK, NORTH FORK
PRIORITY - 11-03-1945
COUNTY - CLEARWATER
TOTAL DIV. RATE - 25.0000CFS
TRACT NESE
TRACT SWSE
TRACT NWNE
TRACT SENE
TRACT SENW
PLACE OF USE - TWN 40N RNG 02E SEC 15
TRACT NESE
TRACT SWSE
TRACT NWNE
TRACT SENE
TRACT SENW
USE - WILDLIFE
OLD NO. - 19713

WATER RIGHT DATA ENTRY LOG

[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 19713 183-2015
Old No. New No.

Record

1. Original Owner: State of Idaho

Present Owner: _____

2. Address: Dept. of Fish & Game, Box 253. City: Boise State: ID Zip: 837204. A. Source of Water: Elk CreekB. Tributary of: Clearwater Creek, North Fork5. A. Stage (A,P,L,D,S,J): L

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

C. Priority Date: 11-3-1945D. County: 35E. Total Diversion Rate: 25

F. Total Diversion Volume:

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

H. Water District:

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

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

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion	<u>NWSE</u>	<u>26</u>	<u>40N</u>	<u>2E</u>		

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

from _____ to _____ for W purposes. Amount 25
(cfs or AC-FT/yr)

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

8. Use Code: W

9. A. Decree Name:

B. Decree Date:

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

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

12. Other Rights for Same Use:

13. A. Proof Due Date:

B. Date Permit Approved or Denied:

C. Protested Date:

D. Hearing Date:

E. Old Number: 19713

F. Proof Made (P or blank);

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

H. Conditions of Approval:

14. Diversion Means (brief narrative):

May 23, 1955

RE: Permits Nos. 19713 & R-756

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

Gentlemen:

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

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

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hl1
Enc.

19713

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 19743

REPORT ON PROOF OF Beneficial Use

FISH & GAME DEPARTMENT, Boise, Idaho

at 25 c/s

25 c/s
mark

See Completion of Works Report
in file 19713.

$Q = 25$ cfs.

P.D. is given as head of
the pond.

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

Permit No. 19713

This proof is for Beneficial use In Water District No. _____1. Name of applicant State Fish & Game Department, Boise, Idaho2. Source of water supply: Elk Creek, a tributary of north fork Clearwater River3. Location of point of diversion: Is in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 26T 40 N. R. 2 E. County of Clearwater

4. Describe works as they exist, giving dimensions and capacities of same: Rock & earth fill dam 112 yds long x 24' w. on crest. Freeboard 6'. Good rock rip-rap. H. of dam est. 18'. Spillway 16' wide.

5. Water is used for: migratory water fowl and fish propogation

6. State whether or not water has been turned into works of diversion: _____

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

Place of use: Elk Creek Dam Reservoir, in the E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ Section 26, and NE $\frac{1}{4}$ and E $\frac{1}{2}$ NW $\frac{1}{4}$ Section 35, Twp. 40 North, Range 2 East, B. M.

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

8. What large stream would the water here appropriated finally reach? _____

Remarks: _____

*See notes
Sketch on
Report of JFW*

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

Permit No. 19713

Examination for Beneficial Use

County Clearwater

200, 400, 200

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

RECEIVED
MAY 17 1955

Department of Reclamation

✓
December 20, 1954

RE: Permit Nos. 19713 - R-756

Ross Leonard, Director
Department of Fish and Game
Building

Dear Mr. Leonard:

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

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

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

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:cu

19713

STATE OF IDAHO

Department of Fish and Game

COMMISSION
N. F. RAYMER ----- BOISE
RAY SIMS ----- BONNERS FERRY
O. W. MC CONNELL ----- GRANGEVILLE
R. J. HOLMES ----- TWIN FALLS
GLENN STANGER ----- IDAHO FALLS

ROSS LEONARD
DIRECTOR

November 12, 1954

RECEIVED
NOV 12 1954
Department of Reclamation

Mark R. Kulp
State Reclamation Engineer
Department of Reclamation
State House
Boise, Idaho

Dear Sir:

Enclosed herewith are Depositions of Holder and Witnesses
pertaining to Permit Nos. 19713 and R 756.

Very truly yours,

Ross Leonard

Ross Leonard, Director

TDB:bh
Enc:

19713

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 19713

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Ross Leonard, Boise, Idaho, Director of the Idaho Fish and Game Department,
Boise, Idaho

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

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

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

Ans. 19713 Dated November 8, 1945. Date of Priority: November 8, 1945

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

Ans. Elk Creek - Point of diversion is located 840 feet distant from the center of
Sec. 26, T. 40 N., R. 2 E. and is in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 26, T. 40 N., R. 2 E.B.M. in the
County of Clearwater.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined. If sprinkler irrigation, give number and size of nozzles and operating pressure.

Ans. The waters are diverted, to a reservoir for storage, in the natural stream channel
of Elk Creek and are capable of conveying 100 c.f.s. or more from the point of diversion
to the place of use.

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 the propagation of fish and migratory waterfowl and is used
in the reservoir of Elk Creek Dam (Refer Permit No. R-756)

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

Ans. The waters are stored in the reservoir of Elk Creek Dam (Permit No. R-756) and used for the propagation of fish and migratory waterfowl.

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

Ans. 25 cubic feet per second.

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. In 1950 the waters were allowed to be stored in Elk Creek Dam Reservoir and were used to the full extent and have been so used since that date.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

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

(Sign)

R. S. Leonard

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed

and sworn to before me, at my office in Boise, County of Ada,

State of Idaho, on this 12th day of November, A. D. 1954,

Anna Mastro

My commission expires June 1, 1958

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 19713

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

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

Ans. Ivol Sies, Age 49, Residence, Boise, Idaho, Employee, State Fish and
Game Department, Boise, Idaho

Ques. 2. Are you acquainted with Ross Leonard, the
holder of Permit No. 19713? How long have you known him and where does
he reside?

Ans. 6 years. He resides at Boise, Idaho

Ques. 3. Have you read or heard read said Permit No. 19713, and are you
familiar with its provisions and conditions?

Ans. Yes

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

Ans. Water supply: Elk Creek a tributary of North Fork Clearwater River. Place of
diversion: NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 26, T. 40 N., R. 2 E.B.M. To convey the water to place of use
the natural stream channel is used.

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

Ans. 25 cubic feet per second and have seen 25 c.f.s. being so conveyed

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

Ans. Water is used for reservoir storage for the propagation of fish and migratory
waterfowl (Refer to Permit No. R-756) and to maintain Elk Creek flow below the dam.

19713

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

Ans. The waters are stored in the reservoir of Permit No. R-756 and used for the propagation of fish and migratory waterfowl and public recreational use. Full use of the waters have been made.

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. In 1950 through the summer of 1951, I have observed the full use of the waters as specified in Permit No. 19713

(Signed) Lual Liao

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in _____ Boise _____,
County of Ada, State of Idaho, on this 12th day of November,
A. D. 19 54.

Anne Mastro

Notary Public.

My commission expires June 1, 1958

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 19713**Proof of Application of Water to Beneficial Use****Deposition of Witness**

The deposition of two witnesses, on this form, taken separately, required in each case.

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

Ans. T. D. Biladeau, age 43, residence, Boise, Idaho, employee State Fish
and Game Department, Boise, Idaho

Ques. 2. Are you acquainted with Ross Leonard, the
holder of Permit No. 19713? How long have you known him and where does
he reside?

Ans. 6 years. He resides at Boise, Idaho

Ques. 3. Have you read or heard read said Permit No. 19713, and are you
familiar with its provisions and conditions?

Ans. Yes

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

Ans. Water supply: Elk Creek a tributary of North Fork Clearwater River. Place
of diversion: NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 26, T. 40 N., R. 2 E.B.M. To convey the water to place
of use the natural stream channel is used.

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

Ans. 25 cubic feet per second and have seen 25 c.f.s. being so conveyed.

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

Ans. Water is used for reservoir storage for the propagation of fish and migratory
waterfowl (Refer to Permit No. R-756) and to maintain Elk Creek flow below the dam.

19713

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

Ans. The waters are stored in the reservoir of Permit No. R 756 and used for the propagation of fish and migratory waterfowl and public recreational use. Full use of the waters have been made.

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. In 1950 through the summer of 1954, I have observed the full use of the waters as specified in Permit No. 19713

(Signed) _____

G. D. Siladeau

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Boise,
County of Ada, State of Idaho, on this 12th day of November,
A. D. 19 54.

Anna Masters

Notary Public.

My commission expires June 1, 1958

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
County of Clearwater)

Julian Dahl

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

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

Notice of proof application
of water to beneficial use

That said notice of proof

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

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

Oct., 1954, and ending on the 21 day of Oct.

1954.

Julian Dahl

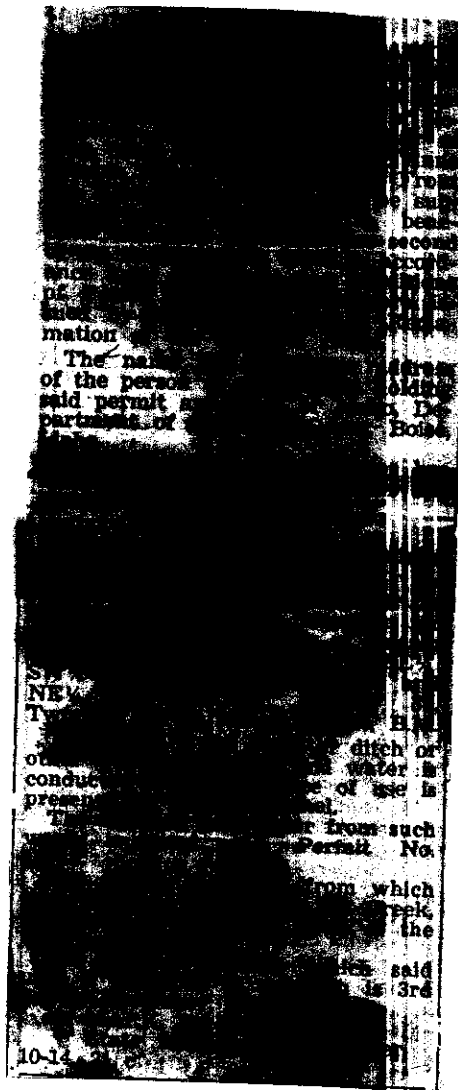
Subscribed and sworn to before me this 21 day

of Oct., 1954.

Walter H. Miller

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

My commission expires June 30, 1956



19713

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Re: Permits 19713 & R.756

Date: **October 11, 1954**

Clearwater Tribune

Orofino, Idaho

Gentlemen:

Enclosed you will find ² notice, for publication once a week for four consecutive weeks prior to **November 12, 1954** the date set for proof, the expense of the publication to be paid by the applicant, **State Fish & Game Department** of **Boise Idaho**, to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice, and furnish this office with a copy of the first publication, in order that we may check same.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

19713

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

Notice is hereby given that at 10:00 A. M. on the 12th day of November, 1954,
at Boise, County of Ada, State of Idaho, before
Anna Marten, Notary Public, at 518 Front St., Boise, Idaho, proof will be submitted of the
application to beneficial use of 25 cubic feet per second of the waters of Elk Creek
in accordance with the terms and conditions of Permit No. 19713
heretofore issued by the Department of Reclamation of the State of Idaho.

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

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

The amount applied to beneficial use is 25 cubic feet per second

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

The name of the canal or ditch or other works by which said water is conducted to such place of use is
present Elk Creek channel

The right to take water from such works is based upon Permit No. 19713

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

The date of priority which said user is prepared to establish is 3rd
9th day of November, 1945

MARK R. KULP

State Reclamation Engineer.

19713



COMMISSION

N. F. RAYMER ----- BOISE
W. GEORGE MOODY ----- CALDER
O. W. MC CONNELL -- GRANGEVILLE
R. J. HOLMES ----- TWIN FALLS
GLENN STANGER --- IDAHO FALLS

STATE OF IDAHO

Department of Fish and Game

218 FRONT STREET BOISE, IDAHO

ROSS LEONARD
DIRECTOR

September 2, 1954

Mr. Mark R. Kulp
State Reclamation Engineer
State House
Boise, Idaho

Dear Sir:

Enclosed herewith are Authorizations for Publication and Notice for Publication, Notice of Proof Application of Water to Beneficial Use, pertinent to Application Permit Nos. 19713 and R 756.

Very truly yours,

Ross Leonard
Ross Leonard, Director

TDB:BH
Enc:

RECEIVED
SEP 3 1954
Department of Reclamation

*Forms given Mr. Biladeau
10/11/54*

19713

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) September 2, 1954
(P. O.) Idaho Fish and Game Department, 518 Front St., Boise, Idaho

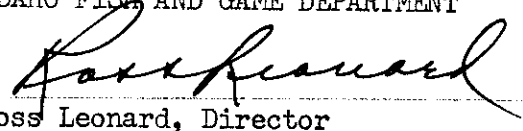
TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

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

IDAHO FISH AND GAME DEPARTMENT


Ross Leonard, Director

(In case of canals or other works designed to divert and carry more than 50 cubic feet of water per second, the following certificate must be signed by a well-known and competent engineer.)

I hereby certify that the facts set forth in the attached notice are true.

Engineer.

19713

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

DEPARTMENT OF RECLAMATION

Boise, Idaho

Department of Fish & Game

September 1, 1954

Building

Dear Sirs

We enclose herewith blank notice for proof of application of water to beneficial use under your Permit No. 19713. This notice should be filled out in duplicate and returned to this office at least 40 days before the date upon which you wish to make this proof, in order to allow time for the four weeks' publication required by law.

This proof must be submitted before a Notary Public or other officer authorized by law to administer oaths.

The date for proof, as set out in your permit, is not later than November 8, 1954, and if proof is submitted later than said date, your priority will be brought down a length of time equal to the time elapsing between the date the proof is due and the date proof is actually made.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

19713

✓
November 25, 1952

RE: Permit No. 19713

State Fish and Game Department
Building

Gentlemen:

We enclose Certificate of Completion of Works issued under Permit No. 19713, for the diversion of 25 second feet of water from Elk Creek, for propagation of migratory water fowl and fish purposes, and point of diversion in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 26, Township 40 North, Range 2 East, B.M.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

19713

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 19713

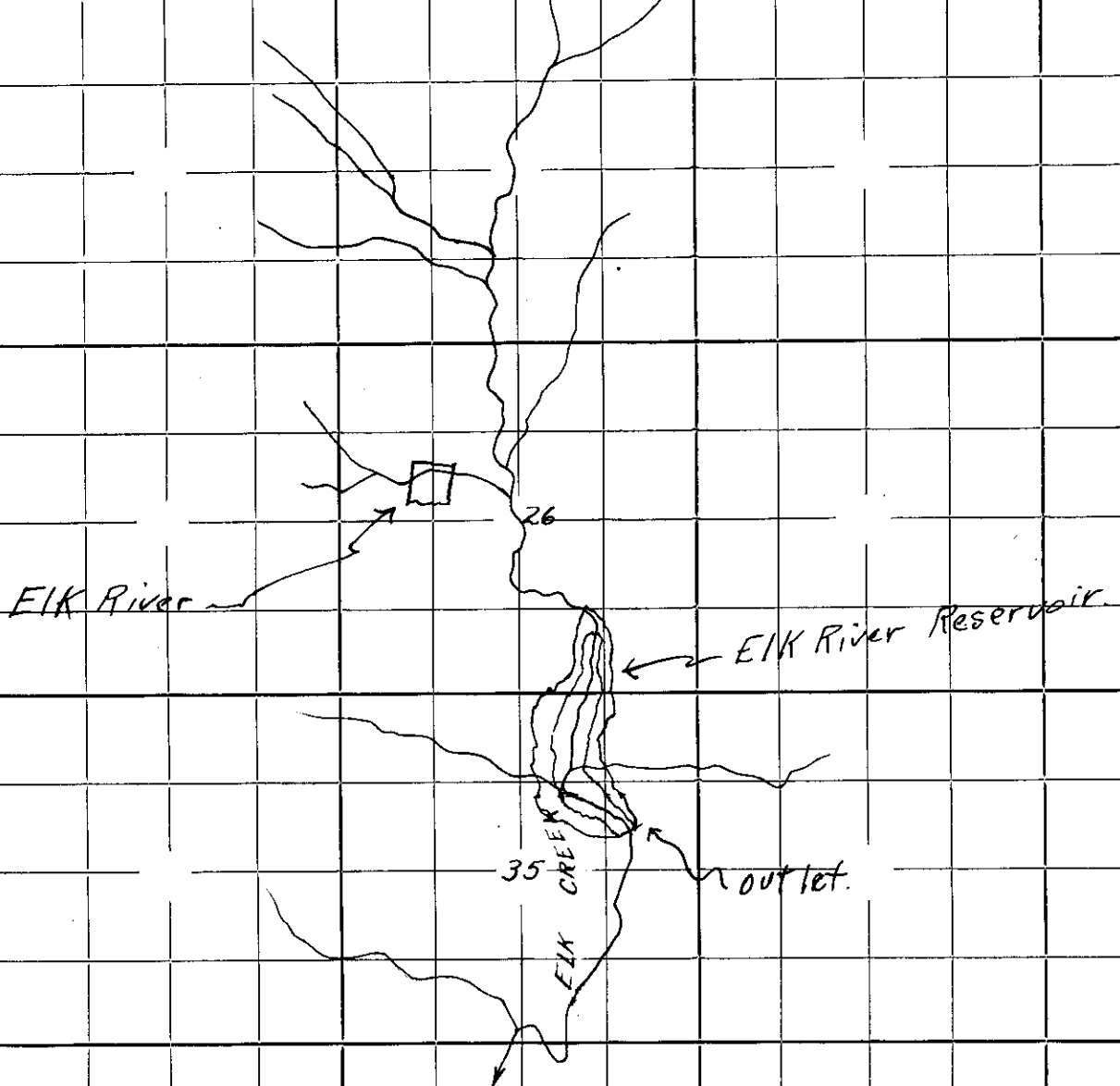
REPORT ON PROOF OF Completion of works

STATE FISH & GAME DEPARTMENT

25215
S. R. R.

25215 C. J. C.

T. 40 N., R. 2 E.



Non Consumptive Use
Allow Full Filing.

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

Permit No. 19713

This proof is for Completion of works In Water District No.

1. Name of applicant State Fish & Game Department, Boise, Idaho
2. Source of water supply: Elk Creek, a tributary of North fork Clearwater River
3. Location of point of diversion: Is in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 26
T. 40 N. R. 2 E. County of Clearwater
4. Describe works as they exist, giving dimensions and capacities of same: Rock & earth fill upstream and partly over old dam. Crest = 112 yds x 24' wide Spillway on N. thru solid rock. Throat of Spillway: approx 16' w. 24' w. at splash boards. 4 I beams to support splash boards. Slopes = 5:1 & 2:1 well rip rapped. Freeboard now 6' can be cut to 4' est. 18' h. of dam. Wood Foot bridge across Spillway 4' w. x 24' l. Sadder on N. end.
5. Water is used for: Propagation of fish and wild life.
6. State whether or not water has been turned into works of diversion: yes
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):
Place of Use: E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ Section 26; E $\frac{1}{2}$ NW $\frac{1}{4}$ Section 35;
Township 40 North, Range 2 East, B. M.

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

8. What large stream would the water here appropriated finally reach? Clear water

Remarks:

Application for this permit was made as a protection of the quality of water. Sawmills upstream might make the water of Elk Creek unsuitable for fish propagation in the Elk River Pond. Theory was that at time of application the water was of excellent quality and that applicant could claim continuance of these conditions even as to quality. MARK 5/18/55

This examination was made on the First day of October, 1952

(Signed) E. H. Humphrey Examiner.

✓
December 7, 1951

RE: Permit No. 19713

State Fish and Game Department
518 Front Street
Boise, Idaho

Gentlemen:

The affidavit of publication in the Clearwater Tribune received today, completes your proof of completion of works on Permit No. 19713.

Before final action is taken however, the law requires that an examination be made by an engineer from this department.

We cannot say just when this examination will be made as this department has but one field engineer who makes examinations all over the State.

However, he will try to contact you at the time the examination is made so that arrangements may be made to show him over the grounds.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg

19713

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
County of Clearwater)

Robert D. Werner

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

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

publication of attached copy of

Notice of Publication

That said **Notice**

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

thereof, for the full period of **four** consecutive issues commencing on the **4th** day of

October, 195**1**, and ending on the **25th** day of **October**

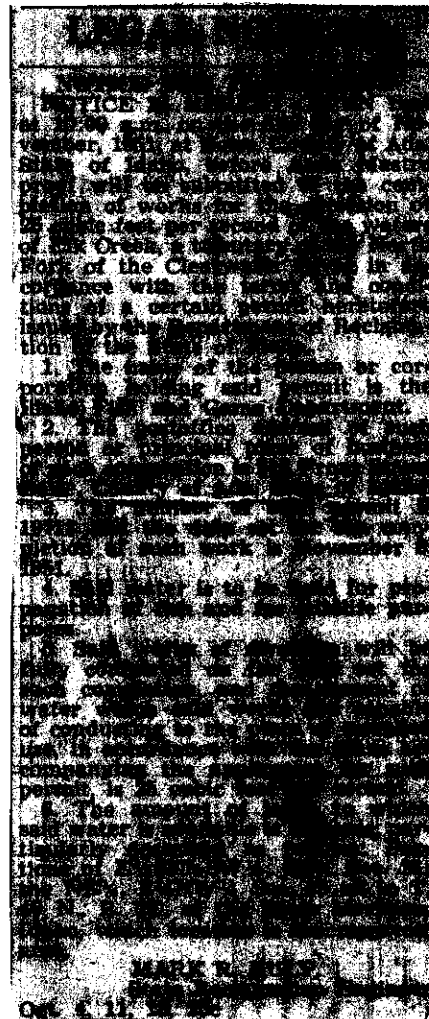
195**1**. *Robert D. Werner*

Subscribed and sworn to before me this **3rd** day of **December**, 195**1**.

R. W. Merrill

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

My Commission Expires Dec. 30, 1954



RECEIVED
DEC 11 1951

19713

PERMIT NO. 19713

RECEIVED
NOV 1951
Department of Reclamation

Proof of Completion of Works

DEPOSITION OF HOLDER

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

Ans. T.D. Biladeau, Biologist, Employee of the Idaho Fish and Game Dept.

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

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

Ques. 3. State number and date of permit, amount of water you are authorized to divert, source, and point of diversion.

Ans. Permit # 19713 dated November 8, 1945, authorizes the diversion of 25 cu. ft. per sec. of the waters of Elk Creek, which diversion point is located in the NW 1/4 Sec. 26, T 40 N, R. 2 EBM, Clearwater County.

Ques. 4. State purpose for which water is to be used, and, if for irrigation, state the number of acres and give description of the land you intend to reclaim.

Ans. Water is to be stored in a reservoir and said storage is to be used in the propagation of fish and wildlife. Said reservoir location is: SE 1/4, E2SE 1/4 SW 1/4, Sec. 26 and NE 1/4, E2 NW 1/4, Sec. 35 all in T 40 N, R. 2 EBM.

Ques. 5. State whether or not the water has been turned into your works of diversion, and, if so, when and to what extent.

Ans. Water was turned into the works of diversion (storage) in the spring of 1951. and was stored to capacity of 915 acre ft.

Ques. 6. State whether or not the works of diversion are fully completed, and whether or not they comply in all respects with the terms of the permit.

Ans. Works have been fully completed and comply in all respects with the terms of the permit.

Ques. 7. If the works of diversion do not comply with all the terms of your permit, state fully those particulars in which there is any variance.

Ans. Refer to #6.

Ques. 8. Give description of works, state dimensions and capacity of each part, and give cost of same.

Ans. A concrete core, earth fill dam which has a length of 350 ft. and a height of 23 ft with 3 to 1 upstream and 2 to 1 downstream slope riprapped with rock-spillway is concrete 30' x 6'. Storage capacity 915 acre feet. Cost -- \$43,750.00.

(Sign here.)

T.D. Biladeau

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, in Boise

County of Ada, State of Idaho, on this 5th day of November A. D. 1951

My Commission expires 6/1/54

Anna Muste
Notary Public.

19713

The Depositions of two Witnesses, in this form, taken separately, required in each case.

Permit No. 19713

Proof of Completion of Works

DEPOSITION OF WITNESS

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

Ans. James C. Simpson, Boise, Fish Culturist, 2127 N. 15th,

Ques. 2. Are you acquainted with T.D. Biladeau, acting for and in behalf of the Idaho Fish and Game Department, the holder of Permit No. 19713, authorizing the diversion of 25 second-feet of the waters of Elk Creek, a tributary of the No. Fk. of Clearwater R., at Elk River for storage purposes? How long have you known him, and where does he reside?

Ans. I have known him for six years and he resides at Boise.

Ques. 3. Have you read or heard read said Permit No. 19713, and are you familiar with its terms and conditions?

Ans. Yes.

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Yes. Reservoir storage and 25 cu. ft. per sec. is believed necessary for proper wildlife propagation.

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use?

Ans. Yes.

Ques. 6. Describe the works of diversion as they now exist, and give your estimate of their capacity.

Ans. A concrete core, earth fill dam capable of storing 915 acre feet of storage water.

(Sign here.)

James C. Simpson

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, at my office in Boise County of Ada, State of Idaho, on this 5th day of November, A. D. 1951

Anna Master

19713

The Depositions of two Witnesses, in this form, taken separately, required in each case.

Permit No. 19713

Proof of Completion of Works**DEPOSITION OF WITNESS**

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

Ans. R. J. Hofmann, Boise, Engineer, 1310 N. 25th, Boise, Idaho

Ques. 2. Are you acquainted with ^{T. D. Biladeau, acting for and in behalf} of the Idaho Fish & Game Department, the holder of Permit No. 19713, authorizing the diversion of 25 second-feet of the waters of Elk Creek, a tributary of the N. Fk. of Clearwater R., at Elk River for storage purposes? How long have you known him, and where does he reside?

Ans. I have known him for two years and he resides at Boise.

Ques. 3. Have you read or heard read said Permit No. 19713, and are you familiar with its terms and conditions?

Ans. Yes

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Yes. Reservoir storage and 25 cu. ft. per sec. is believed necessary for proper wildlife propagation.

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use?

Ans. Yes.

Ques. 6. Describe the works of diversion as they now exist, and give your estimate of their capacity.

Ans. A concrete core, earth fill dam capable of storing 915 acre feet of storage water.

(Sign here.)

R. J. Hofmann

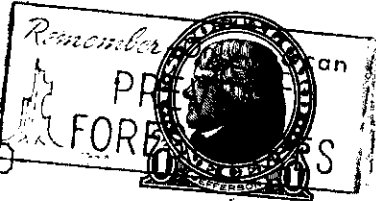
I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Boise County of Ada, State of Idaho, on this 5th day of November, A. D. 1951.

Anna [Signature]

19713

RECEIVED
OCT 4 1951

State of Reclamation



THIS SIDE OF CARD IS FOR ADDRESS

State Reclamation Department
Attn. Jeanne L. Anderson
Boise, Idaho

State Dept. of Reclamation

We acknowledge receipt of notice for
publication for state fish & game dept.

CLEARWATER TRIBUNE
OROFINO, IDAHO

19713

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date: **September 28, 1951**

Re: Permit No. 19713

Clearwater Tribune

Orofino, Idaho

Gentlemen:

Enclosed you will find notice for publication once
a week for four consecutive weeks prior to **November 5, 1951**
the date set for proof, the expense of the publication to be
paid by the applicant, **State Fish & Game Dept.** of **Boise**
Idaho, to whom you should furnish proof of publication on
or prior to the date set for proof.

Please acknowledge receipt of this notice, and furnish
this office with a copy of the first publication.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

By

Chief Clerk

19713

Notice for Publication

Notice is hereby given that at 10:00 A. M., on the 5th day of November, 1951, at Boise, County of Ada, State of Idaho, before Anna Mastro, proof will be submitted of the completion of works for the diversion of 25 cubic feet per second of the waters of Elk Creek, a tributary of the North Fork of the Clearwater River.

In accordance with the terms and conditions of a certain permit heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name of the person or corporation holding said permit is the Idaho Fish and Game Department.
2. The postoffice address of such person or principal place of business of such corporation is 518 Front Street, Boise, County of Ada, State of Idaho.
3. The number of such permit is 197134, and the date set for the completion of such work is November 8, 1951.
4. Said water is to be used for propagation of fish and for wildlife purposes.
5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is 25 cubic feet per second.
6. The amount of lands for which said water is available is 91 acres, particularly described as follows: Portions of E $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ Sec. 26; the NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 35 all in T. 40 N., R. 2 E., of the Boise Meridian, Idaho, which location is the reservoir area.

MARK R. KULP
Commissioner of Reclamation.
XXXXXXXXXXXXXXXXXXXX
State Reclamation Engineer

19713

September 18, 1951

RE: Permit No. 19713

State Fish and Game Department
518 Front Street
Boise, Idaho

Dear Mr. Biladeau:

ATT: Mr. T. D. Biladeau

We acknowledge receipt of your letter of September 8, 1951, enclosing notice for completion of works proof under Permit No. 19713.

This notice will be sent to the Clearwater Tribune with instructions to publish it once a week for four consecutive weeks prior to November 5, 1951, the date set for proof, and to send you the affidavit of publication together with statement of costs.

We enclose the necessary forms of depositions to be used in making this proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

19713

DEPARTMENT OF FISH AND GAME
BOISE - - - IDAHO

518 Front Street
September 8, 1951

RECEIVED
SEP 11 1951
Department of Reclamation

Mr. Mark R. Kulp
State Reclamation Engineer
Statehouse
Boise, Idaho

Dear Mr. Kulp:

Enclosed herewith please find the Notice of Publication of Permit No. 19713 and the Proof of Completion of Works for Permit No. R-756.

Very truly yours,

19713
DEPARTMENT OF FISH AND GAME

BY


T.D. Biladeau
Biologist

TDB:bh
Enc.

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date).....9 - 7 - 51.....

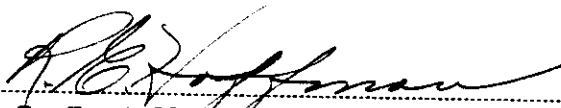
(P. O.).....Idaho Fish and Game Department, Boise, Idaho.....

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at ~~my~~ expense in the
of the Idaho
the Fish & Game Dept.
Clearwater Tribune of Orofino, Idaho published in
the county in which the works are situated.


R. E. Hoffman, Chief Clerk

(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.

19713

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

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

Boise, Idaho, September 1, 1951

Dear Sir:—

I enclose herewith blank form upon which to give notice that you are prepared and desire to submit proof of completion of works under your permit No. 19713

This form should be filled out and mailed to the Department of Reclamation, at least 60 days before the date upon which proof is to be submitted, which proof MUST be on or before November 8, 1951. Upon receipt of the blank properly filled out, notice of publication will be sent to the paper direct from this office, which notice must be published a period of four weeks prior to the date of proof.

The proof may be submitted at any place convenient to you and two witnesses, where there is a notary public or other officer authorized to administer oaths.

The certificate that shall be issued under this proof does not give you a perpetual right to the use of the water for which application is made, as it only confirms the completion of the 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.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

19713

September 11, 1948

Re: Permits Nos. 19713 & R-756

State Fish and Game Department
Building

Attention: Mr. George E. Tucker

Dear Mr. Tucker:

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

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

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/gt

Encls.

19713

Permit No. 19713

Application for Extension of Time FOR COMPLETION OF WORKS

T. B. Murray, Director, State Fish and Game Department, of Boise, Idaho
State of Idaho, being first duly sworn, upon his oath deposes and says:
He is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho
No. 19713

Under the terms and conditions of said permit, construction work thereunder was required to be completed by Nov. 8, 1948.

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

costing \$.

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

Shortage of labor and materials prevented completion of dam under R-756.

State Reclamation Engineer

WHEREFORE, He asks that the ~~Commissioner of Reclamation~~ extend the time for the completion of works under said permit to November 8, 1951.

Subscribed and sworn to before me this 3rd day of September, 1948.

My commission expires 4/3/50 Notary Public.

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

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

I, Mark R. Kulp, Commissioner of Reclamation of the State of Idaho, hereby extend the time for the completion of construction work under Permit to Appropriate the Public Waters of the State of Idaho, No. 19713 to November 8, 1951.

Witness my hand this 8th day of September, 1948

19713
Mark R. Kulp
State Reclamation Engineer

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Department of Fish & Game
Building

Boise, Idaho, **September 1, 1948**

Dear Sir:

I enclose herewith blank form upon which to give notice that you are prepared and desire to submit proof of completion of works under your permit No. 19713

This form should be filled out and mailed to the Department of Reclamation, at least 60 days before the date upon which proof is to be submitted, which proof MUST be on or before November 9, 1948. Upon receipt of the blank properly filled out, notice for publication will be sent to the paper direct from this office, which notice must be published a period of four weeks prior to the date of proof.

The proof may be submitted at any place convenient to you and two witnesses, where there is a notary public or other officer authorized to administer oaths.

The certificate that shall be issued under this proof does not give you a perpetual right to the use of the water for which application is made, as it only confirms the completion of the 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.

Very truly yours,

MARK R. KULP
Commissioner of Reclamation.
~~XXXXXXXXXXXXXXXXXXXX~~
State Reclamation Engineer

19713

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

Permit No. ~~19712- R-788~~

Date ~~November 14, 1948~~

Dear Sir: ~~19713- R-788~~

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

State Fish & Game Department
C/o John J. Boyle
Building

MARK W. EHLF
State Reclamation Engineer

19713

