

Rge. 9E BM

Twp. 31N

Go Elk City

Selway Falls

PR.

Q measured 94.5 cfs  
Q recommended 94.5 cfs  
Volume \_\_\_\_\_  
Acreage -  
Found \_\_\_\_\_  
recommended \_\_\_\_\_  
Subdy. \_\_\_\_\_  
Amendments  
☒ None  
☐ P.D.  
☐ Place of use  
☐ \_\_\_\_\_

200 cfs permitted amount  
System has a capacity  
of over 200 cfs.

BDF 12/26/73

FEB 14 1966

Department of Reclamation

## AFFIDAVIT OF PUBLICATION

**NOTICE OF PROOF OF COMPLETION OF WORKS  
and  
APPLICATION OF WATER TO  
BENEFICIAL USE**

NOTICE is hereby given that at 10:00 A.M., on the 31st day of January 1966, at Boise, County of Ada, State of Idaho, before Anne Epeldi, Notary Public, at (address) 600 South Walnut Street, proof will be submitted of the completion of works for the diversion of 200 cubic feet per second of the waters of Selway River, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 30963, heretofore issued by the Department of Reclamation of the State of Idaho.

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

2. 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 conveying to the place of use is 200 cubic feet per second.

3. The use to which said water has been applied is operation of a fishway purposes, and the amount applied to beneficial use is 200 cubic feet per second.

4. The point of diversion of said water is within the NE/4 SE/4 of Sec. 3, T. 31 N., R. 9 E.B.M., Idaho County, Idaho.

5. The place where said water is used is within the NE/4 SE/4 of Section 3, T. 31 N., R. 9 E.B.M.

6. The date of priority which said user is prepared to establish is February 11, 1963.

CARL E. TAPPAN  
State Reclamation Engineer.

N18-D9

Gary D. Cash being first duly

sworn, says he is the Office Manager of the IDAHO COUNTY FREE PRESS, a weekly newspaper which is published and issued weekly at Grangeville, Idaho County, State of Idaho, and which is of general circulation in said county and state; that the said notice, of which the one hereto attached is a true copy, was published in said paper for 4 weeks, being published 4 times, the first publication being on the 18th day of November, 1965, and the last publication on the 9th day of December, 1965; and that the said notice was published in the newspaper proper and not a supplement; that said newspaper has been continuously and uninterruptedly published in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of said notice or advertisement.

*Gary D. Cash*

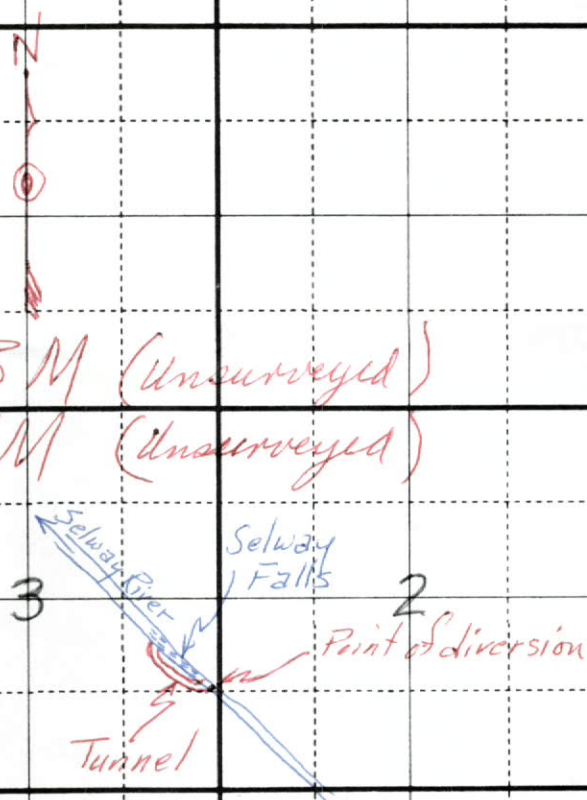
Subscribed and sworn to before me this 11th day of February, 1966.

*Richard C. Hatch*, Notary Public

for State of Idaho, residing at Grangeville, Idaho.

30963

T32N, R9E BM (unsurveyed)  
T31N, R9E BM (unsurveyed)



Permit Map No. 30963  
As Approved FEB 12 1963  
GEO. N. CARTER  
State Reclamation Engineer

State of Idaho

Department of Water Administration

WATER RIGHT LICENSE

License of Water Right No. 30963/81-2020 Priority Feb. 11, 1963 Amount 200.0 cfs

THIS IS TO CERTIFY, that the State of Idaho, Department of Fish & Game  
of Boise, Idaho, has complied with the terms and conditions of Permit  
No. 30963/81-2020 issued pursuant to Application for Permit dated February 11, 1963,  
and has submitted proof to the Department of Water Administration on January 31, 1966,  
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 200.0 cfs of water from the Selway River,  
tributary to the Clearwater River, and that the permit holder has applied to a beneficial use &  
established a right to use water as follows:

| Beneficial Use       | Period of Use                        | Rate of Diversion                  | Annual Volume |
|----------------------|--------------------------------------|------------------------------------|---------------|
| Operation of Fishway | from <u>Jan. 1</u> to <u>Dec. 31</u> | at <u>200.0</u> cfs and <u>n/a</u> |               |
|                      | from _____ to _____                  | at _____ cfs and _____             |               |
|                      | from _____ to _____                  | at _____ cfs and _____             |               |

(both dates inclusive)

Subject, however, to the condition that no more than 200.0 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 NE<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub> of Sec. 3,  
Twp. 31 N, Rge. 9 E, B. M. (unsurveyed) in the County of Idaho

Description and location of place of use:

| Twp. | Range | Sec. | NE <sup>1</sup> / <sub>4</sub> |                                |                                |                                | NW <sup>1</sup> / <sub>4</sub> |                                |                                |                                | SW <sup>1</sup> / <sub>4</sub> |                                |                                |                                | SE <sup>1</sup> / <sub>4</sub> |                                |                                |                                | Totals |
|------|-------|------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------|
|      |       |      | NE <sup>1</sup> / <sub>4</sub> | NW <sup>1</sup> / <sub>4</sub> | SW <sup>1</sup> / <sub>4</sub> | SE <sup>1</sup> / <sub>4</sub> | NE <sup>1</sup> / <sub>4</sub> | NW <sup>1</sup> / <sub>4</sub> | SW <sup>1</sup> / <sub>4</sub> | SE <sup>1</sup> / <sub>4</sub> | NE <sup>1</sup> / <sub>4</sub> | NW <sup>1</sup> / <sub>4</sub> | SW <sup>1</sup> / <sub>4</sub> | SE <sup>1</sup> / <sub>4</sub> | NE <sup>1</sup> / <sub>4</sub> | NW <sup>1</sup> / <sub>4</sub> | SW <sup>1</sup> / <sub>4</sub> | SE <sup>1</sup> / <sub>4</sub> |        |
| 31 N | 9 E   | 3    |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                | X                              |                                |                                |                                |        |
|      |       |      |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |        |
|      |       |      |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |        |
|      |       |      |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |        |
|      |       |      |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |        |

Total number of acres irrigated \_\_\_\_\_

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

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 29 day of  
January, 19 74.

Director

81-2020

# Application For Permit To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 39042  
PERMIT No. 30963  
DISTRICT No.

81-2020

1. Name of Applicant: State of Idaho Department of Fish and Game

Postoffice address: 518 Front St., 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:
- (b) Treasury stock:
- (c) Bond to be issued:
- (d) Other resources:

2. Quantity of water claimed: 200.0 cubic feet per second.

3. Source of water supply: Selway River which is a tributary of Clearwater River

4. Location of point of diversion: / within unsurveyed public lands feet distant from the

corner of Section , T. , R. , B.M., and is ~~in the~~ probably within the NE $\frac{1}{4}$ SE $\frac{1}{4}$   
of section 3 , T. 31 N , R. 9 E. , B. M., County of Idaho

5. Water is to be used for Operation of a fishway

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

Approximate

(a) Point of use of water: S. 1320 feet distant from E. Quarter corner of Section 3, when established,

T. 31 N. , R. 9 E. , B.M., in the NE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section ~~3~~ 3 , T. 31 N. , R. 9 E. , B.M.

(b) Amount of power generated: H.P., under feet head.

(c) Water is to be returned to Selway River at a point S. 45° W. 700 feet  
distant from the E. quarter corner of Section 3 , T. 31 N., R. 9 E. , B.M., in the NE $\frac{1}{4}$ SE $\frac{1}{4}$   
of Section 3 , T. 31 N., R. 9 E. , B.M.

7. Estimated cost of works: \$ 525,000.00

8. Kind of works: A tunnel 500 feet in length, 22 feet in height, and 8 feet in width.

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 12 feet feet; height 22 feet feet.

11. Ditch: Width at bottom fee; width at water line feet; depth of water feet;  
dimensions of flume:

Diameter of pipe inches; length of conduit miles.

Average grade per mile 210 feet.

12. The time required for the completion of such work is three years.

13. The time required for the complete application of the water to the proposed use is no additional years.

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

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:

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

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

State of Idaho Department of Fish and Game  
Applicant.

By s/ John R. Woodworth ~~xxxxxx~~  
John R. Woodworth, Director

Date of first receipt at Department of Reclamation: 11:30 A.M. February 11, 1963

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 30963  
Recorded in Book 108 Page 30963 Approved February 12, 1963  
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 April 12, 1963 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 August 12, 1964  
The whole of said work to be completed on or before February 12, 1966  
Beneficial use of water appropriated in accordance herewith, to be made on or before February 12, 1966

WITNESS My hand this 12th day of February, 1963  
s/ CARL E. TAPPAN, Assistant  
State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, ROBERT E. SMYLLIE, Governor of the State of Idaho,  
and ARNOLD WILLIAMS, 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 12th day of February, 1963.  
COUNTERSIGNED: STATE OF IDAHO

(SEAL) By s/ ARNOLD WILLIAMS By s/ ROBERT E. SMYLLIE  
Secretary of State. Governor.

REMARKS: The proposed fishway is for the purpose of permitting anadromous fish passage around Selway Falls on Selway River. The structure will consist of a tunnel through solid rock. Concrete or steel water baffles will be installed at 25-foot intervals to control water velocity and provide resting pools for the migrant fish. The invert of the inlet structure of the tunnel will be constructed below the elevation of the river bottom opposite the point of diversion.

| Twp. | Range | Sec. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | Totals |
|------|-------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |       |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

ACTION

N OWNER LAST NAME - STATE OF IDAHO  
N ADDRESS LINE 1 - DEPT. OF FISH & GAME ADDRESS LINE 2 - BOX 25  
N CITY - BOISE STATE - ID ZIP CODE - 83707  
N SOURCE - SELWAY RIVER TRIBUTARY OF - CLEARWATER RIVER  
N STAGE - LICENSE PRIORITY - 02-11-1963 COUNTY - IDAHO TOTAL DIV. RATE - 200.0000CFS  
N DIVERSION POINT - NESE 03 31N 09E  
N FROM - 01-01 TO - 12-31 USE - FISH PROP. USE DIV. RATE - 200.0000CFS  
N USE - FISH PROP. PLACE OF USE - TWN 31N RNG 09E SEC 03 TRACT NESE

IDENT. NO. 81-2020

## ID A H O   D E P A R T M E N T   O F   W A T E R   R E S O U R C E S

WATER RIGHT  
DATA ENTRY LOG

[illegible]

STATE OF IDAHO  
DEPARTMENT OF WATER ADMINISTRATION



Cecil D. Andrus  
Governor  
R. Keith Higginson  
Director

614 State Street  
Statehouse - Annex 2  
Boise, Idaho 83720  
(208) 384-2190

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

January 29, 1974

Re: Permit No. 30963/81-2020

Idaho Department of Fish & Game  
600 South Walnut Street, Box 25  
Boise, Idaho 83707

Gentlemen:

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

We are also enclosing Receipt #13611 in the amount of \$62.00 covering the licensing fee on this permit.

Sincerely,

BOBBY D. FLEENOR  
Assistant Director

jfr

Enclosures

81-2020

WHITE - State Auditor  
 YELLOW - Remittance Advice  
 PINK - State Auditor then Agency  
 GOLDENROD - Agency Copy

AGENCY USE

## EXPENDITURE VOUCHER

STATE OF IDAHO

Office of State Auditor

AUDITOR USE

Document No.

094704

Pre-Audit

Date

JAN 4 1974

Warrant No.

342872

Date

December 21, 1973

Code

3101

AGENCY

NAME:

 IDAHO FISH AND GAME DEPARTMENT  
 Engineering Division -- Lands

CHECK ONE:

☒ MISCELLANEOUS EXPENDITURE☐ STATE CONTRACT☐ PURCHASE ORDER☐ MISCELLANEOUS ENCUMBRANCE REQUISITION

PAY

Department of Water Administration

Statehouse Mail, Annex 2

TO

Boise, ID 83707

Encumbrance Reference No.

PAYMENT: ☐ PARTIAL ☐ FINAL

| LINE No.  | PROGRAM |     |     | FUND | CLASS |     | DESCRIPTION<br>(Include Quantity)                                                  | COMPLETE ONE |             | AGENCY USE |
|-----------|---------|-----|-----|------|-------|-----|------------------------------------------------------------------------------------|--------------|-------------|------------|
|           | MAJ     | MIN | ELE |      | MAJ   | MIN |                                                                                    | %            | LINE AMOUNT |            |
| 1         | 06      | 18  | 503 | 006  | 81    | 21  | Water filing fee<br>Solway Falls Fish<br>Passage Facility<br>Permit 030963/81-2020 |              | 62.00       |            |
| Signature |         |     |     |      |       |     |                                                                                    |              |             |            |
| TOTAL     |         |     |     |      |       |     |                                                                                    | 100% =       | 62.00       |            |

NOTE: Final payment must be accompanied by a receiving copy

TO STATE AUDITOR

Request is hereby made that a warrant be authorized and drawn in payment of the item or items described above. I hereby certify that the items described were ordered by proper authority; that they are necessary in the public service, that the items have been received and accounted for, and that the account as stated is correct and just.

Date

Head of Agency or Institution

AUDITOR'S CERTIFICATE

I hereby certify that the above account is in proper form; that totals carried hereon are correct; that receipts when required by law or regulation of the State Board of Examiners covering items for which reimbursement is asked are submitted herewith; and that there are funds in the state treasury and balances in appropriation accounts out of which the same may be lawfully paid.

State Auditor

81-2020

CECIL D. ANDRUS, Governor  
COMMISSION  
ROBERT G. THOMAS, Coeur d'Alene  
PAUL C. KEETON, Lewiston  
JOHN EATON, Cascade  
JACK HEMINGWAY, Sun Valley  
H. JACK ALVORD, Pocatello

## IDAHO FISH AND GAME DEPARTMENT

December 21, 1973

RECEIVED  
DEC 23 1973

JOSEPH C. GREENLEY  
Director

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

Department of Water Administration  
Statehouse Mail, Annex 2  
Boise, ID 83707

Selway Falls Fish Ladder  
Permit #30963/81-2020

Gentlemen:

Enclosed herewith is a State Voucher in the amount of \$30.35<sup>62.00</sup> requested in your letter of December 17, 1973 as payment of the application fee in issuance of Water License. Please sign and return to the Fish and Game Department for processing.

We wish to call to your attention that the capacity of the fish passage facility is 264 cfs and that that amount of water flows through the facility whenever the flow of the Selway River reaches 30,000 cfs at the point of diversion.

There is no control on the fish passage facility to regulate, control or restrict water flow volume through the facility to 94.5<sup>200</sup> cfs, the amount of water recognized by the Water Administration as eligible for licensing. The water quantity that flows through the facility is directly related to river flow elevation.

We assume that issuance of the license at 94.5 cfs would in no way be restrictive to the water quantity in excess of 94.5 cfs that will and does flow through the fish passage facility at various times.

Sincerely,

IDAHO FISH AND GAME DEPARTMENT

*Joseph C. Greenley*  
Joseph C. Greenley  
Director

Enclosure

cc: Region 2 Office

81-2020

December 17, 1973

Re: Permit No. 30963/81-2020

State of Idaho  
Department of Fish & Game  
Box 25  
Boise, Idaho 83705

Gentlemen;

A representative of this Department has made an examination of the works covered by your Permit No. 30963/81-2020 and has found the following:

Quantity of water diverted: <sup>200 cfs</sup> 94.5 cfs Source: Selway River

Amount of water that can be recognized as beneficially used under Idaho law: <sup>200 cfs</sup> 94.5 cfs

The maximum quantity of water diverted shall not exceed n/a acre feet per season.

Beneficial use: For operation of fishway within the NE 1/4 Sec. 3, Twp. 31 N, Rge. 9 E

Point of diversion: NE 1/4 Sec. 3, Twp. 31 N, Rge. 9 E, B.M. (unsurveyed)

The priority date established is: February 11, 1963

A fee totaling \$ 30.35 must be received within 30 days from the date of this letter in order that we can issue you a Water License as set forth above.

If you do not concur with these findings, please contact this office within the 30 day period.

Sincerely,

BOBBY D. FLEENOR  
Assistant Director

jfr

81-2020

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE

REPORT OF EXAMINER

PERMIT NO. 30963/81-2020

REPORT ON PROOF OF Completion of Works and Beneficial Use

81 2020

Rge. 9E BM

Twp. 31N

Go Elk City

Selway Falls

P.D.

Q measured 94.5 cfs  
Q recommended 94.5 cfs  
Volume \_\_\_\_\_  
Acreage \_\_\_\_\_  
Found \_\_\_\_\_  
recommended \_\_\_\_\_  
Subdv. \_\_\_\_\_  
Ammendments  
☒ None  
☐ P.D.  
☐ Place of use  
☐ \_\_\_\_\_

200 cfs permitted amount  
System has a capacity  
of over 200 cfs.  
JDF 12/26/73

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

Permit No. 30963

This proof is for Completion of Works and Beneficial Use In Water District No.

1. Name of applicant Idaho Fish and Game Department

2. Source of water supply: Selway River which is a tributary of Clearwater River

3. Location of point of diversion: Is in the SE Corner NE  $\frac{1}{4}$  SE  $\frac{1}{4}$  of Section 3  
T. 31 N R. 9 E., B.M. County of Idaho

4. Describe works as they exist, giving dimensions and capacities of same:

5. Water is used for: OPERATION OF FISHWAY

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):

fish tunnel to operate a fishway  
S. 1320' from East  $\frac{1}{4}$  corner Section 3, Twp 31 N, Rge 9 E BM.  
NE  $\frac{1}{4}$  SE  $\frac{1}{4}$  Section 3 Twp 31 N, Rge 9 E. BM.

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

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

Remarks:  $V = 3.5$  ft/sec  $A = 27$  sq. ft  
 $Q = 94.5$  cfs

This examination was made on the 17 day of JULY, 1973

(Signed) *[Signature]* Examiner.

04 2020

checked by *[Signature]* 7/25/73

DATE EXAMINATION RECORDS

7-20-22 Could not contact Jack  
Fisher F&G so did not  
go to site 3843730 by: EB

by: \_\_\_\_\_

by: \_\_\_\_\_

by: \_\_\_\_\_

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.

81 2020

Idaho Fish and Game Dept.  
P.O. Box 25  
Boise, Idaho

Permit No. 30963/81-2020

Examination for Completion of Works and Beneficial Use

County Idaho

Sec. 3 T. 31N. R. 9 E., B. M.

Quantity: 200.0 cfs  
81-

Source: Selway River

UN surveyed  
P.D.: Probably - NE 1/4 SE 1/4  
Section 3, Twp. 31N. R. 9 E. B. M.

Use: Operation of fishway

Extension:

Protest:

Completion of Works:

Other Rights: None

Filed: February 11, 1963

Due: February 12, 1966

February 23, 1966

Re: Permit No. 30963

Idaho Fish and Game Dept.  
P.O. Box 25  
Boise, Idaho

Gentlemen:

We acknowledge receipt of the depositions of holder and two Press witnesses, also affidavit of publication in the Idaho County Free Press, all submitted in proof of completion of works and beneficial use on Permit No. 30963.

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

We cannot tell just when this examination will be made, but our field engineer will try and contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

CARL E. TAPPAN  
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule  
Chief Clerk

EPR: ejw

30963

FEB 14 1966

Department of Reclamation

## AFFIDAVIT OF PUBLICATION

**NOTICE OF PROOF OF COMPLETION OF WORKS  
and  
APPLICATION OF WATER TO  
BENEFICIAL USE**

NOTICE is hereby given that at 10:00 A.M., on the 31st day of January 1966, at Boise, County of Ada, State of Idaho, before Anne Epeldi, Notary Public, at (address) 600 South Walnut Street, proof will be submitted of the completion of works for the diversion of 200 cubic feet per second of the waters of Selway River, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 30963, heretofore issued by the Department of Reclamation of the State of Idaho.

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

2. 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 conveying to the point of use is 200 cubic feet per second.

3. The use to which said water has been applied is for irrigation of fishway purposes and the amount applied to beneficial use is 200 cubic feet per second.

4. The point of diversion of said water is within the NE 1/4 SE 1/4 of Sec. 3, T. 31 N., R. 9 E., B. 1 E., Idaho County, Idaho.

5. The place where said water is used is within the NE 1/4 SE 1/4 of Section 3, T. 31 N., R. 9 E., B. 1 E.

6. The date of priority which said user is prepared to establish is February 11, 1963.

CARL E. TAPPAN  
State Reclamation Engineer.

N18-D9

Gary D. Cash being first duly

sworn, says he is the Office Manager of the IDAHO COUNTY FREE PRESS, a weekly newspaper which is published and issued weekly at Grangeville, Idaho County, State of Idaho, and which is of general circulation in said county and state; that the said notice, of which the one hereto attached is a true copy, was published in said paper for 4 weeks, being published 4 times, the first publication being on the 18th day of November, 1965, and the last publication on the 9th day of December, 1965; and that the said notice was published in the newspaper proper and not a supplement; that said newspaper has been continuously and uninterruptedly published in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of said notice or advertisement.

Gary D. Cash

Subscribed and sworn to before me this 11th day of February, 1966.

Richard C. Hatch, Notary Public

for State of Idaho, residing at Grangeville, Idaho.



30963

February 8, 1966

RE: Permit No. 30963

Idaho Fish and Game Department  
P.O. Box 25  
Administrative Services Division  
T. D. Biladeau, Land Agent  
Boise, Idaho

Dear Mr. Biladeau:

Receipt is hereby acknowledged for the proofs taken in connection with the above referenced permit. However, no further action can be taken until we are in receipt of the Affidavit of Publication. This affidavit can be obtained from the Idaho Free Press at Grangeville, Idaho.

Pursuant to our conversation of February 8, 1966, we find it is required of the permit holder to obtain the affidavit of publication both by the Department of Reclamation and the newspaper company. The latter, requiring the advertisement to be paid for before the affidavit is released.

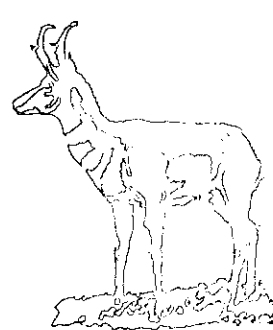
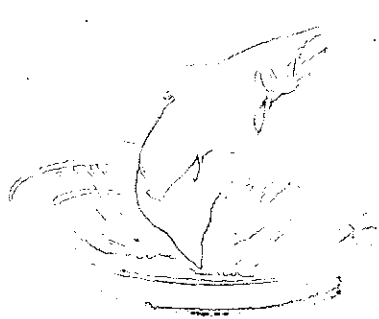
Please forward the affidavit as soon as possible to this Department.

Very truly yours,

DONALD W. McELDOWNEY  
Water Rights Clerk

DWM:efw

30963



ROBERT E. SMYTHE, Governor  
 COMMISSION  
 GLENN STANGER, Idaho Falls  
 R. J. HOLMES, Twin Falls  
 ARLIE JOHNSON, Boise  
 WILLIAM B. DURBON, Moscow  
 FRANK CULLEN, Coeur d'Alene

JOHN R. WOODWORTH, Director

POST OFFICE BOX 25  
 600 SOUTH WALNUT STREET  
 BOISE, IDAHO, 83701

## IDAHO FISH AND GAME DEPARTMENT

February 8, 1966

Re: Selway Falls Fish Ladder  
 Water Permit 30963

Mr. Carl Tappan  
 State Reclamation Engineer  
 Department of Reclamation  
 Statehouse

**RECEIVED**  
 FEB 8 1966

**Department of Reclamation**

Sir:

Enclosed herewith are depositions of Holder and Witnesses on  
 Proof of Completion of Works and Application of Water to  
 Beneficial Use under Permit No. 30963.

The forms that were submitted previously for depositions did not  
 have stamped thereon the wording "Completion of Works". Will  
 you please so stamp the enclosed forms.

Thank you for your cooperation.

Sincerely,

IDAHO FISH AND GAME DEPARTMENT  
 John R. Woodworth, Director

*T. D. Biladeau*

T. D. Biladeau, Land Agent  
 Administrative Services Division

TDB:lt

Enclosure

30963

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
Boise, Idaho

RECEIVED  
FEB 8 1966

Permit No. 30963 ✓

Department of Reclamation

\*\*\*\*\*

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE  
**and Completion of Works**

DEPOSITION OF HOLDER

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

John R. Woodworth, Director of Idaho Fish and Game Department, P. O. Box 25, Boise, Idaho

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

Acting for and on behalf of the State of Idaho for the use and benefit of the Fish and Game Department, as its Director.

Ques. 3. State number, approval date of permit, and date of priority: \_\_\_\_\_

30963, approved February 12, 1963, priority date February 11, 1963

Ques. 4. State source of water supply: Selway River ✓

Give location of point of diversion, showing subdivision, section, township and range

SE corner of NE/4 SE/4, Sec. 3, T.31 N., R. 9 E.B.M., projected.

Idaho

Ques. 5. Describe your works of diversion: A concrete headgate 22' in height & 12' in width. Water intake into the diversion structure is controlled by plank splash plates

\_\_\_\_\_ ; state amount of water they are capable of conveying from point of diversion to place of use: 200 c.f.s. ✓

Give name of canal or ditch or other works by which water is conducted to such place of use: Selway Falls Fishway

\_\_\_\_\_ ; if a well, state depth of well \_\_\_\_\_ ; depth and size of

casing \_\_\_\_\_ ; depth to water \_\_\_\_\_ ; if pump is used,

state discharge of pump: \_\_\_\_\_ ; tell how it was measured or determined \_\_\_\_\_

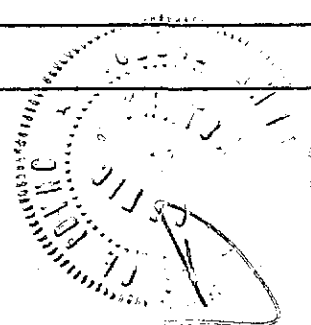
\_\_\_\_\_ ; if sprinkler irrigation, give number and size

of nozzles and operating pressure: \_\_\_\_\_

Ques. 6. State for what purpose water is used: \_\_\_\_\_

(If for irrigation, name each subdivision in which used and number of acres in each subdivision that have actually been irrigated with said water:

Water is used to operate a fishway to permit passage of fish around or over Selway Falls of the Selway River. A concrete fishway tunnel, 500' in length, 22' in height, and 8' in width.



30963

State nature of all improvements which have been made as a direct result of said use:

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: \_\_\_\_\_

Ques. 7. If for other than irrigation purposes, show full legal description of place of use and state purpose for which water is used:

The NE/4 SE/4, Sec. 3, T. 31 N., R. 9 E.B.M. protected. Water is used for the carriage of fish over and around Selway Falls by flowage through a fishway passage structure.

Ques. 8: 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:

Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used: January 15, 1966 - Time used since first use:

In the amount of 200 c.f.s. and use has been continuous.

Ques. 10. Describe all other water rights appurtenant to same place of use: \_\_\_\_\_

None

STATE OF IDAHO, Fish and Game Department

(sign) By John R. Woodworth  
John R. Woodworth, Director

\*\*\*\*\*

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 31st day of January, A. D. 1966.

My commission expires: June 1, 1966

Anne E. Jeldt

30963

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

RECEIVED  
FEB 8 1966

Department of Reclamation

PERMIT NO. 30963

**Proof of Application of Water to Beneficial Use**  
**and Completion of Works**  
**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. Jack G. Fisher, of legal age, Boise, Idaho, a civil engineer; 6815 Holiday Drive, Boise, Idaho.

Ques. 2. Are you acquainted with John R. Woodworth, the holder of Permit No. 30963? How long have you known him and where does he reside?

Ans. Yes. I have known him for 4 years; he resides at Boise, Idaho.

Ques. 3. Have you read or heard read said Permit No. 30963, and are you familiar with its provisions and conditions?

Ans. Yes

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

Ans. Selway River, SE corner of NE/4 SE/4, Sec. 3, T.31 N., R. 9 E. B.M. extended. Water is used immediately at the point of diversion and is used in the operation of a fish passage structure.

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

Ans. over 1000 c.f.s. and I have seen 200 c.f.s. being 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 improvements which have been made as a direct result of said use.

Ans. Water is used at point of diversion in the operation of a fish passageway. Improvements comprise a concrete lined tunnel, 500' in length, 22' in height, and 8' in width, containing water baffles constructed and arranged so as to encourage fish passage.

30963

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

Ans. Water in the amount of 200 c.f.s. is diverted and applied by flowage through a fish passageway to operate and permit fish passage around and over Selway Falls.

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 interest other than that I helped design the works and was project engineer during construction.

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 January, 1966, I observed the operations of the ladder using 200 c. f.s. of the waters of Selway River. Subsequent use is continuous.

(Signed) \_\_\_\_\_

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Boise, County of Ada, State of Idaho, on this 31st day of January, A. D. 1966.

\_\_\_\_\_  
Notary Public.

My commission expires June 1, 1966.



STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

RECEIVED  
FEB 9 1933

Department of Reclamation

PERMIT NO. 30963

**Proof of Application of Water to Beneficial Use  
and Completion of Works  
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. Monte R. Richards, Jr., of legal age, Boise, Idaho, employee of Idaho

Fish and Game Department; 1218 North Wilson Street, Boise, Idaho

Ques. 2. Are you acquainted with John R. Woodworth, the holder of Permit No. 30963? How long have you known him and where does he reside?

Ans. Yes. I have known him for 4 years; he resides at Boise, Idaho.

Ques. 3. Have you read or heard read said Permit No. 30963, and are you familiar with its provisions and conditions?

Ans. Yes

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

Ans. Selway River, SE corner of NE/4 SE/4, Sec. 3, T.31 N., R. 9 E.B.M. extended.  
Water is used immediately at the point of diversion and is used in the operation of  
a fish passage structure.

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

Ans. over 1000 c.f.s. and I have seen 200 c.f.s. being 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 improvements which have been made as a direct result of said use.

Ans. Water is used at point of diversion in the operation of a fish passageway.  
Improvements comprise a concrete lined tunnel, 500' in length, 22' in height, and 8'  
in width, containing water baffles constructed and arranged so as to encourage fish  
passage.

30963

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

Ans. Water in the amount of 200 c.f.s. is diverted and applied by flowage through a fish passageway to operate and permit fish passage around and over Selway Falls.

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 interest other than the supervision of passage of fish through the structure.

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 January, 1966, I observed the operations of the ladder using 200 c.f.s. of the waters of Selway River. Subsequent use is continuous.

(Signed) Monte R. Richards Jr.

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 31st day of January—, A. D. 1966—.

Anne Epeldeck  
Notary Public.

My commission expires June 1, 1968.



November 12, 1965

Re: Permit No. 30963

Mr. John Woodworth, Director,  
Idaho Fish and Game Department,  
Box 25,  
Boise, Idaho.

Dear Mr. Woodworth:

This acknowledges the Notice of Proof of Completion of Works and Application of water to Beneficial Use under Permit No. 30963. The proofs are to be made at 10:00 o'clock A.M., on the 31st day of January, 1965, before Anne Eyeldi, 600 South Walnut St., Boise, Idaho. Notary Public.

As of this date, we have mailed the Notice to the Idaho Free Press, Grangeville, Idaho, with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof then mail the Affidavit of Publication and statement of costs to you.

It is important that the enclosed depositions be executed by you and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the place, on the date, and at the time and before the Notary, as advertised. It is very important and necessary that each question be answered in detail.

In returning the depositions to this office, be sure that all copies have been signed, the Notary's seal has been placed on each and that all depositions, (holder and two witnesses) are being returned. Also be sure to enclose the AFFIDAVIT OF PUBLICATION.

Very truly yours,

CARL E. TAPPAN  
State Reclamation Engineer  
By

(MRS.) EDNA P. RULE  
Chief Clerk

Encl.  
EPR:pmk  
cc: Notary

30963

Re: Permit No. 30963  
Idaho Fish and Game Dept.

Date: Nov. 12, 1965

Idaho Free Press,  
Grangeville, Idaho.

Gentlemen:

Enclosed you will find Notice for Publication, once a week for four consecutive weeks prior to January 31, 1965<sup>6</sup> the date set for proof; the expense of the publication is to be paid by the applicant State of Idaho, Department of Fish and Game of Box 25, Boise, Idaho to whom you should furnish proof of publication on or prior to the date set for proof.

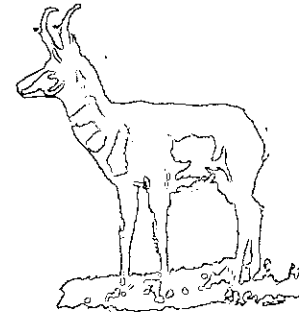
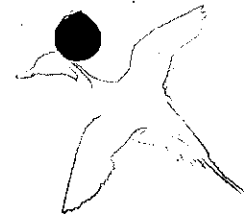
Please acknowledge receipt of this notice and furnish this office with a copy or tear sheet of the first publication. \*\*

Very truly yours,

*Carl E. Tappan*  
CARL E. TAPPAN  
State Reclamation Engineer

\*\* If the first copy is not received in this office for checking purposes and errors appear in subsequent issues, it is possible that re-publication of corrected copy will be at your own expense

30963



ROBERT E. SMYLLIE, Governor  
COMMISSION  
GLENN STANGER, Idaho Falls  
R. J. HOLMES, Twin Falls  
ARLIE JOHNSON, Boise  
WILLIAM B. DURBON, Moscow  
FRANK CULLEN, Coeur d'Alene

JOHN R. WOODWORTH, Director

POST OFFICE BOX 25  
600 SOUTH WALNUT STREET  
BOISE, IDAHO, 83701

## IDAHO FISH AND GAME DEPARTMENT

November 10, 1965

Mr. Carl E. Tappan  
State Reclamation Engineer  
Department of Reclamation  
Statehouse

Dear Sir:

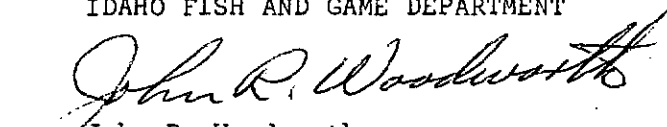
Subject: Permit No. 30963 - Selway Falls Fishway

Enclosed in duplicate is notice of proof of completion of works and application of water to beneficial use in connection with Permit No. 30963.

Authorization for you to have the notice published in the designated county newspaper, at our expense, is also enclosed.

Sincerely,

IDAHO FISH AND GAME DEPARTMENT

  
John R. Woodworth  
Director

Enclosures

30963

RECEIVED  
NOV 12 1965  
Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) November 10, 1965

(P. O.) P.O. Box 25, 600 South Walnut Street, 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 Idaho Free Press of  
Grangeville, Idaho County, Idaho Published in  
the county in which the works are situated.

IDAHO FISH AND GAME DEPARTMENT

By

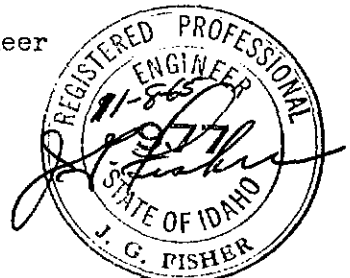
John R. Woodworth  
John R. Woodworth, Director

(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.

Jack Fisher

Engineer



30963

RECEIVED

NOV 12 1963

NOTICE OF PROOF OF COMPLETION OF WORKS ~~Department of Reclamation~~  
and  
APPLICATION OF WATER TO BENEFICIAL USE

NOTICE is hereby given that at 10:00 A. M., on the 31st day of January  
1966, at Boise, County of Ada, State of Idaho, before  
Anne Epeldi, Notary Public, at (address) 600 South Walnut Street  
\_\_\_\_\_, proof will be submitted of the completion of works for the diversion of  
200 cubic feet per second of the waters of Selway River  
\_\_\_\_\_, and of the application to beneficial use of said water, in accordance with  
the terms and conditions of Permit No. 30963, heretofore issued by the Department of  
Reclamation of the State of Idaho.

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

2. 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 conveying to the place of use is  
200 cubic feet per second.

3. The use to which said water has been applied is for operation of a fishway  
\_\_\_\_\_, purposes, and the amount applied to beneficial use is 200 cubic  
feet per second.

4. The point of diversion of said water is within the NE/4 SE/4 of Sec. 3, T. 31 N.,  
R. 9 E.B.M., Idaho County, Idaho

5. The place where said water is used is within the NE/4 SE/4 of Sec. 3, T. 31 N.,  
R. 9 E.B.M.

6. The date of priority which said user is prepared to establish is February 12, 1963  
\_\_\_\_\_.

CARL E. TAPPAN

State Reclamation Engineer

30963

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION

Re: Permit No. 30963

Date:  
Nov. 1, 1965

Idaho Dept. of Fish and Game  
Building

Dear Sir:

Under the terms of your Permit No. 30963 you are required to make proofs of completion of works and application of water to beneficial use on or before **Feb. 12, 1966**

Before this proof can be made, the statutory requirement is that a notice of your intention of proof be published once a week for four consecutive weeks in a newspaper in the county.

We enclose Form 36-A in duplicate, which is to be filled in and returned to this department at least forty (40) days before the above mentioned date and/or before the time you intend to make proof (this may be at any place that is convenient for you and your two witnesses), the quantity of water, for what purpose it is used, the point or points of diversion and the location of use, or lands which are irrigated - - by legal description. Descriptions should be taken from your Permit, including any amendments thereto, as recorded in this department. If changes have been made and no amendments are on record, we advise that you request a form for this purpose before your notice is published, or you may have to readvertise and complete another set of proof forms.

Also enclosed is Form 11, which is the authorization for us to have the notice published in the designated county newspaper, at your expense. This is to be returned with Forms 36-A

At the time we send the notice to the newspaper we will send you the forms for the depositions of holder and two disinterested witnesses. It is important that the depositions be executed at the time, on the date set, and at the place named, before the Notary Public as advertised in the publication notice.

The amount of water allowed in a license cannot be more than is actually produced and measured and put to beneficial use, and cannot be more than the statutory amount allowable per acre of land actually found by the field inspection to have been irrigated at the time of proof.

Very truly yours,

*Carl E. Tappan*  
CARL E. TAPPAN  
State Reclamation Engineer

Enc. Form 36A and 11  
cc:

30963

February 25, 1963

Re: Permit No. 30963

Mr. John R. Woodworth, Director,  
State of Idaho Department of Fish & Game,  
518 Front St.,  
Boise, Idaho.

Dear Mr. Woodworth:

We enclose Permit No. 30963 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

~~We also enclose Departmental Receipt No. \_\_\_\_\_~~  
~~which was issued covering payment in the amount of \$ \_\_\_\_\_~~  
~~for the filing fee of the above mentioned permit.~~

Very truly yours,

GEO. N. CARTER  
State Reclamation Engineer  
By

(Mrs.) Edna P. Rule  
Chief Clerk

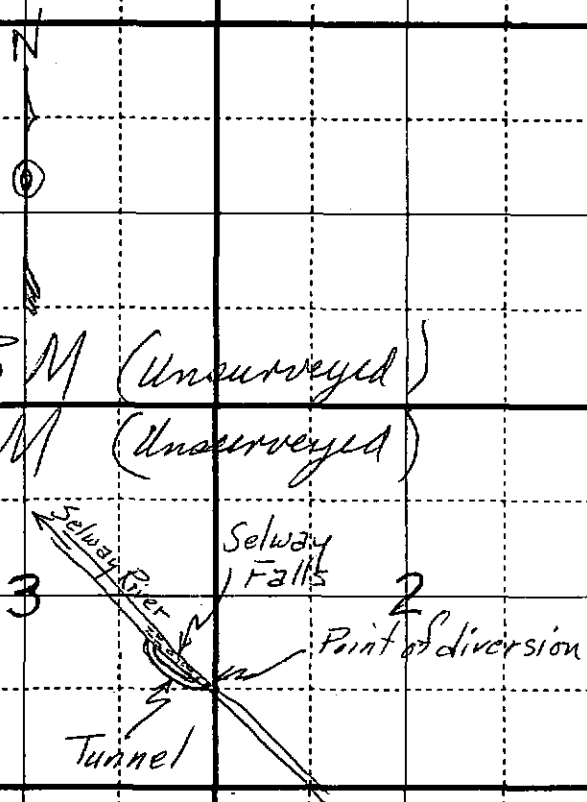
EPR:pmk  
Encl. --

30963

NAME OF APPLICANT State of Idaho, Dept. of Fish & Game

Form No. 0

T 32 N, R 9 E B M (Unsurveyed)  
T 31 N, R 9 E B M (Unsurveyed)



Permit Map No. 30963  
As Approved FEB 12 1963  
GEO. N. CARTER  
State Reclamation Engineer

# STATE OF IDAHO

ROBERT E. SMYLLIE  
GOVERNOR

## Department of Fish and Game

518 FRONT STREET BOISE, IDAHO

February 7, 1963

COMMISSION  
GLENN STANGER IDAHO FALLS  
R. J. HOLMES TWIN FALLS  
ARLIE JOHNSON BOISE  
TOM FELTON MOSCOW  
FRANK CULLEN COEUR D'ALENE

JOHN R. WOODWORTH  
DIRECTOR

Selway River Fishway.

Mr. Geo. N. Carter  
State Reclamation Engineer  
Department of Reclamation  
State House

RECEIVED  
FEB 11 1963  
Department of Reclamation

Dear Sir:

Enclosed herewith is application for permit to appropriate the public waters of the State of Idaho in the amount of 200 c.f.s. for the operation of a fishway to permit the passage of anadromous fish around Selway Falls on the Selway River.

Sincerely,

IDAHO DEPARTMENT OF FISH AND GAME

*John R. Woodworth*  
John R. Woodworth  
Director

Enclosure



30963

NOTICE OF PROOF OF COMPL  
TION OF WORKS

and  
APPLICATION OF WATER TO  
BENEFICIAL USE

NOTICE is hereby given that a 10:00 A.M., on the 31st day of January 1966, at Boise, County of Ada State of Idaho, before Anne Epeldi Notary Public, at (address) 600 South Walnut Street, proof will be submitted of the completion of works for the diversion of 200 cubic feet per second of the waters of Selway River, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 30963, heretofore issued by the Department of Reclamation of the State of Idaho.

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

2. 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 conveying to the place of use is 200 cubic feet per second.

3. The use to which said water has been applied is operation of a fishway purposes, and the amount applied to beneficial use is 200 cubic feet per second.

4. The point of diversion of said water is within the NE/4 SE/4 of Sec. 3, T. 31 N., R. 9 E.B.M., Idaho County, Idaho.

5. The place where said water is used is within the NE/4 SE/4 of Section 3, T. 31 N., R. 9 E.B.M.

6. The date of priority which said user is prepared to establish is February 11, 1963.

CARL E. TAPPAN  
State Reclamation Engineer.