

P-1103

APPLICATION FOR PERMIT

To Construct a Reservoir and Appropriate and Store
The Public Waters of the State of Idaho

Application No. R 38388
Permit No. R 1104

Lewis Deschamps
RFD #1
Malad, Idaho

1. Name of Applicant: St. John Irrigating Company

Post office address: RFD #1, Malad

County Oneida

State Idaho

I. If applicant is a corporation, give:

March 6, 1888

(a) Date and place of incorporation: Reincorporated August 18, 1925, Malad, Idaho

(c) Amount paid in: \$256,000.00

(b) Amount of Capital Stock: \$ 256,000.00

(d) Names and addresses of directors:
Lewis Deschamps, Milton T. Jones,
Oscar Larsen, Nolan Blaisdell,
Calvin Dredge, all of RFD #1, Malad, Idaho

II. The financial resources of the corporation are:

(a) Cash on hand: \$ 1000.00

(b) Treasury Stock: \$ None

(c) Bonds to be issued: \$ None

(d) Other resources: Water rights and ditch rights,
canals and Little Malad Riv.

2. Quantity of water to be stored: 2,500

acre feet per annum.

3. Source of water supply is Little Malad River (Creek) (River) (Spring), a tributary of Malad River

River.

4. The outlet of the proposed reservoir is located 800 feet, distant from the Southeast corner of Section 26, Township 12 S., Range 34 E., B.M. and is in the SE 1/4 of SE 1/4 of Section 26, Township 12 S., Range 34 E., B.M. County of Oneida

5. Fill out either (a) or (b).

(a) The reservoir is located in the channel of the Little Malad River

(Creek) (River).

(b) The reservoir is to be filled through a feeder canal, the point of diversion for which is located

feet distant from

the corner of Section, Township, Range, B.M., and is in the 1/4 of 1/4 of Section, Township, Range, B.M.; width at bottom feet, width at top feet, depth of water feet; average grade per mile feet; Capacity cubic feet per second

6. (a) The area of the high water line of the reservoir is approximately 351

acres.

(b) The reservoir capacity is 9500

acre feet.

7. Height of reservoir dam 80 feet, length at top 650 feet, length at bottom 150 feet, size of outlet 11 feet

by 3 feet. The dam is to be constructed of materials as follows: Compacted earth fill with stone and gravel on both faces; spillway and outlet works to be of reinforced concrete.
(If height will exceed 10 feet, plans must be approved by Department of Reclamation, before beginning construction.)

8. (a) Will water stored in reservoir be diverted to canal or aqueduct, thence to land to be irrigated without commingling with natural flow of

Little Malad River (Creek) (River)? No

(b) Water stored in reservoir will be carried in the channel of Little Malad River

(Creek) (River) a distance

of about 4 and 7 miles points miles to point of diversion located (bearing) feet, distant from the corner of Section Township, Range, B.M., and in the 1/4 of 1/4 of Section Township, Range, B.M.

9. (a) Area of watershed above dam site Little Malad River water-shed of about 30

square miles.

(b) Estimated maximum flow of stream about 20

cubic feet per second.

10. Water is to be used for Irrigation and culinary

purposes.

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

(a) Point of use of water feet, distant from Corner of Section, Township, Range, B.M., and is in the 1/4 of 1/4 of Section, Township, Range, B.M.

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

(c) Water is to be returned to (Creek) (River) (Spring) at a point feet distant from the corner of Section, Township, Range, B.M. in the 1/4 of 1/4 of Section, Township, Range, B.M.

12. Water stored in accordance with this Permit will be carried to place of use through a canal ~~which is hereby referred to and owned by said person~~ existing distribution system of the St. John Irrigating Company

13. Kind of diversion works: Existing diversion work of said Company (Dam, canal, flume, pipe, etc.)

14. Height of diversion dam: feet, length at top feet, length at bottom feet. The dam is to be constructed of materials as follows:

(If height will exceed 10 feet, plans must be approved by Department of Reclamation, before beginning construction.)

15. Size of headgate: Width feet, Height feet.
16. Diversion Canal: 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.
17. Estimated Cost of Works: Storage Works: \$450,000.00 Diversion Works: \$
18. Time required for completion of work five years.
19. Time required for complete application of water to proposed beneficial use is six years.
20. The land to be irrigated is described in the following tabulation:

(Give Irrigable acreage in each 40-acre subdivision.)

Twp.	Range	Sec.	NE1/4				NW1/4				SW1/4				SE1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
			All Class 1 and 2 arable lands in Townships 13 and 14 South, Ranges 35 and 36 East, Boise Meridian, of about 8000 acres, as further shown by Sectional maps filed with and in connection with Permit No. R-1005 made a part hereof by reference.																
			Total number of acres to be irrigated - - -																about 8000

Total Number of Acres to Be Irrigated

21. Existing rights and/or valid permits appurtenant to lands described above are The St. John Irrigating Company has the prior right to the natural flow of the waters of the Little Malad River.
- REMARKS: This application is to secure stored supplemental water rights to said lands. The maps and plats which accompanied permit No. R-1005, under Application No. R-33947, filed with the Department of Reclamation of the State of Idaho, are referred to and made a part of this application by reference.

BE IT KNOWN That the undersigned hereby makes application for permit to construct a reservoir and appropriate and store the public waters of Idaho as herein set forth, and that the enclosed map is hereby made a part of this application.

St. John Irrigating Company Applicant.

By s/ Lewis Deschamps, President Agent.

Date of first receipt at Department of Reclamation: 3:00 P.M. January 9, 1962

Returned to applicant for correction:

Corrected application received:

APPROVAL OF STATE RECLAMATION ENGINEER

The number of this permit is R 1104

Recorded in book R 5, page 104. Approved February 23, 1962

This is to certify that I have examined the within application for a permit to construct a reservoir and appropriate and store 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 \$ 1000.00, to be filed on or before April 24, 1962

Work to begin on or before April 24, 1962 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before August 23, 1964

The whole of said work to be completed on or before February 23, 1967

Beneficial use of water stored in accordance herewith, to be made on or before February 23, 1973

Witness my hand this 23rd day of February, 1962.

s/ RALPH W. THOMAS
Deputy State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE, 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 23rd day of February, 1962.

COUNTERSIGNED

By s/ ARNOLD WILLIAMS
Secretary of State.

STATE OF IDAHO
By s/ ROBERT E. SMYLIE
Governor.

(SEAL)

APPROVAL OF EXTENSION OF TIME ✓

I, R. Keith Higginson, State Reclamation Engineer 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. R-1104, to February 23, 1968.

Witness my hand this 12th day of January, 1967.

/s/ R. KEITH HIGGINSON
State Reclamation Engineer

Recorded: 1-12-67.

E. L. Scott
Attorney at Law
Malad City, Idaho

RECEIVED

DEC 8 1961

Department of Reclamation

December 7, 1961

Mr. Geo. N. Carter
State Reclamation Engineer
Department of Reclamation
Boise, Idaho

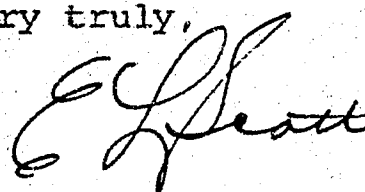
Dear Mr. Carter:

I am enclosing Application for Permit of the St. John
Irrigating Company of Malad City, Idaho, to appropriate
the waters of the Little Malad River for storage purposes.

Also, I enclose my check in sum of \$14.25 to cover filing
fee.

Please issue the Permit and oblige.

Very truly,



2-1104

December 8, 1961

Re: Application for Permit
St. John Irrigating Co.

E. L. Scott
Attorney at Law
Malad City, Idaho

Dear Mr. Scott:

Returned herewith is the application for permit to store water with attached check for \$14.25 filing fee.

The quantity of water to be stored must be shown under No. 2 of the application. The second part of 3 has been changed in pencil to Malad River as Little Malad River is a tributary of the Malad River. The second part of 8 (a) is answered no.

The amount of filing fee indicates that a notice of application must be published in an Oreida County paper for three successive weeks, Idaho Code 42-203. This section does not refer specifically to stored water, however it relates back to 42-202 wherein the fees for the application provide that one cubic foot per second is equal to 250 acre feet.

Kindly complete the application at your earliest convenience and return for processing.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. application with attached
check

R-1104

RECEIVED

DEC 18 1961

Department of Reclamation

E. L. Scott
Attorney at Law
Malad City, Idaho

December 15, 1961

State of Idaho
Department of Reclamation
Boise, Idaho

Re: Application for Permit
St. John Irrigating Co.

Mr. Ralph W. Thomas
Deputy State Reclamation Engineer

Dear Mr. Thomas:

I am enclosing the application of the St. John Irrigating Co. to appropriate the waters of the Little Malad River, amended to conform to your letter of December 8. Also, I am enclosing my check in sum of \$6.00 representing filing fee computed under the provisions of Sec. 42-203, Idaho Code.

I am certain that no notice must be published pursuant to Idaho Code Sec. 42-203, as the amount of claimed certainly would not reach the 25 c.f.s. figure provided under this section.

Thanking you kindly, I remain,

Very truly,

E. L. Scott

R-1104

December 18, 1961

Re: Application for Permit
St. John Irrigating Co.

E. L. Scott
Attorney at Law
Malad City, Idaho

Dear Mr. Scott:

Returned herewith is the application for permit with the attached check for \$6.00, for the second time.

The amount claimed, 9500 acre feet, divided by 250 acre feet gives 38 units. The fee for the first unit is \$5.00, plus \$0.25 for 37 units, \$9.25 additional, or a total of \$14.25, which was the amount you remitted the first time.

The former permit was filed November 10, 1955, claiming 9500 acre feet of water. The legal notice of the application was published November 24, 1955 to December 15, 1955. The application was protested however the protests were withdrawn later and the application was approved December 10, 1956.

The maximum amount of water which can be allowed without publication is 6250 acre feet of storage for which the filing fee is \$11.00.

Very truly yours,

GEO. H. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. application with
attached check

R-1104

NOTICE OF APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC
WATERS OF THE STATE OF IDAHO, IN ACCORDANCE WITH THE
PROVISIONS OF SECTION 42-203, IDAHO CODE

NOTICE IS HEREBY GIVEN, That the St. John Irrigating Company of
Malad, Idaho has made Application No. R-38388, on the 9th day of January,
1962, to appropriate 9,500 acre feet per annum of the waters of Little
Malad River, for irrigation purposes.

That the point of outlet of said stream reservoir is located in
the SE $\frac{1}{4}$ Sec. 26, T. 12 S., R. 34 E., B. N.

That the lands to be irrigated are approximately 8000 acres in
Townships 13 and 14 South, Ranges 35 and 36 East, B. N.

That any protests against the approval of this application must be
filed in the Department of Reclamation at Boise, Idaho, within forty (40)
days from the date of this notice and such protest shall state the name
and address of the protestant, and shall clearly set forth his objection
to the approval of said application.

Dated this 10th day of January, 1962.

Ralph W. Thomas

Deputy State Reclamation Engineer

Date of First Publication _____

Date of Last Publication _____

Last Date for Protest: February 19, 1962

SERVICE OF THE FOREGOING, by copy is hereby acknowledged this _____
day of _____, 1962

ST. JOHN IRRIGATING CO.

By _____

ITS:

R-1104

RECEIVED

JAN 9 1962

Department of Reclamation

E. L. Scott
Attorney at Law
Malad City, Idaho

January 8, 1962

State of Idaho
Department of Reclamation
Boise, Idaho

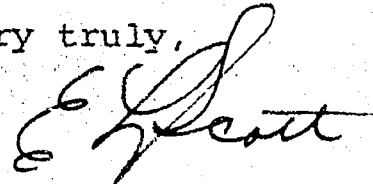
Mr. Ralph W. Thomas
Deputy State Reclamation Engineer

Dear Mr. Thomas:

For the third time I am enclosing the application of the St. John Irrigating Co. to appropriate the waters of the Little Malad River, together with my check in sum of \$14.25 representing filing fee.

I understand that a notice has to be published. Would you kindly have prepared for publication the necessary notice which I shall have published upon receipt.

Very truly,



R-1104

January 10, 1962

Re: Application No. R-38388
St. John Irrigating Co.

W. W. Scott
Attorney at Law
Malad City, Idaho

Dear Mr. Scott:

Enclosed are three copies of the legal notice of the application for permit to store 9500 acre feet per annum of the waters of Little Malad River by St. John Irrigating Company.

Kindly complete the bottom portion of each of the notices by acknowledging service, give the original to the county paper, insert dates of publication on each of the three copies. Retain one copy for your file and return one copy to this office.

First publication should be within ten (10) days of the notice. The notice is to be published at least once each week for three successive weeks. Affidavit of publication must be on file in this office.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. 3 copies of
legal notice

R-1107

FEB 21 1962

Department of Reclamation

**NOTICE OF APPLICATION
FOR PERMIT TO APPROPRI-
ATE THE PUBLIC WATERS OF
THE STATE OF IDAHO, IN
ACCORDANCE WITH THE
PROVISIONS OF SECTION 42-
203, IDAHO CODE**

NOTICE IS HEREBY GIVEN,
That the St. John Irrigating
Company of Malad, Idaho has
made Application No. R-38388,
on the 9th day of January, 1962,
to appropriate 9,500 acre feet per
annum of the waters of Little
Malad River, for irrigation pur-
poses.

That the point of outlet of said
stream reservoir is located in the
SE 1/4 Sec. 26, T. 12 S., R.
34 E., B. M.

That the lands to be irrigated
are approximately 8000 acres in
Townships 13 and 14 South,
Ranges 35 and 36 East, B. M.

That any protests against the
approval of this application must
be filed in the Department of Re-
clamation at Boise, Idaho, within
forty (40) days from the date of
this notice and such protest shall
state the name and address of
the protestant, and shall clearly
set forth his objection to the ap-
proval of said application.

Dated this 10th day of January,
1962.

Ralph W. Thomas
Deputy State Reclamation
Engineer

Date of First Publication Jan. 18

Date of Last Publication Feb. 1
Last Date for Protest: February
20, 1962.

Affadavit of Publication

State of Idaho
County of Oneida, ss.

Mary A. Matthews being first duly sworn on

h. & R oath, states: That s. he is chief clerk.....
of the Idaho Enterprise, a newspaper of general circulation
in Oneida County, Idaho published weekly at Malad, in
said county, that said newspaper has been published in
said county uninterruptedly and continuously for over
seventy-eight consecutive weeks, prior to the first publi-
cation of the annexed notice or advertisement:

That said Idaho Enterprise was at all of the times of
publication of said notice a newspaper of general circu-
lation made up of at least four pages of at least five
columns each, printed from type matter or stereotyped
forms of at least seventeen and three fourths inches depth,
and said newspaper during all of the times of publication
aforesaid had more than 200 bonafide subscribers thereto
living within the county of Oneida in which said newspaper
was published at regular intervals not less frequently than
once a week.

That the annexed notice was published per clipping
attached in the regular and entire edition of said news-
paper and not in any supplement thereof for 3 successive
weekly issues thereof the date of the first publication be-
ing the 18th day of January, 1962, the date of
the last publication being the 1st day of February
1962.

Mary A. Matthews

Subscribed and sworn to before me this 16... day of

February, 1962

Notary Public, residing at Malad, Idaho

My Commission expires the 9th day of May, 1963.

Costs: 44... lines at 13c per line first insertion \$ 5.72

.....lines tabulated at 20c per line \$.....

10c per line each subsequent insertion \$ 8.80

TOTAL \$ 14.52

(Rates for legal notices are fixed by Idaho law)

R-1104

RECEIVED
FEB 21 1962

Department of Reclamation

NOTICE OF APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC
WATERS OF THE STATE OF IDAHO, IN ACCORDANCE WITH THE
PROVISIONS OF SECTION 42-203, IDAHO CODE

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That the point of outlet of said stream reservoir is located in
the SE $\frac{1}{4}$ Sec. 26, T. 12 S., R. 34 E., B. M.

That the lands to be irrigated are approximately 8000 acres in
Townships 13 and 14 South, Ranges 35 and 36 East, B. M.

That any protests against the approval of this application must be
filed in the Department of Reclamation at Boise, Idaho, within forty (40)
days from the date of this notice and such protest shall state the name
and address of the protestant, and shall clearly set forth his objection
to the approval of said application.

Dated this 10th day of January, 1962.

Ralph Thomas
Deputy State Reclamation Engineer

Date of First Publication ~~Jan 17~~ JAN. 18
Date of Last Publication ~~Jan 27~~ FEB 1
Last Date for Protest: February 19, 1962

SERVICE OF THE FOREGOING, by copy is hereby acknowledged this 17th
day of January, 1962

ST. JOHN IRRIGATING CO.
By Louis Duckan
ITS: President

R-1104

E. L. Scott
Attorney at Law
Malad City, Idaho

February 20, 1962

Mr. Geo. M. Carter
State Reclamation Engineer
Department of Reclamation
Boise, Idaho

Gentlemen:

Re: Application No. R-38388
St. John Irrigating Co.

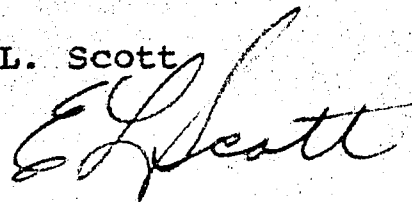
Please find enclosed Affidavit of Publication in connection with the above identified application for permit for filing in your office. Also is enclosed one of the original copies.

Please issue the above permit at your earliest convenience.

Thanking you, I remain,

Very truly,

E. L. Scott

A handwritten signature in cursive script, appearing to read "E. L. Scott", written in dark ink.

INSTRUCTIONS TO DELIVERING EMPLOYEE



Deliver **ONLY** to
addressee



Show address where
delivered

(Additional charges required for these services)

RECEIPT

Received the numbered article described on other side.

SIGNATURE OR NAME OF ADDRESSEE (must always be filled in)

Louis Deschamps President

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

Mrs Louis Deschamps

DATE DELIVERED

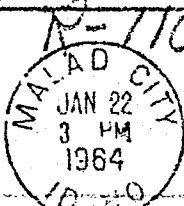
SHOW WHERE DELIVERED (only if requested)

1/22/64

R-1104

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE, \$300



POSTMARK OF
DELIVERING OFFICE

INSTRUCTIONS: Fill in items below and complete instructions on other side, if applicable. Moisten gummed ends, attach and hold firmly to back of article. Print on front of article RETURN RECEIPT REQUESTED.

RETURN
TO

REGISTERED NO.

NAME OF SENDER

State Department of Reclamation

CERTIFIED NO.

19918

STREET AND NO. OR P. O. BOX

Room 107, Statehouse

INSURED NO.

CITY, ZONE AND STATE

Boise, Idaho

CSS-16-71548-5-F

POD Form 3811 Apr. 1962

March 1, 1962

Re: Permit No. R-1104
St. John Irrigating Company

Mr. Lewis Deschamps,
RFD #1,
Malad, Idaho.

Dear Mr. Deschamps:

We enclose Permit No. R-1104 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. 30894 which was issued covering payment in the amount of \$14.25 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

Encl.
EPR:pmk

R-1104

WESTERN UNION TELEGRAM

1201 (4-50)

SYMBOLS

DL=Day Letter

NL=Night Letter

LT=International
Letter Telegram

CLASS OF SERVICE

This is a fast message
unless its deferred char-
acter is indicated by the
proper symbol.

The filing time shown in the date line on domestic telegrams is LOCAL TIME at point of origin. Time of receipt is LOCAL TIME at point of destination

PRA126

PR PKA069 NL PD=MALAD CITY IDA 26=

1963 JAN 26 PM 9 20

C E TAPPAN, STATE RECLAMATION DIRECTOR=
BOISE IDA=Room 107 Statehouse

PLEASE SEND REPORT ON FINANCIAL FEASIBILITY OF DANIELS

DAM=

CALVIN DREDGE SEC STJOHN IRRIGATION CORP.

RECEIVED

JAN 28 1963

28
Department of Reclamation

THE COMPANY WILL APPRECIATE SUGGESTIONS FROM ITS PATRONS CONCERNING ITS SERVICE

January 28, 1963

Regional Director
Bureau of Reclamation
Box 360, 32 Exchange Place
Salt Lake City, 10 Utah

Dear Sir:

Reference is had to the St. John Irrigating Company application for the Daniels Dam Project submitted to this office on November 8, 1962.

It now develops, according to a telegram received today, that we are expected to issue an opinion on the financial feasibility only at this time.

We do find the financial feasibility to be adequate for approval to this extent for the present.

Very truly yours,

CARL E. TAPPAN, Assistant
State Reclamation Engineer

CET:ew

R-1109

January 28, 1963

Regional Director
Bureau of Reclamation
Box 360, 32 Exchange Place
Salt Lake City 10, Utah

Dear Sir:

Reference is had to the St. John Irrigating Company application for the Daniels Dam Project submitted to this office on November 8, 1962.

It now develops, according to a telegram received today, that we are expected to issue an opinion on the financial feasibility only at this time.

We believe the project to be financially feasible and are therefore forwarding herewith their report to you.

Very truly yours,

CARL E. TAPPAN, Assistant
State Reclamation Engineer

CET:ew

cc: Honorable Robert E. Smylie
Governor, State of Idaho

Calvin Dredge, Secretary
St. John Irrigating Co.
Malad, Idaho

P-1104

Ambs

Frank & Carl Toppin for appropriate action

St. John Irrigating Company
Malad, Idaho

RECEIVED
NOV 9 1962

Department of Reclamation

REC'D NOV 7 1962

October 15, 1962

Hon. Robert E. Smylie
Governor of Idaho
Boise, Idaho

Dear Governor Smylie:

Enclosed herewith is a copy of an application of the St. John Irrigating Company for a loan and grant under the Small Reclamation Projects Act. The copy of the application is being transmitted for the State's review and findings relative to financial feasibility of the proposed project, in accordance with Sections 4 (a) and 4 (c) of the Act.

The Company will appreciate your prompt review of the application and findings relative to financial feasibility, in order that the application may receive consideration by the Secretary of the Interior in the near future, and a Congressional appropriation of funds in 1963. Upon completion of your review of the application, please transmit your views, including findings of financial feasibility, to the Regional Director, Bureau of Reclamation, Salt Lake City, Utah, with copies to me and to Wendell E. Smith, Consulting Engineer, Preston, Idaho.

Sincerely yours,

Louis Deschamps

Louis Deschamps
President

cc: Regional Director
Bureau of Reclamation
Salt Lake City, Utah

R-1104



RECEIVED

NOV 9 1962

Department of Reclamation

ROBERT E. SMYLIE
GOVERNOR

STATE OF IDAHO
OFFICE OF THE GOVERNOR
BOISE

November 8, 1962

Mr. Louis Deschamps
President
St. John Irrigating Company
Malad, Idaho

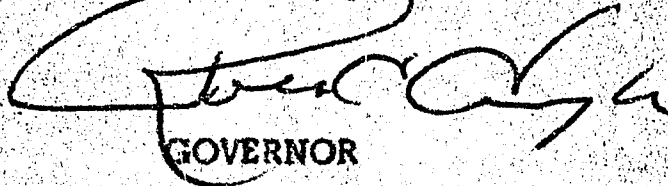
Dear Mr. Deschamps:

This will acknowledge your letter of October 15, 1962 and the copy of an application of the St. John Irrigating Company for a loan and grant under the Small Reclamation Projects Act.

I am forwarding your letter and the enclosures to Mr. Carl Tappan, Deputy State Reclamation Engineer, for attention and appropriate action. I am sure Mr. Tappan will give the matter his personal attention and will reply soon.

With kind personal regards, I am,

Sincerely yours,


GOVERNOR

RES:c

cc: Mr. Carl Tappan
Deputy State Reclamation Engineer
Statehouse
Boise, Idaho

P-1104

November 9, 1962

837

Mr. Louis Deschamps, President
St. John Irrigating Company
Malad, Idaho

Dear Mr. Deschamps:

I have the copy of the St. John Irrigating Company's application for a loan and grant under the Small Reclamation Projects Act.

On Page 16 we note that the St. John Irrigation Company recently purchased the 625 acre foot water right to permit transfer of the storage to the Daniels Reservoir.

It appears that this 625 acre feet of storage is to be used on other lands than that to which the water was licensed, also that it is proposed to change the point of diversion.

This being true, an application for transfer to other lands and a change in point of diversion should be filed with the Department of Reclamation.

In any event the Department requires a record of all water right transfers.

Please advise, as soon as possible, what the conditions are regarding the transaction referred to above.

It may be important to note in the application that a proper transfer of water right has been effected.

Very truly yours,

CARL E. TAPPAN, Assistant
State Reclamation Engineer

CE:rew

R-1104

January 16, 1963

Salvin Dredge, Secretary
St. Johns Irrigating Co.
Malad, Idaho

Phone 1079352

Dear Mr. Dredge:

In accordance with our telephone conversation of today, we are enclosing a copy of a letter written to Mr. Louis Deschamps, President of the St. Johns Irrigating Company under date of November 9, 1962.

We also enclose forms for affecting transfer of water rights and points of use.

Very truly yours,

CARL E. TAPPAN, Assistant
State Reclamation Engineer

CET:ew

Enc. transfers
copy of letter

cc: Honorable Robert E. Smylie
Governor, State of Idaho

R-1104

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

January 21, 1961

Re: Permit No. R-1104

To: Lewis Deschamps, President
St. John Irrigation Company
Route #1
Malad, Idaho

It appearing to the State Reclamation Engineer that the terms and conditions of Permit No. R-1104
to appropriate the Public Waters of the State of Idaho, have not been complied with as to

The Bond in the amount of \$1000.00 which was to be filed on or before

April 24, 1962

you are hereby notified in compliance with Sec. 42-311, Idaho code that said Permit No. R-1104
is hereby held for cancellation.

You are hereby required to show cause before the State Reclamation Engineer on or before forty days from
date of this notice why said Permit should not be cancelled.

Said Permit No. R-1104 claims the use of 2 9500 Acres ~~XXXX~~ ^{Annual} ~~XXXX~~ feet per second of the
waters of Little Malad River with point of diversion located
SE 1/4 Sec. 26., Twp. 12 S., Rge. 34 E.B.M., and
was approved February 23, 1962

In Witness Whereof, I have hereunto set my hand and affixed the seal of my office at Boise, Idaho, the

21st day of January, 1961

Deputy, State Reclamation Engineer.

A Bond is enclosed for your use.

By _____ Assistant.

R-1104

DECEIVED

FEB 24 1964

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Department of Reclamation

January 22, 1964

Re: Permit No. B-1104

To: Louis Deschamps, President
St. John Irrigation Company
Route #1
Malad, Idaho

and according to the State Reclamation Engineer that the terms and conditions of Permit No. B-1104

to appropriate the Public Waters of the State of Idaho, have not been complied with as to

The Bond in the amount of \$1000.00 which was to be filed on or before

April 21, 1962

you are hereby notified in compliance with Sec. 42-311, Idaho code that said Permit No. B-1104

is hereby held for cancellation.

You are hereby required to show cause before the State Reclamation Engineer on or before forty days from date of this notice why said Permit should not be cancelled.

Said Permit No. B-1104 claims the use of 2,500 Acres 1000 feet per section of the waters of Little Malad River with point of diversion located

was approved February 23, 1962

In Witness Whereof, I have hereunto set my hand and affixed the seal of my office at Boise, Idaho, the

21st day of January 1964

Deputy, State Reclamation Engineer

A Bond is enclosed for your use.

Assistant

R-104

February 24, 1964

Re: Permit No. R-1104
St. Johns Irrigating Co.

Lewis Deschamps
R. F. D. #1
Malad, Idaho

Dear Mr. Deschamps:

Returned herewith is the bond signed by you and Mr. Calvin Dredge, also enclosed is a blank form.

It would seem that officials of the Company should not sign the bond. Could you obtain two independent men to sign the blank form?

Kindly return at your earliest convenience. The 40 days allowed on the notice sent you January 21, 1964 will soon be passed.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. bond
blank form

R-1104

Bond.

RECORDED
FEB 27 1964

Department of Reclamation

KNOW ALL MEN BY THESE PRESENTS, That The St. John Irrigating Company
of Oneida County, Idaho as principal and Keith Jones
and Myron Jones

as surety, are held and firmly bound unto the State of Idaho in the full
and just sum of One Thousand (\$1000.00) Dollars,
lawful money of the United States, to the payment of which sum, well and truly to be made, said
principal and surety bind themselves, their heirs, administrators, executors and assigns, jointly and
severally, under the terms and conditions hereinafter set forth.

The terms of this obligation are such that, whereas the above named principal on the 23rd
The State
day of February, 1962, filed in the office of ~~the Commissioner of Reclamation~~ Engineer
in Boise, Idaho, a certain application for permit to appropriate the public waters of the State
of Idaho, the said application being thereupon numbered No. R-1104 in accordance with which said
application the ~~Commissioner~~ The State Engineer of Reclamation granted and issued to the said principal herein a cer-
tain permit numbered No. R-1104, a full, true and complete copy of which application No. _____
and permit No. R-1104, is of record in the office of the ~~Commissioner~~ the State Engineer of Reclamation in Book
_____ of Permits, at Page _____.

Now, if the above bounden principal shall faithfully carry to completion the said works of diver-
sion as specified in said application No. _____ and permit No. R-1104, in the manner and form
prescribed therein and within the time therein allowed, then the above obligation to be void, otherwise
to remain in full force and effect.

IN WITNESS WHEREOF, The said principal and surety have hereunto set their hands and seals,
this 20th day of February, 1964.

WITNESSES:

(SEAL)

The St. John Irrigating Company

Keith Jones

(SEAL)

By

Louis Durkamp
President

Myron Jones

(SEAL)

STATE OF IDAHO,

County of Oneida

ss:

Keith Jones

of Malad City, Idaho

and

Myron Jones

of

Malad City, Idaho

whose names

are subscribed to the within and foregoing obligation as sureties thereto, each being duly sworn,
upon oath for himself deposes and says:

That he is a resident and freeholder of the State of Idaho, and that he is worth the sum named
in said obligation, to wit, \$ 1000.00, over and above all his debts and liabilities, exclusive of prop-
erty exempt from execution.

Keith Jones

Myron Jones

Subscribed and sworn to before me this 20th day of February, 1964

E. H. Scott
Notary Public

Malad City, Idaho

R-1104

RECEIVED
DEC 23 1966

Department of Reclamation

E. L. SCOTT
ATTORNEY AT LAW
26 COURT STREET
MALAD CITY, IDAHO
TELEPHONE NO. 1

December 22, 1966

State of Idaho
Department of Reclamation
107 State House
Boise, Idaho

Att: Mr. Keith Higginson

Re: Permit R-1104
St. John Irrigating Co.

Dear Mr. Higginson:

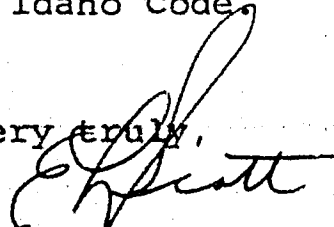
The St. John Irrigating Company is in receipt of the Department's request for Proof of Completion of Works under the above permit. We certainly would like to be in a position to make final proof within the time allotted, but it appears that we are going to have to have an extension of time within which to make completion and submit proof.

As you know, the Company on November 22, 1965, entered into a contract with Rogers Construction Company for the construction of a dam under the above permit, and under the terms thereof would be given 365 days within which to complete construction.

It now appears that the construction will not be completed until early Spring of 1967 because of adverse weather conditions which will delay the contractor in his work. The Company has exercised all due diligence possible to comply with the conditions of the Permit.

Please consider this an application for extension of time for the completion of works under Permit No R-1104, and request that an additional one year extension be granted under the provisions of Sec. 42-204 Idaho Code.

Very truly,


E. L. Scott

ELS:eh

R-1104

January 6, 1967

RE: Permit R-1104
St. John Irrigation Company

E. L. Scott
Attorney at Law
26 Court Street
Malden City, Idaho

Dear Mr. Scott:

Enclosed please find a form for extension of time
which you requested in your letter of December 22, 1966.

If you would be so kind as to fill out this form
and return it to our office the State Reclamation Engineer
will review your case and consider an extension of time
on the above referenced permit.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:efw

Encl: Extension of time form

R-1104

STATE OF IDAHO
Department of Reclamation

JAN 11 1967

Application for Extension of Time for Completion of Works

State of Idaho

County of Oneida

ss.

Permit No. R-1104

Lewis Deschamps, President of the St. John Irrigation Company, of Oneida County State of Idaho, being first duly sworn, upon his oath deposes and says:

the St. John Irrigation Company
That ~~he~~ is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho

No. R-1104

That under the terms and conditions of said permit, construction work thereunder was required to be completed by February 23, 1967.

That ~~he has~~ heretofore ~~performed~~ the following work described under said permit: has been performed: A written contract for the construction of the dam described in said permit was entered into by the St. John Irrigation Company with Rogers Construction Company on November 22, 1965, by the terms of which the dam was to be completed within 365 days. Because of bad weather and unforeseen difficulties encountered in grouting the base of the dam, the construction has not been completed. It is estimated that the dam in its present condition is 70% complete, and additional time is necessary for completion, approximately two months

Costing \$

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit: Severe winter weather has delayed the filling of the earth fill to the dam.

WHEREFORE, he asks that the State Reclamation Engineer extend the time for the completion of works under said permit to February 23, 1968

Subscribed and sworn to before me this 7th day of January, 1967

My commission expires May 19, 1967

Date of receipt at office of Department of Reclamation January 11, 1967

APPROVAL OF STATE RECLAMATION ENGINEER

I, R. Keith Higginson, State Reclamation Engineer 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. R-1104 to February 23, 1968.

Witness my hand this 12th day of

January

1967

R. Keith Higginson
State Reclamation Engineer.

Don W. Samuelson
XXXXXXXXXXXX

January 12, 1967

RE: Permit R-1104
St. John Irrigation Company

E. L. Scott
Attorney at Law
26 Court Street
Malad City, Idaho

Dear Mr. Scott:

Enclosed herewith is approval of extension of time
on the above referenced permit.

This extension is approved to February 23, 1968.

Very truly yours

H. RUSSELL BOSCH
Office Manager

MRB:efw

Encl: Approval attached

R-1104



UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION

REGIONAL OFFICE, REGION 4

P. O. BOX 360

SALT LAKE CITY, UTAH 84100

JAN 18 1966

IN REPLY
REFER TO: 4-710

R-1104
RECEIVED
JAN 20 1966

Department of Reclamation

Mr. Carl E. Tappan
State Reclamation Engineer
107 State House
Boise, Idaho 83701

Attention: Mr. Higginson

Dear Mr. Tappan:

By letter of January 6, 1966, Mr. Higginson informed us regarding the procedures your office will require of the resident engineer in charge of construction supervision on Daniels Dam being financed by Small Reclamation Projects loan and grant to the St. John Irrigating Company.

With the procedures indicated, we agree that no written agreement for coordination of State and Bureau procedures will be necessary. We appreciate the prompt action in furnishing us the information.

Sincerely yours,

Paul Wilmore

Acting Regional Director

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

Re: R-1104

Lewis Deschamps
St. John Irrigating Co.
Route #1, Malad, Idaho

Dear Sir:

The date for Completion of Works under your Permit No. R-1104 was set for February 23, 19 67. We are enclosing blank forms which you may use to notify this department of your intention to submit proof of completion of works. These are to be completed and forwarded to this office by registered mail at least 60 days before the above date. When this notice is received we will forward it, to a paper in your county which you designate, for publication.

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

Under some circumstances, as specified in Sec. 42-204 Idaho Code, where works have not been completed, an extension of time can be granted. In the event proof is not made and extension is not requested, or granted, the permit will be subject to cancellation.

The law requires that another proof be submitted when the water has been fully applied to a beneficial use which will be due Feb. 73, 19 73. If, however, the full use of the water is presently being made you may wish to make proof of beneficial use also at this time. If so, forms will be forwarded to you upon request.

Very truly yours,

R. KEITH HIGGINSON

State Reclamation Engineer

Enc. Form 8 and 11

cc:

R-1104

E. L. SCOTT
ATTORNEY AT LAW
26 COURT STREET
MALAD CITY, IDAHO
TELEPHONE NO. 1

NOV 8 1967

November 7, 1967

Keith Higginson
State Reclamation Engineer
State House
Boise, Idaho

Dear Mr. Higginson:

The St. John Irrigating Company has accepted as complete the dam at the Daniels dam site in Oneida County.

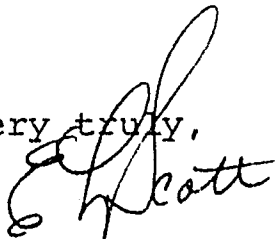
I talked with Mr. E. K. Thomas of the Bureau of Reclamation yesterday, and it is their intention to construct measuring devices around the reservoir to determine stream flow in and out of the reservoir. He suggested that we take this matter up with you as quite frequently the various States have regulations concerning measuring devices.

The Company and the Bureau of Reclamation people are meeting at the dam site on Tuesday November 14th at 10:30 A.M. to consider this matter.

I would appreciate having your views and comments before the meeting.

Thanking you kindly,

Very truly,


E. L. Scott

ELS:eh

R-1107

November 13, 1967

Mr. E. L. Scott
Attorney at Law
Malad City, Idaho

Dear Mr. Scott:

Your letter of November 7, 1967 asks for information concerning the requirements of this department for measuring devices around the recently completed Daniels Dam in Oneida County.

Your attention is invited to the provisions of Sec. 42-207, Idaho Code. This section requires any reservoir company to install a measuring device above the reservoir for the purpose of determining the natural flow of the stream. However in the event that all of the water of the stream is controlled and owned by the same company such measurement would not be necessary. It is possible that if a staff gage is installed on the dam face that it would serve to determine the quantity of water stored in the reservoir at any time and would reflect increases and decreases caused by change in the rate of inflow.

Therefore, if the St. John Irrigating Company is required to bypass natural flow waters at the reservoir site to satisfy prior downstream water rights held by other parties, a measuring system must be installed.

We will be happy to discuss this matter with you, if you so desire.

Very truly yours,

R. KEITH HIGGINSON
State Reclamation Engineer

RKH:ew

R-1104

Re: Permit No. R-1104

December 1, 1967

St. John Irrigating Company
Route 1
Malad, Idaho

Gentlemen:

Proof of completion of works ~~and application of water to beneficial use~~ for the above referenced permit is due not later than February 23, 1968.

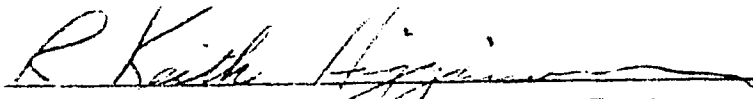
Under the terms of your permit, it is required that a notice be published once a week for four consecutive weeks in a local newspaper showing your intent to submit proof. The proof will consist of depositions which the permit holder and two disinterested witnesses must complete before the listed notary public, and must be accompanied by an affidavit of publication of the legal notice.

We have prepared the enclosed notice from the information on your permit. The complete name and address of a notary public of the State of Idaho must be entered together with a date for you to appear before the notary. Allow at least 40 days from the date the notice is mailed to this department for your appearance before the notary.

If you find any discrepancy in the notice or have made any changes, please advise this department and we will assist you in doing whatever may be necessary to assure correct publication.

If the enclosed notice is correct, complete the blank spaces and sign the form authorizing us to publish the notice at your expense and return all forms. At the time we send the notice to the newspaper, you will be supplied with further instructions.

If you do not desire to complete the proofs and obtain a license of water right, you are requested to complete the relinquishment portion of this form below and return it to the Department of Reclamation.


State Reclamation Engineer

RELINQUISHMENT

I hereby relinquish to the State of Idaho, all my right, title and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. _____.

Dated _____.

permit holder

December 11, 1967

Re: Permit No. R-1104
St. John Irrigating Company

E. L. Scott
26 Court Street
Malad City, Idaho

This acknowledges receipt of the notice of intent to make proof of completion of works ~~and application of water to beneficial use~~ for permit R-1104.

We have mailed the notice to the Idaho Enterprise
to be published once a week for four consecutive weeks prior to January 26,
1968, which is the hearing date when the permit holder St. John Irrigating Company
and two disinterested witnesses must appear before E. L. Scott
, notary public, to complete the enclosed
depositions. The witnesses must be familiar with the works and permit.

After the hearing, the depositions and an affidavit of publication must be submitted to this office. The affidavit may be obtained from the newspaper when the advertising bill is paid by St. John Irrigating Company by E. L. Scott
. Be sure all the forms have the notary's seal and are signed.

Please feel free to contact us if we may be of any assistance.

Very truly yours,

Donald W. McElowney
Water Rights Clerk

DWM:dj

Enc: Depositions

cc: Applicant

R-1104

RECEIVED
DEC 11 1967
Department of Reclamation

(This completed form authorizes the Department of Reclamation to publish the required notice at your expense.)

State Reclamation Engineer:

You are hereby authorized to have the attached notice published at my expense in the Idaho Enterprise of Malad City, Idaho; published in the county in which the works are situated.

St John Irrigating Co
(signature) E. Scott
Attorney
(address)
Dec. 8, 1967
(date)

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 when proof is for completion of works.

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

Engineer

R-1104

NOTICE OF PROOF OF COMPLETION OF WORKS
 AND
 ANNECIGATIONXOFXWATERXTOXBENEFICIALXUSE

RECEIVED
 DEC 11 1962

Department of Reclamation

NOTICE IS HEREBY GIVEN THAT ON THE 26th day of JANUARY, 1962
 at MALAD, County of ONEIDA, State of Idaho
 before F. L. SCOTT, Notary Public at (address) 26 COURT ST.,
Malad, Idaho, proof will be submitted of Completion of Works for the
 diversion of 9500 acre feet of storage, of waters of Little Malad River
~~and of the application to Beneficial Use of said water~~ in
 accordance with the terms and conditions of Permit No. R-1104, 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 St. John Irrigating Company, Route 1, Malad, Idaho

2. Said works of diversion of water for storage 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 storage is 9500 acre ~~cubic~~ feet per ~~second~~ annum.

3. Reservoir capacity is 9500 acre feet.

4. The use to which said water ~~has~~ ^{will} been applied is irrigation & culinary
 purposes, and the amount applied to beneficial use ~~is~~ ^{will be} 9500 acre feet.

5. The point of diversion of said waters ~~for beneficial use~~ is _____

SE1/4 Sec. 26, T. 12 S., R. 34 E., B.M., Oneida County.

_____ and the amount which can be diverted is
9500 acre ~~cubic~~ feet per ~~second~~ annum.

6. The place where said water ^{will be} ~~is~~ used is all Class 1 and 2 arable lands in
Townships 13 and 14 South, Ranges 35 and 36 East, B.M. of about 8000 acres.

7. The date of priority which said user is prepared to establish is _____
January 9, 1962.

R. KEITH HIGGINSON

State Reclamation Engineer

R-1104

Proof

RECEIVED

DEC 18 1967

Department of Reclamation

**NOTICE OF PROOF OF
COMPLETION OF WORKS**
NOTICE IS HEREBY GIVEN
THAT ON THE 26th day of Jan-
uary, 1968, at Malad, County of
Oneida, State of Idaho, before E.
L. Scott, Notary Public at 26
Court St., Malad, Idaho, proof
will be submitted of Completion
of Works for the diversion of
9500 acre feet of storage, waters
of Little Malad River in accord-
ance with the terms and condi-
tions of Permit No. R-1104(here-
before issued by the Department
of Reclamation of the State of
Idaho.

1. The name and postoffice ad-
dress of the person or corporation
holding said permit is St. John
Irrigating Company, Route 1,
Malad, Idaho.

2. Said works of diversion of
water for storage 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 storage is 9500 acre feet per
annum.

3. Reservoir capacity is 9500
acre feet.

4. The use to which said water
will be applied in irrigation and
cannery purposes, and the a-
mount applied to beneficial use
will be 9500 acre feet.

5. The point of diversion of
said waters is SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 26,
T. 12 S. R. 34 E. B. M., Oneida
County, and the amount which
can be diverted is 9500 acre feet
per annum.

6. The place where said water
will be used is all Class 1 and
2 arable lands in Townships 13
and 14 South, Ranges 35 and 36
East, B. M. of about 8000 acres.

7. The date of priority which
said user is prepared to establish
is January 9, 1962.

R. KEITH HIGGINSON
State Reclamation Engineer
12-21-28 1-4-11 14

R-1104

December 11, 1967

Re: Permit No. R-1104
St. John Irrigating Company

Idaho Enterprise
Malad City, Idaho 83252

Gentlemen:

Enclosed is a legal notice which we wish to have published for four consecutive weeks prior to January 26, 1968. The expense of the publication is to paid by St. John Irrigating Company, c/o E. L. Scott, Attorney, 26 Court Street, Malad City, Idaho, to whom you should furnish the affidavit of publication on or before the above date. Please acknowledge receipt of this notice by furnishing this office with a tear sheet for checking prior to the first publication.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:dj

Enc: Legal Notice

R-1104

March 25, 1968

Re: Permit No. R-1104

St. John Irrigating Company
R.F.D. #1
Malad, Idaho

Gentlemen:

It appearing to the State Reclamation Engineer that the terms and conditions of Permit R-1104 to appropriate the public waters of the State of Idaho, have not been complied with as to failure to submit adequate proof of completion of works due February 23, 1968, (depositions which were to have been taken January 26, 1968), you are hereby notified that under the provisions of Section 42-311, Idaho Code, as amended, said permit is hereby held for cancellation, and you are required to show cause before the State Reclamation Engineer on or before May 6, 1968, why said permit should not be cancelled.

Permit R-1104 claims the use of 9,500 acre feet per annum of water. The point of diversion was to be located SE/SE/4, Sec. 26, T. 12 S, R. 34 E, B.M., Oneida County,

and the permit was approved February 23, 1962.

State Reclamation Engineer

R-1104

POD Form 3811 Apr. 1967 c55-16-71543-10

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE IF MAILED
PERMIT NO. POSTAGE 500

CUSTOMER OF
DELIVERING OFFICE

4
1968

INSTRUCTIONS: Show name and address below and complete instructions on other side, where applicable. Moistened gummed ends, attach and hold firmly to back of article. Print on front of article **RETURN RECEIPT REQUESTED.**

← **RETURN TO**

NAME OF SENDER

Department of Reclamation

STREET AND NO. OR P.O. BOX

Room 107, Statehouse

POST OFFICE, STATE, AND ZIP CODE

Boise, Idaho 83701

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Show to whom, date, and
address where delivered

☐ Deliver ONLY
to addressee

(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE *(Must always be filled in)*

CERTIFIED NO.

1

St John Irrigating Co.

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

2

INSURED NO.

Evelyn Deschamps

DATE DELIVERED

SHOW WHERE DELIVERED *(only if requested)*

3

E. L. SCOTT
ATTORNEY AT LAW
26 COURT STREET
MALAD CITY, IDAHO
TELEPHONE NO. 766-4000

RECEIVED
APR 29 1968
Department of Reclamation

April 25, 1968

State of Idaho
Department of Reclamation
107 State House
Boise, Idaho 83701

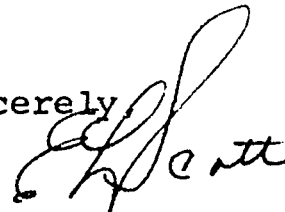
Re: Permit No. R 1104

Gentlemen:

Please find enclosed Affidavits in connection with the Proof of Completion of Works in connection with the above identified Permit, together with Affidavit of Publication of the Idaho Enterprise in connection therewith.

I wish to apologize for the delay in getting these to you, but the work load has just simply been too great.

Sincerely,



STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. R 1104

* * * * *

RECEIVED
APR 28 1965
Department of Reclamation

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:

Pete Thomas; Age 75 years; Residing at Malad City, Idaho; Farmer;
Farmer; P. O. Address: Malad City, Idaho

Ques. 2 Are you acquainted with St. John Irrigating Company, the holder of

Permit No. R 1104? How long have you known him and where does he reside? It is a
water corporation of the State of Idaho; it has been in existence all of
my lifetime. It has principal place of business in Oneida County, Idaho

Ques. 3. Have you read or heard said Permit No. R 1104 read, and are you familiar
with its provisions and conditions: Yes Yes No.

Ques. 4. State source of water supply: The waters of the Little Malad River

Give location of place of diversion, showing subdivision, section, township and range
SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 26, Township 12 South, Range 34 East, Boise Meridian

Describe works for conveying water to place of use: The channel of the Little Malad
River, and the Distribution system of the St. John Irrigating Co. in Oneida
County, Idaho

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: approximately 20 cfs How much water have you seen being so
conveyed? flow varies between 6 cfs to 20 cfs

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving
full legal description:

Water is being stored under reservoir permit; water is to be used
for irrigation purposes upon the Class 1 and Class 2 arable lands in
Townships 13 and 14 South, Ranges 35 and 36 East, Boise Meridian, of som
8000 acres

R-1104

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

Storage permit during non-irrigation season

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.

Generally the lands to be served by this water are a loamy soil which requires approximately one miners inch per acre for profitable cultivation

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned?

If so, in what way and to what extent? Yes. I am a stockholder. I am also a

Director of the St. John Irrigating Company

Ques. 10. When did you first see this water ~~used~~? stored, The gates were closed

the first part of October, 1967

Other times you have seen such use: _____

The gates have been closed and the water stored ever since.

(Signed):

Ed Scott

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 Malad City

_____, County of Oneida, State of Idaho, on

this 26th day of January, A. D. 19 68

Ed Scott

Notary Public for the State of Idaho

Residing Malad, Idaho

My commission expires May 19, 1971

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho
Permit No. R 1104

RECEIVED
1965
Department of Reclamation

* * * * *

PROOF OF ~~APPLICATION OF WATER TO BENEFICIAL USE~~

~~ON~~ CONSTRUCTION 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:
Nolan Blaisdell; Age 53 years; Residing at Malad City, Idaho; Farmer;
Farmer; P.O. Address: Malad City, Idaho

Ques. 2 Are you acquainted with St. John Irrigating Company, the holder of
Permit No. R 1104 ? How long have you known him and where does he reside? It is a
water corporation of the State of Idaho; it has been in existence all of my
lifetime. It has principal place of business in Oneida County, Idaho

Ques. 3. Have you read or heard said Permit No. R 1104 read, and are you familiar
with its provisions and conditions: Yes Yes No. _____

Ques. 4. State source of water supply: The waters of the Little Malad River

Give location of place of diversion, showing subdivision, section, township and range
SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 26, Township 12 South, Range 34 East, Boise Meridian

Describe works for conveying water to place of use: The channel of the Little Malad
River, and the Distribution system of the St. John Irrigating Co. in Oneida
County, Idaho

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: approximately 20 cfs How much water have you seen being so
conveyed? flow varies between 6 cfs to 20 cfs

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving
full legal description:

Water is being stored under reservoir permit; water is to be used
for irrigation purposes upon the Class 1 and Class 2 arable lands in
Townships 13 and 14 South, Ranges 35 and 36 East, Boise Meridian, of some
8000 acres

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

Storage permit during non-irrigation season

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.

Generally the lands to be served by this water are a loamy soil which requires approximately one miners inch per acre for profitable cultivation

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned?

If so, in what way and to what extent? Yes. I am a stockholder. I am also a Director of the St. John Irrigating Company

Ques. 10. When did you first see this water ~~used~~ stored? The gates were closed the first part of October, 1967

Other times you have seen such use: _____

The gates have been closed and the water stored ever since.

(Signed):

William J. Blaisdell

* * * * *

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 Malad City

_____, County of Oneida, State of Idaho, on this 26th day of January, A. D. 1968

E. Scott

Notary Public for the State of Idaho

Residing Malad, Idaho

My commission expires May 19, 1971

2-1104

RECEIVED
JAN 29 1968
Department of Reclamation

**NOTICE OF PROOF OF
COMPLETION OF WORKS**

NOTICE IS HEREBY GIVEN THAT ON THE 26th day of January, 1968, at Malad, County of Oneida, State of Idaho, before E. L. Scott, Notary Public at 26 Court St., Malad, Idaho, proof will be submitted of Completion of Works for the diversion of 9500 acre feet of storage, waters of Little Malad River in accordance with the terms and conditions of Permit No. R-1104 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 St. John Irrigating Company, Route 1, Malad, Idaho.

2. Said works of diversion of water for storage 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 storage is 9500 acre feet per annum.

3. Reservoir capacity is 9500 acre feet.

4. The use to which said water will be applied in irrigation and culinary purposes, and the amount applied to beneficial use will be 9500 acre feet.

5. The point of diversion of said waters is SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 26, T. 12 S, R. 34 E, B. M., Oneida County, and the amount which can be diverted is 9500 acre feet per annum.

6. The place where said water will be used is all Class 1 and 2 arable lands in Townships 13 and 14 South, Ranges 35 and 36 East, B. M. of about 8000 acres.

7. The date of priority which said user is prepared to establish is January 9, 1962.

R. KEITH HIGGENSON
State Reclamation Engineer
12-21-28 1-4-11 t4

Affidavit of Publication

State of Idaho
County of Oneida, ss.

May Nell Wharton being first duly sworn on oath, states: That she is *a clerk*

of the Idaho Enterprise, a newspaper of general circulation in Oneida County, Idaho published weekly at Malad, in said county, that said newspaper has been published in said county uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement:

That said Idaho Enterprise was at all of the times of publication of said notice a newspaper of general circulation made up of at least four pages of at least five columns each, printed from type matter or stereotyped forms of at least seventeen and three fourths inches depth, and said newspaper during all of the times of publication aforesaid had more than 200 bonafide subscribers thereto living within the county of Oneida in which said newspaper was published at regular intervals not less frequently than once a week.

That the annexed notice was published per clipping attached in the regular and entire edition of said newspaper and not in any supplement thereof for *4* successive weekly issues thereof the date of the first publication being

the *21* day of *December*, 19*67* the date of the last publication being the *11* day of *January* 19*67*.

May Nell Wharton
Subscribed and sworn to before me this *26th* day of *January*, 19*68*. *[Signature]*
Head

Notary Public, residing at Malad, Idaho

My Commission expires the *19* day of *May*, 19*71*.

Costs: *53* lines at 13c per line first insertion \$.*6.89*

..... lines tabulated at 20c per line \$.*.....*

10c per line each subsequent insertion \$.*15.90*

TOTAL \$.*22.79*

(Rates for legal notices are fixed by Idaho law)

R-1104

May 9, 1968

Re: Permit No. N-1104

St. John Irrigating Company
Route #1
Malad, Idaho 83252

Gentlemen:

We are returning the depositions of two witnesses taken in connection with the proof of completion of works submitted in connection with Permit No. 1104.

Please be advised that the depositions are not acceptable as both have stated under Question 9 that they have ownership interests in the project. We have consulted the Attorney General's office and he has indicated that a stockholder is not an acceptable witness. In order to comply with the existing statutes, the witnesses can not have ownership interests in the project.

We are enclosing two new blank depositions. Please have new witnesses complete the forms and return them to the department for processing. Please contact us if we may be of further assistance.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

Enclosure: Original depositions
New depositions

R-1104

May 31, 1968

Re: Permit No. R-1104

St. John Irrigating Company
Route # 1
Malad, Idaho 83252

Gentlemen:

Enclosed is a copy of our letter to you of May 9, 1968, to which we have not received a reply.

Please be advised that if this office does not receive two acceptable witness depositions for Permit R-1104 within 10 days of the date of this letter, these proofs may be rejected and the permit held for cancellation.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DJ

Enc: Copy of our letter of 5-9-68

R-1104

June 10, 1968

Re: Permit No. R-1104

Lewis Deschamps
St. John Irrigating Company
R.F.D. # 1
Malad, Idaho 83252

Dear Mr. Deschamps:

It appearing to the State Reclamation Engineer that the terms and conditions of Permit R-1104 to appropriate the public waters of the State of Idaho, have not been complied with as to failure to submit adequate proof of completion of works due February 23, 1968,

you are hereby notified that under the provisions of Section 42-311, Idaho Code, as amended, said permit is hereby held for cancellation, and you are required to show cause before the State Reclamation Engineer on or before July 22, 1968, why said permit should not be cancelled.

Permit R-1104 claims the use of 9,500 acre feet per annum of water. The point of diversion was to be located SE~~1~~SE~~4~~, Sec. 26, T. 12 S, R. 34 E, B.M., Oneida County,

and the permit was approved February 23, 1962.

State Reclamation Engineer

R-1104

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Show to whom, date, and
address where delivered

☐ Deliver ONLY
to addressee

(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)

CERTIFIED NO.

20097

1

Louis Deschamps

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

2

Evelyn Deschamps

DATE DELIVERED

SHOW WHERE DELIVERED (only if requested)

6/12/68

3

R-1104

POD Form 3811 Apr. 1967 655-10-71648-10

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

PENALTY FOR FAILURE TO AVOID
PAYMENT OF POSTAGE

POSTMASTER'S
DELIVERY OFFICE



INSTRUCTIONS: Show name and address below and complete instructions on other side, where applicable. Moisten gummed ends, attach and hold firmly to back of article. Print on front of article **RETURN RECEIPT REQUESTED**.

**RETURN
TO**

NAME OF SENDER

Dept. of Acclamation

STREET AND NO. OR P.O. BOX

State House Room 2

CITY, OFFICE, STATE, AND ZIP CODE

Brass Lake 83701

These depositions
are kept at the request
of the permit holder.
See letter of June 12, 1968.

R-1104

RECEIVED

JUN 13 1966

Department of Reclamation

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. R 1104

* * * * *

RECEIVED

APR 29 1966

Department of Reclamation

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:

Pete Thomas; Age 75 years; Residing at Malad City, Idaho; Farmer;
Farmer; P. O. Address: Malad City, Idaho

Ques. 2 Are you acquainted with St. John Irrigating Company, the holder of

Permit No. R 1104? How long have you known him and where does he reside? It is a
water corporation of the State of Idaho; it has been in existence all of
my lifetime. It has principal place of business in Oneida County, Idaho

Ques. 3. Have you read or heard said Permit No. R 1104 read, and are you familiar
with its provisions and conditions: Yes Yes No.

Ques. 4. State source of water supply: The waters of the Little Malad River

Give location of place of diversion, showing subdivision, section, township and range
SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 26, Township 12 South, Range 34 East, Boise Meridian

Describe works for conveying water to place of use. The channel of the Little Malad
River, and the Distribution system of the St. John Irrigating Co. in Oneida
County, Idaho

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: approximately 20 cfs How much water have you seen being so
conveyed? flow varies between 6 cfs to 20 cfs

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving
full legal description:

Water is being stored under reservoir permit; water is to be used
for irrigation purposes upon the Class 1 and Class 2 arable lands in
Townships 13 and 14 South, Ranges 35 and 36 East, Boise Meridian, of som
8000 acres

R-1104

RECEIVED
JUN 12 1968
Department of Reclamation

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho
Permit No. R 1104

RECEIVED
APR 30 1968
Department of Reclamation

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:
Nolan Blaisdell; Age 53 years; Residing at Malad City, Idaho; Farmer;
Farmer; P.O. Address: Malad City, Idaho

Ques. 2 Are you acquainted with St. John Irrigating Company, the holder of
Permit No. R 1104? How long have you known him and where does he reside? It is a
water corporation of the State of Idaho; it has been in existence all of my
lifetime. It has principal place of business in Oneida County, Idaho

Ques. 3. Have you read or heard said Permit No. R 1104 read, and are you familiar
with its provisions and conditions: Yes Yes No. _____

Ques. 4. State source of water supply: The waters of the Little Malad River

Give location of place of diversion, showing subdivision, section, township and range
SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 26, Township 12 South, Range 34 East, Boise Meridian

Describe works for conveying water to place of use: The channel of the Little Malad
River, and the Distribution system of the St. John Irrigating Co. in Oneida
County, Idaho

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: approximately 20 cfs How much water have you seen being so
conveyed? flow varies between 6 cfs to 20 cfs

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving
full legal description:

Water is being stored under reservoir permit; water is to be used
for irrigation purposes upon the Class 1 and Class 2 arable lands in
Townships 13 and 14 South, Ranges 35 and 36 East, Boise Meridian, of some
8000 acres

2-1104

E. L. SCOTT
ATTORNEY AT LAW
26 COURT STREET
MALAD CITY, IDAHO
TELEPHONE NO. *766-4000

RECEIVED
JUN 13 1968
Department of Reclamation

June 12, 1968

State of Idaho
Department of Reclamation
107 State House
Boise, Idaho 83701

Re: Permit No. R-1104

Dear Mr. McEldowney:

I am enclosing the depositions of Varcel Christofferson and William G. Jenkins in connection with the proof of completion of works.

Also, I enclose the two previous depositions of Pete Thomas and Nolan Blaisdell which were previously submitted and which were returned as non acceptable because of the alleged ownership of stock interest in the Company. I ask that you please file these two depositions along with the other proofs in connection with the Completion of works. It is my thinking that the fact of their interest in the Company might possibly affect the credibility of their statements, but nevertheless have tremendous value regarding the matters which they testify to.

Thanking you kindly, I remain

Very truly,

E. L. Scott
E. L. Scott

ELS:eh
encl:

OK
Done
6-13-68

R-1104

November, 1967

N O T E

Plans, specifications, and drawings have been removed from
this file and placed in the dam file.

R- 1104

R-1104

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. R 1104

* * * * *

PROOF OF ~~APPLICATION OF WATER TO BENEFICIAL USE~~

and Completion of Works

DEPOSITION OF HOLDER

RECEIVED
APR 29 1962

Department of Reclamation

Ques. 1. State your name, residence occupation and postoffice address: Louis Deschamps;
Residing in Oneida County, Idaho; Farmer.

P.O. Address: RFD#1, Malad, 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:
St. John Irrigating Company; Principal place of business at St. John, Oneida
County, Idaho; I am President of the St. John Irrigating Company

Ques. 3. State number, approval date of permit, and date of priority: R 1104; approved
February 23, 1962; Date of Priority of February 23, 1962

Ques. 4. State source of water supply: Little Malad River in Oneida County
Give location of point of diversion, showing subdivision, section, township and range
SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 26, Township 12 South, Range 34 East, Boise Meridian

Ques. 5. Describe your works of diversion: Compacted earth fill dam with stone
and gravel on both faces complete with concrete spillway and controlled outlets
; state amount of water they are capable of con-
veying from point of diversion to place of use: about 20 cfs; Give name of canal or ditch
or other works by which water is conducted to such place of use: Channel of the Little
Distribution system of the Company
Malad River, and /; 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: Storage, and ultimate use for irriga-
(If for irrigation, name each subdivision in which used and number of acres in tion
each subdivision that have actually been irrigated with said water:

All Class 1 and Class 2 arable lands in Townships 13 and 14 South,
Ranges 35 and 36 East, Boise Meridian, of about 8000 acres

R-1104

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

Dam and Reservoir constructed on the Little Malad River; at a cost of some \$722,994.34; Irrigation Structures constructed at cost of \$11,827.72;

Inverted Siphon at Cost of some \$14,460.45; Total Contract cost \$751,306.00

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:

Reservoir and Storage permit.

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: _____ - Time used since first use:

Dam was completed and approved for payment on October 19, 1967

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

(sign)

Robert D. Davenport

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

Malad City, County of Oneida

State of Idaho, on this 26th day of January, A. D. 1968.

E. L. Scott

Notary Public

My commission expires: May 19, 1971

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. R 1104

* * * * *

RECEIVED
JUN 13 1968
Department of Reclamation

~~PROOF OF APPLICATION OF WATER TO BENEFICIAL USE~~

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:

William G. Jenkins: Age 41 years; Residing at Malad City, Idaho; Banker

Ques. 2 Are you acquainted with St. John Irrigating Company, the holder of

Permit No. R 1104 ? How long have you known him and where does he reside? It is a water corporation of the State of Idaho; it has been in existence all of my lifetime. It has principal place of business in Oneida County, Idaho.

Ques. 3. Have you read or heard said Permit No. R 1104 read, and are you familiar with its provisions and conditions: Yes Yes No.

Ques. 4. State source of water supply: The waters of the Little Malad River

Give location of place of diversion, showing subdivision, section, township and range
SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 26, Township 12 South, Range 34 East, Boise Meridian

Describe works for conveying water to place of use: The channel of the Little Malad River, and the Distribution system of the St. John Irrigating Co. in Oneida County, Idaho.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: approximately 10 cfs How much water have you seen being so conveyed? flow varies between 6 cfs to 20 cfs

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving full legal description:

Water is being stored under reservoir permit; water is to be used for irrigation purposes upon the Class 1 and Class 2 arable lands in Township 13 and 14 South, Ranges 35 and 36 East, Boise Meridian, of some 8000 acres

R-1104

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

Storage permit during non-irrigation season for later use in irrigating crops. ~~Not necessary~~

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.

Generally the lands to be served by this water are a loamy soil which required approximately one miners inch per acre for profitable cultivation

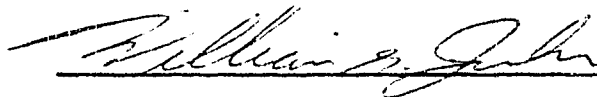
Ques. 9. Have you any ownership interest in the works, water or lands above mentioned?

If so, in what way and to what extent? None

Ques. 10. When did you first see this water ~~used~~? stored? The gates were closed
the first part of October, 1967.
Other times you have seen such use: _____

The gates have been closed and the water stored during the winter months

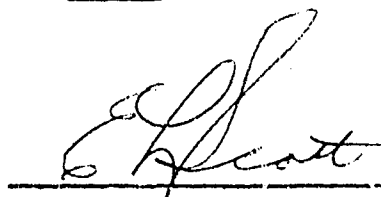
(Signed):



* * * * *

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 Malad City

_____, County of Oneida, State of Idaho, on
this 12th day of June, A. D. 1968



Notary Public for the State of Idaho

Residing Malad City, Idaho

My commission expires May 19, 1971

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. R 1104

* * * * *

RECEIVED
JUN 13 1968
Department of Reclamation

PROOF OF ~~APPLICATION OF WATER TO BENEFICIAL USE~~

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:

Varcel Christopherson; Age 57 years; Residing at Malad City, Idaho; Barber

Ques. 2 Are you acquainted with St. John Irrigating Company, the holder of

Permit No. R 1104? How long have you known him and where does he reside? It is a
water corporation of the State of Idaho; it has been in existence all of
my lifetime. It has principal place of business in Oneida County, Idaho.

Ques. 3. Have you read or heard said Permit No. R 1104 read, and are you familiar
with its provisions and conditions: Yes yes No.

Ques. 4. State source of water supply: The waters of the Little Malad River

Give location of place of diversion, showing subdivision, section, township and range
SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 26, Township 12 South, Range 34 East, Boise Meridian

Describe works for conveying water to place of use: The channel of the Little Malad
River, and the Distribution system of the St. John Irrigating Co. in Oneida
County, Idaho

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: approximately 10 cfs How much water have you seen being so
conveyed? flow varies between 6 cfs to 20 cfs

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving
full legal description:

Water is being stored under reservoir permit; water is to be used for
irrigation purposes upon the Class 1 and Class 2 arable lands in
Township 13 and 14 South, Ranges 35 and 36 East, Boise Meridian, of some
8000 acres

R-1104

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

Storage permit during non-irrigation season for later use in irrigating crops.

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.

Generally the lands to be served by this water are a loamy soil which required approximately one miners inch per acre for profitable cultivation

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned?

If so, in what way and to what extent? None

Ques. 10. When did you first see this water ~~used~~ stored? The gates were closed the first part of October, 1967.
Other times you have seen such use: _____

The gates have been closed and the water stored during the winter months

(Signed):

Narsell E. Christopher

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 Malad City

_____, County of Oneida, State of Idaho, on

this 12th day of June, A. D. 1968

E. Scott

Notary Public for the State of Idaho

Residing Malad City, Idaho

My commission expires May 19, 1971

RECEIVED
APR 23 1968

Department of Reclamation

Affidavit of Publication

State of Idaho
County of Oneida, ss.

May Nell Wharton being first duly sworn on

her oath, states: That *she* is *a clerk*
of the Idaho Enterprise, a newspaper of general circulation
in Oneida County, Idaho published weekly at Malad, in said
county, that said newspaper has been published in said
county uninterruptedly and continuously for over seventy-
eight consecutive weeks, prior to the first publication of the
annexed notice or advertisement:

That said Idaho Enterprise was at all of the times of
publication of said notice a newspaper of general circula-
tion made up of at least four pages of at least five columns
each, printed from type matter or stereotyped forms of at
least seventeen and three fourths inches depth, and said
newspaper during all of the times of publication aforesaid
had more than 200 bonafide subscribers thereto living with-
in the county of Oneida in which said newspaper was pub-
lished at regular intervals not less frequently than once a
week.

That the annexed notice was published per clipping
attached in the regular and entire edition of said newspaper
and not in any supplement thereof for *4* successive
weekly issues thereof the date of the first publication being

the *21* day of *December*..., 19*67* the date of
the last publication being the *11*.. day of *January*..
19 *67*..

May Nell Wharton

Subscribed and sworn to before me this *26th* day of

January....., 1968 *E. Heath*

Notary Public, residing at Malad, Idaho

My Commission expires the *19*.. day of *May*.., 1971.

Costs: *53*.. lines at 13c per line first insertion \$ *6.87*.

..... lines tabulated at 20c per line \$.....

10c per line each subsequent insertion \$ *15.90*

TOTAL \$ *22.77*

(Rates for legal notices are fixed by Idaho law)

NOTICE OF PROOF OF COMPLETION OF WORKS

NOTICE IS HEREBY GIVEN

THAT ON THE 26th day of Jan-
uary, 1968, at Malad, County of
Oneida, State of Idaho, before E.
L. Scott, Notary Public at 25
Court St., Malad, Idaho, proof
will be submitted of Completion
of Works for the diversion of
9500 acre feet of storage, waters
of Little Malad River in accord-
ance with the terms and condi-
tions of Permit No. R-1104(here-
tofore issued by the Department
of Reclamation of the State of
Idaho.

1. The name and postoffice ad-
dress of the person or corporation
holding said permit is St. John
Irrigating Company, Route 1,
Malad, Idaho.

2. Said works of diversion of
water for storage 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 storage is 9500 acre feet per
annum.

3. Reservoir capacity is 9500
acre feet.

4. The use to which said water
will be applied in irrigation and
culinary purposes, and the a-
mount applied to beneficial use
will be 9500 acre feet.

5. The point of diversion of
said waters is SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 26,
T. 12 S, R. 34 E, B. M., Oneida
County, and the amount which
can be diverted is 9500 acre feet
per annum.

6. The place where said water
will be used is all Class 1 and
2 arable lands in Townships 13
and 14 South, Ranges 35 and 36
East, B. M. of about 8000 acres.

7. The date of priority which
said user is prepared to establish
is January 9, 1962.

R. KEITH HIGGINSON
State Reclamation Engineer
12-21-28 1-4-11 t4

R-1104

June 20, 1968

Re: Permit No. R-1104

Louis Deschamps, President
St. John Irrigating Company
R. F. D. # 1
Malad, Idaho 83252

Dear Mr. Deschamps:

We acknowledge receipt of the depositions and affidavit of publication in the
Idaho Enterprise submitted as proof of com-
pletion of works ~~and beneficial use~~ on Permit R-1104.

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

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:dj

R-1104

Source of supply Little Malad River

a tributary of _____

Location of P.D.(s) SE 1/4 SE 1/4 Sec 26 Twp 12 S Rge 34 E

Water is used for Irrigation

Quantity of water found _____

How was the measurement made? _____

Measurement calculations Figures from John Grubb Soil Conservation Service Representative at Malad.

Maximum flood pool 11,900 A.F.

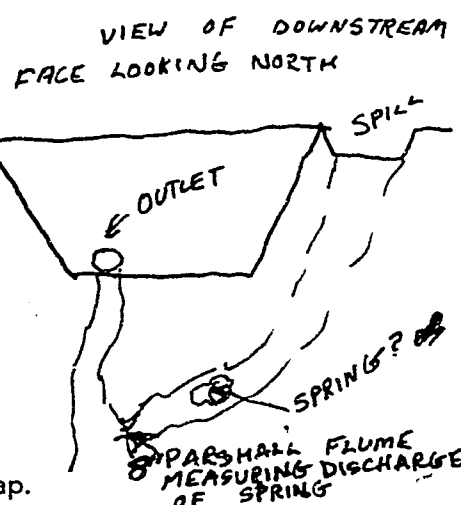
Capacity of Active storage pool 8,600 A.F.

Average annual maximum 8,000 A.F.

Mr. Grubb indicated that these figures were submitted with the company's proposal to the S.C.S., but are the only figures I could locate relative to the storage capacity.

Diversion works description and diagram

earth filled dam
70' height and 650' crest
length. 4' diameter cement
culvert through dam for
outlet. Spillway at east
abutment 40' wide x 20' deep.



Indicate area irrigated in each subdivision on the map.

Total acreage irrigated _____

If water is used for purposes other than irrigation, fully describe how the water is used and what is done with it after the use.

Some domestic use is claimed on the application. Recommend that nature, extent and place of this use be determined by beneficial use exam.

Who represented the permit holder at the examination?

John Grubb, Soil Conservation Service rep. at Malad.

Recommended allowance for licensing ~~11,900 A.F.~~ 9,500 A.F.

Description of required amendments. Comments. Recommended volume for licensing is the quantity to be stored as requested by the permit, although evidence from the Soil Conservation Service indicates actual capacity of the Daniels Reservoir is 11,900 A.F.

Report checked? yes

Examination date c/w Sept 11, 1973

Signature

John Ferebauer

checked by WRP

December 7, 1973

Re: Permit No. R-1104 (New No. 15-2080)

C St. John Irrigating Company
RFD # 1
Malad, Idaho 83252

O Gentlemen:

Upon receipt of the statutory fee of \$13.40, the Department will issue a Certificate of Completion of Works for the above referenced permit.

P Please submit the required fee within 30 days of the date of this letter. If you should have any questions regarding this matter, please advise.

Sincerely,

Y BOBBY D. FLEENOR
Assistant Director

BDF:DR

15-2080

December 10, 1973

CERTIFIED MAIL

25042

Re: Permit No. R-1104/15-2080

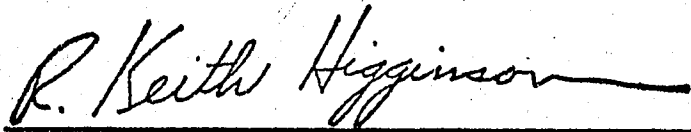
St. John Irrigating Company
RFD #1
Malad, Idaho 83252

Gentlemen:

One of the conditions of approval of your water Permit No. R-1104/15-2080 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before February 23, 1974. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.



R. KEITH HIGGINSON
Director

Enc: Proof affidavit

15-2080

December 10, 1973

CERTIFIED MAIL

25042
Card filed
on proof
due notice

Re: Permit No. R-1204/15-2080

St. John Irrigating Company
RFD #1
Malad, Idaho 83252

Gentlemen:

During the 1967 session of the Idaho Legislature, certain amendments were made in the law pertaining to the procedures for making proof of beneficial use of water. In order for the Department to comply with these changes, Rules of Practice and Procedure were adopted on August 1, 1968. Generally, these procedures and the amended law make it simpler for a person to make proof and relieve the permit holder from making separate proofs of completion of works and beneficial use of water.

The enclosed order modifies your permit to comply with these rules and regulations. If you have any questions regarding this matter, please contact us.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JC
Enclosures: Modification Order
Proof due notice

15-2080

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. R-1104/15-2080)
in the name of ST. JOHN IRRIGATING COMPANY)

ORDER MODIFYING REQUIREMENTS
FOR COMPLETION OF PERMIT TO
APPROPRIATE WATER

WHEREAS, the 39th Idaho Legislature made certain amendments to the Idaho
Water Law; and,

WHEREAS, these changes raised questions as to the procedures to be followed
by holders of permits issued prior to the effective date of the amendments, May 31,
1967; and,

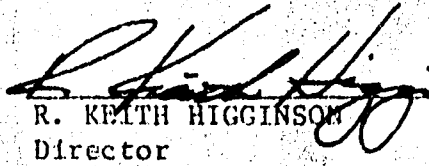
WHEREAS, on August 1, 1968, the Department of Water Administration (formerly
the Department of Reclamation) adopted Rules of Practice and Procedure for the proces-
sing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. R-1104/15-2080 was issued previous to this date;

NOW THEREFORE, the requirements for completion of the above numbered permit
are hereby modified to conform to the adopted Rules of Practice and Procedure as
follows:

1. The above numbered permit will be completed under the terms of
Title 42, Chapter 2, Idaho Code, as amended by the 39th Idaho
Legislature.

Dated this 7 day of December, 1973.


R. KEITH HIGGINSON
Director

DDR:JC

15-2080

PERMIT NO. R-1104

Certificate of Completion of Works

To All Whom It May Concern:

This is to certify that St. John Irrigating Company
of Malad, County of Oneida and State of
Idaho, the holder of Permit No. R-1104,
Application No. R-38388, bearing date of priority of January 9, 1962,
authorizing the construction of a reservoir, with the right to appropriate and store 9,500
acre feet per annum of the waters of Little Malad River
a tributary of Malad River, in the County of Oneida,
State of Idaho, for irrigation and culinary purposes,
has fully complied with the provisions of the laws of the State of Idaho relating to the proof
of completion of the works set out and described in said Permit; that said works include a
dam and reservoir adequate for the storage of 9,500 acre feet of water per
annum, with adequate diversion works and conduit to the reservoir, and a conduit capable
of conducting said water to the place of intended use; that the point of outlet of said res-
ervoir is located in the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 26, Township
12 S, Range 34 E, and that the place of use, or the lands proposed
to be irrigated by the use of said water, are described as follows, to-wit:
All Class 1 and 2 arable lands in Townships 13 and 14 South, Ranges 35 and 36 East,
Boise Meridian, of about 8,000 acres, as further shown by Sectional maps filed with
and in connection with Permit No. R-1005 made a part hereof by reference.

Witness my hand this 28 day of December, 19 73


Director, ~~State Reclamation Engineer~~
Idaho Dept. of Water Administration

15-2080

E. L. SCOTT
ATTORNEY AT LAW
26 COURT STREET
MALAD CITY, IDAHO 83252
—
TELEPHONE 766.4000

December 18, 1973

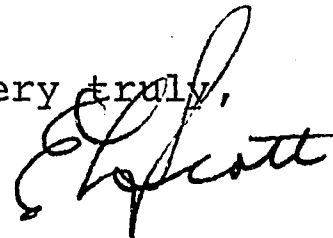
State of Idaho
Department of Water Administration
614 State Street
Statehouse - Annex 2
Boise, Idaho 83720

Re: Permit No. R-1104/15-2080

Gentlemen:

Please find enclosed the "Proof of Application of Water to Beneficial Use" and check in amount of \$13.40 representing statutory fee for Completion of Works, all in connection with the above permit.

Very truly,



E. L. Scott

ELS:eh
encl:

Permit # 13458

15-2080

Identification No. _____

Permit No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder St. John Irrigating Company
b) Post Office Address RFD#1, Malad, Idaho 83252
2. Permit Number R-1104/15-2080
3. Date of Priority that you are prepared to establish February 23, 1962
4. a) Source from which water was appropriated Little Malad River
b) Location of the point of diversion: SE $\frac{1}{4}$ $\frac{1}{4}$ SE $\frac{1}{4}$ $\frac{1}{4}$, Section 26
Township 12 South, Range 34 East Boise Meridian, Other points of diversion:

5. a) The amount of water and use to which the water has been applied:
amount 8500 feet per annum acre for Irrigation purposes from May 1 to October 1st
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount 500 feet per annum acre for fish & wildlife purposes from Jan 1 to Dec. 31 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount 500 acre ft for reserve for sediment filling purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 9500 acre feet per annum cfs and/or acre feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: Wendell Smith and William Jewell
consulting engineers of Preston Idaho and Montpelier, Idaho
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: _____

b) Describe the agreement or understanding by which you take water from the works: _____

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) Reservoir of some 9500 acre feet was created under this Permit to store the winter and run-off waters of the Little Malad River, by the construction of an earth-fill dam
b) Describe the type and size of measuring device which you have installed at your point of diversion: 42" x 42" flush bottom closure Armco Model 100-30 gate complete with 3" cold rolled stem installed in the outlet structure of the dam
c) Give well drillers name and address and date the well was completed _____

Exam typed 1/23/74 by jc

15-2080

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use _____

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

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS	
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼		
			All Class 1 and Class 2 arable lands in Townships 13 and 14 South, Ranges 35 and 36 East, Boise Meridian, of about 8000 acres, as further shown by Sectional maps filed with and in connection with Permit No. R-1005 made a part hereof by reference																	
			Total number of acres irrigated about 8000																	

Total number of acres irrigated _____

10. Remarks: _____

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

December 18, 1973
(Date)

St. John Irrigating Company
By David DeChamps Jr. Secretary
(Signature)

State of Idaho)
County of Oneida) ss.

On this 18th day of December, 19 73, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

E. J. Scott
Notary Public residing at Malad City, Idaho
My Comm Exp. 5/19/75

My commission expires _____

15-2080

January 3, 1974

Re: Permit No. R-1104/15-2080

St. John Irrigating Company
RFD #1
Malad, Idaho 83252

Gentlemen:

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

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

Enclosed is the Certificate of Completion of Works for this permit, along with Receipt No. 13458 covering the filing fee.

If you have any questions concerning the field exam, please contact our Eastern District Office at 1515 Lincoln Road, Idaho Falls, Idaho.

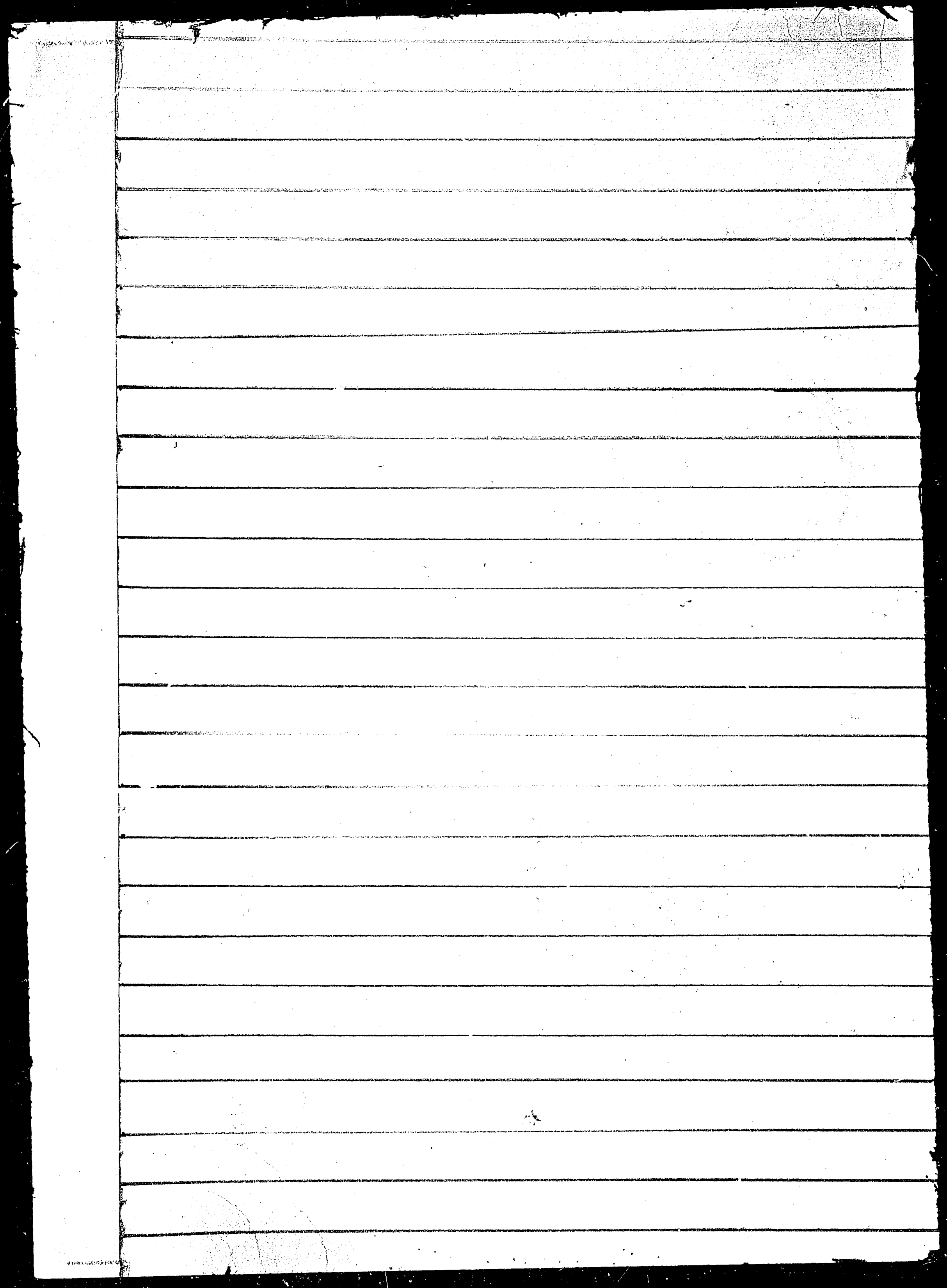
Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JC
Enc: Certificate of Completion of Works
Receipt No. 13458

cc: E. L. Scott
Attorney at Law

15-2080



U.S. POSTAL SERVICE
OFFICIAL BUSINESS

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300



Postmark of Delivering Office

SENDER INSTRUCTIONS

Print in the space below your name, address, including ZIP Code.

- If special services are desired, check block(s) on other side.
- Moistened gummed ends and attach to back of article.

**RETURN
TO**

DEPARTMENT OF WATER ADMINISTRATION

STATEHOUSE - ANNEX #2
BOISE, IDAHO 83707

15-2080

PS Form 3811 Sep. 1972 655-10-81277-2

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
(Additional charges required for these services)

☐ Show address
where delivered

☐ Deliver ONLY
to addressee

RECEIPT

Received the numbered article described below

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)

CERTIFIED NO.

250402

INSURED NO.

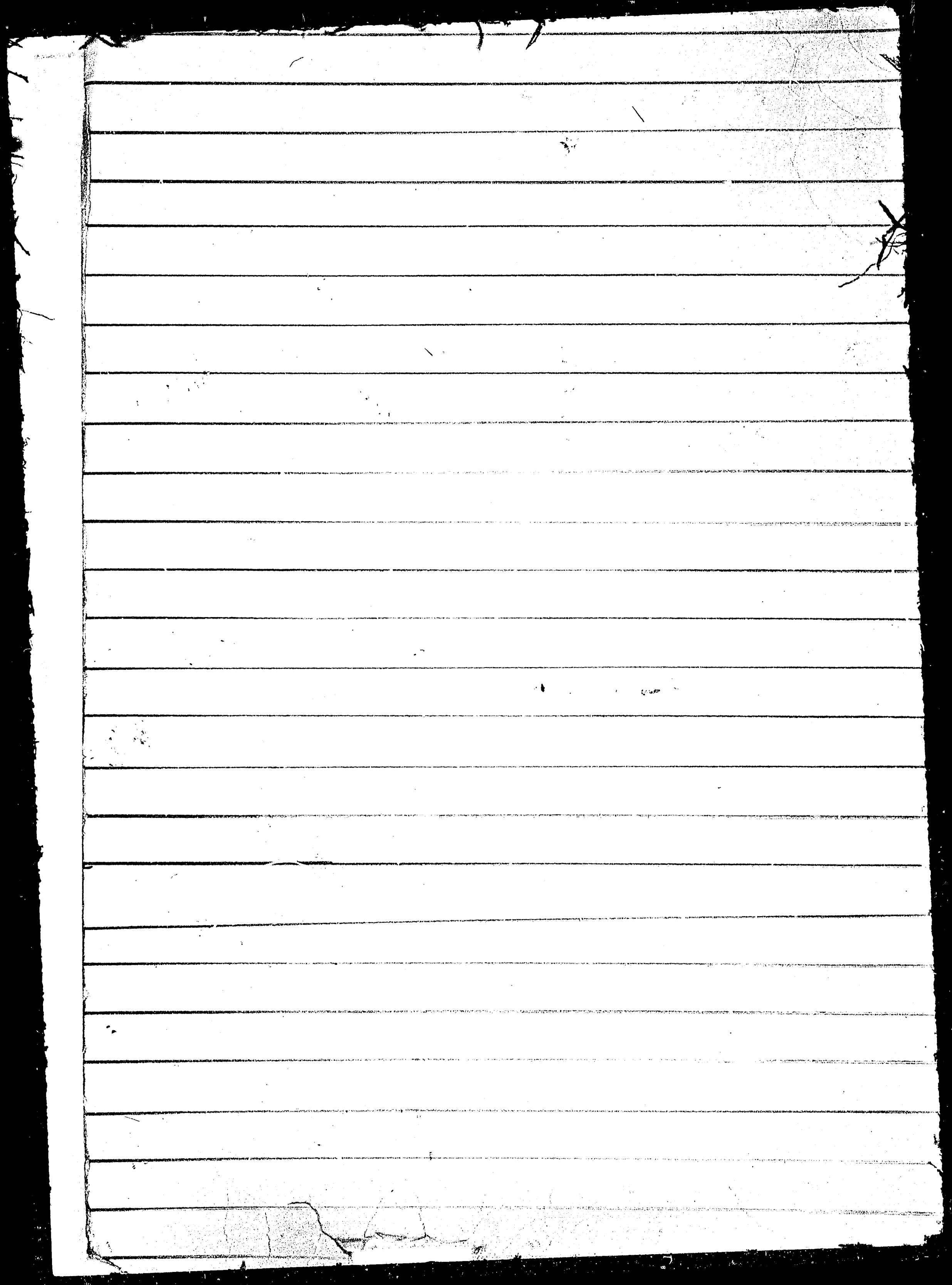
DATE DELIVERED

12/11/73

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

15-2080



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 15-2080 Priority January 9, 1962 Amount 8,075 acre feet

THIS IS TO CERTIFY, that ST. JOHN IRRIGATING COMPANY
of Malad, Idaho, has complied with the terms and conditions of Permit
No. 15-2080 issued pursuant to Application for Permit dated January 9, 1962,
and has submitted proof to the Department of Water Resources on December 18, 1973,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the ~~diversion~~ ^{storage} of 8,700 acre feet of water from Little Malad River,
tributary to Malad River and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Storage for irrigation	from <u>January 1</u> to <u>December 31</u> at <u>--</u>	<u>cfs</u> and <u>8,075 acre feet</u>	
irrigation from storage	from <u>May 1</u> to <u>October 1</u> at <u>--</u>	<u>cfs</u> and <u>8,075 acre feet</u>	
	from <u>--</u> to <u>--</u> at <u>--</u>	<u>cfs</u> and <u>--</u>	

(both dates inclusive)

Subject, however, to the condition that no more than 8,075 of water be ~~diverted~~ ^{stored} at any one time, and
that the amount of ~~water so diverted~~ ^{stored} and to which such right is entitled and ~~confined~~ ^{confined} is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
8,075 acre feet per year, said waters to be ~~diverted~~ ^{stored} within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 26, Twp. 12S,
Rge. 34E, B.M. in the County of Oneida

Description and location of place of use: See Attached Land List

Twp.	Range	Sec.	NEW				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NEW	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NEW	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NEW	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NEW	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	

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 24 day of
December, 19 79

Director

MEMORANDUM

TO: File
FROM: Anthony Kozlowski **ARK**
RE: 15-2080 Bureau of Land Management one-fourth share
DATE: March 29, 1978

Point of diversion above reservoir - SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 14, T. 12S, R. 34E,
B.M., Oneida County.

Water is diverted below a spring, tributary to the Little Malad River, at a point located above Daniel's Reservoir. Water is pumped directly from the Little Malad River at a rate of 20 gpm or 0.04 cfs into a pipeline which conveys the water a distance of three miles uphill and into a 40,000 gal. storage reservoir. The storage is necessary to provide water at a rate greater than 20 gpm when the demand exceeds the rate of diversion. Stored water backflows down through the pipeline via gravity and is rediverted into a series of five stockwatering troughs which service stockwater to portions of Sec. 20, 21, 29, 32, 33, all in T. 12S, R. 34E. The storage tank is located in White Hollow at an elevation of approximately 7,000 ft. above mean sea level in the NW $\frac{1}{4}$, Sec. 29, T. 12S, R. 34E, B.M., Oneida County.

The BLM operates this water system and range land only two out of every three years, and in any one given year uses either a general season (May 20 - Sept. 20), a spring season (May 20 to July 20), or a fall season (July 20 - Sept. 20), depending upon the condition of the range land. The total quantity of range cattle using this system during any given season is 1,000 head.



John V. Evans
Governor

C. Stephen Allred
Director

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

EASTERN REGION

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

March 28, 1978

Dear Wateruser:

This letter represents a second attempt to determine the quantity and location of lands you own that are being irrigated with St. John Irrigation Company storage water. This information is necessary to insure that the land you are irrigating becomes licensed as part of the total system. As a stockholder in the company, we are again requesting that you supply to the Department of Water Resources the following information.

- 1) The total number of acres of land that you own and irrigate with St. John Irrigation Company water.
- 2) A legal description of the land irrigated (number of acres in each 40-acre tract; a quarter-quarter legal description is necessary.)
- 3) If you are operating another wateruser's farm, please indicate the quantity and location of the lands you are irrigating with St. John Irrigation water in their behalf.

If you have any further questions, please feel free to contact me.

Very truly yours,

ANTHONY R. KOZLOWSKI
Water Resource Agent

ARK:cw

Letter sent to attached list

	<u>SHAREHOLDER</u>	<u># OF SHARES</u>	<u>TELEPHONE NUMBER</u>
91.	Williams, Cordell	1 4/7	766-4675
92	~~Jones, Annette T., c/o Dean Williams~~	1	
93	~~Blatter, Rosalie Estate, c/o Sidney Wms.~~	1 3/7	
94	~~Woolley, Edward~~	1 1/2	
95	~~Woolley, Malba~~	4 5/28	

SHAREHOLDER	# OF SH. RES	TELEPHONE NUMBER
~~45. Hess, Lois K., c/o Elwin Jones~~	$\frac{1}{2}$	766-2586
46. Jones, G. Scott, <i>Grant Jones</i>	3 1/3	
47. Jones, Henry D.	2 1/12	
48. Jones, Howard, et al, c/o Henry D. Jones	1 11/12	
49. Jones, Milton T.	5 $\frac{1}{2}$	4256
~~50. Larson, Oscar~~	3 1/5	2732
~~51. Lewis, Catherine~~ <i>100 ac</i>	1 $\frac{1}{2}$	2751
~~52. Lewis, Marlo J.~~	1/3	2724
53. McDaniel, Buford R.	5 4/21	2754
~~54. Madson, James W.~~	1 21/40	2712
~~55. Madson, John G., c/o James W. Madson~~ <i>36 ac</i>	1 21/40	2712
~~56. Means, Della~~	1 11/12	
57. Mills, Paul H	2	4537
~~58. Monson, Max~~ <i>Adell Monson</i>	3 6/7	
~~59. Monson, Pearl L., c/o Wendell Monson~~	1 1/35	2689
60. Morby, Terry R.	7	2647
~~61. Palmer, Ernest I.~~	1 11/12	
~~62. Palmer, George~~	5 $\frac{1}{2}$	2561
~~63. Palmer, Jenkin, c/o Tom Palmer~~	1 11/12	2777
~~64. Palmer, W. Wendell~~	1 11/12	
~~65. Pearl, Catherine~~	1 11/12	
~~66. Peterson, Melvin L.~~	3 7/30	
~~67. Peterson, Woodrow~~	4 6/30	2602
~~68. Petty, Marie~~ <i>Tom Palmer</i>	1 11/12	
~~69. Redford, Viola~~	1 11/12	
~~70. Rueggogger, John~~	$\frac{1}{2}$	2696
~~71. South, Gordon~~	3/4	4751
~~72. Sperry, Craig~~ <i>100 ac</i>	1 $\frac{1}{2}$	4048
~~73. Stayner, J. Lynn~~	1 3/4	2658
74. Stephens, Lucille, et al <i>Resid c/o Grant & Myron Jones</i>	4	
~~75. Talbot, Doyle~~	2	2745
~~76. Thomas, Dale~~ <i>40 ac</i>	3 $\frac{1}{2}$	2757
~~77. Woolley, Rebecca, c/o Dale Thomas~~ <i>3</i>	$\frac{1}{4}$	2757
~~78. Thomas, Daniels W. Family Trust~~	4 7/32	2570
79. Thomas, DeWorth <i>Ivan Schwartz</i>	6 1/35	
~~80. Thomas, Pete, c/o Garth Thomas~~	10 1/10	2797
~~81. Thomas, Thomas S. Estate c/o Garth Thomas~~	4	2797
82. Thomas, James O. <i>Ivan Schwartz</i>	6	
~~83. James, Thomas S., c/o Lament Thomas~~	$\frac{1}{2}$	4110
~~84. Thomas, Mary J.~~	1 31/210	
~~85. Tovey, Morgan W. Co., c/o John D. Tovey~~ <i>124</i>	3/4	4192
~~86. Treasure, Margaret Hill~~	1	2633
~~87. Tuttle, Dell J.~~	3	4365
88. United States of America, B.L.M.	$\frac{1}{4}$	4771
~~89. Lewis, Loyal, c/o Richard Ward~~ <i>125</i>	2	4104
~~90. Wollard, Betty~~	1 3/7	

FEB 23 1978

ST. JOHN IRRIGATING COMPANY

Department of Water Resources
Eastern District Office

SHAREHOLDER	# OF SHARES	TELEPHONE NUMBER
~~1. Asay, Kent~~	2	766-2539
~~2. Blaisdell, J. Dale~~	5 1/2	2698
~~3. Blaisdell, Kenneth~~	5 25/28	2662
~~4. Blaisdell, Nolan A.~~	2	2639
~~5. Blaisdell, Nolan T.~~ <i>15 ac</i>	4 1/6	2558
~~6. Blaisdell, Theron L.~~	4	2701
~~7. Briggs, Loyd~~ <i>1 ac</i>	2/3	2598
~~8. Broadhead, Michael~~	1 1/2	4572
~~9. Broadhead, Michael & Gordon South~~	3 1/2	4572
10. Brown, Denny L.	1/2	
~~11. Smith, Mary c/o Ray Clark~~	1/2	2693
~~12. Daniels, George~~	7 7/16	4248
~~13. Daniels, Thayne O.~~	22 1/2	4243
14. Davis, Dale	4/7	2625
~~15. Davis, Sam J.~~	6 17/28	2590
~~16. Deschamps, David~~	11 23/24	2642
~~17. Deschamps, Louis~~	10 19/120	2617
~~18. Deschamps, Parley~~	9 1/30	2620
~~19. Dredge, Calvin C.~~	11 3/28	
~~20. Hill, Clair c/o Margaret Treasure~~	1/2	2633
~~21. Hill, Farrell c/o Margaret Treasure~~	1/2	2633
~~22. Edwards, David E.~~	5 2/3	2786
~~23. Evans, Rula~~ <i>1 ac</i>	3/7	4583
~~24. Edwards, Thomas Cleon~~	4/7	4134
~~25. Fredrickson, J. F. Co.~~	12 403/420	
~~26. Giles, Bonnie~~ <i>steve</i>	3/7	
~~27. Coddard, Leland, c/o Jim Coddard.~~ <i>42</i>	3	2721
~~28. Jones, Annalye~~ <i>31.14 ac</i>	4 1/5	2727
~~29. Harrison, Lorenzo, c/o Dale Harrison~~	1	2733
~~30. Harrison, Leigh~~	2 1/3	4012
31. Hayes, Glenne	1	
32. Moss, Isabel Davis, c/o Glenna Hayes	1	
33. Hess, Robert W.	3 5/8	2623
~~34. Noble, Marion T., c/o DeVere Illum~~	1/6	2553
~~35. Illum, Elmer~~	5 1/20	2533
36. Irvin, Isobel	4 5/28	
~~37. Jenkins, Cassie, c/o Griff L. Jenkins~~ <i>Evlyn Harrison 211</i>	1 17/24	4078
~~38. Jenkins, Griff L.~~	1	4078
~~39. Jenson, Weldon~~	1 1/2	
~~40. John, Eldon~~	1/3	2629
41. Jones, Mildred P., c/o Eldon John	1/3	2629
42. Price, David H. c/o Anna Lyle Jones	2 4/15	
43. Price, Josiah D., c/o Anna Lyle Jones	3 13/30	
~~44. D. Harold~~	1 31/210	2666



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

March 13, 1978

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

Dear Wateruser:

Our records show that a proof examination still needs to be completed for St. John Irrigation Company's water permit No. 15-2080. Upon completion of this examination a license will be issued to the company for the amount of storage water, retained in Daniels Reservoir, that is actually being put to a beneficial use.

It is essential that the proper place of use of this water be described on the license. As you are a stock holder in the company, we are requesting that you supply to the Department of Water Resources the following information:

- 1) The total number of acres that you own and irrigate with St. John Irrigation Company water.
- 2) A legal description of the land irrigated (number of irrigated acres in each 40-acre tract.)

This information, once obtained will insure that a water right will be established on your land.

Personnel from our Eastern Regional Office will be visiting the Malad ASCS Office on March 22 and March 23, 1978, in order to compile this information and to answer any other questions you may have concerning water rights in your area. Please come in to the ASCS Office on March 22 or March 23 with your legal description. If you have trouble determining the correct legal description, we can help you locate your land on an aerial photograph.

Very truly yours,

Anthony R. Kozlowski
ANTHONY R. KOZLOWSKI
Water Resource Agent

ARK:cw

cc: Sent to attached list



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

EASTERN REGION

APR 18 1978

John V. Evans
Governor

C. Stephen Allred
Director

Department of Water Resources
Eastern District Office

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

March 28, 1978

Dear Wateruser:

This letter represents a second attempt to determine the quantity and location of lands you own that are being irrigated with ~~St. John Irrigation Company~~ storage water. This information is necessary to insure that the land you are irrigating becomes licensed as part of the total system. As a stockholder in the company, we are again requesting that you supply to the Department of Water Resources the following information.

- 1) The total number of acres of land that you own and irrigate with St. John Irrigation Company water.
- 2) A legal description of the land irrigated (number of acres in each 40-acre tract; a quarter-quarter legal description is necessary.)
- 3) If you are operating another wateruser's farm, please indicate the quantity and location of the lands you are irrigating with St. John Irrigation water in their behalf.

If you have any further questions, please feel free to contact me.

Very truly yours,

Anthony R. Kozlowski

ANTHONY R. KOZLOWSKI
Water Resource Agent

ARK:cw

February 21, 1979

Nolan T. Blaisdell
St. John Irrigating Company
Malad, Idaho 83252

Dear Nolan:

Re: Permit No. 15-2080 - Daniels Reservoir for
St. John Irrigating Company

As you will recall, last year I visited the Malad City ASCS office for two days in order to prepare a list of irrigated lands necessary for the finalization of your water right permit. Unfortunately, I was unable to make contact with all of the shareholders on the list that you provided me.

I have prepared a rough draft license, a land list, and a list of omitted shareholders which I have enclosed for your review. Please provide me with the place of use of water for the shareholders I was unable to contact. I will hold the rough draft license in this office for thirty days, after which time I will forward it to Boise for licensing. If I have not received any response from you, I will assume that the water allocated to the omitted shareholders is no longer being put to beneficial use. If you have any further questions, please feel free to contact me.

Very truly yours,

ANTHONY R. KOZLOWSKI
Sr. Water Resource Agent

ARK:dh

Enclosures

On Jan 18, 1977, I contacted Nolan T. Blaisdell by telephone. He is currently the president of the John Irrigation Company. He was made aware of the need to complete the project. The same program was completed in the 1960's. The project was submitted to the Federal Government and B.R. surveys of the project & dam (construction details are available). He is in the process of compiling the necessary information and will call back to arrange a meeting whereby a project list can be prepared.

ARK

President - Nolan T. Blaisdell 766-2558

Secretary - David Deschamps 766-2692

St. John's

check

5-2076 license transferred info
reservoir

A list of all shareholders in the company was obtained. A letter (enclosed in report) was sent requesting that they visit the Mule Creek Office during our annual area visit and bring with them (1) the total no. of acres that they own & irrigate with St. John water and (2) a legal description of the land irrigated (no. of acres / 40 acre tract). As each shareholder plotted his land on the aerial photo, his/her name was crossed off the list. Unfortunately, I did not receive a 100% response from the shareholders. Some of the letters I sent were returned & no contact was made. I assume there are some additional lands that need to be included.

DATE OF EXAM

3/22-23/1978

ACREAGE

Found

5825

Recommended

5825

Irrigation Requirement

n/a

Ac Ft/Ac

USE

Irrigation Q= c.f.s.

V=

AF/Ann. from

to

Domestic Q= c.f.s.

V=

AF/Ann. from

to

Livestock Q= c.f.s.

V=

AF/Ann. from

to

Storage for irrigation

8,075

from

to

Irrigation from storage

8,075

from

to

Is water co-mingled? yes

no

Name source:

n/a

twp.

N/S, Rge

E/W, B.M., Sec.

Sub.

1/4

1/4

County

Exchange? yes

no

Name source exchanged with:

n/a

twp.

N/S, Rge

E/W, B.M., Sec.

Sub.

1/4

1/4

County

Point of injection:

n/a

twp.

N/S, Rge

E/W, B.M., Sec.

Sub.

1/4

1/4

County

Point of exchange:

n/a

twp.

N/S, Rge

E/W, B.M., Sec.

Sub.

1/4

1/4

County

Total Q measured

n/a

Method of measurement

see remarks

Total Q recommended

n/a

Meter No.

n/a

Type

n/a

Condition

n/a

Total V recommended

4500 AF/yr

8,075

Recommended Amendments:

P.D.

Place of Use

Other

None

MEASUREMENT CALCULATION:

$8700 \text{ AF} - 625 \text{ AF (T\#282)} = 8,075 \text{ AF of storage}$

Need to
allow for
losses
in
year

Allow 4500 AF for irrigation from storage as the reservoir could fill 1.2 times in any given year. Therefore the amt. filled or would be available for irrigation. Also some water could be stored during the irrigation season.

SYSTEM DESCRIPTION:

Natural flows of the Little Malheur River are stored by and south of dam 80' high, crest length 830'. This dam creates a reservoir (Dewels) covering 375 acres of surrounding land and containing 8700 acre ft. of storage capacity. The spillway is a concrete-lined channel through a buttress spillway height 14', max discharge 7000 cfs. The dam was completed in 1907. This is an on-stream reservoir.

REMARKS:

The storage capacity of the reservoir was taken from the Dept's publication entitled "An Inventory of Dams in Idaho 1977". and was found to be 8700 AF. However under Transfer #282 625 AF of water originally licensed to the alkali dam was transferred into Dewels reservoir. This amt. already appropriated must be subtracted from the reservoir storage capacity.

Examiner's Signature

Anthony R. Kozlowski

Date

3/24/1978

Checked by

John D. Chilton

Date

3/15/79

Approved by

Date

This water is not stored or diverted for culinary purposes. (See reverse side)

To file:

The land list for permit no. 15-2080 was completed after a thirty day ^{deadline} was issued to H. John's Irrigating Company to provide the department with the place of use, for the shareholders we were unable to contact. This list was submitted and to the best of our knowledge is ready for license.

John, C.

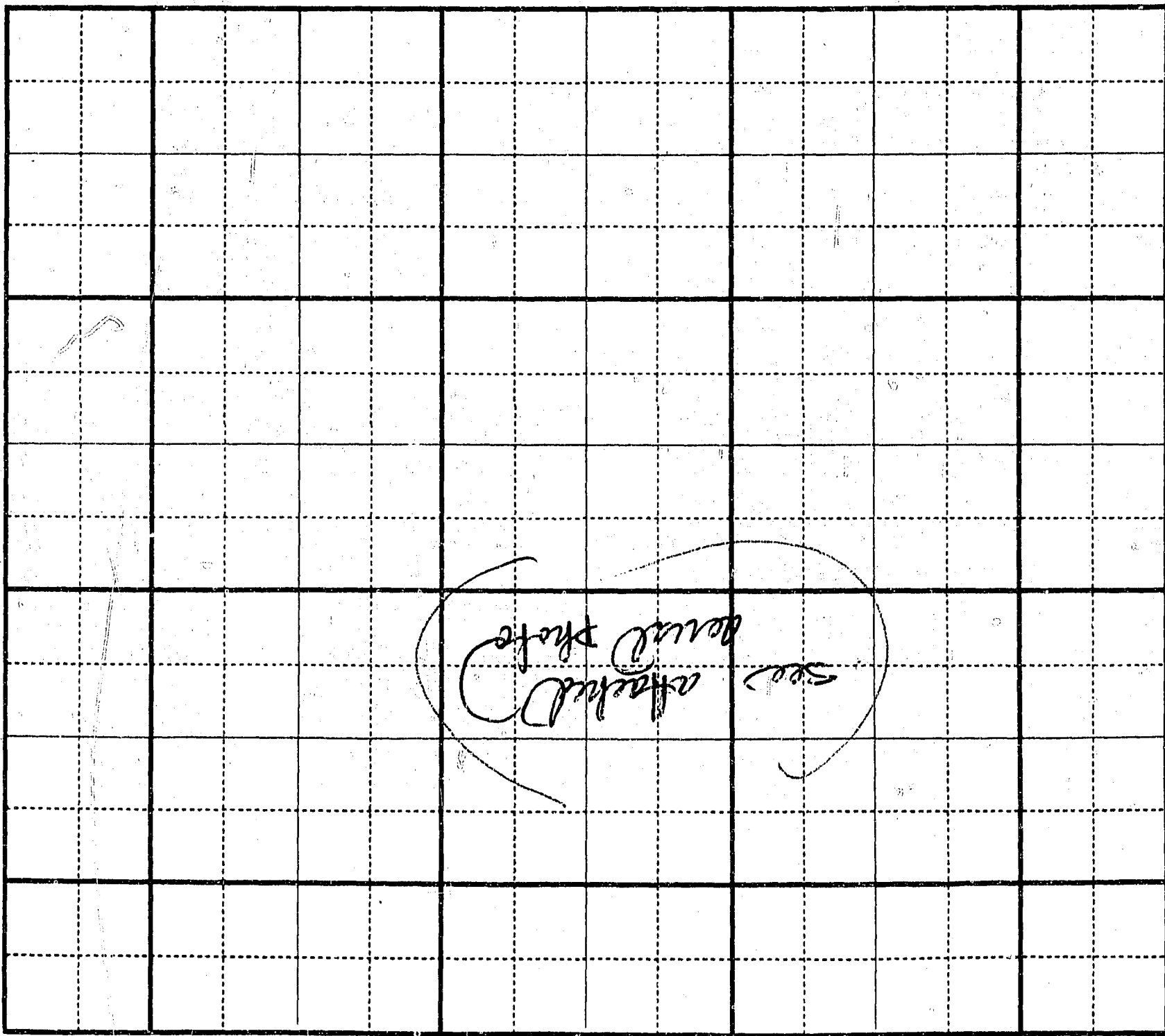
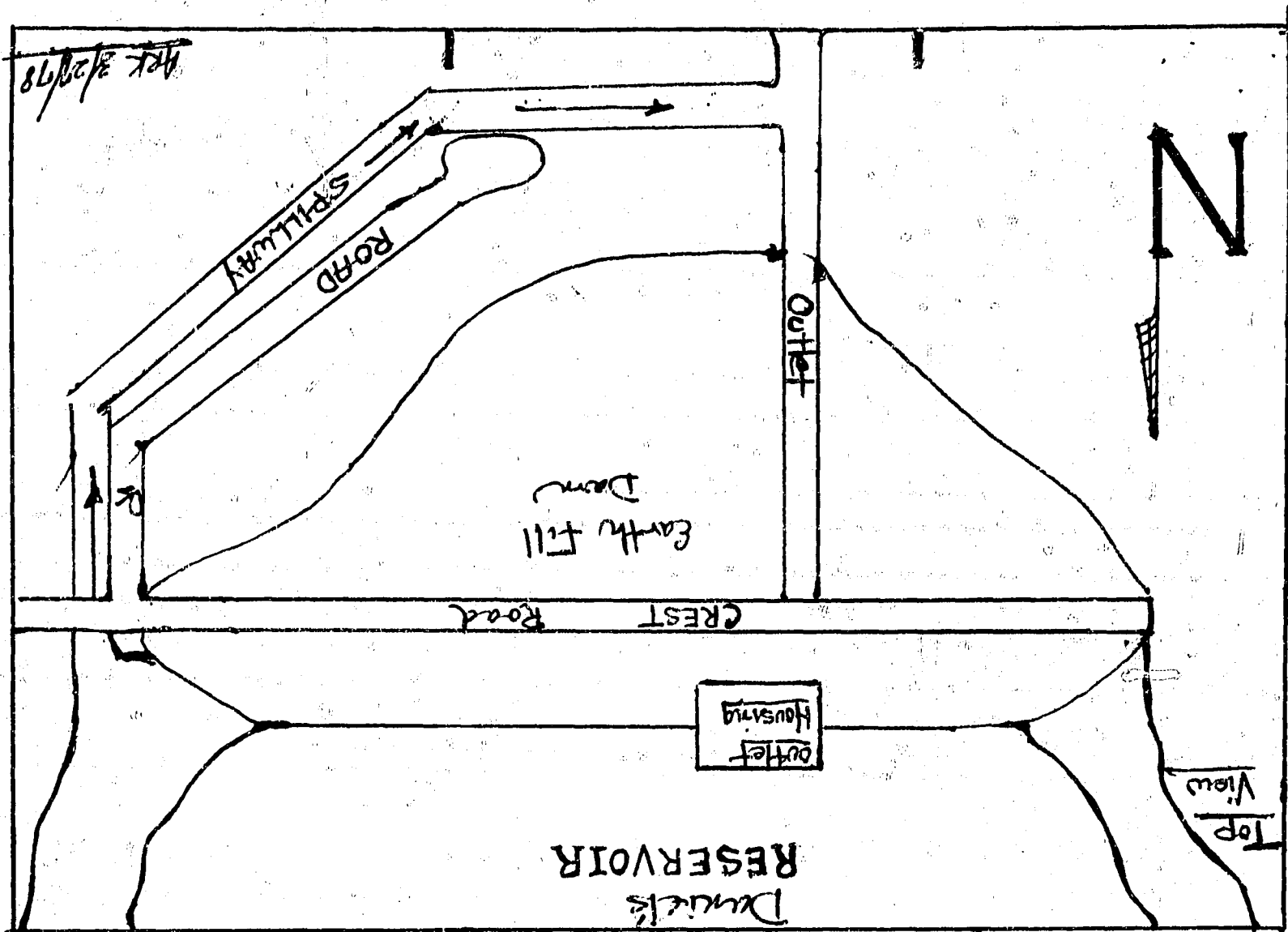


Diagram of System



RECEIVED

JAN 4 1974

Post office address RFD #1, Malad, ID 83252

Person to contact

Department of Water Administration
Eastern District Office

Little Malad River

(name spring, stream, etc.)

Tributary to

Amount _____ c.f.s. for irrigation

Amount	c.f.s. for	irrigation
9,500	AF/Annum	(nature of use)

Period of Use: from May 1 to Oct. 1
(mo.-day) inclusive (mo.-day)

Amount c.f.s. for culinary

Amount	c.f.s. for	Ordinary
9,500	AF/Annum	(nature of use)

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

Amount _____ c.f.s. for _____

AF/Annum (nature of use)

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

Other uses:

Max Rate of Diversion _____ cubic feet per second and annual volume 9,500 AF/Annum.

Township 12S N/S, Range 34E E/W, B.M., Section 26, Subdivision SE $\frac{1}{4}$ SE $\frac{1}{4}$, Oneida County

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

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

Other Points of Diversions:

Description of diverting works: Reservoir of some 9,500 acre feet was created under this permit to store the winter and run-off waters of the Little Malad River, by the construction of an earth-fill dam.

Measuring device required: yes ☐ no ☐

6. Lands to be irrigated or place of use.

[illegible]**TOTAL ACREAGE**



STATE OF IDAHO DEPARTMENT OF WATER RESOURCES

John V. Evans
Governor

C. Stephen Allred
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

November 20, 1979

Re: Permit No. 15-2080

St. John Irrigating Company
RFD #1
Malad, ID 83252

Gentlemen:

A representative of this Department made an examination of the works covered by your Permit No. 15-2080 on 3/22&23/78, and has found the following:

Amount of water that can be recognized as beneficially used under Idaho law: 8,075 acre feet Source: Little Malad River

The maximum quantity ^{stored} ~~diverted~~ shall not exceed 8,075 acre feet per year.

Point of diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 26, Twp. 12S, Rge. 34E, B.M.

Beneficial use: SEE ATTACHED LAND LIST.

Priority date established: January 9, 1962

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

Sincerely,

JAN GROVER
Water Rights Supervisor

JG/kw

*Sent C.L. Scott copy of
other right issued for this
reservoir (15-2078) - will give
him 10-days + then issue license.
He phoned 11/27/79 JG*

January 9, 1980

Re: Permit No. 15-2080

St. John Irrigating Company
RFD #1
Malad, ID 83252

Gentlemen:

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

Sincerely,

JAN GROVER
Water Rights Supervisor

JG:j
Enclosure

cc: E. L. Scott
Attorney at Law
Enclosure

St. John Irrigation Co.

LAND LIST ATTACHMENT

Description and location of place of use:

15-2080

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	
13S	35E	20	-	14	34	18	6			1					38	27	3	37	178
13S	35E	21										10	31						41
13S	35E	33								20					40				60
13S	35E	34							40	15	39	40	40	39		7	35	2	257
14S	35E	4	8			2													10
"	"	3	9	40	40	21	39	25	15	38	19				10				256
"	"	2					12					40			32			32	116
"	"	1									40	40	40	30		40	40		230
"	"	12	40	40	39	10	40						2	12	10	25		14	232
"	"	11									40	40	39	40			20		179
"	"	10									39	21	17	39	10	39	39	40	274
"	"	15	40			27	6	2	32	17	19	21		2					166
"	"	14					40			40									80
"	"	13	40	20	18	40	15				40			40	39	40	40	39	371
"	"	24	40	40	40	40	40	25	33	40	40	40	40	40	40	40	40	40	618
"	"	23		40	40	2												40	122
"	"	22		40	40		22			25									127
"	"	26	36			36									10	21	21	34	158
"	"	25	31	36			20	39	39	30			33	16	39	27	40	40	402
"	"	36	40	27	23	33	11	22							5	6			167
"	"	35	40	28															68
14S	R36E	7			39			40	40	40	40		39	39		40	39	2	358
"	"	18	28	39	40		40	39	40	40	40	39	39	39	40	40	40	39	572
"	"	19	39	39	40	40	39	40	40	40		30	30		40	40	40	40	537
"	"	30				26						39	39		10	25	25	10	74
"	"	13	6			6													12
"	"	29										40	10						50

Total number of acres irrigated 5825

INTER-DEPARTMENT MEMO — 1

DATE 3-29-79

FROM

Eastern - John Carlson

TO

Dave Tuthill

SUBJECT

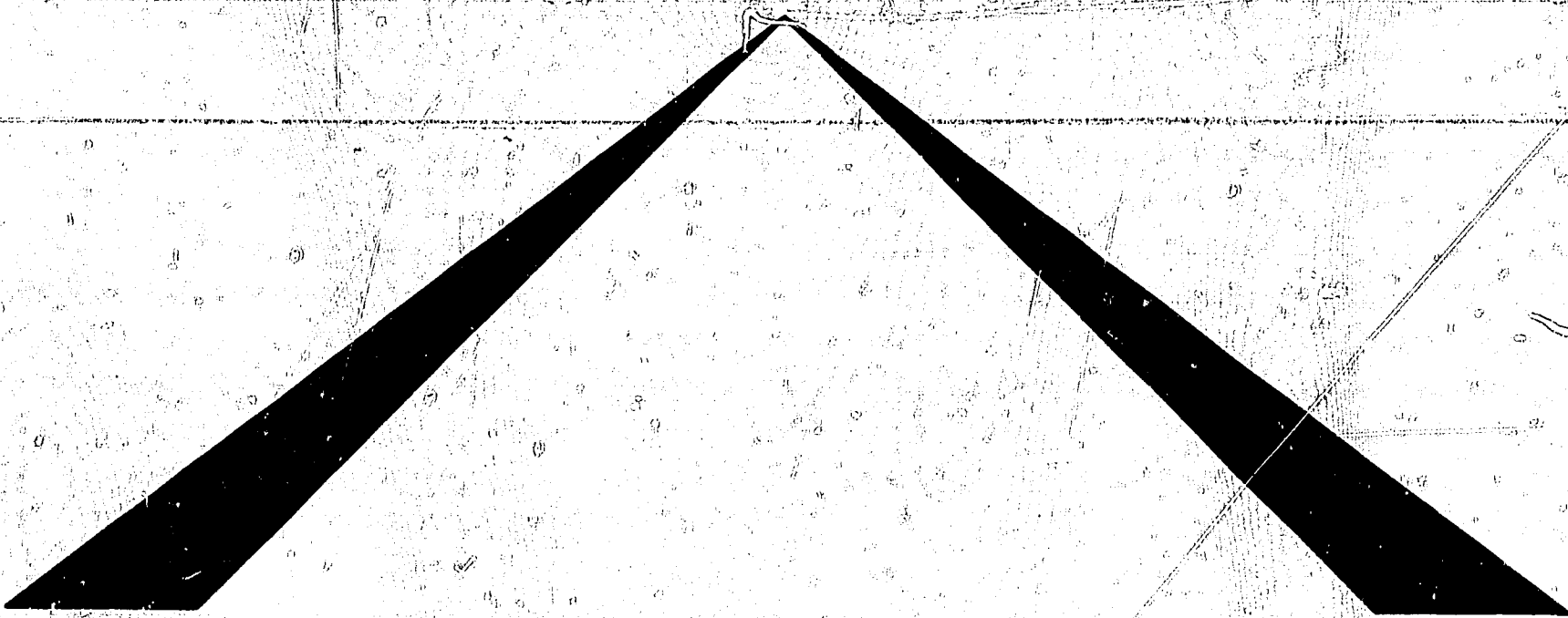
15-2080

Here is a copy of the land list taken from the rough
draft license, as per your request. This is a revised form
and, to the best of our knowledge, is complete.

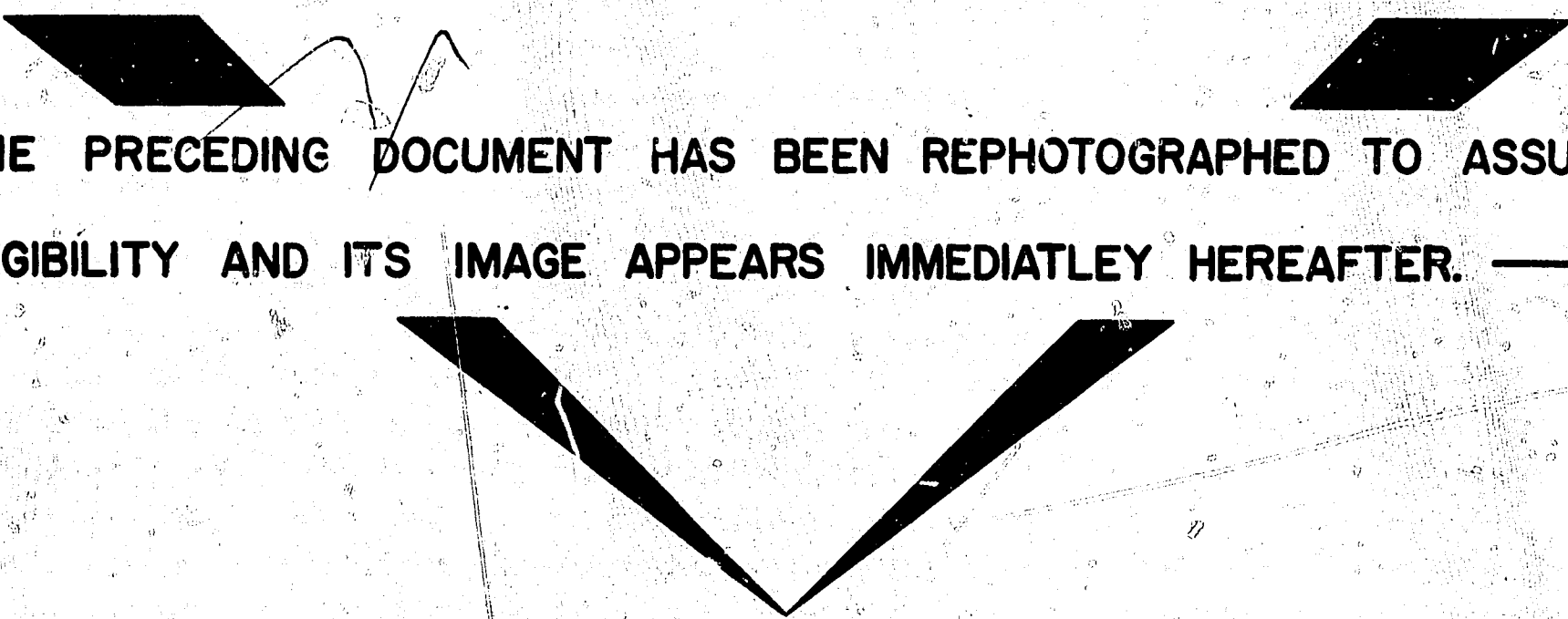
THIS LIST IS INCLUDED IN THE FILE FOR INFO
PURPOSES ONLY. SINCE IT IS NOT THE ORIGINAL
PERMIT LAND LIST, DO NOT ENTER INTO THE DATA
SYSTEM UNTIL LICENSED

DRT 4-4-79

SIGNATURE



CORRECTION



THE PRECEDING DOCUMENT HAS BEEN REPHOTOGRAPHED TO ASSURE
LEGIBILITY AND ITS IMAGE APPEARS IMMEDIATELY HEREAFTER. —

Letter sent to:

1. Dale Davis
2. ~~Analyte Jones~~ *received 3/29/78*
3. Robert W. Hess
4. Eldon John
5. Henry D. Jones
6. Milton T. Jones
7. Buford R. McDaniel
8. Paul H. Mills
9. Terry R. Morby
10. Lynn J. Stayner
11. Lucille Stephens
12. Deworth Thomas
13. Cordell Williams

RECEIVED
FBI - MEMPHIS

CHANGE IN ADDRESS

RECEIVED

APR 02 2001

This form is solely for purposes of notifying IDWR of a change in address of an adjudication claim. *Daniels Dam*

[] Water Right Number(s): *D15-2080* RECEIVED

APR -9 2001

Department of Water Resources

[] Old Mailing Address:

*David Deschamps, President
St. John Irrigating Co.
331 Deschamps Rd.
Malad, Id. 83252*

[] New Mailing Address:

*Jesse D. Harrison
St. John Irrigating Co.*

390 S 3600 W MALAD ID 83252

[] Telephone Number:-

208-766-2678

[] Signature of Claimant:

by ~~Lois Briggs~~ - Treasurer

[] Date:

March 26, 2001

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: *7.19.01* By: *RLT*

Address update for:

*15-42
15-44
15-58
15-59
15-71
15-2078
15-2080

*Done
7.19.01
Ket*