

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA

Case No. 39576

SUBCASE NO: 51-2252

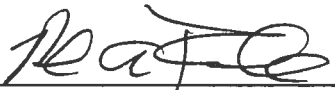
STANDARD FORM 5

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

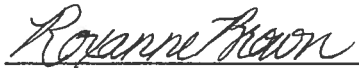
The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that any objections previously submitted are hereby withdrawn and that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT:

 3/28/02
Paul A. Turcke Date
Attorney for J & J Ranches/Urquidis

IDWR CONCURRENCE:

 3/28/02
Roxanne Brown Date
Sr. Water Resource Agent

OBJECTOR:

Jay R. Friedly Date
Attorney for David & Barbara Lahtinen

 3/29/02
Garrick L. Baxter Date
Deputy Attorney General

CERTIFICATE OF MAILING

I certify that on _____, 2002, I delivered the original and copies of this form to the following persons, postage prepaid if required, and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

☐ overnight mail
☐ regular mail
☐ hand-delivered
☐ facsimile

2. Copies to:

Clive Strong
Off ice of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

☐ overnight mail
☐ regular mail
☐ hand-delivered
☐ facsimile

IDWR Document Repository
P.O. Box 83720
Boise, ID 83720-0098

☐ overnight mail
☐ regular mail
☐ hand-delivered
☐ facsimile

3. Copies to all parties to the subcase:

Paul A. Turcke
Moore Smith Buxton & Turke
225 N. 9th St Suite 420
Boise, ID 83702

☐ overnight mail
☐ regular mail
☐ hand-delivered
☐ facsimile

Jay R. Friedly
Hall Friedly & Ward
340 E 2nd N
Mountain Home, ID 83647

☐ overnight mail
☐ regular mail
☐ hand-delivered
☐ facsimile

Signature of person mailing this document

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 51-2252

NAME AND ADDRESS: JOHN URQUIDI
HC 85 BOX 135
BRUNEAU ID 836049703

for

SOURCE: UNNAMED STREAM

TRIBUTARY: LITTLE JACKS CREEK

QUANTITY: 0.10 CFS

PRIORITY DATE: 08/15/1946

*RB
LB*

POINT OF DIVERSION:

T10S R02E S7 NENENE Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER STORAGE	03/15 11/15	0.10 CFS
STOCKWATER FROM STORAGE	03/15 11/15	0.10 CFS

PLACE OF USE: STOCKWATER STORAGE Within OWYHEE County

T10S R02E S07 NENE

STOCKWATER FROM STORAGE Within OWYHEE County

T10S R02E S07 NENE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

RECEIVED

AUG 22 2000

Department of Water Resources

RECEIVED

AUG 29 2000

WATER RESOURCES
WESTERN REGION

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

A. Subcase 51-02252

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: David and Barbara Lahtinen

Address: HC 85 Box 167A

Bruneau, Idaho 83604

Daytime Phone: (208) 845-2208

Name & Address of Attorney, if any:

Jay R. Friedly

340 East 2nd North

Mountain Home, Idaho 83647

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: John B. Urquidi; J & J Ranches

Address: HC 85 Box 135

Bruneau, Idaho 83604

D. I object to the following elements as recommended in the Director's Report. (Please

check the appropriate box(es)).

1. ☐ Name and Address Should be: _____

2. ☐ Source Should be: _____

3. ☒ Quantity Should be: See Section E below. _____

4. ☒ Priority Date Should be: See Section E below. _____

5. ☐ Point(s) of Diversion Should be: _____

6. ☐ Instream Flow Description Should be: _____

7. ☐ Purpose(s) of Use Should be: _____

8. ☐ Period of Year Should be: _____

9. ☐ Place of Use Should be: _____

11. I object because:

☒ This water right should not exist.

☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S): This reservoir is constructed on a

rock shelf. The reservoir has never held water for more than two days. The

claimant's reservoir is located on BLM land, just downstream from an already

existing BLM reservoir. If a water right ever existed, it has been forfeited

or abandoned because of non-use.

F.

VERIFICATION (Must be Completed)

State of Idaho)
)ss.
County of Elmore)

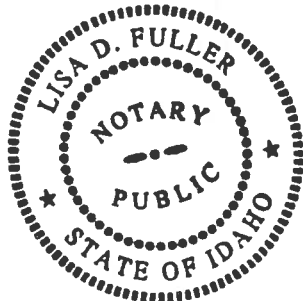
David Lahtinen, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

David Lahtinen
(Signature of person filing objection)

Robert Ward
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: AUGUST 21, 2000



Lisa D. Fuller
Notary Public for Idaho
Residing at: Mountain Home, Idaho
My Commission Expires: 01-20-04

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on August 21, 1998, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Paul A. Turcke

Address: Moore, Smith, Buxton & Turcke

225 N. 9th Street, Suite 420

Boise, Idaho 83702

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

Signature of Objector or attorney
mailing on Objector's behalf

RECEIVED

AUG - 7 2000

Department of Water Resources

URQUIDI - 50
RECEIVED

AUG 29 2000

WATER RESOURCES
WESTERN REGION

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)

Case No. 39576)

A. Subcase 51-02252

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior, Bureau of
Land Management, Idaho State Office

Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

Larry A. Brown (208) 331-5941 phone, (208) 387-0842 fax

United States Department of Justice; Environment and Natural Resource Division; General Litigation Section
550 West Fort Street, MSC 033; Boise, Idaho 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: John B. Urquidi; J&J Ranches

Address: HC 85 Box 135; Bruneau, ID. 83706-9703

Name: Paul A. Turke, Attorney for Claimant

Address: 225 North 9th Street, Suite 420; Boise, ID. 83702

Name:

Address:

Name:

Address:

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**

Should be: _____

2. ☐ **Source**

Should be: _____

3. ☐ **Quantity**

Should be: _____

4. ☒ **Priority Date**

Should be: See attached

5. ☒ **Point(s) of Diversion**

Should be: See attached

6. ☐ **Instream Flow Description**

Should be: _____

7. ☐ **Purpose(s) of Use**

Should be: _____

8. ☐ **Period of Year**

Should be: _____

9. ☒ **Place of Use**

Should be: See attached

11. **I object because:**

☒ This water right should not exist.

☐ This water right was not recommended, but should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTION(S):**

The United States of America, through the Bureau of Land Management, is the owner of the land upon which use is claimed. The claimant does not have a valid water right with the elements claimed. The storage facility represented by this claim is not authorized by the United States.

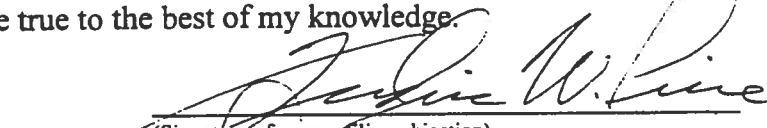
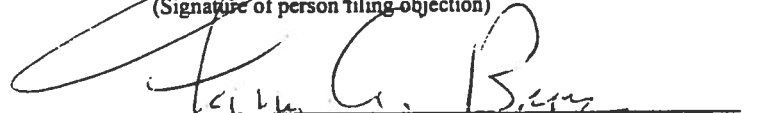
F.

VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

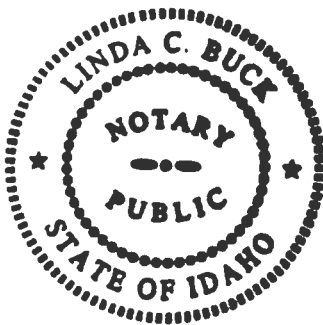
Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: August 1, 2000





Linda C. Buck
Notary Public for Idaho
Residing at: Boise
My Commission Expires: 12-21-2005

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on August 4, 2000, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: John B. Urquidi, J&J Ranches

Address: HC 85 Box 135; Bruneau, ID. 83706-9703

Name: Paul A. Turke, Attorney for Claimant

Address: 225 North 9th Street, Suite 420; Boise, ID. 83702

Name: David & Barbara Lahtinen, Participant

Address: P.O. Box 167A; Bruneau, ID. 83604

Name: Jay R. Friedly, Attorney for Participant

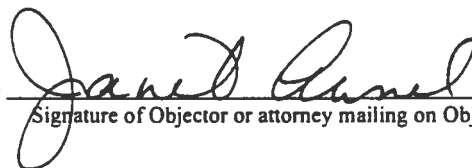
Address: 340 E. 2nd N.; Mountain Home, ID. 83647

3. Copies to:

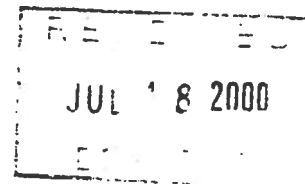
IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449



Signature of Objector or attorney mailing on Objector's behalf



AMENDED DIRECTOR'S REPORT

Subcase No. 51-02252

In Re SRBA

Twin Falls County Civil Case No. 39576

Report to the SRBA District Court

Prepared by the Idaho Department of Water Resources

Karl J. Dreher, Director

David R. Tuthill, Jr., Adjudication Bureau Chief

July 13, 2000

AMENDED DIRECTOR'S REPORT

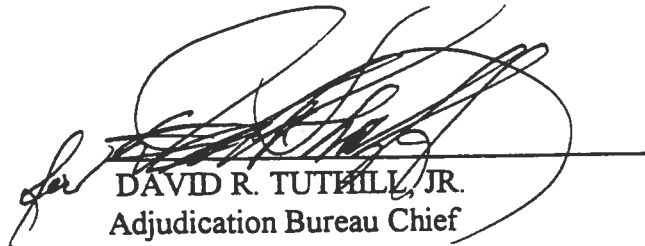
DESCRIPTIVE SUMMARY

This is an Amended Director's Report submitted by the Director of the Idaho Department of Water Resources.

DISCUSSION

Pursuant to the *Notice of Amended Claim* filed on or about May 25, 2000 by John Urquidi and the *Order Granting Motion to Amend Claim* issued by Special Master Dolan on June 15, 2000, the Director submits for filing with the Court, an Amended Director's Report for the aforementioned subcase (see attached print-out).

Respectfully submitted this 14th day of July, 2000.



DAVID R. TUTHILL, JR.
Adjudication Bureau Chief

07/14/2000

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 51-2252

NAME AND ADDRESS:

JOHN URQUIDI
HC 85 BOX 135
BRUNEAU, ID 836049703

0.10 AFY

PRIORITY DATE: 08/15/1946

SOURCE: UNNAMED STREAM trib. LITTLE JACKS CREEK

POINT OF DIVERSION: T10S R02E S7 NENENE Within OWYHEE County

BLM

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER STORAGE	03-15 TO 11-15	0.10 AF
STOCKWATER FROM STORAGE	03-15 TO 11-15	0.10 AF

PLACE OF USE:

STOCKWATER FROM STORAGE Within OWYHEE County
T10S R02E S7 NENE

BLM

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE."

XPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

CERTIFICATE OF SERVICE

I certify that on 7/15, 2000, I served the original and/or copies of this form, including all attachments, to the following persons by delivering the original and/or copies, as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☒ Facsimile 7/14/00

2. Copies to:

Paul A. Turcke
Joseph Mallett
Moore & McFadden, Chtd.
999 Main Street, Suite 910
Boise, ID 83702

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

U.S.D.I. BLM
U.S. Dept. of Justice
550 West Fort Street, MSC 033
Boise, ID 83724

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Chief, Natural Resource Division
Office of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

☐ Overnight Mail
☐ Regular Mail
☒ Hand-Delivered
☐ Facsimile

Owyhee County Courthouse
Highway 78
Murphy, ID 83650

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile



Signature of person delivering form

SRBA

SUBCASE SUMMARY REPORT 51-02252

[Return to SRBA Home Page](#)

SRBA
07-20-2000

SUBCASE SUMMARY REPORT

HTML12

SUBCASE: 51-02252 FILE#: 00256
CLAIMANT: URQUIDI, JOHN
STATUS: RESPONSES DUE
WATER SOURCE: UNNAMED STREAM, LITTLE JACKS CREEK
ISSUES: QUANTITY OF WATER USED
PRIORITY DATE
POINT(S) OF DIVERSION DESCRIPTION
PLACE OF USE OR IRRIGATED ACRES IN EACH 40 A.
WATER RIGHT RECOMMENDATION

**** PARTIES INVOLVED ****

JOHN URQUIDI	C PRO SE
JOHN B URQUIDI	O ATTY: PAUL A. TURCKE
DAVID & BARBARA LAHTINEN	R ATTY: JAY R FRIEDLY
USDI BLM	O ATTY: US DEPARTMENT OF JUSTICE

**** ROA ENTRIES ****

04-01-1999	OBJ 01 F/B URQUIDI, JOHN B	RB	08-02-1999	0001
05-03-1999	NTC OF FILING ORIGINAL CLAIMS IN BASIN 51			
	IRRIGATION AND OTHER			
12-17-1999	NOTICE SETTING INITIAL HEARING	1S	02-04-2000	1100
01-31-2000	CHANGE OF ADDRESS FOR PAUL A TURCKE			
02-11-2000	AMENDED TRIAL SCHEDULE TO INCLUDE 51-02252			
02-11-2000	TRIAL SCHEDULE ORDER	TS	03-23-2000	1000
02-11-2000	PRE-TRIAL CONFERENCE (PHONE)	PS	03-10-2000	1000
03-10-2000	PRETRIAL HEARING HELD-NO RECORDING	PH	03-10-2000	1000
03-10-2000	MINUTES FILED			
03-10-2000	ORDER VACATING TRIAL SCHEDULE			
03-10-2000	ORDER SETTING STATUS CONFERENCE	US	05-10-2000	1000
05-10-2000	HEARING HELD-SCHEDULE SET-NO RECORDING	UH	05-10-2000	1000
05-10-2000	MINUTES FILED			
05-11-2000	DEADLINE FOR MOTIONS TO AMEND CLAIM	MB	05-26-2000	0500
05-11-2000	TELEPHONE HEARING ON MOTIONS TO AMEND CLAIMS	HS	06-14-2000	0930
05-11-2000	AMENDED DIRECTOR'S REPORTS DUE	ZV	06-16-2000	0500
05-11-2000	DEADLINE FOR OBJECTIONS TO AMENDED REPORTS	8V	07-28-2000	0500
05-11-2000	DEADLINE FOR RESPONSES TO OBJECTION DUE	RV	08-11-2000	0500
05-12-2000	MOTION FOR LEAVE TO PARTICIPATE AND NOTICE OF	MG	05-12-2000	
	HEARING F/B FREIDLY FOR LAHTINEN			
05-17-2000	HEARING SET ON MOTION TO PARTICIPATE	HS	05-24-2000	0130
05-24-2000	HEARING HELD ON MOTION TO PARTICIPATE	HH	05-24-2000	0130
05-24-2000	MINUTES FILED			
05-26-2000	ORDER GRANTING MOTION TO PARTICIPATE			
	FILED BY DAVID & BARBARA LAHTINEN			
05-26-2000	MOTION TO FILE AMENDED NOTICE OF CLAIM	MG	05-26-2000	
06-14-2000	HEARING ON MOTION TO AMEND CLAIM-NO RECORDING	HH	06-14-2000	0930
06-14-2000	MINUTES FILED- NO RECORDING			
06-15-2000	ORDER VACATING SCHEDULING ORDER			
06-15-2000	ORDER GRANTING MOTIONS TO AMEND CLAIMS			
06-15-2000	ORDER SETTING DEADLINE FOR DIRECTOR REPORT	ZB	07-14-2000	0500
06-15-2000	OBJECTIONS TO AMENDED REPORTS DUE 8/25/00	8B	08-25-2000	0500

06-15-2000	RESPONSES DUE 9/8/2000	RB	09-08-2000 0500
06-16-2000	OBJ 02 F/B USDI BLM		0002
07-14-2000	AMENDED DIRECTOR'S REPORT FILED		
	PREVIOUSLY RECOMMENDED DISALLOWED		
07-14-2000	OBJECTION TO AMENDED DIRECTOR REPORT DUE		
	AUGUST 28, 2000		

[Return to SRBA Home Page](#)

HP LaserJet 3100
Printer/Fax/Copier/Scanner

SEND CONFIRMATION REPORT for
IDAHO DEPT OF WATER RESOURCES
2083275400
Jul-14-00 4:56PM

Job	Start Time	Usage	Phone Number or ID	Type	Pages	Mode	Status
165	7/14 4:55PM	1'37"	12087362121	Send.....	8/ 8	EC144	Completed.....
Total		1'37"	Pages Sent: 8		Pages Printed: 0		

AMENDED DIRECTOR'S REPORT

Subcase No. 51-02008

In Re SRBA

Twin Falls County Civil Case No. 39576

Report to the SRBA District Court

Prepared by the Idaho Department of Water Resources
Karl J. Dreher, Director
David R. Tuthill, Jr., Adjudication Bureau Chief

July 13, 2000

AMENDED DIRECTOR'S REPORT

HP LaserJet 3100
Printer/Fax/Copier/Scanner

SEND CONFIRMATION REPORT for
IDAHO DEPT OF WATER RESOURCES
2083275400
Jul-14-00 5:55PM

Job	Start Time	Usage	Phone Number or ID	Type	Pages	Mode	Status
166	7/14 5:54PM	1'02"	12087362121	Send.....	5/ 5	EC144	Completed.....
Total		1'02"	Pages Sent: 5		Pages Printed: 0		

AMENDED DIRECTOR'S REPORT

Subcase No. 51-02252

In Re SRBA

Twin Falls County Civil Case No. 39576

Report to the SRBA District Court

Prepared by the Idaho Department of Water Resources
Karl J. Dreher, Director
David R. Tuthill, Jr., Adjudication Bureau Chief

July 13, 2000

AMENDED DIRECTOR'S REPORT

Water Right Number - R51-02252

Prefix Translation: RESEARCH

Old (D) Number - R766

+ - - - - Last Name - - - - + + - First Name - - - + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
URAUDI

JOHN

1 - HC 85 BOX 135
2 -
3 -

State- ID Zip- 836049703

City- BRUNEAU
Phone - 208-845-2844*** O - ORIGINAL OWNER ***
OMENS

HAZEL B

1 -
2 -
3 -

State- ID Zip- 00000000

City- XXXXXXXXXXXX
Phone - 208-000-0000

OMENS

WILLIAM J

1 -
2 -
3 -

State- ID Zip- 00000000

City- RIGGINS
Phone - 208-000-0000+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
08/15/1946 14 WESTERN I - DISALLOED+ - - - - Source - - - - - + - - - - - Tributary - - - - - +
UNNAMED STREAM LITTLE JACKS CREEK+ - - - - Twm Rng Sec Tract Lot RFlg County Point of Diversion - - - - - Diversion Name - - - - - +
10S 02E 7 NE NE (73) OMVHEE
NE NE (73) OMVHEE
SE SM SE R (73) OMVHEE
SM SE SE R (73) OMVHEE+ - - - - Code Description Period from Period To Water Use - - - - - Diversion Rate Diversion Volume - - - - - +
02 - IRRIGATION STORAGE 200.00
03 - IRRIGATION FROM STORAGE 200.00
05 - STOCKWATER STORAGE 200.00
06 - STOCKWATER FROM STORAGE 200.00+ - - Total Div. Rate - + + - - Total Div. Volume - + + - - Total Div. Capacity - + + - - Total Consumptive Use - + + - - KW Usage - +
200.00 200.00 0.0+ - - - - Twm Rng Sec Tract Lot Acres Place of Use - - - - - Code Description - - - - - County - - - - - +
10S 02E 5 SE NE 10.0 03 IRRIGATION FROM STORAGE (73) OMVHEE
10S 02E 5 NE SE 15.0 03 IRRIGATION FROM STORAGE (73) OMVHEE
10S 02E 5 SE SE 15.0 03 IRRIGATION FROM STORAGE (73) OMVHEE
10S 02E 5 SE NE 06 STOCKWATER FROM STORAGE (73) OMVHEE
10S 02E 5 SE SE 06 STOCKWATER FROM STORAGE (73) OMVHEE
10S 02E 5 SE SE 06 STOCKWATER FROM STORAGE (73) OMVHEE

Prefix Translation: RESEARCH

+ - - - Diversion Means - DAM IN STREAM TO DITCH TO P.O.U.

+ - - Non-Irrigation Use - S/500 HEAD RANGE CATTLE

+ - - Other Rights for Same Use - NONE

..... Remarks

**GEN FORFEITED/ABANDONED.
DUE TO NON-USE FROM 1987 TO 1993.**

[illegible][illegible]

	Decree Plaintiff	Decree Defendant
+ - - - -	- - - +	+ - - - -

+ - Decree Date - +
00/00/0000

+ - - Audit Fields - 05/04/98 SBOCK 07/21/98 SBOCK

+	-	Comments-	+
Date: 05/04/1998	User Id: SBOCK	Subject: DISALLOWED CLAIM	
AFTER REVIEWING CLAIM AND SPEAKING TO MM WHO WAS PRESENT DURING 2 FIELD EXAMS, I AM RECOMMENDING THIS CLAIM FOR DISALLOWAL. THE			
RESERVOIR HAS NOT HELD WATER SINCE AT LEAST 1972 AS EVIDENCED BY 4 DIFFERENT DAM INSPECTIONS. THE CLAIMANT HIMSELF TOLD M.M. THE			
LANDS CLAIMED WERE NO LONGER IRRIGATED AND SINCE THERE HAS BEEN NO STORAGE, I CAN NOT RECOMMEND STOCKWATER FROM STORAGE.			
CLAIMANT CAN ALWAYS FILE FOR IN-STREAM STOCKWATER.			

+ Adjudication Rights Dates and Flags Area +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 35976
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 07/21/1998	Old Judicial District	-
Claim Received Date	- 03/10/1989	Last Amended Date	- 09/23/1992	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- W002368	Federal/State Indicator	- S
		POU Ownership Flag	- Y	Presumption Flag	-
		Name Connector	-	Notice of Error Flag	-

Water Right Number - R51-02252

Prefix Translation: RESEARCH

Old (D) Number - R766

+ - - - - Last Name - - - - + + - First Name - - - + + - - - - Address - - - - - +
*** C - CURRENT OWNER ***
URQUIDI
JOHN
1 - HC 85 BOX 135
2 -
3 -
City- BRUNEAU
Phone - 208-845-2844
State- ID Zip- 836049703

*** 0 - ORIGINAL OWNER ***
OMENS
HAZEL B
1 -
2 -
3 -
City- XXXXXXXXXXXX
Phone - 208-000-0000
State- ID Zip- 00000000

OMENS
WILLIAM J
1 -
2 -
3 -
City- RIGGINS
Phone - 208-000-0000
State- ID Zip- 00000000

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - - - +
08/15/1946 14 WESTERN I - DISALLOWED

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
UNNAMED STREAM LITTLE JACKS CREEK

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot Rflg County

10S 02E 7 NE NE (73) OMAYHEE
5 NE NE (73) OMAYHEE
SE SW SE R (73) OMAYHEE
SW SE SE R (73) OMAYHEE

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
02 - IRRIGATION STORAGE 200.00
03 - IRRIGATION FROM STORAGE 200.00
05 - STOCKWATER STORAGE 200.00
06 - STOCKWATER FROM STORAGE 200.00

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
200.00 200.00 0.0

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
10S 02E 5 SE NE 10.0 03 IRRIGATION FROM STORAGE (73) OMAYHEE
10S 02E 5 NE SE 15.0 03 IRRIGATION FROM STORAGE (73) OMAYHEE
10S 02E 5 SE SE 15.0 03 IRRIGATION FROM STORAGE (73) OMAYHEE
10S 02E 5 SE NE 06 STOCKWATER FROM STORAGE (73) OMAYHEE
10S 02E 5 NE SE 06 STOCKWATER FROM STORAGE (73) OMAYHEE
10S 02E 5 SE SE 06 STOCKWATER FROM STORAGE (73) OMAYHEE

Water right number - R51-02252

Prefix Translation: RESEARCH

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
-----	-----	-----	-------	-----	-------	------	-------------	--------

Total Acres: 40.0

- - - Diversion Means - DAM IN STREAM TO DITCH TO P.O.U.

- - - Non-Irrigation Use - S/500 HEAD RANGE CATTLE

- - - Other Rights for Same Use - NONE

- - - - - Remarks - - - - -

GEN FORFEITED/ABANDONED.

- - - - - Old Water Right Numbers - - - - -

No Old Water Right Numbers Found

- - - - - Conditions of Approval - - - - -
No Conditions of Approval found.

- - - - - Decree Plaintiff - - - + - - - - - Decree Defendant - - - + - - - Decree Date - - +
00/00/0000

- - - - - Comments - - - - -

Date: 05/04/1998 User Id: SBOCK Subject: DISALLOWED CLAIM
AFTER REVIEWING CLAIM AND SPEAKING TO MM WHO WAS PRESENT DURING 2 FIELD EXAMS, I AM RECOMMENDING THIS CLAIM FOR DISALLOWAL. THE
RESERVOIR HAS NOT HELD WATER SINCE AT LEAST 1972 AS EVIDENCED BY 4 DIFFERENT DAM INSPECTIONS. THE CLAIMANT HIMSELF TOLD M.M. THE
LANDS CLAIMED WERE NO LONGER IRRIGATED AND SINCE THERE HAS BEEN NO STORAGE, I CAN NOT RECOMMEND STOCKWATER FROM STORAGE.
CLAIMANT CAN ALWAYS FILE FOR IN-STREAM STOCKWATER.

- - - Audit Fields - - - +
05/04/98 SBOCK

- - - - - Adjudication Rights Dates and Flags Area - - - - -

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	- 00/00/0000	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 09/23/1992	Old Judicial District	-
Claim Received Date	- 03/10/1989	Last Amended Date	- W002388	Temporary Right	- P
		Receipt Number	- Y	Water District	-
		POU Ownership Flag	-	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	-
			-	Notice of Error Flag	-



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 29, 1998

John Urquidi
HC 85 Box 135
Bruneau, ID 836049703

Dear Mr. Urquidi:

I have reviewed the following claims you filed in Basin 51 and would like to give you the opportunity to look over the recommendations I am making. My hope is that if you have questions, concerns, or would like to provide any additional documentation, that we could address these issues and attempt to resolve them before the Notice of Error process.

Please take a minute to look over the following information and then give me a call before June 20, 1998. I would enjoy the opportunity to sit down and meet with you.

Recommendations for your Basin 51 claims.

- 51-00037** Recommendation: 7 acres of irrigation in Sec 15, SWSW. Diversion rate 0.21 cfs irrigation and 0.07 cfs stockwater, total diversion .21 cfs. During a field exam in 1995, it was found that the lands claimed in Sec 16 are owned by Idaho Power and managed by Department of Fish and Game.
- 51-02008** Recommendation: Disallow. This license should have been decreed during the Bruneau River Decree. No beneficial use was found and we received no response to requests for evidence of use.
- 51-02035** Recommendation: Disallow. Same as above.
- 51-02058A** Recommendation: Forfeited/Abandoned. No irrigation was found and affidavits submitted did not indicate any irrigation other than fields located along Sec 5.
- 51-02058B** Recommendation: Forfeited/Abandoned. Same as above
- 51-02065** Recommendation: 30 acres of irrigation in Sec 5, NESE, and the SESE. Diversion rate 0.80 cfs irrigation 0.11 stockwater, total diversion 0.80 cfs. **Note, one of the point's of diversion located in the SWSE, is on BLM land.**

51-02201

51-02205

Recommendation: I have not been able to reach you regarding these rights. I am assuming from the field exams, that both of these wells can be used together to serve the lands covered under both rights. Therefore; I have created a permissible place of use for both of the rights. At any one time 177 acres can be irrigated with a total combined diversion rate of 3.27 cfs. This will allow you more freedom when operating these rights, however, if you should sell a piece of the land a portion of each water right would go with the land. These two rights will be left this way unless I hear otherwise.

51-02230

Recommendation: Stockwater Storage 4.0 AFA, Stockwater from Storage 4.0 AFA, total Diversion volume 4.0 AFA. Irrigation was licensed under 51-02058. Instream stockwatering was filed on under 51-10229.

51-02252

Recommendation: Forfeited/Abandoned. Dam has not held water since at least 1972 as evidenced by 4 different dam inspections. During 1993 filed exam you indicated the lands were no longer irrigated.

51-04102

Recommendation: Disallow. No lawful appropriation shown. There was no mention of Springs in the licensing exams and we have received no response to our requests for evidence of priority.

51-10140

Recommendation: Stockwater use at a diversion rate of 0.22 cfs. No evidence of irrigation was found and no evidence of priority submitted.

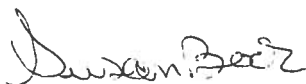
51-10228

Recommendation: Disallow. No beneficial use found and no evidence of priority submitted.

51-10250

Recommendation: Disallow. No lawful appropriation shown, no response to requests for evidence of priority. These lands are covered under licensed rights, 51-02201 and 51-02205.

Sincerely,



Susan Bock
Senior Water Resources Agent

enclosures: water right profiles and GIS maps.

SB:sb

ADJUDICATION MEMORANDUM

CLAIM NO.: 51-02252

SUBJECT: Disallow of claim

EMPLOYEE: See Book

DATE: 5/4/98

After review of claim and speaking to MM who did field exam + spoke with claimant, I am disallowing claim. Enclosed dam safety records show no water storage since 1972. Claimant stated during field exam winter was no longer used for irrigation. Since water has not been stored, I can not recommend stockwater from storage. Claimant can always file a B.U. claim for instream stockwater.

10:27:47
12/31/96
14

10:27:47
12/31/96
14

TOTAL DIVERSION: 200.00 AFA

Stage: LICENSE

OWYHEE County
OWYHEE County
OWYHEE County

SE

TOTAL ACRES	40.0
-------------	------

SE

11

Other Rights: NONE

Objection Filed Date:

MR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE		177 4/24/1993 10-12/10/1993 05/17/1995	3.S. 11/29/1993 777					
POINT OF DIV	Y			Y				
SOURCE	Y			Y				
PLACE OF USE	Y			Y				
DIV. AMOUNT CFS/VOLUME				Y				
CONSUMPTIVE USE	-							
PURPOSES OF USE				Y				
PERIOD OF USE								
BASIS OF CLAIM								
REMARKS	Y							

BARCODE UPDATED
WHOM/DATE

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED) IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION

COPY INCLUDED
IN FILE?

(X) ORTHOPHOTOQUAD DATE OF PHOTO 08/07/1979 IDMR ID NO. B359 Y() N()

(X) TOPOGRAPHIC DATE FIELD CHECKED 1972 IDMR ID NO. B359 Y(X) N()

(X) NAPP DATE OF PHOTO 08/01/1987 IDMR ID NO. B359NW Y() N()

X ~~(X)~~ ASCS AERIAL PHOTO ~~1987~~ 1987 (S.5) Y() N()

() ASCS COLOR SLIDE DATE OF PHOTO _____ Y() N()

() BLM OR USFS AERIAL PHOTO DATE OF PHOTO _____ Y() N()

() TOWNSHIP SURVEY (GOVERNMENT PLAT) DATE OF SURVEY _____ Y() N()

() SCS SOIL SURVEY MAP DATE ISSUED _____ Y() N()

() SUBDIVISION PLAT MAP DATE OF MAP _____ Y() N()

() OTHER DATE _____ Y() N()

() OTHER DATE _____ Y() N()

() OTHER DATE _____ Y() N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED)

IF ATTACHED, SUPPLY APPROPRIATE INFORMATION

NO. OF
PAGES

NOTES

() LICENSING FIELD EXAM DATE OF FIELD EXAM _____

() WATER RIGHT LICENSE DATE LICENSE SIGNED _____

() IDMR APPROVED TRANSFER DATE TRANSFER APPROVED _____

() SYSTEM DESCRIPTION DATE DRAWN _____

(X) PHOTOGRAPHS DATE(S) PHOTOS TAKEN 11/29/1993 2 Everything covered w/ sagebrush

() SPLIT RIGHT REVIEW DATE REVIEW COMPLETED _____

() HUBBLE ANALYSIS DATE ANALYSIS COMPLETED _____

() CONVEYANCE LOSS ANALYSIS DATE ANALYSIS COMPLETED _____

() FLOW MEASUREMENT CALCULATIONS DATE SYSTEM MEASURED _____

(X) OTHER Field Notes DATE 11/29/1993 1 2 sided - notes on back

(X) OTHER Dam Safety DATE 1992-1998 1 Record of inspections

(X) Correspondence DATE 05/17/1995 4 Requests for information

12/01/1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

10:23:28
12/31/96

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A51-02252

LAST: OMENS
ADDRESS: XXXXXXXXXXXX
CITY: XXXXXXXXXXXX
PHONE NUMBER: 208-000-0000
STATE: ID ZIP: 00000000

OWNER CODE: 0

LAST: OMENS
ADDRESS: RIGGINS
CITY: RIGGINS
PHONE NUMBER: 208-000-0000
STATE: ID ZIP: 00000000

OWNER CODE: 0

LAST: URQUIDI
ADDRESS: HC 85 BOX 135
CITY: BRUNEAU
PHONE NUMBER: 208-845-2844
STATE: ID ZIP: 836049703

OWNER CODE: C

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS?
CLAIM REMARKS: GEN AC. IRR.=40.
DATABASE EXAMINER
Y ()

CONTACT PERSON: John Uriguidi

PHONE NUMBER: (208) 845-2844

DATE OF FIELD EXAM: 08/1 / 11/29/1993 APPOINTMENT MADE: Y(X) N()

TIME: 9 : 00 A(X) P()

ACCOMPANIED BY: TR. Uriguidi

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT: Same

DIRECTIONS TO PROPERTY / NOTES:

Teet @ Bureau One-Stop. Route via Grandview.

See file A51-02065 for conversation memos + correspondence regarding
attempts to set up field exam. TR

Uriguidi

A. AJ CLAIM: # A51-02252 PRIORITY DATE: 08-15-1946 STAGE: L

B. WR RECORD: # 51-02252 PRIORITY DATE: 08-15-1946 STAGE: L

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE?

Y(X) N()

D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE?

Y() N(X)

E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE? (IF YES, DESCRIBE BELOW)

Y(X) N()

F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?

PROOF OF BENEFICIAL USE SUBMITTED

N/A(X) Y() N()

FIELD EXAM COMPLETED

N/A(X) Y() N()

FIELD EXAM SENT TO STATE OFFICE

N/A(X) Y() N()

LICENSE ISSUED

N/A(X) Y() N()

* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT, USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE OF THE PRIORITY DATE REQUIRED?

N/A(X) Y() N()

* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED, INCLUDING THE ANALYSIS OF THE EVIDENCE.

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY?

Y(X) N()

NOTES: 12/31/1946: This license was not in existence at the time of the Bureau River Decree. The right appears to be forfeited based on Non-use.

The dam safety shows the dam in disrepair from 1972 to 1978, with the headgate covered with dirt. SRSA Field exam found sagebrush covering the dam & reservoir site. The claimant stated during the field exam that this reservoir is no longer used to provide irrigation water. No diversions from the stream found during field exam. In 1947: Reservoir for stock water (storage). Reservoir is on BLM ground & has been claimed by the BLM, but the right is recommended to the license holder, as per FOWR policy.

RECOMMENDED PRIORITY DATE:

08-15-1946

REVIEWED BY: [Signature]

DATE: 12/30/1996

01/02/1997: It is unclear if storage capacity was added after the first field exam.

State of Idaho License and Certificate of Water Right

Water License No. R-766

Amount 200 acre feet

Water District No.

Priority August 15, 1946

THIS IS TO CERTIFY that HAZEL B. OWENS

of Bruneau, Idaho

, made application for a permit to appropriate the

public waters of the State of Idaho, dated August 15, 1946; that Permit No. R-766
was issued under said application; that Certificate of Completion of works, with a ^{storage} capacity of

200 ~~acres~~ ^{acres} feet, was issued thereunder on August 4, 1949, showing that said works

were completed on the 4th day of August, 1949; and that on the 3rd

day of September

, 1949

HAZEL B. OWENS

of Bruneau

, State of Idaho

, made proof to the satisfaction of the

State Reclamation Engineer

of Idaho, of the right to use the waters of an un-named

stream, a tributary of Jack's Creek

, for the purpose of irrigation and stock

water, under Use Permit No. R-766

of the Department of Reclamation

and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume

9 of Licenses at page 5362, on the 1st day of October, 1954;

The right hereby confirmed dates from August 15, 1946;

The Point of ^{outlet} ~~Division~~ is located

in the NE 1/4 NE 1/4, Sec. 7, Tp. 10 S., R. 2 E., B. M. Cwyhee County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 200 acre ~~acres~~ feet per ~~annum~~ annum.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
10 S.	2 E.	5	SE 1/4 NE 1/4 E. 1/4 SE 1/4		40

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

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

1st day of October, 1954.

MARK R. KULF
State Reclamation Engineer.

(SEAL)

51 2212

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

Permit No. R-766This proof is for Beneficial use In Water District No. _____

1. Name of applicant Mrs. Hazel B. Owens, Bruneau, Idaho
2. Source of water supply: An unnamed stream, tributary to Jack's Creek
3. Location of point of diversion: Is in the ^{outlet} NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7
T. 10 S., R. 2 E. County of Owyhee
4. Describe works as they exist, giving dimensions and capacities of same:
Dam 10 ft. high and 300 ft. long. The side slopes are 2:1 and 2:1. Lava-rip-rap
and a 10 to 12 ft. top width. The outlet control is a vertical screw stem gate.
The reservoir area is about 10 acres. The ditches are 2 ft. wide and 1 ft. deep.
5. Water is used for: irrigation and stock water.
6. State whether or not water has been turned into works of diversion: Yes
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):
SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ Section 5, Twp. 10 S., Range 2 E., B. M.

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

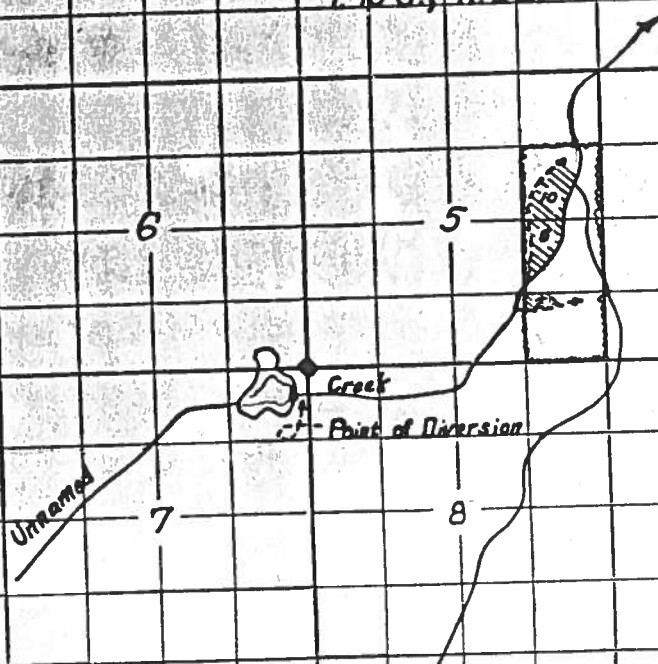
8. What large stream would the water here appropriated finally reach? Intermittent stream
- Remarks: At the time of the investigation, the stream was dry.

Est capacity of dam 5000 cfs (approx)

This examination was made on the 30 day of Nov., 1949.
(Signed) F. R. Tolman Examiner.

R-766

T. 10 S., R. 2 E.



This proo

1. Name

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January 6, 1951

Re: Permit No. R-766

Mr. Earl Owens
Bureau, Idaho

Dear Mr. Owens:

The report of our Field Engineer on examination for beneficial use under Permit No. R-766 in the name of Mrs. Hazel B. Orine, shows that your reservoir is capable of storing fifty (50) acre feet of water from an unnamed stream, tributary to Jack's Creek, and that the water has been used to irrigate 10 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, 8 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ and 2 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 5, Township 10 South, Range 2 East, B.M.

Therefore, upon receipt of the statutory fee of \$6.00, being at the rate of \$2.00 for each subdivision in which the land is located, a license will be issued for fifty (50) acre feet of water.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bb

No fee rec'd - second exam in 1954, fee paid
+ license was issued for 200 AF, amount
indicated in proof of Blu (240 AF found
by second exam). TTT

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. R-766
~~816~~

This proof is for Beneficial Use In Water District No. _____

1. Name of applicant William J. Owens, Riggs, Idaho

2. Source of water supply: Snow and rain drainage tributary to Jack's Creek

3. Location of point of diversion: Is in the NE NE of Section 7

10 T. X S. R. 2 E. County of Owyhee

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

Dam 112 yds long x 12' w. x 11' h. Earth dam. Concrete outlet. Rd cut gate on
upstream end. T. slope upstream 2:1 down. Spillway over a small saddle.
Good riprap. Small low embankment by spillway.
Stream channel used for ditch. Small ditch 12" to 18" w. on bottom.
No water in reservoir this year.

5. Water is used for: Irrigation and stock water

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

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

W 1/2 SE 1/4, SE 1/4 SW 1/4 Section 33, Twp. 9 South, Range 2 East, 2-4.

W 1/2 SE 1/4, SE NE 1/4, S 1/2, 10 S, 2 E

This is actually a re-inspection for R-766

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

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

Remarks: _____

Pasture crops.
Some brome grass.

Estimated capacity = 40 a. area x 6' deep = 240 acre feet

This examination was made on the 16 day of April, 19 57

(Signed) E. H. Humphrey Examiner.

P-766

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1954

Friday.

1914 survey.

1945 survey.

105. 2E

Three subdivisions
40 acres irrig.

$Q = 200$ acre feet

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

May 3, 1954

RE: Permits Nos. R-816, R-766

Mr. William J. Owens
Riggins
Idaho

Dear Mr. Owens:

Since returning to the office, I have checked regarding Permits Nos. R-816 and R-766. Following is the information pertaining to them.

Permit No. R-766 was made to Hazel B. Owens for an amount of 250 acre feet. The source of the water was a tributary to Jacks Creek with dam in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 7, Township 10 South, Range 2 East. This Permit was approved on August 23, 1946. Completion of Works was due August 23, 1951, and Beneficial Use Proof was due August 23, 1957.

Completion of Works was made on August 4, 1949, and Beneficial Use Proof was submitted in September of 1949. An inspection on this reservoir was made by Mr. F. A. Toleman, field engineer, for this Department, on November 30, 1949 and a letter dated January 6, 1951 was sent to Mr. Earl D. Owens of Bruneau stating the number of acre feet that could be licensed and the fee for same. Since this fee was never received, nothing more has been done regarding this Permit.

Due to the re-inspection, which I made on the 16th, with you accompanying me, the amount licensed can be raised to 200 acre feet which is the amount for which Completion of Works was made. License will be made in the name of Hazel B. Owens unless an assignment from Hazel B. Owens to you, is submitted before issuance of the license. The fee of \$6.00 must be submitted to this department before a license can be issued.

Permit No. R-816 in the name of Hazel B. Owens by Earl D. Owens of Bruneau, for an amount of 150 acre feet with the source being a tributary of Jacks Creek and the outlet of the reservoir in the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 31, Township 9 South, Range 2 East R.M., to be used for irrigation on the SE $\frac{1}{4}$ SW $\frac{1}{4}$ and $\frac{1}{4}$ SE $\frac{1}{4}$ Section 33, Township 9 South, Range 2 East R.M. Total to be irrigated is 100 acres. Completion of Works was due on this on October 20, 1953 and Beneficial Use Proof was due also on October 20, 1958.

This was assigned to William J. Owens October 27, 1953. Proof of Beneficial Use was properly made on November 27, 1953. Letter was sent you April 5, 1954 regarding inspection requirements. Then on April 16 an inspection was made but we find that the inspection was merely a re-inspection on the reservoir covered under Permit No. R-766, so before anything can be done further, regarding Permit No. R-816, it will be necessary for us to go back and inspect the other reservoir.

R-766

Mr. William J. Owens

-2-

May 3, 1954

However, if I remember correctly, you advised me that the dam for Perwin No. R-816 was built by Mr. Noble and that he had failed to provide any outlet so that the only water that could be used must run through the spillway or over the top of the dam. If this is correct, there will be no use making an inspection because the works were never completed in the time required by statute and the proofs are therefore, rejected and we are sending cancellation notice as required by law.

You may file again when you are ready to build the reservoir.

Yours truly,

MARK R. KULP
State Reclamation Engineer
By

Z. N. Humphrey
Deputy State Reclamation Engineer

E:hll

h 160

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	FLAG	POD	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A51-02252	10S	02E	5	SE	SW	SE	R		OHYHEE		
A51-02252	10S	02E	5	SW	SE	SE	R		OHYHEE		
A51-02252	10S	02E	7	NE	NE	NE			OHYHEE		
A51-02252	10S	02E	7	NE	NE	NE	1		OHYHEE		

OTHER AJ CLAIMS WITH SAME AJ POD

WR RECORDS IN SAME 40 ACRE TRACT

8-17 live flow
8-17 spring, S.5
11'
11'
A51-10585
A51-10873
A51-10874
(Field Res.)

A PREFIX
A51-02065
R51-10487
R51-10585
R51-10874

NONE

SOURCE: UNNAMED STREAM

TRIB: LITTLE JACKS CREEK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	FLAG	POD	COUNTY	DIVERSION NAME	DIVERSION NUMBER
51-02252	10S	02E	7	NE	NE				OHYHEE		

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT

NONE
A51-10487
A51-10585
R51-10487
R51-10585

SOURCE: UNNAMED STREAM

TRIB: JACKS CREEK

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(☒) N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y(☒) N(☒)

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y(☒) N()

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(☒) N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y() N(☒)

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y(☒) N()

1. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM 11/30/1949), ON 12/16/1954

$$Y(\frac{1}{\sqrt{2}}) N(\frac{1}{\sqrt{2}})$$

AJ FIELD EXAM (DATE OF FIELD EXAM 11/29/93) NAME OF EXAMINER (J J LITTLEWOOD) Y(X) N()

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: 12/31/1996: The dam outlet is located in T105 14025 S.7, WENENE, but is

no longer functional. No diversion from the stream was found, or mentioned by the claimant during the field exam. The claimed PODs in section 5 are a spring (SESWSE) which is in the channel (no water above spring) which is diverted to the north through sagebrush and does not appear to provide any water for irrigation. The other claimed POD in S. 5 was not found. TTTT

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED (_____)

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD	COUNTY	DIVERSION NAME	DIVERSION NBR
10S	02E	5	SE	SW	SE		FLAG	OWYHEE		
10S	02E	5	SW	SE	SE		R	OWYHEE		
10S	02E	7	NE	NE	NE			OWYHEE-		
10S	02E	7	NE	NE	NE		I	OWYHEE		
10S	02E	7	NE	NE	NE			OWYHEE		

SOURCE: LITTLE JACCS CR

REVIEWED BY: JH DATE: 01/02/1997

SYSTEM DESCRIPTION: DESCRIBED BELOW (___), SEE LICENSE FILE (___), OR SEE ATTACHMENT (___) DATA SAFETY FILE (X)

A. ROOT WATER RIGHT NUMBERS: A51-02252

B. POU LISTING						AJ	WR	LANDSAT	FIELD	RECOMM.	
TWP	RNG	SEC	1/4	1/4	LOT	NAME	#/ACRES	#/ACRES	DATA	EXAM.	ACRES
10S	02E	5	SE	NE		URQUIDI, JOHN	A51-02252 / 10.0	51-02252 /			0
			SE	NE		URQUIDI, JOHN	A51-02065 / 15.0	51-02065 / 15.0			
10S	02E	5	SE	NE		URQUIDI, JOHN	A51-02252 /	51-02252 /			
			SE	NE		URQUIDI, JOHN	A51-02065 / 15.0	51-02065 / 15.0			
10S	02E	5	NE	SE		URQUIDI, JOHN	A51-02252 / 15.0	51-02252 /			
			NE	SE		URQUIDI, JOHN	A51-02065 / 15.0	51-02065 / 15.0			
10S	02E	5	NE	SE		URQUIDI, JOHN	A51-02252 /	51-02252 /			
			NE	SE		URQUIDI, JOHN	A51-02065 / 15.0	51-02065 / 15.0			
10S	02E	5	SE	SE		URQUIDI, JOHN	A51-02252 /	51-02252 /			
			SE	SE		URQUIDI, JOHN	A51-02065 / 10.0	51-02065 / 10.0			
10S	02E	5	SE	SE		URQUIDI, JOHN	A51-02252 / 15.0	51-02252 /			
			SE	SE		URQUIDI, JOHN	A51-02065 / 10.0	51-02065 / 10.0			
ADDITIONAL POU FOUND											
10S	02E	7	NE	NE							
			NE	NE							
			SE	SE							
			SE	SE							
TOTAL ACRES A51-02252 40.00											

POU COUNTY: OMYHEE

9/02/1997: The recommended place of use is the reservoir. The location and size of the reservoir recommended is based on the 1987 NAPP and the 1972 topo map. The dam safety file indicates varying dam height levels & field exams found depths of 5 and 6 ft. Based on field observations the dam is approximately 5 ft high. Reservoir covered 10 acres in 1987, making storage 50 acre feet. See attached topo map. The place of use is Berr ground.

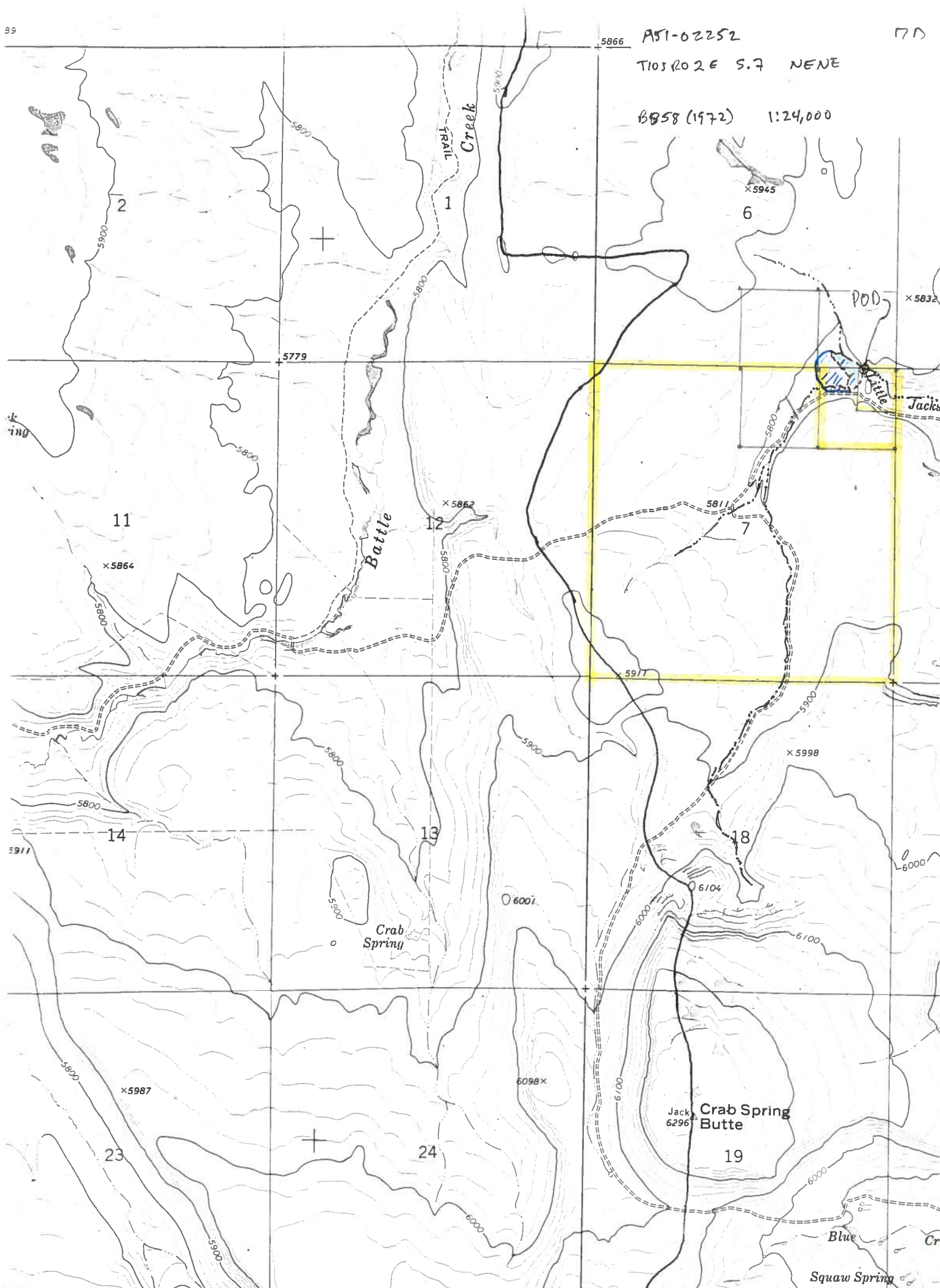
Based on FWR records, proof was made on 200 AF and then first exam found 50 AF. A second was conducted 3 1/2 years later and 240 AF (April) and subsequently a license for 200 AF was issued. Recommended storage is the amount indicated by 1987 information. Stockwater only - see dam safety file for add'l info on use of dam (i.e., no navigation noted).

A51-02252

7D

T105202E S.7 NENE

6858 (1972) 1:24,000





PHOTOGRAPHER AND DATE OF PHOTOS TT Minicucci 11/29/1993

FILE NO. AS1-02252 T105 R02E Section 7 NENE



① Reservoir site.
Photo taken
from top of
dam looking
back over the
Reservoir
site. IDWR
Rig in middle-
left of photo
Entire site
covered in
sagebrush



② DAM,
looking North.
Entire dam
covered with
sage brush.



PHOTOGRAPHER AND DATE OF PHOTOS TTinicucci 11/29/1993

FILE NO. A51-02252 T105 R02E S.7 NENE



① Headgate on dam



② Headgate with reservoir site behind. Photo taken from top of dam.

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y(X) N(X)

* IF YES, ARE THESE TRACTS LISTED ABOVE (X), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV.	DIV.	DIV.
			RATE	RATE/ACRE	VOL. VOL./ACRE
A51-02252	UNNAMED STREAM	URQUIDI, JOHN			
A51-02065	SPRING	URQUIDI, JOHN	0.800	0.020	200.00 5.00
NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION					

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y() N(X) *ref*

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: NONE

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y(X) N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A() Y() N(X)

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y(X) N()

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y(X) N()

CHECK DOCUMENTS USED TO VERIFY POB: (X) ORTHOPHOTOQUAD, IDMR NO. B359; (X) TOPOGRAPHIC QUAD, IDMR NO. B359;

(X) NAPP, IDMR NO. B359 NW; (X) ASCS PHOTO; () OTHER

NOTES: 12/31/1996: The claimed place of use (springs of it) are irrigated by springs located at the place of use. The reservoir is no longer used by the claimant (as per claimant during field exam) and no diversion from the stream was found. The claimant has put small dams in the creek along the place of use but there is no diversion from the creek in these areas. There is no mention of the use of water from the reservoir in any of the affidavits provided for the forfeiture proceeding in the spring of 1996 except for John C. Uriguadi noting that an upstream dam has in flooded and the water right since the early 1980's, as well as a similar description in the affidavit of John B. Uriguadi. They are referring to the reservoir in the name of S.T. originally permitted under 51-07199. No protests to the application were made, but the BLM relinquished the permit in 1984. The BLM has subsequently filed NEBA claim no. A51-10487 for the upstream reservoir (1874 priority) and the reservoir is visible sites are visible on the NAPP. No evidence of objection or complaint to the BLM dam was found in any IDMR records. At this

RECOMMENDATIONS:

TOTAL ACRES: N/A

REVIEWED BY: TTT DATE: 01/02/1997

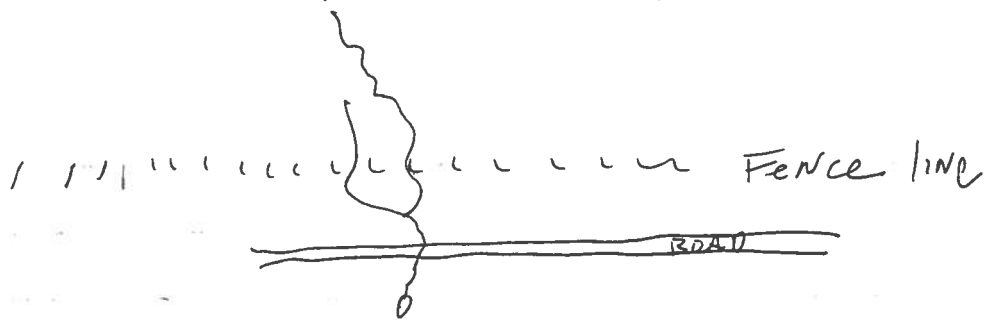
Time it appears that the license has been forfeited by non-use because no use was found, IDMR records (dam safety) show a non-functioning reservoir for a number of years (at least 1972-1978), no affidavit supports any use of the reservoir since the early 1980's, and the NAPP does not show water in the reservoir. The claimants have never indicated to IOW that their water right had been injured by upstream activity before the forfeiture investigation in 1995. 177 01/02/1997: Last cert. of Approval issued by IOW expired 01/02/1978. File is inactive. 177

11/29/1993

Check: Owen's
Groundwater in
Bureau
1986 PR166

Pictures 1 & 2 Spring & ditch leading to
(misnamed) Collier now Urquidí pla

3 Natural drainage, (ditch) from
res. to past spring → ditch



'Upper ditch' on east side of drainage not
used because of BLM-claimant litigation

4-7 Springs

#8 ditch → old homestead
Not full in low years

#9 Middle ditch (pencil line) (west side)

#10 & 11 : → From middle ditch down toward

↓ Rock pile where middle ditch runs & drainage.

Old mining activity?

dam to shorten ditch's. Run up & back down
into drainage

Dam Inspection Record

Owens Dam No. 51-2252

Location: NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 7 T10S R2E B.M.

September 6, 1972 Inspection

No water in reservoir. Headgate covered with dirt. Sagebrush over entire dam.

September 17, 1974 Inspection

No change since last inspection except that rodents are working on fill.

September 7, 1976 Inspection

Sage over entire dam and in spillway. Headgate covered with dirt.

September 26, 1978 Inspection

No change in Dam.

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A51-02252 IRRIGATION STORAGE	FROM TO		200.00 AF/A
A51-02252 IRRIGATION FROM STORAGE	FROM TO		200.00 AF/A
A51-02252 STOCKWATER STORAGE	FROM TO		200.00 AF/A
A51-02252 STOCKWATER FROM STORAGE	FROM TO		200.00 AF/A
TOTAL DIVERSION RATE/VOLUME			
200.00 AF/A			

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
51-02252 IRRIGATION STORAGE	FROM TO		200.00 AF/A
51-02252 IRRIGATION FROM STORAGE	FROM TO		200.00 AF/A
51-02252 STOCKWATER STORAGE	FROM TO		200.00 AF/A
51-02252 STOCKWATER FROM STORAGE	FROM TO		200.00 AF/A
TOTAL DIVERSION RATE/VOLUME			
200.00 AF/A			

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE?

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM?

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS?

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS?

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM?

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM?

C. ☒ YES ☐ NO
 D. ☐ YES ☒ NO
 E. ☒ YES ☐ NO
 F. ☐ YES ☒ NO
 G. ☒ YES ☐ NO
 H. ☒ YES ☐ NO
 I. ☒ YES ☐ NO
 J. ☒ YES ☐ NO
 K. ☐ YES ☒ NO

NOTES: 01/02/1997: No use or reservoir claimed. Claimant indicated during the field exam that this water has not been used (diverted) for irrigation & any longer, especially since the dam went in upstream. ~~the~~ The topo map, etc. and NAPP also all indicate storage behind the dam.

Seasonal use claimed area round - covers are non-perennial.

Discuss w/IDWR legal staff + administrators. 11/17

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____ ACCEPTED AS CLAIMED _____ NEEDS REVIEW (X)
FORFEIT/ABANDON _____ ()
ADDITIONAL DIV. AMOUNT _____ ()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 51-02252

DATABASE

EXAMINER

TOTAL DIVERSION RATE OF WR SPLITS

CFS

SPLITS:

OLD RIGHT
NUMBERS

CURRENT
CLAIM NUMBERS

DIVERSION
RATE

CURRENT "R"
CLAIM NUM.

"R" DIV.
RATE

WR RIGHT
NUMBERS

DIVERSION
RATE

- A51-02252

-

51-02252

TOTAL CFS

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)

IF NO, IS THE WRITTEN REVIEW DESCRIBED BELOW () OR SEE ATTACHMENT ()?

DATABASE
Y

FIELD
EXAMINER
Y() N()

NOTES:

01/02/1997: The reservoir is on BLN ground but since the license was issued to a private party the license is recommended to the Court. 177

AUTHENTICATION:

SIGNATURE:

DATE:

NAME OF FIELD EXAMINER:

TITLE:



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 17, 1995

JOHN URQUIDI
HC 85 BOX 135
BRUNEAU ID 83604

RESPONSE DATE: JUNE 12, 1995

**RE: Notices of claim to a water right nos: A51-02058, A51-02065
A51-02230, A51-02252**

Dear Mr. Urquidi:

Please read this letter carefully. Important information about the above referenced Snake River Basin Adjudication (SRBA) claims is explained, and a response from you is required.

IDWR is finalizing the recommendations to the SRBA court for the above-referenced claims. This office has received a letter from private parties which alleges there has been no irrigation from the springs in Twp. 10S, Rge. 02E, sections 5 and 8, or from Little Jacks Creek in Twp. 09S, Rge 02E, section 33, from 1966 to 1991. The ASCS map from 1988 does not show any irrigation for the lands in Twp. 10S, Rge. 02E, sections 4 and 5, or Twp. 09S, Rge. 02E, section 33.

Under Idaho law, a water right may be forfeited by five years of continuous nonuse. The use of water may be resumed under some circumstances, but the resumption of use after forfeiture will sometimes result in a change in the priority date of the water right to the date use was resumed.

Before IDWR may recommend the claims listed above, you must submit one of two types of evidence. First, you may submit evidence showing use of the water during the period referenced above. Such evidence must show use frequent enough to leave no five year period of nonuse. Second, you may provide IDWR with the date of resumption (including month, day, and year) and submit some evidence tending to support that date.

Please submit the requested information by the response date noted at the top of this letter. If no response to this letter is received by IDWR by the Response Date, the referenced claims will be recommended to the court for disallowal on the basis that the rights were forfeited by nonuse.

If you have any questions or need additional information, please do not hesitate to contact this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Maria Minicucci', written in dark ink.

Maria Minicucci
Water Agent, Adjudication Bureau

MM/m

Enc: Profile reports for A51-02058, A51-02065, A51-02230, A51-02252



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

December 10, 1993

JOHN URQUIDI
HC 85 BOX 136
BRUNEAU ID 83604

RESPONSE DATE: DECEMBER 24, 1993

Dear Mr. Urquidi:

As we discussed during my field visit at Grasmere yesterday, I am sending copies of previous correspondence from IDWR to you. As these letters indicate, it is most important that we receive evidence of the priority dates claimed. I cannot recommend these claims to the Court without evidence of priority. Please attend to these matters as soon as possible, as investigation of these claims will not continue until the necessary documentation of the claimed priority dates is received.

We also discussed your claims for groundwater from artesian wells located in Twp. 7S, Rge. 06E, Sec. 21. In order to investigate the earlier priority date which was claimed on these wells, documentation of the number of acres irrigated in 1914 by the original well is necessary. This documentation may be in the form of a notarized affidavit signed by a person who has personal knowledge of the number and location of the acres irrigated by the original well in 1914, or crop reports from those irrigated acres which indicated the location and number of acres.

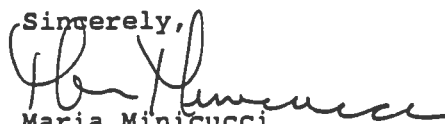
Other documentation will assist me in reviewing claims on your property on Little Jack's Creek, and the Grasmere place (Crab Creek and Nanny Creek). Please send some evidence of the continual use of water for irrigation on these lands. Again, this documentation may be in the form of a signed notarized statement from a person with personal knowledge of the irrigation practices on those lands.

As I mentioned yesterday, and in my previous letter, the required documentation must be submitted in a timely manner. Please submit these documents by the response date shown at the top of this letter.

Urquidi
Page 2.

Please contact me if you have any questions or need additional information. My telephone number is listed at the top of this letter.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Maria Minicucci', written over the typed name.

Maria Minicucci
Water Agent, Adjudication Bureau

MM/m

Enc.s: Corr. dated 01/18/1993, 10/12/1993, 11/23/1993
"Evidence of Priority" pamphlet

OD-XXX
AJ5801NP
SELECTION FILE: CLF-51-CRAB-CREEK

ADJUDICATION
NUMERIC INDEX

DATE: 05/10/01
TIME: 09:09:31
PAGE:

WATER RIGHT NUMBER	STG STS	PRIORITY DATE	O C	CLAIMANT NAMES	SOURCES OF WATER	TRIBUTARIES TO
51-02008	/I	02/28/1908	C	JOHN URQUIDI	CRAB CREEK	LOUSE CREEK
51-02035	/I	01/21/1914	C	JOHN URQUIDI	CRAB CREEK NANNY CREEK	LOUSE CREEK CRAB CREEK
51-10228	/I	03/15/1953	C	JOHN URQUIDI	NANNY CREEK CRAB CREEK	CRAB CREEK LOUSE CREEK
51-10532	J/	01/01/1874	C	UNITED STATES OF AMERICA ACTING THROUGH	CRAB CREEK	LOUSE CREEK
51-10784	J/	01/01/1874	C	UNITED STATES OF AMERICA ACTING THROUGH	CRAB CREEK	LOUSE CREEK
51-10909	J/	01/01/1874	C	UNITED STATES OF AMERICA ACTING THROUGH	CRAB CREEK	LOUSE CREEK
51-11116	D/	01/01/1965	C	UNITED STATES OF AMERICA ACTING THROUGH	CRAB CREEK	LOUSE CREEK

USA claimer on Crab Creek

OD-XXX
AJ5801NP
SELECTION FILE: CLF-51-NANNY-CREEK

ADJUDICATION
NUMERIC INDEX

DATE: 05/10/01
TIME: 09:12:4
PAGE:

WATER RIGHT NUMBER	STG STS	PRIORITY DATE	O C	CLAIMANT NAMES	SOURCES OF WATER	TRIBUTARIES TO
51-02035	/I	01/21/1914	C	JOHN URQUIDI	CRAB CREEK NANNY CREEK	LOUSE CREEK CRAB CREEK
51-10228	/I	03/15/1953	C	JOHN URQUIDI	NANNY CREEK CRAB CREEK	CRAB CREEK LOUSE CREEK

no one
on
Nanny

OD-XXX
AJ5801NP
SELECTION FILE: CLF-51-LOUSE-CREEK

ADJUDICATION
NUMERIC INDEX

DATE: 05/10/0
TIME: 09:10:0
PAGE:

WATER RIGHT NUMBER	STG STS	PRIORITY DATE	O C	CLAIMANT NAMES	SOURCES OF WATER	TRIBUTARIES TO
51-00091	D/	07/09/1907	C	SIMPLOT LIVESTOCK CO	LOUSE CREEK	SHEEP CREEK
51-00092	D/	01/31/1910	C	SIMPLOT LIVESTOCK CO	LOUSE CREEK	SHEEP CREEK
51-02013	L/	01/09/1919	C	WILLIAM I TINDALL	LOUSE CREEK	SHEEP CREEK
51-02130	L/	02/03/1961	C	WILLIAM I TINDALL	LOUSE CREEK	SHEEP CREEK
51-02242	L/	08/18/1952	C	STRICKLAND Y T RANCHES INC	LOUSE CREEK	SHEEP CREEK
51-10378	J/	01/09/1919	C	WILLIAM I TINDALL	LOUSE CREEK	SHEEP CREEK
51-10398	J/	01/01/1874	C	UNITED STATES OF AMERICA ACTING THROUGH	LOUSE CREEK RATTLESNAKE CREEK	NIT CREEK MARYS CREEK
51-10730	J/	01/01/1874	C	UNITED STATES OF AMERICA ACTING THROUGH	LOUSE CREEK	SHEEP CREEK
51-10731	J/	01/01/1874	C	UNITED STATES OF AMERICA ACTING THROUGH	LOUSE CREEK	SHEEP CREEK
51-10732	J/	01/01/1874	C	UNITED STATES OF AMERICA ACTING THROUGH	LOUSE CREEK	SHEEP CREEK
R51-00091	D/	07/09/1907	C	SIMPLOT LIVESTOCK CO	LOUSE CREEK	SHEEP CREEK
R51-00092	D/	01/31/1910	C	SIMPLOT LIVESTOCK CO	LOUSE CREEK	SHEEP CREEK

*MPOD: Y = Multiple Pts of Diversion, Pod Diversion Rate(s) is 0
 U = Multiple Pts of Diversion, Pod Diversion Rate(s) Not 0
 N = No Multiple Pts of Diversion (1 or less)

		S		F				*M	
WATER RIGHT		PRIORITY		T		L		P	U
NUMBER	CURRENT OWNER NAME	DATE	G	POINT OF DIVERSION	G	TOTAL DIVERSION	POD DIVERSION NAME	O	S
=====		=====		=====		=====	=====	D	E

WATER SOURCE: LOUSE CREEK

51-10398	AMERICA ACTING THROUGH, UNITED STAT	01/01/1874	J	12S 04E 25	SWNE	10.000	AFA	Y	05
R51-00091	SIMPLOT LIVESTOCK CO	07/09/1907	D	12S 04E 25	SENESEW	2.000	CFS	N	01
51-00091	SIMPLOT LIVESTOCK CO	07/09/1907	D	12S 04E 25	SENESEW	2.000	CFS	N	01
R51-00092	SIMPLOT LIVESTOCK CO	01/31/1910	D	12S 04E 25	SENESEW	1.170	CFS	N	01
51-00092	SIMPLOT LIVESTOCK CO	01/31/1910	D	12S 04E 25	SENESEW	1.170	CFS	N	01
51-02013	TINDALL, WILLIAM I	01/09/1919	L	12S 05E 30	SWNWNW 3	1.220	CFS	N	01
51-10378	TINDALL, WILLIAM I	01/09/1919	J	12S 05E 30	SWNWNW 3	22.000	CFS	N	02
51-02242	STRICKLAND Y T RANCHES INC	08/18/1952	L	11S 06E 30	NENWSW 3	775.000	AFA	Y	02
51-02130	TINDALL, WILLIAM I	02/03/1961	L	12S 05E 30	SWNWNW 3	3.000	CFS	N	01
TOTAL:						32.560	CFS		

WATER SOURCE: RATTLESNAKE CREEK

51-10398	AMERICA ACTING THROUGH, UNITED STAT	01/01/1874	J	12S 04E 25	SWNE	10.000	AFA	Y	05
----------	-------------------------------------	------------	---	------------	------	--------	-----	---	----

*MPOD: Y = Multiple Pts of Diversion, Pod Diversion Rate(s) is 0
 U = Multiple Pts of Diversion, Pod Diversion Rate(s) Not 0
 N = No Multiple Pts of Diversion (1 or less)

WATER RIGHT		PRIORITY	S	T	F			*M
NUMBER	CURRENT OWNER NAME	DATE	G	POINT OF DIVERSION	G	TOTAL DIVERSION	POD DIVERSION NAME	P U
								O S
=====	=====	=====	=	=====	=	=====	=====	= ==

WATER SOURCE: CRAB CREEK

51-11116 AMERICA ACTING THROUGH, UNITED STAT 01/01/1965 D 12S 03E 23 NESWNE

0.100 AFA

N 05

Sehn notes

Status Conference
51-02008
51-02035
51-02252

John Unguidi v FOWR
at Sehn, rb, & Jucke
S.M. Dolan

5/10/00

2035 & 2008 - will file a motion to amend claim
by May 26, 2000

Amend P.R. due June 16

- may include accomplished change in PODs
however we will recommend as bene-
fic of prior decr. ∴ may not need
accomp transfers.

- will recommend one day after ~~PR~~
~~Bruneau River decr~~ as
a bene use rather than live.

- although still questionable - it appears
his predecessor in interest
were part of decr "Strickland"
& there was one water right from
Crab Creek

∴ we will treat this as should
have been in prior decr & will
advanced priority date

2252 - will do ~~amend P.R.~~ motion to amend
claims to ~~the~~ stockwater from irrigation
~~area~~ storage - will claim as a
less amount

- SH will check to see if we can do this as
a stockwater

9:30 AM
Meeting on
Mo to amend
claim June 14
- objections
due
July 28
- Responses
August 11

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

**IN THE MATTER OF APPLICATION)
FOR WATER RIGHT NO. 51-07367)
IN THE NAME OF THE BUREAU OF)
LAND MANAGEMENT.)**

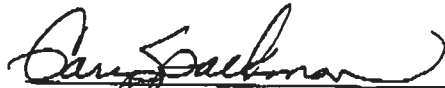
PREHEARING ORDER

A prehearing conference was conducted on March 3, 1999, regarding application for water right no. 51-07367. After discussing the intent of the application and the concerns of the protestant, the parties agreed to negotiate regarding several contested adjudication claims, the settlement of which might bear on the resolution of the protest against application for water right no. 51-07367. The Bureau of Land Management also agreed to review its application, conduct some additional field work, and determine within a six (6) month period whether it needs to amend the application or file for an additional water right. The Idaho Department of Water Resources (IDWR) agreed to grant a six (6) month suspension in processing based on the request of the parties.

IT IS HEREBY ORDERED that processing of application for water right no. 51-07367 is SUSPENDED for a period of six (6) months.

IT IS FURTHER ORDERED that if the parties have not communicated with IDWR prior to September 1, 1999, IDWR will schedule the matter for another prehearing conference.

Dated this 30th day of March, 1999.



Gary Spackman

CERTIFICATE OF MAILING

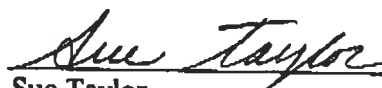
I hereby certify that on this 31st day of March, 1999, I served a copy of the foregoing document by depositing the same in the United States mail, postage prepaid, addressed to the following:

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
3948 DEVELOPMENT AVE
BOISE ID 83705

JOHN URQUIDI
HC 85 BOX 135
BRUNEAU ID 83604

PAUL TRUCKE ESQ
999 MAIN ST
BOISE ID 83702

WILLIAM M FERRY ESQ
US DEPT OF INTERIOR
FEDERAL BLDG & US COURTHOUSE
MSC 020-550 W FORT ST
BOISE ID 83724-0020


Sue Taylor
Senior Secretary

Paul A. Turcke
MOORE & McFADDEN, CHARTERED
999 Main Street, Suite 910
Boise, Idaho 83702
Telephone: (208) 331-1800
Facsimile: (208) 331-1202

RECEIVED

APR 02 1999

Department of Water Resources

RECEIVED

APR 09 1999

WATER RESOURCES
WESTERN REGION

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re: SRBA	)	Subcase 51-02252
	)	
Case No. 39576	)	STANDARD FORM 1
	)	OBJECTION
	)	

I. GENERAL INFORMATION

Please fill in the following information:

1. *Party/claimant objecting:*

Name: John B. Urquidi, J&J Ranches
Address: HC 85 Box 115
Bruneau, ID 83604-9703
Daytime Phone: (208) 331-1800

Briefly describe your interest in this water right:

If this objection is filed by an attorney:

Attorney Name: Paul A. Turcke
Attorney Address: Moore & McFadden, Chtd.
999 Main Street, Suite 910
Boise, ID 83702
Attorney Phone No: (208) 331-1807

2. *Owner of the water right:*

Name: John Urquidi

Address: HC 85 Box 115
Bruneau, ID 83604

II. STATEMENT OF THE OBJECTION

Please check each box which states your objection to the recommendation in the Director's Report.

1. ☐ Name and Address
2. ☐ Source
3. ☒ Quantity: No portion of the claimed right should be lost due to forfeiture.
4. ☒ Priority Date: The priority date should be established as claimed and previously licensed.
5. ☒ Point(s) of Diversion: The previously-licensed point of diversion should be recognized.
6. ☐ Instream Flow Description
7. ☐ Purpose(s) of Use
8. ☐ Period of Year
9. ☒ Place of Use: The previously-licensed place of use should be recognized.
10. ☐ Consumptive Use
11. ☐ Water Right Recommendation: I object to:
 - ☐ a. this water right being recommended at all; or
 - ☒ b. this water right not being recommended.

12. ☐ Description of Reservation

13. ☐ Other

REASONS SUPPORTING EACH BOX CHECKED

You must state the reasons(s) by number for each box checked. You may use additional pages if necessary.

Boxes 3, 4, 5, 9, 11-

1. No forfeiture has been shown by clear and convincing evidence.

2. No forfeiture has occurred during any period of non-use by operation of applicable defenses to forfeiture, including, but not limited to, interference, unavailability of water, or other defenses.

3. The objecting party reserves the right to amend this objection as facts or law become known through additional investigation and discovery.

CHANGES TO THE DIRECTOR'S REPORT

Specifically describe how you want the Director's Report to be changed. You may use additional pages if necessary.

This right should be declared as originally claimed to fully reflect objector's beneficial use.

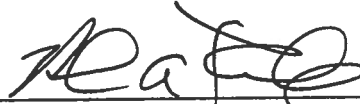
☐ Check here if you are submitting documents. Please list each document by the title and number of pages. You may use additional pages if necessary.

VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

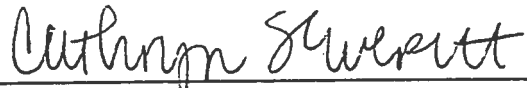
Paul A. Turcke, duly sworn, upon oath, deposes and says:

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (7) or that I am the attorney for the party/claimant objecting, and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.



Signature of Person Filing Objection

Subscribed and sworn to before me on: 3/31/99



Notary Public for Idaho

Residing at: Nampa, ID

My Commission expires: 1-27-2000

(S E A L)

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on 3-31, 1999, I delivered the original of this objection as indicated below, and mailed copies of this objection, including all attachments, to the following persons, postage prepaid and addressed as follows:

1. Original, via Fed-Ex as directed by SRBA staff, to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

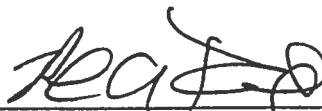
2. One copy to the claimant of the water right at the following address: Same as objector

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of party/claimant or attorney

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A51-02252

Date Received: 3/10/1989

Receipt No: W002388

Received By: Gyt

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: JOHN URQUIDI 208-845-2844
Address: HC 85 BOX 135
BRUNEAU ID 83604

2. Date of Priority: AUG 15, 1946

3. Source: UNNAMED STREAM Trib. to: LITTLE JACKS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10S	02E	5	SE	SW	SE	R	OWYHEE
			SW	SE	SE	R	OWYHEE
		7		NE	NE		OWYHEE
			NE	NE	NE	I	OWYHEE

5. Description of diverting works:
DAM IN STREAM TO DITCH TO P.O.U.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION STORAGE					200.00
IRRIGATION FROM STORAGE					200.00
STOCKWATER STORAGE					200.00
STOCKWATER FROM STORAGE					200.00

7. Total Quantity Appropriated is:
C.F.S. (and/or) 200.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/500 HEAD RANGE CATTLE

10. Place of Use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
10S	02E	5	SE	NE		IRR FS	10.0
			SE	NE		STO FS	
			NE	SE		IRR FS	15.0
			NE	SE		STO FS	
			SE	SE		IRR FS	15.0
			SE	SE		STO FS	

Section Acres 40.0

Total Acres 40.0

11. Place of use in counties: OWYHEE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:
AC. IRR.=40.

15. Basis of Claim: LICENSE

Water Right Number: R766

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do do not wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): John B. Unzueta Date: 9/23/92
Date: _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 23 day
of Sept 19 92

Ron Hoverton
Notary Public

Seal

Residing at Ron Hoverton
Residing at
My Commission Expires 1994

955

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A51-02252
Date Received: 1/19/1989
Receipt No: W002388
Received By: ESP

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOHN URQUIDI 208-845-2844
Address: HC 85 BOX 135
BRUNEAU, ID 83604

2. Date of Priority: AUG 15, 1946

3. Source: UNNAMED STREAM Trib. to: LITTLE JACKS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10S	02E	7	NE	NE			OWYHEE

5. Description of diverting works:
DAM IN STREAM TO DITCH TO P.O.U.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION STORAGE					200.00
IRRIGATION FROM STORAGE					200.00
STOCKWATER STORAGE					200.00
STOCKWATER FROM STORAGE					200.00

7. Total Quantity Appropriated is:
C.F.S. (and/or) 200.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/500 HEAD RANGE CATTLE

A51-02252

Page 1

Date: 03/13/89

MICROFILMED
AUG 10 1992

10. Place of Use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
10S	02E	5	SE	NE		IRR FS	10.0
			SE	NE		STO FS	
			NE	SE		IRR FS	15.0
			NE	SE		STO FS	
			SE	SE		IRR FS	15.0
			SE	SE		STO FS	

Section Acres 40.0

Total Acres	40.0
-------------	------

11. Place of use in counties: OWYHEE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:
AC. IRR.=40.

15. Basis of Claim: LICENSE
Water Right Number: R766

MICROFILMED

AUG 10 1992

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): *John Lipinski* Date: 3/13/89

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 17 day
of March 1989

Eldon L. Roush
Notary Public

Seal

Residing at _____ Eldon L. Roush
Residing at Boise, Idaho
My Commission Expires September 8, 1994
My Commission Expires _____

RECEIVED
AUG 10 1952



11/24/1993

TTTTTNUCCI

T105 202E S. 7.

DAT IN NENE



11/29/1993 T777micucci

T105 ROAD S. 4 + 5

S. 5 NENE NE

S4 NW NW.

Ditch from dam in NENE S. 5

Looking southwest up the
drainage toward the dam

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

Notice is hereby given that at 2:00 P. M. on the 5th day of September, 1946
at BrunEAU, County of Owyhee, State of Idaho, be
Sam Noble, Notary Public, proof will be submitted of
application to beneficial use of 200 ^{acre} ^{annum} cubic feet per second of the waters of an unnamed
Creek,
tributary to Jack's / in accordance with the terms and conditions of Permit No. R-766

heretofore issued by the Department of Reclamation of the State of Idaho

The name and postoffice address of the person or corporation holding said permit are
Hazel B. Owens, BrunEAU, Idaho.

The use to which said water has been applied is stock water and irrigation.

The amount applied to beneficial use is 200 acre ft. per annum.

The place where said water is used ~~(to for irrigation)~~ full and accurate description of
lands irrigated 3rd 1/4 and 3rd 1/4 Section 5, Tm. 12 South, Rng. 2 East, S. 1. N.

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

The right to take water from such works is based upon Permit No. R-766

The source of supply from which such water is diverted is an unnamed stream tributary
Jack's Creek.

The date of priority which said user is prepared to establish is August 15, 1946.

MARK A. KUTP
State Reclamation Engineer.

Form No. 11

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) August 4, 1949
(P. O.) Boise, Idaho

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in
Anyhee Nugget of Marsing, Idaho published
the county in which the works are situated.

Earl Owens

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

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

Engineer.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date: August 4, 1949

Re: Permit No. R-766

Owyhee Nurgot

Marsing, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to September 3, 1949 the date set for proof, the expense of the publication to be paid by the applicant, Mrs. Rachel S. Owens of Bruneau, Idaho, to whom you should furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,

MARK R. KUIP

State Reclamation Engineer

By

Chief Clerk

Aug. 11-1949

Marsing, Owyhee Co.

Terms of sale. — Cash.

The County Commissioners reserve the right to accept or reject all bids.

Dated August 8th, 1949.

ALBERT L. HARLEY

Chairman of the Board
of County Commissioners
Owyhee County, Idaho.
(Aug. 11 — Sept. 3)

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

Notice is hereby given that at 2:00 P. M. on the 3rd day of September, 1949, at Bruneau, County of Owyhee, State of Idaho, before Sam Noble, Notary Public, proof will be submitted of the application to beneficial use of 200 acre feet per annum of the waters of an unnamed stream tributary to Jack's Creek, in accordance with the terms and conditions of Permit No. R-766 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Hazel B. Owens, Bruneau, Idaho.

The use to which said water has been applied is stock water and irrigation.

The amount applied to beneficial use is 200 acre feet per annum.

The place where said water is used is SE $\frac{1}{4}$ NE $\frac{1}{4}$ and E $\frac{1}{2}$ SE $\frac{1}{4}$ Section 5, Twp. 10 South, Range 2 East, B. M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is — No Name.

The right to take water from such works is based upon Permit No. R — 766.

The source of supply from which such water is diverted is an unnamed stream tributary to Jack's Creek.

The date of priority which said user is prepared to establish is August 15, 1946.

MARK R. KULP
State Reclamation Engineer
(Aug. 11 — Sept. 1)

R-766
STATE LAND SALE

NOTICE IS HEREBY GIVEN that the following described tract of land, belonging to the State of Idaho and situated in Owyhee County will be offered for sale at public auction at the office of Land Commissioner, Room State House, Boise, Idaho, September 3, 1949 at 11 o'clock Mountain Standard Time as follows:

NW $\frac{1}{4}$ Sec. 2, Twp. 15 N., R. 2 E., containing 160 acres and more or less \$1600.00

TERMS OF SALE

This land to be sold as listed above and no more than the appraised price accepted.

One year (1/10) cash price and interest 4% on balance remaining on date of sale. 40% cash on date of sale.

PROOF OF PUBLICATION

State of Idaho,
County of Owyhee.

ss.

I, RODNEY A. HAWES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by Rodney A. Hawes, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper once each and every week for 100 consecutive weeks, the first publication being on the 11 day of Aug 19 49, and the last publication being on the 1 day of Sept 19 49;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of the attached notice.

Rodney A. Hawes
PUBLISHER

Subscribed and sworn to before me this 7 day of

Sept, 19 49.

Leone Hawes
Notary Public

My commission expires

(SEAL)

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

Notice is hereby given that at 2:00 P. M. on the 3rd day of September, 1949, at Bruneau, County of Owyhee, State of Idaho, before Sam Noble, Notary Public, a will be submitted of the application to beneficial use of 200 feet per annum of the water of an unnamed stream tributary Jack's Creek, in accordance with the terms and conditions of Permit No. R-766 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit is Hazel B. Owens, Bruneau, Idaho.

The use to which said water has been applied is stock water and irrigation.

The amount applied to beneficial use is 200 acre feet per annum.

The place where said water is used is SE $\frac{1}{4}$ NE $\frac{1}{4}$ and E $\frac{1}{2}$ S Section 5, Twp. 10 South, Range 2 East, B. M.

The name of the canal or ditch or other works by which the water is conducted to such place of use is - No Name.

The right to take water from such works is based upon Permit No. R - 766.

The source of supply from which such water is diverted is an unnamed stream tributary Jack's Creek.

The date of priority which the user is prepared to establish is August 15, 1946.

MARK R. KULF
State Reclamation Engineer
(Aug. 11 - Sept. 1)

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

Ans. None.

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

Ans. Sagebrush land, about 20 acres. 20 inches.

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

Ans. None.

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

Ans. 1949. Livestock. 8 acres irrigated, water not available for other irrigation this year.

(Signed) Elmer A. Greenbank.

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 Bremer

County of Lewy, State of Idaho, on this 3rd day of September, A. D. 1949.

Sam C. Hobbs

Notary Public.

My commission expires Jan 9, 1953

DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. R-766

Proof of Application of Water to Beneficial Use

Deposition of Witness

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

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

Ans. Elmer C. Greenbank, 28, Bruneau, Idaho. Farmer.
Bruneau, Idaho.

Ques. 2. Are you acquainted with Hazel B. Owens, the holder of Permit No. R-766? How long have you known ^{her} ~~him~~ and where does he reside?

Ans. Two years. Bruneau, Idaho.

Ques. 3. Have you read or heard read said Permit No. R-766, and are you familiar with its provisions and conditions?

Ans. Yes.

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

Ans. Reservoir in unnamed creek, tributary of Jacks Creek
SE $\frac{1}{4}$ SE $\frac{1}{2}$ Section 5, Township 10 S., Range 2 E. B. M.
Small dam and ditch to place of use.

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

Ans. 2.5 second ft. 1 second ft.

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

Ans. Domestic, Irrigation, livestock. SE $\frac{1}{4}$ NE $\frac{1}{4}$ 6 acres.
NE $\frac{1}{4}$ SE $\frac{1}{2}$ 6 acres. SE $\frac{1}{2}$ SE $\frac{1}{4}$ 6 acres. Natural meadow 5 acres.
Cultivated 15 acres.

R-766

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

Ans. Livestock.

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

Ans. Sage brush land 20 acres.

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

Ans. None

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

Ans. 1949 Livestock 6 acres irrigated, water not available
for other irrigation.

(Signed)

J. E. Sullivan

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 testi-

mony was subscribed and sworn to before me in Bruneau

County of Crocker, State of Idaho, on this 3rd day of September

D. 19 49

Sam C. Hobb

Notary Public.

My commission expires

Jan 9, 1953

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. R-766

Proof of Application of Water to Beneficial Use

Deposition of Witness

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

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

Ans. I. E. Sullivan, 33, Bruneau, Idaho, Farmer, Bruneau Idaho

Ques. 2. Are you acquainted with Hazel B. Owens, the holder of Permit No. R-766? How long have you known ^{her} him and where does he reside?

Ans. Thirty years Bruneau, Idaho

Ques. 3. Have you read or heard read said Permit No. R-766, and are you familiar with its provisions and conditions?

Ans. Yes

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

Ans. Reservoir in Larzel creeks tributary of Jack Creek
SE 1-4 of SE 1-4 of Section 5 Township 10 N Range 2 E. S. 1.
Small Dam and Ditch to place of use

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

Ans. 1.5 second ft. 1 second ft.

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

Ans. Domestic, Irrigation, livestock. SE 1/4 NE 1/4 6 acres. NE 1/4 SE 1/4 6
SE 1/4 SE 1/4 8 acres Natural meadow 5 acres Cultivated 15 acres

Ques. 8. What is the minimum amount of water required for the purpose specified above
Ans. 2.5 cu. ft. per sec. for irrigation, 1,000.00 cu. ft. per sec. for livestock.

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

Ans. None.

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

Ans. 1945, Livestock, 6 acres irrigated, water not available for other irrigation.

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

Ans. Permit R-716, acres irrigated under, livestock watered.

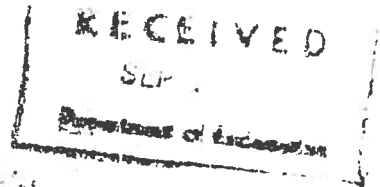
(Sign) *Hazel E. Quinn*

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 *Brunson* County of *Crocker* State of Idaho, on this *3rd* day of *September*, A. D. 19*49*.

Sam C. Hable

My commission expires *Jan 9, 1949*
1953

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



Permit No. R706

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Fazel B. Owens Bruneau, Ida. Livestock raiser and Farmer
Bruneau, Ida. Residence--Section 31 T7S-R4E-BM
Section 5-8 T10S-R2E-BM.

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

Ans. _____

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

Ans. Permit No. R706 Date August 23, 1946

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

Ans. Reservoir located in channel of unnamed creek, a tributary of Jack
Creek. N $\frac{1}{4}$ NE $\frac{1}{4}$, Section 7. T10S-R2E-BM.

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

Ans. From reservoir in channel of creek to a point approximately
100 feet from the NW corner of SE $\frac{1}{4}$, section 5, a small diversion
canal and ditch to place of use. 2.5 cu. feet.

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

Ans. Domestic, irrigation, livestock. SE $\frac{1}{4}$ T8S-R4E-BM 6 acres. NE $\frac{1}{4}$ SE $\frac{1}{4}$
acres. SE $\frac{1}{4}$ SE $\frac{1}{4}$ 6 acres. Natural pasture 6 acres, cultivated
acres, hay or pasture. Section 5, Twp. 10 S., Range 2 E., B.M.

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

Ans. 1,231.675 gallons for livestock purposes.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

BOISE

Permit No. R-766

Date August 27, 1946

Dear Sir:

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

Rezel B. Owens
Bureau, Idaho

MARK R. KULP

State Reclamation Engineer

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO, August 23, 1949

Permit No. R-766
Hazel E. Owens

Mr. Sam Noble
Notary Public
Pocatello, Idaho

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. R-766.

DEPOSITION OF PERMIT HOLDER.

DEPOSITIONS OF TWO WITNESSES.

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

1. On September 3, 1949, the date set for proof, the enclosed forms (one for permit holder and one each for two disinterested witnesses) should be filled out and sworn to, at Pocatello, Idaho before Sam Noble, Notary Public.

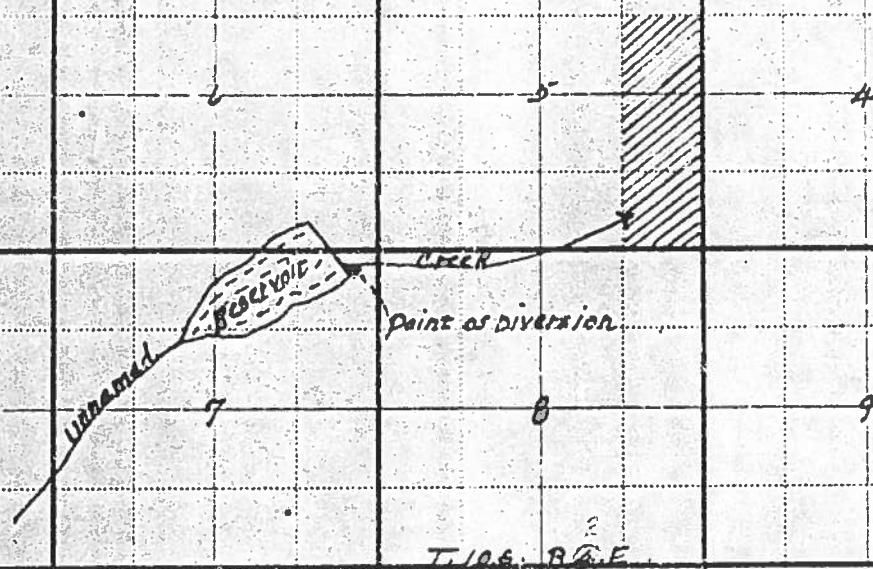
2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice.

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

Yours truly,

MARK A. KUIP

Commissioner of Reclamation
State Reclamation Engineer



Irrigation Map No. R-766.

As Approved

AUG 23 1916
MARK R. KULP

Reclamation Engineer

May 3, 1954

Re: Permits Nos. R-816, R-766

Mr. William J. Owens
Riggins
Idaho

Dear Mr. Owens:

Since returning to the office, I have checked regarding Permits Nos. R-816 and R-766. Following is the information pertaining to them.

Permit No. R-766 was made to Hazel B. Owens for an amount of 250 acre feet. The source of the water was a tributary to Jacks Creek with dam in the NE¹/₄ Section 7, Township 10 South, Range 2 East. This Permit was approved on August 23, 1946. Completion of Works was due August 23, 1951, and Beneficial Use Proof was due August 23, 1957.

Completion of Works was made on August 4, 1949, and Beneficial Use Proof was submitted in September of 1949. An inspection on this reservoir was made by Mr. F. A. Toleman, field engineer, for this Department, on November 30, 1949 and a letter dated January 6, 1951 was sent to Mr. Earl D. Owens of Bruneau stating the number of acre feet that could be licensed and the fee for same. Since this fee was never received, nothing more has been done regarding this Permit.

Due to the re-inspection, which I made on the 16th, with you accompanying me, the amount licensed can be raised to 200 acre feet which is the amount for which Completion of Works was made. License will be made in the name of Hazel B. Owens unless an assignment from Hazel B. Owens to you, is submitted before issuance of the license. The fee of \$6.00 must be submitted to this department before a license can be issued.

Permit No. R-816 in the name of Hazel B. Owens by Earl D. Owens of Bruneau, for an amount of 150 acre feet with the source being a tributary of Jacks Creek and the outlet of the reservoir in the NW¹/₄ of the SE¹/₄ of Section 31, Township 9 South, Range 2 East B.M., to be used for irrigation on the SW¹/₄ and NE¹/₄ Section 33, Township 9 South, Range 2 East B.M. Total to be irrigated is 100 acres. Completion of Works was due on this October 2, 1953 and Beneficial Use Proof was due also on October 2, 1953.

This was assigned to William J. Owens October 27, 1953. Proof of Beneficial Use was properly made on November 27, 1953. Letter was sent you April 5, 1954 regarding inspection requirements. Then on April 16 an inspection was made but we find that the inspection was merely a re-inspection on the reservoir covered under Permit No. R-766, so before anything can be done further, regarding Permit No. R-816, it will be necessary for us to go back and inspect the other reservoir.

R-766

William K. Owens

King, Idaho

Permit No. R-816

Examination for Beneficial Use

County Owyhee

INSTRUCTIONS TO EXAMINERS

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

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

Permit No. R-766
~~16~~

This proof is for Beneficial Use In Water District No. _____

1. Name of applicant William J. Owens, Rigby, Idaho

2. Source of water supply: Snow and rain drainage tributary to Jack's Creek

3. Location of point of diversion: Is in the NE NE of Section 33
10 S. 2 E. County of Owyhee

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

Dem. 110 yds. long x 12' w. x 11' h. Earth dam. concrete outlet. 8' d. C.I. gate on
upstream end. 3:1 slope upstream 2:1 down. Spillway over a small saddle.
Good rip rap. Small low embankment by spillway.
Stream channel used for ditch. Small ditch 12" to 18' w. at bottom.
No water in reservoir this year.

5. Water is used for: Irrigation and stock water

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

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

~~NE 1/4, SE 1/4, SW 1/4 Section 33, Twp. 9 South, Range 2 East, E. 1/4.~~

W 1/2 SE 1/4, SE NE 1/4, S 1/2, 10 S, 2 E

This is actually a re-inspection for R-766

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

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

Remarks: _____

Pasture crops.
Some brome grass.

Estimated capacity = 40 a. area x 6' deep = 240 acre feet

This examination was made on the 16 day of April, 1954

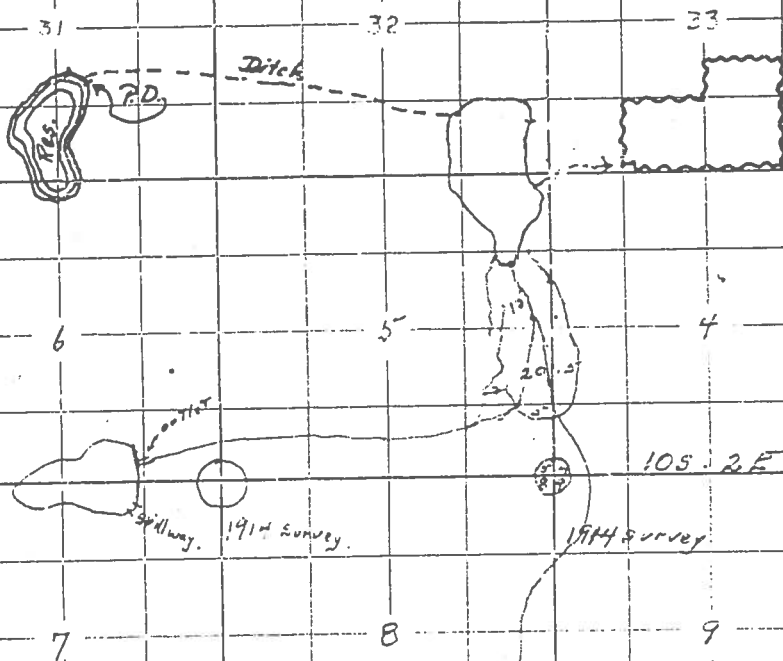
(Signed) E. H. Humphrey Examiner.

R-766

R 2 E.

T
9
S.

R 14 E



Three subdivisions
40 acres irrig.

Q = 200 acre feet

2-405

January 6, 1951

Re: Permit No. R-766

Mr. Earl Owens
Bruneau, Idaho

Dear Mr. Owens:

The report of our Field Engineer on examination for beneficial use under Permit No. R-766 in the name of Mrs. Hazel E. Owens, shows that your reservoir is capable of storing fifty (50) acre feet of water from an unnamed stream, tributary to Jack's Creek, and that the water has been used to irrigate 10 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, 8 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ and 2 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 5, Township 10 South, Range 2 East, B.M.

Therefore, upon receipt of the statutory fee of \$6.00, being at the rate of \$2.00 for each subdivision in which the land is located, a License will be issued for fifty (50) acre feet of water.

Very truly yours,

MARK E. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Ada

ss.

Earl Owens

agent of

, being first duly sworn, upon his oath deposes and says:

First: That he is the holder and owner of Permit to appropriate the Public Waters of the State of Idaho, No. R-766, and that his postoffice address is Bruneau

State of Idaho

Second: That the name of the stream which said water is to be ^{diverted} ~~directed~~ is

an unnamed stream, tributary to Jack Creek,

Third: That the point of ^{outlet} ~~diversion~~ of said water is 600 ft. distant from the N. E. corner of Section 7, Twp. 10 S., Range 2 E., B.M. and in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of said section 7.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by August 23, 1951

Fifth: That the use for which said water is intended is stock water & irrigation

Sixth: That on the date above mentioned, the works constructed under said permit were (~~constructed~~) fully completed and consisted of the following:

I. Kind of works: Dam and reservoir and ditch

(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work:

(a) Height of dam 8 feet, length of dam at top 210 feet, length of dam at bottom 62 feet. Material used in construction Earth

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir 200 acre feet.

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

(d) Conduit Ditch width at bottom 18" feet, width at water line 18"
(State whether ditch, flume or pipe)

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

Seventh: That said works are capable of ^{storing and conducting} ~~conducting~~ to the place of intended use 200 acres second feet of water.

Eighth: That water appropriated under said permit is available for 120 acres of land described as follows: SE $\frac{1}{4}$ NE $\frac{1}{4}$ and E $\frac{1}{2}$ SE $\frac{1}{4}$ Section 5, Twp. 10 S., Range 2 East, B. M.

Ninth: Remarks: That

Earl A. Owens agent of M. H. P. Co.
(Sign Here)

Subscribed and sworn to before me this 4th day of Aug. 1951, 1951

My commission expires Feb. 16, 1952

Dillon W. Lator
Notary Public.

R. 766

August 4, 1949

Re: Permit No. R-766

Mr. Earl Owens
Bruneau, Idaho

Dear Mr. Owens:

We enclose Certificate of Completion of Works issued under your Permit No. R-766 for the storage of 200 acre feet of water from an unnamed stream tributary to Jack's Creek, with point of outlet in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 7, Township 10 South, Range 2 East, B.M. for stock water and irrigation on the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and E $\frac{1}{2}$ SE $\frac{1}{4}$ Section 5, Township 10 South, Range 2 East, B.M.

We have sent to the Owyhee Nugget at Marsing, Idaho, copy of Notice of Beneficial Use Proof to be made under this Permit at 2:00 P. M. September 3, 1949, at Bruneau, Idaho, before Sam Noble, Notary Public, with instructions to publish it once a week for four consecutive weeks prior to that date and to send Mrs. Hazel B. Owens the Affidavit of Publication, together with statement of costs.

About ten days prior to the date set for proof, we shall send Mr. Noble the necessary forms of deposition, consisting of one for Mrs. Owens and one for each of two witnesses, so that he may have them in ample time for the proof.

At the time set, either you or your mother should appear before the Notary Public together with two disinterested witnesses who are familiar with the terms of the Permit and the work done thereunder for the purpose of executing the depositions.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:oh
Enc.

Mrs. Hazel B. Owens
O/o Earl Owens

Bruneau, Idaho

Permit No. R-766

Examination for Beneficial use

County Owyhee

MAR 8 1950
Department of Reclamation

INSTRUCTIONS TO EXAMINERS

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

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

Permit No. R-756

This proof is for Beneficial use

In Water District No. _____

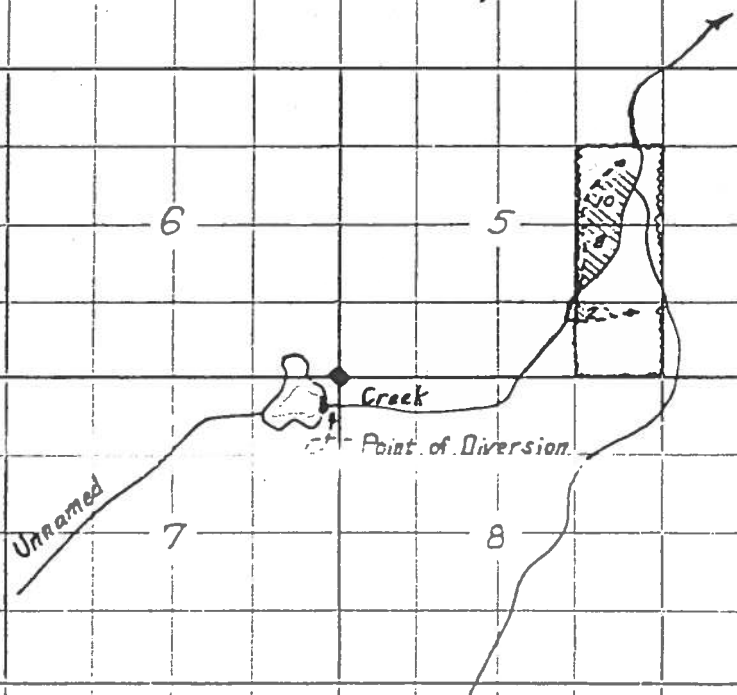
1. Name of applicant Mrs. Hazel B. Owens, Bruneau, Idaho
2. Source of water supply: An unnamed stream, tributary to Jack's Creek
3. Location of ^{outlet} point of diversion: Is in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7
T. 10 S. R. 2 E. County of Owyhee
4. Describe works as they exist, giving dimensions and capacities of same:
Dam 10 ft. high and 300 ft. long. The side slopes are 2:1 and 3:1. Lava-rin-rap
and a 10 to 12 ft. top width. The outlet control is a vertical screw stem gate.
The reservoir area is about 10 acres. The ditches are 2 ft. wide and 1 ft. deep.
5. Water is used for: irrigation and stock water.
6. State whether or not water has been turned into works of diversion: Yes
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):
SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ Section 5, Twp. 10 S., Range 2 E., B. M.

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

8. What large stream would the water here appropriated finally reach? Intermittent stream
- Remarks: At the time of the investigation, the stream was dry.

This examination was made on the 30 day of Nov., 19 49.(Signed) H. B. Johnson Examiner.

T. 10 S., R. 2 E.



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. R-766

REPORT ON PROOF OF Beneficial use

September 23, 1949

Re: Permit No. R-786

Mr. Earl Owens
Brunese, Idaho

Dear Mr. Owens:

We acknowledge receipt of the depositions of
Mrs. Hazel B. Owens and two witnesses, also Affidavit of
Publication in the Cayuse Nugget, all in Proof of Beneficial
Use under Permit No. R-786.

As you know, before final action is taken in the
matter, an inspection must be made by an Field Engineer from
this Department. Our Mr. Tolman expects to make this exami-
nation in the near future and also an examination in connection
with the later application, about which we have written you.

If it is possible, he will try to advise you ahead
of time, but it is not always so that he can arrange his work
sufficiently far ahead to do so.

In any event, he will follow the instructions which
you gave us in regard to locating the place.

We return Permit No. R-786 which was sent in with
the Proof of Beneficial Use.

Very truly yours,

MARK R. KULE
State Reclamation Engineer
BY

Chief Clerk

A:bk
Enc.

APPLICATION FOR PERMIT

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

Application No. R 27463
Permit No. R 766

1. Name of Applicant W. H. HARRIS

Postoffice address W. H. HARRIS

County Carleton

State Idaho

2. If applicant is a corporation, give:

(a) Date and place of incorporation:

(b) Amount of Capital Stock: \$

(c) Amount paid in: \$

(d) Names and addresses of directors:

3. The financial resources of the corporation are:

(a) Cash on hand: \$

(b) Treasury Stock: \$

(c) Bonds to be issued: \$

(d) Other resources:

4. Quantity of water to be stored: 250 acre feet per annum.
5. Source of water supply is the headwaters of Snake Creek & River & Springs, a tributary of Snake Creek River.
6. The outlet of the proposed reservoir is located 620 feet, distant from the N E corner of Section 7, Township 10 N., Range 2 E., B. M. and is in the 1/4 of 1/4 of Section 7, Township 10 N., Range 2 E., B. M. County of Carleton.
7. Fill out either (a) or (b):
- (a) The reservoir is located in the channel of Snake River (Creek) (River).
- (b) The reservoir is to be filled through a feeder canal, the point of diversion for which is located (bearing) feet distant from the corner of Section, Township Range, B. M., and is in the 1/4 of 1/4 of Section 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.
8. (a) The area of the high water line of the reservoir is 40 acres.
- (b) The reservoir capacity is 250 acre feet.
9. Height of reservoir dam feet, length at top 210 feet, length at bottom 62 feet, size of outlet 6 feet by 1 feet. The dam is to be constructed of materials as follows: Dirt, cement and stone.

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

10. (a) Will water stored in reservoir be diverted to canal or aqueduct, thence to land to be irrigated without commingling with natural flow of Snake River (Creek) (River)?
- (b) Water stored in reservoir will be carried in the channel of unimproved stream (Creek) (River), a distance of 3/4 miles to point of diversion located (bearing) feet, distant from the corner of Section, Township Range, B. M., and in the SE 1/4 of SE 1/4 of Section 5, Township 10 N., Range 2 E., B. M.
11. Amount of water claimed from (Creek) (River) (Spring) in addition to that stored in reservoir cubic feet per second.
12. Water is to be used for stock water and irrigation purposes.
13. If for mining, milling, power or manufacturing purposes give:
- (a) Point of use of water (bearing) 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 (bearing) feet distant from the corner of Section, Township Range, B. M., in the 1/4 of 1/4 of Section, Township Range, B. M.
14. Water stored in accordance with this Permit will be carried to place of use through a canal heretofore constructed under the terms of Permit No. which is hereby referred to and made a part hereof.

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

Application No. R 37461
Permit No. R 766

Name of Applicant J. L. L. L.

Postoffice address

County Teton

State Idaho

1. If applicant is a corporation, give:

(a) Date and place of incorporation

(b) Amount of Capital Stock: \$

(c) Amount paid in \$

(d) Names and addresses of directors:

11. The financial resources of the corporation are:

(a) Cash on hand: \$

(b) Treasury Stock: \$

(c) Bonds to be issued: \$

(d) Other resources:

Quantity of water to be stored: 220

acre feet per annum.

Source of water supply is in unimproved stream (Creek) (River) (Spring), a tributary of Jack Creek

River.

The outlet of the proposed reservoir is located 500 feet, distant from the NE corner of Section 7

Township 10 S.

Range 2 E., B. M. and is in the NW 1/4 of SE 1/4 of Section 7, Township 10 S., Range 2 E., B. M. County of Teton

Fill out either (a) or (b).

(a) The reservoir is located in the channel of unimproved stream (Creek) (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

(c) The area of the high water line of the reservoir is 40

acres

(d) The reservoir capacity is 220

acre feet

7. Height of reservoir dam feet, length at top 210 feet, length at bottom 62 feet, size of outlet 3 feet

by 10 feet. The dam is to be constructed of materials as follows: brick, cement and stone

(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

(Creek) (River) ?

(b) Water stored in reservoir will be carried in the channel of unimproved stream (Creek) (River), a distance

(Creek) (River), a distance

of 1/4 miles to point of diversion located

feet, distant from the

corner of Section

Township , Range , B. M., and in the SE 1/4 of SE 1/4 of Section 5,

Township 10 S., Range

B. M.

9. Amount of water claimed from

(Creek) (River) (Spring) in addition to that

stored in reservoir

cubic feet per second

10. Water is to be used for stock and other purposes

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

(bearing) 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 heretofore constructed under the terms of Permit No.

, which is hereby referred to and made a part hereof.

... and H. H. Williams, Secretary of the State of Idaho, and H. H. Williams, Secretary of the State of Idaho, caused this instrument to be executed in the name of the State of Idaho, and caused it to be attested and signed, this 23rd day of August, 1946.

Witnessed and signed:
by H. H. Williams
Secretary of State

STATE OF IDAHO
By ARNOLD WILLIAMS
Governor

PERMIT NO. 2-766
CERTIFICATE OF COMPLETION OF WORKS

STATE OF IDAHO COMMISSION:

That to certify that Hazel B. Owens of Brunson, County of Owyhee and State of Idaho, the holder of Permit No. 2-766, issued upon Application No. R-22461, bearing date of priority of August 15, 1946, for the construction of a reservoir, with the right to appropriate and store 250 acre feet per annum of water from an unnamed stream, a tributary of Jack's Creek, in the County of Owyhee, State of Idaho, for water use for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the work set out and described in said Permit; that said works include a reservoir adequate for the storage of 250 acre feet of water per annum, with adequate diversion works connected to the reservoir, and a conduit capable of conducting said water to the place of intended use; that the outlet or outlet of said reservoir is located in the NE¹ of the NE¹ of Section 7, Township 10 South, Range 2 East, 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: SE¹ NE¹ and E¹ SE¹ Section 5, Township 10 South, Range 2 East, R.M.

Witnessed and signed this 4th day of August, 1949.

Proof of Completion of Works made August 4, 1949.
Certificate of Completion of Works issued August 4, 1949.

MARK R. KULP
State Reclamation Engineer

ASSIGNMENT

For value received, I hereby assign all my right, title, and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. R-766 to William J. Owens of Higgins, Idaho.

/s/ HAZEL B. OWENS
Permit holder.

Wife of Permit holder.

State of Idaho)
County of Canyon) ss

On this 13th day of September, 1954 before me, a Notary Public for the State of Idaho, residing at Nampa, Idaho personally appeared Hazel B. Owens, a widow, known to me to be the person whose name is subscribed to the within instrument, and duly acknowledged to me that she executed the same.

In witness whereof, I have hereunto set my hand and affixed my Notarial seal, the day and year in this certificate first above written.

(L.S.)

/s/ WILLIAM HATFIELD
Notary Public, residing at Nampa, Idaho

My commission expires 4/13/56
Received and Filed for record in the Department of Reclamation Sept. 24, 1954.

MARK R. KULP
State Reclamation Engineer.

LICENSE 15800-200
Pg. 536

13. Kind of diversion works: (Dam, canal, flume, pipe, etc.)

14. Height of diversion dam: 20 feet, length at top 50 feet, length at bottom 50 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 2 feet, Height 3 feet

16. Diversion Canal: Width at bottom 2 feet, width at water line 3 feet, depth of water 2 feet, Dimensions of Flume: Diameter of Pipe inches; Length of Conduit miles. Average grade per mile feet.

17. Estimated cost of Works: Storage Works: \$ 500.00 Diversion Works: \$

18. Time required for completion of work Five (5)

19. Time required for complete application of water to proposed beneficial use (5) years

20. The land to be irrigated is described in the following tabulation:

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

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Total
			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	
10 S.	2 E.	5				40									40				80

Total Number of Acres to be Irrigated

Remarks:

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

EARL D. OWENS Applicant.

By

Earl D. Owens Agent.

Date of first receipt at office of Commissioner of Reclamation 10:00 A. M. August 15, 1946

Returned to applicant for correction

Corrected application received

STATE RECLAMATION ENGINEER APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is R 766

Recorded in book R 5, page 766 Approved August 23, 1946

This is to certify that I have examined the within application for a permit to construct a reservoir and store and appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$, to be filed on or before

Work to begin on or before October 23, 1946 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 February 23, 1949

The whole of said work to be completed on or before August 23, 1951

Beneficial use of water stored in accordance herewith, to be made on or before August 23, 1957

Witness my hand this 23rd day of August

1946
EARL D. OWENS
Commissioner of Reclamation
State Reclamation Engineer

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

Application No. R 27451
Permit No. R 766

1. Name of Applicant: J. C. W. Co., Inc.

Postoffice address: Pocatello

County Owyhee

State Idaho

2. If applicant is a corporation, give:

(a) Date and place of incorporation:

(b) Amount of Capital Stock: \$

(c) Amount paid in: \$

(d) Names and addresses of directors:

3. The financial resources of the corporation are:

(a) Cash on hand: \$

(b) Treasury Stock: \$

(c) Bonds to be issued: \$

(d) Other resources:

4. Quantity of water to be stored: 250

acre feet per annum

5. Source of water supply in an unimpaired point (Creek) (River) (Spring), a tributary of Jack Creek

Riv

6. The outlet of the proposed reservoir is located 600 feet, distant from the N E corner of Section 7, Township 10 S., Range 2 E., B. M. and is in the NW 1/4 of NE 1/4 of Section 7, Township 10 S., Range 2 E., B. M. County of Owyhee

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

(a) The reservoir is located in the channel of said unnamed creek

(Creek) (River)

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

8. (a) The area of the high water line of the reservoir is 40

acres

(b) The reservoir capacity is 250

acre feet

9. Height of reservoir dam: feet, length at top 210 feet, length at bottom 62 feet, size of outlet 3 feet by 10 feet. The dam is to be constructed of materials as follows: Dirt, cement and stone

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

10. (a) Will water stored in reservoir be diverted to canal or aqueduct, thence to land to be irrigated without commingling with natural flow of ditch in creek bed. (Creek) (River) ?

(b) Water stored in reservoir will be carried in the channel of unnamed stream

(Creek) (River) a distance

of 3/4 miles to point of diversion located (bearing) feet, distant from the corner of Section, Township, Range, B. M., and in the SE 1/4 of SE 1/4 of Section 5, Township 10 S., Range 2 E., B. M.

11. Amount of water claimed from

(Creek) (River) (Spring) in addition to the

stored in reservoir

cubic feet per second

12. Water is to be used for stock water and irrigation

purpose

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

(a) Point of use of water (bearing) feet, distant from

Corner of Section

, Township

, Range

B. M., and is in the 1/4 of 1/4 of Section

, Township

, Range

, P. 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.,

the 1/4 of 1/4 of Section

, Township

, Range

D. M.

14. Water stored in accordance with this Permit will be carried to place of use through a canal heretofore constructed under the terms of Permit No.

, which is hereby referred to and made a part hereof.

October 11, 1954

RE: Permit No. R-766

Mr. William J. Owens
Box 366
Riggins, Idaho

Dear Mr. Owens:

We return the Assignment of Permit No. R-766 from Hazel B. Owens to you which has been recorded in this department.

We also enclose License and Certificate of Water Right issued under this Permit confirming your right to the use of 200 acre feet of water from an un-named stream, tributary to Jack's Creek with priority of August 15, 1946, and point of outlet in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 7, Township 10 South, Range 2 East B.M. for irrigation and stock water use in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and E $\frac{1}{2}$ SE $\frac{1}{4}$ Section 5, same Township and Range.

We also enclose departmental receipt No. 26940 for the \$6.50 which includes \$6.00 for beneficial use proof and fifty cents for recording the assignment.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll
Enc.

Dear Sirs:

We received a letter from you acknowledging \$46
sent. we are sending you 50 cents. we haven't as
yet gotten the license for the permit no. R-866.

thank you.

William J. Owens

Box 866

Riggins

RECEIVED

SEP 24 1954

Department of Reclamation

September 17, 1934

RE: Permit No. R-766

Mr. William J. Owens
Riggins
Idaho

Dear Mr. Owens:

We acknowledge receipt of the assignment of Permit No. R-766 from Hazel B. Owens to yourself accompanied by postal money order for the \$5.00 license fee.

There is a fee of 50 cents for recording the assignment which you may send us at your convenience.

Very truly yours,

MARR R. KULL
State Reclamation Engineer
By

Chief Clerk

A:br

Mr. William J. Owens

-2-

May 3, 1954

However, if I remember correctly, you advised me that the dam for Perrin No. 8-016 was built by Mr. Noble and that he had failed to provide any outlet so that the only water that could be used must run through the spillway or over the top of the dam. If this is correct, there will be no use making an inspection because the works were never completed in the time required by statute and the proofs are therefore, rejected and we are sending cancellation notice as required by law.

You may file again when you are ready to build the reservoir.

Yours truly,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

EH:11

State of Idaho
License and Certificate of Water Right

Water License No. R-766

Amount 200 acre feet

Water District No.

Priority August 15, 1946

THIS IS TO CERTIFY that HAZEL B. OWENS
of Prineau, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated August 15, 1946; that Permit No. R-766
was issued under said application; that Certificate of Completion of works, with a ^{storage} ~~capacity~~ capacity of
200 ~~second~~ ^{acre} feet, was issued thereunder on August 4, 1949, showing that said works
were completed on the 4th day of August, 1949; and that on the 3rd
day of September, 1949,

HAZEL B. OWENS

of Prineau, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of an un-named
stream, a tributary of Jack's Creek, for the purpose of irrigation and stock
water, under Use Permit No. R-766 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
9 of Licenses at page 5362, on the 1st day of October, 1954;

The right hereby confirmed dates from August 15, 1946;

The Point of ^{outlet} ~~diversion~~ is located

in the NE 1/4, 1E 1/4, Sec. 7, Tp. 10 S., R. 2 E., B. M. Owyhee County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 200 acre ~~feet~~ feet per ~~annum~~ annum.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
10 S.	2 E.	8	SE 1/4 NE 1/4) E 1/4 SE 1/4)		40

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

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

1st day of October, 1954.

(SEAL)

MARK H. KULF
State Reclamation Engineer.

51 2242

State of Idaho
By _____
Secretary of State

STATE OF IDAHO
By MARCEL LINDEN
Governor

PERMIT NO. R-766
CERTIFICATE OF COMPLETION OF WORKS

That to-wit: that Hazel B. Owens of Brunson, County of Owyhee and State of Idaho, the holder of Permit No. R-766, issued upon Application No. R-27461, bearing date of priority of August 15, 1940, authorizing the construction of a reservoir, with the right to appropriate and store 250 acre feet per annum of water from an unnamed stream, a tributary of Jack's Creek, in the County of Owyhee, State of Idaho, for storage for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the construction of the works set out and described in said Permit; that said works include a dam and reservoir capable of storing 250 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 reservoir is located in the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 7, Township 10 South, Range 2 East, 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: SE $\frac{1}{4}$ NE $\frac{1}{4}$ and E $\frac{1}{2}$ SE $\frac{1}{4}$ Section 5, Township 10 South, Range 2 East, B.M.

Witness my hand this 4th day of August, 1949.

Proof of Completion of Works made August 4, 1949.
Certificate of Completion of Works issued August 4, 1949.

MARK R. KULP
State Reclamation Engineer

ASSIGNMENT

For value received, I hereby assign all my right, title, and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. R-766 to William J. Owens of Rigby, Idaho.

/s/ HAZEL B. OWENS
Permit holder.

Wife of Permit holder.

State of Idaho)
) ss
County of Canyon)

On this 10th day of September, 1954 before me, a Notary Public for the State of Idaho, residing at Nampa, Idaho personally appeared Hazel B. Owens, a widow, known to me to be the person whose name is subscribed to the within instrument, and duly acknowledged to me that she executed the same.

In witness whereof, I have hereunto set my hand and affixed my Notarial seal, the day and year in this certificate first above written.

(SEAL)

/s/ WILLIAM HATFIELD
Notary Public, residing at Nampa, Idaho

My commission expires 4/15/56

Received and filed for record in the Department of Reclamation Sept. 24, 1954.

MARK R. KULP
State Reclamation Engineer.

RECORDED
40, 21
p. 236

13. Kind of diversion works: Dam and ditch

(Dam, canal, flume, pipe, etc.)

14. Height of diversion dam: 2 1/2 feet, length at top 30 feet, length at bottom 30 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 20 feet, Height 20 feet.

16. Diversion Canal: Width at bottom 2 feet, width at water line 3 feet, depth of water 2 feet. Dimensions of Flume
Diameter of Pipe inches; Length of Conduit miles. Average grade per mile feet.

17. Estimated cost of Works: Storage Works: \$ 500.00 Diversion Works: \$

18. Time required for completion of work Five (5) years.

19. Time required for complete application of water to proposed beneficial use is Six (6) years.

20. The land to be irrigated is described in the following tabulation:

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

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Total
			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	
10 S.	2 N.	1 E.				40													40

Total Number of Acres to be Irrigated

Remarks:

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

Mark R. Kulp

Applicant

By

Carl D. Jones

Agent

Date of first receipt at office of Commissioner of Reclamation 10:00 A.M. August 14, 1946

Returned to applicant for correction

Corrected application received

STATE RECLAMATION ENGINEER APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is R 766

Recorded in book R 5, page 766

Approved August 23, 1946

This is to certify that I have examined the within application for a permit to construct a reservoir and store and appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$, to be filed on or before

Work to begin on or before October 23, 1946

uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control. and to continue diligently and

One fifth of the work above specified to be completed on or before February 23, 1949

The whole of said work to be completed on or before August 23, 1951

Beneficial use of water stored in accordance herewith, to be made on or before August 23, 1951

Witness my hand this 23rd day of August

1946

Mark R. Kulp

Commissioner of Reclamation

State Reclamation Engineer