

STATE OF IDAHO
DEPARTMENT OF AGRICULTURE

Certificate of Water Right
Transferred Right No. 756

That to C. W. JOYCE, TRUSTEES OF JOYCE LIVESTOCK COMPANY, a partnership of Murphy, Idaho, in the owner of and using a certain water right in the amount of 7.57 miner's inches, or 118.47 cubic feet per second of the waters of Snake Creek, decreed by Judge Alfred Busch, of the District Court of the Third Judicial District of the State of Idaho in and for the County of Cuyler, in the case of

JOYCE LIVESTOCK COMPANY, et al.,

Plaintiffs,

vs.

JACOB RUSBY, et al.,

Defendants,

and decree bearing date of March 12, 1911, which water right was more particularly described as follows:

1. 7.57 miner's inches with priority of April 1, 1897; decreed to Mathew Joyce and Mary Joyce and appurtenant to the following described lands, to-wit:

Sec. 36, Twp. 3 N., R. 1 E., S. 1 N.;

Sec. 36, Twp. 3 N., R. 1 E., S. 1 N.;

Lot 2, Sec. 1, Twp. 3 N., R. 1 E., S. 1 N.;

Lot 3, and lots 1 and 2,

Sec. 31, Twp. 3 N., R. 1 E., S. 1 N.

2. 118.40 miner's inches with priority of April 1, 1897 and 118.40 miner's inches with priority of April 1, 1871; decreed to Ella C. Border, administratrix of the estate of Charles E. Border, deceased, and appurtenant to the following described lands, to-wit:

Sec. 1, Twp. 3 N., R. 1 E., S. 1 N.;

Sec. 2, Twp. 3 N., R. 1 E., S. 1 N.;

Sec. 3, Twp. 3 N., R. 1 E., S. 1 N.;

Sec. 4, Twp. 3 N., R. 1 E., S. 1 N.;

All in Township 3 N., Range 1 E., S. 1 N.

That said decree has been entered in the records of the Department of Agriculture, the State of Idaho, in Volume 1 of decrees, beginning at page 960 thereof.

That said Joyce Livestock Company has become the owner of said water right and is now using same.

And that now, upon the application of Joyce Livestock Company, of Murphy, Idaho, for the right of 118.47 cubic feet per second of water, more before the State Engineer, in and for the State of Idaho, and said application having been granted, the right to the use of 118.47 cubic feet per second of the waters of Snake Creek upon the above described lands is hereby affirmed, and the lands to be irrigated under such right, and to which the water right is appurtenant, by this certificate, for irrigation and domestic purposes,

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are described as follows, to-wit:

E. 1/4, E. 1/4, E. 1/4, E. 1/4, Section 3
 E. 1/4, Section 3
 N. 1/4, Section 3
 E. 1/4, S. 1/4, N. 1/4, E. 1/4, Section 9
 All of Section 10
 N. 1/4, E. 1/4, Section 11
 NW, NE, NE, NE, Section 15
 All in Twp. 3 S., Range 1 W., B.M.

That the said water is to be limited at any given time to an amount actually needed and beneficially used for such purposes, and shall not exceed 72d.50 miner's inches or 13.57 cubic feet per second bearing dates of priority as follows:

597.40 miner's inches with priority of April 1, 1867
 61.5 " " " " " " April 1, 1867
 119.60 " " " " " " April 1, 1871
 597.50

That the water rights hereby transferred have heretofore been conducted from Sinker Creek to the first above described lands with points of diversion in the N. 1/4 and various points in Section 1, Twp. 4 S., Range 2 W., B.M., and various points in NE 1/4, Section 11 and the NW 1/4, Section 30, Twp. 3 S., Range 1 W., B.M.

That the water rights hereby transferred will hereafter be conducted to the first above described lands with point of diversion located So 28° West 1400 feet from the quarter section corner common to Sections 2 and 11, Twp. 4 S., Range 2 W., B.M.

That the rights to the use of the water aforesaid, hereby confirmed, is restricted to the lands or place of use first above described, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand, and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed, at Boise, Idaho, this 23rd day of July, A. D. 1948.

Mark R. Kulp

MARK R. KULP
 State Reclamation Engineer

RECORDED

That the said plainiffs, jointly, be, and they are, hereby awarded the right to divert the waters of said Sinker Creek and to use the same in irrigating the cultivated area, (except 0.54 acres government land), of the $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Sec. 16, and the $\frac{1}{4}$ of the NE $\frac{1}{4}$, and the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Sec. 15 in Twp. 4 N. of Range 2 W. 10 $^{\text{th}}$ E., in the following amounts and from the following date: 33 inches of water per second measured under a four inch pressure, or .60 cubic feet per second, from April 1st, 1876; 35 inches of water per second measured under a four inch pressure, or .70 cubic feet per second, from the 1st day of April, 1891.

No. 2. That the defendant and cross-complainant, Ella C. Turner, administratrix, (substituted for Charles Turner), do, and she is, hereby awarded the right to divert the waters of said Sinker Creek and to use the same in irrigating the cultivated area, (except 1.01 acres government land), of the $\frac{1}{4}$ of the SW $\frac{1}{4}$, and the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Sec. 1, and SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Sec. 2, and the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Sec. 2, and the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Sec. 13, and the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Sec. 12 in Twp. 4 N. Range 2 E. 10 $^{\text{th}}$ E., the said cultivated area being more completely described in Exhibit "A" of said defendant Turner, which by reference is made a part of this Decree, in the following amounts from the following date: 62.5 inches of water per second measured under a four inch pressure, or 1.25 cubic feet per second, dating from the 1st day of April, 1867; and 118.60 inches of water per second measured under four inch pressure, or 2.37 cubic feet per second, dating from April 1st, 1871.

No. 3. That the defendants and cross-complainants Richard Bennett and Joseph Bennett, jointly, be, and they are, hereby awarded the right to divert the waters of said

57-0176

RECORDED

TRANSFER NO.	NAME	AMOUNT C.F.S.	BALANCE C.F.S.	RIGHT NO.
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	Harder, Ella C.	2.37		57-0176
726	Joyce Livestock Co.	(2.37)	0	57-0176A
1050	Nettleton, H. E.	2.37		57-0176AA

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STATE OF IDAHO

DEPARTMENT OF RECLAMATION

CERTIFICATE OF DECREED WATER RIGHT TRANSFERRED RIGHT NO. 1050

THIS IS TO CERTIFY, That H. E. Nettleton, dba Joyce Livestock Company, is the owner of and using a certain water right as follows:

AMOUNT	PRIORITY	DECREED TO
13.2 c.f.s.	4-1-1867	Harder Estate - 1.25 c.f.s. Matthew Joyce & Anna Joyce - 11.95 c.f.s.
2.37 c.f.s.	4-1-1871	Harder Estate
1.44 c.f.s.	4-1-1881	Richard & Joseph Bennett
1.76 c.f.s.	4-1-1892	Richard & Joseph Bennett

of the waters of Sinker Creek, County of Owyhee, by decree of Judge Alfred Budge of the Third Judicial District of the State of Idaho, in and for the County of Owyhee, in the case of

MATTHEW JOYCE and ANNA JOYCE

Plaintiffs

vs.

JACOB RUBIN, et al

Defendants

said decree bearing date of March 20, 1912, and being appurtenant to the following described lands, to-wit:

E1/2SE1/4, E1/2NE1/4, SW1/4NW1/4, Section 3; E1/2SW1/4, Section 5; NE1/4, W1/4, Section 8; E1/2NE1/4, SW1/4NE1/4, E1/2SE1/4, Section 9; all Section 10; NW1/4, NE1/4SW1/4, Section 11; NW1/4NE1/4, NE1/4NW1/4, Section 15; SE1/4NW1/4, NW1/4NE1/4, Section 20; all in Township 3 South, Range 1 W. B. M.,

That said decree has been entered in the records of the Department of Reclamation of the State of Idaho in Volume No. 3 of Decrees, at Page 960;

That said H. E. Nettleton, dba Joyce Livestock Company, has become the owner of said water right by means conveyed;

And that now upon the application of H. E. Nettleton, dba Joyce Livestock Company, for the transfer of 250 inches or 5 cubic feet per second of said water, made before the State Reclamation Engineer of the State of Idaho, and said application having been granted, the right to the use of 5 cubic feet per second of the waters of Sinker Creek upon the above described lands is hereby abandoned, and the lands under such right, and to which the water right HEREBY CONFIRMED shall become appurtenant by this certificate for

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irrigation purposes, are described as follows, to-wit:

5.0 c.f.s., priority 4-1-1867, for use on SW $\frac{1}{4}$, NW $\frac{1}{4}$, E $\frac{1}{2}$, W $\frac{1}{2}$, Section 1; S $\frac{1}{4}$ SE $\frac{1}{4}$, Section 2; N $\frac{1}{2}$ NE $\frac{1}{4}$, Section 11; N $\frac{1}{2}$ SW $\frac{1}{4}$, Section 12; Township 4 South, Range 2 W. B. M.; S $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 36; Township 3 South, Range 2 W. B. M.; SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 30; S $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 11, Township 3 South, Range 1 W.B.M.,

8.2 c.f.s., priority 4-1-1867, 2.37 c.f.s. priority 4-1-1871; 1.44 c.f.s., priority 4-1-1881; 1.76 c.f.s., priority 4-1-1892, for use on W $\frac{1}{2}$, Section 16; NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 17; SE $\frac{1}{4}$, S $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{4}$ NE $\frac{1}{4}$, less NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 19; SW $\frac{1}{4}$, S $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 20; W $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, Section 30; Township 3 South, Range 1 W. B. M., all Section 1 West of Highway; SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 2, Township 3 South, Range 2 W. B. M.; E $\frac{1}{2}$ SW $\frac{1}{4}$, Section 1, Township 4 South, Range 2 W. B. M.,

That said water is to be limited at any given time to an amount actually needed and beneficially used for such purpose and shall not exceed the following amount, to-wit:

5 cubic feet per second of the waters of Sinker Creek with priority of April 1, 1867;

That the water right hereby transferred has heretofore been conducted through the Murphy Canal with point of diversion S. 28° West 1400 feet from the quarter section corner common to Sections 2 and 11, Twp. 4 South, Range 2 W. B. M.,

That the water right hereby transferred will hereafter be conducted to the last above described lands with point of diversion South 28° West 1400 feet to the quarter section corner common to Sections 2 and 11, Township 4 South, Range 2 W. B. M., and various points along Sinker Creek;

That the right to the use of the waters aforesaid, hereby confirmed, is restricted to the lands last above described, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed at Boise, Idaho, this 17th day of June, 1965.

(SEAL)

s/ CARL E. TAPPAN

CARL E. TAPPAN
State Reclamation Engineer

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STATE OF IDAHO

DEPARTMENT OF RECLAMATION

In the Matter of the Application of

H. E. Nettleton,
dba Joyce Livestock Company
of Murphy, Idaho

For a Transfer of Water Right in the
County of Owyhee, State of Idaho

ORDER GRANTING TRANSFER

NO. 1050

WHEREAS, On the 2nd day of June 1965, at the Department of Reclamation of the State of Idaho at Boise, Idaho, this matter of the application of H. E. Nettleton, dba Joyce Livestock Company, of Murphy, Idaho, for a transfer of water right came on regularly for hearing, pursuant to the published notice in due and statutory form, and,

WHEREAS, No protest has been filed against the application, and the evidence filed by the applicant with the application shows that the water will be put to a higher and more efficient beneficial use and no one will be injured thereby;

NOW, THEREFORE, IT IS ORDERED, That the said application be, and the same is, HEREBY GRANTED, and that a Certificate of Transfer be issued to the applicant herein as provided by the laws of the State of Idaho,

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed at Boise, Idaho, this 17th day of June, 1965.

(SEAL)

s/

CARL E. TAPPAN

CARL E. TAPPAN
State Reclamation Engineer

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STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Certificate of Water Right
Transferred Right No. 736

THIS IS TO CERTIFY THAT JOYCE LIVESTOCK COMPANY, a copartnership of Murphy, Idaho, is the owner of and using certain water rights in the amount of 71.50 miner's inches, or 15.57 cubic feet per second of the waters of Sinker Creek, decreed by Judge Alfred Rudde, of the District Court of the Third Judicial District of the State of Idaho in and for the County of Cwyee, in the case of

MATHEW JOYCE AND ANNA JOYCE,

Plaintiffs,

vs.

JACOB RUDDE, ET AL.,

Defendants,

said decree bearing date of March 20, 1912, (which water rights are more particularly described as follows

587.40 miner's inches with priority of April 1, 1867; decreed to Mathew Joyce and Anna Joyce and appurtenant to the following described lands, to-wit:

Sec. 30, Twp. 3 N. R. 1, W. B.M.;

Sec. 36, Twp. 3 S. R. 2, W. B.M.;
Lot 2, Sec. 1, Twp. 4 S. R. 2, W. B.M.
and Lots 2 and 3,
Sec. 31, Twp. 3 S. R. 1, W. B.M.

22.5 miner's inches with priority of April 1, 1867 and 118.60 miner's inches with priority of April 1, 1871; decreed to Ella C. Harder, administratrix of the estate of Charles H. Harder, deceased, and appurtenant to the following described lands, to-wit:

Sec. 1;
Sec. 2;
Sec. 11;
Sec. 12;
all in Township 4 S. Range 1, E., B.M.

That said decree has been entered in the records of the Department of Reclamation of the State of Idaho, in Volume 3 of Decrees, beginning at Page 960 thereof.

That said Joyce Livestock Company has become the owner of said water rights through means conveyances.

And that now, upon the application of Joyce Livestock Company, of Murphy, Idaho, for the transfer of 15.57 cubic feet per second of said water, made before the State Reclamation Engineer of the State of Idaho, and said application having been granted, the right to the use of 15.57 cubic feet per second of the waters of Sinker Creek upon the above described lands is hereby abandoned, and the lands to be irrigated under such right, and to which the water rights HEREBY CONFIRMED shall become appurtenant, by this certificate, for irrigation and domestic purposes,

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are described as follows, to-wit:

E $\frac{1}{2}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ Section 3
 E $\frac{1}{2}$ SW $\frac{1}{4}$ Section 5
 NE $\frac{1}{4}$ W $\frac{1}{2}$ Section 8
 E $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ Section 9
 All of Section 10
 NE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ Section 11
 NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE NW $\frac{1}{4}$ Section 16
 All in Twp. 3 S., Range 1 W., B.M.

That the said water is to be limited at any given time to an amount actually needed and beneficially used for such purposes, and shall not exceed 778.60 miner's inches or 15.57 cubic feet per second bearing dates of priority as follows:

597.40 miner's inches with priority of April 1, 1867
 67.5 " " " " " " April 1, 1867
 118.60 " " " " " " April 1, 1871

That the water rights hereby transferred have heretofore been conducted from Sinker Creek to the first above described lands with points of diversion in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and various points in Section 1, Twp. 4 S., Range 2 W., B.M., and various points in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 11 and the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 30, Twp. 3 S., Range 2 W., B.M.

That the water rights hereby transferred will hereafter be conducted to the last above described lands with point of diversion located 80° West 1400 feet from the quarter section corner common to Sections 2 and 11, Twp. 4 S., Range 2 W., B.M.

That the rights to the use of the water aforesaid, hereby confirmed, is restricted to the lands or place of use last above described, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand, and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed, at Boise, Idaho, this 23rd day of July, A. D. 1948.

Mark R. Kulp

MARK R. KULP
State Reclamation Engineer

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STATE OF IDAHO
Department of Reclamation

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In the Matter of the Application of
JOYCE LIVESTOCK COMPANY, a Copartnership
of Murphy, Idaho

ORDER GRANTING TRANSFER

For a Transfer of Water Right, in Water
District No. 24, Owyhee County, Idaho

No. 726

WHEREAS, On the 15th day of July, 1948, at the Department of Reclamation of the State of Idaho, at Boise, Idaho, this matter of an application of JOYCE LIVESTOCK COMPANY, of Murphy, Idaho, for a transfer of water rights, came on regularly for hearing, pursuant to the published notice, in due and statutory form; and,

WHEREAS, No protest has been filed against the application, and the evidence filed by the applicants, with the application, shows that the water will be put to a higher and more beneficial use, and that no one will be injured thereby;

NOW, THEREFORE, IT IS HEREBY ORDERED That the said application be, and the same is HEREBY GRANTED, and that a Certificate of Transfer be issued to the applicant herein, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand, and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed, at Boise, Idaho, this 23rd day of July A.D., 1948.

Mark R. Kulp
MARK R. KULP
State Reclamation Engineer

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IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF OWYHEE.

Matthew Joyce and Anna Joyce,

Plaintiffs,

vs.

D E C R E E.

Jacob Rubin, Richard Bennett,
W. F. Lambert, Charles Harder,
and The Murphy Land and
Irrigation Company, Limited, a
corporation,

Defendant.

This cause came regularly on for hearing and decision before the above entitled court, (Hon. Alfred Budge, Judge of the Fifth Judicial District of the State of Idaho, who at the request, duly made, of the Judge of the above entitled district was holding court herein, presiding); Messrs. Richards & Haga appearing for the said defendants and cross-complainants, Richard Bennett and Joseph Bennett, Messrs. Jackson & Walters appearing for the defendant and cross-complainant Ella C. Harder, administratrix of the estate of Charles Harder, deceased, (substituted for Charles Harder), Messrs. C. B. Polk and S. E. Blaine appearing for the defendant and cross-complainant Murphy Land and Irrigation Company, Limited, a corporation, Messrs. John J. McCue, D. D. Williams and Lerky & Crow appearing for the plaintiffs.

It appearing that summons on the complaint in the above entitled action was regularly made and issued and, together with a copy of the complaint, was duly served upon the said defendants and on November 14th, 1910, personally served on the said defendants Jacob Rubin and W. F. Lambert, and the said Jacob Rubin and W. F. Lambert having failed to appear and answer or demur within the time allowed by law, or

That the said plaintiffs, jointly, be, and they are, hereby awarded the right to divert the waters of said Sinker Creek and to use the same in irrigating the cultivated area, (except 6.33 acres government land), of the $\frac{SW}{4}$ of the $\frac{NW}{4}$ of Sec. 16, and the $\frac{SE}{4}$ of the $\frac{NW}{4}$, and the $\frac{NW}{4}$ of the $\frac{NW}{4}$ of Sec. 15 in Twp. 4 S. of Range 2 W. S. M., in the following amounts and from the following date: 30 inches of water per second measured under a four inch pressure, or .60 cubic feet per second, from April 1st, 1876; 35 inches of water per second measured under a four inch pressure, or .70 cubic feet per second, from the 1st day of April, 1901.

No. 2. That the defendant and cross-complainant, Ella C. Harder, administratrix, (substituted for Charles Harder), be, and she is, hereby awarded the right to divert the waters of said Sinker Creek and to use the same in irrigating the cultivated area, (except 1.01 acres government land), of the $\frac{NE}{4}$ of the $\frac{SW}{4}$, and the $\frac{SW}{4}$ of the $\frac{SW}{4}$ of Sec. 1, and $\frac{SW}{4}$ of the $\frac{SE}{4}$ of Sec. 2, and the $\frac{SW}{4}$ of the $\frac{SE}{4}$ of Sec. 2, and the $\frac{NE}{4}$ of the $\frac{NE}{4}$ of Sec. 11, and the $\frac{NW}{4}$ of the $\frac{NW}{4}$ of Sec. 12 in Twp. 4 S. Range 2 W. S. M., the said cultivated area being more accurately described in Exhibit "A" of said defendant Harder, which by reference is made a part of this Decree, in the following amounts from the following date: 62.5 inches of water per second measured under a four inch pressure, or 1.25 cubic feet per second, dating from the 1st day of April, 1867; and 118.60 inches of water per second measured under four inch pressure, or 2.37 cubic feet per second, dating from April 1st, 1871.

No. 3. That the defendants and cross-complainants Richard Bennett and Joseph Bennett, Jointly, be, and they are, hereby awarded the right to divert the waters of said