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Documents
In File

TRANSFER NO.	NAME	AMOUNT C.F.S.	BALANCE C.F.S.	RIGHT NO.
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	Clark, Harlan	~~0.6~~ 0.06		57-0164
1070	Nettleton, James W.	~~0.6~~ 0.06	0	57-0164A

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STATE OF IDAHO
DEPARTMENT OF RECLAMATION

CERTIFICATE OF DECREED WATER RIGHT
TRANSFERRED RIGHT NO. 1070

THIS IS TO CERTIFY, That James W. Nettleton of Oreana, Idaho, is the owner of and using certain water rights as follows: 38 inches or 0.76 cubic feet per second of the waters of Castle Creek with priority as follows:

1903 - 5 inches; 1904 - 5 inches; 1905 - 5 inches;
1906 - 5 inches; 1907 - 15 inches; 1908 - 3 inches;

said water being decreed to George F. Brown, successor to Harlan Clark; and 55 inches or 1.1 cubic feet per second of the waters of Castle Creek, with priority of December 10, 1907, decreed to James L. Wees, by decree of Judge M. I. Church of the Third Judicial District of the State of Idaho, in and for the County of Owyhee in the case of

JAMES L. DAVEY

Plaintiff

vs.

GEORGE F. BROWN, et al

Defendants

said decree bearing date of May 15, 1923, and being appurtenant to the following described lands, to-wit:

SW $\frac{1}{4}$, Section 36, Township 3
South, Range 1 E.B.N., and

SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 35, Township 3
South, Range 1 E.B.N.,

That said decree has been entered in the records of the Department of Reclamation of the State of Idaho in Volume 4 of Decrees, beginning at Page 617;

And that now, upon the application of James W. Nettleton for the transfer of 38 inches or 0.76 cubic feet per second, and 55 inches or 1.1 cubic feet per second, of the waters of Castle Creek, made before the State Reclamation Engineer of the State of Idaho, and said application having been granted, the right to the use of 38 inches or 0.76 cubic feet per second, and 55 inches or 1.1 cubic feet per second, of the waters of Castle Creek upon the above described lands is hereby abandoned, and the lands under such

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right and to which the water right HEREBY CONFIRMED, shall become appurtenant by this Certificate for irrigation purposes, is described as follows, to-wit:

EN of Lot 8; ~~EN~~ of Section 36,
Township 3 South, Range 1 E.B.M.,
~~EN~~, Section 1, Township 4 South,
Range 1 E.B.M.,
Lots 4 and 5, Section 31, Township 3
South, Range 2 E.B.M., and Lots 3 and
4, Section 6, Township 4 South, Range 2
E.B.M.,

That the 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 amounts, to-wit:

38 inches or 0.76 cubic feet per
second of the waters of Castle
Creek, bearing date of priority
as follows:

1903 - 5 inches; 1904 - 3 inches;
1905 - 5 inches; 1906 - 3 inches;
1907 -15 inches; 1908 - 3 inches;

and

55 inches or 1.1 cubic feet per
second of the waters of Castle
Creek, bearing priority date of
December 10, 1907;

That the water right hereby transferred has heretofore been conducted from Castle Creek to the first above described land through a ditch or canal, with point of diversion in the ~~NW~~, Section 13, Township 4 South, Range 1 E.B.M.,

That the water right hereby transferred will hereafter be conducted to the last above described land with no change in point of diversion;

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 11th day of May, 1966.

CARL E. TAPPAN
State Reclamation Engineer

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

In the Matter of the Application of)		
James W. Nettleton)		
of)		
Oreana, Idaho)		ORDER GRANTING TRANSFER
		NO. 1070
For a Transfer of Water Right)		
in the County of Owyhee, State)		
of Idaho)		

WHEREAS, On the 12th day of January, 1966, at the Department of Reclamation of the State of Idaho at Boise, Idaho, this matter of the application of James W. Nettleton of Oreana, 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 11th day of May, 1966.

CARL E. TAPPAN
State Reclamation Engineer

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IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR OWYHEE COUNTY. 59C

WILLIAM D. EVANS, LILLIAN L. EVANS,
JOSEPH T. HARDIMAN, CHARLES I. HARDIMAN,
EUGENE A. HARDIMAN, ANDREW T. EVANS,
MAGGIE DEVINE, THOMAS A. FOREMAN,
JOHN J. EVANS, EUGILLIA McDONOUGH and
EARLAN CLARK,

Plaintiffs,

vs.-

WILLIAM TOY, MARTHA HENDERSON, C. S. POLK,
M. D. POLK, ROBERT AIKMAN, OWYHEE LAND &
IRRIGATION COMPANY, LIMITED, a corporation,
J. L. WEERS, MILTON G. CAGE, JOHN HENDERSON,
S. E. VANCE, THE GOLDEN CROWN MINING COMPANY,
LIMITED, a corporation, FREDERICK ZWICHER,
J. M. MORGAN, WM. SPARKS, VICTOR GAVICA,
JAMES HENDERSON, CHAS. H. MOREHOUSE, THOMAS
D. HENDERSON, DONALD F. HENDERSON, AMSEY
CRILL, WILBUR MOSSMAN and FRED T. SMITH, and
E. F. DUNHAM.

Defendants.

This cause coming on regularly for trial, Richard H. Johnson,
Esq., appearing as counsel for the plaintiffs, John F. Nugent, Esq.,
and Karl Paire, Esq., appearing as counsel for the defendants William
Toy, Martha Henderson, Thomas D. Henderson, Donald F. Henderson, J. M.
Morgan, Frederick Zwicher, Wm. Sparks, The Golden Crown Mining Company,
Limited, Amsey Crill, Wilbur Mossman and Fred T. Smith; Eugene Brasie,
Esq., appearing as counsel for defendant Victor Gavica; Hugh E. McElroy,
Esq., appearing as counsel for defendant Charles H. Morehouse, Paul

JUDGMENT

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NOT RECORDED

From 1900	1903	Harlan Clark (Lindsey Ranch)	5	"
57 0140	1904	Victor Gavica	5	"
57 0141	1904	Amsey Crill	2	"
57 0142	1904	Harlan Clark	5	"
57 0143	1905	Victor Gavica	5	"
57 0144	1905	Harlan Clark	5	"
57 0145	1906	William Toy (Cap. Paul Ranch)	15	"
57 0146	1906	Pardiman Brothers	15	"
57 0147	1906	Lillian L. Evans and Wm. D. Evans	8	"
57 0148	1906	Hrcilla McDonough	10	"
57 0149	1906	John J. Evans	10	"
57 0150	1906	J. M. Morgan	6	"
57 0151	1906	Maggie Devine	6	"
57 0152	1906	Thomas A. Foreman	10	"
57 0153	1906	John Henderson	3	"
57 0154	1906	Harlan Clark (Lindsey Ranch)	5	"
57 0155	1907	Victor Gavica	10	"
57 0156	1907	Harlan Clark	15	"
57 0157	1908	William Toy	20	"
57 0158	1908	Hrcilla McDonough	17	"
57 0159	1908	J. M. Morgan	34	"
57 0160	1908	Maggie Devine	20	"
57 0161	1908	Victor Gavica	5	"
57 0162	1908	Martha Henderson	8 inches	"
57 0163	1908	Thomas A. Foreman	10	"
57 0164	1908	Harlan Clark (Lindsey Ranch)	3	"
57 0165	1908	Amsey Crill	2	"

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That the water so decreed to the said parties shall be appurtenant to the lands owned by them respectively and which are described as follows: