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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	0.3		57-0156
1070	Nettleton, James W.	0.3	0	57-0156A

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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:

SW¹/₄, Section 36, Township 3
South, Range 1 E.B.M., and

S¹/₂SW¹/₄, Section 35, Township 3
South, 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 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:

E½ of Lot 8; E½SE¼SE¼ of Section 36,
Township 3 South, Range 1 E.B.M.,
E½NE¼, 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 - 5 inches;
1905 - 5 inches; 1906 - 5 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 NW¼SE¼, 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

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STATE OF IDAHO
DEPARTMENT OF RECLAMATION

In the Matter of the Application of)
James W. Nettleton)
of) ORDER GRANTING TRANSFER
Oreana, Idaho) 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

UNRECORDED

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 W. HARDIMAN, CHARLES I. HARDIMAN,
EUGENE A. HARDIMAN, ANDREW T. EVANS,
MAGGIE DEVINE, THOMAS A. FOREMAN,
JOHN J. EVANS, UCCILLA McDONOUGH and
HARRIAN CLARK,

Plaintiffs,

-vs.-

WILLIAM TOY, MARTHA HENDERSON, C. S. POLK,
M. D. POLK, ROBERT AIKMAN, OWYHEE LAND &
IRRIGATION COMPANY, LIMITED, a corporation,
J. L. WILES, 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. P. DUNHAM.

Defendants.

JUDGMENT

RECORDED
OFFICE OF THE CLERK

Microfilmed
This cause coming on regularly for trial, Richard F. Johnson,
Esq., appearing as counsel for the plaintiffs, John F. Nugent, Esq.,
and Karl Paine, 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

From 1070	1903 - Harlan Clark (Lindsey Ranch)	5	"
57 0110	1904 - Victor Gavica	5	"
57 0111	1904 - Amsey Crill	2	"
57 0112	1904 - Harlan Clark	5	"
57 0113	1905 - Victor Gavica	5	"
57 0114	1905 - Harlan Clark	5	"
57 0115	1906 - William Toy (Cap. Paul Ranch)	15	"
57 0116	1906 - Fardiman Brothers	15	"
57 0117	1906 - Lillian L. Evans and Wm. D. Evans	8	"
57 0118	1906 - Urcilla McDonough	10	"
57 0119	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 - Urcilla 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	1911 - Amsey Crill	2	"

RECEIVED

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: