

5W

Reservoir Located in S. 31, T. 15S
R. 5W. See dam file D-55-2209

8

9

check with B. L. M. for file.

16S



Diversion dam

17

SE¹SE⁴-8 - 10A
SW⁴SW⁴-9 - 10A
NE⁴NE⁴-17 - 40A

60A

3 Subdivisions

Total acreage

Q measured 100 AF.

Q recommended 100 AF.

Volume 100 AF.

1st sec April 1 Nov 1

Acreage =
Found 60A.

recommended 60A.

Subdv. 3

Amendments

☒ None

☐ P.D.

☐ Place of use

☐

PROOF OF PUBLICATION

STATE OF IDAHO }
County of Owyhee } S.S.

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 week and every week for 4 consecutive weeks, the first publication being on the 9 day of November, 1967, and the last publication being on the 30 day of November, 1967;

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 30 day of Nov, 1967.

Lorna L. Hawes
NOTARY PUBLIC

My commission expires 9-10-68

(SEAL)

RECEIVED

DEC 22 1967

Department of Reclamation

NOTICE OF PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

NOTICE IS HEREBY GIVEN THAT on the 15th day of December, 1967, at Boise, County of Ada, State of Idaho, before Harley M. McDowell, Notary Public at 224 Idaho Building, Boise, Idaho, proof will be submitted of the diversion of 100 acre feet of storage, of waters of Tent Creek, and of the application to Beneficial Use of said water, in accordance with the terms and conditions of Permit No. R-1226, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is John Nouque and Tom Pedroli, McDermitt, Nevada.

2. Said works of diversion of water for storage will be fully completed on the date set for such completion and the amount of water which said works are capable of conveying to the place of storage is 1.2 cubic feet per second.

3. Reservoir capacity is 100 acre feet.

4. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 100 acre feet.

5. The point of diversion of said waters for beneficial use is NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 17, T. 16 S., R. 5 W., B. M. and the amount which can be diverted is 1.2 cubic feet per second.

6. The place where said water is used is SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 8; SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 9, NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 17, T. 16 S., R. 5 W., B. M.

7. The date of priority which said user is prepared to establish is August 18, 1966.

R. KEITH HIGGINSON,
State Reclamation Engineer
Published November 9, 16, 23,
and 30, 1967

The Owyhee Nugget
Marsing, Owyhee County, Idaho

R-1226

State of Idaho

Department of Water Administration

WATER RIGHT LICENSE

License of Water Right No. R-1226/55-2209 Priority August 18, 1966 Amount 100 acrefeet

THIS IS TO CERTIFY, that JOHN NOUQUE & TOM PEDROLI
of McDermitt, Nevada, has complied with the terms and conditions of Permit
No. R-1226/55-2209 issued pursuant to Application for Permit dated August 18, 1966,
and has submitted proof to the Department of Water Administration on December 15, 1967,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 100 acre feet of water from Tent Creek,
tributary to the Little Owyhee River, and that the permit holder has applied to a beneficial use &
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>April 1</u> to <u>Nov. 1</u>	at <u>1.20</u> cfs and	<u>100 af or 3.0af per acre</u>
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 1.20 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
100 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 17,
Twp. 16 S, Rge. 5 W, B. M. in the County of Owyhee

Description and location of place of use:

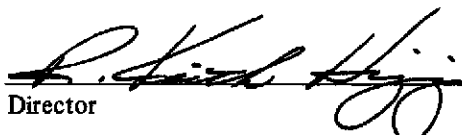
Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
16 S	5 W	8																10	10
		9											10						10
		17	40																40

Total number of acres irrigated 60

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 15 day of
August, 19 73.


Director

APPLICATION FOR PERMIT

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

Application No. R 41313
Permit No. R 1226

✓
55-2209

Idaho Land and Appraisal Service
P.O. Box 2161
Boise, Idaho 83701

1. Name of Applicant: John Nouque

Post office address: McDermitt

County

State Nevada

I. 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:

II. The financial resources of the corporation are:

(a) Cash on hand: \$

(b) Treasury Stock: \$

(c) Bonds to be issued: \$

(d) Other resources:

2. Quantity of water to be stored: 100 acre feet per annum.

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

4. The outlet of the proposed reservoir is located 2,154' feet, distant from the NE corner of Section 31, Township 15 S, Range 5 W, B.M. and is in the SE 1/4 of NE 1/4 of Section 31, Township 15 S, Range 5 W, B.M. County of Owyhee

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

(a) The reservoir is located in the channel of Tent (Creek) (River).

(b) The reservoir is to be filled through a feeder canal, the point of diversion for which is located feet distant from the corner of Section, Township, Range, B.M., and is in the 1/4 of 1/4 of Section, Township, Range, B.M.; width at bottom feet, width at top feet, depth of water feet; average grade per mile feet; Capacity cubic feet per second

6. (a) The area of the high water line of the reservoir is approx 20 acres.

(b) The reservoir capacity is 100 acre feet.

7. Height of reservoir dam 10 feet, length at top 150 feet, length at bottom 10 feet, size of outlet 15" pipeline feet by feet. The dam is to be constructed of materials as follows: earth, rock and concrete with rock rip rap face (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

Tent (Creek) (River)? no

(b) Water stored in reservoir will be carried in the channel of Tent (Creek) (River) a distance of 2.6 miles to point of diversion located N 800 feet, distant from the S 1/4 corner of Section 8, Township 16 S, Range 5 W, B.M., and in the SE 1/4 of SW 1/4 of Section 8, Township 16 S, Range 5 W, B.M.

9. (a) Area of watershed above dam site 20 square miles.

(b) Estimated maximum flow of stream 100 cubic feet per second.

10. Water is to be used for irrigation purposes.

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

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

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

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

12. Water stored in accordance with this Permit will be carried to place of use through a canal heretofore constructed under the terms of Permit No. , which is hereby referred to and made a part hereof.

13. Kind of diversion works: head gate and ditches (Dam, canal, flume, pipe, etc.)

14. Height of diversion dam: feet, length at top feet, length at bottom feet. The dam is to be constructed of materials as follows: (If height will exceed 10 feet, plans must be approved by Department of Reclamation, before beginning construction.)

15. Size of headgate: Width 4 feet, Height 3 feet.

16. Diversion Canal: Width at bottom 2 feet, width at water line 3 feet, depth of water 1-1/2 feet, Dimensions of Flume
Diameter of Pipe inches; Length of Conduit 1/2 miles. Average grade per mile 5 feet.

17. Estimated Cost of Works: Storage Works: \$ 800.00 Diversion Works: \$ 500.00

18. Time required for completion of work 5 years.

19. Time required for complete application of water to proposed beneficial use is 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				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
16 S	5 W	8																10	10
		9											10						10
		17	40																40
											Total number of acres to be irrigated:								60

Total Number of Acres to Be Irrigated 60

21. Existing rights and/or valid permits appurtenant to lands described above are none

REMARKS:

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

/s/ JOHN NOUQUE, Applicant.

By _____, Agent.

Date of first receipt at Department of Reclamation: August 18, 1966 8:00 A.M.

Returned to applicant for correction:

Corrected application received:

APPROVAL OF STATE RECLAMATION ENGINEER

The number of this permit is R 1226

Recorded in book R 5, page 1226. Approved August 25, 1966

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

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

Work to begin on or before October 25, 1966 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 25, 1969

The whole of said work to be completed on or before August 25, 1971

Beneficial use of water stored in accordance herewith, to be made on or before August 25, 1977

Witness my hand this 25th day of August, 19 66

/s/ R. KEITH HIGGINSON
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE, Governor of the State of Idaho, and LOUIS E. CLAPP,

Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 25th day of August, 19 66.

COUNTERSIGNED

STATE OF IDAHO

By /s/ LOUIS E. CLAPP
Secretary of State.

By /s/ ROBERT E. SMYLIE
Governor.

(SEAL)

A S S I G N M E N T

For value received I hereby assign all of my right, title and interest in and to permit to appropriate the Public Waters of the State of Idaho, No. R-1226 to Tom Pedrolí and John Nouque, of McDermitt, Nevada.

/s/ JOHN NOUQUE
a single man

State of Idaho)
: ss
County of Ada)

On this 15th day of September, 1966, before me, a Notary Public for the State of Idaho, residing at Boise, Idaho, personally appeared John Nouque, a single man, known to me to be the person whose name is subscribed to the within instrument and duly acknowledged to me that he 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.

/s/ SIAPRON DEROIN
Notary Public residing at Boise, Idaho

My commission expires: 9/23/68

AMENDMENT TO POINT OF DIVERSION

Comes now John Nouque and Tom Pedrolí and represents to the State Reclamation Engineer of the State of Idaho: That they are the owners and holders of Permit to appropriate the Public Waters of the State of Idaho, No. R-1226. That the point of diversion is described in said Permit as being located: N800 feet from the S $\frac{1}{4}$ Corner of Sec. 8, T 16 S., R 5 W., B.M. and in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8. That they now request that the point of diversion be changed to a point located: T 16 S., R 5 W., B.M., Section 17, NE $\frac{1}{4}$ NE $\frac{1}{4}$. That the reason for desiring to make such change is as follows: Incorrectly located on the original permit. That no one will be injured by such change and that such change will be made at Permit Holder's own risk.

Signed at Boise, Idaho this 16th day of September, 1966.

/s/ JOHN NOUQUE
TOM PEDROLI

APPROVAL OF STATE RECLAMATION ENGINEER

I, R. Keith Higginson, State Reclamation Engineer of the State of Idaho hereby approve the above and foregoing application for permit to appropriate the Public Waters of the State of Idaho, No. R-1226. This approval constitutes a new permit and is issued as an amendment to the original permit to which it refers and of which it becomes a part and said application is approved only insofar as the rights of others will not be adversely affected thereby.

/s/ R. KEITH HIGGINSON
State Reclamation Engineer

Recorded in book 5 of permits, at page R-1226, September 27, 1966.

Permit No. R-1226
CERTIFICATE OF COMPLETION OF WORKS +

TO ALL WHOM IT MAY CONCERN:

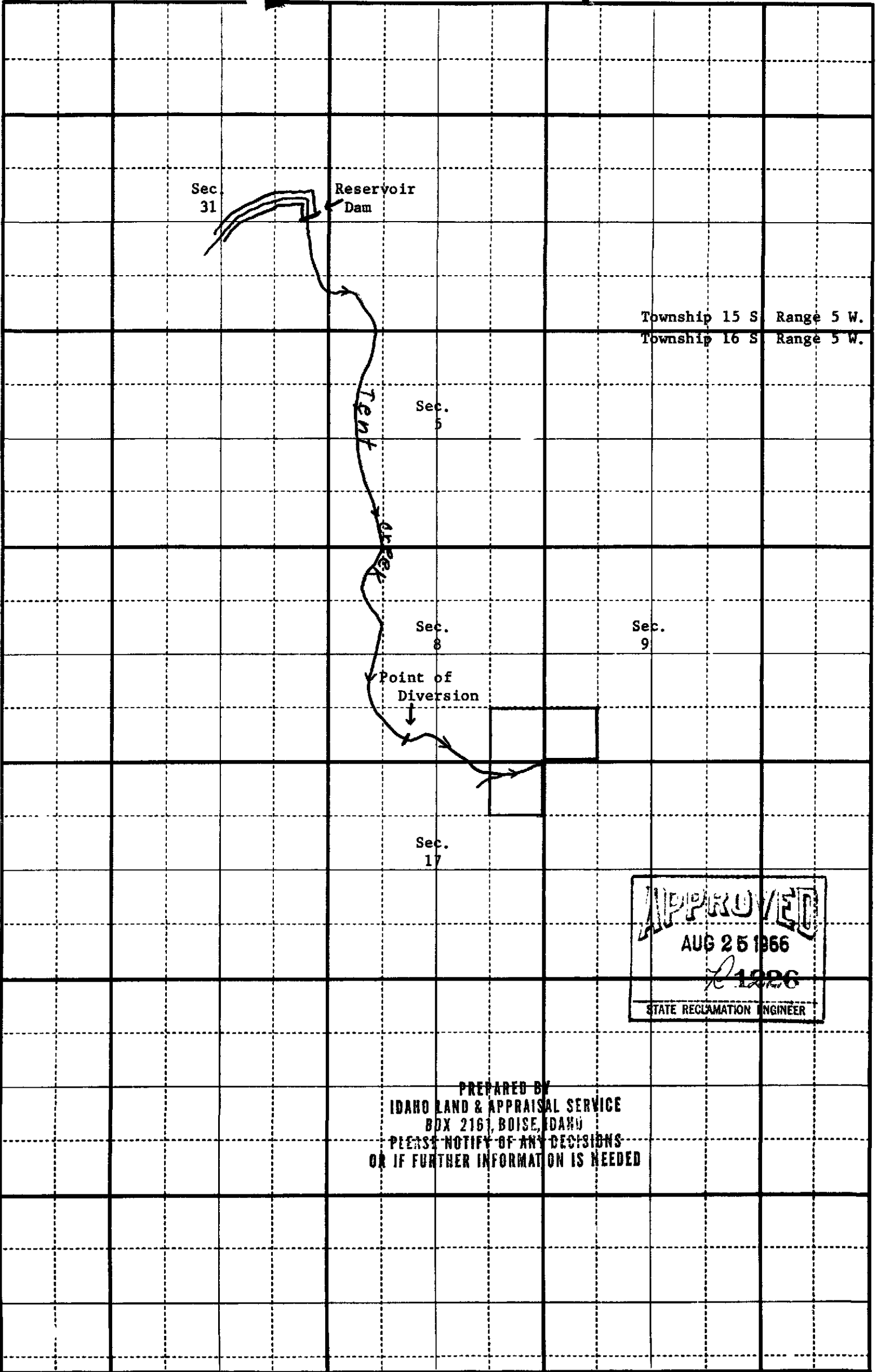
This is to certify that JOHN NOUQUE AND TOM PEDROLI of McDermitt, County of --, and State of Nevada, the holders of Permit No. R-1226, issued upon Application No. R-41313, bearing date of priority of August 18, 1966, authorizing the construction of a reservoir, with the right to appropriate and store 100 acre feet per annum of the waters of Tent Creek, a tributary of Little Owyhee River, in the County of Owyhee, State of Idaho, for irrigation purposes, have fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works set out and described in said Permit; that said works include a dam and reservoir adequate for the storage of 100 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 $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 17, T. 16 S, R. 5 W, B.M., 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 $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 8; SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 9; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 17, T. 16 S, R. 5 W, B.M.

Proof of Completion of Works Made: March 28, 1967.

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

s/ JACK A. BARNETT
Deputy State Reclamation Engineer

LICENSE ISSUED FOR 100th SEC. 143
LICENSE PAG. NO. 1



APPROVED
AUG 25 1966
R-1226
STATE RECLAMATION ENGINEER

PREPARED BY
IDAHO LAND & APPRAISAL SERVICE
BOX 2161, BOISE, IDAHO
PLEASE NOTIFY OF ANY DECISIONS
OR IF FURTHER INFORMATION IS NEEDED

(Form No. 2)

Address of person or persons to

ADAMS LAND & APPRAISAL SERVICE

PO BOX 2161 BOISE IDAHO

P. O.

PLS. NOTIFY BY REGISTERED MAIL

OR IF FURTHER INFORMATION IS NEEDED

APPLICATION FOR PERMIT

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

RECEIVED
AUG 18 1966
Department of Reclamation

Application No R 41313

Permit No R 1226

1. Name of Applicant John Nouque

Postoffice address McDermitt County Nevada

I. 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:

II. The financial resources of the corporation are.

(a) Cash on hand. \$

(b) Treasury Stock. \$

(c) Bonds to be issued. \$

(d) Other resources.

2. Quantity of water to be stored: 100 acre feet per annum

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

4. The outlet of the proposed reservoir is located 2,154' feet, distant from the NE
(bearing)
corner of Section 31, Township 15 S, Range 5 W, B. M., and is in the SE 1/4 of NE 1/4
of Section 31, Township 15 S, Range 5 W, B. M. County of Owyhee

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

(a) The reservoir is located in the channel of Tent (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.

6 (a) The area of the high water line of the reservoir is approx. 20 acres.

(b) The reservoir capacity is 100 acre feet.

7. Height of reservoir dam 10 feet, length at top 150 feet, length at bottom 10 feet, size of
15" pipeline
outlet feet by feet. The dam is to be constructed of materials as follows: earth, rock
and concrete with rock rip rap face

(If height of dam will exceed 10 feet or capacity of reservoir will exceed 100 acre 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 comingling
with natural flow of Tent (Creek) (River)? No

B.L.H.

R-1226

R. 1225

21. Existing rights and/or valid permits appurtenant to lands described in Sec 20 are 1 NONE

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

James L. ... Applicant

By _____ Agent

Affidavit of Permission to Store and Appropriate the Water of Springs

(Not to be used when spring is situated on lands owned by applicant)

I, _____ of _____, County of _____ State of _____, do hereby certify that I am the owner or lessee of the land on which the spring mentioned in the application of _____ is located, to-wit: _____ and that I do hereby grant unto the said _____ permission to file on the said spring as set forth in the foregoing application for permit to construct reservoir and store and appropriate the water from said spring

STATE OF IDAHO, }
County of _____ } ss.

On this _____ day of _____, 19____, before me, a Notary Public for the State of Idaho, residing at _____, personally appeared _____ known to me to be the person whose name _____ subscribed to the foregoing certificate, and acknowledged to me that he executed the same.

Witness my hand and seal, the day and year in this certificate first above written.

My commission expires _____

Notary Public.

R-1226

Approval of State Reclamation Engineer

1226

The number of this permit is R

Recorded in book R 5

page

1226

Approved

AUG 25 1966

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 limitation and conditions:

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

Work to begin on or before October 25, 1966 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 25, 1969

The whole of said work to be completed on or before August 25, 1971

Beneficial use of water stored in accordance herewith, to be made on or before August 25, 1977

Witness my hand this 25th day of August, 1966

R. Keith Higgins
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. CHYLIE, Governor of the State of Idaho,

and LUTIS C. LIPP, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho and caused the Great Seal of the State of Idaho to be hereunto affixed, this 25th day of August, 1966.

Countersigned:

By

Lutis C. Lipp
Secretary of State.

By

STATE OF IDAHO
Robert E. Chylie
Governor.

No. R

STORAGE PERMIT

Date of first receipt at office of State
Reclamation Engineer

August 13, 1966 2:00 P.M.

Returned to applicant for correction

Corrected application received

Fees, \$ 5.00 Paid.

FILING FEES FOR STORAGE PERMITS:

For the first 250 acre-feet \$5.00

For each additional 250 acre-feet or

fraction thereof \$0.25

FOR NORMAL FLOW PERMITS:

For the first Second foot \$5.00

For each additional Second foot or

fraction thereof \$0.25

R-1226

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION



Cecil D. Andrus
Governor
R. Keith Higginson
Director

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

August 16, 1973

Re: Permit No. R-1226/55-2209

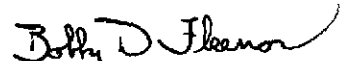
John Nouque & Tom Pedroli
McDermitt,
Nevada

Gentlemen:

Enclosed please find a copy of the Water License issued on the above referenced permit.

We are also enclosing Receipt #11518 for \$6.00 covering the licensing fee.

Sincerely,


BOBBY D. FLEENOR
Assistant Director

bjg

Enclosures

55 2209

August 9, 1973

John Nougue
Tom Pedroli
McDermitt, Nevada

Gentlemen:

A representative of this department has made an examination of the works covered by your Permit No. R-1226/55-2209 and has found the following:

Quantity of water stored: 100 acre feet

Amount of water that can be recognized as beneficially used under Idaho law; 100 acre feet

Beneficial use: Irrigation of 60 acres within the
SE1/4SE1/4 (10) Sec. 8; SW1/4SW1/4 (10) Sec. 9;
NE1/4NE1/4 (40) Sec. 17; Twp. 16 S, Rge. 5 W, B.M.

Point of diversion: NE1/4NE1/4 Sec. 17, Twp. 16 S,
Rge. 5 W, B. M.

The priority date established: August 18, 1966

A fee totaling \$6.00 must be received within 30 days from the date of this letter in order that we can issue a Water License as set forth in this letter.

If you do not concur with these findings, please advise us within the 30 day period.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF/bjg

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

Permit No. R-1226 / 55-2209

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

1. Name of applicant John Nouque and Tom Pedroli

2. Source of water supply: Tent Creek

3. Location of point of diversion: Is in the NE¹/₄ NE¹/₄ of Section 17

T. 16 S R. 5 W County of Owyhee

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

5. Water is used for: irrigation

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):

SE¹/₄ SE¹/₄, sec. 8; SW¹/₄ SW¹/₄, sec. 9; NE¹/₄ NE¹/₄, sec. 17, T. 16 S, R. 5 W, 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? Owyhee River

Remarks: Water is released from reservoir into Tent Creek.

Diversion dam in NE¹/₄ NE¹/₄ - 17, T. 16 S - R. 5 W. Stops all water in creek and floods over irrigated area. Land that is not flooded subs. And 2 large stacks of hay were on place. Diversion dam 6' wide 7' 6" deep. Outlet pipe from reservoir is 10" with 12" gate valve on downstream end. Dam is 18' high with an est. 40 Acre surface area. Storage is 100 AF. Spillway 35' wide, 3' deep. Ripraped but well to north needs work to stop erosion.

This examination was made on the 10-2 day of _____, 19 72

(Signed) Robert W Hamilton
Examiner.

DATE EXAMINATION RECORDS

 _____ by: _____

 _____ by: _____

 _____ by: _____

 _____ by: _____

*No photo. Available
 F.E. 4/11/77*

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.

55 2209

John Nouque and Tom Pedrol
 McDermitt, Nevada
 (prepared by Idaho Land & Appraisal)
 Permit No. R-1226 /55-2209

*pipe and valve out of
 reservoir, earth filled
 dam, 10' x 6'*

Examination for Beneficial Use *55*

County Owyhee

Quantity: *Sec. 17 T. 16S R. 5W*
 100 acre feet

Source: *55-*
 Tent Creek

P.D.: NE $\frac{1}{4}$ NE $\frac{1}{4}$, sec. 17, T. 16 S, R. 5 W, B.M.

Use: irrigation

Extension:

Protest:

Completion of Works: made: March 28, 1967

Other Rights: none

Filed: August 18, 1966

Due: b/u: August 25, 1977

Made: December 15, 1967

Priority: August 18, 1966

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. R-1226/55-2209

REPORT ON PROOF OF Beneficial Use

5W

Reservoir located in S. 31; T. 15S
R. 5W. See dam file D-55-2209

8

9

16S

Chuck with D.L. 14. 100 ft.



Diversion dam

17

SE¹SE¹-8 - 10A
SW¹SW¹-9 - 10A
NE¹NE¹-17 - 40A

60A

3 Subdivisions

Total acreage

Q measured 100 AF
Q recommended 100 AF
Volume 100 AF
Acreage *
Found 60A
recommended 60A
Subdiv. 3
Amendments
☒ None
☐ P.D.
☐ Place of use
☐

1st SEAS April 1 Nov 1

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. R-1226

* * * * *

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

DEPOSITION OF HOLDER

Ques. 1. State your name, residence occupation and postoffice address: Tom Pedroli,
McDermitt, Nevada, rancher

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

John Nouque and Tom Pedroli - individuals

Ques. 3. State number, approval date of permit, and date of priority: R-1226,
Approved August 25, 1966, priority August 18, 1966

Ques. 4. State source of water supply: Tent Creek
Give location of point of diversion, showing subdivision, section, township and range
T16S-R5W, B.M. Section 17, NE $\frac{1}{4}$ NE $\frac{1}{4}$

Ques. 5. Describe your works of diversion: pipe and valve out of reservoir, earth
filled dam, spreader dam 6' x 6'; state amount of water they are capable of conveying from point of diversion to place of use: 10 cfs; Give name of canal or ditch or other works by which water is conducted to such place of use: private works
; if a well, state depth of well -0-; depth and size of casing -0-; depth to water -0-; if pump is used, state discharge of pump: -0-; tell how it was measured or determined
; if sprinkler irrigation, give number and size of nozzles and operating pressure: flood

Ques. 6. State for what purpose water is used: irrigation
(If for irrigation, name each subdivision in which used and number of acres in each subdivision that have actually been irrigated with said water:

T 16 S- R 5 W, B.M., Sec. 8, SE $\frac{1}{4}$ SE $\frac{1}{4}$ - 10 ac.; Sec. 9, SW $\frac{1}{4}$ SW $\frac{1}{4}$ - 10 ac.; Section 17 -
NE $\frac{1}{4}$ NE $\frac{1}{4}$ - 40 ac.

R-1226

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

all improvements made are a direct result of said use

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: -0-

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

irrigation and stock water

Ques. 8: If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder:

Assigned from John Nouque to John Nouque and Tom Pedrol

Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used: April 1967 - Time used since first use:

Consecutively since that time. From my own knowledge I know this water has been used for the last 35 years, however, in the fall of 1966, we repaired and rebuilt the reservoir, that is the purpose for taking this proof and why the date of April, 1967 is being used.

Ques. 10. Describe all other water rights appurtenant to same place of use: It is my understanding there was an actual priority established under this to F. E. Gorham under license 2145 with a priority of 4/6/14. I would like to advise at this time that to my best knowledge, this water has been used continuously from that time and the present permit is only to firm up and show improvement on the present development, therefore, this priority should be maintained.

JOHN NOUQUE AND TOM PEDROLI

(sign)

Tom Pedrol
Tom Pedrol

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

/Ada/ Boise, County of Ada

State of Idaho, on this 15th day of December, A. D. 19 67.

My commission expires: 11/7/71 ~~XXXXXX~~

Handwritten signature

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. R-1226

* * * * *

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:

William E. Guier, 41, garage operator, McDermitt, Nevada

Ques. 2 Are you acquainted with Tom Pedrol, the holder of Permit No. R-1226? How long have you known him and where does he reside?

7 years and I know he lives just into Oregon with his address being McDermitt, Nevada

Ques. 3. Have you read or heard said Permit No. R-1226 read, and are you familiar with its provisions and conditions: Yes XXX No. _____

Ques. 4. State source of water supply: Tent Creek

Give location of place of diversion, showing subdivision, section, township and range
T16S-R5W, B.M., Section 17, NE $\frac{1}{4}$ NE $\frac{1}{4}$

Describe works for conveying water to place of use: pipe and valve from the reservoir

I believe that is a 14" pipe, earth filled dam, spreader dam 6' x 6' with a ditching system

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: 10 cfs How much water have you seen being so conveyed? about 6 or 8 cfs

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

T16S-R5W, B.M., Sec. 8, SE $\frac{1}{4}$ SE $\frac{1}{4}$ - 10 ac.; Sec. 9, SW $\frac{1}{4}$ SW $\frac{1}{4}$ - 10 ac.; Section 17 - NE $\frac{1}{4}$ NE $\frac{1}{4}$ -40 ac.

R-1226

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

irrigation and stock water

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.

Good rich, black soil and should have 1 inch per acre for profitable cultivation.

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned? If so, in what way and to what extent? no

Ques. 10. When did you first see this water used? June, 1963 - after it was repaired July, 1967
Other times you have seen such use: Several times since

(Signed):

William E. Guier
William E. Guier

* * * * *

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 _____

Boise, County of Ada, State of Idaho, on
this 15th day of December, A. D. 19 67

Harley Carter Somell
Notary Public for the State of Idaho
Residing Boise, Idaho

My commission expires XXXXXXX 11/7/71

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. R-1226

* * * * *

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:

Robert A. Woodworth, 52, Oravada, Nevada, land leveller and farmer

Ques. 2 Are you acquainted with Tom Pedrol, the holder of
Permit No. R-1226? How long have you known him and where does he reside?

4 years and I know he lives just into the edge of Oregon with his address being McDermitt,
Nevada

Ques. 3. Have you read or heard said Permit No. R-1226 read, and are you familiar
with its provisions and conditions: Yes XXX No. _____

Ques. 4. State source of water supply: Tent Creek

Give location of place of diversion, showing subdivision, section, township and range
T16S-R5W, B.M., Section 17, NE $\frac{1}{4}$ NE $\frac{1}{4}$

Describe works for conveying water to place of use: 14" pipe and valve from reservoir,
earth filled dam, spreader dam 6' x 6'

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

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

T16S-R5W, B.M., Sec. 8, SE $\frac{1}{4}$ SE $\frac{1}{4}$ - 10 ac.; Sec. 9, SW $\frac{1}{4}$ SW $\frac{1}{4}$ - 10 ac.; Section 17 - NE $\frac{1}{4}$ NE $\frac{1}{4}$ - 40 ac.

R-1226

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

irrigation and stock water

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.

Good soil, good farming land and would require 1 inch per acre for top profitable cultivation.

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned? If so, in what way and to what extent? no

Ques. 10. When did you first see this water used? September, 1966 before improved -
June, 1967 after dam was rebuilt
Other times you have seen such use: Several times since

(Signed):

Robert A. Woodworth
Robert A. Woodworth

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 _____

Boise, County of Ada, State of Idaho, on
this 15th day of December, A. D. 19 67

Hendry L. G. Samell
Notary Public for the State of Idaho
Residing Boise, Idaho

My commission expires 11/7/71

December 25, 1967

Re: Permit No. R-1226

John Nouque
Tom Pedroli
McDermitt, Nevada

Gentlemen:

We acknowledge receipt of the depositions and affidavit of publication in the
Owyhee Nugget submitted as proof of completion of works and beneficial use on Permit R-1226.

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

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:dj

R 1226

PROOF OF PUBLICATION

STATE OF IDAHO }
County of Owyhee } s.s.

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 week and every week for consecutive weeks, the first publication being on the day of, 196....., and the last publication being on the day of, 196.....;

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

[Signature]
PUBLISHER

Subscribed and sworn to before me this day of

196.....

[Signature]
NOTARY PUBLIC

My commission expires

(SEAL)

NOTICE OF PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

NOTICE IS HEREBY GIVEN THAT on the 15th day of December, 1967, at Boise, County of Ada, State of Idaho, before Harley M. McDowell, Notary Public at 224 Idaho Building, Boise, Idaho, proof will be submitted of the diversion of 100 acre feet of storage, of waters of Tent Creek, and of the application to Beneficial Use of said water, in accordance with the terms and conditions of Permit No. R-1228, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is John Nouque and Tom Pedroli, McDermitt, Nevada.

2. Said works of diversion of water for storage will be fully completed on the date set for such completion and the amount of water which said works are capable of conveying to the place of storage is 1.2 cubic feet per second.

3. Reservoir capacity is 100 acre feet.

4. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 100 acre feet.

5. The point of diversion of said waters for beneficial use is NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 17, T. 16 S., R. 5 W., B. M. and the amount which can be diverted is 1.2 cubic feet per second.

6. The place where said water is used is SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 8; SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 9; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 17, T. 16 S., R. 5 W., B. M.

7. The date of priority which said user is prepared to establish is August 18, 1968.

R. KEITH HIGGINSON,
State Reclamation Engineer
Published November 9, 16, 23,
and 30, 1967
The Owyhee Nugget
Marsing, Owyhee County, Idaho

P 10-26

IDAHO LAND & APPRAISAL SERVICE

HARLEY M. McDOWELL
E. J. McDOWELL
MGR. OWNERS

MERVIN J. CHRISTENSEN
(LICENSED SURVEYOR)

JOSEPH J. THACKABERRY

ROBERT W. SMITH

224 IDAHO BLDG.

BOISE, IDAHO 83701

P. O. Box 2161

PHONE 344-2547

December 21, 1967

ALL PROPERTY APPRAISALS

CUSTOM DRAFTING, MAPPING
LAND PURCHASES
OIL AND GAS LEASES

GRAZING MANAGEMENT

FEDERAL LAND APPLICATIONS
WATER FILINGS & PROOF
STATE LAND LEASES & ASSIGNS

Mr. R. Keith Higginson
State Reclamation Engineer
Idaho Department of Reclamation
Rm. 107 - State House
Boise, Idaho 83701

RE: Proof of Beneficial Use-Permit R-1226, Tom Pedroli and John Nouque

Dear Mr. Higginson:

Enclosed herewith are the depositions of Tom Pedroli and two witnesses on the above designated proof, taken December 15, 1967.

If you have any questions, please let us know.

Very truly yours,

IDAHO LAND & APPRAISAL SERVICE

Harley M. McDowell

lh

P.S. Also enclosed is the Affidavit of Publication of the above proof.

encl

November 7, 1967

Re: Permit No. R-1226
John Nouque and Tom Pedrol

Owyhee Nugget
Marsing, Idaho

Gentlemen:

Enclosed is a legal notice which we wish to have published for four consecutive weeks prior to December 15, 1967. The expense of the publication is to be paid by Idaho Land & Appraisal Service, P. O. Box 2161, Boise, Idaho 83701,

to whom you should furnish the affidavit of publication on or before the above date. Please acknowledge receipt of this notice by furnishing this office with a tear sheet for checking prior to the first publication.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:dj

Enc: Legal Notice

R-1226

**NOTICE OF PROOF
OF APPLICATION OF WATER
TO BENEFICIAL USE**

NOTICE IS HEREBY GIVEN THAT on the 13th day of December, 1967, at Boise, County of Ada, State of Idaho, before Harley M. McDowell, Notary Public at 224 Idaho Building, Boise, Idaho, proof will be submitted of the diversion of 100 acre feet of storage, of waters of Tent Creek, and of the application to Beneficial Use of said water, in accordance with the terms and conditions of Permit No. R-1226, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is John Nouque and Tom Pedroli, McDermitt, Nevada.

2. Said works of diversion of water for storage will be fully completed on the date set for such completion and the amount of water which said works are capable of conveying to the place of storage is 1.2 cubic feet per second.

3. Reservoir capacity is 100 acre feet.

4. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 100 acre feet.

5. The point of diversion of said waters for beneficial use is NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 17, T. 16 S., R. 5 W., B. M. and the amount which can be diverted is 1.2 cubic feet per second.

6. The place where said water is used is SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 8; SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 9; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 17, T. 16 S., R. 5 W., B. M.

7. The date of priority which said user is prepared to establish is August 18, 1966.

R. KEITH HIGGINSON,

State Reclamation Engineer
Published November 9, 16, 23,
and 30, 1967

The Owyhee Nugget & *Journal*
Marsing, Owyhee County, Idaho

NOTICE OF PROOF OF ~~COMPLETION OF WORKS~~
~~and~~
APPLICATION OF WATER TO BENEFICIAL USE

NOTICE IS HEREBY GIVEN THAT ON THE 15th day of December, 1967
at Boise, County of Ada, State of Idaho
before Harley M. McDowell, Notary Public at ~~(address)~~ 224 Idaho Building,
Boise, Idaho, proof will be submitted of ~~Completion of Works for~~ the
diversion of 100 acre feet of storage, of waters of Tent Creek
, and of the application to Beneficial Use of said water, in
accordance with the terms and conditions of Permit No. R-1226, heretofore
issued by the Department of Reclamation of the State of Idaho

1. The name and postoffice address of the person or corporation holding said
permit is John Nouque and Tom Pedrolu, McDermitt, Nevada.

2. Said works of diversion of water for storage will be fully completed on the
date set for such completion and the amount of water which said works are capable
of conveying to the place of storage is 1.2 cubic feet per second.

3. Reservoir capacity is 100 acre feet.

4. The use to which said water has been applied is irrigation
purposes, and the amount applied to beneficial use is 100 acre feet.

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

NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 17, T. 16 S, R. 5 W, B.M.

_____ and the amount which can be diverted is
1.2 cubic feet per second.

6. The place where said water is used is SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 8; SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 9;
NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 17, T. 16 S, R. 5 W, B.M.

7. The date of priority which said user is prepared to establish is August 18,
1966.

R. KEITH HIGGINSON

State Reclamation Engineer

R-1226

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

Notice is hereby given that at A.M. on the 15th day of December, 1967,
at 224 Idaho Building, Boise, County of Ada, State of Idaho, before
Harley M. McDowell, proof will be submitted of the
application to beneficial use of 1.2 cubic feet per second of the waters of
Tent Creek in accordance with the terms and conditions of
Permit No. R-1226 heretofore issued by the Department of Reclamation of the State of
Idaho.

The name and post office address of the person or corporation holding said permit
John Nouque and Tom Pedrol, McDermitt, Nevada

The use to which said water has been applied is irrigation

The amount applied to beneficial use is 60 inches

The point of diversion of said water is T16S-R5W, B.M., Section 17 - NE $\frac{1}{4}$ NE $\frac{1}{4}$

The place where said water is used (LEGAL DESCRIPTION) T16S-R5W, B.M.

Section 8, SE $\frac{1}{4}$ SE $\frac{1}{4}$; Section 9 - SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 17, NE $\frac{1}{4}$ NE $\frac{1}{4}$

The date of priority which said user is prepared to establish is August 18, 1966

State Reclamation Engineer

R-1226

NOV 7 1967
Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) October 24, 1967

(P. O.) P. O. Box 2161, Boise, Idaho 83701

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the

Owyhee Nugget

of Marsing, Idaho

published in

the county in which the works are situated. Please send statement of charges and Affidavit of Publication to Idaho Land & Appraisal Service, P.O. Box 2161, Boise, Idaho 83701.

JOHN NOUQUE AND TOM PEDROLI

BY: John Nouque

John Nouque

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

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

Engineer

R-1226

November 7, 1967

Re: Permit No. R-1226
John Nouque and Tom Pedrol

Idaho Land & Appraisal Service
P. O. Box 2161
Boise, Idaho

Gentlemen:

This acknowledges receipt of the notice of intent to make proof of ~~completion~~
~~of work~~ and application of water to beneficial use for permit R-1226.

We have mailed the notice to the Owyhee Nugget
to be published once a week for four consecutive weeks prior to December 15,
1967, which is the hearing date when the permit holder
John Nouque and Tom Pedrol
and two disinterested witnesses must appear before Earley McCall
, notary public, to complete the enclosed
depositions. The witnesses must be familiar with the works and permit.

After the hearing, the depositions and an affidavit of publication must be sub-
mitted to this office. The affidavit may be obtained from the newspaper when the
advertising bill is paid by Idaho Land & Appraisal Service
. Be sure all the forms have the notary's
seal and are signed.

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

Very truly yours,

Donald W. McElDowney
Water Rights Clerk

DWN:dj

Enc: Depositions

cc: Applicant

R-1226

April 17, 1967

Re: Permit No. R-1226

Mr. John Nouque
Mr. Tom Pedrol
McDermitt, Nevada

Gentlemen:

Enclosed is your Certificate of Completion of Works on the above numbered permit.

Until we can be of further service to you regarding this permit, we remain,

Yours very truly,

Donald W. McElowney
Water Rights Clerk

DWM:dj

Enclosure: Certificate

R-1226

PERMIT NO. R.....1226.....

Certificate of Completion of Works

no

To All Whom It May Concern:

This is to certify that John Nouque and Tom Pedrol
of McDermitt, County of -- and State of
Nevada, the holders of Permit No. R-1226, issued upon
Application No. R-41313, bearing date of priority of August 18, 1966,
authorizing the construction of a reservoir, with the right to appropriate and store 100
acre feet per annum of the waters of Tent Creek,
a tributary of Little Owyhee River, in the County of Owyhee,
State of Idaho, for irrigation purposes,
~~has~~ ^{have} fully complied with the provisions of the laws of the State of Idaho relating to the proof
of completion of the works set out and described in said Permit; that said works include a
dam and reservoir adequate for the storage of 100 acre feet of water per
annum, with adequate diversion works and conduit to the reservoir, and a conduit capable
of conducting said water to the place of intended use; that the point of outlet of said res-
ervoir is located in the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 17, Township
16 S, Range 5 W, B.M., 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 $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 8,
SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 9, NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 17, T. 16 S, R. 5 W, B.M.

Proof of Completion of Works Made: March 28th, 1967.

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


Deputy State Reclamation Engineer

R-1226

IDAHO LAND & APPRAISAL SERVICE

HARLEY M. MCDOWELL
E. J. MCDOWELL
MGR, OWNERS

MERVIN J. CHRISTENSEN
(LICENSED SURVEYOR)

JOSEPH J. THACKABERRY

ROBERT W. SMITH

224 IDAHO BLDG.

BOISE, IDAHO 83701

P O Box 2161

PHONE 344-2547

ALL PROPERTY APPRAISALS

CUSTOM DRAFTING, MAPPING
LAND PURCHASES
OIL AND GAS LEASES

GRAZING MANAGEMENT

FEDERAL LAND APPLICATIONS
WATER FILINGS & PROOF
STATE LAND LEASES & ASSIGNS

April 10, 1967

RECEIVED
APR 11 1967

Department of Reclamation

Mr. Donald W. McEldowney
Water Rights Clerk
Department of Reclamation
107 State House
Boise, Idaho 83701

Dear Mr. McEldowney:

RE: Permit No. R-1226

Tom Pedroli & John Nouque

Enclosed herewith is a notarized statement setting out the reason for the incorrect location of the point of diversion on Proof of Completion of Works for the above named permit.

If you need further clarification of this matter, please let me know and I will be glad to comply with whatever you deem necessary to right the situation.

Very truly yours,

IDAHO LAND & APPRAISAL SERVICE

Laura J. Henderson
Laura J. Henderson,
Secretary to Mr. McDowell

LH

encl

NEVADA

UTAH

R-1226 OK Per RKH

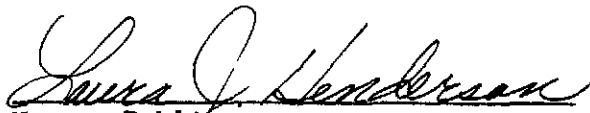
RECEIVED
APR 11 1967

Department of Reclamation

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

I do hereby certify that the point of diversion as originally listed on the Proof of Completion of Works for permit R-1226 in the name of Tom Pedroli and John Nouque was incorrect in that it was the description of the location of the reservoir.

Further, that it has now been corrected to read T 16 S - R 5 W, B.M., Section 17, NE $\frac{1}{4}$ NE $\frac{1}{4}$, which is the true and correct location of the point of diversion from Tent Creek.


Notary Public

My commission expires 8/12/70

R-1226

RECEIVED
APR 3 1967

APR 3 1967

Department of Reclamation

RECEIVED
APR 11 1967

APR 11 1967

Proof of Completion of Works

Department of Reclamation

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Ada

SS.

Tom Pedrolí and John Nouque, 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-1226, and that his postoffice address is Box 93, McDermitt, Nevada State of Nevada.

Second: That the name of the stream from which said water is to be diverted is _____

Tent Creek

Third: That the point of diversion of said water is T16S-R5W, B.M., Section 17 - NE $\frac{1}{2}$ NE $\frac{1}{2}$

[illegible]

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by August 25, 1971.

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

Sixth: That on the date above mentioned, the works constructed under said permit were (or were not) fully completed and consisted of the following:

I. Kind of Works: reservoir, earth filled dam, outlet works

(RESERVOIR, DAM, DITCH, FLUME, PIPE OR OTHERWISE)

II. Dimensions of work:

(a) Height of dam 10 feet, length of dam at top 190 feet, length of dam at bottom 162 feet. Material used in construction Earth clay fill with rock riprap

(STATE WHETHER WOOD, EARTH STONE OR CONCRETE)

(b) Capacity of reservoir 100 acre feet.
pipe: 10" cmp with 12" gate valve

(c) Size of ~~headgate~~ ^{headgate}: Width _____ feet, height _____ feet.

(d) Conduit ~~Tent Creek~~^{channel} width at bottom 10 feet, width at water line 10

(STATE WHETHER DITCH, FLUME OR PIPE)

feet, depth of water 8" feet; diameter of pipe _____ inches, average grade per mile is _____ feet. Length of conduit is 2.6 miles.

Seventh: That said works are capable of conducting to the place of intended use. 10 second feet of water.

Eighth: That water appropriated under said permit is available for 60 acres of land described as follows: T16S-R5W, B.M. Sec. 8, SE $\frac{1}{4}$ SE $\frac{1}{4}$ - 10 ac.; Sec. 9, SW $\frac{1}{4}$ SW $\frac{1}{4}$ - 10 ac., Section 17 - NE $\frac{1}{4}$ NE $\frac{1}{4}$ - 40 ac.

Ninth: Remarks:—That after the water reaches the land in the creek channel it is
diverted by a spreader dam being 6.6' high, 12' wide at the top, 30' in length.

John Nouque

Tom Pedrolis

(SIGN HERE)

Subscribed and sworn to before me this 28th day of March, 19 67

NOTARY PUBLIC

My commission expires 8/12/70

R-1226

R-1226

INTER-DEPARTMENT MEMO—1

FROM

DATE 4-12-67

TO

SUBJECT

Proof of Completion of Works states this dam is
10 feet in height and impounds 100 acre feet. However,
we have not received plans, specifications and drawings.


SIGNATURE

R-1226

April 6, 1967

Re: Permit No. R-1226
Tom Pedroli & John Nouque

Idaho Land & Appraisal
P.O. Box 2161
Boise, Idaho 83701

Gentlemen:

Returned herewith is the affidavit of holder for proof of completion of works for the above referenced permit. It is noted ~~the~~ point of diversion has been listed as the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 31, T. 15 S, R. 5 W, B.M. whereas, the permit now reads the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 17, T. 16 S, R. 5 W, B.M. as per amendment of September 16, 1966.

Your clarification of this matter will be appreciated.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:nw

Enclosure: C/W Affidavit

R-1226

Permit No. R-1226STATE OF IDAHO
Department of ReclamationRECEIVED
APR 3 1967

Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Ada

ss.

Tom Pedrolì and John Nouque, 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-1226, and that his postoffice address is Box 92, McDermitt, Nevada State of NevadaSecond: That the name of the stream from which said water is to be diverted is Tent CreekThird: That the point of diversion of said water is N 62° 26' , 386' from west corner of Section 31, in the SE¼NE¼, Section 31, T15S - R5W, B.M.Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by August 25, 1971.Fifth: That the use for which said water is intended is irrigation

Sixth: That on the date above mentioned, the works constructed under said permit were (or were not) fully completed and consisted of the following:

I. Kind of Works: reservoir, earth filled dam, outlet works

(RESERVOIR, DAM, DITCH, FLUME, PIPE OR OTHERWISE)

II. Dimensions of work:

(a) Height of dam 10 feet, length of dam at top 190 feet, length of dam at bottom 162 feet. Material used in construction Earth clay fill with rock riprap

(STATE WHETHER WOOD, EARTH STONE OR CONCRETE)

(b) Capacity of reservoir 100 acre feet.
pipe: 10" c/p with 12" gate valve(c) Size of headgate: Width channel feet, height channel feet.(d) Conduit Tent Creek width at bottom 10 feet, width at water line 10 feet, depth of water 8" feet; diameter of pipe 8" inches, average grade per mile is 2.6 feet. Length of conduit is 2.6 miles.

(STATE WHETHER DITCH, FLUME OR PIPE)

Seventh: That said works are capable of conducting to the place of intended use 10 second feet of water.Eighth: That water appropriated under said permit is available for 60 acres of land described as follows: T16S-R5W, B.M. Sec. 8, SE¼SE¼ - 10 ac.; Sec. 9, SW¼SW¼ - 10 ac., Section 17 - NE¼NE¼ - 40 ac.Ninth: Remarks: That after the water reaches the land in the creek channel it is diverted by a spreader dam being 6.6' high, 12' wide at the top, 30' in length.

John Nouque

Tom Pedrolì

(SIGN HERE)

Subscribed and sworn to before me this 28th day of March, 19 67

NOTARY PUBLIC

My commission expires 8/12/70

R-1226

4-5-67

c/w Proof returned as pd is
wrong.

Also noted The Dam is 10' high
and no plans, specifications nor
drawings were submitted

- Not needed as per D.W. to R.K.H. 4-5-67
Done

R-1226

September 27, 1966

RE: Permit G-33156 - John Matthews of Declo, Idaho
R-1226 - John Nouque' of McDermitt, Nevada

Idaho Land and Appraisal Service
P.O. Box 2161
Boise, Idaho 83701

Gentlemen:

Enclosed is the point of diversion amendment to Permit G-33156 which has been recorded under the same. Also enclosed are amendment to point of diversion and assignment on Permit R-1226, which have been recorded in this office.

Departmental receipt No. 33420 in the amount of \$2.50 was given to you at the time you were in our office. This amount covers the recording fee.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:ejw

Encl: Amendments (2)
Assignment

R 1226

RECEIVED
SEP 16 1966

Department of Reclamation

Application for Amendment

POINT OF DIVERSION

Permit No. R-1226

PREPARED BY
IDAHO LAND & WATER SALVAGE
DIVISION
PLEASE ADVISE OF ANY DECISIONS
OR IF FURTHER INFORMATION IS NEEDED

7-3443-1-2

Comes now John Nouque and Tom Pedrolì and represents s to the State Reclamation Engineer of the State of Idaho:

That they ~~xx~~ (are) the owners and holders of Permit to Appropriate the Public Waters of the State of Idaho, No. R-1226.

That the point of diversion is described in said Permit as being located:

N 800 feet from the S quarter corner of Sec. 8, Township 16 South - Range 5 West, B.M. and in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8.

That he ~~y~~ now requests that the point of diversion be changed to a point located: Township 16 South - Range 5 West, B.M. - Section 17 - NE $\frac{1}{4}$ NE $\frac{1}{4}$

That the reason for desiring to make such change is as follows:

Incorrectly located on the original permit.

That no one will be injured by such change, and that such change will be made at Permit Holder's own risk.

Signed at Boise, Idaho, this 16th day of September 1966

John Nouque
Tom Pedrolì

Date of Receipt at Department Of Reclamation: Sept. 16, 1966

APPROVAL OF STATE RECLAMATION ENGINEER

R. Keith Higgins

I, ~~GEORGE W. CARTER~~, State Reclamation Engineer of the State of Idaho, HEREBY APPROVE the above and foregoing application for amendment to Permit to Appropriate the Public Waters of the State of Idaho, No. R-1226. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

Recorded in Book 5 of
Permits, at Page R-1226

September 27, 1966, 1966

R. Keith Higgins
State Reclamation Engineer

R-1226

Rev. No. 33420 given #50

21236
RECEIVED
SEP 18 1966

Department of Reclamation

PREPARED BY
IDAHO LAND & APPRAISAL SERVICE
BOX 2161, BOISE, IDAHO
PLEASE NOTIFY OF ANY DECISIONS
OR IF FURTHER INFORMATION IS NEEDED

A S S I G N M E N T

For value received, I hereby assign all of my right, title and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. R 1226 to Tom Pedroli and John Nouque of McDermitt, Nevada

*

x John Nouque
Permit Holder

SINGLE MAN
Wife of Permit Holder

STATE OF IDAHO)
 : ss
County of Ada)

On this 15th day of September, 1966, before me, a Notary Public for the State of Idaho, residing at Boise, Idaho personally appeared John Nouque, a single man, known to me to be the person whose name is subscribed to the within instrument and duly acknowledged to me that he 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.

Sharon Desain
Notary Public
Residing at Boise, Idaho

My commission expires: 9/28/68

* If fractional part of permit is to be assigned, the fractional part of the land to which the assigned fraction is appurtenant should be described by legal subdivisions

R-1226

ROBERT E. SMYLIE
Governor

Official Copy



CARL E. TAPPAN
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

September 12, 1966

Re: Permit No. F-1226

John Nauque

Idaho Land and Appraisal Service
P.O. Box 2161
Boise, Idaho 83701

Gentlemen:

We enclose Permit No. F-1226 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. S-35302 which was issued covering payment in the amount of \$ 5.00 for the filing fee of the above mentioned permit.

Very truly yours,

Enc. permit
receipt

M. RUSSELL BOSCH
Office Manager

MRB:ejw

R-1226