

RECEIVED

FEB 13 1969

NOTICE OF APPROVED APPLICATION FOR WATER

Notice is hereby given that Petan Company-VP Ranches, Tuscarora, Nevada, has received an approved permit No. R-1178 to store 6 acre feet of water from spring runoff from intermittent stream. The priority to be established under this permit is February 17, 1964. Water will be diverted by dam within the NW $\frac{1}{4}$ -NE $\frac{1}{4}$, NE $\frac{1}{4}$ -NE $\frac{1}{4}$, Sec. 2; NW $\frac{1}{4}$ -NW $\frac{1}{4}$, NE $\frac{1}{4}$ -NW $\frac{1}{4}$, Sec. 7, T. 16 S., R. 1 W., B. M.; NW $\frac{1}{4}$ -NW $\frac{1}{4}$, Sec. 19, T. 16 S., R. 1 E., B. M., Owyhee County, and is to be used for stockwater in the NW $\frac{1}{4}$ -NE $\frac{1}{4}$, NE $\frac{1}{4}$ -NE $\frac{1}{4}$, Sec. 2; NW $\frac{1}{4}$ -NW $\frac{1}{4}$, NE $\frac{1}{4}$ -NW $\frac{1}{4}$, Sec. 7, T. 16 S., R. 1 W., B. M.; NW $\frac{1}{4}$ -NW $\frac{1}{4}$, Sec. 19, T. 16 S., R. 1 E., B. M.

Any protests against the intent of the permit must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer
Published in the Owyhee Chronicle, Homedale, Idaho, on January 23, and January 30, 1969.

AFFIDAVIT OF PUBLICATION

Department of Reclamation

STATE OF IDAHO)
COUNTY OF OWYHEE) ss.

I, Everett A. Colley, being first duly sworn, depose and say:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was and now am over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned.

2. That during the time of the publication of the notice herein after mentioned, I was and now am the printer or publisher of THE OWYHEE CHRONICLE, a newspaper of general circulation printed and published weekly, on Thursday of each and every week, in the City of Homedale and County of Owyhee and State of Idaho.

3. That the said THE OWYHEE CHRONICLE has been printed and published continuously and uninterruptedly in said County during a period of seventy-eight weeks prior to the first publication of the attached notice.

4. That said notice

NOTICE OF APPROVED APPLICATION FOR WATER

of which a printed copy, taken from said newspaper, is hereto annexed, was published in the regular issue thereof, and not in a supplement

thereto, in said newspaper, in two (consecutive) calendar weekly issue(s) of said newspaper, on the following date(s):

Jan. 23, 1969

Jan. 30, 1969

(Signed) Everett A. Colley

Subscribed and sworn to before me this 30th day of Jan. A. D., 1969.

Evelyn S. Colley
Notary Public in and for the State of Idaho.

residing at Homedale, Idaho.

My commission expires 2-6, 1972.

P-1148

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. R-1178/55-2205 Priority Feb. 17, 1964 Amount 6 acrefeet

THIS IS TO CERTIFY, that PETAN COMPANY OF NEVADA, INC.
of Tuscarora, Nevada, has complied with the terms and conditions of Permit
No. R-1178/55-2205 issued pursuant to Application for Permit dated February 17, 1964,
and has submitted proof to the Department of Water Resources on January 16, 1974,
that he has applied water to a beneficial use, an examination by the Department indicates that the works have a
capacity for the storage of 23.1 acre feet of water from unnamed intermittent stream,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Stockwater	from <u>Jan. 1</u> to <u>Dec. 31</u> at <u>-</u> cfs and <u>6 acre feet</u>		
	from _____ to _____ at _____ cfs and _____		
	from _____ to _____ at _____ cfs and _____		

(both dates inclusive)

Subject, however, to the condition that no more than 6 acrefeet of water be stored at any one time, and
that the amount of water so stored 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
6 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 1; NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 2;

Lots 1 & 2, Sec. 7; Twp. 16S, Rge. 1W, B.M. in the County of Owyhee
-and- Lot 10, Sec. 19, Twp. 16S, Rge. 1E, B.M.

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	1 W	1					X												
		2	X																
		7					L. 1 X	L. 2 X											
16 S	1 E	19					L. 10 X												

Total number of acres irrigated _____

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 22 day of
January, 19 76.

Director

State of Idaho

Department of Water Administration

ASSIGNMENT OF PERMIT

C. H. Jackson, Jr. and Ann G. Jackson, his wife, a co-partnership
I, d/b/a Petan Company, hereby assign to Petan Company of Nevada,
of Tuscarora, Nevada 89834 Inc.

Address

CHECK ONE

- ☒ All my right, title, and interest, in and to Permit No. 55-2205
to appropriate the public waters of the State of Idaho.
- ☐ The following described portion of my right, title, and interest in and
to Permit No. _____ to appropriate the public waters of the State
of Idaho. (Describe that portion of the permit being assigned by list-
ing the acreage within each 40-acre subdivision, the point of diversion
and the amount of water in cubic feet per second for direct diversion,
or acre feet for storage.)

Made this 7 day of January, 1974.
C. H. Jackson, Jr. and Ann G. Jackson, his wife, a co-partnership
d/b/a Petan Company

by

C. H. Jackson, Jr.
Permit Holder
C. H. Jackson, Jr.

by

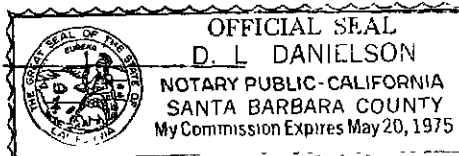
Ann G. Jackson
Spouse of Permit Holder
Ann G. Jackson

State of California)
County of Santa Barbara) ss.

On this 7th day of January, 1974, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged
to me that he (she) (they) executed the same.

D. L. Danielson
Notary Public residing at

My commission expires:



55 2205

MM, 22 1969

Department of Reclamation

Comes now John Dewar, Manager, Petan Co.-YP Ranches of (address) _____

That ~~he~~^{Petco Company} is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho

1 Point of diversion: Lot 10 (NW 1/4 NW 1/4) Sec. 19, T. 16 S

Lot 1 (NW $\frac{1}{4}$ NW $\frac{1}{4}$), Lot 2 (SW $\frac{1}{4}$ NW $\frac{1}{4}$), Sec. 7, T16S-R1W

mo. - day mo. - day

For _____ purposes from _____ to _____ (both dates incl.)

For _____ purposes from _____ to _____ (both dates incl.)

For _____ purposes from _____ to _____ (both dates incl)

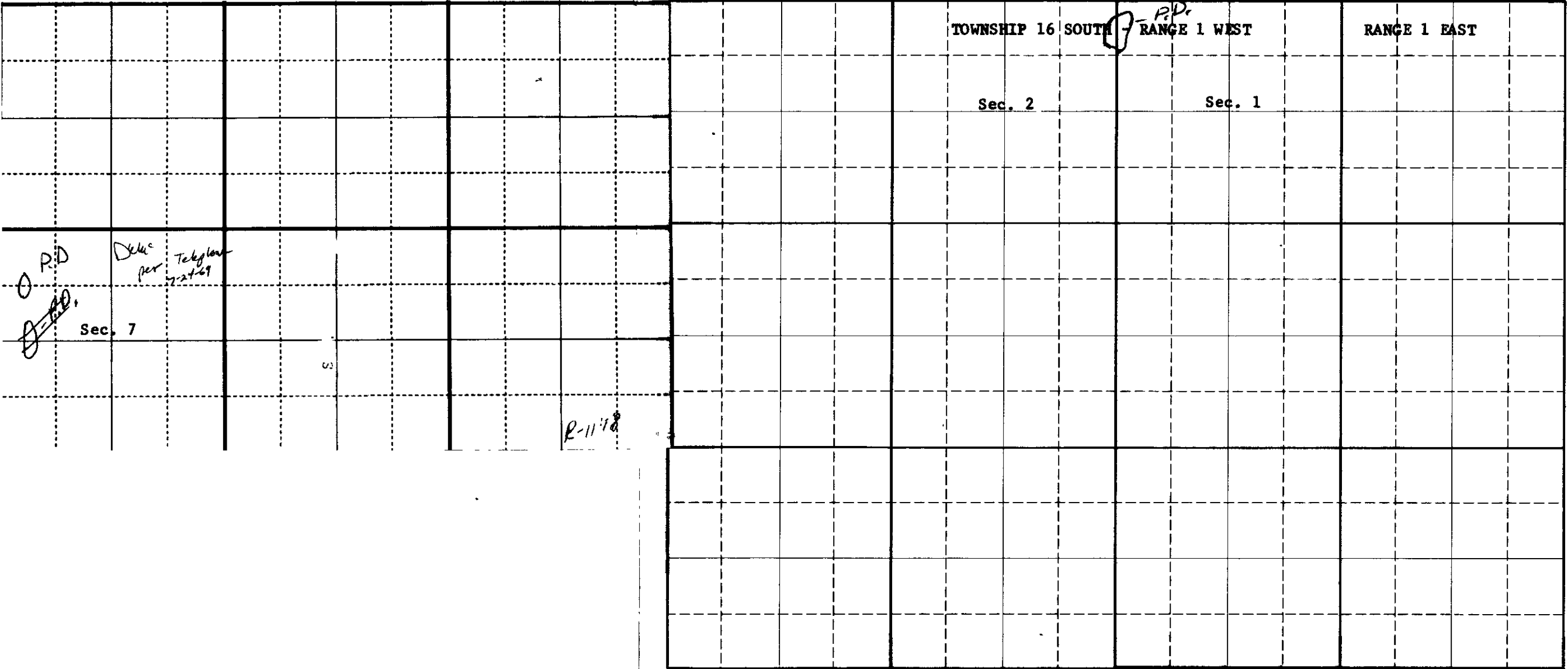
[illegible]

Q-11 '78

[illegible]

R-1178

Complete the following map by showing land and point of diversion as proposed by this amendment Show 40 acre subdivisions, sections, townships, ranges, and ditches



Scale: 2 inches equal 1 mile

That no one will be injured by such change, and risk.

Signed at Petan Co.-YP Ranch,
Tuscarora, Nevada

ACTION OF STATE RECLAMATION ENGINEER

I, R. KEITH HIGGINSON, State Reclamation Engineer of the State of Idaho,
hereby approve the above application for amendment for permit no. R-1178.

LICENSE ISSUED FOR 6 SEC. FL.
 LICENSE PAGE NO. 55-2205

APPLICATION FOR PERMIT

ASSIGNED TO: PETAN CO. OF NEVADA, INC.
 Tuscarora, Nevada 89834

To Construct a Reservoir and Appropriate and Store
 The Public Waters of the State of Idaho
 Application No. R 39848
 Permit No. R 1178

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

1. Name of Applicant: Petan Co.- YP Ranches

Post office address: Tuscarora

County Humboldt

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: 6 acre feet per annum.

3. Source of water supply is spring runoff from unnamed intermittent stream (Creek) (River), a tributary of River.

4. The outlet of the proposed reservoir is located T16S., R1E., feet, distant from the corner of Section , Township , Range , B.M. and is in the NW $\frac{1}{4}$ of Sec. 19, (bearing) NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 2; NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 7, Range 1 W., B.M. County of Owyhee

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

(a) The reservoir is located in the channel of unnamed intermittent stream (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 (bearing) $\frac{1}{4}$ of $\frac{1}{4}$ 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 See attached acres.

(b) The reservoir capacity is See attached acre feet.

7. Height of reservoir dam See attached feet, length at top feet, length at bottom feet, size of outlet feet

by 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.)

8. (a) Will water stored in reservoir be diverted to canal or aqueduct, thence to land to be irrigated without commingling with natural flow of

(Creek) (River)? Not diverted

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

of miles to point of diversion located (bearing) feet, distant from the corner of Section

Township , Range , B.M., and in the $\frac{1}{4}$ of $\frac{1}{4}$ of Section Township , Range

, B.M.

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

(b) Estimated maximum flow of stream 1 cubic feet per second.

10. Water is to be used for livestock watering 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

(bearing) , B.M., and is in the $\frac{1}{4}$ of $\frac{1}{4}$ 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 (bearing) , B.M. in

the $\frac{1}{4}$ of $\frac{1}{4}$ 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:

(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 feet, Height feet.
16. Diversion Canal: Width at bottom feet, width at water line feet, depth of water feet, Dimensions of Flume feet.
- Diameter of Pipe inches; Length of Conduit miles. Average grade per mile feet.
17. Estimated Cost of Works: Storage Works: \$ See attached Diversion Works: \$
18. Time required for completion of work 5 years.
19. Time required for complete application of water to proposed beneficial use is 5 years.
20. The land to be irrigated is described in the following tabulation:

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

Twp.	Range	Sec.	NE $\frac{1}{4}$				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 $\frac{1}{4}$	
			SEE: amendment in folder																

Total Number of Acres to Be Irrigated

21. Existing rights and/or valid permits appurtenant to lands described above are

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.

Petan Co.-Y^P Ranches Applicant.

By s/ Harley M. McDowell Agent.

Date of first receipt at Department of Reclamation: 8:00 A.M. February 17, 1964

Returned to applicant for correction:

Corrected application received:

APPROVAL OF STATE RECLAMATION ENGINEER

The number of this permit is R 1178

Recorded in book R 5 , page 1178 . Approved February 18, 1964

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 April 18, 1964 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 August 18, 1966

The whole of said work to be completed on or before February 18, 1969

Beneficial use of water stored in accordance herewith, to be made on or before February 18, 1974

Witness my hand this 18th day of February , 1964.

s/ CARL E. TAPPAN State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLLIE Governor of the State of Idaho, and ARNOLD WILLIAMS ,

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 18th day of February , 1964

COUNTERSIGNED

STATE OF IDAHO

By s/ ARNOLD WILLIAMS Secretary of State.

By s/ ROBERT E. SMYLLIE Governor.

(SEAL)



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Kerth Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

January 23, 1976

Re: Permit Nos: 55-7003
55-7004

R-1177/55-2204
R-1178/55-2205
R-1179/55-2206
R-1181/55-2207

Petan Company of Nevada, Inc.
Tuscarora,
Nevada 89834

Gentlemen:

Enclosed herewith are copies of your water licenses issued on the above referenced permits.

Sincerely,

D. DARLENE REICH
Water Rights Supervisor

DDR:rb

Enc.

DEPARTMENT OF WATER ADMINISTRATION

FIELD REPORT

1. Name of permit holder Petan Company of Nevada, Inc.
- Post office address Tuscarora, Nevada 89834 Phone _____
- Person to contact _____ Phone _____
2. Source of water supply: Groundwater ☐ Surface water ☒ spring run-off from intermittent unnamed
(name spring, stream, etc.) stream
- Tributary to _____

3. Water will be used for the following purposes:

Amount _____ c.f.s. for stockwater
6 AF/Annum (nature of use)

Period of Use: from Jan. 1 to Dec. 31
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
_____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
_____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

Permit No. R-1178/55-2205
Examination for b/u

4. Total amount to be appropriated:

Max Rate of Diversion _____ cubic feet per second and annual volume 6 AF/Annum.

5. Location of Point(s) of Diversion:

(Lot 10)

#1 Township 16S N/S, Range 1E E/W, B.M., Section 19, Subdivision NW 1/4 NW 1/4, Owyhee County

#2 Township 16S N/S, Range 1W E/W, B.M., Section 1, Subdivision NW 1/4 NW 1/4, Owyhee County

#3 Township 16S N/S, Range 1W E/W, B.M., Section 2, Subdivision NE 1/4 NE 1/4, Owyhee County

Other Points of Diversions: Lot #1(NW1/4NW1/4), Lot #2(SW1/4NW1/4), Sec. 7, Twp. 16S, Rge. 1W.

Description of diverting works: Dams & reservoirs - SEE ATTACHED DESCRIPTIONS.

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use.

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
16S	1E	19						L. 10											
								X											
16S	1W	1						X											
		2	X																
		7						L. #1	L. #2										
								X	X										

TOTAL ACREAGE _____

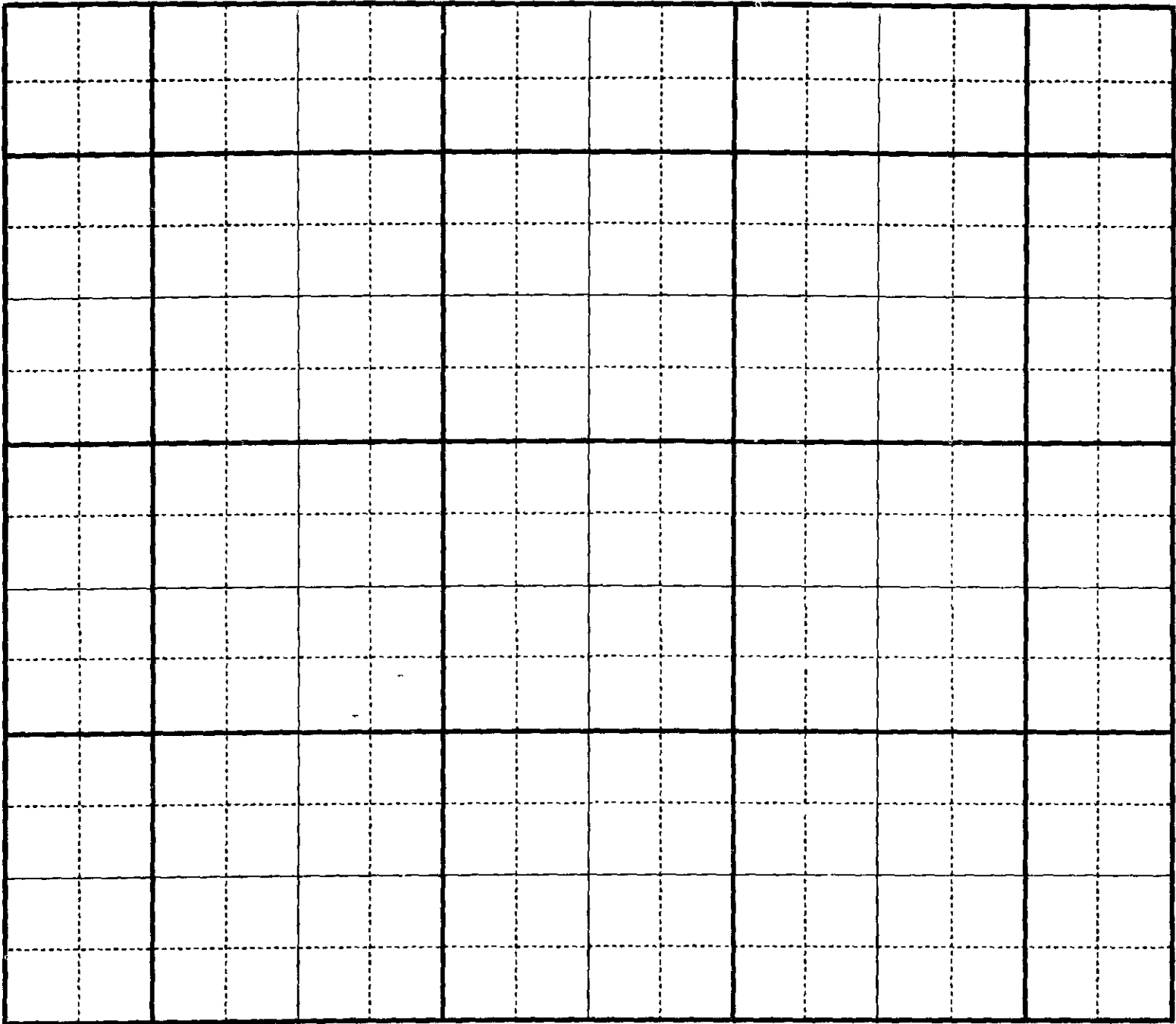


Diagram of System

ATTACHED SHEET

Department of Water Administration

OKED
(1)Location of Point of Diversion: Lot 10 (NW $\frac{1}{4}$ NW $\frac{1}{4}$), Sec. 19,
Twp. 16 South, Range 1 East.Capacity of Reservoir: 2.6 acre feet.✓

Area of High Water Line: 1.0 acres.✓

Description of Dam: Top length - 950 ft.; spillway -
40 ft.; top width - 35 ft.;
back slope - 4 ft. Slope 3-1;
Face - 5 ft. Slope 3-1; Freeboard -
2.5 ft.

Backwater: 300 feet.

Cost of Reservoir: \$1,500.

OKED
(2)Location of Point of Diversion: NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 1, NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 2,
Twp. 16 South, Range 1 West.✓Capacity of Reservoir: 11.5 acre feet.✓

Area of High Water Line: 5.8 acres.

Description of Dam: Top length - 600 ft.; spillway -
30 ft.; top width - 25 ft.;
Back slope - 10 ft. slope 3-1;
Face - 10 ft. slope 3-1;
Freeboard - 4 ft.

Backwater: 850 feet.

Cost of Reservoir: \$4,000.

OKED
(3)Location of Point of Diversion: Lot 1 (NW $\frac{1}{4}$ NW $\frac{1}{4}$) ✓ Lot 2 (SW $\frac{1}{4}$ NW $\frac{1}{4}$) ✓
Section 7, Twp. 16 South, Range
1 West.✓Capacity of Reservoir: 9.0 acre feet.✓

Area of High Water Line: 1.8 acres.

Description of Dam: Top length - 390 ft.; spillway -
25 ft.; top width - 25 ft.;
back slope - 16 ft. slope 3-1;
Face - 16 ft. slope 4-1;
freeboard - 4 ft.

Backwater: 400 feet.

Cost of Reservoir: \$4,500.

DATE OF EXAM 19 Aug 1975

ACREAGE
Found _____
Recommended _____

Irrigation Requirement _____ Ac Ft/Ac

USE
Irrigation Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____
Domestic Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____
Livestock Q= _____ c.f.s. V= 6.0 AF/Ann. from 1-1 to 12-31

Is water co-mingled? yes _____ no ☒

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Exchange? yes _____ no ☒

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of injection: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of exchange: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Total Q measured _____ N/A Method of measurement Red Cap, -estimated

Total Q recommended N/A Meter No. _____ Type _____ Condition _____

Total V recommended 6.0 AF

Recommended Amendments:

P.D. _____
Place of Use _____
Other Amount of water should be 25%
None ☒ see attached sheet

MEASUREMENT CALCULATION:

see attached sheet
2.6 + 11.5 + 9 = 23.1 AF
6.0 AF on permit controls.

SYSTEM DESCRIPTION:

see attached sheet

REMARKS:

See Attached Sheet - Review
the system of piping and later on
for information included in the plan

Examiner's Signature John E. Ballan Date 19 Aug 1975

Checked by JEB Date 12-3-75

Approved by _____ Date _____

July 19, 1974

Petan Company of Nevada, Inc.
Tuscarora, Nevada 89834

Re: 55-2204, 2205, 2206, 2207/and 55-7003, 7004

Gentlemen:

As you are aware we must make an inspection before a water right license can be issued. I would like to inspect the above referenced permits, however, the area and distance to the points listed creates a transportation problem. I understand that your organization has offered to provide air transportation over the areas that are in question so we can visually verify the existence of the dams and reservoirs.

If possible I would like to accompany your crew on any flights over these areas, complete the examinations, and finalize your water rights.

Very truly yours,

ERVIN E. BALLOU
W. R. Technician II

EEB:cla

UNRECORDED

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor

R. Keith Higginson
Director

614 State Street
Statehouse - Annex 2
Boise, Idaho 83720
(208) 384-2190



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

January 17, 1974

Re: Permit No.'s 55-2204, 55-2205, 55-2206, 55-2207, 55-7003, 55-7004 & 55-7005

Petan Company of Nevada, Inc.
Tuscarora,
Nevada 89834

Gentlemen:

We acknowledge receipt of the assignments conveying the above referenced permits to you. The assignments have been recorded, and the Department's records changed.

We also acknowledge receipt of the affidavits submitted as proof for Permit No.'s 55-2204, 55-2205, 55-2206, 55-2207, 55-7003, and 55-7004.

Before licenses can be issued, field examinations must be made by a representative of this Department. We cannot tell just when these examinations will be made, but our examiner will try to contact you at the time he makes the examinations so that you may show him the systems.

If you have any questions concerning these matters, please do not hesitate to contact us.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JC

cc: Joseph J. Thackaberry
Land Management Consultant

55 2205

Identification No. _____

Permit No. 55-2205

**STATE OF IDAHO
DEPARTMENT OF RECLAMATION**

RECEIVED

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Petan Company of Nevada, Inc.
 b) Post Office Address Tuscarora, Nevada 89834
2. Permit Number 55-2205
3. Date of Priority that you are prepared to establish 2/17/64
4. a) Source from which water was appropriated spring runoff from unnamed intermittent stream.
 b) Location of the point of diversion: Lot 10 (NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 19
Township 16 S, Range 1 E Boise Meridian, Other points of diversion:
NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 1 and NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 2, T 16 S, R1W; Lot 1 (NW $\frac{1}{4}$ NW $\frac{1}{4}$), Lot 2
(SW $\frac{1}{4}$ NW $\frac{1}{4}$) Sec. 7, T16S, R1W
5. a) The amount of water and use to which the water has been applied:
 amount 6 ac. ft. for livestock water purposes from 1/1 to 12/31 incl.
 (cfs and/or acre feet per annum) (Month-Day) (Month-Day)
 amount _____ for _____ purposes from _____ to _____ incl.
 (cfs and/or acre feet per annum) (Month-Day) (Month-Day)
 amount _____ for _____ purposes from _____ to _____ incl.
 (cfs and/or acre feet per annum) (Month-Day) (Month-Day)
 b) Total amount appropriated 6 acre feet cfs and/or acre feet per annum
 c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: Calculated from reservoir
Description and dimensions.
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
 a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: Improvement covered by Bureau of Land Management Permit
or Cooperative Agreement.
 b) Describe the agreement or understanding by which you take water from the works: _____
Livestock licensed by Bureau of Land Management
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) Dams and Reservoirs - see
attached descriptions.
 b) Describe the type and size of measuring device which you have installed at your point of diversion: _____
None
 c) Give well drillers name and address and date the well was completed _____

Exam typed 4/18/74 by JS

55 2205

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use Livestock water only used at the reservoir locations listed
as points of diversion.

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within 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	

Total number of acres irrigated _____

10. Remarks: _____

The above information is a true statement of the extent to which the above numbered permit has been developed.

PETAN COMPANY OF NEVADA, INC.

1-7-74
(Date)

by

(Signature)

President

by

Secretary

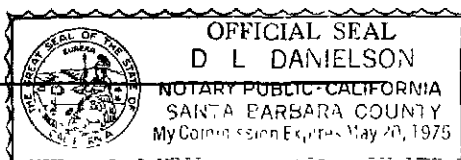
State of California
County of Santa Barbara ss.

On this 7th day of January, 1974, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

D. L. Danielson

Notary Public residing at _____

My commission expires



JOSEPH J. THACKABERRY
LAND MANAGEMENT CONSULTANT

(208) 345-0975

January 15, 1974

RECEIVED

JAN 15

528 Idaho Building
P O Box 1405
Boise, Idaho 83701
Department of Water Administration

Mr. R. Keith Higginson, Director
State of Idaho Dept. of Water Admin.
614 State Street
State House No. 2
Boise, Idaho 83720

Dear Mr. Higginson:

Enclosed herewith please find Assignment of Permits
as follows:

- (1) Permit No. 55-7003.
- (2) Permit No. 55-7004.
- (3) Permit No. 55-7005.
- (4) Permit No. 55-2204.
- (5) Permit No. 55-2205.
- (6) Permit No. 55-2206.
- (7) Permit No. 55-2207.

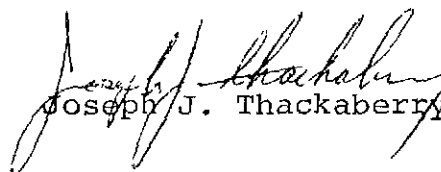
Also enclosed herewith please find Proof of Application
of Water to Beneficial Use for the following permits:

- (1) Permit No. 55-2204.
- (2) Permit No. 55-2205.
- (3) Permit No. 55-2206.
- (4) Permit No. 55-2207.
- (5) Permit No. 55-7003.
- (6) Permit No. 55-7004.

Should you have any question on any of the above
documents, please feel free to contact me. I would
appreciate your sending me a copy of any correspondence
you may have relating to the above permits.

Thank you in advance for your consideration in this
matter.

Very truly yours,


Joseph J. Thackaberry

JJT/bm
Enclosure
CC: Mr. Mike Chrisman

55 2205

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION



Cecil D. Andrus
Governor

R. Keith Higginson
Director

614 State Street
Statehouse - Annex 2
Boise, Idaho 83720
(208) 384-2190

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

November 30, 1973

CERTIFIED MAIL

#24178

Conc'd in
Re: Permit No.'s R-1177/55-2204, R-1178/55-2205, R-1179/55-2206, & R-1181/55-2207

Petan Co. - YP Ranches
John Dewar, Manager
Tuscarora, Nevada

Gentlemen:

One of the conditions of approval of your water Permit No.'s R-1177/55-2204, R-1178/55-2205, R-1179/55-2206, and R-1181/55-2207 (see last page of your approved permits) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before February 18, 1974. Enclosed are 4 affidavit forms which must be used to submit the required proof of beneficial use.

If you have not fully completed your projects, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable causes as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavits or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permits will lapse and be of no further force or effect.

[Signature]
R. KEITH HIGGINSON
Director

RKH:JC
Enc: (4) Proof affidavits

cc: Idaho Land & Appraisal Service

Eugene H. Anderson, Lawyer

55-2205

RWA

ANDERSON, KAUFMAN, ANDERSON AND RINGERT
LAWYERS

EUGENE H. ANDERSON
SAMUEL KAUFMAN
RICHARD ANDERSON
WILLIAM F. RINGERT

IDAHO BUILDING
BOISE, IDAHO 83701

AREA CODE 208
TELEPHONE 342-4591
POST OFFICE BOX 2773

September 9, 1969

Mr. Keith Higginson
State Reclamation Engineer
State Department of Reclamation
Statehouse - Annex 2
Boise, Idaho 83707

Re: Permit Nos. R-1177, R-1178, R-1179 and
R-1181, and Application Nos. 55-7003,
55-7004 and 55-7005
Petan Company - YP Ranches

Dear Mr. Higginson:

I write for Petan Company.

Reference is to the letter to you, dated August 27, 1969, from Tom Cotton as Manager of Gem Irrigation District and of The South Board of Control, Owyhee Project. Mr. Cotton by his letter withdrew the protests of the Irrigation District and South Board of Control to the permits and applications captioned above.

Mr. Cotton, in the last paragraph of his letter, makes the following statement:

"The basis for this withdrawal is a statement made by Mr. Harley McDowell, agent for Petan Company, YP Ranches; and confirmed by Mr. Pete Jackson, operator of Petan Company, YP Ranches, that these permits are all for stock watering and they are the last that will be constructed for such purpose."

Mr. Cotton's statement is in error.

I have discussed the matter with Mr. McDowell. He indicated to Mr. Cotton that he thought there were no more earthen stock water reservoirs to be filed on, but he certainly did not

R-1178

Mr. Keith Higginson

-2-

September 9, 1969

intend to represent that there would be no further livestock reservoirs or watering tanks or water developments in the Garat unit.

As a matter of fact, the Bureau of Land Management is developing very extensive management plans for the Garat unit, which includes water development for livestock.

C. H. Jackson, who operates Petan Company, made no representations.

I was present at the same conference at which Peter Jackson was present. He did not make any representations whatever with respect to the Petan Company reservoirs.

If the above quoted statement of Mr. Cotton is the basis for withdrawal of the protests of Gem Irrigation District and South Board of Control, Owyhee Project, then I believe it only proper that the protests be reinstated and the matters taken to hearing.

Yours very truly,

ANDERSON, KAUFMAN, ANDERSON
AND RINGERT

By


Eugene H. Anderson

EHA:ij

cc: Mr. Maurice H. Greene
Mr. Tom Cotton
Mr. Harley McDowell
Mr. C. H. Jackson, Jr.

R-1178

RECEIVED

SEP 8 1969

Department of Reclamation

4 September 1969

Mr. Tom Cotton
Secretary-Manager
Gem Irrigation District
South Board of Control, Owyhee Project
Homedale, Idaho

Dear Mr. Cotton:

Following up our conversation yesterday morning on the telephone, I want to confirm that Petan Company is completely dissatisfied with the last paragraph in your letter of August 27th addressed to Mr. Keith Higginson, State Reclamation Engineer and I hereby quote:

- "The basis for this withdrawal is a statement made by Mr. Harley McDowell, agent for Petan Company, YP Ranches; and confirmed by Mr. Pete Jackson, operator of Petan Company, YP Ranches, that these permits are all for stock watering and they are the last that will be constructed for such purposes. Furthermore most of the sites are located in areas where the water would never reach a flowing stream."

The only accurate part of this paragraph is the last sentence, "Furthermore most of the sites are located in areas where the water would never reach a flowing stream."

I have referred this matter to our attorney, Mr. Eugene Anderson, and you will be hearing from him shortly, I am sure. It is my desire that this erroneous paragraph be corrected so that all those concerned will have a proper record. In other words, no statement was made by any representative of the Petan Company and certainly not confirmed by me as operator of the Petan Company, YP Ranches, that the protest covering the existing water holes was being withdrawn by you because they are to be the last that will be constructed for such purposes. At this time we have no intention of constructing further water holes but, certainly, the permit for the existing ones should not be dependent on what might be deemed necessary in the future.

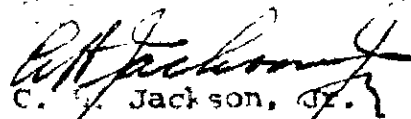
R-117.8

Mr. Tom Cotton
Gem Irrigation District
September 4, 1969
Page Two

I am afraid you have been confused by the members of the Jackson family. Please note that I am Charles H. Jackson, Jr., partner and operator of Petan Company, VP Ranches and that my son, Peter Jackson, for the present at least, has no connection with this organization. He, however, operates on his own account, the Riddle Ranches at Riddle, Idaho.

I hope this information will clarify the situation.

Very truly yours,


C. H. Jackson, Jr.

CRJ/okd

cc: Mr. Keith Higginson
Boise, Idaho

Mr. Eugene Anderson
Boise, Idaho

Mr. Harley McDowell
Boise, Idaho

R-1178

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

September 5, 1969

Re: Permit Nos. R-1177, R-1178, R-1179, R-1181
Application for Permit Nos. 55-7003, 55-7004, 55-7005

Petan Company - YP Ranches
Tuscarora,
Nevada

Gentlemen:

Enclosed is a copy of the letter received on August 28, 1969, by this Department from Tom Cotton, Sec'y.-Mgr., Gem Irrigation District and South Board of Control, Owyhee Project, withdrawing the protest on the above referenced permits and applications for permits.

Following is the present status of said permits and applications for permits:

R-1177)	
R-1178)	Proof of application of water to beneficial
R-1179)	use due on or before February 18, 1974.
R-1181)	
55-7003)	Cannot be approved until such time the Department
55-7004)	receives notice of allowance of desert entries
55-7005)	from the Bureau of Reclamation.

If we may be of further assistance in any way, please feel free to contact the Department at any time.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR

Enc: Copy of protest withdrawal letter

R-1178

South Board of Control, Owyhee Project

HOMEDALE, IDAHO

337-3760

FELISA ISAGUIRRE
TREASURERDepartment of Reclamation T. H. COTTON
SECT-MGR

August 27, 1969

Mr. Keith Higginson
State Reclamation Engineer
State Dept. of Reclamation
Boise, Idaho

Dear Mr. Higginson:

This is to confirm the statement made by me yesterday, August 26, 1969, at a conference held at the State Reclamation Office in reference to protests made by the Gem Irrigation District and South Board of Control against Application for Water of Petan Company - YP Ranches.

I stated that the Gem Irrigation District and South Board of Control, Owyhee Project, withdraws their protest against permitt numbers: R1177, R1178, R1179, R1181, 55-7003, 55-7004 and 55-7005.

The basis for this withdrawal is a statement made by Mr. Harley McDowell, agent for Petan Company, YP Ranches; and confirmed by Mr. Pete Jackson, operator of Petan Company, YP Ranches, that these permitts are all for stock watering and they are the last that will be constructed for such purpose. Furthermore most of the sites are located in areas where the water would never reach a flowing stream.

Yours very truly,

Tom Cotton

Tom Cotton, Secty-Mgr.

Gem Irrigation District &

South Board of Control,
Owyhee Project

CC:

Maurice Greene
Eugene Anderson
Harley McDowell
Pete Jackson

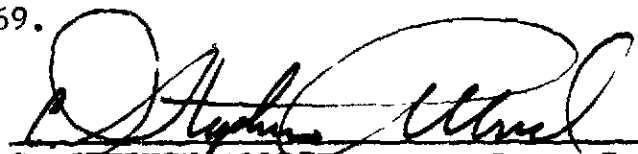
R-1178

O R D E R

Upon the within and foregoing Stipulation:

IT IS HEREBY ORDERED That the setting of the within entitled matters for Conference and/or a Hearing on August 26th, 1969 at 10:00 o'clock A. M. be, and the same is hereby, vacated, and that there be Conference on such matters in the office of the State Reclamation Engineer at Statehouse Annex No. 2, Boise, Idaho, at 1:30 o'clock P. M. on August 26th, 1969, and that if any of such matters be not resolved in conference, that Hearing of such matter unresolved shall be conducted on a subsequent day at a time to be determined and set by the State Reclamation Engineer at his office at Boise, Idaho.

Dated August 19th, 1969.


C. STEPHEN ALLRED, Asst. State Reclamation
Engineer.

BEFORE THE STATE RECLAMATION ENGINEER
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION OF WATER)
TO BENEFICIAL USE FOR PERMIT NOS. R-1177,)
R-1178, R-1179, and R-1181 in the name of)
PETAN CO. - YP RANCHES)

NOTICE OF CONFERENCE
AND/OR HEARING FOR PROTEST

On February 17, 1964, the Department of Reclamation received an application to appropriate the public waters of the State of Idaho from Petan Co. - YP Ranches filed by Harley M. McDowell. On February 10, 1969, the department received a protest filed by the South Board of Control and Gem Irrigation District, Tom Cotton, Secty-Mgr., Homedale, Idaho.

The Department of Reclamation has set the matter of protest for conference and/or a hearing on August 26, 1969, at 10:00 a.m., at the Department of Reclamation, Statehouse Annex #2, Boise, Idaho. Any hearing will be held in accordance with the Rules and Regulations of the Idaho Code and Adopted Rules of Practice and Procedure of the Department of Reclamation. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

Any party may request in writing five (5) days before any hearing that the oral proceedings thereof be taken in the form of stenographic notes. Any party may have such stenographic notes of the oral proceedings, or part thereof, transcribed at his own expense. A taped record of the proceedings will be maintained for the appeal period.

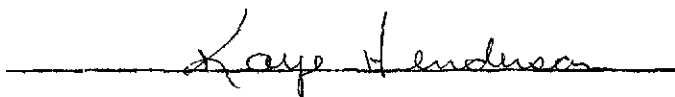
Failure to appear at the time and place set for hearing by the applicant or protestant may allow the Department of Reclamation without prejudice to dismiss the protest or deny the license. Any and all cost incurred by reason of such non-appearance may be assessed against such non-appearing parties.

Dated this 6 day of August, 1969.


Donald W. McKelowney
Appropriation Examiner

Mailed this 7th day of August, 1969, to _____

Petan Co. - YP Ranches, John Dewar, Manager, Tuscarora, Nevada certified no. 21213;
South Board of Control, Owyhee Project, Gem Irrigation District, Homedale, Idaho by
certified no. 21214; Harley M. McDowell, Idaho Land & Appraisal Service, P.O. Box 1603,
Boise, Idaho by certified no. 21215



R-1178

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

August 19, 1969

Re: Permit Nos. R-1177, R-1178, R-1179 & R-1181
Petan Co. - YP Ranches

Idaho Land & Appraisal Service
P. O. Box 1603
Boise, Idaho

Dear Sir:

Please be advised that on August 19, 1969, the Department of Reclamation received a signed stipulation from the legal counsel for the permit holder and protestant for the above referenced permits.

The Department of Reclamation hereby agrees to vacate the hearing set for August 26, 1969, at 10:00 a.m., in favor of an informal conference to be held at 1:30 p.m., August 26, 1969, in the office of the State Reclamation Engineer, Statehouse Annex 2, Boise, Idaho.

If the matters of the protest are not resolved, the Department of Reclamation shall have the option to schedule a formal conference and/or hearing to resolve the matters at hand.

Enclosed is a copy of the protest received against the application for permit Nos. 55-7004 and 55-7005. It is the request of the State Reclamation Engineer that the matters of the protests also be discussed at the above scheduled informal conference.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

DWM:CSA:kh
Enclosure

R-1178

CON SAMUELSON
GOVERNOR



R KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

August 19, 1969

Re: Permit Nos. R-1177, R-1178, R-1179 & R-1181
Petan Co. - YP Ranches

Anderson, Kaufman, Anderson & Ringert
Idaho Building, P.O. Box 2773
Boise, Idaho

Attn: Eugene H. Anderson

Dear Mr. Anderson:

Please be advised that on August 19, 1969, the Department of Reclamation received a signed stipulation from the legal council for the permit holder and protestant for the above referenced permits.

The Department of Reclamation hereby agrees to vacate the hearing set for August 26, 1969, at 10:00 a.m., in favor of an informal conference to be held at 1:30 p.m., August 26, 1969, in the office of the State Reclamation Engineer, Statehouse Annex 2, Boise, Idaho.

If the matters of the protest are not resolved, the Department of Reclamation shall have the option to schedule a formal conference and/or hearing to resolve the matters at hand.

Enclosed is a copy of the protest received against the application for permit Nos. 55-7004 and 55-7005. It is the request of the State Reclamation Engineer that the matters of these protests also be discussed at the above scheduled informal conference.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA:DWM:kh
Enclosure

R-1178

DON SAMUELSON
GOVERNOR



R KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

August 19, 1969

Re: Permit Nos. R-1177, R-1178, R-1179, & R-1181
Petan Co. - YP Ranches

Petan Co. - YP Ranches
John Dewar, Manager
Tuscarora, Nevada

Dear Mr. Dewar:

Please be advised that on August 19, 1969, the Department of Reclamation received a signed stipulation from the legal council for the permit holder and protestant for the above referenced permits.

The Department of Reclamation hereby agrees to vacate the hearing set for August 26, 1969, at 10:00 a.m., in favor of an informal conference to be held at 1:30 p.m., August 26, 1969, in the office of the State Reclamation Engineer, Statehouse Annex 2, Boise, Idaho.

If the matters of the protest are not resolved, the Department of Reclamation shall have the option to schedule a formal conference and/or hearing to resolve the matters at hand.

Enclosed is a copy of the protest received against the application for permit Nos. 55-7004 and 55-7005. It is the request of the State Reclamation Engineer that the matters of these protests also be discussed at the above scheduled informal conference.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA:DWM:kh
Enclosures

R-1178

DON SAMUELSON
GOVERNOR



R KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

August 19, 1969

Re: Permit Nos. R-1177, R-1178, R-1179, & R-1181
Petan Co. - YP Ranches

South Board of Control and Gem Irrigation District
Tom Cotton, Secretary
Homedale, Idaho 83628

Dear Mr. Cotton:

Please be advised that on August 19, 1969, the Department of Reclamation received a signed stipulation from the legal counsel for the permit holder and protestant for the above referenced permits.

The Department of Reclamation hereby agrees to vacate the hearing set for August 26, 1969, at 10:00 a.m., in favor of an informal conference to be held at 1:30 p.m., August 26, 1969, in the office of the State Reclamation Engineer, Statehouse Annex 2, Boise, Idaho.

If the matters of the protest are not resolved, the Department of Reclamation shall have the option to schedule a formal conference and/or hearing to resolve the matters at hand.

Enclosed is a copy of the protest received against the application for permit Nos. 55-7004 and 55-7005. It is the request of the State Reclamation Engineer that the matters of the protests also be discussed at the above scheduled informal conference.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA:DWM:kh
Enclosure

R-1178

ANDERSON, KAUFMAN, ANDERSON AND RINGERT

LAWYERS

IDAHO BUILDING

BOISE, IDAHO 83701

EUGENE H. ANDERSON
SAMUEL KAUFMAN
RICHARD ANDERSON
WILLIAM F. RINGERT

Department of Reclamation

AREA CODE 208
TELEPHONE 342-4591
POST OFFICE BOX 2773

August 18, 1969

State Reclamation Engineer
State House - Annex 2
Boise, Idaho 83707

Attn: Mr. Donald W. McEldowney
Appropriations Examiner

Re: Application No. 55-7002
R-1177
R-1178
R-1179
R-1181

Dear Mr. McEldowney:

Herewith are stipulations in the above captioned matters for conference at 1:30 o'clock P.M., August 26, 1969, at your office.

The parties feel that the conferences can be held successively during the afternoon since the parties are all the same.

I have your letter of August 15, 1969, setting Application No. 55-7002 for conference at 11:00 A.M. that day, but Mr. Greene advises that he will not be available until 1:30 P.M. so I respectfully request that you enter the order setting all of the above matters for conference at 1:30 P.M. on August 26.

Yours very truly,

ANDERSON, KAUFMAN, ANDERSON & RINGERT

By

Eugene H. Anderson

EHA:pb
Encs.

R-1177

Dep't of Reclamation

BEFORE THE STATE RECLAMATION ENGINEER
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION OF WATER)
TO BENEFICIAL USE FOR PERMIT NOS. R-1177,) STIPULATION
R-1178, R-1179, and R-1181 in the name of)
PETAN CO. - YP RANCHES.)

IT IS HEREBY STIPULATED By and between applicant Petan Co.-YP Ranche through its attorneys, Anderson, Kaufman, Anderson and Ringert, and protestants Gem Irrigation District and South Board of Control, Owyhee Project, through their attorney, Maurice H. Green, that the setting of the above entitled matters for "Conference and/or a Hearing" on the protests of protestants, for August 26th, 1969 at 10:00 o'clock A. M., be vacated, and that Conference be held in the above entitled matters on Tuesday, August 26th, 1969 at 1:30 o'clock P. M. in the office of the State Reclamation Engineer, Statehouse Annex No. 2, Boise, Idaho, and that if any of the above entitled matters be not resolved at such Conference, that such unresolved matters be set for Hearing on a subsequent day in the office of the State Reclamation Engineer at Boise, Idaho.

Dated August 15th, 1969.

ANDERSON, KAUFMAN ANDERSON AND RINGERT
By Rogers H. Anderson
Attorneys for Applicant
Address: 503 Idaho Bldg., Boise, Idaho

Maurice H. Green
MAURICE H. GREEN
Attorney for Gem Irrigation District and
South Board of Control, Owyhee Project,
Protestants.
Address: First Security Bank Bldg.,
Boise, Idaho

R-1178

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

July 29, 1969

Re: Permit Nos. R-1177, R-1178, R-1179
and R-1181

Petan Co. - YP Ranches
John Dewar, Manager,
Tuscarora, Nevada

Gentlemen:

Enclosed is a copy of each of the APPROVED applications for amendment for the above referenced. Please contact the Department if we may be of any assistance.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:TC

Enc: copies of amendments (4)

R-1178

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
COUNTY OF OWYHEE)

I, Everett A. Colley, being first duly sworn, depose and say:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was and now am over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned.

2. That during the time of the publication of the notice herein after mentioned, I was and now am the printer or publisher of THE OWYHEE CHRONICLE, a newspaper of general circulation printed and published weekly, on Thursday of each and every week, in the City of Homedale and County of Owyhee and State of Idaho.

3. That the said THE OWYHEE CHRONICLE has been printed and published continuously and uninterruptedly in said County during a period of seventy-eight weeks prior to the first publication of the attached notice.

4. That said notice

NOTICE OF APPROVED APPLICATION FOR WATER

of which a printed copy, taken from said newspaper, is hereto annexed, was published in the regular issue thereof, and not in a supplement

thereto, in said newspaper, in two (consecutive) calendar weekly issue(s) of said newspaper, on the following date(s):

Jan. 23, 1969

Jan. 30, 1969

(Signed) Everett A. Colley

Subscribed and sworn to before me this 30th day of Jan.
A. D. 1969

Evelyn S. Colley
Notary Public in and for the State of Idaho.

residing at Homedale, Idaho.

My commission expires 2-6, 1972

NAME AND ADDRESS OF SENDER		NAME OF ADDRESSEE, STREET, AND POST OFFICE ADDRESS		Indicate type of mail ☐ Insured ☐ C. O. D. ☒ Certified		Affix stamp here if issued as certificate of mailing or for additional copies of this bill.				POSTMASTER AND DATE OF RECEIPT		RESTRICTED DELIVERY FEE	
NUMBER OF ARTICLE				POSTAGE	FEE	DUE SENDER IF C. O. D.	ENDORSEMENT	R. R. FEE	S. O. FEE	S. M. FEE	REMARKS		
1	Box 11	To Grand Old World - Memphis											
2		Express, 1000 lbs. 1000 lbs.											
3		Express, 1000 lbs. 1000 lbs.											
4		Express, 1000 lbs. 1000 lbs.											
5		Express, 1000 lbs. 1000 lbs.											
6		Express, 1000 lbs. 1000 lbs.											
7		Express, 1000 lbs. 1000 lbs.											
8		Express, 1000 lbs. 1000 lbs.											
9		Express, 1000 lbs. 1000 lbs.											
10		Express, 1000 lbs. 1000 lbs.											
11		Express, 1000 lbs. 1000 lbs.											
12		Express, 1000 lbs. 1000 lbs.											
13		Express, 1000 lbs. 1000 lbs.											
14		Express, 1000 lbs. 1000 lbs.											
15		Express, 1000 lbs. 1000 lbs.											
16		Express, 1000 lbs. 1000 lbs.											
17		Express, 1000 lbs. 1000 lbs.											
18		Express, 1000 lbs. 1000 lbs.											
19		Express, 1000 lbs. 1000 lbs.											
20		Express, 1000 lbs. 1000 lbs.											
TOTAL NUMBER OF PIECES LISTED BY SENDER		TOTAL NUMBER OF PIECES RECEIVED AT POST OFFICE		POSTMASTER, P.M. (Name of receiving employee)		Mark "F" if "Fragile," "P" if "Perishable," "E" if "Eggs," "EH" if "Eggs for Hatching," "B" if "Butter," "FL" if "Fragile-Liquid" and "FLU" if "Fragile-Liquid-This Side Up." Special handling charges apply only to fourth class parcels. Special delivery service also includes special handling service.							

February 20, 1969

Re: Permit Nos. R 1177 R-1178 R-1179, and R-1181

Petan Company
YP Ranches
Tuscarora, Nevada

Gentlemen:

Please be advised that the Department of Reclamation has received a protest filed in connection with the above referenced permits. Enclosed is a copy of the letter of protest.

The Department of Reclamation has scheduled a conference for March 10, 1969 at 1:30 p.m. at the Department of Reclamation, Statehouse - Annex #2, Boise, Idaho. This conference will serve to review the matters of the protests. If you are unable to attend this conference, please advise us within 10 days of the date of the conference.

If we may be of further assistance, please contact us.

Very truly yours.

C. STEPHEN ALLRED
Assistant State Reclamation Engineer

CSA:KS
CERTIFIED MAIL:RRR
cc. Idaho Land and Appraisal Service

R-1178

February 20, 1969

Re: Permit Nos. R-1177, R-1178, R-1179, and R-1181
Petan Company - YP Ranches

South Board of Control, Owyhee Project
Gem Irrigation District
Homedale, Idaho

Attention: Mr. Tom Cotton, Secretary - Manager

Gentlemen:

The Department of Reclamation has received your letter of protest concerning the above referenced permits. A copy of your letter has been forwarded to the applicant.

Please be advised that a conference has been scheduled for March 10, 1969 at 1.30 p.m. at the Department of Reclamation, Statehouse - Annex #2, Boise, Idaho. This conference will serve to review the matters of the protests. If you are unable to attend this conference, please advise us within 10 days of the date of the conference.

If we may be of further assistance, please contact us.

Very truly yours.

C. STEPHEN ALLRED
Assistant State Reclamation Engineer

CSA:KS

CERTIFIED MAIL:RRR

R-1178

**NOTICE OF APPROVED
APPLICATION FOR WATER**

Notice is hereby given that Pelan Company, YP Riches, Tuscarora, Nevada, has received an approved permit No. R-4178 to store 6,000,000 feet of water from spring runoff from intermittent streams. The priority to be established under this permit is February 17, 1969. Water will be diverted by dam within the NW¹/₄-NE¹/₄-NE¹/₄-NE¹/₄, Sec. 2, NW¹/₄-NW¹/₄, NE¹/₄-NW¹/₄, Sec. 7, T. 18 S., R. 1 W., E. M., NW¹/₄-NW¹/₄, Sec. 19, T. 16 S., R. 1 W., B. M., Owyhee County, and is to be used for stockwater in the NW¹/₄-NE¹/₄-NE¹/₄-NE¹/₄, Sec. 2, NW¹/₄-NW¹/₄, NE¹/₄-NW¹/₄, Sec. 7, T. 16 S., R. 1 W., B. M.; NW¹/₄-NW¹/₄, Sec. 19, T. 16 S., R. 1 W., B. M.

Any protests against the intent of the permit must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON

State Reclamation Engineer

Published in the Owyhee Chronicle, Homedale, Idaho, on January 23, and January 30, 1969.

South Board of Control, Owyhee Project

HOMEDALE, IDAHO

337-3760

FELISA ISAGUIRRE
TREASURERT. H. COTTON
SECY-MGR

than to protest at this time.

We feel that the ruling in the case of Cantlin vs Carter is applicable to the Notice of Approved Application for Water for which we are presently protesting.

The past history of supply and use related to the Owyhee Project shows that the river is fully appropriated and that any additional diversion would be detrimental to the present water users.

Yours very truly,



Tom Cotton, Secty-Mgr.

South Board of Control and
Gem Irrigation District

R-1178

South Board of Control, Owyhee Project

HOMEDALE, IDAHO

337-3760

FELISA ISAGUIRRE
TREASURERT. H. COTTON
SECY-MGR

February 10, 1968

Mr. Keith Higginson
State Reclamation Engineer
State Department of Reclamation
Boise, Idaho

FEB 10 1968

Dear Mr. Higginson,

Department of Reclamation

The Gem Irrigation District and the South Board of Control, Owyhee Project wish to protest the following Notices of Approved application for Water, which were filed by Petan Company YP Ranches, Tuscarora, Nevada:

- (1) Permit # R1177 to store 56 acre feet of water.
Reservoir location within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 24, T. 16 S., R. 3 W. B.M.; NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21; NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 24; SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 4, T. 16 S., R. 2 W. B. M.
- (2) Permit # R1178 to store 6 acre feet of water.
Reservoir location within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 2; NW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 7, T. 16 S., R. 1 W., B.M.; NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19, T. 16 S., R. 1 E., B.M.
- (3) Permit # R1179 to store 46 acre feet of water.
Reservoir location within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 17; SW $\frac{1}{4}$, NE $\frac{1}{4}$, NW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 26; Center of E $\frac{1}{2}$, Sec. 35; T. 15 S., R. 3 W. B.M.
- (4) Permit No. R1181 to store 30 acre feet of water.
Reservoir location within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 11; SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 10; T. 14 S., R. 4 W. B.M.; N $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 30, T. 14 S., R. 3 W. B. M.

At the conference held in your office at 3:00 P.M., October 15, 1968, which involved a protest to a filing on Jordan Creek made by Richard R. Staples, we presented oral testimony and written records substantiating the filings of the Owyhee Project in relation to Owyhee River and its tributaries' waters. Also presented were records of the flow, storage and use for the Owyhee Project.

The same statistics hold true for this protest in behalf of the Petan Company Y. P. Ranches. The storage of water for stock use is practically a 100% loss as the only recapturable water is from seepage.

Had the Application for Permit been filed under the present law, which stipulates that all applications must be published, we would have protested these applications. Since we were unaware of these applications we have no recourse other

R-1178



RANCH

TUSCARORA, NEVADA

February 8, 1969

Re: Permit Nos. R-1179, R-1181, R-1178
and R-1177
YP Ranches, Petan Company

State of Idaho
Department of Reclamation
Statehouse-Annex 2
Boise, Idaho 83727

ATTENTION: Donald W. McEldowney
Appropriation Examiner

Dear Sir:

I am enclosing four (4) Affidavit Of Publication
pertinent to the above listed Permits, as per
a footnote on your letter of January 9, 1969
addressed to the Owyhee Chronicle, Homedale,
Idaho.

I hope that this will be sufficient to further
process the permits.

I want to thank you for sending me the information
and application forms for the proposed water di-
version from the Duck Valley Indian Reservation.

Very truly yours,

PETAN COMPANY

John M. Dewar
Manager

Enc: 4

R-1178

January 9, 1969

Re: Permit Nos. R-1179, R-1181, R-1178 and
R-1177

Y P Ranches, Petan Company

Owyhee Chronicle
Homedale, Idaho

Gentlemen:

Enclosed is a legal notice which we wish to have published for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for our review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted assuming the notice is correct. If we have any corrections, we will notify you before the first publication date. If you can not publish the notice on the proposed dates, please contact the Department of Reclamation immediately.
Petan Company,

The expense of the publication is to be paid by _____
Y P Ranches, Tuscarora, Nevada

to whom you should furnish an affidavit of publication.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:tg

Encl Legal Notices (4)

NOTE: The permit holder is required to obtain an affidavit of publication from the above referenced newspaper and to submit it to the Department at once.

cc: Petan Company, Y P Ranches

R-1178

NOTICE OF APPROVED APPLICATION FOR WATER

Notice is hereby given that ~~Petan Company~~ YP Ranches, Tuscarora,
Nevada
R-1178
has received an approved permit No. 6 to ~~divert~~ store
6 cubic feet per second acre feet of water from
spring runoff from intermittent stream
The priority to be established
under this permit is February 17, 1964
Water will be diverted by dam
within the
NW1/4, NE1/4, Sec. 2; NW1/4, NE1/4, Sec. 7, T. 16 S., R. 1 W., B. M.;
NW1/4, Sec. 19, T. 16 S., R. 1 E., B. M., Owyhee County
and is to be used for stockwater
in the NW1/4, NE1/4, Sec. 2; NW1/4, NE1/4, Sec. 7, T. 16 S., R. 1 W.,
B. M.; NW1/4, Sec. 19, T. 16 S., R. 1 E., B. M.

Any protests against the intent of the permit must be filed with the
Department of Reclamation within ten days from the last date of publication
of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Owyhee Chronicle, Homedale, Idaho
on January 23 and January 30, 1969

State Reclamation Engineer: Permit No. R-1178

You are hereby authorized to have the attached notice published at my expense
in the Owyhee Chronicle of Homedale, Idaho;
published in the county in which the works are situated.

- PETAN COMPANY
(signature) John M. Petan
by YP Ranches, Tuscarora, Nevada
(address) Jan. 6, 1969
(date)

R-1178

BEFORE THE STATE RECLAMATION ENGINEER

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. R-1178)

in the name of Petan Company, YP Ranches)

Tuscarora, Nevada)

ORDER MODIFYING REQUIREMENTS
FOR COMPLETION OF PERMIT TO
APPROPRIATE WATER

WHEREAS, the 39th Idaho Legislature made certain amendments to the Idaho Water Law; and,

WHEREAS, these changes raised questions as to the procedures to be followed by holders of permits issued prior to the effective date of the amendments, May 31, 1967; and,

WHEREAS, on August 1, 1968, the Department of Reclamation adopted Rules of Practice and Procedures for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. R-1178 was issued previous to that date;

NOW THEREFORE, the requirements for completion of the above-numbered permit are hereby modified to conform to the adopted Rules of Practice and Procedures as follows:

1. The above-numbered permit will be completed under the terms of Title 42, Chapter 2, Idaho Code, as amended by the 39th Idaho Legislature.
2. The conditions of the above-numbered permit are modified as follows:
 - a. Notice of the issuance of the permit will be published at the permit holders expense for two weekly issues in the official newspaper of the county in which the point of diversion lies.
 - b. The permittee will not be required to submit proof of completion of works as originally specified, but will be required to submit proof to the Department of Reclamation of the application of the water to beneficial use on or before February 18, 1974. The permit holder should be aware that failure to complete one-fifth (1/5) of the works within one-half (1/2) of the time originally set for Completion of Works may be grounds for cancellation at the instance of the Department.

Dated this 3 day of December, 1968.


R. KEITH HIGGINSON
State Reclamation Engineer

R-1178

December 2, 1968

Re: Permit No. R-1178

Petan Company
YP Ranches
Tuscarora, Nevada

Gentlemen:

During the 1967 session of the Idaho Legislature, certain amendments were made in the law pertaining to the procedures for making proof of beneficial use of water. In order for the Department to comply with these changes, Rules of Practice and Procedure were adopted on August 1, 1968. Generally, these procedures and the amended law make it simpler for a person to make proof and relieve the permit holder from making separate proofs of completion of works and beneficial use of water.

The enclosed order modifies your permit to comply with those rules and regulations. As a part of the new procedure, you will be required to publish a notice at your expense for two consecutive weeks in a paper as prescribed by the Department, stating that you have been issued a permit ~~under the new procedure~~. Previously, a permit holder had to publish a notice for four weeks when he submitted proof under his permit.

If you will complete the enclosed forms, we will cause the notice to be published. Should you require additional forms or information, we will be glad to supply it upon request at any time.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:tg
Enc: order
advertising package

R-1178

February 25, 1964

Re: Permit Nos. ~~R-1177~~, ~~R-1178~~,
R-1179, R-1180 & R-1181
Petan Co. - YP Ranches

Mr. Harley M. McDowell,
Idaho Land and Appraisal Service,
P. O. Box 2161,
Boise, Idaho.

Dear Mr. McDowell:

We enclose Permit Nos. ~~R-1177~~, ~~R-1178~~, R-1179, R-1180 and
~~R-1181~~ 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. 32089
which was issued covering payment in the amount of \$ 25.00
for the filing fee of the above mentioned permits.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(MRS.) EDNA P. RULE
Chief Clerk

Encl.
EPR:pmk

cc: Petan Co.-YP Ranches
Tuscarora, Nevada

R-1178

LOCATION	CAPACITY	HIGH WATER LINE	SPILLWAY	BOTTOM OF SPILLWAY BELOW TOP OF DAM	COST	DESCRIPTION
NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19 T16 S - R 1 E.	2 ac. ft.	.50 ac.	30'x3.5'	3.5'	\$1,500	12' high, 428' top, 43' bottom, slope upstream 3 to 1, slope downstream 3 to 1. ¹⁵⁶⁰
NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 2, T16S-R1W	2 ac. ft.q	.50 ac.	30'x3.5'	3.5'	\$1,500	12' high, 428' top, 43' bottom slope upstream 3 to 1, slope downstream 3 to 1. ¹⁵⁶⁰
NW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 7, T16S-R1W.	2 ac. ft.	.50 ac.	30'x3.5'	3.5'	\$1,500	12' high, 428' top, 43' bottom, slope upstream 3 to 1, slope downstream 3 to 1. ¹⁵⁶⁰

Permit Map No. 6-1178

As Amended
CAREL

FEB 18 1964

State Reclamation Dept.

2-11-64

Petan Co. -YP- Ranches.

2.178

P-11-13