

**NOTICE OF EXISTING
WATER PERMIT**

Notice is hereby given that Don McKay, Les Falen, & Jeff Anderson, Jordan Valley, Oregon 97910 have received an approved Permit No. R-1170/55-2202 issued by the Idaho Department of Water Resources authorizing the storage of 4.5 acre feet per annum of water from an unnamed spring. The priority to be established under this permit is November 18, 1963 and the permit was approved November 29, 1963.

Water is to be diverted by dam & reservoir from a point within the W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 2, Twp. 10S, Rge. 6W, B.M. & NW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 35, Twp. 9S, Rge. 6W, B.M., Owyhee County, to be used for stockwater purposes in the W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 2, Twp. 10S, Rge. 6W; & NW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 35, Twp. 9S, Rge. 6W, B.M.

Proof of the application of the water to beneficial use was submitted to the Department on November 22, 1974. Any protest against the issuance of the license for the above referenced permit should be filed with the Idaho Dept. of Water Resources, State Capitol, Boise, Idaho, 83720, within ten (10) days of the last date of publication of this notice.

R. KEITH HIGGINSON
Director

Published in the Owyhee Chronicle, Homedale, Idaho on December 5 and December 12, 1974.

MICROFILMED

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 hereinafter 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 EXISTING WATER PERMIT

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):

Dec. 5, 1974

Dec. 12, 1974

(Signed)

Everett A. Colley

Subscribed and sworn to before me this 12th day of Dec. A. D., 1974.

Evelyn S. Colley

Notary Public in and for the State of Idaho.

residing at Homedale, Idaho

My commission expires 2-6, 1976.

RECEIVED
FEB 24 1975
Department of Water Resources

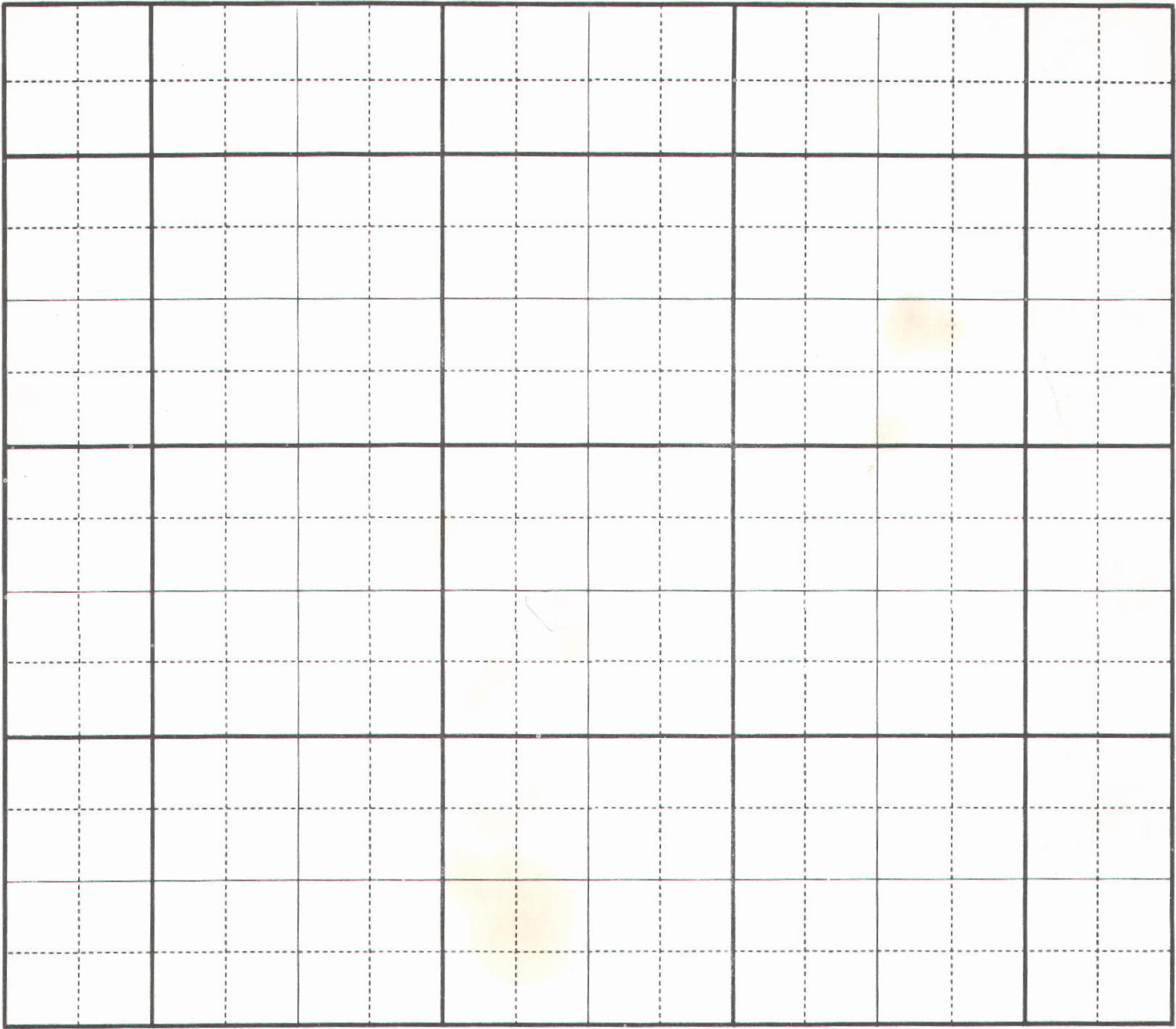
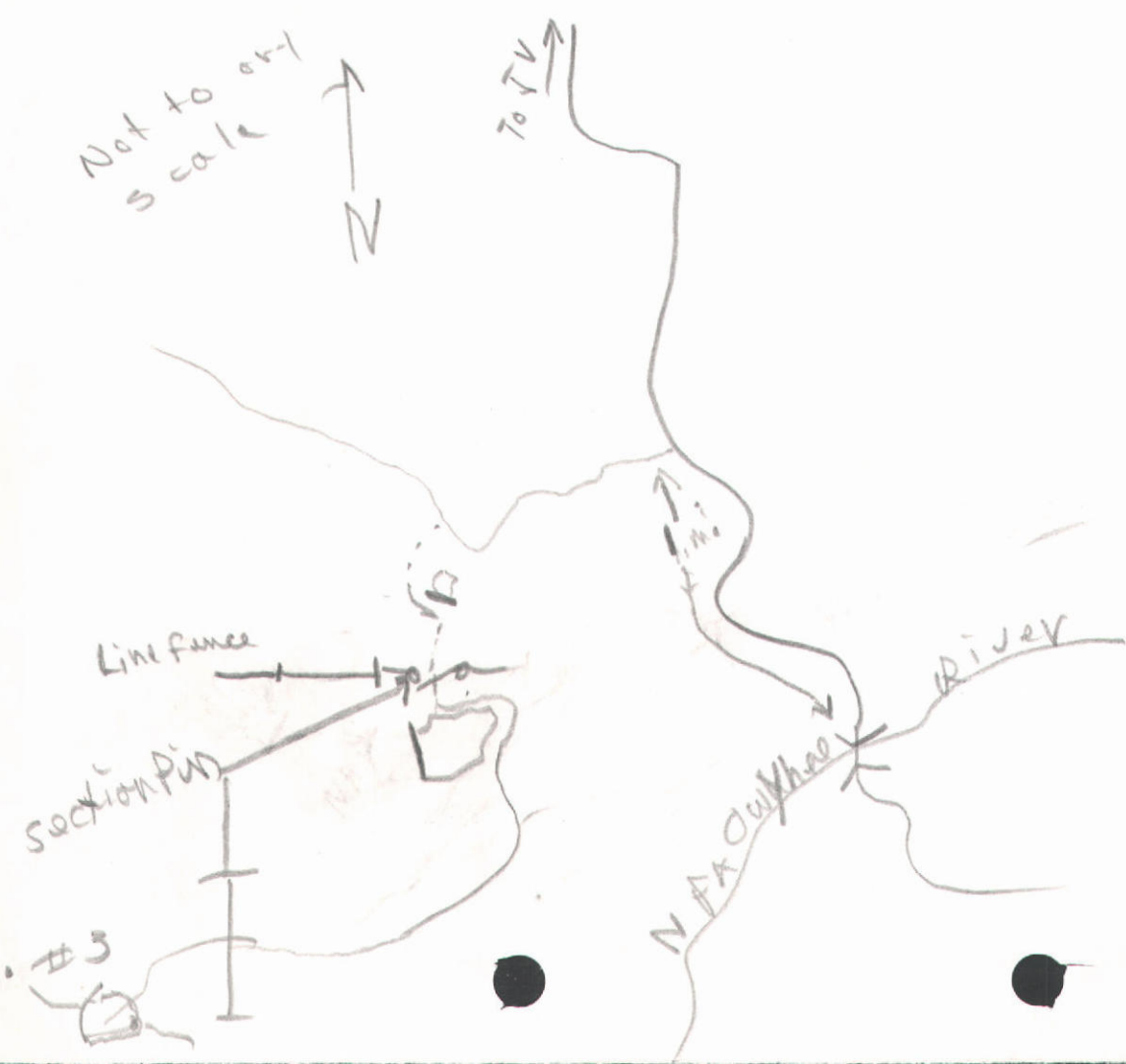


Diagram of System



NAME OF APPLICANT _____

Form No. 0

795

$$\begin{array}{r} 35 \\ \times 2 \Delta \end{array}$$

Mo3 A

103

2

Δ
No 1

Permit Map No. Q-1170

As Approved Nov 29 1963

CARL E. TAPPAN

State Reclamation Engineer

SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

b-1170

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. R-1170/55-2202 Priority Nov. 18, 1963 Amount 4.5 acrefeet

THIS IS TO CERTIFY, that Don McKay, Les Falen, Jeff Anderson
of Jordan Valley, Oregon, have ~~was~~ complied with the terms and conditions of Permit
No. R-1170/55-2202 issued pursuant to Application for Permit dated November 18, 1963,
and has submitted proof to the Department of Water Resources on November 22, 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 4.5 acre feet of water from spring run-off,
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
<u>Stockwater</u>	from <u>Jan. 1</u> to <u>Dec. 31</u>	at <u>n/a</u> cfs and	<u>4.5 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 4.5 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
4.5 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 2, Twp. 10 S,
Rge. 6 W, B. M. and NW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 35, in the County of Owyhee
Twp. 9 S, Rge. 6 W, 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 $\frac{1}{4}$	
9 S	6 W	35														X		X	
10 S	6 W	2									X	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 15 day of
December, 19 75.

Director

APPLICATION FOR PERMIT

55-2202

LICENSE ISSUED FOR AF 5 SEC. FT.
L. 1170

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

Application No. R 39647
Permit No. R 1170

1. Name of Applicant: Don McKay, Les Falen, Jeff Anderson
Post office address: Jordan Valley County Malheur State Oregon
- 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: 4.5 acre feet (1.5 for each reservoir) acre feet per annum.
3. Source of water supply is spring runoff - unnamed (Creek) (River) (Spring), a tributary of River.
4. The outlet of the proposed reservoir is located feet, distant from the corner of Section , Township , Range , B.M. and is in the #1-W $\frac{1}{2}$ SW $\frac{1}{4}$ (bearing) 2 10 S 6 WBM. of SE $\frac{1}{4}$ of Section 35 , Township 9 S , Range 6 WBM, B.M. County of Owyhee
5. Fill out either (a) or (b).
- (a) The reservoir is located in the channel of (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 acres.
(b) The reservoir capacity is 1.5 for each reservoir acre feet.
7. Height of reservoir dam 5 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: earth dam
(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 NO
(Creek) (River)?
- (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 square miles.
(b) Estimated maximum flow of stream cubic feet per second.
10. Water is to be used for stock water 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 (bearing) distant from the corner of Section , Township , Range , 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
 Diameter of Pipe inches; Length of Conduit miles. Average grade per mile feet.
17. Estimated Cost of Works: Storage Works: \$ 800.00 Diversion Works: \$
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 $\frac{1}{4}$				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 $\frac{1}{4}$	

Total Number of Acres to Be Irrigated

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/ Don McKay, Les Falen, Jeff Anderson , Applicant.

By Don McKay , Agent.

Date of first receipt at Department of Reclamation: 2:00 P.M. Nov. 18, 1963

Returned to applicant for correction:

Corrected application received:

APPROVAL OF STATE RECLAMATION ENGINEER

The number of this permit is R 1170

Recorded in book R 5 , page 1170 . Approved November 29, 1963

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 January 29, 1964

uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control. and to continue diligently and

One-fifth of the work above specified to be completed on or before May 29, 1966

The whole of said work to be completed on or before November 29, 1968

Beneficial use of water stored in accordance herewith, to be made on or before November 29, 1974

Witness my hand this 29th day of November, 1963.

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 29 day of November, 1963.

COUNTERSIGNED

STATE OF IDAHO

By s/ ARNOLD WILLIAMS

Secretary of State.

By s/ ROBERT E. SMYLLIE

Governor.

(SEAL)

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)

) ss

COUNTY OF OWYHEE)

FEB 24 1976

Department of Water Resources

I, Everett A. Colley
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 hereinafter 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 EXISTING WATER PERMIT

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):

Dec. 5, 1974

Dec. 12, 1974

(Signed)

Everett A. Colley

Subscribed and sworn to before me this 12th day of Dec. 1974

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

residing at Homedale, Idaho

My commission expires 2-6, 1976

MICROFILMED

December 17, 1975

Re: Permit No. R-1170/55-2202

Don McKay, Les Falen, Jeff Anderson
Jordan Valley,
Oregon, 97910

Gentlemen:

Enclosed herewith is a copy of the water license issued on the above referenced permit.

Sincerely,

D. DARLENE REICH
Water Rights Supervisor

DDR:rb

Enc.

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

1 Name of permit holder Don McKay, Les Falen & Jeff Anderson
Post office address Jordan Valley, Oregon 97910 Phone _____
Person to contact _____ Phone _____

2 Source of water supply. Groundwater ☐ Surface water ☒ spring runoff
(name spring, stream, etc.)
Tributary to _____

3. Water will be used for the following purposes:

Amount _____ c.f.s. for stockwater(100 hd. of cattle)
4.5 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-1170/55-2202
Examination for b/u

4. Total amount to be appropriated

Max Rate of Diversion _____ cubic feet per second and annual volume 4.5 AF/Annum.

5. Location of Point(s) of Diversion.

Township 10S N/S, Range 6W E/W, B.M., Section 2, Subdivision W $\frac{1}{2}$ $\frac{1}{4}$ SW $\frac{1}{4}$ $\frac{1}{4}$, Owyhee County
Township 9S N/S, Range 6W E/W, B.M., Section 35, Subdivision NW $\frac{1}{4}$ SE $\frac{1}{4}$, Owyhee County
Township 9S N/S, Range 6W E/W, B.M., Section 35, Subdivision SE $\frac{1}{4}$ SE $\frac{1}{4}$, Owyhee County

Other Points of Diversions _____

Description of diverting works: Earth dams for stockwatering ponds.

Measuring device required. yes ☐ no ☒

6. Lands to be irrigated or 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 $\frac{1}{4}$	
9S	6W	35														X	.	X	
10S	6W	2									X	X							

TOTAL ACREAGE _____

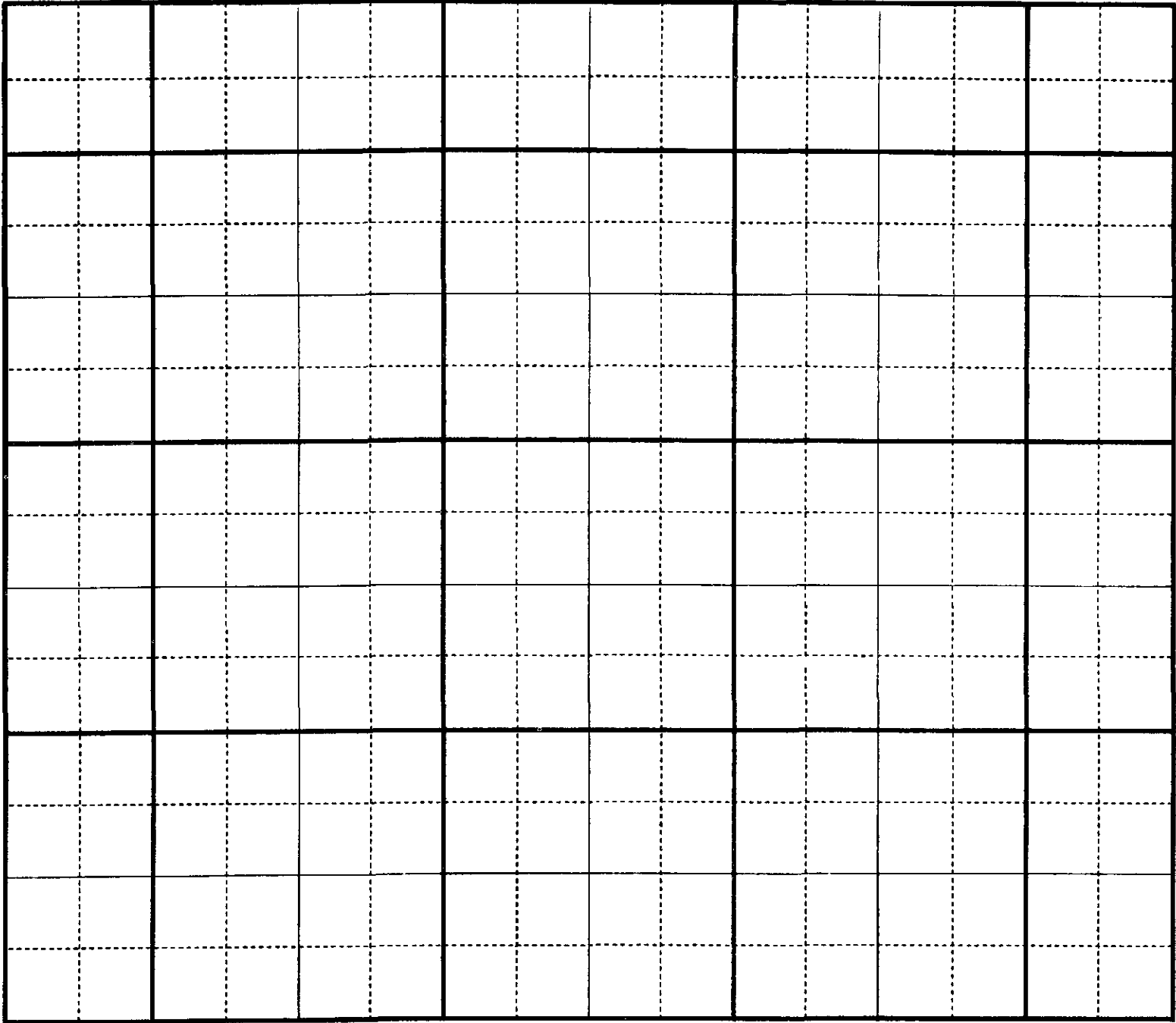
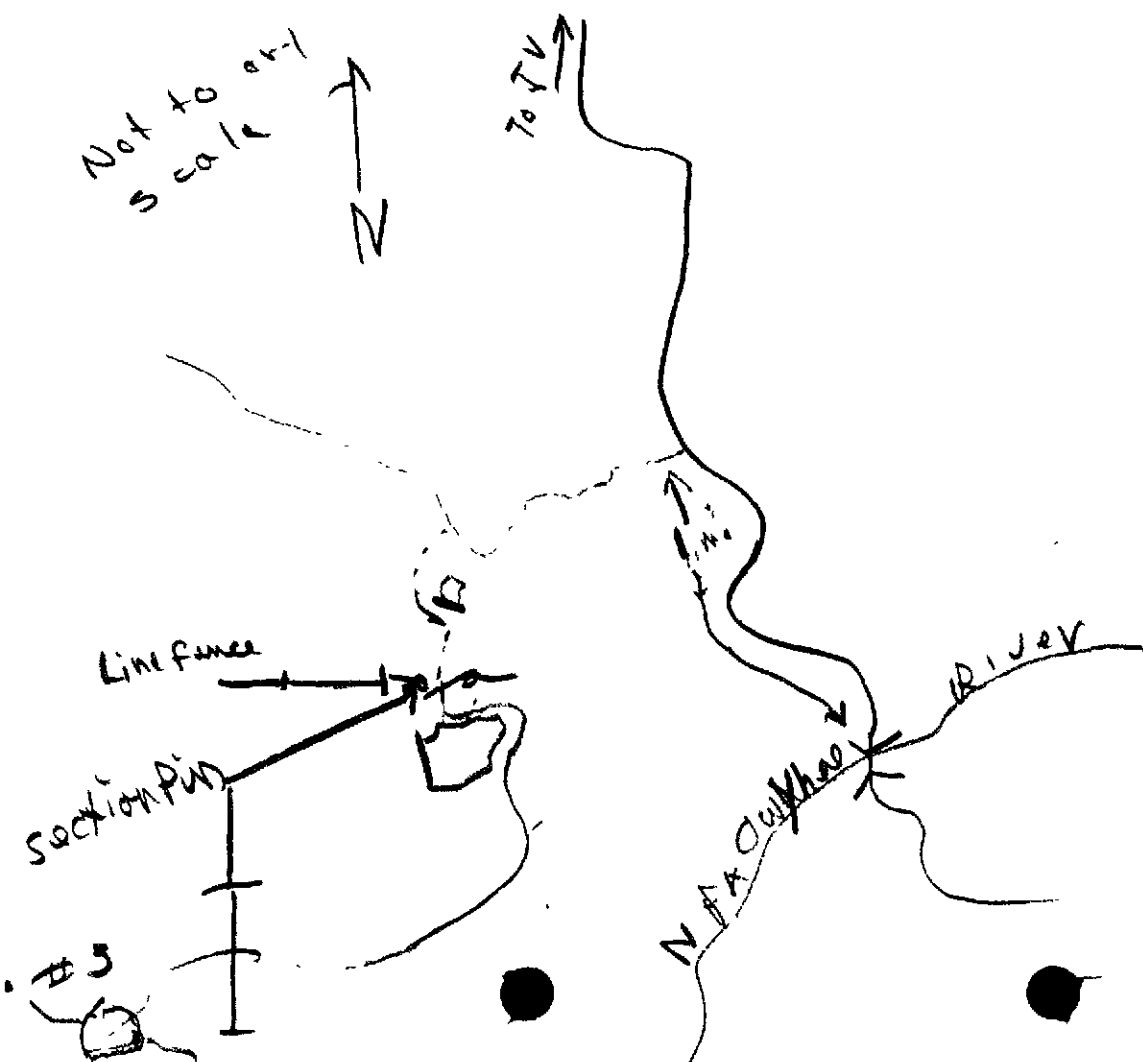


Diagram of System



DATE OF EXAM 30 July 75

ACREAGE
Found N/A
Recommended N/A

Irrigation Requirement N/A 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 = 2.7 AF/Ann. from 1=1 to 12=31 *storage*

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 Method of measurement Estimated

Total Q recommended Meter No Type Condition

Total V recommended 2.7 AF/Ann

Recommended Amendments:

P.D.
Place of Use
Other
None ✓

MEASUREMENT CALCULATION:
Estimated from size of ponds and
annual use up to 200 head yearly

SYSTEM DESCRIPTION:
#1 15' x 3 x 30' earth dam on intermittent stream no water at time
of inspection bottom muddy cap 5 Ac. ft
#2 just below #1 across fence line large about 60 yds across
XBS #3 Pinkish it was damaged for on county capacity at least 2 AF/AF
#3 Part #2 follows ditch across to pond 100 x 50 pond 30 dam

REMARKS.
located pen on return trip PD's correct

Examiner's Signature Tim Ballan Date 30 July 75
Checked by YLS Date 10-27-75
Approved by Date

February 27, 1975

Re: Permit No. R-1170/55-2202

Don McKay, Les Falen & Jeff Anderson
Jordan Valley,
Oregon 97910

Gentlemen:

We acknowledge receipt of the affidavit of publication submitted in connection with the above referenced permit.

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

If you have any questions concerning the field exam, please contact our Western District Office in Boise.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JG

Dept of Water Resources Feb 20 1976

Dear Sir

I was under the

impression that Arthur Christie
had sent your affidavit of
publication. Here this
takes care

Sorry of this delay -
interruption

Sincerely

Don McKay

Jordan Valley
Don

RECEIVED
FEB 22 1976
DEPT. OF WATER RESOURCES

February 18, 1975

Re: Permit No. R-1170/55-2202

Don McKay, Les Falen & Jeff Anderson
Jordan Valley,
Oregon 97910

Gentlemen:

As of this date we have not yet received the affidavit of publication to be submitted in connection with the above referenced permit.

We cannot schedule a field examination, or issue a water license until this affidavit of publication is received.

Please submit the affidavit within 10 days in order that this permit may remain in good standing with our office.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JG

November 25, 1974

Re: Permit No. R-1170/55-2202

Don McKay, Les Falen, & Jeff Anderson
Jordan Valley,
Oregon 97910

Gentlemen:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit.

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

We have caused the legal notice for this permit to be published in the Owyhee Chronicle in Homedale, on December 5, and December 12, 1974.

You will be required to submit an affidavit of publication to this office. The affidavit may be obtained from the above mentioned newspaper upon payment of the publication fee. We have asked the newspaper to bill you direct. Upon receipt of the affidavit of publication, we will then schedule a field examination.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:JG

**NOTICE OF EXISTING
WATER PERMIT**

Notice is hereby given that Don McKay, Les Falen, & Jeff Anderson, Jordan Valley, Oregon 97910 have received an approved Permit No. R-1170/55-2202 issued by the Idaho Department of Water Resources authorizing the storage of 4.5 acre feet per annum of water from an unnamed spring. The priority to be established under this permit is November 18, 1963 and the permit was approved November 29, 1963.

Water is to be diverted by dam & reservoir from a point within the W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 2, Twp. 10S, Rge. 6W, B.M. & NW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 35, Twp. 9S, Rge. 6W, B.M.; Owyhee County, to be used for stockwater purposes in the W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 2, Twp. 10S, Rge. 6W; & NW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 35, Twp. 9S, Rge. 6W, B.M.

Proof of the application of the water to beneficial use was submitted to the Department on November 22, 1974. Any protest against the issuance of the license for the above referenced permit should be filed with the Idaho Dept. of Water Resources, State Capitol, Boise, Idaho, 83720, within ten (10) days of the last date of publication of this notice.

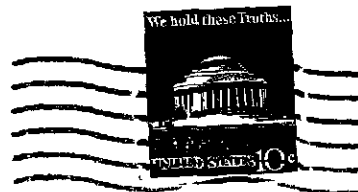
R. KEITH HIGGINSON
Director

Published in the Owyhee Chronicle, Homedale, Idaho on December 5 and December 12, 1974.

Don McKay

THE OWYHEE CHRONICLE

PUBLISHERS AND PRINTERS
20 E. Idaho Avenue
HOMEDALE, IDAHO, 83628



State of Idaho
Dept. of Water Resources
Statehouse
Boise, Idaho 83720

November 25, 1974

Re: Permit No. R-1170/55-2202

Owyhee Chronicle
20 East Idaho Ave.
Homedale, ID 83628

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 time for you to submit to 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 cannot publish the notice on the proposed dates, please contact this office immediately.

The expense of the publication is to be paid by:

Don McKay, Les Falen & Jeff Anderson
Jordan Valley,
Oregon 97910

to whom you should furnish an affidavit of publication.

Very truly yours,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:JG
Enclosure

MICROFILMED

Identification No. _____

Permit No. 55-2202

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

- OK
JES
1. a) Name of Permit Holder Don McKay, Les Falen, Jeff Anderson to Department of Water Resources
b) Post Office Address Jordan Valley, Oregon 97910
2. Permit Number R-1170/55-2202
3. Date of Priority that you are prepared to establish November 18, 1963
4. a) Source from which water was appropriated spring runoff
b) Location of the point of diversion: W $\frac{1}{2}$ $\frac{1}{4}$ SW $\frac{1}{4}$ $\frac{1}{4}$, Section 2
Township 10S, Range 6W Boise Meridian, Other points of diversion: NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 35, Twp. 9S, Rge. 6W & SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 35, Twp. 9S, Rge. 6W B.M.
5. a) The amount of water and use to which the water has been applied:
Amount 4.5 AF for stockwatering purposes from Jan. 1 to Dec. 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 4.5 AF 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: Estimated by applicant
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:

b) Describe the agreement or understanding by which you take water from the works: _____

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) Earth dams for stockwater ponds.

b) Describe the type and size of measuring device which you have installed at your point of diversion: _____

c) Give well driller's name and address and the date the well was completed: _____

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: Stockwatering of 100 head of cattle

Exam typed 7/27/65 by JES

NOT FILMED

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: _____

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

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.

11-16-74
(Date)

Donald J. McKay
L. R. Falar
Hilbert Anderson for Sharon J. Anderson
(Signature)

State of Oregon)
County of Malheur) ss.

On this 16 day of Nov, 1974, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Jose Tellaria
Notary Public residing at Jordan Valley, Or

My Commission Expires July 22, 1975

My commission expires _____

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Don McKay, Les Falen, & Jeff Anderson, Jordan Valley, Oregon 97910 has received an approved Permit No. R-1170/55-2202 issued by the Idaho Department of Water Resources authorizing the ~~diversion~~ storage of 4.5 ~~acres of water~~ acre feet per annum of water from an unnamed spring. The priority to be established under this permit is November 18, 1963 and the permit was approved November 29, 1963.

Water is to be diverted by dam & reservoir from a point within the W¹/₄SW¹/₄, Sec. 2, Twp. 10S, Rge. 6W, B.M. & NW¹/₄SE¹/₄, SE¹/₄SE¹/₄, Sec. 35, Twp. 9S, Rge. 6W, B.M., Owyhee County to be used for stockwater purposes in the W¹/₄SW¹/₄, Sec. 2, Twp. 10S, Rge. 6W; & NW¹/₄SE¹/₄, SE¹/₄SE¹/₄, Sec. 35, Twp. 9S, Rge. 6W, B.M.,

Proof of the application of the water to beneficial use was ~~submitted~~ submitted to the Department on ~~xxxxxx~~ November 22, 1974. Any protest against the issuance of the license for the above referenced permit should be filed with the Idaho Dept. of Water Resources, State Capitol, Boise, Idaho, 83720, within ten (10) days of the last date of publication of this notice ~~or~~ ~~prior to the expiration of the permit or the expiration of the license or the date the license is annulled or the date the permit is annulled.~~

R. KEITH HIGGINSON
Director

Owyhee Chronicle, Homedale, Idaho
Published in the _____
on December 5 and December 12.

R1170
Permit No. 55-2202

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

X Donald G McKay Jordan Valley Ore
X L A Falen Jordan Valley Oregon
X Jeff Anderson Jordan Valley Oregon
(Signature) _____ (Address)

(Date) _____

To, File 55-2202

From Bob Fleenor

Don McKay visited the office today and was assisted in the completion of proof of B/U form. He took the form to be signed by the other permit holders. He also took an advertising authorization form to be signed ~~completed~~ and returned.

3DF

MICROFILMED

U.S. POSTAL SERVICE
OFFICIAL BUSINESS

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300



Postmark of Delivering Office

SENDER INSTRUCTIONS

Print in the space below your name, address, including ZIP Code

- ↓
- If special services are desired, check block(s) on other side
 - Moisten gummed ends and attach to back of article.

**RETURN
TO**

DEPARTMENT OF WATER RESOURCES
STATEHOUSE
STATEHOUSE
BOISE, IDAHO 83720
BOISE, IDAHO 83720

MICROFILMED

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)

(Additional charges required for these services)

☐ Show address
where delivered

☐ Deliver **ONLY**
to addressee

RECEIPT

Received the numbered article described below

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)

CERTIFIED NO.

25954

INSURED NO.

DATE DELIVERED

9/5/74

1

Don McKay

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

3

by Rita McKay

SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

August 30, 1974

CERTIFIED MAIL

#25954

Re: Permit No. R-1170/55-2202

Don McKay, Les Falen, Jeff Anderson
Jordan Valley,
Oregon 97910

Gentlemen:

One of the conditions of approval of your water Permit No. R-1170/55-2202 (see last page of your approved permit) 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 November 29, 1974. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause 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 affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.



R. KEITH HIGGINSON
Director

RKH:jg
Enc: Proof affidavit

BEFORE THE STATE RECLAMATION ENGINEER

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. R-1170)

ORDER MODIFYING REQUIREMENTS
FOR COMPLETION OF PERMIT TO
APPROPRIATE WATER

in the name of Don McKay, Les Falen, Jeff)

Anderson, Jordan Valley, Oregon)

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-1170 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 November 29, 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 18th day of September, 1968.

Jack A. Barnett, Deputy
State Reclamation Engineer

R-1170

NOTICE OF APPROVED APPLICATION FOR WATER

Notice is hereby given that Don McKay, Les Falen, and Jeff Anderson,
Jordan Valley, Oregon
have
~~has~~ received an approved permit No. R-1170 to ~~divert~~ store
4.5 ~~cubic feet per second~~ acre feet of water from
the spring runoff of an unnamed creek
_____. The priority to be established
under this permit is November 18, 1963.
Water will be diverted by 3 reservoirs with ~~an~~ earth filled dams
_____ within the W $\frac{1}{2}$ SW $\frac{1}{4}$, sec. 2,
T. 10 S, R. 6 W, B.M.; NW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, sec. 35, T. 9 S, R. 6 W, B.M.,
Owyhee County
and is to be used for stock watering purposes at the location of each
~~in the~~ point of diversion.

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 Nugget, Marsing, Idaho
on _____ and _____.

R-1170

September 10, 1968

Re: Permit No. R-1170

Don McKay, Les Falen,
Jeff Anderson
Jordan Valley, Oregon

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 and are now submitting proof of beneficial use. 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

enclosure: Order
Advertising package

R-1170

December 17, 1963

Re: Permit No. R-1170
Don McKay, Les Falen, and
Jeff Anderson

Mr. Don McKay,
Jordan Valley, Oregon.

Dear Mr. McKay:

We enclose Permit No. R-1170 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. 31933
which was issued covering payment in the amount of \$ 5.00
for the filing fee of the above mentioned permit.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(MRS.) EDNA P. RULE
Chief Clerk

Encl.
EPR:pmk

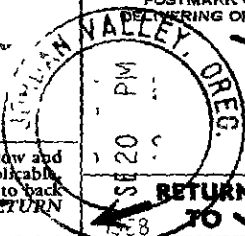
B-1170

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE

POSTMARK OF
DELIVERING OFFICE

R-1170



INSTRUCTIONS: Show name and address below and complete instructions on other side, where applicable. Moisten gummed ends, attach and hold firmly to back of article. Print on front of article **RETURN RECEIPT REQUESTED.**

NAME OF SENDER

Department of Reclamation

STREET AND NO. OR P.O. BOX

Annex # 2 Stateh use

POST OFFICE, STATE, AND ZIP CODE

Boise, Idaho 83707

R-1170

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Show to whom, date, and
address where delivered

☐ Deliver ONLY
to addressee

(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE *(Must always be filled in)*

CERTIFIED NO.

20282

1

Don McKay, Leo E. Baker, Jeff Anderson

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

DATE DELIVERED

9/20/68

SHOW WHERE DELIVERED *(only if requested)*

Mary McKay

3