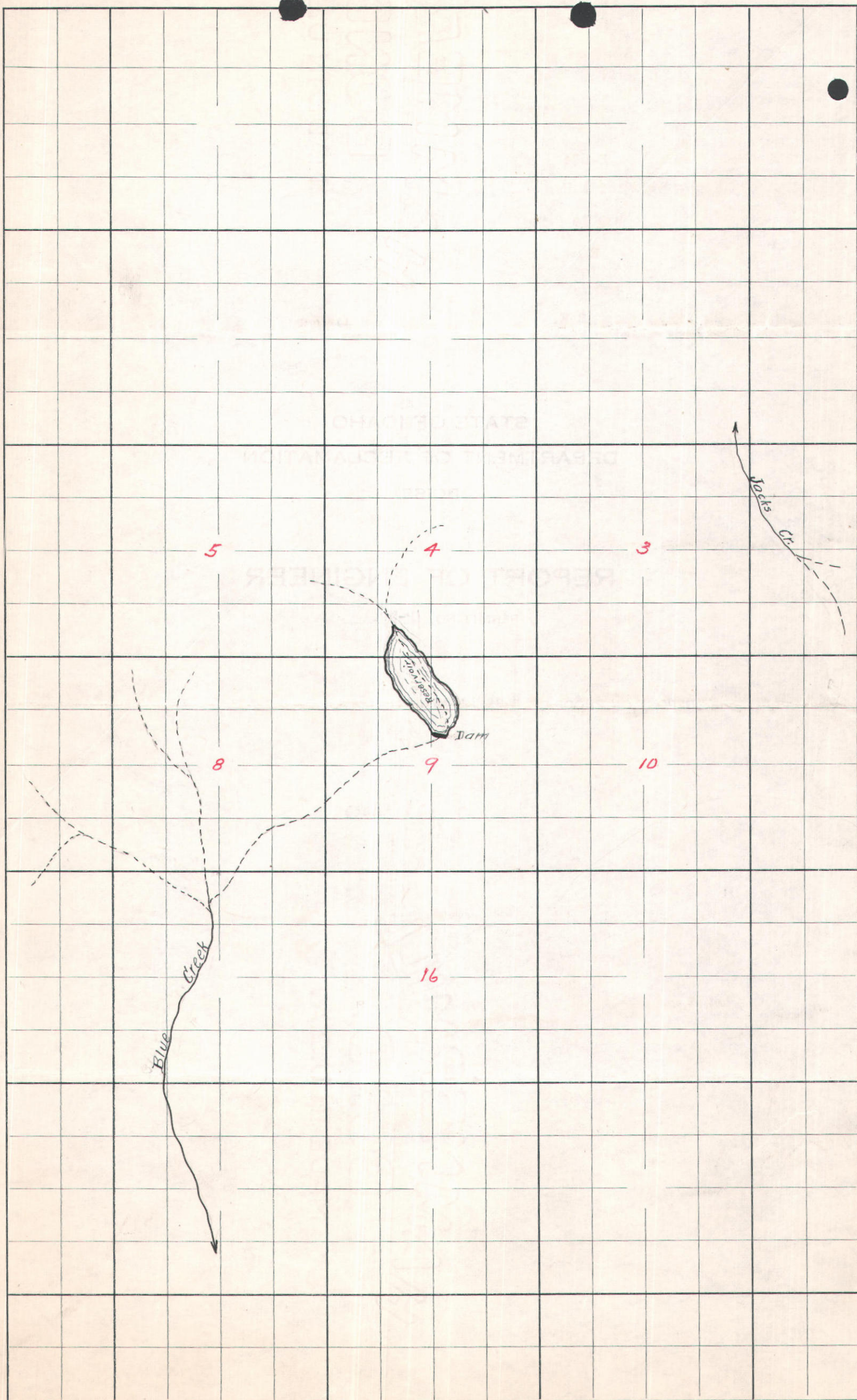




NOTICE FOR PUBLICATION
Notice of Proof Application of Water
to Beneficial Use.

Notice is hereby given that at 10:00 o'clock a.m., on the 25th day of January, 1936, at Boise, County of Ada, State of Idaho, before Mary Hinchy, notary public, proof will be submitted of the application to beneficial use of 250 acre feet per annum of the waters of east fork of Blue Creek, in accordance with the terms and conditions of Permit No. R 594, heretofore issued by the Commissioner of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Battle Creek Sheep Co., 214 First National Bank building, Boise, Idaho.

The use to which said water has been applied is stock watering purposes.

The amount applied to beneficial use 250 acre feet per annum.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated):

No irrigation.

The name of the canal or ditch or other works by which said water is conducted to such place of use is:

No diversion works.

The right to take water from such works is based upon Permit No. R-594.

The source of supply from which such water is diverted is east fork of Blue Creek.

The date of priority which said user is prepared to establish is August 14, 1935.

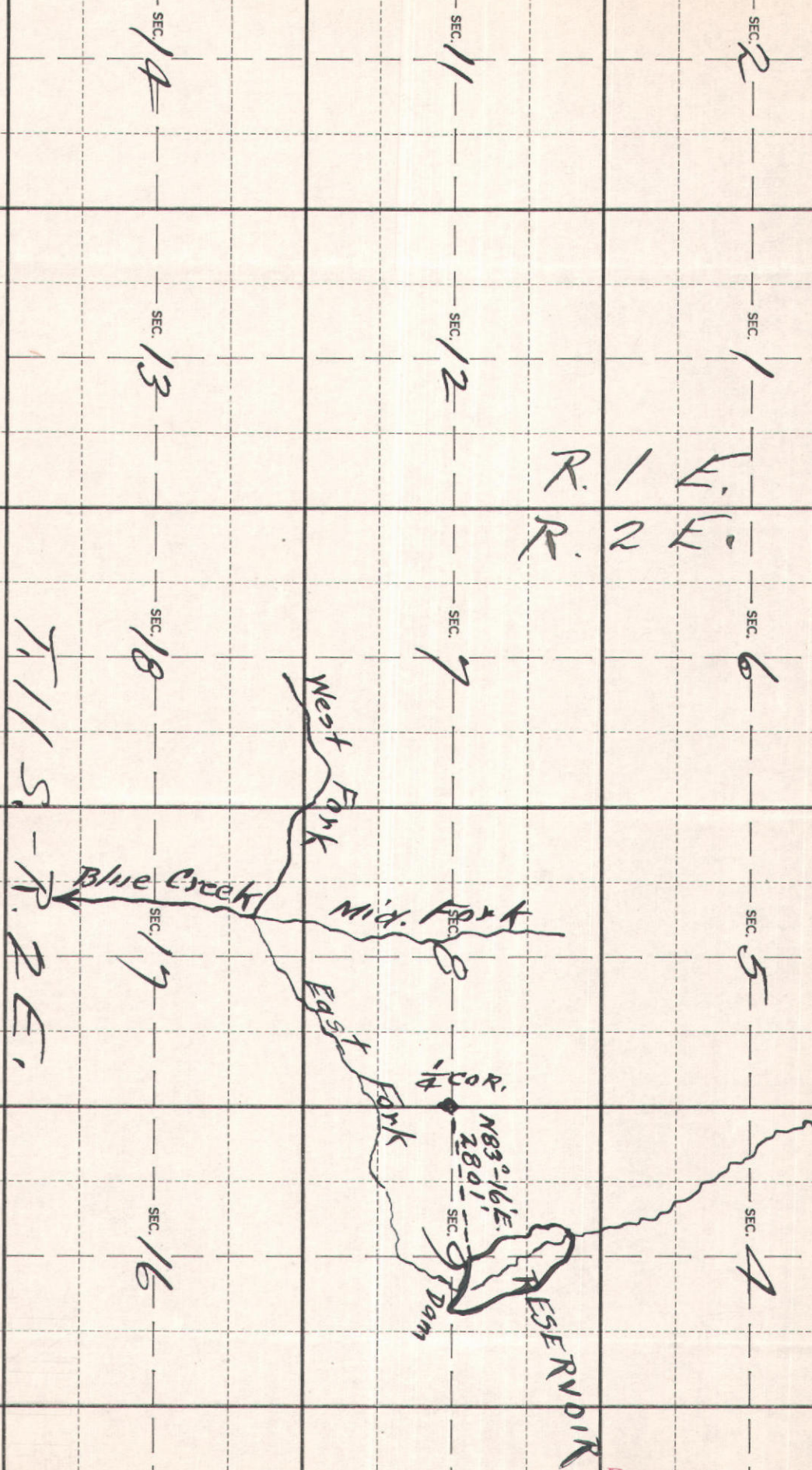
R. W. FARIS,
Commissioner of Reclamation.
(Jan. 2-23, 1936)

AFFIDAVIT OF PUBLICATION

I, Rodney A. Hawell,
printer and publisher of THE OWYHEE NUGGET, published weekly at Bruneau, Owyhee County, Idaho, do solemnly swear that a copy of the notice as per clipping attached, was published weekly in the regular entire issue of said newspaper, and not in any supplement thereof, for 4 consecutive issues, commencing with the issue dated Jan. 2, 1936, and ending with the issue dated Jan. 23, 1936; that the said newspaper has been continuously published in said county during a period of 78 consecutive weeks prior to the first publication of this notice.

Rodney A. Hawell
Subscribed and sworn to before me this 5 day of August, 1936
A. J. Hedon
Notary Public

R-594



Permit Map No. 594
As Approved
AUG 17 1935
R. W. FARIS
Commissioner of Reclamation

R-594

State of Idaho License and Certificate of Water Right

Water License No. R-594

Amount 200 acre feet

Water District No. _____

Priority August 14, 1935

THIS IS TO CERTIFY that **BATTLE CREEK SHEEP CO.**
of **Boise, Idaho**, made application for a permit to appropriate the
public waters of the State of Idaho, dated **August 14**, 19**35**; that Permit No. **R-594**
was issued under said application; that Certificate of Completion of works, with a ~~carrying~~ ^{storage} capacity of
250 ~~acre feet per annum~~ ^{acre feet per annum}, was issued thereunder on **November 1**, 19**35**, showing that said works
were completed on the **31st** day of **October**, 19**35**; and that on the **25th**
day of **January**, 19**36**,

BATTLE CREEK SHEEP CO.

of **Boise**, State of **Idaho**, made proof to the satisfaction of the
Commissioner of Reclamation of Idaho, of the right to use the waters of **East Fork of**
Blue Creek, a tributary of **Blue Creek**, for the purpose of **stock watering**
Reservoir, under ~~the~~ Permit No. **R-594** of the **Commissioner of Reclamation**
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is
hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume **7**
of Licenses, at page **3860**, on the **17th** day of **February**, 19**37**;
The right hereby confirmed dates from **August 14**, 19**35**;
Outlet
The Point of ~~DIVERSION~~ is located
in the **SW 1/4 NE 1/4**, Sec. **9**, Tp. **11 S.**, R. **2 E.**, B. M. **Owyhee County**

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid,
is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed **200**
~~acre feet per annum~~ ^{acre feet per annum}

Description and location of use: **Water is used only for stock watering purposes at the reservoir.**

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated

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

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho,
this **17th** day of **February**, 19**37**

R. W. FARIS

Commissioner of Reclamation

(SEAL)

55 2173

State of Idaho
License and Certificate of Water Right

Water License No. R-443
Water District No. _____

Amount 25 acre feet
Priority February 7, 1929

THIS IS TO CERTIFY that LOUIS R. HILLMON
of Cascade, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated February 7, 19 29; that Permit No. R-443
was issued under said application; that Certificate of Completion of works, with a ~~capacity~~ ^{storage} capacity of
100 ~~acre feet per annum~~ ^{acre feet per annum}, was issued thereunder on January 15, 19 32, showing that said works
were completed on the 5th day of January, 19 32; and that on the 12th
day of February, 19 35,

LOUIS R. HILLMON
of Cascade, State of Idaho, made proof to the satisfaction of the
Commissioner of Reclamation of Idaho, of the right to use the waters of Willow Creek
River, a tributary of North Fork of Payette, for the purpose of irrigation and domestic
use, under ~~Use~~ Permit No. R-443 of the Commissioner of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is
hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 7
of Licenses, at page 3859, on the 17th day of February, 19 37;

The right hereby confirmed dates from February 7, 19 29;

The Point of ~~Division~~ ^{Outlet} is located
in the NW 1/4 NE 1/4, Sec. 16, T^p. 13 N., R. 3 E., B. M. Valley County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid,
is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 25
~~cubic feet per second~~ ^{acre feet per annum}

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
13 N.	3 E.	11	NE $\frac{1}{4}$ NE $\frac{1}{4}$	30	30
			NW $\frac{1}{4}$ NE $\frac{1}{4}$	40	40
			SW $\frac{1}{4}$ NE $\frac{1}{4}$	40	35
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	30	<u>30</u>
					135

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

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho,
this 17th day of February, 19 37

R. W. FARIS
Commissioner of Reclamation

(SEAL)

55-2173

APPLICATION FOR PERMIT

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

Application No. R 25389
Permit No. R 594

1. Name of Applicant: **BATTLE CREEK SHEEP COMPANY**

Postoffice address: **Box 2894, Boise**

County

Ada

State

Idaho

I. If applicant is a corporation, give:

(a) Date and place of incorporation: **Idaho, May, 1925**

(b) Amount of Capital Stock: \$ **200,000.00**

(c) Amount paid in: \$

(d) Names and addresses of directors: **James H. Lane, 1133 So. Hope St., Los Angeles, Cal., H. E. Mumford, Boise, Idaho; O. O. Hage, Boise, Idaho**

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:

250

acre feet per annum.

3. Source of water supply is **East Fork Blue** (Creek) ~~(River)~~ a tributary of **Blue Creek** ~~(River)~~

4. The outlet of the proposed reservoir is located **N. 83°16'E** feet, distant from the **W $\frac{1}{2}$** corner of Section **9**, Township **11 S.**, Range **2 E.**, B. M. and is in the **SW $\frac{1}{4}$** of **NE $\frac{1}{4}$** of Section **9**, Township **11 S.**, Range **2 E.**, B. M. County of **Owyhee**

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

(a) The reservoir is located in the channel of

East Fork Blue Creek

~~(River)~~

(b) The reservoir is to be filled through a feeder canal, the point of diversion for which is located

(bearing)

feet distant from

the corner of Section

, Township

, Range

, B. M., and is in the

$\frac{1}{4}$ 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

40

acres.

(b) The reservoir capacity is

250

acre feet.

7. Height of reservoir dam **9 $\frac{1}{2}$** feet, length at top **864** feet, length at bottom **80** feet, size of outlet

by feet. The dam is to be constructed of materials as follows: **Earth**

(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) ?

(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. Amount of water claimed from

(Creek) (River) (Spring) in addition to that

stored in reservoir

cubic feet per second.

10. Water is to be used for **Stock 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

(bearing)

feet

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: \$ 1500.00 Diversion Works: \$ None

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

Remarks: This storage is for stock watering purposes only, and this dam is constructed to hold a supply for the summer range. A spillway is built at one side of embankment, but there is no outlet thru the dam. This dam was constructed by a man named White in 1924, and has been in continual use since that date for stock watering supply. No lands are irrigated from this storage.

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

BATTLE CREEK SHEEP COMPANY

Applicant.

By

M. Hinchy,

Agent.

Date of first receipt at office of Commissioner of Reclamation 10:00 A. M. August 14, 1935

Secretary

Returned to applicant for correction

Corrected application received

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is R 594

Recorded in book R 2

, page 594

Approved

August 17, 1935

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

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

Work to begin on or before October 16, 1935

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 February 17, 1938

The whole of said work to be completed on or before

August 17, 1940

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

August 17, 1946.

Witness my hand this

17th

day of

August

, 19 35 .

R. W. PARIS
Commissioner of Reclamation.

PERMIT NO. R-594

CERTIFICATE OF COMPLETION OF RESERVOIR AND
RIGHT TO STORE WATER

Amount: 250 Acre Feet

Priority 8-14-35

This is to certify that the BATTLE CREEK SHEEP COMPANY, acting through M. Hinchy, Secretary, of Boise, County of Ada, and State of Idaho, the holder of Permit No. R-594, issued upon Application No. R-25389, bearing date of priority of August 14, 1935, authorizing the construction of a reservoir and the right to store the waters of East Fork of Blue Creek a tributary of Blue Creek, County of Owyhee, State of Idaho, for stock watering purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works as set out and described in said Permit; that said works are adequate for the storage of 250 acre feet of water annually; that the location of the outlet of said reservoir is in the SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 9, Township 11 S., Range 2 E., Boise Meridian; that a right to store the said waters has been perfected in accordance with the laws of Idaho and is hereby confirmed by the Commissioner of Reclamation and entered of record in Volume 2, of Permits, at page 594, records of the Department of Reclamation on the 1st day of November, 1935; that the right hereby confirmed dates from August 14, 1935; and that the amount of water to which said right, is, by this certificate, entitled to store annually shall not exceed 250 acre feet.

Witness the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho, this 1st day of November, A. D. 1935.

(SEAL)

R. W. FARIS
Commissioner of Reclamation

acre
LICENSE ISSUED FOR ~~200~~ ²⁰⁰ SEC. FT.
p 3860 Vol 7

XXXXXXXXXX

Barzilla W. Clark

February 23, 1937

Re: Permit No. R-594

BATTLE CREEK SHEEP CO.
First Nat'l Bank Bldg.
Boise, Idaho

Attention: H. E. Mumford, Managing Director

Gentlemen:

You will find enclosed herewith, License and Certificate of Water Right which has been issued in accordance with the terms of the above permit for 250 acre feet per annum of the waters of the East Fork of Blue Creek for stock watering purposes.

We are also enclosing our Office Receipt No. 16114 in the amount of \$5.00 covering fee remitted by you in connection with beneficial use proof.

Very truly yours

R. W. FARIS
Commissioner of Reclamation

by
Asst Chief Clerk

cj
encl

R 574

January 30, 1937

Re: Permit No. R-594

H. E. MUMFORD, Managing Director
Battle Creek Sheep Co.
First National Bank Bldg.
Boise, Idaho

Dear Sir:

You no doubt will recall that at the time when you offered final proof in connection with the company's permit to appropriate 250 acre feet of water per annum from the East Fork of Blue Creek in Owyhee County for stock watering purposes, that we advised you that an examination would have to be made by a Field Engineer from this department to determine the quantity of water that had actually been applied to beneficial use.

This examination was made on November 10, 1936 and we now have the engineer's report covering such examination. He estimated the capacity of the reservoir constructed under the terms of this permit at 200 acre feet and we will therefore issue a license for this quantity of water upon receipt of the statutory fee of \$5.00.

Very truly yours

Chief Clerk & Office Engineer

PLH/cj

R-594

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permit No. R-594

Date..... December 27, 1935

EDITOR, OWYHEE NUGGET
Bruneau,
Idaho

DEAR SIR:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to..... January 25, 1936....., the date set for proof, the expense of the publication to be paid by the applicant..... BATTLE CREEK SHEEP COMPANY, 214 First National Bank Building, Boise, Idaho.....

to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice and furnish this office with a copy of the first publication.

Very truly yours,

R. W. FARIS

Commissioner of Reclamation

R-594

December 27, 1935

Re: Permit No. R-594
Battle Creek Sheep Company

MR. H. E. MURFORD, Agent
214 First National Bank Bldg.,
Boise, Idaho

Dear Sir:

This will acknowledge receipt of notice in duplicate for publication in connection with beneficial use proof and also your authorization to have the notice published in the Owyhee Nugget, Bruneau, Idaho, all in connection with Permit No. R-594.

A copy of the notice has been mailed to the newspaper with instructions to publish it once a week for four consecutive weeks prior to January 25, 1936, the date set for proof. About 10 days prior to this date, depositions consisting of one for the holder and one each for two witnesses will be mailed to Mary Kinchy, Notary Public, Boise, Idaho, so that she will have them in ample time for the proof. On the date designated you should appear at her office with two disinterested witnesses, who are familiar with the terms of the permit and the works constructed thereunder, for the purpose of executing the depositions.

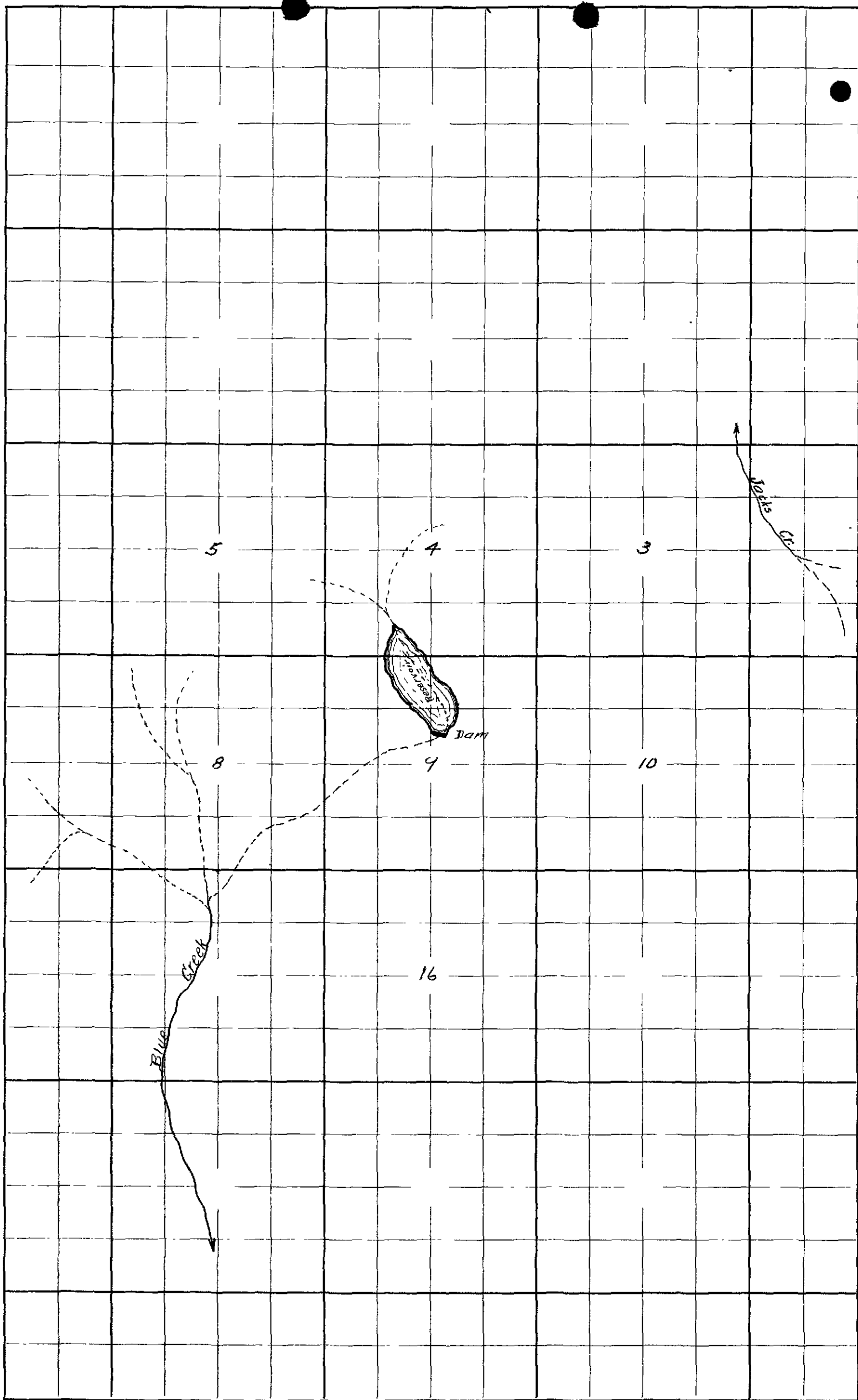
Very truly yours,

H. W. PARIS
Commissioner of Reclamation

by _____
Chief Clerk & Office Mgr.

PLH/rg
cc - Mary Kinchy, Notary Public, Boise, Idaho

R-594



SCALE: 2 INCHES EQUALS 1 MILE. DRAW MAP IN INK.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. R-594

REPORT ON PROOF OF Beneficial Use

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. **R-594**

This proof is for **Beneficial Use**

In Water District No.

1. Name of applicant **Battle Creek Sheep Co.**

2. Source of water supply **East Fork of Blue Creek outlet**

3. Location of point of ~~diversion~~ Is in the **SW 1/4** of Section **9**

T. **T. 11S.** R. **2 E.** County of **Owyhee**

4. Describe works as they exist, giving dimensions and capacities of same: *Earth fill dam 10 ft. high, 200 ft. long, 5 ft. top width, 1 1/2-1 slopes, the upper of which is rip rapped. The dam has no outlet device. Spillway is provided in a natural draw having an average width of 20 ft. x 2 ft. deep, leaving a 2 foot freeboard on the dam. Estimated Capacity = 200 Af.*

5. Water is used for: *Stock watering*

6. State whether or not water has been turned into works of diversion: *No diversion other than over the spillway*

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation):

(Submit map on attached plat, showing location and details of above description)

8. What large stream would the water here appropriated finally reach? *Owyhee River*

Remarks *The stream above this reservoir is only a flood water carrier which goes dry early in the season. The effect of this dam is to extend the local grazing season by the storage of stock water. During a season of scant precipitation however this might deprive older storage rights located farther downstream due to the omission of any outlet facility in the dam below the grade of the spillway*

This examination was made on the

10th

day of

Nov.

1936

(Signed)

Fred H. Dolman

Examiner.

R-594

H. E. Mumford, Managing Dir.
Battle Creek Sheep Co.

Permit No. R-594

Examination for Beneficial Use

County Owyhee

INSTRUCTIONS TO EXAMINERS

- 1 Always carefully note the location of the point of diversion and accurately plat same
 - 2 When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same
 - 3 Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads
 - 4 If any unusual conditions are discovered, make a plain statement of them under remarks
 - 5 Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions
-

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) December 19, 1935

(P. O.) Boise, Idaho

TO THE COMMISSIONER OF RECLAMATION:

Boise, Idaho.

Dear Sir:

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

BATTLE CREEK SHEEP COMPANY

By

Managing Director

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

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

.....
Engineer.

February 3, 1936

Re: Permit No. R-594

MR. H. E. MUMFORD,
First National Bank Bldg.,
Boise, Idaho

Dear Sir:

This will acknowledge receipt of the deposition of the holder and the depositions of two witnesses in connection with beneficial use proof under the above permit. The affidavit of publication from the newspaper did not accompany these papers. Will you, therefore, contact the editor of the Owyhee Nugget and request him to furnish this office with an affidavit of proof of publication of the second notice which was published in connection with final proof under this permit.

Before final action can be taken in this matter, the law requires that a field examination be made by an engineer from this department. We are unable to say just when this examination will be made since the department has but one field engineer who makes examinations all over the state. However, Mr. Tolman, Field Engineer, for this department, will contact you at the time set for examination so that you may have some one show him over the grounds. After his report is on file in this office you will be further notified as to fees due before the issuance of your license.

Very truly yours,

R. L. FARRIS
Commissioner of Reclamation

By _____
Chief Clerk & Office Ingr.

PLH/rg

R-594

NOTICE FOR PUBLICATION
Notice of Proof of Application of Water
to Beneficial Use.

Notice is hereby given that at 10:00 o'clock a.m., on the 25th day of January, 1936, at Boise, County of Ada, State of Idaho, before Mary Hinchy, notary public, proof will be submitted of the application to beneficial use of 250 acre feet per annum of the waters of east fork of Blue Creek, in accordance with the terms and conditions of Permit No. R 594, heretofore issued by the Commissioner of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Battle Creek Sheep Co., 214 First National Bank building, Boise, Idaho.

The use to which said water has been applied is stock watering purposes.

The amount applied to beneficial use 250 acre feet per annum.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated):

No irrigation.

The name of the canal or ditch or other works by which said water is conducted to such place of use is:

No diversion works.

The right to take water from such works is based upon Permit No. R-594.

The source of supply from which such water is diverted is east fork of Blue Creek.

The date of priority which said user is prepared to establish is August 14, 1935.

R. W. FARIS,
Commissioner of Reclamation.
(Jan. 2-23, 1936)

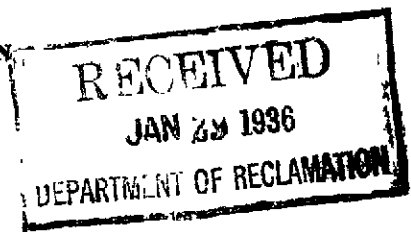
AFFIDAVIT OF PUBLICATION

I, Rodney A. Howell,
printer and publisher of THE OWYHEE NUGGET, published weekly at Bruneau,
Owyhee County, Idaho, do solemnly swear that a copy of the notice as per
clipping attached, was published weekly in the regular entire issue of
said newspaper, and not in any supplement thereof, for 4 consecutive
issues, commencing with the issue dated Jan. 2 1936, and
ending with the issue dated Jan. 23, 1936; that the said news-
paper has been continuously published in said county during a period of 78
consecutive weeks prior to the first publication of this notice.

Rodney A. Howell
Subscribed and sworn to before me this 5 day of August, 1936.
[Signature]
Notary Public

R-594

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



Permit No. R-594

Proof of Application of Water to Beneficial Use

Deposition of Holder

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. H. E. MUMFORD, Hurtt Apts., Representative FIC Bank, Boise, Idaho

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

Ans. BATTLE CREEK SHEEP COMPANY, Boise, Idaho, Managing Director --
Authorized by corporation.

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. No. R-594, Aug. 17, 1935, Aug. 14, 1935.

Ques. 4. State source of water supply and give exact location of point of ^{outlet} diversion.

Ans. East Fork of Blue Creek, Sec. 9, T. 11 S., R. 2 E. (Storage point)

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use.

Ans. Water is stored in dam for stock watering purposes only.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. For stock watering purposes only.

Ques. 7. If for other than for irrigation purposes; state how applied, amount of horse power generated, etc.

Ans. For Stock watering purposes only.

Ques. 8. What is the minimum amount of water required for the purpose specified above?

Ans. 250 acre feet per annum.

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. --

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. 1924, dam was constructed, for stock water purposes, 250 acre feet.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. None

(Sign) *William J. ...*

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in *Donal*, County of *Ada*, State of Idaho, on this *25th* day of *January*, A. D. 19*36*.

Mary L. ...
Mary L. ...

My commission expires *Aug 15, 1937*

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. R-594

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. GEORGE E. TUCKER, 48, 1916 State St., Civil Engineer, Boise, Idaho.

Ques. 2. Are you acquainted with BATTLE CREEK SHEEP COMPANY, the holder of Permit No. R-594? How long have you known ^{it} ~~him~~ and where does ~~he~~ reside?

Ans. Yes -- about eight years.

Ques. 3. Have you read or heard read said Permit No. R-594, and are you familiar with its provisions and conditions?

Ans. Yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. East fork of Blue Creek, Sec. 9, T. 11 S., R. 2 E. (storage point); Water merely for stock watering purposes.

Height of Dam: 9½ ft.; Length at top 864 ft.; Length at Bottom 80 ft.

Spillway 30 ft. wide and about 2½ ft. deep at one end of dam -- no outlet through the dam.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. Storage -- 250 acre feet per annum.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each sub-division in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvement which have been made as a direct result of said use.

Ans. Water is stored here for stock watering purposes only.

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent

Ans. Water stored here for stock watering purposes only.

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. No water is used for irrigation.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No.

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. At the time I examined it no water was stored -- I was there in the Fall of 1935. Dam was completed at that time.

(Signed)

George E. Tucker

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Boise, County of Ada, State of Idaho, on this day of January 25, A. D. 1936.

Mary Lindsey

Notary Public.

My commission expires Aug. 25, 1937

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. R-594

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. ASA L. WILLIAMS, 53, 802 N. 18th, Stock man, Boise, Idaho

Ques. 2. Are you acquainted with BATTLE CREEK SHEEP COMPANY, the holder of Permit No. R-594? How long have you known ~~him~~ ^{it} and ~~where he lives~~

Ans. Yes -- 18 years.

Ques. 3. Have you read or heard read said Permit No. R-594, and are you familiar with its provisions and conditions?

Ans. Yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. East Fork of Blue Creek, Sec. 9, T. 11 S., R. 2 E. (Storage point.
Water merely for stock watering purposes. Height of Dam: 9½ ft.,
Length at top 864 ft.; Length at Bottom 50 ft.; Spillway 30 ft. wide
and about 2½ ft. deep at one end of dam -- no outlet through the dam.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. Storage -- 250 acre feet per annum.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each sub-division in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvement which have been made as a direct result of said use.

Ans. Water is stored here for stock watering purposes only.

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent

Ans. Water stored here for stock watering purposes only.

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. No water used for irrigation.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No.

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. Spring of 1935 I was there and saw water stored in dam.

(Signed)

Coa L. Williams

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Boise, County of Ada, State of Idaho, on this day of January 25, A. D. 1936.

My commission expires Aug. 25, 1937

Mary H. Hickey
Notary Public.

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO, January 7, 1936

Re: Permit No. R-594

MARY HINCHY, Notary Public
c/o Richards & Haga,
Boise, Idaho

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. R-594

DEPOSITION OF PERMIT HOLDER,
DEPOSITIONS OF TWO WITNESSES.

In submitting this proof the following instructions should be CAREFULLY followed out, since failure to do so may result in the loss of rights:

1. On January 25, 1936, the date set for proof, the enclosed forms (one for permit holder and one each for two disinterested witnesses) should be filled out and sworn to, at Boise, Idaho before Mary Hinchy, Notary Public

2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice.

When these have been received, together with report of the examining engineer, if everything is properly executed, you will be further advised as to fees due, etc., before certificate is issued.

Yours truly,

R. M. PARIS
Commissioner of Reclamation.

R-594

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 a. m. on the 25th day of January, 1936,
 at Boise, County of Ada, State of Idaho,
 before Mary Hinchy, Notary Public, proof will be submitted
 of the application to beneficial use of 250 acre feet ^{per annum} ~~250 acre feet per annum~~ of the
 waters of East Fork of Blue Creek in accordance with the terms and conditions of
 Permit No. R-594 heretofore issued by the Commissioner of Reclamation
 of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are.....

BATTLE CREEK SHEEP COMPANY, 214 First National Bank Bldg., Boise, Idaho.

The use to which said water has been applied is stock watering purposes

The amount applied to beneficial use is 250 acre feet per annum.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) No irrigation.

The name of the canal or ditch or other works by which said water is conducted to such place of use is No diversion works.

The right to take water from such works is based upon Permit No. R-594

The source of supply from which such water is diverted is East Fork of Blue Creek

The date of the priority which said user is prepared to establish is August 14, 1935.

R. W. FARIS

Commissioner of Reclamation.

R-574

December 18, 1935

Re: Permit No. R-594
Battle Creek Sheep Co.

MR. H. E. MERTON,
214 First National Bank Bldg.,
Boise, Idaho

Dear Sir:

We are submitting herewith a penciled copy of a new notice for publication in connection with final proof under the above permit, and also our form letter for your authorization to have the notice published in some newspaper in Owyhee County, as per your letter of December 9th. We are submitting this rough copy so that you may change the date when proof will be offered, if January 25th will not meet with your convenience, and also so that you may insert the name of some Notary Public before whom proof will be offered.

After you have completed these papers, kindly return them to this office and we shall prepare a typewritten notice and mail a copy to the newspaper in ample time for the publication.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By _____
Chief Clerk & Office Engr.

PL/rq
Encl.

R-594

FEDERAL INTERMEDIATE CREDIT BANK OF SPOKANE

UNIT OF THE FARM CREDIT ADMINISTRATION

TWELFTH DISTRICT

IDAHO, MONTANA, OREGON AND WASHINGTON

RECEIVED

DEC 10 1935

Department of Reclamation

SPOKANE, WASHINGTON.

214 First National Bank Building
Boise, Idaho

December 9, 1935

IN REPLYING PLEASE REFER TO

LOAN NO. _____

Permit No. R-594

Battle Creek Sheep Co.

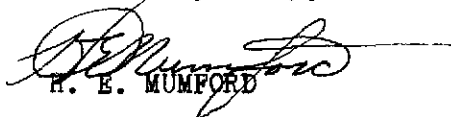
R. W. Faris, Commissioner of Reclamation
Department of Reclamation
State House
Boise, IdahoAttention: Paul L. Henry, Chief Clerk & Office Engr.

Dear Sir:

Thank you very much for your letter of
December 6, 1935.

We would like to go ahead with this proof as soon as possible, and will greatly appreciate it if you will prepare a new notice for publication and forward the necessary papers to us together with a statement as to the procedure. I will offer this proof myself as Managing Director of the Battle Creek Sheep Company.

Yours very truly,


H. E. MUMFORD

R-594

December 6, 1935

Re: Permit No. R-594
Battle Creek Sheep Co.

MR. H. L. MUMFORD,
214 First National Bank Bldg.,
Boise, Idaho

Dear Sir:

As you know from our telephone conversation of December 5th, the blanks which were furnished Mr. T. L. Martin for proof of beneficial use under the above permit, were returned to this office unexecuted. M. Hinchy, Secretary of the above company, is the person who should have handled the matter, inasmuch as she is the one who filed the application for permit. However, she apparently overlooked the matter and failed to appear at Mr. Martin's office on the date designated, which was November 22nd at 10:00 A. M.

The proof consists of three depositions, being one for the holder, which in this case would have been the agent of the company, and one each for two witnesses who are familiar with what has been done under the permit but are not interested in it. We presumed that our letter of November 1st, which explained the procedure, was sufficiently clear. However, this apparently was not the case as M. Hinchy indicated over the telephone yesterday. It does appear to us that she should have called this office and asked for more definite information and she certainly had ample time to do so since the letter was mailed three weeks in advance of the date set for proof. As the matter now stands, you people are out your publication fee, since a new publication will have to be made prior to the date when proof is offered. It is our understanding that you are managing director of the company and if this is the case you can offer proof yourself if you so desire. Furthermore, we will be glad to prepare a new notice for publication, setting the date for proof far enough in advance to allow sufficient time for the publication and mail it to you with our form letter for your authorization to have it run in a newspaper in Owyhee County the necessary four weeks. If you decide to go ahead with this matter at the present time, kindly advise us at your earliest convenience and these papers will be prepared and mailed to you with a statement as to the procedure.

Very truly yours,

R. W. PARIS
Commissioner of Reclamation

By _____
Chief Clerk & Office Engr.

PLH/rg

12-594

December 6, 1935

Re: Permit No. R-594

MR. T. L. MARTIN,
Attorney at Law,
Boise, Idaho

Dear Mr. Martin:

We have your letter dated December 3rd returning the depositions which we mailed to you several days ago.

Since the agent for the permit holder and the witnesses did not appear to execute the necessary depositions, the proof is out and in the event they decide to complete this matter a new publication will have to be made, prior to the time when proof is offered.

I talked to M. Hinchy, Secretary of the company, over the telephone yesterday and she gave as her reason for not appearing on the date designated that our letter of November 1st, to her, did not specify the date when proof was to be offered. You received a copy of this letter and there, apparently, was no question in your mind as to the date. Consequently, I am of the opinion that the matter was overlooked rather than it being a question as to a proper understanding.

As the matter now rests, the Battle Creek Sheep Company is simply out the fee of \$10.25 for publication of the notice which must be paid again at the time when they offer this proof.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By _____
Chief Clerk & Office Engr.

PLH/rE

R-594

THOMAS L. MARTIN
ATTORNEY AT LAW
BOISE, IDAHO

December 3, 1935

Department of Reclamation
Capitol Building
Boise, Idaho

Gentlemen:

On November 1st you sent me the blanks for depositions in connection with Permit No. R-594 - Battle Creek Sheep Company. According to the notice, the permit holders were to come to my office on November 22nd, 1935. They did not come and I am returning all the papers to you.

Respectfully yours,


T. L. MARTIN

TLM:LJ

Encs.

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

Re: Permit No. R-594

BOISE, IDAHO,

November 14, 1935

MR. T. L. MARTIN,
Notary Public,
Idaho Bldg.,
Boise, Idaho

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. R-594

DEPOSITION OF PERMIT HOLDER,
DEPOSITIONS OF TWO WITNESSES.

In submitting this proof the following instructions should be CAREFULLY followed out, since failure to do so may result in the loss of rights:

1. On November 22, 1935, the date set for proof, the enclosed forms (one for permit holder and one each for two disinterested witnesses) should be filled out and sworn to, at Boise, Idaho before T. L. MARTIN

2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice.

When these have been received, together with report of the examining engineer, if everything is properly executed, you will be further advised as to fees due, etc., before certificate is issued.

Yours truly.

R. N. FARIS

Commissioner of Reclamation.

November 12, 1935

Re: Permit No. R-594

M. HINCHY, Secretary
Battle Creek Shepp Co.,
Boise, Idaho

Dear Sir:

We are enclosing herewith Certificate of Completion of Works, issued under the abovenumbered permit, together with our office receipt in the amount of \$5.00.

Very truly yours,

R. W. FARR
Commissioner of Reclamation

By _____
Assistant Chief Clerk

G
Encl.

R-594

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

November 1, 1935

Re: Permit No. R-594
Battle Creek Sheep Co.

M. HINCHY, Secretary
Boise,
Idaho

Dear Madam:

This will acknowledge receipt of notice in duplicate for publication in connection with beneficial use proof and also your authorization to have the notice published in the Owyhee Nuggett, Bruneau, Idaho, all in connection with Permit No. R-594.

A copy of the notice has been mailed to the newspaper with instructions to publish it once a week for four consecutive weeks prior to November 22, 1935. About 10 days prior to this date, depositions consisting of one for the holder and one each for two witnesses will be mailed to Mr. T. L. Martin, Notary Public, Idaho Building, Boise, Idaho, so that he will have them in ample time for the proof. On the date designated you should appear at Mr. Martin's office with two disinterested witnesses, who are familiar with the terms of the permit and the works constructed thereunder, for the purpose of executing the depositions.

Very truly yours,

R. W. FAHIS
Commissioner of Reclamation

BY _____
Chief Clerk & Office Ingr.

PLH/re
cc - Mr. T. L. Martin, Idaho Bldg.,
Boise, Idaho

November 1, 1935

Re: Permit No. R-594
Battle Creek Sheep Co.

M. HINCHY, Secretary
Boise,
Idaho

Dear Madam:

This will acknowledge receipt of notice in duplicate for publication in connection with beneficial use proof and also your authorization to have the notice published in the Owyhee Nuggett, Bruneau, Idaho, all in connection with Permit No. R-594.

A copy of the notice has been mailed to the newspaper with instructions to publish it once a week for four consecutive weeks prior to November 22, 1935. About 10 days prior to this date, depositions consisting of one for the holder and one each for two witnesses will be mailed to Mr. T. L. Martin, Notary Public, Idaho Building, Boise, Idaho, so that he will have them in ample time for the proof. On the date designated you should appear at Mr. Martin's office with two disinterested witnesses, who are familiar with the terms of the permit and the works constructed thereunder, for the purpose of executing the depositions.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

BY _____
Chief Clerk & Office Engr.

PLH/rg
cc - Mr. T. L. Martin, Idaho Bldg.,
Boise, Idaho

R-594

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 a. m. on the 22nd day of November, 1935, at the Idaho Bldg., Boise, County of Ada, State of Idaho, before T. L. Martin, Notary Public, proof will be submitted of the application to beneficial use of 250 acre feet per annum ~~cubic feet per second~~ of the waters of East Fork of Blue Creek in accordance with the terms and conditions of Permit No. R-594 heretofore issued by the Commissioner of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are

BATTLE CREEK SLEEP COMPANY, Boise, Idaho

The use to which said water has been applied is Stock watering

The amount applied to beneficial use is 250 acre feet per annum

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) No irrigation

The name of the canal or ditch or other works by which said water is conducted to such place of use is no ditch

The right to take water from such works is based upon Permit No. R-594

The source of supply from which such water is diverted is East Fork of Blue Creek

The date of the priority which said user is prepared to establish is August 14, 1935

Commissioner of Reclamation.

R-594

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date)

(P. O.)

TO THE COMMISSIONER OF RECLAMATION:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
.....The Owyhee Nugget..... of Bruneau, Idaho....., published in
the county in which the works are situated.

LITTLE CREEK SHEEP COMPANY

By *M. M. Munchy*
Secretary

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

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

.....
Engineer.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date.....November 1, 1935.....

Re: Permit No. R-594

EDITOR, THE OWYHEE NUGGETT
Bruneau,
Idaho

DEAR SIR:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to.....November 22, 1935....., the date set for proof, the expense of the publication to be paid by the applicant,.....

.....~~BATTLE CREEK SHEEP COMPANY, Boise, Idaho~~.....
to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice and furnish this office with a copy of the first publication.

Very truly yours,

R. W. FARIS

Commissioner of Reclamation

R-594

Permit No. R-594STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO,

County of Ada

SS

M. Ainsley, Inc., Battle Mountain, N.H. being first duly sworn, upon his oath deposes and says:
 First: That he is the holder and owner of Permit to Appropriate the Public Waters of the state of Idaho, No. R-594, and that his postoffice address is Boise
 State of Idaho

Second: That the name of the stream from which said water is to be diverted is East Fork of Blue Creek

Third: That the point of ~~diversion~~ ^{outlet} of said water is in SW⁴NE⁴, Sec 9, T11S, R2E, B.M.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by Aug 11, 1940

Fifth: That the use for which said water is intended is Stock watering

Sixth: That on the date above mentioned, the works constructed under said permit were ~~not~~ ^{fully} completed and consisted of the following:

I. Kind of works: Dam & pipeline
 (Reservoir, dam, ditch, flume, pipe or otherwise.)

II. Dimensions of work:

(a) Height of dam 9 1/4 feet, length of dam at top 864 feet, length of dam at bottom 80 feet. Material used in construction Earth fill

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir 250 acre feet.

(c) Size of headgate: Width feet, height feet.

(d) Conduit width at bottom feet, width at water line
 (State whether ditch, flume or pipe)

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

Seventh: That said works are capable of storing 250 acre ft per annum
~~conducting to the place of intended use~~
second feet of water.

Eighth: That water appropriated under said permit is available for NO acres of land described as follows: NO irrigation

Ninth: Remarks: That

(Sign here)

Subscribed and sworn to before me this 21 day of October, 1940

My commission expires Jan 27 1941

Notary Public.

R-594

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Permit No. R-594

Boise, Idaho, August 21, 1935

Dear Sir:

I enclose herewith above numbered permit. BE SURE AND
NOTE LIMITATIONS AND CONDITIONS OF SAME as
given under approval of the Commissioner of Reclamation on
the third page.

WATKINS CATTLE & SHEEP CO.
Boise, Idaho
Box 2894

R. N. FARIS
Commissioner of Reclamation.

R-594

