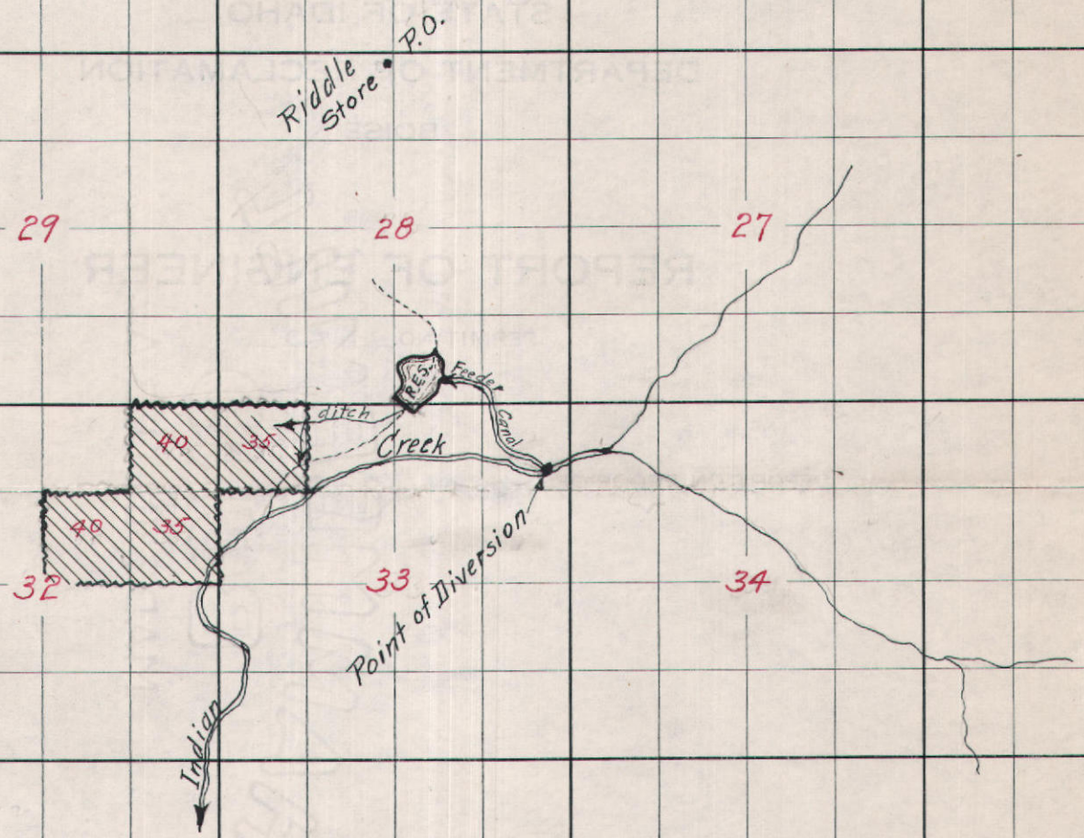


SCALE: 2 INCHES EQUALS 1 MILE. DRAW MAP IN INK.

16723

NOTICE FOR PUBLICATION

Notice of Proof Application of Water to Beneficial Use

Notice is hereby given that at 10 a.m. on the 30th day of July, 1932, at Elko, County of Elko, State of Nevada, before H. U. Castle, Notary Public, proof will be submitted of he application to beneficial use of three cubic feet per second of the waters of Indian Creek, in accordance with the terms and conditions of Permit No. 16723 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 Blue Creek Land & Livestock Company, Elko, Nevada.

The use to which said water has been applied is irrigation and domestic.

The amount applied to beneficial use is three cubic feet per second.

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

NE¼NE¼, SW¼NE¼, SE¼NE¼, Section 32; NW¼NW¼, Section 33, all in Township 14 South, Range Three East, Boise Meridian, Idaho.

The name of the canal or ditch or other works by which said water is conducted to such place of use is Avent Reservoir and Ditch.

The right to take water from such works is based upon Permit No. I6723.

The source of supply from which such water is diverted is Indian Creek.

The date of priority which said user is prepared to establish is July 27, 1927.

R. W. FARIS,
Commissioner of Reclamation.

june 9-30

AFFIDAVIT OF PUBLICATION

I, Charles Pascoe

printer & publisher of THE OWYHEE NUGGET, published weekly at Bruneau, Owhee 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 June 9 1932, and ending with the issue dated June 30 1932; 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.

Charles Pascoe

Subscribed and sworn to before me this 22d day of July 1932.

H. U. Castle

Notary Public

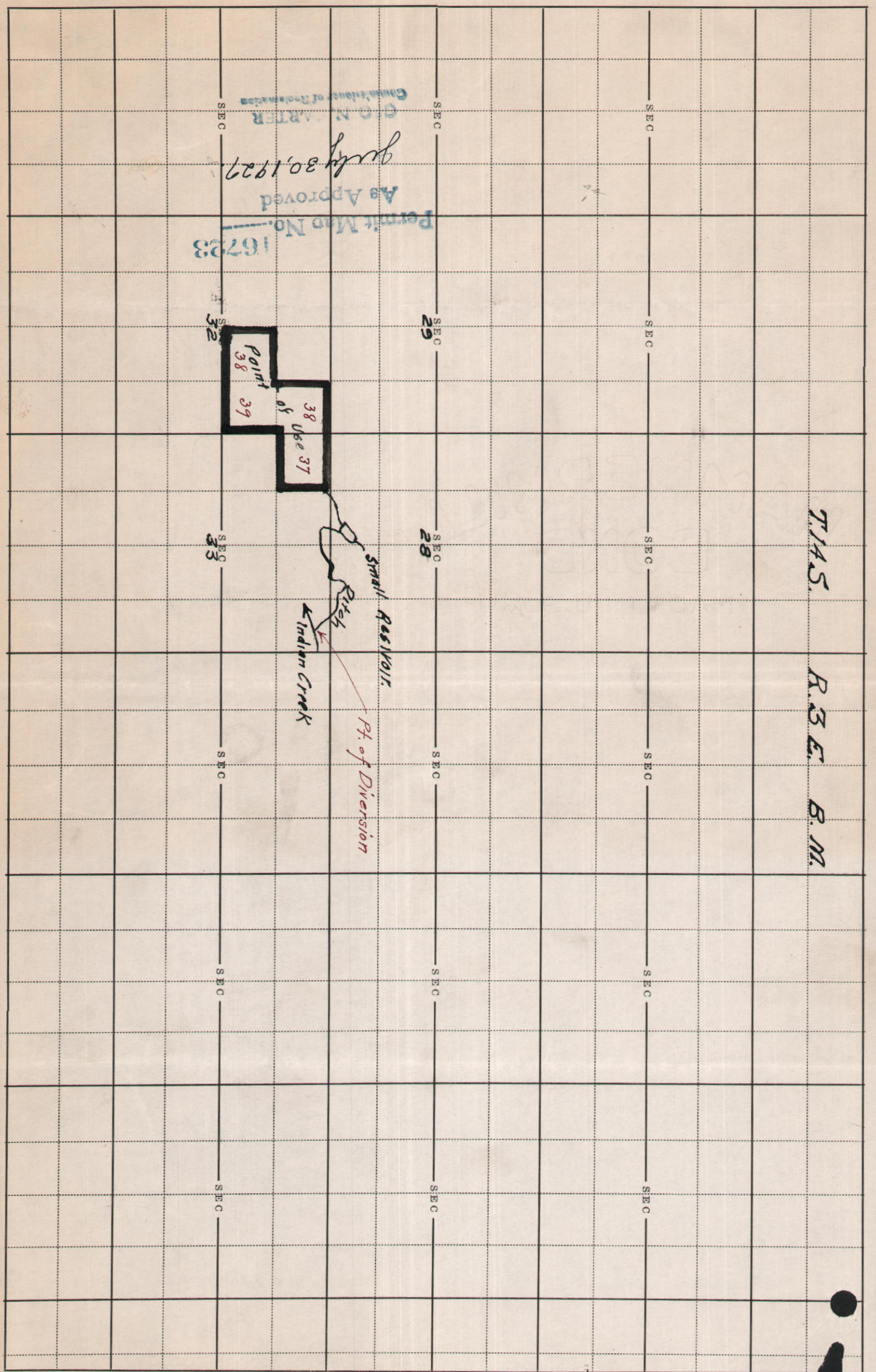
RECEIVED
AUG 1 1932
DEPARTMENT OF RECLAMATION

16723

E 7 2 3
16723

NAME OF APPLICANT Blue Creek Land & Livestock Co

Form No. 0



Permit Map No. 16723
As Approved
April 30, 1927.
Commissioner of Reclamation
G. C. N. ARTER

SCALE: 2 INCHES EQUAL 1 MILE. DRAW PLAN IN INK

State of Idaho

License and Certificate of Water Right

Water License No. 16723

Water District No.

Amount 3.0 Sec.Ft.

Priority July 27, 1927

THIS IS TO CERTIFY that **The Blue Creek Land & Livestock Company** of **Elko, Nevada**, made application for a permit to appropriate the public waters of the State of Idaho, dated **July 27**, 19 **27**; that Permit No. **16723** was issued under said application; that Certificate of Completion of works, with a carrying capacity of **3.0** second feet, was issued thereunder on **June 25**, 19 **30**, showing that said works were completed on the **16th** day of **June**, 19 **30**; and that on the **30th** day of **July**, 19**32**,

The Blue Creek Land & Livestock Company of **Elko**, State of **Nevada**, made proof to the satisfaction of the **Commissioner of Reclamation** of Idaho, of the right to use the waters of **Indian Creek**, a tributary of **Owyhee River**, for the purpose of **Irrigation and domestic use**, under Use Permit No. **16723** 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 **3724**, on the **18th** day of **February**, 19**33**;

The right hereby confirmed dates from **July 27**, 19 **27**;

The Point of Diversion is located

in the **NE** ¼ **NE** ¼, Sec. **33**, Tp. **14 S.**, R. **3 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 **3.0** cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
14 S	3 E	32	NE¼NE¼	38	40
			SW¼NE¼	38	40
			SE¼NE¼	39	35
		33	NW¼NW¼	37	35

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 **18th** day of **February**, 19 **33**

R. W. FARIS

Commissioner of Reclamation

(SEAL)

55 2121

State of Idaho

License and Certificate of Water Right

Water License No. 16399 Amount 0.58 Sec.Ft.

Water District No. Priority November 27, 1925

THIS IS TO CERTIFY that Otis E. Syster of R 4 Buhl, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated November 27, 19 25; that Permit No. 16399 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 2.68 second feet, was issued thereunder on September 17, 19 28, showing that said works were completed on the 15th day of September, 19 28; and that on the 2nd day of December, 19 31,

Otis E. Syster of Buhl, State of Idaho, made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of the right to use the waters of Mud Creek, a tributary of Snake River, for the purpose of irrigation and domestic use, under Use Permit No. 16399 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 3723, on the 16th day of February, 19 33;

The right hereby confirmed dates from November 27, 1925;

The Point of Diversion is located in the NW ¼ SW ¼, Sec. 14, Tp. 9 S., R. 14 E., B. M. Twin Falls 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 0.58 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
9 S	14 E	10	Lot 4	33.05	5
		11	Lot 4	40.7	3
		11	Lot 3	20.85	12
		11	SE¼NW¼	40.0	9

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 16th day of February, 1933

R. W. FARIS
Commissioner of Reclamation

(SEAL)

No 16723

APPLICATION FOR PERMIT 55-2131
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. 23646
Permit No. 16723
District No.

1. Name of Applicant: Blue Creek Land & Livestock Co.

Postoffice address: Elko, Nevada, County: Elko, State: Nevada.

I. If applicant is a corporation, give:
(a) Date and place of incorporation: Dec. 27, 1926, A Nevada Corporation.
(b) Amount of capital stock: $100,000.00
(c) Amount paid in: $100,000.00
(d) Names and addresses of directors: J. A. Sewell, Owyhee, Nevada; Hazel R. Sewell, Elko, Nevada, and C. A. Sewell, Elko, Nevada.

II. The financial resources of the applicant are:
(a) Cash on hand:
(b) Treasury stock:
(c) Bonds to be issued:
(d) Other resources:

2. Quantity of water claimed: three cubic feet per second.

3. Source of water supply: Indian Creek, which is a tributary of Owyhee River.

4. Location of point of diversion: S 55 degrees West 711.5 feet distant from the NE corner of Section 33, T. 14 S., R. 3 E., B. M., and is in the NE¼ of NE¼ of Section 33, T.14 S., R. 3 E., B. M., County of Owyhee.

5. Water is to be used for: irrigation and domestic

6. If for mining, milling, power or manufacturing purposes, give:
(a) Point of use of water: feet distant from corner of Section T. , R. , B. M., in the of Section , T. , R. , B. M.
(b) Amount of power generated: H. P., under feet head.
(c) Water is to be returned to at a point feet distant from the corner of Section , T. , R. , B. M., in the of Section , T. , R. , B. M.

7. Estimated cost of works: $1,000.00

8. Kind of works: Small reservoir, ditch.

9. Height of dam 10 feet; length of dam at top 300 feet; length of dam at bottom 250 feet; material used in dam: earth and rock.

10. Size of headgate: Width 8 inch pipe. feet; height feet.

11. Ditch: Width at bottom three feet; width at water line five feet; depth of water one and ½ feet; dimensions of flume 40 feet long, 3 feet wide, 16 inches deep.
Diameter of pipe inches; length of conduit 3500 feet. ~~miles~~.
Average grade per mile two feet.

12. The time required for the completion of such work is three years.

13. The time required for the complete application of the water to the proposed use is 2 additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

15. (a) Is reservoir to be used? If so, fill in (b) and (c) below.
(b) Name of Reservoir and number of Storage Permit:
(c) Date of filing of Application for Storage Permit and Name of Applicant:

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Blue Creek Land & Livestock Co., *Applicant.*

By C.A.Sewell, Secy-Treas. *Agent.*

Date of first receipt at Department of Reclamation: 9 A. M., July 27, 1927.

Returned to applicant for correction:

Corrected application received:

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is 16723.
Recorded in Book 60; Page 16723. Approved July 30, 1927.
This is to certify that I have examined the within application for a permit to 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 September 28, 1927, and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.
One-fifth of the work above specified to be completed on or before January 30, 1929.
The whole of said work to be completed on or before July 30, 1930.
Beneficial use of water appropriated in accordance herewith, to be made on or before July 30, 1932.

Witness my hand this 30th day of July, 1927.

GEO. N. CARTER. *Commissioner of Reclamation.*

Remarks:

14.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
14 S.	3 E.	32	38		38	39													115
14 S.	3 E.	33						37											37
Total Number of Acres to be Irrigated																			152

The small storage pond used in storing the water from Indian Creek was first built by Mr. T. L. Avent in 1916. This water has been used on this land since 1903.

Permit No. 16723

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom It May Concern:

This is to certify that Blue Creek Land & Livestock Co., of Elko, County of Elko, and State of Nevada, the holder of Permit No. 16723, issued upon Application No. 23646, bearing date of priority of July 27, 1927, authorizing the diversion of 3.0 second feet of the waters of Indian Creek, County of Owyhee, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 3.0 second feet of the waters of Indian Creek; that the point of diversion of said waters is in the NE¼NE¼, Sec. 33, Twp. 14 S., R. 3 E., B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: NE¼NE¼, SW¼NE¼ and SE¼NE¼, Sec. 32; NW¼NW¼, Sec. 33, all in Twp. 14 S., R. 3 E., B.M.

Witness my hand this 25th day of June, A.D. 1930.

GEO. N. CARTER
Commissioner of Reclamation.

Proof of Completion of Works made June 16, 1930.
Certificate of Completion of Works issued June 25, 1930.
LICENSE ISSUED FOR 3.0 SEC. FT.
Volume 7, Page 3724

February 18, 1933

RE: PERMIT NO. 16723
Blue Creek Land & Livestock Company

MR. C. A. SEWELL
Secretary
Riddle, Idaho

Dear Sir:

We enclose herewith LICENSE AND CERTIFICATE OF WATER RIGHT issued today under the above permit for 3.0 second feet of the waters of Indian Creek bearing date of priority of July 27, 1927.

We are also enclosing office receipt for the sum of $8.00 submitted in connection with Beneficial Use proof under this permit.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By _____
Chief Clerk & Office Engr.

PIH:MC
Encls.

16723

BLUE CREEK LAND & LIVESTOCK CO.

J A. SEWELL, PRES
OWYHEE, NEV

C A SEWELL, SECY-TREAS
ELKO, NEV

January 30, 1933.

State of Idaho,
Department of Reclamation,
Boise, Idaho,

Gentlemen;

Re: Permit #16723-
Blue Creek Land and
Livestock Company:

In reply to your letter of January 27 we are enclosing our check to your order in the amount of $8.00 which is the required fee in connection with the above mentioned proof.

We will be pleased to have you forward us the license when convenient. I am,

Yours very truly

C. A. SEWELL

C.A.S:OHJ
Enc.

RECEIVED
FEB 1 1933
DEPARTMENT OF RECLAMATION

16723

January 27, 1933

RE: PERMIT NO. 16723
Blue Creek Land & Livestock Co.
Elko, Nevada

Gentlemen:

We are in receipt of the Engineer's Report covering his examination made in connection with proof of application of water to beneficial use under the above permit.

The statutory fee required in connection with such proof is calculated at the rate of $2.00 for each 40 acre legal subdivision or portion thereof that is being irrigated. Therefore, since the Engineer's Report shows that you have lands lying in four different 40's under irrigation, your fee is $8.00.

Upon receipt of this amount your license will be issued.

Very truly yours,
R. W. FARIS
Commissioner of Reclamation

By_____
Chief Clerk & Office Engr.

FLH:MO

16723

(COPY)

RE: PERMITS NOS. 5512, 8905, 1173, 16723

December 12, 1932

Blue Creek Land & Livestock Co.
Elko, Nevada

Attention: Mr. Gedney

Dear Mr. Gedney:

Acting upon your request to check up on the status of your water rights upon Big Blue Creek, Little Blue Creek, Indian Creek, and Alder Spring and Mayys Creek, I find as follows:

Permit No. 5512 has license bearing the same number for 18.7 second feet of the waters of Blue Creek with date of priority of November 30, 1909. Permit No. 8905 has a license for 19.5 second feet of the waters of Blue Creek with priority of November 15, 1912. Neither of these filings give the location of any dam. The former, however, does describe the structure, but names the point of diversion several miles below the point where the dams is situated.

Permit No. 8905, also for the waters of Blue Creek, makes no mention of any reservoir, and names the same point of diversion as Permit No. 5512, with license for 19.5 second feet. There are, however, approved plans of these dams which do give the location of the reservoirs and dams. The plans for the Big Blue Creek dam were approved October 5, 1905, and those for the dam on Little Blue Creek were approved May 22, 1905.

Plans for the Duck Valley Irrigation dam were approved November 28, 1904.

Permit No. 1173 for the waters of Alder Spring and Mayys Creek received a license for 26.8 second feet, with a priority date of March 11, 1913. Permit No. 16723 for the waters of Indian Creek has been given field examination, and will receive later the license to which it is entitled.

Trusting this information may be of value to you, I am,

Very truly yours,

16723

Field Engineer

FAT:MC
Encl.

Form 23

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 16723

This proof is for BENEFICIAL USE In Water District No.

1. Name of applicant Blue Creek Land and Livestock Company
2. Source of water supply: Indian Creek
3. Location of point of diversion: Is in the NE¼NE¼ of Section 33
   T. 14 S. R. 3 E. County of Owyhee
4. Describe works as they exist, giving dimensions and capacities of same: Small earth and rock diversion dam. Feder canal 6 ft wide x 1.5 ft deep about ¼ mile long discharges into a 10 acre reservoir. Reservoir dam of earth 400 ft long and 10 ft. high. Diversion ditch from reservoir 3 ft wide x 1 ft deep Capacity 4. 1co Ft.
5. Water is used for: Irrigation and Domestic purposes
6. State whether or not water has been turned into works of diversion: yes
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): NE¼NE¼, SW¼NE¼, SE¼NE¼, Sec. 32; NW¼NW¼, Sec. 33, all in Twp. 14 S., Range 3 E.B.M.

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

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

Remarks

This examination was made on the 22nd day of Sept., 1932.

16723

(Signed) Fred H. Dilman
Examiner.

Blue Creek Land & Livestock Co., 32
Elko, Nevada

Permit No. 16723

Examination for BENEFICIAL USE

County .... Owyhee

INSTRUCTIONS TO EXAMINERS

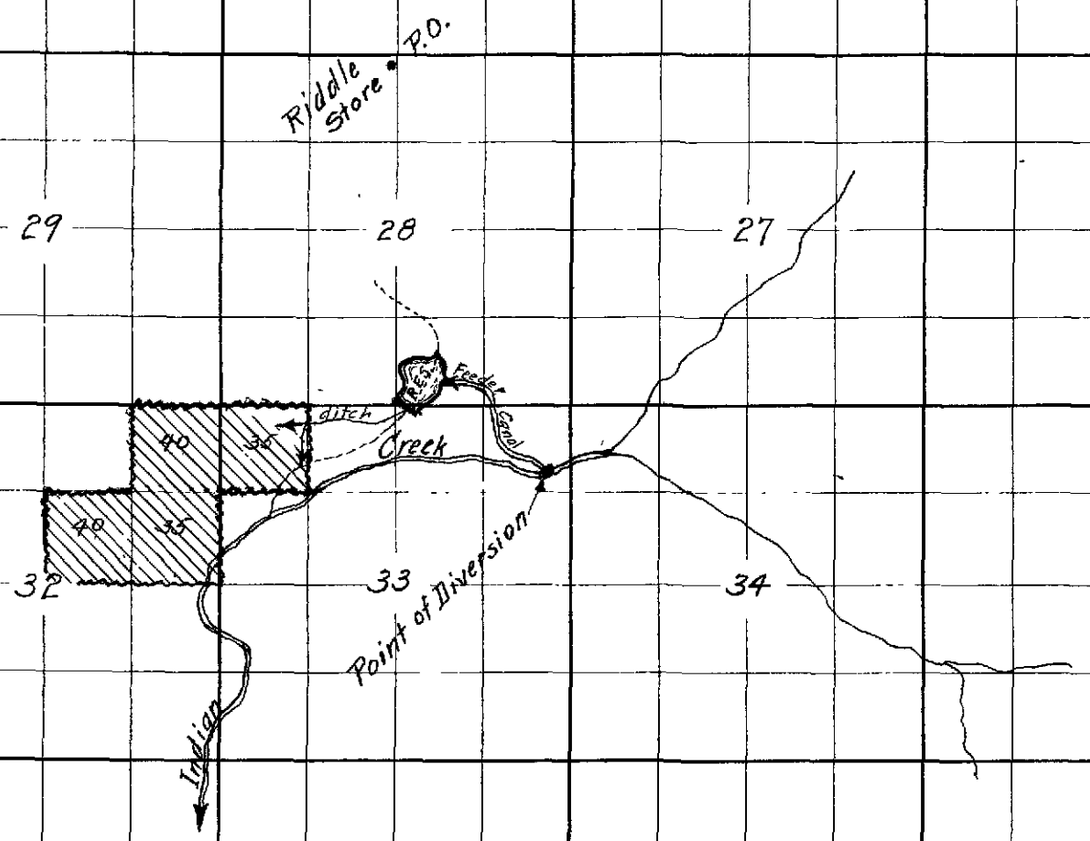
1 Always carefully note the location of the point of diversion and accurately plat same

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



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

16723

Form 23

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

REPORT OF ENGINEER

PERMIT NO. 16723

REPORT ON PROOF OF BENEFICIAL USE

August 2, 1938

Re: Permit No. 16723
Blue Creek Land & Livestock Co.,

HAZEL R. SEWELL
Elko, Nevada

Dear Madam:

We are in receipt of the following papers in connection with BENEFICIAL USE proof on the above numbered permit: Deposition of the holder and depositions for two witnesses and affidavit of proof of publication from the newspaper. These papers will be placed on file until the time when field examination can be made by the field engineer of this Department. At that time you will be further notified as to fees due for BENEFICIAL USE proof before your license is issued.

Very truly yours,

R. V. FARIS
Commissioner of Reclamation

By_____
Chief Clerk

PLH/lwp

16723

H. U. CASTLE
ATTORNEY AT LAW
ELKO, NEVADA

July 30th, 1932.

Mr. R. W. Faris,
Commissioner of Reclamation,
Boise, Idaho.

In Re: Permit No. 16723

My dear Sir:-

I am enclosing herewith the deposition of witnesses, Hazel R. Sewell, J. H. Martin and W. H. Settelmeyer in connection with the Proof of Application of Water to Beneficial Use under the permit mentioned above. Am also enclosing Affidavit of Publication of Notice. These depositions were taken before me today at my office in Elko County, State of Nevada at ten o'clock A. M., as set forth in the notice.

Very truly yours,

H. U. Castle

HUC:VF
Encl.

16723

RECEIVED
AUG 1 1932
DEPARTMENT OF RECLAMATION

NOTICE FOR PUBLICATION

Notice of Proof Application of Water to Beneficial Use

Notice is hereby given that at 10 a m. on the 30th day of July, 1932, at Elko, County of Elko, State of Nevada, before H U. Castle, Notary Public, proof will be submitted of he application to beneficial use of three cubic feet per second of the waters of Indian Creek, in accordance with the terms and conditions of Permit No. 16723 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 Blue Creek Land & Livestock Company, Elko, Nevada.

The use to which said water has been applied is irrigation and domestic

The amount applied to beneficial use is three cubic feet per second.

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

NE¼NE¼, SW¼NE¼, SE¼NE¼, Section 32; NW¼NW¼, Section 33, all in Township 14 South, Range Three East, Boise Meridian, Idaho.

The name of the canal or ditch or other works by which said water is conducted to such place of use is Avent Reservoir and Ditch.

The right to take water from such works is based upon Permit No. 16723.

The source of supply from which such water is diverted is Indian Creek.

The date of priority which said user is prepared to establish is July 27, 1927.

R. W. FARIS,
Commissioner of Reclamation.

june 9-30

AFFIDAVIT OF PUBLICATION

I, Charles Parsons

printer & publisher of THE OWYHEE NUGGET, published weekly at Brunean, Owhee 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 June 9 1932, and ending with the issue dated June 30 1932; 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.

Charles Parsons

Subscribed and sworn to before me this 2d day of July 1932.

H U Castle

Notary Public

RECEIVED
1 Dec?
DEPARTMENT OF RECLAMATION

16723

Form 16.

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Permit No. 16723

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Hazel R. Jewell, Elko, Nevada Bank teller, Box B Elko, Nevada.

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. Blue Creek Land & Livestock Company, Elko, Nevada, Secretary and Treasurer and resident agent.

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

Ans. Permit No 16723 approved July 30th, 1927. Date of priority is July 27th, 1927.

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Indian Creek is source of supply. Point of diversion is S 30 degrees West 711.5 feet from NE corner of section 33 T 14 N R 57 East, and is in NE¼NW¼ Sec. 33, 14N R57E

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. Diversion consist of ditch running from Indian Creek to Reservoir which is used for storage. Ditch and storage reservoir are known as Avent reservoir and ditch. A second ditch conveys water from storage reservoir to the land where same is use for irrigation and stock watering purposes.

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. Water is used for irrigation and stockwatering purposes. Water is used on NE¼ Sec 32, and NW¼ Sec. 33 in Township 14N R 57 East containing about 15 acres. Natural meadow land. This land has been irrigated and made to produce hay on land which was formerly covered with sagebrush. NE¼NE¼, SW¼NE¼, SE¼NE¼ and Sec. 32. Also NW¼NW¼ of Sec 33 all in Twp 14 No. Rg 3E.

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

Ans.

16723

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

Ans. Three second feet of water.

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. Same corporation which filed original application.

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

Ans. The water under the above permit has been used every season on the land above described for the purpose of irrigation and after the hay crop has been harvested the water has been used for stock watering purposes.

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. The other water which flows in Indian Creek are not usable on these premises for the reason that the creek runs in a deep channel and it is impossible to divert any water which is not taken out of the stream higher up and stored in the storage reservoir mentioned above. This water has been used on the above land since 1903.

(Sign) Floyd P. Lewis

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 Elko, County of Elko, State of ~~Idaho~~ Nevada, on this 30th day of July, A. D. 1937.

H. H. Austin
Notary Public

My commission expires Jan. 20-1935 Notary Public in and for Elko County, State of Nevada, Residing at Elko, Nevada

Form 17

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 16723

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. J. H. Martin 25 Elko, Nevada. Clerk in store, P. O. Elko, Nevada.

Ques. 2. Are you acquainted with Hazel R. Sewell Secretary Treasurer of Blue Creek Land & Livestock Company, the holder of Permit No. 16723? How long have you known her/him and where does he reside?

Ans. Have known representative of applicant for twenty years. She resides at Elko, Nevada.

Ques. 3. Have you read or heard read said Permit No. 16723, and are you familiar with its provisions and conditions?

Ans Yes have heard permit read and am familiar with provisions.

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 Source of supply is Indian Creek, place of diversion is S 55 degrees West 711.5 feet from NE corner of Section 33 T 14 S R 5 East, ditch to convey water to reservoir and a storage reservoir to hold water, then a ditch to convey water to land irrigated.

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. Works will easily handle three second feet of water.

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 used for irrigation and stockwatering purposes. Water is used on parts of NE¼ Sec. 32 and NW¼ Sec. 33 Township 14 S R 5 East Boise Meridain. Approx. 115 acres in first subdivision and thirty seven in latter. This land is a natural meadow reclaimed from sagebrush.

16723

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

Ans. ---

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. ~~Land is flat character~~ of black loamy soil and needs at least three second feet of water.

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

Ans. None

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. Have seen water running from ditch into reservior and have seen water running in ditch from reservoir to the land above mentioned. Have seen stock infield above mentioned using water to drink. Have seen the above mentioned scenes annually.

(Signed) J. W. Martin

I hereby certify that the foregoing testimony was read to the above subbscriber 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 Elko, County of Elko, State of ~~Idaho~~ Nevada, on this ~~day of~~ 30th day of July, A. D. 1937

H. W. Castle
Notary Public.

My commission expires Jan 20 1935 and for Elko County, State of Nevada, Residing at Elko, Nevada

Form 17

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
AUG 1 1932
DEPARTMENT OF RECLAMATION

PERMIT NO. 16723

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. W. H. Settelmeyer Elko, Nevada Civil Engineer P. O. Elko, Nevada.

Ques. 2. Are you acquainted with ~~Blue Creek Land & Livestock Company~~ Hazel R. Sewell Secretary Treasurer of her, the holder of Permit No. 16723? How long have you known him and where does he reside?

Ans. ~~Have known representative of Applicant for ten years. She resides at~~ Elko, Nevada.

Ques 3. Have you read or heard read said Permit No. 16723, and are you familiar with its provisions and conditions?

Ans. Yes am familiar with its provisions.

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

Ans. Source of supply is Indian Creek, place of diversion is S 55 Degrees West 711.5feet from NE corner of Section 33 T 14 South R weast. Works consist of ditch to convey water to reservoir and a storage reservoir to hold water, then a ditch to convey water to the land to be irrigated.

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. Works will easily handle three second feet of water.

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 used for irrigation and stockwatering purposes. Water is used on parts of NE Sec. 32 and NW Sec. 33 Township 14 S Range three East Boise Meridian. Approx. 115 acres in first named subdivision and 37 acres in latter. This land is a natural meadow reclaimed from sage brush.

16723

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

Ans. _____

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. Land is a flat character of a black loamy soil and needs at least three second feet of water.

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

Ans. None

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. Have seen water running from ditch into reservoir and have seen water running in ditch from reservoir to the land above mentioned. Have seen stock in fields above mentioned using water to drink. Have seen the above mentioned annually.

(Signed) W. L. Lattimer

I hereby certify that the foregoing testimony was read to the above subbscriber 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 Elko, County of Elko, State of Idaho, on this ~~day of~~ 30th day of July, A. D. 1932

H. L. Beattie
Notary Public.

My commission expires Jan 20-1935 and for Elko County, State of Nevada Residing at Elko, Nevada

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO, July 26, 1932

H. U. CASTLE,
Notary Public,
First National Bank Bldg.,
Elko, Nevada

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 16723

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 July 30, 1932, 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 Elko, Nevada, before H. U. Castle, 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. W. FARIS
Commissioner of Reclamation.

16723

Form No 11-A

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Date **June 3, 1932**

OWYHEE NUGGET
Emmeau, Idaho

DEAR SIR:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **July 30th, 1932**, the date set for proof, the expense of the publication to be paid by the applicant, **C. A. Sewell, Sec. Blue Creek Land & Livestock Co., Elko, Nev.** 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,

16723

R. W. FARIS
Commissioner of Reclamation

June 3, 1932

RE: PERMIT NO. 16723

MR. C. A. SEWELL
Blue Creek Land & Livestock Co.,
Elko, Nevada

Dear Sir:

We are in receipt of your notice in duplicate for publication of BENEFICIAL USE proof under the above mentioned permit. A copy of the notice has been mailed to the GAYHEE NUGGET, Bruneau, Idaho, for publication. The notice will be published once a week for four consecutive issues prior to July 30th, which is the date when you will make proof. Depositions (one of the holder and one each for two witnesses) will be mailed about July 23rd to Mr. H. U. Castle, Notary Public, Elko, Nevada. After the depositions have been properly executed mail them to this Department with the affidavit of proof of publication from the newspaper.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By_____
Chief Clerk

PH/LP

16723

BLUE CREEK LAND & LIVESTOCK CO.

J A SEWELL, PRES
OWYHEE, NEV

C A SEWELL, SECY-TREAS
ELKO, NEV

#16723

May 28, 1932.

Mr. L. N. Ferris,
Commissioner of Reclamation,
Boise, Idaho,

Dear Mr. Ferris:

We wish to acknowledge your letter of May 26; and as outlined in your letter it will be much easier for us to have the proof of beneficial use acknowledged before a notary here in Elko.

For your information, we will have these depositions taken before Mr. W. T. Castle, whose office is located in the First National Bank Building, Elko, and you may forward the necessary forms to him.

The new corrected blanks are being attached. I am,

Yours very truly

C. A. SEWELL

CAS:OMJ
Enc.

16723

RECEIVED
MAY 31 1932
DEPARTMENT OF RECLAMATION

Form No. 11

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) May 10th, 1926.

(P. O.) Elko, Nevada.

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, published in the county in which the works are situated.

Blue Creek Land & Livestock Company
By R. H. Gardner, President
By [illegible] 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.

16723

Engineer.

Form 10

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10 a. m. on the 30th day of July, 1932, at Elko, Nevada, County of Elko, State of ~~Idaho~~ Nevada before H. U. Castle Notary Public, proof will be submitted of the application to beneficial use of Three cubic feet per second of the waters of Indian Creek in accordance with the terms and conditions of Permit No. 16723 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 Blue Creek Land & Livestock Company, Elko, Nevada.

The use to which said water has been applied is irrigation and domestic

The amount applied to beneficial use is Three cubic feet per second

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) $NE\frac{1}{4}NE\frac{1}{4}$; $SW\frac{1}{4}NE\frac{1}{4}$; $SE\frac{1}{4}NE\frac{1}{4}$ Section 32; $NW\frac{1}{4}NW\frac{1}{4}$ Section 33 all in Township 14 South Range Three East Boise Meridian Idaho.

The name of the canal or ditch or other works by which said water is conducted to such place of use is Avent Reservoir and Ditch

The right to take water from such works is based upon Permit No. 16723.

The source of supply from which such water is diverted is Indian Creek

The date of the priority which said user is prepared to establish is July 27, 1927.

R. N. FARIS

Commissioner of Reclamation.

16723

May
26th
1932

Re: PERMIT NO. 16723

MR. C. A. SEWELL
Secretary-Treasurer
Blue Creek Land & Livestock Co.,
Elko, Nevada

Dear Sir:

Your notice in duplicate for publication in the matter of BENEFICIAL USE proof on the above numbered permit has been received. It is noted that you propose to offer your proof on the 30th day of July before R. W. Faris, Commissioner of Reclamation. Unless you intend to come to Boise at the time when your proof is to be made, it is suggested that you offer your proof before a Notary Public in Elko, as this proof may be acknowledged before any Notary Public.

We are enclosing two new copies of the notice should you desire to follow the above suggestion. When the notice has been received in correct form, a copy of the same will be forwarded to the newspaper for publication. Depositions will be mailed from this Department to the Notary Public before whom you wish to offer your proof in ample time. On the date when you make proof you should appear with two witnesses. There are three depositions to be taken (one for the holder and one each for two witnesses).

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By_____
Chief Clerk

PH/LP
Encl.

16723

RETURN RECEIPT

Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.

C. Orwell

(Signature or name of addressee.)

M. M. Murtrey

(Signature of addressee's agent.)

Date of delivery, _____ *193*.

Postmaster

6723

U. S. GOVERNMENT PRINTING OFFICE 1931

Post Office Department

OFFICIAL BUSINESS

REGISTERED ARTICLE

No. 3228

INSURED PARCEL

No. _____

ELKO MAY 14 11 AM 1932 NEVADA

RECEIVED

MAY 16 1932

DEPARTMENT OF RECLAMATION

AND DATE OF DELIVERY

Return to Dept of Rec

(NAME OF SENDER)

Street and Number, or Post Office Box, _____

BOISE,

IDAHO.

BLUE CREEK LAND & LIVESTOCK CO.

J A SEWELL, PRES
OWYHEE NEV

C A SEWELL, SECY-TREAS
ELKO NEV

May 18, 1932.

Mr. R. J. Faris,
Commissioner of Reclamation,
Boise, Idaho,

Dear Mr. Faris:

We are enclosing notice of proof of application, and I will thank you to kindly advise me the number of witnesses and other procedure necessary when appearance is made to establish beneficial use.

Your prompt attention will be appreciated. I am,

Yours very truly

C. A. SEWELL

C.A.S:ONB
Enc.Reg.

RECEIVED
MAY 20 1932
DEPARTMENT OF RECLAMATION

16723

Form No. 9

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

C. A. Sewell, Agent
Blue Creek Land & Livestock Co.
Elko, Nevada

May 11, 1932

Dear Sir:—

I enclose herewith blank notice of proof of application of water to beneficial use under your permit No. 16723, which should be filled out and returned to this office at least 60 days before the date upon which you wish to make proof. The date for proof, as set out in your permit, is July 30, 1932, and, if proof is submitted subsequent to said date, your priority will be brought down a length of time equal to the time elapsing between the date proof should have been made and the date proof is actually made.

Yours truly,

R. W. FARIS
GEO. N. CARTER,
Commissioner of Reclamation.

16723

June 6, 1950

Re: Permit No. 7[illegible]

Mr. C. [illegible] ell, President
[illegible] Co.
[illegible], Va.

Dear Sir:

[illegible] with [illegible] of
[illegible] to the [illegible]
[illegible], [illegible] Permit
[illegible].

Very truly yours,

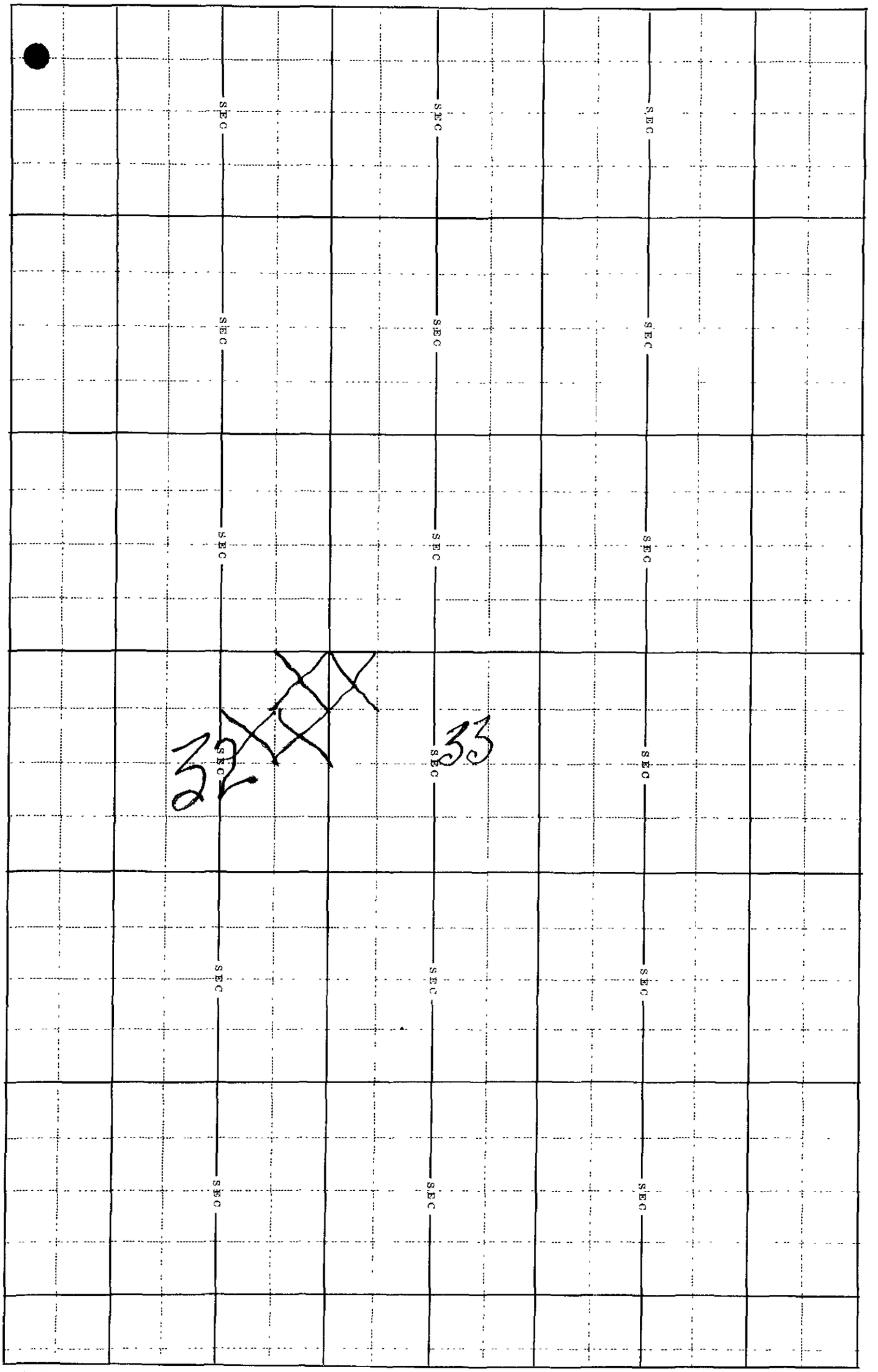
[illegible]
Oil Inspection Section

[illegible]

16723

NAME OF APPLICANT ..... Blue Creek Land & Livestock Co

Form No. 0



SCALE: 2 INCHES EQUAL 1 MILE. DRAW PLAN IN INK

16723

BLUE CREEK LAND & LIVESTOCK CO.

C. A. SEWELL
~~C. A. SEWELL~~ PRES
OWYHEE NEV

H. R. SEWELL
~~C. A. SEWELL~~, SECY-TREAS
ELKO, NEV

June 18, 1930.

State of Idaho,
Dept. of Reclamation,
Boise, Idaho,

Gentlemen:

Herewith I am enclosing certificate of completion of works under permit No. 16723.

Kindly furnish me with information in regard to last proof which will be necessary to secure a license for water under this permit.

I am

Yours very truly

C. A. Sewell

PRESIDENT

16723

Form 6

Permit No.....

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO,
County of Owyhee } ss

C. A. Sewell President, 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. 16723, and that his postoffice address is Riddle, State of Idaho

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

Third: That the point of diversion of said water is S 55 degrees W 711½ feet from NE corner Section 33 T 14 S R 3 E B. M. and is in the NE¼ of NE¼ Sec. 33 T 14 S R 3 East B. M.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by....., 19.....

Fifth: That the use for which said water is intended is Irrigation and stock watering.

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

I. Kind of works: Small reservoir and ditch
(Reservoir, dam, ditch, flume, pipe or otherwise.)

II. Dimensions of work:

(a) Height of dam 10 feet, length of dam at top 300 feet, length of dam at bottom 250 feet. Material used in construction Earth and rock
(State whether wood, earth, stone or concrete.)

(b) Capacity of reservoir.....acre feet.

(c) Size of headgate: Width 8inch pipe feet, height.....feet.

(d) Conduit three width at bottom five 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 two feet. Length of conduit is 3500 feet.

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

Eighth: That water appropriated under said permit is available for 152 acres acres of land described as follows: Twp 14 S Range 3East. Section 32 NE¼, SW¼, SE¼ all of NE¼ 33 NW¼ NW¼

As per map attached

Ninth: Remarks: That .....

C. A. Sewell
(Sign here)

Subscribed and sworn to before me this ..... day of ....., 19.....

Charles Pascoe
Notary Public.

My commission expires.....

16723

Form No. 5

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Blue Creek Land & Livestock Company
c/o C. A. Sewell, Sec-Treas.
Elko, Nevada

Boise, Idaho,
April 12, 1930

Dear Sir:—

Under the terms of your permit No. 16723 you are required to complete your diversion works on or before July 30, 1930. I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of $5.00, a Certificate of Completion will be issued to you.

The certificate to be issued under this proof will not give a perpetual right to the use of water for which application was made, as it only confirms the completion of works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Yours truly,

GEO. N. CARTER
Commissioner of Reclamation.

16723

Form No. 18

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

Permit No. 16723.

Blue Creek Land & Livestock Co.,

Elko, Nevada. Boise, Idaho, July 30, 1927.

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.

GEO. N. CARTER.

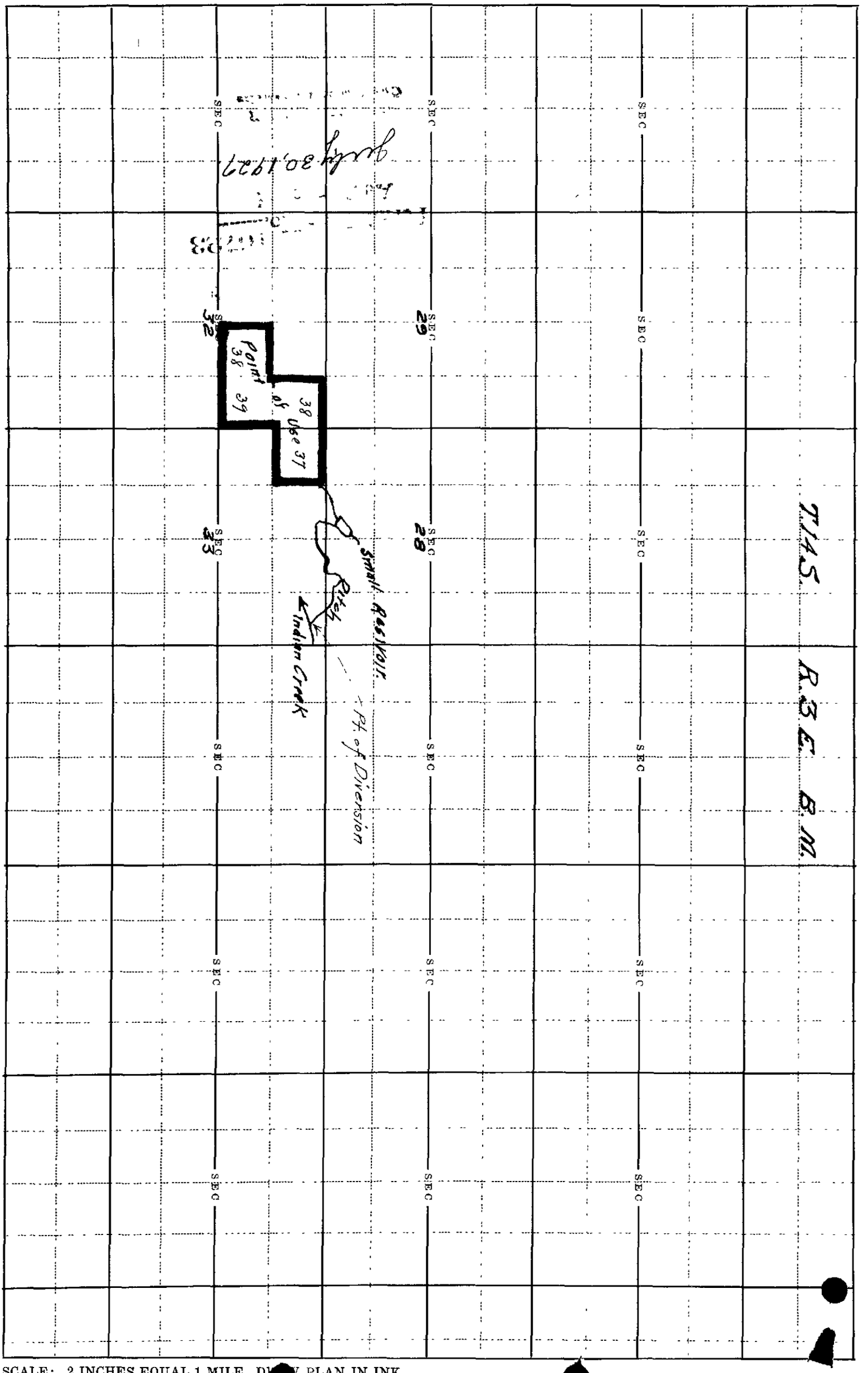
Commissioner of Reclamation.

16723

E C L 91

NAME OF APPLICANT. Blue Creek Land & Livestock Co

Form No. 0



SCALE: 2 INCHES EQUAL 1 MILE. DRAW PLAN IN INK