

Name of Applicant.....

Joe Totonica Rev. No 6451

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County: Owyhee
Stream: Battle Creek & Randall Spring
Amount: 4 sec. feet.
Use: Irrigation
Priority: June 30, 1910.

STATE OF IDAHO

Water License No. 6451

WHEREAS, On the 30th day of June, A. D. 1910, John W. Meece

of Mahogany, County of Owyhee, State of Idaho, duly made application (No. 9171) to me for a permit to use 3.8 cubic feet per second of the waters of Battle Creek and .2 of 1 cubic foot per second of the waters of Randall Spring,

County of Owyhee, State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the 12th day of August, A. D. 1910, Permit No. 6451 was issued to said applicant for the diversion of said water and providing for the completion of the works of diversion therein described on or before the 12th day of August, A. D. 1915, and for the application to beneficial use of said water on or before the 12th day of August, A. D. 1916, and,

WHEREAS, On the 16th day of December, A. D. 1914, John W. Meece, the holder of said permit, transferred all his right, title and interest in and to said permit to Joe Totorica, and,

WHEREAS, On the 4th day of August, A. D. 1915,

Joe Totorica

the holder of said permit, duly made proof of the completion of adequate works for the diversion of four (4) cubic feet per second of said waters, as evidenced by my Certificate No. 6451 dated September 23, 1915, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use four (4) cubic feet per second of said water, with date of priority of June 30, 1910, and

WHEREAS, On the 4th day of August, A. D. 1915,

Joe Totorica

the holder of said permit, duly made proof of the application to beneficial use of four (4) cubic feet per second of said water:

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to Joe Totorica

of Bruneau, County of Owyhee, State of Idaho, the holder and owner of said Permit No. 6451, a perpetual right, dating from June 30, 1910, to the use of 3.8 cubic feet per second of the waters of Battle Creek and .2 of 1 cubic foot per second of the waters of Randall Spring

in the County of Owyhee and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted as follows: from Battle Creek, in the NE $\frac{1}{4}$ of SW $\frac{1}{4}$, Sec. 15, T. 10 S., R. 1 E.B.M.; from Randall Spring in the NE $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec. 21, T. 10 S., R. 1 E.B.M.

and conducted to and upon 200 acres, as follows: 30 acres in NW $\frac{1}{4}$ of NE $\frac{1}{4}$, 40 acres in NE $\frac{1}{4}$ of NE $\frac{1}{4}$; 40 acres in SE $\frac{1}{4}$ of NE $\frac{1}{4}$, 25 acres in NE $\frac{1}{4}$ of SE $\frac{1}{4}$ and 25 acres in SE $\frac{1}{4}$ of SE $\frac{1}{4}$, Sec. 21, 20 acres in SW $\frac{1}{4}$ of SW $\frac{1}{4}$ and 20 acres in NW $\frac{1}{4}$ of SW $\frac{1}{4}$ Sec. 22, all in T. 10 S., R. 1 E.B.M.

for the purpose of irrigation and domestic use, subject, however, to the laws of the State of Idaho, applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 23rd day of September, A. D. nineteen hundred and fifteen.

J. H. Smith.

(Seal)

State Engineer:

55-2020

No. 9171

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: John W. Meece

Postoffice address: Mahogany, via. Bruneau

County: Owyhee State: Idaho

2. The quantity of water claimed is four cubic feet per second.

3. Source of water supply: Battle Creek and a small spring known as Randall Spring situate on the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 21, T. 10 S.R. 1 E.B.M., 3.8 cubic feet per second being claimed from Battle Creek, and .2 cubic feet per second from Spring

County of Owyhee

4. Location of point of diversion: From Battle Creek in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 15, T. 10 S.R. 1 E., and from Randall Spring NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 21, T. 10 S.R. 1 E.

5. To be used for:

I. Irrigation and domestic use:

(a) Amount of land to be irrigated: two hundred and eighty acres.

(b) In the following legal subdivisions: The NW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 21, and W $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 22, T. 10 S.R. 1 E.B.M.

6. Estimated cost of works: Twenty- four hundred dollars.

7. Description of works for diversion:

I. Kind of works: Dam and ditch

II. Dimensions of works:

(a) Height of dam 10 feet, length of dam at top 120 feet, length of dam at bottom 40 feet. Material used in construction: Earth and stone

(b) Capacity of reservoir: 9 acre feet

(c) Size of headgate: Width 3 $\frac{1}{2}$ feet, height 5 feet.

(d) Conduit ditch, width at bottom 5 feet, width at water line 6 feet, depth of water 1 $\frac{1}{2}$ feet. Average grade per mile is 3 $\frac{1}{2}$ feet. Length of conduit is two miles, and it crosses the following quarter sections: N $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 15, N $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 16, NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 21, SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 21 and E $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 21, T. 10 S.R. 1 E.B.M., to land described in 5 I (b) above which is the point of intended use.

8. Time required for the completion of the construction of such work is five years.

9. Time required for the complete application of the water to the proposed use is one additional year.

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

John W. Meece,

Applicant

APPROVAL OF STATE ENGINEER

The number of this permit is 6451

Date of first receipt of application: 9.00 A.M. June 30, 1910

Returned to applicant for correction: June 30, 1910

Corrected application received: August 6, 1910

Recorded in Book 19. Page 6452. Approved August 12, 1910.

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 grant the same, subject to the following limitations and conditions:

Work to begin on or before October 11, 1910, 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 February 12, 1913.

The whole of said work to be completed on or before August 12, 1915.

The time for proof of beneficial use of water appropriated in accordance herewith, to extend to August 12, 1916.

Witness my hand this twelfth day of August, 1910

D.G. Martin

State Engineer

THIS INDENTURE, Made this 16th day of December, in the year of our Lord one thousand nine hundred and fourteen, between John W. Meece, an unmarried man, of Calvena, County of, State of California, the party of the first part, and Joe Totorica, of Bruneau, County of Owyhee, State of Idaho, the party of the second part,

WITNESSETH, That the said party of the first part, for and in consideration of the sum of One and no/100 Dollars, lawful money of the United States of America, and other valuable consideration, to him in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, does by these presents remise, release and forever QUITCLAIM unto the said party of the second part, and to his heirs and assigns, all those certain lots, pieces or parcels of land and real estate situate, lying and being in the County of Owyhee, State of Idaho, bounded and particularly described as follows, to-wit: The northwest quarter of the northeast quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$), east half of the northeast quarter (E $\frac{1}{2}$ NE $\frac{1}{4}$), east half of the southeast quarter (E $\frac{1}{2}$ S $\frac{1}{4}$), Section twenty-one (21), and west half of the southwest (W $\frac{1}{2}$ SW $\frac{1}{4}$), Section twenty-two (22), township ten (10) south, range One (1) East, Boise Meridian.

Also all water rights for said land, and in particular that certain water permit No.6451, date of reception by the State Engineer, June 30, 1910, and the corrected application received by the State Engineer Aug.6, 1910, and approved Aug. 12, 1910, for the waters of Battle Creek.

TOGETHER, With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, All and singular the said premises, together with the appurtenances,
unto the said party of the second part, and to his heirs and assigns forever.

IN WITNESS WHEREOF, The said party of the first part has hereunto set his hand and seal
the day and year first above written.

John J. Neece.....(SEAL)

Signed, Sealed and Delivered in the Presence of ()
Ray Winslow ()
Ernest J. Nehlsen.

STATE OF CALIFORNIA,)
County of Lassen.) ss.

On this 26th day of February, in the year one thousand nine hundred and fifteen, before me, Gail H. V. James, a Notary Public in and for the County of Lassen, personally appeared John W. Meece, known to me to be the person whose name is subscribed to the within instrument, and he duly acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal, at my office in the County of Lassen, the day and year in this certificate first above written.

(SEAL) Gail H. V. James,
Notary Public, in and for the County of Lassen,
State of California.

Notary Public, in and for the County of Lassen,
State of California.

Received and filed for record in the office of the State Engineer, at Boise, Idaho, at 9.00 A.M. April 28, 1915.

J. H. Smith,
State Engineer.

Proof of Completion of Works made August 4th, 1915.
Certificate of Completion of works issued Sept. 22nd, 1915.

Permit No. 6451.

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom It May Concern:

This is to certify that Joe Totorica of Bruneau, County of Owyhee, and State of Idaho, the holder of Permit No. 6451, issued upon Application No. 9171, bearing date of priority of June 30th, 1910, authorizing the diversion of 3.8 second feet of the waters of Battle Creek and .2 of 1 second-foot of the waters of Randall Spring, 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 four (4) second-feet of the waters of Battle Creek and Randall Spring that the points of diversion of said waters are as follows: from Battle Creek in the NE $\frac{1}{4}$ of SW $\frac{1}{4}$, Sec. 15, T. 10 S., R. 1 E.B.M.; from Randall Spring in the NE $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec. 21, T. 10 S., R. 1 E.B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: NW $\frac{1}{4}$ of NE $\frac{1}{4}$, E $\frac{1}{2}$ of NE $\frac{1}{4}$, E $\frac{1}{2}$ of SE $\frac{1}{4}$, Sec. 21, and W $\frac{1}{2}$ of SW $\frac{1}{4}$, Sec. 22, T. 10 S., R. 1 E.B.M., containing 200 acres.

Witness my hand this 23rd day of September, A.D. 1915.

J. H. Smith,
State Engineer of the State of Idaho,

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TRANSFER OF WATER PERMIT

THIS INDENTURE, Made this 21st day of October, 1939, by and between JOE TOTORICA and LEANDRA TOTORICA, Husband and wife, the parties of the first part, and BATTLE CREEK SHEEP COMPANY, INCORPORATED, an Idaho corporation, the party of the second part, WITNESSETH:

That the said parties of the first part, for and in consideration of the sum of One Dollar and other valuable considerations, to them in hand paid, the receipt whereof is hereby acknowledged, have granted, bargained, sold and conveyed, and by these presents do grant, bargain, sell and convey those certain water rights hereinafter described evidenced by the permits and licenses hereinafter referred to, to-wit:

That certain water right of 4 cubic feet per second, evidenced by water license 6451, the same consisting of 3.8 cubic feet per second of the waters of Battle Creek and .2 of a cubic foot per second of the waters of Randall Springs, with a priority as of June 30, 1910, said water to be used upon land situated in Sections 21 and 22, Township 10 South, Range 1 East, B.M.

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All of the aforesaid water licenses were issued by the State Engineer of the State of Idaho, now known as the Commissioner of Reclamation, and were based upon water permits duly issued and referred to in said licenses and the water rights and lands upon which the same are to be used are situated in Owyhee County, State of Idaho, and are and for a long time heretofore have been, owned by the party of the second part.

That this deed is executed for the purpose of transferring the legal title to said permits on the records in the office of the Department of Reclamation; that said water rights were appurtenant to the lands described in said licenses and were intended to be conveyed and transferred with the said lands at the same time the said lands were transferred from the parties of the first part.

In Witness Whereof, the said parties of the first part have hereunto set their hands and seals this 21st day of October, 1939.

JOE TOTORICA (Seal)

LEANDRA TOTORICA (Seal)

STATE OF IDAHO)
) ss
County of Ywyhee)

On this 21st day of October, 1939, before me, a Notary Public in and for said State, personally appeared Joe Totorica and Leandra Totorica known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

In Witness Whereof, I have hereunto set my hand and affixed my official seal the day and year in this certificate above written.

(SEAL)

Clara Jenkins
Notary Public for Idaho
Residing at Grandview, Idaho

Received and filed for record in the State Department of Reclamation Boise, Idaho, this 25th day of October, 1939

REPORT OF ENGINEER

1. State name of applicant and number of permit: Joe Tolorica, N° 6456
2. State source of water supply: Battle Creek
3. Location of point of diversion: S 85° 55' E 993' and S 73° 30' E 1225' from
1/4 sec cor 16/15 T10S R1E B.M.
4. State whether or not the works of diversion are fully completed and in accordance with terms of permit:
The works of diversion have been fully completed.
5. Describe works as they exist, giving dimensions of same as follows:
 - (a) Width of conduit at bottom: 10 feet
 - (b) Width at water line: 10 feet
 - (c) Depth of water: 1 foot
 - (d) Grade per mile: 3 1/2 feet
 - (e) Capacity of ditch: 16.7 second feet second feet.
6. State whether or not water has been turned into works of diversion and if so, to what extent:
Water has been turned into the ditch, said to
have been used about 8 years.
7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty acre tract: NW 1/4 NE 1/4, E 1/2 NE 1/4, E 1/2 SE 1/4 Sec 21 1/4 W 1/2 SW 1/4
Sec 22 T10S R1E
20 3/5 A NW 1/4 NE 1/4, 80 A in E 1/2 NE 1/4, 70 A in E 1/2 SE 1/4 Sec 21
2/ 72 A in NW 1/4 Sec 22. T10S R1E B.M.
8. Submit map on enclosed plat, source of supply, point of diversion, route of ditch or ditches and cross hatch lands to be irrigated.

Remarks:

Phil S. White

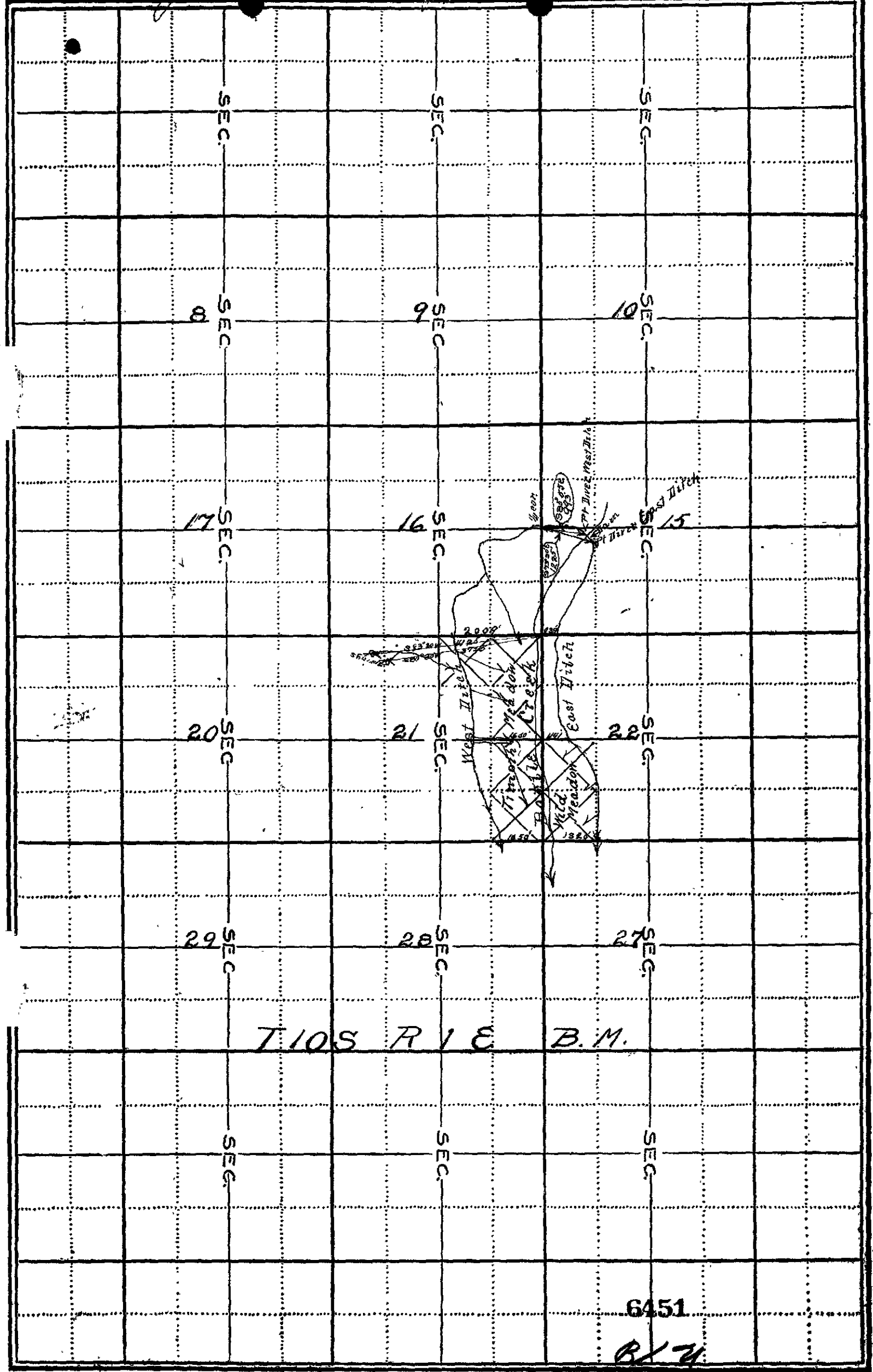
STATE OF IDAHO,

Phil S. White } ss.
Phil S. White

being first duly sworn, deposes and says that the contents of the within report are correct to the best of his knowledge.

Subscribed and sworn to before me this 2d day of Aug 1928.

Name of Applicant Joe Totonica Per. N° 6451



SCALE: 1/2 INCHES=1 MILE DRAW PLAN IN INK.