

State of Idaho
License and Certificate of Water Right

Water License No. 4249

Amount 6.2 sec. ft.

Water District No. _____

Priority Aug. 25, 1926

THIS IS TO CERTIFY that H. S. PORTLOCK and P. SHATTUCK
of Riddle, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated December 28, 19 08; that Permit No. 4249
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
9.6 second feet, was issued thereunder on September 26, 19 14, showing that said works
were completed on the 23rd day of January, 19 14; and that on the 30th
day of August, 19 35,

BLUE CREEK LAND AND LIVESTOCK COMPANY, Assignee

of Riddle, State of Idaho, made proof to the satisfaction of the
Commissioner of Reclamation of Idaho, of the right to use the waters of Little
Blue Creek, a tributary of Big Blue Creek, for the purpose of irrigation and
domestic use, under Use Permit No. 4249 of the State Engineer's Office
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 3846, on the 23rd day of October, 19 35;

The right hereby confirmed dates from August 25, 19 26;

The Point of Diversion is located
in the NW 1/4 NE 1/4, Sec. 30, Tp. 13 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 6.2
cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
13 S.	3 E.	29	SW 1/4 SW 1/4	40	35
			SE 1/4 NE 1/4	40	20
		30	NE 1/4 SE 1/4	40	40
			SE 1/4 SE 1/4	40	40
		32	NW 1/4 NW 1/4	40	40
			SW 1/4 NW 1/4	40	35
			NE 1/4 SW 1/4	40	35
			NW 1/4 SW 1/4	40	10
			SW 1/4 SW 1/4	40	25
			SE 1/4 SW 1/4	40	30
					<u>310</u>

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 23rd day of October, 19 36

R. W. FARIS

Commissioner of Reclamation

(SEAL)

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

Notice is hereby given that at 2 p.m. on the 30th day of August, 1935, at Boise, County of Ada, State of Idaho, before Paul L. Henry, notary public, proof will be submitted of the application to beneficial use of 9.6 cubic feet per second of the waters of Little Blue creek, in accordance with the terms and conditions of Permit No. 4249, heretofore issued by the State Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Blue Creek Land & Livestock Co., Riddle, Idaho.

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

The amount applied to beneficial use is 9.6 second feet

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

E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 31; E $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 30; W $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ Sec. 32; and SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 29, T. 13 N., R. 3 E., B.M.

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

The right to take water from such works is based upon Permit No. 4249.

The source of supply from which such water is diverted is Little Blue creek.

The date of priority which said user is prepared to establish is August 25, 1926.

R. W. FARIS,
Commissioner of Reclamation.
(Aug. 8—29)

AFFIDAVIT OF PUBLICATION

I, Charles Pascoe

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 August 8 1935, and ending with the issue dated August 29 1935; 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

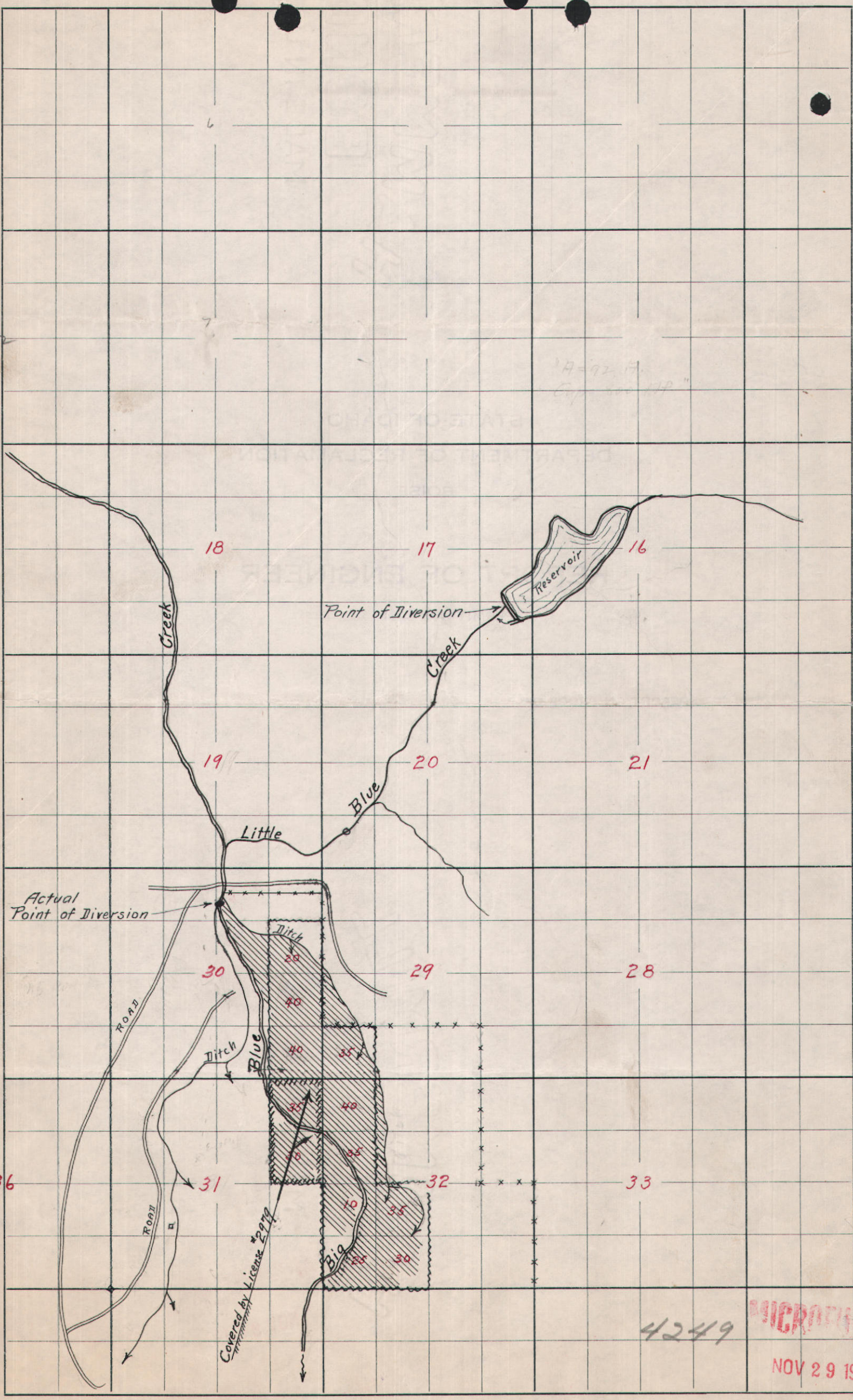
Subscribed and sworn to before me this 26th day of Sept., 1936

H. G. Gledson

Notary Public

NOV 29 1933

4249



*A=92.17
Cap 100 HP*

4249

MICROFILM

NOV 29 1993

REPORT OF ENGINEER

1. State name of applicant and number of permit: H. S. Portlock # 4249
2. State source of water supply: Little Blue Creek
3. Location of point of diversion: SW⁴ SW⁴ Sec 20 T. 13 S R 3 E

4. State whether or not the works of diversion are fully completed and in accordance with terms of permit:
Takes out of a diversion Dam about a mile below Reservoir Dam

5. Describe works as they exist, giving dimensions of same as follows:

- (a) Width of conduit at bottom: 2.5 ft
- (b) Width at water line: 5.5 ft
- (c) Depth of water: 1.5 ft
- (d) Grade per mile: 5.0 ft
- (e) Capacity of ditch: 10.0 second feet.

6. State whether or not water has been turned into works of diversion and if so, to what extent:

About 3 sec. ft. has been turned in the ditch but Ditch was dry at this time

7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty acre tract:

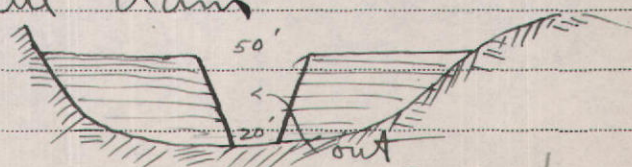
NE⁴ Sec 31
NW⁴ Sec 32 all in
E² SE⁴ Sec 30 T. 13 S R 3 E B. M.
SE⁴ NE⁴ Sec 30
SW⁴ SW⁴ Sec 29

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: The center portion of the reservoir dam is not built there is a gap which is about 50 ft along the top and about 20 ft along the bottom the entire width of the dam

Profile of dam showing gap.

July 11 1914



Walter R. Hycle

STATE OF IDAHO,

County of _____

} ss.

_____, being first duly sworn, deposes and says that the statements

contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this _____

day of _____

191_____

My Commission Expires _____

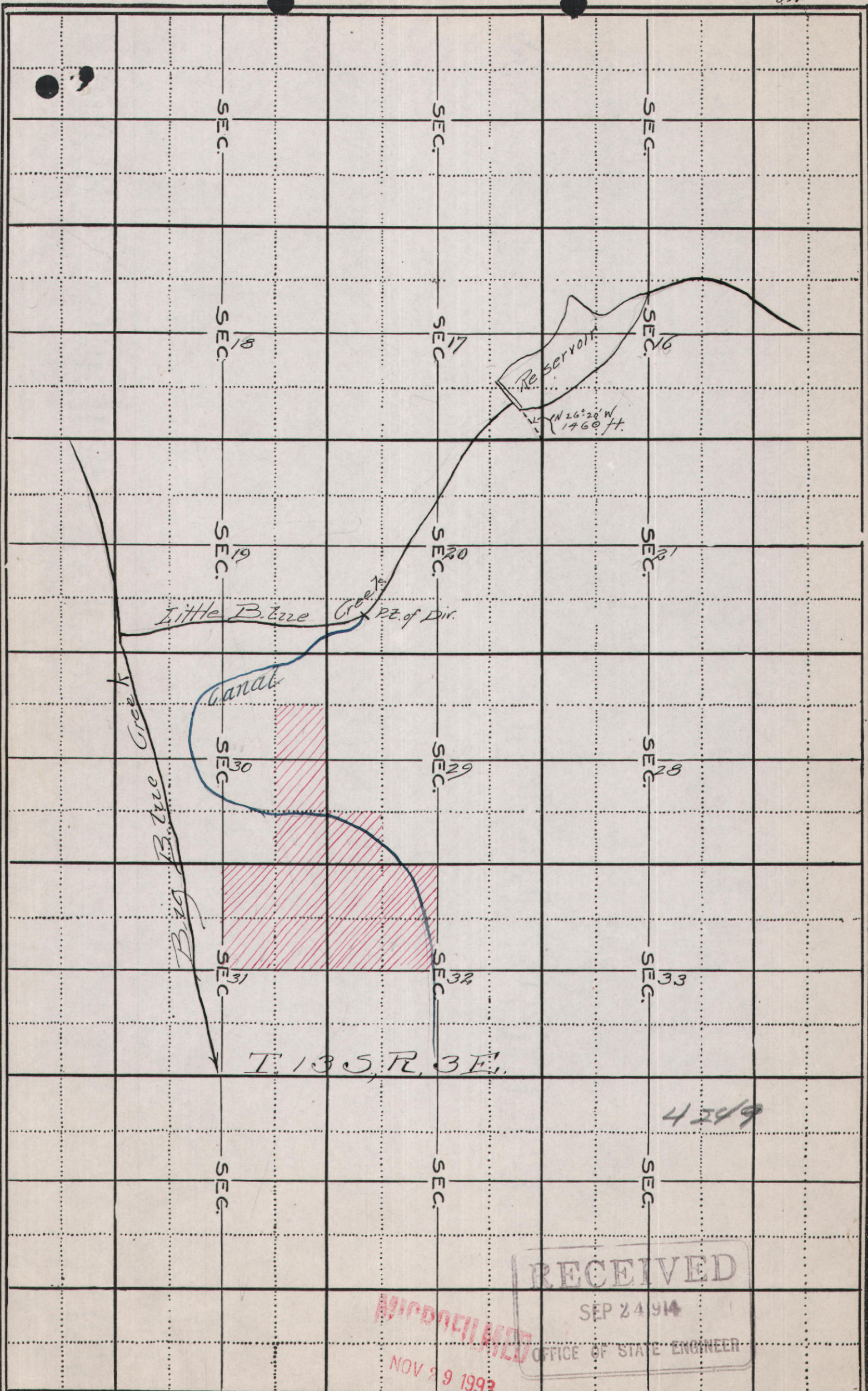
Notary Public.

NOV 29 1993

4249

Name of Applicant H. S. Portlock

#4249
C.W.



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

Printed and for sale by the Statesman Shop, Boise, Idaho.

AFFIDAVIT OF PUBLICATION

NOTICE FOR PUBLICATION

Notice is hereby given that at 2 P. M., on the 23rd day of January, 1914, at Bruneau, County of Owyhee, State of Idaho, before M. E. Reynolds, proof will be submitted of the completion of works for the diversion of 9.6 cubic feet per second of the waters of Little Blue Creek, in accordance with the terms and conditions of a certain permit heretofore issued by the State Engineer of the State of Idaho.

1. The names of the persons holding said permit are H. S. Portlock and P. Shattuck.
2. The postoffice address of such persons is Riddle, county of Owyhee, state of Idaho.
3. The number of such permit is 4249, and the date set for the completion of such work is January 2, 1914.
4. Said water to be used for Irrigation and domestic purposes.
5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is 9.6 cubic feet per second.
6. The amount of lands for which said water is available is 480 acres, particularly described as follows:

NE $\frac{1}{4}$ section 31, NW $\frac{1}{4}$ section 32, E $\frac{1}{2}$ of SE $\frac{1}{4}$ and SE $\frac{1}{4}$ of NE $\frac{1}{4}$, section 30, SW $\frac{1}{4}$ of SW $\frac{1}{4}$, section 29, township 13 south, range 3 east, Boise Meridian.

F. P. KING,
State Engineer.

307-41—First pub Dec 18, 1913
Last pub Jan 8, 1914

STATE OF IDAHO. }
County of Owyhee } ss

F. A. Eidson

being duly sworn, deposes and says that he is the
Publisher of OWYHEE NUGGET, a
weekly newspaper published at Silver City, Idaho;
that the said newspaper is in general circulation in
Owyhee County; that a copy of the above notice, as
per clipping attached, was published in the regular
and entire issue of said newspaper for *four*
consecutive weeks, beginning with the issue of
Dec 18, 1913 and ending
with the issue of *Jan. 8*, 1914

F. A. Eidson

RECEIVED

SUBSCRIBED AND SWORN TO before me
this *16* day of *Jan.*, 1914

OFFICE OF STATE ENGINEER

My Commission expires
June 30th, 1917

John W. Lanning
Notary Public
4249

NOV 8 1993

104249

NOV 29 1993

RECORDED

4249

I hereby certify that the survey shown on this sketch was made by me during the month of February, 1909 and that my residence, and post office address is Boise Idaho.
Geo. H. Shattuck
Licensed Surveyor.

Application No. 6022
Permit No 4249
H.S. Portlock et al.
9.6 second feet, Little Blue
Owyhee County
Approved January 2, 1909
Geo. H. Shattuck
State Engineer

T. 13S. R. 3E.

SEC. 21

SEC. 20

SEC. 19

SEC. 17

SEC. 18

SEC.

SEC.

SEC.

SKETCH SHOWING
RESERVOIR, DITCH & LAND TO BE IRRIGATED BY
H.S. PORTLOCK & PSHTTUCK
Owyhee Co. Idaho.
T. 13S. R. 3E.

Reservoir
Area 92 Acs. ±
Capacity 800 Acs. ±

Ditch

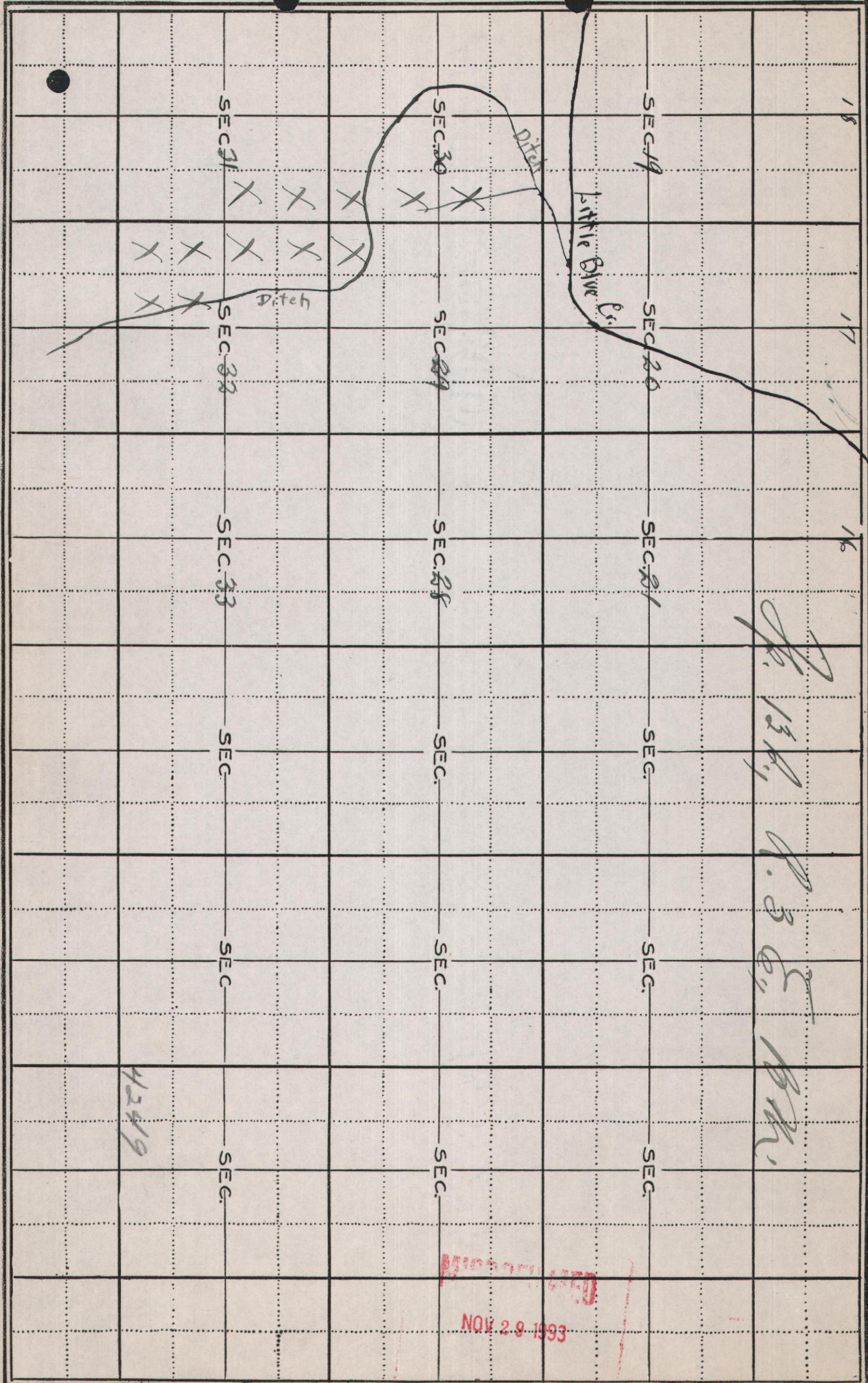
Little Blue
Creek

21/2 B

61/2 B

To be irrigated

Name of Applicant *H.D. and Sarah M. Portlock*



Dr. J. B. G. B. B.

42419

NOV 29 1993

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

Notice is hereby given that at 10 a.m. on the 4th day of March, 1918, at Bruneau, County of Owyhee, State of Idaho, before D. A. Utter, Notary Public, proof will be submitted of the application to beneficial use of nine and six-tenths cubic feet per second of the waters of Little Blue Creek, in accordance with the terms and conditions of Permit No. 4249 heretofore issued by the State Engineer of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are H. S. Portlock and Sarah M. Portlock, both of Bruneau, Idaho.

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

3. The amount applied to beneficial use is 9.6 cubic feet per second.

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

E $\frac{1}{4}$ N $\frac{1}{4}$ Section 31, E $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 30, W $\frac{1}{2}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ of Section 32, SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 29, Township 13 South) Range 3 East, B. M.

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

6. The right to take water from such works is based upon Permit No 4249.

7. The source of supply from which such water is diverted is Little Blue Creek.

8. The date of the priority which said user is prepared to establish is February 28, 1909.

J. H. SMITH,
State Engineer.

RECEIVED

MAR 7 1918

OFFICE OF STATE ENGINEER

Affidavit of Publication

STATE OF IDAHO }
County of Owyhee } ss

Charles Pascoe

being duly sworn, deposes and says that he is the
Publisher of OWYHEE NUGGET, a weekly newspaper published at Bruneau, Idaho; that the said newspaper is in general circulation in Owyhee County; that a copy of the above notice, as per clipping attached, was published in the regular and entire issue of said newspaper for *4*

consecutive weeks, beginning with the issue of

January 31, 1918, and ending

with the issue of *February 11* 1918

Charles Pascoe

Subscribed and sworn to before me this *4th*

day of *March* 1918

D. A. Utter

4249

Notary Public
Residing at Bruneau, Ida.

- (a) ditch complete.
 (b) ditch to be completed
 to cover more ground.



Sec 23, T. 10 S. R. 4 W.

23

10 S. 4 W.

Sept 15

✓ 4249

State of Idaho
License and Certificate of Water Right

Water License No. **4249**

Amount **6.2 sec. ft.**

Water District No.

Priority **Aug. 25, 1926**

THIS IS TO CERTIFY that **H. FORTLOCK and P. SHATTUCK**
of **Riddle, Idaho**, made application for a permit to appropriate the
public water of the State of Idaho, dated **December 28**, 19 **08**; that Permit No. **4249**
was issued under said application, that Certificate of Completion of works, with a carrying capacity of
9.6 second feet was issued thereunder on **September 20**, 19 **14**, showing that said works
were completed on the **23rd** day of **January**, 19 **14**; and that on the **30th**
day of **August**, 19 **35**.

BLUE CREEK LAND AND LIVESTOCK COMPANY, Assignee
of **Riddle**, State of **Idaho**, made proof to the satisfaction of the
Commissioner of Reclamation of Idaho, of the right to use the waters of **Little**
Blue Creek, a tributary of **Big Blue Creek**, for the purpose of **irrigation and**
domestic use, under Use Permit No. **4249** of the **State Engineer's Office**
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 **3846**, on the **23rd** day of **October**, 19 **36**;

The right hereby confirmed dates from **August 25**, 19 **26**;

The Point of Diversion is located
in the **NW ¼ NE ¼, Sec. 30**, Twp. **13 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 **6.2**
cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
13 S.	3 E.	29	SW SW	40	35
			SE NE	40	20
		30	NE SE	40	40
			SE SE	40	40
		32	NW NW	40	40
			SW NW	40	35
			NE SW	40	35
			NW SW	40	10
			SE SW	40	25
			SE SW	40	30
					310

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 **23rd** day of **October**, 19 **36**

R. W. PARIS
Commissioner of Reclamation

(SEAL)

No. 6022.

55-2009

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: H.S. Portlock and P. Shattuck

Postoffice address: Riddle

County: Owyhee

State: Idaho

2. The quantity of water claimed is the equivalent of a continuous flow of 9.6 cubic feet per second.

3. Source of water supply: Little Blue Creek

County of Owyhee

4. Location of point of diversion: N. 26° 20' W. 1460 ft. from S.W. cor., sec. 16 T. 13 S.R. 3 E

5. To be used for:

I. Irrigation and domestic use:

(a) Amount of land to be irrigated: 480 acres,

(b) In the following legal subdivisions: NE $\frac{1}{4}$ Sec. 31. NW $\frac{1}{4}$ Sec. 32. E $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 30, SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 30. and SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 29. T. 13 S.R. 3 E

6. Estimated cost of works: \$5000.

7. Description of works for diversion:

I. Kind of works: Reservoir, dam & ditch.

II. Dimensions of works:

(a) Height of dam 23 feet. length of dam at top 640 feet, length of dam at bottom 380 feet. Material used in construction: Earth.

(b) Capacity of reservoir: 800 acre-feet.

(c) Size of headgate: Width 2 feet, height 2 feet.

(d) Conduit ditch, width at bottom 2 feet, width at water line 4 feet, depth of water 1 foot. Average grade per mile is 5.28 feet. Length of conduit is 2 $\frac{1}{4}$ miles, and it crosses the following quarter sections: SE $\frac{1}{4}$ 17; NE $\frac{1}{4}$ 20; NW $\frac{1}{4}$ 20; SW $\frac{1}{4}$ 20, NW $\frac{1}{4}$ 29; SW $\frac{1}{4}$ 29 and NW $\frac{1}{4}$ 32. T. 13. S.R. 3 E. 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 5 years.

9. Time required for the complete application of the water to the proposed use is 4 additional

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.

H.S. Portlock and P. Shattuck,

Applicants

By. I.F. Shaffner....Agent.

APPROVAL OF STATE ENGINEER.

The number of this permit is 4249.

Date of first receipt of application: 9.00 a.m. December 28, 1908. ✓

Recorded in Book 12. Page 4249. Approved January 2, 1909.

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 March 3, 1909, 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 July 2, 1912.

The whole of said work to be completed on or before January 2, 1914.

The time for proof of beneficial use of water appropriated in accordance herewith, to extend to January 2, 1918.

Witness my hand this second day of January, 1909.

Jas. Stephenson, Jr.

State Engineer.

State of Idaho, :
County of Owyhee. : SS.

H. S. Portlock being first duly sworn, upon his oath deposes and says:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 4249.

That he intends to change the point of diversion, as described in said decree or permit, to the following described point:

1110 feet Northeast from the joint corner of Sections 19-20-29 and 30, Twp. 13 S. R. 3 E.

That such change will be made for the following reasons, to-wit:

That point of diversion as given in original application and permit was about one mile farther up the creek and this change is made to make point of diversion in records conform to that in actual use.

That no one will be injured by such change and that deponent will make such change at his own risk.

And further deponent saith not.

Subscribed and sworn to before me this 26th day of August, 1914.
H. S. Portlock
M. E. Reynolds,
Notary Public.

My Commission expires Mch 1, 1915.

Received and filed for record in the office of the
State Engineer at Boise, Idaho, at 9.00 A. M.
August 29, 1914.

F. P. King,

State Engineer.

QUITCLAIM DEED.

THIS INDENTURE, Made this 2nd day of June, in the year of o r Lord one thousand nine hundred and nine, between P. Shattuck, of Bruneau, County of Owyhee, State of Idaho, the party of the first part, and H. S. Portlock, of Riddle, 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 Dollars, of the United States of America, 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 right, title and interest in certain water permit, reservoir and canal, situate, lying and being in County of Owyhee, State of Idaho, bounded and particularly described as follows, to-wit: Permit No. 4249, approved by the State Engineer January 2, 1909, and recorded in book 12, page 4249; Reservoir on Little Blue Creek, in Secs. 16 & 17, T. 13 S. R. 3 E.; Ditch extending from aforesaid reservoir to land to be irrigated thereby, in Secs. 29,30,31,32, T. 13 S. R. 3 E.

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.

Signed, Sealed and Delivered in the Presence of)
H. S. Portlock.)

Perley Shattuck (SEAL)

STATE OF IDAHO,)
)ss
County of Elmore.)

On this 28th day of December in the year 1910. before me Ruby Mellen, a notary public in and for said County, personally appeared Perley Shattuck, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Ruby Mellen

Notary Public.

(SEAL)

Received and filed for record in the office of the State Engineer at Boise, Idaho. at 2.00 P.M. Sep. 24.1914.

F.P.King,
State Engineer.

QUITCLAIM DEED.

THIS INDENTURE, Made the 27th day of January, in the year of our Lord one thousand nine hundred and fourteen, between H. S. Portlock, of Riddle, County of Owyhee, State of Idaho, the party of the first part, and Sarah M. Portlock, of Riddle, 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 -no/100 Dollars, lawful _____ of the United States of America, 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 her heirs and assigns forever, a two thirds interest in and to that certain permit to appropriate the waters of Blue Creek, Owyhee County, Idaho, said permit being numbered 4249, and also a two thirds interest in and two the irrigation works, ditches, dams or canals constructed in accordance with said permit.

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 her 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.

Signed, Sealed and Delivered in the Presence of)
Rowland C. Taylor)

H. S. Portlock (SEAL)

STATE OF IDAHO,)
)ss:
County of Ada.)

On this 28th day of January, in the year 1914, before me, Rowland C. Taylor, a Notary Public in and for said County, personally appeared H. S. Portlock, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

(SEAL)

Rowland C. Taylor.
Notary Public.

Received and filed for record in the office of the State Engineer at Boise, Idaho, at 2 P.M. Sep. 24, 1914.

F. P. King,
State Engineer.

Proof of Completion of Works made January 31, 1914.

Report of Examining Engineer received Sept. 24, 1914.

Certificate of Completion of Works issued Sept. 26, 1914.

PERMIT NO. 4249

CERTIFICATE OF COMPLETION OF WORKS

To All Whom It May Concern:

This is to certify that H. S. Portlock and Sarah H. Portlock of Braneau, County of Owyhee, and State of Idaho, the holders of Permit No. 4249, issued upon Application No. 6022, bearing date of priority of December 28, 1908, authorizing the diversion of 9.6 second feet of the waters of Little Blue Creek, County of Owyhee, State of Idaho, for irrigation and domestic purposes, have 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 9.6 second-feet of the waters of Little Blue Creek; that the point of diversion of said waters is at a point in the SW $\frac{1}{4}$ of SW $\frac{1}{4}$, Sec. 20, T. 15 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: NE $\frac{1}{4}$ Sec. 31; NW $\frac{1}{4}$ Sec. 32; E $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 30; SE $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec. 30, and SW $\frac{1}{4}$ of SW $\frac{1}{4}$, Sec. 29, T. 15 S., R. 3 E.B.M., containing 480 acres.

Witness my hand this 26th day of September, A. D. 1914.

F. P. King,

State Engineer of the State of Idaho.

✓

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS OF
THE STATE OF IDAHO, NO. 4249.

Comes now H. S. Portlock and Sarah M. Portlock and represents to the
State Engineer of the State of Idaho,

That he is the owner and holder of Permit to appropriate the Public
Waters of the State of Idaho, No. 4249, and requests that the list of lands
to be irrigated, as described in said permit, be changed to read as follows:

$E\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 31, $E\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 30, W $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ Sec. 32,
SW $\frac{1}{4}$, SW $\frac{1}{4}$, Sec. 29, Tp. 13 S., R. 3 E., M., making a total of 480 acres.

That an additional amount of water is not asked for, and that the
rights of others will not be adversely affected by such change.

Signed at Boise, Idaho, this 25th day of Nov. 1914.

H. S. Portlock

Sarah M. Portlock

By R.C. Taylor, Agt.

Date of receipt at Office of State Engineer Dec. 1, 1914.

APPROVAL OF STATE ENGINEER.

I, Herbert Wing, Acting State Engineer of the State of Idaho, hereby
approve the above and foregoing application for amendment to Permit to appropriate
the Public Waters of the State of Idaho, No. 4249. This approval constitutes a new
permit and is issued as an amendment to the original permit, to which it refers and
of which it becomes a part, and said application is approved only insofar as the rig
of others will not be adversely affected thereby.

Witness my hand this 1st day of December, 1914.

Herbert Wing,

Acting State Engineer.

QUITCLAIM DEED

THIS INDENTURE, Made this 18th day of July, in the year of our Lord one thousand nine hundred and twenty-three, between H. S. Portlock and Sarah M. Portlock, his wife, of Aruncean, County of Owyhee, State of Idaho, the parties of the first part, and J. A. Sewell, of Owyhee, County of Elko, State of Nevada, the party of the second part,

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of Ten and 00/100 Dollars, and other valuable consideration, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, do by these presents remise, release and forever QUITCLAIM, unto the said party of the second part, and to their heirs and assigns, all their right, title and interest to State water permit #4249, granting right to divert and use 9.6 second feet of the waters of Little Blue Creek reservoir, point of diversion and application to use being in township thirteen (13) south, range three (3) East, Boise Meridian.

This deed is intended to take the place of deed originally executed on or about December 1, 1914, but later lost or mislaid.

TOGETHER, With all and singular the tenents, hereditaments and appurtenances thereto belonging or in anywise appertaining, 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 party of the second part, and to his heirs and assigns forever.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hand and seals the day and year first above written.

H. S. Portlock (SEAL)

Sarah M. Portlock (SEAL)

STATE OF IDAHO,)
) SS.
COUNTY OF OWYHEE,)

On this 18th day of July in the year, 1923, before me Charles Lascoe, a Notary Public in and for said State, personally appeared H. S. Portlock and Sarah M. Portlock, 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 first above written.

Charles Lascoe
Notary Public residing at Aruncean,
Idaho.

(SEAL)

Received and filed for record in the Department of Reclamation at Boise, Idaho, at 2:00 P. M. July 20, 1923.

J. G. Swendsen,
Commissioner of Reclamation

ASSIGNMENT

THE FOLLOWING COMPRISES A PORTION OF THAT CERTAIN DEED BETWEEN JOSEPH A. SEWELL and SUSAN SEWELL, HIS WIFE, PARTIES OF THE FIRST PART, OF ELKO COUNTY, STATE OF NEVADA, and THE BLUE CREEK LAND & LIVESTOCK COMPANY, PARTIES OF THE SECOND PART, EXECUTED ON THE 15th DAY OF JANUARY, 1927, AND MADE A MATTER OF RECORD IN OWYHEE COUNTY, IDAHO, ON THE 15th DAY OF NOVEMBER, 1927.

THIS INDENTURE, made the 15th day of January, A. D. 1927, by and between JOSEPH A. SEWELL, also known as and called J. A. SEWELL, and SUSAN SEWELL, his wife, both of the County of Elko, State of Nevada, the parties of the first part, and BLUE CREEK LAND & LIVESTOCK COMPANY, a corporation organized and existing under and by virtue of the laws of the State of Nevada, the party of the second part,

WITNESSETH:-

That the said parties of the first part, for and in consideration of the sum of Ten Dollars (\$10.00), current lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, and for other valuable considerations, do by these presents, grant, bargain, sell, confirm and convey, unto the said party of the second part, and to its successors and assigns forever, all those certain pieces and parcels of land, situate, lying and being in the County of Owyhee, State of Idaho, and particularly described as follows, to-wit:-

The Southwest quarter of the Southwest quarter (SW $\frac{1}{4}$ of SW $\frac{1}{4}$) of Section 29; the East half of the Southeast quarter (E $\frac{1}{2}$ of SE $\frac{1}{4}$), and the Southeast quarter of the Northeast quarter (SE $\frac{1}{4}$ of NE $\frac{1}{4}$) of Section 30, in Township 13 South, Range 3 East, Boise Meridian, Idaho;

The West half of the Northwest quarter (W $\frac{1}{2}$ of NW $\frac{1}{4}$); and the Southwest quarter (SW $\frac{1}{4}$) of Section 32; and the East half of the Northeast quarter (E $\frac{1}{2}$ of NE $\frac{1}{4}$) of Section 31, in Township 13 South, Range 3 East, Boise Meridian, Idaho;

Together with all dams, ditches, flumes, water and water rights now and heretofore had and used in connection with all of the above-described lands and premises.

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 its successors and assigns forever; including all dams, ditches, flumes, water and water rights, now and heretofore had and used in connection with said lands and premises.

IN WITNESS WHEREOF, the parties of the first part have hereunto set their hands the day and year first above written.

Joseph A. Sewell also
known as and called

J. A. Sewell

Susan Sewell

STATE OF NEVADA,)
: SS.
COUNTY OF ELKO.)

On this 15th day of January, A. D., 1927, personally appeared before me, H. U. CASTLE, a Notary Public in and for the County of Elko, State of Nevada, JOSEPH A. SEWELL, also known as and called J. A. SEWELL, and SUSAN SEWELL, his wife, known to me to be the persons described in and who executed the above and foregoing instrument; who acknowledged to me that they executed the same freely and voluntarily and for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at my office in the said County of Elko, the day and year in this certificate first above written.

(SEAL) _____
H. U. Castle
Notary Public. My commission expires
January 20, 1927.

Received and, only that certain portion pertaining to the lands described in said Permit No. 4249, filed for record in the Department of Reclamation at Boise, Idaho, at 3:00 P. M., July 30, 1935.

R. W. FARIS
Commissioner of Reclamation
By PLH

AFFIDAVIT FOR CHANGE OF POINT OF DIVERSION
OF WATER RIGHT

Permit No. 4249

STATE OF IDAHO)
) ss.
County of Owyhee)

BLUE CREEK LAND & LIVESTOCK CO., being first duly sworn, deposes and says: That its postoffice address is Riddle, Idaho. That they are the owner of and using a certain water right, for 9.5 cubic feet per second of the water of Little Blue Creek, County of Owyhee, State of Idaho, obtained by virtue of Permit to appropriate the public waters of the State of Idaho, No. 4249, issued by the Commissioner of Reclamation, dated January 2, 1909, bearing date of priority of August 25, 1926, for the purpose of irrigating the following described lands, situate, lying and being in Water District No. _____, in the County of Owyhee, and State of Idaho, to-wit: E $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 31; E $\frac{1}{2}$ SE $\frac{1}{4}$ & SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 30; W $\frac{1}{2}$ NW $\frac{1}{4}$ & SW $\frac{1}{4}$ Sec. 32; & SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 29, T. 13 S., R. 3 E., B. M. and has become the owner thereof in the following manner: By assignment from J. A. Sewell, Elko, Nevada. That said waters are now diverted from said stream in the SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 20, Twp. 13 S., Range 3 E., and conducted to the above described lands through the private ditch, as per map filed herewith and of this affidavit made a part;

That affiant desires to change the point of diversion of said waters from the point above described to a point located in NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 30, Twp. 13 S., Range 3 E., and thereafter conduct same to the above described land through the private ditch, as per map above referred to;

That his reasons for desiring to make such change are as follows: To correct record to conform to actual conditions.

That no one will be injured by such change and that such change will be made at affiant's own risk.

BLUE CREEK LAND & LIVESTOCK CO.
Affiant
by R. D. Gedney

Subscribed and sworn to before me this 2nd day of July, 1936

PAUL L. HENRY
Notary Public

(SEAL)

Received and filed for record in the Department of Reclamation
of Boise, Idaho, at 3:00 P. M., July 2, 1936.

R. W. FARIS
Commissioner of Reclamation
By P.L.H.

COPIES ISSUED FOR 62500.01

p. 3846 Vol 7

✓

December 27, 1938

Re: License Number 4249 ✓

C. A. Sewell
Livestock
Box 702
Elko, Nevada

Dear Mr. Sewell:

We are in receipt of your letter of December 24 concerning the above numbered license. You state in your letter that the date of priority under the above numbered license should be December 28, 1908, instead of August 25, 1926. In checking our records, we find that proof of beneficial use was due January 2, 1918, and proof was made August 30, 1935 being seventeen years, seven months, and twenty-eight days late. Therefore, in accordance with Section 41-213 of the Idaho Code Annotated, this date of priority was set up by the number of days, months, and years that it was late, that is, from December 28, 1908 to August 25, 1926.

The above numbered section provides that when proof of beneficial use is submitted at a date later than that on which it is due, the date of priority is set up by the amount that the proof is late. If this proof had been made on January 2, 1918, when it was due, the date of priority would have remained December 28, 1908.

We also note what you say concerning the holder of the license. Our records show that the license was issued to the Blue Creek Land and Livestock Company. However, there may be any number of assignments subsequent to the issuance of the license. It is not required that the assignments be recorded with the license. Therefore, after a license is issued, the holder or owner of the lands to which the water is appurtenant is of no material concern to this department.

We are herewith returning the deed that you sent to us along with a copy of license number 4249. The fee in connection with this license will be one dollar (\$1.00).

We trust that this answers your questions to your satisfaction.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By PAUL H. BERG
Deputy Commissioner

PHB:ah

Inc.

NOV 29 1938

4249

G. A. SEWELL
LIVESTOCK
BOX 702
ELKO, NEVADA

Dec. 22nd, 1938.

Mr. Paul H. Berg, Deputy Commissioner
State of Idaho,
Boise, Idaho.

Re: License No. 4249

Dear Mr. Berg:

I regret it necessary to bother you again regarding the above License Number but referring to your former letters I find that the priority of the above license is 8-25-26 but Mr. Allen B. Eaton of your City who handled water matters for my father reported to me that the priority of the early applicants namely Portlock and Shattuck dated back to 12/28/08. I notice that your letter contains the information that the above License belongs to the Blue Creek Land and Livestock Company so I am enclosing for your inspection a deed from the Company to myself covering the land for which the water is appurtenant and I trust that this document will be sufficient evidence that the License is at this time my property.

I should like to have a copy of the above License and you may send me the bill for the copy.

Thanking you, I am

Yours very truly



NOV 24 1938

4249

December 12, 1938

✓
Re: License Number 4249

C. A. Sewell
Livestock
Box 702
Elko, Nevada

Dear Sir:

We have your letter of December 9 in which you requested certain information concerning the above numbered license.

The license was originally issued to P. Shattuck and H. S. Portlock, Shattuck then deeded his interest in the permit to H. S. Portlock, later H. S. Portlock deeded his interest to Sarah M. Portlock, then H. S. Portlock and Sarah M. Portlock deeded their interest to J. A. Sewell, and J. A. Sewell and Susanne Sewell deeded their interest to the Blue Creek Land and Livestock Company, which company is the owner of the license.

The license was issued for 6.2 cubic feet per second although the original application called for 9.6 cubic feet. The reason for this is probably that proof of beneficial use was made on only 6.2 cubic feet per second.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By PAUL H. BERG
Deputy Commissioner

PHB:ah

NOV 29 1938

4249

G. A. SEWELL
LIVESTOCK
BOX 702
ELKO, NEVADA

Dec. 9th, 1938.

Mr. Paul H. Berg, Deputy Commissioner
State of Idaho
Boise, Idaho.

Dear Mr. Berg:

Re: Little Blue Creek

Sometime ago you sent me a list of water licenses and permits for the above creek. On the list I find License No. 4249 issued in name of Blue Creek Land & Livestock Company but in our old records I find that this No. was originally issued to a Mr. Harris Portlock, whom we bought out years ago, and called for 9.6 second feet of water with a priority of Dec. 28th, 1908. What can you tell me about this. Thanking you, I am

Yours very truly



4249

October 28, 1936

Re: Permit No. 4249
Blue Creek Land & Livestock Co.

RALPH GEDNEY, Mgr.
Blue Creek Land & Livestock Co.
Riddle, Idaho

Dear Mr. Gedney:

You will find enclosed herewith, Water License No. 4249 for 6.2 second feet of the waters of Little Blue Creek in Owyhee County, with a priority date of August 25, 1926.

We are also enclosing Office Receipt No. 15915 in the amount of \$10.00 covering fee remitted by you for this license.

Very truly yours,

R. W. PARIS
Commissioner of Reclamation

by
Asst Chief Clerk

ej
encl

NOV 29 1936

4249

October 23, 1936

Re: Permit 4249
Blue Creek Land & Livestock Co.

Mr. Rodney A. Hawes
Owyhee Nugget
Bruneau, Idaho

Dear Mr. Hawes:

This will acknowledge receipt of your letter of October 16th, together with the affidavit of publication executed in connection with final proof under the above permit. This instrument answers our purpose, and we wish to thank you for mailing it to this office.

Very truly yours,

Chief Clerk & Office Engineer

PLH:jl

NOV 29 1936

4249

OK.
Bruner, Idaho.
October 16, 1936

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

Sirs:

In repl of your letter of August 13, 1936, I hereby send you said
proof of publication.

If this is not OK please let me know.

Sincerely yours,

Rodney A. Haven

Rodney A. Haven,
Editor and Owner of the Owyhee Nugget.

Enc.

4249

August 26, 1936

Re: Permit No. 4249
Blue Creek Land & Livestock Co.

MR. RALPH GEDNEY
Riddle, Idaho

Dear Mr. Gedney:

Within a short time after you paid the fee of \$10.00 due in connection with final proof under the above permit, we made an examination of the files preparatory to the issuance of a license under this permit.

At that time, we discovered that an affidavit of publication had never been furnished by the newspaper. We have made two or three unsuccessful attempts to get this affidavit. Perhaps the Owyhee Nuggett furnished you with this instrument.

If such is the case, will you kindly mail it to this department at your earliest convenience, or if you do not have it, will you get in touch with the present editor of this paper and have him mail it to this office? We are very anxious to issue the license so your cooperation will be very much appreciated in this matter.

Very truly yours

Chief Clerk & Office Engineer

PLH/cj

NOV 20 1936

4249

August 13, 1936

Re: Permit No. 4249

RODNEY A. HAWES, Editor
Owyhee Nugget
Bruneau, Idaho

Dear Mr. Hawes:

We received the affidavit you mailed us on August 6th confirming publication of proof of beneficial use under Permit No. R-594, which is held by the Battle Creek Sheep Company of Boise, Idaho. This, however, does not have anything to do with the proof to which I referred in our telephone conversation of several days ago.

The proof in question was advertised under Permit No. 4249, and this right is held by the Blue Creek Land and Livestock Company, of which Ralph Gedney is general manager. The notice for the publication in question was mailed to you from this office on August 1st, 1935, requesting its insertion in your newspaper once a week for four consecutive weeks.

Will you therefore kindly check your records with a view of furnishing this department with the proper affidavit?

Very truly yours

Chief Clerk & Office Engineer

PLH/cj

NOV 29 1936

4249

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

Notice is hereby given that at 2 p.m. on the 30th day of August, 1935, at Boise, County of Ada, State of Idaho, before Paul L. Henry, notary public, proof will be submitted of the application to beneficial use of 9.6 cubic feet per second of the waters of Little Blue creek, in accordance with the terms and conditions of Permit No. 4249, heretofore issued by the State Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Bine Creek Land & Livestock Co., Riddle, Idaho.

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

The amount applied to beneficial use is 9.6 second feet.

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

SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 31; E $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 30; W $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ Sec. 32; and SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 29, T. 13 N. S., R. 3 E., R.M.

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

The right to take water from such works is based upon Permit No. 4249.

The source of supply from which such water is diverted is Little Blue creek.

The date of priority which said user is prepared to establish is August 25, 1926.

R. W. FARIS,
Commissioner of Reclamation.
(Aug. 8-29)

AFFIDAVIT OF PUBLICATION

I, Charles Pascoe

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 August 8 1935, and ending with the issue dated August 29 1935; 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 26 day of Sept. 1935.

[Signature]

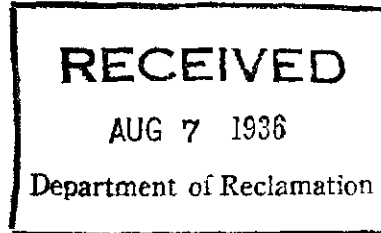
Notary Public

NOV 10 1935

#249

Bruneau, Idaho.
August 6, 1936.

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



Dear Sir:

The only reason that I can find for this affidavit of Publication not having been sent is that it was never paid for. Mr. Pascoe is not here at present and if said bill has been paid it was not checked off the books.

Sincerely yours,

Rodney A. Hawes,
Editor and Lessee of
Owyhee Nugget.

Enc.

RECEIVED

NOV 29 1993

4249

April 10, 1936

Re: Permit No. 4249
Blue Creek Land and Livestock Co.

Mt. RALPH GEDNEY
Riddle,
Idaho

Dear Sir:

We now have Mr. Tolman's report covering his examination which he made on the 9th day of August, 1936, in connection with Permit No. 4249.

He gives you credit for having irrigated a total of 375 acres with the water claimed under this permit, but since the E $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 31 has been covered by License No. 2979 it must, necessarily, be eliminated from the license which will be issued under this permit.

The lands which will be irrigated with this water are situated in 10 different forty acre tracts. Therefore, there is a statutory fee of \$10.00 due in connection with this proof.

He also shows that the point of diversion where you take this water from Big Blue Creek is in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 30, T. 13 S., R. 3 E., instead of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 20, as it is described in the permit record. We have, therefore, prepared an affidavit, which we are herewith enclosing, for your acknowledgement before some Notary Public. If you will kindly go before some one who has the power to administer oaths, execute this instrument and return it to us with a fee of \$10.00, we shall issue the license for 6.2 second feet of water.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

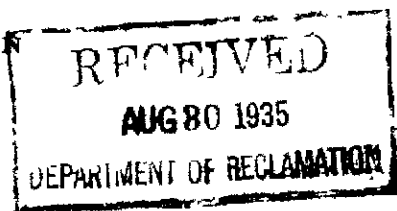
By _____
Chief Clerk & Office Engr.

PLH/rg
Encl.

NOV 29 1993

4249

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



Permit No. 4249

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. RALPH D. GEDNEY, Riddle, Idaho, Mgr. Blue Creek Land and Livestock Co.

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. Mgr. Blue Creek Land and Livestock Co. - a Nevada corporation, C. A. Sewell, Statutory Agent, Elko, Nevada.

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

Ans. Permit No. 4249, Permit dated January 2, 1909, Priority August 25, 1926

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

Ans. Little Blue Creek-Point of Diversion-1110' NE from the Sec. Cor. common to Secs. 19, 20, 29 & 30, T. 13 S., R. 3 E., B. M.

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. Reservoir, dam and ditch; dam approx. 30' high, 1080' long at top & 380' long at bottom. Capable of conducting 9.6 sec. ft. of water. The name of the ditch is the Sewell Ditch.

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. E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 31; E $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 30; W $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ Sec. 32; & SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 29, T. 13 S., R. 3 E., B. M. Formerly cultivated but now meadow grass.

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

Ans. Water is used for no other purpose than irrigation except for a small quantity for domestic purposes.

NOV 20 1935

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

Ans. . . . 1 inch per acre of land.

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. . . By assignment from J. A. Sewell, ~~the person to whom the permit was originally issued~~

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

Ans. . . . The total amount of water appropriated has been applied to beneficial use, continuously, when available since 1908.

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. . . No water, other than the water from Little Blue Creek, has been applied to the lands in question.

R. H. Redmy

(Sign)

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 Boise . . . , County of Ada . . . , State of Idaho, on this 30th day of August . . . , A. D. 1935 . . .

Paul Z. Henry
Notary Public for Idaho,
Residing at Boise, Idaho

My commission expires July 26, 1939

NOV 20 1993

4279

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

AUG 30 1935

DEPARTMENT OF RECLAMATION

PERMIT NO. 4249

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. BERNICE BROWN, Age 27 years, Boise, Idaho, Stenographer, Boise, Idaho

Ques. 2. Are you acquainted with RALPH D. GEDNEY, Mgr. Blue Creek Land & Livestock Co., the holder of Permit No. 4249? How long have you known him and where does he reside?

Ans. Yes. Have known him since October, 1930, he resides at Riddle, Idaho.

Ques. 3. Have you read or heard read said Permit No. 4249, 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. Little Blue Creek-point of diversion-1110' NE from the Sec. Cor. common to Secs. 19, 20, 29, 30, T. 13 S., R. 3 E., B. M.
Works consist of about 1 1/2 miles of ditch, cement dam and headgates, ditch is capable of conveying 9.6 Sec. Ft. of water to lands 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. About 10 Sec. Ft. Have seen this amount conveyed.

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. Irrigation and domestic. E 1/2 NE 1/4, Sec. 31,; E 1/2 SE 1/4, SE 1/4 NE 1/4, Sec. 30; W 1/2 NW 1/4, SW 1/4, Sec. 32, & SW 1/4 SW 1/4, Sec. 29, T. 13 S., R. 3 E., B. M. Formerly cultivated but now in Meadow Grasses.

4249

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

Ans. Water is used for no other purpose than irrigation except for a small
quantity used for domestic purposes.

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. Sagebrush land rather sandy. Not less than 1 inch per acres

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. Have seen land irrigated each year since 1931 to the extent of 500
inches, continuously through each irrigation season.

(Signed)

Bernice Brown

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 Boise, County of Ada, State of Idaho, on this ~~date~~ 30th day of August, A. D. 19 35.

Paul Z. Henry

Notary Public.

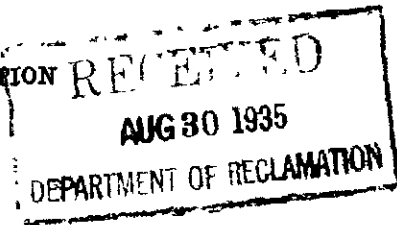
My commission expires July 26, 1939

Residing at Boise, Idaho

NOV 20 1935

4249

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



PERMIT NO. 4249

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. FRANK S. GEDNEY, Age 63, Residence, Mt. Home, Occupation Livestock Raiser

Ques. 2. Are you acquainted with Ralph D. Gedney, the holder of Permit No. 4249? How long have you known him and where does he reside?

Ans. Yes. He resides at Riddle, Idaho. Have known him 36 years.

Ques. 3. Have you read or heard read said Permit No. 4249, 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. Little Blue Creek, point of diversion-1110' NE from the Sec. Cor. common to Secs. 19, 20, 29 & 30, T. 13 S., R. 3 E., B. M.

Works consist of about 1 1/2 miles of ditch, cement dam and headgates, Ditch is capable of conveying 3.6 Sec. Ft. of water to lands 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. About 10 Sec. Ft. Have seen this amount conveyed.

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. Irrigation & domestic. E 1/2 NE 1/4, Sec. 31; E 1/2 SE 1/4, SE 1/4 NE 1/4, Sec. 30; W 1/2 NW 1/4, SW 1/4, Sec. 32 & SW 1/4 SW 1/4, Sec. 29, T. 13 S., R. 3 E., B. M. Formerly cultivated but now in Meadow Grasses.

NOV 11 1935

4249

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

Ans. Water is used for no other purposes than irrigation except for a small
quantity used for domestic purposes.

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. Sagebrush land rather sandy. Not less than 1 inch per acre.

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. Have seen land irrigated each year since 1930 to the extent of 500 inches.
continuously through each irrigation season.

(Signed)

Frank S. Gedney

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 Boise, County of Ada, State of Idaho, on this ~~day of~~ 30th day of August, A. D. 19 35.

Paul Z. Henry

Notary Public.

My commission expires July 26, 1939

Residing at Boise, Idaho

NOV 29 1935

4249

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 4249

This proof is for **Beneficial Use**

In Water District No.

- 1 Name of applicant **BLUE CREEK LAND & LIVESTOCK CO.**
- 2 Source of water supply **Little Blue Creek**
common to Sections 19, 20, 29 & 30
- 3 Location of point of diversion **Is ~~about~~ 110' NE from the corner/**
and is in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 20, T. 13 S., R. 3 E., B. M.
T. 13 S. R. 3 E. / County of **Owyhee**

- 4 Describe works as they exist, giving dimensions and capacities of same *Earth dam 35 ft high, 1180 ft long, lower slope 1 $\frac{1}{2}$ -1, Upper slope 2-1 well riprapped. Spillway in rock cut 16 ft bottom width x 5 ft depth with temporary sack dam at head. Outlet gate 2'x2' on slope, operated by wheel at top of slope. Rock and concrete tunnel 18"x18". Diversion to ditch is on Big Blue Creek, a conc. dam 40' long x 10' high with 2-5 ft control gates in main stream. see remarks*
- 5 Water is used for: **irrigation and domestic**

- 6 State whether or not water has been turned into works of diversion *Yes*
Capacity of reservoir about 2000 Acre feet.
- 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)
E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 31; E $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 30; W $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ Sec. 32; & SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 29, T. 13 S., R. 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 *The Big Blue control dam has weir notch openings leading to ditch headings upon either side of stream*

Reservoir capacity exceeds original amount by about 100% as dam has been raised considerably in the meantime. Present outlet capacity is inadequate for a maximum demand.

This examination was made on the

NOV 29 1993

day of

(Signed)

9th day of August

1935

Fred H. Dolman

Examiner.

BLUE CREEK LAND & LIVESTOCK CO.
Riddle, Idaho

Permit No 4249

Examination for Beneficial Use Proof

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
-

NOV 3 1904

4249

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

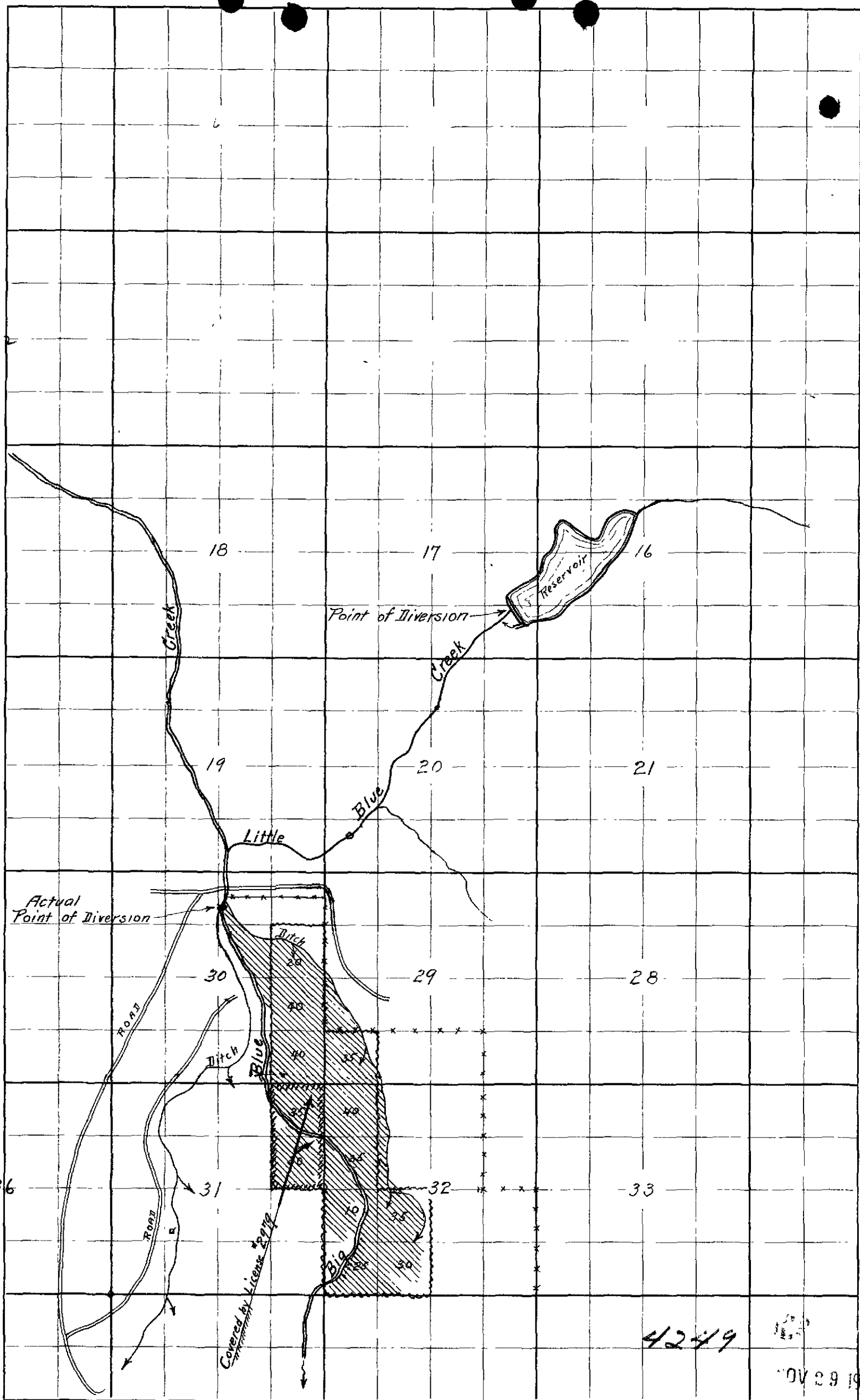
REPORT OF ENGINEER

PERMIT NO. 4249

REPORT ON PROOF OF BENEFICIAL USE

NOV 29 1933

4249



4249

NOV 29 1937

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permit No. 4249

Date August 1, 1935

EDITOR, OWYHEE NUGGET
Bruneau,
Idaho

DEAR SIR:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to August 30, 1935, the date set for proof, the expense of the publication to be paid by the applicant, Blue Creek Land & Livestock Co., Riddle, 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.

NOV 29 1935

4249

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) July 31, 1935
(P. O.) Giddle, Ida

TO THE COMMISSIONER OF RECLAMATION:

Boise, Idaho.

Dear Sir:

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

By R. D. Feeney Mgr.
Blue Creek Land & Livestock Co.

(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.

NOV 29 1935

424

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 2:00 P.M. on the 30th day of August, 1935,
at Boise, County of Ada, State of Idaho,
before Paul L. Henry, Notary Public, proof will be submitted
of the application to beneficial use of 9.6 cubic feet per second of the
waters of Little Blue Creek in accordance with the terms and conditions of
Permit No. 4249 heretofore issued by the State Engineer
of the State of Idaho.

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

BLUE CREEK LAND & LIVESTOCK CO., Riddle, Idaho

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

The amount applied to beneficial use is 9.6 second feet

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 31; E $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 30; W $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ Sec. 32; & SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 29, T. 13 S., R. 3 E., B. M.

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

The right to take water from such works is based upon Permit No. 4249

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

The date of the priority which said user is prepared to establish is August 25, 1926

R. W. FARIS

Commissioner of Reclamation.

NOV 29 1993

4249

June 22, 1935

Re: Permit No. 4249
J. A. Sewell

MR. RALPH GEDNEY,
Blue Creek Land and Livestock Company,
Riddle, Idaho

Dear Mr. Gedney:

I, apparently, missed Mrs. Gedney last night by a matter of five or ten minutes. However, final proof cannot be offered under this permit until an assignment has been recorded from J. A. Sewell to the Blue Creek Land and Livestock Company. No doubt, such an assignment has been made or if Mr. Sewell is not living at the present time the estate surely has been probated. In the latter case the certificate of probation would suffice. I am sorry that I did not think of this phase of the question when you were in the office. Will you kindly communicate with this department, advising us of the situation with respect to the ownership of the lands being irrigated from Little Blue Creek at the present time. Just as quickly as this conveyance has been made a matter of record, you can go ahead with the proof.

I would also be interested in knowing what success you had in opening the gate to the outlet tunnel in your reservoir on Big Blue Creek.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By _____
Chief Clerk & Office Engr.

PLH/rg

NOV 29 1935

4249

September 30, 1914.

Permit 4249.

H. S. Portlock,
Braneau, Idaho.

Sir:

Am enclosing herewith certificate of completion
of works issued under above permit.

Very truly yours,

F. P. KING,

State Engineer.

CCW

By _____

NOV 26 1914

4249

REPORT OF ENGINEER

EW 42

1. State name of applicant and number of permit: H. S. Portlock # 4249
2. State source of water supply: Little Blue Creek
3. Location of point of diversion: SW⁴ SW⁴ Sec 20 T. 13 S. R. 3 E

4. State whether or not the works of diversion are fully completed and in accordance with terms of permit:
Takes out of a diversion Dam about a mile below Reservoir Dam

5. Describe works as they exist, giving dimensions of same as follows:

- (a) Width of conduit at bottom: 2.5 ft
- (b) Width at water line: 5.5 ft
- (c) Depth of water: 1.5 ft
- (d) Grade per mile: 5.0 ft
- (e) Capacity of ditch: 100 second feet.

6. State whether or not water has been turned into works of diversion and if so, to what extent:

About 3 sec. ft. has been turned in the ditch but Ditch was dry at this time

7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty acre tract:

NE⁴ Sec 31
NW⁴ Sec 32 all in
E² SE⁴ Sec 30 T. 13 S. R. 3 E B. M.
SE⁴ NE⁴ Sec 30
SW⁴ SW⁴ Sec 29

8. Submit map on enclosed plat, source of supply, point of diversion, route of ditch or ditches and cross hatch lands to be irrigated.

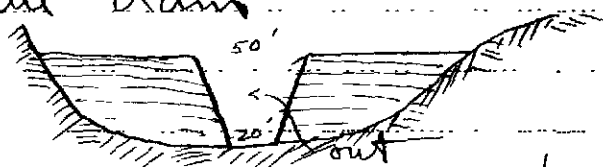
Remarks.

The center portion of the reservoir dam is not built there is a gap which is about 50 ft along the top and about 20 ft along the bottom the entire width of the dam

Profile of dam

Showing gap

July 11 1914



Walter R. Hycle

RECEIVED

SEP 2 1914

OFFICE OF STATE ENGINEER

STATE OF IDAHO,

County of.

ss.

being first duly sworn, deposes and says that the statements

contained in the within report are correct to the best of his knowledge and belief

Subscribed and sworn to before me this

OFFICE OF STATE ENGINEER

191

My Commission Expires

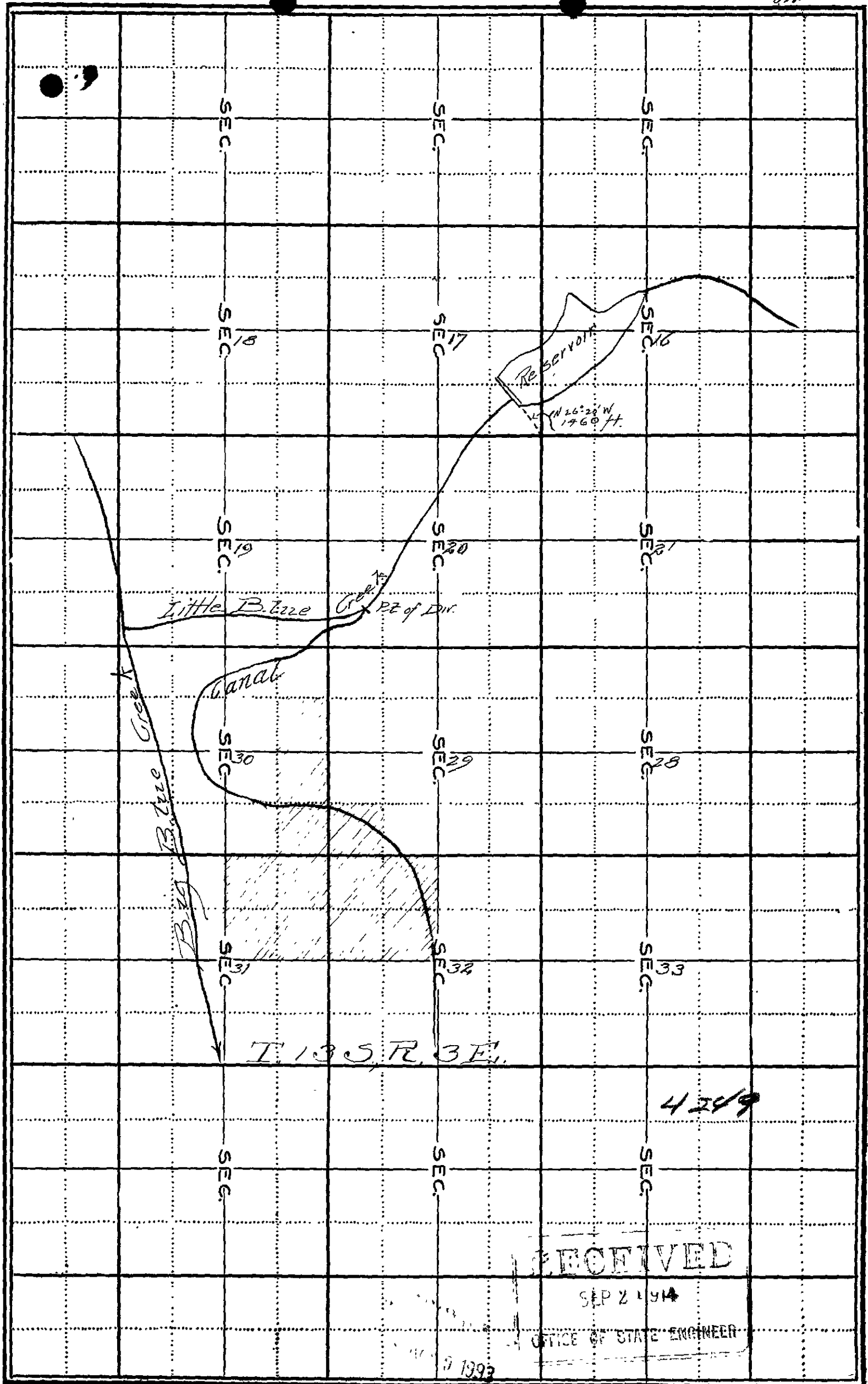
Notary Public.

NOV 29 1993

4249

Name of Applicant H. S. Portlock

#4249
GN



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

Printed and for sale by the Statesman Shop, Boise, Idaho.

August 31, 1914.

Permit 4249.

Mr. H. S. Portlock,
Bruneau, Idaho.

Sir:

Am returning you herewith affidavit of change of point of diversion under above permit, the same having been recorded in this office. As soon as the engineer who made the examination under this permit returns to the city, his report will be completed and the matter of issuing the ~~license~~ *certificate* taken up.

Very truly yours,

F. P. KING,

State Engineer .

APD-M

By _____

RECEIVED

NOV 29 1993

4249

June 20, 1914.

Permit 4249-

Mr. H. S. Portlock,
Bruneau, Idaho.

Sir:

We are informed by the examining engineer that your actual point of diversion is about one mile farther down the creek than described in your permit. Instead of the location being at the reservoir, the diversion point is on Blue creek about one mile farther down. In order to correct the records in regard to this matter, you should file an affidavit of change of point of diversion upon the enclosed form. Duplicate maps should accompany the affidavit.

Very truly yours,

W. P. KING,

State Engineer.

APD-2MF

By _____

NOV 29 1993

4249

Boise, Idaho, January 26, 1914.

Permit No. 4249-H.S. Fortlock.

Mr. M. E. Reynolds,
Brunneau, Idaho.

Sir:--

We are to-day in receipt of your letter enclosing depositions, affidavit of publication and fees for proof of completion of works under above Permit.

These papers will be placed on file in this office pending receipt of a report of the Examining engineer after which the matter of issuing Certificate will be taken up.

And engineer from this office will make the required examination as soon as weather conditions in the spring will permit.

I am enclosing herewith receipt for fee.

Very truly yours,

F. P. KING,

State Engineer.

By _____

Enc. R. 6209.
W/L.

RECEIVED

NOV 29 1993

4249

Bruneau State Bank, Ltd.

BRUNEAU, IDAHO

ARTHUR PENCE, PRESIDENT

R P CHATTIN, VICE PRESIDENT

M E REYNOLDS, CASHIER

January 23rd, 1914.

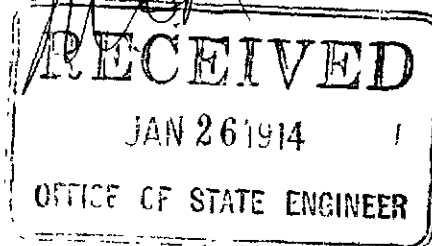
Mr. F. P. King,
State Engineer,
Boise, Idaho.

Dear Sir : -

I enclose herewith Deposition of Holder
and Deposition of two witnesses, together with Affidavit
of publication and draft in sum of \$5.00 in relation to
proof of completion of works under permit # 4249 held
by H. S. Portlock.

As Mr. Portlock had lost his copy of the original
permit, we could not locate point of diversion except
in a general way as being in Section 17 Twp 13 S. R 3 E.,
otherwise believe the proof to be full and complete.

Yours very truly,



JAN 29 1914

4249

AFFIDAVIT OF PUBLICATION

NOTICE FOR PUBLICATION

Notice is hereby given that at 3 P. M., on the 23rd day of January, 1914, at Burley, County of Owyhee, State of Idaho, before H. F. Reynolds, proof will be submitted of the completion of works for the diversion of 9.8 cubic feet per second of the waters of Little Blue Creek, in accordance with the terms and conditions of a certain permit heretofore issued by the State Engineer of the State of Idaho.

1. The names of the persons holding said permit are H. S. Portlock and E. Shattuck.

2. The postoffice address of such persons is Hildie, county of Owyhee, state of Idaho.

3. The number of such permit is 4349, and the date set for the completion of such work is January 2, 1914.

4. Said water to be used for Irrigation and domestic purposes.

5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the places of intended use, in accordance with the plans accompanying the application for such permit, is 9.8 cubic feet per second.

6. The amount of lands for which said water is available is 480 acres, particularly described as follows:

NE $\frac{1}{4}$ section 31, NW $\frac{1}{4}$ section 32, E $\frac{1}{2}$ of SE $\frac{1}{4}$ and SE $\frac{1}{4}$ of NE $\frac{1}{4}$, section 30, SW $\frac{1}{4}$ of SW $\frac{1}{4}$, section 29, township 15 south, range 3 east, Boise Meridian.

F. P. KING,
State Engineer.

307-45- First pub Dec 18, 1913

Last pub Jan 2, 1914

STATE OF IDAHO. }

County of Owyhee }

ss

F. A. Eidson

being duly sworn, deposes and says that he is the Publisher of OWYHEE NUGGET, a weekly newspaper published at Silver City, Idaho; that the said newspaper is in general circulation in Owyhee County; that a copy of the above notice, as per clipping attached, was published in the regular and entire issue of said newspaper for four consecutive weeks, beginning with the issue of Dec 18, 1913 and ending with the issue of Jan. 8, 1914

F. A. Eidson

RECEIVED

SUBSCRIBED AND SWORN TO before me

this 16th day of May, 1914

OF THE STATE OF IDAHO

John W. Manning
Notary Public
4-2-14

9 1993

Proof of Completion of Works

DEPOSITION OF HOLDER

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

Ans. H. S. Portlock - 46 yrs. Res. Burrean
occupation Farmer & stock grower P.O. Burrean

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business, your position with reference to same, and your authority for appearing in its behalf.

Ans. ☒

Ques. 3. State number and date of permit, amount of water you are authorized to divert, source, and point of diversion.

Ans. 4249 - 9.6 cu ft. Little Blue
Creek, section 17 - Twp 13 S. Range 3 East

Ques. 4. State purpose for which water is to be used, and, if for irrigation, state the number of acres and give description of the land you intend to reclaim.

Ans. Irrigation - 4.80. NE 1/4 Sec 31, NW 1/4 Sec
22, E 1/2 SE 1/4 & SE 1/4 NE 1/4 Sec 30, SW 1/4 SW 1/4 Sec
29. Twp 13 S. Range 3 East P.M.

Ques. 5. State whether or not the water has been turned into your works of diversion, and, if so, when and to what extent.

Ans. Yes - 1912 - 150 inches

Ques. 6. State whether or not the works of diversion are fully completed, and whether or not they comply in all respects with the terms of the permit.

Ans. Yes - except dam is not built - so high

Ques. 7. If the works of diversion do not comply with all the terms of your permit, state fully those particulars in which there is any variance.

Ans. Dam is 7 or 8 ft lower than called for
by permit on acc of backing water over
school road if built to full height

Ques. 8. Give description of works, state dimensions and capacity of each part, and give cost of same.

Ans. Dam & Ditches - Dam 60 ft wide on bottom
250 ft long on bottom 300 long
on top - 12 ft high. ditch 2 1/2 mi long 3 ft wide on bottom
5 ft on top. grade 20 inch per mile. cost \$1800.00

RECEIVED
JAN 26 1913

(Sign here.) H. S. Portlock

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 Burrean, County of

Owyhee, State of Idaho, on this 23rd day of January A. D. 1913

M. E. Emerson
Notary Public.

My Commission expires March 1st 1915

NOV 29 199

4249

The Depositions of two Witnesses, in this form, taken separately, required in each case.

PERMIT NO. 4249

Proof of Completion of Works

DEPOSITION OF WITNESS

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

Ans. Clarence E. Wilson, age 30, Rodeo Road

Donner & Leamster - P.O. address " "

Ques. 2. Are you acquainted with H. Stottlock, the

holder of Permit No. 4249, authorizing the diversion of 9.6 second-feet of the waters of

Leece Blue creek, at Sec 17, Twp 13S, R 3E

for irrigation purposes? How long have you known him, and where does he reside?

Ans. Yes 2 1/2 years - Bureau

Ques. 3. Have you read or heard read said Permit No. 4249, and are you familiar with its terms and conditions?

Ans. Yes

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Yes. Sandy soil

2000 ac. per acre

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use?

Ans. Yes - with exception of a few feet off top of dam

Ques. 6. Describe the works of diversion as they now exist, and give your estimate of their capacity.

Ans. Dam & Ditches, 2000 ft wide on bottom
200 ft long on bottom 200 ft long on top - 12 ft high -
with 2 1/2 in long 3 ft wide on bottom 5 ft wide on
top 30 inches grade for water and all of sufficient
capacity to irrigate
land there under

(Sign here.) Clarence E. Wilson

RECEIVED

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, at my office in Donner, County

of Owyhee, State of Idaho, on this 23rd day of

January, A. D. 1914

NOV 29 1993

W. E. Raymond 4249
Notary Public

The Depositions of two Witnesses, in this form, taken separately, required in each case.

PERMIT NO. 4249

Proof of Completion of Works

DEPOSITION OF WITNESS

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

Ans. J. C. White - Age 73 - Res Hot Spring, Ida

Idaho - P. address Hot Spring, Ida

Ques. 2. Are you acquainted with J. S. Paulsen, the

holder of Permit No. 4249, authorizing the diversion of 9.6 second-feet of the waters of

Lillee River Creek, at Sec 17 - Twp 13S. R3E

for irrigation purposes? How long have you known him, and where does he reside?

Ans. Yes 26 years - Pomeroy, Ida

Ques. 3. Have you read or heard read said Permit No. 4249, and are you familiar with its terms and conditions?

Ans. Yes

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Yes, Sandy Loam brush soil
and inch permeable

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use?

Ans. Yes

Ques. 6. Describe the works of diversion as they now exist, and give your estimate of their capacity.

Ans. Dam & ditches. Dam 60 ft wide at bottom
200 long at bottom 300 ft long at top, 12 ft high
and ditch 2 1/2 miles long, 3 ft wide on bottom
1 ft wide on top 30 in per mile grade and
of sufficient capacity
to carry water called for
by permit

(Sign here.)

J. C. White

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, at my office in Pomeroy, County

of Idaho, State of Idaho, on this 23rd day of

A. D. 1914

NOV 29 1914

M. E. Paulsen
Notary Public
4249

State of Idaho

ENGINEERING DEPARTMENT BOISE

A. E. ROBINSON
STATE ENGINEER

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

H. B. Portlock,
c/o Mr. E. Reynolds,
Bruneau, Idaho.

Boise, Idaho, Dec. 22, 1913.

Dear Sir:

I enclose herewith the following forms to be used in connection with proof of completion of works under your permit No. 4249.

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 your rights:

1. On January 23rd, the date set for proof of completion of works, the enclosed deposition forms (one for permit holder and one each for two witnesses) should be filled out and sworn to, at Bruneau,

before M. E. Reynolds, M.P.

2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice and fee of \$5.00, where amount claimed does not exceed 10 second feet. Where more than 10 second feet is claimed, the fee required is 30 cents per second foot. When these have been received, together with report of the examining engineer, if everything is properly executed, Certificate of Completion of Works will issue.

Yours truly,

A. E. ROBINSON,
P. P. KING, ~~xxxxxx~~
State Engineer.

NOV 25 1913

4249

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

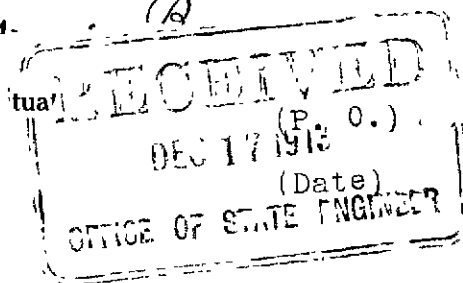
(Date) December 13th 1913
(P. O.) Boise Idaho

To the State Engineer,
Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the

Boise Idaho



Boise Idaho
12-16-13

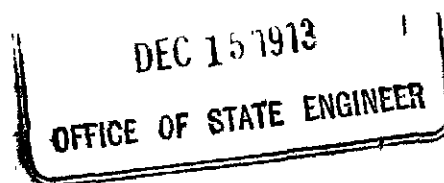
State Engineer, Boise.

Dear Sir:

I have your letter of Dec 16 enclosing Notice of Proof
of Completion of Works under Permit No. 4249 which will be published
as you request, beginning with our issue of Dec, 18

F. W. Edson

NOV 29 1913



NOV 29 1913

4249

Notice of Publication

Notice is hereby given that at 2 P M, on the 23rd day of January, 1914, at Donner County of Owyhee, State of Idaho, before H. S. Portlock & P. Shattuck proof will be submitted of the completion of works for the diversion of 9.6 cubic feet per second of the waters of Little Blue Creek, in accordance with the terms and conditions of a certain permit heretofore issued by the State Engineer of the State of Idaho.

1. The name^s of the person^s ~~or corporation~~ holding said permit ~~is~~ **are** H. S. Portlock and P. Shattuck
2. The postoffice address of such person^s or ~~principal place of business of such corporation~~ is Riddle, County of Owyhee, State of Idaho
3. The number of such Permit is 4249, and the date set for the completion of such work is January 2, 1914.
4. Said water to be used for irrigation and domestic purposes.
5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is 9.6 cubic feet per second.
6. The amount of lands for which said water is available is 400 acres, particularly described as follows: NE $\frac{1}{4}$ Sec. 31, NW $\frac{1}{4}$ Sec. 32, E $\frac{1}{2}$ of SE $\frac{1}{4}$ and SE $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec. 30, SW $\frac{1}{4}$ of SW $\frac{1}{4}$ Sec. 29, T. 13 S., R. 3 E., S. 4.

RECEIVED

DEC 15 1913

OFFICE OF STATE ENGINEER

F. P. KING, State Engineer.

NOV 29 1993

4249

December 1, 1913.

Permit 4249

M. E. Reynolds,
Bruneau, Idaho.

Sir:

Replying to your letter of the 29th ult. would say that the enclosed notices should be completed as to the date of making proof, the place at which proof is to be taken and the name of the officer taking the proof. The date must be set far enough ahead to allow for the required four weeks publication of the notice prior to making the proof.

Very truly yours,

F. P. KING,

State Engineer.

3N.

By _____

RECEIVED

NOV 29 1993

4249

Bruneau State Bank, Ltd.
BRUNEAU, IDAHO

ARTHUR PENCE, PRESIDENT

R P CHATTIN, VICE PRESIDENT

M E REYNOLDS, CASHIER

Nov 29th, 1913.

Mr. F. P. King,
State Engineer,
Boise, Idaho.

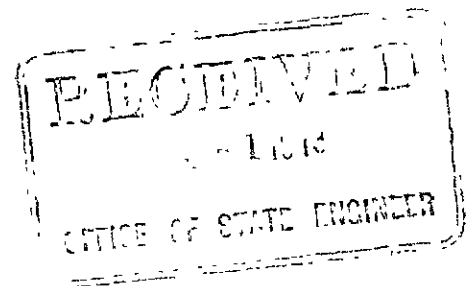
Dear Sir :-

Mr. H. S. Portlock, Et. El., holder
of perrit # 4249 was in today and states that he has lost
his papers in connection with above permit, we therefore
has no data for preparing Notice of Publication, as per
your letter of the 26th.

If you will kindly furnish this data from your office
Mr. Portlock will be pleased to pay you for your
trouble.

Yours very truly,

M E Reynolds
Cashier.



NOV 29 1913

4249

November 26, 1913.

Permit 4249- H.S.Portlock, et al

M. E. Reynolds,
Bruneau, Idaho.

Sir:

Per your request the 25th inst., I am herewith
enclosing you blank notices for proof of completion
of work under above permit.

Very truly yours, ,

M. P. KING,

State Engineer.

2F8-F11

By _____

RECORDED

NOV 29 1913

4347

Bruneau State Bank, Ltd.
BRUNEAU, IDAHO

ARTHUR PENCE, PRESIDENT

R. P. CHATTIN, VICE PRESIDENT

M. E. REYNOLDS, CASHIER

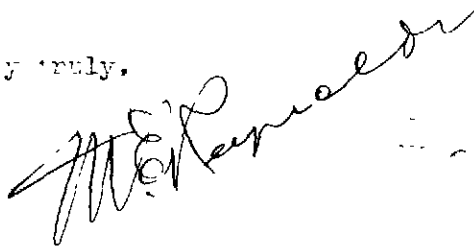
Nov 25th, 1912.

Mr. F. P. King,
State Engineer,
Boise, Idaho.

Dear Sir :-

Please forward proper blanks and
instructions for making proof or completion of works
under permit # 4249 held by H. S. Portlock, Bruneau,
Idaho, and oblige,

Yours very truly,


Cashier.

For H. S. Portlock.

NOV 26 1912

4249

Boise, Idaho, September 20, 1913.

Permit 4249 - Portlock.

Mr. M. E. Reynolds, Cashier,
Bruneau State Bank,
Bruneau, Idaho.

Sir:--

Replying to yours of the 18th inst.,
would advise that Mr. Portlock can make proof
as to the work actually done. It is not
necessary that he build the dam to the full
height contemplated in the application. In
other words, upon proper proof he will receive
a certificate as to what he has actually done.

Very truly yours,

F. P. KING,

State Engineer.

By _____

W/G.

NOV 10 1913

4249

Bruneau State Bank, Ltd.
BRUNEAU, IDAHO

ARTHUR PENCE, PRESIDENT

R. P. CHATTIN, VICE PRESIDENT

M. E. REYNOLDS, CASHIER

RECEIVED

SEP 19 1913

OFFICE OF STATE ENGINEER

Sept 18th, 1913.

PERMIT # 4249

Mr. F. P. King,
State Engineer,
Boise, Idaho.

Dear Sir :-

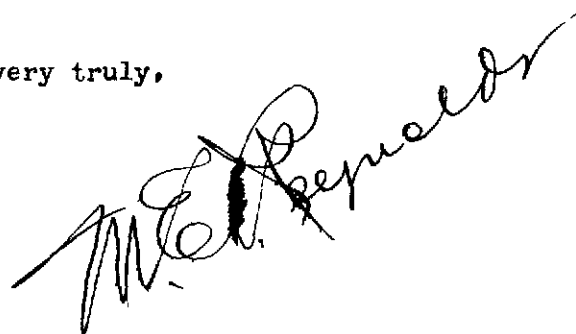
Mr. H. S. Portlock, holder of above permit,
has asked me to write you relative thereto, as follows :

He now has the dam built up twelve feet, which makes
storage sufficient to irrigate all of his land under the
resevoir, and would like to know if he can prove up on
and secure title to the water so impounded.

If he builds the dam up to twenty feet, as called for
in the permit, the waters of the resevoir will inundate
about 160 acres of the land of Section 16, which he would
probably have to purchase, and he does not feel able to
purchase additional land.

Thanking you in advance for information relative to
this matter, I am,

Yours very truly,



Cashier.

For H. S. Portlock.

NOV 29 1993

4249

December 30, 1912.

Permit 4249

M.F. Reynolds,
Brunson, Idaho.

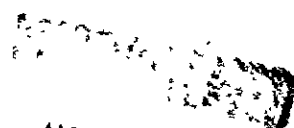
Sir:-

In reply to your letter of the 27th inst. would say that H.S. Portlock holds permit No. 4249, for 9.6 second feet of the waters of Little Blue Creek, application for which was filed December 28, 1908. Under the terms of this permit, proof of completion of works is required to be made by January 2, 1914.

Very truly yours,

State Engineer.

By C. Brown



NOV 29 1993

4249

State of Idaho
ENGINEERING DEPARTMENT
BOISE

JAS. STEPHENSON, JR.,
ENGINEER

Permit 4249. H. S. Portlock.

Boise, Idaho, January 12, 1909.

I. F. Shaffner,
Boise, Idaho.

Dear Sir:

I enclose herewith above numbered permit. Be sure to note limitations and conditions of same as given under approval of State Engineer on the third page.

JAS. STEPHENSON, JR.,

State Engineer.

1909

4249

4249

Bruneau State Bank, Ltd.

BRUNEAU, IDAHO

ARTHUR PENCE, PRESIDENT

R P CHATTIN, VICE PRESIDENT

M E REYNOLDS, CASHIER

December 27th, 1912.

Mr. A. L. Robinson,
State Engineer,
Boise, Idaho.

Dear Sir :-

Will you kindly advise whether or not there is on file in your office, an Application for Permit to make beneficial use of the waters of the State of Idaho, made by H. S. Portlock, of Kiddle, Idaho, about four years ago. I believe maps & etc., were prepared by a Mr. I. F. Shaffner, C. P. Boise.

If you have this Application, please advise when it will be necessary for him to make "Proof of Completion of Works" for same, and oblige,

Yours very truly,

M. E. Pence

Cashier.

RECORDED

DEC 29 1912

4249

4249

Com. Jan. 2, 1914

9.6 - Little Blue Lake -

Filed Dec 28 - 1918

RECEIVED

NOV 29 1993

104249

NOV 2 1893

RECORDED

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

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SEC.

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SEC.

SEC.

SEC.

I hereby certify that the survey shown on this sketch was made by me during the month of February, 1909 and that my residence and post office address is Boise Idaho.
Karl H. Johnson
Licensed Surveyor

Application No. 6022
Permit No 4249
H.S. Portlock et al.
9.6 second feet. Little Blue
Owyhee County
Approved January 2, 1909
State Engineer

T. 135. R. 3E.

SEC. 21

SEC. 20

SEC. 19

SEC. 17

SEC. 18

SEC. 16

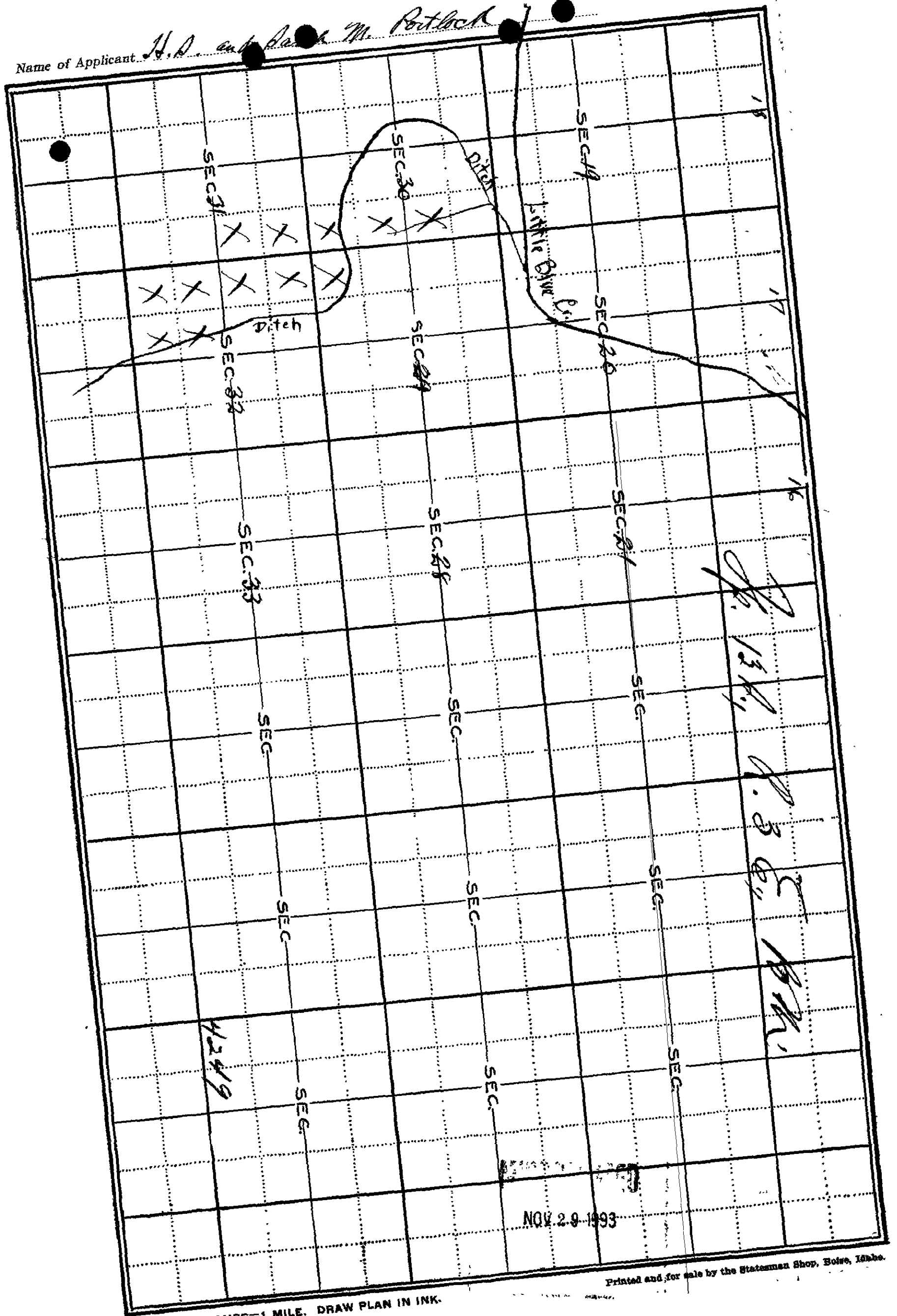
Reservoir
Area 92 Acres
Capacity 2000000 cu ft

Little Blue
Creek
Ditch

SKETCH SHOWING
RESERVOIR, DITCH & LAND TO BE IRRIGATED BY
H.S. PORTLOCK & PARTNERS
Owyhee Co. Idaho.
T. 135. R. 3E.

To be irrigated

Name of Applicant *H.D. and Sarah M. Portlock*



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

Printed and for sale by the Statesman Shop, Boise, Idaho.

Name of Applicant _____

RECEIVED

1914

ENGINEER

SEC. 19

SEC. 20

SEC. 21

SEC. 22

SEC. 23

SEC. 24

SEC. 25

SEC. 26

SEC. 27

SEC. 28

SEC. 29

SEC. 30

SEC. 31

SEC. 32

SEC. 33

SEC. 34

SEC. 35

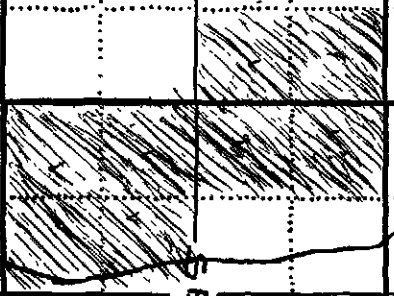
SEC. 36

PITCH

POINT OF DIVISION

1110 ft NORTH EAST from town corner of sec 28 - 29 & 30.

LITTLE BLUE CREEK



4349

RECORDED

NOV 29 1993

March 19th, 1918.

Re: Permit 4249.

H. S. Portlock,
Bruneau, Idaho.

Dear Sir:-

I am in receipt of depositions and affidavit of publication for proof of beneficial use of water under the above numbered permit. As soon as the report of our examining engineer can be made, you will be notified as to fees required for issuing the license.

Very truly yours,

Fred N. Wilkie,
State Engineer.

By _____

Permit No. 4249

Proof of Application of Water to Beneficial Use

DEPOSITION OF WITNESS

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

Ans. John Mathias Stone, 20 years old,Little Valley, Farmer, Brungay, IdahoQues. 2. Are you acquainted with H. S. Postlock and theholders of Permit No. 4249? How long have you known him and where does he reside?Ans. Yes,Ques. 3. Have you read or heard read said Permit No. 4249, 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. Little Blue Creek, SW 1/4 SW 1/4 Sec. 20, T. 13 S.R. 3 E. a ditch 3 ft. on bottom, 5 ft. on top carrying
18 in. of water about two miles long,

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. ten sec. ft., that much I think.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each subdivision 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 improvements which have been made as a direct result of said use.

Ans. Irrigation, NE 1/4, E 1/2 SE 1/4 Sec. 31 andW 1/2 SW 1/4, Sec. 32, T. 13 S. R. 3 E. B. M. all been
under irrigation, all been cultivated,
and sown to grain and hay. all fenced.

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. Sandy loam semi arid,one miners inch per acre.

4249

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

Ans. sub

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. summer of 1915, on several occasions, ditches were full of water and carrying it safely, I think, about 10 sec. ft.

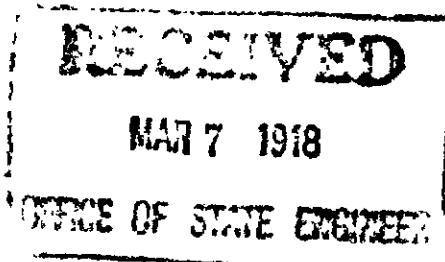
(Sign) John Mathias Storr

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 Brunear, County of Owyhee, State of Idaho, on this 4th day of March A. D. 1918

D. A. Utter
Notary Public.

My commission expires July 18, 1921

4249



Permit No. 4249

Proof of Application of Water to Beneficial Use

DEPOSITION OF WITNESS

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

Ans. John F. Crocheron, 40 years, Burman,
Farmer and stock raiser, Burman, IdahoQues. 2. Are you acquainted with H. O. Postlock and Sarah M. Postlock the
holders of Permit No. 4249? How long have you known him and where does he reside?Ans. YesQues. 3. Have you read or heard read said Permit No. 4249, 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. Little Blue Creek SW 1/4 Sec. 20, T. 13 S.
R. 3 E B.M., a dam 15 ft. high and a ditch
300 ft. on bottom about 1 3/4 miles
long

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. don't know, ditch full

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each subdivision 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 improvements which have been made as a direct result of said use.

Ans. Irrigation and domestic use,
NE 1/4, E 1/2 SE 1/4 Sec 31 and W 1/2 SW 1/4
Sec. 32 T. 13 S. R. 3 E, B.M., all been watered
all cultivated, all fenced with 3 wire fence.

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. sagebrush sandy loam,
one inch per acre.

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. every summer for 10 years
when passing through that section
ditch was full, water well over
the land.

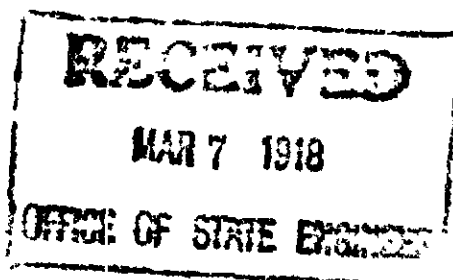
(Sign) John H. Brocheron.

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 Bruneau County of Carthage, State of Idaho, on this 4th day of March A. D. 1918

D. A. Utter
Notary Public.

My commission expires July 19, 1921

4249



PERMIT NO. 4249**Proof of Application of Water to Beneficial Use****DEPOSITION OF HOLDER**

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

Ans. H. P. Partlock, 50 years, Bismarck Valley,
Sarah M. Partlock 48
Farmers and stock raising, Bismarck, Idaho
Farmers wife

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

Ans. _____

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

Ans. 4249 Feb. 28, 1909, Feb. 28, 1909

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

Ans. Little Blue Creek SW 1/4 SW 1/4 Sec. 20, T. 13 S
R. 3 E. B.M.

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. Dam, Reservoir and ditch, ^{about} two miles
long 3 ft on bottom, 5 ft on top and about
15 in. deep all in earth and can carry
somewhat near 12 sec. ft of water, no
name for ditch.

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. Irrigation and domestic use, NE 1/4,
E 1/2 SE 1/4 Sec. 31 and W 1/2 SW 1/4 Sec. 32 all
in T. 13 S., R. 3 E. B.M. all been irrigated,
and all cultivated also all fenced.

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

Ans. _____

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

Ans. one miners inch per acre.

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. _____

4249

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

Ans. *For 10 years last past, by ditch already mentioned and 9 6/40 sec. ft. each year.*

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*

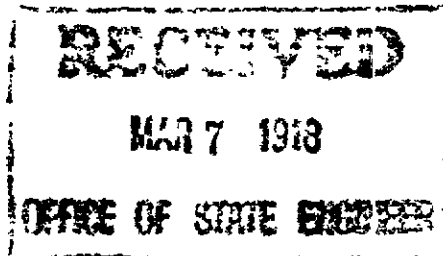
(Sign)

*H. J. Portlock
Sarah M. Portlock*

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe ~~him~~^{them} to be the person~~s~~^{they} represents ~~himself~~^{themselves} to be, and that said testimony was subscribed and sworn to before me, at my office in *Bruneau*, County of *Owyhee* State of Idaho, on this *4th* day of *March* A. D. 19 *18*

*D. G. Utter
Notary Public*

Residing at Bruneau, Idaho



NOTICE OF PERMIT TO TAKE WATER FOR BENEFICIAL USE

Notice is hereby given that at 10 a.m. on the 4th day of March, 1918, at Bruneau, County of Owyhee, State of Idaho, before D. A. Utter, Notary Public, proof will be submitted of the application to beneficial use of nine and sixteenths cubic feet per second of the waters of Little Blue Creek, in accordance with the terms and conditions of Permit No. 4249 heretofore issued by the State Engineer of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are H. S. Portlock and Sarah M. Portlock, both of Bruneau, Idaho.

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

3. The amount applied to beneficial use is 9.6 cubic feet per second.

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

E $\frac{1}{2}$ N $\frac{1}{2}$ Section 31, E $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ Section 32, W $\frac{1}{2}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ of Section 32, SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 29, Township 13 South, Range 3 East, S. M.

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

6. The right to take water from such works is based upon Permit No. 4249.

7. The source of supply from which such water is diverted is Little Blue Creek.

8. The date of the priority which said user is prepared to establish is February 28, 1909.

J. H. SMITH,
State Engineer.

RECEIVED

MAR 7 1918

OFFICE OF STATE ENGINEER

Audit of Publication

STATE OF IDAHO
County of Owyhee

Charles Pascoe

being duly sworn, deposes and says that he is the *Publisher* of OWYHEE NUGGET, a weekly newspaper published at Bruneau, Idaho; that the said newspaper is in general circulation in Owyhee County; that a copy of the above notice, as per clipping attached, was published in the regular and entire issue of said newspaper for

consecutive weeks, beginning with the issue of

January 31, 1918, and ending with the issue of *February 11*, 1918.
Charles Pascoe

Subscribed and sworn to before me this *4th* day of *March*, 1918

4249

D. A. Utter
Notary Public
Residing at Bruneau, Ida.

STATE OF IDAHO
ENGINEERING DEPARTMENT
BOISE

Permit No. 4249

H.S. Bartlesk,

Bruneau, Idaho.

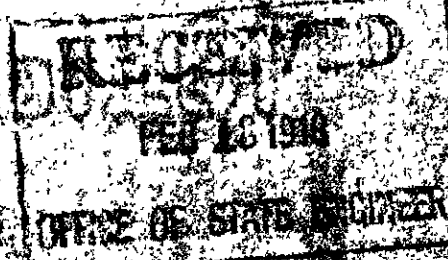
To facilitate the examination to be made by this Department in connection with proof under above permit, you are requested to fill in answers to the following questions and return this sheet to State Engineer, Boise, at once.

J. R. SMITH,

State Engineer.

1. What is nearest and most convenient railroad or stage station to the land covered by permit? Mountain View, Id.
2. What is best means of reaching the land, automobile or team? Automobile
3. Do you live on the place? No
4. If not, where is your residence? Bruneau, Idaho
5. If you do not live on the place is there a tenant living there? If so what is his name? Sold to J. A. Sewell
6. If there are several roads from the station named above to the place, state briefly which road is best to take.

via Bruneau & Granger



STATE OF IDAHO

ENGINEERING DEPARTMENT

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE

H. S. Pertlock,

c/o D. A. Utter,

Bruneau, Idaho.

BOISE, IDAHO,

Feb. 15th, 1918.

DEAR SIR:

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

4249.
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 your rights:

1. On March 4th, 1918,, the date set for the proof of application of water to beneficial use, the enclosed deposition forms (one for permit holder and one each for two witnesses) should be filled out and sworn to, at

Bruneau, before D.A. Utter, M.P.

2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice and fee of \$2.00 for each 40-acre tract, or fraction, to which water has been applied. When these have been received together with report of examining engineer, if everything is properly executed, License will issue.

Yours truly,

J.H. SMITH,

State Engineer.

4249

CL

✓

January 14, 1918.

Re: Permit No. 4249.

Mr. H. S. Portlock,
Bruneau, Idaho.

Dear Sir:

Replying to your letter of the 11th inst. would say that notice for publication will be sent to the Owyhee Nuggett in ample time for the required four weeks publication prior to March 4th. This will be mailed to the paper the later part of this month.

Very truly yours,

J. H. SMITH,

State Engineer.

By

CB/MB

4249



December 28, 1917.

Re Permit 4249.

Mr. H. S. Portlock,
Brunson, Idaho.

Dear Sir:--

Enclosing herewith blank notices for final proof under the above permit, per your request the 26th inst.

As the application for extension was neither signed nor sworn to, the same is herewith returned unapproved. As the proof will be made so soon after the date specified in the permit, I see no reason for making application for extension of time. The only difference will be the priority will be brought down about six weeks or two months and this will not materially affect the right.

Very truly yours,

J. H. SMITH,

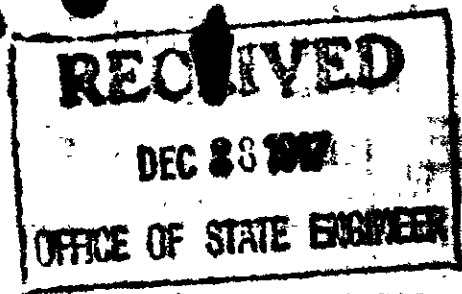
State Engineer.

ZET-2F10P11

By _____

4249

✓



Dec 26 1917
Brunceau Idaho
Fred A. Milkie

Deputy State Engineer

Dear friend will return those papers.
this is a permit I had in Duck Valley
or at Riddle and I am all ready to make
Proof on water and all ditches
when I made Proof of completion of works
I supposed it was all complete on this
permit this permit is No 4249
and my witnesses is Mat Stone of
Brunceau and Clarence Wilson of
Brunceau so if you will send me
the papers I let you have I will make Proof
soo as possible
my other permit is on Kickle Creek
in township 10 south 4 west and I got
the two permits mixed

answer soon

H S Portlock

December 1st, 1917.

Mr. H. S. Portlock,
Brummen, Idaho.

Dear Sir:

at
I called ~~up~~ the Land Board office upon my return, and found that they admit there is due you \$24.00 on your lease, but that they cannot get it to you, at least, not at this time. Neither can they credit it on your present payments or subsequent ones.

In the matter of your permit, I find that on Permit No. 4249, proof of completion of works was made September 26th, 1914, and certificate of completion of works was issued for 9.6 second feet. Also, that the land list was amended so that it now reads:- The $N\frac{1}{2}$ of the $SW\frac{1}{2}$ of Sec. 31, the $E\frac{1}{2}$ of the $SE\frac{1}{2}$, the $SE\frac{1}{4}$ of the $NE\frac{1}{4}$ of Sec. 30, the $W\frac{1}{2}$ of the $NW\frac{1}{4}$, and $SW\frac{1}{4}$ of Section 32, the $SW\frac{1}{2}$ of the $SW\frac{1}{2}$ of Sec. 29, T. 13 S., R. 3 E.

You can secure two years extension of time on this Permit before making proof of beneficial use, if you desire. I enclose you a blank made out ready to sign and execute before a Notary Public. This Permit belongs to H. S. and Sarah M. Portlock.

Very truly yours,

J. H. SMITH,

State Engineer.

By _____

Enc.: P. #3.

Deputy.

PAW:PM

H 4249

4249

State of Idaho
ENGINEERING DEPARTMENT

BOISE

October 19, 1917.

Mr. H. S. Portlock,
Lrunesu, Idaho.

Dear Sir:

I enclose herewith blank notice of proof of Application of Water to Beneficial Use under your Permit No. 4249, which kindly fill out and return to me at least 60 days before the date upon which you wish to submit proof. The date of the proof is set out in your permit, and if proof is submitted subsequent to that your priority will be advanced a time equal to the difference of the time between the date proof should have been submitted and the date it is submitted.

Yours truly,

J. H. Smith,

State Engineer

4249

✓

THE OWYHEE NUGGET
CHARLES PASCOE, EDITOR
BRUNEAU, IDAHO

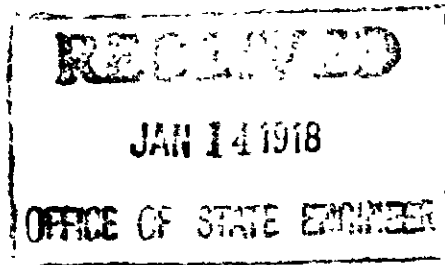
January 11, 1918

J. H. Smith, State Engineer,
Boise, Idaho.

Dear Sir: Notice of Application to Beneficial Use of Water for Harris Portlock has not yet reached the Nugget office, as was agreed. Will you kindly look up this matter, and if it has not been forwarded will you kindly do so at once?

Yours, Truly,

H. J. Portlock



Early

4219 ✓

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) December 29, 1917.

(P. O.) Bruneau, Idaho.

To the State Engineer,

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.

H.S. Portlock
Sarah M. Portlock

By

H. S. Portlock

(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.

4219

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NOTICE FOR PUBLICATION

Notice of Proof of Application of Water to Beneficial Use

Notice is hereby given that at 10 a. m. on the 4th day of March, 1918,
 at Bruneau County of Owyhee, State of Idaho,
 before W. A. Lister Notary Public, proof will be submitted
 of the application to beneficial use of nine and six tenths cubic feet per second of the
 waters of Little Blue Creek in accordance with the terms and conditions of
 Permit No. 4249 heretofore issued by the State Engineer of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are H. S. Portlock and Sarah E. Portlock, both of Bruneau, Idaho.

2. The use to which said water has been applied is Irrigation and Domestic Purposes.

3. The amount applied to beneficial use is 9.6 cu. ft. per second.

4. The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) E 1/4 Sec. 31, E 1/4 Sec. 32, Sec. 30, W 1/4 and SW 1/4 of Sec. 32, SW 1/4 Sec. 29, T. 13, S. R. 3, E. B. N.

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

6. The right to take water from such works is based upon Permit No. 4249.

7. The source of supply from which such water is diverted is Little Blue Creek.

8. The date of the priority which said user is prepared to establish is May 18, 1905.
February 28, 1909.

4249

J. H. Smith,

State Engineer. ✓

January 2, 1918.

Re Permit 4249.

Mr. H. S. Portlock,
Brunson, Idaho.

Dear Sir:—

Am in receipt of notices for final proof under above permit. In checking these I note the list of lands gives the E₂ of SW₄, Sec. 31, instead of the E₂ NE₄, said section, as given in the amended land list. The date of priority was also in error, as the date of priority under a permit dates from the date of the first receipt of the application in this office. This was December 28, 1908. As the proof is being made two months late, this will have to be brought down to January 28, 1909. These corrections have been made in the notice and a copy of same will be mailed to the Owyhee Nugget in time for the required four weeks publication prior to March 4th. Deposition blanks will be mailed to D. A. Utter, notary public.

Very truly yours,

J. H. SMITH,

State Engineer.

By _____

4249

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4249
These documents were apparently misfiled as they
were found in Permit No. 4349 folder on February 21, 1968.

Margaret Batch

4249

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