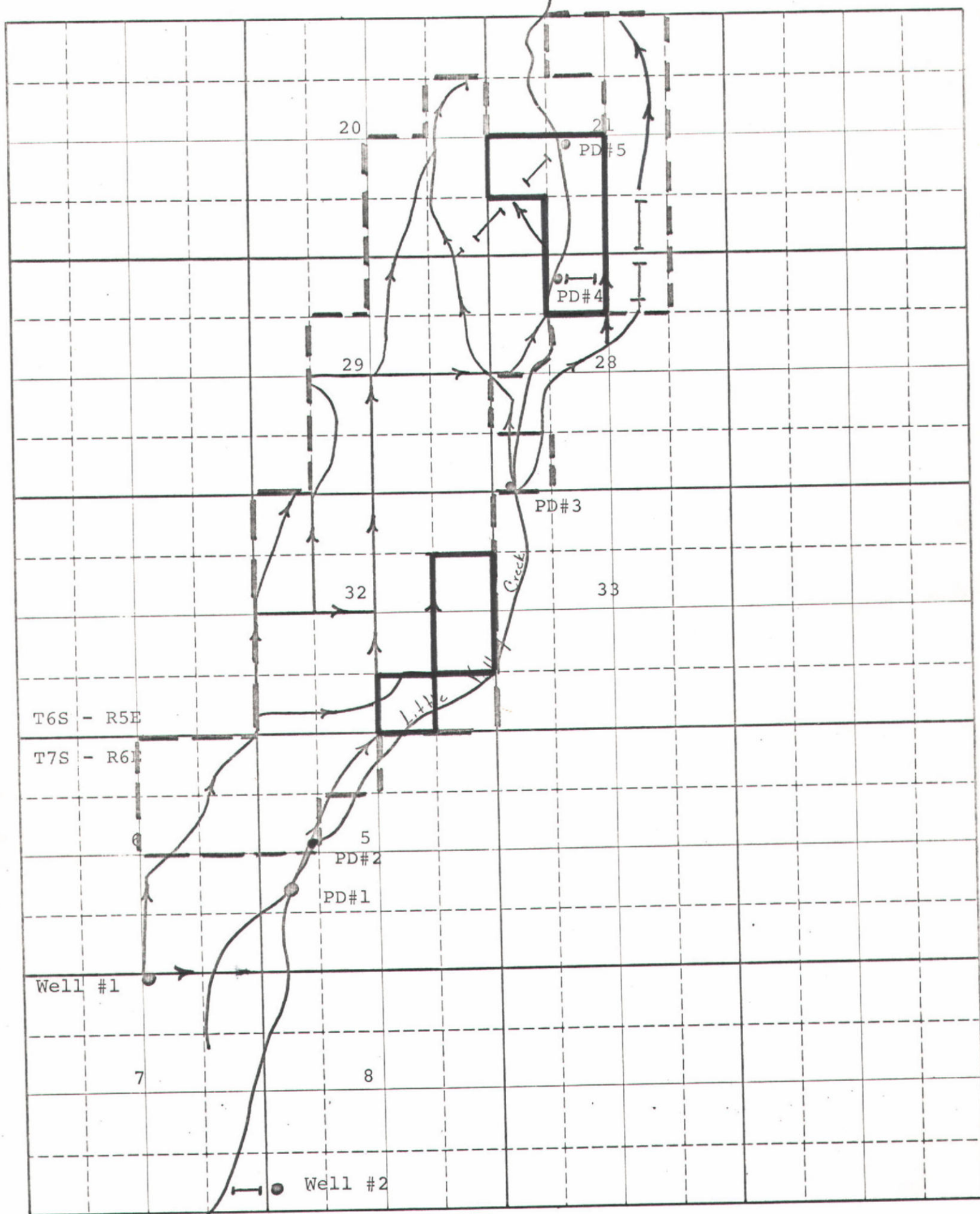


- b. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

Little Valley Creek (aka Jack Creek)

Pipeline

Ditch

Property Boundary

MICROFILMED

PROOF OF PUBLICATION

STATE OF IDAHO

County of Owyhee

} s.s.

I, RODNEY A. HAWES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by Rodney A. Hawes, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper once each week and every week for 2 consecutive weeks, the first publication being on the 8 day of Sept., 1977, and the last publication being on the 15 day of Sept., 1977;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of the attached notice.

Rodney A. Hawes
PUBLISHER

Subscribed and sworn to before me this 15 day of Sept., 1977.

Leona Schires
NOTARY PUBLIC

My commission expires 9-10-80

(SEAL)

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

Notice is hereby given that BRUNEAU CATTLE COMPANY of Bruneau, Idaho, has applied to the Department of Water Resources for a change of point of diversion and place of use of the water of Jack Creek aka Little Valley Creek aka Dry Creek.

The right sought to be changed is evidenced by License 51-2254 and is recorded as follows:

Amount: 2.4 cfs.

Priority: May 26, 1911.

Point(s) of Diversion: SW $\frac{1}{4}$ -SW $\frac{1}{4}$ Sec. 28, T6S - R5E, B. M., Owyhee County.

The water is used for irrigation purposes of 120 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 21, NW $\frac{1}{4}$ -NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 28, T6S-R5E, B. M.

TO BE CHANGED AS FOLLOWS

Amount: 2.4 cfs.

Point(s) of Diversion: NW $\frac{1}{4}$ -SW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 5, T7S-R5E; SW $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 28, NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 21, T6S - R5E.

The water will be used for irrigation purposes of 120 acres in the N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 21, NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 28, SE $\frac{1}{4}$ -NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32 T6S - R5E, B. M.

Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83705 on or before September 26, 1977.

C. STEPHEN ALLRED,
Director.

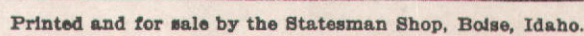
Published in the Owyhee Nugget, Marsing, Idaho on September 8, 1977 and September 15, 1977.

OK 9-20-77
Juf
RECEIVED

SEP 20 1977

Department of Water Resources
Western Regional Office

7426



TRANSFER NO.	NAME	AMOUNT C.F.S.	BALANCE C.F.S.	RIGHT NO.
2164	Bruneau Cattle Company	2.4	0	51-2254

T

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1000000000

Transfer No. _____

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

(12) (2)

APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

APPROVED

Name of applicant Bruneau Cattle Company Phone 845-2762

Post office address c/o Eugene C. Davis, Bruneau, Idaho 83604

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree to _____
in case of _____ (Name)
vs _____

dated _____ in _____ county of _____
(Name of court)

b. License No. 7426/51-2254 issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant
Ownership by deed. See attached.

3. Source of water Dry Creek (Little Valley Creek) (aka Jack Creek)
tributary to _____

4. Date of priority 5/26/1911

5. Water is used for the following purposes:

amount 2.4 cfs. for irrigation purposes from 3/15 to 11/15

~~amount~~ and _____ for domestic purposes from 1/1 to 12/31

amount _____ for _____ purposes from _____ to _____
(month/day - both dates inclusive)

6. Total amount of water under right: a. 2.4 cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 28
Township 6S Range 5E, B.M., in Owyhee County
Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
6S	5E	21											40						40
		28		40			40												80

Total number of acres to be irrigated 120

B. DESCRIPTION OF PORTION OF RIGHT FOR WHICH THE CHANGE IS REQUESTED (If the entire right is requested changed, omit part B)

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____

ENTIRE RIGHT REQUESTED CHANGED.

3. Place of use:

TWP	RANGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Change in point of diversion
- a. Amount of water to be diverted _____ c.f.s. &/or _____ acre feet
- b. Point(s) of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____ SEE ATTACHED SHEET.
- c. Description of diverting works _____
- d. Describe the reasons for applying for a change in the point(s) of diversion _____

2. Change in place of use

- a. Describe the lands or place of use to which the right will be transferred:

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
6S	5E	21									2	20		30					52
		28					36												36
		32				2									21		9		32

ATTACHED SHEET

APPLICATION FOR TRANSFER OF WATER RIGHT
LICENSE NO. 7426/51-2254
BRUNEAU CATTLE COMPANY

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE.

1. Change in point of diversion

a. Amount of water to be diverted - 2.4 cfs.

b. Points of diversion: Little Valley Creek aka Jack Creek

1. NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 5, Twp. 7 South - Range 5 East, B.M.
2. SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 5, Twp. 7 South - Range 5 East, B.M.
3. SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 28, Twp. 6 South - Range 5 East, B.M.
4. NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 28, Twp. 6 South - Range 5 East, B.M.
5. NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 21, Twp. 6 South - Range 5 East, B.M.,
all in Owyhee County.

c. Description of diverting works:

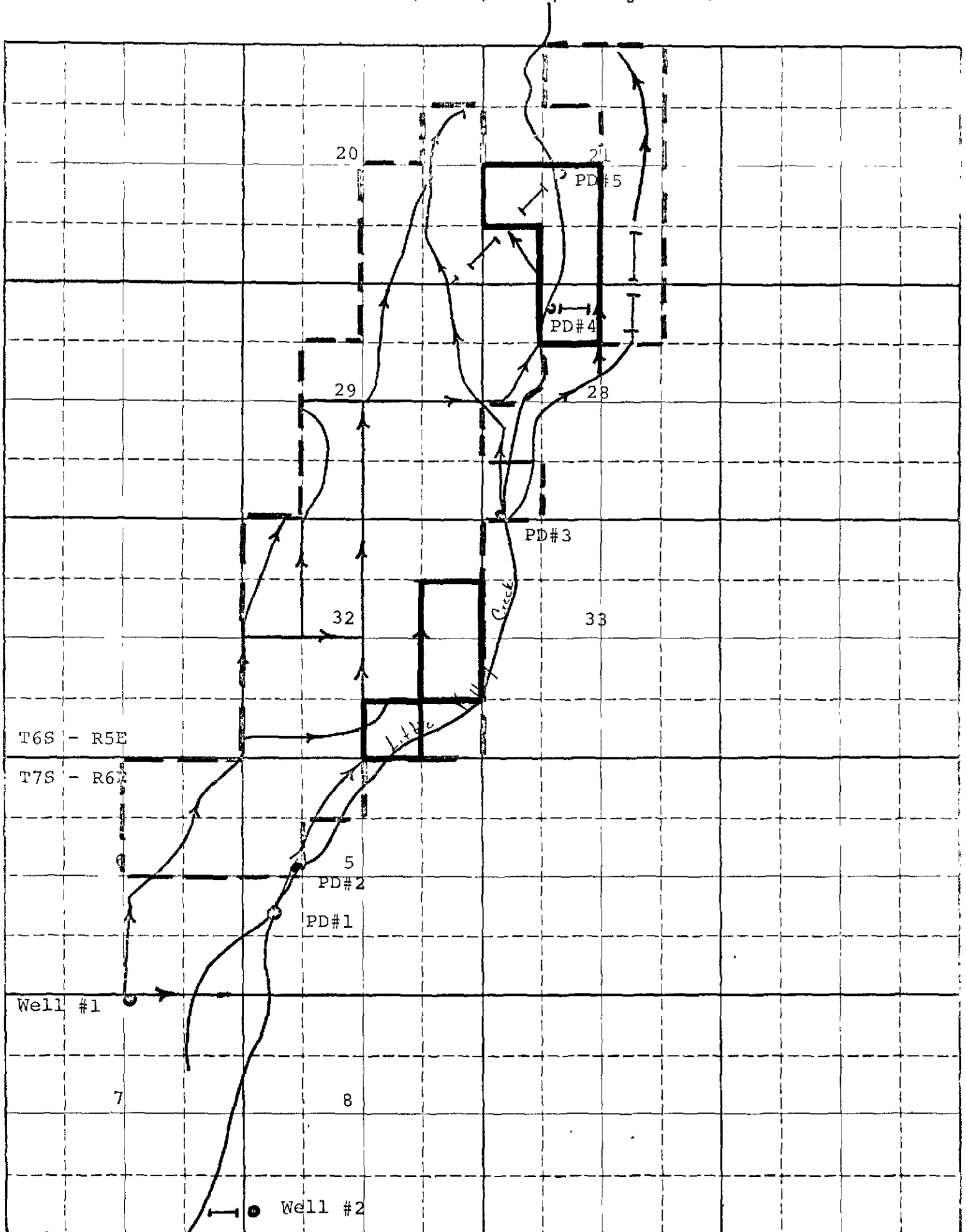
1. Dam.
2. Pump and motor.
3. Dam.
4. Pump and motor.
5. Pump and motor.

d. Describe the reasons for applying for a change in the points of diversion.

Lands to be irrigated by this License No. 7426/51-2254, as well as lands irrigated by Permit No. 21394/51-2113 and License Nos. 21827/51-2117, 21827/51-2117 Transfer No. 982, 29617/51-2164, 5783/51-2015, 10628/51-2039, 21338/51-2111, 21370/51-2112, 22489/51-2124, 25320/51-2131, and 31364/51-2181, are integrated into one irrigation system utilizing points of diversion as listed in C.l.b. above and also utilizing points of diversion being Well No. 1, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 7, T7S, R5E., B.M., and Well No. 2, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 8, T7S, R5E, B.M.

Also lands previously irrigated under this license are being converted to a feedlot and other uses other than irrigation and, therefore, the necessity of the transfer to other irrigable lands.

- b. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

Little Valley Creek ————— (aka Jack Creek)

Pipeline ————

Ditch —————>

Property Boundary ————

- b. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.

SEE ATTACHED SHEET.

SCALE. 2 inches equal 1 mile. Draw plan in ink.

3. Remarks _____

I hereby assert that no one will be injured by such change and the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

BRUNEAU CATTLE COMPANY

by Eugene C. Davis
Eugene C. Davis, President

Subscribed and sworn to before me this 19th day of May ~~May~~ August, 19 77

My commission expires 7/25/78

Joseph F. Thacker
(Notary public)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 51-2254, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

2. Denial of said application is for the following reasons: _____

Witness my hand this 15 day of November, 19 77

S. H. Kenneth Dunn

FOR DEPARTMENT USE ONLY

Received by _____ Date _____

Prelim. check by R.W.H. Fee 30.00

Receipted by ry Date 8-29-77 #8863

Published in Owyhee Nugget

Pub. dates Sept 8 + 15, 1977

Watermaster recommendation requested on _____

_____ rec'd. _____

Protest filed by _____

Copies of protest forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial

by SS SS

STATE OF IDAHO,)
) ss.
COUNTY OF ADA,)

I, Richard Anderson, DO HEREBY CERTIFY:

That the within and foregoing copy of deed is a true, accurate and correct copy of the original deed executed and acknowledged by the parties of the first part therein and delivered to the parties of the second part therein, covering the real property therein described.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal as a Notary Public for the State of Idaho, this 18th day of May, 1977.



Notary Public for the State of Idaho,
Residing at Boise, Idaho.

502

WARRANTY DEED

THIS INDENTURE, Made this 6th day of April, in the year of our Lord one thousand nine hundred and fifty-nine, between PERLE DAVIS AND SONS, a copartnership consisting of Perle Davis, Eugene C. Davis and Donald L. Davis, as the copartners thereof, and Perle Davis and Hilda M. Davis, husband and wife, Eugene C. Davis and Afton Letty Davis, husband and wife, and Donald L. Davis and Dolores P. Davis, husband and wife, all of Bruneau, County of Owyhee, State of Idaho, the parties of the first part, and BRUNEAU CATTLE CO., an Idaho corporation having its principal place of business at Bruneau, County of Owyhee, State of Idaho, 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 and other valuable consideration, 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, have granted, bargained and sold, and by these presents do grant, bargain, sell, convey and confirm unto the said party of the second part, and to its successors and assigns forever, all of the following described real estate situate in the County of Owyhee, State of Idaho, to-wit:

504

The southeast quarter of the northeast quarter and the east half of the southeast quarter and the southwest quarter of the southeast quarter of Section 32, Township 6 South, Range 5 East, Boise Meridian;

The northeast quarter of the northeast quarter of Section 32, Township 6 South, Range 5 East, Boise Meridian;

The southwest quarter of the southwest quarter of Section 28, Township 6 South, Range 5 East, Boise Meridian;

The southeast quarter of Section 29, Township 6 South, Range 5 East, Boise Meridian;

The northwest quarter of the southwest quarter and the northeast quarter of the southwest quarter and the southeast quarter of the southwest quarter and the northwest quarter of the southeast quarter and the southwest quarter of the southeast quarter of Section 21, and the northeast quarter of the northwest quarter and the northwest quarter of the northeast quarter of Section 28, Township 6 South, Range 5 East, Boise Meridian;

The northeast quarter of the northwest quarter and the west half of the northeast quarter of Section 21, Township 6 South, Range 5 East, Boise Meridian;

TOGETHER, With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said parties of the first part.

505

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together with the appurtenances, unto the party of the second part, and to its successors and assigns forever, and the said parties of the first part, and their heirs, the said premises in the quiet and peaceable possession of the said party of the second part, its successors and assigns, against the said parties of the first part, and their heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same shall and will WARRANT and by these presents forever DEFEND.

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

PERLE DAVIS AND SONS

By Perle Davis
Perle Davis

By Eugene C. Davis
Eugene C. Davis

By Donald L. Davis
Donald L. Davis
The copartners thereof.

Perle Davis
Perle Davis

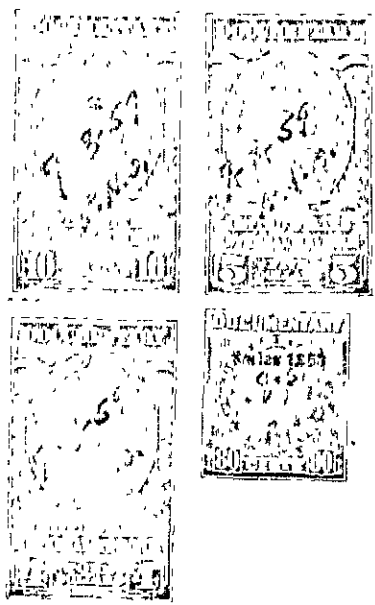
Hilda M. Davis
Hilda M. Davis

Eugene C. Davis
Eugene C. Davis

Afton Letty Davis
Afton Letty Davis

Donald L. Davis
Donald L. Davis

Eugene C. Davis
Eugene C. Davis

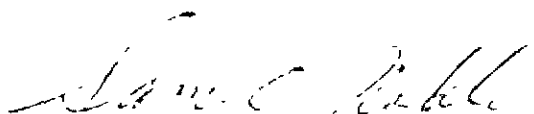


506

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

On this 30th day of June, in the year 1959, before me,
the undersigned, a Notary Public in and for said State, personally
appeared Perle Davis, Eugene C. Davis and Donald L. Davis, known
to me to be the partners in Perle Davis and Sons, a copartnership,
who subscribed said partnership name to the foregoing instrument,
and acknowledged to me that they executed the same in said
partnership name.

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

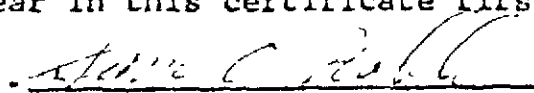


Notary Public for Idaho,
Residing at Bruneau, Idaho.

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

On this 30th day of June, in the year 1959, before me,
the undersigned, a Notary Public in and for said State, personally
appeared Perle Davis and Hilda M. Davis, husband and wife, Eugene C.
Davis and Afton Letty Davis, husband and wife, Donald L. Davis and
Dolores P. Davis, husband and wife, 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.



Notary Public for Idaho,
Residing at Bruneau, Idaho

500

100657

*** WARRANTY DEED ***

Perle Davis & Sons

to

Bruneau Cattle Co.

STATE OF IDAHO
Canyon County, Idaho

Filed for record this 14th.
of July 1959

at 11:15 o'clock A
M. by Anderson, Kaufman
& Anderson, lawyers

and record in Book 51
Deeds

page 503 of the records of said

NICK IHLE

Ex Officio Recorder

Fee, \$ 3.50

Mail to:
Ide. Bldg. Boise, Idaho

PROOF OF PUBLICATION

STATE OF IDAHO

County of Owyhee

s.s.

I, RODNEY A. HAWES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by Rodney A. Hawes, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper once each week and every week for 2 consecutive weeks, the first publication being on the 6 day of Sept., 1977, and the last publication being on the 15 day of Sept., 1977;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of the attached notice.

PUBLISHER

Subscribed and sworn to before me this 15 day of Sept., 1977.

NOTARY PUBLIC

My commission expires 9-10-78

(SEAL)

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

Notice is hereby given that BRUNEAU CATTLE COMPANY of Bruneau, Idaho, has applied to the Department of Water Resources for a change of point of diversion and place of use of the water of Jack Creek aka Little Valley Creek aka Dry Creek.

The right sought to be changed is evidenced by License 51-2254 and is recorded as follows:

Amount: 2.4 cfs.

Priority: May 26, 1911.

Point(s) of Diversion: SW $\frac{1}{4}$ -SW $\frac{1}{4}$ Sec. 28, T6S - R5E, B. M., Owyhee County.

The water is used for irrigation purposes of 120 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 21, NW $\frac{1}{4}$ -NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 28, T6S - R5E, B. M.

TO BE CHANGED AS FOLLOWS

Amount: 2.4 cfs.

Point(s) of Diversion: NW $\frac{1}{4}$ -SW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 5, T7S - R5E; SW $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 28, NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 21, T6S - R5E.

The water will be used for irrigation purposes of 120 acres in the N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 21, NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 28, SE $\frac{1}{4}$ -NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32 T6S - R5E, B. M.

Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83705 on or before September 28, 1977.

C. STEPHEN ALLRED,
Director.

Published in the Owyhee Nugget, Marsing, Idaho on September 8, 1977 and September 15, 1977.

County: Owyhee
 Stream: Dry Creek
 Amount: 2.4 cu.ft. per sec.
 Use: irrigation and domestic
 Priority: May 26, 1911.

STATE OF IDAHO

Water License No. 7426

WHEREAS, On the 26th day of May, A. D. 1911,

Fred J. Born

of Bruneau, County of Owyhee, State of Idaho, duly made application (No. 10818) to me for a permit to use 4.8 cubic feet per second of the waters of Dry Creek

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

WHEREAS, On the 17th day of June, A. D. 1911, Permit No. 7426 was issued to said applicant for the diversion of said water and providing for the completion of the works of diversion therein described on or before the 17th day of June, A. D. 1913, and for the application to beneficial use of said water on or before the 17th day of June, A. D. 1913, and,

WHEREAS, On the 23rd day of April, A. D. 1913, the time for completion of works and beneficial use of water was extended to December 17, 1913, and,

WHEREAS, On the 17th day of December, A. D. 1913,

Fred J. Born

the holder of said permit, duly made proof of the completion of adequate works for the diversion of 4.8 cubic feet per second of said waters, as evidenced by my Certificate No. 7426 dated December 27, 1913, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 2.4 cubic feet per second of said water, with date of priority of May 26, 1911, and

WHEREAS, On the 17th day of December, A. D. 1913,

Fred J. Born

the holder of said permit, duly made proof of the application to beneficial use of 2.4 cubic feet per second of said water:

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to Fred J. Born

of Bruneau, County of Owyhee, State of Idaho, the holder and owner of said Permit No. 7426, a perpetual right, dating from May 26, 1911, to the use of 2.4 cubic feet per second of the waters of Dry Creek,

in the County of Owyhee and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted about the center of the SW $\frac{1}{4}$ of SW $\frac{1}{4}$, Sec. 28, Twp. 6 S., R. 5 E.B.M.

and conducted to and upon 120 acres divided as follows: 40 acres in SE $\frac{1}{4}$ of SW $\frac{1}{4}$, Sec. 21; 40 acres in NE $\frac{1}{4}$ of NW $\frac{1}{4}$ and 40 acres in NW $\frac{1}{4}$ of NE $\frac{1}{4}$, Sec. 28, Twp. 6 S., R. 5 E.B.M.,

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

WITNESS, My hand and the seal of my office at Boise, Idaho, this 10th day of December A. D. nineteen hundred and fourteen.

Herbert Wing,

(Seal)

Acting State Engineer:

51 2254

55-2035
7120

No. 10818.

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of Applicant: Fred J. Born

Postoffice address: Bruneau

County: Owyhee State: Idaho

2. The quantity of water claimed is 4.8 cubic feet per second.

3. Source of water supply: Dry Creek

4. Location of point of diversion: in the SW $\frac{1}{4}$ of SW quarter in Sec. 28 Township 6 South
of Range 5 East.
County of Owyhee.

5. To be used for: Irrigation and domestic use.

I. Irrigation and domestic use:

(a) Amount of land to be irrigated: 240 acres.

(b) In the following legal subdivisions: the north half of the south west quarter
and SW $\frac{1}{4}$ of SE $\frac{1}{4}$ and SE $\frac{1}{4}$ of SW $\frac{1}{4}$ in Sec. 21 and NE $\frac{1}{4}$ of NW $\frac{1}{4}$ and NW $\frac{1}{4}$ of NE $\frac{1}{4}$ in Sec.
28 T 6 S of R 5 E

6. Estimated cost of works: \$600.

7. Description of works for diversion:

I. Kind of works: Dam ditch and two flumes.

II. Dimensions of works:

(a) Height of dam 8 feet, length of dam at top 130 feet, length of dam at bottom
60 feet. Material used in construction logs, brush, stone & earth.

(c) Size of headgate: Width 3 feet, height 4 feet.

(d) Conduit ditch & flume, width at bottom 4 feet, width at water line 5 feet, depth
of water 2 feet. Average grade per mile is 6 feet. Length of conduit is $\frac{2}{3}$
of mile and it crosses the following quarter sections: the south west the south-
east & north East quarters in sec 28 Township 6 of Range 5 East. County of
Owyhee State of Idaho.

8. The time required for the completion of the construction of such work is Two years.

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

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.

Fred J. Born,

Applicant

APPROVAL OF STATE ENGINEER.

The number of this permit is 7426.

Date of first receipt at office of State Engineer 9:00 A.M. May 20, 1911.

Returned to applicant for correction May 26, 1911.

Corrected application received June 14, 1911

Recorded in Book 23 Page 7426 Approved June 17, 1911.

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

Work to begin on or before August 16, 1911, 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 June 17, 1912.

The whole of said work to be completed on or before June 17, 1913.

Beneficial use of water appropriated in accordance herewith, to be made on or before June 17, 1913.

Witness my hand this seventeenth day of June, 1911.

A. E. Robinson,

State Engineer.

On proper request of the holder of the above numbered permit I have this 23rd day of April, 1913, extended the time for the Completion of work thereunder to the 17th day of December, 1913.

F.P.King,

State Engineer.

Proof of Completion of Works Made December 17, 1913.

Certificate of Completion of Works issued December 27, 1913.

PERMIT NO. 7426.

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom It May Concern:

This is to certify that Fred J. Born of Bruneau, County of Owyhee, and State of Idaho, the holder of Permit No. 7426, issued upon Application No. 10818, bearing date of priority of May 26, 1911, authorizing the diversion of 4.8 second feet of the waters of Dry Creek, County of Owyhee, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 4.8 second-feet of the waters of Dry Creek; that the point of diversion of said waters is at a point in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ Sec. 28, Twp. 6 S. R. 5 E. B. M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: E $\frac{1}{2}$ SW $\frac{1}{4}$ and the SW $\frac{1}{4}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ in Section 21, and the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ in Sec. 28, Twp. 6 S. R. 5 E. B. M., containing 240 acres.

Witness my hand this 27th day of December, A. D. 1913.

F. P. KING,

State Engineer of the State of Idaho.

License issued for 2.4 second feet

Page 1706



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address
Statehouse
Boise, Idaho 83720
(208) 384-2215

November 17, 1977

Re: Transfer No.'s 2161, 2162, 2163, and 2164

Bruneau Cattle Company
c/o Eugene C. Davis
Bruneau, ID 83604

Dear Mr. Davis:

Enclosed are your approved Applications for Transfer of Water Right No.'s
51-2124, 51-2181, 51-2164, and 51-2254.

If you have any questions, please contact this office.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF/kaw
Enclosures

INTER-DEPARTMENT MEMO — 1

FROM Jim Johnson

DATE October 25, 1977

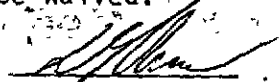
TO Files #51-2181, #51-2254, #51-2124

SUBJECT Conditions on Transfer of Water Right

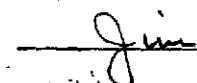
No measuring device was required for issuance of the Water License and the area covered under the license is not in a water master district. This Transfer application is one of several others (see application) with the purpose of improving the water delivery system and increasing water use efficiency.

There is a possibility that over diversion may occur, however, installation of measuring devices without establishing a water district and appointing a watermaster does not insure proper water diversion.

I recommend that until a watermaster district is created, measuring device installation be waived.

APPROVED 

DISAPPROVED _____


SIGNATURE

DEPARTMENT OF WATER RESOURCES

TRANSFER ANALYSIS SHEET

1. Source Dry Creek Name Bruneau Cattle Co.
2. Right Being Transferred Right No. 51-2259
 Transfer No. _____
 - a. ☐ Decree
 - ☒ License
 - ☐ Use
 - b. ☒ Priority
 - c. ☒ Location - Original P. D.
 - d. ☒ " - Original P. U.
 - e. ☒ " - New P.D.
 - f. ☒ " - New P.U.
 - g. ☒ Amount
 - ☒ All
 - ☐ Part
3. _____ Proof of Ownership of Right
 Comment no proof from Bone to Davis. O.K. From Davis to Bruneau cattle co
4. ☒ Expansion of Right
 Comment _____
5. ☒ Map
6. ☒ Signature
7. ☒ Fee
8. Watermaster's Comments NA
9. Comments _____
10. Initial Review by R.W.H. Date 8-26-77
11. Recommended Action
 - ☒ Approve
 - ☐ Deny
 - Conditions meas devices req'd @ pts of div.
- By WLS Date 9-26-77



DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83705

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

(Office at the corner of
Franklin and Cole Roads)

(208) 384-2190

September 8, 1977

Joseph J. Thackaberry
Land Management Consultant
P. O. Box 1405
Boise, ID 83701

Dear Mr. Thackaberry:

Enclosed is your Receipt No. 8863 in the amount of \$ 120.00
for Applications for Transfer (4) which ^{were} ~~was~~ received in
this office on August 29, 1977.

Sincerely,

RITA FLECK
Secretary

RF

Enclosure



DEPARTMENT OF WATER RESOURCES

WESTERN REGION

John V. Evans
Governor

92 South Cole Road
Boise, Idaho 83705
(208) 384-2190

RE: Notice of Application for Water Permit No. 57-7201 -- James R. &/or Martha Munro
55-7107 -- Donald &/or Grace H. Ferris
51-7123 -- River Ranch Farms
51-7122 -- State of Idaho Dept. of Lands
Notice of Proposed Change of Water Right 51-2164 -- Bruneau Cattle Company
51-2181 -- Bruneau Cattle Company
51-2124 -- Bruneau Cattle Company
51-2254 -- Bruneau Cattle Company

Owyhee Nugget
Marsing
Idaho 83639

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due after allowing all just credits and that no part of the same has been paid."

(Signature of Claimant)

Please send the affidavit of publication and publication billing to this office before September 26, 1977.

Sincerely,

RITA FLECK
Secretary

Bill submitted
9-20-77
[Signature]

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

No. 51-2254

Notice is hereby given that BRUNEAU CATTLE COMPANY
of Bruneau, Idaho has applied to the Department of Water
Resources for a change of point of diversion and place of use
of the water of Jack Creek aka Little Valley Creek aka Dry Creek.
The right sought to be changed is evidenced by License 51-2254

_____ and is recorded as follows:

Amount: 2.4 cfs Priority: May 26, 1911

Point(s) of Diversion: SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 28 T6S-R5E B.M., Owyhee County

The water is used for irrigation purposes of 120 acres in the

SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 21, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 28 T6S-R5E B.M.

TO BE CHANGED AS FOLLOWS

Amount: 2.4 cfs

Point(s) of Diversion: NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 5 T7S-R5E; SW $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 28, NW
NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 21 T6S-R5E

The water will be used for irrigation purposes of 120 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$,

SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 21, NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 28, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 32 T6S-R5E B.M.

Any protest against approval of the proposed change of water right appli-
cation must be filed with the Department of Water Resources, 92 S. Cole Road,
Boise, Idaho 83705 on or before September 26, 1977.

C. STEPHEN ALLRED

Director

Published in the Owyhee Nugget, Marsing, Idaho
on September 8, 1977 and September 15, 1977

JOSEPH J. THACKABERRY
LAND MANAGEMENT CONSULTANT

(208) 345-0975

August 22, 1977

RECEIVED

AUG 23 1977

Department 528 Idaho Building
P. O. Box 1405
Boise, Idaho 83701

Mr. Stephen Allred
Director
Department of Water Resources
State Capitol
Boise, Idaho 83720

RECEIVED
AUG 23 1977

Dear Mr. Allred:

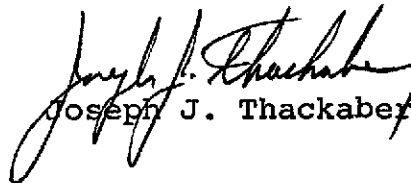
Enclosed herewith please find Applications for
Transfer of Water Rights as follows:

- | | |
|-------------|-------------|
| (1) 51-2164 | (2) 51-2124 |
| (3) 51-2181 | (4) 51-2254 |

Also enclosed is my check in the amount of \$120 to
cover fees required for these Transfers.

I would appreciate receiving a copy of these Transfers
when approved.

Very truly yours,


Joseph J. Thackaberry

JJT/bm

Enclosure

CC: Bruneau Cattle Co.

Department of Water Resources
Western Regional Office

REPORT OF ENGINEER

1. State name of applicant and number of permit:

Fred J Born #7426

2. State source of water supply:

Dry or Jack Creek

3. Location of point of diversion:

about the center of the SW⁴ of the
SW⁴ Sec 28 T. 6 S. R. 5 E. B. M.

4. State whether or not the works of diversion are fully completed and in accordance with terms of permit:

Yes

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

(a) Width of conduit at bottom:

2 feet

(b) Width at water line:

3 feet

(c) Depth of water:

1 foot

(d) Grade per mile:

8 feet

(e) Capacity of ditch:

4

second feet.

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

About 35 inches flowing at this time

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

N² SW⁴, SW⁴ SE⁴, SE⁴ SW⁴, in Sec 21NE⁴ NW⁴, NW⁴ ME⁴, Sec 25

T. 6 S. R. 5 E. B. M.

The SE⁴ SW⁴ has 20 Acres in Cultivation, rest is in sage brush

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:

RECEIVED

JUN 24 1914

OFFICE OF STATE ENGINEER

June 12 - 1914

Walker R. Heyde

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.

7126

B/11

Name of Applicant

Fred J. Born

7426

