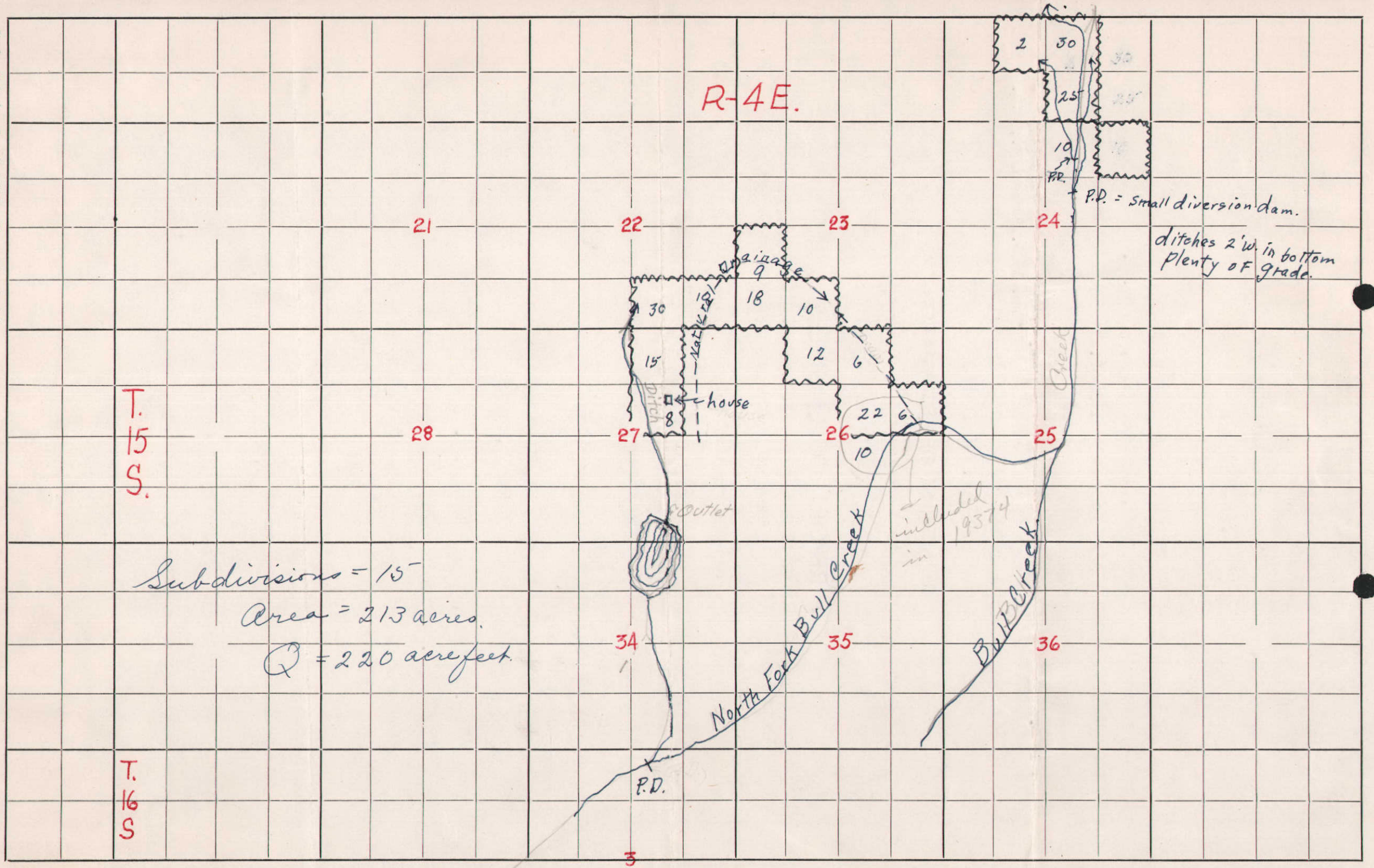




NOTICE OF PROOF
APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 11 A. M. on the 20th day of August, 1954, at Boise, County of Ada, State of Idaho, before Harley M. McDowell, Notary Public, proof will be submitted of the application to beneficial use of 220 acre feet per annum of the waters of the north fork of Bull Creek in accordance with the terms and conditions of Permit No. R868 heretofore issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Tindall & Sons, Grasmere, Idaho.

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

The amount applied to beneficial use is 220 acre feet per annum

The place where said water is used SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22, T 15 S, R 4 E, B. M.; NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 27; NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 23; NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 26; NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 24, T 15 S, R 4 E.

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

The right to take water from such works is based upon Permit No. R-868.

The source of supply from which such water is diverted is north fork of Bull Creek.

The date of priority which said user is prepared to establish is January 16, 1951.

MARK R. KULP,
State Reclamation Engineer
Pub. July 15 - Aug. 5, 1954

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)

COUNTY OF OWYHEE)

) ss.

I, Carol E. Gough, being first duly sworn, depose and say:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was and now am over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned.

2. That during the time of the publication of the notice hereinafter mentioned, I was and now am the editor and co-publisher of THE OWYHEE CHRONICLE, a newspaper of general circulation printed and published weekly, on Thursday of each and every week, in the City of Homedale and County of Owyhee and State of Idaho.

3. That the said THE OWYHEE CHRONICLE has been printed and published continuously and uninterruptedly in said County during a period of seventy-eight weeks prior to the first publication of the attached notice.

4. That said notice Notice of Proof Application of
Water to Beneficial Use

of which a printed copy, taken from said newspaper, is hereto annexed, was published in the regular issue thereof, and not in a supplement thereto, in said newspaper, in Four (consecutive) calendar weekly issue(s) of said newspaper, on the following date(s):

July 15, 22, 29, August 5, 1954.

Signed Carol E. Gough

Subscribed and sworn to before me this 1st day of Sept.
A. D., 1954.

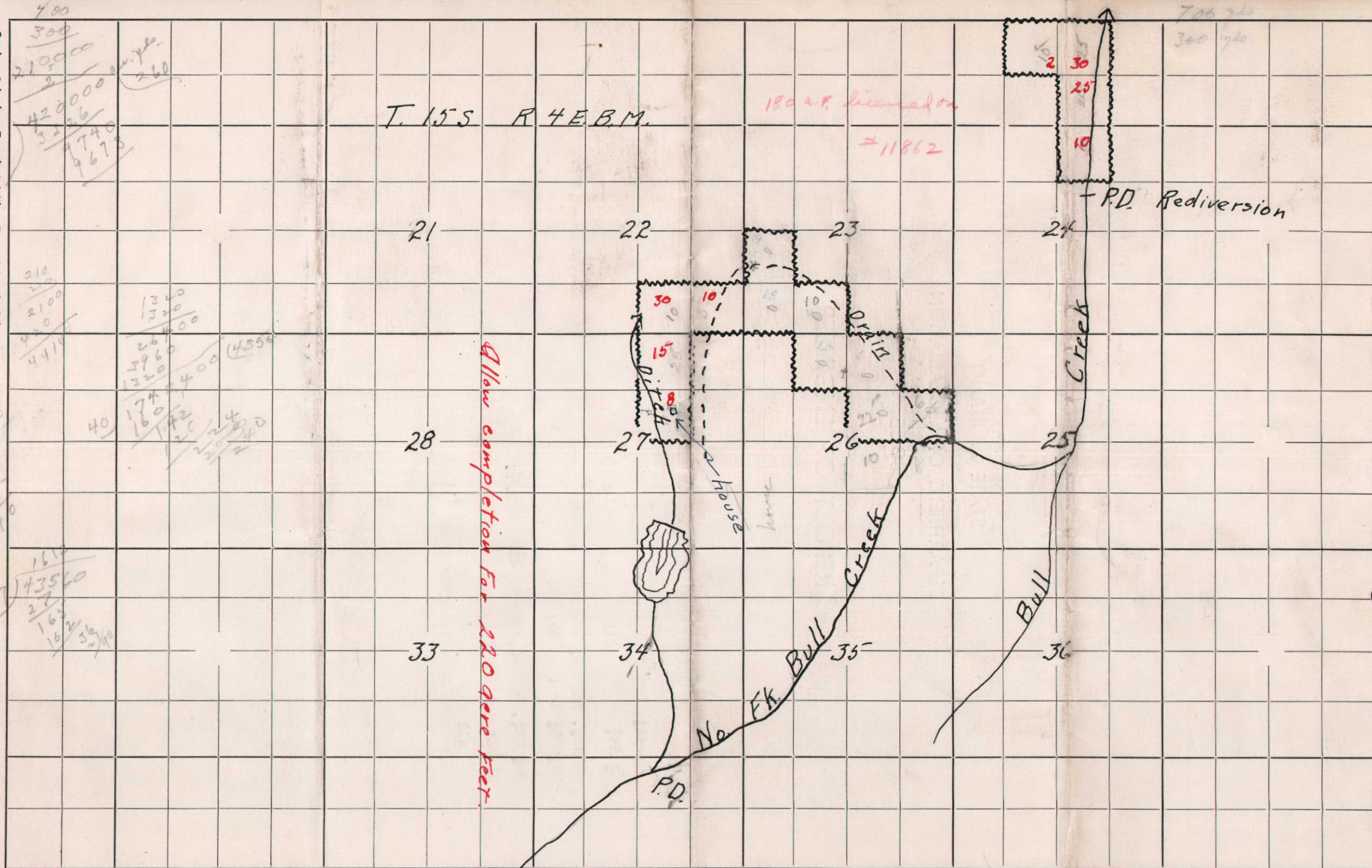
J. E. Echevarria
Notary Public in and for the State of Idaho.

Residing at Homedale, Idaho

My commission expires 3/20, 1955.

R-868

Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.



Twp. 15 S. Rge. 4 E. B. M.

Point of Re-diversion

CREEK.

CREEK

No. Fork Bull

BULL

Point of Diversion from No. Fork Bull Creek,

Sec. 3

Drain,

Ditch,

Reservoir,

Ditch,

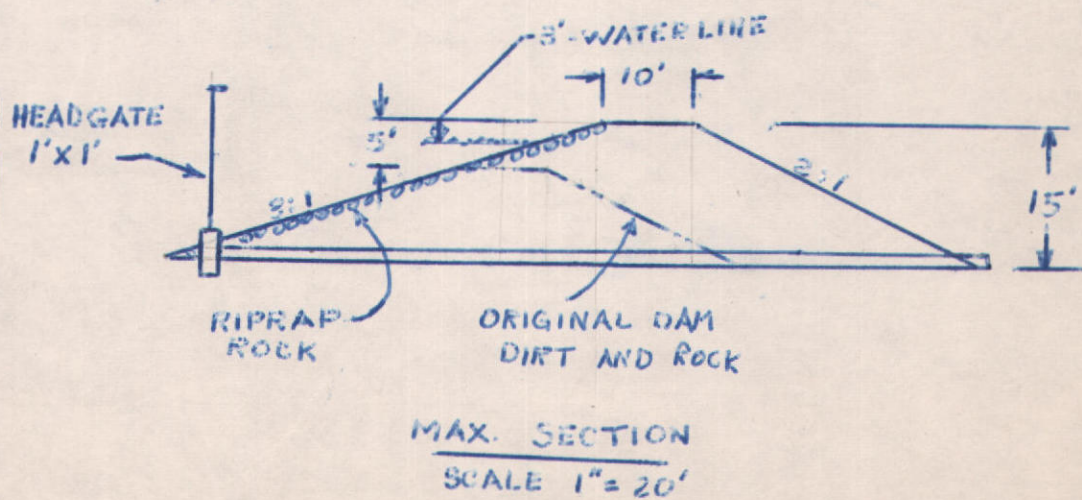
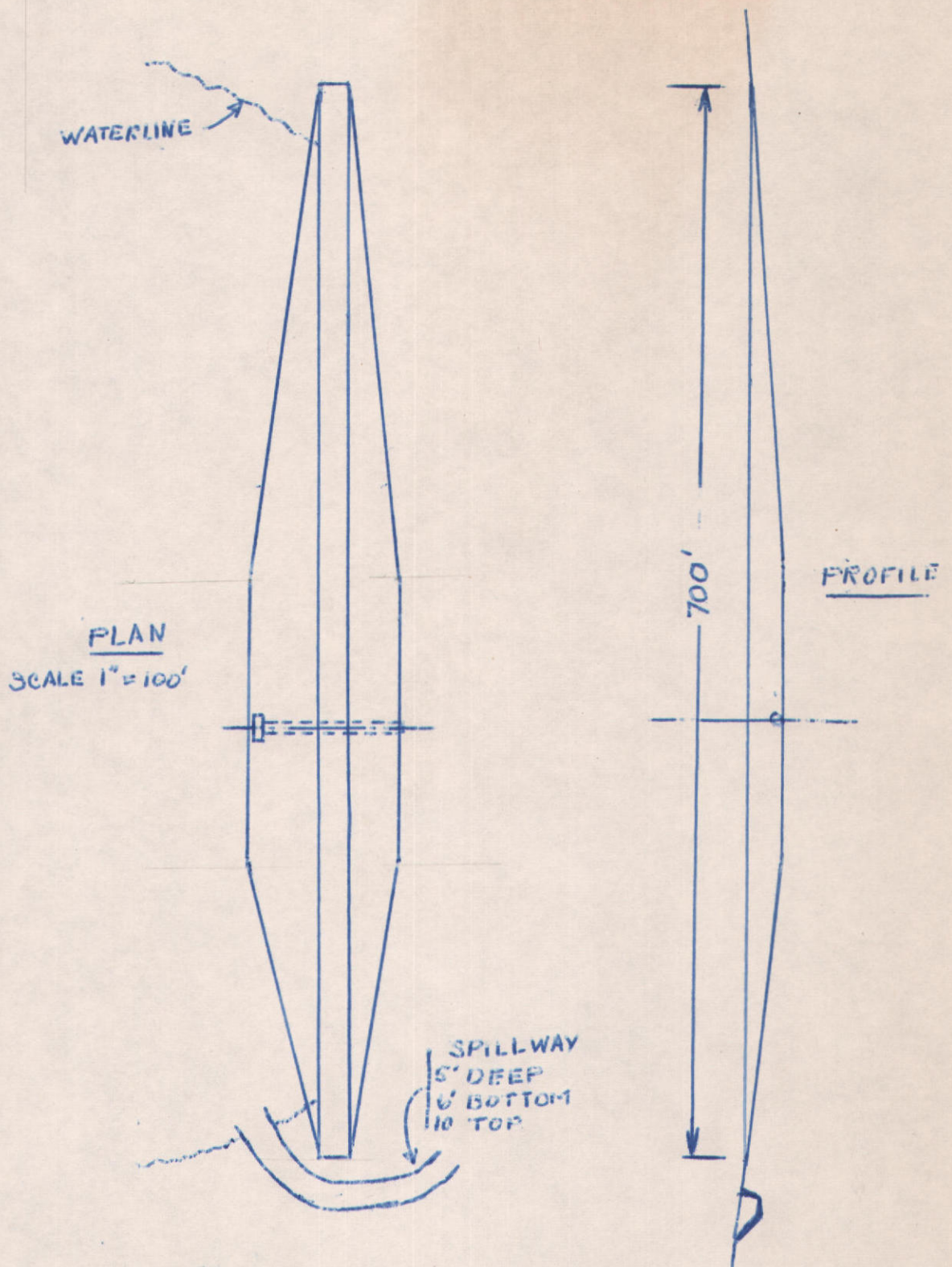
Permit Map No. R-868

As Approved

JAN 19 1951

MARK R. KUIP

State Reclamation Engineers



MAP OF TINDALL RESERVOIR
TO ACCOMPANY APPLICATION
FOR PERMIT BY CHESTER
TINDALL BOISE IDAHO
JAN 13, 1951

R-868

State of Idaho
License and Certificate of Water Right

Water License No. R-868 Amount 220 acre feet
Water District No. Priority January 16, 1951

THIS IS TO CERTIFY that CHESTER TINDALL
of Boise, Idaho, made application for a permit to construct a reservoir and store and
public waters of the State of Idaho, dated January 16, 1951; that Permit No. R-868
was issued under said application; that Certificate of Completion of works, with a storage capacity of
220 acre feet, was issued thereunder on February 13, 1954, showing that said works
were completed on the 18th day of December, 1951; and that on the 20th
day of August, 1954,

TINDALL & SONS, Assignees,
of Grasmere, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of North Fork Bull
Creek, a tributary of Bruneau River, for the purpose of irrigation
, under Use Permit No. R-868 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
9 of Licenses at page 5630, on the 9th day of December, 1955;

The right hereby confirmed dates from January 16, 1951;
The Point of Outlet
The Point of ~~Discharge~~ is located
in the SW 1/4 SE 1/4, Sec. 27, Tp. 15 S., R. 4 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 220 acre ~~feet~~ feet per ~~annum~~ annum.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
15 S.	4 E.	13	NE 1/4 SW 1/4	2	2
			NW 1/4 SE 1/4	30	30
			SW 1/4 SE 1/4	25	25
		22	SW 1/4 SE 1/4	30	30
			SE 1/4 SE 1/4	10	10
		23	NW 1/4 SW 1/4	2	9
			SW 1/4 SW 1/4	4	18
		24	SE 1/4 SW 1/4	16	10
			NW 1/4 NE 1/4	10	10
		26	NW 1/4 NE 1/4	6	6
			SW 1/4 NE 1/4	8	22
		27	SE 1/4 NE 1/4	2	6
			NE 1/4 NW 1/4	12	12
			NW 1/4 NE 1/4	15	15
			SW 1/4 NE 1/4	8	8
		26	NW 1/4 SE 1/4	--	10

Number of Acres Actually Irrigated 223

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 State Reclamation Engineer, affixed at Boise, Idaho, this
9th day of December, 1955.

MARK R. KULP
State Reclamation Engineer.

(SEAL)

State of Idaho

License and Certificate of Water Right

Water License No. G-22605Amount 2.97 second feet

Water District No. _____

Priority February 14, 1952

THIS IS TO CERTIFY that JAMES W. PORTER of Boise, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated February 14, 1952; that Permit No. G-22605 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 2.97 second feet, was issued thereunder on December 6, 1955, showing that said works were completed on the 18th day of February, 1955; and that on the 18th day of February, 1955,

JAMES W. PORTER, and GRANT E. KUNKLE (assignee) of Kimberly, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of two wells ~~recreational~~ (subterranean flow), for the purpose of irrigation and domestic use, under Use Permit No. G-22605 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 9 of Licenses at page 5629, on the 6th day of December, 1955;

The right hereby confirmed dates from February 14, 1952;

The Point of Diversion ^{are} located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ NW $\frac{1}{4}$ ~~in the~~ ~~Sec. 3~~ Sec. 3, Twp. 12 S., R. 19 E., B. M. Cassia 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 2.97 cubic feet per second from Well # 4 in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, and Two (2) cubic feet per second from Well No. 5, in the SW $\frac{1}{4}$ NW $\frac{1}{4}$.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated		
12 S.	19 E.	2	NW $\frac{1}{4}$ NW $\frac{1}{4}$		40		
			SW $\frac{1}{4}$ NW $\frac{1}{4}$		40		
		3	NE $\frac{1}{4}$ NE $\frac{1}{4}$		40		
			NW $\frac{1}{4}$ NE $\frac{1}{4}$		40		
			SW $\frac{1}{4}$ NE $\frac{1}{4}$		40		
			SE $\frac{1}{4}$ NE $\frac{1}{4}$		40		
			NE $\frac{1}{4}$ NW $\frac{1}{4}$		40		
			NW $\frac{1}{4}$ NW $\frac{1}{4}$		40		
			SW $\frac{1}{4}$ NW $\frac{1}{4}$		40		
			SE $\frac{1}{4}$ NW $\frac{1}{4}$		40		
11 S.	19 E.	34	NE $\frac{1}{4}$ SW $\frac{1}{4}$		40		
			NW $\frac{1}{4}$ SW $\frac{1}{4}$		40		
			SW $\frac{1}{4}$ SW $\frac{1}{4}$		40		
			SE $\frac{1}{4}$ SW $\frac{1}{4}$		40		
			Number of Acres Actually Irrigated				560

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 State Reclamation Engineer, affixed at Boise, Idaho, this 6th day of December, 1955.

(SEAL)

MARK R. KULP

State Reclamation Engineer.

SCANNED
OCT 13 2004

51-2240

APPLICATION FOR PERMIT

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

Application No. R 29592
Permit No. R 868

1. Name of Applicant: CHESTER TINDALL

Postoffice address: 313 Roosevelt St., Boise County Ada State Idaho

I. If applicant is a corporation, give:

- (a) Date and place of incorporation: (b) Amount of Capital Stock: \$
(c) Amount paid in: \$ (d) Names and addresses of directors:

II. The financial resources of the corporation are:

- (a) Cash on hand: \$ (b) Treasury Stock: \$
(c) Bonds to be issued: \$ (d) Other resources:

2. Quantity of water to be stored: 320 acre feet per annum.
3. Source of water supply is No. fork Bull Creek (Creek) (River) (Spring), a tributary of Bruneau River.
4. The outlet of the proposed reservoir is located (bearing) feet, distant from the corner of Section , Township , Range , B. M. and is in the SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 27 , Township 15 S. , Range 4 E. , B. M. County of Owyhee
5. Fill out either (a) or (b).
(a) The reservoir is located in the channel of (Creek) (River).
(b) The reservoir is to be filled through a feeder canal, the point of diversion for which is located (bearing) feet distant from the corner of Section , Township , Range , B. M., and is in the NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 3 , Township 16 S. , Range 4 E. , B. M.; width at bottom 3 feet, width at top 5 feet, depth of water 2 feet; average grade per mile 10 feet, Capacity 10 cubic feet per second.
6. (a) The area of the high water line of the reservoir is Approx. 55 acres.
(b) The reservoir capacity is Approx. 500 acre feet.
7. Height of reservoir dam 15 feet, length at top 700 feet, length at bottom 75 feet, size of outlet 1 feet by 1 feet. Concrete pipe
The dam is to be constructed of materials as follows: Dirt and rock.

(If height will exceed 10 feet, plans must be approved by Department of Reclamation, before beginning construction.)

8. (a) Will water stored in reservoir be diverted to canal or aqueduct, thence to land to be irrigated without commingling with natural flow of Bull Creek (Creek) (River)? Yes and no. Part of the land will be watered direct from Reservoir by ditch and water re-used through Bull Creek.
(b) Water stored in reservoir will be carried in the channel of Bull (Creek) (River) a distance of 5 miles to point of diversion located (bearing) feet, distant from the corner of Section , Township , Range , B. M., and in the NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 24 , Township 15 S. , Range 4 E. B. M.
9. Amount of water claimed from (Creek) (River) (Spring) in addition to that stored in reservoir To the amount of one inch per irrigable acre. cubic feet per second.
10. Water is to be used for Irrigation purposes.
11. If for mining, milling, power or manufacturing purposes give:
(a) Point of use of water (bearing) feet, distant from Corner of Section , Township , Range , B. M. and is in the $\frac{1}{4}$ of $\frac{1}{4}$ of Section , Township , Range , B. M.
(b) Amount of power generated H. P., under feet head.
(c) Water is to be returned to (Creek) (River) (Spring) at a point (bearing) feet distant from the corner of Section , Township , Range , B. M., in the $\frac{1}{4}$ of $\frac{1}{4}$ of Section , Township , Range B. M.
12. Water stored in accordance with this Permit will be carried to place of use through a canal heretofore constructed under the terms of Permit No. 11862 , which is hereby referred to and made a part hereof.

13. Kind of diversion works: Ditch

(Dam, canal, flume, pipe, etc.)

14. Height of diversion dam: 1 feet, length at top 6 feet, length at bottom 2 feet. The dam is to be constructed of materials as follows: Dirt

(If height will exceed 10 feet, plans must be approved by Department of Reclamation, before beginning construction.)

15. Size of headgate: Width None feet, Height feet.

16. Diversion Canal: Width at bottom 2 feet, width at water line 3 feet, depth of water 1/2 feet, Dimensions of Flume None
Diameter of Pipe inches; Length of Conduit miles. Average grade per mile feet.

17. Estimated cost of Works: Storage Works: \$ 3,250.00 Diversion Works: \$ 200.00

18. Time required for completion of work One (1) years.

19. Time required for complete application of water to proposed beneficial use is Three (3) years.

20. The land to be irrigated is described in the following tabulation.

(Give Irrigable acreage in each 40-acre subdivision.)

Twp.	Range	Sec.	NE1/4				NW1/4				SW1/4				SE1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
15 S.	4 E.	22															30	10	40
		27		15	8														23
		23									2	4	16						22
		26		6	8	2	12												28
		13									2					30	25		57
		24	10																10

Total Number of Acres to be Irrigated 180

Remarks. The water applied for in this permit is to be stored in a reservoir which is covered by Water License No. 11862. However, I am adding five feet to height of dam and enlarging diversion ditch into the reservoir. I propose to catch additional flood water from the North fork of Bull Creek to fill this reservoir.

21: Existing rights and/or valid permits appurtenant to lands described in Section 20 are: License Nos. 11862 and 15365 issued to Chester Tindall, and an application for desert land entry by William I. Tindall.

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

CHESTER TINDALL Applicant.

By Agent.

Date of first receipt at office of Commissioner of Reclamation State Reclamation Engineer: 2:00 P. M. January 16, 1951

Returned to applicant for correction

Corrected application received

APPROVAL OF STATE RECLAMATION ENGINEER

The number of this permit is R 868

Recorded in book R 3, page 868 Approved January 19, 1951

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

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

Work to begin on or before March 19, 1951 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One fifth of the work above specified to be completed on or before July 19, 1951

The whole of said work to be completed on or before January 19, 1952

Beneficial use of water stored in accordance herewith, to be made on or before January 19, 1955

Witness my hand this 19th day of January

19 51 MARK R. KULP
Commissioner of Reclamation
State Reclamation Engineer

IN TESTIMONY WHEREOF, We, LEN JORDAN, Governor of the State of Idaho, and IRA H. MASTERS, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 19th day of January, 1951

(S E A L)

Countersigned:
By IRA H. MASTERS
Secretary of State

STATE OF IDAHO
By LEN JORDAN
Governor

ASSIGNMENT

FOR VALUE RECEIVED, I Leota E. Tindall the duly appointed, qualified and acting administratrix of the estate of Chester Tindall, deceased, hereby assign all of the right, title, and interest of the estate of Chester Tindall, deceased, and all of my own right, title, and interest in and to that certain permit No. R868 to appropriate the public waters of the State of Idaho to Tindall and Sons, a co-partnership consisting of Chester Tindall, William I. Tindall, Chester J. Tindall, Robert Tindall, and James D. Tindall, of the County of Owyhee, State of Idaho.

LEOTA E. TINDALL admx.
Leota E. Tindall, administratrix
of the estate of Chester Tindall,
deceased.

LEOTA E. TINDALL
Leota E. Tindall, surviving wife
of Chester Tindall, deceased.

STATE OF IDAHO)
COUNTY OF ADA) SS.

On this 2nd day of January, 1952, before me, the undersigned, a Notary Public in and for said State, personally appeared LEOTA E. TINDALL, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she 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.

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

Received and filed for record in the State Department of Reclamation, at Boise, Idaho, January 3, 1952.

MARK R. KULP
State Reclamation Engineer

CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that TINDALL & SONS of Grasmere, County of Owyhee and State of Idaho, the holders of Permit No. R-868, issued upon Application No. R-29592, bearing date of priority of January 16, 1951 authorizing the construction of a reservoir, with the right to appropriate and store 320 acre feet per annum of the waters of North Fork of Bull Creek, a tributary of Bruneau River, in the County of Owyhee State of Idaho, for irrigation purposes, have fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works set out and described in said Permit; that said works include a dam and reservoir adequate for the storage of 220 acre feet of water per annum, with adequate diversion works and conduit to the reservoir, and a conduit capable of conducting said water to the place of intended use; that the point of outlet of said reservoir is located in the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ Section 27, Township 15 South, Range 4 East, and that the place of use, or the lands proposed to be irrigated by the use of said water, are described as follows, to-wit: NE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 13; S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 22; W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 23; NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 24; NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 26; W $\frac{1}{2}$ NE $\frac{1}{4}$ Section 27; All in Township 15 South, Range 4 East, B. M.

Witness my hand this 13th day of February, 1954.

MARK R. KULP
State Reclamation Engineer

Proof of completion of works made December 18, 1951
Certificate of Completion of Works issued February 13, 1954

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, NO. R-868

Comes now Tindall & Sons, and represents to the State Reclamation 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. R-868, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:
T 15 S - R 4 E., B.M. Section 13, NE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$; Section 22, S $\frac{1}{2}$ SE $\frac{1}{4}$; Section 23, W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$; Section 24, NW $\frac{1}{4}$ NE $\frac{1}{4}$; Section 26, NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$; Section 27, W $\frac{1}{2}$ NE $\frac{1}{4}$, making a total of 640 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, this 25 day of November, 1955.

Tindall & Sons
By WILLIAM I. TINDALL

Date of receipt at Office of Department of Reclamation Nov. 29, 1955.

APPROVAL OF STATE RECLAMATION ENGINEER

I, Mark R. Kulp, State Reclamation 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. R-868. 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 rights of others will not be adversely affected thereby.

MARK R. KULP
State Reclamation Engineer

ACRE FT.
LICENSE ISSUED FOR 220 ~~SECT.~~
P. 5630

I, LEN JORDAN, Governor of the State of Idaho, and IRA H. MASTERS, Secretary of State of the State of Idaho, do hereby certify that we have caused this instrument to be executed in the name of the State of Idaho, and have caused the Great Seal of the State of Idaho to be hereunto affixed, this 24th day of February, 1951.

(S E A L)

Countersigned:
By IRA H. MASTERS
Secretary of State

STATE OF IDAHO
By LEN JORDAN
Governor

PERMIT NO. R 869

CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that STATE FISH AND GAME DEPARTMENT of Boise, County of Ada and State of Idaho, the holder of Permit No. R R-869, issued upon Application No. R-27786, bearing date of priority of September 18, 1947 authorizing the construction of a reservoir, with the right to appropriate and store 3,000 acre feet per annum of the waters of Under-ground springs, in the County of Jefferson, State of Idaho, for propagation of wild life purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works set out and described in said Permit; that said works include a dam and reservoir adequate for the storage of 3,000 acre feet of water per annum, with adequate diversion works and conduit to the reservoir, and a conduit capable of conducting said water to the place of intended use; that the point of outlet of said reservoir is located in the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 23, Township 7 N. Range 34 E., and that the place of use, of said water, is described as follows, to-wit: Natural Lake Bed of North Lake (dead storage in bottom of lake).

Witness my hand this 24th day of April, 1953.

MARK R. KULP
State Reclamation Engineer

Proof of completion of works made March 12, 1953
Certificate of Completion of Works issued April 24, 1953

December 9, 1955

RE: Permit No. R-868

Mr. William I. Tindall
Grasmere
Idaho

Dear Mr. Tindall:

We enclose License and Certificate of Water Right issued under Permit No. R-868 confirming the right of Tindall and Sons to the storage and use of 220 acre feet of water from the North Fork Bull Creek with point of outlet in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 27, Township 15 South, Range 4 East, B.M. and priority of January 16, 1951, for irrigation of land in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Section 13; S $\frac{1}{2}$ SE $\frac{1}{4}$, Section 22; NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, Section 23; NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 24; N $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 26; W $\frac{1}{2}$ NW $\frac{1}{4}$, Section 27, all in Township 15 South, Range 4 East, B.M.

We also enclose departmental receipt No. 27732 for the \$32.00 license fee. This is at the rate of \$2.00 for each 40 acre subdivision in which the land is located.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

Ashll
Enc.

R-868

November 28, 1955

RE: Permit No. R-868

Mr. William I. Tindall
Grasmere
Idaho

Dear Mr. Tindall:

The report of our field engineer on examination for proof of beneficial use on Permit No. R-868 shows that you have irrigated 213 acres in the S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 22; NW $\frac{1}{4}$ SW $\frac{1}{4}$ and S $\frac{1}{2}$ SW $\frac{1}{4}$ Section 23; NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 26; W $\frac{1}{2}$ NE $\frac{1}{4}$ Section 27; NE $\frac{1}{4}$ S $\frac{1}{2}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 13 and NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 24, all in Township 15 South, Range 4 East, B.M.

A License can, therefore, be issued for the storage of 220 acre feet of water from the North Fork of Bull Creek as applied for upon receipt of the statutory fee of \$30.00. This is at the rate of \$2.00 for each 40 acre subdivision in which the land is located.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll

R. 868

November 29, 1955

RE: Permit No. R-868

Mr. William I. Tindall
Oragmore
Idaho

Dear Mr. Tindall:

Since writing you yesterday, we have received from Mr. Harley M. McDowell your application for amendment to Permit No. R-868 to include the NW¹SE¹ of Section 26, Township 15 South, Range 4 East, B.M. in addition to the other lands previously included in Permit no. R-868 and listed in our letter of November 28.

Since this will make an additional forty acre subdivision, there will be an additional \$2.00 required for the license fee, or a total of \$32.00 instead of \$30.00.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hl1
cc - Mr. Harley M. McDowell
519 Idaho Bldg
Boise, Idaho

R-868

✓
November 29, 1955

RE: Permit No. R-868

Mr. Farley M. McDowell
519 Idaho Building
Boise, Idaho

Dear Mr. McDowell:

We return Mr. William I. Tindall's application for amendment to the land list in Permit No. R-868 which has been approved by the State Reclamation Engineer and recorded in this department.

The attached c o p y of letter which we are today addressing Mr. Tindall is self-explanatory.

Very truly yours,

MARK R. KULL
State Reclamation Engineer
By

Chief Clerk

A:hll
Enc.

R-868

Adams called about W. Tinsall.
Will amend to include
one 40 left out -

The other two - just
omit -

P-19374

RECEIVED
NOV 25 1955
Department of Reclamation

November 17, 1955

Mr. Mark R. Kulp
State Reclamation Engineer
State House
Boise, Idaho

Dear Sir:

Re: Permit #R-868

Will you please correct your records on the above permit
to read:

T 15 S - R 4 E., B.M.
Section 24, NW¹/₄NE¹/₄

instead of:

T 15 S - R 4 E., B.M.
Section 24, NE¹/₄NE¹/₄

A typographical error evidently occurred when this permit
was originally submitted and it should have read as first stated above.

Very truly yours,

William I. Tindall
William I. Tindall
Grasmere, Idaho

R-868

May 1967

N O T E

Plans, specifications, and drawings have been withdrawn from this
file and entered into the Records of Dams file.

Permit No. A-157

2-816B

Greenville, Idaho

Dec 2, 1955

Idaho Dept of Reclamation

Boise, Idaho

Dear Sirs,

I am enclosing a check
for \$32.00 to pay the fee
for licensing 220 acres
feet of water under Permit
no R-868

Sincerely yours,
Tindall & Sons
by William J. Tindall

RECEIVED
DEC 7 1955
Department of Reclamation

R-868

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. R-868

REPORT ON PROOF OF Beneficial use

TINDALL & SONS, Grasmere, Idaho

220 acres
mark

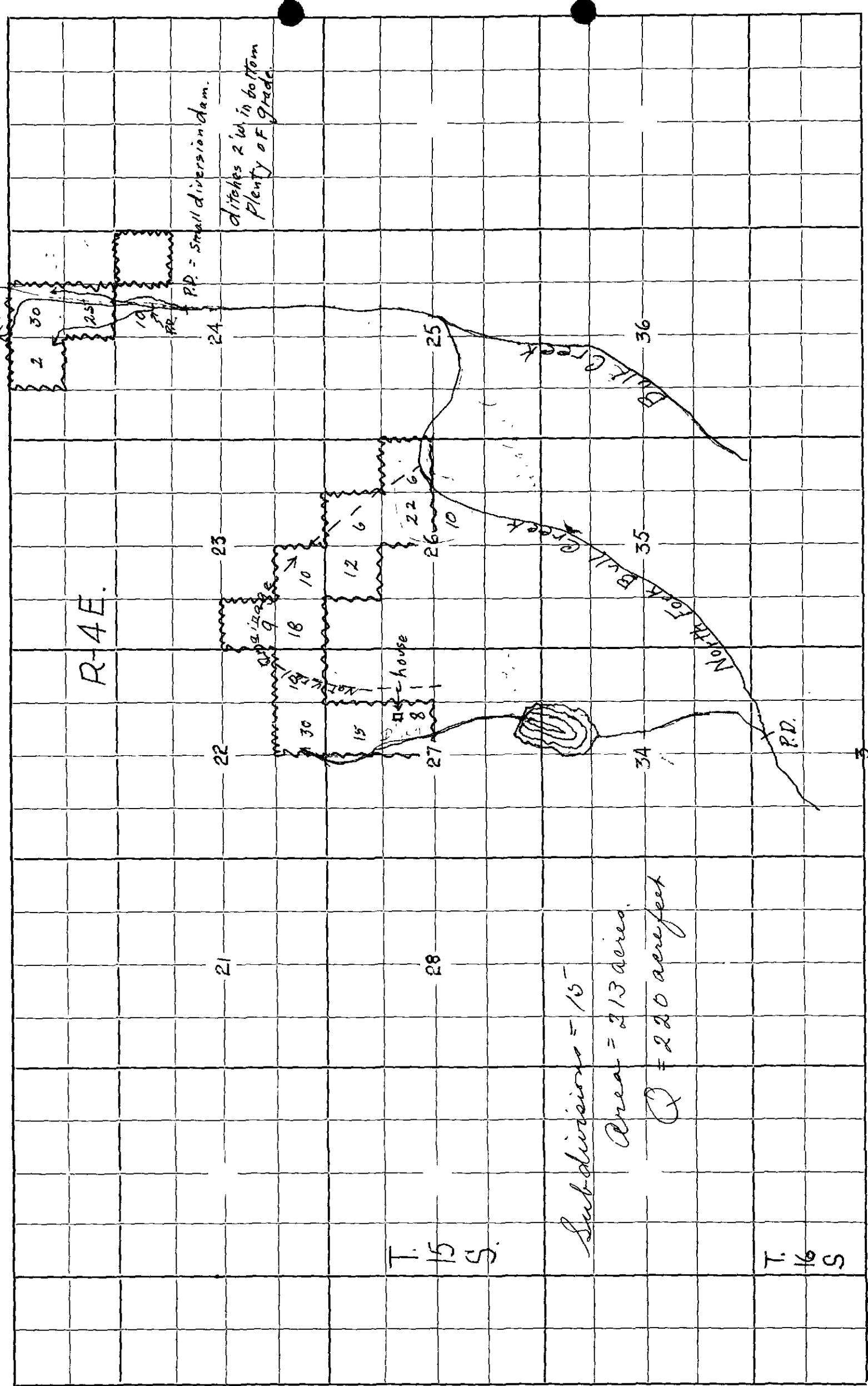
app 220 a

213 acres
15 40's

R-868

R-4E.

P.D. = small diversion dam.
ditches 2' w. in bottom
Plenty of F. grade.



R-868

1. It is allowed 10 acres
in NW $\frac{1}{4}$ NE $\frac{1}{4}$: 24
- 2 The NW $\frac{1}{4}$ - E $\frac{1}{4}$ S26
can be included
by amendment

R-868

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. R-868This proof is for Beneficial Use In Water District No. _____

1. Name of applicant Tindall & Sons, Grasmere, Idaho, C/o Wm. I. Tindall
2. Source of water supply: North fork Bull Creek.
3. Location of point of diversion: Is in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 3
T. 16 S. R. 4 E. County of Owyhee. Point of Outlet- SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 27,
Twp. 15 S., Range 4 E., B.M.
4. Describe works as they exist, giving dimensions and capacities of same: _____

See the completion of works report.

5. Water is used for: Irrigation
6. State whether or not water has been turned into works of diversion: Yes
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 22;NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ Section 23;NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 26;W $\frac{1}{2}$ NE $\frac{1}{4}$ Section 27;NE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 13;NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 24; (NW $\frac{1}{4}$ NE $\frac{1}{4}$)Twp. 15 South, Range 4 East, R. M.See the map.

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

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

Remarks: This reservoired water is spread quite thin on the land and is used on
the lands as indicated but may be shifted from year to year as per the crops and
pasture requirement.

This examination was made on the 16 day of October, 19 53

(Signed)

E. N. Humphrey Examiner.R-868

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 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.
 6. Give general characteristics of soils, topography, and crops raised.
-

RECEIVED
NOV 28 1955
Department of Reclamation

Tindall & Sons

Grasmere, Idaho

Permit No. R-868

Examination for Beneficial use

County Owyhee

27-15S.-4E.

Q = 320 Acre Feet

S = No. Fork Bail Creek

2L = SW. SE. Sec. 17, T. 15S. - R. 4E

Use = Irrigation

Priority = Jan. 16, 1951
Due = Jan. 19, 1955

C = 2-13-54

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
SEP 3 1954
Department of Reclamation

Permit No. R. 868.....

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. My name is William I. Tindall; residence, 8 miles south Grasmere, Idaho;
occupation, farming and livestock production; postoffice address, Grasmere, Idaho.

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

Ans. I am acting in behalf of Tindall & Sons, a partnership, of which I am manager and
a partner.

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

Ans. Number of this permit is R868; date of permit, January 19, 1951; date of priority,
January 16, 1951.

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

Ans. Source of water supply is from Bull Creek being specifically the North Fork of Bull Ck.
Pt. of Diversion, (NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 3, T 16 S - R 4 E, B.M. (corner SWSE 27 - 15 S 4 E -

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. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined. If sprinkler irrigation, give number and size of nozzles and operating pressure.

Ans. Works consist of Reservoir with following dimensions: 300 yds on the crest; 9' wide;
15' high; 5' freeboard; upstream slope 3 - 1; downstream slope, 1 $\frac{1}{2}$ - 1; spillway 6' wide of
rock formation; 1' diameter concrete pipe outlet; Verticalgate on upstream end; surface area
of reservoir 60 acres; capacity 350 acre ft.

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

Ans. Water is to be used for irrigation on following lands: T 15 S - R 4 E, Sec. 22,
SW $\frac{1}{4}$ SE $\frac{1}{4}$, 30 acres; SE $\frac{1}{4}$ SE $\frac{1}{4}$, 10 acres; Sec. 27, NW $\frac{1}{4}$ NE $\frac{1}{4}$, 15 acres; SW $\frac{1}{4}$ NE $\frac{1}{4}$, 8 acres; Sec. 23, NW $\frac{1}{4}$ SW $\frac{1}{4}$,
Sec. 2 acres; SW $\frac{1}{4}$ SW $\frac{1}{4}$, 4 acres; SE $\frac{1}{4}$ SW $\frac{1}{4}$, 16 Acres; Sec. 26, NW $\frac{1}{4}$ NE $\frac{1}{4}$, 6 acres; SW $\frac{1}{4}$ NE $\frac{1}{4}$, 8 acres;
SE $\frac{1}{4}$ NE $\frac{1}{4}$, 2 acres; NE $\frac{1}{4}$ NW $\frac{1}{4}$, 12 acres; Sec. 13, NE $\frac{1}{4}$ SW $\frac{1}{4}$, 2 acres; NW $\frac{1}{4}$ SE $\frac{1}{4}$, 30 acres; SW $\frac{1}{4}$ SE $\frac{1}{4}$, 25 acres;
Sec. 24, NE $\frac{1}{4}$ NE $\frac{1}{4}$, 10 acres. These acreages have been irrigated in each subdivision except in
Sec. 23, NW $\frac{1}{4}$ SW $\frac{1}{4}$, some 9 acres is irrigated and in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, some 18 acres is irrigated and
SE $\frac{1}{4}$ SW $\frac{1}{4}$, 21 acres irrigated. Also all of the land irrigated has been to produce grass land and
meadow hay. Varieties of cultivated seed, grass and meadow grass have been introduced and planted
here to increase production. All improvements both of diversion and distribution and agricul-
tural seeding have been made as a direct result of the use of this water.

R-868

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

Ans. Only for irrigation.

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

Ans. I feel that the 220 acre ft. here combined with the other waters would be the minimum amount which could be used for the purpose required here of irrigation.

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. This permit was transferred and assigned from Chester Tindall to Tindall & Sons (Chester Tindall was my father). Ownership was acquired through assignment and work was started to raise this dam in 1948, however, actual construction was not authorized until after the above was mentioned permit has been used. 1951

Ans. made of this water during 1951, 1952, 1953 and 1954. The portion of it was diverted in 1951 but not the whole acreage was used for irrigation until 1953. In both 1953 and 1954 beneficial use has been made on all of the area described for irrigation.

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. License #11862 also allocates 8 acres in SW¹/₄NE¹/₄; 15 acres, NW¹/₄NE¹/₄; 30 acres in SW¹/₄SE¹/₄; 10 acres in SE¹/₄SE¹/₄, Section 22, T 15 S - R 4 E, B.M. Sec. 27

TINDALL & SONS

(Sign By

William J. Tindall
Manager & Partner

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 20 day of August, A. D. 1954.

Harley L. L. Danell

My commission expires 10/11/55

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. R868

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. My name is William P. Strickland; age, 70; residence, 3 miles south of Bruneau, Idaho; occupation, farming and livestock; postoffice address, Bruneau, Idaho.

Ques. 2. Are you acquainted with William I. Tindall, the holder of Permit No. R868? How long have you known him and where does he reside?

Ans. I have known him all his life and he now resides 8 miles south of Grasmere, Idaho.

Ques. 3. Have you read or heard read said Permit No. R868, and are you familiar with its provisions and conditions?

Ans. I have.

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

Ans. Source of this water is the North Fork of Bull Creek; place of diversion NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 3, T 16 S - R 4 E, B.M. Dimensions of reservoir are as follows: 300 yds. on the crest; 9' wide; 15' high; 5' freeboard; upstream slope 3-1; downstream slope, 1 $\frac{1}{2}$ -1; spillway 6' wide; 1' diameter concrete pipe outlet; vertical gate on upstream end; surface area of reservoir, 60 acres; capacity 350 acre ft.

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. I would estimate the capacity of the reservoir to be 350 acre ft. I have seen 220 acres ft. approx. in this reservoir.

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. Water is used for irrigation. Place of use: T 15 S - R 4 E, Sec. 22, SW $\frac{1}{4}$ SE $\frac{1}{4}$, 30 acres; SE $\frac{1}{4}$ SE $\frac{1}{4}$, 10 acres; Sec. 27, NW $\frac{1}{4}$ NE $\frac{1}{4}$, 15 acres; SW $\frac{1}{4}$ NE $\frac{1}{4}$, 8 acres; Sec. 23, NW $\frac{1}{4}$ SW $\frac{1}{4}$, 9 acres; SW $\frac{1}{4}$ SW $\frac{1}{4}$, 18 acres; SE $\frac{1}{4}$ SW $\frac{1}{4}$, 21 acres; Sec. 26, NW $\frac{1}{4}$ NE $\frac{1}{4}$, 6 acres; SW $\frac{1}{4}$ NE $\frac{1}{4}$, 8 acres; SE $\frac{1}{4}$ NE $\frac{1}{4}$, 2 acres; NE $\frac{1}{4}$ NW $\frac{1}{4}$, 12 acres; Sec. 13, NE $\frac{1}{4}$ SW $\frac{1}{4}$, 2 acres; NW $\frac{1}{4}$ SE $\frac{1}{4}$, 30 acres; SW $\frac{1}{4}$ SE $\frac{1}{4}$, 25 acres; Sec. 24, NE $\frac{1}{4}$ NE $\frac{1}{4}$, 9 acres. The irrigated land has been to produce grass land and meadow hay. Varieties of cultivated seed, grass and meadow grass have been introduced and planted to increase production. All improvements have been made as a direct result of the use of this water and reservoir.

R-868

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

Ans. Irrigation.

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. Character of land is a lava ash and I would say that the amount of water required for its profitable cultivation is the amount now in use on the land at the minimum.

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

Ans. I have not.

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. I own land immediately adjacent and have seen this project since it was first developed and many years before. I see it almost every day during the spring, summer and fall seasons when work is being carried on.

(Signed) William P. Strickland

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Boise,
County of Ada, State of Idaho, on this 20 day of August,
A. D. 1954.

Harley M. Donnell

Notary Public.

My commission expires 10/11/55

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. R868

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. My name is Earl L. Graham; age, 34; residence, Bruneau, Idaho; occupation, farming and livestock production; postoffice address, Bruneau, Idaho.

Ques. 2. Are you acquainted with William I. Tindall, the holder of Permit No. R868? How long have you known him and where does he reside?

Ans. I have known him for over 20 years and that he now resides 8 miles south of Grasmere, Idaho

Ques. 3. Have you read or heard read said Permit No. R868, 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. The source of the water supply is Bull Creek, the North Fork. Place of diversion, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 3, T 16 S - R 4 E, B.M. Works consist of reservoir as follows: 300 yds on the crest; 9' wide; 15' high; 5' freeboard; upstream slope 3-1; downstream slope, 1 $\frac{1}{2}$ -1; spillway 6' wide; 1' diameter concrete pipe outlet; vertical gate on upstream end; surface area of reservoir 60 acres; capacity 350 acre ft.

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. The capacity of this reservoir I would estimate at 350 acre ft. and I have seen 220 acre ft. so held.

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. Water is for irrigation. Lands irrigated as follows: T 15 S - R 4 E, Sec. 22, SW $\frac{1}{4}$ SE $\frac{1}{4}$, 30 acres; SE $\frac{1}{4}$ SE $\frac{1}{4}$, 10 acres; Sec. 27, NW $\frac{1}{4}$ NE $\frac{1}{4}$, 15 acres; SW $\frac{1}{4}$ NE $\frac{1}{4}$, 8 acres; Sec. 23, NW $\frac{1}{4}$ SW $\frac{1}{4}$, 9 acres; SW $\frac{1}{4}$ SW $\frac{1}{4}$, 18 acres; SE $\frac{1}{4}$ SW $\frac{1}{4}$, 21 acres; Sec. 26, NW $\frac{1}{4}$ NE $\frac{1}{4}$, 6 acres; SW $\frac{1}{4}$ NE $\frac{1}{4}$, 8 acres; SE $\frac{1}{4}$ NE $\frac{1}{4}$, 2 acres; NE $\frac{1}{4}$ NW $\frac{1}{4}$, 12 acres; Sec. 13, NE $\frac{1}{4}$ SW $\frac{1}{4}$, 2 acres; NW $\frac{1}{4}$ SE $\frac{1}{4}$, 30 acres; SW $\frac{1}{4}$ SE $\frac{1}{4}$, 25 Acres; Sec. 24, NE $\frac{1}{4}$ NE $\frac{1}{4}$, 9 acres. This land produces grass and meadow hay and also some varieties of cultivated seed have been planted to increase production. All above improvements have been made as a direct result of said use.

R-868

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

Ans. Irrigation only.

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

Ans. Character of the land is lava ash and I estimate the amount of water required to be the amount in use at the present time as the minimum for profitable cultivation.

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

Ans. None.

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

Ans. I have known Mr. Tindall over a long period of years and have had frequent occasion to visit this place and see its development.

(Signed) Earl L. Graham

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Boise,

County of Ada, State of Idaho, on this 20 day of August,

A. D 19 54.

Harley W. Hill Donnell

Notary Public.

My commission expires 10/11/55

**NOTICE OF PROOF
APPLICATION OF WATER
TO BENEFICIAL USE**

Notice is hereby given that at 11 A. M. on the 20th day of August, 1954, at Boise, County of Ada, State of Idaho, before Harley M. McDowell, Notary Public, proof will be submitted of the application to beneficial use of 220 acre feet per annum of the waters of the north fork of Bull Creek in accordance with the terms and conditions of Permit No. R868 heretofore issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Tindall & Sons, Grasmere, Idaho.

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

The amount applied to beneficial use is 220 acre feet per annum.

The place where said water is used SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22, T 15 S, R 4 E, B. M.; NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 27; NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 28; NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 26; NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 18; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 24, T 15 S, R 4 E.

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

The right to take water from such works is based upon Permit No. R-868.

The source of supply from which such water is diverted is north fork of Bull Creek.

The date of priority which said user is prepared to establish is January 18, 1951.

MARK R. KULP,
State Reclamation Engineer
Pub. July 16 - Aug. 5, 1954

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
COUNTY OF OWYHEE)

I, Carol E. Gough, being first duly sworn, depose and say:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was and now am over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned

2. That during the time of the publication of the notice hereinafter mentioned, I was and now am the editor and co-publisher of THE OWYHEE CHRONICLE, a newspaper of general circulation printed and published weekly, on Thursday of each and every week, in the City of Homedale and County of Owyhee and State of Idaho.

3. That the said THE OWYHEE CHRONICLE has been printed and published continuously and uninterruptedly in said County during a period of seventy-eight weeks prior to the first publication of the attached notice.

4 That said notice Notice of Proof Application of
Water to Beneficial Use

of which a printed copy, taken from said newspaper, is hereto annexed, was published in the regular issue thereof, and not in a supplement thereto, in said newspaper, in Four (consecutive) calendar weekly issue(s) of said newspaper, on the following date(s):

July 15, 22, 29, August 5, 1954.

Signed Carol E. Gough

Subscribed and sworn to before me this 1st day of Sept.
A. D., 1954.

Felicia Echevarria
Notary Public in and for the State of Idaho

Residing at Homedale, Idaho

My commission expires 3/20, 1955

f-8-8

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permit 19374
R-868

Date: July 8, 1954

Owyhee Chronicle

Homedale, Idaho

Gentlemen:

Enclosed you will find ⁷notice for publication once a week for four consecutive weeks prior to August 20, 1954 the date set for proof, the expense of the publication to be paid by the applicant, William I. Tindall of Grassboro 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, in order that we may check same.

Very truly yours,

MARK R. KULP

State Reclamation Engineer
By

Chief Clerk

R-868

NOTICE FOR PUBLICATION
NOTICE OF PROOF APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 11 A. M. on the 20TH day of August, 1954,
at Boise, County of Ada, State of Idaho, before
Harley M. McDowell, Notary Public,
application to beneficial use of 220 ~~380~~ acre ft. ~~annum~~ annum of the waters of the north fork
Bull Creek in accordance with the terms and conditions of Permit No. R868
heretofore issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are _____
Tindall & Sons

William D. Tindall - Grasmere, Idaho

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

The amount applied to beneficial use is 220 acre ft. per annum.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated)
SW1/4, SE1/4, Sec. 22, T 15 S - R 4 E, B.M.; NW1/4, SW1/4, Sec. 27; NW1/4, SW1/4, SE1/4, Sec. 23; NW1/4, SW1/4, SE1/4, NE1/4, Sec. 26; NE1/4, NW1/4, SW1/4, Sec. 13; NE1/4, Sec. 24, T 15 S - R 4 E.

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

by private ditch.

The right to take water from such works is based upon Permit No. R-868

The source of supply from which such water is diverted is north fork of Bull Creek.

The date of priority which said user is prepared to establish is 1/16/51 January 16, 1951

MARK R. KULP

State Reclamation Engineer.

K-868

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date)..... May 12, 1954

(P. O.)..... Grasmere, Idaho

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho.

Dear Sir:

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

William J. Tindall

(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.

Tindall + me

R-868

RECEIVED

SEP 15 1952

Department of Reclamation

Grassmere, Idaho
Sept 11, 1952

State Reclamation Dept
Boise, Idaho

Dear Mr. Humphrey,

Repairs work has been completed in relation to Permit No R-868 as requested by you during your recent inspection. We have repaired the damaged sections caused by badgers and the water washing thru their holes. Also the ditch from the spillway has been added.

We plan additional riprap work and minor head repairs later this season. However, this work is in addition to your requirements and I believe your re-inspection could be made anytime at your convenience.

I will also notify Mr. A. C. Kiser my attorney on this matter. He will probably contact your office in connection with the certificate etc.

Sincerely yours,
William D. Tindall
R-868

✓
November 5, 1952

RE: Permit No. R-868

Mr. William I. Tindall
Greasboro
Idaho

Dear Mr. Tindall:

We now have on file the report of our field engineer on examination for completion of works on Permit No. R-868, in the name of the estate of Chester Tindall.

Therefore, upon receipt of the statutory fee of \$5.00, a Certificate of Completion of Works will be issued for 220 acre feet of water from the North fork of Bull Creek.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg

R-868

February 15, 1954

RE: Permit No. R-868

Mr. William I. Tindall
Grassmere
Idaho

Dear Mr. Tindall:

We enclose Certificate of Completion of Works issued under Permit No. R-868 for the Construction of a reservoir and the storage of 220 acre feet per annum of the waters of the North Fork of Bull Creek with point of outlet in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 27, Township 15 S., Range 4 E., B.M. for irrigation of the following described land: NE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 13; S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 22; W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 23; NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 24; NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 26; W $\frac{1}{2}$ NE $\frac{1}{4}$ Section 27; all in township 15 South, Range 4 East, B. M.

We also enclose departmental receipt No. 26487 for the \$5.00 fee paid in connection with Completion of works proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:br
Encls.

R-868

September 7, 1954

RE: Permit No. R-868

✓
Mr. Harley M. McDowell
519 Idaho Building
Boise, Idaho

Dear Mr. McDowell:

We have filed the depositions of William I. Tindall and two witnesses also affidavit of publication in the Owyhee Chronicle, all submitted in proof of beneficial use on Permit No. R-868.

Before final action is taken in the matter the law requires that a field examination be made by an engineer from this department.

We cannot tell just when the examination will be made but our field engineer will try and contact Mr. Tindall at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll
cc

Mr. William I. Tindall
Grasmere
Idaho

R-868

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

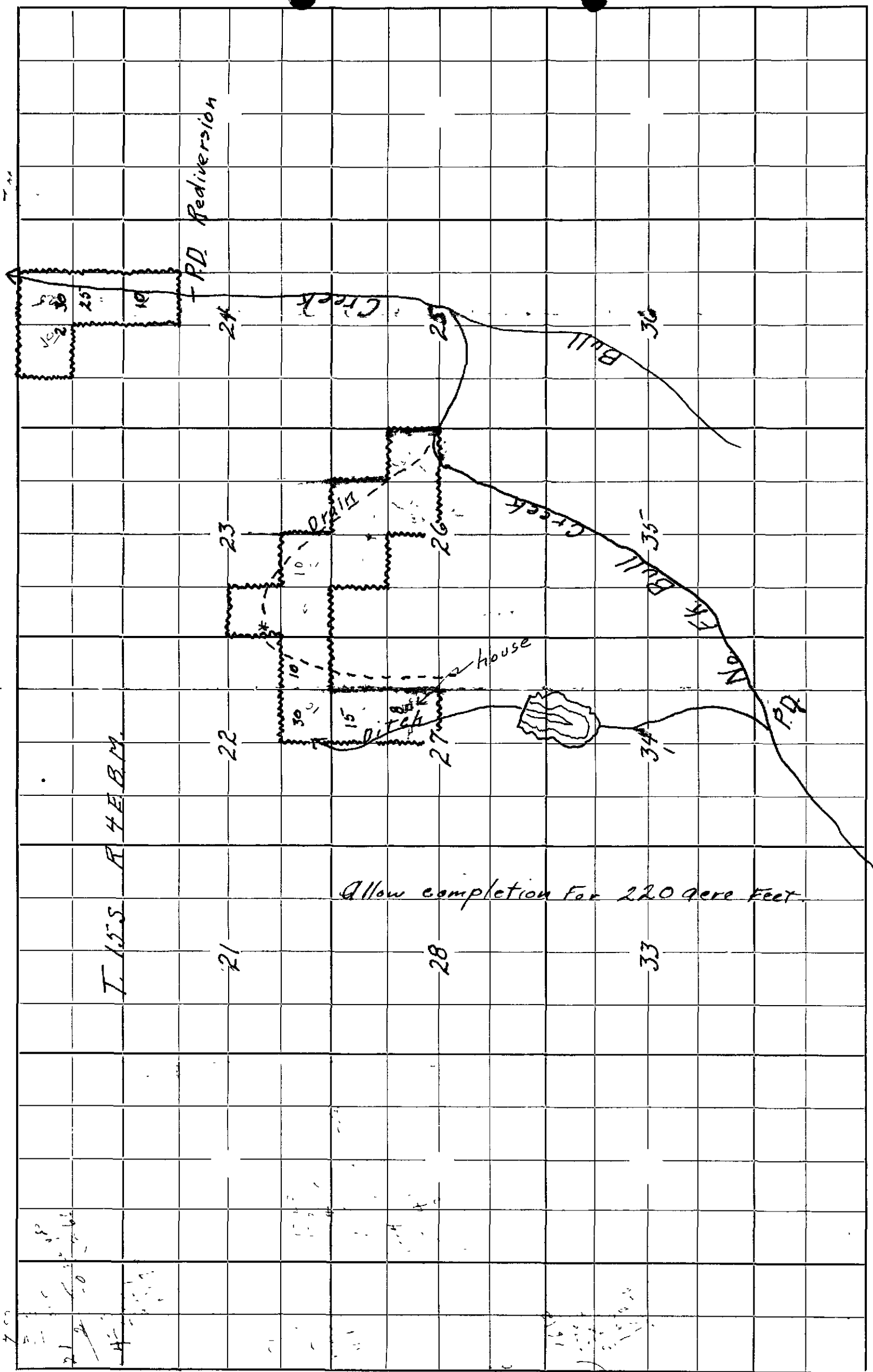
REPORT OF ENGINEER

PERMIT NO. R-868

REPORT ON PROOF OF Completion of works

ESTATE OF CHESTER TINDALL, Grasmere, Idaho

R-868



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. R-868This proof is for completion of works In Water District No. _____1. Name of applicant Chester Tindall (Estate), Grasmere, Idaho2. Source of water supply: No fork Bull Creek, a tributary of Bruneau River.
outlet3. Location of point of ~~diversion~~: Is in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27T. 15 S. R. 4 E. County of Owyhee

4. Describe works as they exist, giving dimensions and capacities of same: This is an off-stream reservoir. Dam is 300 yds. long on the crest by 9' wide by 15' high. There is 5' of free board. upstream slope is 3-1, downstream slope 1-1. Spillway is 6' wide in the bottom and extends over a rock formation but has no concreting or other protection. There is a pole cat-walk out to the control works. There is a concrete pipe 1' in diameter for outlet works. Gate is vertical on the top end. Area of reservoir surface estimated at 60 acres. Estimated capacity 300 to 350 acre ft. There is a section of the dam lying east of the center through which there has apparently been a rock chuck or badger hole which caused a leak through dam. Considerable water has discharged through this hole, cutting the banks, enlarging the hole and carrying away considerable of the bank fill material. It appears that after the hole became enlarged and the support of the material hanging above weakened the whole of the earth fill above caved in effectively sealing the hole and thus saving the dam from complete failure.

5. Water is used for: Irrigation

6. State whether or not water has been turned into works of diversion: Yes

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

NE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 13;S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 22;W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 23;NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 24;NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NE NW $\frac{1}{4}$ Section 26;W $\frac{1}{2}$ NE $\frac{1}{4}$ Section 27;All in Twp. 15 S., Range 4 E., B.M.

4. failure. There is quite a substantial spring below the dam on the west end flowing probably 1 to 2 inches of water. See also the

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

8. What large stream would the water here appropriated finally reach? Bruneau and then the Snake River

Remarks: A completion certificate should not be issued on this dam until the spillway and spillway ditch have been improved to carry the water back to the stream at some distance below the dam. At present the water through the spillway flows along the lower toe of the dam back into the stream channel. Also the section that caved in due to the leak needs to be repaired.

This water has not been used on the desert land entry as yet because the land department has not yet given permission for Tindall to enter upon the land.

This examination was made on the 21st day of July, 19 52.(Signed) C. M. Humphrey Examiner.R-868

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 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.
 6. Give general characteristics of soils, topography, and crops raised.
-

Estate of Chester Tindall
Grasmere, Idaho

Permit No. R-868

Examination for Completion of works

County Owyhee

105 48

Q = 320 ac.

S. = N. FK. Bull Cr

Q ditch = SW 38. S 27 105 48

high water = 55 acres

Capry = approx. 500 ft

h = 15' l = 700'

allow 400 a. F. total

INTER-DEPARTMENT MEMO--

DATE Jan. 2, 1952

FROM Chief Clerk

TO Deputy Reclamation Engineer

SUBJECT Chester Tindall dam- Permit No. 868

This is an enlargement of a previously constructed dam and reservoir.

It is for the storage of 320 acre feet from No. fork Bull Creek, a tributary of Bruneau River, with outlet in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 27, Twp. 15 South, Range 4 East, B.M.- Owyhee Co.

The permit describes a dam 15 feet high- and applicant requested a waiver of the provision for having plans and specifications approved.

It is our understanding that the dam is completed, and certificate of completion of works has been submitted by the sons of Chester Tindall (now deceased), showing a total capacity of 500 acre feet.

J. L. A.
SIGNATURE
R-8168

Anderson and Kaufman
Lawyers
Idaho Building Boise, Idaho

Eugene H. Anderson
Samuel Kaufman, Jr.
A. C. Kiser

RECEIVED
JAN 8 1952
Department of Reclamation

January 2, 1952

Mr. Mark R. Kulp
State Reclamation Engineer
State House
Boise, Idaho

Re: Permit No. R368

Dear Mr. Kulp:

Enclosed herewith is assignment by Leota E. Tindall as administratrix of the estate of Chester Tindall, deceased, and by Leota E. Tindall in her individual capacity.

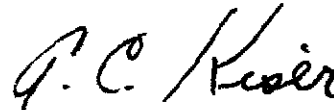
This assignment is being submitted in accordance with your request in connection with the making of proof of completion under the above numbered permit.

Also enclosed herewith is check in the amount of \$5.50 to cover your charges.

Yours very truly,

ANDERSON AND KAUFMAN

By



A. C. Kiser

ACK fw
Enc.

R-868

Twp. 15 S. Rge. 4 E. B. 8M.

←--Point of Re-diversion

Drain,

Ditch,

Reservoir,

Ditch,

Point of Diversion from No. Fork Bull Creek,

Sec. 3

Permit Map No. R-868

As Approved
JAN 19 1951
MARK R. KULP
State Reclamation Engineer

DATE Jan. 2, 1952

FROM Chief Clerk

TO Deputy Reclamation Engineer

SUBJECT Chester Tindall dam- Permit No. 868

This is an enlargement of a previously constructed dam and reservoir.

It is for the storage of 320 acre feet from No. fork Bull Creek, a tributary of Bruneau River, with outlet in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 27, Twp. 15 South, Range 4 East, B.M.- Owyhee Co.

The permit describes a dam 15 feet high- and applicant requested a waiver of the provision for having plans and specifications approved.

It is our understanding that the dam is completed, and certificate of completion of works has been submitted by the sons of Chester Tindall (now deceased), showing a total capacity of 500 acre feet.

SIGNATURE

R-868

Anderson and Kaufman
Lawyers
Idaho Building Boise, Idaho

Eugene H. Anderson
Samuel Kaufman, Jr.
A C Kiser

RECEIVED
DEC 20 1951
Department of Reclamation

December 19, 1951

Mark R. Kulp
State Reclamation Engineer
Boise, Idaho

Re: Permit No. R868

Dear Mr. Kulp:

Enclosed herewith is proof of completion of
works under the above numbered permit.

Yours very truly,

ANDERSON AND KAUFMAN

A. C. Kiser

By

A. C. Kiser

ACK fw
Enc.

Permit No. R-868

Proof of Completion of Works

DEPOSITION OF HOLDER

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

Ans. William I. Tindall, Grasmere, Idaho
Farmer

Ques. 2. If acting on 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. Partnership - partner

Ques. 3. State number and date of permit, acre feet of water you claim for storage, and source of same.

Ans. R 868 Jan. 19, 1951. 320 acre feet in addition to original capacity. North Fork of Bull Creek

Ques. 4. Under terms of permit construction was required to be completed by Jan. 19, 1952
19

Ques. 5. Construction was actually completed on the date of Nov. 15, 19 51

Ques. 6. Does the construction fully comply with the specifications? Yes

Ques. 7. Of what material was the dam built? Dirt and rocks

Ques. 8. State whether or not the water has been turned into your reservoir, and if so, when and to what extent.

Ans. Yes - (reservoir raised - heretofore in use)

Ques. 9. The capacity of the reservoir is 500 acre feet.

Ques. 10. The area of the high water line of the reservoir is 55 acres.

Ques. 11. The height of the dam above bottom of reservoir is 15 feet, above low water is 15 feet.

Ques. 12. The dimensions of the spillway are 5 ft. deep, 6 ft. wide at bottom, 10 ft. and the bottom of the at top spillway is 5 feet below the top of the dam.

Ques. 13. Dimensions of the reservoir outlet are concrete pipe, one foot in diameter

Ques. 14. Describe the gate and control unit.

Ans. Gate valve

Ques. 15. The reservoir outlet is made of concrete

Ques. 16. Is the reservoir filled through a feeder canal? Yes

Ques. 17. If so, where is the point of diversion for same?

Ans. NW ¼ NE ¼ Section, 3 Twp. 16 S. Range 4 E. B.M.

R-868

Ques. 18. Does the feeder canal comply with the specifications in the permit? Yes

Ques. 19. If not, explain

Ques 20 Cost of constructing feeder canal? \$ 50.00 Cost of reservoir? \$ 3,250.00

Ques. 21. State whether or not the works from reservoir outlet to place of use are fully completed, and whether or not they comply with the specifications in permit. If not, explain.

Ans. Works are complete according to specifications except for works necessary to irrigate area in Sec. 23 & Sec. 26

Ques. 22. Water has (has not) been delivered to place of intended use? Yes

Ques. 23. Give description of dam, state dimensions, and give slope of face both upstream and downstream. Also method and material for protecting against wave action. Earth filled dam, 3 to 1 slope on upstream side; 2 to 1 slope on downstream side. Dimensions 10 ft. wide on top, 85 feet maximum width at base, 700 feet long. Rocks used to protect against wave action.

Ques. 24. State the purpose for which the water is to be used and give the place of use, and if for irrigation, state the number of acres, and give the legal description of same.

Ans. For irrigation of an aggregate of 180 acres situate in sections 13,
22, 23, 24, 26 and 27 of Township 15 S., of Range 1 E., B. M., Owyhee
County, Idaho 4

(Sign here) William L. Ford

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in.....Boise....., County of.....Ada....., State of Idaho, on this.....13th.....day of.....December.....A. D. 1951.....

G. C. Kiser
Notary Public

My commission expires May 8, 1954.....

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Mr. Chester Tindall
313 Roosevelt St.
Boise, Idaho

Boise, Idaho

November 1, 1951

Dear Sir:-

Under the terms of your permit No.----**R-868**---you are required to complete your diversion works on or before---**January 19, 1952**---. I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

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

Yours truly,

MARK R. KULP

State Reclamation Engineer

R-868

January 16, 1951

Re: Application No. R-29592

Mr. Chester Tindall
313 Roosevelt St.
Boise, Idaho

Dear Mr. Tindall:

Reference is made to your application to raise your dam and increase your storage from the North Fork of Bull Creek, and your request for a waiver of Departmental approval of the plans and specifications in connection therewith.

We will have an inspection of your project made at the earliest opportunity, and will then advise you in regard to waiver.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

K-868

July 23, 1952

RE: Permit No. R-868

Messrs. Anderson & Kaufman
Idaho Building
Boise, Idaho

ATT: Mr. A. C. Kiser

Dear Mr. Kiser:

Inspection for completion of works in relation to Permit No. R-868 has been made, but certificate cannot be issued until the dam complies with safety requirements. Specifically:

1. A large ditch should be built from the spillway to carry the water back into the channel some distance downstream from the reservoir. At present, water passing through the spillway cuts back along the downstream toe of the dam into the natural channel.

2. A hole through the dam, probably made by a badger or rock chuck, has caused a partial failure for a short section and indeed it would have been a failure had it not been for the good fortune of having the over-burden fall in and completely seal the hole. This section will have to be restored to the original condition.

A re-inspection will be made as soon as this office has received notice that repairs have been made.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

H:fg

cc: Mr. William I. Tindall

R-868

✓
January 4, 1952

RE: Permit No. R-868

Messrs. Anderson and Kaufman
Idaho Building
Boise, Idaho

ATT: Mr. A. C. Kiser

Dear Mr. Kiser:

We acknowledge receipt of your letter of January 2, 1952, enclosing assignment of Leota E. Tindall of Permit No. R-868 to Tindall and Sons, a co-partnership.

The assignment has been recorded and we return same herewith. We also enclose departmental receipt No. 24072 for \$5.50 which includes 50 cents assignment fee and \$5.00 in connection with proof of completion of works.

Final action on completion of works proof cannot be taken until we have had an inspection and report by our field engineer.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

R-868

December 20, 1951

RE: Permit No. R-868

Messrs. Anderson and Kaufman
Idaho Building
Boise, Idaho

ATT: Mr. A. C. Kiser

Dear Mr. Kiser:

We acknowledge receipt of your letter of December 19, 1951, enclosing deposition of William I. Tindell, offered in proof of completion of works under Permit No. R-868.

This permit is in the name of Chester Tindell and while the proof can be made by his son, William I. Tindell, it should show that he is acting in the place of his father who is now deceased rather than as a partner as there is nothing in the permit itself to show any other interest than that of Chester Tindell.

Before final proof is made, no doubt the estate will be settled and the license, when issued, can be in the name of the present owner.

Our records fail to show that plans and specifications were submitted in connection with your permit as required before commencement of work, nor was an application made for a waiver of this provision. Therefore, before a certificate of completion of works can be issued, it will be necessary to have a field inspection made.

Meanwhile we return the deposition with the request that it be revised in accordance with the suggestions herein contained. There is also a statutory fee of \$5.00 required in connection with completion of works proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc. .

R-868

Boise, Idaho

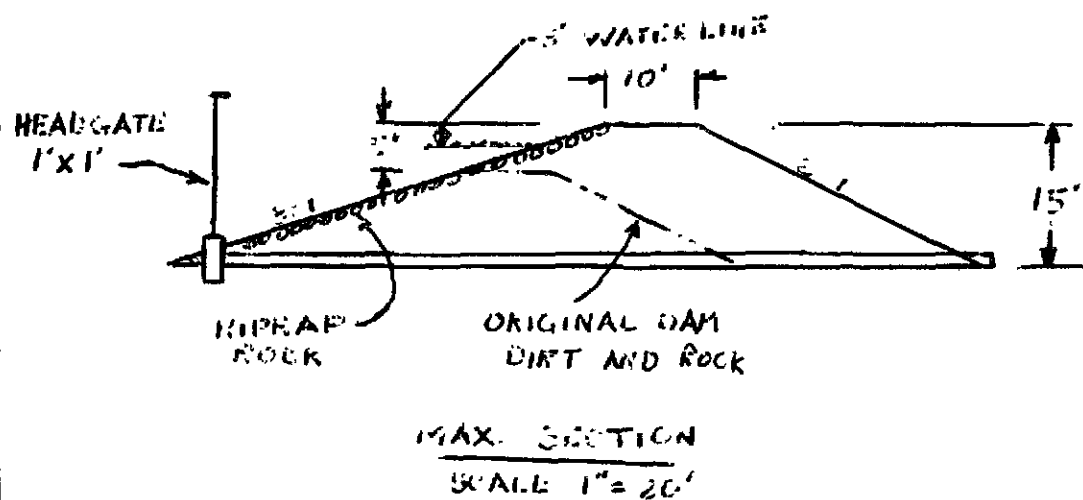
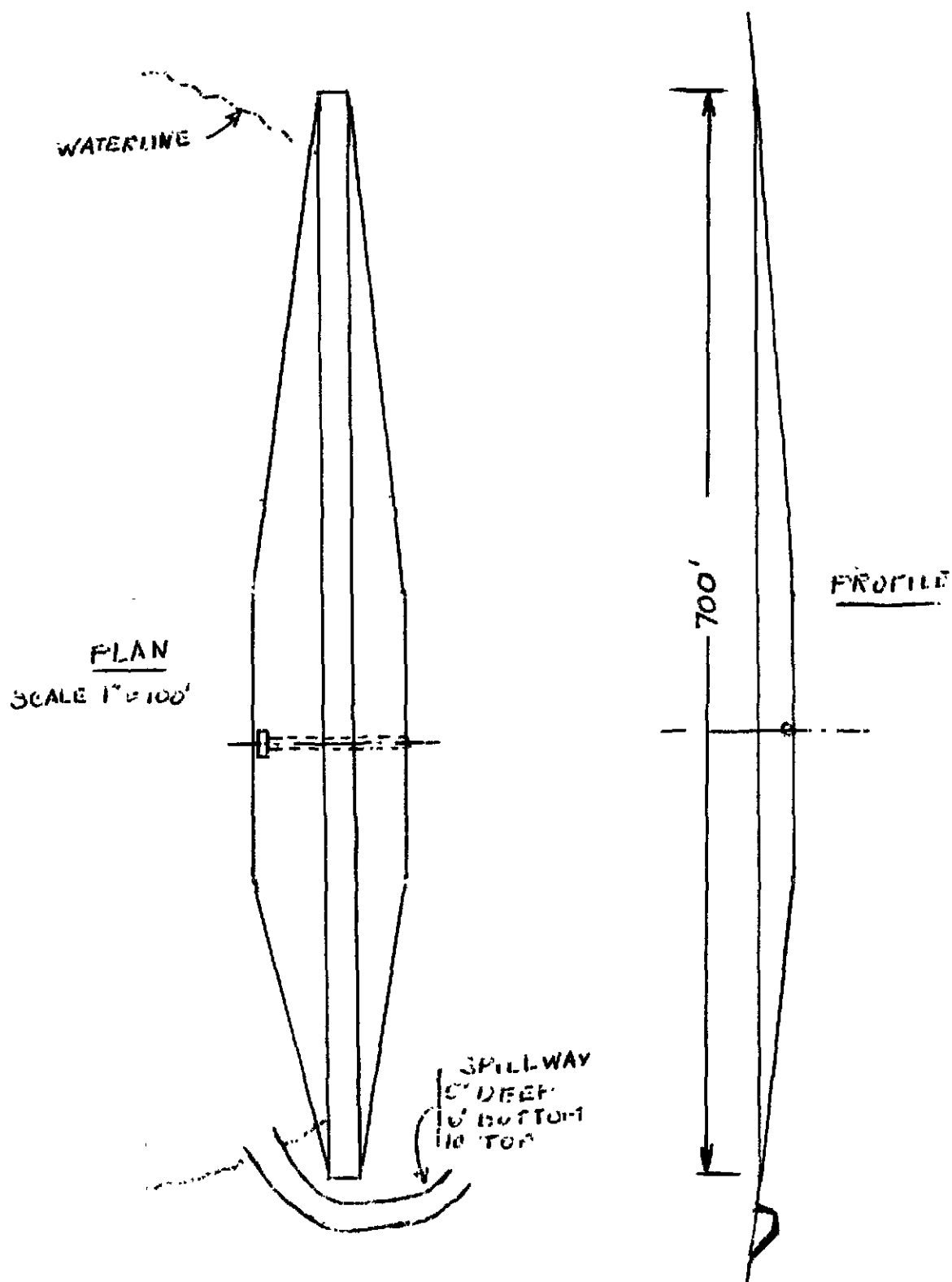
Jan 16, 1951

Department of Reclamation
State of Idaho
Boise, Idaho

Dear Sirs,

I would like to request the waiver of drawings and specifications for reservoir construction as required by the law. The basis for my request is that there is no danger to other property and that the dam is of little consequence. Proper spillways have been provided to make the dam safe. Work will be an addition to water license # 11862.

Yours truly,
Chester Tindall.



MAP OF TINDALL RESERVOIR
TO ACCOMPANY APPLICATION
FOR PERMIT BY CHESTER
TINDALL BOISE IDAHO
JAN 13, 1951

R-868

January 25, 1951

Re: Permit No. R-868

Mr. Chester Tindall
313 Roosevelt St.
Boise, Idaho

Dear Mr. Tindall:

We enclose Permit No. R-868 and direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose two copies of this Permit, one of which has been certified, to be used in connection with desert filing made by William I. Tindall.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bb
Enc.

R-868

**NOTICE OF PROOF
APPLICATION OF WATER
TO BENEFICIAL USE**

Notice is hereby given that at 11 A. M. on the 20th day of August, 1954, at Boise, County of Ada, State of Idaho, before Harley M. McDowell, Notary Public, proof will be submitted of the application to beneficial use of 220 acre feet per annum of the waters of the north fork of Bull Creek in accordance with the terms and conditions of Permit No. R868 heretofore issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Tindall & Sons, Grasmere, Idaho.

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

The amount applied to beneficial use is 220 acre feet per annum

The place where said water is used SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22, T 15 S, R 4 E, B. M.; NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 27; NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 23; NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 26; NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 24, T 15 S, R 4 E.

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

The right to take water from such works is based upon Permit No. R-868.

The source of supply from which such water is diverted is north fork of Bull Creek.

The date of priority which said user is prepared to establish is

January 16, 1951.

7/15/54 MARK R. KULP,
State Reclamation Engineer
Pub. July 15, Aug 5, 1954

**NOTICE OF PROOF
APPLICATION OF WATER
TO BENEFICIAL USE**

Notice is hereby given that at 11 A. M. on the 20th day of August, 1954, at Boise, County of Ada, State of Idaho, before Harley M. McDowell, Notary Public, proof will be submitted of the application to beneficial use of 220 acre feet per annum of the waters of the north fork of Bull Creek in accordance with the terms and conditions of Permit No. R868 heretofore issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Tindall & Sons, Grasmere, Idaho.

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

The amount applied to beneficial use is 220 acre feet per annum

The place where said water is used SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22, T 15 S, R 4 E, B. M.; NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 27; NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 23; NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 26; NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 24, T 15 S, R 4 E.

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

The right to take water from such works is based upon Permit No. R-868.

The source of supply from which such water is diverted is north fork of Bull Creek.

The date of priority which said user is prepared to establish is January 16, 1951.

MARK R. KULP,
State Reclamation Engineer
Pub. ~~July 15~~ Aug. 5, 1954