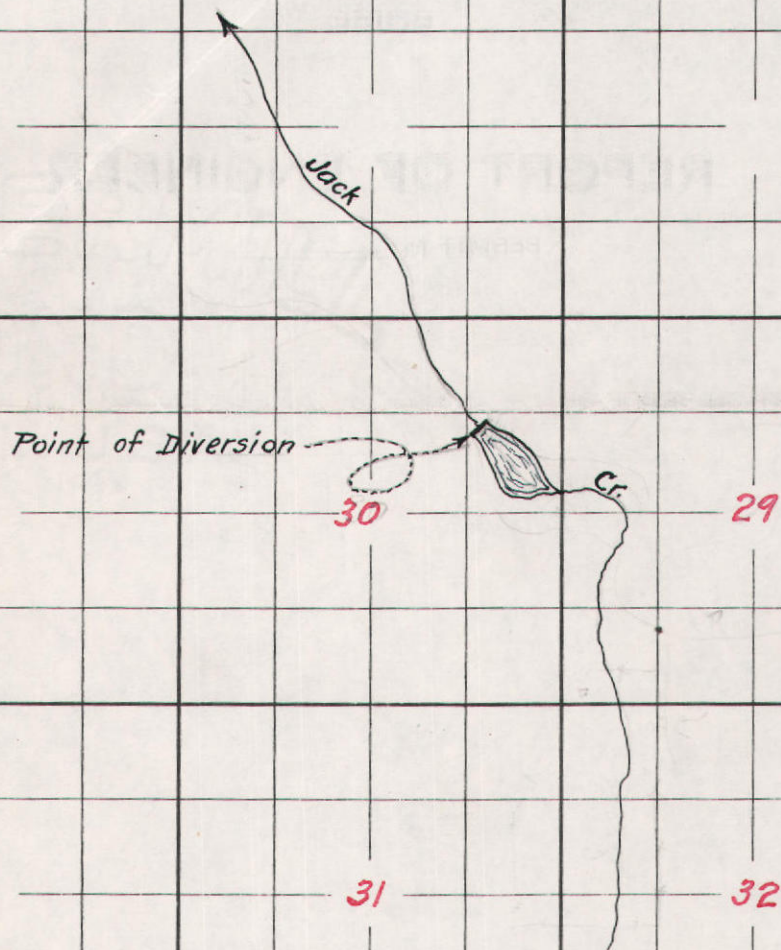




PROOF OF PUBLICATION

State of Idaho, }
County of Owyhee, } ss.

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 and every week for 4 consecutive weeks, the first publication being on the 30 day of October, 1941, and the last publication being on the 20 day of November, 1941;

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 2 day of December, 1941.

Lenna J. Hawes
Notary Public.

My commission expires Sept. 10, 1944

(SEAL)

RECEIVED

DEC 4 1941

Department of Reclamation

NOTICE OF PROOF OF COMPLETION OF WORKS AND APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 A. M. on the 21st day of November, 1941, at Pocatello, County of Bannock, State of Idaho, before F. M. Bristline, Notary Public proof will be submitted of the completion of works for the diversion of 19.71 acre feet of the waters of Jack Creek, a tributary of Bruneau River and of the application to beneficial use of said water in accordance with the terms and conditions of Permit No. R-709, heretofore issued by the Commissioner of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are Grazing Service, U. S. Dept. of Interior, Box 728, Pocatello, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of use in accordance with the plans accompanying the application for such permit is 19.71 acre feet.

3. The use to which said water has been applied is for stock watering and the amount applied to beneficial use is 19.71 acre feet.

4. The place where said water is used is SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec 30, Twp 11 S Rge 3E, B M, Owyhee County.

5. The date of priority which said user is prepared to establish is June 26, 1941. ✓

E. V. BERG,
Commissioner of Reclamation
(Oct. 30—Nov. 20)

R-709

PROOF OF PUBLICATION

State of Idaho, }
County of Owyhee, } ss.

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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 21 day of November, 1941.

Leona S. Hawes
Notary Public.

My commission expires 9/10/44

(SEAL)

RECEIVED
DEC 3 1941
Department of Reclamation

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1. The name and postoffice address of the person or corporation holding said permit are Grazing Service, U. S. Dept. of Interior, Box 728, Pocatello, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of use in accordance with the plans accompanying the application for such permit is 19.71 acre feet.

3. The use to which said water has been applied is for stock watering and the amount applied to beneficial use is 19.71 acre feet.

4. The place where said water is used is SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec 30, Twp 11 S Rge 3E, B M, Owyhee County.

5. The date of priority which said user is prepared to establish is June 26, 1941.

E. V. BERG,
Commissioner of Reclamation
(Oct. 30—Nov. 20)

R-709

Jack Creek Reservoir

N 62° 13' W
1415'

T 11 S

Sec 30

R 3 E

709

Permit Map No. _____
As Approved
JUL 18 1941
E. V. BERG
Chief Engineer of Reclamation

State of Idaho
License and Certificate of Water Right

Water License No. R-709

Amount 19.71 acre feet

Water District No. _____

Priority June 26, 1941

THIS IS TO CERTIFY that GRAZING SERVICE US DEPARTMENT OF THE INTERIOR
of Portland, Oregon, made application for a permit to appropriate the
public waters of the State of Idaho, dated June 26, 1941; that Permit No. R-709
was issued under said application; that Certificate of Completion of works, with a ^{storage} ~~reservoir~~ capacity of
19.71 ~~acre~~ feet, was issued thereunder on January 25, 1954, showing that said works
were completed on the 21st day of November, 1941; and that on the 21st
day of November, 1941,

GRAZING SERVICE U. S. DEPARTMENT OF THE INTERIOR

of Portland, State of Oregon, made proof to the satisfaction of the
Commissioner of Reclamation of Idaho, of the right to use the waters of Jack Creek (rain and
snow run-off), a tributary of Bruneau River, for the purpose of stock watering
~~water~~, under Use Permit No. R-709 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
nine of Licenses at page 5215, on the 25th day of January, 1954;

The right hereby confirmed dates from June 26, 1941;

^{outlet}
The Point of ~~diversion~~ is located

In the ~~SE~~ $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 30, Tp. 11 S., R. 3 E., B. M. County Owyhee

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 19.71 ~~minimum per second~~ acre feet per annum.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
			SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 30, Township 11 South, Range 3 East, B. M.		

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
25th day of January, 1954.

MARK R. KULP

State Reclamation Engineer.

(SEAL)

51 5234

APPLICATION FOR PERMIT

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

Application No. R 26645
Permit No. R 709

709

51-2234

1. Name of Applicant: **GRAZING SERVICE, U. S. DEPT. OF THE INTERIOR**

Postoffice address. **Box 728, Pocatello**

County **Bannock**

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: **19.71** acre feet per annum.

3 Source of water supply is **Jack Creek** (rain and snow run-off), a tributary of **Bruneau** River.

4 The outlet of the proposed reservoir is located **N 62°13'W/** feet, distant from the **E 1/4** corner of Section **30**, Township **11S**, Range **3E**, B. M. and is in the **SE 1/4** of **NE 1/4** of Section **30**, Township **11S**, Range **3E**, B. M. County of **Owyhee**

5. Fill out either (a) or (b).

(a) The reservoir is located in the channel of **Jack Creek** (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 1/4 of 1/4 of

Section , Township , Range , B. M., width at bottom feet, width at top

feet, depth of water feet; average grade per mile feet; Capacity cubic feet per second.

6 (a) The area of the high water line of the reservoir is **14.5** acres.

(b) The reservoir capacity is **19.71** acre feet.

7. Height of reservoir dam **15** feet, length at top **178.1** feet, length at bottom **30** feet, size of outlet **10** feet

by **5** feet. The dam is to be constructed of materials as follows: **earth fill with puddle core to bedrock. Riprapped on both faces.**

(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 **not diverted** (Creek) (River) ?

(b) Water stored in reservoir will be carried in the channel of (Creek,) (River,) a distance

of miles to point of diversion located (bearing) feet, distant from the corner of Section

Township , Range , B. M., and in the 1/4 of 1/4 of Section , Township , Range

B. M.

9 Amount of water claimed from (Creek) (River) (Spring) in addition to that stored in reservoir cubic feet per second.

10. Water is to be used for **stock watering** 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 1/4 of 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 1/4 of 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. , which is hereby referred to and made a part hereof.

13. Kind of diversion works:

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

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

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

15. Size of headgate: Width feet, Height feet.

16. Diversion Canal: Width at bottom	feet, width at water line	feet, depth of water	feet, Dimensions of Flume
Diameter of Pipe	inches; Length of Conduit	miles. Average grade per mile	feet.

17. Estimated cost of Works: Storage Works: \$ 1009.60 Diversion Works: \$

18. Time required for completion of work **completed** years .

19. Time required for complete application of water to proposed beneficial use is _____ years.

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

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

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 $\frac{1}{4}$	

Total Number of Acres to be Irrigated

IN TESTIMONY WHEREOF, We, Chase A. Clark, Governor of the State of Idaho, and Geo. H. Curtis, 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 18th day of July, 1941.

Countersigned: STATE OF IDAHO.

BY GEO. H. CURTIS
Secretary of State

BY CHASE A. CLARK,
Governor.

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.

GEORGE E. TUCKER, Improvement ^{Applicant} Supervisor.
Agent.

Date of first receipt at office of Commissioner of Reclamation June 26, 1941

Returned to applicant for correction

Corrected application received

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is R 769

Recorded in book R **3**, page **709** Approved **July 18, 1941.**

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 **Sept. 16, 1941**

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 **Sept. 1, 1941**

The whole of said work to be completed on or before ~~October 18, 1941~~ Nov. 21, 1941

Beneficial use of water stored in accordance herewith, to be made on or before ~~Oct. 15, 1941~~ Nov. 21, 1941

Witness my hand this 18th day of July

E. V. BERG.
Commissioner of Reclamation.

APPROVAL OF COMMISSIONER OF RECLAMATION.

I, E. V. BERG, Commissioner of Reclamation of the State of Idaho, hereby extend the time for the completion of Construction of work under Permit to appropriate the public waters of the State of Idaho, No. R-709 to Nov. 21, 1941.

Witness my hand this 21st day of Oct., 1941

E. V. BERG /s/
Commissioner of Reclamation.

CERTIFICATE OF COMPLETION OF WORKS

To All Whom It may Concern:

This is to certify that Grazing Service U. S. Department of the Interior of Portland, County of _____ and State of Oregon, the holder of Permit No. R-709, issued upon Application No. R-26645, bearing date of priority of June 26, 1941 authorizing the construction of a reservoir, with the right to appropriate and store 19.71 acre feet per annum of the waters of Jack Creek (rain and snow run-off) a tributary of Bruneau River, in the County of Owyhee State of Idaho, for stock watering 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 19.71 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 NE $\frac{1}{4}$ of Section 30, Township 11 S., Range 3 E., and that the place of use, of said water is described as follows, to-wit: SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 30, Township 11 South, Range 3 East, B. M.

Witness my hand this 25th day of January, 1954

MARK R. KULP
State Reclamation Engineer

Proof of completion of works made November 21, 1941
Certificate of Completion of Works issued January 25, 1954



UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Boise District Office
230 Collins Road
Boise, Idaho

DIB

Certified Mail
Return Receipt
Requested

Riddle Ranches, Inc.
c/o Ed Riddle
Riddle, Idaho

Gentlemen:

On or about August 15, 1961 Messrs. William Mabbutt and William Vaughn met with you and Mr. Milford Vaught in the field to check on some stock water reservoirs constructed by you on the public lands in Sections 2 and 4, T. 12 S., R. 3 E., B.M. The two reservoirs, as observed by Mabbutt and Vaughn, each appear to back water a distance of more than 1/2 mile and to impound well over 100 acre feet. The dams are only about two miles apart and are located in the Jack Creek and Duncan Creek drainages.

Informal and oral notice of the dams was given by Mr. Vaught with the fear that so much runoff would be impounded that reservoirs downstream would be left dry, except perhaps for very heavy rains. It appears that two Government reservoirs will be directly affected. One, called the Jack Creek Reservoir, was constructed in 1941. The water impounded and used in connection with livestock permitted to graze on the Federal Range was appropriated under Permit No. R 709, dated June 26, 1941. The other reservoir is called the Duncan Creek Reservoir and is located in the NE1/4SW1/4, Section 35, T. 11 S., R. 3 E. The water impounded is appropriated from the State under Permit No. 1-C-418, approved October 16, 1958 and licensed under No. D-1168, dated October 31, 1958.

We are definitely concerned about the fact that these and some other dams were constructed without a Section 4 permit having been issued prior to construction. Construction of improvements without permission of the BLM is contrary to the Prohibitions enumerated in Section 161.11(a)(3) of the Federal Range Code. I realize that any violation of the Code was not intended and that tacet permission on an informal basis was indicated by the office subject to issuance of a formal permit.

However, the lack of having a construction permit creates complications. First, a construction permit, affording the owner of the improvements assurance of reimbursement for the value of the structure in certain circumstances, can only be issued prior to construction. After non-permitted construction has taken place we can only issue a maintenance permit and this may not cover full value in case of disposal of the lands. Any stipulations on design can also be required as a condition to issuance, which may save costly alterations such as providing for release of water to prior water rights.

R. 709

In this case we must require the following to correct the present situation. These were discussed with you on September 12, 1961.

1. An application must be made for a Maintenance Permit for each of the three dams and reservoirs, including the one on the head of Big Blue Creek not mentioned before in this letter.
2. Apply to the Idaho State Department of Reclamation for permit to appropriate the waters of the State and file a certified copy of such permit in each instance with this office.
3. Stipulate to the Bureau of Land Management, and make the stipulation also a part of the application to the State, that the Dams:

"Will be altered in such manner as to provide a drawdown pipe through the dam, or a siphon over the dam, for each dam, in order that, in the event the Government reservoirs and any permitted reservoirs down stream are prevented from filling during spring runoff, or are prevented from receiving any inflow during subsequent spring and summer rains, that sufficient water can be promptly released to fill the downstream prior reservoirs".

4. Submit plans of any dam over ten feet in height, or impounding more than one hundred (100) acre feet of water to the State Department of Reclamation, and file evidence in this office of: (a) the filing of the plans, and (b) the acceptance of the plans by the State.

Sixty days are considered sufficient to carry out the above four requirements, and unless justification for an extension of time is submitted and allowed, compliance will be expected within that period dating from receipt of this letter. In the event the requirements are not met, appropriate action will be initiated under applicable sections of 43CFR161, the Federal Range Code.

Sincerely yours,

Donald I. Bailey
District Manager

cc: Milford Vaught
✓ State Department of
Reclamation

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

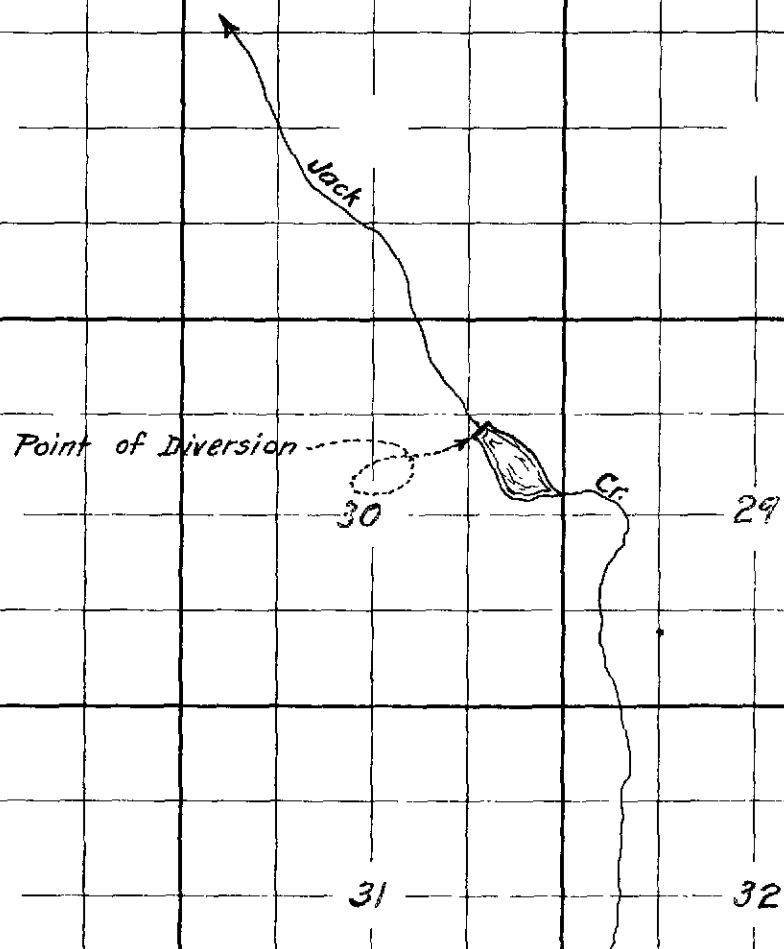
PERMIT NO. P-709

REPORT ON PROOF OF Completion of Works & Beneficial Use

19.71 a. f. v

OK ✓
gs

R-709



See letter in file R-708

R-709

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No R-709

This proof is for C. E. & I. U.

In Water District No.

1. Name of applicant Grazing Service
2. Source of water supply: Jack Creek
3. Location of point of diversion: Is in the SE 1/4 of Section 30
T. 11S R. 3E County of Owyhee
4. Describe works as they exist, giving dimensions and capacities of same: A Dirt Dam 178 feet long, 15 feet high, 10 feet wide on top, with slopes rock lined.
Spillway 12 feet wide in rock cut allows a 5 foot freeboard.
5. Water is used for: Stock watering
6. State whether or not water has been turned into works of diversion: Yes
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation):

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

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

Remarks:

Reservoir has a capacity of approximately 20 Acre Feet.

This examination was made on the

22nd,

day of

July

, 1942.

(Signed)

Fred J. Dolman
Examiner.

R-709

6
Grazing Service, Geo. Tucker
Box 728 Pocatello, Idaho

Permit No. R-709

Examination for Completion of Works
& Beneficial Use

County Owyhee

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
 2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
 3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
 4. If any unusual conditions are discovered, make a plain statement of them under remarks.
 5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
-

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County of Owyhee, {

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Rodney A. Hawes
PUBLISHER.

Subscribed and sworn to before me this 2 day of December, 1941.

Leona J. Hawes
Notary Public.

My commission expires Sept. 10, 1944

(SEAL)

RECEIVED

DEC 4 1941

Department of Reclamation

PROOF OF
DIVERSION OF WORKS AND
DIVERSION OF WATER TO
BENEFICIAL USE

Notice is hereby given that at 10.00 A. M. on the 21st day of November, 1941, at Pocatello, County of Bannock, State of Idaho, before F. M. Bristline, Notary Public proof will be submitted of the completion of works for the diversion of 19.71 acre feet of the waters of Jack Creek, a tributary of Bruneau River and of the application to beneficial use of said water in accordance with the terms and conditions of Permit No. R-709, heretofore issued by the Commissioner of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are Grazing Service, U. S. Dept. of Interior, Box 728, Pocatello, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of use in accordance with the plans accompanying the application for such permit is 19.71 acre feet.

3. The use to which said water has been applied is for stock watering and the amount applied to beneficial use is 19.71 acre feet.

4. The place where said water is used is SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec 30, Twp 11 S Rge 3E, B M, Owyhee County.

5. The date of priority which said user is prepared to establish is June 26, 1941.

E. V. BERG,
Commissioner of Reclamation
(Oct. 30—Nov. 20)

R-709

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County of Owyhee, }

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Rodney A. Hawes
PUBLISHER.

Subscribed and sworn to before me this 21 day of November, 1941.

Edward J. Hawes
Notary Public.

My commission expires 4-12-44

(SEAL)

RECEIVED
DEC 3 1941
Department of Reclamation

NOTICE OF PROOF OF COMPLETION OF WORKS AND APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 A. M. on the 21st day of November, 1941, at Pocatello, County of Bannock, State of Idaho, before F. M. Brisilene, Notary Public proof will be submitted of the completion of works for the diversion of 19.71 acre feet of the waters of Jack Creek, a tributary of Bruneau River and of the application to beneficial use of said water in accordance with the terms and conditions of Permit No. R-709, heretofore issued by the Commissioner of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are Grazing Service, U. S. Dept. of Interior, Box 728, Pocatello, Idaho.

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3. The use to which said water has been applied is for stock watering and the amount applied to beneficial use is 19.71 acre feet.

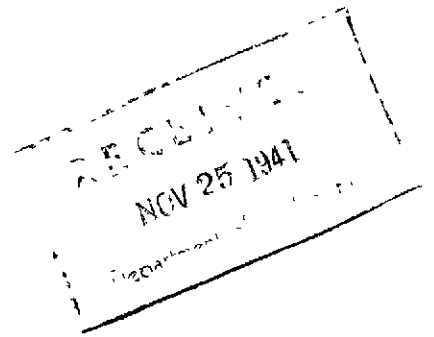
4. The place where said water is used is SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec 30, Twp 11 S Rge 3E, B M, Owyhee County.

5. The date of priority which said user is prepared to establish is June 26, 1941.

E. V. BERG,
Commissioner of Reclamation
(Oct. 30--Nov. 20)

R-709

**STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO**



Permit No......709.....

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. George E. Tucker,,Pocatello,,Regional Engineer,,Box 728,,Pocatello,,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. U. S. Dept. of the Interior,,Grazing Service,,Region 5 - Idaho.....

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

Ans.# 709; June 26, 1941; July 18, 1941.....

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

Ans. Jack Creek,,a tributary of the Bruneau River; N 62°13'W. 1415' from E $\frac{1}{4}$ Corner, Section 30, T. 11S, R. 3E.....

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use.

Ans. Earth fill with puddle core to bedrock. Riprapped on both faces;.....
.....15 feet high - length of top 178.1' - length of bottom 30 feet; capacity.....
.....19.71 Acre Feet. Spillway 10 feet wide, five feet deep.....

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. Used for stockwatering purposes at place of impoundment.....

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

Ans. None.....

Ques. 8. What is the minimum amount of water required for the purpose specified above?
Ans. Dependent on rainfall and run-off.

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. -----

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.
Ans. Dam completed in 1940 and impounded water has been used for stock watering
purposes since that time.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.
Ans. No other water diverted and used under this permit.

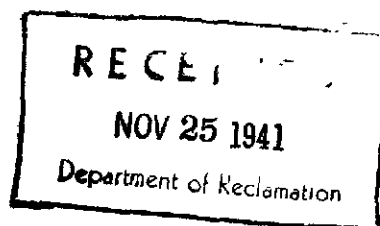
U. S. Dept. of the Interior, Grazing Service, by: (Sign) George E. Tucker
Region 5 - Idaho George E. Tucker, Regional Engineer

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 Pocatello, County of Bannock, State of Idaho, on this 21st day of November, A. D. 19 41

Im Brattine
Notary Public Pocatello Ida.

My commission expires 8-1-45

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



PERMIT NO. 709

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. Gene G. Plastino, age 31, Pocatello, Idaho; Engineer; Box 728, Pocatello,
Idaho

Ques. 2. Are you acquainted with George E. Tucker, the holder of Permit No. 709? How long have you known him and where does he reside?

Ans. Yes - three years; Pocatello, Idaho

Ques. 3. Have you read or heard read said Permit No. 709, 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. Jack Creek, a tributary of the Bruneau River; N 62°13'W 1415' from E 1/4
Corner, Sec. 30, T. 11S, R. 3E

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. Constructed dam will impound amount of water applied for.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each sub-division in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvement which have been made as a direct result of said use.

Ans. Stock watering purposes at place of impoundment.

R-709

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

Ans. None

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. None

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. Dam was completed in 1940 and impounded water has been used for stock watering purposes since that time.

(Signed)

Gene G. Plastino
Gene G. Plastino

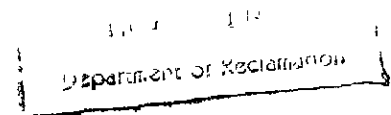
I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Pocatello, County of Barnock, State of Idaho, on this day of ^{21st} November, A. D. 19-41.

My commission expires

8-1-45

J. B. Little
Notary Public.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



PERMIT NO. 709

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. Marcus L. Jensen, age 29, Pocatello, Idaho; Engineer; Box 728, Pocatello, Idaho.

Ques. 2. Are you acquainted with George E. Tucker, the holder of Permit No. 709? How long have you known him and where does he reside?

Ans. Yes - three years; Pocatello, Idaho.

Ques. 3. Have you read or heard read said Permit No. 709, 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. Jack Creek, a tributary of the Bruneau River; N 62°13'W 1415' from NE Corner, Sec. 30, T. 11S, R. 3E.

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. Constructed dam will impound amount of water applied for.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each sub-division in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvement which have been made as a direct result of said use.

Ans. Used for stock watering purposes at place of impoundment.

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

Ans. None

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. *****

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. Dam was completed in 1940 and impounded water has been used for stock watering purposes since that time.

(Signed)

Marcus L. Jensen

Marcus L. Jensen

I hereby certify that the foregoing testimony was read to the above subbscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Pocatello, County of Bannock, State of Idaho, on this 21st day of November, A. D. 1941.

In Rustline

Notary Public.

My commission expires 8-1-45

PERMIT NO. 709

NOV 20 1941
Department of Reclamation

Proof of Completion of Works

DEPOSITION OF HOLDER

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

Ans. George E. Tucker, Pocatello, Idaho; Regional Engineer; Box 728 -
Pocatello, Idaho

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

Ans. U. S. Dept. of the Interior, Grazing Service, Region 5 - Idaho

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

Ans. #709; July 18, 1941; 19.71 A.F.; Jack Creek, tributary of Bruneau River;
N 62°13'W 1415' from E $\frac{1}{2}$ Corner, Sec. 30, T. 11S, R. 3E

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

Ans. Used for stock watering purposes.

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

Ans. Reservoir completely filled in spring of 1941 and used for stock watering
since that time.

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

Ans. Works completed in 1940 complying with terms of permit.

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

Ans. -----

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

Ans. Earth fill with puddle core to bedrock. Riprapped on both faces; 15' high -
length of top 178.1' - length of bottom 30'; capacity 19.71 acre feet.
Spillway 10' wide, 5' deep. Cost - \$1009.60.U. S. Dept. of the Interior,
Grazing Service, Region 5 - Idaho(Sign here.)
by: _____George E. Tucker
George E. Tucker, Regional Engr.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 Pocatello,County of Bannock, State of Idaho, on this 21
day of November A. D. 19 41Im Butcher

Notary Public.

My Commission expires 8-1-45

R-709

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

Permit No. 709

RECEIVED

NOV 25 1941

Department of Reclamation

Proof of Completion of Works

DEPOSITION OF WITNESS

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

Ans. Marcus L. Jensen, Pocatello, Idaho; Engineer; Box 728, Pocatello, Idaho

Ques. 2. Are you acquainted with George E. Tucker, the holder of Permit No. 709, authorizing the diversion of 19.71 ^{acre}~~second~~ feet of the waters of Jack Creek, at ^{Section 30}~~T11S-R3E~~, for ^{stock-}~~watering~~ purposes? How long have you known him, and where does he reside?

Ans. Yes - three years. Pocatello, Idaho

Ques. 3. Have you read or heard read said Permit No. 709, and are you familiar with its terms and conditions?

Ans. Yes

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

Ans. ----

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

Ans. Yes, for 19.71 acre feet storage.

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

Ans. Earth fill with puddle core to bedrock. Riprapped on both faces; 15' high - length of top 178.1' - length of bottom 30'; capacity 19.71 acre feet. Spillway 10 feet wide, five feet deep. Cost - \$1009.60.

(Sign here.)

Marcus L. Jensen

Marcus L. Jensen

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

County of Bannock, State of Idaho, on this 21st day of November, A. D. 1941.

Tom Burtine
Notary Public, Pocatello, Idaho.
My Commission expires 8-1-45.

R-709

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

Permit No. 709

RECEIVED
NOV 25 1941
Department of Reclamation

Proof of Completion of Works

DEPOSITION OF WITNESS

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

Ans. Gene G. Plastino, Pocatello, Idaho; Engineer; Box 728 - Pocatello, Idaho

Ques. 2. Are you acquainted with George E. Tucker, the holder of Permit No. 709, authorizing the diversion of 19.71 acre second feet of the waters of Jack Creek, at T11S-R3E, for Stock-watering purposes? How long have you known him, and where does he reside?

Ans. Yes - three years. Pocatello, Idaho

Ques. 3. Have you read or heard read said Permit No. 709, and are you familiar with its terms and conditions?

Ans. Yes

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

Ans. -----

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

Ans. Yes. For storage of 19.71 acre feet.

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

Ans. Earth fill with puddle core to bedrock. Riprapped on both faces; 15' high - length of top 178.1' - length of bottom 30'; capacity 19.71 acre feet. Spillway 10' wide, 5' deep. Cost - \$1009.60.

(Sign here.) Gene G. Plastino
Gene G. Plastino

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Pocatello County of Benneock, State of Idaho, on this 21st day of November, A. D. 1941

Notary Public, Pocatello, Ida.
My Commission expires 8-1-4

R-709

NOTICE OF PROOF OF COMPLETION OF WORKS
and
APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 A. M. on the 21st
day of Nov., 1941, at Pocatello, County of Bannock,
State of Idaho, before F. M. Dietline, Notary Public
proof will be submitted of the completion of works for the diversion of 19.71 acre feet
~~cubic feet per second~~ of the waters of Jack Creek, a tributary of Brunson ^{River} and of
the application to beneficial use of said water in accordance with the terms and
conditions of Permit No. B-709, heretofore issued by the ~~Commissioner of Reclamation~~
of the State of Idaho.

1. The name and postoffice address of the person or corporation hold-
ing said permit are Grazing Service, U.S. Dept. of Interior, Box 728, Pocatello, Idaho.

2. Said works of diversion will be fully completed on the date set
for such completion, and the amount of water which said works are capable of con-
ducting to the place of use, in accordance with the plans accompanying the appli-
cation for such permit, is 19.71 acre feet cubic feet per second.

3. The use to which said water has been applied is irrigation and ~~for~~
~~domestic stockwatering~~ purposes and the amount applied to beneficial use
is 19.71 acre feet cubic feet per second.

4. The place where said water is used is Sec. 30, Twp. 11 S., Rge.
3 E., B. M., Owyhee County.

5. The date of priority which said user is prepared to establish is
June 26, 1941

E. V. BERG.
Commissioner of Reclamation.

R-709

Permit No. R-709

Application for Extension of Time FOR COMPLETION OF WORKS

Grazing Service, U.S. Dept. of Interior, of Box 728, Pocatello

State of Idaho, being first duly sworn, upon his oath deposes and says:

He is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho

No. R-709

Under the terms and conditions of said permit, construction work thereunder was required to be completed by Oct. 18, 1941, 19

That he has heretofore performed the following work described under said permit

Work was completed prior to October 18, 1941.

costing \$

That he is unable to complete the remainder of the work within the required time, for the following reasons, to-wit:

Due to oversight and misinterpretation of instructions.

WHEREFORE, He asks that the Commissioner of Reclamation extend the time for the completion of works under said permit to Nov. 21, 1941, 19

Subscribed and sworn to before me this 18th day of October, 1941

George E. Tucker
O. E. Han
Notary Public.

My commission expires

Date of receipt at office of Department of Reclamation Oct. 18, 1941

APPROVAL OF COMMISSIONER OF RECLAMATION.

I, E. V. BERG

, Commissioner of Reclamation of the State of Idaho, hereby extend the time for the completion of construction work under Permit to Appropriate the Public Waters of the State of Idaho, No. R-709 to

Nov. 21, 1941

19

Witness my hand this

21st day of Oct.

, 1941

E. V. Berg
Commissioner of Reclamation

R-709

Jack Creek Reservoir

N 62° 13' W
1415'

T 11 S

Sec 30

R 3 E

709

Permit Map No. _____
As Approved
JUL 18 1971
E. V. BERG
Special Agent in Charge

ACT
IGN

N OWNER LAST NAME - U.S. DEPT. OF INTERIOR

N ADDRESS LINE 1 - BUREAU OF LAND MGMT.

N

N SOURCE - JACK CREEK

N STAGE - LICENSE

N TOTAL DIV. VOLUME - 19.70 AFA

N DIVERSION POINT - SENE 30 11S 03E

N USE - STOCKWATER STORAGE

N USE - STOCKWATER FROM STORAGE

N USE - STOCKWATER STORAGE PLACE OF USE - TWN 11S RNG 03E SEC 30 TRACT SENE

N

CITY - PORTLAND

STATE - OR

TRIBUTARY OF - BRUNEAU RIVER

PRIORITY - 06-26-1941 COUNTY - Owyhee

USE DIV. VOLUME - 19.70 AFA

OLD NO. - R709

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. R-709 151-2234
Old No. New No.

Record

1. Original Owner: U.S. Dept. of Interior

Present Owner: _____

2. Address: Bur. of Land Mgmt.3. City: Portland State: Or. Zip: _____4. A. Source of Water: Jack CreekB. Tributary of: Bruneau River5. A. Stage (A,P,L,D,S,J): L

B. Status (D,L,R,C,A,I,F - leave blank if valid):

C. Priority Date: 6-26-1941D. County: 73E. Total Diversion Rate: 19.71F. Total Diversion Volume: 19.7

G. Transfer/Amendment (P,T of A or blank):

H. Water District:

I. DLE/Carey Act (D,C or blank):

J. Right Basis (for adjudication claims A,B,C only):

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion	<u>SENE</u>	<u>30</u>	<u>11S</u>	<u>3E</u>		

7. Period of Use, Use, Diversion Rate/Volume:

from _____	to _____	for <u>SS</u> purposes.	Amount <u>19.71</u> (cfs or AC-Ft/yr)
from _____	to _____	for <u>SR</u> purposes.	Amount _____
from _____	to _____	for _____ purposes.	Amount _____
from _____	to _____	for _____ purposes.	Amount _____
from _____	to _____	for _____ purposes.	Amount _____
from _____	to _____	for _____ purposes.	Amount _____

8. Use Code:

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 $\frac{1}{4}$	
112	3E	30				S													

9. A. Decree Name:

B. Decree Date:

10. Remarks: A.
B.
C.
D.
E.

11. Other Uses (Non-irrigation explanatory information):

12. Other Rights for Same Use:

13. A. Proof Due Date:

B. Date Permit Approved or Denied:

C. Protested Date:

D. Hearing Date:

E. Old Number: R-709

F. Proof Made (P or blank):

G. Field Exam Made (P,R,F or blank):

H. Conditions of Approval: _____

14. Diversion Means (brief narrative):