

PROOF OF PUBLICATION

STATE OF IDAHO

County of Owyhee

s.s.

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

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

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

Rodney A. Hawes
PUBLISHER

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

James L. Hawes
NOTARY PUBLIC

My commission expires 9-10-80

(SEAL)

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 51 - 2124

Notice is hereby given that BRUNEAU CATTLE COMPANY of Bruneau, Idaho, has applied to the Department of Water Resources for a change of point of diversion and place of use of the water of Jack Creek aka Little Valley Creek. The right sought to be changed is evidenced by License 51-2124 and is recorded as follows:

Amount: 3.8 cfs.

Priority: 11-28-51.

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

The water is used for irrigation purposes upon 192 acres in the SW $\frac{1}{4}$ Sec. 21, E $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 29, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ -SE $\frac{1}{4}$ Sec. 32, T6S - R5E, B. M.

TO BE CHANGED AS FOLLOWS

Amount: 3.8 cfs.

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

The water will be used for irrigation purposes upon 192 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ -SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 20, N $\frac{1}{2}$ -SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 21, W $\frac{1}{2}$ -NW $\frac{1}{4}$, Sec. 28, NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ -NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 29, SE $\frac{1}{4}$ -NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32, T6S - R5E, B. M.

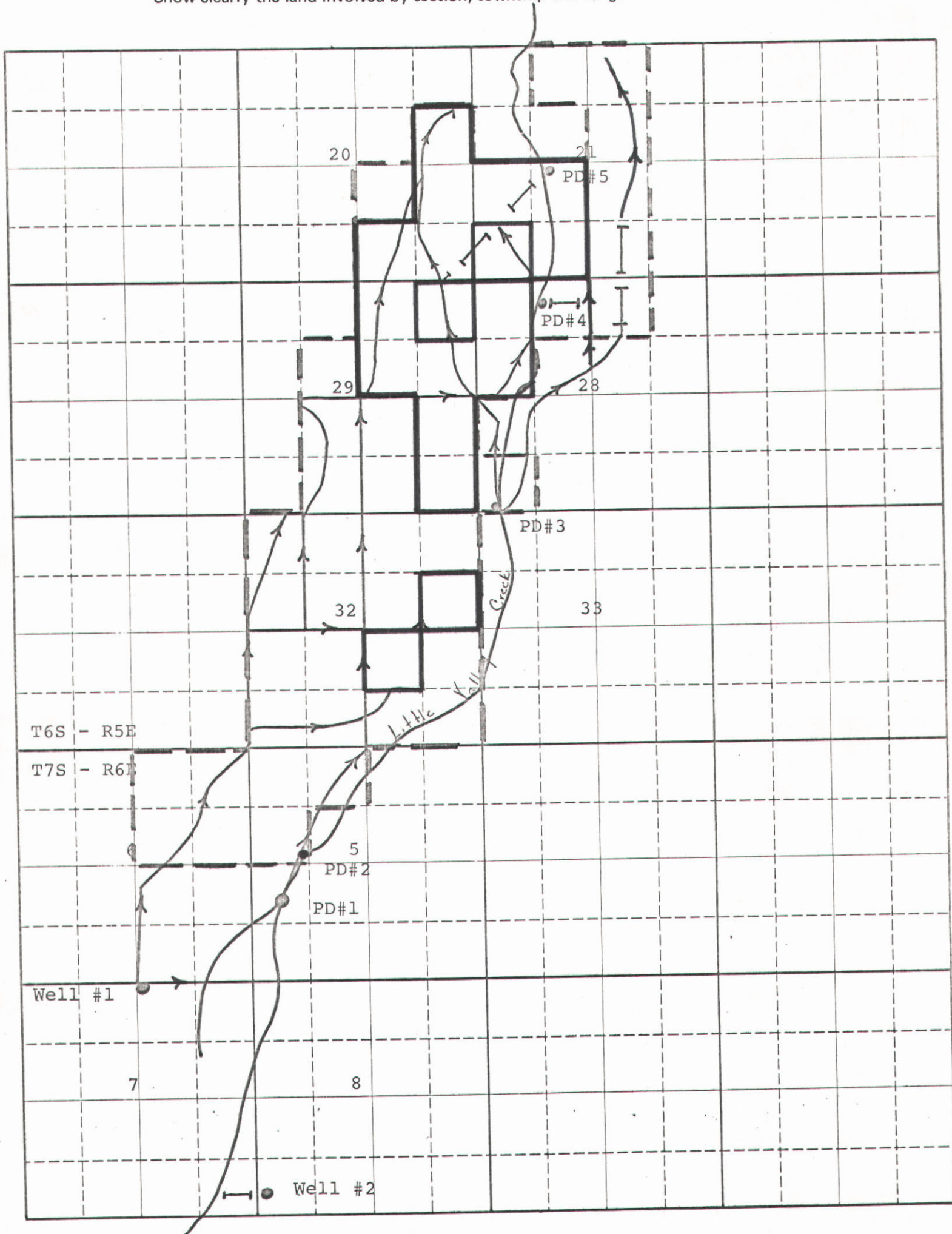
Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83705 on or before September 26, 1977.

C. STEPHEN ALLRED,
Director.

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

OK 444
9-20-77

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



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

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

Pipeline ————

Ditch —————>

Property Boundary ————

MICROFILMED

DEPARTMENT OF WATER RESOURCES

TRANSFER ANALYSIS SHEET

1. Source Jacob Creek

Name Bruneau Cattle Co

2. Right Being Transferred

Right No. 51-2124

a. ☐ Decree

Transfer No. _____

☒ License

☐ Use

b. ☒ Priority

c. ☒ Location - Original P. D.

d. ☒ " - Original P. U.

e. ☒ " - New P.D.

f. ☒ " - New P.U.

g. ☒ Amount

☒ All

☐ Part

3. ☒ Proof of Ownership of Right

Comment OWNS WATER RIGHT

4. ☒ Expansion of Right

Comment _____

5. ☒ Map

6. ☒ Signature

7. ☒ Fee

8. Watermaster's Comments N.A.

9. Comments _____

10. Initial Review by R.W.H.

Date 8-26-77

11. Recommended Action

☒ Approve

☐ Deny

☐ Conditions

meas devices req'd @ pts of div.

By JH

Date 9-26-77

RECEIVED

51 2124

R. 5 E.

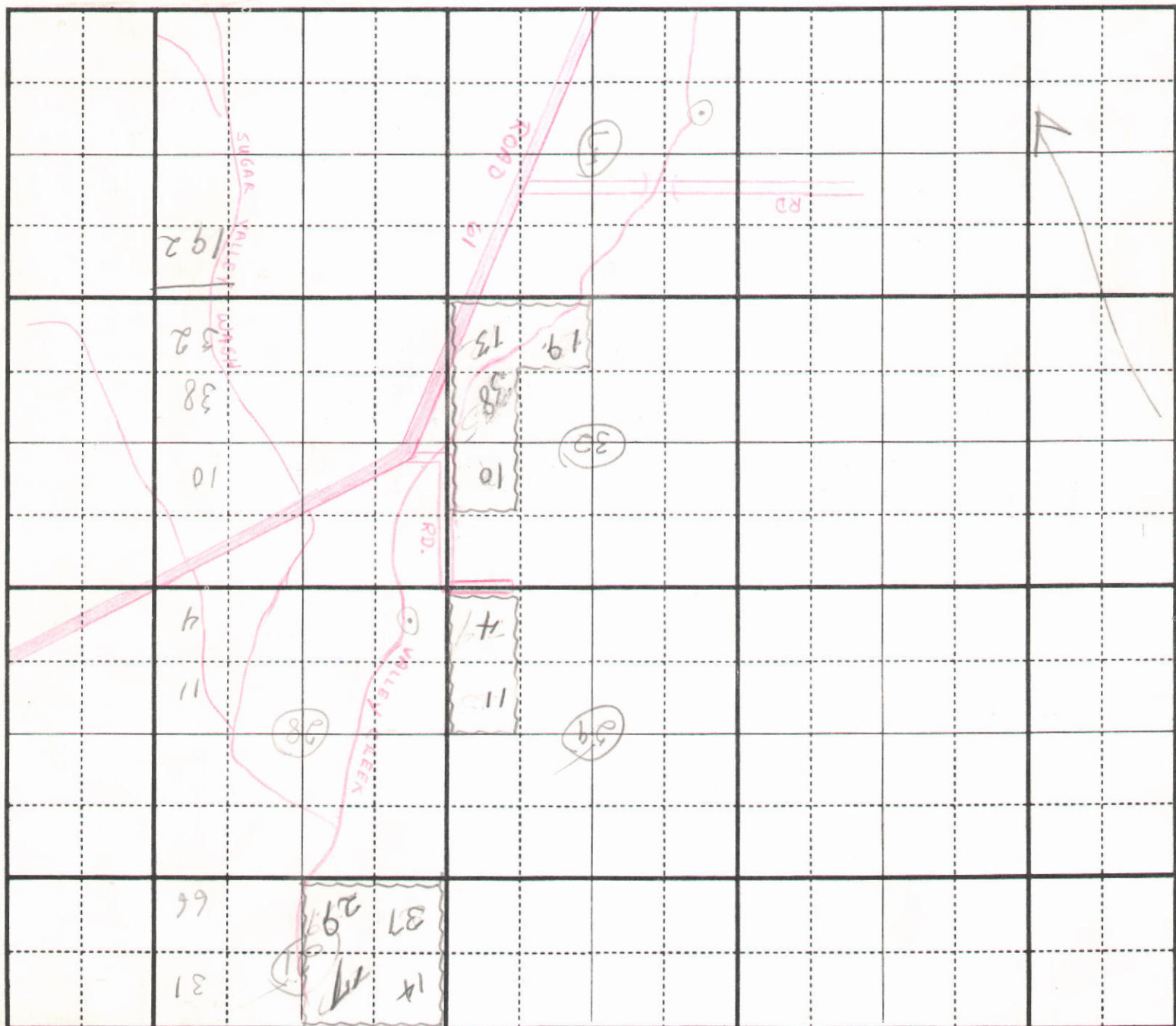
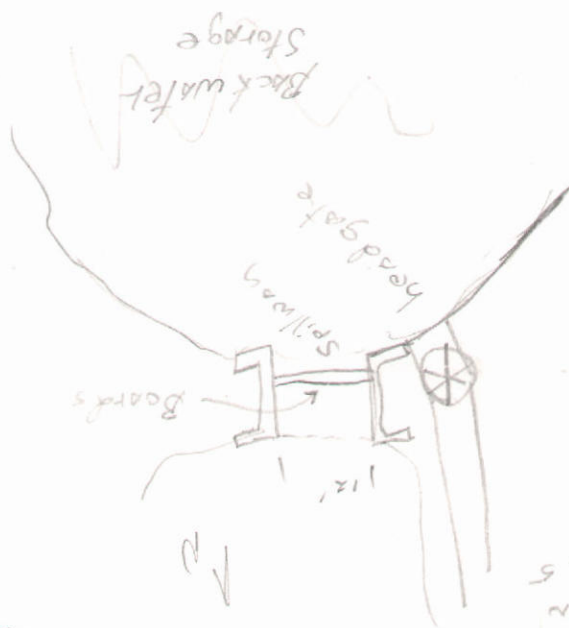


Diagram of System

Dam in
Sec 5



DE

App. 100 or Amendment

APR 22 1963

IT OF DIVERSION

RECEIVED
DEC 20 1961

Department of Reclamation

Permit No. 22489

Department of Reclamation

Comes now Bruneau Cattle Company and
represent s to the State Reclamation Engineer of the State of Idaho:

That he is (are) the owner and holder of Permit to Appropriate the Public
Waters of the State of Idaho, No. 22489.

That the point of diversion is described in said Permit as being located:

NW1SW1, Sec. 5, T7S-R5E.,

That he now requests that the point of diversion be changed to a point s
located: NW1SW1, Sec. 5, T7S-R5E., SW1SW1, Sec. 28, T6S-R5E., B.M., Idaho.

That the reason for desiring to make such change is as follows:

Both of these points are used in the completed irrigation system.

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

Signed at Boise, Idaho, this 20 day of December,
19 61.

Bruneau Cattle Company

By Harley M. McDowell, Agent.

Date of Receipt at Department of Reclamation April 22, 1963

APPROVAL OF STATE RECLAMATION ENGINEER
Ralph W. Thomas, Deputy

I, ~~James M. Thomas~~, 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. 22489. 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. Priority of water right from lower diversion
in SW1SW1, Sec. 28, shown above, shall be December 20, 1961

Recorded in Book 80 of
Permits, at Page 22489
April 23, 1963

Ralph W. Thomas
Deputy
State Reclamation Engineer

22489

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10 A.M. on the 3rd day of December, 1961, at Boise, County of Ada, State of Idaho, before Joan H. Bain, proof will be submitted of the application to beneficial use of 3.8 cubic feet per second of the waters of Jack Ck. in accordance with the terms and conditions of Permit No. 22489 heretofore issued by the Idaho Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Bruneau Cattle Co., Bruneau, Idaho.

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

The amount applied to beneficial use is 3.8.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) SW¼, Sec. 21; E½SE¼, Sec. 29; SE¼NE¼, NE¼SE¼, S½SE½, Sec. 32, T6S-R5E, B.M., Ida.

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

The right to take water from such works is based upon Permit No. 22489.

The source of supply from which such water is diverted is Jack Ck., NW¼SW¼, Sec. 5, T7S-R5E.

The date of priority which said user is prepared to establish is 11/28/51.

GEO. N. CARTER
State Reclamation
Engineer 10-26-4

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO

COUNTY OF OWYHEE

ss.

I, Everett A. Colley, 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 printer ~~or 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 FOR PUBLICATION

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):

October 26, 1961

November 2, 1961

November 9, 1961

November 16, 1961

(Signed)

Everett A. Colley

Subscribed and sworn to before me this 16th day of November, A. D., 1961

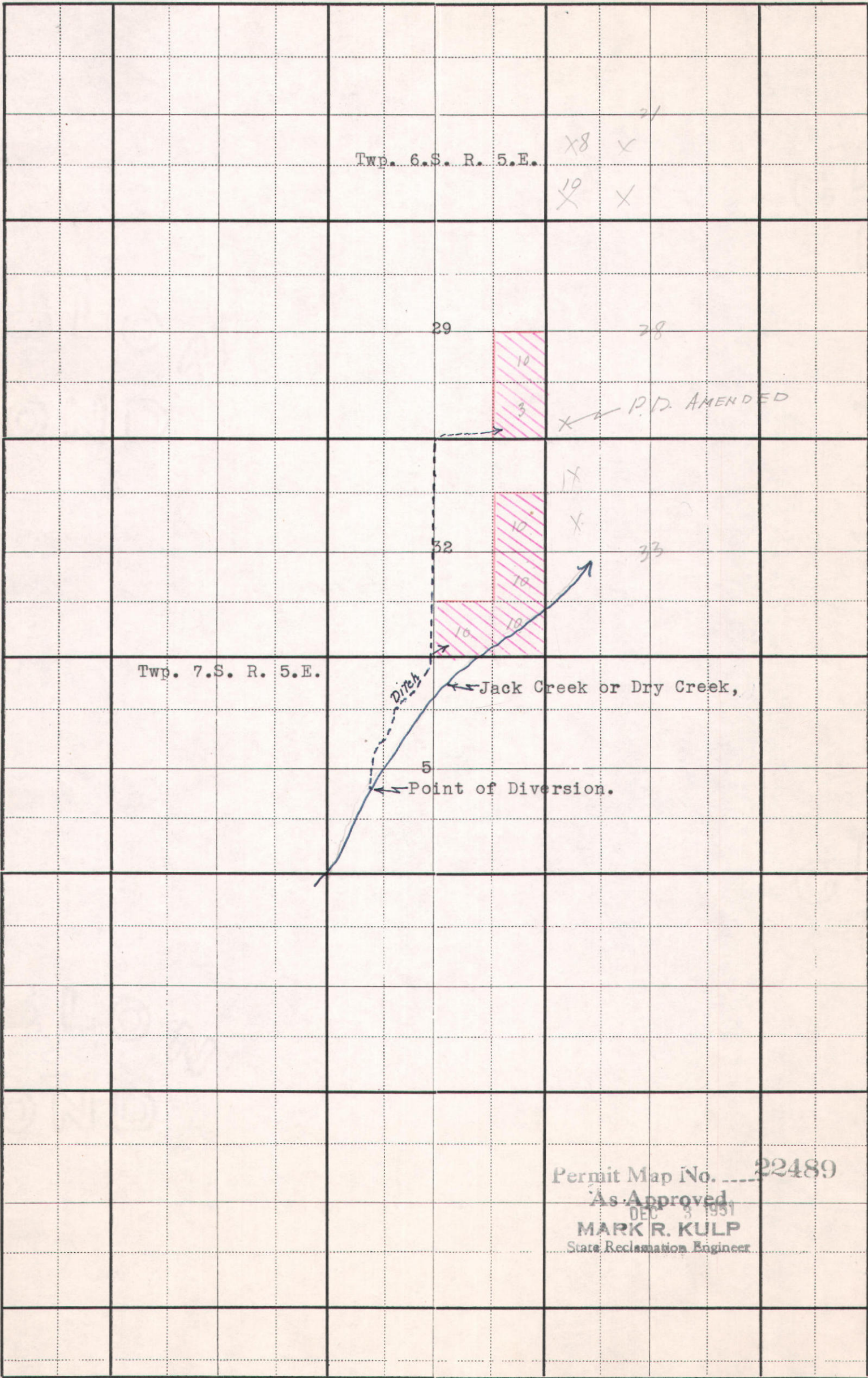
Deusi Echevarria

Notary Public in and for the State of Idaho.

residing at Homedale, Idaho.

My commission expires March 20, 1963

22489



Permit Map No. 22489
As Approved
DEC 3 1951
MARK R. KULP
State Reclamation Engineer

TRANSFER NO.	NAME	AMOUNT C.F.S.	BALANCE C.F.S.	RIGHT NO.
2161	Bruneau Cattle Company	3.8	0	51-2124

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R

PROOF OF PUBLICATION

STATE OF IDAHO

County of Owyhee

} s.s.

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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 15 day of Sept. 1977.

Jonas S. Hawes
NOTARY PUBLIC

My commission expires 9-10-80

(SEAL)

OK 7/21
9-20-77

Transfer No. _____

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPROVED ² ₂

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

Name of applicant Bruneau Cattle Company Phone 845-2762
Post office address c/o Eugene C. Davis, Bruneau, Idaho 83604

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
- a. Decree to _____ (Name)
in case of _____ vs _____
dated _____ in _____ county of _____
(Name of court)
- b. License No. 22489/51-2124 issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources
2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____
Applicant is original license holder.

3. Source of water Jack Creek (aka Little Valley Creek) tributary to Bruneau River
4. Date of priority 11/28/51

5. Water is used for the following purposes:
amount 3.8 cfs. for irrigation purposes from 3/15 to 11/15
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day – both dates inclusive)

6. Total amount of water under right: a. 3.8 cubic feet per second
b. 960 &/or acre feet per annum
7. Location of original point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 28
Township 6 S Range 5 E, B.M., in Owyhee County
Additional points of diversion, if any NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 5, Twp. 7 South -
Range 5 East, B.M., Owyhee County.

8. Lands irrigated or place of use:

TWP	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
6S	5E	21									17	14	37	29					97
		29													11			4	15
		32				10									38		19	13	80

Total number of acres to be irrigated 192

MICROFILMED

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

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

ENTIRE RIGHT REQUESTED CHANGED.

3. Place of use:

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

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

1. Change in point of diversion
- a. Amount of water to be diverted _____ c.f.s. &/or _____ acre feet
- b. Point(s) of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____

SEE ATTACHED SHEET.

- c. Description of diverting works _____
- d. Describe the reasons for applying for a change in the point(s) of diversion _____

2. Change in place of use

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

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
6S	5E	20				7									10		5	10	32
		21									8	5		5					18
		28					10	8											18
		29		10	3	40									15			5	73
		32				11										40			51

Total number of acres to be irrigated 192

ATTACHED SHEET

APPLICATION FOR TRANSFER OF WATER RIGHT
LICENSE NO. 22489/51-2124
BRUNEAU CATTLE COMPANY

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

1. Change in point of diversion

a. Amount of water to be diverted - 3.8 cfs. and/or 960 acre feet.

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

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

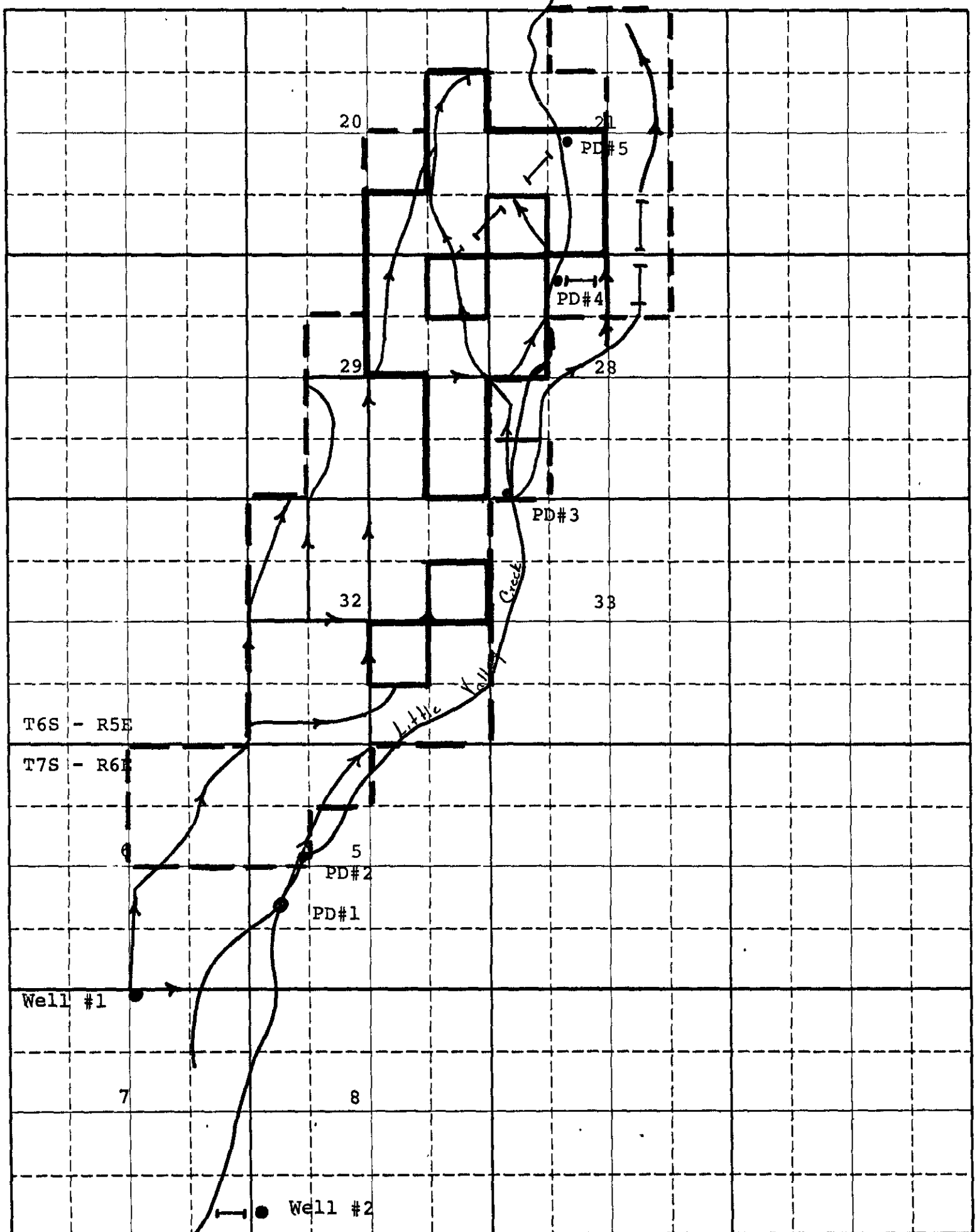
c. Description of diverting works:

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

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

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

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



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

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

Pipeline ————

Ditch —————→

Property Boundary ————

Handwritten signature or initials.

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

[illegible]

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

3. Remarks _____

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

BRUNEAU CATTLE COMPANY

by Eugene C Davis
Eugene C Davis, President

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

My commission expires 7/25/78

J. F. Thacker
(Notary public)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 51-2124,
and said application is hereby APPROVED.

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

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

Witness my hand this 15 day of November, 19 77

A. J. [Signature]

FOR DEPARTMENT USE ONLY

Received by _____ Date _____

Protest filed by _____

Prelim. check by R.W. H Fee 3000

Receipted by rf Date 8-29-77 # 8863

Published in Owyhee Tugget

Copies of protest forwarded by _____

Pub. dates Sept 8 + 15, 1977

Hearing held by _____ Date _____

Watermaster recommendation requested on _____

Recommended for approval denial

_____ rec'd. _____

by 158 35.

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 22489/51-2124 Priority Nov. 28, 1951 Amount 3.80 cfs

THIS IS TO CERTIFY, that BRUNEAU CATTLE COMPANY
of Bruneau, Idaho, has complied with the terms and conditions of Permit
No. 22489/51-2124 issued pursuant to Application for Permit dated November 28, 1951,
and has submitted proof to the Department of Water Administration on December 3, 1961,
that he has applied water to a beneficial use, an examination by the Department indicates that the
works have a capacity of 10.0 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from Jack Creek
tributary of the Bruneau River, is hereby confirmed in the following amounts:
Amount 3.80 cfs for Irrigation from March 15 to Nov. 15 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 3.80 cfs of water be diverted at
any one time, said waters to be diverted within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 28, Twp. 6 S,
Rge. 5 E, B.M. -and- NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 5, Twp. 7 S, Rge. 5 E, B.M.
in the county of Owyhee; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 960 acre feet per year or _____
5.0 acre feet per acre.

Description and location of place of use:

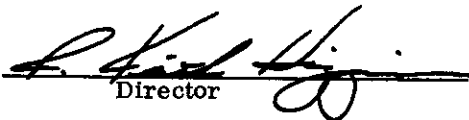
TWP	RANGE	SEC	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
6 S	5 E	21									17	14	37	29					97
		29													11			4	15
		32				10									38		19	13	80

Total number of acres irrigated 192

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands
or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 27 day of

August, 19 73.


Director

51 2124

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

5/- 2124

APPLICATION No. 30232
 PERMIT No. 22489
 DISTRICT No.

Bruneau Cattle Co.
Bruneau Idaho

1. Name of Applicant: PERLE DAVIS & SONS

Postoffice address: Bruneau

County: Owyhee

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 applicant are:

(a) Cash on hand:

(c) Bonds to be issued:

(b) Treasury stock:

(d) Other resources:

2. Quantity of water claimed: 3.8 cubic feet per second.

(See Dry Creek and Little Valley Creek)

3. Source of water supply: Jack Creek / which is a tributary of Bruneau River.

4. Location of point of diversion: feet distant from the

corner of Section , T. , R. , B. M., and is in the NW $\frac{1}{4}$ SW $\frac{1}{4}$

of Section 5 , T. 7 S. , R. 5 E. , B.M., County of Owyhee

5. Water is to be used for Irrigation and domestic purposes.

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section

T. , R. , B.M., in the of Section , T. , R. , B.M.

(b) Amount of power generated: H.P., under feet head.

(c) Water is to be returned to at a point feet

distant from the corner of Section , T. , R. , B.M., in the
of Section , T. , R. , B.M.

7. Estimated cost of works: \$ 500.00

8. Kind of works: Dam, headgate and ditch

9. Height of dam 4 feet; length of dam at top 30 feet; length of dam at bottom 30
feet; material used in dam: Rocks

10. Size of headgate: Width 18" tile feet; height feet.

11. Ditch: Width at bottom 2 feet; width at water line 4 feet; depth of water 1 feet;
dimensions of flume:Diameter of pipe inches; length of conduit 2 $\frac{1}{2}$ miles.

Average grade per mile 5.28 feet.

12. The time required for the completion of such work is Two (2) years.

13. The time required for the complete application of the water to the proposed use is Six (6) additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: State License No. 5783 for
1.0 c.f.s. on NE $\frac{1}{4}$ SE $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 32, Twp. 6 S., Rge. 5 E., B.M.

16. (a) Is reservoir to be used? If so, fill in (b) and (c) below:
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public water of the State of Idaho as herein set forth.

PERLE DAVIS & SONS

Applicant.

By

Donald L. Davis

Agent.

Date of first receipt at Department of Reclamation: 4:00 P. M. November 28, 1951

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 22489

Recorded in Book 80 Page 22489 Approved December 3, 1951

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

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

Work to begin on or before February 3, 1952 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before December 3, 1952

The whole of said work to be completed on or before December 3, 1953

Beneficial use of water appropriated in accordance herewith, to be made on or before December 3, 1959

WITNESS My hand this 3rd day of December, 1951

MARK R. KULP

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 3rd

day of **December** , 19 **51** .

STATE OF IDAHO

Countersigned:

By

LEN JORDAN

(SEAL)
By **IRA H. MASTERS**

Governor.

Secretary of State.

REMARKS:

14.

Twp.	Range	Sec.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				Totals
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
6 S.	5 E.	29 32													40 40 40 40 40				80 160
Total Number of Acres to be Irrigated - -																			240
APPROVAL OF STATE RECLAMATION ENGINEER																			
I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, hereby extend the time for the completion of Order Permit to appropriate the Public Waters of the State of Idaho, No. 22489 to December 3, 1955,																			
Witness my hand this 12th day of December, 1953.																			
MARK R. KULP State Reclamation Engineer																			

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, No. 22489.

Comes now Eugene Davis, and represents to the State Reclamation Engineer of the State of Idaho.

That he is one of the owners and holders of Permit to appropriate the Public Waters of the State of Idaho, No. 22489, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:
SW $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 21; E $\frac{1}{4}$ SE $\frac{1}{4}$ Section 29; SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{4}$ SE $\frac{1}{4}$ Section 32, Township 6 South, Range 5 East, B. M., making a total of 300 acres.

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

Signed at Boise, Idaho, this 13th day of December, 1955.

EUGENE DAVIS

Date of receipt at office of Department of Reclamation December 13, 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. 22489. 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

Permit No. 22489
CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that PERLE DAVIS & SONS of Bruneau, County of Owyhee, and State of Idaho, the holders of Permit No. 22489, issued upon Application No. 30232 bearing date of priority of November 28, 1951, authorizing the diversion of 3.8 second feet of the waters of Jack Creek, also known as Dry Creek and Little Valley Creek, a tributary of Bruneau River, County of Owyhee, State of Idaho, for irrigation and domestic purposes, have fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 3.8 second feet of the waters of said stream; that the point of diversion of said waters is in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 5, Township 7 South, Range 5 East, B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: SW $\frac{1}{4}$ Section 21; E $\frac{1}{4}$ SE $\frac{1}{4}$ Section 29; SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{4}$ SE $\frac{1}{4}$ Section 32, Twp. 6 South, Range 5 East, B.M.

Witness my hand this 14th day of December, A. D. 1955.

MARK R. KULP
State Reclamation Engineer

Proof of completion of works made December 13, 1955
Certificate of Completion of Works issued December 14, 1955

ASSIGNMENT ✓

✓ For value received, I hereby assign my right, title, and interest in and to Permit to appropriate the Public Waters of the State of Idaho, No. 22489 to Bruneau Cattle Company, Bruneau, Idaho.

Perle Davis & Sons
Permit Holder
/s/ By Eugene C. Davis

STATE OF IDAHO)
 : ss
County of Ada)

On this 18 day of October, 1961, before me, a Notary Public for the State of Idaho, residing at Boise, Idaho personally appeared Eugene C. Davis for Perle Davis & Sons known to me to be the person whose name is subscribed to the within instrument, and duly acknowledged to me that he executed the same.

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

/s/ Joan H. Bain
Notary Public Residing at Boise, Idaho

(SEAL)
My commission expires 6/20/65

Application for Amendment
POINT OF DIVERSION
Permit No. 22489

Comes now BRUNEAU CATTLE COMPANY 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. 22489

That the point of diversion is described in said Permit as being located: NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 5, T. 7 S., R. 5 E.,

That he now requests that the point of diversion be changed to a point located: NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 5, T. 7 S., R. 5 E SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 28, T. 6 S., R. 5 E., B. M., Idaho.

That the reason for desiring to make such change is as follows: Both of these points are used in the completed irrigation system.

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

Signed at Boise, Idaho, this 20 day of December, 1961.

s/ BRUNEAU CATTLE COMPANY
By:

Harley M. McDowell, Agent

Date of Receipt at Department of Reclamation: April 22, 1963

APPROVAL OF STATE RECLAMATION ENGINEER

I, RALPH W. THOMAS, Deputy 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. 22489. 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. Priority of water right from lower diversion in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 28, shown above, shall be December 20, 1961.

s/ RALPH W. THOMAS
Deputy State Reclamation Engineer

Recorded April 23, 1963.

LICENSE ISSUED FOR 3.80 SEC. FT.
LICENSE PAGE NO.

November 17, 1977

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

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

Dear Mr. Davis:

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

If you have any questions, please contact this office.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF/kaw
Enclosures

INTER-DEPARTMENT MEMO — 1

FROM Jim Johnson

DATE October 25, 1977

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

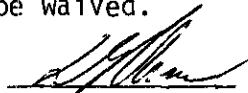
SUBJECT Conditions on Transfer of Water Right

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

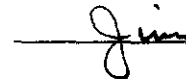
There is a possibility that over diversion may occur, however, installation of measuring devices without establishing a water district and appointing a watermaster does not insure proper water diversion.

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

APPROVED



DISAPPROVED

 _____
SIGNATURE

DEPARTMENT OF WATER RESOURCES

TRANSFER ANALYSIS SHEET

1. Source Job Creek Name Bruneau Cattle Co

2. Right Being Transferred Right No. 51-2124

a. ☐ Decree Transfer No. _____

☒ License

☐ Use

b. ☒ Priority

c. ☒ Location - Original P. D.

d. ☒ " - Original P. U.

e. ☒ " - New P.D.

f. ☒ " - New P.U.

g. ☒ Amount

☒ All

☐ Part

3. ☒ Proof of Ownership of Right

Comment Owner not present

4. ☒ Expansion of Right

Comment _____

5. ☒ Map

6. ☒ Signature

7. ☒ Fee

8. Watermaster's Comments N.A.

9. Comments _____

10. Initial Review by R.W.H. Date 8-26-77

11. Recommended Action

☒ Approve

☐ Deny

☐ Conditions meas devices req'd @ pts of div

By W.H.

Date 9-26-77



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS
Governor

(Office at the corner of
Franklin and Cole Roads)

C. STEPHEN ALLRED
Director

(208) 384-2190

September 8, 1977

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

Dear Mr. Thackaberry:

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

Sincerely,

RITA FLECK
Secretary

RF

Enclosure





DEPARTMENT OF WATER RESOURCES

WESTERN REGION

John V. Evans
Governor

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

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

Owyhee Nugget
Marsing
Idaho 83639

Gentlemen:

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

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

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

(Signature of Claimant)

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

Sincerely,

RITA FLECK
Secretary

Bill submitted
9-20-77
yf



NOTICE OF PROPOSED CHANGE OF WATER RIGHT

No. 51-2124

Notice is hereby given that BRUNEAU CATTLE COMPANY
of Bruneau, Idaho has applied to the Department of Water
Resources for a change of point of diversion and place of use
of the water of Jack Creek aka Little Valley Creek.
The right sought to be changed is evidenced by License 51-2124

_____ and is recorded as follows:

Amount: 3.8 cfs Priority: 11-28-51

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

The water is used for irrigation purposes upon 192 acres in the

SW $\frac{1}{4}$ Sec 21, E $\frac{1}{2}$ SE $\frac{1}{4}$ Sec 29, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ Sec 32 T6S-R5E B.M.

TO BE CHANGED AS FOLLOWS

Amount: 3.8 cfs

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

The water will be used for irrigation purposes upon 192 acres in the

SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ Sec 20, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 21, W $\frac{1}{2}$ NW $\frac{1}{4}$ Sec 28, NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$,

E $\frac{1}{2}$ SE $\frac{1}{4}$ Sec 29, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 32 T6S-R5E B.M.

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

C. STEPHEN ALLRED

Director

Published in the Owyhee Nugget, Marsing, ID

on September 8, 1977 and September 15, 1977

RECEIVED
SEP 15 1977
IDAHO DEPT. OF WATER RESOURCES

RECEIVED

AUG 22 1977

JOSEPH J. THACKABERRY
LAND MANAGEMENT CONSULTANT

(208) 345-0975

August 22, 1977

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

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

RECEIVED
AUG 23 1977

Dear Mr. Allred:

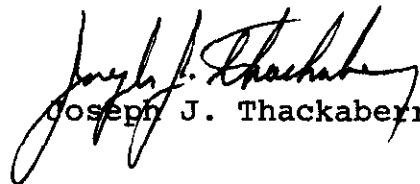
Enclosed herewith please find Applications for Transfer of Water Rights as follows:

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

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

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

Very truly yours,


Joseph J. Thackaberry

JJT/bm

Enclosure

CC: Bruneau Cattle Co.

RECEIVED
AUG 23 1977

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION



Cecil D. Andrus
Governor
R. Keith Higginson
Director

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

August 28, 1973

Re: Permits No. 29617/51-2164
22489/51-2124

Bruneau Cattle Company
c/o Mr. Eugene Davis
Bruneau, Idaho 83604

Dear Mr. Davis:

Enclosed herewith are copies of the Water Licenses issued on the above referenced permits.

Pursuant to our conversation of last week, I made an attempt to abstract the water rights in the name of Bruneau Cattle Co., Little Valley Ranch, Inc., or Agenbroads. In reviewing our records I find numerous permits in Agenbroads' name that have been cancelled or relenquished. However, if you could send me the legal descriptions of your property with locations of points of diversion for wells or surface water, perhaps I can determine the recorded water rights pertaining to the land now owned by Bruneau Cattle Company. Am enclosing several plat sheets which may be of use in mapping the acreage and sources involved.

Sincerely,

D. DARLENE REICH
Water Rights Supervisor

DDR/bjg

Enc: Copy of licenses (2)
Plat sheets (2)

51 2124

August 21, 1973

40 Eugene Davis
Bruneau Cattle Co.
Bruneau, Idaho 83604

Gentlemen:

A representative of this department has made an examination of the works covered by your Permit No. 22489/ and has found the following:

Quantity of water diverted: ⁵¹⁻²¹²⁴ 10.0 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 3.80 cfs

The maximum quantity of water diverted shall not exceed 960 acre feet per season.

Beneficial Use: Irrigation of 192 acres within the SW1/4
(97) Sec. 21; E1/2SE1/4 (15) Sec. 29; SE1/4NE1/4, NE1/4SE1/4,
S1/2SE1/4 (80) Sec. 32, Twp. 6 S, Rge. 5 E, B.M.

The priority date established is: November 28, 1951

A fee totaling \$ 20.00 must be received within 30 days from the date of this letter in order that we can issue you a Water License as set forth in this letter.

Very truly yours,

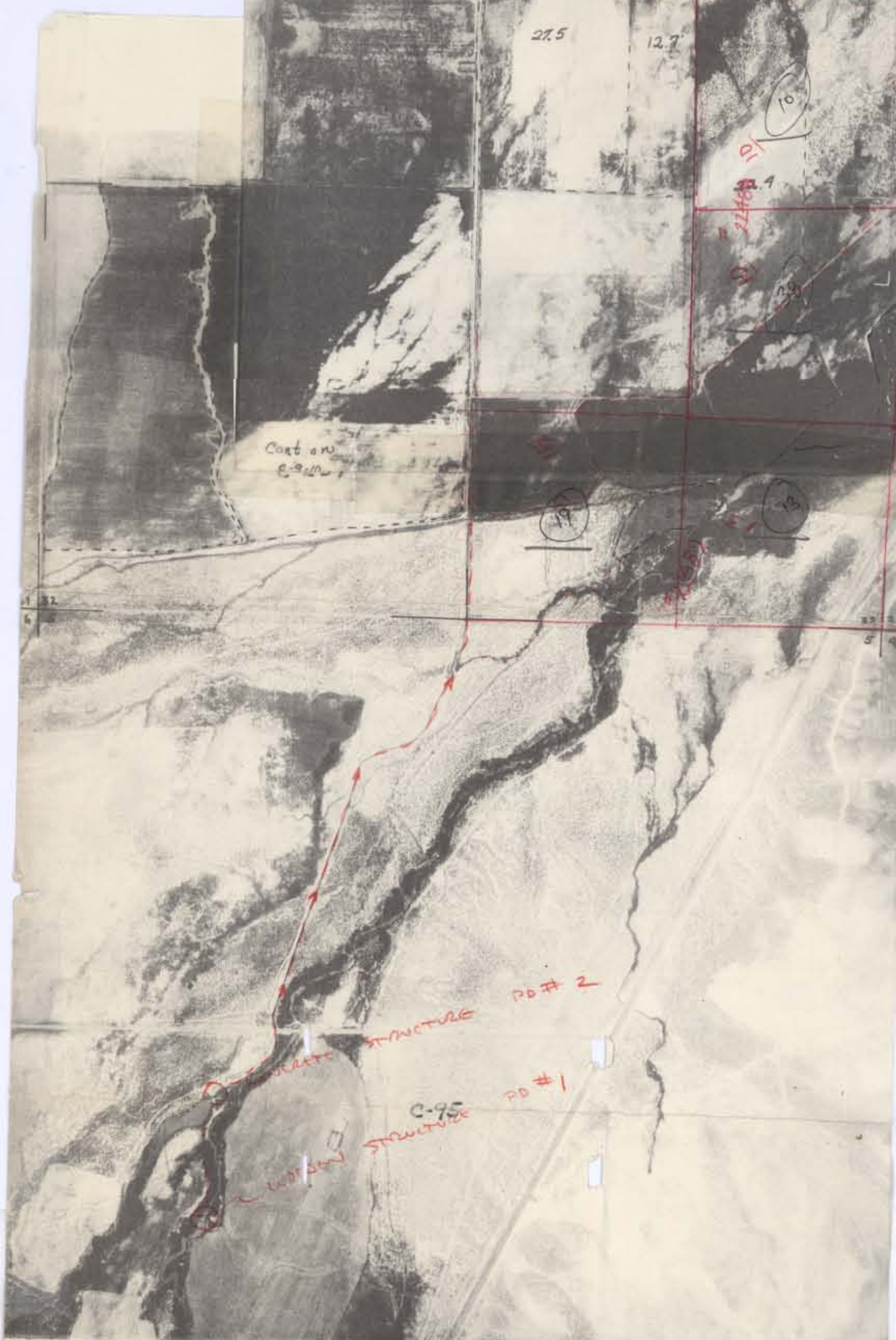
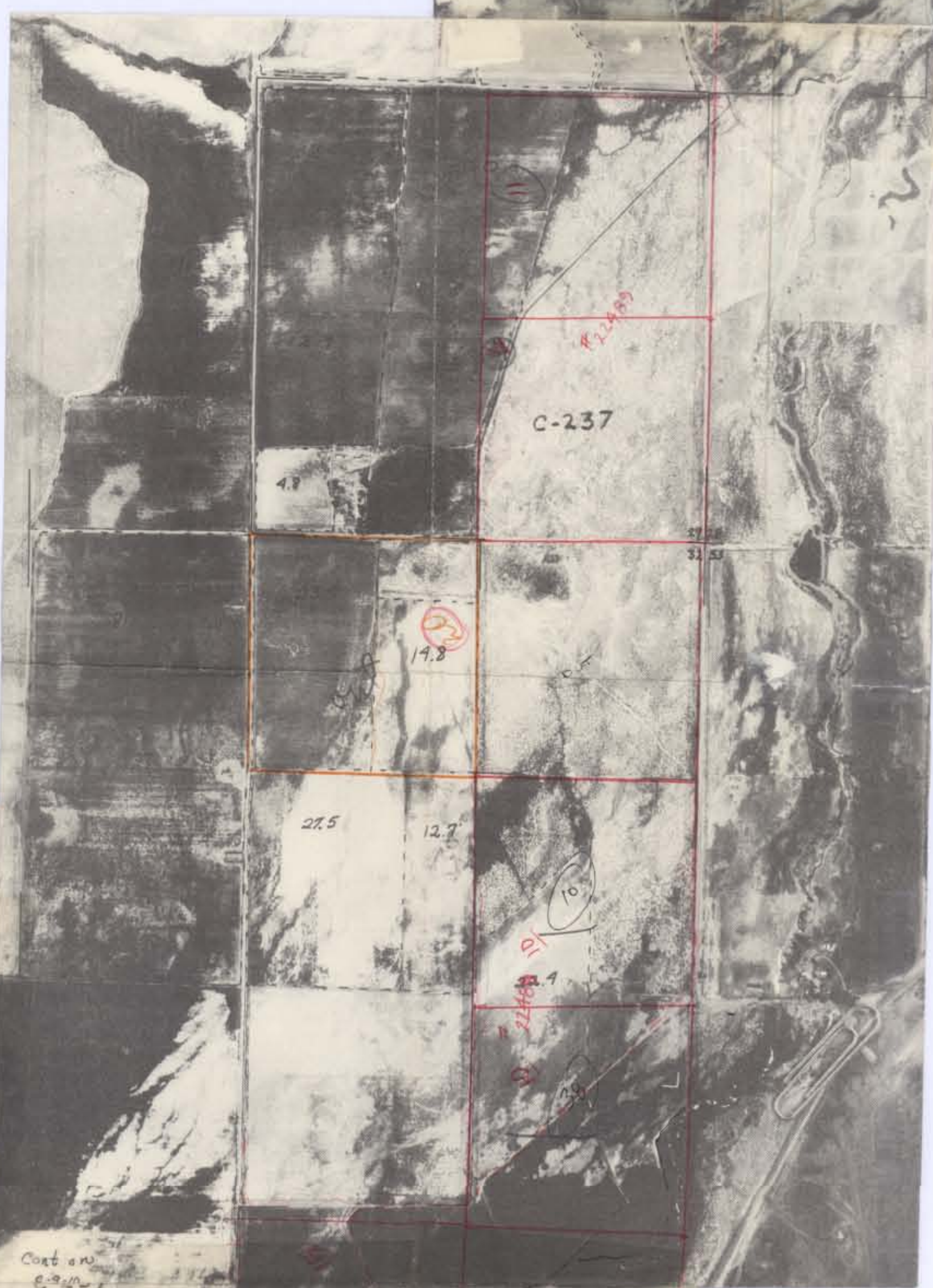
BOBBY D. FLEENOR
Assistant Director

BDF/bjg

Record # 11570

51 2124

G 29617



51-2124
22489

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

1 Name of permit holder Bruneau Cattle Company
Post office address Bruneau, Idaho Phone _____
Person to contact _____ Phone _____

2. Source of water supply: Groundwater ☐ Surface water ☒ Jack Creek
(name spring, stream, etc.)
Tributary to Bruneau River

3. Water will be used for the following purposes:

Amount 3.8 c.f.s. for Irrigation
_____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount 3.8 c.f.s. for Domestic Purposes
_____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
_____ AF/Annum (nature of use)

Period of Use from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

Permit No. 22489, 51-2124
Examination for B U

4. Total amount to be appropriated:

Max Rate of Diversion 3.8 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

✓ Township 7 S. N/S, Range 5 E. E/W, B.M., Section 5, Subdivision NW 1/4 SW 1/4 Owyhee
County
✓ Township 6 S. N/S, Range 5 E. E/W, B.M., Section 28, Subdivision SW 1/4 SW 1/4 Owyhee
County
Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 1/4 _____
County

Other Points of Diversions: _____

Works of diversion consist of concrete dams & pipes to run water in
Description of diverting works: through ditches. Dam in SW 1/4 SW 1/4, Sec. 28, 60' long, 12' top, 30'
bottom, 6' high, 16' wide concrete spillway, 18" concrete tile pipe; Dam in NW 1/4 SW 1/4, Sec. 5,
12' concrete spillway, 3' high, 18" concrete tile outlet. Diversion is by private ditches.
Ditch from NW 1/4 SW 1/4, Sec. 5 will carry 500" and ditch from SW 1/4 SW 1/4, Sec. 28 will carry 400".

Measuring device required: yes ☐ no ☒

6 Lands to be irrigated or place of use.

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6 S.	5 E.	32				XX									XX		XX	XX	
		29													XX			XX	
		21									XX	XX	XX	XX					

51 2124

TOTAL ACREAGE 300

R. 5 E.

51 2124

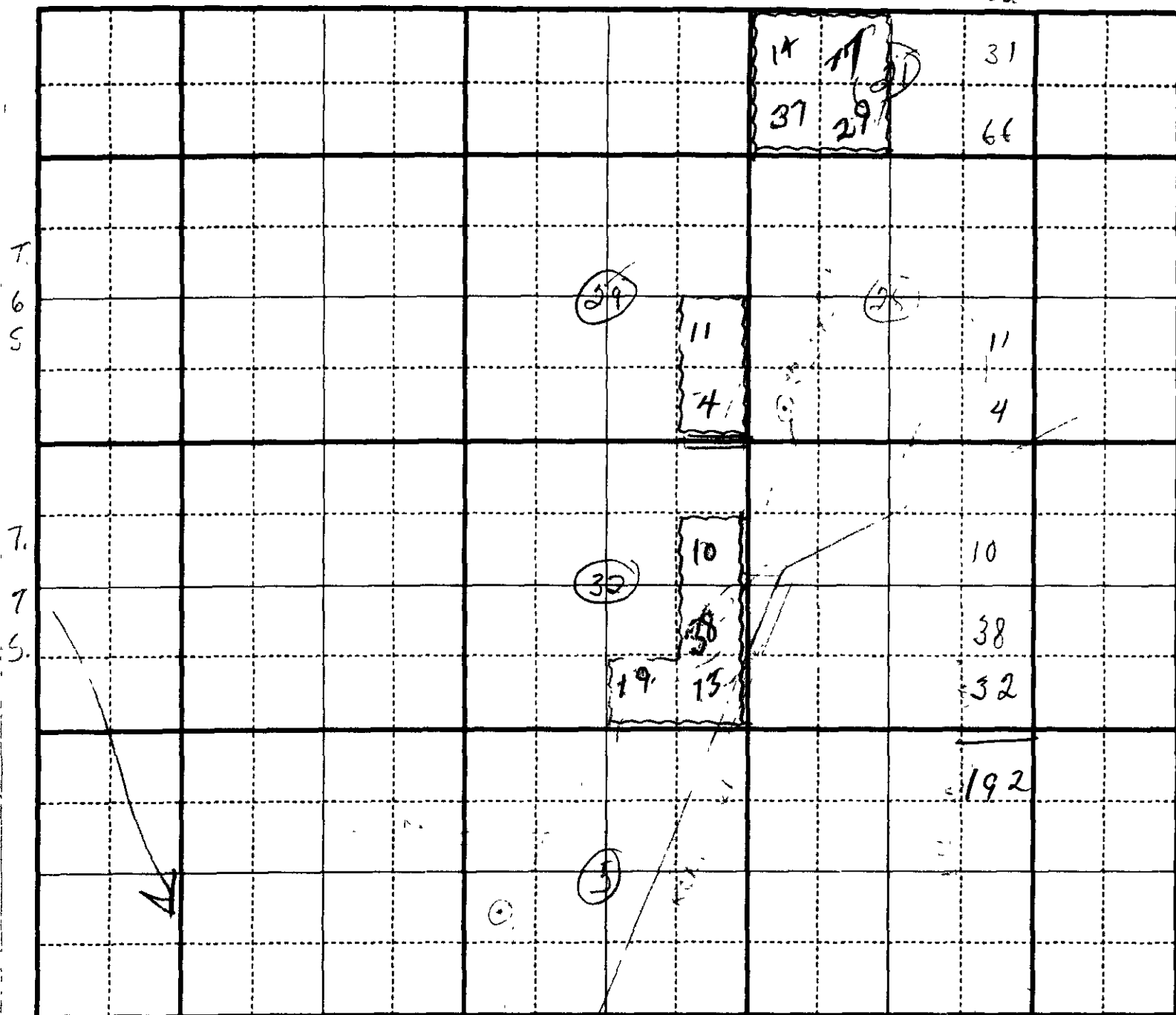
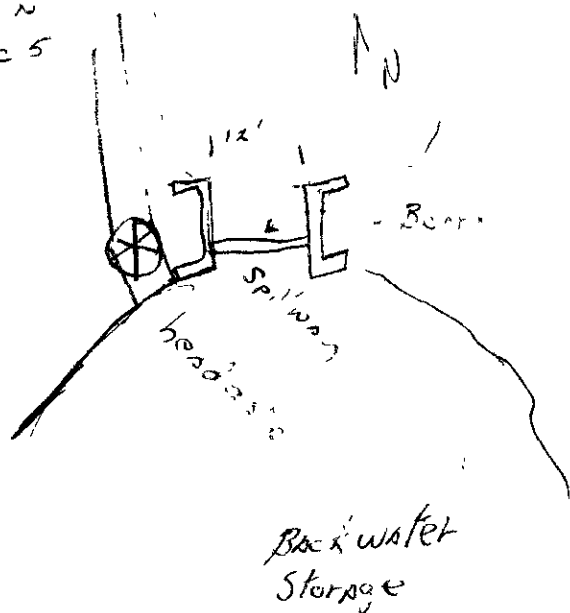


Diagram of System

Dam N
Sec 5



Jim & BRENT

Date JUNE 2, 1971 DISCHARGE MEASUREMENT NOTES

JACK'S CREEK River at BRUNEAU CATTLE CO. DIV.

[illegible]

No. _____ of _____ Sheets. Comp. by B.C. Chk. by _____

~~51-2124~~

$$\begin{array}{r} 0220 \\ 088 \\ 44 \\ \hline 966 \end{array}$$

$$\begin{array}{r} 1805 \\ 55 \\ \hline 1860 \\ 500 \\ \hline 2360 \end{array}$$

$$\begin{array}{r} 966 \\ 4480 \\ \hline 5448 \end{array}$$

$$\begin{array}{r} 754 \\ 8 \\ \hline 6032 \end{array}$$

$$\begin{array}{r} 1705 \\ 40 \\ \hline 128200 \end{array}$$

$$\begin{array}{r} 1703 \\ 17 \\ \hline 15551 \end{array}$$

$$\begin{array}{r} 781 \\ 8 \\ \hline 6248 \end{array}$$

$$\begin{array}{r} 87 \\ 15 \\ \hline 1305 \end{array}$$

$$\begin{array}{r} 4350 \\ 15 \\ \hline 65250 \end{array}$$

$$\begin{array}{r} 620 \\ 75 \\ \hline 46500 \\ 34000 \\ \hline 80500 \\ 46400 \\ \hline 126900 \end{array}$$

$$\begin{array}{r} 591 \\ 15 \\ \hline 2955 \\ 5319 \\ \hline 56145 \end{array}$$

$$\begin{array}{r} 20 \\ 21 \\ \hline 41 \end{array}$$

51 212

$$\begin{array}{r} 19 \\ 20 \\ \hline 39 \end{array}$$

1-63

Date 2 June, 1971 **DISCHARGE MEASUREMENT NOTES**

Jack Creek (Ditch) River at Brunson Calt. Co. Diversion

[illegible]

No. _____ of _____ Sheets. Comp. by 16B Phk. by B.C.

~~51-2124~~

DATE OF EXAM July 15-71

ACREAGE
Found 192
Recommended 192

Irrigation Requirement 4.5 Ac Ft/Ac

USE
Irrigation Q = 3.84 c.f.s. V = 864 AF/Ann. from Mar. 15 to Nov. 15
Domestic Q = .02 c.f.s. V = 14.6 AF/Ann. from Jan to Dec 31
Livestock Q = .02 c.f.s. V = 14.6 AF/Ann. from 1 Jan to 31 Dec

Is water co-mingled? yes no ☒

1 Name source: Jacks Creek
2 twp. 7 N/S Rge 5E E/W, B.M., Sec. 5, Sub. NW 1/4 SW 1/4 Whyee
6S SE 28 SW SW County
Exchange? yes no ☒

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of injection.
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of exchange:
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Total Q measured 10 Method of measurement Pugm

Total Q recommended 3.86 Meter No. _____ Type _____ Condition _____

Total V recommended 864 AF/ANN

Recommended Amendments:

P.D. 5.43
Place of Use 456
Other 999 CFS
None

MEASUREMENT CALCULATION:

Attached
No Domestic uses from this source
ON this permit

SYSTEM DESCRIPTION:

DIAGRAM Q_{Total} = 10 CFS
Q = (.02)(192 Acres) = 3.84 CFS
V = (4.5)(192) = 864 Ac Ft/ANN

REMARKS:

runs around 200 cattle on 75 SE SEC. 8
IN WINTER for grazing and watering - just runs
MAINLINE INTO WATERING TANK

Examiner's Signature Rev L. Chapman Date July 15-71

Checked by _____ Date _____

Approved by Reexam 15 Aug 72 from Becker Date _____

April 23, 1963

Re: Permit 22489
Bruneau Cattle Co.

Harley M. McDowell
P. O. Box 2161
Boise, Idaho

Dear Mr. McDowell:

Enclosed is an Application for Amendment to the point of diversion to the above numbered permit, which has been recorded in this office.

Also enclosed is departmental receipt No. 31526 in the amount of \$1.00 covering fee.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

BPR:ew

Enc. amendment
receipt

22489

December 20, 1961

Re: Permit No. 22489
Bruneau Cattle Co.

Harley M. McDowell
Box 2161
Boise, Idaho

Dear Mr. McDowell:

Enclosed is application for amendment to the point of diversion with attached \$1.00 bill.

The application has been approved with a special condition under "Approval". If that condition is not acceptable, kindly prepare another form and the condition "The amount of water diverted from the lower diversion shall not exceed the amount of water flowing downstream past the upper diversion," will be included under approval.

Kindly return the form desired for approval and recording on the permit record.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. application with
attached \$1.00 bill

22489

IDAHO LAND & APPRAISAL SERVICE
P. O. Box 2161 BOISE, IDAHO

RECEIVED
DEC 20 1961

Department of Reclamation

Application or Amendment

PERMIT OF DIVERSION

Permit No. 22489

Department of Reclamation

Comes now Bruneau Cattle Company and
represent s to the State Reclamation Engineer of the State of Idaho:

That he is (are) the owner and holder of Permit to appropriate the Public
Waters of the State of Idaho, No. 22489.

That the point of diversion is described in said Permit as being located:

NW1/4 SW1/4, Sec. 5, T7S-R5E.,

That he now requests that the point of diversion be changed to a point s
located: NW1/4 SW1/4, Sec. 5, T7S-R5E., SW1/4 SW1/4, Sec. 28, T6S-R5E., B.M., Idaho.

That the reason for desiring to make such change is as follows:

Both of these points are used in the completed irrigation system.

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

Signed at Boise, Idaho, this 20 day of December,
1961.

Bruneau Cattle Company

By Harley M. McDowell, Agent

Date of Receipt at Department of Reclamation April 22, 1963

APPROVAL OF STATE RECLAMATION ENGINEER
Ralph W. Thomas, Deputy

I, ~~James M. Carter~~, 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. 22489. 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. Priority of water right from lower diversion
in SW1/4 SW1/4, Sec. 28, shown above, shall be December 20, 1961

Recorded in Book 80 of
Permits, at Page 22489
April 23, 1963

Ralph W. Thomas
Deputy
State Reclamation Engineer

22489

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10 A.M. on the 3rd day of December, 1961, at Boise, County of Ada, State of Idaho, before Joan H. Bain, proof will be submitted of the application to beneficial use of 3.8 cubic feet per second of the waters of Jack Ck. in accordance with the terms and conditions of Permit No. 22489 heretofore issued by the Idaho Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Bruneau Cattle Co., Bruneau, Idaho.

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

The amount applied to beneficial use is 3.8.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) SW $\frac{1}{4}$, Sec. 21; E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 29; SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 32, T6S-R5E, B.M., Ida.

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

The right to take water from such works is based upon Permit No. 22489.

The source of supply from which such water is diverted is Jack Ck., NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 6, T7S-R5E.

The date of priority which said user is prepared to establish is 11/28/51.

GEO. N. CARTER
State Reclamation
Engineer 10-26-4

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO

COUNTY OF OWYHEE

)
) ss.

I, Everett A. Colley, 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 ~~printer~~ ~~or copublisher~~ 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 FOR PUBLICATION

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):

October 26, 1961

November 2, 1961

November 9, 1961

November 16, 1961

(Signed)

Everett A. Colley

Subscribed and sworn to before me this 16th day of November, A. D., 1961

James E. Chevanis
Notary Public in and for the State of Idaho.

residing at Homedale, Idaho.

My commission expires March 22, 1963

22489

RECEIVED

DEC 20 1961

part of Reclamation

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

Permit No. 22489

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Bruneau Cattle Company, by Eugene C. Davis; Bruneau, Idaho; occupation, Manager, Bruneau Cattle Company; Bruneau, 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. None.

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

Ans. Permit #22489; date of permit, 12/3/51; date of priority, 11/28/51.

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

Ans. Jack Ck. (sometimes known as Little Valley Ck.) Point of diversion, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 28, T6S-R5E; NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 5, T7S-R5E.

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 of diversion consist of concrete dams & pipes to run water in through ditches. Dam in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 28, 60' long, 12' top, 30' bottom, 6' high, 16' wide concrete spillway, 18" concrete tile pipe; Dam in NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 5, 12' concrete spillway, 3' high, 18" concrete tile outlet. Diversion is by private ditches. Ditch from NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 5 will carry 500" and ditch from SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 28 will carry 400".

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 used for irrigation of the following land all in T6S-R5E: Sec. 32, SW $\frac{1}{4}$ SE $\frac{1}{4}$, 10 acres; SE $\frac{1}{4}$ SE $\frac{1}{4}$, 10 acres; NE $\frac{1}{4}$ SE $\frac{1}{4}$, 10 acres; SE $\frac{1}{4}$ NE $\frac{1}{4}$, 10 acres; Section 29, NE $\frac{1}{4}$ SE $\frac{1}{4}$, 10 acres; SE $\frac{1}{4}$ SE $\frac{1}{4}$, 3 acres; Section 21, SW $\frac{1}{4}$ SW $\frac{1}{4}$, 10 acres; NW $\frac{1}{4}$ SW $\frac{1}{4}$, 8 acres. I have spent about \$15,000 on this development.

Ques. 6-a If this is a ground water permit, give name and address of person that drilled the well.

Ans. None.

Exam typed 3-31-71 (CR)

22489

Ques. 7. If for other than 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?
If I had constant delivery, I could get by with 1" / acre but I have supplemental well water
~~Ans. for some of this; therefore I need all water filed on here and in all of my permits to~~
depend on full irrigation. This doesn't really give me 1" / acre during the full time.

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. Assigned from Perle Davis & Sons.

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

Ans. Development was started right after the permit was issued and has been continuous ever since.

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. Licensed filings as follows: 1910, 45"; 1911, 120"; 1913, 80" and a new well permit which has not been fully developed and would be for supplemental water.

(Sign)

Eugene C. Davis

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 3rd day of December, A. D. 1961,

Jean H. Bann
Notary Public for the State of Idaho

My commission expires 6/20/65

22489

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Department of Reclamation

PERMIT NO. 22489

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. Grant Strickland; age, 49; residence, Bruneau, Idaho; occupation, farmer;
postoffice address, Bruneau, Idaho.

Ques. 2. Are you acquainted with Eugene C. Davis (Bruneau Cattle Co.) the holder of Permit No. 22489? How long have you known him and where does he reside?

Ans. I have known Mr. Davis for 12 years and know that he resides in Bruneau, Idaho.

Ques. 3. Have you read or heard read said Permit No. 22489, 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. Water comes from Jack Dk. the point of diversion is SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 28, T6S-R5E and NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 5, T7S-R5E. The works consist of concrete dams at the points of diversion and pipes to distribute the water, to the place of use.

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. 500".

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. The water is used for irrigation. The land is all cultivated and the improvements were all made as a direct result of said use. The following land is irrigated:
T6S-R5E, Sec. 32, SW $\frac{1}{4}$ SE $\frac{1}{4}$, 10 acres; NE $\frac{1}{4}$ SE $\frac{1}{4}$, 10 acres; SE $\frac{1}{4}$ SE $\frac{1}{4}$, 10 acres; SE $\frac{1}{4}$ NE $\frac{1}{4}$, 10 acres;
Sec. 29, SE $\frac{1}{4}$ SE $\frac{1}{4}$, 3 acres; NE $\frac{1}{4}$ SE $\frac{1}{4}$, 10 acres; Section 21, NW $\frac{1}{4}$ SW $\frac{1}{4}$, 8 acres; SW $\frac{1}{4}$ SW $\frac{1}{4}$, 10 acres.

22489

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. The character of the land is part loam and part sand. He needs all this water and could use more.

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

Ans. No.

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

Ans. I have seen the development of this land ever since it was started in 1951.

(Signed) Grant 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 3rd day of December, A. D. 1961.

Joan H. Bain

Notary Public.

My commission expires 6/20/65.

22489

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

JUL 11 1939

PERMIT NO. 22489

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 Milford J. Vaught; age, 65; residence, Bruneau, Idaho;
occupation, rancher; postoffice address, Bruneau, Idaho.

Ques. 2. Are you acquainted with Eugene C. Davis (Bruneau Cattle Co.), the holder of Permit No. 22489? How long have you known him and where does he reside?

Ans. I have known him 12 years. He resides at Bruneau, Idaho.

Ques. 3. Have you read or heard read said Permit No. 22489, 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. This water comes from Jack Ck. There are two points of diversion: one in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec.28, T6S-R5E and one in NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec.5, T7S-R5E. The works consist of concrete and earth dams and pipes to carry the water.

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. 500".

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. The purpose of this water is for irrigation. The subdivisions irrigated are: Section 21, NW $\frac{1}{4}$ SW $\frac{1}{4}$, 8 acres; SW $\frac{1}{4}$ SW $\frac{1}{4}$, 10 acres; Section 20, SE $\frac{1}{4}$ SE $\frac{1}{4}$, 3 acres; NE $\frac{1}{4}$ SE $\frac{1}{4}$, 10 acres; Section 32, SW $\frac{1}{4}$ SE $\frac{1}{4}$, 10 acres; NE $\frac{1}{4}$ SE $\frac{1}{4}$, 10 acres; SE $\frac{1}{4}$ SE $\frac{1}{4}$, 10 acres; SE $\frac{1}{4}$ NE $\frac{1}{4}$, 10 acres, all in T6S-R5E., B.M., Idaho.

22489

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

Ans. This is for 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. The soil is a loam in character. I believe he needs at least as much water as he now has for profitable irrigation.

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

Ans. No.

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

Ans. Over a period of time, I have observed the farming operation of the Bruneau Cattle Co. including the irrigation of these lands.

(Signed)

Millard P. Taught

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 3rd day of December, A. D. 19 61.

Joan H. Bain

Notary Public.

My commission expires 6/20/65.

22489

October 20, 1961

RE: Permit No. 22489
Bruneau Cattle Company

Harley M. McDowell
Idaho Land & Appraisal Service
Box 2161
Boise, Idaho

Dear Mr. McDowell:

Enclosed is assignment of Permit No. 22489 from Perle Davis & Sons to Bruneau Cattle Company.

Also enclosed is departmental receipt No. 30812 for the \$.50 fee for recording the assignment.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

Enc. assignment
receipt

22489

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

October 20, 1961

Re: Permit No. 22489
Brunson Cattle Co.

Mr. Harley M. McDowell,
Idaho Land & Appraisal Service,
Box 2161,
Boise, Idaho.

Dear Mr. McLaughlin:

This acknowledges the Notice of Proof of ~~Completion of Works and~~ Application of Water to Beneficial Use under Permit No. 22489, in the name of Brunson Cattle Company. Final Proof is to be made before you, as Notary on the 4th day of December, 1961, ~~at 10:00~~ at 10:00 o'clock A.M., at Boise, Idaho.

As of this date we have mailed the Notice to the Owyhee Nugget, Homedale with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof and then mail the Affidavit of Publication and statement of costs to you.

It is important that the enclosed depositions be executed by the permit holder and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the time, on the date and before you, as Notary, as stated in the publication notice. It is very important and necessary that each question be answered in detail.

In returning the depositions to this office, be sure that all copies have been signed, that your Notary's seal has been placed on each and that all depositions, (Holder and two witnesses) are being returned. Also be sure to enclose the Affidavit of Publication.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. ^{Rule} ~~Robbidge~~
Chief Clerk

Encl.
EPR:Pk
cc: Applicant

22489

1200
6-28-61

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. 22489
Bruneau Cattle Co.,

Date: Oct. 20, 1961

Owyhee Nugget,
Homedale, Idaho

Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to **December 4, 1961** the date set for proof;

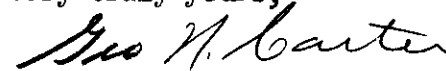
the expense of the publication is to be paid by the ~~applicant~~

Idaho Land and Appraisal Service of **Box 2161, Boise, 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 or tear sheet of the first publication.**

Very truly yours,



GEO. N. CARTER
State Reclamation Engineer

** If the first copy is not received in this office for checking purposes and errors appear in subsequent issues, it is possible that re-publication of corrected copy will be at your own expense.

Encl.

22489

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) October 18, 1961
(P. O.) Bruneau, 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

Bruneau Cattle Co.
Laurel C. Davis

IDAHO LAND & APPRAISAL SERVICE WILL GUARANTEE PAYMENT OF THIS PUBLICATION. PLEASE SEND STATEMENT OF CHARGES AND AFFIDAVIT OF PUBLICATION TO US AT PO BOX 2161, BOISE, IDAHO.

(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.

22489

OCT 19 1961

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

Department of Reclamation

Notice is hereby given that at 10 A. M. on the 3rd day of December, 1961
 at Reise, County of Ada, State of Idaho, before
Joan H. Bain, proof will be submitted of the
 application to beneficial use of 3.8 cubic feet per second of the waters of Jack Cr.
 in accordance with the terms and conditions of Permit No. 22489
 heretofore issued by the Idaho Department of Reclamation of the State of Idaho.

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

Bruneau Cattle Co., Bruneau, Idaho.

The use to which said water has been applied is irrigation, fruit & veg.

The amount applied to beneficial use is 3.8

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

SW 1/4, Sec. 21; E 1/4, Sec. 29; SE 1/4, NW 1/4, S 1/4, Sec. 32, T4S-R5E, B.M., Ida.

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

private.

The right to take water from such works is based upon Permit No. 22489

The source of supply from which such water is diverted is Jack Cr., NW 1/4, Sec. 5, T7S-R5E.

The date of priority which said user is prepared to establish is 11/28/51

Geo. H. Carter

State Reclamation Engineer.

52489

[Signature]

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Re: Permit No. 22489

Date: Oct. 2, 1961

Perle Davis & Sons
Brunau, Idaho

Dear SIRS:

The date for proof of application of water to beneficial use, as set out under the terms of Permit No. 22489 is due not later than December 3, 1961. If by this date you are not prepared to make this proof, you may make it at a later date, however, your priority will be advanced the same length of time for which the proof is late.

Before this proof can be made, the statutory requirement is that a notice of your intention of proof be published once a week for four consecutive weeks in a newspaper within the county.

We enclose Form 10, in duplicate, which is to be filled in and returned to this department at least forty (40) days before the above mentioned date and/or before the time you intend to make proof. This form, in duplicate, is to include the time of day, the date, the name of the town, the address of the Notary Public before whom you will appear to make the depositions of proof (this may be at any place that is convenient for you and your two witnesses), the quantity of water, for what purpose it is used, the point or points of diversion and the location of use or lands which are irrigated - by legal land description. Descriptions should be taken from your Permit, including any amendments thereto, as recorded in this department. If changes have been made and no amendments are on record, we advise that you request a form for this purpose before your notice is published.

Also enclosed is Form 11, which is the authorization for us to have the notice published in the designated county newspaper, at your expense. This is to be returned with Forms 10.

At the time we send the notice to the newspaper we will send to you the forms for the depositions of holder and two disinterested witnesses. It is important that the depositions be executed at the time, on the date set and at the place named, before the Notary Public, as advertised in the publication notice.

The amount of water allowed in a license cannot be more than is actually produced and measured and put to beneficial use, and cannot be more than the statutory amount allowable per acre of land actually found by field inspection to have been irrigated at the time of proof.

Very truly yours,

GEO. N. CARTER

GEO. N. CARTER
State Reclamation Engineer

Enc. 10 - 11

22489

December 14, 1955

RE: Permit No. 22489

Mr. Eugene Davis
Brunson
Idaho

Dear Mr. Davis:

We return the application for amendment to the land list in Permit No. 22489 of Perle Davis and Sons which has been approved by the State Reclamation Engineer and recorded in this department.

We also enclose Certificate of Completion of Works issued on this Permit for the diversion of 3.8 second feet of water from Jack Creek with point of diversion in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 5, Township 7 South, Range 5 East, B.M. for irrigation and domestic use on the SW $\frac{1}{4}$ Section 21; E $\frac{1}{2}$ SE $\frac{1}{4}$ Section 29; SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 32, Township 6 South, Range 5 East, B.M.

We also enclose departmental receipt No. 27741 for the \$5.00 completion of works fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hl1
Enc.

22489

Permit No. 22489STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Owyhee

ss.

Perle Davis & Sons, being first duly sworn, upon his oath deposes and says:First: That he is the holder and owner of Permit to Appropriate the Public Waters of the State of Idaho, No. 22489, and that his postoffice address is Bruneau State of IdahoSecond: That the name of the stream from which said water is to be diverted is Jack Creek or Little Valley CreekThird: That the point of diversion of said water is NW 1/4 SW 1/4 Sec. 5 Twp. 7 S. R. 5 E.Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by December 3, 1955Fifth: That the use for which said water is intended is irrigationSixth: That on the date above mentioned, the works constructed under said permit were (~~or were not~~) fully completed and consisted of the following:I. Kind of works: Dam
(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work:

(a) Height of dam 3 feet, length of dam at top 28 feet, length of dam at bottom 17 feet. Material used in construction Rock and brush

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir 1 acre feet.(c) Size of headgate: Width 18" Tile feet, height — feet.(d) Conduit ditch width at bottom 1 1/2 feet, width at water line 3
(State whether ditch, flume or pipe)feet, depth of water 2 feet; diameter of pipe — inches, average grade per mile is 5.28 feet. Length of conduit is 2 miles.Seventh: That said works are capable of conducting to the place of intended use 3.8 second feet of water.Eighth: That water appropriated under said permit is available for 300 acres of land described as follows: SE 1/4 NE 1/4 and SE 1/4 SE 1/4 Sec. 29 Twp. 6 S. R. 5 E; Also SE 1/4 NE 1/4 and NE 1/4 SE 1/4 and S 1/2 SE 1/4 Sec. 32 Twp. 6 S. R. 5 E also SW 1/4 SW 1/4 and N 1/2 SW 1/4 and SE 1/4 SW 1/4 Sec. 21 Twp. 6 S. R. 5 E

Ninth: Remarks: That

Perle Davis & Sons
(Sign Here)
Eugene C. DavisSubscribed and sworn to before me this 13th day of December, 19 55My commission expires 3-25-1957Will Edison
Notary Public.22489

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

October 1, 1955

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Mr. Perle Davis & Sons
Bruneau
Idaho

Boise, Idaho

Dear Sir:-

Under the terms of your permit No. 22489 you are required to complete your diversion works on or before December 3, 1955. 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

22489

✓
December 14, 1953

Re: Permit No. 22489

Perle Davis & Sons
Bruneau
Idaho

ATT: Mr. Eugene C. Davis

Dear Mr. Davis:

We enclose approval of the State Reclamation Engineer of your Application for Extension of Time for Completion of Works on Permit No. 22489, to December 3, 1955.

This should be attached to the original permit of which it now forms a part.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/re
Enc.

22489

Permit No. 22489

Application for Extension of Time

FOR COMPLETION OF WORKS

Perle Davis & Sons

~~Donald L. Davis~~

, of Bryce

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. 22489

Under the terms and conditions of said permit, construction work thereunder was required to be completed by December 3, 1953

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

Completed preliminary work consisting
of rock dam and enlarging ditch from
dam to place of intended use

costing \$ 100.00

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

We wish to make our completed dam
of concrete & install a larger headgate.
This work can be more easily done during "low
water season"

WHEREFORE, He asks that the Commissioner of Reclamation extend the time for the completion of construction work under said permit, to December 3, 1955

Perle Davis & Sons
by Eugene C. Davis
Subscribed and sworn to before me this 10th day of December, 1953

My commission expires November 3, 1954

E. E. [Signature]
Notary Public.

Date of receipt at Department of Reclamation. Dec. 11-1953

STATE RECLAMATION ENGINEER

APPROVAL OF State Reclamation Engineer

I, Mark R. Kulp, State Reclamation Engineer 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. 22489, to December 3, 1955

Witness my hand this 12th day of December, 1953

Mark R. Kulp
State Reclamation Engineer
By.. 22489

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

October 1, 1953

INSTRUCTIONS

Perle Davis & Sons
Bruneau
Idaho

PROOF OF COMPLETION OF WORKS

Boise, Idaho

Dear Sir:-

Under the terms of your permit No. 22489 you are required to complete your diversion works on or before December 3, 1953. 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

22489

December 11, 1951

RE: Permit No. 22489

Mr. Donald L. Davis
Bruneau
Idaho

Dear Mr. Davis:

We enclose Permit No. 22489 in the name of Perle Davis & Sons and direct attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose departmental receipt No. 23991 for the \$5.75 filing fee.

The additional \$1.00 included in your check has been filed with your transfer application.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

22489

