

# 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 3 day of April, 1969, and the last publication being on the 10 day of April, 1969;

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

  
PUBLISHER

Subscribed and sworn to before me this 10 day of April, 1969.

  
NOTARY PUBLIC

My commission expires 4-10-72

(SEAL)

RECEIVED

APR 28 1969

Department of Reclamation

## NOTICE OF APPROVED APPLICATION FOR WATER

Notice is hereby given that John P. Tate, 2912 Gekeler Lane, Boise, Idaho has received an approved permit No. 31901 to divert 24.9 cubic feet per second of water from Snake River tributary of The Columbia River. The priority to be established under this permit is May 20, 1964. Water will be diverted by pump, gravity canal and pipeline within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 34, T. 5 S., R. 4 E., B. M., Owyhee County and is to be used for irrigation in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 10, S $\frac{1}{2}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ , SE $\frac{1}{4}$ , Sec. 11; SW $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 12; E $\frac{1}{2}$ NE $\frac{1}{4}$ , Sec. 15; N $\frac{1}{2}$ , Sec. 14; N $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 13; SE $\frac{1}{4}$ NE $\frac{1}{4}$ , Sec. 2, T. 6 S., R. 3 E., B. M.; SW $\frac{1}{4}$ NW $\frac{1}{4}$ , Sec. 18, T. 6 S., R. 4 E., B. M.

Any protests against the intent of the permit must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON,  
State Reclamation Engineer  
Published in the Owyhee Nugget, Marsing, Idaho on April 3 and April 10, 1969.

31901

02-2308

02-2423

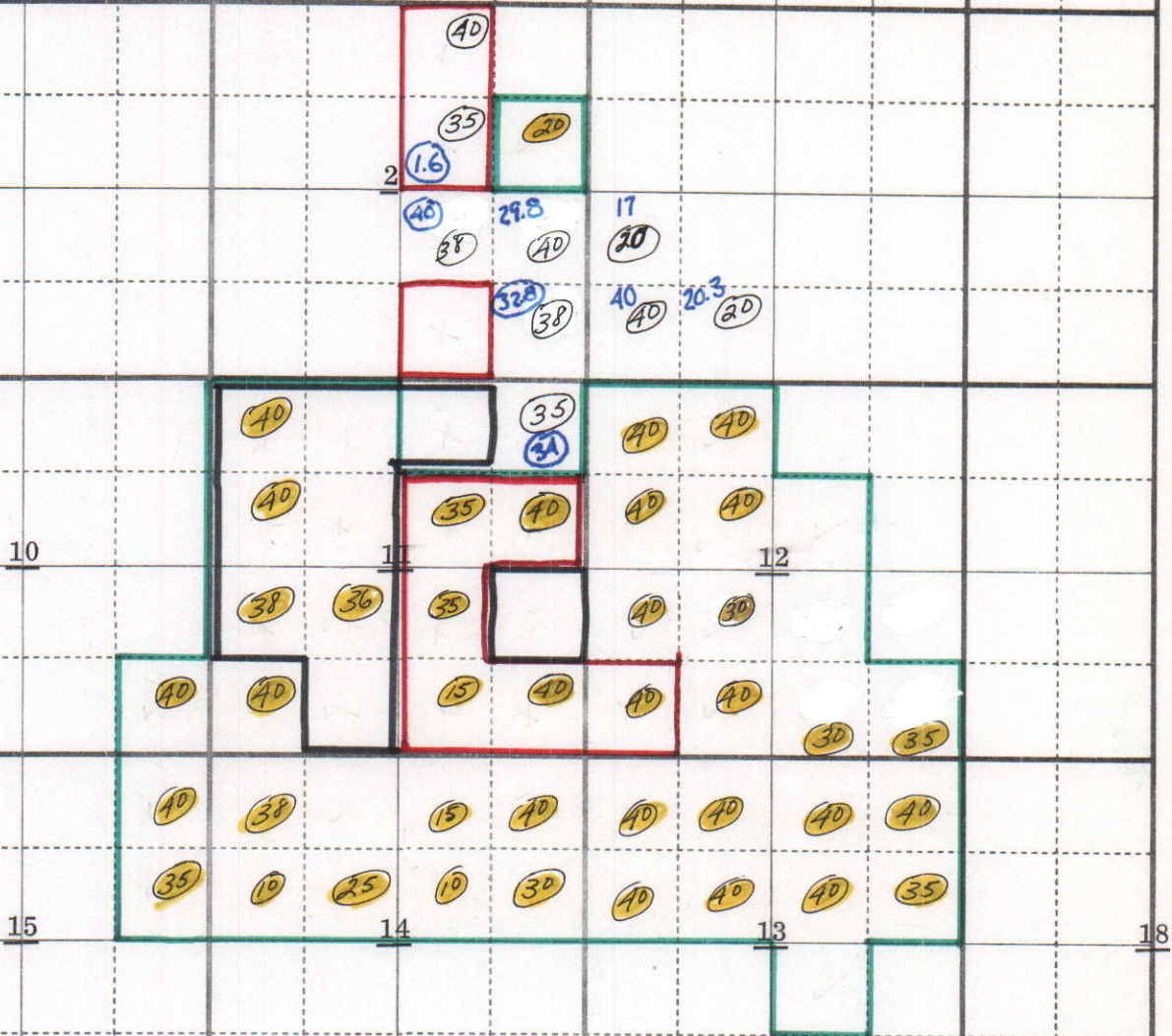
02-7005

NAME OF APPLICANT ACRES IRIGATED 0

Form No. 0

02-2153 = 1.55 for 77.3 acres

(40) 02-2154 = 2.76 139.2 acres



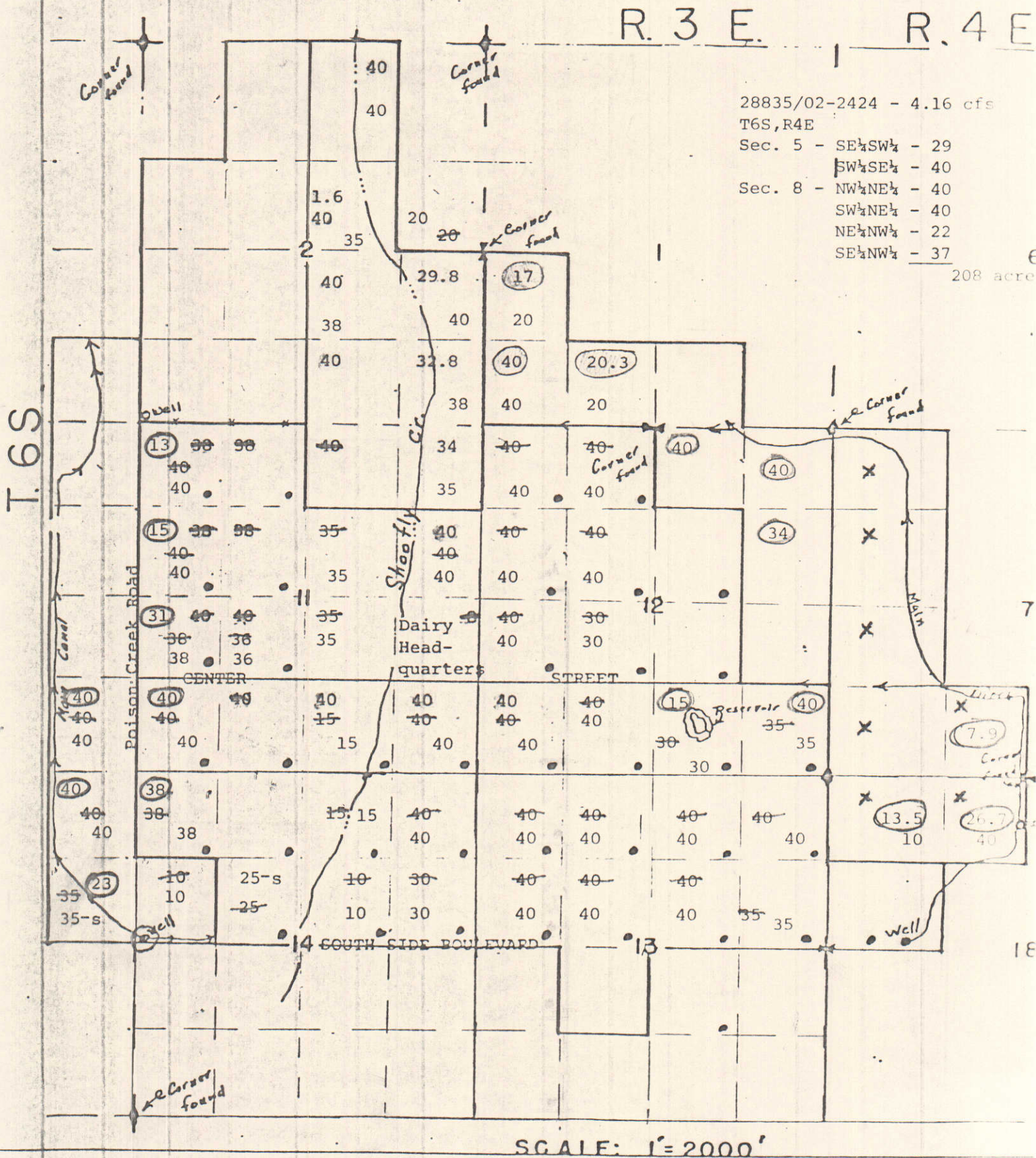
SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

Rge - 4E

18

ORIENTATION MAP OF  
TATE ET. AL.

Note: See color & coded original in file # 02-2423



- 40 G-27341/57-2225 (5.46 cfs) well  
X 40 G-27341/57-2225 (2.00 cfs by Transfer No. 1062) = 14" per 40 well  
19497/57-2180 (1cfs) well  
40 28242/02-2152 (.96 cfs) Snake River  
40 28243/02-2153 (1.55 cfs) Snake River  
40 28244/02-2154 (2.76 cfs) Snake River  
40 31736/02-2423 (proof taken 2/75 on 6.4 cfs - not yet licensed)  
40 02-7005 (proof taken 1/24/73 on 5.6 cfs - not yet licensed)  
40 31901/02-2308 (proof taken 5/22/75 on 24.9 cfs - not yet licensed)  
40 Decreed Water(Hinton vs Neiswanger) 11.21 when combined with 19497 above  
under Transfer No. 910  
40 actually irrigated  
40-s irrigated from subterranean source

TOWNSHIP 5 SOUTH  
TOWNSHIP 6 SOUTH

Sec. 34

Sec. 3

Sec. 2

Sec. 1

Sec. 6

Sec. 5

Sec. 4

Sec. 3

RANGE 3 EAST  
RANGE 4 EAST

Sec. 10

Sec. 11

Sec. 12

Sec. 7

Sec. 15

Sec. 14

Sec. 13

Sec. 18

RECEIVED

DEC 27 1900

Department of Reclamation

31901

C.J. Strike  
Reservoir

Township 6 South + Range 3 East, B.M.

Township 6 South - Range 4 East, B.M.

Section 3

Section 2

Section 1

Section 6

Section 5

Section 4

Section 3

Section 10

Section 11

Section 12

Section 7

Section 8

Section 15

Section 14

Section 13

Section 18

Relist  
Pump  
P.I.

Siphon

Permit Map No. 31901

As Approved  
CARL E. TAPPAN  
State Reclamation Engineer

MAY 22 1964

SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

831901

State of Idaho  
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 31901/02-2308 Priority May 20, 1964 Amount 23.0 cfs

THIS IS TO CERTIFY, that TRIANGLE DAIRY, INC.  
of Boise, Idaho, has complied with the terms and conditions of Permit  
No. 31901/02-2308 issued pursuant to Application for Permit dated May 20, 1964,  
and has submitted proof to the Department of Water Resources on May 12, 1975,  
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a  
capacity for the diversion of 23.0 cfs of water from the Snake River,  
tributary to the Columbia River, and that the permit holder has applied to a beneficial use and  
established a right to use water as follows:

| Beneficial Use         | Period of Use                                                | Rate of Diversion         | Annual Volume |
|------------------------|--------------------------------------------------------------|---------------------------|---------------|
| <u>Irrigation</u>      | from <u>March 1</u> to <u>Nov. 30</u> at <u>23.0</u> cfs and | <u>6,760 acre feet or</u> |               |
|                        | from <u></u> to <u></u> at <u></u> cfs and                   | <u>5.0 af per acre</u>    |               |
|                        | from <u></u> to <u></u> at <u></u> cfs and                   |                           |               |
| (both dates inclusive) |                                                              |                           |               |

Subject, however, to the condition that no more than \* 23.0 cfs of water be diverted at any one time, and  
that the amount of water so diverted and to which such right is entitled and confined to for the purpose  
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed  
6,760 acre feet per-year, said waters to be diverted within the SE $\frac{1}{4}$ SW $\frac{1}{4}$  (Lot 9) of Sec. 34,  
Twp. 5 S, Rge. 4 E, B.M. in the County of Owyhee

Description and location of 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 |        |
| See Land List Attachment |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|                          |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|                          |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|                          |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|                          |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |

Total number of acres irrigated \_\_\_\_\_

\* Subject to the condition that the maximum rate of diversion shall not exceed  
23.0 cfs when combined with all previous licenses using this same point of  
diversion.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho  
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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 29<sup>th</sup> day of  
August, 19 75.

Director

## LAND LIST ATTACHMENT

[illegible]

Total number of acres irrigated 1,352

State of Idaho

Department of Water Administration

ASSIGNMENT OF PERMIT

I, John P. Tate, hereby assign to Triangle Dairy, Inc.  
of 3310 Gekeler Lane, Boise, Idaho 83706,  
Address

CHECK ONE

☒ All my right, title, and interest, in and to Permit No. 31901  
to appropriate the public waters of the State of Idaho.

☐ The following described portion of my right, title, and interest in and  
to Permit No. \_\_\_\_\_ to appropriate the public waters of the State  
of Idaho. (Describe that portion of the permit being assigned by list-  
ing the acreage within each 40-acre subdivision, the point of diversion  
and the amount of water in cubic feet per second for direct diversion,  
or acre feet for storage.)

Made this 28th day of March, 19 72.

John P. Tate  
Permit Holder

Margaret D. Tate  
Spouse of Permit Holder

State of Idaho )  
County of Ada ) ss.

On this 28th day of March, 19 72 personally  
appeared before me the signer(s) of the above instrument, who duly acknowledged  
to me that he (she) (they) executed the same.

Laura J. Spangler  
Notary Public residing at  
Boise, Idaho

My commission expires: 8/12/74

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
APPLICATION FOR AMENDMENT

Permit No. 31901

Comes now John P. Tate of (address)

2912 Gekeler Lane, Boise, Idaho, 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. 31901, and requests that the permit and permit map be changed as follows:

1. Point of diversion: SE 1/4 SW 1/4, Sec. 34, T. 5 S, R. 4 E, B.M. Other points of diversion

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

For irrigation purposes from March 1 to November 30 (both dates incl.)  
For purposes from to (both dates incl.)  
For purposes from to (both dates incl.)  
For purposes from to (both dates incl.)

3. Place of use or land to be irrigated:

| 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  | 3 E   | 10   |        |        |        |        |        |        |        |        |        |        |        |        |        |        | 40     |        | 40     |
|      |       | 11   |        |        | 40     | 40     | 40     | 40     | 40     | 40     | 40     | 40     | 40     | 40     | 40     | 40     | 40     | 40     | 560    |
|      |       | 12   |        |        | 40     |        | 40     | 40     | 40     | 40     | 40     | 40     | 40     |        |        | 40     | 40     | 40     | 480    |
|      |       | 15   | 40     |        |        | 40     |        |        |        |        |        |        |        |        |        |        |        |        | 80     |
|      |       | 14   | 40     | 40     | 40     | 40     | 40     | 40     | 40     | 40     |        |        |        |        |        |        |        |        | 320    |
|      |       | 13   | 40     | 40     | 40     | 40     | 40     | 40     | 40     | 40     |        |        |        |        |        | 40     |        |        | 360    |
|      |       | 2    |        |        |        | 40     |        |        |        |        |        |        |        |        |        |        |        |        | 40     |
| 6 S  | 4 E   | 18   |        |        |        |        |        |        | 40     |        |        |        |        |        |        |        |        |        | 40     |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total number of acres to be irrigated 1,920

31901

[illegible]

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

x John P. Tate  
(signature)

16-67 - DRR

I, R. KEITH HIGGINSON, State Reclamation Engineer of the State of Idaho,  
hereby APPROVE the above application for amendment for Permit NO. 31901.

  
State Reclamation Engineer

31901

Application For Permit  
To Appropriate the Public Waters of the State of Idaho

LICENSE ISSUED FOR 23 SEC. FT.  
LICENSE PAGE NO. 1

APPLICATION No. 40028  
PERMIT No. 31901  
DISTRICT No.

1. Name of Applicant: John P. Tate  
Postoffice address: 3310 Gekeler Lane, Boise County: Ada State: Idaho

I. If applicant is a corporation, give:

- (a) Date and place of incorporation:  
(b) Amount of capital stock:  
(c) Amount paid in:  
(d) Names and addresses of directors:

ASSIGNED TO: Triangle Dairy, Inc.  
3310 Gekeler Lane  
Boise 83706

II. The financial resources of the applicant are:

- (a) Cash on hand:  
(b) Treasury stock:  
(c) Bond to be issued:  
(d) Other resources:

2. Quantity of water claimed: 24.9 cubic feet per second.

3. Source of water supply: Snake River which is a tributary of Columbia River

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

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

of section 3, T. 6 S, R. 4 E, B. M., County of Owyhee

5. Water is to be used for irrigation

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 of , 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: \$ 60,000

8. Kind of works: Pump from point of diversion, gravity canal, pipeline

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

10. Size of headgate: Width feet; height feet.

11. Ditch: Width at bottom 8 feet; width at water line 11 feet; depth of water 3 feet;  
dimensions of flume:       

Diameter of pipe 36 inches; length of conduit 2 $\frac{1}{2}$  miles.

Average grade per mile feet.

12. The time required for the completion of such work is 5 years.

13. The time required for the complete application of the water to the proposed use is 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:

Decreed right - W.J.Hinton et al - vs - L. C. Neiswanger. License #19797, License # 27341.

16. (a) Is reservoir to be used? no 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.

John P. Tate *Applicant.*

By s/ Harley M. McDowell Agent.  
B

Date of first receipt at Department of Reclamation: 8:00 A.M. May 20, 1964

**Returned to applicant for correction:**

**Corrected application received:**

### Approval of State Reclamation Engineer

The number of this permit is 31901  
Recorded in Book 112 Page 31901 Approved May 22, 1964  
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 July 22, 1964 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 November 22, 1966  
The whole of said work to be completed on or before May 22, 1969  
Beneficial use of water appropriated in accordance herewith, to be made on or before May 22, 1975

WITNESS My hand this 22nd day of May, 1964

s/ CARL E. TAPPAN  
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE, Governor of the State of Idaho,  
and ARNOLD WILLIAMS, 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 22nd  
day of May, 1964.  
STATE OF IDAHO

(SEAL) By s/ ARNOLD WILLIAMS *Secretary of State.* By s/ ROBERT E. SMYLIE *Governor.*

REMARKS: This permit is for the use of deeded lands only

14.

| 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                     | 6 E   | 3                                     |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  | 40               | 40     |
|                         |       | 10                                    | 40               |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  | 40               | 160    |
|                         |       | 11                                    |                  |                  | 40               | 40               | 40               | 40               | 40               | 40               | 40               | 40               | 40               | 40               | 40               | 40               | 40               | 40               | 560    |
|                         |       | 12                                    |                  |                  | 40               |                  | 40               | 40               | 40               | 40               | 40               | 40               | 40               |                  | 40               | 40               | 40               | 40               | 480    |
|                         |       | 15                                    | 40               |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  | 40               | 40               |                  | 80     |
|                         |       | 14                                    | 40               | 40               | 40               | 40               | 40               | 40               | 40               | 40               |                  |                  |                  |                  |                  |                  |                  |                  | 320    |
|                         |       | 13                                    | 40               | 40               | 40               | 40               | 40               | 40               | 40               | 40               |                  |                  |                  |                  | 40               |                  |                  |                  | 360    |
| 6 S                     | 4 E   | 18                                    |                  |                  |                  |                  |                  |                  | 40               |                  |                  |                  |                  |                  |                  |                  |                  | 40               |        |
|                         |       | Total Number of Acres to be Irrigated |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  | 2,040  |
| SEE Amendment in folder |       |                                       |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |

# 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 3 day of April, 1969, and the last publication being on the 10 day of April, 1969;

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

  
PUBLISHER

Subscribed and sworn to before me this 10 day of April, 1969...

  
NOTARY PUBLIC

My commission expires 4-10-72  
(SEAL)

## NOTICE OF APPROVED APPLICATION FOR WATER

Notice is hereby given that John P. Tate, 2312 Gekeler Lane, Boise, Idaho has received an approved permit No. 31901 to divert 24.9 cubic feet per second of water from Snake River tributary of The Columbia River. The priority to be established under this permit is May 20, 1964. Water will be diverted by pump, gravity canal and pipeline within the SE  $\frac{1}{4}$  SW  $\frac{1}{4}$ , Sec. 34, T. 5 S., R. 4 E., B. M., Owyhee County and is to be used for irrigation in the SE  $\frac{1}{4}$  SE  $\frac{1}{4}$ , Sec. 10, S  $\frac{1}{2}$  NE  $\frac{1}{4}$ , W  $\frac{1}{2}$ , SE  $\frac{1}{4}$ , Sec. 11, SW  $\frac{1}{4}$  NE  $\frac{1}{4}$ , W  $\frac{1}{2}$ , W  $\frac{1}{2}$  SE  $\frac{1}{4}$ , SE  $\frac{1}{4}$  SE  $\frac{1}{4}$ , Sec. 12, E  $\frac{1}{2}$  NE  $\frac{1}{4}$ , Sec. 15, N  $\frac{1}{2}$ , Sec. 14, N  $\frac{1}{2}$ , NW  $\frac{1}{4}$  SE  $\frac{1}{4}$ , Sec. 13, SE  $\frac{1}{4}$  NE  $\frac{1}{4}$ , Sec. 2, T. 6 S., R. 3 E., B. M., SW  $\frac{1}{4}$  NW  $\frac{1}{4}$ , Sec. 18, T. 6 S., R. 4 E., B. M.

Any protests against the intent of the permit must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON,  
State Reclamation Engineer  
Published in the Owyhee Nugget, Marsing, Idaho on April 3 and April 10, 1969.

31901

September 3, 1975

Re: Permit No. 31901/02-2308 & 31736/02-2423

Triangle Dairy, Inc.  
3310 Gekeler Lane  
Boise, ID 83706

Gentlemen:

Enclosed herewith are copies of the water licenses issued on the above referenced permits.

Sincerely,

D. DARLENE REICH  
Water Rights Supervisor

DDR:rb

Enc.

August 12, 1975

Triangle Dairy, Inc.  
3310 Gekeler Lane  
Boise, Idaho 83706

Re: Permits No. 31901/02-2308  
31736/02-2423

Gentlemen:

A representative of this Department has made an examination of the works covered by the above referenced permits and has found the following:

Permit 31901/02-2308

Quantity of water diverted: 23.0 cfs                      Source: Snake River

Amount of water that can be recognized as beneficially used under  
Idaho law: 23.0 cfs

The maximum quantity diverted shall not exceed 6,760 acre feet,  
or 5.0 acre feet per acre, per year.

Point of diversion: SE $\frac{1}{4}$ SW $\frac{1}{4}$  (Lot 9), Sec. 34, Twp. 5 S, Rge. 4 E,  
B.M., Owyhee County

Beneficial use: Irrigation of 1,352 acres (see enclosed land list)

Priority date established: May 20, 1964

Permit 31736/02-2423

Quantity of water diverted: 23.0 cfs                      Source: Snake River

Amount of water that can be recognized as beneficially used under  
Idaho law: 1.86 cfs

The maximum quantity diverted shall not exceed 465 acre feet, or  
5.0 acre feet per acre, per year.

Point of diversion: SE $\frac{1}{4}$ SW $\frac{1}{4}$  (Lot 9), Sec. 34, Twp. 5 S, Rge. 4 E,  
B.M., Owyhee County

Beneficial use: Irrigation of 93 acres within the NW $\frac{1}{4}$ SW $\frac{1}{4}$  (3), Sec. 1;  
W $\frac{1}{2}$ NE $\frac{1}{4}$  (74), E $\frac{1}{2}$ SE $\frac{1}{4}$  (15), Sec. 2; NE $\frac{1}{4}$ NE $\frac{1}{4}$  (1), Sec. 11; Twp. 6 S,  
Rge. 3 E, B.M.

Priority date established: Feb. 24, 1964

If you do not concur with these findings please contact us within 10 days, otherwise water licenses will be issued as set forth above.

Sincerely,

BOBBY D. FLEENOR  
Chief, Water Rights

Description and location of place of use:

# THE

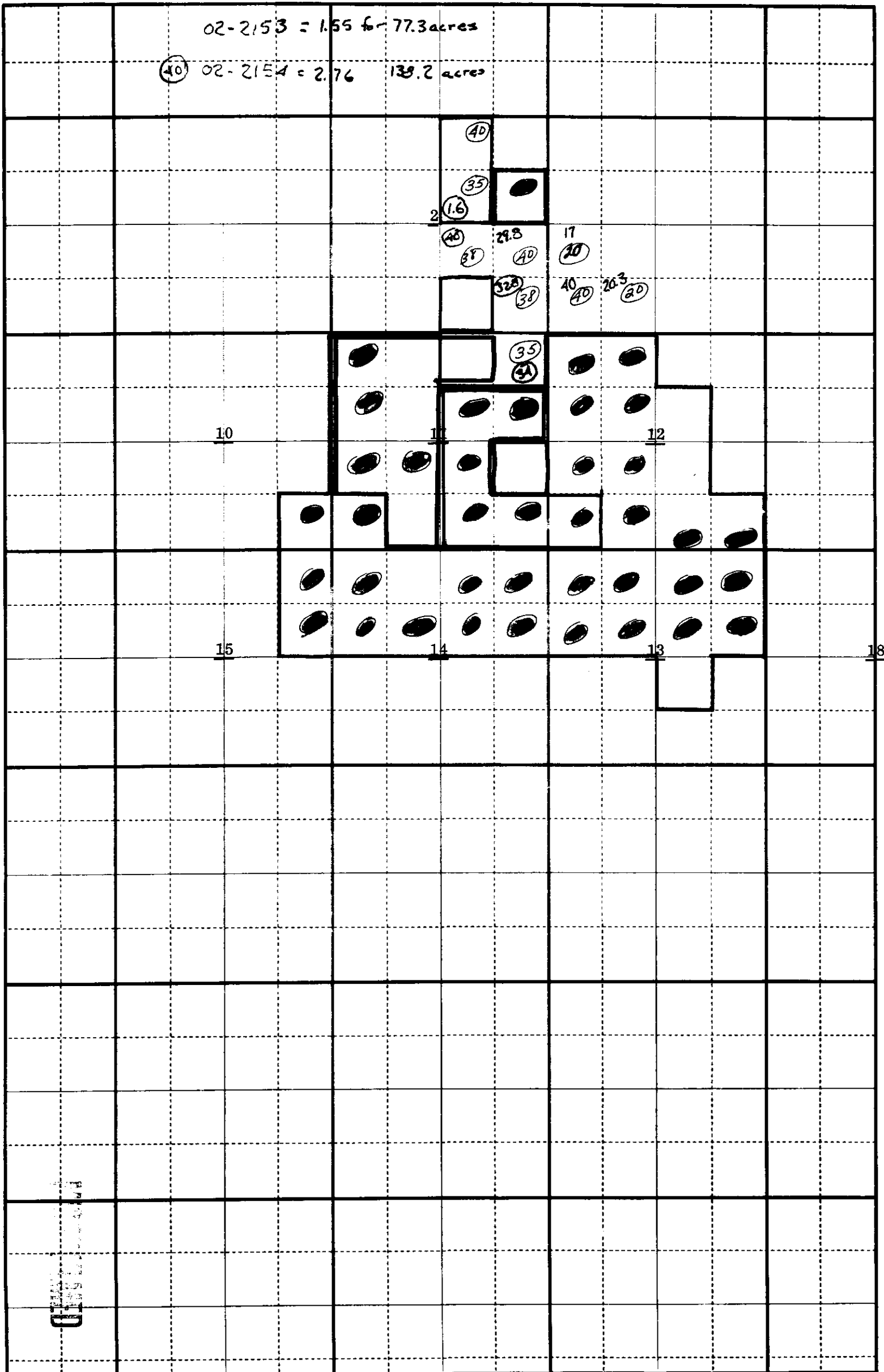
02-2308 - 02-2423 02-7005

NAME OF APPLICANT ACRES IRRIGATED 0

Form No. 0

02-2153 = 1.55 for 77.3 acres

(40) 02-2154 = 2.76 139.2 acres



SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

DEPARTMENT OF WATER ADMINISTRATION  
FIELD REPORT

1. Name of permit holder Triangle Dairy, Inc.  
Post office address 3310 Gekeler Ln., Boise, ID Phone \_\_\_\_\_  
Person to contact \_\_\_\_\_ Phone \_\_\_\_\_

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

3. Water will be used for the following purposes:

Amount 24.9 c.f.s. for irrigation  
\_\_\_\_\_ AF/Annum (nature of use)

Period of Use: from Mar. 1 to Nov. 30  
(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)

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

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

Other uses: \_\_\_\_\_

4. Total amount to be appropriated:

Max Rate of Diversion 24.9 cubic feet per second and annual volume \_\_\_\_\_ AF/Annum.

5. Location of Point(s) of Diversion:

Township 5S N/S, Range 4E E/W, B.M., Section 34, Subdivision SE  $\frac{1}{4}$  SW  $\frac{1}{4}$  Owyhee  
County

Township \_\_\_\_\_ N/S, Range \_\_\_\_\_ E/W, B.M., Section \_\_\_\_\_, Subdivision \_\_\_\_\_  $\frac{1}{4}$  \_\_\_\_\_  $\frac{1}{4}$  \_\_\_\_\_  
County

Township \_\_\_\_\_ N/S, Range \_\_\_\_\_ E/W, B.M., Section \_\_\_\_\_, Subdivision \_\_\_\_\_  $\frac{1}{4}$  \_\_\_\_\_  $\frac{1}{4}$  \_\_\_\_\_  
County

Other Points of Diversions: \_\_\_\_\_

Description of diverting works: Pumping plant, penstocks, canals, relift pump & ditches.

Measuring device required: yes ☐ no ☒

6. Lands to be 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   | 3E    | 10   |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  | 40               | 40     |
|      |       | 11   |                  |                  | <del>40</del> 35 | 40               | <del>40</del>    | 40               | 40               | <del>40</del>    | <del>40</del> 36 | <del>40</del> 38 | 40               | <del>40</del>    | <del>40</del> 35 | <del>40</del> 15 | <del>40</del>    | 40               | 560    |
|      |       | 12   |                  |                  | <del>40</del>    |                  | 40               | 40               | 40               | 40               | <del>40</del> 30 | 40               | 40               | 40               |                  | <del>40</del> 30 | <del>40</del> 15 | <del>40</del>    | 480    |
|      |       | 15   | 40               |                  | <del>40</del> 35 |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  | 80     |
|      |       | 14   | 40               | <del>40</del> 15 | <del>40</del> 10 | <del>40</del> 30 | <del>40</del>    | <del>40</del> 38 | <del>40</del> 10 | <del>40</del> 25 |                  |                  |                  |                  |                  |                  |                  |                  | 320    |
|      |       | 13   | 40               | 40               | 40               | <del>40</del> 5  | 40               | 40               | 40               | 40               |                  |                  |                  |                  |                  |                  | <del>40</del>    |                  | 360    |
|      |       | 2    |                  |                  | <del>40</del> 20 |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  | 40     |
| 6S   | 4E    | 18   |                  |                  |                  |                  |                  |                  | 40               |                  |                  |                  |                  |                  |                  |                  |                  |                  | 40     |

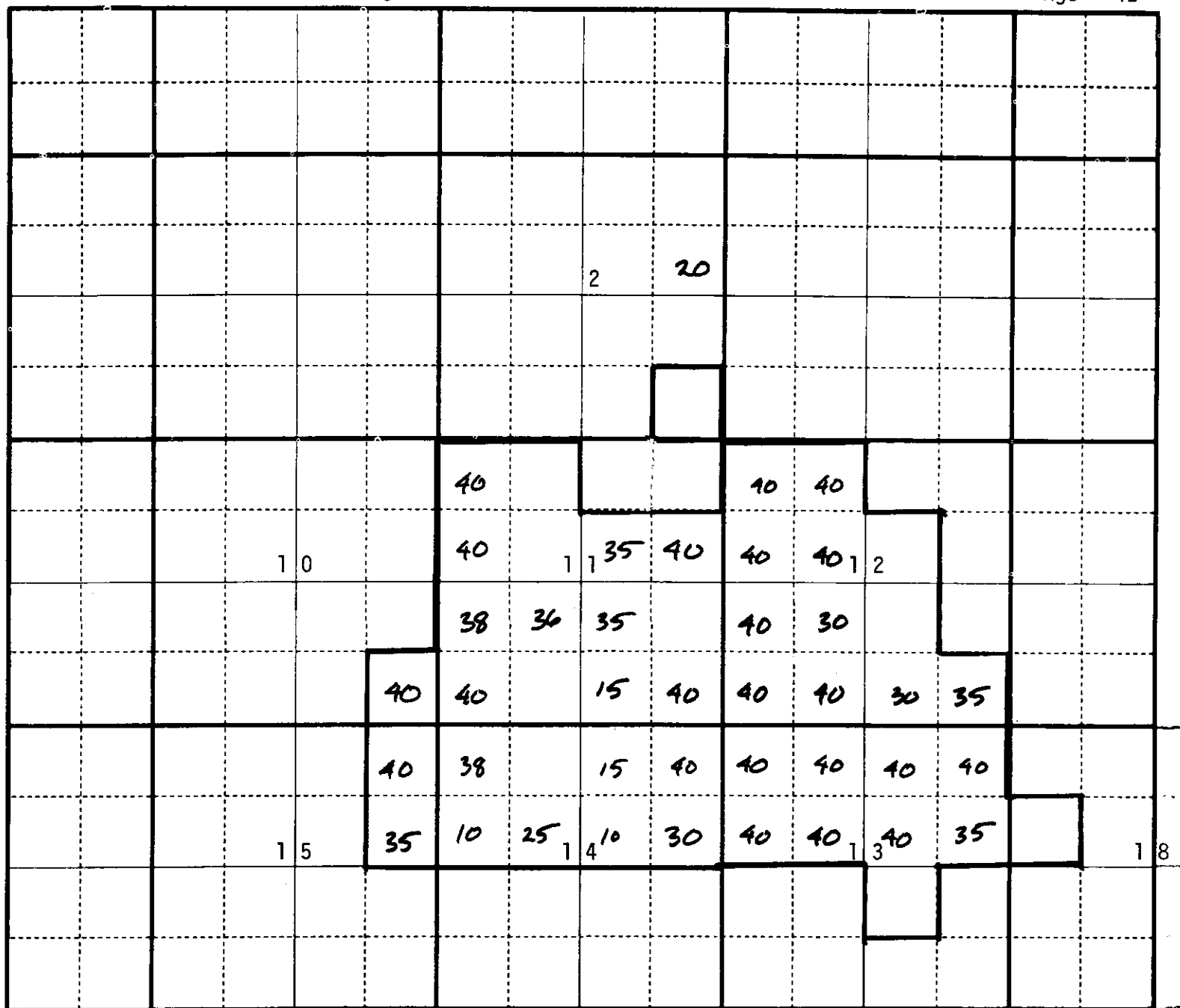
TOTAL ACREAGE 1,920

Permit No. 02-2308  
Examination for b/u

P.D. in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 34, Twp. 5S, Rge. 4E, B.M.

Rge - 3E

Rge - 4E



### Diagram of System

STATE OF IDAHO *Stand AA*  
DEPARTMENT OF RECLAMATION

10:00 AM  
Stand AA Meteor

Δ Dairy Ditch

River at 75' above top of forested

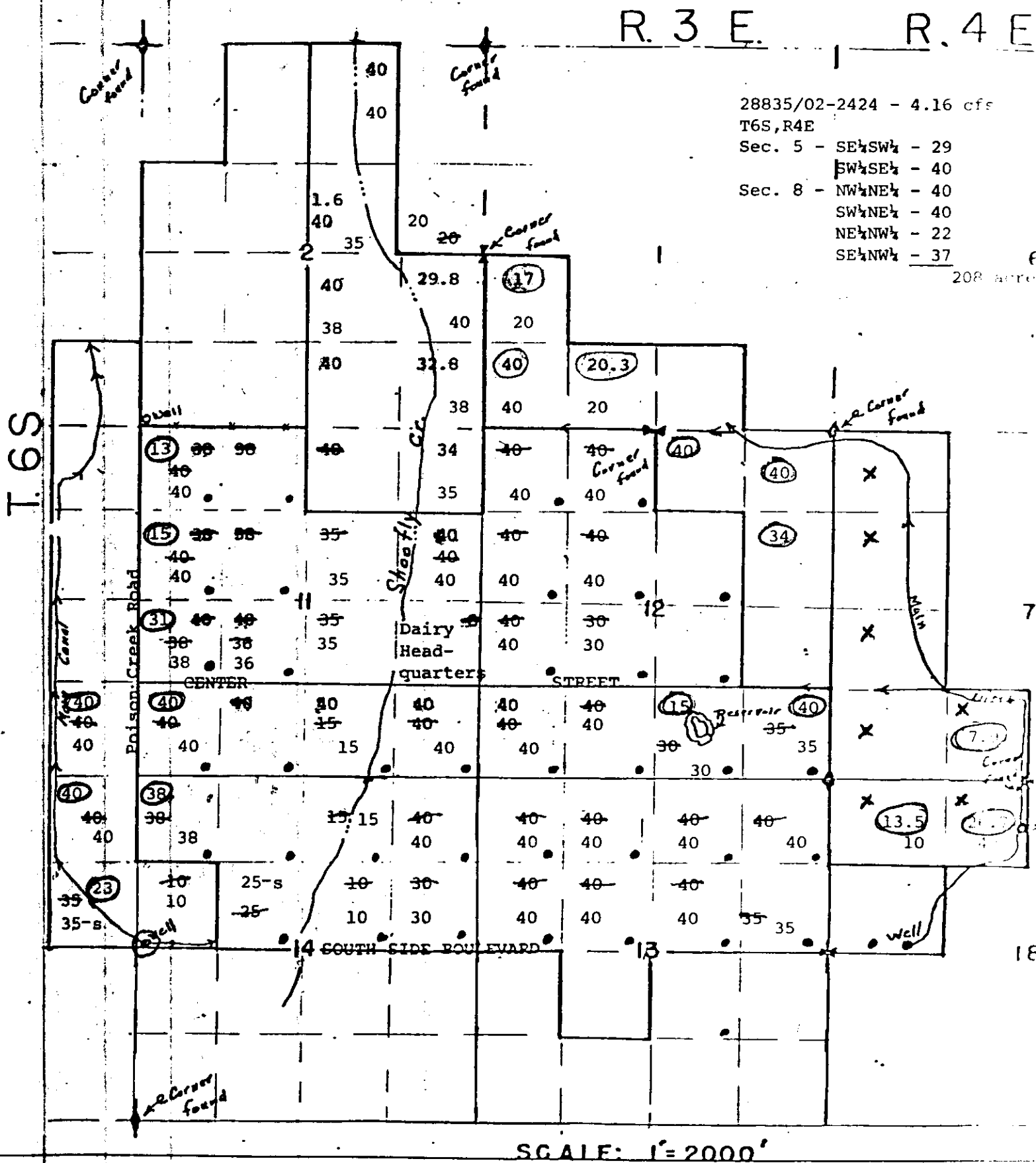
[illegible]

No. \_\_\_\_\_ of \_\_\_\_\_ Sheets. Comp. by W. C. L. Chk. by \_\_\_\_\_

**Chk. by**

ORIENTATION MAP OF  
TATE ET. AL.

Note: See color & coded original in file # 02-2423



- 40 G-27341/57-2225 (5.46 cfs) well  
 X 40 G-27341/57-2225 (2.00 cfs by Transfer No. 1062) = 14" per 40 well  
 40 19497/57-2180 (1cfs) well  
 40 28242/02-2152 (.96 cfs) Snake River  
 40 28243/02-2153 (1.55 cfs) Snake River  
 40 28244/02-2154 (2.76 cfs) Snake River  
 40 31736/02-2423 (proof taken 2/75 on 6.4 cfs - not yet licensed)  
 40 02-7005 (proof taken 1/24/73 on 5.6 cfs - not yet licensed)  
 40 31901/02-2308 (proof taken 5/22/75 on 24.9 cfs - not yet licensed)  
 40 Decreed Water(Hinton vs Neiswanger) 11.21 when combined with 19497 above  
 40 under Transfer No. 910  
 40 actually irrigated  
 40-s irrigated from subterranean source

DATE OF EXAM 7-17-75

ACREAGE  
Found ~~1017~~ 1352  
Recommended ~~1017~~ 1352

Irrigation Requirement 5 Ac Ft/Ac

USE  
Irrigation Q= 11.70 c.f.s. V= 6760.0 ~~9295.0~~ AF/Ann. from Mar 1 to Nov 30  
Domestic Q= \_\_\_\_\_ c.f.s. V= \_\_\_\_\_ AF/Ann. from \_\_\_\_\_ to \_\_\_\_\_  
Livestock Q= \_\_\_\_\_ c.f.s. V= \_\_\_\_\_ AF/Ann. from \_\_\_\_\_ to \_\_\_\_\_

Is water co-mingled? yes \_\_\_\_\_ no ☒

Name source: \_\_\_\_\_  
twp. \_\_\_\_\_ N/S, Rge \_\_\_\_\_ E/W, B.M., Sec. \_\_\_\_\_, Sub. \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_  
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 23.01 cfs. Method of measurement Flowmeter & AA Meter

Total Q recommended 11.70 cfs. Meter No. \_\_\_\_\_ Type \_\_\_\_\_ Condition \_\_\_\_\_

Total V recommended 6760.0 ~~9295.0~~ A.F.

Recommended Amendments:

P.D. \_\_\_\_\_  
Place of Use see attached license draft.  
Other \_\_\_\_\_  
None \_\_\_\_\_

MEASUREMENT CALCULATION:

see attached notes.

SYSTEM DESCRIPTION:

(3 pumps from Bybee Canal) #1 & #2 are Vertiline pumps w/ 150 H.P. Hollaschett & G.E. motors (#035033, CA1124197). #3 Johnson pump w/ 75 HP G.E. motor # V44314154. 12" & 10" discharge into 30" penstock, Canal system. 25 HP & Two 15 HP relief pumps w/ sprinklers.

REMARKS:

This system involves other permits & licenses as shown on attached map.

Examiner's Signature M. Clayton Harris Date 7-17-75

Checked by \_\_\_\_\_ Date \_\_\_\_\_

Approved by \_\_\_\_\_ Date \_\_\_\_\_

May 15, 1975

Re: Permit No. 31901/02-2308

Triangle Dairy , Inc.  
3310 Gekeler Lane  
Boise, ID 83706

Gentlemen:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell during which part of the irrigation season this examination will be made, however, our examiner will try to contact you at the time he makes the exam so that you may show him the system.

If you have any questions concerning the field exam, please contact our District Office in Boise.

Sincerely,

D. Darlene Reich  
Water Rights Supervisor

DDR:JG

Identification No. 02-2308

Permit No. 31901

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

RECEIVED

MAY 17 1975

DEPARTMENT OF WATER RESOURCES

ak  
jg

1. a) Name of Permit Holder Triangle Dairy, Inc.  
b) Post Office Address 3310 Gekeler Lane, Boise, ID 83706
2. Permit Number 319/01/02-2308
3. Date of Priority that you are prepared to establish 5/20/64
4. a) Source from which water was appropriated Snake River  
b) Location of the point of diversion: SE 1/4 SW 1/4, Section 34  
Township 5S, Range 4E Boise Meridian, Other points of diversion: \_\_\_\_\_
5. a) The amount of water and use to which the water has been applied:  
Amount 24.9 for irrigation purposes from March 1 to Nov. 30 incl.  
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ incl.  
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ incl.  
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)  
b) Total amount appropriated 24.9 cfs and/or acre-feet per annum  
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: by estimate
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:  
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: permit holder  
b) Describe the agreement or understanding by which you take water from the works: \_\_\_\_\_
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) pumping plant, penstocks, canals, relift pump and ditches  
b) Describe the type and size of measuring device which you have installed at your point of diversion: not required  
c) Give well driller's name and address and the date the well was completed: \_\_\_\_\_
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: \_\_\_\_\_

Exam typed 5/5/75 by jg

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: \_\_\_\_\_

| T  | R  | SEC. | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | TOTAL |
|----|----|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------|
|    |    |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |       |
| 6S | 3E | 2    |     |     |     | 20  |     |     |     |     |     |     |     |     |     |     |     |     | 20    |
|    |    | 10   |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     | 40  | 40    |
|    |    | 11   |     |     | 35  | 40  |     | 40  | 40  |     | 36  | 38  | 40  |     |     | 35  | 15  | 40  | 359   |
|    |    | 12   |     |     |     |     | 40  | 40  | 40  | 40  | 30  | 40  | 40  | 40  |     |     | 30  | 35  | 375   |
|    |    | 15   | 40  |     |     | 35  |     |     |     |     |     |     |     |     |     |     |     |     | 75    |
|    |    | 14   | 40  | 15  | 10  | 30  |     | 38  | 10  | 25  |     |     |     |     |     |     |     |     | 168   |
|    |    | 13   | 40  | 40  | 40  | 35  | 40  | 40  | 40  | 40  |     |     |     |     |     |     |     |     | 315   |
|    |    |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |

Total number of acres irrigated 1,352

10. Remarks: \_\_\_\_\_

The above information is a true statement of the extent to which the above numbered permit has been developed.

5-12-75  
(Date)

William D. Tate  
(Signature)

State of Idaho )  
 ) ss.  
County of Ada )

On this 12<sup>th</sup> day of May, 19 75, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Laura J. Spangler  
Notary Public residing at Basis

My commission expires 8/12/78

- SENDER: Complete items 1 and 2.  
Add your address in the "RETURN TO" space on reverse.

## 1. The following service is requested (check one).

- ☐ Show to whom and date delivered..... 15¢  
☐ Show to whom, date, & address of delivery.. 35¢  
☐ DELIVER ONLY TO ADDRESSEE and  
show to whom and date delivered..... 65¢  
☐ DELIVER ONLY TO ADDRESSEE and  
show to whom, date, and address of  
delivery ..... 85¢

## 2. ARTICLE ADDRESSED TO:

## 3. ARTICLE DESCRIPTION:

| REGISTERED NO. | CERTIFIED NO. | INSURED NO. |
|----------------|---------------|-------------|
|                | 26534         |             |

(Always obtain signature of addressee or agent)

I have received the article described above.  
SIGNATURE

4. DATE OF DELIVERY

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S  
INITIALS

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1 and 2 on reverse side.
- Moisten gummed ends and attach to back of article.

PENALTY FOR PRIVATE  
USE TO AVOID PAYMENT  
OF POSTAGE, \$300



RETURN  
TO



DEPARTMENT OF WATER RESOURCES  
STATEHOUSE  
BOISE, IDAHO 83720

February 28, 1975

CERTIFIED MAIL

# 26534

Re: Permit No. 31901 (New #02-2308)

Triangle Dairy, Inc.  
3310 Gekeler Lane  
Boise, Idaho 83706

Gentlemen:

One of the conditions of approval of your water Permit No. 31901/02-2308 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before May 22, 1975. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.



R. KEITH HIGGINSON  
Director

RKH:jg  
Enc: Proof affidavit

May 10, 1972

Re: Permit Nos. 31901/02-2308  
31736/02-2423  
02-7005

Triangle Dairy, Inc.  
3310 Gekeler Lane  
Boise, Idaho 83706

Gentlemen:

We acknowledge receipt of the assignments submitted in connection with the above referenced permits. The assignments have been recorded and the Department's records changed accordingly.

Enclosed please find a copy of the approved application for amendment for Permits No. 31736/02-2423 and 02-7005.

If we may be of assistance at any time, please contact us.

Sincerely,

BOBBY D. FLEENOR  
Assistant Director

BDF:DR

Enc: Copy of amendment (2)

cc: Idaho Land & Appraisal Service  
Enc: Copy of amendment (2)  
Receipt #8395

4218

# Idaho Land & Appraisal Service

BOISE, IDAHO 83701

Real Estate Appraisers & Counselors  
Grazing Management

MERVIN J. CHRISTENSEN  
JOSEPH J. THACKABERRY  
ROBERT W. SMITH

633 N. 4TH  
P. O. BOX 1603  
208-344-2547

May 1, 1972

Mr. R. Keith Higginson, Director  
Department of Water Administration  
Statehouse - Annex 2  
Boise, Idaho 83707

RE: Assignment of Permits 02-7005, 31736, 31901  
Amendments - Triangle Dairy, Inc.

Dear Mr. Higginson:

Enclosed herewith please find the following:

1. Assignment of Water Permit 31901 in the name of John P. Tate to Triangle Dairy, Inc.
2. Assignment of Water Permit 31736 in the name of Signe B. Baird to Triangle Dairy, Inc.
3. Assignment of Water Permit 02-7005 in the name of Marjorie D. Tate to Triangle Dairy, Inc.
4. Application of Amendment of the place of use on Permit 31736 in the name of Triangle Dairy, Inc.
5. Application for Amendment of the place of use on Permit 02-7005 in the name of Triangle Dairy, Inc.
6. Our check in the amount of \$20.00 to cover the filing fee for the two applications for amendment.

If you require any further information to enable you to process the above, do not hesitate to let us know.

Thank you for your time and attention to this matter.

Very truly yours,

IDAHO LAND & APPRAISAL SERVICE

Joseph J. Thackaberry

3/ls

encl

2 2358

02-2308

# IDAHO LAND & APPRAISAL SERVICE

HARLEY M. MCDOWELL  
E. J. MCDOWELL  
MGR. OWNERS

MERVIN J. CHRISTENSEN  
(LICENSED SURVEYOR)

JOSEPH J. THACKABERRY

ROBERT W. SMITH

633 N. 4TH

BOISE, IDAHO 83701

P. O. Box 1603  
PHONE 344-2547

August 27, 1970

ALL PROPERTY APPRAISALS  
CUSTOM DRAFTING, MAPPING  
LAND PURCHASES  
OIL AND GAS LEASES

GRAZING MANAGEMENT  
FEDERAL LAND APPLICATIONS  
WATER FILINGS & PROOF  
STATE LAND LEASES & ASSIGNS

CANADA

RECEIVED

AUG 27 1970

Mr. R. Keith Higginson, Director  
Department of Water Administration  
Statehouse - Annex 2  
Boise, Idaho 83707

Department of Water Administration

RE: Change of Address - Tate Permits

Dear Mr. Higginson:

Please change the address on all the following permits to 3310 Gekeler Lane, Boise, Idaho 83706.

|                                                                                      |                                         |
|--------------------------------------------------------------------------------------|-----------------------------------------|
| <u>Mr. William D. Tate</u> - permits <sup>2424</sup> 28835/02-2525 and 28243/02-2153 |                                         |
| Old Address                                                                          | New Address                             |
| 709 Linden<br>Boise, Idaho                                                           | 3310 Gekeler Lane<br>Boise, Idaho 83706 |

|                                                    |                                         |
|----------------------------------------------------|-----------------------------------------|
| <u>Mrs. Barbara J. Tate</u> - permit 28244/02-2154 |                                         |
| Old Address                                        | New Address                             |
| 515 Linden Street<br>Boise, Idaho                  | 3310 Gekeler Lane<br>Boise, Idaho 83706 |

|                                               |                                         |
|-----------------------------------------------|-----------------------------------------|
| <u>Mrs. Marjorie D. Tate</u> - permit 02-7005 |                                         |
| Old Address                                   | New Address                             |
| 2912 Gekeler Lane<br>Boise, Idaho 83706       | 3310 Gekeler Lane<br>Boise, Idaho 83706 |

|                                           |                                         |
|-------------------------------------------|-----------------------------------------|
| <u>Mrs. Signe B. Baird</u> - permit 31736 |                                         |
| Old Address                               | New Address                             |
| 209 W. Linden St.<br>Boise, Idaho         | 3310 Gekeler Lane<br>Boise, Idaho 83706 |

|                                        |                                         |
|----------------------------------------|-----------------------------------------|
| <u>Mr. John P. Tate</u> - permit 31901 |                                         |
| Old Address                            | New Address                             |
| 2912 Gekeler Lane<br>Boise, Idaho      | 3310 Gekeler Lane<br>Boise, Idaho 83706 |

02-2308  
31901

Mr. R. Keith Higginson, Director  
August 27, 1970

page 2

Enclosed herewith are 5 copies of this letter so  
you may put a copy with each of the 6 permits.

Very truly yours,

IDAHO LAND & APPRAISAL SERVICE

*Harley M. McDowell*  
Harley M. McDowell

ls

encl

31901  
02-2308

April 29, 1969

Re: Permit No. 31901

John P. Tate  
2912 Gekeler Lane  
Boise, Idaho

Dear Mr. Tate:

We acknowledge receipt of the affidavit of publication submitted in connection with the above referenced permit. Since proof of beneficial use of the water is not required until May 22, 1975 the Department will notify you sixty days in advance of this date as to further requirements. We wish to advise you, however, that if you have fulfilled the requirements under the permit you may submit proof anytime prior to the above date.

Very truly yours,

Donald W. McEldowney  
Appropriation Examiner

DWM:DR

31901

March 27, 1969

Re: Permit No. 31901-John P. Tate

Owyhee Nugget  
Marsing, Idaho

Gentlemen:

Enclosed is a legal notice which we wish to have published for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for our review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted assuming the notice is correct. If we have any corrections, we will notify you before the first publication date. If you can not publish the notice on the proposed dates, please contact the Department of Reclamation immediately. John P. Tate,

The expense of the publication is to be paid by \_\_\_\_\_  
3310 Gekler Land, Boise, Idaho

to whom you should furnish an affidavit of publication.

Very truly yours,

Donald W. McEldowney  
Appropriation Examiner

DWM:tg

Enc: legal notice

cc: John P. Tate

NOTE: The permit holder is required to obtain an affidavit of publication from the above referenced newspaper and to submit it to the Department at once.

31901

RECEIVED

MAR 19 1969

NOTICE OF APPROVED APPLICATION FOR WATER

Department of Reclamation

Notice is hereby given that John P. Tate, 2912 Dekeler, Land,  
Boise, Idaho

has received an approved permit No. 31901 to divert store/  
24.9 cubic feet per second store/feet/ of water from  
Snake River tributary of The Columbia River

The priority to be established  
under this permit is May 20, 1964.

Water will be diverted by pump, gravity canal and pipeline  
within the SE1/4SW1/4, Sec. 34,  
T. 5 S. R. 4 E. B. M. Owyhee County

and is to be used for irrigation  
in the SE1/4SW1/4, Sec. 10; SW1/4NW1/4, Sec. 11; SW1/4NE1/4, W1/2, W1/4SE1/4,  
SE1/4SW1/4, Sec. 12; E1/4NE1/4, Sec. 15; N1/2, Sec. 14; N1/2, NW1/4SE1/4, Sec. 13;  
SE1/4NE1/4, Sec. 2, T. 6 S, R. 3 E, B. M.; SW1/4NW1/4, Sec. 18, T. 6 S,  
R. 4 E, B. M.

Any protests against the intent of the permit must be filed with the  
Department of Reclamation within ten days from the last date of publication  
of this notice.

R. KEITH HIGGINSON  
State Reclamation Engineer

Published in the Owyhee Nugget, Marsing, Idaho  
on April 3 and April 10, 1969.

State Reclamation Engineer:

Permit No. 31901

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

John P. Tate  
(signature)

3310 Dekeler Lane Boise Idaho  
(address)

3/10/69  
(date) 31901

**NOTICE OF APPROVED  
APPLICATION FOR WATER**

Notice is hereby given that John P. Tate, 2912 Gekeler Lane, Boise, Idaho has received an approved permit No. 31901 to divert 24.9 cubic feet per second of water from Snake River tributary of The Columbia River. The priority to be established under this permit is May 20, 1964. Water will be diverted by pump, gravity canal and pipeline within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 34, T. 5 S., R. 4 E., B. M., Owyhee County and is to be used for irrigation in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 10; S $\frac{1}{2}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ , SE $\frac{1}{4}$ , Sec. 11; SW $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 12; E $\frac{1}{2}$ NE $\frac{1}{4}$ , Sec. 15; N $\frac{1}{2}$ , Sec. 14; N $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 13; SE $\frac{1}{4}$ NE $\frac{1}{4}$ , Sec. 2; T. 6 S., R. 3 E., B. M.; SW $\frac{1}{4}$ NW $\frac{1}{4}$ , Sec. 18, T. 6 S., R. 4 E., B. M.

Any protests against the intent of the permit must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON,  
State Reclamation Engineer  
Published in the Owyhee Nug-  
get, Marsing, Idaho on April 3  
and April 10, 1969.

31901  
0422309

RECEIVED

APR 2 1912

Department of Reclamation

JOHN P. TATE  
JOHN P. TATE, JR.  
WILLIAM D. TATE



**TRIANGLE**

3310 GEKELER LANE  
BOISE  IDAHO  
83706  
DIAL 342-4601  
AREA CODE 208

*Vairy*  
**RECEIVED**

APR 25 1969

April 25, 1969

Department of Reclamation

State of Idaho  
Department of Reclamation  
State House--Annex 2  
Boise, Idaho 83707

Attention Mr. Donald W. McEldowney

Dear Sir:

I am enclosing the proof of publication for the property owned by John P. Tate, 2912 Gekeler Lane, Boise, Idaho, as it appeared in the Owyhee Nugget on April 3 and April 10, 1969.

Sincerely yours,

*Linda Oliver*  
Linda Oliver, Bookkeeper

ch  
Enc.

51901

Marsh 3, 1969

Re: Permit No. 31901

John P. Tate  
2912 Bekeler Lane  
Boise, Idaho

Dear Mr. Tate:

During the 1967 session of the Idaho Legislature, certain amendments were made in the law pertaining to the procedures for making proof of beneficial use of water. In order for the Department to comply with these changes, Rules of Practice and Procedure were adopted on August 1, 1968. Generally, these procedures and the amended law make it simpler for a person to make proof and relieve the permit holder from making separate proofs of completion of works and beneficial use of water.

The enclosed order modifies your permit to comply with these rules and regulations. As a part of the new procedure, you will be required to publish a notice at your expense for two consecutive weeks in a paper as prescribed by the Department, stating that you have been issued a permit ~~and are now submitting proof of beneficial use~~. Previously, a permit holder had to publish a notice for four weeks when he submitted proof under his permit.

If you will complete the enclosed forms, we will cause the notice to be published. Should you require additional forms or information, we will be glad to supply it upon request at any time.

Very truly yours,

Donald W. McEldowney  
Appropriation Examiner

DWM:tg  
Enc: order  
advertising package

31901

BEFORE THE STATE RECLAMATION ENGINEER

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 31901 )

in the name of John P. Tate )

2912 Gekeler Lane, Boise, Idaho )

ORDER MODIFYING REQUIREMENTS  
FOR COMPLETION OF PERMIT TO  
APPROPRIATE WATER

WHEREAS, the 39<sup>th</sup> Idaho Legislature made certain amendments to the Idaho Water Law; and,

WHEREAS, these changes raised questions as to the procedures to be followed by holders of permits issued prior to the effective date of the amendments, May 31, 1967; and,

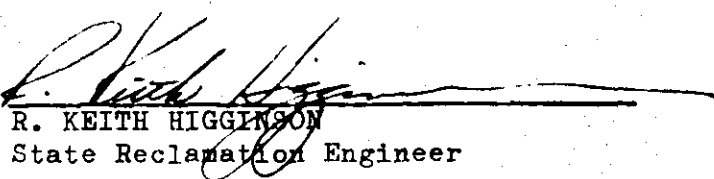
WHEREAS, on August 1, 1968, the Department of Reclamation adopted Rules of Practice and Procedures for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. 31901 was issued previous to that date;

NOW THEREFORE, the requirements for completion of the above-numbered permit are hereby modified to conform to the adopted Rules of Practice and Procedures as follows:

1. The above-numbered permit will be completed under the terms of Title 42, Chapter 2, Idaho Code, as amended by the 39<sup>th</sup> Idaho Legislature.
2. The conditions of the above-numbered permit are modified as follows:
  - a. Notice of the issuance of the permit will be published at the permit holders expense for two weekly issues in the official newspaper of the county in which the point of diversion lies.
  - b. The permittee will not be required to submit proof of completion of works as originally specified, but will be required to submit proof to the Department of Reclamation of the application of the water to beneficial use on or before May 22, 1975. The permit holder should be aware that failure to complete one-fifth (1/5) of the works within one-half (1/2) of the time originally set for Completion of Works may be grounds for cancellation at the instance of the Department.

Dated this 28<sup>th</sup> day of February, 1969.

  
R. KEITH HIGGINSON  
State Reclamation Engineer

31901

January 9, 1969

Re: Permit No. 31901

John P. Tate  
2912 Gekeler Lane  
Boise, Idaho

Dear Mr. Tate:

Enclosed is a copy of the APPROVED application for amendment  
for the above referenced permit.

Please contact us if we may be of further assistance.

Very truly yours,

Donald W. McEldowney  
Appropriation Examiner

DWM:ks

enclosure: none

cc: Idaho Land and Appraisal (receipt enclosed)

31901

June 15, 1964

Re: Permit No. 31901  
John P. Tate

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

Dear Mr. McDowell:

We are enclosing copy of the above mentioned permit  
as per your telephone request of this date.

Very truly yours,

CARL E. TAPPAN  
State Reclamation Engineer  
By

(MRS.) EDNA P. RULE  
Chief Clerk

Encl. - Copy of Permit No. 31901  
EPR:pmk

931901

Re: Permit No. 11901  
John P. Tate

May 28, 1964

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

Dear Mr. McDowell:

We enclose Permit No. 11901 in which we direct your 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. 32250 which was issued covering payment in the amount of \$ 11.00 for the filing fee of the above mentioned permit.

Very truly yours,

CARL E. TAPPAN  
State Reclamation Engineer  
By

(MRS.) EDNA P. RULE  
Chief Clerk

Encl.

EPR:pmk

cc: John P. Tate  
2912 Gekeler Lane  
Boise, Idaho

631901

TOWNSHIP 5 SOUTH

TOWNSHIP 6 SOUTH

Sec. 34

Sec. 3

Sec. 4

Sec. 5

Sec. 6

Sec. 1

Sec. 2

RANGE 3 EAST

RANGE 4 EAST

Sec. 7

Sec. 12

Sec. 11

Sec. 10

Sec. 18

Sec. 13

Sec. 14

Sec. 15

Dec 27

31901

C.J. Strick  
Reservoir

Township 6 South + Range 3 East, B.M.

Township 6 South - Range 4 East, B.M.

Section 3

Section 2

Section 1

Section 6

Section 5

Section 4

Section 3

Section 10

Section 11

Section 12

Section 7

Section 8

Section 15

Section 14

Section 13

Section 18

Relist  
Pump

Water  
Biphon

Part 2 Map No. 31901

MAY

SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

931901