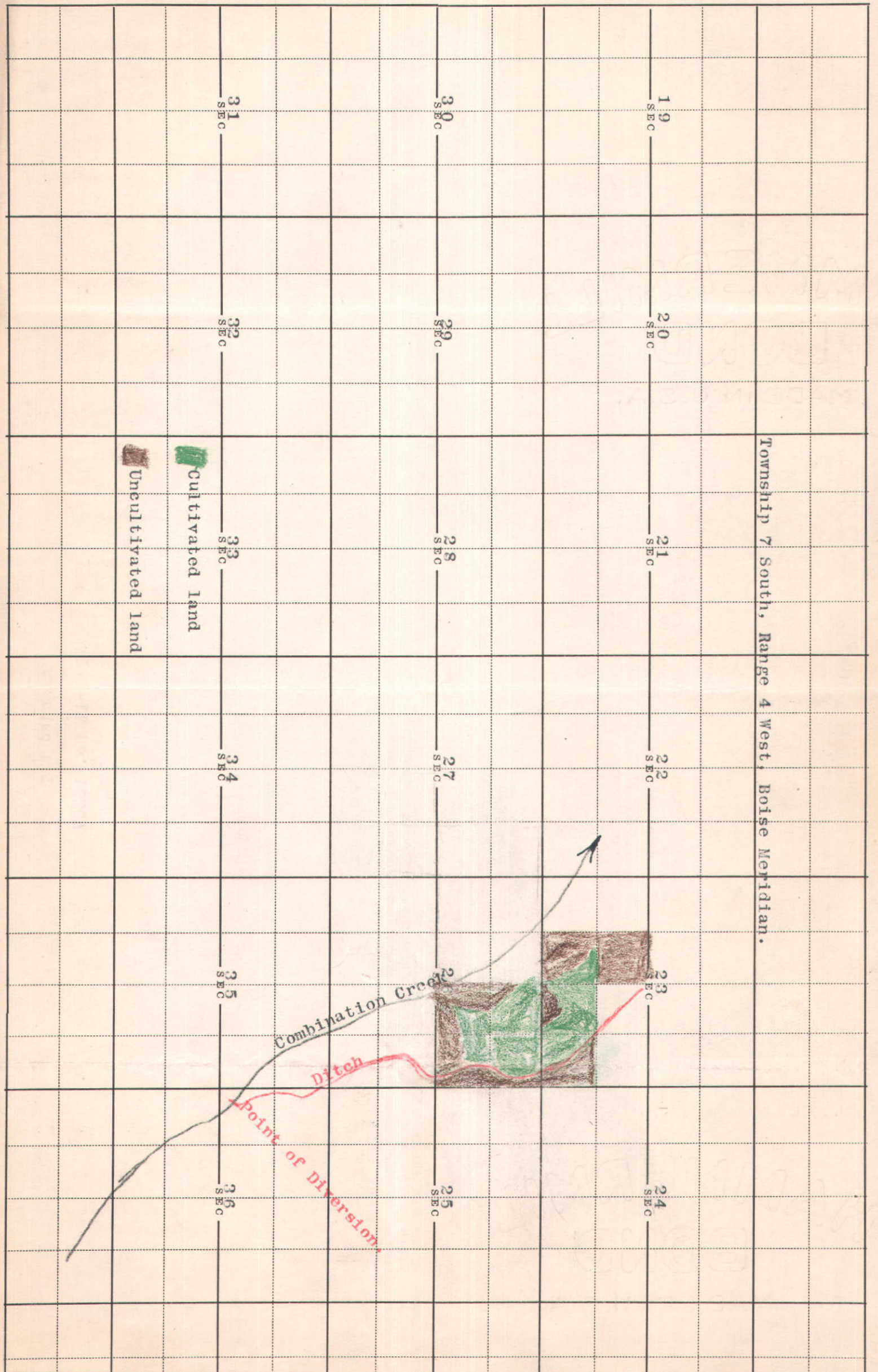


AMENDED MAP

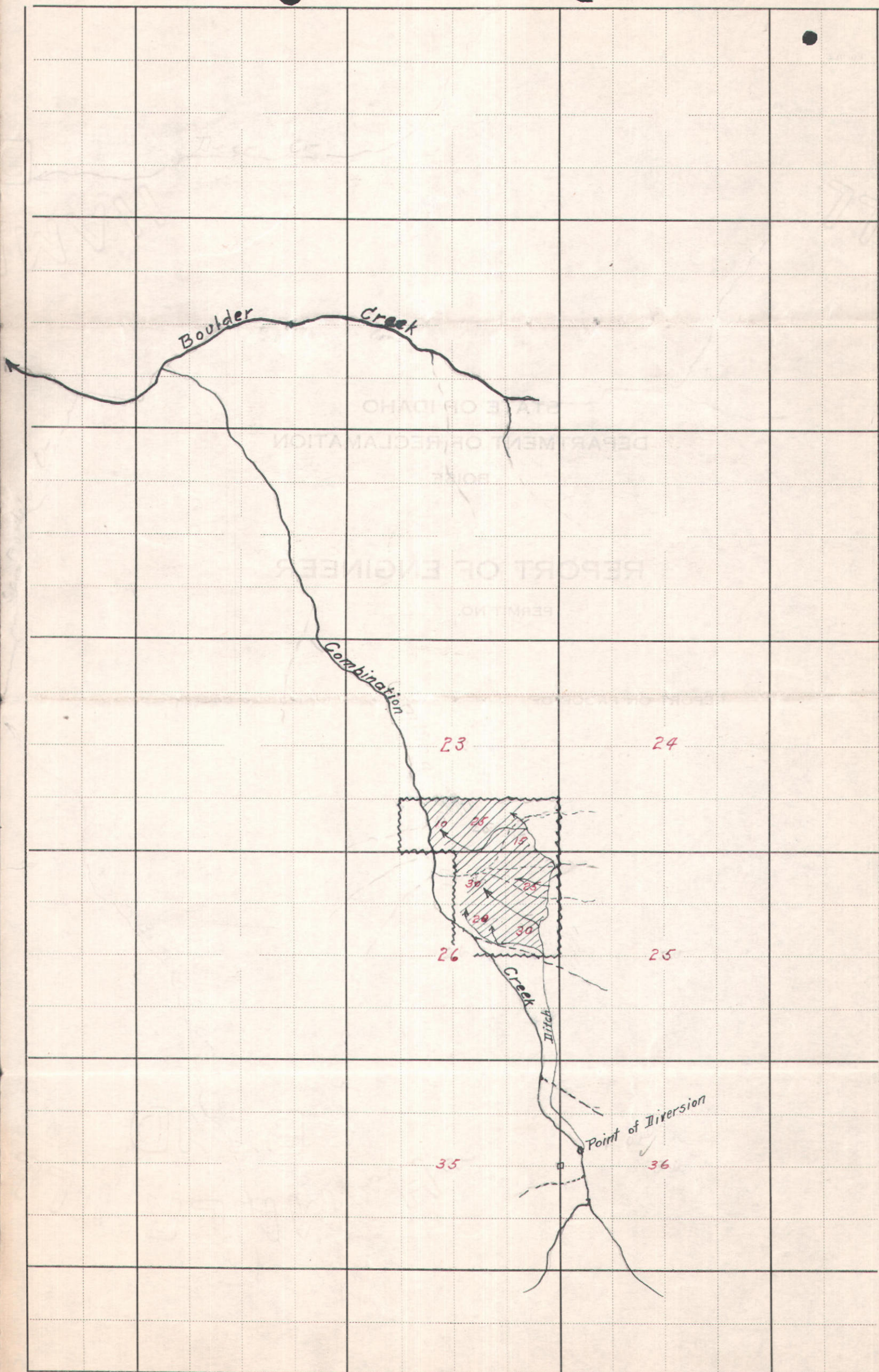
NAME OF APPLICANT Morris H. Allwardt, P. O., Jordan Valley, Oregon.

Form No. 0



SCALE: 2 INCHES EQUAL 1 MILE. DRAW PLAN IN INK

16267



SCALE: 2 INCHES EQUALS 1 MILE. DRAW MAP IN INK.

16267

● PROOF OF PUBLICATION

STATE OF IDAHO }
County of Owyhee } ss

I, CHARLES A. HACKNEY, being first duly sworn, depose and say that I am the publisher of the OWYHEE AVALANCHE, a newspaper of general circulation, published weekly at Silver City, County of Owyhee, and State of Idaho, and the annexed Notice was published in said paper once each and every week for four consecutive weeks, the first publication being on the 5th day of August, 1927 and the last publication being on the 26th day of August, 1927 and that said OWYHEE AVALANCHE has been published continuously and uninterruptedly in said county during a period of seventy-eight consecutive weeks prior to the first publication of the attached notice.

Charles A. Hackney

Subscribed and sworn to before me this 29th day of

August, 1927

[Signature]
Notary Public.

Notice of Proof of Application of Water

Notice is hereby given that at 10:30 A. M. on the 15th day of September, 1927, at Silver City, County of Owyhee, State of Idaho, before Probate Judge Leonard, proof will be submitted of the application to beneficial use of three and a half (3.5) cubic feet per second of the waters of Combination creek, in accordance with the terms and conditions of Permit No. 16267, heretofore issued by the Commissioner of Reclamation of the State of Idaho.

The name and postoffice address of the person holding said permit is Morris H. Allwardt, Jordan Valley, Oregon.

The uses to which said water has been applied are irrigation and domestic.

The amount applied to beneficial use is 3.5 cubic feet per second.

The place where said water is used is the SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, and the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 23; the NE $\frac{1}{4}$ of Section 26, Township 7 south, Range 4 west, Boise Meridian.

The right to take water from such works is based upon Permit No. 16267.

The source of supply from which such water is diverted is Combination creek.

The date of the priority which said user is prepared to establish is May 13, 1925.

GEO. N. CARTER,

Commissioner of Reclamation.

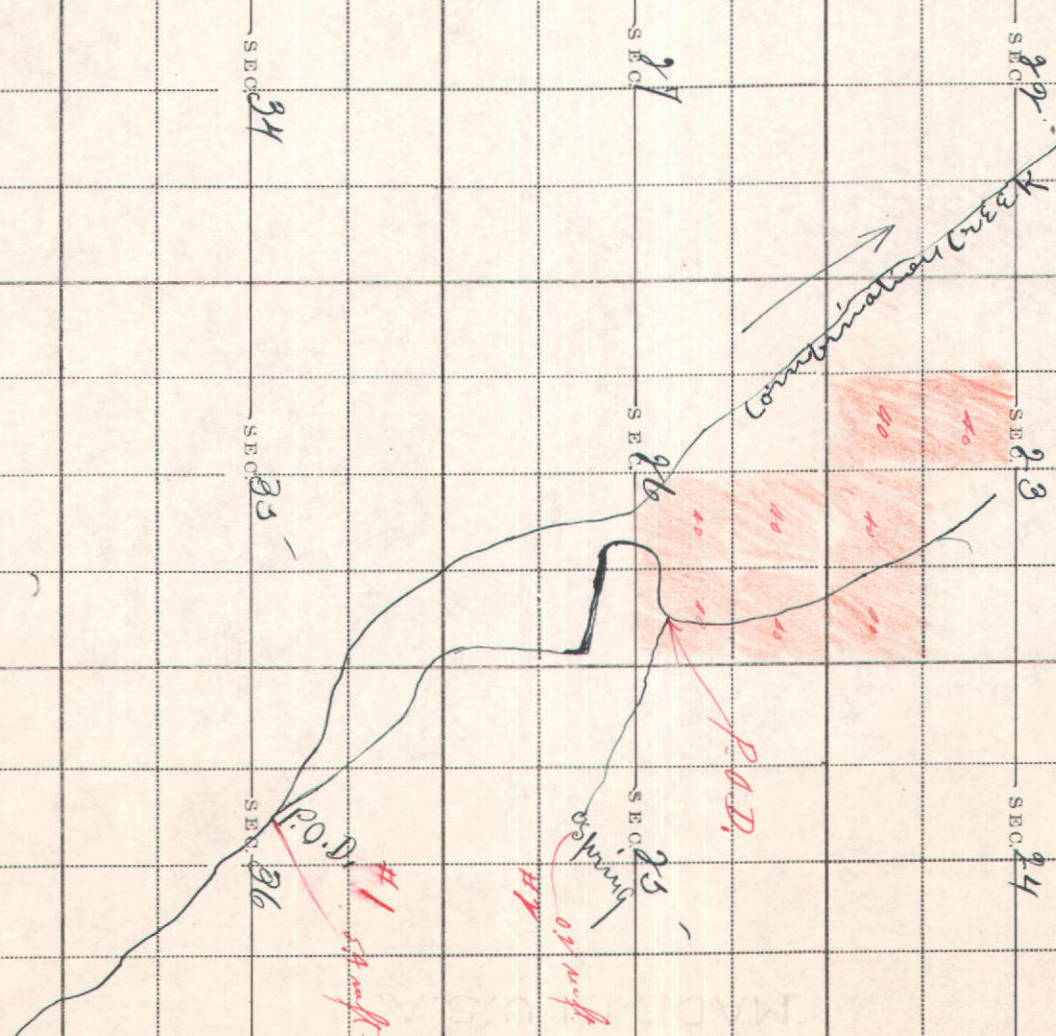
First publication August 5

Final publication August 26

16267

Permit Map No. **16267**
As Approved
May 22, 1920
W. C. SWENDSEN
Commissioner of Reclamation

T. S. R. 4 within



State of Idaho
License and Certificate of Water Right

Water License No. 16267

Amount 3.02 sec.ft.

Water District No. 54

Priority 5-13-1925

THIS IS TO CERTIFY that **MORRIS H. ALLWARDT**,
of **Jordan Valley, Oregon**, made application for a permit to appropriate the
public waters of the State of Idaho, dated **May 13**, 19 **25**; that Permit No. 16267
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
3.5 second feet, was issued thereunder on **June 7**, 19 **27**, showing that said works
were completed on the **6th** day of **June**, 19 **27**; and that on the **15th**
day of **September**, 1927,

MORRIS H. ALLWARDT

of **Jordan Valley**, State of **Oregon**, made proof to the satisfaction of the
Commissioner of Reclamation of Idaho, of the right to use the waters of **Combination**
Creek, a tributary of **Boulder Creek**, for the purpose of irrigation and
domestic use, under Use Permit No. 16267 of the Commissioner of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is
hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume **6**
of Licenses, at page 3540, on the **10th** day of **October**, 19 **28**;

The right hereby confirmed dates from **May 13**, 19 **25**;

The Point of Diversion is located
in the **SW 1/4 NW 1/4** Sec. **36**, Tp. **7 S.**, R. **4 W.**, B. M.

County of **Owyhee**,
That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid,
is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed **3.02**
cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated	
7 S.	4 W.	23	SE ¹ / ₄ SE ¹ / ₄	40	15	
			SW ¹ / ₄ SE ¹ / ₄	40	25	
			SE ¹ / ₄ SW ¹ / ₄	40	10	
		26	NE ¹ / ₄ NE ¹ / ₄	40	25	
			NW ¹ / ₄ NE ¹ / ₄	40	26	
			SW ¹ / ₄ NE ¹ / ₄	40	20	
			SE ¹ / ₄ NE ¹ / ₄	40	30	

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

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho,
this **10th** day of **October**, 19 **28**.

GEO. N. CARTER
Commissioner of Reclamation

(SEAL)

APPLICATION FOR PERMIT **55-2125** TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. 23072
Permit No. 16267
District No. 54

1. Name of Applicant: Morris H. Allwardt

Postoffice address: Jordan Valley County: Malheur State: Oregon

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:

(b) Treasury stock:

(c) Bonds to be issued:

(d) Other resources:

2. Quantity of water claimed: 0.2 cu. ft. from unnamed spring
5.4 cu. ft. from Combination Creek

3. Source of water supply: 1-Combination Creek which is a tributary of Boulder Creek
2-Unnamed Spring

4. Location of point of diversion: feet distant from the
corner of Section , T. , R. , B. M., and is in the 1-SE¹/₄ NW¹/₄
2-NE¹/₄ SW¹/₄
of Section 36 , T. 7 S. , R. 4 W. , 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 and ditch

9. Height of dam 2 feet; length of dam at top 50 feet; length of dam at bottom 50
feet; material used in dam: rock, timber and dirt

10. Size of headgate: Width 2 feet; height 2 feet

11. Ditch: Width at bottom 4 feet; width at water line 5 feet; depth of water 1
feet; dimensions of flume

Diameter of pipe inches; length of conduit 2 miles.

Average grade per mile 2 feet

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

13. The time required for the complete application of the water to the proposed use is Two additional years.

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

15. (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 waters of the State of Idaho as herein set forth.

Morris H. Allwardt Applicant.

By Agent.

Date of first receipt at Department of Reclamation. 3:30 P.M., May 11, 1925

Returned to applicant for correction.

Corrected application received.

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is 16267
Recorded in Book 58 Page 16267 Approved May 22, 1925
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 21, 1925 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, 1926
The whole of said work to be completed on or before May 22, 1928
Beneficial use of water appropriated in accordance herewith, to be made on or before May 22, 1930

Witness my hand this 22nd day of May, 1925

W. G. SWENDSEN
Commissioner of Reclamation.

Remarks: The spring designated herein is located on unentered Government land, and I am using the natural channel of said spring to its confluence with contemplated ditch at a point in the SE¹/₄ NE¹/₄, Sec. 26, T. 7 S., R. 4 W., B.M.

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	
7 S.	4 W.	23									40		40			40	40	160	
		26	40	40	40	40												160	
			Total number of acres to be irrigated- - -															320	

All government land unentered.

Proof of completion of works made June 6, 1927.
Certificate issued June 7, 1927.

PERMIT NO. 16267
CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that Morris H. Allwardt of Jordan Valley, County of Malheur, and State of Oregon, the holder of Permit No. 16267, issued upon Application No. 23072, bearing date of priority of May 13, 1925, authorizing the diversion of 5.6 second feet of the waters of an unnamed spring and Combination Creek, county of Owyhee, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 3.5 second feet of the waters of said unnamed spring and Combination Creek; that the points of diversion of said waters are located as follows: From the unnamed spring in the NE¹/₄SW¹/₄ Sec. 26; from Combination Creek in the SE¹/₄NW¹/₄ Sec. 36, both in Twp. 7 S., R. 4 W., B.M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: NE¹/₄SW¹/₄, SE¹/₄SW¹/₄, SW¹/₄SE¹/₄ and SE¹/₄SE¹/₄, Sec. 23, and the NE¹/₄ Sec. 26, all in Twp. 7 S., R. 4 W., B.M.

Witness my hand this 7th day of June, A. D. 1927.

GEO. H. CARTER,
Commissioner of Reclamation.

By Myron Swendsen,
Assistant.

2450.4

MORRIS H. ALLWARDT, being first duly sworn, deposes and says:

That his postoffice address is Jordan Valley, Oregon. That he is the owner of and using a certain water right, for 2.7 cubic feet per second of the water of Combination Creek, County of Owyhee, State of Idaho, obtained by virtue of Permit to appropriate the public waters of the State of Idaho, No. 16267, issued by the Department of Reclamation, bearing date of priority of May 13, 1925, for the purpose of irrigating the following described lands, situated, lying and being in Water District No. 54, in the County of Owyhee, and State of Idaho, to-wit: SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 23; and the NE $\frac{1}{4}$, Section 26, Township 7 South, Range 4 West, Boise Meridian, and is the person to whom such right was so issued.

That said waters are now diverted from said stream in the SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 36, T. 7 South, Range 4 West, and conducted to the above described lands through the Allwardt ditch, as per map filed herewith, and of this affidavit made a part:

That affiant does not desire to change the point of diversion of said waters from the point above described, but to change and correct an error in original application for permit and maps filed therewith and that his reasons for desiring to make such change are as follows: That an error was made in making out the original application for permit, giving wrong subdivision for point of diversion, and that no change has been made in the point of diversion, and this affidavit is made solely to correct such error.

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

Morris H. Allwardt,
Affiant.

Subscribed and sworn to before me this 4th day of October, 1928.

(SEAL)

R. H. Leonard
Probate Judge.

Received and filed for record in the Department of Reclamation
at Boise, Idaho, at 9:00 A. M. October 5, 1928.

GEO. N. CARTER
Commissioner of Reclamation

3.02
Page 35-40

cf

Rec'd 7/8/26

April 3, 1972

Re: License No. 55-2125 - Morris H. Allwardt

Mr. S. Gene Curtis
Federal Land Bank of Boise
Boise, Idaho 83706

Dear Mr. Curtis:

Pursuant to your telephone request of March 31, 1972, please find enclosed a copy of the above referenced License and the requested abstract on Sinker Creek. The fee for these copies will be \$1.00.

If we may be of any further assistance to you in this, or any other matter, please do not hesitate to contact this Department.

Very truly yours,

Dorian Clay
Appropriation Examiner

DC:CS

Enc: referenced copies

55 2125

April 3, 1972

Re: License No. 55-2125 - Morris H. Allwardt

Mr. S. Gene Curtis
Federal Land Bank of Boise
Boise, Idaho 83706

Dear Mr. Curtis:

Pursuant to your telephone request of March 31, 1972, please find enclosed a copy of the above referenced License and the requested abstract on Sinker Creek. The fee for these copies will be \$1.00.

If we may be of any further assistance to you in this, or any other matter, please do not hesitate to contact this Department.

Very truly yours,

Dorian Clay
Appropriation Examiner

DC:CS

Enc: referenced copies

55 2125

October 10, 1928

Re: Permit No. 16267

MR. MORRIS H. ALLWARDT
Jordan Valley
Oregon

Dear Sir:

There is transmitted herewith
Water License, issued under the above num-
bered Permit, together with receipt for fee.

Very truly yours,

GEO. N. CARTER
Commissioner of Reclamation

By
Chief Clerk

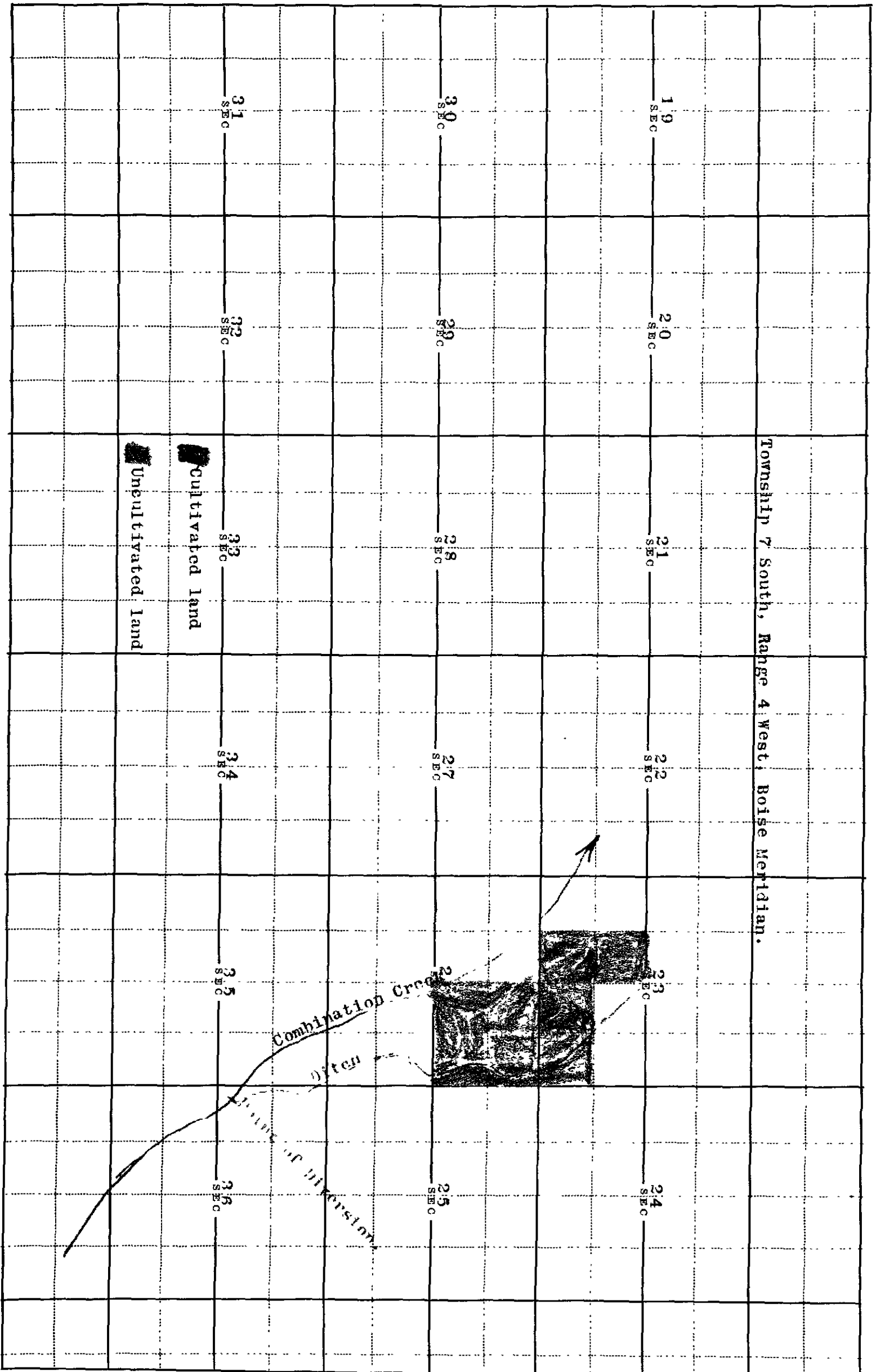
Enclosures

16267

AMENDED MAP

NAME OF APPLICANT... Morris H. Allwardt, P.O., Jordan Valley, Oregon.

Form No. 0



SCALE: 2 INCHES EQUAL 1 MILE. DRAW PLAN IN INK

16267

R. H. LEONARD
PROBATE JUDGE OF OWYHEE COUNTY
SILVER CITY IDAHO

October 4, 1928.

Re: Permit No. 16267—Morris H. Allwardt.

Mr. Geo. N. Carter,
Commissioner of Reclamation,
Boise, Idaho.

Dear Sir:

I am in receipt of your letter of the first, inst, enclosing copy of map filed with original application for permit showing error in location of point of diversion, and herewith enclose affidavit of Mr. Allwardt showing correct point of diversion in conformity with proof heretofore submitted and, also, conforming to report of examining engineer, together with amended map, in duplicate, but will ask you to, kindly, insert the date of permit and number of Water District.

Trusting this evidence will be acceptable and that same will complete his final proof, I am,

Very truly yours,

A handwritten signature in cursive script, reading "R. H. Leonard". The signature is written in dark ink and is positioned above the printed name of the signatory.

Probate Judge.

16 267

October 1, 1928.

Re: Permit No. 16267-Morris H. Allwardt.

Mr. R. H. Leonard,
Probate Judge,
Silver City, Idaho.

Dear Sir:-

Referring to your letter of the 28th inst., in which you enclose money order in the sum of \$14.00 in payment of fees under the above permit, would say that the proof submitted by Mr. Allwardt does show the point of diversion in the SW $\frac{1}{4}$ of section 36 but the original filing does not show either point in this location. The point of diversion described in the permit in section 36 is in the SE $\frac{1}{4}$ and it is to correct the record of the permit in this particular that the affidavit is required. The affidavit should show that an error had been made in making out the original application for the permit and that no actual change had been made in the point of diversion.

The enclosed copy of the map filed with the original application will serve to show you the original locations of the points of diversion. The small x shows the location as described in the proof and the engineer's report. You will see from this rough plat that the new location lies in a different legal subdivision and it is for this reason that an affidavit is required to correct our record of the permit.

Very truly yours,
GEO. H. CARTER,
Commissioner of Reclamation.

By _____
Chief Clerk.

Encl.

16267

R H LEONARD
PROBATE JUDGE OF OWYHEE COUNTY
SILVER CITY IDAHO

September 28, 1928.

Re: Permit No. 16267, Morris H. Allwardt.

Mr. Geo. N. Carter,
Commissioner of Reclamation,
Boise, Idaho.

Dear Sir:

Your letter to Mr. Allwardt, of the 24th, inst, enclosing form of affidavit for change of point of diversion, under above permit, and two plats, was brought to me, by Mr. Allwardt, today.

Mr. Allwardt did not have his permit with him but states, and his proof taken in September, 1927, shows, that his point of diversion is in the SW $\frac{1}{4}$ of NW $\frac{1}{4}$, of Section 36, as stated in the report of your examining engineer. Mr. Allwardt states that the other point of diversion was a small spring that produced but very little water and dried up, in the summer months, so left this point of diversion out, in the proof; that he has not changed the point of diversion and that an affidavit for change of point of diversion could not be made as no change of point of diversion has been made, or contemplated.

Enclosed find P. O. money order for \$14.00, fees due, as per your letter, and kindly advise if any further action will be required of Mr. Allwardt, and oblige,

Very truly yours,



Probate Judge.

16267

September 24, 1928.

Re: Permit No. 16267

Mr. Morris H. Allwardt,
Jordan Valley, Oregon.

Dear Sir:-

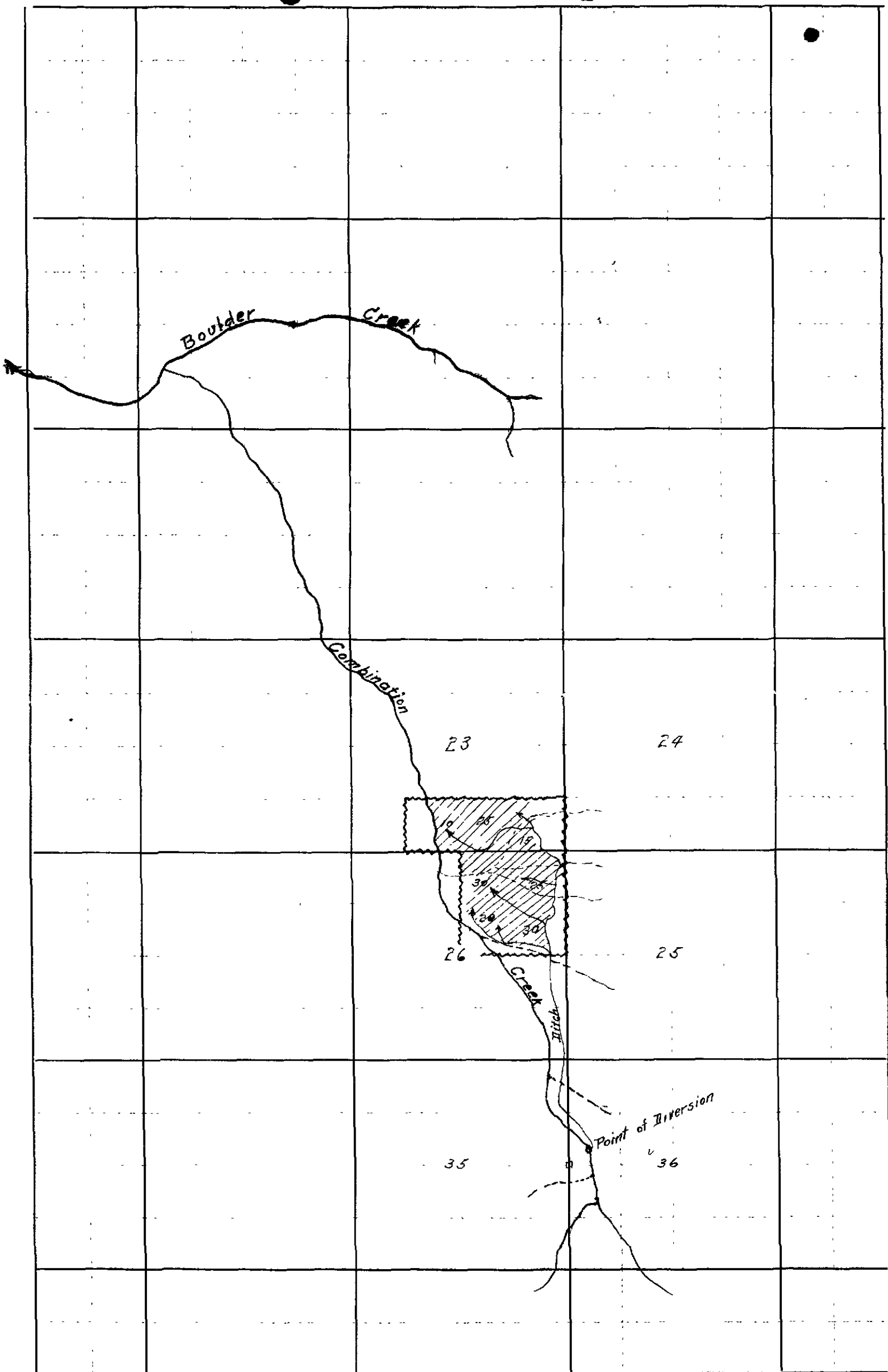
The report of our examining engineer for proof of beneficial use of water under your above numbered permit shows your point of diversion in the SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 36 instead of two points as described in the permit. To correct the records in this particular, it will be necessary for you to file an affidavit for change of point of diversion, form for which is enclosed. Upon receipt of such affidavit, together with fees in the sum of \$14.00, license will be issued to you.

Very truly yours,
GEO. M. CARTER,
Commissioner of Reclamation.

By _____
Chief Clerk.

F13

16267



SCALE: 2 INCHES EQUALS 1 MILE. DRAW MAP IN INK.

16267

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. _____

REPORT ON PROOF OF _____

Morris H. Alwardt
Jordan Valley

Permit No. 16267

Examination for BEN. USE

County OWYHIE

INSTRUCTIONS TO EXAMINERS

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

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

Permit No. 16267This proof is for BEN. USE

In Water District No. _____

1. Name of applicant: Morris H. Allwardt2. Source of water supply: Combination Creek and Spring3. Location of point of diversion: Is in the SE 1/4 NW 1/4 of Section 36T. 7 S R. 4 WEM County of Owyhee

4. Describe works as they exist, giving dimensions and capacities of same: *Diversion dam of rock & straw 20 ft long, 3 ft high. Headgate 3 ft wide, 15 ft high & 4 ft long. Ditch 25 wide & 15 ft deep*

5. Water is used for: Irrigation6. State whether or not water has been turned into works of diversion: yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): SE 1/4 SW 1/4, SW 1/4 SE 1/4, SE 1/4 SE 1/4 Sec. 23; NE 1/4 NE 1/4, NW 1/4 NE 1/4, SW 1/4 NE 1/4, SE 1/4 NE 1/4, Sec. 26,

T. 7 S., R. 4 W., B.M.

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

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

Remarks: *About 2 1/5 mile of ditch is supported by rock wall ranging from 2 to 16 ft in height*

This examination was made on the 28th day of June 1928

(Signed)

Frank A. Johnson

Examiner.

16267

November 10, 1927.

Re: Permit No. 16267.

Mr. Morris H. Allwardt,
Jordan Valley, Oregon.

Dear Sir:

In view of the fact that it will be impossible for our engineer to make the examination for proof of beneficial use of water under your above numbered permit before next season, we are returning you herewith the money order for \$1.25 sent in payment of certified copy of the license.

This examination will be made as early in the season as our field engineer can get out and you will be further advised at that time in regard to your proof.

Very truly yours,

GEO. H. CARTER,
Commissioner of Reclamation,

By

Chief Clerk.

B:P
Enc.

16267

October 19, 1927.

Re: 16267-Morris H. Allwardt.

Judge R. H. Leonard,
Probate Judge.
Silver City, Idaho.

Dear Sir:

In view of the fact that it has been impossible for our field engineer to make the required examination under the above numbered permit, we have today mailed to the U. S. Land Office at Blackfoot, a special certificate showing the status of the above numbered permit, as per your request of September 16.

As soon as the examination and report can be made by our engineer, the license will be issued and a certified copy furnished.

Very truly yours,

GEO. N. CARTER,
Commissioner of Reclamation,

By

Chief Clerk.

B:P

16267

September 19, 1927.

Mr. R. H. Leonard,
Probate Judge,
Silver City, Idaho.

Re: Permit No. 16267

Dear Sir:-

We are today in receipt of your letter enclosing depositions of holder and witnesses together with the affidavit of publication for proof of beneficial use of water under the above permit. These papers are in proper form and will be held without further action until the report of our engineer can be made.

If we find later that this report cannot be made within thirty days, a special certificate showing the status of the permit will be mailed to the U.S. Land Office at Blackfoot, per your request. The money order for \$1.25 will be held until later.

Very truly yours,
GEO. H. CARTER,
Commissioner of Reclamation.

By _____
Chief Clerk.

16267

ROBERT H. LEONARD
PROBATE JUDGE OF OWYHEE COUNTY
SILVER CITY, IDAHO

September 16, 1927.

Re: Permit No. 16267
Morris H. Allwardt.

Mr. Geo. N. Carter,
Commissioner of Reclamation,
Boise, Idaho.

Dear Sir:

Enclosed find depositions of Permit Holder and two witnesses, on Proof of Application to Beneficial Use of the waters of Combination Creek, this County, under above Permit, and Proof of Publication of Notice of Proof.

Also find enclosed P. O. order for \$1.25, for which pleasemake and file in the U. S. Land Office, at Blackfoot, Idaho, certified copy of Water License of Permit Holder, in support of final proof on his Desert Land Entry, upon which proof has just been submitted.

If Water License cannot be issued within the next thirty days, please file, in said land office, a certificate, showing that Morris H. Allwardt has complied with all the requirements of your office, to date, with respect to perfecting his water title, and oblige,

Very truly yours,

R. H. Leonard
Probate Judge.

16267

● PROOF OF PUBLICATION

STATE OF IDAHO }
County of Owyhee } ss

I, CHARLES A. HACKNEY, being first duly sworn, depose and say that I am the publisher of the OWYHEE AVALANCHE, a newspaper of general circulation, published weekly at Silver City, County of Owyhee, and State of Idaho, and the annexed Notice was published in said paper once each and every week for four consecutive weeks, the first publication being on the 5th day of August, 1927, and the last publication being on the 26th day of August, 1927, and that said OWYHEE AVALANCHE has been published continuously and uninterruptedly in said county during a period of seventy-eight consecutive weeks prior to the first publication of the attached notice.

Charles A. Hackney

Subscribed and sworn to before me this 29th day of August, 1927

[Signature]
Notary Public.

Notice of Proof of Application of Water

Notice is hereby given that at 10:30 A. M. on the 15th day of September, 1927, at Silver City, County of Owyhee, State of Idaho, before Probate Judge Leonard, proof will be submitted of the application to beneficial use of three and a half (3.5) cubic feet per second of the waters of Combination creek, in accordance with the terms and conditions of Permit No. 16267, heretofore issued by the Commissioner of Reclamation of the State of Idaho.

The name and postoffice address of the person holding said permit is Morris H. Alwardt, Jordan Valley, Oregon.

The uses to which said water has been applied are irrigation and domestic.

The amount applied to beneficial use is 3.5 cubic feet per second.

The place where said water is used is the SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, and the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 23; the NE $\frac{1}{4}$ of Section 26, Township 7 south, Range 4 west, Boise Meridian.

The right to take water from such works is based upon Permit No. 16267.

The source of supply from which such water is diverted is Combination creek.

The date of the priority which said user is prepared to establish is May 13, 1925.

GEO. N. CARTER,
Commissioner of Reclamation.

First publication August 5

Final publication August 26

16267

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO.

PERMIT NO. 16267

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Morris H. Allwardt, age 50, Owyhee County, Idaho, farmer.

P. O. address, Jordan Valley, Oregon.

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. 0

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

Ans. No. 16267, May 22, 1925. Priority, May 13, 1925.

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

Ans. Combination Creek, Point of diversion, SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 36, T. 7 S., R. 4 W., Boise Meridian, about 150 yards in a northeasterly direction from quarter corner between Secs. 35 and 36, above township.

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

Ans. Diversion dam, rock and dirt, 12 ft. long, at top and bottom, 2 ft. high. 1 main ditch to land, 1 $\frac{1}{2}$ miles long, 3 $\frac{1}{2}$ ft. wide at bottom, 4 $\frac{1}{2}$ ft. wide at water line, depth of water 1 ft. Extension of main ditch, on land, about 1 mile long, same dimensions as above, except at lower end, 2 ft. wide and 1 ft. deep, capable of conveying 3.5 cubic feet per second to place of use. Allwardt ditch.

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. Irrigation of 10 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 23, 10 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 23, 30 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 23, 30 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, 30 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, 10 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 15 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, in Sec. 28, above township. No natural meadow. Produced a crop of hay and made good pasture, as a result of use of said water.

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

Ans. 0

16267

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

Ans. At least 1 inch of water per acre.

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. Same person.

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

Ans. In irrigation season of 1927, ditch was full of water and distributed over all the land irrigable.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. No other water diverted.

(Sign)

Morris H. Alwardt

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 Silver City, County of Owyhee, State of Idaho, on this 15th day of September, A. D. 1927.

L. H. Leonard

Probate Judge.

My commission expires

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO.

PERMIT NO. 16267

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. Gust Raaen, age 52, Triangle, Idaho, stockraising, P. O. address, Triangle, Idaho.

Ques. 2. Are you acquainted with Morris H. Allwardt, the holder of Permit No. 16267? How long have you known him and where does he reside?

Ans. Yes. Known him 6 years. He resides on Combination Creek, Owyhee County, Idaho.

Ques. 3. Have you read or heard read said Permit No. 16267, 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. Combination Creek, Point of diversion, SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 36, T. 7 S., R. 4 W., Boise Meridian. Diversion dam of rock and dirt, 12 ft. long at top and bottom, 2 ft. high. 1 main ditch, 1 $\frac{1}{4}$ miles long, 3 $\frac{1}{2}$ ft. wide at bottom, 4 $\frac{1}{2}$ ft. wide at water line, depth of water 1 ft. Extension of main ditch, on land, about 1 mile long, same dimensions as above, except lower end, 2 ft. wide and 1 ft. deep.

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. 4 second feet of water and have seen ditches full of water.

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

Ans. Irrigation of 10 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 23, 10 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, 30 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, 30 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, 30 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, 10 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, and 15 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, sec. 26, above township. No natural meadow. Produced crops of hay, made good pasture as result of use of said water.

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

Ans. 0

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. Doby soil that will require one inch of water per acre for profitable cultivation.

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

Ans. No, none whatever.

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. During irrigation season of 1927, I saw ditches full of water, about 4 second feet of water, conveyed and distributed over the irrigable land of claimant.

(Signed)

Gust Raam

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 Silver City, County of Owyhee, State of Idaho, on this 15th day of September, A. D. 1927.

Probate Judge.

W. Leonard

~~Notary Public~~

My commission expires

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO.

PERMIT NO. 16267

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. Charles Wall, age 63, South Mountain, Idaho, stockraising,
P. O. address, Jordan Valley, Oregon.

Ques. 2. Are you acquainted with Morris H. Allwardt, the holder of Permit No. 16267? How long have you known him and where does he reside?

Ans. Yes. Known him 25 years. He resides on Combination Creek,
Owyhee County, Idaho.

Ques. 3. Have you read or heard read said Permit No. 16267, 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. Combination Creek, Point of diversion, SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 36, T. 7
S., R. 4 W., Boise Meridian. Diversion dam of rock and dirt, 12 ft,
long at bottom and top, 2 ft. high. 1 main ditch, 1 $\frac{1}{2}$ miles long, 3 $\frac{1}{2}$ ft.
wide at bottom, 4 $\frac{1}{2}$ ft. wide at water line, depth of water 1 ft.
Extension of main ditch, on land, about 1 mile long, same dimensions as
above, except lower end, 2 ft. wide and 1 ft. deep.

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. 3.5 second feet and have seen ditches full of water.

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

Ans. Irrigation of 10 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 23, 10 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$,
30 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, 30 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, 30 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, 10 acres
in SW $\frac{1}{4}$ NE $\frac{1}{4}$, and 15 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 26/^{above township.}
No natural meadow.
Produced crops of hay and made good pasture, as result of said water.

16267

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

Ans. 0

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. Doby soil that will require one inch of water per acre for profitable cultivation.

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

Ans. 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. During the irrigation season of 1927, I saw the ditches full of water, conveyed and distributed over the irrigable land of claimant, being all of 3.5 second feet of water.

(Signed) Charles Wall

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 Silver City, County of Owyhee, State of Idaho, on this 15th day of September, A. D. 1927..

W. T. Leonard
Probate Judge.

Notary Public

My commission expires

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO,

Aug. 29, 1927

Morris H. Allwardt,

c/o Judge Leonard,
Silver City, Idaho.

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 16267

DEPOSITION OF PERMIT HOLDER,
DEPOSITIONS OF TWO WITNESSES.

In submitting this proof the following instructions should be CAREFULLY followed out, since failure to do so may result in the loss of rights:

1. On September 15, 1927, the date set for proof, the enclosed forms (one for permit holder and one each for two disinterested witnesses) should be filled out and sworn to, at Silver City before Judge Leonard.

2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice.

When these have been received, together with report of the examining engineer, if everything is properly executed, you will be further advised as to fees due, etc., before certificate is issued.

Yours truly.

GEO. N. CARTER,

Commissioner of Reclamation.

16267

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date July 30, 1927

The Owyhee Avalanche,
Silver City, Idaho.

DEAR SIR:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to ~~September 15, 1927~~, the date set for proof, the expense of the publication to be paid by the applicant, ... ~~Morris H. Allwardt, of Jordan Valley, Ore.,~~ to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice and furnish this office with a copy of the first publication.

Very truly yours,

GEO. W. CARTER,

Commissioner of Reclamation.

16 267

Department of Reclamation
Boise Ida.

Jordan Valley Ore
July 18-1927

Permit No. 16267,

Dear Sir:

I wish to make final
proof on the water - before Judge
Leonard at Silver City. On Sept 15-1927
by the following witnesses
Wm Spencer & Triangle - Idaho
Chas. Wall - Jordan Valley - Oregon.

To be published in the ~~Oregonian~~ ~~Idaho~~
Silver City - Idaho:

Obligated
M. H. Ellwardt

16267

June 7, 1927.

Re: Permit No. 16267.

Mr. Morris H. Allwardt,
Jordan Valley, Oregon.

Dear Sir:

We are enclosing herewith Certificate
of Completion of Works issued under the above
numbered permit; also receipt for \$5.00, fees
paid.

Very truly yours,

GEO. N. CARTER,
Commissioner of Reclamation,

By

Chief Clerk.

B:P.

Enc.

16267

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date)

(P. O.) **Jordan Valley, Oregon**

TO THE COMMISSIONER OF RECLAMATION:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
Owyhee Avalanche of **Silver City, Idaho**, published in
the county in which the works are situated.

Signe

(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 compe-
tent engineer.)

I hereby certify that the facts set forth in the attached notice are true.

.....
Engineer.

16 267

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:30 a. m. on the 15th day of September, 1927,
at Silver City, County of Owyhee, State of Idaho,
before Judge Leonard, proof will be submitted
of the application to beneficial use of three and a half (3.5) cubic feet per second of the
waters of Combination Creek in accordance with the terms and conditions of
Permit No. 16267 heretofore issued by the Commissioner of Reclamation
of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are
Morris H. Allwardt, Jordan Valley, Oregon

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

The amount applied to beneficial use is

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) on SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 23, (10 acres), SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 23 (30 acres), SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 23 (30 acres), NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 26 (30 acres), NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 26 (30 acres), SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 26 (10 acres); and SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 26, (15 acres). T. 7 S. R. 4 W. 4 N.

The name of the canal or ditch or other works by which said water is conducted to such place of use
is ditch constructed and owned by the applicant - unnamed.

The right to take water from such works is based upon Permit No. 16267

The source of supply from which such water is diverted is Combination Creek

The date of the priority which said user is prepared to establish is May 13, 1925

Geo. H. Carter,

Commissioner of Reclamation.

Spring - SE $\frac{1}{4}$ SW - 26 / 75-4 N
Creek - NE $\frac{1}{4}$ SW - 36 / 75-4 N
Owyhee
3-4-

16267

Permit No.....

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO,

County of Owyhee.....

} ss.

Morris H. Hallward.....

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. 16247, and that his postoffice address is Jordan, Wat.
State of Or......

Second: That the name of the stream from which said water is to be diverted is....
Combination Creek.....

Third: That the point of diversion of said water is 450 feet NE of
1/4 corner between 35 and 36.....

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by May 22....., 1928.

Fifth: That the use for which said water is intended is irrigation.....

Sixth: 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 and ditch.....
(Reservoir, dam, ditch, flume, pipe or otherwise.)

II. Dimensions of work:

(a) Height of dam 2.... feet, length of dam at top 14.... feet, length of dam at bottom 12.... feet. Material used in construction.....
rock.....
(State whether wood, earth, stone or concrete.)

(b) Capacity of reservoir..... acre feet.

(c) Size of headgate: Width 3.... feet, height 1 1/2.... feet.

(d) Conduit 3 1/2 feet width at bottom 3 1/2.... feet, width at water line 4.... feet, depth of water..... feet; diameter of pipe..... inches, average grade per mile is 1.... feet. Length of conduit is 2.... miles.

Seventh: That said works are capable of conducting to the place of intended use 3 1/2.... second feet of water.

Eighth: That water appropriated under said permit is available for 135.... acres of land described as follows: NE 1/4, 22 E 1/2 30, acors. NW 1/4, 22 E 1/2 30, acors. SW 1/4, 22 E 1/2 30, acors. SE 1/4, 22 E 1/2 30, acors. Sec. 26, T. 7 N. R. 4 W. Boise M.

Ninth: Remarks: That.....

Morris H. Hallward
(Sign here)

Subscribed and sworn to before me this 6 day of June, 1927.

My commission expires Sept 6, 1927

J. W. Hoffman
Notary Public for Idaho

Residence
16267 Caldwell, Ida

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

Permit No. 16267

Morris H. Allwardt
Jordan Valley, Oregon

Boise, Idaho, May 22, 1925

Dear Sir:

I enclose herewith above numbered permit. BE SURE AND NOTE
LIMITATIONS AND CONDITIONS OF SAME as given under approval of
the Commissioner of Reclamation on the third page.

W. G. SWENDSEN
Commissioner of Reclamation.

16267

