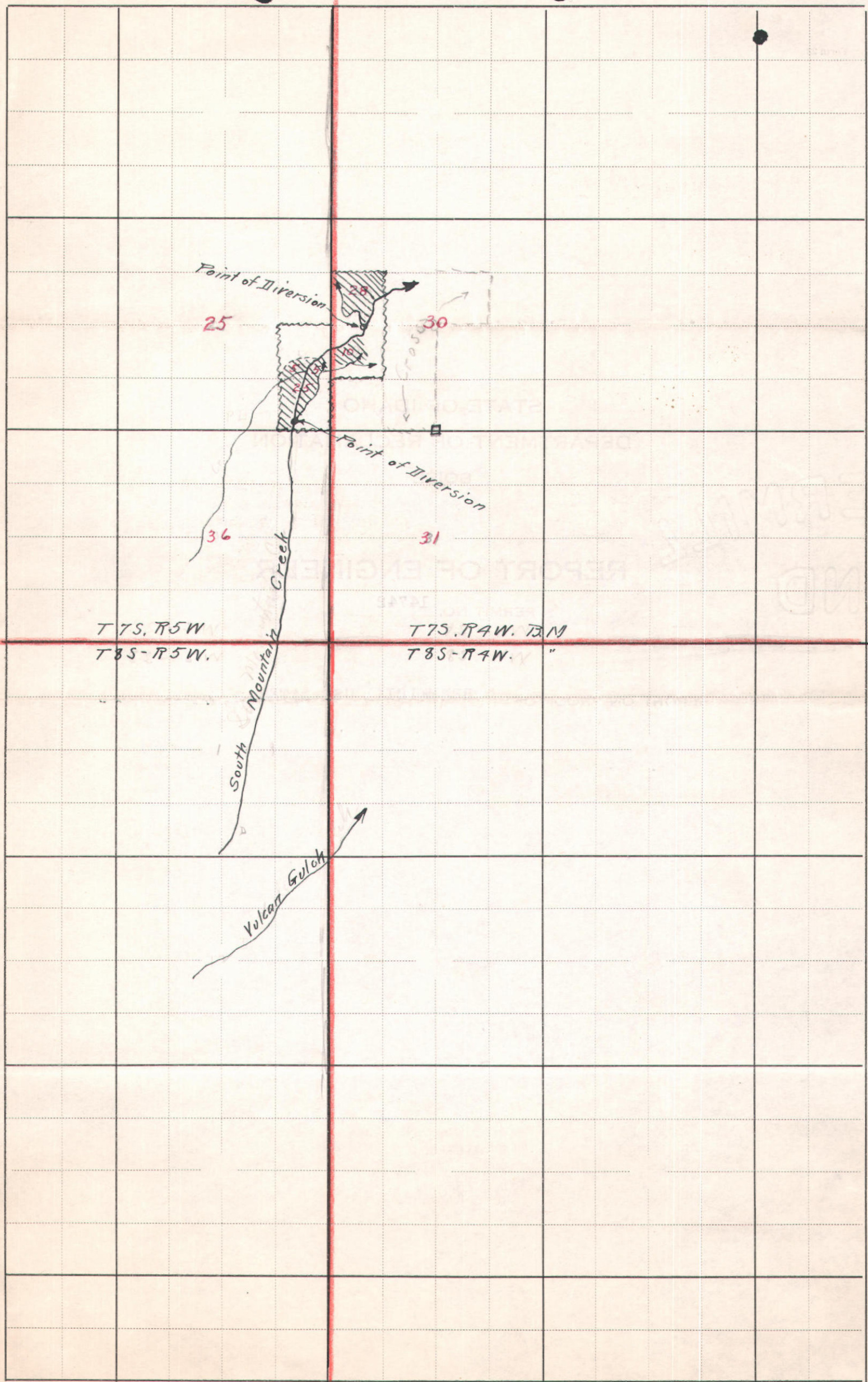




SCALE: 2 INCHES EQUALS 1 MILE. DRAW MAP IN INK.

14742

Notice of Proof of Application of Water to Beneficial Use

Notice is hereby given that at 10:00 A. M. on the 7th day of August, 1923, at Jordan Valley, County of Malheur, State of Oregon, before H. W. Gahan, United States commissioner, proof will be submitted for the application of one cubic foot per second of the waters of South Mountain creek, in accordance with the terms and conditions of Permit No. 14742, heretofore issued by the Commissioner of Reclamation of the State of Idaho.

The name and postoffice address of the person holding said permit are Kenneth MacKenzie, Jr., Jordan Valley, Oregon.

The use to which said water has been applied is Irrigation and Domestic.

The amount applied to beneficial use is one cubic foot per second.

The place where said water is used is the NE $\frac{1}{4}$ SE $\frac{1}{4}$, 20 acres; the SE $\frac{1}{4}$ SE $\frac{1}{4}$, 10 acres, all in Section 25, Township 7 south, Range 5 west; the SW $\frac{1}{4}$ NW $\frac{1}{4}$, 10 acres; the NW $\frac{1}{4}$ SW $\frac{1}{4}$, 10 acres, all in Section 30, Township 7 south, Range 4 west, Boise Meridian.

The name of the canal or ditch or other works by which said water is conducted to such place of use is, none.

The right to take water from such works is based on Permit No. 14742.

The source of supply from which such water is diverted is South Mountain creek, a tributary of South Boulder creek, tributary of North Boulder creek.

The date of priority which said user is prepared to establish is May 28th, 1920.

W. G. SWENDSEN,

Commissioner of Reclamation.

First publication July 6

Last publication July 27

AFFIDAVIT OF PUBLICATION

Charles A. Hackney, Publisher

..... of the
OWYHEE AVALANCHE, a newspaper of general circulation, published weekly at Silver City, Owyhee county, Idaho, established, printed and issued regularly for more than seventy-eight weeks in said town and county before the first insertion of the notice of

Proof of Application of Water

....., a copy of which is hereto attached, and which was published in the regular and entire edition of said newspaper and not in any supplement thereof for a period of four..... consecutive weeks, beginning with the issue of July 6, 1923..... and ending with the issue of July 27, 1923.....

Charles A. Hackney

Subscribed and sworn to before me this... 28th... day
of July, 1923

R. A. Leonard
Probate Judge

14742

NAME OF APPLICANT

Smith T. Co. Inc.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

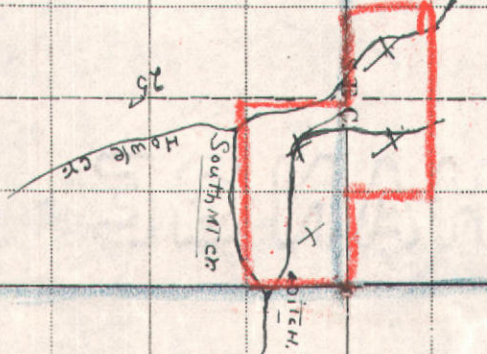
SEC.

SEC.

SEC.

*T. 75
R. 5 W*

*T. 75
R. 4 W*



State of Idaho

License and Certificate of Water Right

Water License No. 14742 Amount 1 sec. foot
 Water District No. 54 Priority 5-28-1920

THIS IS TO CERTIFY that Kenneth MacKenzie, Jr.,
 of Jordan Valley, Oregon, made application for a permit to appropriate the
 public waters of the State of Idaho, dated May 28, 1920, that Permit No. 14742
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
 1 second feet, was issued thereunder on June 9, 1922, showing that said works
 were completed on the 20th day of May, 1922; and that on the 7th
 day of August, 1923,

Kenneth MacKenzie, Jr.,
 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 South Moun-
 tain Creek, a tributary of S. Boulder Creek, for the purpose of irrigation and
 domestic use, under Use Permit No. 14742 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 3142, on the 29th day of January, 1924;

The right hereby confirmed dates from May 28, 1920;

The Point of Diversion is located
 in the SE 1/4 SE 1/4, Sec. 25, Tp. 7 S., R. 5 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 one 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.	5 W.	25	NE 1/4 SE 1/4	40	10
			SE 1/4 SE 1/4	40	25
7 S.	4 W.	30	SW 1/4 NW 1/4	40	28
			NW 1/4 SW 1/4	40	10

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 29th day of January, 1924.

W. G. SWENDSEN.
 Commissioner of Reclamation.

(SEAL)

APPLICATION FOR PERMIT 58-2105

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. 20963
Permit No. 14742
District No. 54

1. Name of Applicant: **Kenneth MacKenzie, Jr.**

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: **1** cubic feet per second.

3. Source of water supply: **South Mountain Creek** which is a tributary of **South Boulder.**

4. Location of point of diversion: _____ feet distant from the
corner of Section _____, T. _____, R. _____, B. M., and is in the **SE $\frac{1}{4}$ of SE $\frac{1}{4}$**
of Section **25**, T. **7 S.**, R. **5 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: **Ditch.**

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

10. Size of headgate: Width **1 $\frac{1}{2}$** feet; height **1.5** feet.

11. Ditch: Width at bottom **2** feet; width at water line **2 $\frac{1}{2}$** feet; depth of water **$\frac{1}{2}$**
feet; dimensions of flume
Diameter of pipe _____ inches; length of conduit **$\frac{3}{4}$** miles.
Average grade per mile **10** feet.

12. The time required for the completion of such work is **2** years.

13. The time required for the complete application of the water to the proposed use is **1** 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.

Kenneth MacKenzie, Jr. Applicant.

By _____ Agent.

Commissioner of Reclamation
Date of first receipt at office of ~~State Engineer~~ 3:30 P. M. May 28, 1920.

Returned to applicant for correction

Corrected application received

COMMISSIONER OF RECLAMATION
APPROVAL OF STATE ENGINEER

The number of this permit is **14742**

Recorded in Book 52 Page 14742 Approved June 2, 1920.

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 August 1, 1920 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 **June 2, 1921.**

The whole of said work to be completed on or before **June 2, 1922.**

Beneficial use of water appropriated in accordance herewith, to be made on or before **June 2, 1923.**

Witness my hand this **2nd** day of **June**, 1920.

W. G. Swendsen,
~~State Engineer~~
Commissioner of Reclamation.

Remarks :

Government land.

14 Twp	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals	
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼		
7 S.	5 W.	25																20	10	30
7 S.	4 W.	30																		20
							10				10									
															Total number of acres to be irrigated-----50					
			Proof of Completion of Works made May 26th, 1922. Certificate of Completion of Works issued June 9, 1922.																	
			Permit No. 14742																	
			CERTIFICATE OF COMPLETION OF WORKS																	
			To All Whom It May Concern:																	
			This is to certify that Kenneth MacKenzie, Jr., of Jordan Valley, County of Malheur, and State of Oregon, the holder of Permit No. 14742, issued upon Application No. 20963, bearing date of priority of May 28, 1920, authorizing the diversion of one second foot of the waters of South Mountain 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 one second foot of the waters of South Mountain Creek; that the point of diversion of said waters is in the SE¼ of the SE¼ of Section 25, T. 7 S., R. 5 W., B. M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: SW¼ NW¼, NW¼ SW¼, Sec. 30, Twp. 7 S., R. 4 W., B. M., and NE¼ SE¼, SE¼ SE¼ Sec. 25, Twp. 7 S., R. 5 W., B. M.																	
			Witness my hand this 9th day of June, A. D. 1922.																	
			W. G. SWENDSEN, Commissioner of Reclamation																	
			By Geo. N. Carter, Assistant.																	
			License issued for <u>100</u> second foot for 14742.																	

November 12, 1925

Re: Permit 14742

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

Dear Sir:

Enclosed please find receipt
for money order remitted in payment
of certified copy of license No.
14742, issued to Kenneth Mackenzie Jr.,
which license has this day been mailed
to the U. S. Land Office for filing.

Very truly yours,

W. G. SWENDSEN
Commissioner of Reclamation

By
Chief Clerk.

B-H
Enc.

14742

November 12, 1925

Re: Permit 14742

U. S. Land Office,
Boise, Idaho.

Gentlemen:

Enclosed please find certified
copy of water license issued to Kenneth
MacKenzie, Jr., under the above numbered
permit. Please file this license in
your office.

Very truly yours,

W. G. SWENDSEN
Commissioner of Reclamation

By

Chief Clerk

H-Enc.

14742

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

November 10, 1925.

Re: Water License No. 14742- Kenneth MacKenzie Jr.

Hon. W. G. Swendsen,
Commissioner of Reclamation,
Boise, Idaho.

Dear Sir:

Enclosed find P. O. money order for \$1.25,
for which, please make, and file in the U. S. Land
Office, at Boise, Idaho, certified copy of above
water license, as soon as convenient, in support of
final proof of Kenneth MacKenzie Jr., on his desert
land entry, which has, this day, been submitted,
and oblige,

Very truly yours,

R. H. Leonard
Probate Judge.

14742

January 31, 1924.

Re: Permit No. 14742

Mr. Kenneth MacKenzie, Jr.,
Jordan Valley, Oregon.

Dear Sir:

We are enclosing herewith Water License, issued under the above
numbered Permit, together with receipt for fees.

Very truly yours,

W. G. SWENDSEN,

Commissioner of Reclamation

Encls.

By
Chief Clerk.

14742

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

BOISE

January 5, 1924.

Re: Permit No. 14742

Mr. Kenneth MacKenzie,
Jordan Valley, Oregon.

Dear Sir:

We are in receipt of the report of our examining engineer for proof of beneficial use of water under the above numbered Permit. Upon receipt of fees in the sum of \$8.00, license will be issued you.

Very truly yours,

W. G. SWENDSEN,
Commissioner of Reclamation

By *W. G. Swensen*
Chief Clerk.

14742

January 5, 1924.

Re: Permit No. 14742

Mr. Kenneth MacKenzie,
Jordan Valley, Oregon.

Dear Sir:

We are in receipt of the report of our examining engineer for proof of beneficial use of water under the above numbered Permit. Upon receipt of fees in the sum of \$8.00, license will be issued you.

Very truly yours,

W. G. SWENDSEN,
Commissioner of Reclamation

By

Chief Clerk.

14742

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

Permit No. **14742**This proof is for **BEN. USE WATER**In Water District No. **54**

1. Name of applicant: **Kenneth MacKenzie**
2. Source of water supply: **South Mountain Creek**
3. Location of point of diversion: Is in the **SE $\frac{1}{4}$ SE $\frac{1}{4}$** of Section **25**
T. **7 S.** R. **5 W..B.M.** County of **Owyhee**
4. Describe works as they exist, giving dimensions and capacities of same: *Brush diversion dam, ditch 1.5 ft wide and 1 ft deep, steep grade*
5. Water is used for: *Irrigating hay & pasture land*
6. State whether or not water has been turned into works of diversion:

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):

10.A. 25.A. 28.A. 10.A.
NE $\frac{1}{4}$ SE $\frac{1}{4}$ & SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 25, T.7 S., R. 5 W.B.M.; SW $\frac{1}{4}$ NW $\frac{1}{4}$ & NW $\frac{1}{4}$ SW $\frac{1}{4}$,
Sec. 30, 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:

This examination was made on the **3rd** day of **Oct** 19**22**

(Signed)

And J. Tolman

Examiner.

14742

Permit No. **14742**.....

Examination for **Beneficial Use**

County **Owyhee**.....

INSTRUCTIONS TO EXAMINERS

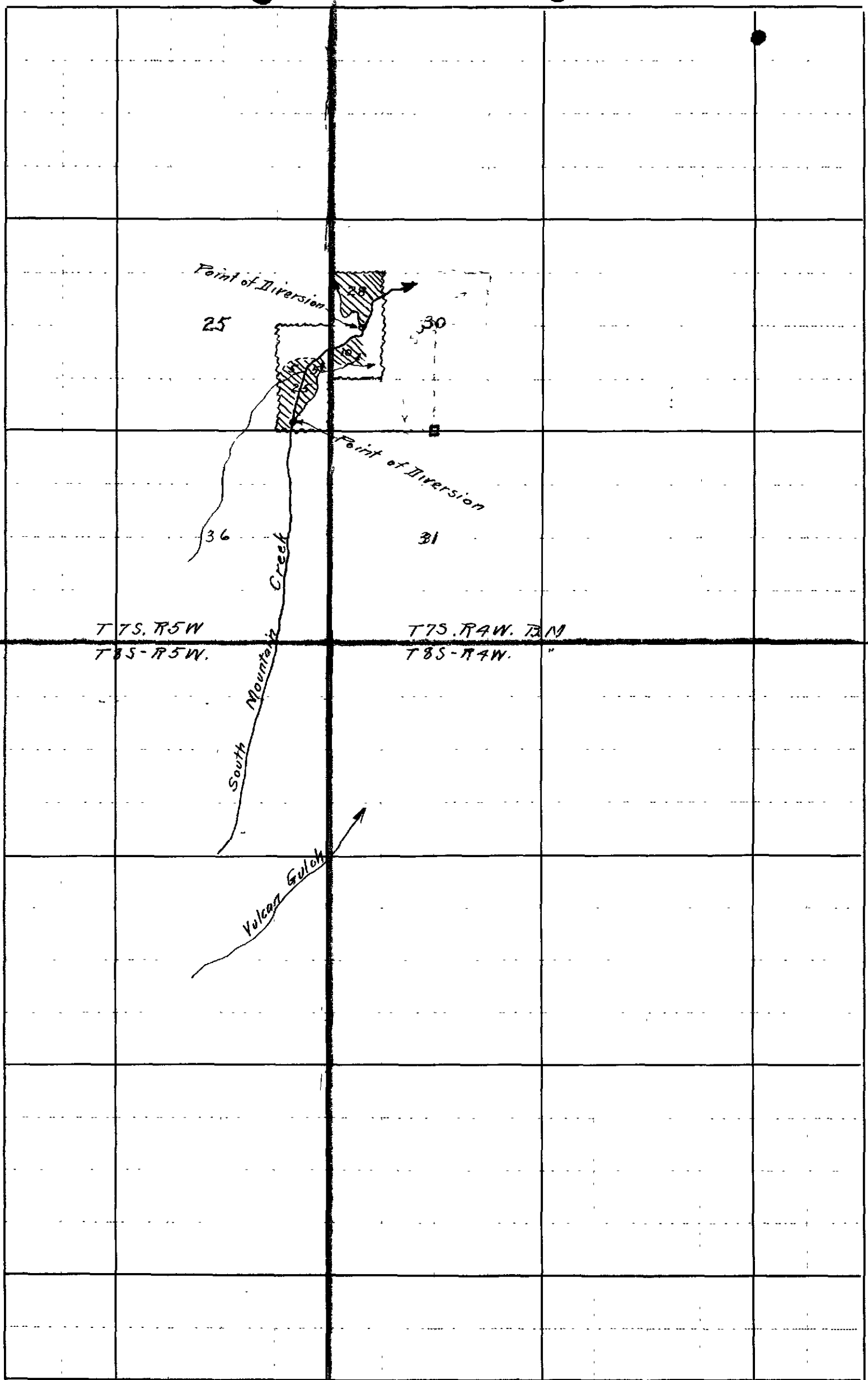
1. Always carefully note the location of the point of diversion, and accurately plat same.
 2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
 3. Make a map showing the correct location of streams and ditches, and the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

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 14742

REPORT ON PROOF OF BENEFICIAL USE WATER



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

14742

August 9, 1923.

Re: Permits 14742-43-59

Mr. Norman J. MacKenzie,
Jordan Valley, Oregon.

Dear Sir:

We are to-day in receipt of affidavits of publication and depositions in the matter of proof of beneficial use of water under the above numbered permits. These will be placed on file pending the receipt of report of examining engineer at which time you will be further advised as to fees required before issuing license.

Very truly yours,

W. G. SWENDSEN,
Commissioner of Reclamation

By

Chief Clerk.

14742

Notice of Proof of Application of Water to Beneficial Use

Notice is hereby given that at 10:00 A. M. on the 7th day of August, 1923, at Jordan Valley, County of Malheur, State of Oregon, before H. W. Gahan, United States commissioner, proof will be submitted for the application of one cubic foot per second of the waters of South Mountain creek, in accordance with the terms and conditions of Permit No. 14742, heretofore issued by the Commissioner of Reclamation of the State of Idaho.

The name and postoffice address of the person holding said permit are Kenneth MacKenzie, Jr., Jordan Valley, Oregon.

The use to which said water has been applied is Irrigation and Domestic.

The amount applied to beneficial use is one cubic foot per second.

The place where said water is used is the NE $\frac{1}{4}$ SE $\frac{1}{4}$, 20 acres; the SE $\frac{1}{4}$ SE $\frac{1}{4}$, 10 acres, all in Section 25, Township 7 south, Range 5 west; the SW $\frac{1}{4}$ NW $\frac{1}{4}$, 10 acres; the NW $\frac{1}{4}$ SW $\frac{1}{4}$, 10 acres, all in Section 30, Township 7 south, Range 4 west, Boise Meridian.

The name of the canal or ditch or other works by which said water is conducted to such place of use is, none.

The right to take water from such works is based on Permit No. 14742.

The source of supply from which such water is diverted is South Mountain creek, a tributary of South Boulder creek, tributary of North Boulder creek.

The date of priority which said user is prepared to establish is May 28th, 1920.

W. G. SWENDSEN,

Commissioner of Reclamation.

First publication July 6

Last publication July 27

AFFIDAVIT OF PUBLICATION

Charles A. Hackney, Publisher..... of the

OWYHEE AVALANCHE, a newspaper of general circulation, published weekly at Silver City, Owyhee county, Idaho, established, printed and issued regularly for more than seventy-eight weeks in said town and county before the first insertion of the notice of

Proof of Application of Water....., a copy

of which is hereto attached, and which was published in the regular and entire edition of said newspaper and not in any supplement thereof for a period of four..... consecutive weeks, beginning with the issue of July 6, 1923..... and ending with the issue of July 27, 1923.....

Charles A. Hackney

Subscribed and sworn to before me this... 28th ... day
of July, 1923

T. H. Leonard
Probate Judge

14742

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT No. I4742

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Kenneth MacKenzie, Jr., Age 26, Owyhee County, Idaho Stockman
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. _____

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

Ans. I4742 May 28, 1920, May 28, 1920

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

Ans. South Mountain Creek . Near the south boundry line of the
SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 25. T. 7 S., R. 5 W. B. M.

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. Dirt and rock dam in creek and ditches. One second foot
None

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 cultivate or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigation and domestic purposes. SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 30, Ten acres

NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 30 Ten acres Twp. 7 S., R. 4 W.,

NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 25, Twenty acres; SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 25, 10 acres;
Twp. 8 S. R. 5 W. Cultivated meadow. Crops .

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

Ans. _____

14742

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

Ans. One second foot

Ques. 9 If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans _____

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

Ans During every season. All of it.

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 right claimed thereunder.

Ans None

(Sign) _____

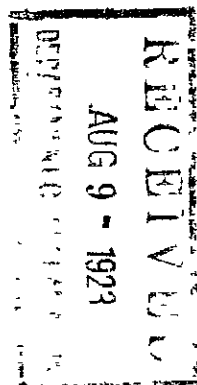
Permit to Acceptance for

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 Jordan Valley, County of Malheur,
Oregon
State of Idaho, on this 6th day of August, A. D. 1923.

A. C. Graham

U. S. Commissioner for Dist. Of Oregon

14742



STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

109170

PERMIT No. I4742**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. Angus Maciver, 37, Owyhee County, Idaho, Stockman,
Jordan Valley, IdahoQues. 2. Are you acquainted with Kenneth MacKenzie, Jr., the
holder of Permit No. I4742? How long have you known him and where does he reside?Ans. Yes, Sixteen years, Owyhee County, IdahoQues. 3. Have you read or heard read said Permit No. I4742, and are you familiar with its provisions and conditions?Ans. No

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. South Mountain Creek, NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. Ditch

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. One cubic foot of water, At least that much

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

Ans. Irrigation and domestic use, NE $\frac{1}{4}$ SE $\frac{1}{4}$ twenty acres.SE $\frac{1}{4}$ SE $\frac{1}{4}$ ten acres all in section 25, Twp. 7 S. R5 W. B. M.SW $\frac{1}{4}$ NW $\frac{1}{4}$ ten acres, NW $\frac{1}{4}$ SW $\frac{1}{4}$ ten acres, all in section 30, Twp. 7 S. R. 4. W. B. M.

14742

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

Ans.

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 Sandy. At least an inch to the acre

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. Every week during the irrigating season, All that comes down

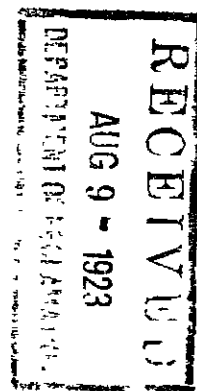
(Sign) Angus Maciver

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 Jordan Valley, Oregon, County of Malheur, State of Idaho, on this 6th day of August, A. D. 1923.

H. W. Graham
Notary Public.

My commission expires July 11, 1927.

14742



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT No. 14742

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. George A. MacKenzie, Age 33, Owyhee county, Idaho, Stockraiser
Jordan Valley, Oregon

Ques. 2 Are you acquainted with Kenneth MacKenzie, Jr., the
holder of Permit No. 14742? How long have you known him and where does he reside?

Ans. Yes. Twenty six Years. Owyhee County, Idaho

Ques. 3. Have you read or heard read said Permit No. 14742, 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. South Mountain Creek. SE 1/4 Sec. 25, Twp. 7 S. R. 5 W. B. M.
Ditch and dam

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. One second foot More than this on occasions

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

Ans. Irrigation and domestic use SE 1/4 Sec. 25 About ten acres.
NE 1/4 Sec. 25 about 20 acres. Sec. 25, Twp. 7 S., R 5 W. B. M.

In NW 1/4 Sec. 25 about ten acres, SW 1/4 Sec. 30, Twp 7 S., R
4 W. B. M.

14742

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

Ans.

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. Sandy Loam along the creek bottom. One foot of water to irrigate

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. For the past three irrigation seasons By ditches. All of it

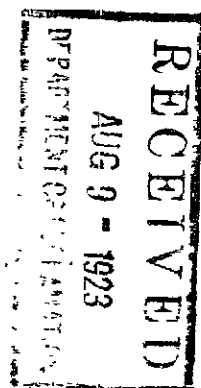
(Sign) George A Mackenzie

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 Jordan Valley County of Malheur State of Oregon 6th day of August 23 A. D. 1927

A. W. Gal...
Notary Public.

My commission expires July 11, 1927

14742



State of Idaho

ENGINEERING DEPARTMENT

BOISE

INSTRUCTIONS

~~PROOF OF COMPLETION OF WORKS -~~
~~AND~~
PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO, July 12, 1923.

Kenneth MacKenzie, Jr.,
c/o H. W. Gahan,
U.S. Commissioner,
Jordan Valley, Oregon.

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of ~~completion of~~
~~works and~~ beneficial use of water under Permit No 14742-----

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 August 6, 1923,-----, 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 Jordan Valley----- before H. W. Gahan, U.S. Commissioner.

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,

W. G. SWENDSEN,
Commissioner of Reclamation.
State Engineer.

14742

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

DATE June 29, 1923.

Owyhee Avalanche.
Silver City, Idaho.

DEAR SIR:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to August 7, 1923, the date set for proof, the expense of the publication to be paid by the applicant, Kenneth MacKenzie, Jr., Jordan Valley, Ore., to whom you should furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,

W. G. SWENDSEN,

Commissioner of Reclamation.

14742

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) June 11th, 1923.

(P. O.) Jordan Valley, Oregon.

TO THE STATE ENGINEER:

Boise, Idaho.

Dear Sir:

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

Harold H. Campbell, Jr.

(In case of canals or other works designed to divert and carry more than 50 cubic feet of water
per second, the following certificate must be signed by a well-known and competent engineer.)

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

Engineer

14742

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 10:00 a. m. on the 7th day of August, 1923
at Jordan Valley, County of Malheur, State of Idaho,
before H. W. Gahan, United States Commissioner, proof will be submitted
of the application to beneficial use of 1.00 cubic feet per second of the
waters of South Mountain Creek in accordance with the terms and conditions of
Permit No. 14742 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

Kenneth Mac Kenzie, Jr.

The use to which said water has been applied is Irrigation & Domestic use

The amount applied to beneficial use is 1 cubic foot per second

The place where said water is used (if for irrigation, give full and accurate description of the
lands irrigated) NE $\frac{1}{4}$ SE $\frac{1}{4}$, 20 A., SE $\frac{1}{4}$ SE $\frac{1}{4}$ 10 A. Section 25, T. 7 S., R. 5 W.
SW $\frac{1}{4}$ NW $\frac{1}{4}$ 10 A., NW $\frac{1}{4}$ SW $\frac{1}{4}$ 10 A. Section 30, T. 7 S., R. 4 W., B. M.

The name of the canal or ditch or other works by which said water is conducted to such place of use
is None

The right to take water from such works is based upon Permit No. 14742

The source of supply from which such water is diverted is South Mountain Creek

a tributary of South Boulder Creek, tributary of North Boulder

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

May 28th, 1920.

W. G. Swendsen,
Commissioner of Reclamation.

SE 82 - 25 - 75 - 52

- 54 -

W. G.

14742

June 7, 1923.

Re: Permit No. 14742.

Mr. Kenneth MacKenzie, Jr.,
Jordan Valley, Oregon.

Dear Sir:-

Referring to your letter of the 2nd inst.,
would say that, under the circumstances, you should make
application for extension of time for beneficial use of
water under the above permit.

Very truly yours,
W. G. SWENDSEN,
Commissioner of Reclamation.
By

F3

Chief Clerk.

14742



X

Jordan Aug. 1892.
June 2nd. 1892.

W. G. Swenden Com. of Education.

Dear Sir:

I am writing
you in regards to water permit
T.C. 14742. According to the permit
the date for proof is June 2nd. The
late season & this high altitude
has made it impossible to get the
water on in time to submit proofs
as the large snow drifts in the
ditch line did not melt so water
could be run through the ditches.

14742

I would like to know if
this proof could be made at a
later date. If not what would
you advise me to do?

Any information you may give
me concerning this matter will be
greatly appreciated by.

Yours very truly,

Wm. H. B. Ac. H. H. H.

14742

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Mr. Kenneth MacKenzie, Jr.,
Jordan Valley, Oreg.

March 5, 1923.

Dear Sir:

I enclose herewith blank notice of proof of Application of Water to Beneficial Use under your Permit No. **14742**....., which kindly fill out and return to me at least 60 days before the date upon which you wish to submit proof. The date of the proof is set out in your permit, and if proof is submitted subsequent to that your priority will be advanced a time equal to the difference of the time between the date proof should have been submitted and date it is submitted.

Yours truly,

W. G. SWENDSEN.
Commissioner of Reclamation.

14742

June 14, 1922.

Re: Permit 14742.

Mr. Kenneth MacKenzie, Jr.,
Jordan Valley, Oregon.

Dear Sir:

We are inclosing herewith Certificate of
Completion of Works, issued under the above numbered
Permit, together with receipt for fees.

Very truly yours,

W. C. SWENDSEN,
Commissioner of Reclamation.

Encls.

by Chief Clerk.

14742

June 9, 1922.

Re: Permit No. 14742.

Mr. Kenneth MacKenzie, Jr.,
Jordan Valley, Oregon.

Dear Sir:-

Replying to yours of the 6th inst. would say that the first step toward making proof of beneficial use of water under the above permit is to file notice of such proof in this office. The enclosed blanks should be filled out and returned to us in time for a copy of the notice to be sent to some paper printed in the county in which the land is located, such paper to be designated by you. The notice is required to be published four weeks, five publications, prior to the date upon which proof is to be made. Upon receipt of the notice of proof from you, a copy will be mailed direct from this office to the paper and deposition blanks will be mailed to the notary public, or other officer before whom proof is to be made.

Very truly yours,

W. G. SWENDSEN,

Commissioner of Reclamation.

By

Chief Clerk.

2F10-11

14742

14742

Jordan Valley, Oregon.
June - 6th 1922

W. J. Swenden,
Boise, Idaho.

Dear Sir:

I would like to know what steps have to be taken to make final proof on water right. I have completed my ditch and have put the water to beneficial use.

If you would give me the requirements on how to proceed in this matter

it would be greatly appreciated by.

Yours very truly

Herbert W. Backlund for.

F10-11

14742

Permit No.

STATE OF IDAHO
Department of Reclamation

PROOF OF COMPLETION OF WORKS

AFFIDAVIT OF HOLDER

STATE OF IDAHO,

ss.

County of OwyheeKenneth Mackenzie, 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. 14742, and that his postoffice address is Jordan Valley State of OregonSecond: That the name of the stream from which said water is to be diverted is South Mountain CreekThird: That the point of division of said water is E 1/2 SE 1/4 SE 1/4 Sec. 25 - Twp. 7 S. SW. B.M.Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by June 24, 1922Fifth: That the use for which said water is intended is Irrigation & Domestic

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: ditch, small dam of rock & dirt
(Reservoir, dam, ditch, flume, pipe or otherwise.)

II. Dimensions of work:

(a) Height of dam 8 feet, length of dam at top 10 feet, length of dam at bottom 10 feet. Material used in construction dirt & rock

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir acre feet.(c) Size of headgate: Width 1 1/2 feet, height 1 1/2 feet.(d) Conduit 2 x 12 width at bottom feet, width at water line 12 feet, depth of water 1 1/2 feet; diameter of pipe inches, average grade per mile is feet. Length of conduit is 3/4 miles.Seventh: That said works are capable of conducting to the place of intended use 50 feet second feet of water.Eighth: That water appropriated under said permit is available for 50 acres of land described as follows: NE 1/4 and SW 1/4 Sec. 30 Twp. 7 S. 4 W. B.M. 109. in each of above Subdiv. 209. in NE 1/4 SE 1/4 and 109. in SE 1/4 SE 1/4 of Sec. 25 Twp. 7 S. Range SW. B.M.Ninth: Remarks: That State of Oregon ss
County of MalheurSubscribed and sworn to before me this 26 day of May, 1922

(Sign here)

Randy Looney
Notary Public.My commission expires April 1, 1924

14742

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Mr. K. MacKenzie, Jr.,
Jordan Valley Oregon.
Dear Sir:—

Boise, Idaho,
March 6, 1922.

Under the terms of your permit No. 14742.....you are required to complete your diversion works on or before...June...2,....1922. I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

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

Yours truly,

W. G. SWEDSEN,
Commissioner of Reclamation.

14742

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Permit No. 14742
Kenneth MacKenzie, Jr.
Jordan Valley, Oregon.

Boise, Idaho,
June 9, 1920.

Dear Sir:

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

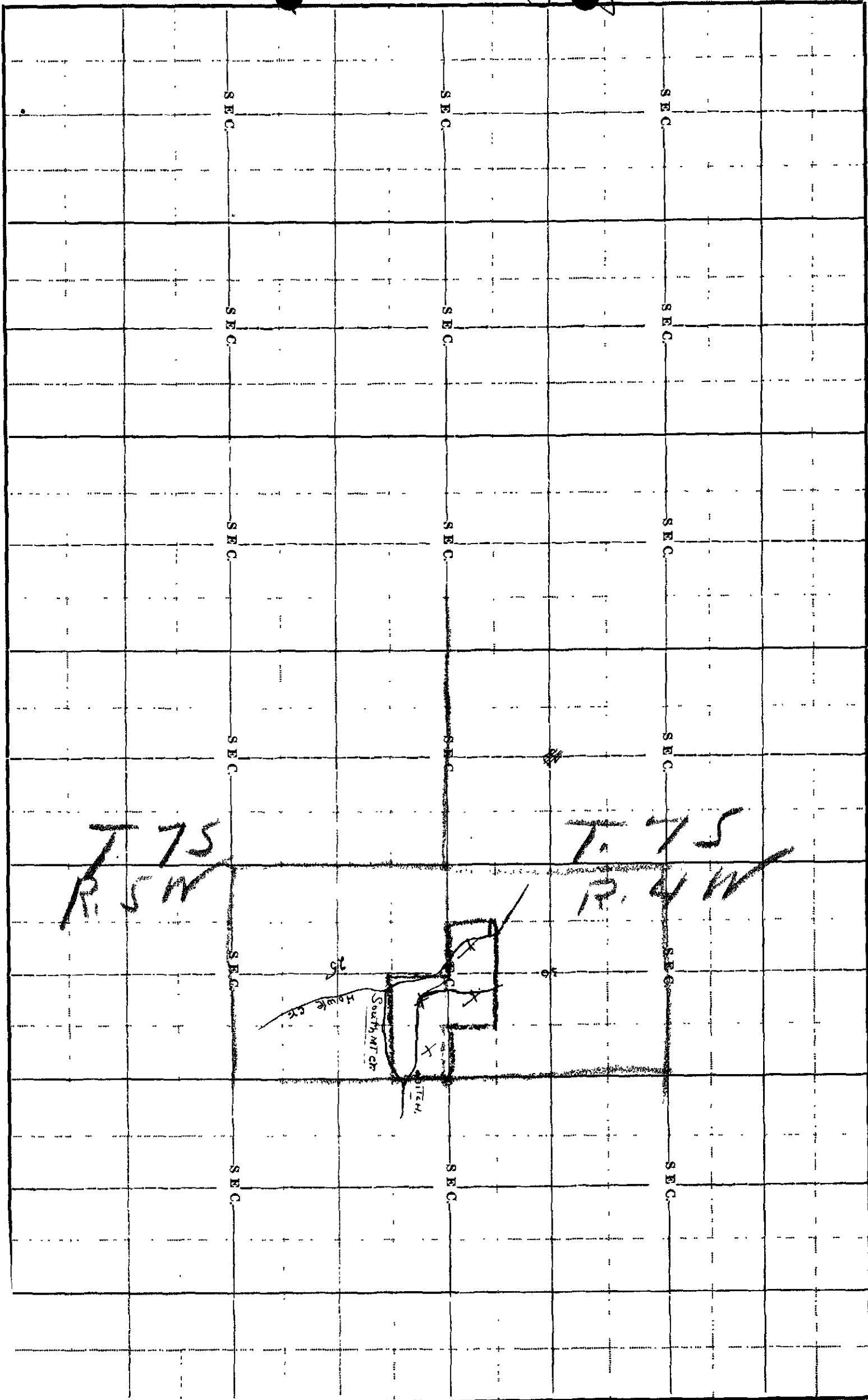
W. G. Swendsen.

Commissioner of Reclamation.

14742

NAME OF APPLICANT

Smith 716 ac 11/21/21



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

14742