

State of Idaho

License and Certificate of Water Right

Water License No. 5583

Amount 2.9 sec. ft.

Water District No. 55

Priority 6-21-1918.

THIS IS TO CERTIFY that O. M. Woods,
of Jordan Valley, Oregon, made application for a permit to appropriate the
public waters of the State of Idaho, dated September 21, 1909; that Permit No. 5583
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
7.2 second feet, was issued thereunder on March 13, 1915, showing that said works
were completed on the 18th day of December, 1914; and that on the 20th
day of October, 1927,

Ida Breedlove Tate,

of Boise, State of Idaho, made proof to the satisfaction of the
Commissioner of Reclamation of Idaho, of the right to use the waters of Cherry Creek
River, a tributary of North Fork Owyhee, for the purpose of irrigation and
domestic use, under Use Permit No. 5583 of the State Engineer,
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 3499, on the 18th day of January, 1928;

The right hereby confirmed dates from June 21, 1918;

The Point of Diversion is located

in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 12, Tp. 9 S., R. 6 W., B. M. Owyhee County;

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 2.9
cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
9 S.	6 W.	11	SE $\frac{1}{4}$ NE $\frac{1}{4}$	40	15
			NE $\frac{1}{4}$ SE $\frac{1}{4}$	40	25
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	40	15
		12	NW $\frac{1}{4}$ SW $\frac{1}{4}$	40	15
		13	NW $\frac{1}{4}$ NW $\frac{1}{4}$	40	20
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	40	20
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	40	20
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	40	15
					Total 145

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 18th day of January, 1928.

GEO. N. CARTER.

Commissioner of Reclamation

(SEAL)

55 2017A

State of Idaho
License and Certificate of Water Right

Water License No. 5583

Amount 1.9 sec. ft.

Water District No.

Priority 9-16-18

THIS IS TO CERTIFY that Prince Albert Hardesty, of Cliffs, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated September 21, 1909; that Permit No. 5583 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 3.6 second feet, was issued thereunder on March 3, 1915, showing that said works were completed on the 19th day of December, 1914; and that on the 15th day of December, 1927,

Prince Albert Hardesty,

of Cliffs, State of Idaho, made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of the right to use the waters of Cherry Creek, a tributary of Owyhee River, for the purpose of irrigation and domestic use, under Use Permit No. 5583 of the State Engineer, 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 3503, on the 30th day of January, 1928;

The right hereby confirmed dates from September 16, 1918;

The Point of Diversion is located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 12, Tp. 9 S., R. 6 W., B. M. Owyhee County;

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 1.9 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
9 S.	6 W.	13 24	SE $\frac{1}{4}$ SW $\frac{1}{4}$	40	12
			NE $\frac{1}{4}$ NW $\frac{1}{4}$	40	35
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	40	30
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	40	16
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	40	3
					Total 96

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 30th day of January, 1928.

GEO. N. CARTER.

Commissioner of Reclamation

(SEAL)

55 2017 B

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 18th day of November, 1927 and the last publication being on the 9th day of December, 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 9th day of
December, 1927

St. Leonard
Notary Public.

Notice of Proof of Application of Water

Notice is hereby given that at 10:00 A. M. on the 15th day of December, 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 3.5 cubic feet per second of the waters of Cherry creek, in accordance with the terms and conditions of Permit No. 5583, heretofore issued by the Commissioner of Reclamation of the State of Idaho.

The name and postoffice address of the person holding said permit is Prince A. Hardesty, Cliffs, Idaho.

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

The amount applied to beneficial use is 3.6 cubic feet per second.

The place where said water is used is the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 13; E $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, and the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 24, Township 9 south, Range 6 west, Boise Meridian.

The name of the ditch by which said water is conducted to such place of use is the Woods-Hardesty Ditch.

The right to take water from such works is based upon Permit No. 5583.

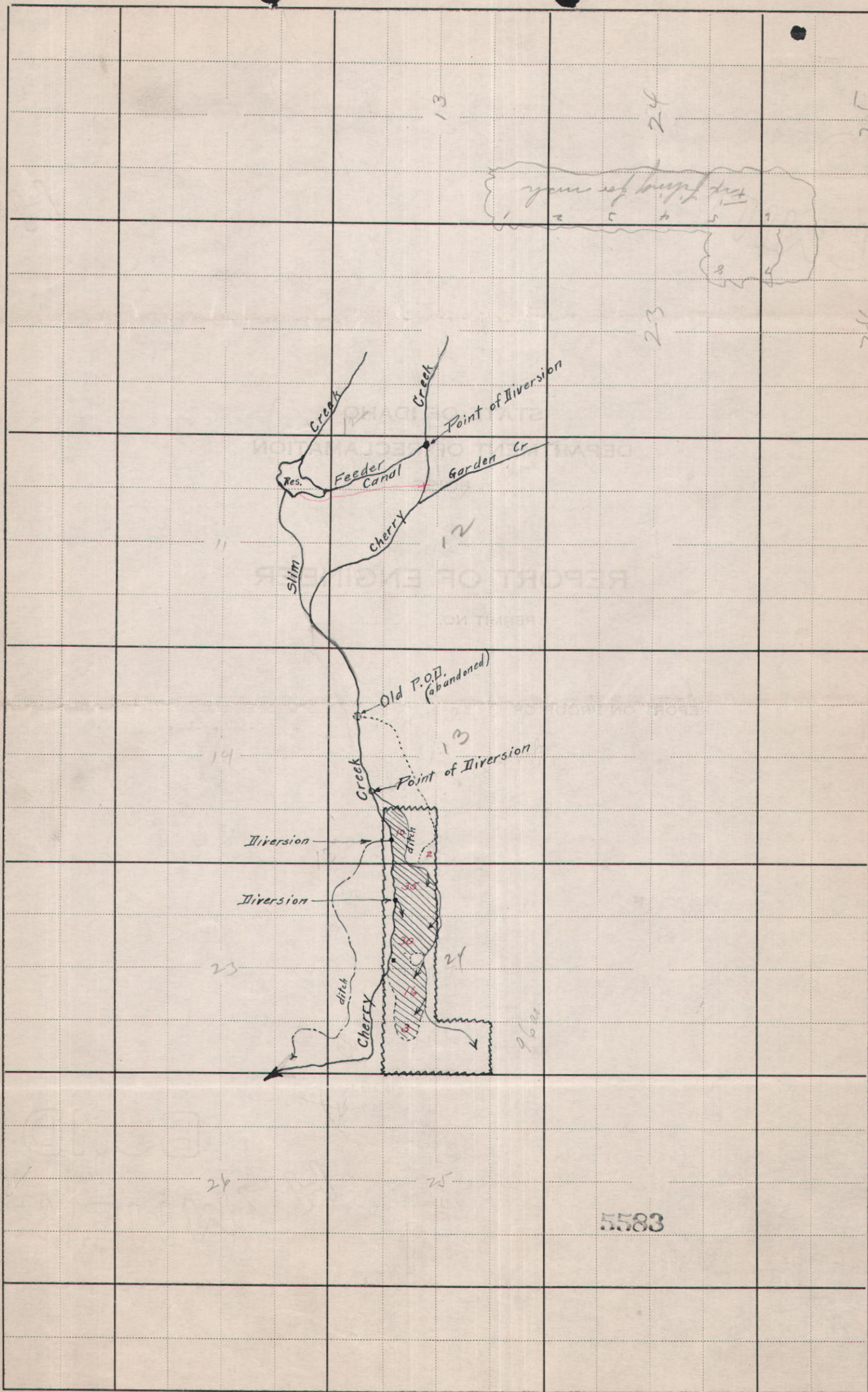
The source of supply from which such water is diverted is Cherry creek.

The date of the priority which said user is prepared to establish is September 16, 1918.

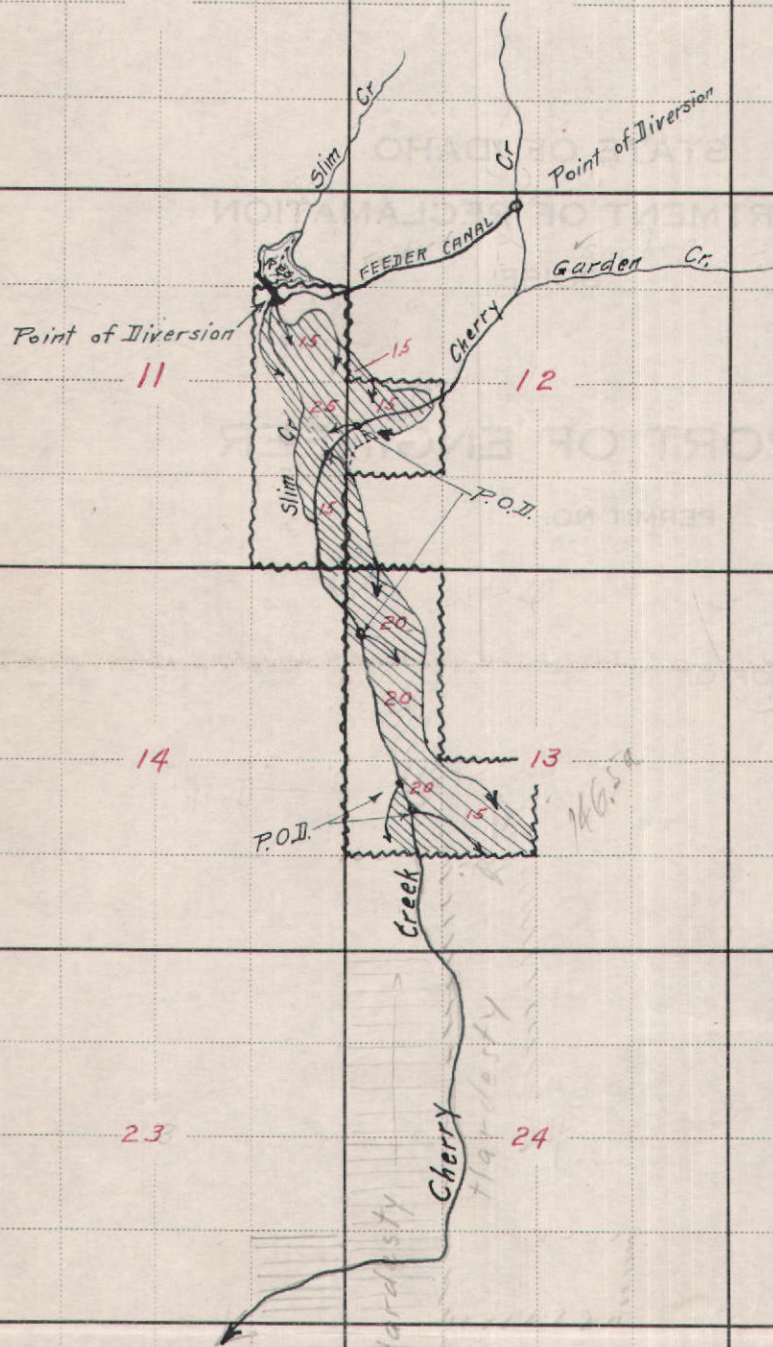
GEO. N. CARTER,
Commissioner of Reclamation.

First publication November 18
Final publication December 9

5583



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



5583

NOTICE FOR PUBLICATION

**Notice of Proof Application of
Water to Beneficial Use**

Notice is hereby given that at 10 a.m. on the 20th day of October, 1927, at Boise, county of Ada, State of Idaho, before Claude R. Davis, Notary Public, proof will be submitted of the application to beneficial use of 6.4 cubic feet per second of the waters of Cherry creek, in accordance with the terms and conditions of Permit No. 5583 heretofore issued by the State Engineer of the state of Idaho.

The name and postoffice address of the person or corporation holding said permit are: Ida Breedlove Tate and Wilbur J. Tate, Boise, Idaho.

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

The amount applied to beneficial use is 6.4 cubic feet.

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

SE $\frac{1}{4}$ NE $\frac{1}{4}$ and E $\frac{1}{2}$ SE $\frac{1}{4}$ Section 11, and NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 12, Twp. 9 S., R. 6 W., B.M.; also, W $\frac{1}{2}$ NW $\frac{1}{4}$ and N $\frac{1}{2}$ SW $\frac{1}{4}$, Section 13, Twp. 9 S., R. 6 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 Woods-Hardesty ditch.

The right to take water from such works is based upon Permit No. 5583.

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

The date of priority which said user is prepared to establish is June 21, 1918.

GEO. N. CARTER,
Commissioner of Reclamation.

AFFIDAVIT OF PUBLICATION

Charles Pascoe

I, _____, publisher of THE OWYHEE NUGGET, published weekly at Bruneau, Owyhee County, Idaho, do solemnly swear that a copy of the above notice, as per clipping attached, was published weekly in the regular entire issue of said newspaper, and not in any supplement thereof, for 4 consecutive issues, commencing with the issue dated September 22 1927, and ending with the issue dated October 13 1927; that the said newspaper has been continuously published in said county during a period of seventy eight consecutive weeks prior to the first publication of this notice.

Charles Pascoe

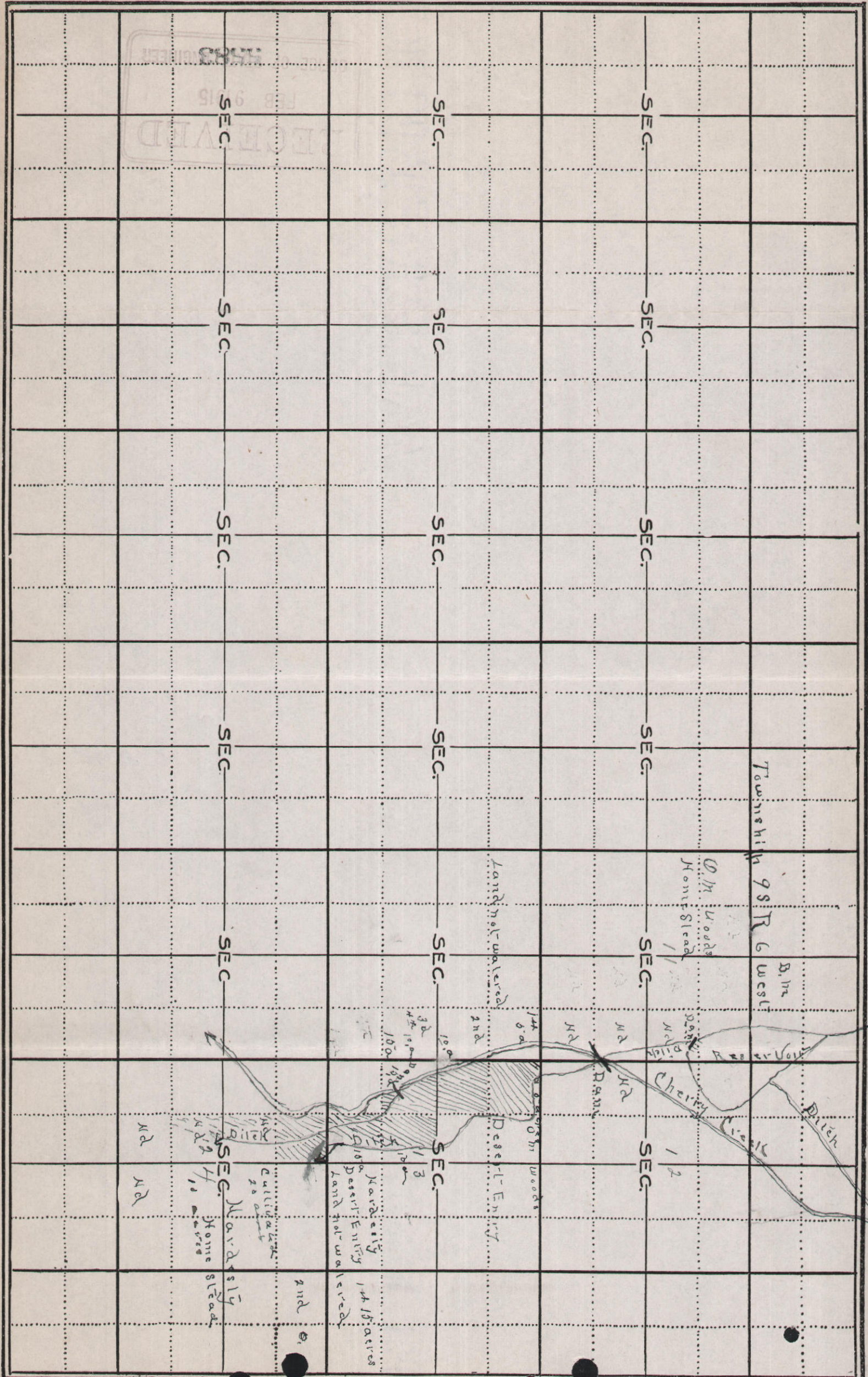
Subscribed and sworn to before me this 13 day of October 1927

A. H. Graham

Notary Public

5583

Name of Applicant.....



Affidavit of Publication

NOTICE FOR PUBLICATION.

Notice is hereby given that at 10 o'clock a. m. on the 19th day of December, 1914, at Silver City, County of Owyhee, State of Idaho, before R. H. Leonard, proof will be submitted of the completion of works for the diversion of 7.2 cubic feet per second of the waters of Cherry Creek, in accordance with the terms and conditions of certain permit heretofore issued by the State Engineer of the State of Idaho.

1 The name of the person holding said Permit is O. M. Woods.

2 The Postoffice address of such person is Jordan Valley, County of Malheur, State of Oregon.

3 The number of such Permit is 5583, and the date set for the completion of such work is December 20, 1914.

4 Said water to be used for irrigation and domestic purposes.

5 Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place intended for use in accordance with the plans accompanying the application for such permit is 7.2 cubic feet per second.

6 The amount of lands for which said water is available is 350 acres, particularly described as follows: Part of E $\frac{1}{2}$ of SE $\frac{1}{4}$ and SE $\frac{1}{4}$ of NE $\frac{1}{4}$ Section 11, W $\frac{1}{2}$ of SW $\frac{1}{4}$ Section 12, W $\frac{1}{2}$ of NW $\frac{1}{4}$ and N $\frac{1}{2}$ of SW $\frac{1}{4}$ Section 13, Township 9 South, Range 6 West, B. M.

HERBERT WING,

Acting State Engineer

4t—First pub Nov. 20, 1914
Last pub Dec. 18, 1914

STATE OF IDAHO,)
County of Owyhee) SS

J. S. Flanagan, being duly sworn, deposes and says that he is the *Publisher* of THE OWYHEE AVALANCHE, a weekly newspaper published at Silver City, County of Owyhee, State of Idaho; that the said newspaper is in general circulation in Owyhee County; that a copy of the above notice, as per clipping attached, was published in the regular and entire issue of said newspaper for *Five* consecutive weeks, beginning with the issue of *Apr 20*, 191*4*, and ending with the issue of *Dec 18* 191*4*.

SUBSCRIBED AND SWORN TO before me this

day of *Dec*

, 191*4*.

RECEIVED

DEC. 22 1914

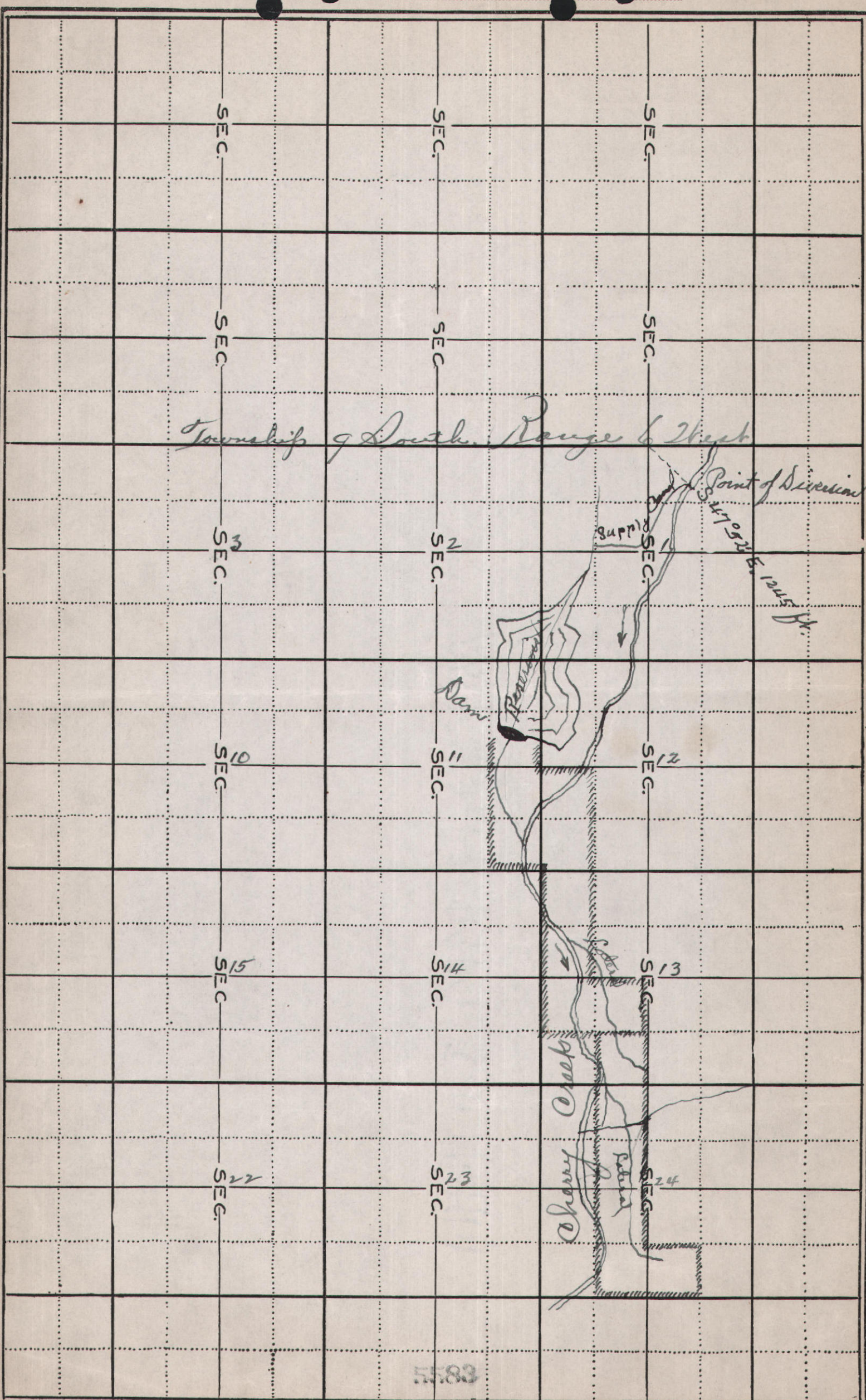
STATE ENGINEER

R. H. Leonard
Probate Judge

5583

Name of Applicant

Ora M. Woods.



State of Idaho
License and Certificate of Water Right

Water License No. 5583
Water District No. 50

Amount 2.9 sec. ft.
Priority 6-21-1918.

THIS IS TO CERTIFY that _____
of _____, made application for a permit to appropriate the
public waters of the State of Idaho, dated _____, 19____; that Permit No. 5583
was issued under said application that Certificate of Completion of works, with a carrying capacity of
_____ second feet, was issued thereunder on _____, 19____, showing that said works
were completed on the _____ day of _____, 19____; and that on the 20th
day of _____, 19____,

_____ of
Boise, State of Idaho, made proof to the satisfaction of the
Commissioner of Reclamation of Idaho, of the right to use the waters of Cherry Creek
River,
a tributary of North Fork Owyhee, for the purpose of irrigation and
domestic use, under Use Permit No. 5583 of the State Engineer,
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 3499, on the 18th day of January, 1928;

The right hereby confirmed dates from June 21, 1918;

The Point of Diversion is located
in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 12, Tp. 9 S., R. 6 W., B. M. Owyhee County;

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 2.9
cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated	
9 S.	6 W.	11	SE $\frac{1}{4}$ NE $\frac{1}{4}$	40	15	
			NE $\frac{1}{4}$ SE $\frac{1}{4}$	40	25	
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	40	15	
		12	NW $\frac{1}{4}$ SW $\frac{1}{4}$	40	15	
		13	NW $\frac{1}{4}$ NW $\frac{1}{4}$	40	20	
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	40	20	
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	40	20	
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	40	<u>15</u>	
		Total 145				

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 18th day of January, 1928.

GEO. N. CARTER.

Commissioner of Reclamation

(SEAL)

55 2017A

State of Idaho
License and Certificate of Water Right

Water License No. 5583

Amount 1.9 sec. ft.

Water District No.

Priority 9-16-18

THIS IS TO CERTIFY that Prince Albert Hardesty, of Cliffs, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated September 21, 1909; that Permit No. 5583 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 3.6 second feet, was issued thereunder on March 5, 1915, showing that said works were completed on the 19th day of December, 1914; and that on the 15th day of December, 1927,

Prince Albert Hardesty,

of Cliffs, State of Idaho, made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of the right to use the waters of Cherry Creek, a tributary of Owyhee River, for the purpose of irrigation and domestic use, under Use Permit No. 5583 of the State Engineer, 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 3503, on the 30th day of January, 1928;

The right hereby confirmed dates from September 16, 1918;

The Point of Diversion is located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 12, Tp. 3 S., R. 6 W., B. M. Owyhee County;

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 1.9 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
9 S.	6 W.	13 24	SE $\frac{1}{4}$ SW $\frac{1}{4}$	40	12
			NE $\frac{1}{4}$ NW $\frac{1}{4}$	40	35
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	40	30
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	40	16
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	40	3
					Total 96

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 30th day of January, 1928.

GEO. N. CARTER.

Commissioner of Reclamation

(SEAL)

55 2017B

No. 7549. 55-2017

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of Applicant: C. M. Wood.

Postoffice address: Jordan Valley.

County:.....State: Oregon.

2. The quantity of water claimed is Seven and Two tenths (7.2) cubic feet per second.

3. Source of water supply: Cherry Creek.

County of Owyhee.

4. Location of point of diversion: In NW $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec. 1 T. 9 S. R. 6 W. B. M.

5. To be used for :

I. Irrigation and domestic use:

(a) Amount of land to be irrigated: 360 acres.

(b) In the following legal subdivisions: E $\frac{1}{2}$ of SE $\frac{1}{4}$ Sec. 11 and Part of SE $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec. 11 and W $\frac{1}{2}$ of SW $\frac{1}{4}$ Sec. 12 and W $\frac{1}{2}$ NW $\frac{1}{4}$ and N $\frac{1}{2}$ of SW $\frac{1}{4}$ Section 15 T. 9 S. R. 6 W.

6. Estimated cost of works: Thirty Five Hundred Dollars.

7. Description of works for diversion:

I. Kind of works: Reservoir dam and ditch. ditch Three Thousand Three Hundred and fifty feet long.

II. Dimensions of works:

(a) Height of dam Thirty feet, length of dam at top 232 feet, length of dam at bottom 80' feet. Material used in construction: clay and gravel.

(b) Capacity of reservoir: 997,460 acre-feet. / . . .

(c) Size of headgate: Width Eight feet, height Three feet.

(d) Conduit ditch, width at bottom Five feet, width at water line nine and one fourth feet, depth of water One and one half feet. Length of conduit is Five Eighths miles and it crosses the following quarter sections: NE $\frac{1}{4}$ and NW $\frac{1}{4}$ of Section 1 T. 9 S. R. 6 W. to land described in 5 I (b) above which is the point is intended use.

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

9. Time required for the complete application of the water to the proposed use is One additional year .

BE IT KNOWN That the undersigned hereby makes application for a permit to appropriate the public waters of the State of Idaho as herein set forth.

C. M. Woods,

Applicant.

Remarks: Time asked for in section 9 above, is hereby increased to 4 years.

Jas. Stephenson, Jr.,

State Engineer.

APPROVAL OF STATE ENGINEER.

The number of this permit is 5583.

Date of first receipt of application 3.35 p.m. September 21, 1909.

Returned to applicant for correction October 21, 1909.

Corrected application received December 20, 1909.

Recorded in Book 16 Page 5583 Approved December 20, 1909.

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 grant the same, subject to the following limitations and conditions:

Work to begin on or before February 18, 1910, 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 20, 1911.

The whole of said work to be completed on or before December 20, 1912.

The time for proof of beneficial use of water appropriated in accordance herewith extended to December 20, 1916.

Witness my hand this twentieth day of December, 1909.

Jas. Stephenson, Jr.,

State Engineer.

EXTENSION OF TIME.
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On proper request of the holder of the above permit, I have this 4th day of November, 1912, extended the time for completion of work thereunder to the 20th day of December, 1914.

A. E. Robinson,

State Engineer.

ARC.

3582

APPLICATION FOR AMENDMENT  
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS  
OF THE STATE OF IDAHO, NO. 5583.

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Comes now Ora M. Woods, and represents to the State 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. 5583, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows: (E $\frac{1}{2}$  of SE $\frac{1}{4}$ , Sec. 11, and part of SE $\frac{1}{4}$  of NE $\frac{1}{4}$ , Sec. 11, W $\frac{1}{2}$  of SW $\frac{1}{4}$ , Sec. 12, W $\frac{1}{2}$  of NW $\frac{1}{4}$  and E $\frac{1}{2}$  of SW $\frac{1}{4}$ , Sec. 13, Tp. 9 S. R. 6 W.B.M. and also the SE $\frac{1}{4}$  of SW $\frac{1}{4}$  Sec. 13, E $\frac{1}{2}$  of NW $\frac{1}{4}$ , E $\frac{1}{2}$  of SW $\frac{1}{4}$ , and SW $\frac{1}{4}$  of SE $\frac{1}{4}$  of Sec. 24, Tp. 9 S., R. 6 W.B.M., making a total of 600 acres.

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

Signed at Boise, Idaho, this 21st day of January, 1915.

Ora M. Woods.

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Date of receipt at Office of State Engineer Feb. 13, 1915.

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I, Herbert Wing, Acting State Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the public waters of the State of Idaho, No. 5583. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part and said application is approved only insofar as the rights of others will not be adversely affected thereby.

Witness my hand this 15th day of February, 1915.

Herbert Wing,

Acting State Engineer.

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QUIT CLAIM DEED.

THIS INDENTURE, Made this 21st day of January, 1915, between Ora M. Woods, of Jordan Valley, Oregon, party of the first part, and Prince Albert Hardesty, of Jordan Valley, Oregon, party of the second part:

WITNESSETH:-

That the said party of the first part, in and for a consideration of the sum of One Dollar, lawful money of the United States of America, and other valuable consideration, to him in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, does by these presents remise, release and forever QUITCLAIM unto the said party of the second part, and to his heirs and assigns and undivided one-half interest in and to water Permit No. 1 issued by the State Engineer of Idaho on the 20th day of December, 1909, which said Permit call for 7.2 second feet of the waters of Cherry Creek in Owyhee County, Idaho.

Also an undivided one-half interest in and to a certain reservoir, dam, diversion canals and all the irrigation works constructed, and to be hereafter constructed in connection therewith said reservoir and dam being located in Sections One, Two, Eleven & Twelve, Tp. 9 S.R. 6 W.B.M.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainder rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances unto the said party of the second part, and to his heirs and assigns forever.

IN WITNESS WHEREOF, The said party of the first part has hereunto set his hand and seal the day and year first above written.

Ora M. Woods... (SEAL).

State of Idaho.)  
                  )ss.  
County of Ada.)

On this 21st day of January, 1915, before me Esther Minger, a Notary Public in and for said County, personally appeared Ora M. Woods, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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

Esther Minger, Notary Public.

(SEAL) <

Received and filed for record in the office of the State Engineer at Boise, Idaho, at 3 P.M. Feb. 13, 1915.

Herbert Wing,

Acting State Engineer.

Proof of completion of works made December 19, 1914.

Certificate of completion issued March 3, 1915.

Permit No. 5583

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom It May Concern:

This is to certify that O. M. Woods and Prince Albert Hardesty, of Jordan Valley, County of Malheur, and State of Oregon, the holder of Permit No. 5583, issued upon Application No. 7549, bearing date of priority of September 21, 1909, authorizing the diversion of 7.2 second feet of the waters of Dherry Creek, County of Owyhee, State of Idaho, for irrigation and domestic purposes, have fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said permit; that said works are adequate for diverting and conveying to the place of intended use 7.2 second feet of the waters of Cherry Creek; that the points of diversion of said waters are as follows: 1st about 1/2 mile due north of Sec. corner common to Secs. 11-12-13-14; 2nd about center of NW $\frac{1}{4}$  of SE $\frac{1}{4}$ , Sec. 13, both in Twp. 9 S., R. 6 W.B.M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: E $\frac{1}{2}$  of SE $\frac{1}{4}$  and part of SE $\frac{1}{4}$  NE $\frac{1}{4}$ , Sec. 11; W $\frac{1}{2}$  of SW $\frac{1}{4}$  Sec. 12; W $\frac{1}{2}$  of NW $\frac{1}{4}$  and N $\frac{1}{2}$  of SW $\frac{1}{4}$ , Sec. 13; also, SE $\frac{1}{4}$  of SW $\frac{1}{4}$ , Sec. 13, E $\frac{1}{2}$  of NW $\frac{1}{4}$ , E $\frac{1}{2}$  of SW $\frac{1}{4}$  and SW $\frac{1}{4}$  of SE $\frac{1}{4}$ , Sec. 24, all in Twp. 9 S., R. 6 W.B.M., containing 600 acres.

Witness my hand this 3rd day of March, A.D. 1915.

Herbert Wing,

Acting State Engineer of the State of Idaho.

2.9  
0.3499

1.9  
3503

THIS INDENTURE, Made this, the 29th day of September, 1927, between H. C. Ballard, the Sheriff of Owyhee County, State of Idaho, party of the first part, and Ida Breedlove Tate the party of the second part, WITNESSETH:

WHEREAS, A Judgment and Decree of Foreclosure and Sale was rendered and entered in the District Court of the Third Judicial District of the State of Idaho, in and for the County of Owyhee, on the 19th day of August, 1926, in an action then pending in said Court in favor of Ida Breedlove Tate as plaintiff, and against Ora M. Woods and Carrie B. Woods his wife, defendants,

And an Order of Sale issued out of and under the seal of the said District Court reciting the material parts of said Judgment and Decree, duly attested on the 23rd day of August 1926, and to the Sheriff of Owyhee County, State of Idaho, directed and to H. C. Ballard as such Sheriff delivered on the 23rd day of August, 1926, for execution, commanding and requiring him as such Sheriff to proceed to notice for sale and sell the premises in said writ mentioned and described in said Decree as follows, to-wit: Southeast quarter of the Northeast quarter (SE<sup>1</sup>/<sub>4</sub>, NE<sup>1</sup>/<sub>4</sub>) East Half (E<sup>1</sup>/<sub>2</sub>) of the Southeast Quarter (SE<sup>1</sup>/<sub>4</sub>), of Section Eleven (11) and the Northwest quarter (NW<sup>1</sup>/<sub>4</sub>) of the Southwest (SW<sup>1</sup>/<sub>4</sub>) of Section Twelve (12), All in Township Nine (9) South Range Six (6) West of Boise Meridian containing 180 Acres, Together with all water rights appurtenant to said land, Together with the tenements hereditaments and appurtenances thereto belonging or in anywise appertaining, in the manner prescribed by law and to apply the proceeds of such sale to the satisfaction of said Judgment with interest thereon and costs, together with Sheriff's fees, and to execute the usual certificate and deed to the purchaser or purchasers; and

WHEREAS, In compliance with said writ, that on the 25th day of September, 1926, between the hours of 9 o'clock in the morning and 5 o'clock in the afternoon, to-wit: at the hour of Two o'clock in the afternoon of that day in front of the front door of the County Court House in Owyhee County, State of Idaho, and after due and legal notice having been given in the said behalf as by the Statutes of Idaho in such case made and provided, H. C. Ballard, Sheriff, duly sold at public auction all and singular the premises above described and in said writ mentioned and described, and by said Decree directed to be sold to Ida Breedlove Tate who was the highest bidder therefor, in the sum of Seven Thousand Seven Hundred Eighty Three 20/100.

And whereupon the said purchaser paid to said Sheriff the said sum of \$7783.90 so bidden by Ida Breedlove Tate and thereupon H. C. Ballard as such Sheriff made and issued such Certificate of sale as by law directed in duplicate and delivered one to the said purchaser and filed the other in the office of the Recorder for said Owyhee County for record; and

WHEREAS, The period of one year has expired since the date of said sale and no redemption of or for said premises has been made

NOW THEREFORE, THIS INDENTURE WITNESSETH: That the said party of the first part, the said H. C. Ballard Sheriff as aforesaid, in order to carry into effect the sale so made by H. C. Ballard Sheriff, as aforesaid, in pursuance of said writ and in conformity to the Statutes in such case made and provided, and also in consideration of the premises, and of the said sum of \$7783.90 so bidden and paid by the said purchaser to H. C. Ballard Sheriff as aforesaid, the receipt whereof is hereby acknowledged, hath Granted, Bargained, Sold and Conveyed, and by these presents doth Grant, Bargain, Sell and Convey unto the party of the second part and to her heirs and assigns forever, all and singular the above described lands and premises.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

TO HAVE AND TO HOLD ALL and singular the above mentioned and described premises hereby conveyed, or intended so to be, together with the appurtenances, unto the said party of the second part, her heirs and assigns forever.

IN WITNESS WHEREOF, I, H. C. Ballard, the party of the first part to these presents, Sheriff as aforesaid, have hereunto set my hand the day and year first above written.

H. C. Ballard,  
Sheriff of Owyhee County, State of Idaho.

STATE OF IDAHO, )  
County of Owyhee.) ss.

On this, the 29th day of September, 1927, before me, W. A. Lewis, Clerk of the District Court, Owyhee County, Idaho, personally appeared H. C. Ballard, Sheriff of the County of Owyhee, State of Idaho, known to me to be the same person whose name is subscribed to the foregoing instrument and acknowledged to me that he as such Sheriff aforesaid executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

(SEAL)

W. A. Lewis,  
Clerk of the District Court,  
Owyhee County, Idaho.

Received and filed for record in the Department of Reclamation  
at Boise, Idaho, at 10.45 A. M. Jan. 17, 1928.

Geo. N. Carter,  
Commissioner of Reclamation  
C.B.

May 10, 1938

Re: Permit No. 5583.

Mr. R. B. Scatterday  
Attorney at Law  
Caldwell, Idaho

Dear Mr. Scatterday:

We are herewith enclosing the Department's Receipt No. 16600 for the \$5.00 fee you paid in connection with securing certified copies of certain instruments recorded under the above-numbered permit to appropriate the public waters of the State of Idaho.

We appreciate your taking care of this matter so promptly.

Very truly yours,

R. W. PARIS  
Commissioner of Reclamation  
By

Chief Clerk

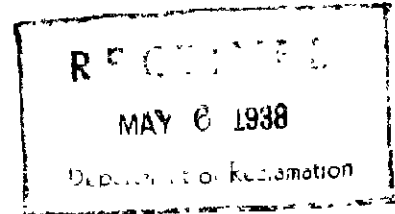
jl  
Encl.

5583

R B SCATTERDAY  
GEO H SCATTERDAY

SCATTERDAY & SCATTERDAY  
ATTORNEYS AT LAW  
HARMON BUILDING  
CALDWELL, IDAHO

May 5, 1938



Hon. R. W. Faris

Commissioner of Reclamation

Boise, Idaho

Dear Sir:

In re: Permit No. 5583

We thank you very much for your letter of May 2nd inclosing certified copy of proceedings in connection with the above permit. Our check for \$3.00 is inclosed.

Very truly yours,

SCATTERDAY & SCATTERDAY

By:

A handwritten signature in dark ink, appearing to read "R. B. Scatterday", written over a horizontal line.

RBS:MW

Inc. 1

May 2, 1936

Re: Permit No. 5583.

Mr. R. B. Scatterday  
Attorney at Law  
Caldwell, Idaho

Dear Mr. Scatterday:

In compliance with the request you made while in this office last Saturday, we are herewith enclosing certified copies of four instruments executed in connection with the above-numbered permit to appropriate the public waters of the State of Idaho.

The fee for these copies will be \$5.00.

Very truly yours,

R. W. FARIS  
Commissioner of Reclamation

By

Chief Clerk

j1  
Encl.

5583

September 24, 1934

Re: Permit No. 5583

OLIVE HARDISTY  
Jordan Valley,  
Oregon

Dear Madam:

We are enclosing herewith office receipt in the amount of \$4.30 which was the fee due in connection with certified copy of the above numbered permit.

Thanking you for your remittance, we remain

Very truly yours,

R. W. FARIS  
Commissioner of Reclamation

By \_\_\_\_\_  
Assistant Chief Clerk

3  
Encl.

5583

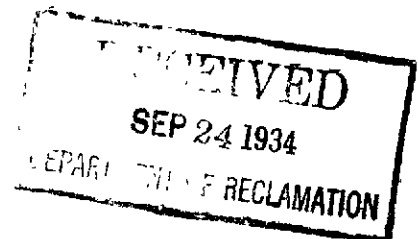


C. BEN ROSS, GOVERNOR

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
R. W. FARIS, COMMISSIONER  
BOISE

BUREAU OF WATER RESOURCES  
MANS H. COFFIN  
DIRECTOR

August 29, 1934



Re: Permit No. 5583

MR. PRINCE ALBERT HARDESTY  
Jordan, Valley,  
Idaho

Dear Sir:

Certified copies of Permit No. 5583 and Licenses issued thereunder were furnished Mr. Wilbur Tate on this date. There is a fee of \$4.30 due in connection with this service. Kindly send us your remittance at your earliest convenience.

Very truly yours,

R. W. FARIS  
Commissioner of Reclamation

By *R. W. Faris*  
Assistant Chief Clerk

G

August 29, 1954

Re: Permit No. 5583

MR. PRINCE ALBERT HARDESTY  
Jordan, Valley,  
Idaho (Oregon)

Dear Sir:

Certified copies of Permit No. 5583 and Licenses issued there-  
under were furnished Mr. Wilbur Tate on this date. There is a fee of  
\$4.30 due in connection with this service. Kindly send us your remitt-  
ance at your earliest convenience.

Very truly yours,

R. W. FARIS  
Commissioner of Redemption

By \_\_\_\_\_  
Assistant Chief Clerk

G

5583

August 9, 1934

Re: Permit No. 5585

MR. LEWIS A. LEE, Attorney  
Federal Land Bank  
Spokane, Washington

Dear Sir:

We have your letter of July 31st with reference to the water right of a party by the name of Prince A. Hardisty.

You say that you have been informed that the waters of Cherry Creek in Owyhee County are being stored in a private reservoir under United States Permit No. 5585 and that the dam and reservoir had passed inspection and had been O. K.'d by United States engineers. Before going into this matter it might be well to explain the manner in which Mr. Hardisty acquired an interest in this permit. Under date of December 20, 1909, Permit No. 5585 was issued to O. M. Wood of Jordan Valley, authorizing the appropriation of 7.2 cubic feet per second of the waters of Cherry Creek. The works to be constructed under this permit included a reservoir, dam and ditch. On the 21st day of January, 1915, Mr. Wood executed a quitclaim deed whereby he conveyed one-half his interest in and to this permit to Prince Albert Hardisty also of Jordan Valley. The two of them made a joint proof of completion of works, within the time specified in the permit and in due course offered proof of application of water to beneficial use. As a matter of fact they made two final proofs and obtained two separate licenses, one authorizing the appropriation of 2.9 cubic feet per second and the other 1.9 cubic feet per second, making a total of 4.8 cubic feet per second. The only possible way in which the federal government could have come into the picture would have been over the right of way, or in other words, easement across federal land for the reservoir, since the state has charge of all the water within its boundaries and supervises the appropriation and distribution of such water without any interference on the part of the federal government.

It might be well for you to have a certified copy of the licenses issued under this permit and if such is the case, we shall be glad to mail them immediately upon receipt of your reply. The fee for these certified copies will amount to \$5.00.

Very truly yours,

R. W. FARIS  
Commissioner of Reclamation

By \_\_\_\_\_  
Chief Clerk & Office Mgr.

PLH:RG

5583

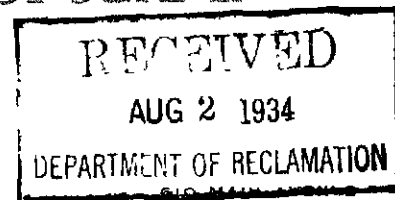
# THE FEDERAL LAND BANK OF SPOKANE

UNIT OF  
THE FARM CREDIT ADMINISTRATION  
TWELFTH DISTRICT  
IDAHO, MONTANA, OREGON, AND WASHINGTON

SPOKANE, WASHINGTON

July 31st, 1934

LEGAL DEPARTMENT



Department of Reclamation,  
Boise, Idaho

Atten: Commissioner

Dear Sir:

Prince A. Hardisty, formerly of Cliffs, Idaho, but who now gets his mail at Jordan Valley, Oregon, has made application for a loan through the Federal Land Bank of Spokane.

In connection with this application it is reported that Mr. Hardisty has a decreed right to 3.6 c.f.s. of the waters of Cherry Creek in Owyhee County, Idaho, for the purpose of irrigating his farm or ranch there, and that he stores these waters in a reservoir under United States Storage Permit No. 5583.

The decree failed to show up in the abstract and upon writing the abstracter of Owyhee County, we were informed that no decree is on record in Owyhee County, and suggested that you could probably give us definite information as to the rights of Mr. Hardisty in Cherry Creek.

We have learned through some other experiences that land owners sometime think they have a decreed water right when, as a matter of fact, they hold their water under State permit or certificate and it may be this is the case with Mr. Hardisty.

Will you kindly give us all the information your office has regarding this water right, as it is necessary for us to hold up his application until we can satisfy ourselves as to the validity of his title to the water he claims for use upon these lands.

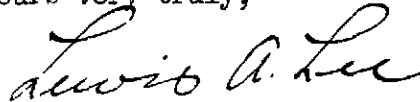
I stated we are also informed that these waters are being stored in a private reservoir under United States Government Permit No. 5583, and that the dam and reservoir had passed inspection and have been O. K'd by United States engineers, but nothing in the abstract discloses this permit or any conveyance from the government to Mr. Hardisty for reservoir purposes. If your office has any information on that subject, will you kindly furnish it for us?

Dept. of Reclamation  
Prince Hardisty Appl.  
Page 2.

If it is necessary to have certified copies from your office, I will require the applicant to obtain them, and have them sent to us.

Thanking you, I am

Yours very truly,

A handwritten signature in cursive script, reading "Lewis A. Lee". The signature is written in dark ink and is positioned above the typed name.

LEWIS A. LEE  
Attorney

LAL:JB

January 31, 1933.

Re: Permit No. 5583.

Mr. Prince A. Hardisty,  
Cliffs, Idaho.

Dear Sir:

We are mailing you herewith Water License  
issued under the above numbered permit; together  
with receipt for fee paid.

Very truly yours,

GEO. H. CARTER,  
Commissioner of Reclamation.

By

Chief Clerk.

Enc.

1A65  
206  
202

5583

January 19, 1928.

Re: Permit No. 5583.

Mr. Wilbur Tate,  
1807 North 7th St.,  
Boise, Idaho.

Dear Sir:

We are mailing you herewith water license issued to Ida Breedlove Tate under the above numbered permit, with receipt for fees paid. We are also returning herewith Sheriff's Deed of foreclosure, which has been recorded under the permit in this office.

Very truly yours,

GEO. H. CARTER,  
Commissioner of Reclamation.

By

Chief Clerk.

B:P

Enc.

5583

January 18, 1928.

Re: Permit No. 8585.

Mr. Prince A. Hardisty,  
Cliffs, Idaho.

Dear Sir:

The report of our examining engineer on your proof of beneficial use of water under the above numbered permit is now on file here. Upon receipt of fees in the sum of \$5.00 the license will be issued you.

Very truly yours,

GEO. H. CARTER,  
Commissioner of Reclamation,

By

Chief Clerk.

B:P

January 18, 1923.

Re: Permit No. 5583.

Mr. Wilbur J. Tate, - 1207 N. 7<sup>th</sup> St.  
Boise, Idaho.

Dear Sir:

Relative to your proof under the above numbered permit, would say that the report of our engineer shows the point of diversion to be in the NE 1/4, Sec. 18, Twp. 9 S., Rge. 6 W., instead of the NW 1/4 of said section.

The fees due on this proof before license can be issued amount to \$9.00, being \$1.00 for each legal subdivision or fraction under irrigation.

I would say that before any definite action can be taken in regard to issuing the license, it will be necessary that the deed to yourself and Ida B. Tate be recorded under the permit in this office.

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

By

Chief Clerk.

B: P  
Enc.

5583

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

December 15, 1927.

Re: Permit No. 5583  
Prince A. Hardisty.

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

Dear Sir:

Enclosed find depositikns of Permit Holder  
and two wotnesses, on Proof of Application to Bene-  
ficial Use of 3.6 cubic feet per second of the waters  
of Cherry Creek, under above Permit, and Affidavit of  
Publication of Notice of Proof, which proof, I trust,  
you will find satisfactory.

Very truly yours,

A handwritten signature in cursive script, reading "R. H. Leonard".

Probate Judge.

# 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 18th day of November, 1927 and the last publication being on the 9th day of December, 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 9th day of December, 1927

*[Signature]*  
Notary Public.

The undersigned, the State Engineer of Idaho, do hereby certify that the above and foregoing statement of Charles A. Hackney, 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 18th day of November, 1927 and the last publication being on the 9th day of December, 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.

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

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

The place where said water is used is the SE $\frac{1}{4}$ SW $\frac{1}{4}$ , Section 18, E $\frac{1}{2}$ N $\frac{1}{2}$ W $\frac{1}{2}$ , R $\frac{1}{2}$ W $\frac{1}{2}$  and the SW $\frac{1}{4}$ SE $\frac{1}{4}$ , Section 24, Township 6 North, Range 6 West, Boise Meridian.

The name of the ditch by which said water is conducted to such place of use is the Hardisty Ditch.

The right to take water from such source is based upon Permit No. 5583.

The source of supply from which such water is diverted is Cherry Creek.

The date of the priority which said water is prepared to establish is September 15, 1900.

GEO. H. CARTER,  
Commissioner of Agriculture.

First publication November 18  
Final publication December 9

5583

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO.

PERMIT NO. 5583

## Proof of Application of Water to Beneficial Use

### Deposition of Holder

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

Ans. Prince A. Hardisty, 55, Cliffs, Idaho, rancher, address,

Cliffs, Idaho.

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans. 0

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

Ans. 5583, December 20, 1909. Priority, September 16, 1918.

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

Ans. Cherry Creek, NE $\frac{1}{4}$  NW $\frac{1}{4}$ , Sec. 12, T. 9 S., R. 6 W., Boise

Meridian.

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 of earth, 40 ft. long, 5 ft. high, ditch about  
three fourths mile long, 9 ft. wide at bottom, 3 ft. deep, capacity,  
sufficient flood waters of Cherry Creek to fill the Woods-Hardisty  
reservoir whose capacity is approximately 1000 acre feet; water from  
reservoir empties into Cherry Creek; small diversion dam in NW $\frac{1}{4}$  SW $\frac{1}{4}$ ,  
Sec. 13, above township, ditch 2 $\frac{1}{2}$  ft. wide at bottom, 4 ft. wide at top,  
one eighth mile long to land, capacity of ditch 3.6 cubic ft. per second.

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. Woods-Hardisty ditch.

Ans. Irrigation of 20 acres in SE $\frac{1}{4}$  SW $\frac{1}{4}$ , Sec. 13; 35 acres in NE $\frac{1}{4}$  NW $\frac{1}{4}$ ,  
30 acres in SE $\frac{1}{4}$  NW $\frac{1}{4}$ , 25 acres in NE $\frac{1}{4}$  SW $\frac{1}{4}$ , 15 acres in SE $\frac{1}{4}$  SW $\frac{1}{4}$  and  
15 acres in SE $\frac{1}{4}$  SE $\frac{1}{4}$ , all in Section 24, said township. All land cul-  
tivated, the land producing good crops of hay and grain.

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

Ans. 0

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

Ans. 1 inch 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. By quitclaim deed from Ora M. Woods.

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

Ans. Water over all irrigable land for last eleven years.

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. None other diverted.

(Sign)

Prine A. Harshisty

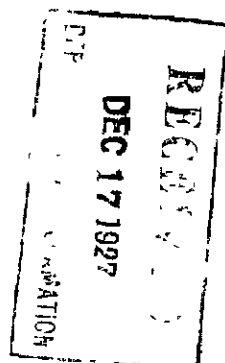
I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Silver City County of Owyhee, State of Idaho, on this 15th day of December, A. D. 1927.

T. B. Leonard

Probate Judge.

My commission expires \_\_\_\_\_

5583



STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO.

PERMIT NO. 5583

## 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. Fay O. Mitchell, age 45, Silver City, Idaho, County Assessor.  
P. O. address, Silver City, Idaho.

Ques. 2. Are you acquainted with Prince A. Hardisty, the holder of Permit No. 5583? How long have you known him and where does he reside?

Ans. Yes, 17 years. He resides at Cliffs, Idaho.

Ques. 3. Have you read or heard read said Permit No. 5583, and are you familiar with its provisions and conditions?

Ans. No, but am familiar with the land and irrigation system.

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Cherry Creek. Diversion dam of earth in NE $\frac{1}{4}$  NW $\frac{1}{4}$ , Sec. 12, T. 9 S., R. 6 W., B.M., 40 ft. long, 5 ft. high, ditch about three-fourths mile long, 9 ft. wide at bottom, 3 ft. deep with capacity sufficient to fill the Woods-Hardisty reservoir which has a capacity of about 1000 acre feet, from which reservoir the water is emptied into Cherry Creek, from which it is diverted by a small dam of earth in the NW $\frac{1}{4}$  SW $\frac{1}{4}$ , Sec. 13, said township, by ditch, 2 $\frac{1}{2}$  ft. wide at bottom, 4 ft. wide at top, one-eighth mile long to land, capacity 3.6 cubic feet per second.

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. Capacity as above. Have seen ditches and reservoir 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 20 acres in SE $\frac{1}{4}$  SW $\frac{1}{4}$ , Sec. 13; 35 acres in NE $\frac{1}{4}$  NW $\frac{1}{4}$ , 30 acres in SE $\frac{1}{4}$  NW $\frac{1}{4}$ , 25 acres in NE $\frac{1}{4}$  SW $\frac{1}{4}$ , 15 acres in SE $\frac{1}{4}$  SW $\frac{1}{4}$  and 15 acres in SE $\frac{1}{4}$  SE $\frac{1}{4}$ , all in Section 24, above township. All land cultivated and produces good crops of hay and grain.

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. Black loam, requiring 1 inch of water per 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. Have seen all of this land under irrigation, under claimant's system, for over nine years.

(Signed)

*Foy G. Mitchell*

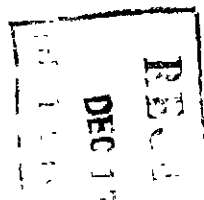
I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Silver City, County of Owyhee, State of Idaho, on this 15th day of December, A. D. 1927.

*R. H. Leonard*

~~Notary Public~~

Probate Judge.

My commission expires



STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO.

PERMIT NO. 5583

## 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. John T. Shea, age 48, Silver City, Idaho, Asst Postmaster,

P. O. address, Silver City, Idaho.

Ques. 2. Are you acquainted with Prince A. Hardisty, the holder of Permit No. 5583? How long have you known him and where does he reside?

Ans. Yes. 20 years. He resides at Cliffs, Idaho.

Ques. 3. Have you read or heard read said Permit No. 5583, and are you familiar with its provisions and conditions?

Ans. No, but am familiar with the land and irrigation system.

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Cherry Creek. Diversion in NE $\frac{1}{4}$  NW $\frac{1}{4}$ , Sec. 12, T. 9 S., R. 6 W.,

Ans. B. M. Diversion dam of earth, 40 ft. long, 5 ft. high, ditch about three-fourths mile long, 9 ft. wide at bottom, 3 ft. deep with a capacity sufficient to fill the Woods-Hardisty reservoir of a capacity of about 1000 acre feet, from which reservoir the water empties into Cherry Creek, from which it is diverted by a small dam of earth in the NW $\frac{1}{4}$  SW $\frac{1}{4}$ , Sec. 13, said township, by ditch 2 $\frac{1}{2}$  ft. wide at bottom, 4 ft. wide at top, one-eighth mile long to land, capacity 3.6 cubic ft. per second.

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. See above for capacity. Have seen ditches and reservoir 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.

Irrigation of 20 acres in SE $\frac{1}{4}$  SW $\frac{1}{4}$ , Sec. 13; 35 acres in NE $\frac{1}{4}$  NW $\frac{1}{4}$ ,

Ans. 30 acres in SE $\frac{1}{4}$  NW $\frac{1}{4}$ , 25 acres in NE $\frac{1}{4}$  SW $\frac{1}{4}$ , 15 acres in SE $\frac{1}{4}$  SW $\frac{1}{4}$  and

15 acres in SE $\frac{1}{4}$  SE $\frac{1}{4}$ , all in Section 24, above township. All land cultivated and produces good crops of hay and grain.

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. Black loam requiring 1 inch of water per 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. Have seen all of this land under irrigation, under claimant's system, for over ten years.

(Signed)

John T Shea

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 December, A. D. 1927.

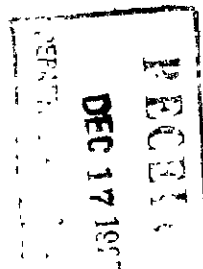
W. H. Leonard

Notary Public

Probate Judge.

My commission expires

5583



December 15, 1927.

Re: Permit No. 5583-P.A.Hardisty.

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

Dear Sir:

Referring to your telephone conversation relative to the above numbered permit, would say that the enclosed copy of a letter on file under the permit in this office, shows the deed to have been returned to M. I. Church. The deed was evidently brought in by Mr. Church personally, as we find nothing of record showing that the deed was mailed in.

A certified copy of the deed can be furnished if required.

Very truly yours,

GEO. H. CARTER,  
Commissioner of Reclamation,

By

Chief Clerk.

B:P  
Enc.

5583

# State of Idaho

## DEPARTMENT OF RECLAMATION

BOISE

### INSTRUCTIONS

#### PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO,

December 5 1927

P. A. Hardesty,

c/o Judge R. H. 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. 5583

#### 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 December 16, 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 R. H. Leonard.

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

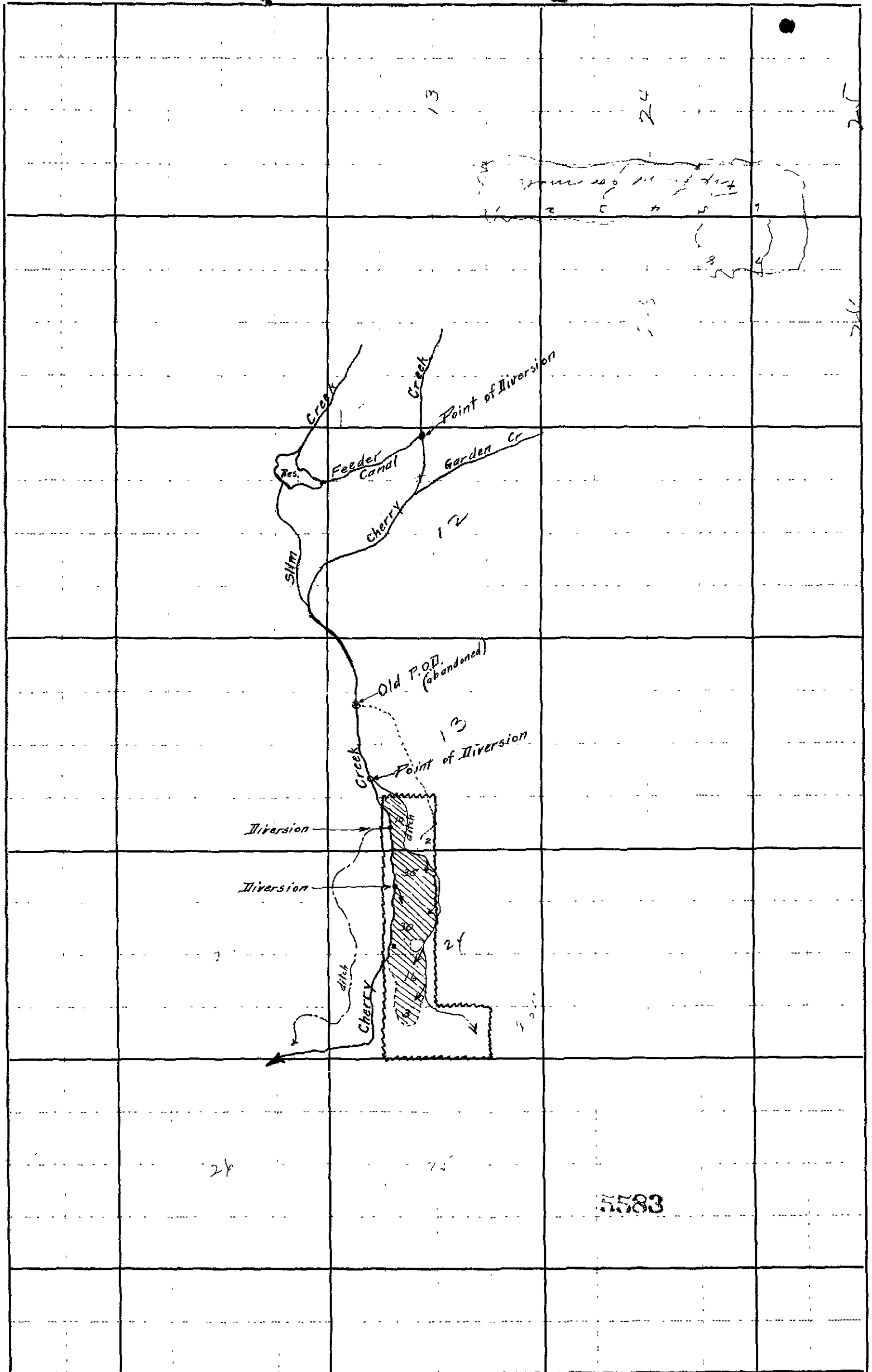
When these have been received, together with report of the examining engineer, if everything is properly executed, you will be further advised as to fees due, etc., before certificate is issued.

Yours truly,

GEO. N. MASTER,

Commissioner of Reclamation.

5583



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

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE

REPORT OF ENGINEER

PERMIT NO. \_\_\_\_\_

REPORT ON PROOF OF \_\_\_\_\_

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

Permit No. 5583This proof is for BEN. USE WATER

In Water District No. \_\_\_\_\_

1. Name of applicant: Prince Albert Hardesty
2. Source of water supply: Cherry Creek
3. Location of point of diversion: Is in the Center ~~NE 1/4~~ NE 1/4 NW 1/4 of Section 12  
15  
T. 9 S R. 6 W.B.M. County of Owyhee

4. Describe works as they exist, giving dimensions and capacities of same: Diversion of earth  
5 ft high x 40 ft long. Ditch 25 ft wide x 15 ft deep

150'

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

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, Sec. 13; E 1/4 NW 1/4, E 1/4 SW 1/4, and SW 1/4 SE 1/4, Sec. 24, Twp. 9 S., R. 6 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? N. Fk. Owyhee River

Remarks: This water right includes a 1/2 interest in reservoir shown on accompanying map

5583

This examination was made on the 5th day of Nov. 1927

(Signed)

Fred A. Tolman

Examiner.

5583

P. A. Hardesty  
Cliffs

Permit No. 5583

Examination for BEN. USE

County ONYHIE

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#### INSTRUCTIONS TO EXAMINERS

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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

Date **Nov. 9, 1927**

**PUBLISHER THE AVALANCHE**

**Silver City, Idaho**

DEAR SIR:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to ~~December 15 1927~~, the date set for proof, the expense of the publication to be paid by the applicant, ~~P. A. Hardesty, of Cliffe, Idaho~~, to whom you should furnish proof of publication on or prior to the date set for proof.

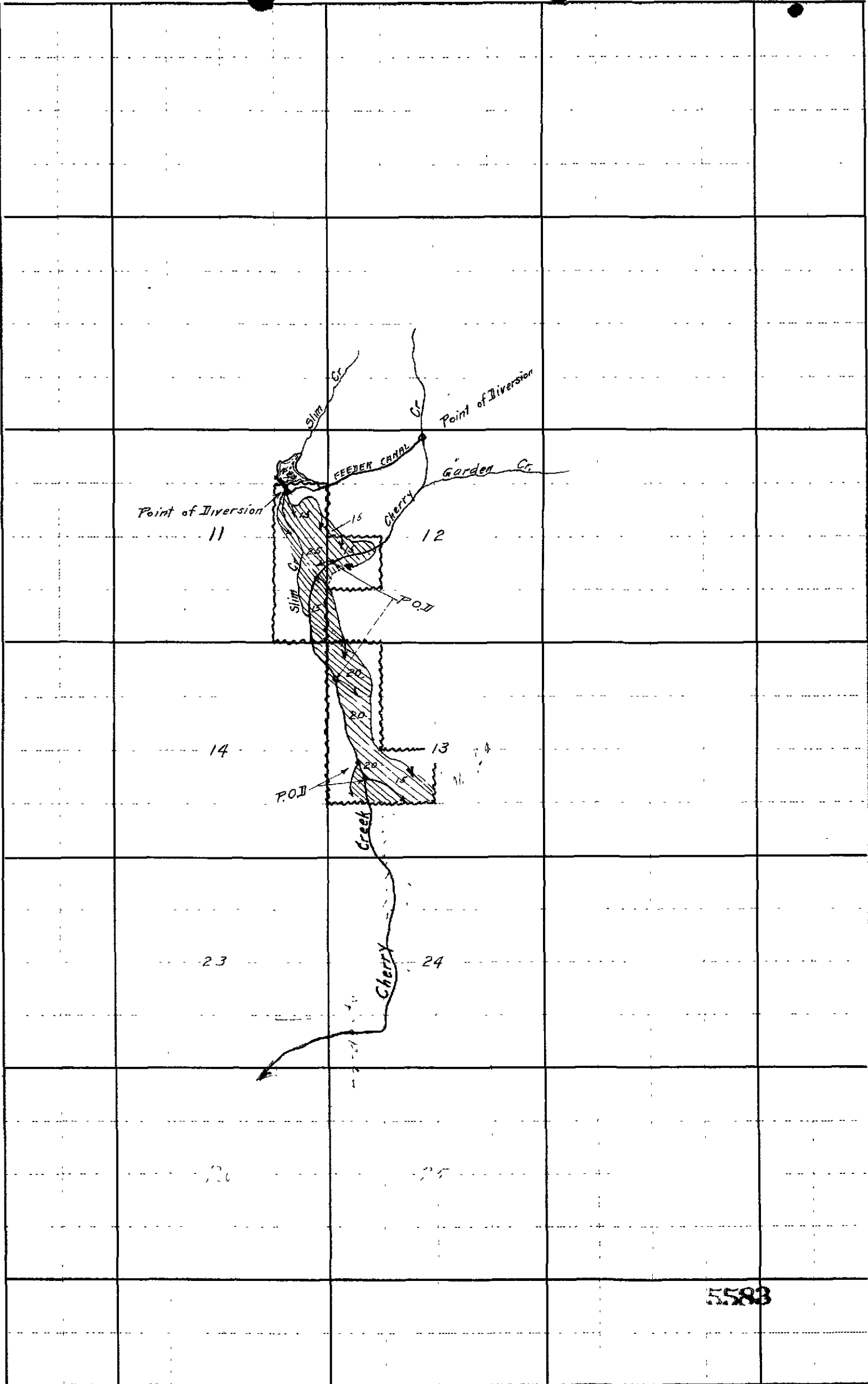
Please acknowledge receipt of this notice and furnish this office with a copy of the first publication.

Very truly yours,

**GEO. H. CARTER,**

Commissioner of Reclamation.

5583



5583

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE

REPORT OF ENGINEER

PERMIT NO. \_\_\_\_\_

REPORT ON PROOF OF \_\_\_\_\_

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

Permit No. 5583

This proof is for.....

In Water District No. ....

1. Name of applicant: Ida B. Tate and Wilbur J. Tate2. Source of water supply: Cherry Creek

3. Location of point of diversion: Is in the center ~~NW 1/4~~ NE NW of Section 12  
T. 9 S R. 6 W County of Owyhee

4. Describe works as they exist, giving dimensions and capacities of same: List diversion dams in fields, with one head gate control in NW 1/4 Sec 13. Field ditches 2' wide x 1' deep. Reservoir dam about 28 ft high x 12' top width. Upstream slope 3-1 3/4 down stream slope nearly 1-1. "Concrete core wall 8 ft high x 2' thick." Outlet pipe 12" diam x 150' long of concrete.

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

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 NE 1/4 and E 1/2 SE 1/4, Sec. 11, and NW 1/4 SW 1/4 Sec. 12; also,

W 1/2 NW 1/4 and N 1/2 SW 1/4, Sec. 13, all in Twp. 9 S., R. 6 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? N.F.R. Owyhee River

Remarks: Max flow line of reservoir enclosure about 100 acres. Wild hay meadows which are irrigated by damming creek and flooded. Diversion into feeder canal is by earth wing 2 ft high x 50 ft long. Overflow in creek channel is 8' long x 4' wide x 3' high of lumber.

This examination was made on the 6th day of Nov. 1927

5583

(Signed)

Frank H. Johnson  
Examiner.

W.J. Tate, et ux  
Boise

Permit No. 5583

Examination for BEN. USE

County OWYHEE

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#### 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.

PERMIT NO. 5538

## 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. Prince A. Hardisty 55 years  
Tanning Cliffs Idaho

Ques. 2. Are you acquainted with Wilbur & Ida B. Tate, the holder of Permit No. 5538? How long have you known him and where does he reside?

Ans. one year  
Boise Idaho

Ques. 3. Have you read or heard read said Permit No. 5538, and are you familiar with its provisions and conditions?

Ans. I am familiar with the conditions

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. Natural flow of Slime creek and the flood waters of Cherry creek by canal eight feet wide on bottom to a Reservoir known as Hardisty and Woods Reservoir

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. sufficient for use Irrigation purposes

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. E. 1/2 of S. E. 1/4 and the S. E. 1/4 of the N. E. 1/4 of Sec. 11 and the N. W. 1/4 of the S. W. 1/4 of Sec. 12. T. 2. S. R. 6. W. B. M. Owyhee Co, Idaho, average of 25 acres on each subdivision, improved and leveled and raises Timothy and Alsike clover,

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

Ans. Irrigation and domestic purposes

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. level Valley land 1 inch per 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. undivided 1/2 interest in the Reservoir

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. About sixteen years

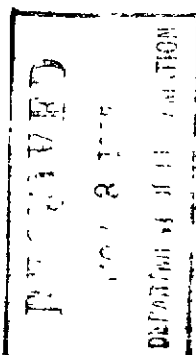
(Signed) Prince A. Hardisty

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 Tainy laura, County of Boyer, State of Idaho, on this 26<sup>th</sup> day of October, A. D. 1927.

W. D. Winter

Notary Public.

My commission expires Dec. 16<sup>th</sup> 1927



STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO.

PERMIT NO. 5538

## 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. Frank Hardisty age 57  
Tanning

Ques. 2. Are you acquainted with Wilbur and Ida B. Tate, the holder of Permit No. 5538? How long have you known him and where does he reside?

Ans. one year  
Boise Idaho

Ques. 3. Have you read or heard read said Permit No. 5538, and are you familiar with its provisions and conditions?

Ans. I am familiar with the conditions

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. Natural flow of Slim Creek and the flood waters of Cherry Creek by Canal eight feet wide on bottom to a reservoir known as the Hardisty and Woods Reservoir

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. Sufficient for all Irrigation purposes

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. East 1/2 of S. E. 1/4 and the S. E. 1/4 of the N. E. 1/4 of Sec. 11. and the N. W. 1/4 of the S. E. 1/4 of Sec. 12, T. 9. S. R. 6. W. B. M. Douglas Co. Idaho, average of 25 acres on each subdivision improved and leveled and raises Timothy and Alsike clover

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

Ans. Irrigation and domestic  
Purposes

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. Level Valley land 1 inch per 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 interest

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.

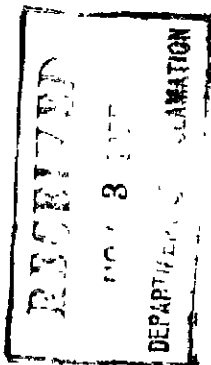
Ans. about sixteen years

(Signed) Frank Hardisty

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 Tarrytown, County of Owyhee, State of Idaho, on this 26<sup>th</sup> day of October, A. D. 1927.

W. D. Winter  
Notary Public.

My commission expires Dec. 16-27



STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO.

PERMIT NO. 5583

## Proof of Application of Water to Beneficial Use

### Deposition of Holder

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

Ans. William J. Clark 51, 1207 N. 7th St Boise Ada County, Ida  
Real Estate, Loans, & Insurance

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. Acting for myself & wife

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

Ans. 5583, June 21st 1918

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

Ans. Cherry Creek. Woods Hardisty ditch runs into reservoir from dam on  
Cherry Creek. Starts in N. W 1/4 of NE 1/4 of Sec. 12, Twp. 9 N. Range 6 W. of 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. Head gate at dam & then diverted at reservoir

Ditch 6 ft wide on bottom 8 ft on top 2 ft deep  
2 in fall to 100 FT 3/4 mile long starts in N. W 1/4 of  
Sec 12

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. 15 acres S.E. 1/4 NE 1/4 60 acres E 1/2 of S.E. 1/4 Sec. 11  
25 acres N.W. 1/4 S.W. 1/4 Sec. 12. 9 Sec. R. 6 W. of B.M.

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

Ans. None other than for irrigation purposes

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

Ans. One (1) inch to the 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. Foreclosure & sheriff's deed

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

Ans. From May to July use about 1 in to acre

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. None

(Sign)

Wilbur J. Tate

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Boise, County of Ada State of Idaho, on this 20<sup>th</sup> day of October A. D. 1927

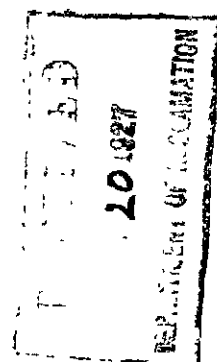
M. L. Hart

Notary Public for Idaho  
Residence Boise

My commission expires

Aug 2, 1929

5583



## AFFIDAVIT OF PUBLICATION

Charles Pascoe

I, \_\_\_\_\_,  
publisher of THE OWYHEE NUGGET, published weekly at Bruneau, Owyhee  
County, Idaho, do solemnly swear that a copy of the above notice, as per  
clipping attached, was published... weekly ..... in the regular entire issue of  
said newspaper, and not in any supplement thereof, for... <sup>4</sup> ..... consecutive  
issues, commencing with the issue dated September 22 1927, and  
ending with the issue dated October 13 1927; that the said  
newspaper has been continuously published in said county during a period of  
seventy eight consecutive weeks prior to the first publication of this notice.

*Charles Pascoe*

Subscribed and sworn to before me this 13 day of October 1927

*A. H. Gorman*

Notary Public

1183

Notice is hereby given that at 10 a.m.  
on the 20th day of October, 1927, at  
Bruneau, County of Ada, State of Idaho,  
before Claude R. Davis, Notary  
Public, proof will be submitted of the  
application to beneficial use of 64  
cubic feet per second of the waters  
of Cherry creek, in accordance with the  
terms and conditions of Permit No. 5583  
heretofore issued by the State Engineer  
of the state of Idaho.

The name and postoffice address of the  
person or corporation holding said per  
mit are: Ida Breslow Tate and Wil  
bur J. Tate, Boise, Idaho.

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

The amount applied to beneficial use  
is 64 cubic feet.

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

SE 1/4 NW 1/4 and E 1/2 SE 1/4 Section 11,  
and NW 1/4 SW 1/4 Section 12, Twp. 9  
N., R. 6 W., B.M.; also, W 1/2 NW 1/4  
and N 1/2 SW 1/4, Section 13, Twp. 9  
N., R. 6 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 Woods-  
Hardesty ditch.

The right to take water from such  
works is based upon Permit No. 5583.

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

The date of priority which said user is  
prepared to establish is June 21, 1918.

GEO. N. CARTER,

Commissioner of Reclamation.

October 6, 1927

Re: Permit No. 5583

Mr. P. A. Hardesty,  
Cliffe, Idaho.

Dear Sir:-

We are today in receipt of your notices for proof of beneficial use of water under the above permit. With a few changes the notices were in proper form. One copy will be mailed to the City City Avalanche for the required four weeks publication prior to December 15th, the date set for proof and deposition blanks for holder and two witnesses will be mailed to Judge R.H. Leonard, before whom proof is to be made.

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

By \_\_\_\_\_  
Chief Clerk.

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) Oct 4 1927  
(P. O.) Cliffs Idaho

TO THE COMMISSIONER OF RECLAMATION:

Boise, Idaho.

Dear Sir:

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

Prince A Hardisty

(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.

# NOTICE FOR PUBLICATION

## NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10 a. m. on the 15th day of December, 1927,  
at Silver City, County of Owyhee, State of Idaho,  
before Judge R. H. Leonard, proof will be submitted  
of the application to beneficial use of 5.6 cubic feet per second of the  
waters of Cherry Creek in accordance with the terms and conditions of  
Permit No. 5583 heretofore issued by the State Engineer  
of the State of Idaho.

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

Prince A. Hardesty, Cliffs, Idaho

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

The amount applied to beneficial use is 5.6 cubic feet per second.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) SE1/4, Sec. 15, T14N, R15W, and SW1/4, Sec. 24, T. 9 S., R. 6 W., S. 1.

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

The right to take water from such works is based upon Permit No. 5583

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

The date of the priority which said user is prepared to establish is September 16, 1918.

GEO. H. CARTER,

Commissioner of Reclamation.

5583

*Handwritten:* Dw. - En. 7052 73-95-677  
*Signature:* [Signature]

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) Sept. 19, 1927

(P. O.) Boise, Idaho

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 Nugget ... of Bruneau ..., published in  
the county in which the works are situated.

Wilbur Tate

(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.

# NOTICE FOR PUBLICATION

## NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10 a. m. on the 20th day of October, 1929,  
at Boise, County of Ada, State of Idaho,  
before Glande R. Davis, notary public, proof will be submitted  
of the application to beneficial use of 6.4 cubic feet per second of the  
waters of Cherry creek in accordance with the terms and conditions of  
Permit No. 5583 heretofore issued by the State Engineer  
of the State of Idaho.

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

Ida Breedlove Tate and Wilbur J. Tate, Boise, Idaho

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

The amount applied to beneficial use is 6.4 second feet

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) S<sup>1</sup>/<sub>2</sub>NE<sup>1</sup>/<sub>4</sub> and E<sup>1</sup>/<sub>2</sub>SE<sup>1</sup>/<sub>4</sub>, Sec. 11, and NW<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub> Sec. 12, Twp. 9 S., R. 6 W., B.M.;  
also, E<sup>1</sup>/<sub>2</sub>NE<sup>1</sup>/<sub>4</sub> and E<sup>1</sup>/<sub>2</sub>SE<sup>1</sup>/<sub>4</sub>, Sec. 15, Twp. 9 S., R. 6 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 Woods-Hardesty ditch

The right to take water from such works is based upon Permit No. 5583

The source of supply from which such water is diverted is Cherry creek

The date of the priority which said user is prepared to establish is June 21, 1916

*Ans Center MO 84-13-95-67*

Geo. H. Carter,

Commissioner of Reclamation.

5583

5583

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

Date Sept. 19, 1927

PUBLISHER, THE NUGGET,  
Brunson, Idaho

DEAR SIR:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to October 20, 1927, the date set for proof, the expense of the publication to be paid by the applicant, Wilbur J. Tate, Boise, Idaho, to whom you should furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,

GEO. N. CARTER,

Commissioner of Reclamation.

5583

# State of Idaho

## ENGINEERING DEPARTMENT BOISE

STATE ENGINEER

October 14, 1918.

O. M. Woods,  
P. A. Hardesty,  
Jordan Valley, Oregon.

I enclose herewith blank notice of proof of Application of Water to Beneficial Use under your permit No. **5583** 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 the date it is submitted.

Yours truly,

**FRED A. WILKIE**

State Engineer.

**5583**

March 6, 1915.

Permit 5583.

Mr. O. E. Woods,  
Jordan Valley, Oregon.

Sir:

Am enclosing herewith certificate of completion  
of work issued under above permit.

Very truly yours,

Herbert Wing,

Acting State Engineer.

CCW

By \_\_\_\_\_

February 23, 1915.

Permit 5583. O.M.Woods.

Mr. E. I. Church,  
Boise, Idaho.

Sir:

Am enclosing herewith application for amendment  
of above permit, together with assignment, the same  
having been recorded in this office.

Very truly yours,

Herbert Wing,

Acting State Engineer.

AS.-AA-M-R

By \_\_\_\_\_

February 9, 1915.

Permit 5583.

Mr. F. R. Miller,  
Cashier Bank of Jordan Valley,  
Jordan Valley, Oregon.

Sir:

We are today in receipt of your letter enclosing the report of Mr. James M. Harbour on completion of works under the above permit. The report and map have been checked and are satisfactory. The certificate of completion of works will be issued and mailed to you soon. An enclosing receipt for fees.

Very truly yours,

Herbert Wing,

Acting State Engineer.

R7226.

By \_\_\_\_\_



# **BANK OF JORDAN VALLEY**

CAPITAL AND SURPLUS \$50,000.00

FRED J PALMER, PRESIDENT  
T R COWGILL, VICE PRESIDENT  
F R MILLER, CASHIER

**JORDAN VALLEY, ORE.,**

Febaruary 6, 1915.

State Engineer

Boise Idaho.

Dear Sir;

Herewith we hand you affidavit of  
Engineer James M. Harbour in connection with  
application of O. M. Woods for water permit.  
Mr. Woods is away himself and his permit is  
not available.

not

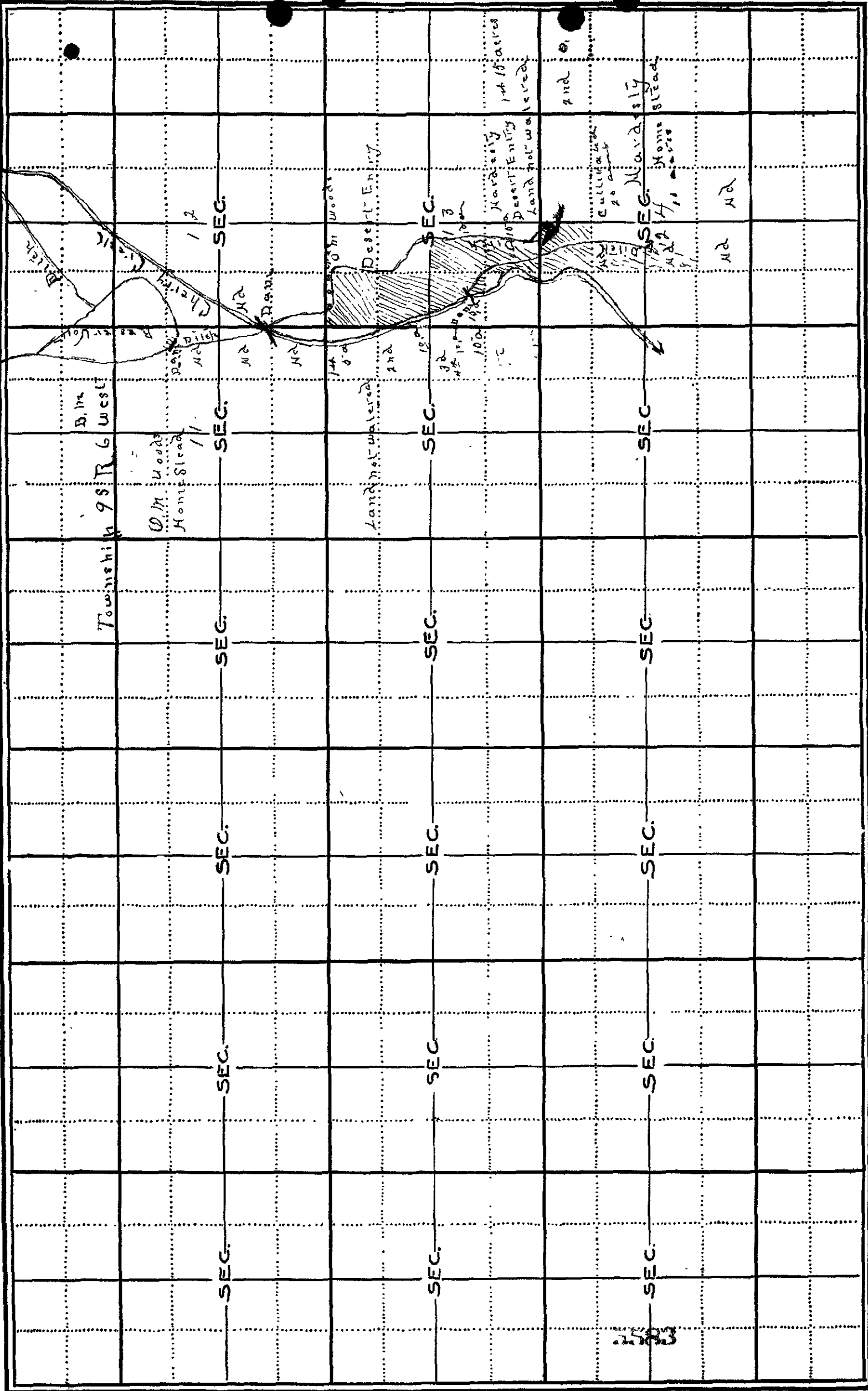
If you can make use of this affidavit  
as it is, please advise us that we may assist  
Mr. Woods in perfecting same.

Yours truly



Cashier

Enclosure



# Henry Scott

—DEALER IN—

Men's Furnishings, Cigars,  
Tobaccos, Notions, etc.

Jordan Valley, Oregon,  
Jan. 30-15

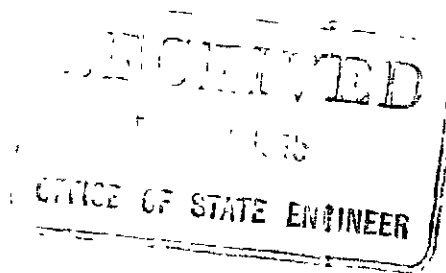
Herbert Wing,  
Boise, Idaho.

Dear Sir:-

Replying to yours of the 19th regarding the examination for  
O.M. Woods under permit No 5583, will say that I will be glad to make  
the examination and will leave for his place today.

yours truly,

*J M Harbor*  
*per H. L.*



5583

Office of the State Engineer

Boise, Idaho, Jan. 19 1912 5

Mr. James Harbor,  
Jordan Valley, Oregon.

DEAR SIR:

Mr. O. M. Woods, residing at Jordan Valley  
County of \_\_\_\_\_, State of Oregon, has requested that  
you make examination required under Permit No. 5583. Will you  
therefore, arrange with the holder of said Permit to make such examination as will  
enable you to answer the questions on the enclosed blank? Also, make a sketch on  
the enclosed blank plat showing source of supply, point of diversion, route of ditch  
and place of use. You should, also, arrange with the holder of said Permit for the  
payment of your fee for your services, and such proper expenses as you will incur in  
making this examination and report.

Please advise me promptly of receipt of this communication, and whether or not  
you will be able to make the examination and report as required.

Very truly yours,

Herbert Fing, ~~and~~ ~~Robinson~~,  
Acting State Engineer.

5583

558  
Jan 2<sup>d</sup> 1915

State Engineer Boise  
Idaho

Mr James Harbor  
of Jordan Valley will  
make an examination  
of my ditch so if you  
will send him the papers  
I will have him to  
come out

Respect

C. M. Woods  
Jordan Valley  
Oregon

December 22, 1914.

Permit 5583.

Mr. O. M. Woods,  
Jordan Valley, Oregon.

Sir:

We are just in receipt of the depositions, affidavit of publication and check for fees in the sum of \$5.00 for proof of completion of works under above permit. It will be necessary for a report to be made by some competent person and, if you will send the name of some one near you whom you know to be able to make the examination, the blanks will be furnished him from this office. The papers and money order for fees will be held pending receipt of the report.

Very truly yours,

Herbert Wing,

Acting State Engineer.

By \_\_\_\_\_

5583

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

December 19, 1914.

Hon. Herbert Wing,  
Acting State Engineer,  
Boise, Idaho.

Dear Sir:

Enclosed please find Proof of Completion of Works of  
O. M. Woods under permit No. 5583, affidavit of publication  
of notice and money order for \$5.00, in payment of fee, required.

Mr. Woods states that you advised him that he could  
make proof of completion of works of diversion although the sto-  
rage reservoir was not completed.

You will note that the reservoir dam is completed  
as high as the permit calls for, by the deposition of holder,  
but he proposes to add five feet to the height for safety.

He also was under the impression that it was not  
necessary, at this time, to have the works examined by an  
engineer. If an examination is necessary, at this time,  
upon receipt of your advice he will have the examination made.

Trusting you will find the proof O.K., I am,

Very truly yours,

*R. H. Leonard*  
Probate Judge.  
RECEIVED  
DEC 21 1914  
SILVER CITY, IDAHO

5583

# Affidavit of Publication

## NOTICE FOR PUBLICATION

Notice is hereby given that on the 20th day of December, 1914, at Silver City, County of Owyhee, State of Idaho, before me, R. H. Leonard, proof will be submitted of the completion of works for the diversion of 2.2 cubic feet per second of the waters of Cherry Creek, in accordance with the terms and conditions of certain permit heretofore issued by the State Engineer of the State of Idaho.

1. The name of the person holding said Permit is O. M. Woods.

2. The Postoffice address of such person is Jordan Valley, County of Malheur, State of Oregon.

3. The number of such Permit is 1822, and the date set for the completion of such work is December 20, 1914.

4. Said water to be used for irrigation and domestic purposes.

5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place intended for use in accordance with the plans accompanying the application for such permit is 2.2 cubic feet per second.

6. The amount of lands for which said water is available is 330 acres, particularly described as follows: Part of E $\frac{1}{2}$  of SE $\frac{1}{4}$  and SE $\frac{1}{4}$  of NW $\frac{1}{4}$  Section 11, W $\frac{1}{4}$  of SW $\frac{1}{4}$  Section 12, W $\frac{1}{4}$  of NW $\frac{1}{4}$  and N $\frac{1}{4}$  of SW $\frac{1}{4}$  Section 13, Township 8 South, Range 6 West B. M.

HERBERT WING,

Acting State Engineer

First pub Nov. 20, 1914.  
Last pub Dec. 18, 1914.

STATE OF IDAHO, ) ss  
County of Owyhee )

*J. S. Flanagan*, being duly sworn, deposes and says that he is the *Publisher* of THE OWYHEE

AVALANCHE, a weekly newspaper published at Silver City, County of Owyhee, State of Idaho; that the said newspaper is in general circulation in Owyhee County; that a copy of the above notice, as per clipping attached, was published in the regular and entire issue of said newspaper for *Five* consecutive weeks, beginning with the issue of *Nov 20*, 1914, and ending with the issue of *Dec 18*, 1914.

SUBSCRIBED AND SWORN TO before me this

day of *Dec*

, 1914.

*R. H. Leonard*  
Probate Judge

ENGINEER

5583

# Proof of Completion of Works

## DEPOSITION OF HOLDER

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

Ans. O. M. Woods, age 34, residence Fairylawn, Idaho, occupation farming. Post office address, Jordan Valley, Oregon.

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

Ans. For myself.

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

Ans. 5583, dated December 20, 1909. 7.2 cubic feet per second of Cherry Creek in NW $\frac{1}{4}$  NE $\frac{1}{4}$ , Sec. 1, Tp 9 S, R 6 W, B.M.

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

Ans. Irrigation and domestic use. Irrigating 360 acres as follows: E $\frac{1}{2}$  SE $\frac{1}{4}$ , Sec. 11, Part of SE $\frac{1}{4}$  NE $\frac{1}{4}$ , Sec. 11, and W $\frac{1}{2}$  SW $\frac{1}{4}$ , Sec. 12, and W $\frac{1}{2}$  NW $\frac{1}{4}$  and N $\frac{1}{2}$  SW $\frac{1}{4}$ , Sec. 13, Tp 9 South, Range 6 West, B.M.

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

Ans. Yes. All water in Cherry Creek, November 20, 1914, about 25 inches of water.

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

Ans. All completed but the reservoir dam.

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

Ans. All work completed conforms with terms of permit. Five sixths of reservoir dam completed.

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

Ans. Dam 30 feet high, 232 ft. long at top, 80 ft. long at bottom, Material used in construction of dam, cement core 5 ft. high, clay and gravel. Small diversion dam, ditch 5 ft. at bottom, 9  $\frac{3}{4}$  ft. wide at water line, 1  $\frac{1}{2}$  ft. deep. Capacity 7.2 cubic feet per second. Cost to date \$7,500.00.

(Sign here.)

*O. M. Woods*

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 19th day of December, A. D. 1914.

*R. H. Leonard*

Probate Judge.

*NOTARY PUBLIC*

My Commission expires.....

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

PERMIT NO. 5583

## Proof of Completion of Works

### DEPOSITION OF WITNESS

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

Ans. A. D. Lauderdale, age 28, residence Fairylawn, Idaho, occupation laborer, Post Office address Jordan Valley, Oregon.

Ques. 2. Are you acquainted with O. M. Woods, the holder of Permit No. 5583, authorizing the diversion of 7.2 second-feet of the waters of Cherry Creek, at point of diversion

for Irrigation and domestic purposes? How long have you known him, and where does he reside?

Ans. Yes. Known him about six months. He resides at Fairylawn, Owyhee County, Idaho.

Ques. 3. Have you read or heard read said Permit No. 5583, and are you familiar with its terms and conditions?

Ans. Yes.

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

Ans. Yes. E $\frac{1}{2}$  SE $\frac{1}{4}$  Sec. 11, Part of SE $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 11, and W $\frac{1}{2}$  SW $\frac{1}{4}$ , Sec. 12, and W $\frac{1}{2}$  NW $\frac{1}{4}$  and N $\frac{1}{2}$  SW $\frac{1}{4}$ , Sec. 13, Tp. 9 S., Range 6 West, R.M. Black loam. One inch per acre.

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

Ans. Yes.

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

Ans. Small diversion dam, ditch 5 ft. wide at bottom, 9 3/4 ft. wide at water line, ~~1 1/2~~ depth of water 1 1/2 ft., of sufficient capacity to carry 7.2 second feet of water.

(Sign here.) *A. D. Lauderdale*

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Silver City, County of Owyhee, State of Idaho, on this 19th day of December, A. D. 1914.

5583

*R. H. Leonard*  
Probate Judge.

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

PERMIT NO. 5583

## Proof of Completion of Works

### DEPOSITION OF WITNESS

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

Ans. T. F. Hardisty, age 44, residence Jordan Valley, Oregon,  
occupation laborer, Post office address, Jordan Valley, Oregon.

Ques. 2. Are you acquainted with O. M. Woods, the  
holder of Permit No. 5583, authorizing the diversion of 7.2 second-feet of the waters of  
Cherry Creek, at point of diversion  
for irrigation and domestic purposes? How long have you known him, and where does he reside?

Ans. Yes sir. 7 or 8 years. He resides at Fairylawn, Owyhee  
County, Idaho.

Ques. 3. Have you read or heard read said Permit No. 5583, and are you familiar with its  
terms and conditions?

Ans. Yes sir.

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

Ans. Yes sir. E $\frac{1}{2}$  SE $\frac{1}{4}$  Sec. 11, Part of SE $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 11, and W $\frac{1}{2}$  SW $\frac{1}{4}$   
Sec. 12, and W $\frac{1}{2}$  NW $\frac{1}{4}$  and N $\frac{1}{2}$  SW $\frac{1}{4}$  Sec. 13, Tp. 9 South, Range 6 W., B.M.  
Black loam. About one inch per acre.

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

Ans. I think they are.

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

Ans. Small diversion dam, ditch 5 ft. wide at bottom, 9  $\frac{3}{4}$  ft. wide  
at water line, depth of water 1 $\frac{1}{2}$  ft. Of sufficient capacity to  
carry 7.2 second feet of water.

(Sign here.)

T. F. Hardisty

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that  
I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn  
to before me, at my office in Silver City, County  
of Owyhee, State of Idaho, on this 19th day of  
December, A. D. 1914.

5583

R. A. Leonard  
Probate Judge.

December 12, 1914.

Re plans & spec.-Permit 5583.

Mr. O. M. Woods,  
Jordan Valley, Ore.

Sir:

The plans and specifications filed for dam constructed under the above numbered permit have been duly approved and duplicate copies are herewith returned to you. The originals have been placed on file in this office.

Very truly yours,

Herbert Wing,

Acting State Engineer.

PAS

By \_\_\_\_\_

# State of Idaho

A. E. ROBINSON  
STATE ENGINEER

## ENGINEERING DEPARTMENT BOISE

### INSTRUCTIONS

#### PROOF OF COMPLETION OF WORKS

O. M. Woods  
c/o R. H. Leonard,  
Silver City, Idaho.

Boise, Idaho, Dec. 5, 1914.

Dear Sir:

I enclose herewith the following forms to be used in connection with proof of completion of works under your permit No. 5583.

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 your rights:

1. On **December 19th**, the date set for proof of completion of works, the enclosed deposition forms (one for permit holder and one each for two witnesses) should be filled out and sworn to, at **Silver City, before R.H. Leonard.**

2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice and fee of \$5.00, where amount claimed does not exceed 10 second feet. Where more than 10 second feet is claimed, the fee required is 30 cents per second foot. When these have been received, together with report of the examining engineer, if everything is properly executed, Certificate of Completion of Works will issue.

Yours truly,

Herbert Wing, ~~A. E. ROBINSON~~,

State Engineer.

November 13, 1912.

Permit 5583

O. H. Woods,  
Jordan Valley, Ore.

Sir:-

Your application for extension of time  
has been approved and one copy is herewith  
returned to you.

Very truly yours,

State Engineer.

By...

ABT

5583

(P. O.)      **Boise City, Idaho**

(Date)      **November 12, 1914**

State Engineer, Boise.

Dear Sir:

I have your letter of **November 11th** enclosing Notice of Proof of Completion of Works under Permit No. **5583** which will be published as you request, beginning with our issue of **November 20th**

*Copy (see Avalanche Pub Co  
by J. St. Lawrence)*

**5583**

# Notice of Publication

Notice is hereby given that at 10 A M., on the 19th day of December 1914, at Silver City County of Owyhee, State of Idaho, before R. H. Leonard proof will be submitted of the completion of works for the diversion of 7.2 cubic feet per second of the waters of Cherry Creek, in accordance with the terms and conditions of a certain permit heretofore issued by the State Engineer of the State of Idaho.

1. The name of the person or ~~corporation~~ holding said permit is O. M. Woods

2. The postoffice address of such person or ~~principal place of business of such corporation~~ is Jordan Valley, County of Malheur, State of Oregon.

3. The number of such Permit is 5503, and the date set for the completion of such work is December 20, 1914.

4. Said water to be used for irrigation and domestic purposes.

5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place intended for use, in accordance with the plans accompanying the application for such permit is 7.2 cubic feet per second.

6. The amount of lands for which said water is available is 360 acres, particularly described as follows: Part of E $\frac{1}{2}$  pf SE $\frac{1}{4}$  and DSE $\frac{1}{4}$  of NE $\frac{1}{4}$ , Sec. 11, W $\frac{1}{2}$  of SW $\frac{1}{4}$  Sec. 12, W $\frac{1}{2}$  of NW $\frac{1}{4}$  and N $\frac{1}{2}$  of SW $\frac{1}{4}$  Sec. 13, T. 9 S., R. 6 W.B.M.

Herbert Wing, Acting

~~XXXXXXXXXX~~  
P. KING, State Engineer.

November 11, 1934.

Permit 5583.

Mr. O. M. Woods,  
Jordan Valley, Idaho.

Sir:

Replying to your letter received today would say that the enclosed leaflet will give you information as to just what is required in the way of plans and specifications for dams over 10 feet in height. The letter is not sufficient.

In view of the fact that the 20th of December falls on a Sunday, I have changed the date for making proof to the 19th of December and the notice will be sent to the paper at once. Deposition blanks will be mailed to Mr. R. H. Leonard at Silver City later.

Very truly yours,

Herbert Wing,

Acting State Engineer.

By \_\_\_\_\_

P.S.

It will be necessary for us to have the plans and specifications before the proof can be considered.

5583

Permit No. 5583  
RECEIVED

NOV 1 1914

State Engineer, Boise, Idaho.

Dear Sir:-

In reply to your inquiry  
will say—

The dam is to be 160 feet up  
and down the cañon on the  
bottom.

Twenty (20) feet wide on the  
top,

Thirty five (35) feet high with  
thirty (30) feet water line.

The cañon was 80 ft on the  
bottom,

232 feet long on top,

It is to be constructed of  
earth and gravel.

5583

I dug a trench down to bed rock then ~~12 inch~~ pipe, made from 28 gauge galvanized iron and put concrete around it six inches thick.

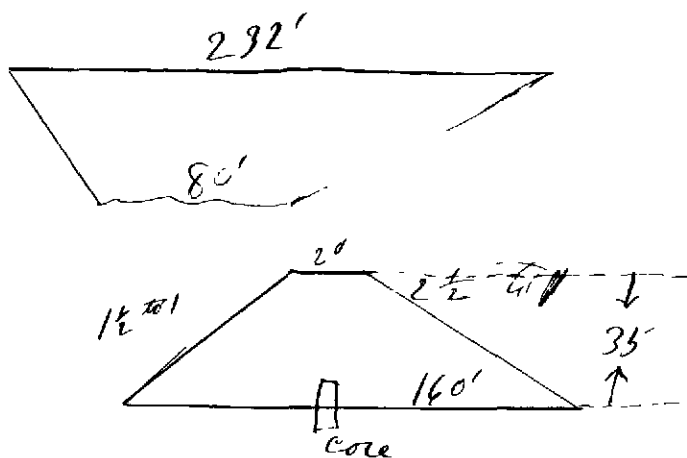
The head gate is a twelve inch standard gate valve.

I put a concrete core in the dam. It was about four feet to bed rock so I dug down to it and into the rock. It extended entirely across the cañon, and above the natural ground about three or three and one half feet. I removed all rocks and plowed the dam site before plaining any earth there on.

You may state in the notice  
that I will make proof before  
R. H. Leonard, at Silver City  
Idaho.

The dam shall be riprapped  
with rock, hand placed.

Respect  
C. M. Woods  
Jordan Valley  
Oregon



No 1 is looking at the dam  
from the lower side  
No 2 is cross section of the  
dam.

C. H. Woods

reco  
October 31, 1914.

Permit 5583.

Mr. O. M. Woods,  
Jordan Valley, Oregon.

Sir:

Am just in receipt of your letter enclosing notices for proof of completion of works. In reply would say that the slip enclosed in the letter, giving the dimensions of the dam, is not sufficient for our records. Am enclosing herewith general specifications for earth dams over ten feet high.

Inasmuch as the proof must be made within the State of Idaho, it will be necessary for you to give us the name of the place and the party before whom proof can be made in this State. It can be made at any place most convenient to you in this State and before any officer authorized to administer oaths. Upon receipt of your reply the matter of publishing the notice will be taken up.

Very truly yours,

Herbert Wing,

Acting State Engineer.

GS3D

By \_\_\_\_\_

5583

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE.

(Date) Oct 20<sup>th</sup> 1914  
(P. O.) Jordan Valley Oregon

To the State Engineer,  
Boise, Idaho.

Dear Sir:-

You are hereby authorized to have published the attached notice, at my expense in the

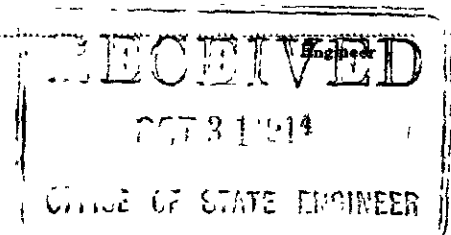
Owyhee Avalanche, of Silver City Ida. published in the  
county in which the works are situated.

W. M. Woods

(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.

5583



## NOTICE OF PUBLICATION

Notice is hereby given that at 10 A.M., on the 20 day of December 1944, at Jordan Valley County of Madison State of Idaho before Reginald R. Leonard proof will be submitted of the completion of works for the diversion of 7.2 cubic feet per second of the waters of Cherry Creek in accordance with the terms and conditions of a certain permit heretofore issued by the State Engineer of the State of Idaho.

1. The name of the person or corporation holding said permit is R.M. Woods

2. The postoffice address of such person or the place of business of such corporation is

Jordan Valley County of Madison State of Idaho

3. The number of such permit is 5583 and the date set for the completion of such work is Dec 20, 1944

4. Said water to be used for Irrigating domestic purposes.

5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is 7.2 cubic feet per second.

6. The amount of lands for which said water is available is 34.0 acres, particularly described as follows:

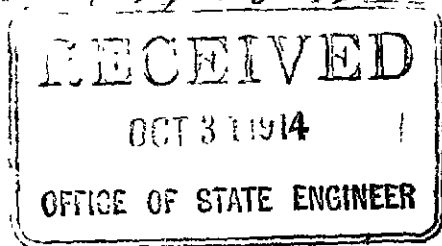
Part of E 1/2 of S 6 1/4 and S 8 1/4 of R 6 1/4 Sec 11 W 1/2 of S 4 1/4 Sec 12 W 1/2 of S 4 1/4 and 1/2 of S 4 1/4 Sec 13 T 9 S R 6 W, 13, 14.

Permit No 5583

Jordan Valley Oct 20<sup>th</sup>

State Engineer Boise Ida  
I will have the works  
of diversion complete  
by Nov 1<sup>st</sup> 1914.

I wrote to my Engineer  
W. B. Stevenson and told  
him to file plans &  
specifications for the  
dam I thought they  
were filed when the  
surveying was completed  
C. M. Woods



The dam is to be  
built of earth & gravel  
30 ft high  
100 ft on bottom  
20 " " top  
232 " across the canyon at  
top of dam making the  
dam 232 ft long on top  
C. M. Wood

P.S. if this is all that is  
required please file  
it and send me the  
the bill and I will send  
cheque for same.  
C. M. Wood

October 16, 1914.

Permit 5583.

Mr. O. M. Woods,  
Jordan Valley, Oregon.

Sir:

Replying to your letter of the 10th would say that, in view of the fact that the full five years time was granted for completion of works under above permit, no additional time could be granted. However, if you have the works of diversion completed to divert and carry the amount of water applied for, you can proceed with your proof of completion regardless of the fact that the dam is not fully completed. This can be done later.

I note that you state that you have the dam completed 25 feet high. I do not find that you have ever filed plans and specifications for this dam. The law requires that, where a dam is over 10 feet high, plans and specifications shall be filed with the State Engineer. This should be done at once.

Very truly yours,

Herbert Wing,

Acting State Engineer.

By \_\_\_\_\_

Jordan Valley  
Oregon

RECEIVED  
OCT 10 1914  
OCT 16 1914

State Engineer  
Dear Sir:

It will be impossible  
for me to finish my  
reservoir dam by Dec 20  
I would like to get an  
extension of one year  
I have worked on the dam  
each year but have had  
to tend my place and  
crops to make a living  
for my family I irrigated  
about 80 or 100 acres this  
year I have the dam about  
25 ft high that gives me  
plenty of water for 100 acres  
I am working on it now

5583

but will not have  
time to finish it this  
year on account of bad  
weather.

If you can't give me an  
extension what can I do  
to hold the right of way  
until I can finish it  
I have cleared about 200 acres  
of land and have over 100 acres  
plowed and some needed  
down so I can't afford to  
lose it.

Respect  
O. M. Woods

P.S. Permit No 5583

STATE OF IDAHO  
ENGINEERING DEPARTMENT

F. P. KING,  
STATE ENGINEER

BOISE

INSTRUCTIONS  
—  
PROOF OF COMPLETION OF WORKS

O. M. Wood,  
Jordan Valley, Ore.  
DEAR SIR:

BOISE, IDAHO, Sept. 1, 1914.

I enclose herewith blank form upon which to give notice that you are prepared and desire to submit proof of completion of works under your permit No. **5583**.

This form should be filled out and mailed to the State Engineer at least 60 days before the date upon which it is to be submitted, which proof **MUST** be made on or before **Dec. 20, 1914**.

Upon receipt of this blank properly filled out, notice must be published a period of four weeks prior to the date of proof.

The proof may be submitted at any place convenient to you and two witnesses, where there is a Notary Public or other officer authorized to administer oaths.

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,

F. P. KING,

*State Engineer.*

5583

**Application for Extension of Time.**

O. M. Woods., of Jordan Valley,

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

He is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 6683

Under the terms and conditions of said permit, construction work thereunder was required to be completed by December 20, 1912

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

Built a dam 20 ft. high, 20 ft. wide on bottom  
180 ft. length on top, 160 ft. on bottom, 80 ft. wide on top.

costing \$ 2250.00

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

I have a family to keep and my financial circumstances will not permit it. in the said required time.

WHEREFORE, He asks that the State Engineer extend the time for the completion of construction work under said permit, to December 20 th, 1914

And further, deponent saith not

Subscribed and sworn to before me this 22 day of October, 1912

Notary Public.

My commission expires Jan 17 - 1913

Date of receipt at office of State Engineer 93 30

**APPROVAL OF STATE ENGINEER.**

I, A. E. Robinson, State Engineer of the State of Idaho, hereby extend the time for the completion of construction work under Permit to Appropriate the Public Waters of the State of Idaho, No. 5583, to December 20, 1914

Witness my hand this 14 day of November, 1912

5583 (over)

State Engineer.

Effective April 10, 1911.

*STATE ENGINEER'S OFFICE.*

*Rules and Regulations for Extension of Time for  
Construction of Work Under Permit.*

House Bill No. 123 approved March 9th, 1911, provides that, where the State Engineer has limited time for completion of construction of necessary works under a permit to appropriate the public waters, to less than five years, he may, for good cause shown, extend such time as he may deem necessary.

To obtain such extension of time, the permit holder should fill out and file with the State Engineer two copies of the affidavit found upon the reverse side of this sheet.

(over)

Boise, Idaho, October 2, 1912.

Permit 5583.

O. M. Woods,  
Jordan Valley, Oregon.

Sir:--

Replying to yours of the 28th ult.  
would say that you should file application for  
extension in this office using the enclosed  
forms. Application for extension must be drawn  
in duplicate. Be specific as to amount of  
work already done and reasons for asking ex-  
tension.

Very truly yours,

State Engineer.

By \_\_\_\_\_

Enc. 2 EB.

W/G.

5583

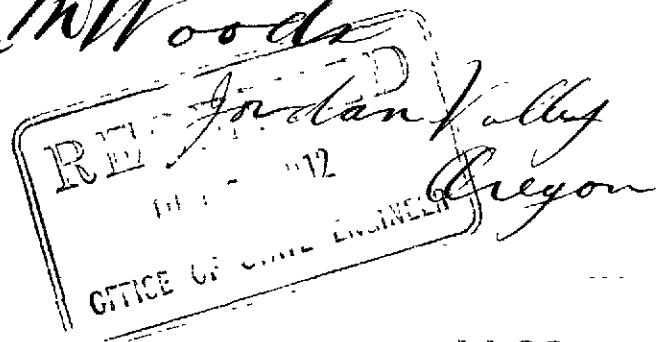
Jordan Valley Sept 28<sup>th</sup> 1911

State Engineer Boise Idaho

I would like to get more time  
on my reservoir, I have had to  
make a living for my family.  
When I got my permit the State  
Engineer give me one additional year  
so I have depended on 4 years in  
place of three. I have put in  
a little over 20 ft and can  
complete it this fall and next  
Please let me know if I can get  
the additional year or not?

Respect

Geo W Woods



J5583

5583

**State of Idaho**  
**ENGINEERING DEPARTMENT**  
**BOISE**

**JAS STEPHENSON, JR.**  
**STATE ENGINEER**

**O.W. Woods,**  
**Permit No 5583**  
**D.O. Stevenson,**  
**Boise, Idaho**

Boise, Idaho, *January 12, 1910*

Dear Sir:

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

**JAS. STEPHENSON, Jr.,**  
State Engineer.

**5583**

Name of Applicant *Ora M. Woods.*

*Township 9 South. Range 6 West*

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*Point of Division*

*Supp.*

*Dam*

*Reservoir*

*Cherry Creek*

*Bar*

1893