

Name of Applicant *Adolf Lahtinen*

5460

Trp. 9 South Twp. 1 East. Bm.

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Battle Creek

Point of Beginning

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County: Owyhee
 Stream: Battle Creek
 Amount: 1.5 sec.ft.
 Use: Irrigation
 Priority: 11-26-1909.

STATE OF IDAHO

Water License No. 5460
 WATER DISTRICT NO. 55.

WHEREAS, On the 17th day of November, A. D. 1909, George Higginbottom,

of Hot Springs, County of Owyhee, State of Idaho, duly made application (No. 7911) to me for a permit to use two (2) cubic feet per second of the waters of Battle Creek, in Water District No. 55, County of Owyhee, State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the 17th day of November, A. D. 1909, Permit No. 5460 was issued to said applicant for the diversion of said water and providing for the completion of the works of diversion therein described on or before the 17th day of November, A. D. 1911, and for the application to beneficial use of said water on or before the 17th day of November, A. D. 1915, and,

WHEREAS, On the 16th day of December, A. D. 1911, George Higginbottom,

the holder of said permit, duly made proof of the completion of adequate works for the diversion of two (2) cubic feet per second of said waters, as evidenced by my Certificate No. 5460, dated August 25, 1915, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use two (2) cubic feet per second of said water, with date of priority of November 17, 1909, and

WHEREAS, On the 4th day of October, A. D. 1915, George Higginbottom transferred all his right, title and interest in and to said permit to Adolph Lahtinen, and,

WHEREAS, On the 4th day of October, A. D. 1915, the time for beneficial use of water under said permit was extended to the 17th day of November, A. D. 1916, and,

WHEREAS, On the 27th day of November, A. D. 1916, Adolph Lahtinen,

the holder of said permit, duly made proof of the application to beneficial use of 1.5 cubic feet per second of said water:

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to

Adolph Lahtinen

of Mountain Home, County of Elmore, State of Idaho, the holder and owner of said Permit No. 5460, a perpetual right, dating from November 26, 1909, to the use of 1.5 cubic feet per second of the waters of Battle Creek,

in the County of Owyhee and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point in the SE $\frac{1}{4}$ of SW $\frac{1}{4}$, Sec. 23, T. 9 S., R. 1 E., B.M.,

and conducted to and upon 75 acres, as follows: 10 acres in NE $\frac{1}{4}$ of NW $\frac{1}{4}$; 15 acres in SE $\frac{1}{4}$ of NW $\frac{1}{4}$; 25 acres in NW $\frac{1}{4}$ of NW $\frac{1}{4}$ and 25 acres in NE $\frac{1}{4}$ of SW $\frac{1}{4}$, Sec. 25, T. 9 S., R. 1 E., B.M.,

for the purpose of irrigation and domestic use, subject, however, to the laws of the State of Idaho, applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 18th day of December, A. D. nineteen hundred and sixteen.

J. H. Smith,

(Seal)

State Engineer:

55 2015

No. 7911. 55-2015

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: George Higginbottom

Postoffice address: Hot Springs

County: Owyhee

State: Idaho

2. The quantity of water claimed is two cubic feet per second.

3. Source of water supply: Battle Creek

County of Owyhee

4. Location of point of diversion: SE $\frac{1}{4}$ of SW $\frac{1}{4}$ Sec. 23, T. 9 S.R. 1 E.B.M.

5. To be used for:

I. Irrigation and domestic use:

(a) Amount of land to be irrigated: 100 acres

(b) In the following legal subdivisions : N $\frac{1}{2}$ of NW $\frac{1}{4}$, SE $\frac{1}{4}$ of NW $\frac{1}{4}$, NE $\frac{1}{4}$ of SW $\frac{1}{4}$; Sec. 25, T. 9 S.R. 1 E.B.M.

6. Estimated cost of works: \$150.00

7. Description of works for diversion:

I. Kind of works: Dam made of willows and rocks, and canal

II. Dimensions of works:

(a) Height of dam 4 feet, length of dam at top 14 feet, length of dam at bottom 14 feet, Material used in construction: Willows, and rocks.

(d) Conduit ditch, width at bottom one foot, width at water line five feet, depth of water one foot. Average grade per mile is 3.168 feet. Length of conduit is 1 $\frac{3}{4}$ miles, and it crosses the following quarter sections: SW $\frac{1}{4}$ and SE $\frac{1}{4}$ of Sec. 23, SW $\frac{1}{4}$ Sec. 24, NW $\frac{1}{4}$ Sec. 25, SW $\frac{1}{4}$ Sec. 25, T. 9 S.R. 1 E.B.M., to land described in 5 I (b) above which is the point of intended use.

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

9. Time required for the complete application of the water to the proposed use is 4 additional years.

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.

George Higginbottom,

Applicant.

Remarks.

Time asked for in section 8 above is hereby reduced to 2 years.

Jas. Stephenson, Jr.

State Engineer

APPROVAL OF STATE ENGINEER

The number of this permit is 5460.

Date of first receipt of application: 9.00 a.m. November 17, 1909

Recorded in Book 16. Page 5460. Approved November 17, 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 January 16, 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 November 17, 1910

The whole of said work to be completed on or before November 17, 1911

The time for proof of beneficial use of water appropriated in accordance herewith, extended to November 17, 1915.

Witness my hand this seventeenth day of November, 1909.

Jas. Stephenson, Jr.
State Engineer

State of Idaho,)
) SS:
County of Owyhee.)

I, George Higginbottom, being duly sworn, depose and say: that I am the same person to whom the State Engineer of Idaho, on November 11th, 1909, issued Water Permit No. 5460.

That for and in consideration of One Dollar (\$1.) and other valuable considerations, I hereby relinquish, sell, assign and transfer, to Adolph Lahtinen, all of my right, title and interest, to and in the above mentioned Water Permit.

George Higginbottom.

SUBSCRIBED and sworn to before me this 25th day of August, 1915.

M.E. Reynolds,

Notary Public.

Notarial Seal.

Owyhee County, Idaho.

RECEIVED and Filed for record in the office of the State Engineer at Boise, Idaho at 9:00 A.M. October 4, 1915.

J. H. Smith, State Engineer.

Proof of completion of works made December 16, 1911.
Certificate of completion issued August 25, 1915.

Permit No. 5460

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom It May Concern:

This is to certify that George Higginbottom, of Hot Springs, County of Bruneau and State of Idaho, the holder of Permit No. 5460, issued upon Application No. 7911, bearing date of priority of November 17, 1909, authorizing the diversion of two (2) second feet of the waters of Battle Creek, County of Owyhee, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use two (2) second feet of the waters of Battle Creek; that the point of diversion of said waters is in the $SE\frac{1}{4}$ of $SW\frac{1}{4}$, Sec. 23, T. 9 S., R. 1 E.B.M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: North half of Northwest quarter ($N\frac{1}{2}$ $NW\frac{1}{4}$), Southeast quarter of Northwest quarter ($SE\frac{1}{4}$ $NW\frac{1}{4}$) and Northeast quarter of Southwest quarter ($NE\frac{1}{4}$ $SW\frac{1}{4}$), Section 25, Township 9 South, Range 1 East of Boise Meridian, containing 100 acres.

Witness my hand this 25th day of August, A. D. 1915.

J. H. Smith,

State Engineer of the State of Idaho.

Upon the proper request of the holders of the above numbered permit, I have this 4th day of October, 1915, extended the time for proof of beneficial use of the waters of the State of Idaho, to November 17th, 1916.

J.H. Smith,
State Engineer.

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For value received, I hereby sell, assign and transfer unto Domingo Asumendi, of Mountain Home, Idaho, all my right, title and interest in and to Water Permit No. 5460, together with license accompanying the same.

Adolph Lahtinen

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

On this 19th day of October, 1923, before me, Stanton Park, a Notary Public, in and for said State, personally appeared Adolph Lahtinen, known to me to be the person whose name is subscribed to the above assignment and acknowledged to me that he executed the same.

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

(SEAL)

Stanton Park
Notary Public
Residence, Mountain Home, Idaho.

Received and filed for record in the Department of Reclamation at Boise, Idaho, at 1:30 P. M. October 22, 1923.

W. G. SWENDSEN,
Commissioner of Reclamation.

REPORT OF ENGINEER No. 5460.

1. State name of applicant and number of permit: Adolf Lahtinen by assignment from
George Higgenbottom

2. State source of water supply: Battle Creek.

3. Location of point of diversion: S.E. $\frac{1}{4}$ of S.W. $\frac{1}{4}$, Section 23, T. 9 S., R. 1 E. B.M.

4. State whether or not the works of diversion are fully completed and in accordance with terms of permit: Yes.

5. Describe works as they exist, giving dimensions and capacities of same:

2 ft bottom
4" - water line
1" deep
3 $\frac{1}{2}$ ft fall per mile

6. State whether or not water has been turned into works of diversion: Yes.

7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation):

Section 25, Township 9 South, Range 1 East, Boise Meridian.

N.E. $\frac{1}{4}$ N.W. $\frac{1}{4}$ 10 Acres.

N.W. $\frac{1}{4}$ N.W. $\frac{1}{4}$ 25 Acres

S.E. $\frac{1}{4}$ N.W. $\frac{1}{4}$ 15 "

N.E. $\frac{1}{4}$ S.W. $\frac{1}{4}$ 25 "

Cultivated Meadow, of Timothy and Clover.

8. Submit map on enclosed plat, showing location and details of above description.

Remarks: A small Acreage is irrigated from a Ditch not mentioned in
the Permit which takes out from Battle Creek on the East side,
and the acreage so irrigated is counted in with this report.

This examination was made on the 4th day of November 1916.

(Signed)

Stanton Ross

Examiner.

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(This report must be sworn to when not made by an attache of the State Engineer's office)

STATE OF IDAHO

County of Elmore

} ss.

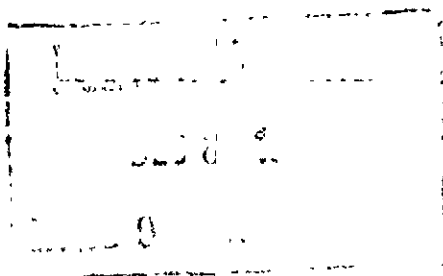
Stanton Park, being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this 27th day of November 1916

My Commission Expires Feb. 17 - 1917

Elyakle Greenleaf

Notary Public.



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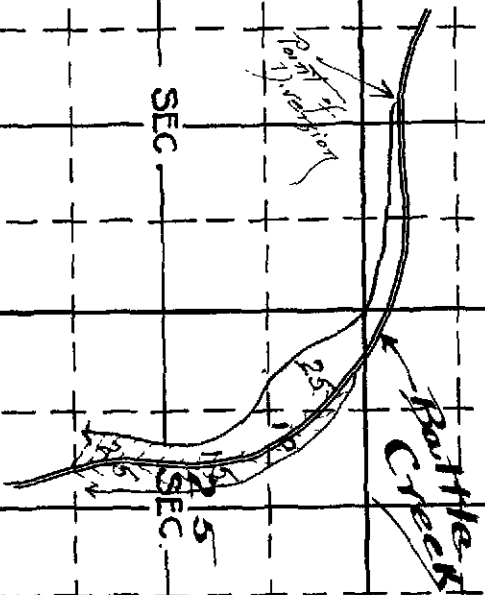
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Name of Applicant *Adolf Kahnting* # *5460*