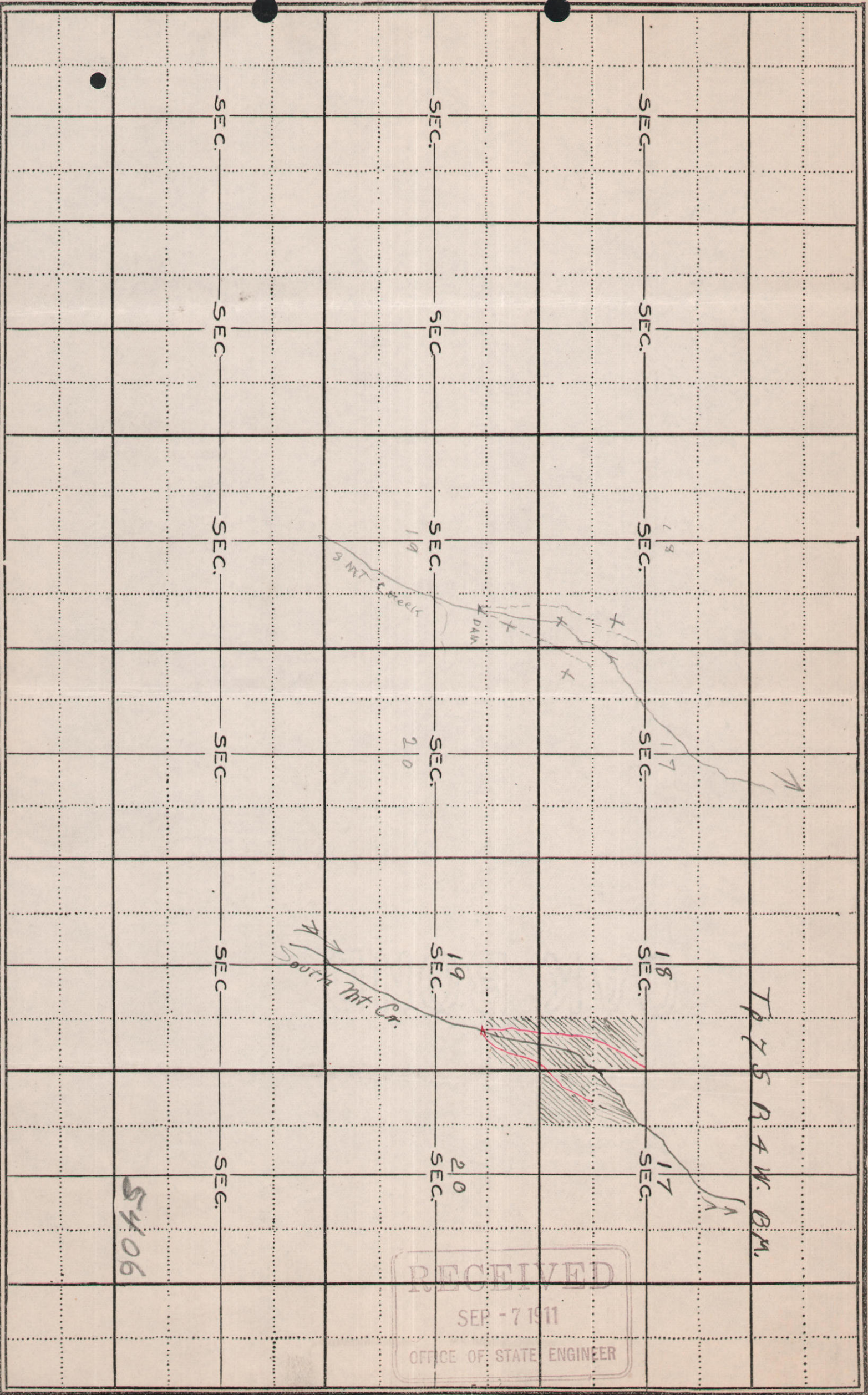




Owyhee County *
South Mountain Creek *
9/10 second-foot *
Irrigation & Domestic *
Priority 10/4/1909 *

S T A T E O F I D A H O

Water License No. 5406

WHEREAS, On the 4th day of October, A.D. 1909, CHARLES WALL, of Jordan Valley, County of Malheur, State of Oregon, duly made application (No. 7635) to me for a permit to use 3.2 cubic feet per second of the waters of South Mountain Creek, County of Owyhee, State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the 6th day of November, A.D. 1909, Permit No. 5406 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 6th day of November, A.D. 1910, and for the application to beneficial use of said water on or before the 6th day of November, A.D. 1911, and,

WHEREAS, On the 1st day of November, A.D. 1910, CHARLES WALL, the holder of said permit duly made proof of the completion of adequate works for the diversion of 3.2 cubic feet per second of said waters, as evidenced by my Certificate No. 5406, dated March 5th, 1912, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 3.2 cubic feet per second of water, with date of priority of October 4th, 1909, and,

WHEREAS, On the 1st day of November, A.D. 1910, CHARLES WALL, the holder of said permit duly made proof of the application to beneficial use of 9/10 of one cubic foot 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 CHARLES WALL, of Jordan Valley, County of Malheur, State of Oregon, the holder and owner of said Permit No. 5406, a perpetual right, dating from October 4th, 1909, to the use of 9/10 of one cubic foot per second of the waters of South Mountain Creek, in the County of Owyhee and State of Idaho, or so much thereof as may be necessary for the purpose hereinbelow mentioned, to be diverted at a point near Southeast Corner, Section 19, Township 7 South, Range 4 West of the Boise Meridian, unsurveyed, and conducted to and upon 45 acres, divided as follows: 15 acres in the East half of the Southeast quarter (E $\frac{1}{2}$ SE $\frac{1}{4}$), Section 18, 10 acres in the Southwest quarter of the Southwest quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$), Section 17 and 20 acres in the Northeast quarter of the Northeast quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$), Section 19, Township 7 South, Range 4, West of the Boise Meridian, 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 5th day of March, A.D. Nineteen hundred and twelve.

A. E. Robinson.

State Engineer.

(SEAL)

55 2013

No. 7635.

55-2013

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: Charles Wall.
Postoffice address: Jordan Valley.
County: Malheur, State, Oregon.
 2. The quantity of water claimed is 3.2 cubic feet per second.
 3. Source of water supply: South Mountain Creek.
County of Owyhee.
 4. Location of point of diversion: Near Southeast corner of section 19 T. 7 S. R. 4 West, unsurveyed.
 5. To be used for:
 - I. Irrigation and domestic use:
 - (a) Amount of land to be irrigated: 160 acres.
 - (b) In the following legal subdivisions: SW $\frac{1}{4}$ of Section 17 T. 7 S. R. 4 W.
 6. Estimated cost of works: \$400.00.
 7. Description of works for diversion:
 - I. Kind of works: Ditch & dam.
 - II. Dimensions of works:
 - (a) Height of dam 2 feet, length of dam at top 10 feet, length of dam at bottom 6 feet.
Material used in construction; earth & stone.
 - (c) Size of headgate; Width 3 feet, height 2 feet.
 - (d) Conduit; Ditch, width at bottom 3 feet, width at water line 4 feet, depth of water 1 foot. Length of conduit is $1\frac{1}{2}$ miles and it crosses the following quarter sections: Sections 19 and 20 unsurveyed, SE $\frac{1}{4}$ of SE $\frac{1}{4}$ and NE $\frac{1}{4}$ of SE $\frac{1}{4}$ and SE $\frac{1}{4}$ of NE $\frac{1}{4}$ and NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 19, SW $\frac{1}{4}$ of NW $\frac{1}{4}$ and SE $\frac{1}{4}$ of NW $\frac{1}{4}$ and NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 20 all in T. 7 S. R. 4 W. to land described in 5 1 (b) above which is the point of intended use.
 8. Time required of the completion of the construction of such work is 1 year.
 9. Time required for the complete application of the water to the proposed use is 1 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.

Charles Wall, Applicant.

Remarks: This is an old ditch and has been in use for the past 6 years and portion of said ditch has been in use for the past 20 years. This applicant proposes to enlarge same to carry 3.2 cubic feet per second.

APPROVAL OF STATE ENGINEER.

The number of this permit is 5406.

Date of first receipt of application : 9.00 A. M. October 4, 1909.

Returned to applicant for correction, October 4, 1909.

Corrected application received: November 6, 1909.

Recorded in Book 16, Page 5406, Approved November 6, 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 5, 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 May 6, 1910.

The whole of said work to be completed on or before November 6, 1910.

The time for proof of beneficial use of water appropriated in accordance herewith, to extend to November 6, 1911.

Witness my hand this sixth day of November, 1909.

Jas. Stephenson, Jr.,
State Engineer.

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, NO. 5406.

Comes now Charles Wall, 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. 5406, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

15 acres in E2 SE4 Sec. 18, 10 acres in the SW4 SW4 Section 17, and 20 acres in the NE4 NE4 Section 19, Tp. 7 S. R. 4 W. Boise Meridian, making a total of 45 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 Morgan, Idaho, this 6th day of Jan. 1912.

Charles Wall

(SEAL)

Date of receipt at Office of State Engineer 9.30 a.m. Feb. 6, 1912.

APPROVAL OF STATE ENGINEER.

I, A. E. Robinson, 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. 5406. 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 19 day of February, 1912.

A. E. Robinson,
State Engineer

Notice of Proof of Completion of Works and of Application of Water to Beneficial Use received August 1st, 1910, fixing November 1st, 1910, as date, and South Mountain, Idaho, as place of proof.

Water Commissioner notified September 12th, 1910, to make examination of works.

Deposition blanks mailed September 12th, 1910.

Depositions, affidavit of publication and fees received November 28th, 1910.

Report of Engineer received September 7th, 1911.

Certificate and License issued March 5th, 1912.

Permit No. 5406

CERTIFICATE OF COMPLETION OF WORKS

To All Whom it May Concern:

This is to certify that CHARLES WALL, of Jordan Valley, County of Malheur, and State of Oregon, the holder of Permit No. 5406, issued upon Application No. 7635, bearing date of priority of October 4th, 1909, authorizing the diversion of 3.2 second feet of the waters of South Mountain Creek, County of Owyhee, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 3.2 second-feet of the waters of South Mountain Creek, that the point of diversion of said waters is at a point near the Southeast Corner, Section 19, Township 7 South, Range 4, West of the Boise Meridian, unsurveyed, and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: East half of the Southeast quarter ($E\frac{1}{2} SE\frac{1}{4}$), Section 18, Southwest quarter of the Southwest quarter ($SW\frac{1}{4} SW\frac{1}{4}$), Section 17, and Northeast quarter of the Northeast quarter ($NE\frac{1}{4} NE\frac{1}{4}$), Section 19, Township 7 South, Range 4, West of the Boise Meridian.

Witness my hand this 5th day of March, A.D. 1912.

A. E. Robinson.

State Engineer.

License issued for 9/10 second feet

Page 1015

March 9, 1912.

permit 5408

Charles Wall,
Jordan Valley, Ore.

Sir:-

Am inclosing herewith certificate and licence
issued under above permit.

Very truly yours,

State Engineer.

C&L

By...

5408

Report of Engineer

1. State name of applicant and number of permit: Charles Wall, Permit No. 5406
2. State source of water supply: South Mountain Creek
3. Location of point of diversion: near NE corner of section 19, T. 7 S. R. 4 W. 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 of same as follows: 2 ditches

- (a) Width of conduit at bottom: 2 feet
- (b) Width at water line: 2 1/2 feet
- (c) Depth of water: 1 foot
- (d) Grade per mile: 8 feet

6. State whether or not water has been turned into works of diversion and if so, to what extent: Yes sufficient to water tract described below

7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty acre tract: E 1/2 SE 1/4 Sec 18; SW 1/4 SW 1/4 Sec 17 NE 1/4 NE 1/4 Sec 19. T. 7 S. R. 4 W. B. M.

(B) E 1/2 SE 1/4 Sec 18 - 15 Acres
 SW 1/4 SW 1/4 Sec 17 10 Acres
 NE 1/4 NE 1/4 Sec 19 20 Acres

8. Submit map on enclosed plat, source of supply, point of diversion, route of ditch or ditches and cross hatch lands to be irrigated.

Remarks:

above land has been irrigated several seasons.

RECEIVED

SEP - 7 1911

OFFICE OF STATE ENGINEER

J. C. Knight

STATE OF IDAHO,

County of _____ } ss.

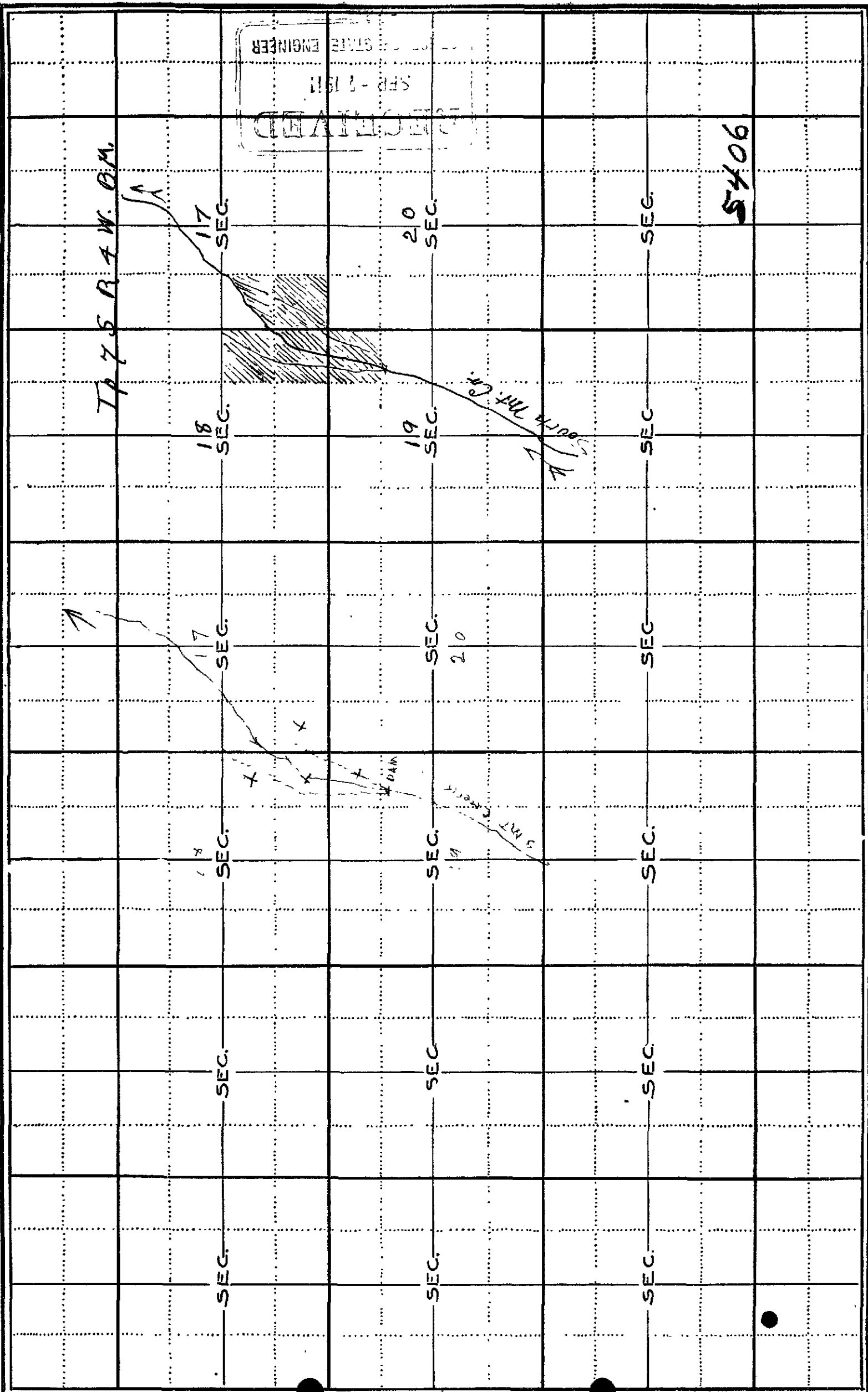
J. C. Knight, being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this 7th day of September 1911

My Commission Expires May 23, 1915

Clara M. Brown
 Notary Public.

5406



5406