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- Brief -

Owyhee County *
Jordan Creek *
3.2 sec. ft. *
Irrigation *
Priority 5-22-05.*

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

- Water License No. 1313 -

WHEREAS, On the 22nd day of May, A. D. 1905, Frank Swisher of Jordan Valley, County of Malheur, and State of Oregon, duly made application (No. 1839) to me for a permit to use three and two-tenths cubic feet per second of the waters of Jordan Creek, County of Owyhee, State of Idaho, for irrigation and domestic purposes; and,

WHEREAS, On the ninth day of June, A. D. 1905, Permit No. 1313 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 first day of September, A. D. 1905, and for the application to beneficial use of said water on or before the first day of September, A. D. 1905, and,

WHEREAS, On the first day of September, A. D. 1905, the holder of said permit duly made proof of the completion of adequate works for the diversion of three and two-tenths cubic feet per second of said waters, as evidenced by my Certificate No. 1313, dated September 12, 1905, 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 May 22, 1905 and,

WHEREAS, On the first day of September, A. D. 1905 proof was duly made of the application to beneficial use of three and two-tenths cubic feet per second of said water;

NOW, THEREFORE, By virtue of the authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to FRANK SWISHER of Jordan Valley, Malheur Co., Oregon, the holder and owner of said Permit No. 1313 a perpetual right, dating from May 22, 1905, to the use of three and two-tenths cubic feet per second of the waters of Jordan 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 Southwest Quarter of Southwest quarter of Section Twenty-six, Township Five South, Range Six West of Boise Meridian, and conducted to and upon the (Southeast Quarter of Section Twelve, Township Thirty South, Range Forty-Six E. W. 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 twelfth day of September, A. D. Nineteen Hundred and five.

Jas. Stephenson, Jr.

(Seal)

State Engineer.

Recorded September 12, 1905.

No. 1839.

A P P L I C A T I O N F O R P E R M I T

To appropriate the Public Waters of the State of Idaho.

1. Name of applicant - FRANK SWISHER

Postoffice address: P. O. - Jordan Valley

County - Malheur, Oregon

2. The quantity of water claimed is 3.2 cubic feet per second

3. Source of water supply - Jordan Creek

County of Owyhee

4. Location of point of diversion - SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 26, Township 5 S., Range 6 W. B. M.

5. To be used for:

I. Irrigation and domestic use:

(a) Number of acres to be irrigated 160 acres

(b) In the following legal subdivisions - SE $\frac{1}{4}$ of Sec. 12, in Township 30 S., R. 46 E. W. M. in Oregon

6. Estimated cost of works.....

7. Description of Works for Diversion:

I. Kinds of works - Dam

II. Dimensions of Works:

(a) Height of dam 4 feet, length of dam at top 50 feet, length of dam at bottom 40 feet, material used in construction stone.

(c) Size of headgate, width 4 feet, height 4 feet.

(d) Ditch (flume or pipe) width at bottom 4 feet, width at water line 4 feet, depth of water 1 foot. Average grade per mile is 3 $\frac{2}{5}$ feet. Length of ditch is 1 $\frac{1}{4}$ miles, and it crosses the following quarter sections - SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 26, T. 5 S., R. 6 West B. M., Lot 1 Sec. 18, T. 30 S., R. 47 E. W. M. in Oregon, to SE $\frac{1}{4}$ of Sec. 12, T. 30 S., R. 46 E. W. M., which is the point of intended use.

8. Time required for the completion of the construction of such work is - completed.

9. Time required for the complete application of the water to the proposed use is -completed.

Approval of State Engineer.

The number of this permit is 1313.

Date of first receipt of application 9 A. M. May 22nd, 1905.

Recorded in Book 5, page 1313. Approved June 9th, 1905.

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 Aug. 7th, 1905, 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

The whole of said work to be completed on or before Sept. 1st, 1905.

The time for the proof of beneficial use of water appropriated in accordance herewith, to extend to Sept. 1st, 1905.

Witness my hand this 9th day of June, 1905.

Jas. Stephenson, Jr.

State Engineer.

Form 103, Notice of Proof of Completion of Works, mailed applicant June 17, 1905.
Form 121, Notice of Proof of Application of Water to Beneficial Use, mailed applicant June 17, 1905.

Notice of Proof of Completion of Works and Notice of Proof of Application of Water to Beneficial Use received June 24, 1905, fixing September 1, 1905 as the date and Silver City, Idaho as the place of Proof.

Notice for publication mailed Silver City Nugget, Silver City, Idaho, July 18, 1905.

J. M. Harbour of Jordan Valley, Idaho, authorized July 18, 1905 to make examination and report to the office of State Engineer.

Report of examining engineer, fee of \$5.00 in the matter of proof of completion of works, fee of \$8.00 in the matter of proof of application of water to beneficial use, affidavit of publication of notice, depositions of holder and depositions of witnesses in the matter of both proofs received September 4, 1905.

Report and depositions show that works have been completed to comply in all respects with the terms of the permit, and that 3.2 sec. ft. of water has been applied to a beneficial use.

Certificate of Completion of Works and License issued September 12, 1905.

Permit No.
1313.
CERTIFICATE OF COMPLETION OF WORKS.

To All Whom It May Concern:

This is to certify that FRANK SWISHER of Jordan Valley, County of Malheur, and State of Oregon, the holder of Permit No. 1313, issued upon Application No. 1839, bearing date of priority of May 22, 1905, authorizing the diversion of three and two-tenths second-feet of the waters of Jordan Creek, County of Owyhee, State of Idaho at SW $\frac{1}{4}$ of SW $\frac{1}{4}$ Sec. 26, Tp. 5 S., R. 6 W. B. M., 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 three and two-tenths second-feet of water; and that the lands proposed to be irrigated by the use of said water are described as follows, to wit: Southeast Quarter of Section Twelve, Township Thirty South, Range Forty-six E. W. M.

Witness my hand this twelfth day of September, A. D., 1905.

Jas. Stephenson, Jr.

State Engineer of the State of Idaho.

License issued for 3.2 second feet

P. 26