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- Brief -

Owyhee County *
Cherry Creek *
1½ sec. ft. *
Irrigation *
Priority -1-20-05 *

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

- Water License No. 1127 -

WHEREAS, On the twentieth day of January, A. D. 1905, ELIZABETH DRUMMOND of Nampa, County of Canyon, and State of Idaho, duly made application (No. 1476) to me for a permit to use one and one-half cubic feet per second of the waters of Cherry Creek, County of Owyhee, State of Idaho, for irrigation and domestic purposes; and,

WHEREAS, On the twenty-fifth day of February, A. D. 1905, Permit No. 1127 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 twenty-fifth day of August, A. D. 1905, and for the application to beneficial use of said water on or before the twenty-fifth day of August, A. D. 1905, and,

WHEREAS, On the twenty-fifth day of August, A. D. 1905, the holder of said permit duly made proof of the completion of adequate works for the diversion of one and one-half cubic feet per second of said waters, as evidenced by my Certificate No. 1127, dated September 12, 1905, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use one and one-half cubic feet per second of water, with date of priority of January 20, 1905, and,

WHEREAS, On the twenty-fifth day of August, A. D. 1905 proof was duly made of the application to beneficial use of one and one-half 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 ELIZABETH DRUMMOND of Nampa, Canyon County, Idaho, the holder and owner of said Permit No. 1127, a perpetual right, dating from January 20, 1905, to the use of one and one-half cubic feet per second of the waters of Cherry 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 one-fourth of a mile below junction of Garden Creek and Cherry Creek, in Owyhee County, Idaho, and conducted to and upon 80 acres of unsurveyed land, which will be in Township Nine South, Range Six West of Boise Meridian; when surveyed, 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.

55-2000

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

No. 1476

To appropriate the Public Waters of the State of Idaho.

1. Name of applicant - ELIZABETH DRUMMOND

Postoffice address: P. O. - Dairy

County - Owyhee.

2. The quantity of water claimed is one and one-half cubic feet per second.

3. Source of water supply - Cherry Creek, in Owyhee County, Idaho.

4. Location of point of diversion - One-fourth of a mile below where Garden Creek empties into Cherry Creek, in Owyhee County, Idaho, on unsurveyed land.

5. To be used for:

I. Irrigation and domestic use:

(a) Number of acres to be irrigated eighty acres.

(b) In the following legal subdivisions - Unsurveyed land.

6. Estimated cost of works - Seventy-five dollars.

7. Description of Works for Diversion:

I. Kind of works - Ditch one-half mile in length extending from point of diversion to place of proposed use.

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.

(d) Ditch (flume or pipe) width at bottom # (1) 4 - # (2) 2 - feet, width at water line - # (1) $4\frac{1}{2}$ - # (2) $2\frac{1}{2}$ - feet, depth of water 6 feet. Average grade per mile isfeet. Length of ditch is $\frac{1}{2}$ mile, and it crosses unsurveyed land to which is the point of intended use.

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

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

Approval of State Engineer.

The number of this permit is 1127.

Date of first receipt of application 8:30 A. M. Jan. 20, 1905.

Returned to applicant for correction Jan. 20, 1905.

Corrected application received Feb. 21, 1905.

Recorded in Book 4, page 1127. Approved February 25, 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:

One-fifth of the work above specified to be completed on or before May 25, 1905.

The whole of said work to be completed on or before August 25, 1905.

The time for the proof of beneficial use of water appropriated in accordance herewith, to extend to August 25, 1905.

Witness my hand this twenty-fifth day of February, 1905.

Jas. Stephenson, Jr.

State Engineer.

Form 103, Notice of Proof of Completion of Works, mailed applicant June 3, 1905.

Form 121, Notice of Proof of Application of Water to Beneficial Use, mailed applicant June 3, 1905.

Notice of Proof of Completion of Works and Notice of Proof of Application of Water to Beneficial Use received July 2, 1905, fixing Hampa, Idaho as the place of proof and August 25, 1905 as the date.

Deposition of Permit Holder, Elizabeth Drummond, and depositions of two witnesses received July 2, 1905. Returned for correction.

Mr. James Harbour of Jordan Valley, Oregon authoized July 15, 1905 to make examination of works and report to the office of State Engineer.

Report of James Harbour received August 14, 1905.

Depositions of permit holder and depositions of witnesses, in the matter of proof of completion of works and proof of application of water to beneficial use, received August 26, 1905.

Fee of \$5.00 for proof of Completion of Works and fee of \$4.00 for proof of Application of Water to Beneficial Use, received August 11, 1905.

Affidavit of publication of notice received September 7, 1905.

Report of engineer and depositions show that works have been completed in accordance with the terms of the permit, and that the land is all under cultivation.

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

Permit No. 1127.

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom It May Concern:

This is to certify that ELIZABETH DRUMMOND of Hampa, County of Canyon, and State of Idaho, the holder of Permit No. 1127, issued upon Application No. 1476, bearing date of priority of January 20, 1905, authorizing the diversion of one and one-half second-feet of the waters of Cherry Creek, County of Owyhee, State of Idaho at a point one-fourth of a mile below junction of Garden and Cherry Creeks, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use one and one-half second-feet of water; and that the lands proposed to be irrigated by the use of said water are described as follows, to wit: 80 acres fourteen miles south, one and one-half miles east of Township Six South, Range Six West of Boise Meridian, which, when surveyed will be Township Nine South, Range Six West of Boise Meridian.

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

Jas. Stephenson, Jr. ...State Engineer of the State of Idaho.
 Use issued for 1 1/2 second feet
 6.27