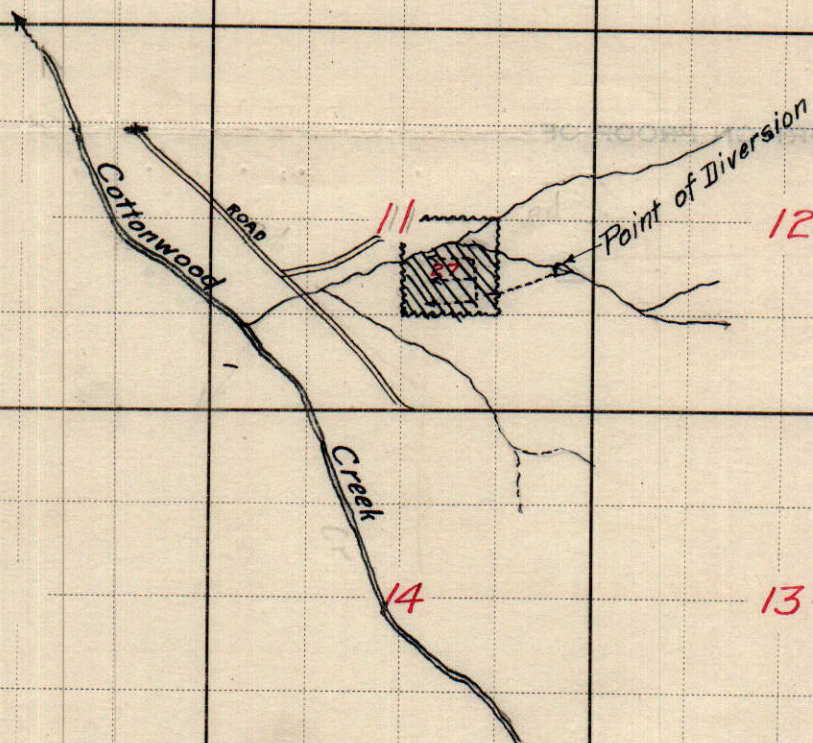


STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE
REPORT OF ENGINEER
PERMIT NO.



16008

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
County of Nez Perce } ss.

NOTICE OF PROOF APPLICATION
OF WATER TO BENEFICIAL USE

Notice is hereby given that on the 10th day of June, 1931, at Lewiston, County of Nez Perce, State of Idaho, before J. A. Ferris, Probate Judge, proof will be submitted of the application to beneficial use of 0.15 cubic feet per second of the waters, Unnamed tributary of Magpie Cr. in accordance with the terms and conditions of

Permit No. 16008 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are S. J. Warren, Lewiston, Idaho.

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

The amount applied to beneficial use is 0.15 cu. ft. per second.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) Part of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 11, T. 36 N., R. 3 W., B. M.

The right to take water from such works is based upon Permit No. 16008.

The source of supply from which such water is diverted is Unnamed tributary of Magpie Creek.

The date of the priority which said user is prepared to establish is May 25, 1924.

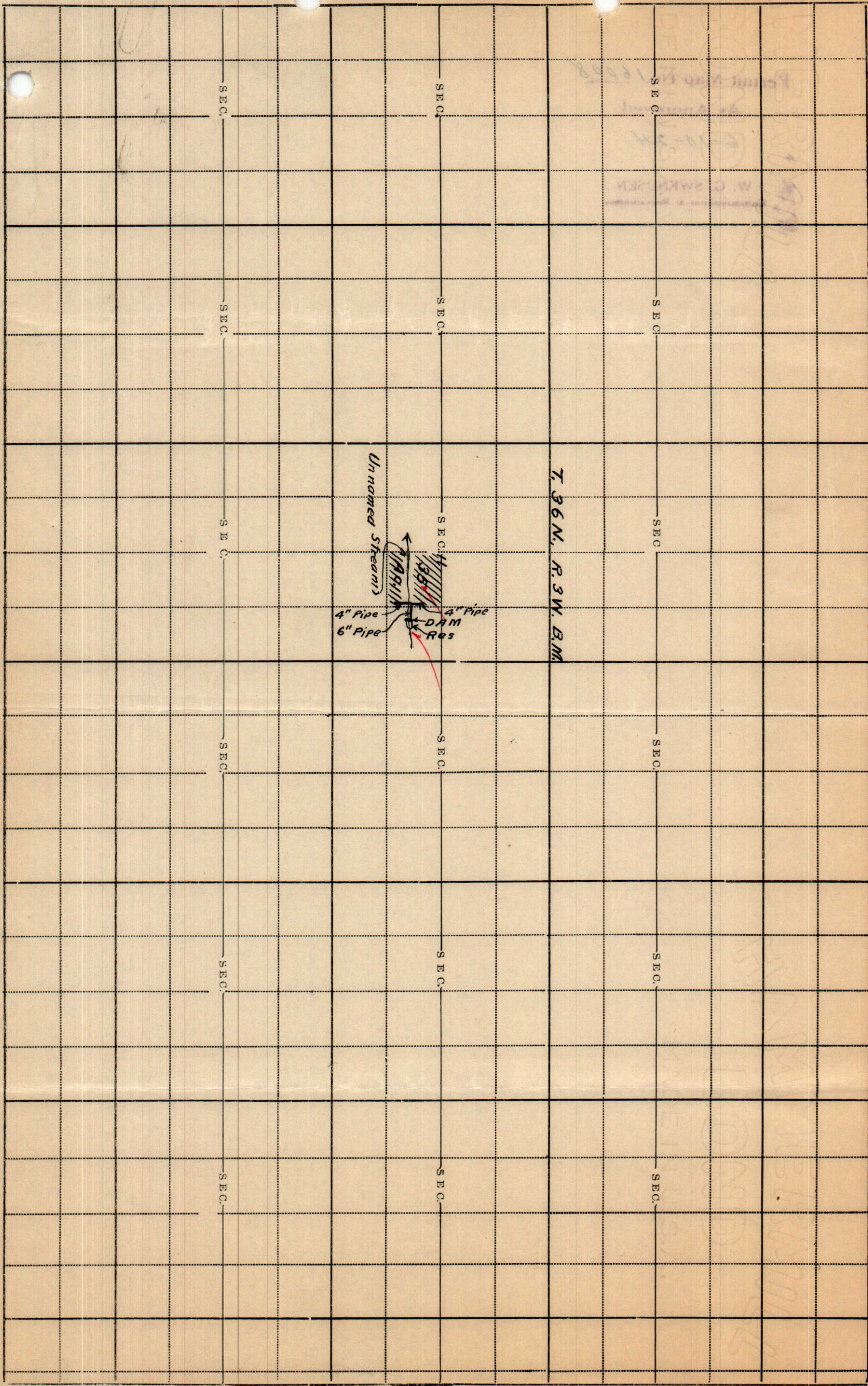
R. W. FARIS,
Commissioner of Reclamation

I, May W. Fodrea, do solemnly swear that I am the publisher of the LEWISTON BANNER, a newspaper of general circulation, published regularly each week at Lewiston, Nez Perce County, Idaho; that the said Lewiston Banner has been published continuously and uninterruptedly in said county during a period of ten years immediately prior to the first publication of the notice of Proof Application of Water to Beneficial use, a copy of which is attached hereunto, and which is a part of this affidavit; and was published in said newspaper for 4 consecutive weeks, the first publication having been made on the 1 day of May, 1931, and last publication on the 22 day of May, 1931; that said notice was published in the regular and entire issue of every number of the paper during the period and times of publication, and that the notice was published in the newspaper proper, and not in a supplement.

May W. Fodrea
Subscribed and sworn to before me this 10 day of June, 1931

16008

Notary Public



3707

State of Idaho

License and Certificate of Water Right

Water License No. 16008
Water District No.

Amount 0.54 second feet
Priority May 23, 1924

THIS IS TO CERTIFY that S. J. WARREN,
of Lewiston, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated May 23, 1924; that Permit No. 16008
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.7 second feet, was issued thereunder on June 17, 1929, showing that said works
were completed on the 13th day of June, 1929; and that on the 10th
day of June, 1931,

S. J. WARREN

of Lewiston, State of Idaho, made proof to the satisfaction of the
Commissioner of Reclamation of Idaho, of the right to use the waters of Unnamed Stream
, a tributary of Magpie Creek, for the purpose of Irrigation and Domestic
use, under Use Permit No. 16008 of the Commissioner of Reclamation
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 7
of Licenses, at page 3707, on the 17th day of June, 1932;

The right hereby confirmed dates from May 23, 1924;

The Point of Diversion is located
in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 11, Tp. 36 N., R. 3 W., B. M. Nez Perce 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 0.54
cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
36 N.	3 W.	11	NW $\frac{1}{4}$ SE $\frac{1}{4}$	35	27

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 17th day of June, 1932.

R. W. FARIS

Commissioner of Reclamation

(SEAL)

85 206

APPLICATION FOR PERMIT **85-2067**

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. 22717
Permit No. 16008
District No. 81-Y

1. Name of Applicant: S. J. Warren,

Postoffice address: Stites, County: Idaho, State: Idaho.

I. If applicant is a corporation, give:

- (a) Date and place of incorporation:
- (b) Amount of capital stock:
- (c) Amount paid in:
- (d) Names and addresses of directors:

II. The financial resources of the applicant are:

- (b) Treasury stock:
- (d) Other resources:

(a) Cash on hand:

(c) Bonds to be issued:

2. Quantity of water claimed: seven-tenths (7/10) cubic feet per second.

3. Source of water supply: Unnamed stream which is a tributary of Maggie Creek

4. Location of point of diversion: feet distant from the
corner of Section , T. , R. , B. M., and is in the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$
of Section 11 , T. 36 N. , R. 3 W. , B. M., County of Nez Perce.

5. Water is to be used for: Irrigation and fire protection.

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section
T. , R. , B. M., in the of Section , T. , R. , B. M.

(b) Amount of power generated: H. P., under feet head.

(c) Water is to be returned to at a point feet
distant from the corner of Section , T. , R. , B. M., in the
of Section , T. , R. , B. M.

7. Estimated cost of works: \$ 3,000.00

8. Kind of works: Dam, reservoir and pipes.

9. Height of dam ten feet; length of dam at top 56 feet; length of dam at bottom 36
feet; material used in dam earth, wood and stone

10. Size of headgate: width feet; height feet

11. Ditch: Width at bottom feet; width at water line feet; depth of water
feet; dimensions of flume

Diameter of pipe six inches; length of conduit 1/10 miles.

Average grade per mile 528 feet

12. The time required for the completion of such work is three years.

13. The time required for the complete application of the water to the proposed use is two additional years.

14. The land to be irrigated is described in the following tabulation: See Remarks.

15. (a) Is reservoir to be used? No. If so, fill in (b) and (c) below.
 (b) Name of reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

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

S. J. Warren. Applicant.

By _____ Agent.

Date of first receipt at Department of Reclamation. 9 A. M. May 23, 1924.

Returned to applicant for correction.

Corrected application received.

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is 16008
Recorded in Book 57 Page 16008 Approved June 10, 1924.
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 approve the same, subject to the following limitations and conditions:
Bond in the sum of \$ to be filed on or before
Work to begin on or before August 9, 1924, 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 December 10, 1925.
The whole of said work to be completed on or before June 10, 1927.
Beneficial use of water appropriated in accordance herewith, to be made on or before June 10, 1929.

Witness my hand this 10th day of June, 1924.

W. C. SWENDSEN.
Commissioner of Reclamation.

Remarks :

14 Twp.	Range	Sec.	NE1/4				NW1/4				SW1/4				SE1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
36 N.	3 W.	11																35	35
Total Number of Acres to be Irrigated																			35
A small storage reservoir containing one acre foot of water in order to raise the water level to cover a higher ground, also to permit full use of the water during the day time. From the end of the 6-inch pipe, four inch laterals run to the north and south carrying the water to the higher ground.																			
Not necessary to file Reservoir Permit - C. N. C.																			
Upon proper request of the holder of the above numbered permit (No. 16008), I have this 18th day of May, 1927, extended the time for completion of works to the 10th day of June, 1929.																			
GEO. N. CARTER, Commissioner of Reclamation.																			
----- Permit No. 16008 Certificate of Completion of Works																			
To All Whom It May Concern:																			
This is to certify that S. J. Warren, of Stites, County of Idaho, and State of Idaho, the holder of Permit No. 16008, issued upon Application No. 22717, bearing date of priority of May 23, 1924, authorizing the diversion of 0.7 second feet of the waters of an unnamed stream, County of Nez Perce, 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 0.7 second feet of the waters of said unnamed stream; that the point of diversion of said waters is in the NE1/4SE1/4, Sec. 11, Twp. 36 N., R. 3 W., B.M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: NW1/4SE1/4, Sec. 11, Twp. 36 N., R. 3 W., B.M.																			
Witness my hand this 17th day of June, A.D. 1929.																			
GEO. N. CARTER Commissioner of Reclamation.																			

LICENSE ISSUED FOR 0.54 SEC. FT.
Vol. 7, Page 3707

WATER RIGHT NUMBER 85-2067

WATER RIGHTS EDJT REPORT

10/05/79

PAGE 415

ACT
ION

N OWNER LAST NAME - WARREN

FIRST NAME - S. J.

N CITY - LEWISTON STATE - ID

N SOURCE - UNNAMED STREAM TRIBUTARY OF - MAGPIE CREEK

N STAGE - LICENSE PRIORITY - 05-23-1924 COUNTY - NEZ PERCE TOTAL DIV. RATE -

.5400CFS

N DIVERSION POINT - NESE 11 36N 03W

N USE - IRRIGATION

USE DIV. RATE - .5400CFS

N USE - DOMESTIC

N USE - IRRIGATION PLACE OF USE - T1W 36N R1G 03W SEC 11 TRACT NWSE AC 27

OLD NO. - 16008

IDENT. NO. 85-2067

WATER RIGHT
DATA ENTRY LOG

[illegible]

ATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 16008 / 85-2067
 Old No. New No.

Record

1. Original Owner: L. J. Warren

Present Owner: _____

2. Address:

3. City: Lewiston State: Id Zip: _____

4. A. Source of Water: Unnamed Stream

B. Tributary of: Maggie Creek

5. A. Stage (A,P,L,D,S,J): L

B. Status (D,L,R,C,A,I,F - leave blank if valid):

C. Priority Date: 5-23-1924

D. County: 69

E. Total Diversion Rate: .54

F. Total Diversion Volume:

G. Transfer/Amendment (P,T of A or blank):

H. Water District:

I. DLE/Carey Act (D,C or blank):

J. Right Basis (for adjudication claims A,B,C only):

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion	<u>NESE</u>	<u>11</u>	<u>36N</u>	<u>3W</u>		

7. Period of Use, Use, Diversion Rate/Volume:

from _____ to _____ for A purposes. Amount .54
 (cfs or AC FT/yr)

from _____ to _____ for D purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

dc 9-18

8. Use Code: A

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks: A.
B.
C.
D.
E.

11. Other Uses (Non-irrigation explanatory information):

12. Other Rights for Same Use:

13. A. Proof Due Date:

B. Date Permit Approved or Denied:

C. Protested Date:

D. Hearing Date:

E. Old Number: 46008

F. Proof Made (P or blank):

G. Field Exam Made (P,R,F or blank):

H. Conditions of Approval: _____

14. Diversion Means (brief narrative):

June 17, 1932

Re: PERMIT No. 16008

Mr. S. J. WARREN,
Lewiston,
I d a h o

Dear Sir:

We are enclosing herewith your license issued in accordance with the terms of the above mentioned permit, and also office receipt in the sum of \$2.00 for beneficial use proof.

Very truly yours,

R. W. FARIS,
Commissioner of Reclamation

By _____
Chief Clerk

Enc.

16008

16008

Lewiston Idaho.

June 11th '32.

Mr. R. St. Faris.
Commissioner.
Dept. of Reclamation.
Boise, Idaho.

Dear Sir:-

Please find herewith inclosed
my personal cheque for the sum of \$2.⁰⁰/₁₀₀
which as stated in your last communication
was to cover fee charged in connection
with issuing licence.

16008

This you will please apply in issuing
licence in connection with Re: Permit No 16008

and mail to me

Thanking you in advance,

I remain

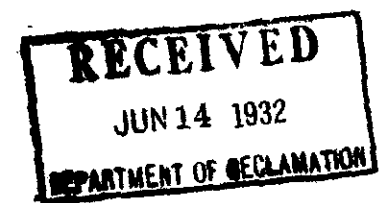
Yours Truly,

S. J. Starren.

1323 10th Ave.

Lewiston

Idaho.



February 5, 1932

Re: Permit No. 16008

MR. S. J. WARREN
Lewiston, Idaho

Dear Sir:

The Engineer's report covering his examination for the application of water to BENEFICIAL USE under the above permit has been filed in this Department. Upon receipt of a \$2.00 fee your license will be issued.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By _____

PH/LP

16008

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

Permit No. 16008This proof is for BEN. USE

In Water District No. _____

1. Name of applicant: S. J. Warren2. Source of water supply: Unnamed stream,3. Location of point of diversion: Is in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 11T. 36 N R. 3 WBM County of Nez Perce

4. Describe works as they exist, giving dimensions and capacities of same: Concrete dam
60' long x 12' high, 1' thick at top & 2.5' thick at base. Flood gate 4' x 4'
Spillway 3' wide x 1' deep.

Reservoir 100' long x 60' wide at lower end.Capacity $\frac{1}{4}$ acre foot. Discharge pipe 4" diam at dam +
2" at orchard. Distribution system of $\frac{1}{2}$ " pipe and $\frac{1}{2}$ " hose5. Water is used for: Irrigation6. State whether or not water has been turned into works of diversion: yes

7. 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): NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 11, Twp. 36 N., R. 3 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? Clearwater River

Remarks: This water is used on a hillside cherry orchard
and is 100% efficient
entrance head at P.O.D. 10 ft.

16008

This examination was made on the 22nd day of Sept 1931

(Signed)

Fred A. Delman

Examiner.

S. J. Warren
Lewiston

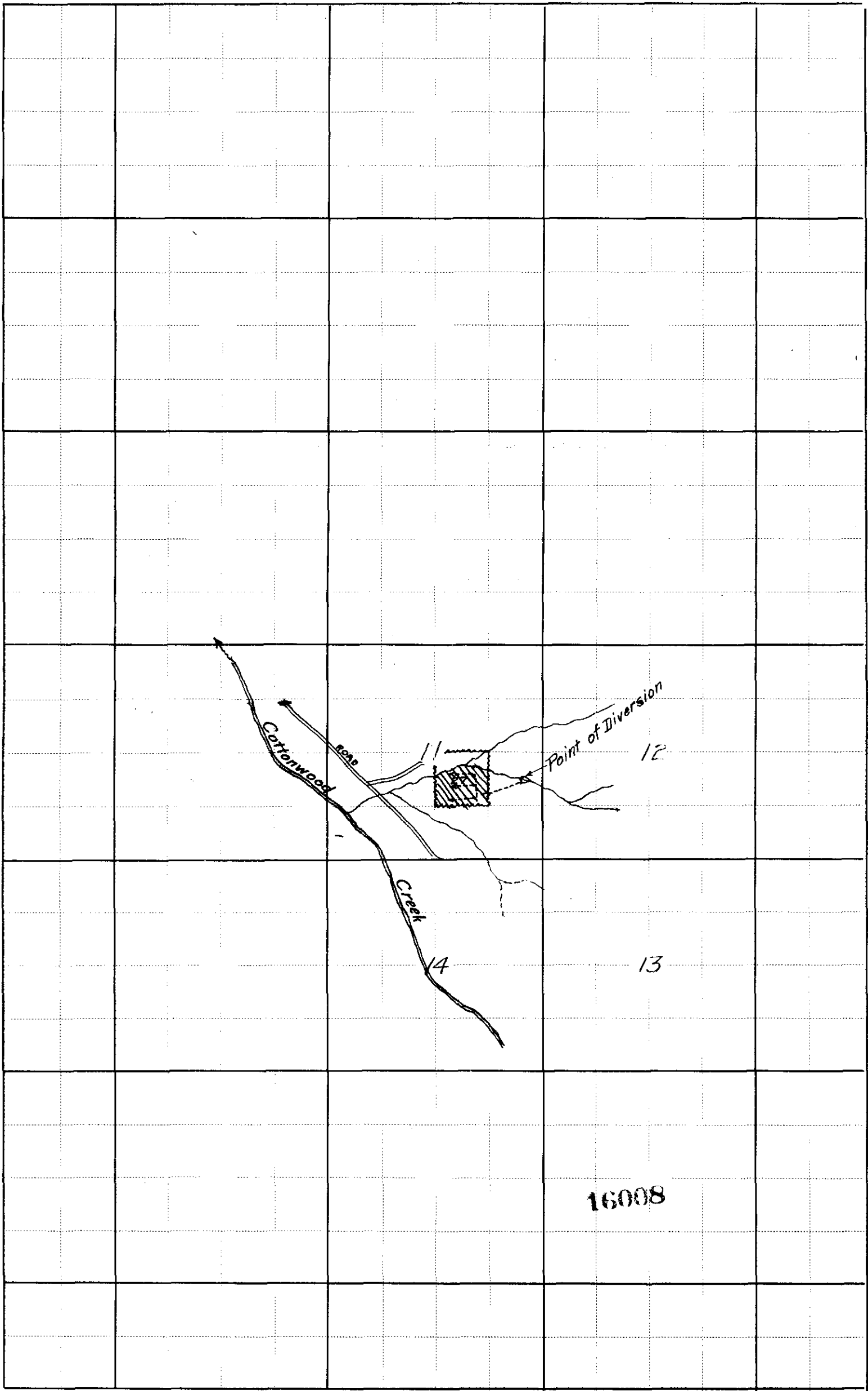
Permit No. 16008

Examination for BEN. USE

County NEZ PERCE

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.
-



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 _____

June 15, 1931.

Re: Permit No. 16008.

Mr. S. J. Warren
Lewiston, Idaho

Dear Sir:☺

We are in receipt of depositions of yourself and two witnesses, together with affidavit of publication for proof of beneficial use of water under the above permit. These are in proper form and will be placed on file here ~~without~~ final action until the examination and report can be made by our field engineer. You will then be further advised as to fees due before issuing license.

Very truly yours,
R. W. FARIS
Commissioner of Reclamation
By
Chief Clerk

16008

James A. Ferris
Probate Judge
Nez Perce County, State of Idaho

Lewiston, Idaho. June, 10, 1931

R.W. Faris,
Commissioner of Reclamation,
Boise, Idaho.

Dear Sir:

At 11.A.M. of this day S.J. Warren appeared before me with his witnesses, Fred Erskine and Mrs. Maud Smith, relative to final proof under water Permit No. 16008.

I am enclosing herewith, "Deposition of Holder" and "Deposition of the witnesses Erskine and Smith" together with proof of Publication.

Very truly yours,



Probate Judge of Nez Perce County, Idaho.

16008

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
County of Nez Perce } ss.

I, May W. Fodrea, do solemnly swear that I am the publisher of the LEWISTON BANNER, a newspaper of general circulation, published regularly each week at Lewiston, Nez Perce County, Idaho; that the said Lewiston Banner has been published continuously and uninterruptedly in said county during a period of ten years immediately prior to the first publication of the notice of Proof Application of Water to Beneficial Use, a copy of which is attached hereunto, and which is a part of this affidavit; and was published in said newspaper for 4 consecutive weeks, the first publication having been made on the 1 day of May, 1931, and last publication on the 22 day of May, 1931; that said notice was published in the regular and entire issue of every number of the paper during the period and times of publication, and that the notice was published in the newspaper proper, and not in a supplement.

May W. Fodrea
Subscribed and sworn to before me this 10 day of June, 1931

Arthur C. Rich
Notary Public

16008

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 16008

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. S.J. Warren

1323 10th. Ave., Lewiston, 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. None.

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

Ans. Permit No. 16008. June 10, 1924.

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

Ans. Unnamed tributary to Magpie Creek. Point of diversion is in the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec 11, T.36 n., R.3 W., 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. Small reservoir made by placing dam across gulch, from which water is carried through pipes, 3, 2 $\frac{1}{2}$ and 2 inches diameter to place of use. It is capable of delivering 0.15 cu.ft. per sec.

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. Irrigation and domestic use on part of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 11, T.36 N., R.3 W., B.M. to be used on orchard and farming land of about 35 acres. All under cultivation in orchard and farming. It is well fenced and has house barn etc.

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

Ans. None.

16008

Ques. 8. What is the minimum amount of water required for the purpose specified above?
Ans. 0.15 cu.ft.per.sec. More could be used to advantage if available.

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. Holder of original permit.

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.
Ans. Used for irrigation of orchard etc.during dry months of irrigation season. Water has been used for the purposes described since 1925.

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. No other water except natural rainfall.

(Sign)

S. J. Warren

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 Lewiston, County of Nez Perce, State of Idaho, on this 10th day of June, A. D. 1931.

Fred Enslin

Justice of the Peace, Lewiston 14th Precinct.

My commission expires

16008

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 16008.

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. Fred Erskine; Sixty; Lewiston, Idaho, Civil Engineer.

Ques. 2. Are you acquainted with S. J. Warren, the holder of Permit No. 16008? How long have you known him and where does he reside?

Ans. Yes.; Twenty five years; He now resides in Lewiston, Idaho.

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

Ans. Yes.

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. Unnamed tributary to Magpie Creek; NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of sec. 11, T.36 n., R.3 W., B.M. Reservoir, dam and pipe lines.

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. 0.15 sec ft. I have seen them running to full capacity.

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 improvement which have been made as a direct result of said use.

Ans. It is used for irrigation on 35 acres of orchard land in the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of sec 11, T.36 N., R.3 W., B.M.

It is cultivated in orchard and garden.

16008

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

Ans. None

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. First class farming land lying on northwest slope. While crops are sometimes raised successfully without irrigation, additional water is needed during the dry months. Any additional water is helpful.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. None.

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. In July, 1929 and previous to that time. Water was running to full capacity.

(Signed)

Fred Enkine

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 Lewiston, County of Nez Perce, State of Idaho, on this 15th day of June, A. D. 1931.

My commission expires

Paul Harris
Notary Public.

Probate Judge

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 16008----

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. Mrs. Maud Smith; 44 years; Housewife; Lewiston, Idaho.

Ques. 2. Are you acquainted with _____ Yes _____, the holder of Permit No. 16008---? How long have you known him and where does he reside?

Ans. About four years; He resides in Lewiston, Idaho.

Ques. 3. Have you read or heard read said Permit No. 16008---, and are you familiar with its provisions and conditions?

Ans. Yes

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. Unnamed tributary of Magpie Creek

Reservoir, dam and pipes as stated in permit.

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. I cannot say just how many second feet, but I have seen the pipes running full.

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 improvement which have been made as a direct result of said use.

Ans. Irrigation and domestic use. I can not give the legal subdivisions, but it is used upon the farm of S. J. Warren in Nez Perce County, which is situated on Magpie Creek and is about 35 acres in orchard and garden. Aside from irrigation works, it is fenced and has a house, barn and other out buildings.

16008

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

Ans. Just irrigation and domestic use.

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. Good farm and orchard land. While crops can be raised without irrigation, better crops can be raised if additional water is to be had in the dry months.

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. I have been there many times through the summer months for the last four years and seen the water running to full capacity for irrigating the orchard and gardens.

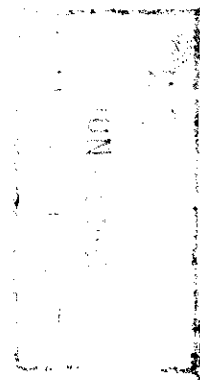
(Signed) Mrs Maud Smith

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 Lewiston, County of Nez Perce, State of Idaho, on this day of ¹⁰10 June, A. D. 1931

My commission expires _____

Jas A. Ferris
Notary Public.
Probate Judge

16008



State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS
AND
PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO,

May 29, 1931

S. J. Warren

c/o J. A. Ferris
Probate Judge
Lewiston, Idaho

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of completion of works and beneficial use of water under Permit No. **16008**.

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 June 10, 1931, the date set for proof, the enclosed forms (two for permit holder and two each for two disinterested witnesses) should be filled out and sworn to, at _____ before _____.

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,

R. W. FARIS ~~W. C. SWENDSEN~~
Commissioner of Reclamation.

16008

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date April 25, 1931

Publisher The Banner
Lewiston, Idaho

DEAR SIR:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to June 10, 1931, the date set for proof, the expense of the publication to be paid by the applicant, S. J. Warren, Lewiston,

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,

R. W. FARIS

Commissioner of Reclamation

16008

April 15, 1931

Re: Permit No. 16008

Mr. S. J. Warren
Lewiston, Idaho

Dear Sir:-

We are today in receipt of notices for proof of beneficial use of water under your above permit. The proof may be made before J. A. Ferris, Probate Judge, in accordance with your request. His name has been inserted in the notices. One copy will be mailed to the Lewiston Banner in time for the required four weeks publication prior to June 10, the date set for proof, and deposition blanks for holder and two witnesses will be mailed to Mr. Ferris.

Very truly yours,
R. W. FARIS
Commissioner of Reclamation.
By
Chief Clerk.

16008

OFFICE 412 MAIN ST.
PHONE 1750

RESIDENCE, 1602 14TH AVE.
PHONE 1549 J

FRED ERSKINE
CIVIL ENGINEER
LEWISTON, IDAHO

April 10 ,1931.

Department of Reclamation,
Boise, Idaho.

Gentlemen:

I am enclosing herewith Notice of Proof of Application of Water to Beneficial Use in duplicate and authorization to publish the same.

In the Notice of Proof, I have left blank the hour of hearing and the name of the party before whom proof is to be offered. Kindly fill in the hour and if proof is to be made before some one other than an agent of the department, I suggest J.A. Ferris, Probate Judge of Nez Perce County, Idaho and request you to fill in the proper blanks on the notice before publication.

Very respectfully yours,

L. J. Starren.

16008

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) April 10, 1931

(P. O.) Lewiston, 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
Lewiston Banner of Lewiston, Idaho., published in
the county in which the works are situated.

S. J. Warren.

(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.

16008

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at a. m. on the 10 day of June, 19 31
 at Lewiston, County of Nez Perce, State of Idaho,
 before J. A. Ferris, Probate Judge, proof will be submitted
 of the application to beneficial use of 0.15 cubic feet per second of the
 waters of Unnamed tributary of Magpie Cr. in accordance with the terms and conditions of
 Permit No. 16008 heretofore issued by the Department of Reclamation
 of the State of Idaho.

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

S. J. Warren, Lewiston, Idaho, (formerly of States, Idaho)

The use to which said water has been applied is.....

Irrigation and domestic use

The amount applied to beneficial use is 0.15 cu. ft. per second.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) Part of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of sec. 11, T. 36 N., R. 3 W., B.M.

~~The name of the canal or other work by which water is diverted to said place of use is~~
~~.....~~

The right to take water from such works is based upon Permit No. 16008

The source of supply from which such water is diverted is Unnamed tributary of
Magpie Creek.

The date of the priority which said user is prepared to establish is May 23, 1924

R. W. Paris

Commissioner of Reclamation.

16008

NE SE - 11 - 36 N - 3 W

Nez Perce

RETURN RECEIPT

Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.

S. J. Warren

(Signature or name of addressee.)

1323 10th Ave. Lewiston, Idaho

(Signature of addressee's agent.)

Date of delivery, APR 6 - 1981, 19

16008

Form 3811

U. S. GOVERNMENT PRINTING OFFICE: 1968

Post Office Department

OFFICIAL BUSINESS

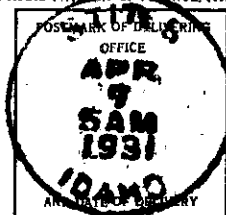
REGISTERED ARTICLE

No. 217

INSURED PARCEL

No. _____

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, \$300



COMMISSIONER OF RECLAMATION

Return to _____

(NAME OF SENDER)

Street and Number, }
or Post Office Box, }

BOISE,

IDAHO.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

S. J. Warren
Stites, Idaho

April 1, 1931

Dear Sir:—

I enclose herewith blank notice of proof of application of water to beneficial use under your permit No. **16008**....., which should be filled out and returned to this office at least 60 days before the date upon which you wish to make proof. The date for proof, as set out in your permit, is.....**June 10,**
1931., and, if proof is submitted subsequent to said date, your priority will be brought down a length of time equal to the time elapsing between the date proof should have been made and the date proof is actually made.

Yours truly,

GEO. N. CARTER,
Commissioner of Reclamation.

16008

June 18, 1929

Re: Permit No. 16008

Mr. S. J. Warren
Stites, Idaho

Dear Sir:

We are mailing you herewith Certificate of Completion of Works issued under your above numbered permit, together with receipt for fees paid.

Very truly yours,

GEO. N. CARTER
Commissioner of Reclamation

By _____

CB/co
Encl.

16008

Permit No. 16008

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO, }
County of NEPERCE } SS

S. J. WARREN

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

First: That he is the holder and owner of Permit to appropriate the Public Waters of the state of Idaho, No. 16008, and that his postoffice address is 1216-14th St. Lewiston State of Idaho

Second: That the name of the stream from which said water is to be diverted is

Unnamed tributary to Mapple Creek

Third: That the point of diversion of said water is on the NE 1/4 of the

S. E 1/4 of Sec 11, T. 36 N., R. 3 W., B. M.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by June 10, 1929

Fifth: That the use for which said water is intended is Irrigation and domestic use

Sixth: That on the date above mentioned, the works constructed under said permit were (or were not) fully completed and consisted of the following:

I. Kind of works: Small reservoir by putting dam across gulch,
(Reservoir, dam, ditch, flume, pipe or otherwise.)

II. Dimensions of work:

(a) Height of dam 9.5 feet, length of dam at top 58 feet, length of dam at bottom _____ feet. Material used in construction Concrete wall on

upper side, supported by earth embankment on lower side.
(State whether wood, earth, stone or concrete.)

(b) Capacity of reservoir 0.26 acre feet.

(c) Size of headgate: Width 3 in. pipe running thro dam. (see note) feet, height _____ feet.

(d) Conduit pipe width at bottom _____ feet, width at water line _____ feet, depth of water _____ feet; diameter of pipe 8 1/2 in. inches, average grade per mile is 468 feet. Length of conduit is 0.08 miles.

Seventh: That said works are capable of conducting to the place of intended use 0.15 second feet of water.

Eighth: That water appropriated under said permit is available for 35 acres of land described as follows: part of the NW 1/4 of the S. E 1/4 of
Sec 11, T. 36 N., R. 3 W., B. M.,

Ninth: Remarks: That There is 40 feet of 3 in. pipe, 75 ft. of
2 1/2 in. pipe and the balance is 2 in. pipe
Distribution is made on grounds by pipes.

S. J. Warren
(Sign here)

Subscribed and sworn to before me this 13th day of June, 1929

My commission expires March 1, 1932

Notary Public.

16008

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

S. J. Warren
Stites, Idaho

Boise, Idaho,
March 5, 1929

Dear Sir:—

Under the terms of your permit No. 16008 you are required to complete your diversion works on or before June 10, 1929. I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

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,

GEO. H. CARTER
Commissioner of Reclamation.

16008

Permit No. 16008

Application for Extension of Time FOR COMPLETION OF WORKS

S. J. Swann, of Leviaton
State of Idaho, 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. 16008

Under the terms and conditions of said permit, construction work thereunder was required to be
completed by June 10, 1927

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

Constructed reinforced concrete dam as provided in application
and have carried the water about 100 ft or more in 2 1/2" and 3 in pipe and constructed
ditches conveying water to land where used for irrigation purposes.
I have planted 600 Cherry trees which have been growing 2 yrs.
Water to be used for irrigating them.
costing \$ 850.00

That he is unable to complete the remainder of the work within the required time, for the fol-
lowing reasons, to-wit:

I have had large amt. of sickness in my family
and do not have sufficient funds at present to
complete the work.

WHEREFORE, He asks that the Commissioner of Reclamation extend the time for the comple-
tion of works under said permit to June 10, 1929.

Subscribed and sworn to before me this 2 day of May, 1927

My commission expires May 1, 1931

Notary Public.

Date of receipt at office of Department of Reclamation MAY 18, 1927

APPROVAL OF COMMISSIONER OF RECLAMATION.

I, Geo. N. Carter, Commissioner of Reclamation of the State of Idaho, hereby extend the time for the com-
pletion of construction work under Permit to appropriate the Public Waters of the State of Idaho, No. 16008 to

June 10, 1929 16008

Witness my hand this 18th day of May, 1927

Geo. N. Carter
Commissioner of Reclamation.

J. D. ZURCHER
LAWYER
SUITE 307 BREIER BLDG.
LEWISTON, IDAHO

March 24, 1927.

Re: Permit No. 16008

Commissioner of Reclamation

Boise, Idaho.

Dear Sir:

I herewith make application for an extension of time in which to complete the work on diversion of water under permit No. 16008.

Up to the present time I have constructed the dam as provided in the application at a cost of approximately \$850.00, and have carried the water through pipes for a distance of 100 feet and from the end of the pipe have constructed ditches to the land upon which the water is to be used and have been using the water for two years.

I have planted 600 cherry trees which have been growing for two years and am using the water to irrigate these trees and garden.

My reason for asking for an extension is that I have had a large amount of sickness in my family and I do not have sufficient funds at present to complete the works.

Kindly advise me at your earliest convenience as to what action you will take in this matter.

Yours very truly

S. J. Warren.

Address 1008 Fourteenth Ave
Lewiston, Idaho.

June 10, 1929

16008

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

March 4, 1927.

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

S. J. Warren
Stites, Idaho

Boise, Idaho,

Dear Sir:—

Under the terms of your permit No. 16008 you are required to complete your diversion works on or before June 10, 1927. I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

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,

GEO. H. CARTER.
Commissioner of Reclamation.

16008

J. D. ZURCHER
PROSECUTING ATTORNEY
NEZ PERCE COUNTY
424-S-S BREIER BLDG.
LEWISTON, IDAHO

April 22, 1925.

To the Department of Reclamation,
Boise, Idaho.

Dear Sir:

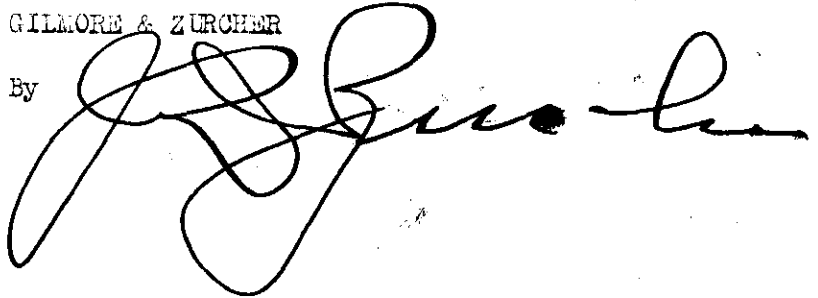
Inclosed find the Affidavit of E. J.
Warren, relative to Permit No. 16008.

Yours very truly,

GILMORE & ZURCHER

JDZ-JP

By

A large, stylized handwritten signature in black ink, likely belonging to J. D. Zurcher, is written over the typed name "GILMORE & ZURCHER". The signature is fluid and cursive, with a prominent loop at the end.

16008

STATE OF IDAHO, (
 : ss.
County of Nez Perce. |

S. J. Warren, being first duly sworn on oath, deposes and says; that he is the S. J. Warren to whom Permit No. 16008, covering appropriation of public waters in Idaho, was granted, on the 10th day of June, 1924, covering an unnamed stream, which is a tributary to Maggie Creek in the Northeast quarter of the Southeast quarter, (NE $\frac{1}{4}$ SE $\frac{1}{4}$) Section 11, Township 36 North, Range 3 W. B. M.; that he has expended in the improvement of said water system the sum of \$700.00 by building a dam in accordance with his application, laying three inch water pipe as described therein; that said dam is constructed of earth, wood and stone; that said water pipe is of three inch diameter, and so constructed as to withhold all water originating in said creek.

S. J. Warren

Subscribed and sworn to before me this 22nd day of April,
1925.

J. M. Gilmore
Notary public for the State of Idaho,
residing at Lewiston, Idaho.

16008

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Re: Permit No. 16008

Mr. S. J. Warren,
Stites, Idaho.

Boise, Idaho,
June 12, 1924.

Dear Sir:

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

W. G. SWENDSEN.

Commissioner of Reclamation.

16008

