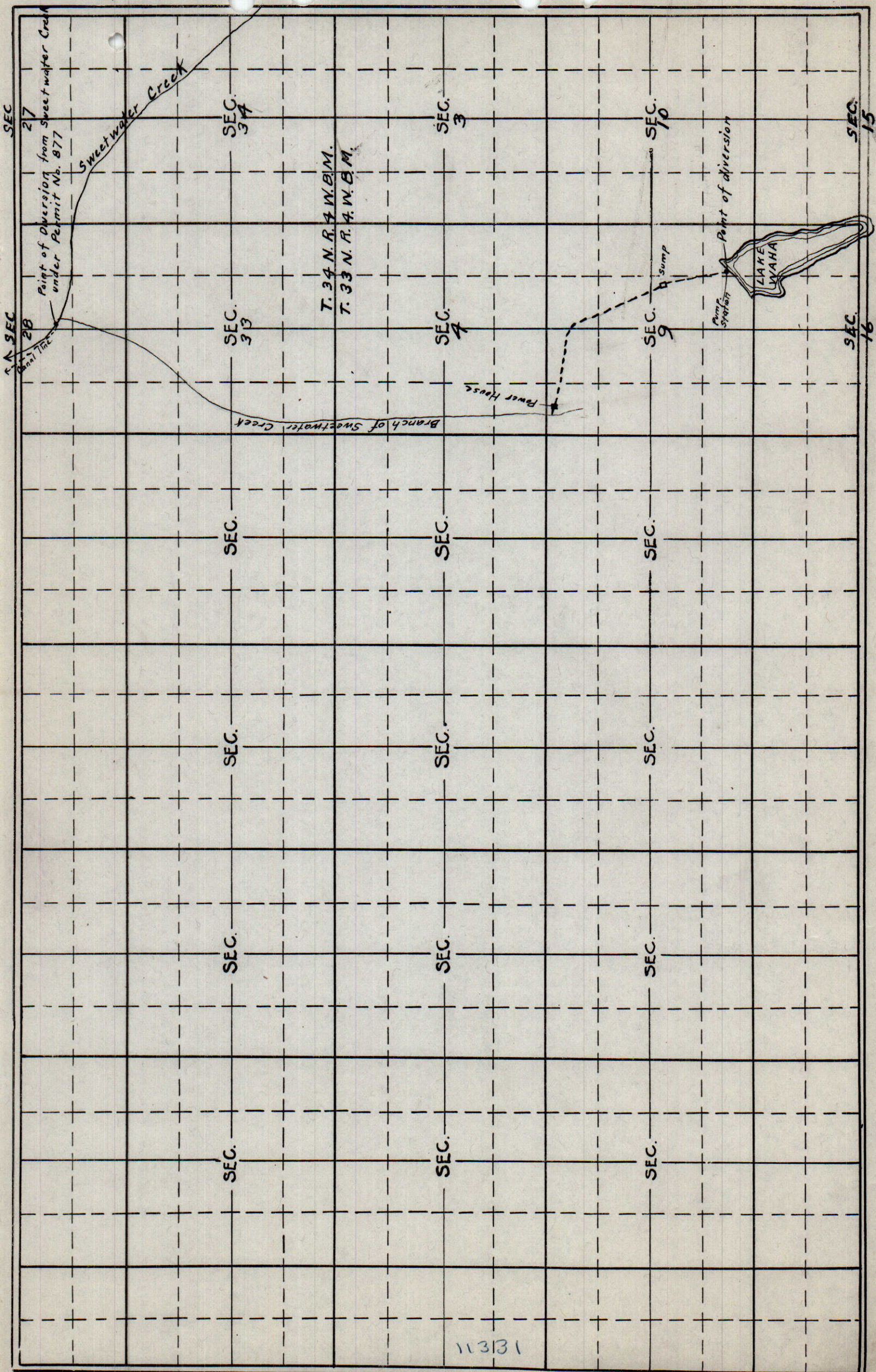


Name of Applicant: Lewiston-Sweetwater Irrigating Co. Permit 11331



Notice of Publication.

Notice is hereby given that at 10 a. m., on the 15th day of June, 1906, at Lewiston, County of Nez Perce, State of Idaho, before Henry S. Gray, Notary Public in Dent & Butler Building, Lewiston, Idaho, and in case of absence of Gray, then before George E. Erb, Notary Public in same building, proof will be submitted of the completion of works for the diversion of 10 cubic feet per second of the waters of Lake Waha in accordance with the terms and conditions of a certain permit heretofore issued by the State Engineer of the State of Idaho.

1. The name of the person or corporation holding said permit is Lewiston Sweetwater Irrigating Company, Limited.

2. The postoffice address of such person or principal place of business of such corporation is Lewiston, County of Nez Perce, State of Idaho.

3. The number of such Permit is 11331, and the date set for the completion of such work is June 19, 1916.

4. Said water to be used for irrigation and domestic purposes.

5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place intended for use, in accordance with the plans accompanying the application for such permit is 10 cubic feet per second.

6. The amount of lands for which said water is available is 5,120 acres, particularly described as follows:

The NE 1-4 of the SW 1-4, the SE 1-2 of the NE 1-4 and the SE 1-4 of Sec. 7; the NE 1-4 the SW 1-4, the SE 1-4 of Sec. 8, the SW 1-4, the W 1-2 of the SE 1-4, the SE 1-4 of the SE 1-4 of Sec. 9, the SW 1-4 of the SW 1-4 of Sec. 10, the S 1-2 of the SW 1-4 of Sec. 12, the NW 1-4, the SW 1-4 and the SE 1-4 of Sec. 13, the NW 1-4, the SW 1-4 and the SE 1-4 of Sec. 14, Sec. 15, Sec. 16, Sec. 17, NE 1-4 and the N 1-2 of the SE 1-4 of Sec. 18, The N 1-2 of Sec. 21, N 1-2 of Sec. 22, NE 1-4 of Sec. 23, all in township 35 N. range 5 W. B. M.; also the SW 1-1 of Sec. 18, township 35 N. range 4 W. B. M.

F. P. KING, State Engineer.

Notary's Affidavit of Publication

STATE OF IDAHO, } ss.
County of Nez Perce

E. S. Alford being first duly sworn deposes and says: I am the printer and publisher of the LEWISTON weekly TRIBUNE, a newspaper of general circulation, published weekly at Lewiston, Nez Perce county, Idaho; that the said Lewiston weekly Tribune is an established paper and has been published regularly and issued regularly at least once a week for more than 52 consecutive weeks next immediately preceding the first publication of this notice, and has been so published uninterruptedly for said period; that the notice for publication attached hereto and which is made a part of this affidavit was published in the said Lewiston Weekly Tribune 4 consecutive times, the first publication thereof being on the 18 day of May A. D. 1906 and the last publication thereof being on the 8 day of June A. D. 1906 and that the said notice was so published in the regular and entire issue of the said newspaper and not in a supplement thereof and was so published in every issue and number of the said paper, during the period and the times of publication as set forth above.

E. S. Alford
SUBSCRIBED AND SWORN TO BEFORE ME THIS THE 10 day of June 1906

Palmer W. McIntyre
Notary Public.

11331

June 7, 1916.

Re Permit 11331.

James E. Babb, Attorney,
Lewiston, Idaho.

Sir:--

Per your request, I am enclosing herewith
deposition blanks for proof of completion of
works under above permit.

Very truly yours,

J. H. SMITH,

State Engineer.

DBW

By _____

11331

June 19, 1915.

Permit No. 11331

Lewiston Sweetwater Irrigation Co., Ltd.,
Lewiston, Idaho.

Gentlemen:

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.

J. H. SMITH

State Engineer

State of Idaho
License and Certificate of Water Right

Water License No. 11331
Water District No. 81-X

Amount 10 sec. ft.
Priority 5-26-15.

THIS IS TO CERTIFY that The Lewiston-Sweetwater Irrigation Company, Limited, of Lewiston, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated May 26, 1915; that Permit No. 11331 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 10 second feet, was issued thereunder on January 25, 1918, showing that said works were completed on the 14th day of November, 1917; and that on the 5th day of June, 1922, the Lewiston Valley Water Company of Lewiston, State of Idaho, made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of a right to the use of the waters of Waha Lake, for the purpose of irrigation and domestic use under Use Permit No. 11331 of the State Engineer, 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 6 of Licenses, at page 2955, on the 5th day of July, 1922;

The right hereby confirmed dates from May 26, 1915;

The Point of Diversion is located at a point from whence the Southeast Corner of Section 9, Tp. 33 N., R. 4 W., B. M., bears South 49° 35' E. 1558.1 feet. County of Nez Perce.

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 10 cubic feet per second.

Description and location of use:

Twp.	Rge.	Sec.	Forty-acre Tract	No. Acres	
				Described in Permit	Actually Irrigated
35 N.	5 W.	7	SW $\frac{1}{4}$ NE $\frac{1}{4}$	)	)
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	(	(
			SE $\frac{1}{4}$	)	)
		8	S $\frac{1}{2}$	)	)
		9	NW $\frac{1}{4}$ SW $\frac{1}{4}$	)	)
			S $\frac{1}{2}$ SW $\frac{1}{4}$	(	(
		12	S $\frac{1}{2}$ SW $\frac{1}{4}$	(	(

85-2049

Twp.	Rge.	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
35 N.	5 W.	13	NW $\frac{1}{4}$ S $\frac{1}{2}$	(	)
				(	)
		14	S $\frac{1}{2}$ NW $\frac{1}{4}$ S $\frac{1}{2}$	(	)
				(	)
		15	All	(4560	) 4389
				(	)
		16	W $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ S $\frac{1}{2}$	(	)
				(	)
		17	N $\frac{1}{2}$ N $\frac{1}{2}$ S $\frac{1}{2}$	(	)
				(	)
		18	NE $\frac{1}{4}$ N $\frac{1}{2}$ SE $\frac{1}{4}$	(	)
				(	)
		21	N $\frac{1}{2}$	(	)
				(	)
		22	N $\frac{1}{2}$	(	)
				(	)
		23	NE $\frac{1}{4}$	(	)
				(	)
35 N.	4 W.	18	SW $\frac{1}{4}$	(	)

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 5th day of July, 1922.

(Seal)

W. G. Swendsen
Commissioner of Reclamation

85-2049

No. 16453.

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: **Lewiston-Sweetwater Irrigating Company, Limited,**Postoffice address: **Lewiston** County: **Nez Perce** State: **Idaho.**

I. If applicant is a corporation, give

(a) Date and place of incorporation: **September 15, 1905, Portland, Oregon.**(b) The amount of capital stock: **\$650,000.00**(c) The amount paid in: **\$575,000.00**(d) Names and addresses of directors: **H. L. Powers, Lewiston, Idaho - Tom Richardson, 395-16th St., S. Portland, Ore. - Otis B. Wight, 608-14 Medical Bldg., Portland, Ore. - C. E. Grelle, 20th & York Sts. Portland, Oregon.**II. The financial resources of the applicant are: (a) Cash on hand: **\$483.96**(b) Treasury stock: **\$75,000.00** (c) Bonds to be issued: **None**(d) Other resources: **The company owns its present plant which has cost more than \$750,000.00**2. The quantity of water claimed is **10 cu. ft. per second during March, cubic feet per second April, May, June, July, August & September**3. Source of water supply: **Waha Lake and all its sources and tributaries including both normal flow and flood flow water of said Lake and its sources and tributaries.**4. Location of point of diversion: **A point from whence the SE corner of Sec. 9 Township 33 N. Range 4 W. B. M. bears South 49° 35' E. 1558.1 ft.**County of **Nez Perce.**5. To be used for: **Irrigation and domestic supply.**I. Irrigation and domestic use: (a) Amount of land to be irrigated: **5,120** acres.(b) In the following legal subdivisions: **The NE $\frac{1}{4}$ of the SW $\frac{1}{4}$, the S $\frac{1}{2}$ of the NE $\frac{1}{4}$ and the SE $\frac{1}{4}$ of Sec. 7, The NE $\frac{1}{4}$, the SW $\frac{1}{4}$, the SE $\frac{1}{4}$ of Sec. 8, The SW $\frac{1}{4}$, the W $\frac{1}{2}$ of the SE $\frac{1}{4}$, the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 9, The SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Sec. 10, The S $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Sec. 12, The NW $\frac{1}{4}$, the SW $\frac{1}{4}$ and the SE $\frac{1}{4}$ of Sec. 13, The NW $\frac{1}{4}$, the SW $\frac{1}{4}$ and the SE $\frac{1}{4}$ of Sec. 14, Sec. 15, Sec. 16, Sec. 17, NE $\frac{1}{4}$ and the N $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Sec. 18, The N $\frac{1}{2}$ of Sec. 21, N $\frac{1}{2}$ of Sec. 22, NE $\frac{1}{4}$ of Sec. 23, all in township 35 N. Range 5 W. B. M.**Also the SW $\frac{1}{4}$ of Sec. 18, Township 35 N. R. 4 W. B. M.

(a) At what point:

(b) Amount of power to be generated:

H. P. under

ft. head

(c) Is water to be returned to any stream?
return:

(d) If so, name stream and locate point of

6. Estimated cost of works: **\$15,000.00**

7. Description of works for diversion:

I. Kind of works: **A pump, pipe line and hydro-electric power plant for furnishing the power for pumping.**II. Dimensions of works: **Full description is given below.**

(a) Height of dam feet, length of dam at top . feet,

length of dam at bottom

feet. Material used in construction:

(b) Capacity of reservoir acre feet. (c) Size of headgate, width feet,

Height feet. (d) Conduit width at bottom feet,

width at water line feet, depth of water feet; diameter of pipe

inches; average grade per mile is feet. Length of conduit is miles,
and it crosses the following quarter sections:8. The time required for the completion of the construction of such work is **one** years.9. Time required for the complete application of the water to the proposed use is **6**
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.

Lewiston-Sweetwater Irrigating Co. Ltd.,
Applicant.By **H. L. Powers,** Agent.

Date of first receipt at office of State Engineer 11.45 a.m. May 26, 1915.

Returned to applicant for correction June 3, 1915.

Corrected application received June 11, 1915.

APPROVAL OF STATE ENGINEER

The number of this permit is 11331

Recorded in Book 38 Page 11331 Approved June 19, 1915.

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 18, 1915 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 19, 1915.

The whole of said work to be completed on or before June 19, 1916.

Beneficial use of water appropriated in accordance herewith, to be made on or before June 19, 1922.

Witness my hand this 19th day of June, 1915.

J. H. Smith,
State Engineer.

Remarks:

The water is to be lifted from the Lake with a pump having a maximum capacity of 5250 G. P.M. against a head of 125 ft. From the pump the water will be discharged into a steel pipe 20" in diameter 1650' long rising to an elevation of 115 ft. From thence the water will be discharged into a steel pipe 15" in diameter 3650' long with a drop of 585.8 ft. through a water wheel thence by natural channels of Sweetwater Creek to the headgate on Sweetwater Creek of the plant of the Lewiston-Sweetwater Irrigating Company now installed and operating under Permit No. 877, for which certificate of completion of works was issued by the State Engineer on the 22nd day of October, 1909. Thence through the irrigation system of said Company operating under Permit No. 877 to the land described in this application.

The water wheel above mentioned will operate an electric generator of 240 K.W. capacity from whence the electricity will be conducted to an electric motor of 250 H.P. capacity directly connected to the pump first above described.

At the point of diversion an auxiliary pump having a normal capacity of 400 G. P. M. against a head of 150 feet driven by a gasoline engine will fill the pipe between the pump and the water wheel for the purpose of starting the water wheel.

Paragraph 7 - 2 - (d) and it crosses the following quarter sections:

The SE $\frac{1}{4}$, the NE $\frac{1}{4}$ and the NW $\frac{1}{4}$ of Section 9, Township 33 N. Range 4, W. B. M. thence the water will flow in the natural channel of Sweetwater Creek to the headgate of the Lewiston-Sweetwater Irrigating Company, Limited, now installed and operated under Permit No. 877, crossing the following quarter sections: The NW $\frac{1}{4}$ Sec. 9, the SW $\frac{1}{4}$ and the NW $\frac{1}{4}$ of Sec. 4, Township 33 N. Range 4 B. M. the SW $\frac{1}{4}$ and the NW $\frac{1}{4}$ of Sec. 33, the SW $\frac{1}{4}$ and the SE $\frac{1}{4}$ of Sec. 28, Township 34 N., Range 4 B. M., thence the water will flow through the system of said Company operated under said permit the lands described herein and crossing the following quarter sections: The SE $\frac{1}{4}$, the SW $\frac{1}{4}$ and NW $\frac{1}{4}$ Sec. 28, the SW $\frac{1}{4}$ and the NW $\frac{1}{4}$ of Sec. 21, the NE $\frac{1}{4}$ of Sec. 20, the SE $\frac{1}{4}$ and the NE $\frac{1}{4}$ of Sec. 1 SE $\frac{1}{4}$ and the NE $\frac{1}{4}$ of Sec. 8, the NW $\frac{1}{4}$ of Sec. 9, the SW $\frac{1}{4}$ and the NW $\frac{1}{4}$ of Sec. 4, the SE $\frac{1}{4}$ and the NE $\frac{1}{4}$ Sec. 5, Township 34 N. Range 4 W. B. M. the SE $\frac{1}{4}$ of Sec. 32, the SW $\frac{1}{4}$, the SE $\frac{1}{4}$, the NE $\frac{1}{4}$ and the of Sec. 33, the SW $\frac{1}{4}$, the SE $\frac{1}{4}$ and the NE $\frac{1}{4}$ of Sec. 28, the SE $\frac{1}{4}$ of Sec. 21, the SW $\frac{1}{4}$ and the NW $\frac{1}{4}$ of Sec. 22, the NE $\frac{1}{4}$ and the NW $\frac{1}{4}$ of Sec. 21, township 35 N. Range 4 W. B. M. to the reservoir located the following quarter sections: The NW $\frac{1}{4}$ of Sec. 21, the NE $\frac{1}{4}$ of Sec. 20, the SE $\frac{1}{4}$ of Sec. 17, SW $\frac{1}{4}$ and the NW $\frac{1}{4}$ of Sec. 16, Township 35 N. Range 4 W. B. M. thence the water will flow through pipe line through the following quarter sections: the SE $\frac{1}{4}$ and the SW $\frac{1}{4}$ of Sec. 17, the SE $\frac{1}{4}$ of S 18, Township 35 N. Range 4 W. B. M. to the lands described to be irrigated in paragraph 5 I (b) of this application, all according to the attached map.

Proof of completion of works made November 14, 1917.
 Certificate of completion of works issued January 25, 1918.

Permit No. 11331.

CERTIFICATE OF COMPLETION OF WORKS

To All Whom It May Concern:

This is to certify that Lewiston-Sweetwater Irrigating Company, Limited, of Lewiston, County of Nez Perce, and State of Idaho, the holder of Permit No. 11331, issued upon Application No. 16453, bearing date of priority of May 26, 1915, authorizing the diversion of ten (10) second feet of the waters of Waha Lake, and all its sources and tributaries, 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 ten (10) second feet of the waters of Waha Lake; that the point of diversion of said waters is at a point from whence the Southeast corner of Sec. 9, T. 33 N., R. 4 W., B. M., bears South 49° 35' E. 1558.1 ft., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: NE $\frac{1}{4}$ of SW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 7; NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 8; SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 9; SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 10; S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 12; NW $\frac{1}{4}$, SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 13; NW $\frac{1}{4}$, SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 14; Sec. 15; Sec. 16; Sec. 17; NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, ^{N $\frac{1}{2}$, Sec. 21} Sec. 18; N $\frac{1}{2}$, Sec. 22; NE $\frac{1}{4}$, Sec. 23; all in T. 35 N., R. 5 W., B. M., also the SW $\frac{1}{4}$, Sec. 18, T. 35 N., R. 4 W., B. M.

Witness my hand this 25th day of January, A. D. 1918.

J. H. SMITH,

State Engineer of the State of Idaho.

License issued for 10 second feet

Page ~~2770~~
 1995
 2955

Lewiston-Sweetwater Irrigating Company, Ltd.

LEWISTON, IDAHO

January 21, 1918

Mr. J. E. Smith
State Engineer
Boise, Idaho

Re- Permit #11331

Dear Sir:

Answering your letter addressed to
Mr. J. E. Babb, herewith please find check
for \$5.00 for certificate of completion of
works. Please send the certificate to this
office, and oblige,

Yours very truly,

LEWISTON SWEETWATER IRRIGATING CO., Ltd.

BY *J. J. Vann*

HLP:F

encl.

*All water
for
Irrigation
and
Domestic use
furnished
in Pipes
under pressure*

*By this system
Irrigation
is accomplished
with
One-Tenth
the time
and labor
required by the
ditch system*

11331

January 3rd, 1918.

Re Permit 11331. - Lewiston-Sweetwater Co., Ltd.

Jas. E. Babb, Attorney,
Lewiston, Idaho.

Dear Sir:--

The report of our engineer on completion of works under above permit is now on file here. Upon receipt of statutory fees of \$5.00, the certificate of completion of works will be issued.

Very truly yours,

J. H. SMITH,

State Engineer.

By _____

11331

D E E D

Rec'd 2-1-47

Book 181 Page 284

THIS INDENTURE, made this 2nd day of November, 1940, between the LEWISTON ORCHARDS IRRIGATION DISTRICT, an irrigation district organized and existing under and by virtue of the laws of the State of Idaho, Grantor, and THE UNITED STATES OF AMERICA, Grantee.

WITNESSETH:

That the Lewiston Orchards Irrigation District, pursuant to Article 27 of the Repayment Contract between the Lewiston Orchards Irrigation District and the United States, dated September 10, 1947 and recorded on October 1, 1947 in Book 7 of Miscellaneous Records, beginning on page 237 in the records of the County Recorder of Nez Perce County, State of Idaho, has granted, bargained and sold, and by these presents doth grant, bargain, sell, convey and confirm unto the United States of America and its assigns forever, all the following described real property situated in Nez Perce County, State of Idaho, to-wit:

The entire domestic and irrigation water diversion and distribution system of the Lewiston Orchards Irrigation District, including but not limited to the following:

The Water Permits and Water Licenses granted by the State Engineer of the State of Idaho with respect to such system:

The Water system extending from Captain John's Canal diverting water from Captain John's Creek, including

Soldiers Meadow Reservoir on Webb Creek, Webb Canal diverting water from Webb Creek into the East Fork of Sweetwater Creek, Lake Waha Meador Canal diverting water from the West Fork of Sweetwater Creek, Lake Waha and pumping facilities, Sweetwater Canal diverting water from Sweetwater Creek, to and including Reservoir "A", Relief Reservoir No. 1, Relief Reservoir No. 2, and the various pipe lines and canals constituting the distribution system of said irrigation and domestic water system; and

All land and rights-of-way acquired for said system by any means whatsoever, including, among others, by prescriptive right, by adverse use, by conveyances, by condemnation proceedings, by reservations and dedications made by the Lewiston Land and Water Company, Limited and by the Lewiston Sweetwater Irrigating Company, Limited, or their predecessors on plats of subdivided lands, or in deeds to private owners or in certificates of water rights.

RESERVING unto the Grantor for salvage, the existing pumping and power line facilities at Lake Waha.

EXCEPTING all lands acquired by the Grantor in connection with Reservoir "A" located in Sections sixteen, seventeen,

twenty and twenty-one, Township 33 North, Range 4 West, Boise meridian, which lie at an elevation twenty (20) feet above the maximum water surface elevation of said reservoir; and EXCEPTING all land acquired by the Grantor in connection with Soldiers Meadow Reservoir located in Sections 29 and 32, Township 33 North, Range 3 West, Boise Meridian, which lie fifty (50) feet above the maximum water surface elevation of said reservoir; and

EXCEPTING all that portion of the SE of the NW
NE of the SW
SE of the SW
of Section 31, Township 34,
North of Range 3, West Boise Meridian,
not included in the right of way for Wabb Canal running through
the above described property.

TOGETHER with all and singular the tenements, hereditaments and appurtenances therunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues, and profits thereof, and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said Grantor.

TO HAVE AND TO HOLD ALL and singular the above mentioned and described premises, together with the appurtenances, unto the United States of America and its assigns forever. And the said Grantor, its successors and assigns, the said premises in the quiet and peaceable possession of the said Grantee and its assigns, against the said Grantor, and against all and every person and persons whomsoever lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, the Grantor above named has caused those presents to be signed by its President and attested to by its Secretary, and has caused the District seal to be affixed thereto, the day and year first above written.

LEWISTON ORCHARDS IRRIGATION DISTRICT

BY:

/s/ Bert Schroeder

President

ATTEST:

/s/ Wilbur C. Kelly

Secretary

(SEAL)

STATE OF IDAHO

) ss.

COUNTY OF NEZ PERCE)

On this 2nd day of November, in the year 1943, before me, RUSSELL S. RANDALL, a Notary Public, personally appeared BERT SCHROEDER, known to me to be the President of the Lewiston Orchards Irrigation District and the person who executed the within instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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

/s/ Russell S. Randall

Notary Public for Idaho
Residing at Lewiston

(SEAL)

My commission expires 1-10-51.

As of September 29, 1997

Pacific Northwest Region Water Inventory Report

Page 1 of 3

Project LEWISTON ORCHARDS

Division

Water Right Description			Water Right Filing Activity							
Entity	Facility	Source	Action	Number	Date	CFS	Acre Ft	Uses	Priority	UseRight
LOID	CLEARWATER RIVER DIVERSION	CLEARWATER RIVER	Application	85-7109	06/17/1970	30.00		I, M	06/17/1970	
			Permit	85-7109	08/04/1970					
			Certificate							
			Adjudication	Relinquished						
Comment										
LOID	WELL DOMESTIC	GROUND WATER	Application	85-7146	04/29/1977	3.00		M & I	04/29/1977	
			Permit							
			Certificate							
			Adjudication	A85-07146						
Comment										
LOID	WELL DOMESTIC	GROUNDWATER	Application	85-7428	02/28/1985	4.00		M & I	02/28/1985	
			Permit	85-7428	06/28/1985	4.00		M & I		
			Certificate							
			Adjudication	A85-07428						
Comment										
USA	DAMS AND CANALS	CAPTAIN JOHN CREEK	Application		12/04/1934		2,000.0	I, D	12/04/1934	
			Permit	R-576	02/27/1937		2,000.0	I, D		
			Certificate	85-2147	07/20/1940		2,000.0	I, D		
			Adjudication	85-2147		20.00		I, D	+	
Comment 20 CFS SRBA LICENSE R-576 WATER DIVERTED FROM BROWNS CREEK(TRIB CAPTAIN JOHN CREEK) FOR STORE IN SOLDIERS MEADOW RESERVOIR RELEASED FROM STORE FOR BENE USE										

SEP 29 '97 04:00PM DIV OF WPNRDL

P.6

As of September 29, 1997

Pacific Northwest Region Water Inventory Report

Page 2 of 3

Project LEWISTON ORCHARDS			Division							
Water Right Description			Water Right Filing Activity							
Entity	Facility	Source	Action	Number	Date	CFS	Acre Ft	Uses	Priority	UseRight
USA ✓	DIVERSION DAM CREEK & DITCH TO LAKE WAHA	WEST FORK SWEETWATER CREEK	Application	85-11087		20.00		I, D	05/26/1915	
			Permit							
			Certificate							
			Adjudication	85-11087		20.00		I, D		
Comment 20 CFS BENE USE CLAIM UP TO 20 CFS IS DIVERTED FROM WEST FORK SWEETWATER CREEK TO STORAGE IN LAKE WAHA. WATER IS PUMPED FROM LAKE WAHA FOR DELIVERY & USE LOI										
USA ✓	LAKE WAHA PUMP DIVERSION	LAKE WAHA	Application		05/26/1915	10.00		I, D	05/26/1915	
			Permit	11331	06/19/1915	10.00		I, D		
			Certificate	85-2049	07/05/1922	10.00		I, D		
			Adjudication	85-2049		10.00	4,000.0	I, D	+	
Comment 10/4000 LICENSE 11331, DIVERSION INCLUDES NATURAL ACCRUALS & WATERS IMPORTED TO LAKE WAHA FROM WEST FORK SWEETWATER CREEK & DRAFTING 4000 AF FROM LAKE WAHA										
USA ✓	LAKE WAHA PUMP DIVERSION	LAKE WAHA	Application	22117	07/24/1922	10.00		I, D	08/24/1923	
			Permit	15566	08/01/1922	10.00		I, D		
			Certificate	85-2063	04/30/1924	10.00		I, D		
			Adjudication	ABS-02063					+	
Comment NEED TO FILE 15566 LAKE WAHA & ALL SOURCES & TRIBS INCLUDING BOTH NORMAL FLOW & FLOOD FLOW WATER OF SAID LAKE WAHA & ITS SOURCES & TRIBS										
USA ✓	MANNS LAKE DAM OUTLET FISH TRAP TANK PIP	LINDSAY CREEK AND SWEETWATER CREEK	Application	85-4483	04/07/1986		10,500.0	I,K,IN,M,F	06/01/1907	
			Permit							
			Certificate							
			Adjudication	85-4483			10,500.0	I,K,IN,M,F		
Comment 10500 AF FILED IN SRBA, STATUTORY CLAIM, USES IRR 8000 AF, STOCKWATER 1000 AF, INDUSTRIAL 1500 AF, MUNICIPAL 1500 AF, FIRE PROTECTION 1000 AF										

SEP 29 '97 04:01PM DIV OF W&P&NDL

P.7

As of September 29, 1997

Pacific Northwest Region Water Inventory Report

Page 3 of 3

Project LEWISTON ORCHARDS

Division

Water Right Description			Water Right Filing Activity						
Entity	Facility	Source	Action	Number	Date	CFS	Acre Ft	Uses	
USA ✓	SOLDIERS MEADOW RESERVOIR DAM	WEBB CREEK	Application	R-22037	05/24/1922		2,000.0	I	Priority
			Permit	R-294	05/29/1922		2,000.0	I	05/24/1922
			Certificate	85-2146	04/30/1924		2,000.0	I	UseRight
			Adjudication	85-2146			2,000.0	I, D	=
Comment 2000 AF FILED IN SRBA, WATER LICENSE R-294									
USA ✓	SWEETWATER DIVERSION AND CANAL	SWEETWATER CREEK	Application	1040	07/14/1904	100.00		I, D	Priority
			Permit	877	10/25/1904	100.00		I, D	07/14/1904
			Certificate	85-2003	10/22/1909	87.80		I, D	UseRight
			Adjudication	85-0016	06/12/1916	100.00		I, D	+
Comment 87.8 SRBA LIC 877 4/11/16 85-2003 SUPERCEDED DECREE SIEGRIST MILL V. LEWISTON-SWEETWATER IRR CO POI 3,845.48 ACRES NEZ PERCE COUNTY BASIS OF CLAIM DECREE									
USA ✓	WEBB CREEK DIVERSION DAM CONDUIT & CANAL	WEBB CREEK & SOLDIERS MEADOW RES(WEBB CR RES)	Application	15945	01/30/1924	40.00		I, D	Priority
			Permit	15945	04/30/1924	40.00		I, D	01/30/1924
			Certificate	85-2065	04/30/1924	40.00		I, D	UseRight
			Adjudication	85-2065			40.00	I, D	=
Comment 40 CFS FILED IN SRBA, WATER LICENSE 15945, 3845.48 A IRRIGATED NEZ PERCE COUNTY									

SEP 29 '97 04:01PM DIV OF LANDL

P.8

March 2, 1979

Paul Chasco, District Manager
Lewiston Orchards Irrigation District
1520 Powers Avenue
Lewiston, ID 83501

Dear Mr. Chasco:

Re: License Nos. 85-2049 and 85-2063

This office acknowledges receipt of your letter of inquiry relative to Lake Waha. From my research, we can provide some information for you.

The water right licenses 85-2049 and 85-2063, which were issued by the Department, are not conditioned with language which describes limits by which the lake may be filled or emptied. The licenses are for the diversion of natural flow, however, and do not provide for the impoundment or storage of water. Even though the licenses do not address the limits, there likely are other considerations which, in effect, impose upon you practical limits of filling and depletion. There are several instances in Idaho where litigation has established upper and lower lake levels on particular lakes such as Payette Lake in Central Idaho and Hayden Lake in northern Idaho.

With regard to ownership of the lake bottom or land below the high water mark, I have only determined that the State (Department of Lands) does not claim ownership of land below the mean high water mark. That then leaves potential ownership in private or federal control. Perhaps you could determine the limits of ownership from the various land deeds adjacent to the lake.

I recognize that this response doesn't totally answer your inquiries, but perhaps it will assist you in your research.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:rf

bcc: Northern Region

April 13, 1971

Re: License Nos: 85-2049
85-2063

Mrs. M. P. Clark
7808 Fairview
Boise, Idaho 83704

Dear Mrs. Clark:

We have researched our files as you requested in our recent telephone conversation. We could find no water rights recorded with this office for appropriation of water from Blue Lake in Nez Perce County. However, we did find two licensed water rights for the appropriation of water from Waha Lake. The Water License No. 85-2049, in the name of the Lewiston Sweet Water Irrigation Company, Limited, was issued in the amount of 10 cubic feet per second of water for the purposes of irrigation and domestic use. This license has a priority of May 26, 1915.

The other License No. 85-2063 is in the name of Lewiston Orchards Irrigation District for the appropriation of 10 cubic feet per second for irrigation and domestic supply. and this license has a priority of August 24, 1923.

There could, however, be rights other than these which have been developed by placing the water to a beneficial use. This method of developing a water right is commonly referred to as the Constitutional method and no record was required to establish a water right in past years.

We have enclosed three (3) application for permit forms to appropriate waters for your consideration. A separate application should be made for filing from each source. Therefore, an application is needed for appropriating water from Blue Lake, appropriating water from Waha Lake and one for appropriating water from a ground water source.

If you have any further questions in regard to these matters, please contact us.

Very truly yours,

Bobby D. Fleenor
Assistant Director

BDF:cm

Enclosures

85 2049

The quantity of water claimed is the equivalent of a continuous flow of 390 second feet

Thesources of water supply are,
the equivalent of a continuous flow of 100 sec. ft. of the surplus and winter flow waters of Mission Creek;
the equivalent of a continuous flow of 10 sec. ft. of the surplus and winter flow waters of Mill Creek;
the equivalent of a continuous flow of 100 sec. ft. of the surplus and winter flow waters of Soldier Meadows Creek, also called Webb Creek. Said Soldier Meadows and Webb Creek flow through Sections 30 and 31, in Township 34 North Range 3 West, and other sections;
the equivalent of a continuous flow of 100 sec. ft. of the surplus and winter flow waters of Sweetwater Creek;
the equivalent of a continuous flow of 40 sec. ft. of the surplus and winter flow waters of Captain John Creek;
the equivalent of a continuous Flow of 40 sec. ft. of the surplus and winter flow waters of Waha Creek and Waha Lake, including all their springs, sources and tributaries above the point of diversion. The intention is to appropriate the surplus waters naturally impounded in Waha Lake, and also the use of Waha Lake as a reservoir for impounding additional waters which may be diverted thereto. Said Waha Lake is in Sections 9, 15 and 16, Township 33 North Range 4 West.

SWEETWATER CREEK.

The point of diversion shall be at a point on Sweetwater Creek in the N. W. 1/4 S.E.1/4 Sec. 28 T.34 N.R.4 W. B.M., from whence the 1/4 cor. center to said Sec. 28 bears N. 11 degrees 40' W. 855 feet distant and is more fully described as being immediately at the confluence of the East and West forks of said Sweetwater Creek in the aforesaid Section 28. The diversion of the waters of said Sweetwater Creek shall be made by a dam or weir 15 ft. high, more or less as may be required to reach bed-rock; 3 ft. more or less in thickness; and 230 ft. more or less in length. The dam shall be built of concrete. The top of the dam shall be 2 inches higher than the top of the diversion canal. The waters of said Sweetwater Creek shall be diverted by a canal of the following dimensions for five (5) miles from the diversion point, to-wit.

Top width 13 ft; bottom width 9 ft; depth 3 ft; grade 3.2 ft. per mile, and will pass over the following lands, to-wit: S.E.1/4 & S.W.1/4 N.W.1/4 Sec. 28; S.W.1/4 Sec. 21; S.E.1/4 & N.E.1/4 Sec. 20; S.E.1/4 & N.E.1/4 Sec. 17; S.E.1/4 & N.E.1/4 Sec. 8, T. 34 N.R.4W. From this point for a distance of 1.23 miles the dimensions shall be: top width 16 ft; bottom width 12 ft; depth 3.5 ft; grade 3 ft. per mile. The last named larger dimensions of canal are made to carry the additional flow of Mission, Mill and Webb Creeks as shown by my applications for the waters of those streams and said larger canal will pass over the following lands, to-wit: N. W. 1/4 Sec. 9; S. W. 1/4 Sec. 4; and S. E. 1/4 Sec. 5, T. 34 N. R. 4 W. B.M. and terminus of canal; from whence the waters of the said Sweetwater Creek, together with the waters of Mission, Mill and Webb Creeks, shall be conducted across a certain "saddle" or depression on the aforesaid Sec. 5, last above named, in an inverted siphon for a distance of 1.22 miles to a point in the N.E.1/4 S.E.1/4 Sec. 32, T.35 N.R.4W. B.M. from whence said waters shall be conducted through pipes, flumes, canals, ditches, etc. to the Southern boundary of the City of Lewiston, Idaho. The route of the main line of said pipe, flume, canal or ditch shall be as follows, to-wit: In a Northeasterly direction to a point on the line running East and West through the center of Sec.32 T. 35 N.R.4W. B.M. said point being also upon the West line of the Nez Perce Reservation,

and also being on a public road; thence northerly along the aforesaid Reservation Line and public road a distance of 2.5 miles more or less to the point where the line between Secs. 17 and 20 T. and R. aforesaid intersects the said Reservation line, said point being also the intersection of the said Reservation line Road and a public road running west; thence west along the aforesaid Section line and public road bet. Secs. 17 and 20, 18, and 19 T. 35 N., R. 4 W. B. M. and Secs. 13 and 24, 14 and 23, 15 and 22, 16 and 21, T. 35, N., R. 5 W. B. M. to the 1/4 cor. bet. Secs. 16 and 21; thence north on line through the center of the said Sec. 16, to the center thereof, the said line being also a public road; thence west through the center of sections 16, 17, the same being a public road, to the 1/4 cor. bet. Secs. 17 and 18; thence north on line bet. Secs. 17 and 18, 7 and 8, the same being a public road, to the 1/4 cor. bet. Secs. 7 and 8; thence west on the line through the center of Sec. 7 and public road to the center of said Sec. 7; thence north on line through the center of said Sec. 7, and public road to the 1/4 cor. bet. Secs. 6 and 7, and the South line of the City of Lewiston, Idaho, as above set forth.

Lateral A.

Lateral A. shall diverge from the Main Line at the point on the Main Line where the line bet. Secs. 17 and 20, as described in the description of the Main Line, intersects the West line of the Nez Perce Reservation; thence northerly along the West line of said Reservation and public road a distance of 2 miles, more or less, to the point where the line bet. Secs. 5 and 8, Twp. 35 N. R. 4 W. B. M. intersects the aforesaid Reservation Line; thence on line and public road bet. Secs. 5 and 8, 6 and 7, T. 35 N. R. 4 W. B. M.; thence continuing West on line and public road bet. Secs. 1 and 12, 2 and 11, 3 and 10, T. 35 N. R. 5. W.

The aforesaid water shall be diverted, conveyed and distributed from the main line by pipes, flumes, canals, ditches etc. and used to irrigate the following lands, to-wit: Secs. 5 and 6, T. 34, N. R. 4W B.M.

S. 8. 1-2-3-4-5-6-7-8-9-10-11-12-13-14-15-16-17-18-19-20-21-22-23-24-25 and 26, T. 35 N. R. 5 W. B.M.

Secs. 1-2-3-4-5-6-7-8-9-10-11-12-13-14-15-16-17-18-19-20-21-22-23-24 and 25 T. 35 N. R. 5 W. B.M.

Secs. 25-27-28-29-30-31-32-33-34-35 and 36, T. 36 N. R. 5 W. B.M.

Secs. 1-12-13-14-23 and 24, T. 35, N.R.6, W. B.M.

The aforesaid waters shall also be used for power purposes in the City of Lewiston and upon the lands above described and upon lands adjacent thereto, as may be hereafter determined; also for domestic use.

SOLDIER MEADOW CREEK also called WEBB CREEK.

The point of diversion shall be on Soldier Meadow Creek, also called Webb Creek in the S.E.1/4 of S.W.1/4 Sec. 29 T.33 N.R.5 W. B.M. from whence the 1/4 cor. Bet. Secs. 29 and 32 Twp. and R. aforesaid bears S.44 degrees, 10' E. 1550 ft. distant. The waters of the said Soldier Meadow Creek shall be diverted from its natural channel by a concrete dam 20 ft., more or less, in height, 4ft., more or less, in thickness, and 240 ft., more or less, in length. The said waters of the said Soldier Meadow Creek shall be diverted in a canal of the following dimensions, to-wit: top width 13 ft; bottom width 9 ft; depth 3 ft; grade 3.2 ft. per mile for a distance of 8.78 miles to a point in a gulch in the S.W.1/4 Sec. 13, T.33 N.R. 4W B.M; thence down said gulch in its natural channel to the East Fork of Sweetwater Creek; thence down the said East Fork of Sweetwater Creek to a point in the S.E.1/4 S.W.1/4 of the aforesaid Sec. 13, from whence the 1/4 cor. bet. Secs. 13 and 24, Twp. and R. aforesaid bears S.37 degrees E. 730 ft., more or less, distant. At this point the waters of the East Fork of Sweetwater Creek, together with the waters of Soldier Meadow Creek, or Webb Creek, that shall be delivered at this point by the above described canal, shall be diverted from the natural channel of the said East Fork of Sweetwater Creek by a concrete dam 15 ft. more or less, in height; 3 ft. more or less, in thickness and 150 ft. more or less in length. The waters of the aforesaid East Fork of Sweetwater Creek, together with the waters of Soldier Meadow Creek, or Webb Creek, that shall be delivered at this point by the above described canal, shall be diverted and conveyed in a canal of the following dimensions, to-wit: top width 13 ft; bottom width 9 ft; depth 3 ft; grade 3.2 ft. per mile for 1.73 miles to the head of a gulch leading into the West Fork of Sweetwater Creek; thence down said gulch in its natural channel to the West Fork of Sweetwater Creek; thence down the

said West Fork of Sweetwater Creek to a point in the S.W.1/4 S.W.1/4 Sec. 14, T. 33 N. R. 4 W. B. M. from whence the S. W. Cor. of said Sec. 14 bears S. 4 degrees W. 540 ft. distant.

At this last named point the waters of the aforesaid West Fork of Sweetwater Creek, together with the waters of Soldier Meadow Creek or Webb Creek and the waters of the East Fork of Sweetwater Creek that shall be delivered at this point by the above described canals and natural water ways, shall be diverted from the natural channel of the said West Fork of Sweetwater Creek by a concrete dam or weir, 15 ft. more or less, in height; 3 ft. more or less in thickness, and 130 ft. more or less in length. The waters of the said Soldier Meadow or Webb Creek, East Fork of Sweetwater Creek and West Fork of Sweetwater Creek shall be diverted and conveyed from the natural channel of the said West Fork of Sweetwater Creek in a canal of the following dimensions, to-wit: Top width 16 ft; bottom width 12 ft; depth 3 ft; grade 3 ft. per mile for a distance of 1.33 miles, to a point at the head of a gulch in the S.E.1/4 N.W.1/4 Sec. 15 T. 33 N. R. 4 W. B. M. thence down said gulch in its natural channel to Waha Lake, from whence said waters flow through numerous underground channels and escape in numerous springs below said Waha Lake. From Lake Waha the waters naturally impounded or thereto conveyed by the canals and natural water ways hereinbefore or hereinafter described as conveying water to said Lake shall be diverted by natural seepage or by tunnels, pipes or flumes or canals, all of which shall flow into Sweetwater Creek and all of which is claimed and diverted together with the waters of Waha Lake as set forth in my application for the appropriation of the waters of the said Sweetwater Creek.

The above described canals and natural waterways pass over the following lands, to-wit:

S.W.1/4 & N.W.1/4 Sec.29; S.W.1/4 & N.W.1/4 Sec.20; S.W.1/4 & N.W.1/4 Sec.17; S.W.1/4 Sec.8; S.E.1/4 & S.W.1/4 Sec. 7; and N.W.1/4 Sec.18, T. 33 N. R. 3, W. B.M. N.E.1/4 & S.W.1/4 Sec.13; S.E.1/4 & S.W.1/4 Sec.14; N.W.1/4 Sec.23; S.E.1/4 & N.E.1/4 & N.W.1/4 Sec. 15 S.E.1/4 & N.E.1/4 Sec.16; S.E.1/4 & S.W. 1/4 & N.W.1/4, Sec.9; S.W.1/4 & N.W.1/4 Sec.4, T.33 N.R.4,W.B.M. S.W.1/4 & N.W.1/4 Sec. 33 and S.E.1/4 & S.W.1/4 Sec. 28, T. 34 N.R.4, W. B.M. to the point in said Section 28

where the waters of Sweetwater Creek are appropriated in my application for the appropriation of said waters; thence to be conveyed and distributed by the same canals, flumes, pipes, ditches, etc. as set forth for the conveyance, distribution and use of the waters of Sweetwater, Mission, Mill and Webb Creeks.

MISSION CREEK.

The point of diversion of Mission Creek shall be at a point on Mission Creek in the N.E.1/4 S.E.1/4, Sec. 27, T.34 N. R. 3 W. B.M. from whence the S.E. corner of said N.E.1/4 S.E.1/4 of said Sec. 27 bears S.75 degrees 45' E. 375 ft. distant. The waters of Mission Creek shall be diverted at this point by a dam or weir 15 ft. more or less, high, or to such height or depth as may be necessary to reach bed rock, 3 ft. more or less, thick, and 170 ft. more or less, in length, said dam or weir to be constructed of concrete. The top of the dam shall be 8 inches higher than the top of the diversion canal. The waters of said Mission Creek shall be diverted from the natural channel of said Mission Creek by a canal of the following dimensions; top width 7.5 ft; bottom width 5 ft; depth 2 ft; grade 5 ft. per mile for a distance of 2.72 miles to a point on Mill Creek practically in the center of the N. E. 1/4 of Sec. 21, T. 34 N. R. 3 W. B.M. and will pass over the following lands, to-wit:

S.E.1/4 & N.E.1/4 Sec. 27; S.E.1/4 & N.E.1/4 & N.W.1/4 Sec. 22; S.W.1/4 & N.W.1/4 Sec. 16; N.E.1/4 & S.E.1/4 Sec. 16, and N.E.1/4 Sec. 21, to the point above designated as being on Mill Creek and practically in the center of the aforesaid N. E. 1/4 of Sec. 21, T.34 N. R. 3 W. thence appropriating the waters of Mill Creek; said waters to be diverted by a dam or weir 15 ft. more or less, high; 3 ft. more or less, thick and 130 ft. more or less, in length, construction of concrete and the top of the dam shall be 8 inches higher than the top of the diversion canal. The waters of said Mill Creek, as above set forth, and the waters of Mission Creek, as aforementioned, shall be diverted and conveyed from the said Mill Creek in a canal of the following dimensions; to-wit: top width 8.5 ft; bottom width 5.5 ft; depth 2 ft; grade 5 ft. per mile for a distance of 6.22 miles to a point on the East side of Webb Creek, also called Soldier Meadow, in the N.W.1/4 of Sec. 19, Twp. and R. aforesaid. Said canal shall pass over the following lands, to-wit:

The N.E.1/4 Sec. 21; S.E.1/4 & N.W.1/4 Sec. 16; N.E.1/4 & N.W.1/4 Sec. 17; S.E.1/4 Sec. 7; N.E.1/4 & N.W.1/4 & S.W.1/4 Sec. 18 and N.W.1/4 Sec. 19; T. 34 N. R. 3 W. B.M. to a point in the N.W.1/4 Sec. 19, Twp. and R. aforesaid, from thence to be conducted to the West side of

Webb Creek in an inverted syphon 2900 ft. more or less in length to a point in the N. E. 1/4 Sec. 24, T. 34 N. R. 4 W. D.M. at which point said waters of Mission Creek and Mill Creek, together with the waters of Webb Creek shall be conveyed in a canal of the following dimensions, to-wit: top width 10 ft; bottom width 7 ft; depth 3.5 ft; grade 4 ft. per mile for a distance of 1.23 miles to a point in the S. E. 1/4 S. E. 1/4 Sec. 14, T. 34 N. R. 4 W. D.M. from whence the cor. to Secs. 13, 14, 23 and 24, Twp. and R. aforesaid bears S. 57 degrees E. 1340 ft. distant. Said canal will pass over the following lands, to-wit: N.E. 1/4 & N.W. 1/4 Sec. 24; S.W. 1/4 Sec. 13; and S. E. 1/4 Sec. 14, thence down a gulch in its natural channel to Packers Gulch; thence down Packer Gulch in its natural channel to a point in the S. E. 1/4 N.W. 1/4 Sec. 15, T. 34 N. R. 4 W., from whence the N. E. cor. of said S. E. 1/4 N. W. 1/4 of said Sec. 15 bears N. 39 degrees East 1050 ft. distant. These waters will flow over the following lands, to-wit: the S. E. 1/4 & S.W. 1/4 Sec. 14; and S. E. 1/4 & N. W. 1/4 Sec. 15. At the aforementioned point in Packer Gulch in the S. E. 1/4 N. W. 1/4 of the said Sec. 15, the above mentioned waters shall be diverted from Packer Gulch by a concrete dam or weir 15 ft. high, more or less; 3 ft. more or less, in thickness; and 40 ft. more or less, in length. The top of the dam shall be 2 inches higher than the top of the diversion canal. The waters above named shall be diverted from the natural channel of Packer Gulch in a canal of the following dimensions, to-wit: top width 10 ft; bottom width 7 ft; depth 3.5 ft; grade 4 ft. per mile for a distance of 1.52 miles to a point on the East side of Sweetwater Creek in the N. E. 1/4 of Sec. 9, Twp. and R. last named; thence by an inverted syphon 3450 ft. more or less in length to a point on the west side of Sweetwater Creek in the N. E. 1/4 Sec. 9, Twp. and R. aforesaid, said point being the point on the canal from Sweetwater Creek where the same is described as being: top width 10 ft; bottom width 12 ft; depth 3.5 ft; grade 3 ft. per mile. From this point the waters of said Mission, Mill and Webb Creeks shall be carried in the last above named canal and distributed and used as set forth in my application for the distribution and use of the waters of Sweetwater Creek.

WEBB CREEK, OTHERWISE CALLED SOLDIER'S MEADOW CREEK.

The point of diversion of the waters of Webb Creek shall be at a point in the N.W. 1/4 S.E. 1/4 Sec. 30, T. 34 N. R. 3 W. B. M. from whence the 1/4 cor. center to the aforesaid Sec. 30 bears N. 53 degrees 45' W. 550 ft. distant more or less. The waters of said Webb Creek shall be diverted from their natural channel by a concrete dam or weir 15 ft. more or less, in height; 3 ft. more or less, in thickness; and 170 ft. more or less, in length. The top of the dam shall be 2 inches higher than the top of the diversion canal.

The waters of said Webb Creek shall be diverted in a canal of the following dimensions, to-wit: top width 7 ft; bottom width 3.5 ft; depth 2 ft; grade 5 ft. per mile for a distance of 3.64 miles to a point in the N.E. 1/4 Sec. 24, T. 34 N. R. 4 W. B. M., said point being the point of discharge of the syphon across Webb Creek, also the point of intersection with the canal described in the application for the waters of Mission and Mill Creeks as being, top width 10 ft; bottom width 7ft; depth 2.5 ft; grade 4 ft. per mile. From this point the waters of Webb Creek shall be conveyed through the canal last above described and distributed and used as set forth for the distribution and use of the waters of Sweetwater, Mission and Mill Creeks. The above described diversion canal for the diversion of the waters of Webb Creek for the distance of 3.64 miles, will pass over the following lands, to-wit: S.E. 1/4 & N. E. 1/4 & N.W. 1/4 Sec. 30, T. 34 N. R. 3 W. B. M. N.E 1/4 Sec. 25 and S.E. 1/4 & N.E. 1/4 Sec. 24, T. 34 N. R. 4 W. B.M.

CAPT. JOHN CREEK.

The point of diversion of Capt. John Creek shall be at a point on the said Capt. John Creek on the line bet. Secs. 1 and 2, T. 32 N. R. 4 W. B.M. 750 ft. more or less, south of the cor. to Secs. 1-2-35 and 36, Twps. 32 and 33 N. R. 4 W. B.M.

The waters of the said Capt. Johns Creek shall be diverted from their natural channel by a concrete dam or weir, 15 ft. more or less, in height; 3 ft. more or less, in thickness, and 200 ft. more or less, in length. The water of said Capt. John Creek shall be diverted and conveyed in a canal of the following dimensions, to-wit: 11331

top width 10.5 ft; bottom width 7 ft; depth 2.5 ft; grade 4 ft; per mile for a distance of 2.93 miles to a point in the S.W. 1/4 S.W. 1/4 Sec. 27, T. 33 N.R. 4 W. B.M. from whence the N. W. cor. of said S.W. 1/4 S.W. 1/4 of said Sec. 27 bears N. 74 degrees W. 500 ft. more or less distant; said point being on or near a certain "saddle" or depression on the divide bet. the waters of Capt. John Creek and Waha Creek, and at the head of a gulch leading into Waha Creek; thence down said gulch in its natural channel to Waha Creek; thence down Waha Creek in its natural channel to Waha Lake; from whence said waters flow through numerous underground channels and escaping in numerous springs below said Waha Lake, all of which flow into Sweetwater Creek and all of which are claimed and diverted, together with the waters of Waha Lake as set forth in my application for the appropriation of the waters of Sweetwater Creek.

The above described canal will pass over the following lands, to-wit: N.E. 1/4 & N.W. 1/4, Sec. 2, T. 32 N. R. 4 W. B.M. S.W. 1/4 & S.E. 1/4 Sec. 35; S.E. 1/4 & N.E. 1/4 & N.W. 1/4 Sec. 34; S.W. 1/4 Sec. 27, T. 33, N. R. 4 W. B.M. and in natural water courses over the following lands; S.W. 1/4 Sec. 27; S.E. 1/4 & N.E. 1/4 Sec. 28; S.E. 1/4 & N.E. 1/4 Sec. 21; S.E. 1/4 & N.E. 1/4 Sec. 16; S.E. 1/4 & S.W. 1/4 & N.W. 1/4 Sec. 9; S.W. 1/4 & N.W. 1/4 Sec. 4; T. 33 N. R. 4 W. B.M. and S.W. 1/4 & N.W. 1/4 Sec. 33; and S.E. 1/4 Sec. 28; T. 34 N. R. 4 W. B.M. to the point in the aforesaid Sec. 28 where the waters of Sweetwater Creek are appropriated, thence to be conveyed by the same canals, flumes, pipe, ditches, etc. and distributed and used in the same manner as set forth for the conveyance, distribution and use of the waters of Sweetwater, Mission, Mill and Webb Creeks.

11331

Application for Permit # 1457
1st Application in Inquisition

Maoria, Miss,
Soldier Meadows
or Orrells Ct
Sweetwater Ok
Capt. John (to.
Mabel Orrell
" Lake

July 7, 1922.

Re: Permit No. 11351- Lewiston-Sweetwater Irrigation Co.

Mr. James E. Rabb,
Attorney at law,
Lewiston, Idaho.

Dear Sir:-

Enclosed you will find water license issued under
the above numbered permit, with receipt for fees paid.

Very truly yours,

W. G. SWENDSEN,

Commissioner of Reclamation.

By

WL-R0061

Chief Clerk.

July 7, 1932.

Re: Permit No. 11331- Lewiston-Sweetwater Irrigation Co.

Mr. James E. Babb,
Attorney at law,
Lewiston, Idaho.

Dear Sir:-

Enclosed you will find water license issued under
the above numbered permit, with receipt for fees paid.

Very truly yours,

W. G. SWENDSEN,

Commissioner of Reclamation.

By

WL-R8061

Chief Clerk.

QUICK
SERVICE

THE

INTERNATIONAL UNION TELEGRAPH CO. NY

INCORPORATED

MONEY TRANSFER SERVICE

LOW
RATES

Form 3300

The following is a MESSAGE OR ORDER TO YOU contained in a money transfer dated _____ for \$ _____

from _____ at _____ paid you herewith: _____

Your letter Janur 28 forward license
permit 11331 Eleven thousand three
hundred thirty one
11331 L. C. I. 10-79
TRANSFER AGENT

JAMES E. BABB.
LAWYER.
WISTON NATIONAL BANK BUILDING.
LEWISTON, IDAHO.

June 30, 1922.

Mr. W.G. Swendsen,
Commissioner of Reclamation.
Boise, Idaho.

Dear Sir.

Lewiston Valley Water Co., *Permit 11331*

This will acknowledge your of the 28th inclosing draft
\$232.00 on First National of Portland. I have wired you this
date \$116.00 in payment for license.

Very truly yours,

James E. Babb

E,

11331

June 28, 1922.

Re: Permit No. 11331.
Lewiston Valley Water Co.

Mr. James E. Babb,
Attorney at law,
Lewiston, Idaho.

Dear Sir:-

The report of our engineer on beneficial use of water under the above permit has just been filed, showing one hundred and sixteen forty-acre tracts under cultivation and irrigation. At the rate of \$1.00 for each forty, the fees amount to only \$116.00 and I am accordingly returning herewith check in the sum of \$232.00, as in excess of the amount required. License will be issued upon receipt of fees as above stated.

Very truly yours,

W. G. SWENDSEN,

Commissioner of Reclamation.

By

Chief Clerk.

Ch#6984

11331

Twp. Range Sec.

Legal Sub

35 N. 5 W.	7	SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$	7
	8	S $\frac{1}{2}$	8
	9	NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$	3
	12	S $\frac{1}{2}$ SW $\frac{1}{4}$	2
	13	NW $\frac{1}{4}$, S $\frac{1}{2}$	12
	14	S $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$	12
	15	All	16
	16	W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, S $\frac{1}{2}$	14
	17	N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$	12
	18	NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$	6
	21	N $\frac{1}{2}$	8
	22	N $\frac{1}{2}$	8
	23	NE $\frac{1}{4}$	4
35 N. 4 W.	18	SW $\frac{1}{4}$	4
			<u>116</u>

REPORT OF ENGINEER

This proof is for Beneficial Use.In Water District No. 81-X

1. State name of applicant and number of permit: Lewiston Valley Water Co. Permit 11331
2. State source of water supply: Lake Waha and tributaries.
3. Location of point of diversion: Whence SE Cor. Sec. 9-33N-4 W., bears S. 49° 35' E.,

1558 ft.

4. Describe works as they exist, giving dimensions and capacities of same: Pump of 11.6 sec. ft. capacity against 125 foot head. Pump operated by motor which draws power from plant situated approx 1 mile from lake. The water pumped is used to generate the power. Water is carried down Sweetwater Creek to Main Canal 10 1/4 miles long and discharging into Reservoir A. From Res A water is conveyed thru a pipe distribution system to lands to be irrigated. Works are completed in accordance with the original plans as filed with the permit.
5. State whether or not water has been turned into works of diversion: Yes. Plant has been in use for 7 years.
6. Give exact location 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): Better see plat at office of Co., (Jas. E. Babb, Atty, Lewiston)

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

8. How many parties conduct water in this system? Lewiston Valley Water Co. Only.

9. Give names and amount of each right: Co. has other rights which will be carried in parts of this system.

10. What large stream would the water here appropriated finally reach? None.

11. Describe the various tributaries en route, from point of diversion to the principal drainage stream: Lake Waha has no natural outlet.

Remarks:

This examination was made on the

9th day ofJune1922

(Signed)

Geo. H. Carter

Examiner.

11331

(This report must be sworn to when not made by an attache of the office.)

STATE OF IDAHO,

ss.

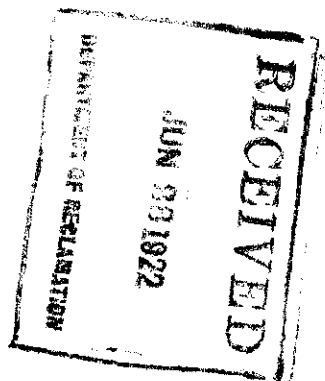
County of _____

_____, 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 _____ day of _____ 19____

My commission expires _____

Notary Public.



Lewiston valley water co.
Lewiston

Permit 11331

Instructions to Examiners

1. Examiners will not be permitted to examine any of the receipts in the office pertaining to this permit. They are to furnish a report of the facts and conditions as they exist, from their own observations and inquiries.
2. Always carefully note the location of the point of diversion, and accurately plat same.
3. Find out how many parties own right in the ditch or canal and give their names and amount of right.
4. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
5. 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.
6. If any unusual conditions are discovered, make a plain statement of them under remarks.
7. 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.

June 7, 1922.

Re: Permit No. 11331-Lewiston Valley Water Co.

Mr. James E. Babb,
Attorney at law,
Lewiston, Idaho.

Dear Sir:-

We are today in receipt of the depositions and affidavit of publication for proof of use of water under the above numbered permit, together with check for fees in the sum of \$232.00. These will be held until the examination can be made by our engineer. Mr. Carter, the assistant commissioner of reclamation, leaves for Lewiston tomorrow and will make this examination while there. He will probably call at the office of the Company for a plat of the lands under cultivation and irrigation.

Very truly yours,

W. G. SWENDSEN,

Commissioner of Reclamation.

By

~~Chief Clerk~~ Re

11331

JAMES E. BABB.
LAWYER.
LEWISTON NATIONAL BANK BUILDING.
LEWISTON, IDAHO.

June 5, 1922.

Mr. W.G. Swendsen,
Commissioner of Reclamation,
Boise, Idaho.

Dear Sir:

Subject: $\frac{1}{4}$ Proof of Beneficial Application
under permit 11331.

This proof certified by the Notary together with the affidavit of publication of notice is going to you under the name of Ewing W. Stephens, Notary, this date registered, and I hand you draft ~~of~~ the Security Savings and Trust Co., of Portland, Ore on First National Bank of Portland, Ore., for \$232.00 the fee for issuance of the water deed, receipt of which please acknowledge and in due course forward me the water deed.

Thanking you for your courtesies and attention in this matter, I am

Very truly yours,

James E. Babb

F.
cc- Blaine B. Coles, Trust Officer, Security Savings & Trust Co.,
Portland, Ore.
Lewiston Valley Water Co., Lewiston, Idaho.

EWING W. STEPHENS
ATTORNEY AT LAW
LEWISTON, IDAHO

June 5, 1922.

W. G. SWERDSETH,
Commissioner of Reclamation,
State House, Boise, Idaho.

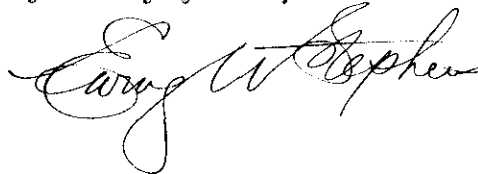
Dear Sir:-

I inclose herewith depositions of David S. Wallace,
K. C. Parker and R. H. Mann together with my certificate
thereon, relating to application of water to beneficial use
under permit 11331, together with affidavit of publication
of notice relating thereto.

Mr. James E. Babb has paid me my fee for the
taking of said deposition.

Very truly yours,

EWS.



Notice of Publication.
 Notice of Proof Application of Water
 To Beneficial Use.

Notice is hereby given that at 9 a. m. on the 5th day of June, 1922, at room 11, Lewiston National Bank building, Lewiston, county of Nez Perce, state of Idaho, before Ewing W. Stephens, notary public, proof will be submitted of the application to beneficial use of ten (10) cubic feet per second of the waters of Lake Waha, and all sources and tributaries, in accordance with the terms and conditions of Permit No. 11331, heretofore issued by the state engineer of the state of Idaho.

The name and postoffice address of the person or corporation holding said permit are Lewiston Valley Water company, an Oregon corporation, whose post office address in Idaho is Lewiston.

The use to which said water is applied is irrigation and domestic purposes.

The amount applied to beneficial use is ten (10) cubic feet per second, for the period of June first to December fifteen.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, sec. 7; NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, sec. 8; SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, sec. 9; SW $\frac{1}{4}$, SW $\frac{1}{4}$, sec. 10; S $\frac{1}{2}$ SW $\frac{1}{4}$, sec. 12; NW $\frac{1}{4}$, SW $\frac{1}{4}$, SE $\frac{1}{4}$, sec. 13; NW $\frac{1}{4}$, SW $\frac{1}{4}$, SE $\frac{1}{4}$, sec. 14; sec. 15; sec. 16; sec. 17; NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, sec. 18; N $\frac{1}{2}$, sec. 21; N $\frac{1}{2}$, sec. 22; sec. 23; twp. 35 N., R. 5 W., B. M.; also, SW $\frac{1}{4}$ sec. 18, Twp. 35 N., R. 4 W., B. M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is known as the system constructed by the Lewiston Valley Water Company.

Affidavit of Publication

STATE OF IDAHO
 County of Nez Perce } ss

I, H. E. O'Donnell do solemnly swear that I am
 the Printer 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 continu-
 ously and uninterruptedly in said county during a period of seventy-eight
 weeks 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 news-
 paper for 4 consecutive weeks, the first publication having been made on
 the 5 day of May 1922, and the last publication on
 the 26 day of May 1922; 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.

H. E. O'Donnell

Subscribed and sworn to before me this 3 day of June 1922

James E. McKeown,
Notary Public

11331

Notice for Publication.

Notice of Proof Application of Water To Beneficial Use.

Notice is hereby given that at 9 a. m. on the 5th day of June, 1922, at room 11, Lewiston National Bank building, Lewiston, county of Nez Perce, state of Idaho, before Ewing W. Stephens, notary public, proof will be submitted of the application to beneficial use of ten (10) cubic feet per second of the waters of Lake Waha, and all sources and tributaries, in accordance with the terms and conditions of Permit No. 11331, heretofore issued by the state engineer of the state of Idaho.

The name and postoffice address of the person or corporation holding said permit are Lewiston Valley Water company, an Oregon corporation, whose post office address in Idaho is Lewiston.

The use to which said water is applied is irrigation and domestic purposes.

The amount applied to beneficial use is ten (10) cubic feet per second, for the period of June first to December fifteen.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, sec. 7; NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, sec. 8; SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, sec. 9; SW $\frac{1}{4}$ SW $\frac{1}{4}$, sec. 10; S $\frac{1}{2}$ SW $\frac{1}{4}$, sec. 12; NW $\frac{1}{4}$, SW $\frac{1}{4}$, SE $\frac{1}{4}$, sec. 13; NW $\frac{1}{4}$, SW $\frac{1}{4}$, SE $\frac{1}{4}$, sec. 14; sec. 15; sec. 16; sec. 17; NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, sec. 18; N $\frac{1}{2}$, sec. 21; N $\frac{1}{2}$, sec. 22; sec. 23; twp. 35 N., R. 5 W., B. M.; also, SW $\frac{1}{4}$ sec. 18, Twp. 35 N., R. 4 W., B. M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is known as the system constructed by the Lewiston-Sweetwater Irrigation company, limited, for supply of Lewiston Orchards, said system now owned by Lewiston Valley Water company.

The right to take water from such works is based on Permit No. 11331.

The source of supply from which such water is diverted is Waha Lake and tributaries.

The date of the priority which said used is prepared to establish is May 26, 1915.

W. G. SWENDSEN,
Commissioner of Reclamation.

Affidavit of Publication

STATE OF IDAHO
County of NezPerce } ss

I, H. E. O'Donnell do solemnly swear that I am the Printer 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 seventy-eight weeks 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 5 day of May 1922, and the last publication on the 26 day of May 1922; 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.

H. E. O'Donnell
Subscribed and sworn to before me this 3 day of June 1922

James E. Kitchener,
Notary Public

11331

Apr. Question 207
Remarks: The water is ~~is~~ lifted from the lake with a pump having a maximum capacity of 5250 G.P.M. against a head of 125 ft. From the pump the water will be discharged into a steel pipe 20" in diameter 1650' long rising to an elevation of 115 ft. From thence the water ~~will be~~ discharged into a steel pipe 15" in diameter 3650' long with a drop of 585.8 ft through a water wheel thence by natural channells of Sweetwater Creek to the head gate on Sweetwater Creek of the plant of the Lewiston Valley Water Company now installed and operating under Permit No. 877, for which certificate of completion of works was issued by the State Engineer on the 22nd Day of October, 1909. Thence through the irrigating system of said Company operating under said Permit No. 877 to the lands described in Exhibit A attached. The water wheel above mentioned ~~will~~ **DOES** operate an electrical generator of 240 KW capacity from whence the electricity ~~will be~~ conducted to an electric motor of 250 HP capacity direct connected to the pump first above described. At the point of diversion an auxiliary pump having a normal capacity of 400 G.P.M. against a head of 150 ft driven by a gasoline engine ~~will~~ fill the pipe between the pump and the water wheel for the purpose of starting the water wheel.

PERMIT NO. 11331

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. David S. Wallace 53 years old, Manager of the Lewiston Valley Water Company - 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. Lewiston Valley Water Company, Portland, Oregon
I am manager of the Irrigation Plant.

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

Ans. Number 11331 - approved June 19, 1915.

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

Ans. Pumped out of the north end of Lake Waha described as follows

The S.E. corner of section 9 township 33 N Range 4 W.B.M. bears S 49° 35' E 1558.1 ft

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. Pumps, pipe lines and hydro-electric power plant for furnishing the power for pumping. Old plant 10 second feet, new plant 20 second feet. Sweetwater Creek, Sweetwater canal and Sweetwater Flume of Lewiston Valley Water. Particularly described in application for Permit No 11331

Ques. 6. State for what purpost 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 cultivate 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. Cultivated land, trees berries and other crops. Land subdivided into small acreage intensively cultivated. Place of use of water shown on exhibit A attached hereto.

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

Ans. The domestic use is for lawns, houses, and domestic animals. refer to remarks attached hereto.

Ques. 8. What is the minimum amount of water required for the specified above?

Ans. one acre foot, but some claim as high as 1 1/2 acre feet.

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. Purchased from Security Savings and Trust Co which purchased same at foreclosure sale in District Court Nez Perce County, Idaho.

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. Each year including 1915. Pumped from Lake Waha, 1915-800 Acrefeet
1916-1184 acre feet, 1917-2070 acre feet, 1918-2630 acre feet, 1919-2606
acre feet, 1920-2010 acre feet, 1921- 2668 acre feet and all sent
through the system to use upon land and for domestic use.

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 right claimed thereunder.

Ans. Water from Sweetwater Creek and tributaries as shown in proof of
beneficial use of water under Permit No. 877. Aggregating including water
described in answer No 10 above
1917-7483.1 Acre feet, 1918- 6966.8 acre feet, 1919- 5625.32 acre feet,
1920-7415.97 acre feet, 1921- 8214.3 acre feet, 1915-5181.95 acre feet,
1916-6001.5 acre feet. All which water went to & upon the land except what
was lost in the system. (Sign) *David Wallace*

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 *5th* day of *June* A. D. 19*22*

Carroll Stephens
Notary Public in and for the State of
Idaho residing at Lewiston therein

My Commission expires 3/9/25

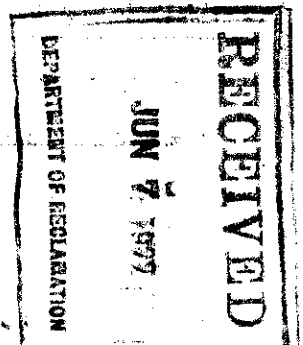


EXHIBIT A J.S. WALLACE, QUEST N 6

LEWISTON VALLEY WATER COMPANY
LEGAL DESCRIPTION OF LAND UNDER WATER AT PRESENT DATE, EXCEPTING
THAT BLOCKS 146, 147, FULL ACREAGE OF BLOCKS HAVE BEEN USED
.....

S.W.-1/4- Sec 18 Tp 35 N. Range 4 W.B.M. containing blocks 115, 116, 117, 118 of Lewiston Orchard Tracts platted and containing under water 158.54 acres.

The S.E.1/4, the S.W. 1/4, and the N.W. 1/4 of section 13 Tp 35 N Range 5 W.B.M. containing blocks 107, 108, 109, 110, 111, 112, 113, 114, 119, 120, 121, 122, 123, 124, 125, of Lewiston Orchard Tracts platted and containing under water 478.39 acres.

The N.E. 1/4 of section 23 Tp 35 N. Range 5 W.B.M. containing blocks 103, 104, 105, 106 of Lewiston Orchard Tracts platted and containing under water 163.06 acres.

The S 1/2 of section 14 Tp 35 N Range 5 W.B.M. containing blocks 87, 88, 89, 90, 91, 92, 101, 102 of Lewiston Orchard Tracts platted and containing under water 309.07 acres.

That portion of the N 1/2 of section 14 Tp 35 N Range 5 W.B.M. contained in blocks 97, 98, 99, 100 of Lewiston Orchard Tracts platted and containing under water 86.75 acres.

All of section 15 Tp 35 N. Range 5 W.B.M. (excepting acres in the N.E. 1/4 of said section) containing blocks 49, 50, 51, 52, 59, 60, 69, 70, 71, 72, 83, 84, 85, 86, 93, 94, 95, 96 of Lewiston Orchard Tracts platted and containing under water 599.59 acres.

All of section 16 Tp 35 N. Range 5 W.B.M. (except the E 1/2 of the N.E. 1/4 of said section 16) containing blocks 5, 6, 15, 16, 41, 42, 43, 44, 45, 46, 47, 48, 146, 147, in Lewiston Orchard Tracts platted and containing under water 562.63 acres.

The N.E. 1/4, the N.W. 1/4, the N 1/2 of the S.E.1/4, and the N 1/2 of the S.W.1/4 of section 17 Tp 35 N. Range 5 W.B.M. containing blocks 7, 8, 9, 10, 11, 12, 13, 14, 37, 40, 79, 80 of Lewiston Orchard Tracts platted and containing under water 486.44 acres.

The N.E. 1/4, and the N 1/2 of the S.E. 1/4 of section 18 Tp 35 N. Range 5 W.B.M. containing blocks 25, 26, 27, 28, 29, 32 of Lewiston Orchard Tracts and containing under water 237.64 acres.

The S 1/2 of section 8 Tp 35 N. Range 5 W.B.M. containing blocks 1, 2, 3, 4, 17, 18, 23, 24, in Lewiston Orchard Tracts platted and containing under water 323.75 acres.

30.87 acres under water in the S.W. 1/4 of section 9 Tp 35 N Range 5 W.B.M., containing lot 7 block 153, Lots 3, 4, 7, block 154, and lots 5, 6, block 155 of Lewiston Orchard Tracts, platted.

The N 1/2 of section 21 Tp 35 N Range 5 W.B.M. containing blocks 53, 54, 55, 56, 57, 58 of Lewiston Orchard Tracts platted and containing under water 320.37 acres.

The N 1/2 of section 22 Tp 35 N Range 5 W.B.M. containing blocks 61, 62, 63, 64, 65, 66, 67, 68 of Lewiston Orchard Tracts platted and containing under water 311.57 acres plus area in lots 1, 2, 3, 4 block 64.

60.48 under water in the S.W. 1/4 and the N.W. 1/4 of section 12 Tp 35 N Range 5 W.B.M. containing blocks 126, 127 of Lewiston Orchard Tracts, platted.

The S.E. 1/4 of section 7 Tp 35 N Range 5 W.B.M. containing blocks 19, 20, 21, 22 of Lewiston Orchard Tracts platted and containing under water 155.77 acres.

The N.W. 1/4 of the S.W. 1/4 of section 7 Tp 35 N Range 5 W.B.M.
 containing blocks 128, 129 of Lewiston Orchard Tracts platted and
 containing under water 37.78 acres.

LEWISTON VINEYARD TRACTS PLATTED.

LOT	BLK	ACRES
1	2	1.00
3	2	1.00
2	3	1.00
3	3	1.00
3	4	1.00
4	4	1.00
5	4	1.00
2	7	1.00
5	7	1.00
6	7	1.00
9	7	1.00
10	7	1.00
3	8	1.02
6	10	1.19
2	11	1.56
1	12	1.142
3	13	1.21
4	22	1.12

Total..... 19.228 under water.

All being in section 7 Tp 35 N Range 5 W.B.M.

Total acreage under water 4,361.92

Land included in above description which has no water right: Lots 6, 8 Block 147; Lots 3, 4 block 148; lot 4 block 41; lots 5, 8 block 37. The above had water rights at one time but have been cancelled.

Pumping began at Waha on Nov 7, 1918, water reached land in orchards on Nov 2 , 1918.

Pumping at Lake Waha during the winter of 1918, 1919 began on Jan 26, 1919 at 5 P.M. and ended Feb 6, 1919 at 4 A.M.

If pumping plant at Lake Waha is doubled we will be taking 20 second feet instead of 10 second feet.

CERTIFICATE OF NOTARY TO DEPOSITION.

STATE OF IDAHO,)
)
County of Nez Perce.)

I, EWING W. STEPHENS, a Notary Public in and for the State of Idaho, residing at Lewiston, Nez Perce County, therein do hereby certify, that pursuant to Notice of Proof of Application of water to beneficial use, published in Lewiston Banner four consecutive weeks, as more particularly shown by affidavit of publication of H. E. O'Donnell, which said notice provided that proof would be submitted before me of the application to beneficial use of 10 cubic feet per second in accordance with the terms and conditions of permit No. 11331 issued by the state engineer of the state of Idaho, that I did on the 5th day of June, 1922, at 9 o'clock A. M. of said date take the deposition of David S Wallace, and that

1. deponent was sworn according to law.
2. that said deposition was written under direction of deponent and read by deponent before he subscribed his name thereunto.
3. That no adverse parties attended at the time of taking said deposition.
4. That said deposition was taken between the hours of 9 A. M. and 11 A. M. June 5, 1922; that deponent signed the same in my presence; that I am well and personally acquainted with deponent and that he is the person he represents himself to be and that said testimony was subscribed and sworn to before me at my office in Room 11 Lewiston National Bank Building, Lewiston, Idaho on the 5th day of June, 1922.

(SEAL)

Ewing W. Stephens
Notary Public in and for the
State of Idaho, residing at
Lewiston, therein.

My commission expires March 9, 1925.

Ans (4) The water is lifted from the lake with a pump having a maximum capacity of 5250 G.P.M. against a head of 125 ft. From the pump the water is discharged into a steel pipe 20" in diameter 1650' long rising to an elevation of 115 ft. From thence the water is discharged into a steel pipe 15" in diameter 3650' long with a drop of 585.8 Ft through a water wheel thence by natural channels of Sweetwater Creek to the headgate on Sweetwater Creek of the plant of the Lewiston Valley Water Company now installed and operating under permit No. 877, for which certificate of completion of works was issued by the State Engineer on the 22nd day of October 1909. Thence through the irrigating system of said Company operating under said permit No 877 to the land described in ~~EXHIBIT A~~ **ATTACHED**. The water wheel above mentioned is of 400 H.P. capacity and operates an electric generator of 240 K.W. capacity from whence the electricity is conducted to an electric motor of 250 H.P capacity direct connected to the pump first above described. At the point of diversion an auxiliary pump having a normal capacity of 400 G.P.M. against a head of 150 ft. driven by a gasoline engine fills the pipe between the pump and the water wheel for the purpose of starting the water wheel.

Form 17 The position of two witnesses, on this form, to be separate. entered in each case

Permit No. 11331

Proof of Application of Water to Beneficial Use

DEPOSITION OF WITNESS

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

Ans. K.C. Parker, 34, Lewiston Orchards, Lewiston, Idaho, Bookkeeper
and orchardist, Lewiston Orchards, Lewiston, Idaho.
D.S. Wallace, Manager.

Ques. 2. Are you acquainted with Lewiston Valley Water Co., the holder of Permit No. 11331? How long have you known him and where does he reside?

Ans. I am acquainted with the Lewiston Valley Water Co., D.S. Wallace Manager, 9 years, Lewiston Orchards, Lewiston Idaho.

Ques. 3. Have you read or heard read said Permit No. 11331 and are you familiar with its provisions and conditions?

Ans. I have read said permit and am familiar with its provisions.

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. Lake Waha. The point of diversion is a point from whence the S.E. corner of section 9 Township 33 N., Range 4 W.B.M. bears S 49° 35' E 1558.1 ft.

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. Ten (10) second feet

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each subdivision 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 improvements which have been made as a direct result of said use.

Ans. Irrigation and domestic use, Lewiston Orchards
(as described in exhibit A.) Cultivated land, berries, trees, land subdivided into small acreage intensively cultivated. The application of water on these lands has brought about the establishment of homes, schools, churches, various packing industries.

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

Ans. Power is developed to pump the water from the Lake, See slip attached to question 4.

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. Land was tilled before irrigation, mostly in grain raising.
Not less than one acre foot, some think one and one half acre feet
not to little.

11331

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

Ans. I own 2.30 acres in Lewiston Orchards which is under water.

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. 1920-2070 acre feet- 1921-2668 acre feet, pumped from Lake Waha.

I have had access to records and lived on the Orchards during this time and witnessed the beneficial use of the water.

(Sign)

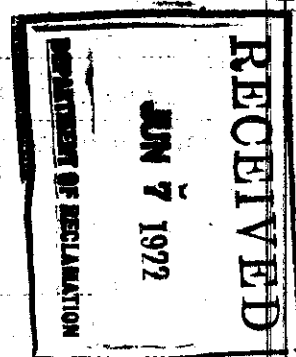
W. C. Parker

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 5th day of June, A. D. 1922.

Carson Stephens
Notary Public.

My commission expires 3/5/25

113.31



Check "P" N.C. Books

LEWISTON VALLEY WATER COMPANY
LEGAL DESCRIPTION OF LAND UNDER WATER AT PRESENT DATE, EXCEPTING
THAT BLOCKS 146, 147, FULL ACREAGE OF BLOCKS HAVE BEEN USED

S.W.-1/4- Sec 18 Tp 35 N. Range 4 W.B.M. containing blocks 116, 116, 117, 118 of Lewiston Orchard Tracts platted and containing under water 158.54 acres.

The S.E.1/4, the S.W. 1/4, and the N.W. 1/4 of section 13 Tp 35 N Range 5 W.B.M. containing blocks 107, 108, 109, 110, 111, 112, 113, 114, 119, 120, 121, 122, 123, 124, 125, of Lewiston Orchard Tracts platted and containing under water 478.39 acres.

The N.E. 1/4 of section 23 Tp 35 N. Range 5 W.B.M. containing blocks 103, 104, 105, 106 of Lewiston Orchard Tracts platted and containing under water 163.06 acres.

The S 1/2 of section 14 Tp 35 N Range 5 W.B.M. containing blocks 87, 88, 89, 90, 91, 92, 101, 102 of Lewiston Orchard Tracts platted and containing under water 309.07 acres.

That portion of the N 1/2 of section 14 Tp 35 N Range 5 W.B.M. contained in blocks 97, 98, 99, 100 of Lewiston Orchard Tracts platted and containing under water 86.75 acres.

All of section 15 Tp 35 N. Range 5 W.B.M. (excepting _____ acres in the N.E. 1/4 of said section) containing blocks 49, 50, 51, 52, 59, 60, 69, 70, 71, 72, 83, 84, 85, 86, 93, 94, 95, 96 of Lewiston Orchard Tracts platted and containing under water 599.59 acres.

All of section 16 Tp 35 N. Range 5 W.B.M. (except the E 1/2 of the N.E. 1/4 of said section 16) containing blocks 3, 5, 15, 16, 41, 42, 43, 44, 45, 46, 47, 48, 146, 147, in Lewiston Orchards Tracts platted and containing under water 582.63 acres.

The N.E. 1/4, the N.W. 1/4, the N 1/2 of the S.E.1/4, and the N 1/2 of the S.W.1/4 of section 17 Tp 35 N. Range 5 W.B.M. containing blocks 7, 8, 9, 10, 11, 12, 13, 14, 37, 40, 79, 80 of Lewiston Orchard Tracts platted and containing under water 486.44 acres.

The N.E. 1/4, and the N 1/2 of the S.E. 1/4 of section 18 Tp 35 N. Range 5 W.B.M. containing blocks 25, 26, 27, 28, 29, 32 of Lewiston Orchard Tracts and containing under water 237.64 acres.

The S 1/2 of section 8 Tp 35 N. Range 5 W.B.M. containing blocks 1, 2, 3, 4, 17, 18, 23, 24, in Lewiston Orchard Tracts platted and containing under water 323.75 acres.

30.87 acres under water in the S.W. 1/4 of section 9 Tp 35 N Range 5 W.B.M., containing lot 7 block 153, Lots 3, 4, 7, block 154, and lots 5, 6, block 155 of Lewiston Orchard Tracts, platted.

The N 1/2 of section 21 Tp 35 N Range 5 W.B.M. containing blocks 53, 54, 55, 56, 57, 58 of Lewiston Orchard Tracts platted and containing under water 320.37 acres.

The N 1/2 of section 22 Tp 35 N Range 5 W.B.M. containing blocks 61, 62, 63, 64, 65, 66, 67, 68 of Lewiston Orchard Tracts platted and containing under water 311.57 acres plus area in lots 1, 2, 3, 4 block 64.

80.48 under water in the S.W. 1/4 and the N.W. 1/4 of section 12 Tp 35 N Range 5 W.B.M. containing blocks 126, 127 of Lewiston Orchard Tracts, platted.

The S.E. 1/4 of section 7 Tp 35 N Range 5 W.B.M. containing blocks 19, 20, 21, 22 of Lewiston Orchard Tracts platted and containing under water 155.77 acres.

The N.W. 1/4 of the S.W. 1/4 of section 7 Tp 35 N Range 5 W.B.M.
containing blocks 128, 129 of Lewiston Orchard Tracts platted and
containing under water 37.78 acres.

LEWISTON VINEYARD TRACTS PLATTED.		
LOT	BLK	ACRES
1	2	1.00
3	2	1.00
2	3	1.00
3	3	1.00
3	4	1.00
4	4	1.00
5	4	1.00
2	7	1.00
5	7	1.00
6	7	1.00
9	7	1.00
10	7	1.00
3	8	1.02
5	10	1.19
2	11	1.56
1	12	1.12
3	13	1.21
4	22	1.12
Total.....		19.222 under water.

All being in section 7 Tp 35 N Range 5 W.B.M.

Total acreage under water 4,361.92

Land included in above description which has no water right: Lots 6, 8 Block 147; Lots 3, 4 block 148; lot 4 block 41; lots 5, 6 block 37. The above had water rights at one time but have been cancelled.

Pumping began at Waha on Nov 7, 1915, water reached land in orchards on Nov 2 , 1915.

Pumping at Lake Waha during the winter of 1918, 1919 began on Jan 26, 1919 at 5 P.M. and ended Feb 8, 1919 at 4 A.M.

If pumping plant at Lake Waha is doubled we will be taking 20 second feet instead of 10 second feet.

CERTIFICATE OF NOTARY TO DEPOSITION.

STATE OF IDAHO, }
County of Nez Perce.)

I, EWING W. STEPHENS, a Notary Public in and for the State of Idaho, residing at Lewiston, Nez Perce County, therein do hereby certify, that pursuant to Notice of Proof of Application of water to beneficial use, published in Lewiston Banner four consecutive weeks, as more particularly shown by affidavit of publication of H. E. O'Donnell, which said notice provided that proof would be submitted before me of the application to beneficial use of 10 cubic feet per second in accordance with the terms and conditions of permit No. 11331 issued by the state engineer of the state of Idaho, that I did on the 5th day of June, 1922, at 9 o'clock A. M. of said date take the deposition of H. C. Parker, and that

1. deponent was sworn according to law.
2. that said deposition was written under direction of deponent and read by deponent before he subscribed his name thereunto.
3. That no adverse parties attended at the time of taking said deposition.
4. That said deposition was taken between the hours of 9 A. M. and 11 A. M. June 5, 1922; that deponent signed the same in my presence; that I am well and personally acquainted with deponent and that he is the person he represents himself to be and that said testimony was subscribed and sworn to before me at my office in Room 11 Lewiston National Bank Building, Lewiston, Idaho on the 5th day of June, 1922.

Ewing W. Stephens
Notary Public in and for the
State of Idaho, residing at
Lewiston, therein.

(SEAL)

My commission expires March 9, 1925.

Remarks: The water is ~~to be~~ lifted from the lake with a pump having a maximum capacity of 5250 G.P.M. against a head of 125 ft. From the pump the water ~~will be~~ discharged into a steel pipe 20" in diameter, 1650' long rising to an elevation of 115 ft. From thence the water ~~will be~~ discharged into a steel pipe 15" in diameter 3650' long with a drop of 585.8 ft through a water wheel thence by natural channells of Sweetwater Creek to the head gate on Sweetwater Creek of the plant of the Lewiston VALLEY IRRIGATION Company now installed and operating under Permit No. 877, for which certificate of completion of works was issued by the State Engineer on the 22nd Day of October, 1909. Thence through the irrigating system of said Company operating under said Permit No. 877 to the lands described in ~~the attached~~ The water wheel above mentioned ~~will~~ DOES operate an electrical generator of 240 KW capacity from whence the electricity ~~will be~~ conducted to an electric motor of 250 HP capacity direct connected to the pump first above described. At the point of diversion an auliliary pump having a normal capacity of 400 G.P.M. against a head of 150 ft driven by a gasoline engine ~~will be~~ ^{will be} the pipe between the pump and the water wheel for the purpose of starting the water wheel.

Permit No. 11331

Proof of Application of Water to Beneficial Use

DEPOSITION OF WITNESS

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

Ans. R.H. Mann- 32- Lewiston Orchards, Lewiston, Idaho. Superintendent
Lewiston Valley Water Co.

D.S. Wallace, Manager of

Ques. 2. Are you acquainted with Lewiston Valley Water Company, the holder of Permit No. 11331? How long have you known him and where does he reside?

Ans. I am acquainted with The Lewiston Valley Water Company.
D.S. Wallace, Manager- 3 years, Lewiston, Idaho

Ques. 3. Have you read or heard read said Permit No. 11331, and are you familiar with its provisions and conditions?

Ans. I have read said permit and am familiar with its provisions

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. Lake Waha, The point of diversion is a point from whence the SE corner of section 9, township 33 N., Range 4 W.B.M. bears S 49° 35' E 1558.1 ft.

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. Ten (10) second feet

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each subdivision 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 improvements which have been made as a direct result of said use.

Ans. Irrigation and domestic use, Lewiston Orchards, As described in Exhibit A. Cultivated land, berries, trees, land subdivided into small acreage intensively cultivated. The application of water on these lands has brought about the establishment of homes, schools, churches, & various packing industries.

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

Ans. Power is developed to pump the water from the Lake, See slip attached to question 4.

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. Land was tilled before irrigation, mostly in grain raising.
Not less than 1 1/2 acre feet.

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. As Superintendent of plant have seen the following amounts of water pumped from Lake Waha, and used for irrigation and domestic purposes: 1915-800 Acft, 1916-1184 Acft, 1917-2070 Acft, 1918-2630 Acft, 1919-2606 Acft, 1920-2070 Acft, 1921-2668 Acft.

(Sign)

R. H. Mann

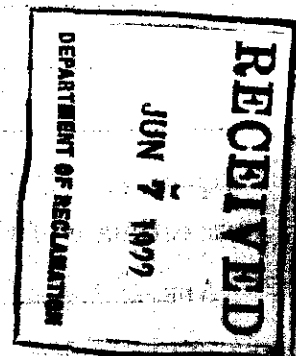
I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in *Lewiston*, County of *Nez Perce*, State of Idaho, on this *5th* day of *June*, A. D. 19*22*

Ernest Stephens
Notary Public.

My commission expires

3/9/25

11331



LEWISTON VALLEY WATER COMPANY

LEGAL DESCRIPTION OF LAND UNDER WATER AT PRESENT DATE, EXCEPTING
THAT BLOCKS 146, 147, FULL ACREAGE OF BLOCKS HAVE BEEN USED

S.W.-1/4- Sec 18 Tp 35 N. Range 4 W.B.M. containing blocks 115, 116,
117, 118 of Lewiston Orchard Tracts platted and containing under water
158.54 acres.

The S.E.1/4, the S.W. 1/4, and the N.W. 1/4 of section 13 Tp 35 N Range
5 W.B.M. containing blocks 107, 108, 109, 110, 111, 112, 113, 114, 119,
120, 121, 122, 123, 124, 125, of Lewiston Orchard Tracts platted and
containing under water 478.39 acres.

The N.E. 1/4 of section 23 Tp 35 N. Range 5 W.B.M. containing blocks
103, 104, 105, 106 of Lewiston Orchard Tracts platted and containing
under water 163.06 acres.

The S 1/2 of section 14 Tp 35 N Range 5 W.B.M. containing blocks 87,
88, 89, 90, 91, 92, 101, 102 of Lewiston Orchard Tracts platted and
containing under water 309.07 acres.

That portion of the N 1/2 of section 14 Tp 35 N Range 5 W.B.M.
contained in blocks 97, 98, 99, 100 of Lewiston Orchard Tracts platted
and containing under water 86.75 acres.

All of section 15 Tp 35 N. Range 5 W.B.M. (excepting acres in the
N.E. 1/4 of said section) containing blocks 49, 50, 51, 52, 59, 60, 69,
70, 71, 72, 83, 84, 85, 86, 93, 94, 95, 96 of Lewiston Orchard Tracts
platted and containing under water 599.59 acres.

All of section 16 Tp 35 N. Range 5 W.B.M. (except the E 1/2 of the N.E.
1/4 of said section 16) containing blocks 5, 6, 15, 16, 41, 42, 43, 44,
45, 46, 47, 48, 146, 147, in Lewiston Orchards Tracts platted and
containing under water 582.63 acres.

The N.E. 1/4, the N.W. 1/4, the N 1/2 of the S.E.1/4, and the N 1/2
of the S.W.1/4 of section 17 Tp 35 N. Range 5 W.B.M. containing blocks
7, 8, 9, 10, 11, 12, 13, 14, 37, 40, 79, 80 of Lewiston Orchard Tracts
platted and containing under water 486.44 acres.

The N.E. 1/4, and the N 1/2 of the S.E. 1/4 of section 18 Tp 35 N. Range
5 W.B.M. containing blocks 25, 26, 27, 28, 29, 32 of Lewiston Orchard
Tracts and containing under water 237.64 acres.

The S 1/2 of section 8 Tp 35 N. Range 5 W.B.M. containing blocks 1, 2,
3, 4, 17, 18, 23, 24, in Lewiston Orchard Tracts platted and containing
under water 323.75 acres.

30.87 acres under water in the S.W. 1/4 of section 9 Tp 35 N Range
5 W.B.M., containing lot 7 block 153, Lots 3, 4, 7, block 154, and lots
5, 6, block 155 of Lewiston Orchard Tracts, platted.

The N 1/2 of section 21 Tp 35 N Range 5 W.B.M. containing blocks 53, 54,
55, 56, 57, 58 of Lewiston Orchard Tracts platted and containing under
water 320.39 acres.

The N 1/2 of section 22 Tp 35 N Range 5 W.B.M. containing blocks 61, 62,
63, 64, 65, 66, 67, 68 of Lewiston Orchard Tracts platted and contain-
ing under water 311.57 acres plus area in lots 1, 2, 3, 4 block 64.

80.48 under water in the S.W. 1/4 and the N.W. 1/4 of section 12 Tp 35
N Range 5 W.B.M. containing blocks 126, 127 of Lewiston Orchard Tracts,
platted.

The S.E. 1/4 of section 7 Tp 35 N Range 5 W.B.M. containing blocks 19,
20, 21, 22 of Lewiston Orchard Tracts platted and containing under water
155.77 acres.

The N.W. 1/4 of the S.W. 1/4 of section 7 Tp 35 N Range 5 W.E.W.
containing blocks 128, 129 of Lewiston Orchard Tracts platted and
containing under water 37.78 acres.

LEWISTON VINEYARD TRACTS PLATTED.		
LOT	BLK	ACRES
1	2	1.00
3	2	1.00
2	3	1.00
3	3	1.00
3	4	1.00
4	4	1.00
5	4	1.00
2	7	1.00
5	7	1.00
6	7	1.00
9	7	1.00
10	7	1.00
3	8	1.02
5	10	1.19
2	11	1.56
1	12	1.12
3	13	1.21
4	22	1.12
Total.....		19.222 under water.

All being in section 7 Tp 35 N Range 5 W.E.W.

Total acreage under water 4,361.92

Land included in above description which has no water right: Lots 6, 8 Block 147; Lots 3, 4 block 148; lot 4 block 41; lots 5, 6 block 37. The above had water rights at one time but have been cancelled.

Pumping began at Waha on Nov 7, 1915, water reached land in orchards on Nov 2 , 1915.

Pumping at Lake Waha during the winter of 1918, 1919 began on Jan 26, 1919 at 5 P.M. and ended Feb 6, 1919 at 4 A.M.

If pumping plant at Lake Waha is doubled we will be taking 20 second feet instead of 10 second feet.

CERTIFICATE OF NOTARY TO DEPOSITION.

STATE OF IDAHO,)
County of Nez Perce.)

I, EWING W. STEPHENS, a Notary Public in and for the State of Idaho, residing at Lewiston, Nez Perce County, therein do hereby certify, that pursuant to Notice of Proof of Application of water to beneficial use, published in Lewiston Banner four consecutive weeks, as more particularly shown by affidavit of publication of H. E. O'Donnell, which said notice provided that proof would be submitted before me of the application to beneficial use of 10 cubic feet per second in accordance with the terms and conditions of permit No. 11331 issued by the state engineer of the state of Idaho, that I did on the 5th day of June, 1922, at 9 o'clock A. M. of said date take the deposition of P. A. Mann, and that

1. deponent was sworn according to law.
2. that said deposition was written under direction of deponent and read by deponent before he subscribed his name thereunto.
3. That no adverse parties attended at the time of taking said deposition.
4. That said deposition was taken between the hours of 9 A. M. and 11 A. M. June 5, 1922; that deponent signed the same in my presence; that I am well and personally acquainted with deponent and that he is the person he represents himself to be and that said testimony was subscribed and sworn to before me at my office in Room 11 Lewiston National Bank Building, Lewiston, Idaho on the 5th day of June, 1922.

Ewing W. Stephens
Notary Public in and for the
State of Idaho, residing at
Lewiston, therein.

(SEAL)

My commission expires March 9, 1925.

CLASS OF SERVICE DESIRED	
Telegram	☐
Day Letter	☐
Night Message	☐
Night Letter	☐
Patrons should mark an X opposite the class of service desired; OTHERWISE THE MESSAGE WILL BE TRANSMITTED AS A FULL-RATE TELEGRAM	

WESTERN UNION TELEGRAM

NEWCOMB CARLTON, PRESIDENT

GEORGE W. E. ATKINS, FIRST VICE-PRESIDENT

Receiver's No.
Check
Time Filled

Send the following message, subject to the terms
on back hereof, which are hereby agreed to

Boise, Idaho, May 24, 1922.

19

To Mr. James E. Babb,

Street and No. _____

Place Lewiston, Idaho.

Proof blanks mailed yesterday Permit eleven thousand three thirty one.

W. G. SWENDSEN,

Commissioner of Reclamation.

Chge. Dept. Reclamation

State House.

11331

SENDER'S ADDRESS
FOR ANSWER

SENDER'S TELE-
PHONE NUMBER

ALL MESSAGES TAKEN BY THIS COMPANY ARE SUBJECT TO THE FOLLOWING TERMS:

To guard against mistakes or delays, the sender of a message should order it REPEATED, that is, telegraphed back to the originating office for comparison. For this, one-half the unrepeated message rate is charged in addition. Unless otherwise indicated on its face, THIS IS AN UNREPEATED MESSAGE AND PAID FOR AS SUCH, in consideration whereof it is agreed between the sender of the message and this Company as follows:

1. The Company shall not be liable for mistakes or delays in the transmission or delivery, or for non-delivery, of any UNREPEATED message, beyond the amount received for sending the same; nor for mistakes or delays in the transmission or delivery, or for non-delivery, of any REPEATED message, beyond fifty times the sum received for sending the same, unless specially valued; nor in any case for delays arising from unavoidable interruption in the working of its lines; or for errors in cipher or obscure messages.

2. In any event the Company shall not be liable for damages for any mistakes or delays in the transmission or delivery, or for the non-delivery, of this message, whether caused by the negligence of its servants or otherwise, beyond the sum of FIFTY DOLLARS, at which amount this message is hereby valued, unless a greater value is stated in writing hereon at the time the message is offered to the Company for transmission, and an additional sum paid or agreed to be paid based on such value equal to one-tenth of one per cent. thereof.

3. The Company is hereby made the agent of the sender, without liability, to forward this message over the lines of any other Company when necessary to reach its destination.

4. Messages will be delivered free within one-half mile of the Company's office in towns of 5,000 population or less, and within one mile of such office in other cities or towns. Beyond these limits the Company does not undertake to make delivery, but will, without liability, at the sender's request, as his agent and at his expense, endeavor to contract for him for such delivery at a reasonable price.

5. No responsibility attaches to this Company concerning messages until the same are accepted at one of its transmitting offices; and if a message is sent to such office by one of the Company's messengers, he acts for that purpose as the agent of the sender.

6. The Company will not be liable for damages or statutory penalties in any case where the claim is not presented in writing within sixty days after the message is filed with the Company for transmission.

7. Special terms governing the transmission of messages under the classes of messages enumerated below shall apply to messages in each of such respective classes in addition to all foregoing terms.

8. No employee of the Company is authorized to vary the foregoing.

THE WESTERN UNION TELEGRAPH COMPANY

INCORPORATED
NEWCOMB CARLTON, PRESIDENT

CLASSES OF SERVICE

TELEGRAMS

A full-rate expedited service.

NIGHT MESSAGES

Accepted up to 2.00 A.M. at reduced rates to be sent during the night and delivered not earlier than the morning of the ensuing business day.

DAY LETTERS

A deferred day service at rates lower than the standard telegram rates as follows: One and one-half times the standard Night Letter rate for the transmission of 50 words or less and one-fifth of the initial rates for each additional 10 words or less.

SPECIAL TERMS APPLYING TO DAY LETTERS:

In further consideration of the reduced rate for this special "Day Letter" service, the following special terms in addition to those enumerated above are hereby agreed to:

A. Day Letters may be forwarded by the Telegraph Company as a deferred service and the transmission and delivery of such Day Letters is, in all respects, subordinate to the priority of transmission and delivery of regular telegrams.

B. Day Letters shall be written in plain English. Code language is not permissible.

C. This Day Letter may be delivered by the Telegraph Company by telephoning the same to the addressee, and such delivery shall be a complete discharge of the obligation of the Telegraph Company to deliver.

D. This Day Letter is received subject to the express understanding and agreement that the Company does not undertake that a Day

Letter shall be delivered on the day of its date absolutely and at all events; but that the Company's obligation in this respect is subject to the condition that there shall remain sufficient time for the transmission and delivery of such Day Letter on the day of its date during regular office hours, subject to the priority of the transmission of regular telegrams under the conditions named above.

No employee of the Company is authorized to vary the foregoing.

NIGHT LETTERS

Accepted up to 2.00 A.M. for delivery on the morning of the ensuing business day, at rates still lower than standard night message rates, as follows: The standard telegram rate for 10 words shall be charged for the transmission of 50 words or less, and one-fifth of such standard telegram rate for 10 words shall be charged for each additional 10 words or less.

SPECIAL TERMS APPLYING TO NIGHT LETTERS:

In further consideration of the reduced rate for this special "Night Letter" service, the following special terms in addition to those enumerated above are hereby agreed to:

A. Night Letters may at the option of the Telegraph Company be mailed at destination to the addressees, and the Company shall be deemed to have discharged its obligation in such cases with respect to delivery by mailing such Night Letters at destination, postage prepaid.

B. Night Letters shall be written in plain English. Code language is not permissible.

No employee of the Company is authorized to vary the foregoing.

CLASS OF SERVICE	SYMBOL
Telegram	
Day Letter	Blue
Night Message	Nite
Night Letter	N L

If none of these three symbols appears after the check (number of words) this is a telegram. Otherwise its character is indicated by the symbol appearing after the check.

WESTERN UNION TELEGRAM

NEWCOMB CARLTON, PRESIDENT

GEORGE W. E. ATKINS, FIRST VICE-PRESIDENT

CLASS OF SERVICE	SYMBOL
Telegram	
Day Letter	Blue
Night Message	Nite
Night Letter	N L

If none of these three symbols appears after the check (number of words) this is a telegram. Otherwise its character is indicated by the symbol appearing after the check.

RECEIVED AT 157 SOUTH 8TH STREET, BOISE, IDAHO ALWAYS OPEN

217SX P 16

LEWISTON IDA 239P MAY 24 1922

W G SWENDSEN

COMMR OF RECLAMATION BOISE IDA

PLEASE FORWARD BLANKS FOR PROOF JUNE FIFTH USE WATER PERMIT ELEVEN
THOUSAND THREE HUNDRED THIRTY ONE

JAMES E BABB

302P

11331

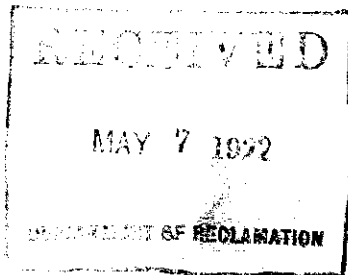
(P. O.) Lewiston, Ida.
(Date) May 6, '22

Commissioner of Reclamation, Boise.

Dear Sir:

I have your letter of April 24 enclosing notice of proof under
Permit No. 11331 which will be published as you request, beginning with our issue of

May 5-



Lewiston Banner
By H. E. O'Donnell

11331

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE

Jas. E. Babb, Attorney for
Lewiston Valley Water Co.,
Lewiston, Idaho.

BOISE, IDAHO,

May 23, 1922.

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of application of water to beneficial use under Permit No. 11351.

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 the permit holder's rights:

1. On June 5, 1922, the date set for the proof of application of water to beneficial use, the enclosed deposition forms (one for permit holder and one each for two witnesses) should be filled out and sworn to at Lewiston, before Ewing W. Stephens, notary public,

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 examining engineer, you will be further advised as to fees due before issuing license.

Yours truly,

W. G. SWENDSEN,

Commissioner of Reclamation.

11331

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

BOISE

The Lewiston Banner,

Boise, Idaho, April 28, 1922.

Lewiston, Idaho.

Dear Sirs:

Enclosed find Notice for Publication under Permit no. **11331** which please publish once a week for four consecutive weeks in your paper. The expense of this publication will be paid by **Lewiston Valley Water Company, of Lewiston,** to whom you will please furnish proof of publication of this notice on or before date of proof.

Please promptly acknowledge receipt of this notice, and kindly mail me your first issue containing its publication that I may compare it with my records.

Yours truly,

W. G. Swendsen,

Commissioner of Reclamation

Swendsen

(P. O.)

(Date)

Commissioner of Reclamation, Boise.

Dear Sir:

I have your letter of.....enclosing notice of proof under Permit No. which will be published as you request, beginning with our issue of.....

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 9 a. m. on the 5th day of June, 19 22,
Lewiston,
 at room 11, Lewiston Nat'l Bank Bldg., County of Hex-Perce, State of Idaho,
 before Ewing W. Stephens, notary public, proof will be submitted
 of the application to beneficial use of ten (10) cubic feet per second of the
 waters of Lake Waha, and all sources and tributaries, in accordance with the terms and conditions of
 Permit No. 11331 heretofore issued by the State Engineer
 of the State of Idaho.

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

Lewiston Valley Water Company, an Oregon corporation whose P.O. address in
Idaho is Lewiston,

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

The amount applied to beneficial use is ten (10) cubic feet per second, for the period
of June first to December fifteen.

The place where said water is used (if for irrigation, give full and accurate description of the
 lands irrigated) NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 7; NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 8; SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$,
 Sec. 9; SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 10; S $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 12; NW $\frac{1}{4}$, SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 13; NW $\frac{1}{4}$, SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 14;
 Sec. 15; Sec. 16; Sec. 17; NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 18; N $\frac{1}{2}$ Sec. 21; W $\frac{1}{2}$ Sec. 22; NE $\frac{1}{4}$ Sec. 23;
 Twp. 35 N., R. 5 W., B.M.; also, SW $\frac{1}{4}$ Sec. 18, Twp. 35 N., R. 4 W., B.M.

The name of the canal or ditch or other works by which said water is conducted to such place of use
 is known as the system constructed by the Lewiston-Sweetwater Irr. Co., Ltd., for
supply of Lewiston Orchards, said system now owned by Lewiston Valley Water Co.
 The right to take water from such works is based upon Permit No.

The source of supply from which such water is diverted is Waha Lake and tributaries.

The date of the priority which said user is prepared to establish is May 26, 1915.

W. G. Swendsen,
 Commissioner of Reclamation.

11331

April 28, 1922.

Re: Permit No. 11331.

Mr. James E. Babb,
Attorney at law,
Lewiston, Idaho.

Dear Sir:-

We are today in receipt of a letter from Mr. Elaine B. Cole, of Portland, enclosing notices for proof of use of water under the above permit, one copy of which is herewith enclosed, together with a copy from this office for publication.

This permit stands upon our records in the name of the Lewiston Sweetwater Irrigating Company, Ltd., and, before the proof could be accepted from the Lewiston Valley Water Company, it will be necessary to have the transfer on record in this office. However, the publication may be made but the transfer should be sent in prior to the date of proof.

The land to be irrigated has been described in the notice by legal subdivisions, as shown in the permit, inasmuch as we have no way of checking up the description by lots and blocks.

The priority under this permit will be the date of the first receipt of the application in this office, May 26, 1915.

Very truly yours,

W. G. SWENDSEN,

Commissioner of Reclamation.

By

Ems.

Chief Clerk.

11331

SECURITY SAVINGS AND TRUST COMPANY

G.F. ADAMS, PRESIDENT
A.L. MILLS, VICE PRESIDENT — E.A. WYLD, VICE PRESIDENT
EDW. H. GEARY, VICE PRESIDENT — H.F. CORBETT, VICE PRESIDENT — D.A. BULMORE, VICE PRESIDENT
R.G. JUBITZ, SECRETARY — F.C. WARREN, ASST. SECRETARY
DANIEL UPP, ASST. SECRETARY — R.L. SHEPPARD, TRUST OFFICER

PORTLAND, OREGON

TRUST DEPARTMENT

April 26, 1922.

G. W. Swendson,
Commissioner of Reclamation,
Boise, Idaho.

Dear Sir:

Herewith I hand you two copies of Notice for Publication in the matter of Proof of the Beneficial Use of water of Lake Waha. Will you kindly sign these at your earliest convenience and forward one copy direct to Mr. James E. Babb, Lewiston National Bank Building, Lewiston, Idaho?

In order that proof may be made on June 5, it is necessary that we commence publication in the Lewiston Banner in the issue of May 5. If you should be delayed in signing and mailing the extra copy to Mr. Babb, may I ask that you kindly wire him that same has been signed in order that he may use a duplicate copy for preparing the copy for the printer?

Thanking you in anticipation of this courtesy,

I remain

Very respectfully yours,

Lewiston Valley Water Company,

By

Blaine B. Boles

Secretary.

LH
R. W. Rea

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 9 a. m. on the 5th day of June, 1915,
at Room 11, Lewiston Nat'l Bk Bld in Lewiston, County of Nez Perce, State of Idaho,
before Ewing W. Stephens, Notary Public, proof will be submitted
of the application to beneficial use of Ten (10) cubic feet per second of the
waters of Lake Waha during months and periods annually from June 1st to Dec 31st,
in accordance with the terms and conditions of
Permit No. 11331 heretofore issued by the State Engineer
of the State of Idaho.

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

✓ Lewiston Valley Water Company an Oregon Corporation
whose P.O. Address in Idaho is Lewiston, Idaho
The use to which said water has been applied is.....

Irrigation and domestic purposes

The amount applied to beneficial use is Ten (10) cubic feet per second annually
for period June 1st to Dec 31st

✓ The place where said water is used (if for irrigation, give full and accurate description of the
On following lots & blocks of Lewiston Orchards Tracts as platted in Records
of Nez Perce County, Idaho, viz: Blocks one to nineteen: 19 to 29: 32, 37 and 40
to 71, 79 and 80 and 83 to 129, 146 and 147 and lot 7 of Block 20 and lots 3, 4 and 7 of Block
154 and lots 5 and 6 of Block 155, all above numbers including and on the following
lots in Lewiston Vineyard Tracts as platted in said Records Office, viz: Lots 1 and 3
Block 2, and 4 and 5 Block 3, and 3 and 5 Block 4, and 2, 5, 6, 9, and 10 Block 7 and
3 Block 8 and 5 Block 10 and 1 Block 11, and 1 Block 12 and 3 Block 13 and 4 Block 14
A total acreage of 4361.02 of which 19.222 acres are in said lots and Vineyard Tracts

The name of the canal or ditch or other works by which said water is conducted to such place of use

is known only as the system constructed by Lewiston Sprinkling & Irr. Co. Ltd for supply
of Lewiston Orchards, said system now owned by Lewiston Valley Water Co

The right to take water from such works is based upon Permit No. 11331 and the right independent
of any permit to divert and use water for irrigation and domestic purposes

The source of supply from which such water is diverted is.....

Lake Waha in Nez Perce County, Idaho and its sources of supply, natural
and artificial

The date of the priority which said user is prepared to establish is June 19, 1915 as to rights
under said permit and Nov First 1915 as to right independent of Permit from
diversion and use for purposes aforesaid

Commissioner of Reclamation.

81-7

when a 82 Order 9-33 n-4 m
bearing S. 49° 35' E. 1538.1 ft,

11331

March 27, 1922.

Re: Permit No. 11331.

Lewiston Orchards Irrigation District,
c/o Mr. D. S. Wallace,
Lewiston, Idaho.

Gentlemen:-

Per your request, I am enclosing herewith blanks
for notice of proof of beneficial use of water under the above
numbered permit.

Very truly yours,

W. G. SWENDSEN,

Commissioner of Reclamation.

By _____

Chief Clerk.

2510-11

State of Idaho

DEPARTMENT OF RECLAMATION

Lewiston-Sweetwater Irrig. Co.

BOISE

Lewiston, Idaho.

March 6, 1922.

Dear Sir:

I enclose herewith blank notice of proof of Application of Water to Beneficial Use under your Permit No.---**11331**-----, which kindly fill out and return to me at least 60 days before the date upon which you wish to submit proof. The date of the proof is set out in your permit, and if proof is submitted subsequent to that your priority will be advanced a time equal to the difference of the time between the date proof should have been submitted and date it is submitted.

Yours truly,

W. G. SWENDSEN.

Commissioner of Reclamation.

11331

January 26, 1918.

Re: Permit 11331.

The Lewiston-Sweetwater Irrigating Co., Ltd.,
Lewiston, Idaho.

Gentlemen:

Enclosing herewith Certificate of Completion
of Works, issued under above permit, with receipts
for fee.

Very truly yours,

J. H. SMITH,

State Engineer.

By

Enc: CCW
R-1595

MB

11331

REPORT OF ENGINEER

Completion of Works -

Permit No. 11331.

1. State name of applicant and number of permit: Lewiston-Sweetwater Irrigating Co.2. State source of water supply: Lake Waha3. Location of point of diversion: At a point from whence the S.E. corner of Sec. 9
T. 33 N., R. 4 W., B.M., bears S. 49° 35' E. 1558.1 ft/

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

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

Water is pumped from Lake Waha by Byron Jackson pump, - 14" suction, 12" discharge into 20" steel pipe about 1600' long through a lift of about 115 ft., where it discharges into a concrete sump or reservoir. -
From this reservoir it is conducted by a 15" steel pipe, 3850' long, with a fall of 585' to a Pelton wheel in a power house and from this wheel the water wastes into tributary of the Sweetwater Creek, and thence by natural watercourse it reaches the headgate of the Lewiston-Sweetwater Irrigating Company and thence by the Main Canal of said company to the Storage Reservoir and thence by a distribution system of pipe lines the water reaches the lands to be reclaimed. The aforesaid Main Canal is about 14 miles long. Capacity of canal about 75 second feet
The Pelton Wheel above mentioned will develop 400 H. P. with 11 sec. ft. going through it. - It is attached to an Alternating Current Generator. - A power line runs from this generator to the point of diversion from Lake Walcott and into a 60 H. P. Motor which is connected to the pump. - There is a 35 H. P. Gas Engine attached to pump which is used to fill the pipe and start the electrical power development. Capacity of works from Lake Waha to Sweetwater Creek is 10 second feet, and from Sweetwater Creek to place of use is more than 10 second feet. - See Remarks.

6. State whether or not water has been turned into works of diversion: Yes7. 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): Water is available forNE 1/4 SW 1/4; S 1/2 NE 1/4; SE 1/4 Sec. 7 - - - - - 280 AcresS 1/2; NE 1/4 Sec. 8; - SW 1/4; W 1/2 SE 1/4; SE 1/4 SE 1/4 Sec. 9; - SW 1/4 SW 1/4 Sec. 10 - - 800 "S 1/2 SW 1/4 Sec. 12; - NW 1/4; S 1/2 Sec. 13; - NW 1/4; S 1/2 Sec. 14; - - - 1040 "All of Secs. 15, 16, & 17; NE 1/4; N 1/2 SE 1/4 Sec. 18; - - - 2160 "N 1/2 Sec. 21; N 1/2 Sec. 22, NE 1/4 Sec. 23 - - - 800 "All in T. 35 N. R. 5 W. B.M. - - - 5080Also in T. 35 N. R. 4 W. B.M. - SW 1/4 Sec. 18 - - - 160Total - - - - - 5240 Acres.Which are all embraced under the system for Permit 877.

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

Remarks: This permit is to supplement the supply under Permit 877 which is not sufficient for the lands under cultivation during low water stages on Sweetwater Creek. - The works under permit 877 will carry from 75 to 100 second feet from Sweetwater Creek to the reservoir which will store about 2500 Acre Feet.

See map filed in connection with Proof of Completion of Works under Permit 877.

This examination was made on the 13th & 14th days of November 1917.(Signed) Samuel E. Vance Jr.

Examiner.

11331

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

STATE OF IDAHO

County of _____

} ss.

_____, 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.

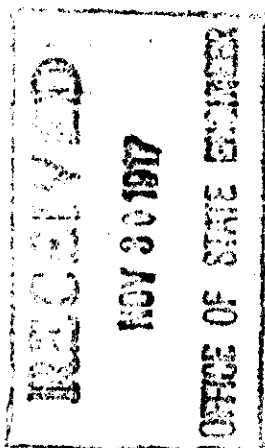
Subscribed and sworn to before me this _____ day of _____ 191_____

Notary Public.

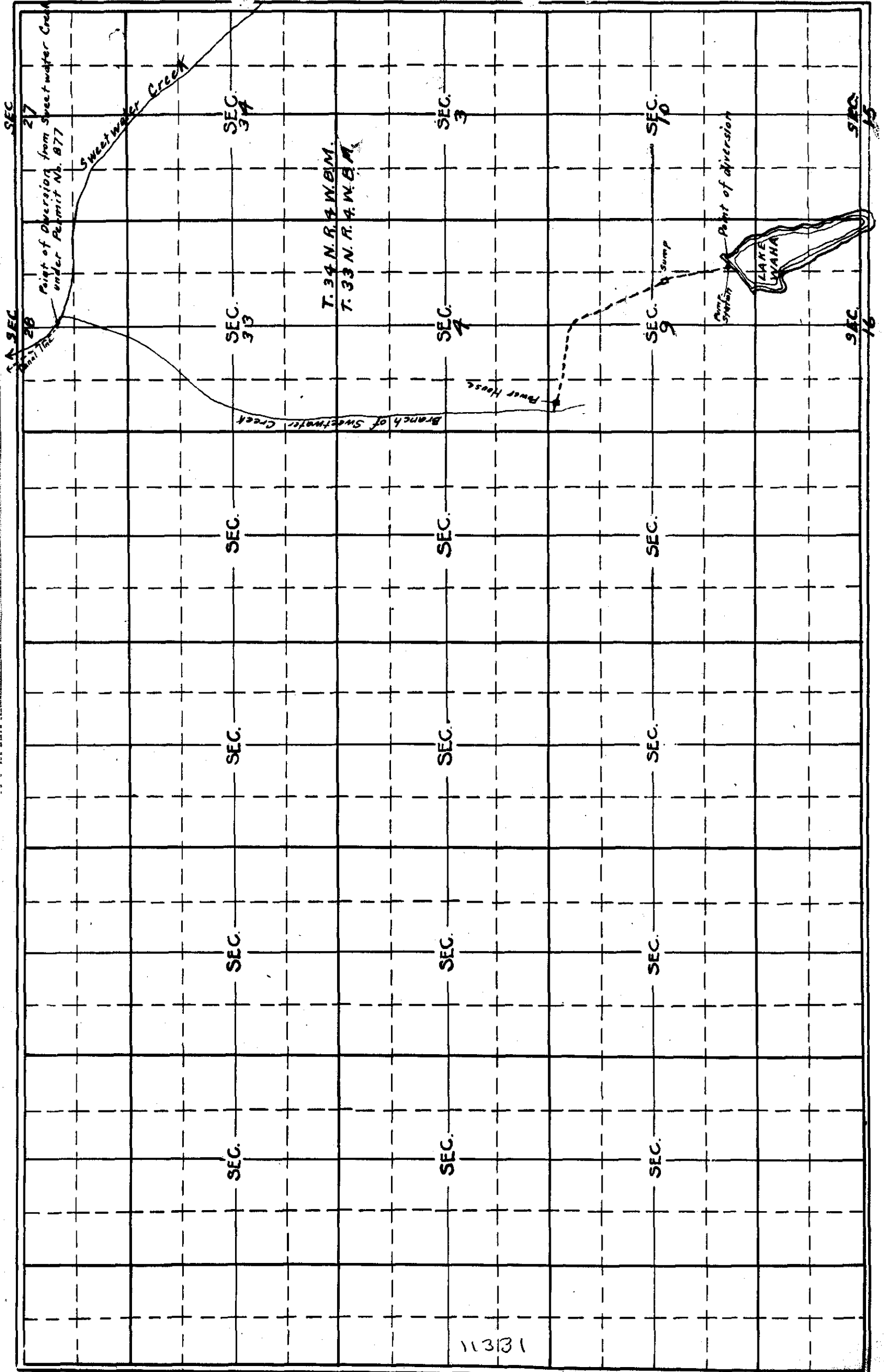
My Commission Expires _____

*Geo. E. Baugh, atty
General*

11331



Name of Applicant: Lewiston Sweetwater Irrigating Co. Per. It. 11331



July 17, 1916.

Re Permit 11331. Lewiston-Sweetwater Irr.Co.Ltd.

Mr. Henry S. Gray,
Lewiston, Idaho.

Sir:--

Your letter of June 16th, with enclosures, was duly received. The depositions and affidavit of publication have been checked and are satisfactory. As soon as our engineer can make the examination, the Company will be advised as to fees required before issuing the certificate.

Very truly yours,

J. H. SMITH,

State Engineer.

By _____

11331

July 17, 1916.

Re Permit 11331-Lewiston-Sweetwater Irr.Co.Ltd.

Jas. E. Babb, Attorney,
Lewiston, Idaho.

Sir:--

We are in receipt of depositions and affidavit of publication for proof of completion of works under above permit and find same in order. As soon as the examination can be made by our engineer, you will be advised as to fees required before issuing the Certificate.

Very truly yours,

E. H. SMITH,

State Engineer.

By _____

Permit No. 11331

PROOF OF COMPLETION OF WORKS

Deposition of Holder

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

Ans. H. L. Powers, - 44, - Lewiston, Idaho, - President Lewiston Sweetwater Irrigating Co., Limited, - Lewiston, Idaho.

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business, your position with reference to same, and your authority for appearing in its behalf.

Ans. Lewiston Sweetwater Irrigating Company, Limited, - organized under the laws of the State of Oregon, with the principal office at Portland, Oregon, and irrigating plant at Lewiston, Idaho. My authority for appearing in behalf of the Company is that I am its President and the Manager of the plant.

Ques. 3. State number and date of permit, amount of water you are authorized to divert, source, and point of diversion.

Ans. Number of permit is 11331. Its date is June 19th, 1915. Amount of water is 10 cu. ft. per sec. during March, April, May, June, July, August and September. The source is Waha Lake and all its tributaries and sources, including both normal flow and flood flow water of said Lake and its sources and tributaries. The point of diversion is a point from whence the Southeast (SE) corner of Section 9, Township 33 N, Range 4, W. B. M. bears South $49^{\circ} 35'$ E. 1558.1 ft.

Ques. 4. State purpose for which water is to be used, and, if for irrigation, state the number of acres and give description of the land you intend to reclaim.

Ans. The purpose is for irrigation and domestic supply. The amount of land to be irrigated is 5,120 acres, contained in the following legal subdivisions: The NE $\frac{1}{4}$ of the SW $\frac{1}{4}$, the S $\frac{1}{2}$ of the NE $\frac{1}{4}$ and the SE $\frac{1}{4}$ of Sec. 7, - the NE $\frac{1}{4}$, the SW $\frac{1}{4}$, the SE $\frac{1}{4}$ of Sec. 8, - The SW $\frac{1}{4}$, the W $\frac{1}{2}$ of the SE $\frac{1}{4}$, the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 9, - the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Sec. 10, - The S $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Sec. 12, - The NW $\frac{1}{4}$, the SW $\frac{1}{4}$ and the SE $\frac{1}{4}$ of Sec. 13, - the NW $\frac{1}{4}$, the SW $\frac{1}{4}$ and the SE $\frac{1}{4}$ of Sec. 14, - Sec. 15, - Sec. 16, - Sec. 17, - NE $\frac{1}{4}$ and the N $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Sec. 18, - The N $\frac{1}{2}$ of Sec. 21 - N $\frac{1}{2}$ of Sec. 22, - NE $\frac{1}{4}$ of Sec. 23, all in township 35 N, Range 5, W. B. M., also the SW $\frac{1}{4}$ of Sec. 18, Township 35 N. Range 4, W. B. M.

Ques. 5. State whether or not the water has been turned into your works of diversion, and if so, when and to what extent.

Ans. Water was turned into the diversion works during the months of October and November, 1915, at which time the works was run to its capacity.

Ques. 6. State whether or not the works of diversion are fully completed, and whether or not they comply in all respects with the terms of the permit.

Ans. The works of diversion are fully completed and comply with the terms of the permit in all respects, excepting as follows:

The pump purchased from the Portland Pump Company under a guarantee to deliver a minimum of 10 cu. ft. of water per second is not in accordance with specifications and is capable with a power developed by the plant of delivering only approximately 7 cu. ft. per second. After a thorough testing of the pump it was rejected, and the Company has purchased a new pump from the Byron-Jackson Pump Company, of San Francisco, guaranteed to deliver a minimum of 10 cu. ft. of water per second. This pump has been shipped and should arrive within a few days. It will be installed on arrival in the place of the Portland Pump Company pump now at Waha.

Quest. 7 If the works of diversion do not comply with all the terms of your permit, state fully those particulars in which there is any variance.

Ans. The works of diversion comply with the terms of the permit excepting as stated in answer to Question 6.

Ques. 8 Give description of works, state dimensions and capacity of each part, and give cost of same.

Ans. The water is ~~to be~~ lifted from the Lake with a pump having a maximum capacity of 5250 G.P.M. against a head of 125 ft. From the pump the water ~~will be~~ discharged into a steel pipe 20" in diameter 1650' long rising to an elevation of 115 ft. From thence the water ~~will be~~ discharged into a steel pipe 15" in diameter 3650' long with a drop of 585.8 ft. through a water wheel thence by natural channels of Sweetwater Creek to the headgate on Sweetwater Creek of the plant of the Lewiston Sweetwater Irrigating Company now installed and operating under Permit No. 877, for which certificate of completion of works was issued by the State Engineer on the 22nd day of October, 1909. Thence through the irrigating system of said Company operating under said Permit No. 877 to the land described in this application. The water wheel above mentioned is of 400 H.P. capacity and ~~will~~ operate an electric generator of 240 K.W. capacity from whence the electricity ~~will be~~ is conducted to an electric motor of 250 H.P. capacity direct connected to the pump first above described. At the point of diversion an auxiliary pump having a normal capacity of 400 G.P.M. against a head of 150 ft. driven by a gasoline engine ~~will~~ fill the pipe between the pump and the water wheel for the purpose of starting the water wheel.

Cost of system is \$26,076.22

(Sign here)

J. J. Thomas
President, Sweetwater Irrigating Co.
Ld.

STATE OF IDAHO :
COUNTY OF NEZ PERCE: SS:

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 on June 15th, 1916, and sworn to before me in the City of Lewiston, County of Nez Perce, State of Idaho, on this 16th day of June, A.D. 1916.

(N.P. Seal)

My Commission expires
Dec. 2, 1918.

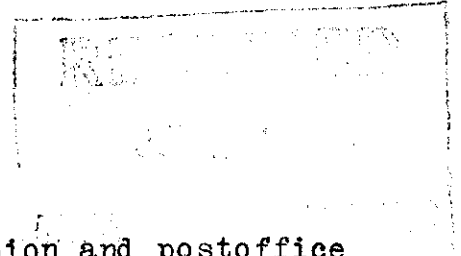


Henry S. Gray
Notary Public.

Permit No. 11331

PROOF OF COMPLETION OF WORKS

Deposition of Witness



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

Ans. L. H. Kurth, - 42, - Lewiston, Idaho, - bookkeeper, - Lewiston, Idaho.

Ques. 2. Are you acquainted with H. L. Powers, representing the Lewiston Sweetwater Irrigating Company, Limited, the holder of Permit No. 11331, authorizing the diversion of 10 second feet of the waters of Lake Waha and all its sources and tributaries, including both normal flow and flood flow water of said Lake and its sources and tributaries, at a point from whence the SE corner of Sec. 9, Township 33 N, Range 4, W. B. M. bears South 49° 35' E 1558.1 ft., for irrigation and domestic purposes. How long have you known him, and where does he reside?

Ans. I have known him for 35 years. - Lewiston, Idaho

Quest. 3. Have you read or heard read said Permit No. 11331, and are you familiar with its terms and conditions?

Ans. I have read said Permit No. 11331, and am familiar with its terms and conditions.

Ques. 4 (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. I am acquainted with the land to be irrigated under said permit. The lands to be irrigated are contained in the following legal subdivisions: The NE $\frac{1}{4}$ of the SW $\frac{1}{4}$, the S $\frac{1}{2}$ of the NE $\frac{1}{4}$ and the SE $\frac{1}{4}$ of Sec. 7, - the NE $\frac{1}{4}$, the SW $\frac{1}{4}$, the SE $\frac{1}{4}$ of Sec. 8, - the SW $\frac{1}{4}$, the W $\frac{1}{2}$ of the SE $\frac{1}{4}$, the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 9, - the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Sec. 10, the S $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Sec. 12, - the NW $\frac{1}{4}$, the SW $\frac{1}{4}$ and the SE $\frac{1}{4}$ of Sec. 13, the NW $\frac{1}{4}$, the SW $\frac{1}{4}$ and the SE $\frac{1}{4}$ of Sec. 14, Sec. 15, Sec. 16, - Sec. 17, - NE $\frac{1}{4}$ and the N $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Sec. 18, - the N $\frac{1}{2}$ of Sec. 21, - N $\frac{1}{2}$ of Sec. 22, NE $\frac{1}{4}$ of Sec. 23, all in township 35 N, Range 5, W. B. M., also the SW $\frac{1}{4}$ of Sec. 18, township 35 N, R 4, W. B. M. The land is basaltic volcanic ash composition. The amount of water required for its profitable cultivation is one acre foot per acre per year.

Ques. 5 Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use?

Ans. The works of diversion are completed with the exception stated in affidavit of holder.

Ques. 6 Describe the works of diversion as they now exist, and give your estimate of their capacity.

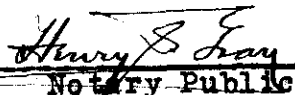
Ans. The water is lifted from the Lake with a pump having a maximum capacity of 5250 G. P. M. against a head of 125 ft. From the pump the water is discharged into a steel pipe 20" in diameter 1650' long rising to an elevation of 115 ft. From thence the water is discharged into a steel pipe 15" in diameter 3650' long with a drop of 585.8 ft., through a water wheel thence by natural channels of Sweetwater Creek to the headgate on Sweetwater Creek of the plant of the Lewiston Sweetwater Irrigating Company now installed and operating under Permit No. 877, for which certificate of completion of works was issued by the State Engineer on the 22nd day of October, 1909. Thence through the Irrigating system of said Company operating under said Permit No. 877 to the land described in this application. The water wheel above mentioned is of 400 H.P. capacity and operates an electric generator of 240 H. W. capacity from whence the electricity is conducted to an electric motor of 250 H. P. capacity direct connected to the pump first above described. At the point of diversion an auxiliary pump having a normal capacity of 400 H. P. M. against a head of 150 ft. driven by a gasoline engine fills the pipe between the pump and the water wheel for the purpose of starting the water wheel.

(Sign here)



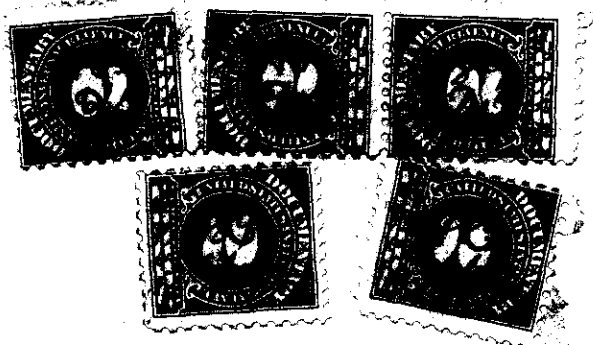
STATE OF IDAHO :
: SS:
COUNTY OF NEZ PERCE:

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 on June 15th, 1916, and sworn to before me in the City of Lewiston, County of Nez Perce, State of Idaho, on this 16th day of June, A.D. 1916.


Notary Public

(N.P. SEAL)

My Commission expires
Dec 2, 1918.



Permit No. 11331

PROOF OF COMPLETION OF WORKS

Deposition of Witness

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

Ans. R. H. Mann, - 27 - Lewiston, Idaho, resident engineer, - Lewiston, Idaho.

Ques. 2. Are you acquainted with H. L. Powers, representing the holder of Permit No. 11331, authorizing the diversion of 10 second feet of the waters of Lake Waha and all its sources and tributaries, including both normal flow and flood flow water of said Lake and its sources and tributaries, at a point from whence the Southeast (SE) corner of Section 9, Township 33 N, Range 4, W. B. M. bears South 49° 35' E. 1558.1 ft., for irrigation and domestic purposes? How long have you known him and where does he reside?

Ans. Yes; Have known him 2 yrs. - Lewiston, Idaho

Ques. 3. Have you read or heard read said Permit No. 11331, and are you familiar with its terms and conditions?

Ans. I have read said permit No. 11331, and am familiar with its terms and conditions.

Ques. 4 (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans/ I am acquainted with the land to be irrigated under said permit. The lands to be irrigated are contained in the following legal subdivisions: The NE $\frac{1}{4}$ of the SW $\frac{1}{4}$, the S $\frac{1}{2}$ of the NE $\frac{1}{4}$ and the SE $\frac{1}{4}$ of Sec. 7, - the NE $\frac{1}{4}$, the SW $\frac{1}{4}$, the SE $\frac{1}{4}$ of Sec. 8, - the SW $\frac{1}{4}$, the W $\frac{1}{2}$ of the SE $\frac{1}{4}$, the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 9, - the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Sec. 10, the S $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Sec. 12, - the NW $\frac{1}{4}$, the SW $\frac{1}{4}$ and the SE $\frac{1}{4}$ of Sec. 13, - the NW $\frac{1}{4}$, the SW $\frac{1}{4}$ and the SE $\frac{1}{4}$ of Sec. 14, Sec. 15, - Sec. 16, Sec. 17, NE $\frac{1}{4}$ and the N $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Sec. 18, the N $\frac{1}{2}$ of Sec. 21, - N $\frac{1}{2}$ of Sec. 22, NE $\frac{1}{4}$ of Sec. 23, all in township 35 N R 5, W. B. M. also the SW $\frac{1}{4}$ of Sec. 18, township 35 N, R 4, W. B. M. The land is basaltic volcanic ash composition. The amount of water required for its profitable cultivation is one acre foot per acre per year.

Ques. 5 Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use?

Ans The works of diversion are completed with the exception stated in affidavit of holder.

Ques. 6 Describe the works of diversion as they now exist, and give your estimate of their capacity.

Ans. The water is ~~to be~~ lifted from the Lake with a pump having a maximum capacity of 5250 G.P.M. against a head of 125 ft. From the pump the water ~~will be~~ discharged into a steel pipe 20" in diameter 1650' long rising to an elevation of 115 ft. From thence the water ~~will be~~ discharged into a steel pipe 15" in diameter 3650' long with a drop of 585.8 ft. through a water wheel thence by natural channels of Sweetwater Creek to the headgate on Sweetwater Creek of the plant of the Lewiston Sweetwater Irrigating Company now installed and operating under Permit No. 877, for which certificate of completion of works was issued by the State Engineer on the 22nd day of October, 1909. Thence through the irrigating system of said Company operating under said Permit No. 877 to the land described in this application. The water wheel above mentioned is of 400 H.P. capacity and ~~will operate~~ an electric generator of 240 K.W. capacity from whence the electricity ~~will be~~ conducted to an electric motor of 250 H.P. capacity direct connected to the pump first above described. At the point of diversion an auxiliary pump having a normal capacity of 400 G.P.M. against a head of 150 ft. driven by a gasoline engine ~~will fill~~ the pipe between the pump and the water wheel for the purpose of starting the water wheel.

(Sign here)

R. H. Mann

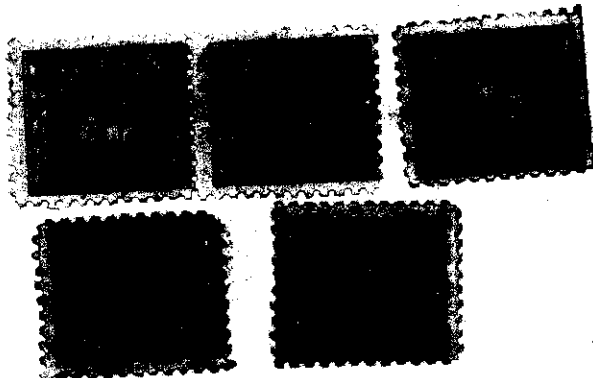
STATE OF IDAHO :
: SS:
COUNTY OF NEZ PERCE:

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 on June 15th, 1916, and sworn to before me in the City of Lewiston, County of Nez Perce, State of Idaho, on this 16th day of June, A.D. 1916.

(N.P. SEAL)

Harry S. Gray
Notary Public

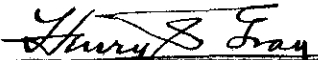
My Commission expires
Dec. 2, 1918.



STATE OF IDAHO :
: SS:
COUNTY OF NEZ PERCE:

I, Henry S. Gray, the Notary Public named in the hereunto annexed Notice of Publication signed by F. P. King, State Engineer, DO HEREBY CERTIFY that pursuant to said notice there personally appeared before me at ten o'clock A.M. on the 15th day of June, 1916, at my office in Dent & Butler Building, in Lewiston, Idaho, the persons named in the hereunto annexed proofs, to-wit, H. L. Powers as President and Manager of Lewiston-Sweetwater Irrigating Company, Limited, the Holder of Permit No. 11331, and L. H. Kurth and R. H. Mann, witnesses, who, being severally duly sworn, read and subscribed to said proofs, severally, whereupon a continuance of said matter was taken until ten o'clock A.M. on the 16th day of June, 1916, at the same place, and no further proofs being adduced and no other persons appearing in said matter at said time, or at all, the said taking of testimony was then and there closed.

WITNESS my hand this 16th day of June, A.D. 1916.


Notary Public in and for
Nez Perce County, State
of Idaho, residing at
Lewiston, therein.

My Commission expires December 2, 1918.



PROOF OF COMPLETION OF WORKS

PERMIT NO. 11331

DEPOSITION OF PERMIT HOLDER
AND WITNESSES.

HENRY S. GRAY
ATTORNEY AT LAW
COUNTY ATTORNEY
DENT & JTLER BLDG.
LEWISTON, IDAHO

Lewiston, Idaho
June 16, 1916.

Hon. F. P. King,
State Engineer,
Boise, Idaho.

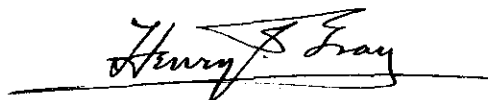
Dear Sir:-

IN RE: Proof of Complation of Works under Permit
No. 11331, Lewiston-Sweetwater Irrigating Co., Ltd.

On the above matter I herewith enclose to you Depositions
of Certificate Holder and two witnesses, together with Proof of
Publication of the Notice, all properly certified.

Inasmuch as the date named in the notice for making proof,
to-wit, June 15th, happened to be a legal holiday, it seemed
advisable to defer the final certification until today, which
was accordingly done.

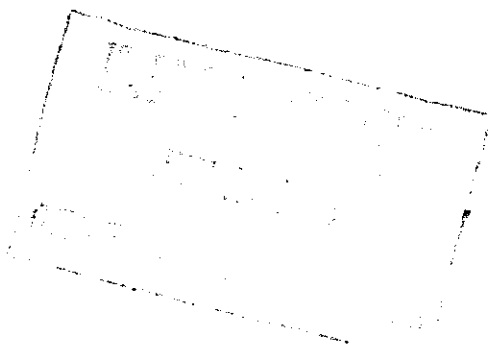
Very truly yours,



Encls.

Registered.

Return Card Requested.



11331

Notary's Affidavit of Publication

STATE OF IDAHO, } ss.
County of Nez Perce }

E. S. Alford being first duly sworn deposes
and says: I am the printer and publisher of the LEWISTON Weekly
TRIBUNE, a newspaper of general circulation, published Weekly
at Lewiston, Nez Perce county, Idaho; that the said Lewiston Weekly
Tribune is an established paper and has been published regularly and issued
regularly at least once a week for more than 52 consecutive
weeks next immediately preceding the first publication of this notice,
and has been so published uninterruptedly for said period; that the
notice for publication attached
hereto and which is made a part of this affidavit was published in the said
Lewiston Weekly Tribune 4 consecutive times, the first
publication thereof being on the 18 day of May
A. D. 1906 and the last publication thereof being on the 8 day
of June A. D. 1906 and that the said
notice was so published in the regular and
entire issue of the said newspaper and not in a supplement thereof and was
so published in every issue and number of the said paper, during the period
and the times of publication as set forth above.

E. S. Alford
SUBSCRIBED AND SWORN TO BEFORE ME THIS THE

10 day of June 1906

Palmer B. McIntyre
Notary Public.

JAMES E. BABB,
LAWYER,
LEWISTON NATIONAL BANK BUILDING,
LEWISTON, IDAHO.

June 9 1916

Mr. J. H. Smith
State Engineer
Boise Idaho

Dear Sir:

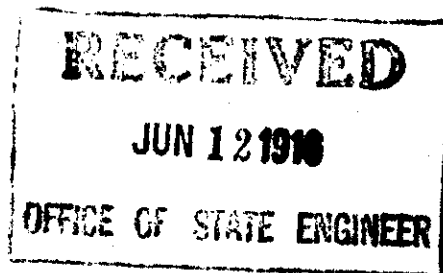
RE: PERMIT NO. 11,331

I thank you for yours of June 7, enclosing me forms of Proof
of Completion of Works.

Very truly yours,

James E. Babb

JEB:LWF



11331

June 7, 1916.

Re Permit 11331.

James E. Babb, Attorney,
Lewiston, Idaho.

Sir:--

Per your request, I am enclosing herewith
deposition blanks for proof of completion of
works under above permit.

Very truly yours,

J. H. SMITH,

State Engineer.

DBW

By _____

11331

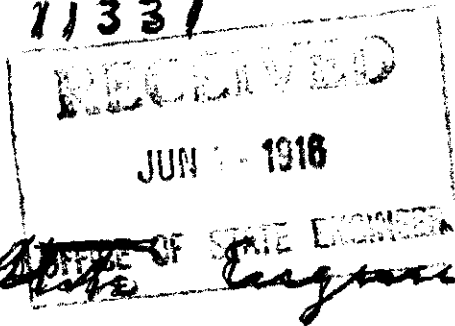
JAMES E. ABB.
LAWYER
LEWISTON NATIONAL BANK BUILDING.
LEWISTON, IDAHO.

- Perret -

No 11331

6/3/16

Mr J Q King



Berlin:

Boise

Please send me quick 2d to
all necessary done for me in
checking progress completion of work
set for June 16 as per your notice
now running in Lewiston Tribune

11331

2

JAMES E. ABB.
LAWYER,
LEWISTON NATIONAL BANK BUILDING.
LEWISTON, IDAHO.

I represent the Company
and desire forms so I can
give complete instructions
some time in advance of need
against any possible absence
on that date.

Yours
J E Babb

11331

State of Idaho

A. E. ROBINSON
STATE ENGINEER

ENGINEERING DEPARTMENT BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Lewiston Sweetwater Irr. Co., Ltd.,
c/o George E. Erb, Notary Public,
Dear Sir: Lewiston, Idaho.

Boise, Idaho, May 22nd 1916.

I enclose herewith the following forms to be used in connection with proof of completion of works under your permit No. 11331.

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 your rights:

1. On June 15th, 1916, the date set for proof of completion of works, the enclosed deposition forms (one for permit holder and one each for two witnesses) should be filled out and sworn to, at Lewiston, before Geo. E. Erb, Notary Public.

2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice and fee of \$5.00, where amount claimed does not exceed 10 second feet. Where more than 10 second feet is claimed, the fee required is 30 cents per second foot. When these have been received, together with report of the examining engineer, if everything is properly executed, Certificate of Completion of Works will issue.

Yours truly,

J. H. SMITH, ~~State Engineer~~
A. E. ROBINSON,
State Engineer.

(P. O. *Leicester Id*)

(Date) *5/11/16*

State Engineer, Boise.

Dear Sir:

I have your letter of *5/9* enclosing Notice of Proof
of Completion of Works under Permit No. *11331* which will be published
as you request, beginning with our issue of *5/18/16*

Trubey

11331

JAMES E. BABB, *Attorney at Law*
LAWYER,
LEWISTON NATIONAL BANK BUILDING,
LEWISTON, IDAHO.

APR - 7

OFFICE OF STATE ENGINEER

June 13
Lewiston, Ida.
5 APRIL 1916

Mr. J. H. Smith,
State Engineer,
Boise, Idaho.

Dear Sir:-

RE: PERMIT NO. 11331. LEWISTON-SWEETWATER IRR. CO.

Acknowledging yours of April Third in above matter, beg to advise that you will note that the Lewiston Weekly Tribune issues on Thursday, and that you will mail a notice to them in ample time for publication to begin on some Thursday sufficiently in advance to permit ample completion of publication before the proof.

Very truly yours,

James E. Babb

JEB:HG
c HLP

11331

April 3, 1916.

Re Permit No. 11331. Lewiston Sweetwater Irr. Co., Ltd.

James E. Babb, Attorney,
Lewiston, Idaho.

Sir:--

We are in receipt of y ur letter enclosing notices for proof of completion of works under above permit. Notice for publication will be mailed to the Lewiston Weekly Tribune in time for the required four weeks publication and deposition blanks will be mailed to you.

Very truly yours,

J. H. SMITH,

State Engineer.

By _____

JAMES E. BABB.
A LAWYER,
LEWISTON NATIONAL BANK BUILDING,
LEWISTON, IDAHO.

31 MARCH 1916.

Mr. F. P. King,
State Engineer,
Boise, Idaho.

Dear Sir:-

RE: WATER PERMIT NO. 11331.

As per notice heretofore to you of intention to make proof of completion of works, I inclose notice in duplicate setting time of proof for June 15th, 1916, at 10 o'clock A.M. Please return one with authority to have same published in Lewiston Weekly Tribune.

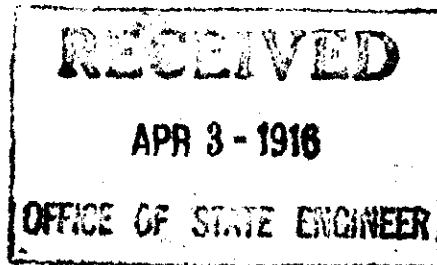
Very truly yours,

James E. Babb

JEB:HG

Encl 2
8-15100.
Per

11331



Notice of Publication

Notice is hereby given that at 10 ~~X~~ M., on the 15th day of June 1916, at Lewiston County of Nez Perce, State of Idaho,

in Dent & Butler Building, Lewiston, Idaho, and in case of absence of Gray, then before George M. Erb, Notary Public in same building.

in accordance with the terms and conditions of a certain permit heretofore issued by the State Engineer of the State of Idaho.

1. The name of the person or corporation holding said permit is.....
Lewiston Sweetwater Irrigating Company, Limited
2. The postoffice address of such person or principal place of business of such corporation is.....
Lewiston, County of Nez Perce, State of Idaho.
3. The number of such Permit is 11331, and the date set for the completion of such work is June 19, 1916.
4. Said water to be used for irrigation and domestic purposes.
5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place intended for use, in accordance with the plans accompanying the application for such permit is 10 cubic feet per second.
6. The amount of lands for which said water is available is 5,120 acres, particularly described as follows: #

The NE $\frac{1}{4}$ of the SW $\frac{1}{4}$, the S $\frac{1}{2}$ of the NE $\frac{1}{4}$ and the SE $\frac{1}{4}$ of Sec. 7, - The NE $\frac{1}{4}$ of the SW $\frac{1}{4}$, the SE $\frac{1}{4}$ of Sec. 8, - the SW $\frac{1}{4}$, the W $\frac{1}{2}$ of the SE $\frac{1}{4}$, the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 9, - the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Sec. 10, - the S $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Sec. 12, - The NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ and the SE $\frac{1}{4}$ of Sec. 13, - the NW $\frac{1}{4}$, the SW $\frac{1}{4}$ and the SE $\frac{1}{4}$ of Sec. 14, - ~~Sec. 15~~ Sec. 15, - Sec. 16, - Sec. 17, - NE $\frac{1}{4}$ and the N $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Sec. 18, - The N $\frac{1}{2}$ of Sec. 21, - N $\frac{1}{2}$ of Sec. 22, - NE $\frac{1}{4}$ of Sec. 23, all in township 35N, Range 5, W.B.M., also the SW $\frac{1}{4}$ of Sec. 18, Township 35 N. Range 4 W.B.M.

STATE OF IDAHO
ENGINEERING DEPARTMENT

F. P. KING,
STATE ENGINEER

BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

H. L. Powers, Agt.

DEAR SIR: **Lewiston-Sweetwater Irr. Co. Ltd.,** **BOISE, IDAHO,** **3-15-16**
Lewiston, Idaho

I enclose herewith blank form upon which to give notice that you are prepared and desire to submit proof of completion of works under your permit No. **11331**

This form should be filled out and mailed to the State Engineer at least 60 days before the date upon which it is to be submitted, which proof **MUST** be made on or before **June 19 1916**

Upon receipt of this blank properly filled out, notice must be published a period of four weeks prior to the date of proof.

The proof may be submitted at any place convenient to you and two witnesses, where there is a Notary Public or other officer authorized to administer oaths.

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,

~~F. P. KING~~ **J. H. SMITH**
State Engineer.

June 19, 1915.

11331

Hotwater Irrigation Co., Ltd.,

Idaho.

I enclose herewith above numbered permit.

NOTE LIMITATIONS AND CONDITIONS OF SAME

under approval of State Engineer on the

J. H. SMITH

State Engineer

11331

Lewiston Sweetwater Irrigating Company, Ltd.

LEWISTON, IDAHO

Office:
PORTLAND, OREGON
Chamber of Commerce Building
LEWISTON, IDAHO
New Idaho Trust Building

June 7, 1915

Mr. J. H. Smith
State Engineer,
Boise, Idaho

Dear Sir:-

We have the application #16453 for Permit to Appropriate the Waters of Lake Waha returned for correction and infer that in Paragraph 7 you want not only a description of the land over which the new construction extends, but also that traversed by the old irrigation system now in use.

We have, therefore, made up an application with the description as above outlined and in order to get this full description into the blank it has been necessary for us to make up a new copy.

The reason we confined ourselves in application #16453 only to the land over which the new construction is to extend was because this was the method followed in our application #16249 which you passed to permit #11153 on April 30, 1915.

With the revised application we are returning the one formerly sent merely for your comparison with application #16249 and you are at liberty to destroy it if we are now correct with our new application sent today.

We have our papers drawn for condemnation proceedings waiting for the issuance of this permit. We would, therefore, appreciate your courtesy if you would wire us at our expense as soon as the permit has been issued.

Yours very truly,

LEWISTON SWEETWATER IRRIGATING CO., Ltd.

By

W. L. Jones

JUN 9 - 1915

OFFICE OF STATE ENGINEER

All water
for
Irrigation
and
Domestic use
furnished
in Pipes
under pressure

By this system
Irrigation
is accomplished
with
One-Tenth
the time
and labor
required by the
ditch system

11331

June 3, 1915.

16453.

Lewiston-Sweetwater Irr. Co.,
Lewiston, Idaho.

In paragraph 7 II (d) of the blank give all of the
quarter sections crossed by ditch from point of diversion on
Lake Wahn to the lands to be irrigated.

August 2, 1915

11331

16453-FER. 106-9.

GB.

Lewiston Sweetwater Irrigating Company, Ltd.

LEWISTON, IDAHO

Offices:
PORTLAND, OREGON
Chamber of Commerce Building
LEWISTON, IDAHO
New Idaho Trust Building

May 24, 1915.

OK 5460
190

Mr. J. H. Smith
State Engineer,
Boise, Idaho

Dear Sir:

Thank you for your letter of May 20th with reference to our new application for appropriating the waters of Lake Waha.

For special reasons we desire to have the permit based upon the application in its new and exact form and are, therefore, returning you the application which we have corrected in paragraph 5, according to advice from B. F. Crow.

Maps are also returned under another cover and check for \$1.90, filing fee, is attached hereto.

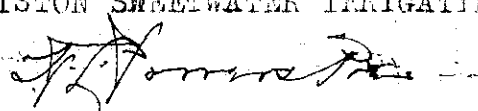
We shall appreciate your consideration if you can now pass this application to permit promptly and so advise us by wire, and when this is done we will understand that the former application and permit have been cancelled.

Thanking you, we are

Yours very truly,

LEWISTON SWEETWATER IRRIGATING CO., Ltd.

By



All water
for
Irrigation
and
Domestic use
furnished
in Pipes
under pressure

By this system
Irrigation
is accomplished
with
One-Tenth
the time
and labor
required by the
ditch system

16453

11331