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DEC 22 2003

Department of Water Resources

**Names of Parties Filing Document:**

UNITED STATES OF AMERICA

**Attorneys' Names and Addresses:**

THOMAS L. SANSONETTI  
Assistant Attorney General  
Environment and Natural Resources Division

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Attorney, U.S. Dept. of Justice  
General Litigation Section  
Environment and Natural Resources Division  
550 West Fort Street, MSC 033  
Boise, Idaho 83724  
Ph.: (303) 312-7322 FAX: (303) 312-7379

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA

Case No. 39576

) Subcase Numbers: 63-29070 and 63-29142

)

)

)

)

)

**AFFIDAVIT OF FREDRIC W. PRICE**

State of Idaho )

)

ss.

County of Ada )

)

I Fredric W. Price, being of lawful age, and having first been duly sworn, state the  
following:

//

1. My present position is that of Water Rights Specialist for the United States, Department of Interior, Bureau of Land Management (hereinafter "BLM"), Idaho State office. My current responsibilities include coordinating the BLM's efforts for the Snake River Basin Adjudication (hereinafter "SRBA") in Idaho. In that capacity, I provide guidance and technical support to the State Director, Field Office Managers, and technical specialists in BLM field offices, particularly those specialists working in water rights and related issues. I develop agency policy on water issues and in other programs affected by water rights, such as the range management and realty programs. I also review, interpret and analyze water rights claims for preparing opinions, recommendations, objections and other SRBA documents to the Department of Justice.

2. I have been employed by the BLM since 1982 in the following positions:

a. Eleven and a half years in various positions within the Rangeland Firefighting Program at the BLM, Shoshone Field Office. I spent 12 months working on that office's water rights team to develop and create 5,500 BLM claims.

b. Since August of 1993, I have been a Water Rights Specialist in the BLM, State Office.

3. My experience with water rights is as follows:

a. My eleven and a half years in BLM's fire program required that I have the ability to understand and interpret maps, legal land descriptions, and Range Improvement Project Files. I was routinely required to:

- travel to remote fire locations with just a map;
- map the position and extent of fires for which I was responsible;
- locate, construct and maintain range improvements (including but not

limited to: spring developments, pipelines and fences), and to supplement the range improvement project files.

- I taught several courses to new employees in interpreting maps and BLM Master Title Plats (hereinafter "MTP"), as well as, in the use of a compass.
- In my work with the BLM, I have been responsible for tasks requiring an ability to interpret: maps, legal land descriptions, and water claims, including the preparation, mapping and review of 5,500 SRBA water right claims for BLM.
- In my work with the BLM, I have reviewed hundreds of Range Improvement Project Files for the purpose of locating the project, to determine when it was constructed, whether it was completed, whether it is still functional, to identify candidates for filing SRBA water claims, and to capture certain types of projects into the Geographic Information Systems (i.e. computer mapping system).

b. As a Water Rights Specialist in the BLM State Office, it is my responsibility to provide guidance and direction to Idaho BLM offices in all matters relating to water rights, and make recommendations to the Department of Justice. My experience with water rights in my present position is as follows:

- I develop policy for BLM across several programs to deal with water issues, such as the range management and realty programs.
- I have reviewed tens of thousands of legal land descriptions represented in Points of Diversion (hereinafter "POD") and Places of Use (hereinafter "POU") that were published in SRBA Director's Reports to determine land

ownership by comparing those land descriptions to BLM's Master Title Plats and Historical Indexes. I have reviewed hundreds of deeds to determine who owned what land descriptions.

- I've prepared over a thousand revised water right descriptions for use with the SRBA Standard Form 5 (hereinafter "SF-5") to resolve objections involving the BLM.
  - I provide advice, guidance and direction to BLM field office personnel as to investigating and preparing claims, how to interpret water rights and how they relate to other water rights.
  - For hundreds of subcases, I have made determinations whether multiple claims exist for the same source and what the nature of their relationship is to each other.
  - I have reviewed hundreds of Range Improvement Project Files for the purpose of locating the project, to determine when it was constructed, whether it was completed, if it is still functional, who contributed to the construction and in what amounts, and to determine whether water is present and in what amounts.
  - I developed the investigative criteria to be used for BLM field offices to investigate water sources for claims preparation and for objection purposes.
- I have reviewed thousands of BLM claim files and field investigations conducted by BLM. I have also performed investigations of water rights in the field.

//

- I routinely provide technical assistance, reports, recommendations and opinions to the Department of Justice concerning all the above matters.

4. I have gained extensive knowledge of, and experience with, a wide range of government files, documents, records management, records retention, and archives since starting work for BLM in 1982. I have reviewed and interpreted hundreds of Master Title Plats and Historical Indexes. I also have extensive knowledge of, and experience with, the official business records of BLM associated with its water right claim filings in the SRBA, including but not limited to: BLM water right claim files, BLM water right field investigations, BLM Range Improvement Project Files, Master Title Plats, Historical Indexes, and Control Document Indexes (hereinafter "CDI").

5. The Master Title Plat (hereinafter "MTP") is an official business record of BLM. The MTP is the United States' official Record of Title. It is a graphic display of township survey data, and is drafted from information abstracted, compiled, and composed from the latest approved U.S. Government Survey Plats, survey field notes, and protraction diagrams. It describes the locations of United States property, aliquot parcels, and government surveyed "lots."

The Historical Index (hereinafter "HI") is an official business record of the United States that maintains a time line of events occurring on United States' property.

6. At the request of counsel for the United States, I have reviewed the official business records of the BLM and Idaho Department of Water Resources (hereinafter "IDWR") for the captioned subcases, and verified that the above captioned subcases were located on unreserved federal public domain lands as of April 17, 1926, and these lands currently remain under Department of Interior administration.

//

7. At the request of counsel for the United States, I was asked to determine whether there were any attempts to homestead or otherwise acquire fee title to the lands described by the Points of Diversion identified in the above captioned subcases. The official business records of BLM that I reviewed were the BLM SRBA claim files, MTPs and HIs. Based upon my review, I was able to determine that there were attempts to homestead the lands described by Points of Diversion identified in the captioned subcases. The homestead entries identified below were initiated under the authority of different homestead acts. The provisions of such homestead acts were effectively repealed in 1934 by the Taylor Grazing Act, and repealed in actuality in 1976 by the Federal Land Policy and Management Act (FLPMA). **Each homestead entry listed below failed and was subsequently canceled or relinquished.**

a. **Subcase 63-29070:** A Pre-Emption Homestead Entry was filed, pursuant to Section 2289, United States Revised Statutes, by Fal B. Jenkins on 06/15/1920 for 80 acres of federal public land. The United States assigned serial number BL-041716 to this application. The entry was subsequently cancelled on 01/10/1928 for failure to submit proof. This homestead entry was active on 04-17-1926.

b. **Subcase 63-29142:** A Stock-Raising Homestead Entry (hereinafter "SRHE") was filed, pursuant to the Act of 12-29-1916, by George A. Pringle on 12-11-1922. The United States assigned a serial number BL-041661 to this application. The SRHE was subsequently cancelled on 03/26/1928. This homestead entry was active on 04-17-1926.

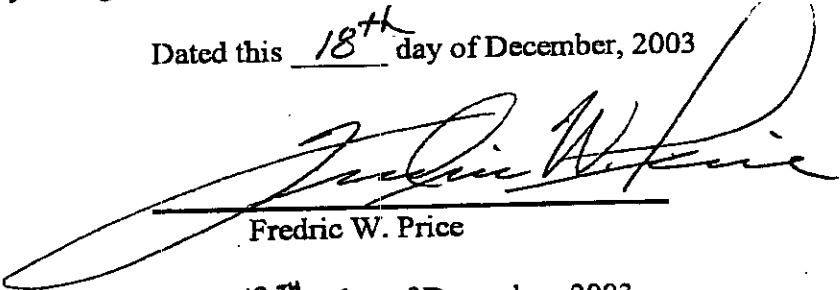
8. The Idaho State Office of BLM does not store historic land entry applications on site. The records are only retained for a certain period of time and then are sent to the record centers. At the request of counsel for the United States, I submitted a request to have a copy of the

serial case files, identified herein, sent to me from the National Archives for the Pacific NW Region located in Seattle, Washington.

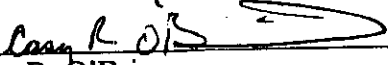
a. Subcase 63-29070: I do hereby certify that Attachment 1 to this affidavit is a true and correct copy of portions of the Pre-Emption Homestead Entry File BL-041716 that was initiated by Fal B. Jenkins.

b. Subcase 63-29142: I do hereby certify that Attachment 2 to this affidavit is a true and correct copy of portions of the Stock-Raising Homestead Entry File BL-041661 that was initiated by George A. Pringle.

Dated this 18<sup>th</sup> day of December, 2003

  
Fredric W. Price

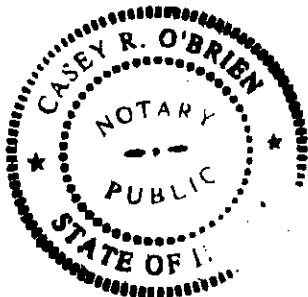
Subscribed and sworn to before me this 18<sup>th</sup> day of December, 2003.  
Witnessed by my hand and official seal.

  
Casey R. O'Brien

Notary Public in and for the State of Idaho

Residing at: Nampa, Idaho

My Commission Expires: 10-31-2009



## CERTIFICATE OF SERVICE

I certify that on Dec. 18, 2003, I served a true and correct copy of foregoing **AFFIDAVIT OF FREDRIC W. PRICE; SUBCASE NUMBERS: 63-29070 and 63-29142,** together with Attachments 1 and 2 upon the following individuals by placing the document in the United States Mail in Denver, CO, postage paid, and addressed as follows:

1. Original to:

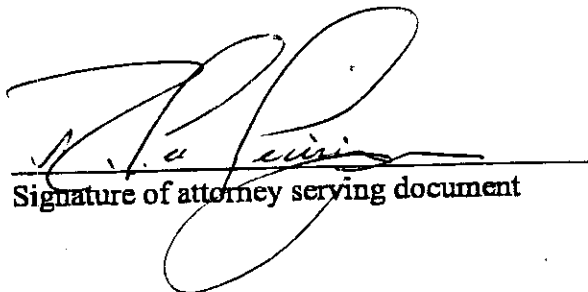
Clerk of the District Court  
Snake River Basin Adjudication  
253 Third Avenue North  
P. O. Box 2707  
Twin Falls, Idaho 83303-2707

2. Copy to:

U.S. Department of Justice  
General Litigation Section  
Environment and Natural Resources Div  
550 West Fort Street, MSC 033  
Boise, ID 83724

Chief, Natural Resources Division  
Office of the Attorney General  
State of Idaho  
P.O. Box 44449  
Boise, ID 83720-0098

IDWR Document Depository  
P.O. Box 83720  
Boise, ID 83720-0098



Signature of attorney serving document

# Attachment 1

Reproduced at the National Archives-Pacific Alaska Region (Seattle)

GENERAL LAND OFFICE

Send Patent to \_\_\_\_\_

Appearance by \_\_\_\_\_

Approved for Patenting \_\_\_\_\_, 19\_\_\_\_  
(Initials.)

List No. \_\_\_\_\_

Patent No. \_\_\_\_\_

Dated \_\_\_\_\_, 19\_\_\_\_

# Blair/Clayton

Serial No. 041716

### ACTION TAKEN

about 20-1928  
Hence  
April 29, 1928 Russell & Co.  
L. E. H. H. H.

041716

041723

TCP

GENERAL LAND OFFICE  
DEPARTMENT OF THE INTERIOR

Blackfoot, Idaho,

March 7, 1928.

The Commissioner of the General Land Office.

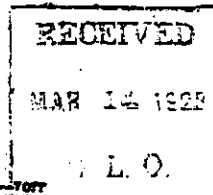
Sir:

Referring to the case, the claimant's name and serial number of which appear below, notice was sent, by registered mail, requiring cause to be shown why the entry should not be canceled for failure to submit proof within the statutory period.

No cause has been shown and evidence of service of the notice is transmitted herewith.

Entryman, Fal B. JenkinsKind of entry and Serial No., EE 041716 & EE 041723Kind of proof overdue, FinalDate of issuance of notice, Jan. 10, 1928

Respectfully,

Theodore Peterson, Acting Register.

Reproduced at

National Archives-Pacific Alaska Region (Seattle)

041716

## DEPARTMENT OF THE INTERIOR

## GENERAL LAND OFFICE

WASHINGTON

IN REPLY, PLEASE REFER TO

Blackfoot 039299-041716-041897 "O" HMC

041824-041659-041755

041961-041743-041968

041821-041683-041692

041579

041723.

Register and Receiver,

Blackfoot, Idaho.

Gentlemen:

You reported for examination for public domain lands within the territory of Idaho, the parcels of land as listed specified, the parcels named the first having been filed under official of October 1922, as a result of notice you transmitted. THESE SEVEN CARDS, MORE THAN 30 days prior to your report, and were taken by the [illegible] [illegible].

The parcels have, therefore, been duly noted, and proper notations on your records.

H. E. 039299, made February 21, 1923, by John K. Jenkins for lands in Sec. 2, 11, T. 7 N., R. 22 E., B.M.

H. E. 041716, made June 15, 1920, by Hal E. Jenkins for lands in Sec. 23, 24, T. 2 N., R. 3 E., B.M.

H. E. 041697, made May 9, 1922, by Frank Moser for lands in Sec. 28, T. 7 N., R. 4 E., B.M.

H. E. 041824, made June 10, 1922, by Joseph M. Fyler for lands in Sec. 17, T. 2 N., R. 1 E., B.M.

H. E. 041659, made October 9, 1920, by Walter E. Long for lands in Sec. 20, T. 12 N., R. 6 E., B.M.

H. E. 041755, made September 16, 1922, by Marion Fiser for lands in Sec. 26, T. 12 N., R. 4 E., B.M.

H. E. 041941, made September 6, 1922, by Riley Smith for lands in Sec. 31, T. 12 N., R. 5 E., Sec. 4, T. 14 N., R. 5 E., B.M.

Blackfoot 039299 etc. "O" BMC

H. E. 041743, made September 11, 1922, by Otto S. Marquess for lands in Sec. 7, 18, T. 15 N., R. 2 W.; Sec. 13, 14, T. 15 N., R. 3 W., B.M.

H. E. 041968, made November 20, 1922, by Arthur Benson for lands in Sec. 2, T. 5 N., R. 6 W., B.M.

H. E. 041821, made June 5, 1922, by James Saragne for lands in Sec. 9, T. 3 N., R. 4 W., B.M.

H. E. 041683, made July 6, 1922, by Emma Gorrie (now Jordan) for lands in Sec. 3, 4, T. 8 N., R. 3 W.; Sec. 34, T. 8 N., R. 3 W., B.M.

H. E. 041692, made August 24, 1922, byasmus P. Peterson for lands in Sec. 33, T. 9 N., R. 3 W., B.M.

H. E. 041579, made December 20, 1922, by William S. Haizen for lands in Sec. 13, 20, T. 8 N., R. 2 W., B.M.

H. E. 041723, made June 28, 1920, by Pal E. Jenkins for lands in Sec. 24, T. 3 N., R. 3 W., B.M. (Additional).

Very respectfully,

Assistant Commissioner.

BMC

Form 1, 1908, as amended by Secretary of the Interior Dec. 18, 1907

## DEPARTMENT OF THE INTERIOR

## HOMESTEAD ENTRY.

U. S. LAND OFFICE.

BOISE, IDAHO

SERIAL NO.

2489572

APPLICATION.

RECEIPT NO.

JUN 15 1920

I, Fredric W. Jenkins

(male)

a resident of

1226 G. St. Boise, Idaho

(Town, County, and State.)

do hereby apply

to enter, under Section 2289, Revised Statutes of the United States, the  
Tracts, Sec. 23 and NW 1/4

Section 24

Township 3 North, Range 3 East, Boise Meridian, containing  
80 acres, within the Boise, Idaho land district;

and I do solemnly swear that I am not the proprietor of more than 160

acres of land in any State or Territory; that I am a native born

(Applicant must state whether native born, naturalized, or has lost declaration of intention to become a citizen. If not native born, certified copy of naturalization or

I was born in state of Ida. citizen of the United States, and

am 47 years of age and a married man

(When verified the head of a family, married or unmarried, or over twenty-one years of age, and if not over twenty-one, applicant must set forth the facts which

constitute him the head of a family.)

that my post-office address is Boise, Idaho  
 that this application is honestly and in good faith made for the purpose  
 of actual settlement and cultivation, and not for the benefit of any  
 other person, persons, or corporation; that I will faithfully and hon-  
 estly endeavor to comply with all the requirements of law as to settle-  
 ment, residence, and cultivation necessary to acquire title to the land  
 applied for; that I am not acting as agent of any person, corporation, or  
 syndicate in making this entry, nor in collusion with any person, cor-  
 poration, or syndicate to give them the benefit of the land entered, or  
 any part thereof, or the timber thereon; that I do not apply to enter the  
 same for the purpose of speculation, but in good faith to obtain a home  
 for myself, and that I have not directly or indirectly made, and will not  
 make, any agreement or contract, in any way or manner, with any person  
 or persons, corporation or syndicate, whatsoever, by which the title  
 which I may acquire from the Government of the United States will inure  
 in whole or in part to the benefit of any person except myself. I  
 further swear that since August 30, 1890, I have not entered and ac-  
 quired title to, nor am I now claiming, under an entry made under any  
 of the nonmineral public-land laws, an acreage of land which, together  
 with the land now applied for, will exceed in the aggregate 320 acres;  
 and that I have not heretofore made any entry under the homestead laws,  
 or filed a soldier's or sailor's declaratory statement, except

NONE

306,7552

(When verified, I am not claiming entry by mining, or other special laws, and I do not intend to do so, or if I do not intend to do so, I so state.)

that I am well acquainted with the character of the land herein applied  
 for and with each and every legal subdivision thereof, having person-  
 ally examined same; that there is not to my knowledge within the limits  
 thereof any vein or lode or quartz or other rock in place bearing gold,  
 silver, copper, lead, tin, or copper, nor any deposit of coal, placer,  
 cement, gravel, salt spring, or deposit of salt, nor other valuable  
 mineral deposit; that no portion of said land is claimed for mining  
 purposes under the local customs or rules of miners, or otherwise; that  
 no portion of said land is worked for mineral during any part of the  
 year by any person or persons; that said land is essentially nonmineral  
 land, and that my application therefor is not made for the purpose of  
 fraudulently obtaining title to mineral land; that the land is not  
 occupied and improved by any Indian.

Examined and passed R.M. "O" OCT 11 1920

NOTE.—Every person swearing falsely to the above affidavit will be punished as provided by law for such offenses. (See Sec. 125, U. S. Criminal Code, et seq.)

Filed - Rpt. 13/20 vol 22/22

I HEREBY CERTIFY that the foregoing affidavit was read to or by affiant in my presence before affiant affixed signature thereto; that affiant ~~the person whose name appears on the foregoing affidavit~~ has been satisfactorily identified before me by Dall Jenkins of Barber, Idaho (Give full name and post-office address.);

that I verily believe affiant to be a qualified applicant and the identical person hereinbefore described; and that said affidavit was duly subscribed and sworn to before me, at my office, in Boise, Idaho (Town.)

Ada Co., Idaho (County and State.), within the Boise, Idaho (Town.)

land district, this 15th day of June, 1920.

*[Signature]*

Register.

(Official designation of officer.)

UNITED STATES LAND OFFICE at Boise, Idaho

JUNE 15, 1920

I HEREBY CERTIFY that the foregoing application is for surveyed land of the class which the applicant is legally entitled to enter under Section 2289, Revised Statutes of the United States, that there is no prior valid adverse right to the same, and has this day been allowed.

*[Signature]*

Register.

UNITED STATES CRIMINAL CODE—CHAP. 2.

Sec. 123. Whoever, having taken an oath before a competent tribunal, officer, or person, in any case in which a law of the United States authorizes an oath to be administered, that he will testify, declare, depose, or certify truly, or that any written testimony, declaration, deposition, or certificate by him subscribed, is true, shall willfully and contrary to such oath state or subscribe any material matter which he does not believe to be true, is guilty of perjury, and shall be fined not more than two thousand dollars and imprisoned not more than five years. (Act, March 4, 1809. 35 Stat., 1111.)

# Attachment 2

## GENERAL LAND OFFICE

Blackfoot

Serial No. 041661

CONTEST

Ad  
Entry cancelled  
with cost and  
on reexamination  
made and  
March 27, 1928  
H.C.

Send Patent to .....

Appearance by .....

Approved for Patenting .....

19

(Initials)

List No. ....

Patent No. ....

Dated .....

19

## ACTION TAKEN

APR 13 1919

Petition for Designation  
referred to Geological Survey.

1922  
July 1 Application rejected in part -  
(conflict SE 7E 6SE Sec 18 +  
applied for allowance as  
to remainder of land - H.C.  
D file

10/6/22 To R.R. App. included  
for allowance as per  
instructions H.C.

2/4/23 To R.R. Decision 10/6/22  
final - determined to allow  
applied as to balance - H.C.

FEB 13 1928 Reg. Adv. pro ordered case  
D file

6/14/28 To "O" to note  
relinquishment, thence  
to "D" file. H.C.  
"O" "D" "C"

June 22/28 Noted in O M.H.  
7-31-29 Had for reference.  
"E" J.H.N.

To R.  
9-3 To "D" Jan - R

DEPARTMENT OF THE INTERIOR  
UNITED STATES LAND OFFICE

U. S. LAND OFFICE  
RECEIVED  
MAR 29 1928  
MAR 29 11

Boise, Idaho.

(Place.)

March 26, 1928

(Date.)

041661

RELINQUISHMENT OF ENTIRE CLAIM

I hereby relinquish to the United States all my right, title, and interest in and to Entry No. 041661-Blkft., made at Boise, Idaho (Name Land Office where entry was made.)

the land being described as follows: NE 1/4 Sec. 13, 2 & 3, Sec. 18 & NE 1/4 NW 1/4, T. 3 N., R. 3 E., S. 1 NE 1/4, N. 1 SE 1/4, SE 1/4 NW 1/4, NE 1/4 SW 1/4, Lots 19

Township 3 North, Range 4 East, Boise Meridian. Request return of the final commissions paid with final proof.

Witnesses:

(Name and address.)

(Name and address.)

Acknowledged before me this 26th day of March, 19 28.

T. B. Chapman

U. S. Commissioner.

(Official designation of officer.)

The relinquishment accompanying a REPAYMENT APPLICATION must be executed before the Register or Receiver, or before an officer qualified to take acknowledgments of deeds.

Other relinquishments may be accepted if the signature is attested by two witnesses.

Relinquishments of homestead entries can not be accepted if the entryman be dead unless executed by the statutory successors named in Sec. 2291, R. S. Where no widow survives and the relinquishment is executed by the heir or heirs, a corroborated affidavit must be attached setting forth the names of all the heirs, and their relationship to the entryman.

RELINQUISHMENT OF PORTION OF ENTRY

I hereby relinquish to the United States all my right, title, and interest in and to the following-described land:

Section \_\_\_\_\_, Township \_\_\_\_\_, Range \_\_\_\_\_, Meridian, being part of the land embraced in Entry No. \_\_\_\_\_, made at \_\_\_\_\_ (Name Land Office where entry was made.)

(Signature.)

Witnesses:

(Name and address.)

(Name and address.)

Acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_

Reproduced at the National Archives-Pacific Alaska Region (Seattle)

*Crossed Entry*  
*Cancelled*  
*MAR 29 1928*

Register  
3306  
Contest

DEPARTMENT OF THE INTERIOR  
UNITED STATES LAND OFFICE

Blackfoot, and in Idaho  
March 17, 1928

4/14/28  
*plg*

United States

vs.

George A. Pringle.

Involving homestead 041661

Contest 3306

By authority of General Land Office

letter dated February 16, 1928

In the matter of the above-entitled case, you are hereby notified that the following charges have been filed by an inspector of the Interior Department, against the validity of your entry, to wit:

That claimant has not placed on the land since date of filing application therefor under the stock-raising homestead act, any permanent improvements to the value of at least \$1.25 per acre, tending to enhance the value thereof for stock-raising purposes.

You are notified that if you fail to file in this office within thirty days of date of service of this notice, a written or printed answer, under oath, denying each of said charges, or showing a state of facts rendering said charges immaterial, and applying for a hearing to determine the truth of said charges and answer, or if you fail to appear at a hearing applied for, your said above entry or claim will be forthwith reported to the Commissioner of the General Land Office for rejection or cancellation.

~~As the entry is defective, in the event said charges should be shown to be correct, the entry should be cancelled.~~

It will be necessary for you to file two copies of your answer in this office.

Register.

1-163

ADDRESS ONLY THE COMMISSIONER OF THE GENERAL LAND OFFICE

1x D. I.

DEPARTMENT OF THE INTERIOR

GENERAL LAND OFFICE

WASHINGTON

FEB 16 1928

IN REPLY PLEASE REFER TO

Blackfoot 041651 "C" ACE

Claimant: George A. Pringle

ADVERSE PROCEEDINGS AGAINST  
HOMESTEAD ENTRY ORDERED

ENTRY MADE DECEMBER 11, 1922.  
FINAL PROOF AUGUST 26, 1927.  
FINAL CERTIFICATE NOT ISSUED.

Register,

Blackfoot, Idaho.

Sir:

Referring to the entry by the claimant whose name and serial number of the entry appear above, you will proceed in accordance with circular of February 26, 1916, and in the notice provided for in paragraphs 3, 4, and 5 thereof, you will state that the following charges have been filed by a representative of the Department of the Interior.

That claimant has not placed on the land since date of filing application therefor under the stock-raising homestead act, permanent improvements to the value of at least \$1.25 per acre, tending to enhance the value thereof for stock-raising purposes.

Very respectfully,

*J. H. Gamm*

Acting Assistant Commissioner.

2-10 acc

Affidavit of Fredric W.  
Price Attach. 2 Pg. 20

4-001a

FILL OUT THIS BLANK WITH INK

Status Clerk:

Please furnish status appearing on the Tract Books affecting

Entry No. 041661  
 Claimant's name George A. Pringle  
 Description NE 1/4 Sec 13, T. 3 N. R. 3 E. S. 1/4, N 1/4, SE 1/4, NW 1/4, Lots 2, 3, Sec 18. NE 1/4 NW 1/4  
 Sec. 19 Tp. 3 N. R. 4 E. Meridian B.  
 State Idaho District Blackfoot  
 T. B. Vol. 22 P. 150  
 DEC 20 1921 19 A. C. England Div. C.  
 (Date of request) (Full name of clerk)

Does posting and survey agree with above description. No. Posted area 396.16.

Conflicts none

Rights-of-way none

Withdrawals none

Information desired orig. 014950 (Lot 4, SE 1/4, NE 1/4, Sec 18. NW 1/4 Sec 19. T. 3 N. R. 4 E.) 6 ft. 4 in. des. all lands Oct 12-29-16. acreage of 041661, 7 ft. 4-15-20.

not added right 396.16 ft. act  
 lot 2 - 3816  
 3816  
 3816  
 3816  
 3816

Date furnished 1-13- 1928 J. A. Lewis  
 (Full name of clerk)

This slip will be filed with case to which it pertains, and the status clerk, who must sign same, will be held responsible for its correctness.

WILLIAM SPRY,  
 Commissioner.

Boise, 023596, Blackfoot, 041661.  
George A. Pringle.  
Adverse Report.  
W. H. Burnett,  
Inspector.

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
GENERAL LAND OFFICE

Salt Lake City, Utah.

December/2, 1927.

Approved 12-13-27

*John H. Moore*  
Division Inspector.

Commissioner,

General Land Office,

Washington, D. C.

Sir:

On December 11, 1922 George A. Pringle made stock-raising homestead entry, Serial No. 041661, Blackfoot series, (formerly Serial No. 023596, Boise series), for the NE $\frac{1}{4}$  SE $\frac{1}{4}$ , Sec. 13, T. 3 N., R. 3 E.; S $\frac{1}{2}$  NE $\frac{1}{4}$ ; N $\frac{1}{2}$  SE $\frac{1}{4}$ ; SE $\frac{1}{4}$  NW $\frac{1}{4}$ ; NE $\frac{1}{4}$  SW $\frac{1}{4}$ ; Lots 2, 3, Sec. 19; NE $\frac{1}{4}$  NW $\frac{1}{4}$ , Sec. 19, T. 3 N., R. 4 E. The entry appears to have been filed and allowed under section 5 of the act of December 29, 1916 as additional to patented homestead entries, Serial Nos. 014765-014940, Boise series.

On August 26, 1927 the entryman submitted final proof on the above entry. Final certificate was requested withheld

by the Division Inspector.

On August 20, 1927 the case was assigned to me for field investigation and report.

On October 14th, 20th, and 21st, 1927 I investigated the

case. Took the affidavits of George A. Pringle, Charles Henry  
**CONFIDENTIAL**  
NOT FOR PUBLIC INSPECTION

Coffey, Wallace Parish, and J. A. Percy, and made a personal examination of the land and the improvements thereon.

The land is about six miles from the town of Barber, Idaho and lies between the Boise River, three miles to the southeast, Moores Creek, two miles to the east, and Cottonwood Creek, three miles to the north. It is rough and mountainous and wholly unfit for cultivation. The altitude of the land is approximately 3500 feet.

The land supports a heavy growth of sage brush, some native grass, and a heavy growth of Cheat grass, sometimes called Mormon oats. There are some fir trees and other scrub timber but no merchantable timber.

I found no water holes or evidence of mineral.

Upon my personal examination of the land I found on the north line of the SW $\frac{1}{4}$  SE $\frac{1}{4}$ , S $\frac{1}{2}$  SW $\frac{1}{4}$ , Sec. 18, which is the north line of the claimant's original entry, the remains of what had been a fence. The posts had practically all rotted off and were lying about on the ground. The posts remaining standing were ready to topple over with the touch of the hand. The wire was scattered along the ground. The condition of this fence indicated that it could not possibly have been built within the past ten years, or have been repaired within that length of time. It is of no value to the land.

I examined the road leading from the house on the original entry up through the SE $\frac{1}{4}$  SW $\frac{1}{4}$  and the NE $\frac{1}{4}$  SW $\frac{1}{4}$ , Sec. 18. I

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stepped the length of the road which is on the additional entry and found that it measured 1113 feet, or less than a quarter of a mile. This road was no more than 6 feet wide in many places and wholly unfit to haul a loaded wagon over. The road was much filled in and grown up with grass and sage brush. The new sage brush had grown up to the height of three and four feet, the same height as the surrounding brush. The condition of this road indicated that it must have been at least 10 or 15 years since it was built or repaired. It is not and has never been an improvement to the land in the additional entry.

It is certain that the fence and road above described were built as improvements to and in connection with the use and convenience of the claimant while maintaining his home on the original entry and that they were built long prior to the date he filed his additional homestead application. The statements contained in the four affidavits secured substantiate this contention and in fact, I believe, place the question beyond dispute.

I found no further improvements on the land and no further improvements are claimed by the entryman.

I was unable to secure any positive evidence that the entryman did not own and reside on his original entry at the time he filed on the additional entry.

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## CONCLUSION AND RECOMMENDATION.

I am satisfied from a consideration of the statements contained in the affidavits taken and from my examination of the land that the entryman in this case has placed no improvements on his additional stock-raising homestead entry for which credit may be allowed under the act of December 29, 1916 and I, therefore, respectfully recommend that the following charge be made against the entry, to-wit:

1. That claimant, since filing his application under the stock-raising homestead law, has not placed permanent improvements on the land which would tend to enhance the value thereof for stock-raising purposes of the value of at least \$1.25 per acre, as required by the law under which the entry was made.

In case a hearing is ordered in this case I recommend that the following persons be called as witnesses in behalf of the Government.

Wallace Parish,  
J. A. Percy,  
Charles Henry Coffey,  
George A. Pringle,  
W. H. Burnett,

Barber, Idaho.  
Barber, Idaho.  
Barber, Idaho.  
Boise, Idaho.  
Salt Lake City, Utah.

A copy of each of the affidavits which I took during my investigation is enclosed.

Very respectfully,

*W. H. Burnett*  
Inspector.

**CONFIDENTIAL**  
NOT FOR PUBLIC INSPECTION

4-659  
(August, 1928)

DEPARTMENT OF THE INTERIOR  
UNITED STATES LAND OFFICE

At BLACKFOOT, IDAHO.

Serial \_\_\_\_\_

The annexed papers were filed the  
day and hour noted thereon.

*Supp*  
*Rejected* SEP 8 - 1927

because PROTESTED Div Supp -

Copy to Div Supp -

Papers with Sep 15 returns  
Error in pub. New notice  
NOV 3 - 1927 affd pub called for  
NOV 18 1927 affd pub filed

Papers with Nov. 30 returns

, Register.

NOTICE.

I hereby acknowledge due service of notice of  
the action in this case and of my right of appeal  
within 30 days.

By registered letter \_\_\_\_\_

\* \_\_\_\_\_ appeal filed.

\* NOTE.—If no appeal filed, and the case is closed, so state, giving date  
of closing.  
Case should not be closed, if unclaimed letter was not held 30  
days, or, if notice was received, before expiration of 30 days  
from its receipt.

GOVERNMENT PRINTING OFFICE

6-1676

Affidavit.

J. A. Percy being duly sworn deposes and says that he knows George A. Pringle and the land included in his original and additional homestead entries; that he knows that the improvements on said land consisting of a house, barn, fencing and road were placed there prior to the year 1915; that no additional work has been done on the road since that date; that no repairs have been made on the fence since that date; that there are no other improvements whatever on any part of said entries.

J. A. Percy.

Subscribed and sworn to before me this 21day of Oct. 1927.

W. H. Burnett,  
Inspector.

**CONFIDENTIAL**  
NOT FOR PUBLIC INSPECTION

GPO

Affidavit of Fredric W.  
Price Attach. 2 Pg. 27

REPRODUCED BY THE NATIONAL ARCHIVES FOR PUBLIC RELEASE (2012)

Affidavit.

Wallace Parish being duly sworn says that he knows Geo. A. Pringle and the land in his original and additional homestead entries; that there are no improvements on said land except a house and barn and there was some fencing placed on the original entry about 1913 or 1914, that when he was there about three and a half years ago this fence was down; at that time there were no other improvements on the land.

Wallace Parish.

Subscribed and sworn to before me this 20th day of October,  
1927.

W. H. Burnett,  
Inspector.

**CONFIDENTIAL**  
NOT FOR PUBLIC INSPECTION

COPY.

AFFIDAVIT.

Charles Henry Coffey of Barber Idaho being duly sworn says that he has been over the homestead entry of George A. Pringle and the surrounding land. He knows that outside of a house and barn there are no improvements on said land or on the surrounding land. He does not know the description of the land in Pringle's additional entry but knows that none of the land surrounding the original entry is improved in any way. There was a fence on the original entry but it is down now.

Charles Henry Coffey.

Subscribed and sworn to before me this 20th day of Oct. 1927.

W. H. Burnett, Inspector.

**CONFIDENTIAL**  
NOT FOR PUBLIC INSPECTION

GPO

COPY

Affidavit.

George A. Pringle says he thinks a 3 wire fence along South side of his additional entry, fir and few quaken aspen and cherry posts, dont know how far apart, on average about 16 feet, posts, a few cut on the land but most of them cut up on the timber probably 2 or 2½ miles away from the land; had to build a road across this entry and to the timber road in order to get the posts out to the land; cut the posts myself with the assistance of my son and ahuled them and snaked them in; my son Arthur and I built the fence; also had a hired man who helped us. His name was Johnie Dewese, he went overseas with the army and was gassed and died. The road and fence mentioned above is all the improvements I claim on additional entry. They are worth \$920. It really cost me more than that. I lived on my original entry the required time and more and still owned same and resided thereon at time of making this additional entry.

George A. Pringle.

Subscribed and sworn to before me this 14th day of October, 1927.

W. E. Burnett,  
Inspector.

**CONFIDENTIAL**  
NOT FOR PUBLIC INSPECTION

GPO

For use in  
HOMESTEAD  
DESERT LAND, and  
TIMBER or STONE  
Entries.

Readvertise.  
Error in description.  
Publisher.

NOTICE FOR PUBLICATION.  
(PUBLISHER.)

041661

NOV 18 1927

DEPARTMENT OF THE INTERIOR,

U. S. LAND OFFICE at Blackfoot, Idaho  
SEP 10 1927, 19

NOTICE is hereby given that George A. Pringle, of  
Boise, Idaho. (Gem Bldg.), who, on Dec. 11, 1922, 19, made  
Homestead entry 023596, now Blackfoot, No. 041661, for  
NE 1/4 Sec. 13, T. 3 N., R. 5 E., S. 2 E., NE 1/4 Sec. 18, NE 1/4 NW 1/4 Section 19,  
SAME, NE 1/4, SE 1/4, NW 1/4, NE 1/4 SW 1/4, lots 2, 3, Sec. 18; NE 1/4 NW 1/4  
Township 3 North, Range 4 East, Boise Meridian,  
has filed notice of intention to make three year  
(If homestead, insert "five year," "three year," or "commutation," as case may be.)  
Proof, to establish claim to the land above described, before  
Register of U. S. Land Office \_\_\_\_\_, at  
Blackfoot, Idaho, on the 19<sup>th</sup> day of  
October, 1927

Claimant names as witnesses:

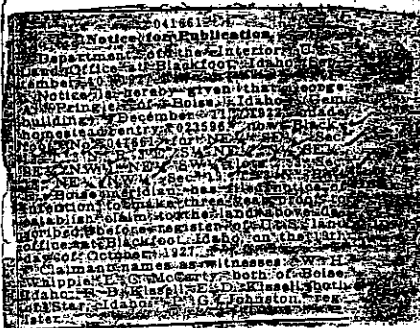
W. H. Whipple, of \_\_\_\_\_  
L. C. McCarty, both, of Boise, Idaho  
F. B. Kissell, of \_\_\_\_\_  
E. D. Kissell, both, of Star, Idaho

M. Johnston  
Register.

Idaho Statesman.

AFFIDAVIT OF PUBLICATION.

27-Publisher: Return this form to the  
Register at the end of the period of publi-  
cation, with the "Affidavit of Publication"  
properly executed.



I, J. C. Adams,  
Publisher, of the  
(Publisher or foreman.)  
Idaho Statesman,  
(Name of newspaper.)  
published Weekly at Boise,  
(Daily or weekly.) (Place.)  
do solemnly swear that a copy of the above notice, as per clipping  
attached, was published Weekly in the regular and  
(Daily or weekly.)  
entire issue of said newspaper, and not in any supplement thereof,  
for Five consecutive issues, commencing with the  
issue dated Sept. 18<sup>th</sup>, 1927, and ending with the  
issue dated October 16, 1927

Subscribed and sworn to before me this 18<sup>th</sup> day of October, 1927

Affidavit of Fredric W.  
Price Attach. 2 Pg. 31

John G. Dunham  
Notary Public  
(Official designation.)

041661

OCT 7 - 1927

4-348

For use in  
HOMESTEAD and  
DESERT LAND  
Entries.

Readvertise. NOTICE OF INTENTION TO MAKE PROOF  
Error in description.  
Publisher.

DEPARTMENT OF THE INTERIOR

Blackfoot, Idaho

U. S. LAND OFFICE at

SEP 10 1927

George A. Pringle

19

Boise, Idaho, (Gem Bldg.) I, Dec. 11, 1922

Homestead entry 023596, now Blackfoot, on 041661, made

NE 1/4 Sec. 13, T. 3 N., R. 3 E.,  
S 1/4 Sec. 18, T. 3 N., R. 3 E., No. 19, for

3 North 4 East Boise, Section  
Township, Range, three year Meridian,

hereby give notice of my intention to make  
(If homestead, insert "five-year," "three-year," or "commutation," as case may be.)  
Proof, to Register of U.S. Land Office the land above described, before

Blackfoot, Idaho, at

(Name of officer.)

on the 19<sup>th</sup> day of  
October, 1927, by two of the following witnesses:

W. H. Whipple

L. C. McGarty both of Boise, Idaho

F. B. Kissell, of

E. D. Kissell both of Star, Idaho

of

RECEIVED

SEP 12 1927

RECEIVED

(Signature of claimant.)

Idaho Statesman.

Stock-raising homestead entry. Art  
December 20, 1916 (39 Stats., 862).

SEP 10 1927

19

Notice of the above intention to make proof will be published for a  
period of 5 consecutive weeks, in the

Idaho Statesman

Boise, Ida

(Name of newspaper.)

(Place of publication.)

which I hereby designate as the newspaper published nearest the land above  
described.

Register.

OPTIONAL FORM NO. 10 6-2637

Please withhold FINAL CERTIFICATE  
until field investigation has been made  
and report submitted  
10/4/27  
(Date)  
J. ARTHUR MOORE  
Division Inspector

Affidavit of Fredric W.  
Price Attach. 2 Pg. 32

041661

For use in  
HOMESTEAD,  
DESERT LAND, and  
TIMBER or STONE  
Entries.

4-348a

# NOTICE FOR PUBLICATION. (REGISTER.)

Readvertise.  
Error in description.  
Publisher.

DEPARTMENT OF THE INTERIOR,

U. S. LAND OFFICE at Blackfoot, Idaho

SEP 10 1927, 19

NOTICE is hereby given that George A. Prince, of  
Boise, Idaho, (Gen Bldg.), who, on Dec. 11, 1926, 19, made  
Homestead entry 023596, now Blackfoot, No. 041661, for  
NE 1/4 Sec. 13, T. 3 N., R. 3 E.,  
SE 1/4 Sec. 13, T. 3 N., R. 3 E., lots 2, 3, sec. 13, NE 1/4 Section 13,  
Township 3 North, Range 4 East Boise Meridian,  
has filed notice of intention to make three year  
(If homestead, insert "five year," "three year," or "commutation," as case may be.)  
Proof, to establish claim to the land above described, before  
Register of U. S. Land Office  
(Name of officer.)  
Blackfoot, Idaho, on the 19th day of  
October, 1927

Claimant names as witnesses:

W. W. Whipple, of \_\_\_\_\_  
L. C. McCarty both, of Boise, Idaho  
P. B. Kissell, of \_\_\_\_\_  
E. D. Kissell both, of Star, Idaho

W. Johnston  
Register.

Idaho Statesman.

CERTIFICATE AS TO POSTING OF NOTICE.

Blackfoot, Idaho, entry, 561  
December 20, 1916 (29 Stats., 892)

NOV 18 1927, 19

I HEREBY CERTIFY that the above notice, or copy thereof, was by me  
posted in a conspicuous place in my office for a period of 30  
days, I having first posted said notice on the SEP 10 1927 day of  
September, 1927

P. G. Johnston  
Register.

6-1774

AUG 27 1927

Form approved by the Secretary of the Interior January 7, 1922.

STOCK-RAISING HOMESTEAD

FINAL PROOF

TESTIMONY OF CLAIMANT.

DEPARTMENT OF THE INTERIOR

U. S. LAND OFFICE,

BLACKFOOT, IDAHO.

Serial No.

Additional Entry Serial No. 041661-Boise-02359

Receipt No. 2922373

NOTE.—The officer before whom this proof is made will see that all answers are complete and responsive to the questions, and that the answers bring out the pertinent facts showing the entryman's compliance or noncompliance with the laws under which the land was entered. Neither of the witnesses may be present while the testimony of the claimant is being given.

QUESTION 1. What is your full name, age, and post-office address?

ANSWER. Name GEORGE A. PRINGLE

age 59 years; P. O. address Boise, Idaho (Room 7, Gam Bldg.)

QUESTION 2. (a) Are you now a citizen of the United States? (b) If so, are you a native-born or naturalized citizen? (c) If naturalized, is a certified copy of your certificate of naturalization submitted with this proof, or is such copy now on file in the land office, and if so, with what entry was such copy filed? (d) If a married woman, give date of marriage and state husband's citizenship qualifications.

NOTE.—If applicant is alien born, he should state the fact and file evidence of citizenship in due form, either a certificate of his own naturalization in a court of competent jurisdiction, or, if claiming to be a citizen by virtue of his father's naturalization and his own minority and residence in the United States at the date thereof, or, if a married woman claiming citizenship by virtue of her husband's activity or naturalization, then record evidence of the naturalization of the father, or husband, or an affidavit as to the nativity of the latter. Applicants who were at one time citizens of the United States, but who later became citizens of a foreign country, must file record evidence of their naturalization. Any female citizen of the United States invoking the benefits of the act of October 17, 1914 (38 Stat. 740), shall make oath showing the nationality of her husband, and that he is entitled to become a citizen of the United States.

ANSWER. (a) yes (b) native-born (c) Native born

(d)

QUESTION 3. Are you the same person who made original homestead entry No. 023595, on December 11, 1922, and additional homestead entry No. 041661 on December 11, 1922, at the Boise, Idaho

Land Office, for NE 1/4 Sec. 13, T. 3 N. R. 3 E., and SW 1/4 Sec. 13, T. 3 N. R. 3 E., Lots 2 & 3, Section 18, and NE 1/4 Sec. 18, T. 3 N. R. 3 E.,

Section 19, Township 3 North, Range 4 East, Boise Meridian?

If not, give relationship to entryman.

ANSWER. I am

QUESTION 4. Are you married or single? ANSWER. Single

QUESTION 5. If married, of whom does your family consist?

ANSWER. 0

QUESTION 6. If a married woman, state whether your husband held an unperfected homestead entry during the period of residence claimed by you, and for what time he has resided on this land with you.

ANSWER. 0

Affidavit of Fredric W. Price Attach. 2 Pg. 34

ANSWER. (a) On Original

(b) \_\_\_\_\_  
(c) I owned and resided on my original entry at the time I made application for this  
Additional entry, and still own same.  
(d) \_\_\_\_\_

QUESTION 8. (a) Have you a habitable house on the land? (b) When was it built? (c) If built after residence was established, state where you resided before the house was built.

ANSWER. (a) \_\_\_\_\_ (b) \_\_\_\_\_  
("Yes" or "No.")

(g) QUESTION 9. Considering each "residence year" as beginning with the day and month on which residence was first established, state definitely the time, or times, during each residence year when you were actually residing on the land, and the time, or times, when you were absent from the land.

ANSWER.

QUESTION 10. Describe the land embraced in above entry by legal subdivisions, showing fully the character of same, and kind and amount of timber, if any, and amount under cultivation.

(If several subdivisions are identical in character, they may be grouped together on one line.)

ANSWER.

QUESTION 11. State the number of acres cultivated, kind of crop planted, and amount harvested, each year, and state to what extent you have used the land for grazing.

ANSWER. 19....., None cultivated. I have grazed the lands since spring of

19..... 1919, when I applied for the land. The first 2 or 3 years, after I  
19..... filed - in April 1919, I grazed about 30 head of my own stock on the land;  
19..... Then J.E. Hill, a renter stayed on the land and pastured about 10 head of my  
19..... stock together with his stock, since that time John Hammer has had the gras-  
19..... ing privilege and run my horses and his on the lands. The lands have been  
grazed each year all they would afford.

QUESTION 12. (a) Describe fully and in detail the amount and kind of improvements on each subdivision, stating when same were made and giving the cost of each item. State definitely which improvements, if any, are claimed in compliance with the stock-raising homestead law.



I HEREBY CERTIFY that the deponent was examined separately and apart from the other witnesses in the case; that the foregoing deposition was read to or by deponent in my presence before deponent affixed signature thereto; that I verily believe deponent to be the identical person hereinbefore described, and that said deposition was duly subscribed and sworn to before me at my office, in Boise (Town),

ADA County, State of IDAHO 26th within the Blackfoot, Idaho land district, this 26th day of AUGUST, 1927.

*T. B. Chapman*  
U. S. Commissioner  
(Official designation.)

### FINAL AFFIDAVIT REQUIRED OF HOMESTEAD CLAIMANTS

I, GEORGE A. PRINGLE, having made a Homestead Entry of the NE 1/4, Sec. 13, T. 3 N. R. 3 E., and S 1/4, NE 1/4, S 1/4, NE 1/4, and Lots 2 & 3, Section 18, and NE 1/4

Section 19, Township 3 North, Range 4 East, Boise Meridian, subject to entry at Boise, Idaho- now Blackfoot, Idaho, under The Stock-raising Act of December 29, 1916 (General, Enlarged, or Stock-raising homestead law.)

do now apply to perfect my claim thereto; and for that purpose do solemnly swear that I am a native born citizen of the United States;

that I have a habitable house upon original and have resided upon said land since the summer of 1913 (I think it was) fall of 1921; that no part of said land has been alienated, except as provided in section 2288 of the Revised Statutes, but that I am the sole bona fide owner as an actual settler; that I will bear true allegiance to the Government of the United States; and, further, that I have not heretofore perfected or abandoned an entry made under the homestead laws of the United States, except the original to which this is additional

*George A. Pringle*

I HEREBY CERTIFY that the foregoing affidavit was read to or by affiant in my presence before affiant affixed signature thereto; that I verily believe affiant to be an credible person and the identical person hereinbefore described, and that said affidavit was duly subscribed and

sworn to before me, at my office, in BOISE (Town), 26th County of ADA, State of IDAHO, this 26th day of AUGUST, 1927.

*T. B. Chapman*  
U. S. Commissioner  
(Official designation.)

Sec. 125. Whoever, having taken an oath before a competent tribunal, officer, or person, in any case in which a law of the United States authorizes an oath to be administered, that he will testify, declare, depose, or certify truly, or that any written testimony, declaration, deposition, or certificate by him subscribed, is true, shall willfully and contrary to such oath state or subscribe any material matter which he does not believe to be true, is guilty of perjury, and shall be fined not more than two thousand dollars and imprisoned not more than five years.

4-368 c  
Form approved by the Secretary of the Interior January 7, 1922.

# STOCK-RAISING HOMESTEAD FINAL PROOF TESTIMONY OF WITNESS

DEPARTMENT OF THE INTERIOR

U. S. LAND OFFICE, BLACKFOOT, IDAHO. Serial No. \_\_\_\_\_  
Additional Entry Serial No. 041661-Boise 023596

NOTE.—The officer before whom this proof is made will see that all answers are complete and responsive to the questions, and that the answers bring out the pertinent facts showing the entryman's compliance, or noncompliance, with the laws under which the land was entered. Neither the claimant nor the other witness may be present while the testimony of this witness is being taken.

QUESTION 1. What is your full name, age, and post-office address?

ANSWER. Name, Elmer D. Kissell; age, 29 years;

P. O. address, Boise, Idaho

QUESTION 2. Are you the same person who was mentioned in the published notice as Elmer D. Kissell?

(Officer before whom proof is taken will fill in the name as published.)

ANSWER. Yes, sir.

QUESTION 3. How long have you known the claimant in this case and the

NE 1/4 Sec. 13, T. 3 N., R. 3 E., S. 1 N., NE 1/4, SE 1/4, NW 1/4, NE 1/4, and Lots 2 & 3, Section 18 and NE 1/4

Section 19

Boise Meridian,  
Township 3 North, Range 4 East,  
the land embraced in Homestead Entry BLKFT No. 041661-Boise 023596, made  
at the Boise, Idaho now Blackfoot, Idaho Land Office?

ANSWER. I have known claimant 10 or 12 years, the land 12 years.

QUESTION 4. (a) Is entryman married? (b) Of whom does entryman's family consist?

ANSWER. (a) A widower (b) Himself and a daughter or two

QUESTION 5. Is said tract within the limits of an incorporated town, or used in any way for trade or business?

ANSWER. No, sir.

QUESTION 6. If this proof is for an additional entry, state whether the entryman has resided upon such additional entry or upon his original entry.

ANSWER. On the original patented land

QUESTION 7. At what date did entryman establish actual residence on said homestead?

ANSWER. 0 About 1913, best I remember.

QUESTION 8. Has entryman, or entryman's family, maintained a residence elsewhere than on this land at any time since residence was thus established?

ANSWER. 0 About the fall of 1919 or 1920, he moved to Boise. He is a

dentist.

QUESTION 9. Have entryman and family ever been absent from the homestead since thus establishing residence thereon? If so, state when, for how long, and for what reason.

ANSWER. 0

QUESTION 10. Considering each residence year as beginning at the date on which actual residence was established, state the number of months during each residence year that entryman actually resided upon the land.

ANSWER. First year, ..... Second year, .....  
Third year, ..... Fourth year, .....  
Fifth year, .....

QUESTION 11. With regard to the land for which this proof is offered, state (a) the kind of soil; (b) contour of the surface, as "level," "rolling," "rough," "hilly," "mountainous," etc.; (c) number of acres which have been cultivated, (d) number of acres not cultivated which might be profitably cultivated; (e) number of acres containing trees of any kind; (f) number of feet of saw timber.

ANSWER. (a) ~~gravelly-rocky~~ (b) ~~pretty rough and broken mountain sides~~  
(c) ~~None~~ (d) ~~None~~ (e) ~~None~~ ~~Just some brush, maybe a scattering tree or so.~~

QUESTION 12. State the number of acres cultivated and kind of crop planted, each year, and state to what extent the land has been used for grazing.

ANSWER. 19. There is no cultivation. None profitably cultivable.  
19. He grazed it with his own cattle and horses every season. I think since he  
19. filed on it. I dont know just how many. The land has been pastured just  
19. about all if would stand.  
19. ....

QUESTION 13 (a). Describe fully and in detail the amount and kind of improvements on the land, stating when same were made and giving the cost of each item, and if proof is offered upon an additional entry under the stock-raising law state definitely which of such improvements are actually upon the additional entry and when they were placed there.

ANSWER.

| YEAR<br>CONSTRUCTED     | LOCATION OF IMPROVEMENTS                                          | CHARACTER OF IMPROVEMENTS                                            | COST OF MATERIALS | COST OF LABOR | TOTAL COST |
|-------------------------|-------------------------------------------------------------------|----------------------------------------------------------------------|-------------------|---------------|------------|
| Six or seven years ago. | I think he built about a mile of 3-wire fence fence posts         | about 18 or 20 ft apart, and built a cross the South part of the N&S |                   |               |            |
|                         | Sec. 18, at a cost of about \$1.25 per rod in that locality. or   |                                                                      |                   |               | \$380.00   |
|                         | He built a road up across the entry, to the North, zig-zag to the | post timber, to get posts and haul them over and other material.     |                   |               |            |
|                         | I estimate this road cost him about                               |                                                                      |                   |               | \$650.00   |
|                         | Built it over an awful country and expensive to build.            |                                                                      |                   |               |            |
|                         | All the above improvements are on the additional entry.           |                                                                      |                   |               |            |
|                         |                                                                   |                                                                      |                   |               |            |
|                         |                                                                   |                                                                      |                   |               |            |

Total No. acres cultivated ~~none~~ Total value of improvements, \$1030.00

QUESTION 13 (b). If any portion of the land has been cultivated, reclaimed by irrigation, cleared of trees or brush, seeded to cultivated grasses, or in any other manner handled so as to increase its productive-ness, give full details and cost of such work, stating how many acres were so treated and upon which entry said work was done.

ANSWER. None.

QUESTION 14. Are there any indications of coal, salines, or minerals of any kind on the land? If so, describe what they are.

ANSWER. None that I have seen.

QUESTION 15. Have you any knowledge or information that claimant has sold or contracted to sell, optioned, mortgaged, or agreed to option or mortgage this land? If so, give full details as to whom, for what purpose, and in what amount.

ANSWER. No sir.

QUESTION 16. Have you personal knowledge, from your own observation, that claimant and his family (if any) actually resided upon and cultivated this land each year in accordance with your above testimony?

ANSWER. Yes sir.

QUESTION 17. How many times each year have you seen this land, and the claimant and his family residing thereon; and what other personal knowledge have you upon which your answers are based?

ANSWER. Once a month during the residence period from about 1913 to 1919 or 1920 I ride back and forth across it several times each season. I was over it yesterday and the day before.

QUESTION 18. Are you interested in this claim, or related to the claimant? If so, how?

ANSWER. No sir. (b) No sir.

QUESTION 19. Have either the claimant or the other witness been present while you were giving your above testimony?

ANSWER. No sir.

QUESTION 20. Have you any actual knowledge of any statement made by the claimant or the other witnesses in their testimony in connection with this proof?

ANSWER. No sir.

*Elmer D. Russell*  
(Sign plainly, with full Christian name.)

NOTE.—Every person swearing falsely to the above affidavit will be punished as provided by law for such offense. See section 125, United States Criminal Code (below).

I HEREBY CERTIFY that the deponent was examined separately and apart from the other witnesses in the case; that the foregoing deposition was read to or by deponent in my presence before deponent affixed signature thereto; that I verily believe deponent to be the identical person hereinbefore described, and that said deposition was duly subscribed and sworn to before me at my office, in BOISE (Town), ADA County, State of IDAHO, within the Blackfoot, Idaho land district, this 27th day of AUGUST, 1927.

*T.B. Chapman*  
U. S. COMMISSIONER  
(Official designation of officer.)

# UNITED STATES CRIMINAL CODE.

Sec. 125. Whoever, having taken an oath before a competent tribunal, officer, or person, in any case in which a law of the United States authorizes an oath to be administered, that he will testify, declare, depose, or certify truly, or that any written testimony, declaration, deposition, or certificate by him subscribed, is true, shall willfully and contrary to such oath state or subscribe any material matter which he does not believe to be true, is guilty of perjury, and shall be fined not more than two thousand dollars and imprisoned not more than five years.

6-4490

GOVERNMENT PRINTING OFFICE

4-269 c  
Form approved by the Secretary of the Interior January 7, 1922.

# STOCK-RAISING HOMESTEAD

## FINAL PROOF

### TESTIMONY OF WITNESS

#### DEPARTMENT OF THE INTERIOR

U. S. LAND OFFICE, BLACKFOOT, IDAHO. Serial No. \_\_\_\_\_

Additional Entry Serial No. \_\_\_\_\_

NOTE.—The officer before whom this proof is made will see that all answers are complete and responsive to the questions, and that the answers bring out the pertinent facts showing the entryman's compliance, or noncompliance, with the laws under which the land was entered. Neither the claimant nor the other witness may be present while the testimony of this witness is being taken.

QUESTION 1. What is your full name, age, and post-office address?

ANSWER. Name, Floyd B. Kissell; age, 38 years;

P. O. address, Eagle, Idaho

QUESTION 2. Are you the same person who was mentioned in the published notice as F. B. Kissell?

(Officer before whom proof is taken will fill in the name as published.)

ANSWER. Yes sir.

QUESTION 3. How long have you known the claimant in this case and the

NE-521, Sec. 13, T. 3 N. R. 3 E., and S. 1, N. 31, S. 1, N. 1, and

Lots 2 & 3, Section 18; and NE-101

Section 19

Township 3 North, Range 4 East, Boise Meridian,

the land embraced in Homestead Entry Blackfoot-041661, made

at the Boise, Idaho Land Office?

ANSWER. I have known claimant 10 or 12 years, the land 7 or 8 years.

QUESTION 4. (a) Is entryman married? (b) Of whom does entryman's family consist?

ANSWER. (a) A widower, (b) Himself and

QUESTION 5. Is said tract within the limits of an incorporated town, or used in any way for trade or business?

ANSWER. No sir.

QUESTION 6. If this proof is for an additional entry, state whether the entryman has resided upon such additional entry or upon his original entry.

ANSWER. On original

QUESTION 7. At what date did entryman establish actual residence on said homestead?

ANSWER. I don't know when he moved out

QUESTION 8. Has entryman, or entryman's family, maintained a residence elsewhere than on this land at any time since residence was thus established?

ANSWER. 0

QUESTION 9. Have entryman and family ever been absent from the homestead since thus establishing residence thereon? If so, state when, for how long, and for what reason.

ANSWER. \_\_\_\_\_

QUESTION 10. Considering each residence year as beginning at the date on which actual residence was established, state the number of months during each residence year that entryman actually resided upon the land.

ANSWER. First year, ..... Second year, .....  
Third year, ..... Fourth year, .....  
Fifth year, .....

QUESTION 11. With regard to the land for which this proof is offered, state (a) the kind of soil; (b) contour of the surface, as "level," "rolling," "rough," "hilly," "mountainous," etc.; (c) number of acres which have been cultivated, (d) number of acres not cultivated which might be profitably cultivated; (e) number of acres containing trees of any kind; (f) number of feet of saw timber.

ANSWER. (a) Sandy & gravelly (b) Very rough and broken  
(c) None (d) none (e) No timber nor trees unless a scattering one or so.

QUESTION 12. State the number of acres cultivated and kind of crop planted, each year, and state to what extent the land has been used for grazing.

No cultivation  
ANSWER. 19.....  
19..... He pastured his horses and cattle on it ~~xxx~~ some, and the land has been  
19..... grazed each season as much as it would afford or stand; but I do not  
19..... know how many or much his own stock pastured it. For the last two years  
19..... my brother's and my own stock grazed it.

QUESTION 13 (a). Describe fully and in detail the amount and kind of improvements on the land, stating when same were made and giving the cost of each item, and if proof is offered upon an additional entry under the stock-raising law state definitely which of such improvements are actually upon the additional entry and when they were placed there.

ANSWER.

| Year Constructed | Location of Improvements | Character of Improvements                                                                                                                                                                      | Cost of Materials | Cost of Labor | Total Cost |
|------------------|--------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|---------------|------------|
|                  |                          | He has built a mile and a half of road. I would think a wood-road zig-zag across the additional entry to where he obtained his posts. I estimate it to have cost him 600 or 700 dollars, maybe |                   |               | \$600.00   |
|                  |                          | I expect he has about a mile of 3-wire fence running across the South part of the Additional entry which cost about \$1.00 a rod which would be                                                |                   |               | \$320.00   |
|                  |                          |                                                                                                                                                                                                |                   |               |            |
|                  |                          |                                                                                                                                                                                                |                   |               |            |
|                  |                          |                                                                                                                                                                                                |                   |               |            |
|                  |                          |                                                                                                                                                                                                |                   |               |            |

Total No. acres cultivated none Total value of improvements, \$920.00

QUESTION 13 (b). If any portion of the land has been cultivated, reclaimed by irrigation, cleared of trees or brush, seeded to cultivated grasses, or in any other manner handled so as to increase its productivity, give full details and cost of such work, stating how many acres were so treated and upon which entry said work was done.

ANSWER. None

QUESTION 14. Are there any indications of coal, salines, or minerals of any kind on the land? If so, describe what they are.

ANSWER. None that I know of. I don't think so.

QUESTION 15. Have you any knowledge or information that claimant has sold or contracted to sell, optioned, mortgaged, or agreed to option or mortgage this land? If so, give full details as to whom, for what purpose, and in what amount.

ANSWER. Not that I know of.

QUESTION 16. Have you personal knowledge, from your own observation, that claimant and his family (if any) actually resided upon and cultivated this land each year in accordance with your above testimony?

ANSWER. Yes, sir.

QUESTION 17. How many times each year have you seen this land, and the claimant and his family residing thereon; and what other personal knowledge have you upon which your answers are based?

ANSWER. Once a month for the past 2 years; and not so much prior to that.

QUESTION 18. Are you interested in this claim, or related to the claimant? If so, how?

ANSWER. No. (b) R. No.

QUESTION 19. Have either the claimant or the other witness been present while you were giving your above testimony?

ANSWER. No.

QUESTION 20. Have you any actual knowledge of any statement made by the claimant or the other witnesses in their testimony in connection with this proof?

ANSWER. No.

*Floyd B. Russell*  
(Sign plainly, with full Christian name.)

Note.—Every person swearing falsely to the above affidavit will be punished as provided by law for such offense. See section 125, United States Criminal Code (below).

I HEREBY CERTIFY that the deponent was examined separately and apart from the other witnesses in the case; that the foregoing deposition was read to or by deponent in my presence before deponent affixed signature thereto; that I verily believe deponent to be the identical person hereinbefore described, and that said deposition was duly subscribed and

sworn to before me at my office, in BOISE (Town.)  
ADA County, State of Idaho, within the  
Blackfoot, Idaho land district, this 27th day  
of AUGUST, 1927.

*T. B. Chapman*

U. S. Commissioner  
(Official designation of officer.)

# UNITED STATES CRIMINAL CODE.

Sec. 125. Whoever, having taken an oath before a competent tribunal, officer, or person, in any case in which a law of the United States authorizes an oath to be administered, that he will testify, declare, depose, or certify truly, or that any written testimony, declaration, deposition, or certificate by him subscribed, is true, shall willfully and contrary to such oath state or subscribe any material matter which he does not believe to be true, is guilty of perjury, and shall be fined not more than two thousand dollars and imprisoned not more than five years.

6-5490

GOVERNMENT PRINTING OFFICE

Boise Serial No. 023596, now  
Blackfoot " No. 041661

U. S. COMMISSIONER'S CERTIFICATE OF NO PROTEST.  
-----

I HEREBY CERTIFY that no protest or objection of any kind has been filed in my office against the final proof of George A. Pringle in the final proof proceedings set before me for August 25th either on or before that date or at any time since; that the entryman appeared and reported that it appeared that he would be unable to secure the attendance of his witnesses on the date fixed; that the final proof hearing was postponed from day to day, until the 26th of August when he appeared and submitted his own testimony, that the proof was further postponed until the 27th for the witnesses who had agreed to be present; that on the 27th of August the two witnesses appeared and submitted their testimony.

Signed: T. B. Chapman

For use in  
HOMESTEAD,  
DESERT LAND, and  
TUMBER or STONE  
Entries.

4-348b

NOTICE FOR PUBLICATION.

(PUBLISHERS)

DEPARTMENT OF THE INTERIOR,

U. S. LAND OFFICE at BLACKFOOT, IDAHO

JUL 15 1927

NOTICE is hereby given that GEORGE A. PRINGLE, of

Boise, Idaho (Gem Bldg.), who, on December 11, 1922, made

Boise Serial No. 023596

Addl. homestead entry (Act Dec. 29, 1916) Blackfoot, No. 041661, for

NE 1/4, Sec. 13, T. 3 N. Range 3 E., and

S 1/4, NE 1/4, S 1/4, NE 1/4, Lots 2 & 3, Sec. 18, and NE 1/4, Section 19,

Township 3 North, Range 4 East, Boise Meridian,

has filed notice of intention to make three-year final

(If homestead, insert "five year," "three year," or "commutation," as case may be.)

Proof, to establish claim to the land above described, before

T. B. Chapman, a U. S. Commissioner, at his office

(Name of Officer.)

Boise, Idaho, on the 24th day of

AUGUST, 1927

Claimant names as witnesses:

W. H. Whipple, of Boise, Idaho

L. C. McCarty, of Boise, Idaho

F. B. Kissell, of Star

E. D. Kissell, of "

P. G. Johnston

Register.

Idaho Statesman  
Boise, Ida

For Publisher: Return this form to the  
Register at the end of the period of publi-  
cation, with the "Affidavit of Publication"  
properly executed.

Stock-raising homestead entry,  
December 29, 1916 (39 Stats., 862)

AFFIDAVIT OF PUBLICATION

I, F. B. Kissell, of the

(Publisher or forman.)

published Weekly at Boise Idaho

(Daily or weekly.)

(Place.)

do solemnly swear that a copy of the above notice, as per clipping

attached, was published Weekly in the regular and

(Daily or weekly.)

entire issue of said newspaper, and not in any supplement thereof,

for 6 consecutive times, commencing with the

issue dated July 17, 1927, and ending with the

issue dated August 21, 1927

(Signature.)

Subscribed and sworn to before me this 25th day of August, 1927

John F. Dunham  
Notary Public

(Official designation.)

Affidavit of Fredric W.  
Price Attach. 2 Pg. 45

*Car a Rural*  
*Dinnerman caught over*

NOTICE FOR PUBLICATION

(Continued)

DEPARTMENT OF THE INTERIOR

U. S. LAND OFFICE AT

JUL 12 1907

NOTICE is hereby given that

Boise Idaho (Gen Bid.)

Adm. Homestead only (Act Dec. 1892) District No. 2, Ho. 2, 1892, made

Boise Idaho, 1892, made

Boise Idaho, 1892, made

Boise Idaho, 1892, made

Boise Idaho, 1892, made

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Boise Idaho, 1892, made

7/5/27

041661  
AUG 2 5 1927

4-348

Serial # - 023596-Addl.  
top 014765

For use in  
HOMESTEAD and  
DESERT LAND  
Entries.

# NOTICE OF INTENTION TO MAKE PROOF

DEPARTMENT OF THE INTERIOR

Blackfoot, Idaho

U. S. LAND OFFICE at ~~Boise, Idaho~~

JUL 1 5 1927

I, George A. Pringle, of

Boise, Idaho (Gem Bldg), who, on December 11, 1922, made

Addl homestead Entry (Act 12-29-16) No. 023596, for  
NE 1/4, Sec. 13, T. 3 N. R. 3 E., and S 1/4, NE 1/4, Sec. 14, T. 3 N. R. 3 E., and  
Lots 2 & 3, Sec. 18 and NE 1/4, Sec. 19, Section 19,

Township 3 North, Range 4 East, Boise Meridian,

hereby give notice of my intention to make three-year final  
(If homestead, insert "five-year," "three-year," or "commutation," as case may be.)  
Proof, to establish my claim to the land above described, before

T. B. Chapman, U. S. Commissioner, at  
(Name of officer.)  
Boise, Idaho, on the 24th day of

AUGUST, 1927, by two of the following witnesses:

W. H. Whipple, of Boise, Idaho  
L. C. McGarty, of " "  
E. R. Kissell, of Star, Idaho  
H. D. Kissell, of " "

George A. Pringle  
(Signature of claimant.)

366.66 acres

Stock-raising homestead entry, Act  
December 29, 1916 (50 Stats., 862).

JUL 1 5 1927

July, 1927

Notice of the above intention to make proof will be published for a  
period of five consecutive weeks, in the

Idaho Statesman Boise, Idaho  
(Name of newspaper.) (Place of publication.)

which I hereby designate as the newspaper published nearest the land above  
described.

H. J. Johnston  
Register.

GOVERNMENT PRINTING OFFICE 6-2047

Affidavit of Fredric W.  
Price Attach. 2 Pg. 47

Division Inspector

Please withhold FINAL CERTIFICATE  
until field investigation has been made  
and report submitted  
JUL 30 1927 J. ARTHUR MOORE  
(Date) Division Inspector



RECEIVED  
U. S. LAND OFFICE  
BOISE, IDAHO  
Date Oct 3-1922  
Hour 1:20 P.M.

U. S. Land Office Boise Idaho Serial No. 023596  
Receipt No. 2332028  
DEC 11 1922  
APPLICATION AND AFFIDAVIT.

I, George A. Pringle, of Barber Idaho,  
(Give full Christian name.) (Post-office address.)  
do hereby apply to enter under the act of December 29, 1916 (Public  
No. 290, 64th Congress), subject to the reservation to the United  
States of all coal and other minerals in the land, together with the  
right to prospect for, mine, and remove the same, NE 1/4 Sec 13 T. 32 N.  
and 1/2 NE 1/4 NW 1/4 Sec 18, SE 1/4 NW 1/4, NE 1/4 NW 1/4 and Lots  
2 and 3 sec 18 NE 1/4 NW 1/4 and NE 1/4 NW 1/4 Section 19,  
Township 3 north Range 4 East  
Meridian, containing 388.16 acres, as additional to my Homestead  
Entry No. 014765, made July 10, 1913 for NE 1/4 Sec 19  
Tp. 3. north Range 4 East - Boise Land Office and add add  
no 014940 Aug 27 1913 Lot 4 SE 1/4 NW 1/4 NW 1/4 Section 18,  
Township 3 N Range 4 East Boise Meridian.

I do solemnly swear that this application is made for my exclu-  
sive benefit as an addition to my original homestead entry, and not  
directly or indirectly for the use or benefit of any other person or  
persons whomsoever; that this application is honestly and in good  
faith made for the purpose of actual settlement, use, and improvement;  
that I will faithfully and honestly endeavor to comply with all the  
requirements of the law; that I have not heretofore made an entry  
under the timber and stone, desert land, or preemption laws, except as  
follows: Never made an entry under any of the  
above laws.

that I havenot heretofore made an entry under the homestead laws  
(other than that above described) except add no 014765 and  
add add no 014940 on which final proof has been

I further state that the land applied for is not occupied and im-  
proved by any Indian, and is unoccupied and unappropriated by any  
person claiming the same under the public land laws other than myself;  
that the land now applied for and that embraced in my original entry  
above described do not contain merchantable timber and no timber  
except no timber on any of these lands.

Land not occupied or improved by anyone  
is not susceptible of irrigation from any known source of water supply  
except the following areas: none under irrigation and  
none susceptible to irrigation (Here give the subdivisions and areas of the

land, if any, susceptible of irrigation.)  
and does not contain any water hole or other body of water needed or

used by the public for watering purposes; that the land is chiefly valuable for grazing and raising forage crops.

George A. Pringle  
(Sign here, with full Christian name.)

NOTE.—Every person swearing falsely to the above affidavit will be punished as provided by law for such offense. (See Sec. 125, U. S. Criminal Code, below.)

I HEREBY CERTIFY that the foregoing affidavit was read to or by affiant in my presence before affiant affixed signature thereto; that affiant is ~~to me personally known~~ (or has been satisfactorily identified before me by Warren H. Lindsey Boise, Ida.);  
(Give full name and post-office address.)

that I verily believe affiant to be a qualified applicant and the identical person hereinbefore described; and that said affidavit was duly subscribed and sworn to before me, at my office, in Boise,  
(Town.)

Idaho, within the Boise  
(County and State.) land district, this 3<sup>rd</sup> day of April, 1919.

Frank M. Hays  
Register

(Official designation of officer.)

We, Arthur O. Pringle, of Boise, Idaho,  
and Walter Curry, of Boise, Idaho,  
do solemnly swear that we are well acquainted with the above-named affiant and the lands described, and personally know that the statements made by him relative to the character of the said lands are true.

Arthur O. Pringle  
Walter Curry

I HEREBY CERTIFY that the foregoing affidavit was read to or by affiants in my presence before affiants affixed signatures thereto; that affiants are to me personally known (or have been satisfactorily identified before me by W. H. Lindsey Boise, Ida.);  
(Give full name and post-office address.)

and that said affidavit was duly subscribed and sworn to before me at Boise this 3<sup>rd</sup> day of April, 1919.

Frank M. Hays  
Register

(Official designation of officer.)

Boise, Idaho.

UNITED STATES LAND OFFICE AT

DEC 11 1922, 191

I HEREBY CERTIFY that the foregoing application is for surveyed land of the class which the applicant is legally entitled to enter under the act of December 29, 1916; that there is no prior valid adverse right to the same, and has this day been allowed.

Barlett Lincoln  
Register.

UNITED STATES CRIMINAL CODE.

SEC. 125. Whoever, having taken an oath before a competent tribunal, officer, or person, in any case in which a law of the United States authorizes an oath to be administered, that he will testify, declare, depose, or certify truly, or that any written testimony, declaration, deposition, or certificate by him subscribed, is true, shall willfully and contrary to such oath state or subscribe any material matter which he does not believe to be true, is guilty of perjury, and shall be fined not more than two thousand dollars and imprisoned not more than five years. (Act March 4, 1909, 35 Stat., 1111.)

H. B. G.

4-075.

Boise 025596- DEPARTMENT OF THE INTERIOR  
 " 024014 UNITED STATES LAND OFFICE  
 "C" HCG  
 No appeals  
 filed.  
 AB.

Boise, Idaho,

November 14, 1922.

George A. Pringle, and  
 George A. Percy.  
 vs.

Involving Hd. Appls. 025596 &  
 024014.

The Commissioner of the General Land Office.

Sir:

By letter of October 6, 1922, you awarded applicants  
 certain lands applied for.

We have the honor to report that we notified the applicants  
 of the decision of your office, by registered  
 letter at record address, Boise, Idaho,  
 on October 10, 1922. The letters were received Oct. 11, 1922.

The parties have taken no action from  
 the decision of your office within the time allowed him.

We herewith transmit evidence of service and report no action  
 taken.

Respectfully,

*Robert L. Sinclair* Register.  
*F. B. Kuyper*, Receiver.

9-25-1911

Boise 083096-024014 "C" HCG.

October , 1922.

George A. Pringle  
George A. Percy.

Conflicting stock raising claims.  
Applications enclosed for allowance.

Register and Receiver,  
Boise, Idaho.

Gentlemen:

In the case of conflicting stock raising applications 083096 and 024014, filed respectively by George A. Pringle and George A. Percy, Pringle's application was held for rejection by office letter of July 1, 1922 as to the conflicting tracts, namely the SE $\frac{1}{4}$  NE $\frac{1}{4}$ , E $\frac{1}{2}$  SE $\frac{1}{4}$  Sec. 18, T. 5 N., R. 4 E., P. M., subject to his right of appeal, since he had failed to make any showing as to the ownership of and residence on his original patented entry.

By your letter of July 19, 1922 you forwarded an affidavit filed by Pringle from which it appears that he was the owner of and residing on his original entry at the time of the filing of his additional application (April 3, 1919) and that he is still the owner thereof

Boise 023596-024014 "C" HCG.

and makes it his home.

All the lands were designated, effective April 15, 1920, and since Percy's right under section 8 of the act has already been established, it now appears that both parties have a preference right to the land under the said section 8.

In each case the original entry contains four subdivisions but the area covered by Percy's additional application is 480 acres, and that of Pringle's 428.16 acres.

It further appears that Pringle's application was filed prior in point of time to that of Percy.

The applications are enclosed for allowance as follows: To Percy,  $W\frac{1}{2}$   $W\frac{1}{2}$  Sec. 17,  $NE\frac{1}{4}$   $NE\frac{1}{4}$ ,  $SE\frac{1}{4}$   $SE\frac{1}{4}$  Sec. 18,  $NE\frac{1}{4}$   $NE\frac{1}{4}$  Sec. 19,  $W\frac{1}{2}$   $NW\frac{1}{2}$  Sec. 20, T. 3 N., R. 4 E., and you will advise him that his application is rejected as to the  $SE\frac{1}{4}$   $NE\frac{1}{4}$  and  $NE\frac{1}{4}$   $SE\frac{1}{4}$  said Sec. 18, subject to his right of appeal. To Pringle,  $NE\frac{1}{4}$   $SE\frac{1}{4}$  Sec. 18, T. 3 N., R. 3 E., Lots 2, 3,  $SE\frac{1}{4}$   $NW\frac{1}{4}$ ,  $S\frac{1}{2}$   $NE\frac{1}{4}$ ,  $NE\frac{1}{4}$   $SW\frac{1}{4}$ ,  $NE\frac{1}{4}$   $SE\frac{1}{4}$  Sec. 18,  $NE\frac{1}{4}$   $NW\frac{1}{4}$  Sec. 19, T. 3 N., R. 4 E., and you will advise him that his application is rejected as to the  $SE\frac{1}{4}$   $SE\frac{1}{4}$  said Sec. 18 subject to his right of appeal. Thus their respective holdings are as nearly equalized as possible.

Boise 683536-024014 "C" HCG.

You will allow claimants thirty days from notice to appeal herefrom and advise them that if they fail to do so within the time limited, the allowance of their applications as above indicated will become final.

Very respectfully,

*Robert Tullman*  
Assistant Commissioner.

*AB Hathaway*

Serial-No., -023596.

Boise, July- 1922 DATE  
Idaho. JUL 19 1922  
HOUR.

Department of the Interior,  
Uniter States Land office,  
Washington, D.C. & Boise, Ida.  
Referring to Serial number-023596.

SERIAL No. 023596

Now comes George A. Pringle, having been duly sworn, in my presents, offers the following affidavit and remarks, In this he protests the filing of George A. Percy as described in package Serial No., 023596 for these reasons.

1st, - was living continuously with family on original homestead and was the owner when the application for additional tracts was made. Am the present owner, the homestead is my home. My wife died I had five children to care for, was compelled to work for others to support my family, I have been at home part of my time every year, and keep a ~~there~~ man there to care for the home continuously while I am at work to support the home.

George A. Percy who has filed over my application is a single man, never was married and has no one to support.  
2nd: - The part over filed on by George A. Percy has a spring on it and this is very essential for to make that which I have applied for suitable for pasture.

To this affidavit and protest the ~~owner~~ and applicant for the additional tract does affix his signature, on this Day 19 Mounth July Year 1922

*George A. Pringle*

Subscribed and sworn to before me this July 19, 1922.

*Bartlett Sinclair*  
Register.

Also at the same time and place appeared Alfred E. Williams of Boise, Idaho, P.O. Box 1572, or "Stag Rooms" on Main Str., and upon his oath states that he has read the foregoing affidavit of George A. Pringle, and understands the same and has personal knowledge that the statements made therein in regard to his owner-ship and residence on his original homestead are true.

Signed: *Alfred E. Williams*

Subscribed and sworn to before me this 19th day of July 1922.

*Bartlett Sinclair*  
Register.

✓  
"C" HCG  
Boise-023595-024014  
R&R transmits showing  
Returns Applns.  
TBC

DEPARTMENT OF THE INTERIOR  
UNITED STATES LAND OFFICE

*HCK*

Boise, Idaho.  
(Place)

July 19, 1922.  
(Date)

The Commissioner of the  
General Land Office,  
Washington, D. C.

Sir:-

With your letter "C" of July 3, 1922, was returned the additional homestead applications under the stock-raising act, of George A. Pringle and George A. Percy, serials 023596 and 024014, respectively, awarding the preference right of entry to George A. Percy, subject to Pringle's right of appeal or to make additional showing.

We have to report that we notified George A. Pringle thereof on July 8, 1922, evidence inclosed, and that on this date, he filed the inclosed affidavit.

Pursuant to directions of your said letter, we are returning the applications with this report.

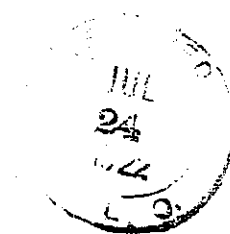
Very respectfully,

*Carlott Sinclair*

Register.

tbc

*No trans in D file*



IN REPLY, PLEASE REFER TO FILE NO. 024014

11/11/22  
31

DEPARTMENT OF THE INTERIOR  
GENERAL LAND OFFICE

WASHINGTON

1922

ADDRESS ONLY THE  
COMMISSIONER OF THE GENERAL LAND OFFICE  
George A. Percy  
George A. Pringle

Conflicting stock raising  
applications. 014940 re-  
jected. 024014 inclosed for  
appropriate action.

Register and Recorder,

Boise, Idaho.

Sirs:

George A. Percy made H.E. (F.C. 2293, May 13, 1903), for NW $\frac{1}{4}$  SE $\frac{1}{4}$ , S $\frac{1}{2}$  NE $\frac{1}{4}$  Sec. 19, NW $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 20, T. 3 N., R. 4 E., and on July 17, 1912, he filed an additional stock raising application 024014, for the NW $\frac{1}{4}$  NW $\frac{1}{4}$ , W $\frac{1}{2}$  SW $\frac{1}{4}$  Sec. 19, E $\frac{1}{2}$  NE $\frac{1}{4}$ , E $\frac{1}{2}$  SE $\frac{1}{4}$  Sec. 19, NE $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 19, NW $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 20, said township and range.

George A. Pringle made H. E. 014765, and additional thereto 014940, the latter made under Sec. 2 of the Act of April 28, 1904 (35 Stat., 527), together covering NW $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 19, lot 4, SE $\frac{1}{4}$  SW $\frac{1}{4}$ , SW $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 19, said township and range. The two entries were patented under one final certificate which issued December 27, 1916, and on April 3, 1919, he filed

Boise 015340 778 200

additional stock raising application 023596, for NE $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 18, T. 3 N., R. 3 E., NE $\frac{1}{4}$  SE $\frac{1}{4}$  SE $\frac{1}{4}$  SE $\frac{1}{4}$  NW $\frac{1}{4}$ , NE $\frac{1}{4}$  SW $\frac{1}{4}$ , lots 2, 3, Sec. 18, NE $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 18, T. 3 N., R. 4 E.

The stock raising applications conflict as to SE $\frac{1}{4}$  NE $\frac{1}{4}$ , NE $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 18. All the land involved has been designated under the stock raising act and the said conflicting tracts were covered by designation effective April 15, 1920.

In affidavit filed March 9, 1922, Percy showed ownership of and residence upon his original entry at the time of the filing of his additional application, and in a letter to this office of May 23, 1922, he further stated that he has lived thereon for 19 years, but that Pringle has not lived upon his original entry for about 7 years. In order to claim a preferential right under Sec. 8 of the stock raising act, it was held by the Department on April 12, 1921, that it is required that a homesteader must be owning and living upon his original entry on the date the designation of the conflicting tracts becomes effective. (See case of Christian N. Wammen vs. Griffith Robinson, Bellefleurche 015399 - 015711).

Pringle, whose original entry was patented almost

Spise 014940 etc "0" HOG

3 years prior to the filing of his additional application, has made no showing as to ownership and residence upon his original entry. You will, therefore, notify Pringle that his stock raising application is hereby rejected, as to the conflicting tracts, subject to his right of appeal within 30 days from notice. It is, however, inclosed for allowance as to the remainder of the land, should he so indicate or in the event of his failure to appeal within the time limited, in which latter event you will allow Percy's application which is also inclosed. However, should Pringle take action as allowed, you will promptly forward any showing made by him to this office, and at the same time return both applications for further consideration.

Very respectfully,

Acting Assistant Commissioner

6-30-ml

3

023596

Boise-023596 &  
024014  
Fwd., Cir 735.  
TBC

DEPARTMENT OF THE INTERIOR

UNITED STATES LAND OFFICE

Boise, Idaho,

(Place)

June 5, 1922.

(Date)

The Commissioner of the  
General Land Office,  
Washington, D. C.

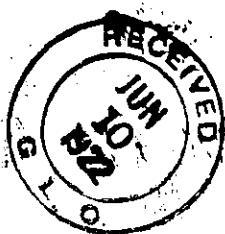
Sir:-

We transmit herewith the additional stock-raising homestead applications 023596, by George A. Pringle and 024014, by George A. Percy for division of the conflict by your office, they having failed to respond after the expiration of 30 days.

The conflict between their applications was called to their attention pursuant to circular 735, May 4, 1922. Both applicants have talked with us about the conflict and it is apparent they do not intend to file any agreement. We are therefore forwarding the applications for your action.

Very respectfully,

*Frank West*  
Register.



4-007d

TO BE ATTACHED TO THE FACE OF EACH PETITION FOR DESIGNATION.

(Not to be Furnished in Duplicate.)

Boise, Idaho, U.S. Land Office.  
(Office.)

Name of petitioner George A. Pringle.

Description of land which petitioner asks be designated: NE $\frac{1}{4}$ SE $\frac{1}{4}$ , Section 13, T. 3 N.,  
R. 3 E., S $\frac{1}{2}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , Lots 2 & 3, Sec. 18,  
NE $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 17, NE $\frac{1}{4}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , Sec. 19, T. 3 N., R. 4 E., ~~Section 19~~ Lot 4,  
SE $\frac{1}{4}$ SW $\frac{1}{4}$ , and SW $\frac{1}{4}$ SE $\frac{1}{4}$ , Section 18,  
Township 4 North, Range 4 East, Boise Meridian.

Serial number of suspended application: 023596. Embracing  
NE $\frac{1}{4}$ SE $\frac{1}{4}$ , Section 13, T. 3 N., R. 3 E., S $\frac{1}{2}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ ,  
(If the same as above, insert "Same.")  
NE $\frac{1}{4}$ SW $\frac{1}{4}$ , Lots 2 & 3, Sec. 18, and NE $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 17, NE $\frac{1}{4}$ NW $\frac{1}{4}$ , Section 19  
Township 3 North, Range 4 East, Boise Meridian.

Serial number of original entry, if above describes an application for additional entry: 014765 & 014940

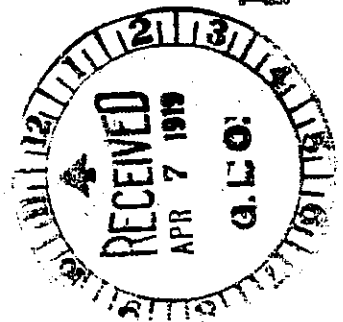
Embracing SE $\frac{1}{4}$ NE $\frac{1}{4}$ , Section 19, T. 3 N., R. 4 E., Lot 4, SE $\frac{1}{4}$ SW $\frac{1}{4}$ ,  
and SW $\frac{1}{4}$ SE $\frac{1}{4}$ , Section 18,  
Township 4 North, Range 4 East, Boise Meridian.

If the application is for a second entry, it should be forwarded with the petition for designation.

Act 12-29-16.

*Posted 7/1/19  
by A.M.  
Div. C.*

Affidavit of Fredric W.  
Price Attach. 2 Pg. 61



4-659.

DEPARTMENT OF THE INTERIOR  
UNITED STATES LAND OFFICE

*At Boise, Idaho*  
George A. Pringle-023596

*The annexed papers were filed the*  
*day and hour noted thereon.*  
~~suspended~~

~~xx Rejected~~ April 3, 1919

*because of petition for designation*  
Cir. 523.

5/4/22. Notified with 024014, under  
Cir. 735.

6/5/22. No Action. Trans. GLO., with  
024014, for division.

*Baxlett Sinclair*

Register

Receiver

NOTICE.

*I hereby acknowledge due service of notice of*  
*the action in this case and of my right of appeal*  
*within 30 days.*

*By registered letter*

*appeal filed.*

6-1876

Prepared by N.A.L.  
C-707 UNOFFICIAL FORM

Coyote Publishing Co.  
Colony, Wyoming

**PETITION FOR DESIGNATION**  
**Stock-raising Homestead Law**  
(Act of December 29, 1916.)

DEPARTMENT OF THE INTERIOR  
U. S. LAND OFFICE AT Boise Idaho No. 023596  
TO THE SECRETARY OF THE INTERIOR

I, George A. Pangle, of Barber Idaho,  
(Give full Christian Name.) (Give full post-office address.)

having made application for Additional entry under the Act of December 29, 1916,  
(Original or Additional.)

(Stock-raising Homestead Law) for the NE 1/4 Sec 13 Tp 3 N R. 3 East

and S 1/2 NE 1/4 N 1/2 SE 1/4 SE 1/4 NE 1/4 NW 1/4 and

NE SW 1/4 Lot 2 and 3 sec 18 and NE 1/4 SW 1/4 Section 17.

and NE 1/4 NW 1/4 sec 19 R. 4 East Township 3 N Range 4 East Meridian.

and having made original homestead entry Number 014765 under the General  
(General or Enlarged.)

homestead laws for made July 10 1913 for the

SE 1/4 NE 1/4 Section 19.

Township 3 N Range 4 East Meridian.

and having made additional homestead entry Number 014940 under Section 19 of the

act of Apr. 28 1904 made Aug. 27 1913 for the

Lot 4 and SE 1/4 SW 1/4 and SW 1/4 SE 1/4 Section 18.

Township 4 N Range 4 East Meridian.

respectfully ask that all of said lands be designated as "stock-raising lands" and subject

to entry under the act of December 29, 1916. my original entries

Referring to the lands contained in my present application

I do solemnly swear that there are no streams, springs, or bodies of water, or irrigation

ditches, on or adjacent to said lands Except small seepage

(If any, state fully why same cannot be used for irrigating this land.)

Springs on land in my original entries

present application (see plat)

That I propose to obtain water for stockwatering purposes from The Seepage

springs by digging them out and im-

proving them

That there are no wells, either ordinary or artesian, on or near said lands.

No wells of any kind on these lands

this land could not be irrigated from underground waters.

nor under flow. that water can be

got for irrigating these lands

That no portion of said land is under irrigation, or susceptible of irrigation

None of these lands are now under

irrigation or none susceptible to iriga-

tion from any source. at water

(Set forth fully any further reasons why this land should be designated as stock-raising lands, such as climatic conditions, altitude, etc.)

The reason I desire this land designated under the act of Dec 29 1916. (640 acres act) is that there is only about 20 acres on my original 100 acres that I can cultivate in any manner (practical) and same will not raise forage crops but not valuable crops of grain or other cereals or fruits and the balance of the land is only good pasture land, and all the land on my present application is plenty for grazing land and all the land together will make a good stock farm and be sufficient for the support of my self and family

George A. Pringle

(Applicant sign here with full Christian name.)

I HEREBY CERTIFY that the foregoing affidavit was read to or by affiant in my presence before affiant affixed signature thereto; that affiant is to me personally known (or has been satisfactorily identified before me by Marion A. Lindsey, Boise and that said affidavit was duly subscribed and sworn to before me at Boise Idaho this 3rd day of April, 1919.

Frank W. Hays

(Official designation of officer.)

We, Arthur Pringle of Boise Idaho and Walter Curry of Boise Idaho do solemnly swear that we are well acquainted with the above-named affiant and the lands described, and personally know that the statements made by him relative to the character of the said lands are true.

Arthur O. Pringle

(Signature of witness.)

Walter Curry

(Signature of witness.)

Boise Idaho T.

Subscribed and sworn to before me at this 3rd day of April, 1919.

Frank W. Hays

(Designation of officer.) Register

**NOTE**—In preparing these petitions for designation observe carefully all the requirements of Circular No. 523 and bear in mind that the applicant must show positively that the lands are of the character contemplated by the act. Perjury in connection with these petitions will be rigorously punished. The burden of proof rests with the applicant. Where all the lands involved are contiguous one petition (in duplicate) will answer for both original and additional entries, but where the lands are non-contiguous, separate petitions (each in duplicate) must be filed for each non-contiguous tract. The map is not an absolute requirement but is desired and should be used whenever possible. This affidavit may be executed before any duly qualified officer using a seal and administering oaths. The applicant acquires no right to fence or use the land until the application is ALLOWED, and no credit can be claimed for improvements placed on the land while this is pending.

[Circular No. 460]

# MANNER OF PROCEEDING IN CONTESTS INITIATED UPON A REPORT BY A REPRESENTATIVE OF THE GENERAL LAND OFFICE

## DEPARTMENT OF THE INTERIOR

GENERAL LAND OFFICE

WASHINGTON, D. C., February 26, 1916.

To \*Special Agents, and †Registers and Receivers,  
United States Land Offices:

The following rules are prescribed for proceedings in contests initiated upon a report by a representative of the General Land Office. All existing instructions in conflict herewith are superceded:

1. The purpose hereof is to secure speedy action upon claims to the public lands, and to allow claimant, entryman, or other claimant of record, opportunity to file a denial of the charges against the entry or claim, and to be heard thereon if he so desires.
2. Upon receipt of a report this office will consider the same and determine therefrom whether the facts stated, if true, would warrant the rejection or cancellation of the entry or claim.
3. Should the charges, if not disputed, justify the rejection or cancellation of the entry or claim the local officers will be duly notified thereof and directed to issue notice of such charges in the manner and form hereinafter provided for, which notice must be served upon the entryman and other parties in interest shown to be entitled to notice.
4. The notice must be written or printed and must refer to the letter from this office by initial and date, as authority for issuing the notice, and must state fully the charges as contained in said letter; also the number of the entry or claim, subdivision of land involved, name of entryman or claimant or other known parties in interest.
5. The notice must also state that the charges will be accepted as true, (a) unless the entryman or claimant files in the local office within thirty days from receipt of notice a written denial, under oath, of said charges, with an application for a hearing, (b) or submits a statement of facts rendering the charges immaterial, (c) or if he fails to appear at any hearing that may be ordered in the case.
6. Notice of the charges may in all cases be served personally upon the proper party by any officer or person or by registered letter mailed to the last address of the party to be notified, as shown by the record, and to the post office nearest to the land. When it is necessary to serve notice on the unknown heirs of a person in interest, the same must be addressed to that person at his address of record and also at the post office nearest the land. Proof of personal service shall be the written acknowledgment of the person served or the affidavit of the person who served the notice, attached thereto, stating the time, place, and manner of service. Proof of service of notice by registered letter shall consist of the report of the †register and receiver who mailed the notices, accompanied by the post office registry return receipts, or the returned unclaimed registered letters.
7. If a hearing is asked for, the local officers will consider same and confer with the \*Chief of Field Division relative thereto and fix a date for the hearing, due notice of which must be given entryman or claimant. The above notice may

be served by registered mail. By ordinary mail, a like notice will be sent to the \*Chief of Field Division.

8. The \*Chief of Field Division will duly submit, upon the form provided therefor, to this office, an estimate of the probable expense required on behalf of the Government. He will also cause to be served subpoenas upon the Government witnesses and take such other steps as are necessary to prepare the case for prosecution.

9. The Government must appear with its witnesses on the date and at the place fixed for said hearing, unless there is reason to believe that no appearance on behalf of the Government will be required. The officer in charge of hearings must, therefore, keep advised, as far as possible, as to whether the defendant intends to appear at the hearing. The \*Chief of Field Division may, when present, conduct the hearing on behalf of the Government.

10. If the entryman or claimant fails to deny the charges under oath and apply for a hearing, or to submit a statement of facts rendering the charges immaterial, or fails to appear at the hearing ordered without showing good cause therefor, such failure will be taken as an admission of the truth of the charges and will obviate the necessity for the Government submitting evidence in support thereof, and the †register and receiver will forthwith forward the case with recommendation thereon to the General Land Office and notify the parties by registered mail of the action taken. In cases finally closed upon default of claimant if application to reopen any case is filed with the †register and receiver they will forthwith forward same with recommendations to the General Land Office.

11. Upon the day set for the hearing and the day to which it may be continued the testimony of the witnesses for either party may be submitted, and both parties, if present, may examine and cross-examine the witnesses, under the rules, the Government to assume the burden of proving the charges, unless otherwise ordered.

12. If a hearing is had, as provided in paragraph 11, the local officers will render their decision upon the record, giving due notice thereof, in the usual manner. When decision is adverse to the Government, notice thereof must be sent to the \*Chief of Field Division.

13. Appeals or briefs, if filed, must be in accordance with the rules, but need not be served upon the \*Chief of Field Division or Government representative in charge of the hearing.

14. The above proceedings will be governed by the rules of practice. All notices served on claimants or entrymen must likewise be served upon transferees or mortgagees.

Very respectfully,

CLAY TALLMAN,  
Commissioner.

Approved:

ANDRIEUS A. JONES,  
First Assistant Secretary.

\* By departmental instructions of January 17, 1922, the titles of "Chief of Field Division" and "Special Agent" were changed to "Division Inspector" and "Inspector," respectively.  
† Office of "register and receiver," except as to Nome and Fairbanks, Alaska, consolidated; should read "register."