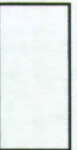


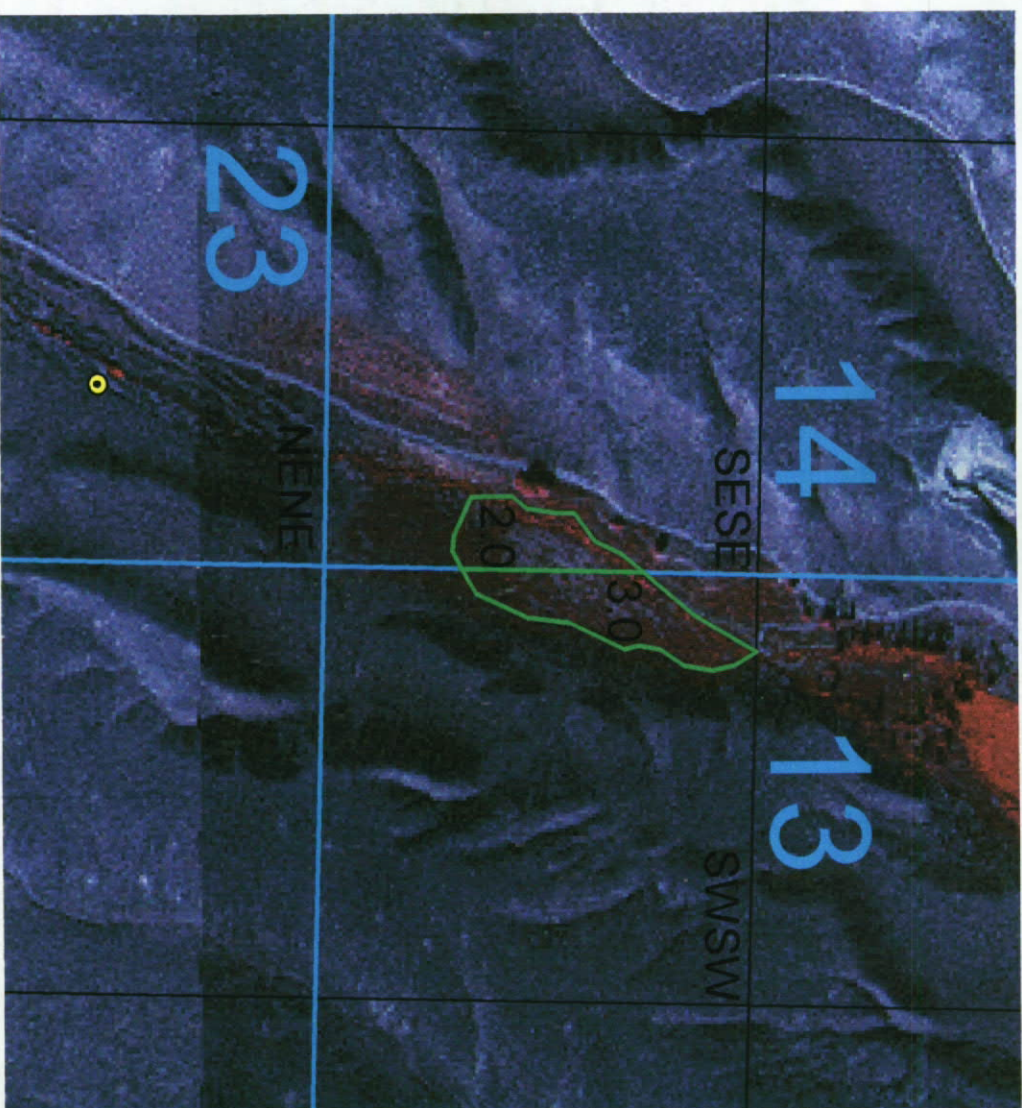
Idaho Department of Water Resources

Claim Number: 57-01219

Legal: T07S, R02E, S13, 14

Reviewed By:

-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines
-  Township/Range Lines



1987 Napp Photo



AFFIDAVIT OF PUBLICATION.

STATE OF IDAHO,
County of Owyhee.

I, *W. H. Jones*, being first duly sworn, do say that I am the publisher of "THE ~~IDAHO~~ ^{OWYHEE} AVANCE," a weekly newspaper printed and published at Silver City, Owyhee county, Idaho, and of general circulation among its subscribers; that the notice of *for publication - M. C. Boyd* No. 4362 - *Joseph M. Minter*, of which the annexed is a true printed copy, was correctly published in said "Idaho Avanche" once a week, in the regular and entire issue thereof, for a period of *six* consecutive weeks, beginning on the *11th* day of *August*, 189*8*, and ending on the *15th* day of *September*, 189*9*.

Subscribed and sworn to before me this *19th* day of *Sept*, 189*9*.

W. H. Jones
PUBLISHER.
E. H. Barclay
Wm. J. H. Boyd
Deputy.

Notice for Publication.
LAND OFFICE, BOISE, IDAHO.
August 7, 1899.
Notice is hereby given that the following settler has filed notice of his intention to claim land for which final proof will be made before the Register at Boise, Idaho, on Sept. 18, 1899.
Section 11, Twp. 2 N., R. 2 E., 1st Meridian, No. 4362 for 160 acres the following witnesses to prove his residence upon and cultivation of said land, viz: Paul Cullen, of Grandview, Idaho; John Noble, of Grandview, Idaho; A. Cullen, of Grandview, Idaho.
JAMES KING, Register.

SEP 10 1899
MICROFILMED

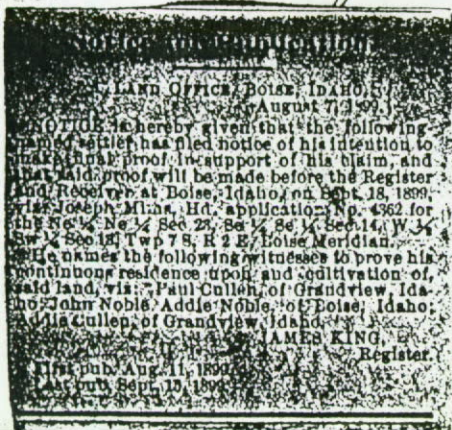
CERTIFICATE AS TO POSTING OF NOTICE.

Land Office at Boise Idaho

Sept. 18, 1899.

I, James King, Register, do hereby

certify that a notice, a printed copy of which is hereto attached, was
by me posted in a conspicuous place in my office for a period of
thirty days, I having first posted said notice on the 7
day of Aug., 1899.



James King

Register.

DEC 10 3 1899
MICROFILMED

No. 1.-HOMESTEAD.

Land Office at Boise Idaho

August 7, 1889.

I, Joseph Minus, of Grandview Idaho
who made Homestead Application No. 4362 for the
NE 1/4 of NE 1/4 Sec 13, the SE 1/4 of NE 1/4 Sec 14 & the W 1/2 of NW 1/4 Sec 13 ^{Boise} T. 15 S. 4
do hereby give notice of my intention to make final proof to establish my
claim to the land above described, and that I expect to prove my residence
and cultivation before Register and Receiver
at Boise Idaho on Sept 18, 1889,
by two of the following witnesses:

Paul Cullen, of Grandview Idaho
John Noble, of Boise Idaho
Addie Noble, of Boise Idaho
Addie Cullen, of Grandview Idaho
witness to mark
Morgan & Regan
E. E. Green
his
Joseph X Minus
(Signed & Marked)

Notice of Publication
LAND OFFICE, BOISE, IDAHO.
August 7, 1889.
NOTICE is hereby given that the following
homestead claimant has filed notice of his intention to
make final proof in support of his claim, and
that said proof will be made before the Register
and Receiver at Boise, Idaho, on Sept. 18, 1889.
I, Joseph Minus, Hd. application No. 4362 for
the NE 1/4 of NE 1/4 Sec 13, the SE 1/4 of NE 1/4 Sec 14, W 1/2
of NW 1/4 Sec 13, Twp 15 S., R. 2 E., Boise Meridian.
He names the following witnesses to prove his
continuous residence upon and cultivation of
said land, viz: Paul Cullen, of Grandview, Ida-
ho; John Noble, Addie Noble, of Boise, Idaho;
Addie Cullen, of Grandview, Idaho.
JAMES KING,
Register.
Filed for pub. Aug. 11, 1889.
and pub. Sept. 15, 1889.

Land Office at

August 7, 1889.

application will be published in the Owyhee Avalanche
City, which I hereby designate as the
place at the land described in said application.

James King
Register.

Notice to Claimant.—Give time and place of proving up and name and title of the officer before whom proof is to be made; also
give names and post-office address of four neighbors, two of whom must appear as your witnesses.
(12166-30,000.)

NOTICE

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A57-01219

Date Received: 11/17/1988

Receipt No: 0003946

Received By: [Signature] 12/15/88

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: PAUL BLACK
Address: BOX 273
GRAND VIEW, ID 83624

Name: MATTIE BLACK
Address: BOX 273
GRAND VIEW, ID 83624

2. Date of Priority: DEC 21, 1886

3. Source: SHOOFLY CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	02E	23	NE	NE			OWYHEE

5. Description of diverting works:
DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.150		
STOCKWATER	01/01	12/31	0.050		2.70

7. Total Quantity Appropriated is:
0.150 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/100 HEAD RANGE

MICROFILMED
OCT 07 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	02E	13	SW	SW		IRR	3.0
						Section Acres	3.0
		14	SE	SE		IRR	2.0
						Section Acres	2.0
						Total Acres	5.0

11. Place of use in counties: OWYHEE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

Decree Plaintiff

vs

Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Paul J Black Date: 12-15-88
Mattie L Black Date: 12-15-88

State of Idaho)
County of Ala) SS.

Subscribed and sworn (or affirmed) before me this 15 day
of December 19 88

[Signature]
Notary Public

Seal

Residing at Boise, ID
My Commission Expires June 10, 1994

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 57-01219

Date: 3-8-03

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	75	2E	13											3						3
GIS														3						3
Claim			14																2	2
GIS																			2	2
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 5

Overlapping EOU Claim #'s:

Total GIS Acres: 5

COMMENTS:

Per image interpretation.

Idaho Department of Water Resources

Claim Number: 57-01219

Legal: T07S, R02E, S13, 14

Reviewed By:

☐ Point of Diversion

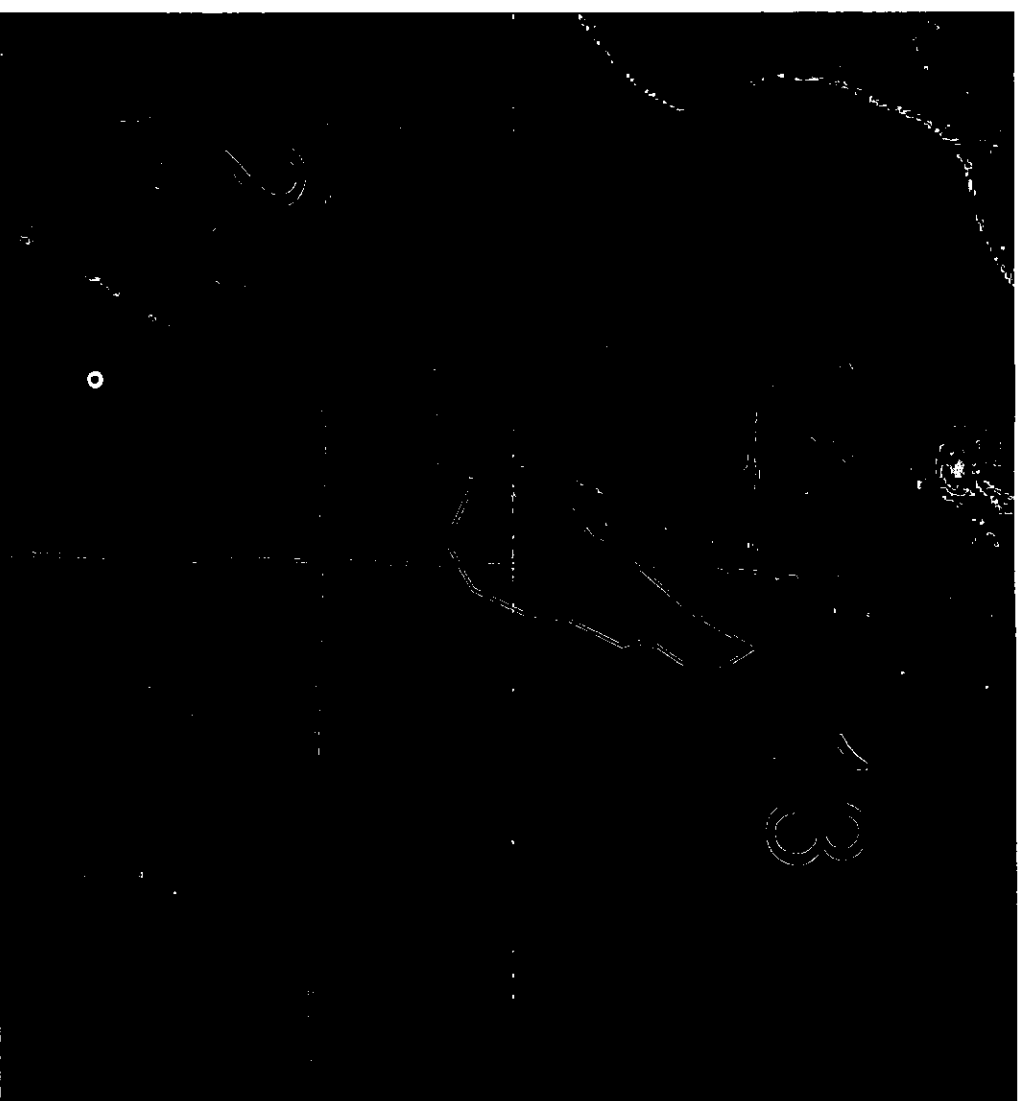
☐ Place of Use

☐ Section Lines

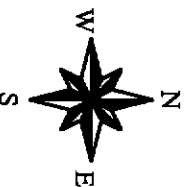
☐ Quarter Quarter Lines

☐ Township/Range Lines

1987 Napp Photo



0 0.25 0.5 Miles



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)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 57-01219

1997 DEC 15 AM 10:51

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

NAME & ADDRESS: MATTIE BLACK
PAUL BLACK
PO BOX 273
GRAND VIEW ID 83624

SOURCE: SHOOFLY CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.15 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 12/21/1886

POINT OF DIVERSION: T07S R02E S23 NENE Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	0.15 CFS
	STOCKWATER	01-01 12-31	0.05 CFS

PLACE OF USE: IRRIGATION Within Owyhee County
T07S R02E S13 SWSW 3
S14 SESE 2
5 ACRES TOTAL

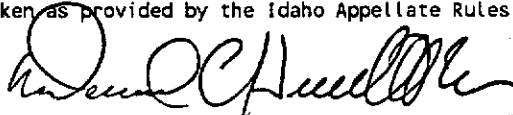
Place of use for STOCKWATER is same as IRRIGATION

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
USE.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

AJ0749NP
No. R57-01219

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 11/05/97
PAGE: 2

Comments: Date: 01/24/1996 User-ID: DSMITH Subject: NAME AND/OR ADDRESS CHANGE
THE NAMES OR ADDRESSES IN THE NAME FILE WERE CHANGED WITHOUT THE
ABOVE USER NOTING EXACTLY WHAT WAS CHANGED. THE CHANGE FOR A
K-OWNER OR ATTORNEY MAY HAVE BEEN MADE WITHOUT A WATER RIGHT
OWNER CHANGE.
*NAME/ADDRESS CONFORMED TO AVOID DUPLICATE MAILING LABELS

Date: 08/23/1996 User-ID: RHOVERTO Subject: COPIED FROM REMARKS
0.05 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES IN
DELIVERY OF THIS RIGHT.

Audit: 11/05/97 MSCHULTE

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: NOV-05-1997
PAGE: A-1-----
RIGHTS FROM: SOURCE: SHOOFLY CREEK TRIBUTARY: SNAKE RIVER

RIGHT NUMBER: 57-01219

NAME AND ADDRESS: MATTIE BLACK
PAUL BLACK
PO BOX 273
GRAND VIEW ID 83624

SOURCE: SHOOFLY CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.15 CFS

THE QUANTITY FOR NON-IRRIGATION USE IS LIMITED TO THE AMOUNT BENEFICIALLY
USED FOR STOCKWATER, 100 MD CATTLE

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 12/21/1886

POINT OF DIVERSION: T07S R02E S23 NENE Within Owyhee County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE
IRRIGATIONPERIOD OF USE
Irrigation Season
07/15 11/15QUANTITY
0.15 CFS

STOCKWATER

01-01 12-31

0.05 CFS

PLACE OF USE:

IRRIGATION Within Owyhee County
T07S R02E S13 SWSW 3
S14 SESE 2
5 ACRES TOTAL

Place of use for STOCKWATER is same as IRRIGATION

CONSUMPTIVE USE: 1713 APY

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
USE.
0.05 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSS IN

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: NOV-05-1997
PAGE: A-2

57-01219 (CONT.)

~~DELIVERY OF THIS RIGHT~~

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE
STOCKWATER, 100 RANGE CATTLE

DATE: 10/30/97
PAGE: 5

DIVERSION RATE
DIVERSION VOLUME

**IRRIGATION
STOCKWATER**

TOTAL DIVERSION:
CONSUMPTIVE USE:

Tributary to: SNAKE RIVER

T07S R02E S23

ENE

END

NENE	NUNE	SENE	SENE	NENE	NUNE	SENE
t	Lt	AC	Lt	AC	Lt	AC
---	---	---	---	---	---	---

T	R	S
07S	02E	13
07S	02E	14

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

POU County: OWYHEE

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
57-01219 A57-01219

Other Water Rights Listing Overlapping Place(s) of Use:
57-01219 A57-01219

Conditions of Approval:

N05 - THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
 - SHALL NOT EXCEED 13,000 GALLONS PER DAY.

(N07) - THE CONSUMPTIVE USE VOLUME IS ONLY FOR THE IRRIGATION PORTION
- OF THIS WATER RIGHT.

N08

- THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
- STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFIT
- USE.

Remarks: EXP STOCKWATER, 100 RANGE CATTLE

Dates: _____ **Exam Made Date:** _____

Verified Date:

Objection Filed Date:

Misc:

Field Inspection Flag:
Presumption Flag:

AJ5809NP
No. R57-01219

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/30/97
PAGE: 6

Comments:

Date: 01/24/1996 User-ID: DSMITH Subject: NAME AND/OR ADDRESS CHANGE
THE NAMES OR ADDRESSES IN THE NAME FILE WERE CHANGED WITHOUT THE
ABOVE USER NOTING EXACTLY WHAT WAS CHANGED. THE CHANGE FOR A
K-OWNER OR ATTORNEY MAY HAVE BEEN MADE WITHOUT A WATER RIGHT
OWNER CHANGE.
*NAME/ADDRESS CONFORMED TO AVOID DUPLICATE MAILING LABELS

Date: 08/23/1996 User-ID: RHOWERTO Subject: COPIED FROM REMARKS
0.05 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES IN
DELIVERY OF THIS RIGHT.

Audit:

08/22/96 RHOWERTO 08/23/96 RHOWERTO 09/06/96 RHOWERTO 09/27/96 RHOWERTO
10/09/96 MSCHULTE

OWNER NAME & ADDRESS PRIORITY DATE WATER USE USE PERIOD FROM TO DIVERSION RATE DIVERSION VOLUME
C MATTIE BLACK 12/21/1886 IRRIGATION 03-15 11-15 0.15 CFS
C PAUL BLACK STOCKWATER 01-01 12-31 0.05 CFS
GRAND VIEW ID 83624
TOTAL DIVERSION: 0.15 CFS
CONSUMPTIVE USE: 17.5 AFA

Water Source: SHOOFLY CREEK Tributary to: SNAKE RIVER Stage: DECREED
Point(s) of Diversion: T07S R02E S23 NENE OWYHEE County

Place of use Legal Description for: IRRIGATION																									
NE				NW				SW		SE															
		NENE	NWNE	SWNE	SENE			NENW	NWNW	SWNW	SESW			NESE	NWSE	SWSE	SESE								
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM						
07S 02E 13			---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	3.0					
07S 02E 14			---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	2.0					
																		03			02			TOTAL ACRES	5.0

ADJUDICATION CLAIM CHECKLIST

FIELD EXAM Y/N-IF NO, DO OFFICE VERIFICATION	FIELD EXAM OR IN-OFFICE VERIFICATION WHOM/DATE	CLAIM VERIFIED BY CODE (SEE BELOW)	CHANGE CLAIM Y/N	CLAIMANT CONTACT NEEDED - Y/N**	REVIEW COMPLETED WHOM/DATE	NOTICE OF CLAIM NO. <u>57-01219</u>	"R" RECORD
PRIORITY*	N	6	N				
PT. OF DIV.							
SOURCE							
PL. OF USE							
DIV. AMOUNT CFS/AF							
CONSUMPTIVE USE							
NATURE OF USE							
PERIOD OF USE							
BASIS OF CLAIM							
REMARKS							

*IF REQUIRED HAS EVIDENCE OF PRIORITY BEEN
SUBMITTED - YES NO

**IF CLAIMANT CONTACT IS NEEDED, COMPLETE
CLAIMANT CONTACT CHECKLIST AND ATTACH.

COMMENTS: SAME AS DECREE

VERIFICATION CODES
 TOPO MAP/ORTHO PHOTO = 1
 ASCS MAP = 2
 WATERMASTER RECORDS = 3
 NAPP PHOTOS = 4
 FIELD EXAM = 5
 OTHER (SEE COMMENTS) = 6

IN-OFFICE MATCH ADDED REMARK FOR DITCH LOSS

MICROFILME

OCT 07 1992

CLAIM NO. 57-01219

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM VERIFICATION EXAM SHEET

(use in place of the CVR for small ~~Domestic/Stock~~ exams)

MATCH

1. ☒ No Change NAME
NEW OWNER: _____
☐ No Change ADDRESS
☐ NEW ADDRESS: _____
2. ☒ No Change - DATE OF PRIORITY: Completed - No Field Verification Needed.
☐ Incomplete - Claim shows no priority date, claimant should be asked during the exam when was water first used.
Priority date, per claimant, is _____.
(if the priority date, based on your exam, seems questionable, explain in remarks.)
3. ☒ No Change - SOURCE
Source is different than that claimed:
Source found: _____
4. ☒ No Change - POINT OF DIVERSION
Point of diversion is different than the claim
New P/D: Twp. _____, Rge. _____, Sec. _____, _____ 1/4 _____ 1/4 _____ 1/4
5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS
Incomplete desc., complete items missing, IF KNOWN.
Additional comments in remarks.
HP of pump _____ Pump Ser. # _____ Pumping water level _____
Well depth _____ Motor Ser. # _____ Static water level _____
Casing size _____ Method of irr. _____
6. ☒ No Change - WATER USES
Different uses, (list uses found).
Use _____ From _____ To _____ Amount _____ cfs _____ af
Use _____ From _____ To _____ Amount _____ cfs _____ af
7. ☒ No Change - TOTAL VOLUME
Incomplete on claim, the total is, -- -- _____ cfs _____ af
Change found, the new total is, -- -- -- _____ cfs _____ af
8. N/A
9. ☒ No Change - NON-IRRIGATION USES: Completed on claim
Incomplete on claim - Exam found:
Domestic - No. of homes _____ Stockwater - No. of head _____
Other: _____

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OCT 07 1992

10. ☒ No Change - PLACE OF USE: (If changed, list below.)
Use Twp. Rge. Sec. 1/4, 1/4,

Remarks: (Comments pertinent to field examination)

ATTACHMENTS:

Attached to
This Form.

Attachments are
in Permit File.

PHOTOS (optional) ☐
MAP ☐
SYSTEM DIAGRAM ☐

☐
☐
☐

☐ Changes found during exam or additional information in the permit file, see permit file.

DATE EXAM CONDUCTED: 1/11/91

FIELD EXAMINER:

Ron Howerton

Signature

Ron Howerton

CLAIM NUMBER: 57-01219

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1b. CALCULATIONS

1a. IRRIGATION RATE
ACRES 5 x 0.02 CFS/ACRE = 0.1 CFS
(Taken from p/u review)

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N()

DITCH LOSS WAS ADDED
BY DECREE.

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

✓ SEE REMARKS

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = AF/A

ACRES 5 x CONSUMPTIVE VOL. AF/A FOR AREA 3.5 =

TOTAL CONSUMPTIVE USE 17.5 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES x DIVERSION VOL. AF/A FOR AREA =

TOTAL DIVERSION VOLUME AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

NO OVERLAPPING RIGHTS -

DITCH LOSS CALC:

1. IN/ACRE = 5 x 0.02 = .10 CFS

2. CLAIMED CFS = .15

3. MINUS IN/AC RATE = .10 =

DITCH LOSS RATE
-05 CFS

State of Idaho
Department of Water Resources

ADJUDICATION CLAIM ANALYSIS SHEET

Review by D. SHAFF

Date 8/14/83

Right No. 57-1219

Claimant BLACK

Recommendation differs from claim: ☒ Yes ☐ No ☐ Disallow
(Document any differences)

Claim Details Verified Against:

Check (X or ✓) those searched. Circle records used for recommendation.
Include copies or memos where applicable to explain findings.

- ☐ License
- ☐ Previous Statutory Claim.
- ☐ Permits, valid or lapsed. Number(s) if different than above _____
- ☐ Decree. Name & date _____

☐ Conveyance Loss Calculations. See printout included.

☒ Title abstract. ☒ In file. Or, Name & location _____

☒ County records. ☒ In file. Or, Name & location _____

☐ Affidavits. ☐ In file.

☒ Posted Notices, Water Locations Notices. ☒ In file.

☒ Deed Records. ☒ In file. Or, Name & location _____

☒ Patent Records. ☒ In file. Or, Name & location _____

☐ Metzker Maps. Identify _____

☒ A.S.C.S. Records. Year & Photograph No. 5/09/69 U-2 Photos 77, 80

☐ Irrigation Company/District Records. ☐ In file. Or Name & location _____

☐ Historical Books. Name(s) & location _____

☐ Interview(s). Attach conversation memorandum.

☒ Other GOVT. SURVEY PLAT - APPROVED 1898

☐ _____

Field Exam Made: ☒ Yes ☐ No Date 4/30/82, 5/06/82

☒ Adj. Report in file ☐ Beneficial Use Report in License (S.O.) File

Measurement .60 cfs. Amount recommended .15 cfs.

Type of measuring device: CURRENT METER Meter No. #090189

Condition GOOD Date 4/30/82 Time 3:15 PM

Adjudication Photo(s) Used: Name or No. PURINE CANYON

Field Photographs Taken ☒ Yes ☐ No

Memorandum in file ☒ Yes ☐ No

Remarks _____

MEMORANDUM

TO: FILE 57-1219
FROM: Don Shaff *DS*
DATE: March 29, 1983
RE: Diversion Rate Recommendation

The water requirements for this field are under the same influences as those for 57-7010. The exception is the ditch system. This field is entirely under an unlined earth ditch. The 70% field application efficiency is the same as that for 57-7010 but the distribution efficiency is 65%. These influences are assumed and would provide a diversion rate requirement at the creek of 1.51 miner's inches per acre. The distribution efficiency is taken from the analysis of the system for 57-1217.

MICROFILMED

OCT 07 1992

MEMORANDUM

TO: FILE 57-1219
FROM: Don Shaff *DS*
DATE: January 14, 1983
RE: Review Analysis

Although the government surveys conducted in June 1898 found no ditches along the creek, along the line between sections 13 and 14, the surveyors did find ditches north of the creek that are no longer there. A photo in this file indicates land was cleared north of the creek and remnants of an old ditch were found at the top of this cleared field. The homestead proof of the claimant, Min~~es~~^{es}, and as witnesses indicated, that 25 acres were irrigated on the homestead. Counting the later evidence of Min~~es~~^{es} irrigating public domain land, which later became the property of Joe Tur~~mes~~^{mes} under the Desert Land Act, 24 acres are irrigated within the tracts of those patented lands under the present system. With the change in point of diversion for the larger system from the NE1/4NE1/4, Sec. 23 to the NW1/4SW1/4, Sec. 13, five acres of land were taken out. It can be safely assumed that the five acres north of the creek were transferred south of the creek in the place of use for this claim to water right. This land south of the creek was not irrigated under the original appropriation, but it does gain the benefit of the 1886 priority date through the transfer of the water right.

The diversion rate for this claim is recommended at greater than one inch per acre following the guidelines of an Administrator's Memorandum dated September 19, 1979. This memorandum allows the department to accept the rate of diversion as high as 0.03 cfs per acre for irrigation of up to 5 acres without justification. The reason given for the higher flow for the irrigation of the small acreage is due to the restricted system design mechanics and poor economy of scale.

MICROFILMED

OCT 07 1992

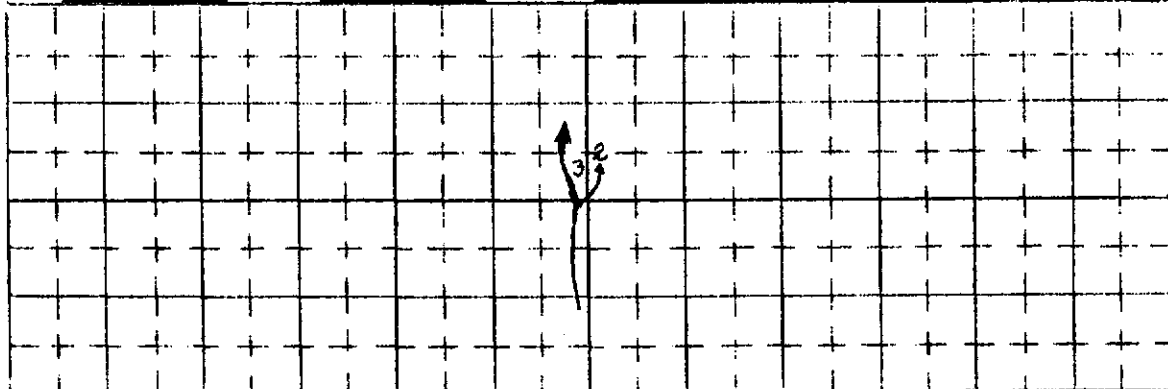
REPORT OF EXAMINERS - ADJUDICATION DIVISION

Claim No. 57-1219

1. Name of Applicant.....PAUL BLACK.....
2. Priority.....
3. Source of Water.....SHOOFLY CREEK.....
4. (Quan.) (Dom., Irr., Stk. water, etc.) (Period of Use)
- cfs Use IRRIGATION From..... To.....
- cfs Use STOCKWATER From..... To.....
- cfs Use From..... To.....
5. Location of Point of Diversion: NENE of Section 23
- Twp. 7S, Rge. 2E, County of Owyhee
6. Describe Diversion Works: EARTHEN DIVERSION DAM & UNGINED DITCH.....
7. Describe Location of Use:

TWP.	RGE.	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
7S	2E	14																2	2
		13											3						3

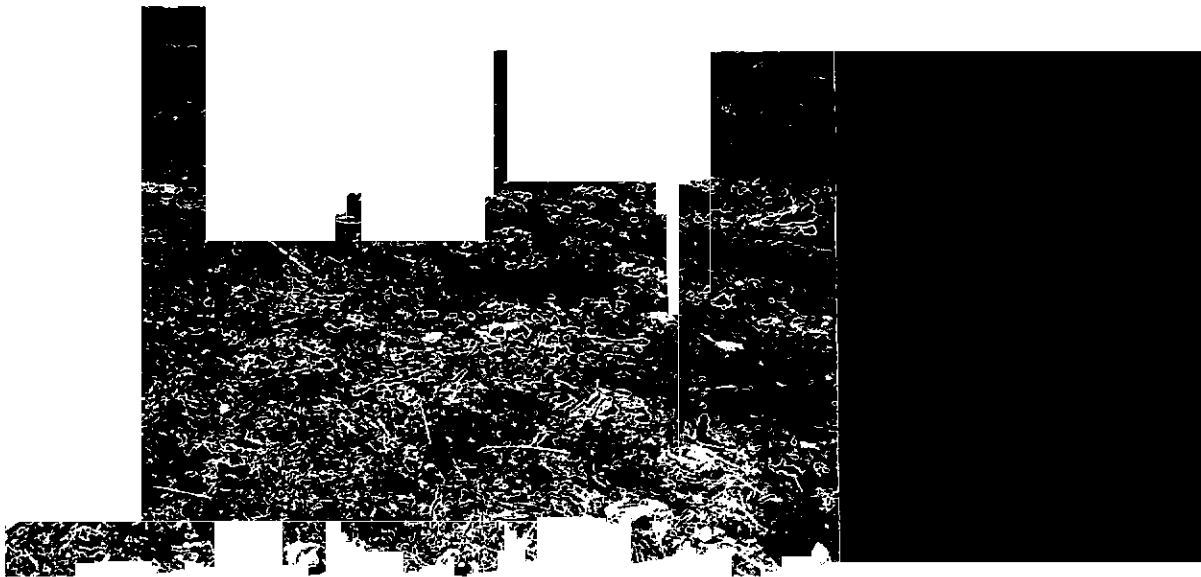
TWP. RGE. COUNTY SCALE: 1" = 1 MILE



8. Purpose Other Than Irrigation: S/100 HEAD RANGE.....
9. Remarks: SEE MEASUREMENT CALCULATIONS FOR DIVERSION CAPACITY.....

This examination was made on the 6 day of May, 1982

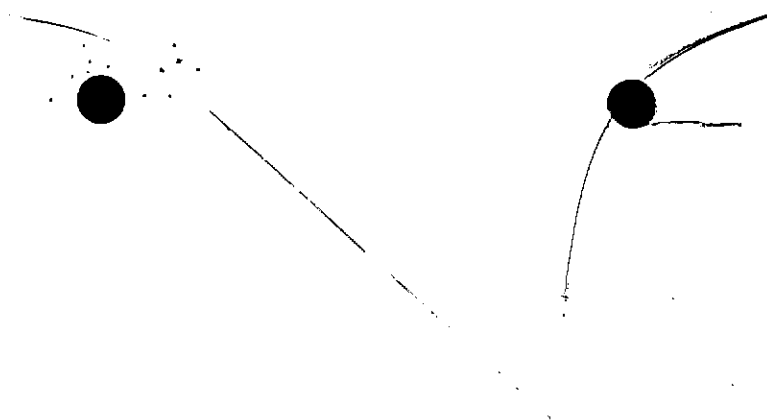
(Signed) [Signature] EXAMINER



5/06/82
SMALL IRRIGATED FIELD OF BLACK'S
JUST UPSTREAM ON SHOOFLY CREEK
OF "GOVE" DITCH DIVERSION.

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western District
Statehouse — Boise, Idaho
83720

MICROFILMED
OCT 07 1992



PHOTOS

1

2

0 .10 .20 .30 .40 .50 .60 .70 .75 .80

STATE OF IDAHO DEPARTMENT OF RECLAMATION

4/30, 1982 DISCHARGE MEASUREMENT NOTES

315
RYGMY # 090189

BLACK DITCH River at SHOOFLY CR.
ADD 20 FT FROM HEAD AT CREEK

Dist. from initial point	Width	Depth	Observation depth	Revolutions	Time in seconds	VELOCITY		Adjusted for hor. angle or	Area	Discharge
						At point	Mean in vertical			
2°	EW									
25		015		50	46					
30		02		50	47					
35		02		40	41					
40		02		50	43					
45		02		40	40					
50		02		40	44					
55	EW									
										.608

MICROFILMED

No. of Sheets. Comp. by Chk. by

.10 .20 .30 .40 .50 .60 .75

OCT 6 7 1992

MEASUREMENT FOR SHOOFLY CREEK

PAGE 1

MEASUREMENT LOCATION BLACK DITCH, EAST, AT OLD HOME LEGAL DESCRIPTION SWSW SEC 13 TWP 07S RNG 02E
 MEASURED BY DS ON 4/30/82 W = .956N + .046

DISTANCE FROM INITIAL POINT	DEPTH	AREA	REVOLUTIONS	TIME SEC	VELOCITY FT/SEC	DISCHARGE CES
2.000	.000	.000	0	.000	.000	.000
2.500	.150	.113	30	46.000	.669	.076
3.000	.200	.100	50	47.000	1.063	.106
3.500	.200	.100	40	41.000	.979	.098
4.000	.200	.100	50	43.000	1.158	.116
4.500	.150	.075	40	40.000	1.002	.075
5.000	.200	.150	40	44.000	.915	.137
5.500	.000	.000	0	.000	.000	.000
TOTALS		.638				.608

00134 00000000

WATER RIGHT

Notice of Water Claim of Joseph F. Mims out of Shoo Fly Creek follows to wit: that is I Joseph F. Mims claims all the water in s Creek after it leaves the North End of Paul Cullens Homestead Claim for Irrigation purposes for my Preemption Claim.

Shoo Fly, Owyhee Co Idaho :

::
:

Joseph F. Mims

Dec 21" 1886

Filed Dec 30" 1886, at 8 o'clock A. M. James Lynam, Co. Recorder.

Recorded in Book 3 of Water Rights, page 151, among the Records of Owyhee County, Idaho.

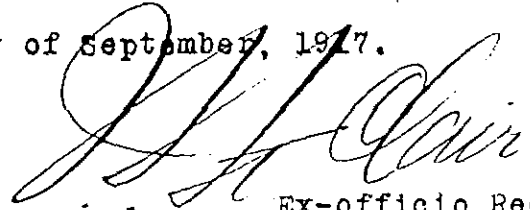
STATE OF IDAHO :

: ss.

County of Owyhee :

I, J. S. St Clair, Ex-officio Recorder of Owyhee County, Idaho, do hereby certify that the foregoing is a true and correct copy of the original Notice of Water Right Location of Joseph F. Mims now on record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this fourteenth day of September, 1917.



Ex-officio Recorder.

Notice of Location of a Ranch.

I, the undersigned a citizen of the United States, do hereby locate and claim One hundred and Sixty acres, of land for the purpose of Farming and Stock raising, this location or ranch is situated in Owyhee County, Idaho Territory, near half way between Castle Creek and Bruneau River on Shoo Fly Creek, and bounded as follows, to-wit: Commencing at the North west corner stake and running in a southerly direction one mile, thence in a south easterly direction one quarter of a mile, thence in a northerly direction one mile, thence in a north westerly direction one quarter of a mile to the starting point; the side and end lines of this location being parallel and forming a square one mile long by a quarter of a mile wide.

This Ranch is situated on said Shoo Fly Creek, about three miles below the mountains or hills and about one mile above the mouth of said Gulch.

his
Joseph F. X Mims, Locator.
mark

Witness Present---Paul Cullen.

Located and notice posted August 17", 1883.

Jospeh F. Mims, being sworn says the within described claim does not embrace more than one Hundred and sixty acres, that he does not hold any other claim under the provisions of an Act of the Legislature approved December 10th 1864, and that to the best of his knowledge and belief no part of said claim is claimed under any existing adverse title.

his
SILVER CITY, IDAHO F. X Mims.
mark

Witness Present---Paul Cullen.

Subscribed and sworn to before me this 18th day of August 1883.

The above was sworn to and subscribed before me a Justice of Peace this 18th day of Aug. 1883.

Wm. C. Schenck,
Justice of Peace, Bruneau
Precinct, Owyhee Co., Idaho.

Date of Record---August 25", 1883, at One o'clock P. M.

Where Recorded---Book 3 of Land Claims & Mill Sites, page 95, Owyhee County Records.

No. 1742

SERIAL No. 022122

ABSTRACT of TITLE

TO

Location Certificate made by Joseph F. Mims on December 21, 1886, appropriating certain of the waters of Shoo Fly Creek in Owyhee County, Idaho, and of any and all instruments filed or recorded in the office of the County Recorder of said County conveying, or purporting to convey, any interest in said waters, as acquired under and by virtue of said Location Certificate.

---:---

Prepared for General D. A. Utter, Mountain Home, Ida.,
by the Owyhee County Abstract Co.

No. 1742

Index to Abstract

---:---

		Book	Page
1	Ranch Location- - - - -Locator		
2	Water Location- - - - -Locator		
3	Decree- - - - -In re: Joseph F. Mims- - - - -	3	95
4	Deed- - - - -Joseph Mims to	3	151
5	Warranty Deed - - - - -Mrs. Susanne Turmes - - - - -	4	258
		Z	393
		11	486

OWYHEE COUNTY ABSTRACT CO.
BONDED
ABSTRACTERS
SILVER CITY, IDAHO

1742-1743 1744

WATER RIGHT.

Notice of water claim of Joseph F. Mims out of Shoo Fly Creek, as follows, to-wit: That is I, Joseph F. Mims, claims all the water in said Creek after it leaves the North end of Paul Cullens Homestead Claim for Irrigation purposes for my Preemption Claim.

Joseph F. Mims.

Shoo Fly, Owyhee Co., Idaho, Dec. 21", 1886.

Date of Record---Dec. 30", 1886, at 8 o'clock. A. M.

Where Recorded---Book 3 of Land Claims & Mill Sites, page 151, Owyhee County Records.

OWYHEE COUNTY ABSTRACT CO.
BONDED
ABSTRACTERS
SILVER CITY, IDAHO

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE STATE
OF IDAHO, IN AND FOR OWYHEE COUNTY.

Wenzel Turmes,

Plaintiff,

-Vs-

Joseph Mims,

Defendant.

DECEED.

This cause having been regularly called for trial and tried by the court and findings of fact and conclusions of law having been made in writing and filed herein wherein judgment was awarded in favor of the plaintiff, Wenzel Turmes, against the defendant, Joseph Mims;

NOW, on motion of counsel for the plaintiff, it is ORDERED, ADJUDGED AND DECREED that the plaintiff be and he is hereby adjudged and decreed to be the prior appropriator of forty inches of the waters of Shoo Fly Creek in Owyhee County, state of Idaho, measured under a four inch pressure at the head of his ditch about two hundred yards above the confluence of Shoo Fly Creek and Poison Creek, and is entitled to the use thereof without let or hindrance from the defendant and all persons claiming or to claim under or through said defendant.

And it is further ORDERED, ADJUDGED AND DECREED that, the defendant, his servants, agents, employees and attorneys be and they are hereby perpetually enjoined and restrained from erecting, maintaining, having or keeping any dam or artificial obstruction in the channel of said Shoo Fly Creek at a point above the head of plaintiff's ditch, any dam or artificial obstruction that will interfere with the free flow of said forty inches of the waters of said creek measured under a four inch pressure at the head of said plaintiff's ditch.

And it is further ORDERED, ADJUDGED AND DECREED that a permanent injunction of this court issue herein directed to said defendant, his servants, agents, employees and attorneys requiring them and each of them to perpetually refrain from erecting, maintaining, having or keeping any dam or artificial obstruction in the channel of said stream that will interfere with the free flow of the waters of said stream to the extent herein specified, or from interfering with the free use of plaintiff to forty inches of the waters of said stream measured as aforesaid.

Is further ORDERED, ADJUDGED AND DECREED that the plaintiff do have and recover his costs herein, taxed at _____ Dollars, against the said defendant.

Dated this 14th day of June A. D. 1899.

Geo. H. Stewart,
District Judge.

Date of entry---June 19th, 1899.

Where Entered---Judgment Book 4, pages 258 & 259, Owyhee County Records.

Joseph Mims (Widower) : Character of Instrument,
Grantor, : Deed.
to : Date of Instrument,
Mrs. Susane Turmes, : December 4th, 1899.
Grantee. : Date of Record,
: Dec. 7th, 1899, at 1 o'clock A. M.
: Book 2 of Deeds, pages 293 & 294,
: Owyhee County Records.

Consideration---Fourteen Hundred Dollars in hand paid.

Signature---his
Joseph X Mims (seal)
mark

Witnesses---E. M. Wolfe and Attie C. Brady, as to mark of Joseph Mims.

(21.50 Doc. Rev. Stamps, duly cancelled.)

Date of Acknowledgment---December 4th, 1899.

Before Whom Acknowledged---E. M. Wolfe a Notary Public in and for the County of Elmore, State of Idaho. Statutory form. Seal.

Granting Words---Has granted, bargained and sold, and by these presents does grant, bargain, sell, convey and confirm unto the said party of the second part, and her heirs and assigns forever.

Description---All the following described real estate situated in Owyhee County, State of Idaho, to-wit: The North east quarter of the northeast section number twenty-three and the south east quarter of the south east quarter of Section number fourteen and the west half of the south west quarter of section number thirteen in Township number seven south of range number two east containing One hundred and sixty acres together with the water rights used thereon and appropriated therefor.

Covenant---Usual covenant of warranty.

This Indenture, Made this 4th day of December

in the year of our Lord, one thousand ^{eight} hundred and ninety-nine between

Joseph Mims (widower)

of Grand View County of Owyhee State of Idaho

the party of the first part, and Mrs. Susanne Turmes

of Grand View County of Owyhee State of Idaho

the party of the second part.

WITNESSETH, That the said party of the first part, for and in consideration of the sum of Fourteen Hundred DOLLARS

lawful money of the United States of America, to him in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained and sold, and by these presents does grant, bargain, sell and convey and confirm unto the said party of the second part, and to her heirs and assigns forever, all the following described real estate, situated in Owyhee County, State of Idaho, to-wit:

The northeast quarter of the northeast quarter of Section No. 23 and the southeast quarter of the southeast quarter of Section No. 14 and the west half of the southwest quarter of Section No. 13 in Township No. 7 South of Range No. 2 East, containing 160 acres, together with the water rights used thereon and appropriated therefor,

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

TO HAVE AND TO HOLD, all and singular, the above mentioned and described premises, together with the appurtenances, unto the party of the second part, and to her heirs and assigns forever.

And the said party of the first part, and his heirs, the said premises in the quiet and peaceable possession of the said party of the second part, her heirs and assigns, against the said party of the first part, and his heirs and against all and every person and persons whomsoever, lawfully claiming or to claim the same shall and will WARRANT and by these presents forever DEFEND.

IN WITNESS WHEREOF, the said party of the first part has hereunto set his hand and seal the day and year first above written.

Signed, sealed and delivered in the presence of

E. M. Wolfe and

Attie C. Brady

Witnesses to signature by

Mark of Joseph T. Mims

his Joseph X Mims mark



Bruneau, Idaho, September 10th, 1917

I hereby certify that the within instrument is a true copy of the deed executed by Joseph Mims (widower) to Mrs. Susanne Turmes.

J. A. Utter

Notary Public
Residing at Bruneau, Idaho.
My commission expires July 19, 1921

No. 2252 C

Warranty Deed

Joseph Mims

TO

Susanne Turmes

Dated December 4th 1899

STATE OF IDAHO

County of Owyhee

I hereby certify that this instrument was filed for record at the request of

F. M. Wolfe

at minutes past

o'clock A. M., this 7th

day of December 1899

in my office and duly recorded in Book

7 of Deeds

at page 303

E. L. Ballard

Ex-Officio Recorder.

By S. St. Clair Deputy

Fees, \$1.50

On this 4th day of December in the year 1899, before me, E. M. Wolfe, a Notary Public, in and for said County, personally appeared Joseph Mims, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

year in this certificate first above written

E. M. Wolfe

Notary Public

(Seal)

STATE OF IDAHO

Elmore

ss.

Susanne Turmes (widow), : Character of Instrument,
 Grantor, : Warranty Deed.
 to : Date of Instrument,
 Joseph J. Turmes, : September 10th, 1917.
 Grantee. : Date of Record,
 : Sept. 26th, 1917, at 9:10 o'clock P.M.
 : Book 11 of Deeds, pages 486 & 487,
 : Owyhee County Records.

Consideration---One Dollar in hand paid.

Signature---Susanne Turmes

Witnesses---Lucien Turmes, Wenzel Turmes, and L. A. Utter.

Date of Acknowledgment---September 15th, 1917.

Before Whom Acknowledged---D. A. Utter, a Notary Public in and for the State of Idaho, residing at Bruneau, Idaho. Statutory form. Seal.

Granting Words---Has granted, bargained and sold, and by these presents does grant, bargain, sell and convey and confirm unto the said party of the second part, and to his heirs and assigns forever.

Description---All the following described water right situated in Owyhee County, Idaho, to-wit:

Consisting of dams, ditches and rights acquired by beneficial use of water on the South Half of the Northwest Quarter of Section 13 of Township 7 South, Range 8 East, Boise Meridian, Idaho, said rights being 40 miners' inches, equivalent to .8 of one second foot of water from the annual flow of Shoshone Creek, a tributary of Snake river, in Owyhee County, Idaho; and the party of the first part's heirs, assigns, and assigns, upon the laws of the State of Idaho, regarding the beneficial use of its waters for irrigation and other purposes, said use having been continuous for a period of fifteen years, and from rights acquired by purchase of Joseph F. Mims, recorded in Book 3 of Water Rights, page 151, among the records of Owyhee County, Idaho.

Covenant---Usual covenant of warranty.

This Indenture, Made this 10th day of September

in the year of our Lord, one thousand nine hundred and seventeen between Susanne Turmes (widow)

of Grand View, County of Owyhee, State of Idaho

the party of the first part, and Joseph J. Turmes

of Grand View, County of Owyhee, State of Idaho

the party of the second part,

WITNESSETH, That the said party of the first part, for and in consideration of the sum of One DOLLARS

lawful money of the United States of America, to her in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained and sold, and by these presents does grant, bargain, sell and convey and confirm unto the said party of the second part, and to his heirs and assigns forever, all the following described water rights

Owyhee County, State of Idaho, to-wit: Consisting of dams, ditches,

and rights acquired by beneficial use of water on the South Half of

the Northwest Quarter of Section 13 of Township 7 South, Range 2

East, Boise Meridian, Idaho, said rights being 40 Miners' inches,

equivalent to .8 of one second foot of water from the annual flow

of Shoofly Creek, a tributary of Snake River in Owyhee County,

Idaho; and the party of the first part's title is based upon the laws of

the State of Idaho regarding the beneficial use of its waters for

irrigation and other purposes, said use having been continuous for

a period of fifteen years, and from rights acquired by purchase

of Joseph F. Mims, recorded in Book 3 of Water Rights, page 151,

among the records of Owyhee County, Idaho.

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

TO HAVE AND TO HOLD, all and singular, the above mentioned and described premises, together with the appurtenances, unto the party of the second part, and to his heirs and assigns forever.

And the said party of the first part, and her heirs, the said premises in the quiet and peaceable

possession of the said party of the second part, his heirs and assigns, against the said party

of the first part, and her heirs and against all and every person and persons whomsoever, lawfully claiming or to claim the same shall and will WARRANT and by these presents forever DEFEND.

IN WITNESS WHEREOF, the said party of the first part has hereunto set her hand and seal the day and year first above written.

Signed, sealed and delivered in the presence of

Lucien Turmes

Wenzel Turmes

D. A. Utter

Susanne Turmes



STATE OF IDAHO,
County of Owyhee } ss.

On this 15th day of September in the year 1917, before
me, D. A. Utter a Notary Public in and for said
County, personally appeared Susanne Turmes
known to me to be the person whose name is subscribed to the within instrument
and acknowledged to me that she executed the same.

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

D. A. Utter
Notary Public
Residing at Bruneau, Idaho

Warranty Deed

TO

Dated _____ 19__

STATE OF IDAHO
County of _____ } ss.

I hereby certify that this instrument was
filed for record at the request of

at _____ minutes past

o'clock M., this _____

day of _____ 19__

in my office and duly recorded in Book

of _____

at page _____

Ex-Officio Recorder.

By _____ Deputy

Fees, \$ _____

Notary Public

I hereby certify that the within instrument is a true copy of the
original deed executed by Susanne Turmes to Joseph J. Turmes and in
witness whereof I have hereunto affixed my official seal.
Bruneau, Idaho, September 17, 1917

EP 23 1917

(Copy of the United States Patent)

THE UNITED STATES OF AMERICA,

To All to Whom These Presents Shall Come, Greeting:

Homestead Certificate No. 1549)

Application 4362)

Whereas there has been deposited in the General Land Office of the United States a Certificate of the Register of the Land Office at Boise City, Idaho, whereby it appears that pursuant to the Act of Congress, approved 20th May, 1862, "To Secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of Joseph Mims has been established and duly consummated, in conformity to law, for the Northeast Quarter of the Northeast Quarter of Section 23, the Southeast Quarter of the Southeast Quarter of Section 14 and the West Half of the Southwest Quarter of Section 13 in Township 7 South of Range 2 East of Boise Meridian in Idaho. Containing one hundred and sixty acres. According to the Official Plat of the Survey of the said Land returned to the General Land Office by the Surveyor General:

Now know ye, that there is therefore granted by the United States unto the said Joseph Mims the tract of land above described: To have and to hold the said tract of land, with the appurtenances thereof, unto the said Joseph Mims and to his heirs and assigns forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts, and also subject to the right of the proprietor of a vein or lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law.

And there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF I, William McKinley, President of the United States of America, have caused these letters to be made patent, and the seal of the General Land Office to be hereunto affixed.

GIVEN under my hand, at the City of Washington, the 30th day of March, in the Year of Our Lord One Thousand Nine Hundred, and of the independence of the United States the One Hundred and Twenty-Fourth.

BY THE PRESIDENT: William McKinley

By F. M. McKean, Secretary.

C. H. Brush, Recorder of the General Land Office.

Recorded Idaho, Vol. 44, Page 353

(Seal)

Bruneau, Idaho, September 10th, 1917

I hereby certify that the above instrument is a true copy of the patent deed issued by the United States of America to Joseph Mims (widower).

D. A. Utter

Notary Public

Residing at Bruneau, Idaho.

My commission expires July 19, 1921

ABSTRACTER'S CERTIFICATE

---:---

State of Idaho, :
:--ss.
County of Owyhee. :

WE HEREBY CERTIFY, That there are no taxes due and unpaid upon the Water Right described below and in the caption of the within abstract; that there are no tax sales of said Water Right unpaid; and that no tax deeds have been given thereon, except as herein noted.

---:---

WE FURTHER CERTIFY, That there are no judgments, suits pending, or liens of any kind, against any of the within named grantees, which are liens on the Water Right described below and in the caption of the within abstract, as shown by the Judgment Docket of the District Court of the Third Judicial District of the State of Idaho, in and for the County of Owyhee, except as herein noted.

Note :

---:---

WE FURTHER CERTIFY, That the foregoing entries, numbered from 1 to 5, inclusive, contain a correct abstract of all instruments filed or recorded in the office of the County Recorder of said Owyhee County, which affect the title to the Water Right described in the caption of the within abstract as follows, to-wit:

Location Certificate made by Joseph F. Mims on December 21, 1886, appropriating certain of the waters of Shoo Fly Creek in Owyhee County, Idaho, and of any and all instruments filed or recorded in the office of the County Recorder of said County conveying, or purporting to convey, any interest in said waters, as acquired under and by virtue of said Location Certificate.

---:---

This Certificate is made to General D. A. Utter, Mountain Home, Ida

IN WITNESS WHEREOF, We have hereunto subscribed these presents by our Manager thereunto duly authorized, this 24th day of March, 1920, at five o'clock P. M.

No. 1742

OWYHEE COUNTY ABSTRACT COMPANY,

By

M. H. Shea
Manager.

MINIS ORIGINAL HOMESTEAD

Patent to contain reservation according to proviso to the Act of Aug. 30, 1890

Final Certificate No. 1549

Homestead Application No. 41362

LAND OFFICE

AT

Boise, Idaho.

Sept 18, 1899

Sec 23, 11, 13 PATENT TRANSMITTED

APR 25 1900

TO REGISTER & RECEIVER

Div. C, List No. 7

Approved March 3, 1900, 1899

Division

Patented March 30, 1900

Recorded, Vol. 414, page 353

41-197

Patent to contain reservation according
to proviso to the Act of Aug. 30, 1890

4-190.

HOMESTEAD.

Land Office at Boise, Idaho.

Sept. 18 1897

FINAL CERTIFICATE

No. 1549

APPLICATION

No. 4562

It is hereby certified That, pursuant to the provisions of Section No. 2291,
Revised Statutes of the United States, Joseph Mims
has made payment in full for The Northeast quarter of the
Northeast quarter of Section No. 23. and the South
east quarter of the Southeast quarter of Section No
14. and the West half of the Southwest quarter
of Section No. 13, in Township No. 7 South, of
Range No. 2 East, of the Boise Principal
Meridian Idaho, containing 160 acres.

COMMISSIONER OF THE GENERAL LAND OFFICE, the said Joseph Mims.

shall be entitled to a patent for the tract of land
above described.

James King
Register.

(4-140.)

Final Receiver's Receipt No. 1549

Application No. 1

HOMESTEAD.

Receiver's Office, Boise, Idaho

September 18, 1899

Received of Joseph Wims, of Grand View the sum
of Six dollars 00 cents,

being the balance of payment required by law for the entry of the
N.E. 1/4 of the N.E. 1/4 of Section 28 and S.E. 1/4 of S.E.
1/4 Section 14 and N.W. 1/4

of Section 13 in Township 7 South of Range 2 East
containing one hundred sixty acres, under Section 2291 of the
Revised Statutes of the United States.

Edward S. Garrett

Receiver.

\$

Testimony fee received. Number of written words, 1

Rate per 100 words 2 cents.

(4-007.)

No. 112

HOMESTEAD APPLICATION.

Joseph Minus
Grand View Idaho

June 22, 1897

No conflict

Section 14 & 13, Town 7 S, Range 2 E

41/197

(4-007.)

Application No. 4362

HOMESTEAD.

Land Office at Boise Idaho

June 22, 1897

I, Joseph Mims, of Grand View, Davis County

Idaho

, do hereby apply to enter, under Section 2289,
N.E. 1/4 of N.E. 1/4 Sec 13, the S.E. 1/4 of
Revised Statutes of the United States, the S.E. 1/4 of Sec 14 & the W. 1/2 of Sec 13

of Section _____, in Township 7 South of
Boise meridian
Range 2 East, containing one hundred sixty (160) acres.

witness to mark
Morgan & Regan
E. E. Garrett

his
Joseph X Mims
mark

Land Office at Boise, Idaho

I, James King, REGISTER OF THE LAND OFFICE,

do hereby certify that the above application is for Surveyed Lands of the class
which the applicant is legally entitled to enter under Section 2289, Revised
Statutes of the United States, and that there is no prior valid adverse right to
the same.

James King
Register.

(4-138.)

Receiver's Duplicate Receipt No. 4262

Application No. 4262

HOMESTEAD.

Receiver's Office, Boise Idaho

June 22, 1899.

Received of Joseph Mims, of Granger the sum
of Fifteen dollars _____ cents;

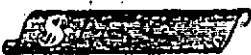
being the amount of fee and compensation of register and receiver for the
entry of N 6 E 14, and W 2 E 14 of Section 1 in

Township 7 South of Range 2 East, under

Section 2290, Revised Statutes of the United States.

Edward C. Gault

Receiver.



NOTE.—It is required of the homestead settler that he shall reside upon and cultivate the land embraced in his homestead entry for a period of five years from the time of filing the affidavit, being also the date of entry. An abandonment of the land for more than six months works a forfeiture of the claim. Further, within two years from the expiration of the said five years he must file proof of his actual settlement and cultivation, failing to do which, his entry will be canceled. If the settler does not wish to remain five years on his tract he can, at any time after fourteen months, pay for it with cash or land-warrants, upon making proof of settlement and cultivation from date of filing affidavit to the time of payment.

See note in red ink, which Registers and Receivers will read and EXPLAIN THOROUGHLY to persons making application for lands where the affidavit is made before either of them.

It is required of the homestead settler that he shall reside upon and cultivate the land embraced in his homestead entry for a period of five years from the time of filing the affidavit, being also the date of entry. An abandonment of the land for more than six months works a forfeiture of the claim. Further, within two years from the expiration of the said five years he must file proof of his actual settlement and cultivation, failing to do which, his entry will be canceled. If the settler does not wish to remain five years on his tract he can, at any time after fourteen months, pay for it with cash or land-warrants, upon making proof of settlement and cultivation from date of filing affidavit to the time of payment.

NON-MINERAL AFFIDAVIT.

This affidavit can be sworn to only on personal knowledge, and cannot be made on information and belief.
The non-mineral affidavit accompanying an entry of public land must be made by the party making the entry, and only before the officer before whom affidavits required of the entryman.

UNITED STATES LAND OFFICE.

Boise Idaho

June 22, 1899.

Joseph Minus, being duly sworn according to law, deposes and says that he is the identical Joseph Minus who is an applicant for Government title to the N.E. 1/4 of NE 1/4 Sec 23, the SE 1/4 of SE 1/4 of Sec 24 & W 1/2 of SW 1/4 of Sec 13 all in Township 7 South of Range 2 East Boise Meridian that he is well acquainted with the character of said described land, and with each and every legal subdivision thereof, having frequently passed over the same; that his personal knowledge of said land is such as to enable him to testify understandingly with regard thereto; that there is not, to his knowledge, within the limits thereof, any vein or lode of quartz or other rock in place, bearing gold, silver, cinnabar, lead, tin, or copper, or any deposit of coal; that there is not within the limits of said land, to his knowledge, any placer, cement, gravel, or 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 non-mineral land, and that his application therefor is not made for the purpose of fraudulently obtaining title to mineral land, but with the object of securing said land for agricultural purposes, and that his post-office address is Grandview, Owyhee Co Idaho

Witness to Mark
Morgan Regan
E. C. Hansen

his
Joseph X Minus
mark

I HEREBY CERTIFY that the foregoing affidavit was read to affiant in my presence before he signed his name thereto; that said affiant is to me personally known (or has been satisfactorily identified before me by M. A. Regan), and that I verily believe him to be a credible person and the person he represents himself to be, and that this affidavit was subscribed and sworn to before

me at my office in Boise, within the Boise, Idaho land district, on this 22nd day of June, 1899

Edward C. Hansen
Recorder

NOTE.—The officer before whom the deposition is taken should call the attention of the witness to the following section of the Revised Statutes, and state to him that it is the purpose of the Government, if it be ascertained that he testifies falsely, to prosecute him to the full extent of the law:

REVISED STATUTES OF THE UNITED STATES. TITLE LXX.—CRIMES.—CHAP. 4.

Sec. 5392. Every person who, 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, willfully and contrary to such oath states or subscribes any material matter which he does not believe to be true, is guilty of perjury, and shall be punished by a fine of not more than two thousand dollars, and by imprisonment, at hard labor, not more than five years, and shall, moreover, thereafter be incapable of giving testimony in any court of the United States until such time as the judgment against him is reversed. (See §1750.)

HOMESTEAD AFFIDAVIT.

U. S. Land Office at Boise Idaho

June 22, 1897

I, Joseph Mims, of Grand View, Idaho

having filed my application No. 11161, for an entry under section 2289, Revised Statutes of the

United States, do solemnly swear that I am not the proprietor of more than one hundred and sixty acres

of land in any State or Territory; that I am a native born citizen of the United States, and over twenty-one years of age; that I have lived upon and occupied land applied for fifteen years continuously

that my said 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, and that I will faithfully and honestly endeavor to comply with all the requirements of law as to settlement, 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 such entry, nor in collusion with any person, corporation, 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 might acquire from the Government of the United States should inure, in whole or in part, to the benefit of any person except myself, and further, that since August 30, 1890, I have not entered under the land laws of the United States, or filed upon, a quantity of land, agricultural in character, and not mineral, which, with the tracts now applied for, would make more than three hundred and twenty acres, ~~except~~

and that I have not heretofore made any entry under the homestead laws, ~~except~~

witness to mark

Margaret A. Quinn

B. E. Garrett

(Sign plainly with full christian name.)

his
Joseph X Mims
mark

Sworn to and subscribed before me this 22 day of June, 1897, at my

office at

Boise

in

Ada

County,

Idaho

Edward E. Garrett

Recorder

* Here insert statement that affiant is a citizen of the United States, or that he has filed his declaration of intention to become such, and that he is the head of a family, or is over twenty-one years of age, as the case may be. It should be stated whether applicant is native-born or not, and if not, a certified copy of his certificate of naturalization, or declaration of intention, as the case may be, must be furnished. (See page 45, circular of January 1, 1889.)

AFFIDAVIT OF PUBLICATION.

STATE OF IDAHO,
County of Owyhee.

I, Ed. H. H. H. being first duly sworn, do say that I am the publisher of "THE IDAHO," a weekly newspaper printed and published at Silver City, Owyhee county, Idaho, and of general circulation among its subscribers; that the notice of for publication - the copy No. 4362 - Lucas M. H., of which the annexed is a true printed copy, was correctly published in said "Idaho Avalanche" once a week, in the regular and entire issue thereof, for a period of one consecutive weeks, beginning on the 11 day of August, 1899, and ending on the 15 day of September, 1899.

Subscribed and sworn to before me this 19 day of September, 1899.

1899.

Ed. H. H.
PUBLISHER.
Ed. H. H.
Ed. H. H.
Ed. H. H.
Ed. H. H.

Notice for Publication.
LAND OFFICE, Boise, Idaho.
August 7, 1899.
This is hereby given that the following settler has filed notice of his intention to claim land for which he has filed for proof will be made before the Register at Boise, Idaho, on Sept. 14, 1899, to wit: James the following witnesses to prove his residence upon and cultivation of said land, viz: Paul Cullen, of Boise, Idaho; John Noble, of Boise, Idaho; and the Cullen, of Grandview, Idaho.
JAMES KING, Register.

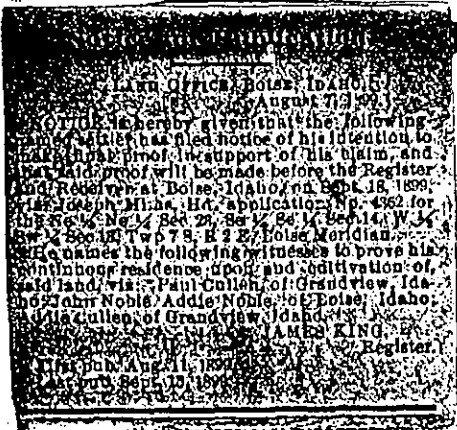
CERTIFICATE AS TO POSTING OF NOTICE.

Land Office at Boise Idaho.

Sept. 18 1899.

I, James King Register, do hereby

certify that a notice, a printed copy of which is hereto attached, was
by me posted in a conspicuous place in my office for a period of
thirty days, I having first posted said notice on the 7
day of Aug., 1899.



James King

Register.

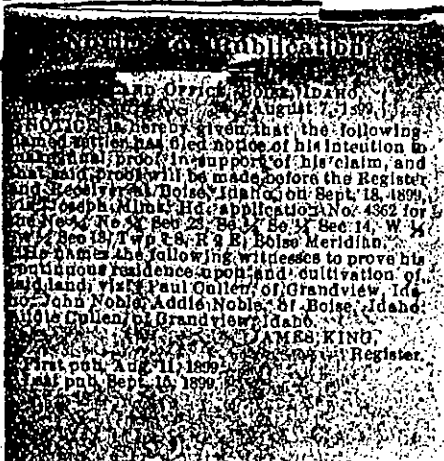
No. 1.-HOMESTEAD.

Land Office at Boise Idaho

August 7, 1889.

I, Joseph Minus, of Grandview Idaho
who made Homestead Application No. 4362 for the
NE 1/4 of SE 1/4 Sec 13, the SE 1/4 of SE 1/4 Sec 14 & the W 1/2 of SW 1/4 Sec 13 & 14 T. 7 S. R. 7 E. S. 1
do hereby give notice of my intention to make final proof to establish my
claim to the land above described, and that I expect to prove my residence
and cultivation before Register and Receiver
at Boise Idaho on Sept 18, 1889,
by two of the following witnesses:

Paul Cullen, of Grandview Idaho
John Noble, of Boise Idaho
Addie Noble, of Boise Idaho
Addie Cullen, of Grandview Idaho
witness to mark his
Morgan & Regan Joseph X Minus
E. E. Hansen (Signed & attested)



Land Office at

August 7, 1889.

application will be published in the Owyhee Avalanche
City, which I hereby designate as the
place for the land described in said application.

James King
Register.

Notice to Claimant.—Give time and place of proving up and name and title of the officer before whom proof is to be made, also
give names and post-office address of four neighbors, two of whom must appear as your witnesses.
(12156—30,000.)

W. POLYMER

APPLICATION, No. 7-20-1

HOMESTEAD.

Receiver's Office, Boise Idaho

June 22, 1899.

Received of Joseph Prince, of Boston the sum
of Sixteen dollars _____ cents;

being the amount of fee and compensation of Register and Receiver for the

entry of $NE^+ NE^-$ of S_{22} , and $SE^+ SE^-$ of S_{21} , and $N^2 SW^-$

_____ of Section 13 in _____

Township 7 South of Range 2 East, under

Section No. 2290, Revised Statutes of the United States.

Edward E. Garrett

Receiver.

§ 17

NOTE.—It is required of the homestead settler that he shall reside upon and cultivate the land embraced in his homestead entry for a period of five years from the time of filing the affidavit, being also the date of entry. An abandonment of the land for more than six months works a forfeiture of the claim. Further, within two years from the expiration of the said five years he must file proof of his actual settlement and cultivation, failing to do which, his entry will be canceled. If the settler does not wish to remain five years on his tract, he can, at any time after fourteen months, pay for it with cash or land warrants, upon making proof of settlement and of residence and cultivation from date of filing affidavit to the time of payment.

100-100000

HOMESTEAD PROOF—TESTIMONY OF WITNESS.

John Noble, being called as witness in support of the Homestead entry of Joseph mine for sdh 4362, testifies as follows:

Ques. 1.—What is your name, age, and post-office address?

Ans. John Noble, 65 years, Boise Idaho

Ques. 2.—Are you well acquainted with the claimant in this case and the land embraced in his claim?

Ans. Yes sir

Ques. 3.—Is said tract within the limits of an incorporated town or selected site of a city or town, or used in any way for trade or business?

Ans. No

Ques. 4.—State specifically the character of this land—whether it is timber, prairie, grazing, farming, coal, or mineral land.

Ans. And the timber portion lays in a canyon

Ques. 5.—When did claimant settle upon the homestead and at what date did he establish actual residence thereon?

Ans. I was not there when he first settled. I have known him to have resided on the land for the last 12 years, continuously.

Ques. 6.—Have claimant and family resided continuously on the homestead since first establishing residence thereon? (If settler is unmarried, state the fact.)

Ans. He is a widower. He has resided continuously for the past 12 years to my knowledge.

Ques. 7.—For what period or periods has the settler been absent from the land since making settlement, and for what purpose; and if temporarily absent, did claimant's family reside upon and cultivate the land during such absence?

Ans. Never absent for 3 or 4 days at time, and then very seldom. These periods were for the purpose of getting supplies.

Ques. 8.—How much of the homestead has the settler cultivated and for how many seasons did he raise crops thereon?

Ans. I should judge probably from 20 to 25 acres. Has raised a crop every season since I have known the tract, 12 seasons.

Ques. 9.—What improvements are on the land and what is their value?

Ans. Stone house about 14 ft x 16 ft and a frame connected 14 x 16 - two rooms, stable & cellar; about 40 acres fenced, very nice orchard about 1 1/4 acres. Total value

Ques. 10.—Are there any indications of coal, salines, or minerals of any kind on the homestead? (If so, describe what they are, and state whether the land is more valuable for agricultural than for mineral purposes.)

Ans. No sir, not to my knowledge. Most valuable for agriculture.

Ques. 11.—Has the claimant mortgaged, sold, or contracted to sell, any portion of said homestead?

Ans. No sir, not to my knowledge.

Ques. 12.—Are you interested in this claim; and do you think the settler has acted in entire good faith in perfecting this entry?

Ans. No sir Yes sir

(Sign plainly with full christian name.)

I HEREBY CERTIFY that the foregoing testimony was read to the witness before being subscribed

and was sworn to before me this 18th day of Sept, 1899, at my office at Boise in Ada County, Idaho

[SEE NOTE ON FOURTH PAGE.]

Edward E. Daniels
Receiver

(The testimony of witnesses must be taken at the same time and place and before the same officer as claimant's final affidavit. The answers must be full and complete to each and every question asked, and officers taking testimony will be expected to make no mistakes in dates, description of land, or otherwise.)

HOMESTEAD PROOF—TESTIMONY OF WITNESS.

Addie Noble, being called as witness in support of the Homestead entry of Joseph Mims for Sec 4362, testifies as follows:

Ques. 1.—What is your name, age, and post-office address?

Ans. Addie Noble, age 53 years, P. O., Brice, Ind.

Ques. 2.—Are you well acquainted with the claimant in this case and the land embraced in his claim?

Ans. Yes.

Ques. 3.—Is said tract within the limits of an incorporated town or selected site of a city or town, or used in any way for trade or business?

Ans. No.

Ques. 4.—State specifically the character of this land—whether it is timber, prairie, grazing, farming, coal, or mineral land.

Ans. Large brush land.

Ques. 5.—When did claimant settle upon the homestead and at what date did he establish actual residence thereon?

Ans. In 1884. Established residence about Sept 1884.

Ques. 6.—Have claimant and family resided continuously on the homestead since first establishing residence thereon? (If settler is unmarried, state the fact.)

Ans. Claimant is a widower. Claimant has resided continuously since establishing residence in 1884.

Ques. 7.—For what period or periods has the settler been absent from the land since making settlement, and for what purpose; and if temporarily absent, did claimant's family reside upon and cultivate the land during such absence?

Ans. Occasionally for a few days, but very seldom over a year perhaps for the purpose of getting supplies.

Ques. 8.—How much of the homestead has the settler cultivated and for how many seasons did he raise crops thereon?

Ans. Planted 25 acres. A crop every year since making settlement.

Ques. 9.—What improvements are on the land and what is their value?

Ans. House of 2 rooms, one stove one lumber; fence for about 40 acres; Orchard, shade trees, stable and cellar. Total value about \$1,000.

Ques. 10.—Are there any indications of coal, salines, or minerals of any kind on the homestead? (If so, describe what they are, and state whether the land is more valuable for agricultural than for mineral purposes.)

Ans. No. Most valuable for agricultural purposes.

Ques. 11.—Has the claimant mortgaged, sold, or contracted to sell, any portion of said homestead?

Ans. No.

Ques. 12.—Are you interested in this claim; and do you think the settler has acted in entire good faith in perfecting this entry?

Ans. No. Yes.

(Sign plainly with full christian name.)

Addie Noble

I HEREBY CERTIFY that the foregoing testimony was read to the witness before being subscribed, and was sworn to before me this 18th day of Sept 1899 at my office at Brice in Ada County, Ind.

[SEE NOTE ON FOURTH PAGE.]

Edward E. Garrett
Recorder

(The testimony of witnesses must be taken at the same time and place and before the same officer as claimant's final affidavit. The answers must be full and complete to each and every question asked, and officers taking testimony will be expected to make no mistakes in dates, description of land, or otherwise.)

HOMESTEAD PROOF—TESTIMONY OF CLAIMANT.

Joseph Mims, being called as a witness in his own behalf in support of homestead entry, No. 4362, for N 8° N 8° E, sec 23, 86° 36' E, sec 14, T 4° S, R 13° W, testifies as follows:

Ques. 1.—What is your name, age, and post-office address?

Ans. Joseph Mims, age 63 years, Grand View, Idaho

Ques. 2.—Are you a native-born citizen of the United States, and if so, in what State or Territory were you born?*

Ans. Yes sir. Born in South Carolina

Ques. 3.—Are you the identical person who made homestead entry, No. 4362, at the

Bosse, Idaho land office on the 22^d day of

June, 1899, and what is the true description of the land now claimed by you?

Ans. Yes N 8° N 8° E, sec 23, 86° 36' E, sec 14, T 4° S, R 13° W

Sec 13, T 4° S, R 13° W, Range 2 East, B. M.

Ques. 4.—When was your house built on the land and when did you establish actual residence therein? (Describe said house and other improvements which you have placed on the land, giving total value thereof.)

Ans. First house was built in fall of 1884, and established residence at that time. Two roomed house, one stone & one lumber, both rooms 14 X 16, stable and shed, cellars, fencing, Orchard. Value \$600. or \$700.

Ques. 5.—Of whom does your family consist; and have you and your family resided continuously on the land since first establishing residence thereon? (If unmarried, state the fact.)

Ans. Widow. Have resided continuously since first establishing in 1884

Ques. 6.—For what period or periods have you been absent from the homestead since making settlement, and for what purpose; and if temporarily absent, did your family reside upon and cultivate the land during such absence?

Ans. Absent very seldom, and then for the purpose of getting lumber

Ques. 7.—How much of the land have you cultivated each season and for how many seasons have you raised crops thereon?

Ans. About 25 acres. Have raised a crop each season

Ques. 8.—Is your present claim within the limits of an incorporated town or selected site of a city or town, or used in any way for trade and business?

Ans. No sir

Ques. 9.—What is the character of the land? Is it timber, mountainous, prairie, grazing, or ordinary agricultural land? State its kind and quality, and for what purpose it is most valuable.

Ans. Naturally, sage brush land. Pebbly portions, large along the creek

Ques. 10.—Are there any indications of coal, salines, or minerals of any kind on the land? (If so, describe what they are, and state whether the land is more valuable for agricultural than for mineral purposes.)

Ans. No sir. Most valuable for agricultural purposes

Ques. 11.—Have you ever made any other homestead entry? (If so, describe the same.)

Ans. No sir

Ques. 12.—Have you sold, conveyed, or mortgaged any portion of the land; and if so, to whom and for what purpose?

Ans. No sir

Ques. 13.—Have you any personal property of any kind elsewhere than on this claim? (If so, describe the same, and state where the same is kept.)

Ans. No.

Ques. 14.—Describe by legal subdivisions, or by number, kind of entry, and office where made, any other entry or filing (not mineral), made by you since August 30, 1890.

Ans. No sir.

Witness
Gawney E. Hansen (Sign plainly with full christian name.)
Witness James Hansen

Joseph Mims

* (In case the party is of foreign birth a certified transcript from the court records of his declaration of intention to become a citizen, or of his naturalization, or a copy thereof, certified by the officer taking this proof, must be filed with the case. Evidence of naturalization is only required in final (five-year) homestead cases.)

I HEREBY CERTIFY that the foregoing testimony was read to the claimant before being subscribed, and was sworn to before me this 18th day of Sept, 1899, at my office at Boise in Ada County, Idaho

[SEE NOTE ON FOURTH PAGE.]

Edward E. Ganett
Receiver

NOTE.—The officer before whom the testimony is taken should call the attention of the witness to the following section of the Revised Statutes, and state to him that it is the purpose of the Government, if it be ascertained that he testifies falsely, to prosecute him to the full extent of the law.

Title LXX.—CRIMES.—Ch. 4.

SEC. 5392. Every person who, 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, willfully and contrary to such oath states or subscribes any material matter which he does not believe to be true, is guilty of perjury, and shall be punished by a fine of not more than two thousand dollars, and by imprisonment, at hard labor, not more than five years, and shall, moreover, thereafter be incapable of giving testimony in any court of the United States until such time as the judgment against him is reversed.

(4-369.)

HOMESTEAD PROOF.

LAND OFFICE AT Boise, Idaho

Original Application No. 4362

Final Certificate No. 1549

Approved: Sept. 18, 1899

James King, Register.

Edward E. Ganett, Receiver.

6-577

FINAL AFFIDAVIT REQUIRED OF HOMESTEAD CLAIMANTS.

SECTION 2291 OF THE REVISED STATUTES OF THE UNITED STATES.

I, Joseph Minus, having made a Homestead entry of the N 8th N 8th E 2nd Sec. 14, 1st 2nd 3rd 4th 5th 6th 7th 8th 9th 10th 11th 12th 13th 14th 15th 16th 17th 18th 19th 20th 21th 22th 23th 24th 25th 26th 27th 28th 29th 30th 31st 32nd 33rd 34th 35th 36th 37th 38th 39th 40th 41st 42nd 43rd 44th 45th 46th 47th 48th 49th 50th 51st 52nd 53rd 54th 55th 56th 57th 58th 59th 60th 61st 62nd 63rd 64th 65th 66th 67th 68th 69th 70th 71st 72nd 73rd 74th 75th 76th 77th 78th 79th 80th 81st 82nd 83rd 84th 85th 86th 87th 88th 89th 90th 91st 92nd 93rd 94th 95th 96th 97th 98th 99th 100th 101st 102nd 103rd 104th 105th 106th 107th 108th 109th 110th 111st 112nd 113rd 114th 115th 116th 117th 118th 119th 120th 121st 122nd 123rd 124th 125th 126th 127th 128th 129th 130th 131st 132nd 133rd 134th 135th 136th 137th 138th 139th 140th 141st 142nd 143rd 144th 145th 146th 147th 148th 149th 150th 151st 152nd 153rd 154th 155th 156th 157th 158th 159th 160th 161st 162nd 163rd 164th 165th 166th 167th 168th 169th 170th 171st 172nd 173rd 174th 175th 176th 177th 178th 179th 180th 181st 182nd 183rd 184th 185th 186th 187th 188th 189th 190th 191st 192nd 193rd 194th 195th 196th 197th 198th 199th 200th 201st 202nd 203rd 204th 205th 206th 207th 208th 209th 210th 211st 212nd 213rd 214th 215th 216th 217th 218th 219th 220th 221st 222nd 223rd 224th 225th 226th 227th 228th 229th 230th 231st 232nd 233rd 234th 235th 236th 237th 238th 239th 240th 241st 242nd 243rd 244th 245th 246th 247th 248th 249th 250th 251st 252nd 253rd 254th 255th 256th 257th 258th 259th 260th 261st 262nd 263rd 264th 265th 266th 267th 268th 269th 270th 271st 272nd 273rd 274th 275th 276th 277th 278th 279th 280th 281st 282nd 283rd 284th 285th 286th 287th 288th 289th 290th 291st 292nd 293rd 294th 295th 296th 297th 298th 299th 300th 301st 302nd 303rd 304th 305th 306th 307th 308th 309th 310th 311st 312nd 313rd 314th 315th 316th 317th 318th 319th 320th 321st 322nd 323rd 324th 325th 326th 327th 328th 329th 330th 331st 332nd 333rd 334th 335th 336th 337th 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UNITED STATES DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

SUBJECT: Irrigation Water Needs

DATE July 28, 1982

TO: Paul Black
Box 273
Grandview, Idaho

The purpose of this letter is to show the amount of water needed to irrigate alfalfa on silt loam and fine sandy loam soils.

Method of irrigation is surface from concrete ditches.

Gross seasonal need for alfalfa from the Soil Conservation Service Irrigation Guide is 34.18". This figure is based on 100% efficiency.

Gross alfalfa needs for summer months are:

June = 6.21"	average consumptive use = .21"/day
July = 8.19"	average consumptive use = .26"/day
August = 6.53"	average consumptive use = .21"/day

When determining irrigation needs the peak month needs to be met.

Recent surface irrigation trials by the Soil Conservation Service on very sandy soils ranged from 10% to 20%. However, with good management 25% to 30% efficiency should be achieved with the soils on this farm.

Based on 27% efficiency surface irrigation for alfalfa, 2 miners inches per acre would be needed.

Marlin Porter

Marlin Porter
Soil Conservation Technician
Mtn. Home, Idaho



MICROFILMED

OCT 07 1992

Water Right Number - A57-01219

Adj. Flag Translation: ADJUDICATION CLAIM

Old (D) Number -

+ - - - - Last Name - - - - + + - - - - First Name - - - - + + - - - - Address - - - - - +

*** C - CURRENT OWNER ***
BLACK

PAUL

1 - BOX 273

2 -

3 -

City- GRAND VIEW

Phone -

1 - BOX 273

2 -

3 -

City- GRAND VIEW

Phone -

State- ID Zip- 83624

State- ID Zip- 83624

BLACK

MATTIE

DECLERED

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
12/21/1886 14 ERROR IN REGION S - STATUTORY CLAIM

+ - - Source - - - - - + + - - - - - Tributary - - - - - + + - - - - - SNAKE RIVER - - - - - +

+ - - - - - - - - - - - Point of Diversion - - - - - + + - - - - - Stream Index (Blank if no Index Code) - - - - - +

Twn Rng Sec Tract Lot RFlg County

07S 02E 23 NE NE (73) OWYHEE 272.0 361.0 15.1

+ - - - - - - - - - - - Water Use - - - - - + + - - - - - Diversion Rate - - - - - + + - - - - - Diversion Volume - - - - - +

01 - IRRIGATION
04 - STOCKWATER

Period From Period To
03/15 11/15
01/01 12/31

0.150
0.050

2.70

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.150

+ - - - - - - - - - - - Place of Use - - - - - + + - - - - - County - - - - - +

Description

07S 02E 13 SW SW 01 IRRIGATION
07S 02E 14 SE SE 01 IRRIGATION

(73) OWYHEE
(73) OWYHEE

Total Acres: 5.0

+ - - Diversion Means - DITCH

+ - - Non-Irrigation Use - S/100 HEAD RANGE

+ - - Other Rights for Same Use -

+ - - - - - - - - - - - Remarks - - - - - + + - - - - - No Remarks found. - - - - - +

Presumption Flag -

OCT 07 1992

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF OWYHEE

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF
Upper Shoofly Creek
DRAINAGE BASIN.

**NOTICE OF CLAIM
TO A
WATER RIGHT**

| | |
|----------------------------|-----------------------------|
| <u>57-1219</u>
I.D. No. | Map No. |
| <u>\$45.00</u>
Fee Paid | <u>24138</u>
Receipt No. |

Notice is hereby given that Paul and Mattie Black
(Name of Claimant)

Box 273, Grandview, ID 83624

(Mailing Address)

(Zip Code)

Telephone No. 834-2467

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) 12/21/1886

December 21, 1886 (Joseph Mims Notice of Water Right) (attached)

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Shoofly Creek
tributary to Snake River

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Quantity 10.68 cfs Use Irrigation Period of Use From 2/1 3/15 To 10/31 11/15
(CFS, GPD, AFI) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity .05 cfs Use Stock Period of Use From 1/1 around 12/31
(CFS, GPD, AFI) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AFI) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AFI) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

(4) 10.68 cfs .15 TOTAL QUANTITY CLAIMED.
(CFS, GPD, AFI)

(5) A) Point of Diversion: Give location of point where water is diverted from its source NE NW NE SW %
Sec. 13-23, Twp. 7S, Rge. 2E, B.M., Owyhee 73 County
Additional Points: NENE Sec. 23, 7S2E 361 2720-3610(25) 151

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.
Earthen diversions

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

| T | R | SEC. | NE% | | | | NW% | | | | SW% | | | | SE% | | | | TOTAL |
|----|----|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------|
| | | | NE% | NW% | SW% | SE% | NE% | NW% | SW% | SE% | NE% | NW% | SW% | SE% | NE% | NW% | SW% | SE% | |
| 7S | 2E | 14 | | | | | | | | | | | | | | | | | 42 |
| 7S | 2E | 13 | | | | | | | | | 8 | 5 | | | | | | | 13 |
| | | | | | | | | | | | 3 | 3 | | | | | | | 36 |
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Total no. of acres 105

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Stock

NOTE: Include here the type and number of stock watered: 5/100 HEAD/RANGE Cattle (100 approx.)

(7) If you are claiming water as a member of an organization, list name of organization: _____

(8) Remarks Mims Place

(9) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use.

☐ B) Right decreed by court, cite title of case. _____

☐ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. _____

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

Sept 1, 1982
(Date)

State of Idaho Organization _____

County of Ada ss. Seal _____

On this 1st day of Sept, in the year 1982, before me
a notary public, personally appeared Paul T. Black and Mattie L. Black, H & W
known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or _____) executed the same.

My commission expires _____

Notary Public residing at Boise, Idaho

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF OWYHEE

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF
Upper Shoofly Creek
DRAINAGE BASIN.

**NOTICE OF CLAIM
TO A
WATER RIGHT**

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|---|--|
| <u>57-1219</u>
I.D. No.
\$ <u>45.00</u>
Fee Paid | Map No.
<u>24138</u>
Receipt No. |
|---|--|

Notice is hereby given that Paul and Mattie Black
(Name of Claimant)

Box 273, Grandview, ID 83624

(Mailing Address)

(Zip Code)

Telephone No. 834-2467

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) December 21, 1886 (Joseph Mims Notice of Water Right) (attached)
- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Shoofly Creek
tributary to Snake River
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
- | | | | |
|--|--|--|-------------------------------|
| Quantity <u>.68 cfs.</u>
(CFS, GPD, AF) | Use <u>Irrigation</u>
(Domestic, irrigation, stock, etc.) | Period of Use From <u>2/1</u>
(Mo., Day) | To <u>10/31</u>
(Mo., Day) |
| | | (Both dates inclusive) | |
| Quantity <u>.05 cfs.</u>
(CFS, GPD, AF) | Use <u>Stock</u>
(Domestic, irrigation, stock, etc.) | Period of Use From <u>Yr. around</u>
(Mo., Day) | To <u></u>
(Mo., Day) |
| | | (Both dates inclusive) | |
| Quantity <u></u>
(CFS, GPD, AF) | Use <u></u>
(Domestic, irrigation, stock, etc.) | Period of Use From <u></u>
(Mo., Day) | To <u></u>
(Mo., Day) |
| | | (Both dates inclusive) | |
| Quantity <u></u>
(CFS, GPD, AF) | Use <u></u>
(Domestic, irrigation, stock, etc.) | Period of Use From <u></u>
(Mo., Day) | To <u></u>
(Mo., Day) |
| | | (Both dates inclusive) | |
- (4) .73 cfs. TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)
- (5) A) Point of Diversion: Give location of point where water is diverted from its source NW 1/4 SW 1/4
Sec. 13, Twp. 7S, Rge. 2E, B.M., Owyhee County
Additional Points: NENE Sec. 23, 7S2E
- B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.
Earthen diversions
- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

| T | R | SEC. | NE1/4 | | | | NW1/4 | | | | SW1/4 | | | | SE1/4 | | | | TOTAL |
|-----------|-----------|-----------|-------|-------|-------|-------|-------|-------|-------|-------|----------|----------|-------|-------|-------|-------|-------|----------|-----------|
| | | | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 | |
| <u>7S</u> | <u>2E</u> | <u>14</u> | | | | | | | | | | | | | | | | <u>4</u> | <u>4</u> |
| <u>7S</u> | <u>2E</u> | <u>13</u> | | | | | | | | | <u>8</u> | <u>5</u> | | | | | | | <u>13</u> |
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Total no. of acres 17

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Stock

NOTE: Include here the type and number of stock watered: Cattle (100 approx)

(7) If you are claiming water as a member of an organization, list name of organization:

(8) Remarks Mims Place

(9) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use.

☐ B) Right decreed by court, cite title of case.

☐ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. _____

Department of Water Resources
Western Regional Office

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

Sept 1, 1982
(Date)

State of Idaho

County of Ada

Organization

Seal

On this 1st day of Sept, in the year 1982 before me
a notary public, personally appeared Paul T. Black and Mattie L. Black
known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation,
partnership or _____) executed the same.

My commission expires _____

Notary Public residing at Boise, Idaho

RECEIVED

SEP 3 1982