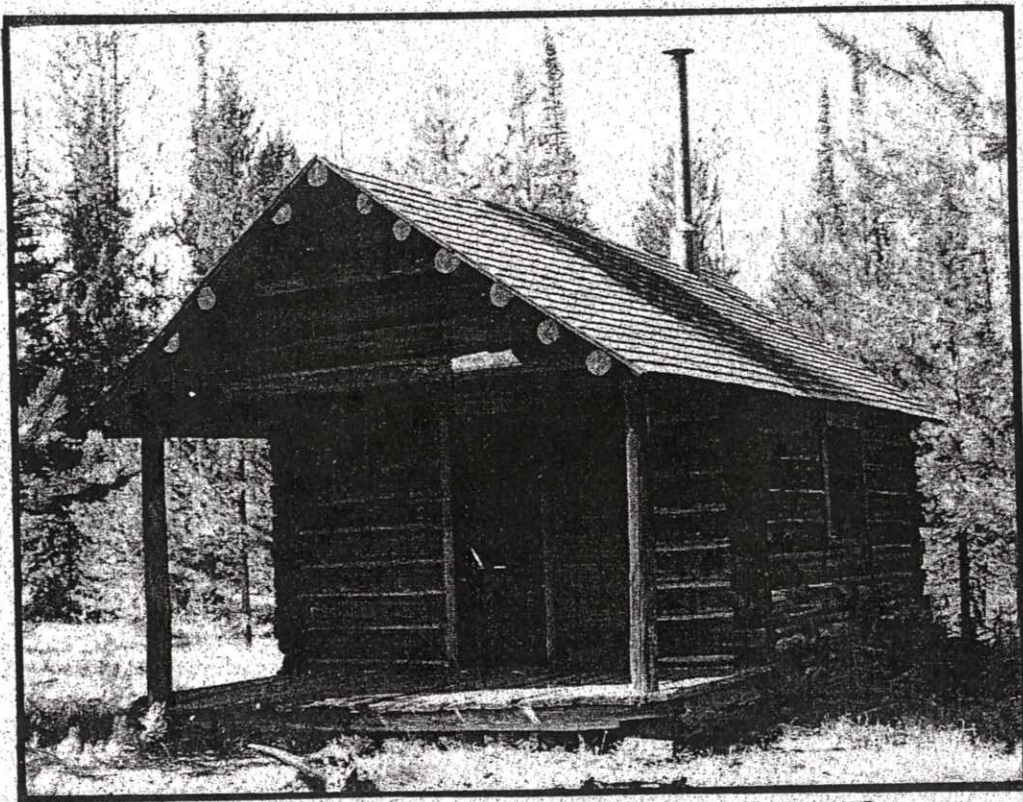


AN OUTLINE OF THE CULTURAL HISTORY OF THE
**FRANK CHURCH - RIVER OF
NO RETURN WILDERNESS**
ADMINISTERED BY THE PAYETTE NATIONAL FOREST

BY
PETER PRESTON



HISTORIC COLD MOUNTAIN LOOKOUT FIREMAN'S
CABIN, BUILT 1936, DESTROYED BY WILDFIRE 2000

HERITAGE PROGRAM, PAYETTE NATIONAL FOREST
FOREST SERVICE, INTERMOUNTAIN REGION
U.S. DEPARTMENT OF AGRICULTURE

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752
.S35
P73
2001

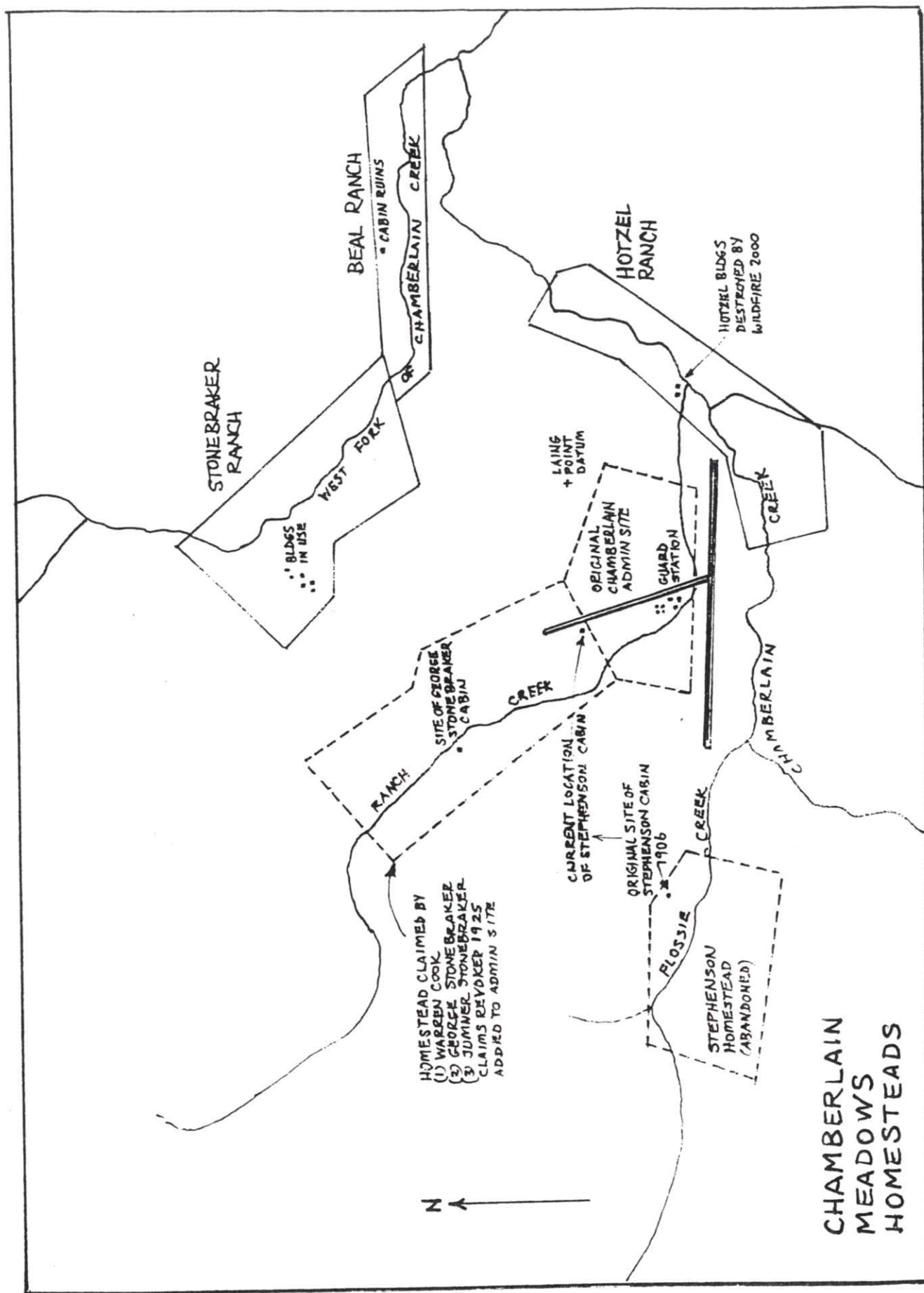
NOVEMBER 2001

game hunting parties. Al Stonebraker was a contract packer for the Forest Service; he died of a heart attack while on a pack trip to Mosquito Springs in September, 1932. In 1949, the Stonebraker Ranch was acquired by the Idaho Department of Fish and Game and is used as "an administrative site." The several buildings at the ranch were observed by the author in 2000 in various states of repair. Many of the buildings are eligible for listing on the National Register of Historic Places, (Payette NF homestead records; Preston n.d.).

August Hotzel: Hotzel was a builder of the Three Blaze Trail and worked with Al Stonebraker in the pack string business. On April 19, 1915, Hotzel claimed a 70-acre homestead on Chamberlain Creek adjoining the Forest Service Chamberlain Administrative site on the east. Hotzel had settled on the property in 1911, on a claim originally claimed by Mike Hogan in 1906. German-born Hotzel received patent on the property in 1923, but died in 1929. The property was acquired by Idaho Department of Fish and Game (F&G) and was leased for many years as a hunting camp. Some of the original buildings were burned by F&G in 1952. An archaeological survey in 1995 identified the ranch as an historic site. When observed by the author in late July 2000, the buildings were in disrepair. In early August 2000 the Hotzel Ranch buildings were all destroyed by wildfire. The Hotzel Ranch property is currently in the process of being transferred to the Forest Service, (Preston 2000).

Beal Ranch: Originally claimed as a homestead in 1907 by John M. "Mitt" Haynie but relinquished the same year (see Lantz Bar in Chapter 2). In 1916 the same property was claimed by John King and son Kent King but not approved for lack of development. In 1922 Phillip G. Beal settled on this 90-acre property on the West Fork of Chamberlain Creek, adjoining the Stonebraker Ranch on the east. Beal claimed the homestead in 1927 which was patented in 1928. Beal sold the property to Clarence Paulsen and Beal went to the Acorn Creek property on Big Creek (see Chapter 5). Idaho F&G acquired the property in 1949. Only the rotting remains of Beal's cabin are observable on this property. This property is in the process of being transferred to the Forest Service, (Preston 1999:14).

George and Sumner Stonebraker: On October 11, 1916, George Stonebraker, youngest brother of Al Stonebraker, claimed the same property as had been claimed by Warren Cook in 1908 (see above). George built a cabin and a barn on the property but relinquished the claim on November 28, 1919, on which day brother Sumner Stonebraker made a claim on the same property. The property was not improved and Sumner's claim was canceled on March 24, 1925. The Forest Service withdrew the property from public entry, added it to the original administrative site in 1925, fenced most of the area as pasture, and constructed the north-south airstrip on this property around 1930, (Preston 1999:14).



(Bldg 1620), (Preston 1999). All the buildings in the complex are in general good repair, when observed by the author in 2000, except Bldg 1620 (the oldest building on the Payette National Forest) is in need of a new roof.

Forest Service Historic Sites in Chamberlain Area

Mosquito Springs Ranger Station: At the far west part of the Chamberlain district, at Mosquito Springs (see map on page 5), was a ranger station noted in correspondence as early as 1912. There is no known description of this "ranger station" and, as it was located about half the travel distance between the South Fork and Chamberlain Ranger Station, it is assumed to have been a small stop over cabin, (Carrey 1968:60). There is no current evidence of this cabin and it seems to disappear from correspondence in the early 1930s, perhaps destroyed by an early wildfire.

Hida Ridge Airstrip: By 1941, a 2200-ft airstrip was cleared on the flat, north-south oriented Hida Ridge (T25N R10E S22), nine miles north of Chamberlain Ranger Station. The strip was never used, but its location was observable for many years as seedling trees began to cover the area, (Hockaday 1968:108). This site is now only recognizable to individuals who know of its prior existence.

Hot Springs Meadow Cabin: Located eight miles NNE of Chamberlain Guard Station, in upper Hot Springs Creek, a mile north of the trail leading to Arctic Point. This was a substantial Rocky Mountain-style log cabin, built by the Forest Service around 1929. It was used by smokechasers and trail workers as a place where one could get a hot bath in the far reaches of the wilderness. When last observed on the ground around 1991, the cabin was still in good repair; however, a recent aerial survey noted that this historic cabin was destroyed in the August 2000 wildfire, (Kingbury, pers.comm., 2001)

Chamberlain Meadows Homesteads (see map on page 27)

Louis Stephenson: In October 1906, Stephenson claimed a 140-acre homestead on Flossie Creek, about a mile west of the current guard station complex, built a 12 x 16 ft log cabin, cleared and fenced about 20 acres. Stephenson abandoned the property which was claimed again by Albert L. "Bert" Nixon on October 19, 1916 (see Nixon Creek in Chapter 2). The Nixon claim was not improved and was revoked on July 26, 1929. In the process of constructing the Chamberlain east-west airstrip in 1954, the Stephenson cabin was moved on skids to its present location in the guard station complex to become Bldg 1620, (Preston 1999:7,18).

William Allen (Al) Stonebraker: While operating his pack string business on the Three Blaze Trail, Al Stonebraker probably located his homestead by 1908. On June 25, 1912, he filed a formal claim on 160 acres on West Fork of Chamberlain Creek, about a mile north of the ranger station complex. The first aircraft landing in the backcountry occurred at Stonebraker Ranch in early October 1928 by Spokane-based pilot Nick Mamer. That event heralded the era of fly-in big

Dear Patron:

We regret that the enclosed photocopies are the best we were able to obtain using our normal reproduction process. This is caused primarily by the age and faded conditions of some of the documents from which these copies were made.

COMPLETE FILE ENCLOSED

BEST AVAILABLE COPY.

GENERAL LAND OFFICE

BLACKFOOT Idaho.

(Land Office)

Serial No. 039266

PATENT TRANSMITTED

Send Patent to JUL 2 1929

TO LOCAL OFFICE

Appearance by

Approved for Patenting

May 22 1929 72213 (Initials)

List No.

Patent No.

Dated

19

B LIST 11059

ACTION TAKEN

1928

Nov. 6 To P. republication and
add'l evidence required
To D files. N.M.B.C.
1929
Jan. 25 Drawn for reference.
To D files. N.M.B.C.
Apr. 26 To P. Art. of posting
returned To D files.
To D files. N.M.B.C.

FORESTER ADVISED. *

and Forester advised. B

FILED
JUN 27 1929
NO. 1029005

GENERAL LAND OFFICE

Send Patent to

Appearance by

Approved for Patenting

, 19

(Initials.)

List No.

Patent No.

Dated

, 19

Healey
(Land Office)

Serial No.

1337

ACTION TAKEN

1922
Dec. 7 Examined and approved - ELOS - "C"

38
LAW OFFICE OF
HAMPTON TAYLOR
GRANGEVILLE, IDAHO

U.S. DEPT. OF THE INTERIOR
BUREAU OF LANDS
DATE SEP 10 1922
HOUR

September 11, 1922.

United States Land Office,
Boise City, Idaho.

Gentlemen:-

I am herewith enclosing the application of Phillip G. Beals to file on H.E.S.No.699, probably Sections 19 & 20, Tp.24 N.R.11 E.B.M. in Idaho County, together with Post Office Money order \$13.38 to pay fees and commissions. Please send receipt to Dixie Idaho.

Very Truly Yours,

H. Taylor

Fees \$10.00

Form 4-007

Comm (Orig) \$3.38

Form approved by the Secretary of the Interior December 16, 1911.

Ex. Act of June 11, 1906 List No. 4-2153

DEPARTMENT OF THE INTERIOR.

RECEIVED

U. S. LAND OFFICE

HAILEY, IDAHO

SEP 15 1922

Comm (Fin.)

HOMESTEAD ENTRY.

DATE

HOUR

Pur Mon

Test

U. S. LAND OFFICE

Entry allowed Sept 19th 1922

APPLICATION.

SERIAL NO. 027171

RECEIPT NO. 2523795

I, Phillip G. Beals

(Give full Christian name.)

(male)

(Male or female.)

Dixie, Idaho County, State of Idaho, do hereby apply

to enter, under Section 2289, Revised Statutes of the United States, the H. E. S. No. 699, List No. 4-2153

unsurveyed, probably

Section 19 and 20,

Township 24 N., Range 11 E., Boise Meridian, containing

90.17

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

citizen of the United States, and

am unmarried and am 38 years of age

(State whether 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 Dixie, 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 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 this 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 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 acquired title to, nor am I now claiming, under an entry made under any of the nonmineral public-land laws, an amount 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 I filed an application for a Homestead at Dallas, Oregon, which was found to be Rail Road land and my application was not accepted.

(Here describe former homestead entry by section, township, range, land district, and number of entry; how perfected, or if not perfected state that fact.)

that I am well acquainted with the character of the land herein applied for and with each and every legal subdivision thereof, having personally 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, cinnabar, 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.

Phillip G. Beals

(Sign name, 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, over.)

Filed 12/1/22 H 106 G 43 N.V. 71.0

C 6-771

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);
(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 sub-

scribed and sworn to before me, at my office, in Grangerville
Idaho county, State of Idaho, within the Lewiston Idaho,
(County and State.)
land district, this 11th day
of September, 1922,

Hampton Taylor
United States Commissioner
(Official designation of officer.)

UNITED STATES LAND OFFICE at Hailey Idaho

.....Sept. 19th 1922....., 19.....

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.

May Engel
Register.

UNITED STATES CRIMINAL CODE.—CHAP. 6.

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.)

c 6-771

JUN 22 1928

DEPARTMENT OF THE INTERIOR.

HOMESTEAD ENTRY.

U. S. LAND OFFICE

Blackfoot, Idaho

No. 039266

FINAL PROOF.

Receipt No. 2974293

TESTIMONY OF CLAIMANT.

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

ANSWER. Phillip G. Beal, age 45 years, Dixie, Idaho.

QUESTION 2. Are you a native-born citizen of the United States, and if so, in what State or Territory were you born? (If foreign born, or if native born and later naturalized in a foreign country, see Note 1.)

ANSWER. Yes; I was born in the State of Oregon.

QUESTION 3. Are you the same person who made Homestead Entry No.

039266, at the Blackfoot, Idaho Land Office on the

19th day of September, 1922, for the

For a tract of land described by metes, as follows:
Beginning at a point which bears north 28°48' W. 2.89 chains from U. S. L. M. No. 344 as cor. No. 1; Thence N. 87°14' E. 57.40 chains to Cor. No. 2; thence S. 37°44' E. 19.09 chains to Cor. No. 3; thence N. 88°48' W. 42.94 chains to Cor. No. 4; thence N. 88°42' W. 30.75 chains to Cor. No. 5; thence N. 36°09' W. 10.28 chains to Cor. No. 6; thence S. 77°15' E. 11 chains to place of beginning, located in Sec. 19 and 20, Twp. 24 North, Range 11 East Boise Meridian, Idaho National Forest, and containing 90.17 acres,

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

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

ANSWER. *-*-*-*

QUESTION 6. If a married woman, state whether your husband now has an unperfected homestead entry, and during what time he has resided on this land with you. Also state his citizenship qualifications. (See Note 1 at bottom of third page.)

ANSWER. *-*-*-*

QUESTION 7. When did you first establish actual residence upon this land?

ANSWER. I cannot recollect the date. It was in the Fall of 1922.

QUESTION 8. When was your house built on this land?

ANSWER. In the Fall of 1922.

QUESTION 9. Have either you or your family ever been absent from the homestead since establishing residence?

ANSWER. Yes.

QUESTION 10. If there has been such absence, give the dates covered by each absence; and as to each absence state whether you, your family, or both, were thus absent and the reason for each such absence.

ANSWER. I have worked for the United States Forest Service about Four months each year since entry, commencing about July 1, of each year, during which Four months each year I have been absent. All the remainder of the time since entry I have been actually upon the land, making my home continuously there. I have not been absent Five months in any year since entry.

QUESTION 11. Describe the land embraced in above entry by legal subdivisions, showing fully the character of same, and kind and amount of timber, if any.

ANSWER.

Subdivision.	Acres cultivable.	Acres timbered.	Feet timber.
This being a metes and bounds description there are no subdivisions. The land is all of practically the same character, being a creek bottom. There is no timber on the land except brush such as willow and other small growth and a few Lodge Pole pines. About 75 acres will be cultivatable when cleared of brush. I have about 27 acres cleared and in cultivation.			

QUESTION 12. State the number of acres cultivated, kind of crop planted, and amount harvested, each year.

ANSWER. 1923., Cleared Two acres: did not get it into cultivation.
 1924., I cleared and prepared for cultivation Eight additional acres.
 1925., I cleared and prepared for cultivation Five additional acres: I also cultivated Two acres to timothy and Alsike, no crop harvested.
 1926., I plowed and seeded Eight acres to timothy, alsike and Bromis, no crop harvested.
 1927., I plowed and seeded about Seven acres to timothy, alsike and Bromis. No crop harvested.
 1928., This year I have in all 17 acres seeded down to the above grasses which I intend to cut for hay. crop not ready for harvest All the above land has been well cultivated and seeded to tame grasses.

QUESTION 13. Describe fully and in detail the amount and kind of improvements and number of acres under cultivation on each subdivision. State total value of improvements on the claim.

ANSWER.

Subdivision.	Character of improvements.
I have dwelling house on above land, 16 by 20 feet one story, built of logs. Two hay corals, hen house, enclosing about 40 to 50 acres of the entry. I also have an irrigation ditch about one half mile in length conveying water to my cleared land, and all the land that is seeded as above described is now under irrigation. There are 17 acres in cultivation and under irrigation. The improvements on this entry are worth \$2000.00.	I have about 1 1/2 miles of pole fencing

QUESTION 14. 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 or business?

ANSWER. No.

QUESTION 15. Are there any indications of coal, salines, or minerals of any kind on the land? If so, describe what they are.

ANSWER. No.

QUESTION 16. Have you sold, conveyed, or agreed to sell or convey any portion of the land? If so, to whom and for what purpose?

ANSWER. No.

QUESTION 17. Have you optioned, mortgaged, or agreed to option or mortgage, or convey this land, or any part thereof? If so, when, to whom, and for what purpose and in what amount?

ANSWER. No.

QUESTION 18. 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.

ANSWER. I have about 60 head of cattle that range on the National forest adjacent to my homestead. Some of the time they are on the claim. Also ten horses that range the same as cattle.

QUESTION 19. Have you ever made any other homestead entry? If so, describe the same.

ANSWER. I filed on a Homestead in the State of Oregon. I cannot describe the land. The filing was made at Dalles Land office. This filing was upon land that had been selected by the Railroad Company, and was in some kind of controversy between the R.R. Co and the Government, and I was asked by the Government to relinquish my right, and I did so and my right to a second entry was restored.

QUESTION 20. Have you, since August 30, 1890, made any entry or filing (not mineral) other than homestead? If so, describe the same by legal subdivisions, or by number, kind of entry, and office where made.

ANSWER. Since August 30, 1890 I have made ^{not any} filing or entry on government land of any character, except the filing described in answer to question No. 19 and the entry described herein on which I am now offering proof.

That the reason this proof was not offered within five years of entry is at the time I intended to offer proof, September, 1927 one of the witnesses I was depending on was sick and in a hospital. Another one of my witnesses was so engaged with his live stock that he could not attend. Soon after the five year period had expired the winter came on and it was impractical to get out to any place where the proof could be taken.

Phillip G. Beal
(Sign plainly, with full Christian name.)

NOTE 1.—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 nativity 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.

NOTE 2.—The officer before whom the proof is made will see that all answers are complete and responsive to the questions.

NOTE 3.—The officer before whom the deposition is taken should call the attention of the witness to section 125 of the U. S. Criminal Code (over), 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.

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 Grangeville, Idaho County.....

(Town, county, and State.)

States of Idaho.....within the...Coeur d'Alene....land district,

this 20th.....day of June....., 1922..evidently 1928

Hampton Taylor
United States Commissioner,
Grangeville, Idaho.

(Official designation of officer.)

FINAL AFFIDAVIT REQUIRED OF HOMESTEAD CLAIMANTS.

I, Phillip G. Beal, having made a Homestead Entry of the For a tract of land described by metes, as follows:
Beginning at a point which bears north 28°48' W., 2.29 chains from U. S. L. M. No. 344 as cor. No. 1; thence N. 87°14' E., 57.40 chains to Cor. No. 2; thence S. 37°44' E., 19.09 chains to Cor. No. 3; thence N. 88°48' W., 42.94 chains to Cor. No. 4; thence N. 28°42' W., 30.78 chains to Cor. No. 5; thence N. 36°09' W., 10.28 chains to Cor. No. 6; thence 77°13' E., 11 chains to place of beginning, located in unsurveyed Secs. 19 and 20, Twp. 24 North, Range 11 East Boise Meridian, within the Idaho National Forest, and containing 90.17 acres, H.E.S. #699.

apply to perfect my claim thereto by virtue of section No. of the Revised Statutes of the United States; and for that purpose do solemnly swear that I am a Native born citizen of the United States; that I have made actual settlement upon and have cultivated and resided upon said land since the day of October, 1922, to the present time; 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 as stated in the foregoing affidavit.

Phillip G. Beal
(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 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 I verily believe affiant to be a credible person and the identical person hereinbefore described, and that said affidavit was duly subscribed and sworn to before me, at my office, in Grangeville, Idaho, County, State of Idaho, this 20th day of June, 1922.

Hampton Taylor
United States Commissioner.
Grangeville, Idaho.

(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.

DEPARTMENT OF THE INTERIOR.
HOMESTEAD ENTRY.

U. S. LAND OFFICE.....Blackfoot, Idaho....., No. 039266

FINAL PROOF.

TESTIMONY OF WITNESS.

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

ANSWER. August Hotzel, age 48 years, Warren, Idaho.

QUESTION 2. Was your name correctly given in the published notice?

ANSWER. Yes.

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

the for a tract of land described by metes as follows:
 Beginning at a point which bears north 28° 48' W. 2.89 chains from
 U. S. L. No. 344 as cor. No. 1; Thence N. 27° 14' E. 57.40 chains to
 Cor. No. 2; thence S. 37° 44' E. 19.09 chains to Cor. No. 3; thence
 N. 88° 48' W. 42.94 chains to Cor. No. 4; thence N. 28° 48' W. 30.75
 chains to Cor. No. 5; thence N. 34° 09' W. 10.28 chains to Cor. No. 6;
 thence 77° 15' E. 11 chains to place of beginning, located in
 unsurveyed Secs. 19 and 20, Twp. 24 North, Range 11 East Boise Meridian,
 within the Idaho National Forest, and containing 90.17 acres,
 H.E.S. #899. I have known the claimant about 612 years and the land about
 12 years.

QUESTION 4. Is entryman married? ANSWER. No.

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

ANSWER. No.

QUESTION 6. When did entryman settle upon the homestead?

ANSWER. About the month of September 1922.

QUESTION 7. At what date did entryman establish actual residence
 thereon?

ANSWER. I cannot state the date but I know he was residing on the land/
 in September, 1922.

QUESTION 8. Have entryman and family resided continuously on the
 homestead since thus establishing residence thereon?

ANSWER. Yes.

QUESTION 9. Have entryman and family ever been absent from the home-
 stead since thus establishing residence thereon?

ANSWER. Yes.

QUESTION 10. If there have been any such absences, give the dates
 covered by such absences, stating who was absent and for what reason.

ANSWER. The entryman was absent during the summer months of the
 years 1923 and 1924 working for the forest service, I should say about
 four months each year. The other summers he has been absent part of
 the time working for wages. He has not been absent more than 3 or four
 months any residence year since entry, and I can testify that he has been
 actually upon the homestead more than seven months in each residence
 year since entry.

QUESTION 11. Describe the land embraced in above entry by legal subdivisions, showing fully the character of same, and kind and amount of timber, if any.

ANSWER.

Subdivision.	Acres cultivable.	Acres timbered.	Feet timber.
This entry is not subdivided. The land is all practically of the same character. There is no timber on the entry except a few scrub Jack pines, and underbrush such as willows and other small growth. The land would nearly all be cultivatable if cleared of brush. The entryman has about 20 acres in cultivation.			

QUESTION 12. State the number of acres cultivated and kind of crop planted, each year.

ANSWER. 1923., Entryman cleared about 5 acres.
 1924., He cleared about 8 additional acres.
 1925., He cultivated and seeded about 8 acres to tame grasses.
 1926., He cultivated and seeded about 8 additional acres to tame grasses.
 1927., He cultivated and seeded to tame grasses about 8 additional acres.
 1928., He has about 24 acres seeded to tame grass, which is to be cut for hay this year. The 24 acres has all been cultivated and seeded to
 19..., tame grass, no crop has been harvested until this year, and the crop this year is not ready for harvest.

QUESTION 13. Describe fully and in detail the amount and kind of improvements and number of acres under cultivation on each subdivision. State total value of improvements on the claim.

ANSWER.

Subdivision.	Character of improvements.
The entryman has a dwelling house on this entry, 16 by 20 feet, one story, built of logs. He also has a saddle or storage house and a chicken house. There are also two hay pens built of logs about 22 by 37 feet. He has in cultivation about 24 acres. He has built two dams across the creek and has constructed an irrigating ditch about $\frac{1}{2}$ mile in length, conveying water to his cultivated land. He has built a fence around about 30 acres of the entry.	
The improvements on this entry	are worth about, \$2000.00

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

ANSWER. No.

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.

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.

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. I live about $\frac{5}{8}$ of a mile from this entry, and I see the entrymen every few days. I cannot say how often, but he is one of my nearest neighbors, and I sometimes see him on his entry and sometimes at my place. I have seen his work and improvements, and I know from personal observation that he lives and resides upon his claim as testified to by me.

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

ANSWER. No.

August Hotzel
(Sign plainly, with full Christian name.)

~~NOTE~~ NOTE 1.—The officer before whom the proof is made will see that all answers are complete and responsive to the questions.

~~NOTE~~ NOTE 2.—The officer before whom the deposition is taken should call the attention of the witness to section 125 of the U. S. Criminal Code (below), 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.

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 Grangeville, Idaho County, Idaho,
(Town, county, and State.)
within the Coeur d'Alene, Idaho land district,
this 20th day of June, 1928.

Hampton Taylor
United States Commissioner,
Grangeville, Idaho.

(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.

40-4320

DEPARTMENT OF THE INTERIOR.
HOMESTEAD ENTRY.

U. S. LAND OFFICE Blackfoot, Idaho, No. 039266

FINAL PROOF.

TESTIMONY OF WITNESS.

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

ANSWER. Robert Hilands, age 52 years, Dixie, Idaho.

QUESTION 2. Was your name correctly given in the published notice?

(No it was printed Robert Hiland, I am the only person in that community that would answer to the name as printed.)

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

For a tract of land described by metes and bounds as follows: Beginning at a point which bears north 28° 18' W. 2.89 chains from U. S. L. M. No. 344 as cor. East; thence N. 87° 14' E. 67.40 chains to Cor. No. 2; thence S. 37° 44' E. 19.00 chains to Cor. No. 3; thence N. 88° 48' W. 42.94 chains to Cor. No. 4; thence N. 88° 42' W. 30.75 chains to Cor. No. 5; thence N. 55° 08' W. 10.22 chains to Cor. No. 6; thence 77° 15' E. 11 chains to place of beginning, located in unsurveyed Secs. 19 and 20, Twp. 24 North, Range 11 East Boise Meridian, within the Idaho National Forest, and containing 90.17 acres, H.E.S. #699.

QUESTION 4. Is entryman married? ANSWER. No.

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

ANSWER. No.

QUESTION 6. When did entryman settle upon the homestead?

ANSWER. In the Fall of 1922.

QUESTION 7. At what date did entryman establish actual residence thereon?

ANSWER. I do not know the date. It was in the Fall of 1922.

QUESTION 8. Have entryman and family resided continuously on the homestead since thus establishing residence thereon?

ANSWER. Yes.

QUESTION 9. Have entryman and family ever been absent from the homestead since thus establishing residence thereon?

ANSWER. Yes.

QUESTION 10. If there have been any such absences, give the dates covered by such absences, stating who was absent and for what reason.

ANSWER. The entryman has been absent about Four months each Summer since entry except the last Summer, working for wages for the U. S. Forest service. Otherwise he has been on the entry ever since making the entry. I can testify that he has not been absent to exceed Four months in any residence year since he made the entry.

QUESTION 11. Describe the land embraced in above entry by legal subdivisions, showing fully the character of same, and kind and amount of timber, if any.

ANSWER.

Subdivision.	Acres cultivable.	Acres timbered.	Feet timber.
The land embraced in this entry is practically all of the same character, being meadow land lying along a small stream and being very nearly level. There is not any timber on the claim except a few small lodge pole pines and some bush and small growth. The land is all agricultural in character when cleared of brush.			

QUESTION 12. State the number of acres cultivated and kind of crop planted, each year.

ANSWER. 1923, Cleared about 5 acres.
 1924., The entryman cleared about Ten additional acres.
 1925., Cleared about 5 additional acres.
 1926., The entryman cultivated and seeded about 8 acres to tame grasses.
 1927., He cultivated and seeded about ten additional acres to tame grasses.
 1928., The entryman has now about 18 acres seeded to tame grass, and will cut a crop of hay from it this season. Heretofore the lands seeded
 19., has been used for pasture, and no crop harvested.

QUESTION 13. Describe fully and in detail the amount and kind of improvements and number of acres under cultivation on each subdivision. State total value of improvements on the claim.

ANSWER.

Subdivision.	Character of improvements.
The Entryman has a dwelling house built of logs, 16 by 20 feet, one story, a chicken house saddle and store room, two ~~xxix~~ corals, and Two hay pens. There is also about one mile of fencing, enclosing about 40 acres of the claim. He also has about $\frac{1}{2}$ mile of ditch, and two dams across the creek. The ditch conveys water to the cultivated land, which is under irrigation. There is about 18 acres under cultivation, and seeded to tame grass.	
The improvements on this entry are worth	\$2000.00

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

ANSWER. No, Not to my knowledge.

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.

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.....

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. I should say I have seen the claimant on the entry as often as Four or five times each year since entry. He goes by my place when he goes to the Post Office and generally stops. I have seen all the improvements testified to by me.

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

ANSWER. ...No.....

Robert Stileands
(Sign plainly, with full Christian name.)

~~NOTE~~ NOTE 1.—The officer before whom the proof is made will see that all answers are complete and responsive to the questions.

~~NOTE~~ NOTE 2.—The officer before whom the deposition is taken should call the attention of the witness to section 125 of the U. S. Criminal Code (below), 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.

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 Grangeville, Idaho County, Idaho.
(Town, county, and State.)
within the Coeur d'Alene, Idaho land district,
this 20th day of June, 1928.

Hampton Taylor
United States Commissioner.
Grangeville, Idaho.
(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.

139266

MAY 16 1928

UNITED STATES DEPARTMENT OF AGRICULTURE

FOREST SERVICE

INTERMOUNTAIN DISTRICT

ADDRESS REPLY TO
DISTRICT FORESTER
AND REFER TO



FOREST SERVICE BUILDING
OGDEN, UTAH

L
Claims, Idaho
Beal, Phillip G.,
Blackfoot H. E. 039266

May 15, 1928.

Register,
U. S. Land Office,
Blackfoot, Idaho.

5-5-28

Dear Sir:

Reference is had to the application of Phillip
G. Beal to submit final proof on his H. E. 039266
within the Idaho National Forest.

The Forest Service has no protest to offer in
this case.

Very truly yours,

R. H. RUTLEDGE, District Forester,

By *R. E. Kery* Acting.

DEPARTMENT OF THE INTERIOR
UNITED STATES LAND OFFICE, BLACKFOOT, IDAHO.

June 20, 1928.

State of Idaho,)
) ss.
County of Idaho)

Phillip G. Beal, being first duly sworn according
to law deposes and says that he is applicant for Government title to

the ^{and bounds} For a tract of land described by metes, as follows:
Beginning at a point which bears north $28^{\circ}48'$ W. 2.89 chains from
U. S. L. M. No. 844 as cor. No. 1; thence N. $87^{\circ}14'$ E. 57.40 chains to
Cor. No. 2; thence S. $37^{\circ}44'$ E. 19.09 chains to Cor. No. 3; thence
N. $88^{\circ}48'$ W. 42.94 chains to Cor. No. 4; thence N. $88^{\circ}42'$ W. 30.75
chains to Cor. No. 5; thence N. $36^{\circ}09'$ W. 10.28 chains to Cor. No. 6;
thence $77^{\circ}15'$ E. 11 chains to place of beginning, located in
unsurveyed Secs. 19 and 20, Twp. 24 North, Range 11 East Boise Meridian,
within the Idaho National Forest, and containing 90.17 acres,
N.E.E. 4699.

That on the 12 day of May, 1928, he posted the plat of
the above described lands together with a copy of the Notice of Final
proof, said original notice being hereto attached and made part hereof
and the said plat having been furnished this affiant by the United States
Land Office at Blackfoot, Idaho. Said plat and notices were posted
in a conspicuous place upon the above described land where the same
could be readily seen and read by all persons passing over and along
the trail leading past said lands.

That said plat and notice remained posted all of the time from date
of posting as above stated until the present date, and that they are
now still posted upon said premises.

Phillip G. Beal

Subscribed and sworn to before me this June 20, 1928.

Hamilton Taylor
United States Commissioner,
Grangeville, Idaho.

~~APR 28 1928~~ MAY 5 - 1928

Section

L. d. h.

1029005-

ADDRESS ONLY THE COMMISSIONER OF THE GENERAL LAND OFFICE

UNITED STATES
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE

WASHINGTON JUL 8 - 1929

IN REPLY PLEASE REFER TO

Pats No. 1029005 B-MPL

Office Cadastral Engineer,
Boise, Idaho.

Sir:

You are advised that Soldiers Additional patent issued
June 27, 1929 upon the following survey and claim.
Blackfoot 030266 Patent 1029005 Survey 69
Phillip G. Seal.

Very respectfully,

Pho. Co. Seal
Assistant Commissioner.

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 MAY 5 1928

Phillip G. Beal

Warren, Idaho

I, Phillip G. Beal, of

Forest homestead entry

~~XXXXXX~~ Hailey 027171, now Blackfoot 039266, made039266

For a tract of land described by metes and bounds as follows:
Beginning at a point which bears S. 88° 48' W. 87.49 chains from U.S.L.M.
No. 544 as Cor. No. 1; thence N. 87° 14' E. 57.49 chains to Cor. No. 2;
thence S. 37° 44' E. 19.04 chains to Cor. No. 3; thence N. 88° 48' W. 42.94
chains to Cor. No. 4; thence N. 88° 48' W. 30.75 chains to Cor. No. 5;
thence N. 36° 09' W. 10.28 chains to Cor. No. 6; thence N. 77° 15' E. 11.00
chains to ~~COMMENCE~~ place of beginning, located in unswayed Section 19
and 20, T. 24 N., R. 11 E., S. 11., within the Idaho National Forest
and containing 90.17 acres. N.E.S. No. 699

June, 1925, by two of the following witnesses:

Robert Miland

George Jefferies

August Hotzel

John Hand

of

of

of

of

IdahoIdahoIdahoIdahoIdahoIdaho

(Signature of claimant.)

Payett Lake Star,
McCall, Idaho

Payett Lake Star

MAY 5 - 1928

19

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

Payette Lake Star

(Name of newspaper.)

McCall, Ida

(Place of publication.)

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

Phillip G. Beal

Register.

NOTICE FOR PUBLICATION.
(REGISTER.)

DEPARTMENT OF THE INTERIOR,

U. S. LAND OFFICE at Blackfoot, Idaho
MAY 11 1928
JUN 28 1928

NOTICE is hereby given that Phillip G. Beal, of
Barren, Idaho, who, on Sep. 10, 1922, 19, made
Forest homestead entry
No. 039266, for
Kailey 027171, now Blackfoot, No. 039266, for

Section 039266
For a tract of land described by metes and bounds as follows:
Beginning at a point which bears S. 88° 48' W. 12.00 chains from U.S. L.M.
No. 344 as Cor. No. 1; thence N. 87° 14' E. 57.49 chains to Cor. No. 2;
thence S. 37° 44' E. 19.00 chains to Cor. No. 3; thence N. 88° 48' W. 42.94
chains to Cor. No. 4; thence N. 88° 48' W. 20.75 chains to Cor. No. 5;
thence N. 86° 09' W. 10.88 chains to Cor. No. 6; thence N. 77° 15' E. 12.00
chains to CORNER place of beginning, located in unsurveyed Secs. 19
and 20, T. 24 N., R. 11 E., S. 4, within the Idaho National Forest
and containing 90.17 acres. HES #699

Claimant names as witnesses:

Robert Miland

of

Barren, Idaho

George Jefferies

of

Barren, Idaho

August Matzel

of

Barren, Idaho

John Hand

of

Barren, Idaho

Register.

Payett Lake Star,
McCall, Idaho

CERTIFICATE AS TO POSTING OF NOTICE.

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 8 day of
MAY, 1928.

Register.

DEPARTMENT OF AGRICULTURE
WASHINGTON

April 17, 1917

700619

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to request that the tract of land indicated on the enclosed blue print and described in the accompanying field notes of survey (List 4-2153), in the Idaho National Forest, Idaho, which has been examined and is chiefly valuable for agriculture, and which in my opinion may be occupied for agricultural purposes without injury to the National Forest, and which is not needed for public purposes, be opened to settlement and entry in accordance with the Act of June 11, 1906, (34 Stat., 233).

Hailey Land District, Idaho.

Unsurveyed Township 24 North, Range 11 East, B. M., approximately Sections 19 and 20. Area 91.27 acres, more or less.

The above described tract is listed to Kent L. King of Alpha,

Very respectfully,



Acting Secretary.

Enclosures.

UNITED STATES DEPARTMENT OF AGRICULTURE

FOREST SERVICE.

IDAHO NATIONAL FOREST.

DESCRIPTION OF SURVEY

Forest Homestead Application of K. M. King..#95.

October 24, 1916.

~~Township 24 N. R. 10 E., Sec. 24, unsurveyed and~~
Township 24 N., R. 11 E., Sec. 19, ²⁰unsurveyed.

List _____ Area 91.27 Acres.

This survey was run and platted on a variation of 20° east, assumed, bearings being taken with a Forest Service Standard Compass and distances measured with a 100 foot steel tape.

Beginning at Corner No. 1 of H.E.S. No. 344, which is corner No. 1 of this survey, whence Forest Service Monument bears S. 23° 30' E., 3 chains.

Thence N. 86° E

Chains.
57.57

to corner No. 2, which is a large rock marked MH/2 on W face, whence a lodgepole pine 6" in diameter scribed WH/2 bears N. 22° W., 10 links, a lodgepole pine 8" in diameter scribed WH/2 bears S. 56° W 44 links.

Thence S. 40° E

Along south slopes without timber

20.83

to corner No. 3, which is a large stone marked MH/3 on W. face, whence a lodgepole pine 8" in diameter scribed WH/3 bears S. 85° W. 71 links; a lodgepole pine 6" in diameter scribed WH/3 bears N. 39° 30' E. 80 links.

Chains.	Thence West
.23	To West Fork Trail.
.54	To West Fork Creek.
73.83	To corner No. 4, which is a lodgepole pine 8" in diameter, scribed WH/4; whence a lodgepole pine 4" in diameter scribed WH/4 bears S. 72° E 25 links, a lodgepole pine 6" in diameter scribed WH/4 bears N. 25° E 24 links.
	Thence N 12° 30' E
9.09	To West Fork Creek
9.80	To West Fork Trail.
11.86	To corner No. 1, the place of beginning.
	There is no merchantable timber on the tract.
	Tract, containing 91.27 acres, more or less.

Date 3/1/17

H. C. Tustas
Forest Guard & Civil Engineer.

Description and plat compared
and approved by

H. C. Williams
Forest Supervisor.

Form 574a

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE

IDAHO

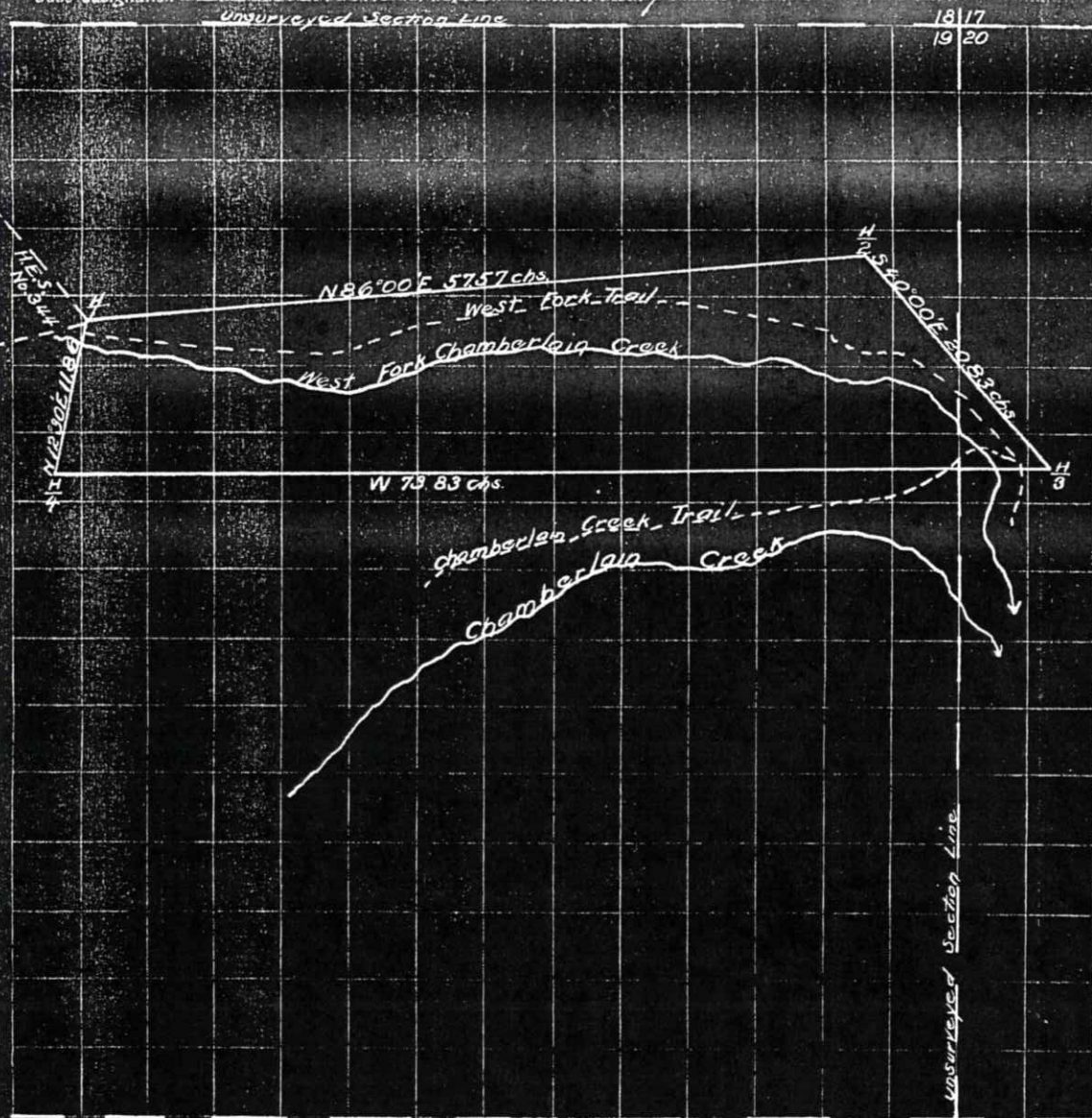
National Forest, State of IDAHO

Land District Hailey

Unsurveyed Sec. 19-20 T. 24 N. R. 11 E., Boise Mer. Area 91.27 acres. Scale 8 inches = 1 mile.

Field work by J.C. Tectors Variation 20° 00' Date Oct 24-1916 Plotted by J.C. Tectors
This Copy by A.R.H. Apr 2-1917

Case designation L-Settlement No. 95 K.M. King



4-215

Hailey

Idaho

19 } 247.11
20 } B.M.

Idaho Co.

91.27

Vol. 106

W. Unsurd.
m. 11-16-17.

unpublished aviation
receptions of H.A. 699
H.A.C.

Form 578a

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE

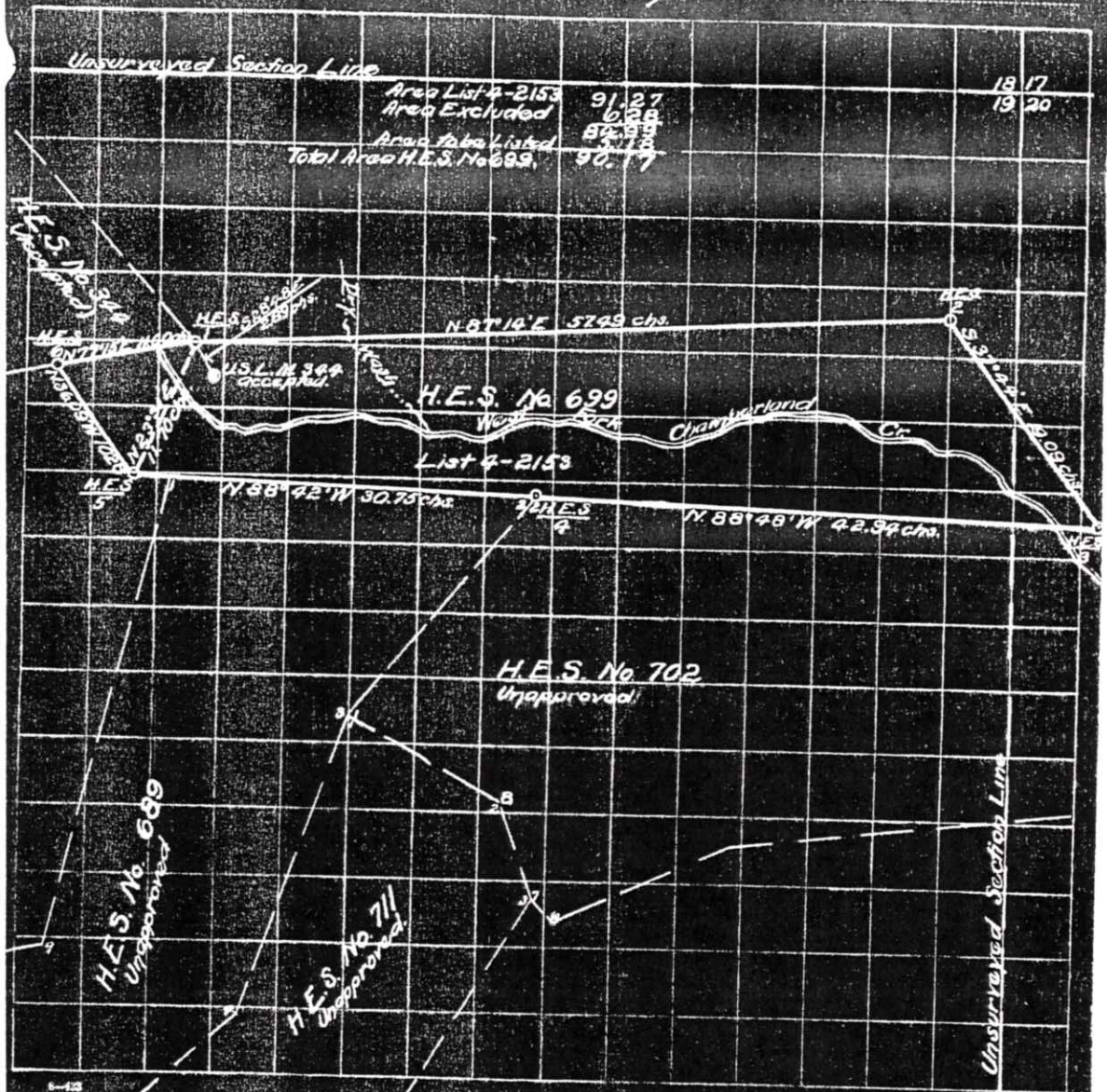
IDAHO National Forest, State of IDAHO

Land District HAILEY

Unsurveyed Sec. 19-20 T. 24 N. R. 11 E. Boise Mer. Area 5.18 acres. Scale 8 inches = 1 mile.

Field work by C.A. North Variation 21° 30' E Date Oct. 6 1919 Plotted by A.H. Helmer
This copy by A.H. 3-15-20

Case designation L-Settlement No. 95 K.M. King



DEPARTMENT OF AGRICULTURE
WASHINGTON

April 10, 1930

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to request that the following described land, List 4-2153 amended, in the Idaho National Forest, Hailey Land District, Idaho, be substituted for that described by List 4-2153 filed by this Department, April 17, 1917, on the application of Kent M. King for 91.27 acres, more or less, of unsurveyed land described by metes and bounds.

90.17 acres in unsurveyed Township 24 North, Range 11 East, B. M., Sections 19 and 20, described by Homestead Entry Survey No. 699, Idaho, as follows:

Beginning at H. E. S. No. 1, whence U. S. L. M. No. 344, accepted, bears S. 28° 48' E., 2.89 chs.; thence N. 87° 14' E., 57.49 chs. to H. E. S. No. 2; thence S. 37° 44' E., 19.09 chs. to H. E. S. No. 3; thence N. 88° 48' W., 42.94 chs. to H. E. S. No. 4; thence N. 88° 42' E., 30.75 chs. to H. E. S. No. 5; thence N. 36° 09' E., 10.28 chs. to H. E. S. No. 6; thence E. 77° 15' E., 11.00 chs. to H. E. S. No. 1, the place of beginning.

This substitute list includes 84.99 acres described by the original List 4-2153 and also 5.18 acres not included therein but found to be

chiefly valuable for agriculture. List 4-2153 does not appear to be covered by an entry which is of record and the tract described by this substitute is listed without naming an applicant.

H. E. S. No. 699 appears to exclude 6.28 acres of List 4-2153.

The enclosed blue print shows the location of the tract.

Respectfully,

Secretary.

Enclosure.

ADDRESS ONLY THE COMMISSIONER OF THE GENERAL LAND OFFICE

UNITED STATES
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE

WASHINGTON

NOV 6 1928

IN REPLY PLEASE REFER TO

Blackfoot 039266 "C" HMB

Phillip G. Beal.

Re-publication and additional
evidence required.

Register,

Blackfoot, Idaho.

Sir:

September 19, 1928 the above named party made H. E. 037171 Hailey series, now 039266 year series, for the land restored under List 4-2153 act of June 11, 1906, now described by H. E. S. No. 699 within unsurveyed Secs. 19 and 20, T. 24 N., R. 11 E., B. M., containing 90.17 acres. Final three year proof was submitted on the entry on June 20, 1928 and final certificate issued thereon July 3, 1928. In the published notice of intention to submit proof there was omitted the statement as to where the entryman was to submit proof, the date and before whom the proof was to be submitted.

You will required prepare publication of notice and at the expiration thereof, if no protest is filed which

Blackfoot 59266 "C" NMR

fact must be certified by the officer designated in the published notice, the proof submitted may be accepted. The publisher appears responsible for the incomplete publication, therefore, you may require him to correct the error by re-publication of notice at his own expense and advise him that his refusal to do so may result in your office declining to designate his paper in the future as a medium of notice to the public (43 L. D. 216-217).

Notice was published in the Payett Lake Star published at McCall, Idaho. The witnesses named were Robert Hiland, George Jefferies, both of Dixie, Idaho, August Hotzel and John Hand both of Warrens, Idaho.

You will advise claimant that plat of H. E. S. No. 699 must again be posted on the land during the period of re-publication and that at the expiration of the publication he must furnish a new affidavit of posting. You will also post notice and plat in your office and furnish certificate of same.

Very respectfully,

W. H. C. Evans
Assistant Commissioner.

039266

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
INTERMOUNTAIN DISTRICT

JAN 3 - 1929

ADDRESS REPLY TO
DISTRICT FORESTER
AND REFER TO



FOREST SERVICE BUILDING
OGDEN, UTAH

L
Claims, Idaho
Beal, Phillip G.,
Blackfoot H. E. 039266

January 2, 1929.

12-19-28

Register,
U. S. Land Office,
Blackfoot, Idaho.

Dear Sir:

Reference is had to the application to submit
final proof (039266) by Phillip G. Beal dated December
19.

On May 15 this office informed you that the Forest
Service had no protest to offer in this case.

Very truly yours,

R. H. RUTLEDGE, District Forester,

By

Acting.

4-237

Division

Initials of Clerk

Date MAY 29 1929

BOARD OF EQUITABLE ADJUDICATION

Land Office

Serial No.

Claimant

Kind of entry

Date of entry

Date of final price

Date of naturalization

Reason for submission to the Board

Excuse

The law has been complied with in all respects, except in the particular shown, and the case is a meritorious one. The entry is therefore confirmed.

W. B. Moore
Commissioner of the General Land Office.

Confirmation of entry approved: JUN -3 1929

Wm. H. Gandy
Assistant Secretary.

Record returned to the General Land Office.



4-237

*Burley
Meyer*

Division **40**

Initials of Clerk **DOB**

Date **MAY 29 1929**

BOARD OF EQUITABLE ADJUDICATION

Land Office **Blackfoot**

Serial No. **039266**

Claimant **Phillip G. Beal**

Kind of entry **Forest R'd.**

Date of entry **September 19, 1923**

Date of final proof **June 20, 1925**

Date of naturalization

Reason for submission to the Board **Proof after time.**

Excuse **Unable to get witnesses within time, and severe winter.**

The law has been complied with in all respects, except in the particular shown, and the case is a meritorious one. The entry is therefore confirmed.

W. P. Moore
Commissioner of the General Land Office.

Confirmation of entry approved: **JUN -3 1929**

Assistant Secretary.

Record returned to the General Land Office.

5-21 gb

Act 6-11-06
Act 6-6-12 TGP

Department of the Interior

UNITED STATES LAND OFFICE

Blackfoot, Idaho

2523795 - 13.38

(List each payment separately)

Comm. (Fin.), \$ 3.38 Reet. 2974293

Pur. Mon., \$ ~~2.75~~ ^{EARLY JUL 3-1928} Reet. _____

_____ Reet. _____

Int., \$ _____ Reet. _____

_____ Reet. _____

Serial No. 039286
Hailey 027171REGISTER'S FINAL CERTIFICATE
HOMESTEADPatent to contain reservation according
to proviso to the Act of Aug. 30, 1890.July 3, 1928, 19____
(Date)It is hereby certified that, pursuant to the provisions of
Section 2291, Revised Statutes of the United States, _____

Phillip G. Beal,

Dixie, Idaho

has made payment in full for _____

039286

For a tract of land described by notes and bounds as follows:
Beginning at a point which bears S. 88° 48' W. 2.89 chains from U.S.L.M.
No. 544 as Cor. No. 1; thence N. 57° 14' E. 57.49 chains to Cor. No. 2;
thence S. 37° 44' E. 19.09 chains to Cor. No. 3; thence N. 88° 48' W. 42.34
chains to Cor. No. 4; thence N. 88° 48' W. 30.75 chains to Cor. No. 5;
thence N. 56° 09' W. 10.28 chains to Cor. No. 6; thence N. 77° 15' E. 11.00
chains to ~~CORNER~~ place of beginning, located in unsurveyed Secs. 19
and 20, T. 24 N., R. 11 E., B. M., within the ^{HES #699} Idaho National Forest
and containing 90.17 acres.

Therefore, it is known that on presentation of this
Certificate to the COMMISSIONER OF THE GENERAL LAND OFFICE, the
said Phillip G. Beal

shall be entitled to receive a Patent for the land above de-
scribed if all then be found regular.

P. G. Johnston, Register

NOTE.—A duplicate of this Certificate is issued to the claimant.
The original is forwarded to the General Land Office, with the entry papers, for
approval by the Commissioner of the General Land Office and issuance of patent.
The duplicate copy forwarded to the claimant should be held until notice of issuance
of patent is received.
In all correspondence concerning the entry in connection with which this Certificate
issued, refer to the NAME OF THE LAND OFFICE and the SERIAL NUMBER noted hereon.

Posted 8-23-28 in Vol. 106, P. 43, by *Wick*, Div. "O."

APPROVED

May 22, 1929
By *M. M. Burley*, Division

RESERVATION
NO
PATENT No. 1029005
JUN 27 1929

(FOR USE IN THE GENERAL LAND OFFICE ONLY)

10-3-28

(Date of request for status)

Status requested by N M B, Div. C, Room 4340

Does posting and survey agree with description? Yes
H&S. 699-9017. acres per plot offered Aug 18-1910
Conflicts none

Rights-of-way none

Withdrawals Act 6/11/06 Restored list 4-253

Shabo Co. not affected by order 349
Information wanted as to

Date furnished 5/17/29 19 28
SPM
CWJ
Status Clerk.

The status clerk, who must sign above, will be held responsible for its correctness

8-1950

May 9, 1929 please note
any change in status
N M B "C"

Blackfoot 039266 "C" NWB
Cert. of posting Plat Survey.
TOP

DEPARTMENT OF THE INTERIOR

UNITED STATES LAND OFFICE

Blackfoot, Idaho.
(Place)

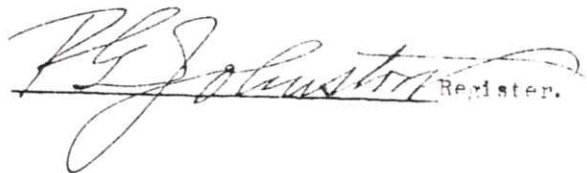
May 1, 1929.
(Date)

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

Sir:-

I herewith return notice for publication 039266, Phillip
G. Beal with my certificate stating plat of survey #699 was
also posted during entire period of publication, in accordance
with your letter dated April 28, 1929.

Very respectfully,


Register.

NOTICE OF PUBLICATION.
(REGISTER.)

Readvertise.

Name & Place of officer or officers. DEPARTMENT OF THE INTERIOR,

"C" 11-6-26

Publisher.

U. S. LAND OFFICE at

Blackfoot, Idaho, 19

NOTICE is hereby given that

Phillip O. Beal

who, on

19

made

Warren, Idaho

Sep. 19, 1922

No.

for

Homestead entry 027171, now Blackfoot

039266

Section

List #4-2153, S.E. 1/4, No. 699, 90.77 acres in approximately

10 & 20
Meridian,

Township

Range

24 North

11 East

Boise

has filed notice of intention to make

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

Register of U. S. Land Office

on the

12th

day of

Blackfoot, Idaho

February, 1929

Claimant names as witnesses:

Robert Miland

of

George Jefferies

both

Dixie, Idaho

August Metzel

of

John Mend

both

Warren, Idaho

Register.

Payette Lake Star,

McCall, Idaho

CERTIFICATE AS TO POSTING OF NOTICE. Idaho National Forest

MAR 13 1929

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

DEC 19, 1922

day of

No protest filed in this office.

Play of above survey HES 699 was also posted
from ~~XXXXXXXXXX~~ Dec. 19, 1922 to March 13, 1929
during entire period of publication.

Register.

MAR 1 - 1929

Register.

UNITED STATES
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE
WASHINGTON

IN REPLY PLEASE REFER TO

Blackfoot, Idaho. 039266 MCM NMB.

Phillip G. Beal.

Certificate returned
for completion.

Register,

Blackfoot, Idaho.

Sir

Office letter of November 6, 1928, directed you
to have notice of intention to submit proof on the above
entitled entry republished.

By letter of March 13, 1929, you transmitted
affidavit of publication, affidavit of posting of notice
and plat on the land and your certificate of posting
to your office.

In your certificate you failed to show that
the plat of H. W. S., No. 699, covering the land embraced
in the entry was posted in your office during the period
of republishing. It is, therefore, returned herewith
for completion to show that the plat was posted with the
notice in accordance with paragraph 12, page 4 of Circular
253.

Very respectfully,

4-0-AIC

Assistant Commissioner.

4-075

DEPARTMENT OF THE INTERIOR
UNITED STATES LAND OFFICE

039266
TCP

Blackfoot, Idaho,
(Place)

March 13, 1929.
(Date)

SERIAL _____

Replying to letter " C ", dated

Nov. 6, 1928

PROOF OF SERVICE
TRANSMITTED.

Claimant: Phillip G. Beal

The Commissioner of the General Land Office.

Sir:

Transmitted herewith is proof of service of the above-mentioned letter. The time allowed thereunder has expired.

Report is made that the party in interest has _____ made response thereto.

(If additional evidence, appeal or showing made, so state and transmit papers; if registered letter returned unclaimed, transmit same herewith.)

I transmit herewith certificate of posting in this office with statement that no protest has been filed; Clear list by Forest Service; Affidavit of publication, and affidavit of posting notice and plat on the land.

Very respectfully,

Ph. Johnston

Register

(Title)

039266

MAR 13 1929

Warren Idaho

I the undersigned do hereby
attest that the within and
thereof is a duly attested copy
of the original record of the
same as filed in the county of
Blaine Idaho on the 7th day of
March 1929 and
all that pertains to the same.

Phillip D. Beal

Subscribed & Sworn to before me this
7th day of March 1929

Edw Morris
Notary Public
Residing at Warren Idaho

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

4-348b

039266

NOTICE FOR PUBLICATION.

(PUBLISHER.)

SEP 8 - 1929

Readvertise.

Name & Place of officer omitted.

"C" 11-6-28

Publisher.

DEPARTMENT OF THE INTERIOR,

U. S. LAND OFFICE at Blackfoot, Idaho

DEC 19 1928, 19

NOTICE is hereby given that Phillip B. Feal, of Warren, Idaho, who, on Sep. 18, 1928, 19, made Homestead entry 027171, now Blackfoot, No. 039266, for List #4-2153, H.E.S. No. 699, 90.77 acres in approximately section 19 and 20, Township 24 North, Range 11 East, Boise Meridian, has filed notice of intention to make three year Proof, to establish claim to the land above described, before Register of U. S. Land Office, at Blackfoot, Idaho, on the 12th day of February, 1929.

Claimant names as witnesses:

Robert Hiland, of
George Jefferies both, of Dixie, Idaho
August Hotzel, of
John Hand both, of Warren, Idaho

Payette Lake Star,
McCall, Idaho

NOTICE FOR PUBLICATION
Department of the Interior,
U. S. Land Office, at Blackfoot, Idaho
December 19, 1928
NOTICE is hereby given that Phillip B. Feal, of Warren, Idaho, who, on Sep. 18, 1928, made Homestead entry 027171, now Blackfoot, No. 039266, for List No. 4-2153, H.E.S. No. 699, 90.77 acres in approximately sections 19 and 20, Township 24 North, Range 11 East, Boise Meridian, has filed notice of intention to make three year Proof, to establish claim to the land above described, before Register of U. S. Land Office, at Blackfoot, Idaho, on the 12th day of February, 1929.
Claimant names as witnesses: Robert Hiland, and George Jefferies, both of Dixie, Idaho, and August Hotzel and John Hand, both of Warren, Idaho.
P. G. JONVERON, Register.

AFFIDAVIT OF PUBLICATION. Idaho National Forest

I, K. H. Hallberg, of the Payette Lake Star, published weekly at McCall, Idaho, do solemnly swear that a copy of the above notice, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for five consecutive weeks, commencing with the issue dated Jan. 1, 1929, and ending with the issue dated Jan. 27, 1929.

(Signature.)

Subscribed and sworn to before me this 7 day of Feb, 1929

Am. Gilliam
Notary Public
(Official designation.)