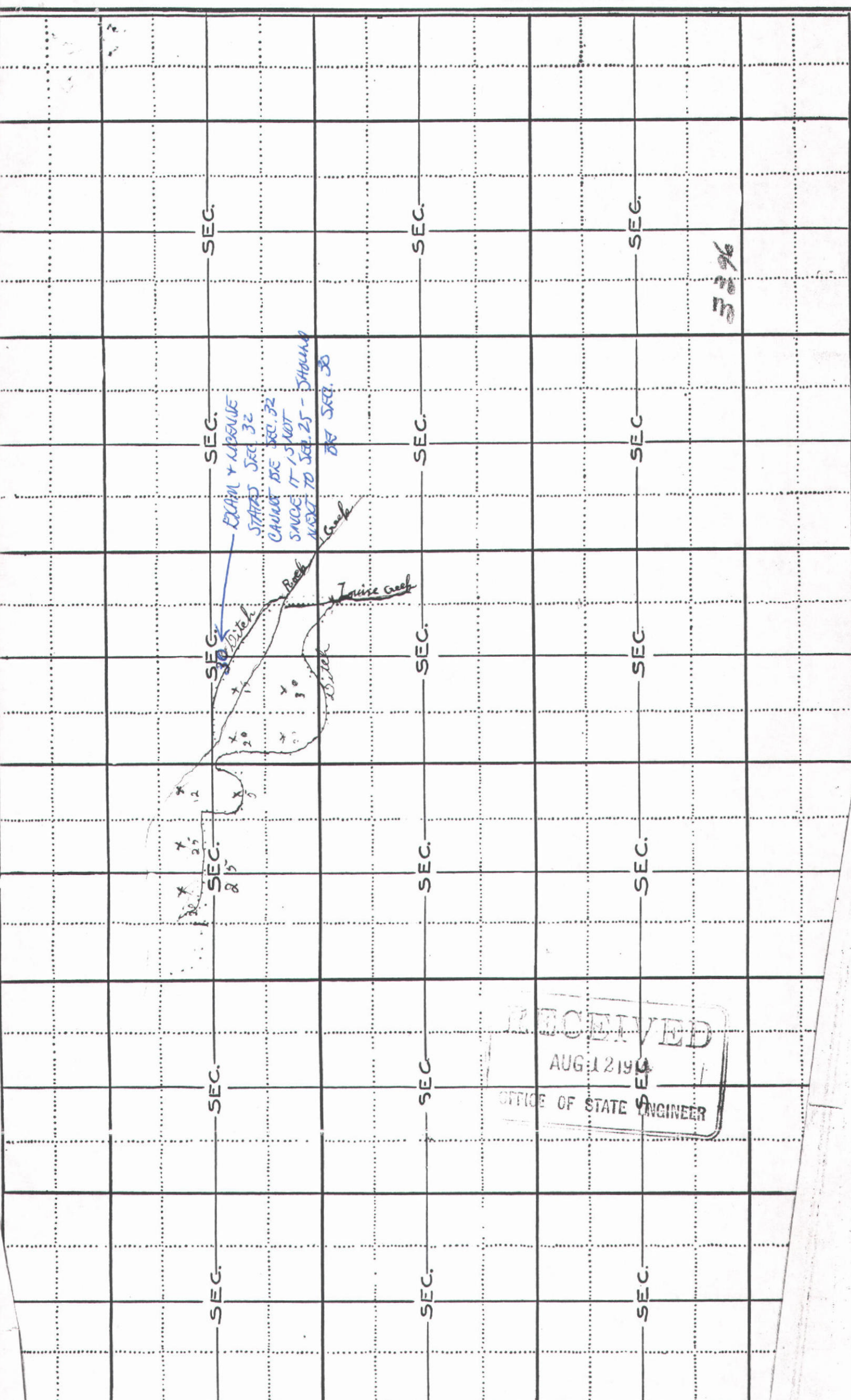


A55-2008



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: **A55-02008**
Date Received: 1/19/1989
Receipt No: W002028
Received By: _____

**COPY FOR
YOUR FILES**

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

**COPY FOR
YOUR FILES**

1. Name: CHARLES W STEINER
Address: STAR ROUTE
OREANA ID

83659

2. Date of Priority: AUG 31, 1908

3. Source: ROCK CREEK
LOUISA CREEK

Trib. to: BOULDER CREEK
ROCK CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	02W	30		SE	SE		OWYHEE
		31		NW	SE		OWYHEE

5. Description of diverting works:
DAM, DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	3.140		
STOCKWATER	01/01	12/31	0.140		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 600 HEAD CATTLE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	02W	30	NE	SW		IRR	19.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	02W	30	NW	SW	3	IRR	10.0
			SW	SW	4	IRR	21.0
			SE	SW		IRR	30.0
						Section Acres	80.0
	03W	25	SW	NE		IRR	32.0
			SE	NE		IRR	18.0
			SE	NW		IRR	20.0
			NE	SE		IRR	7.0
						Section Acres	77.0
						Total Acres	157.0

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:
A55-02152A/02208A/04150/10351/

14. Remarks:
NOTICE OF APPEARANCE FROM PAT MADIGAN FOR CHARLES W STEINER.

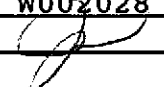
15. Basis of Claim: LICENSE

Water Right Number: 3396

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: A55-02008
Date Received: 1/19/1989
Receipt No: W002028
Received By: 

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: CHARLES W. STEINER
Address: STAR ROUTE
OREANA ID

83659

2. Date of Priority: AUG 31, 1908

3. Source: ROCK CREEK
LOUISA CREEK

Trib. to: BOULDER CREEK
ROCK CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	02W	30		SE	SE		OWYHEE
		31		NW	SE		OWYHEE

5. Description of diverting works:
DAM, DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	3.140		
STOCKWATER	01/01	12/31	0.140		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 600 HEAD CATTLE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	02W	30	NE	SW		IRR	19.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	02W	30	NW	SW	3	IRR	10.0
			SW	SW	4	IRR	21.0
			SE	SW		IRR	30.0
						Section Acres	80.0
	03W	25	SW	NE		IRR	32.0
			SE	NE		IRR	18.0
			SE	NW		IRR	20.0
			NE	SE		IRR	7.0
						Section Acres	77.0
						Total Acres	157.0

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:
A55-02152A/02208A/04150/10351/

14. Remarks:

15. Basis of Claim: LICENSE

Water Right Number: 3396

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): Charles W. Haines Date: aug 10, 1994

Date: _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 10th day
of August 19 94 Jan O'Heute
Notary Public

Seal

Residing at Meridian ID
My Commission Expires 9-14-94

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: A55-02008
Date Received: 1/19/1989
Receipt No: W2028
Received By: LW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CHARLES W. STEINER
Address: STAR ROUTE
OREANA, ID

83659

2. Date of Priority: AUG 31, 1908

3. Source: ROCK CREEK
LOUISA CREEK

Trib. to: BOULDER CREEK
ROCK CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	02W	30	NW	SE			OWYHEE
			SW	SE			OWYHEE

5. Description of diverting works:
DAM, DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	3.140		
DOMESTIC	01/01	12/31	0.040		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOME W/LAWN

A55-02008

Page

1

Date: 01/19/89

MICROFILMED

SEP 29 1992

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
07S	02W	30	SW		SW		DOMEST	
		32	NE		SW		IRR	15.0
			NW		SW		IRR	20.0
			SW		SW		IRR	30.0
			SE		SW		IRR	30.0
							Section Acres	95.0
	03W	25	SW		NE		IRR	25.0
			SE		NE		IRR	12.0
			SE		NW		IRR	20.0
			NE		SE		IRR	5.0
							Section Acres	62.0
							Total Acres	157.0

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:
A55-02084

14. Remarks:
BOTH P/D NEAR OR UNDER TRIANGLE RESERVOIR.

15. Basis of Claim: LICENSE
Water Right Number: 3396

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: 1

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):

x Charles W. Steiner

Date:

x Jan 19/89

Date:

State of Idaho

County of

ADA

)
) SS.
)

Subscribed and sworn (or affirmed) before me this 19 day

of

Jan

19

89

Linda Warner
Notary Public

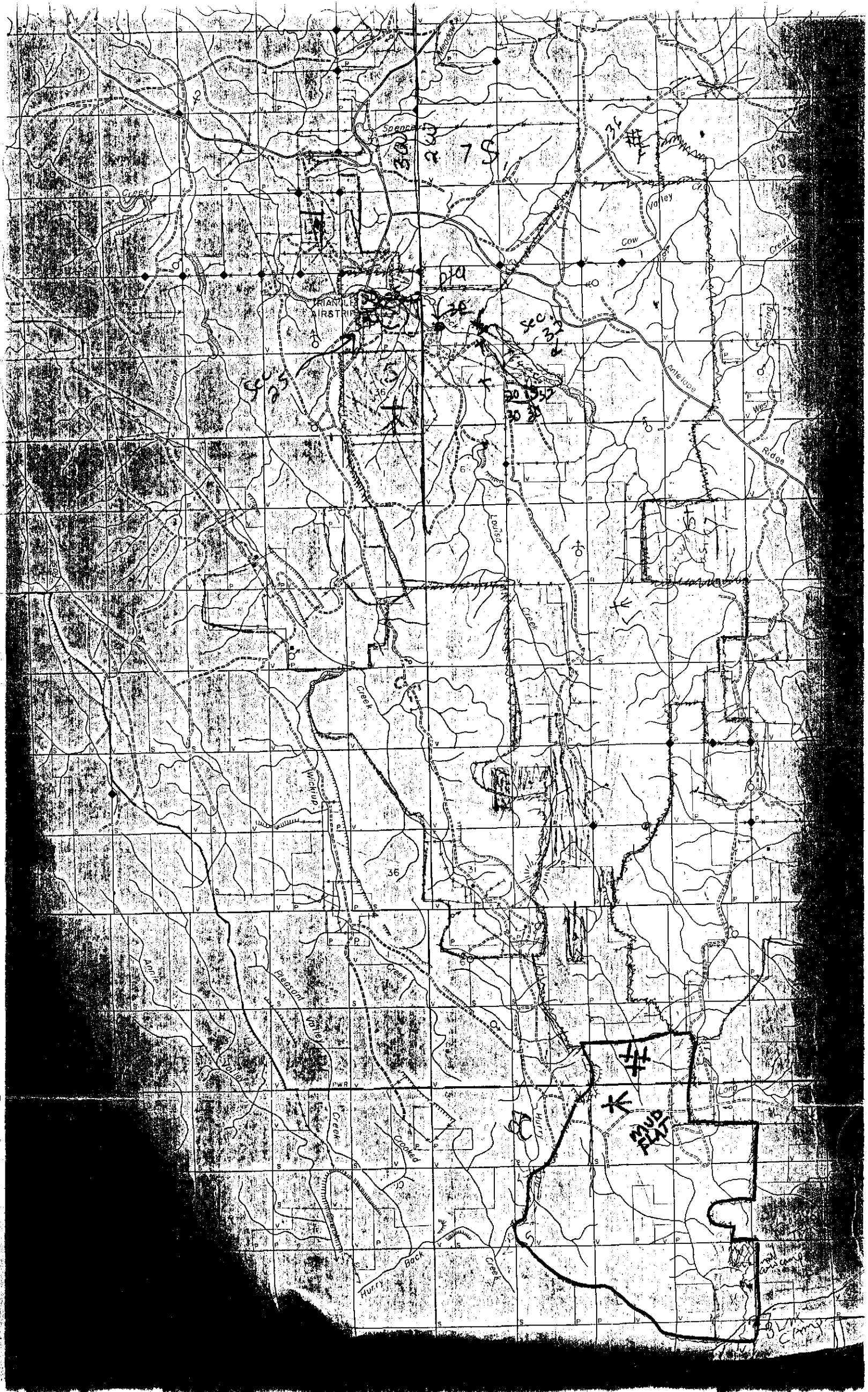
Seal

Residing at

Boise ID

My Commission Expires

12-8-94



A55-2008

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 55-02008

1999 JUN 28 PM 12:07

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

NAME AND ADDRESS: CHARLES W STEINER
STAR ROUTE
OREANA, ID 83659

SOURCE: ROCK CREEK TRIBUTARY: NORTH BOULDER CREEK
LOUISA CREEK ROCK CREEK

QUANTITY: 3.14 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.
USE OF THIS RIGHT WITH RIGHT NO. 55-02152A IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 3.66 CFS.

PRIORITY DATE: 08/31/1908

POINT OF DIVERSION: T07S R02W S30 SESE Within Owyhee County
LOT 02 (S31 S31 NESE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	3.14 CFS
	Stockwater	01-01 TO 12-31	0.14 CFS

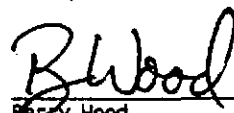
PLACE OF USE:	Irrigation	Within Owyhee County
	T07S R02W S30 LOT 03 (NWSW)10.0	NESW 19.0
	LOT 04 (SWSW)21.0	SESW 30.0
	R03W S25 SENE 14.0	SWNE 32.0
	NESE 21.0	SENW 10.0
	157.0 Acres Total	

Stockwater Same as Other Use

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 403 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 55-02152A, 55-02208A,
55-04150, 55-10351, 55-10352, 55-10353 & 55-10354.

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.


Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

WATER RIGHT

MICROFILMED
SEP 29 1992

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

WR5808NP
(OD-26)

Water Right Number - 55-02008
Prefix Translation: WATER RIGHT
Old (D) Number - 3396

1 - Last Name - - - - - + - First Name - - - - - + - Address - - - - - + - Status - - - - - +

*** C - CURRENT OWNER ***
BACHMAN

JACOB
1 -
2 -
3 -
City- OREANA
Phone -
State- ID Zip-
14 WESTERN

1 - Priority Date - - - - - + - Region - - - - - + - Stage - - - - - + - Status - - - - - +
08/31/1908

2 - Source - - - - - + - Tributary - - - - - +
ROCK CREEK
LOUISA CREEK
BOULDER CREEK
ROCK CREEK

3 - Point of Diversion - - - - - + - Stream Index (Blank if no Index Code) - - - - - +
SE SE (73) OWYHEE 272.0 313.0 152.0 21.0 5.0 3.0 10.7

Code Description Period From Period To Water Use Diversion Rate Diversion Volume
01 - IRRIGATION
43 - DOMESTIC

4 - Total Div. Rate - + - Total Div. Volume - + - Total Div. Capacity - + - Total Consumptive Use - + - KW Usage - +
3.140

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Description	County
07S	02W	32	NE SW	15.0	01	IRRIGATION	(73) OWYHEE	(73) OWYHEE
07S	02W	32	NW SW	20.0	01	IRRIGATION	(73) OWYHEE	(73) OWYHEE
07S	02W	32	SW SW	30.0	01	IRRIGATION	(73) OWYHEE	(73) OWYHEE
07S	02W	32	SE SW	30.0	01	IRRIGATION	(73) OWYHEE	(73) OWYHEE
07S	03W	25	SW NE	25.0	01	IRRIGATION	(73) OWYHEE	(73) OWYHEE
07S	03W	25	SE NE	12.0	01	IRRIGATION	(73) OWYHEE	(73) OWYHEE
07S	03W	25	SE NW	20.0	01	IRRIGATION	(73) OWYHEE	(73) OWYHEE
07S	03W	25	NE SE	5.0	01	IRRIGATION	(73) OWYHEE	(73) OWYHEE
Total Acres:				157.0				

5 - Diversion Means -
6 - Non-Irrigation Use -
7 - Other Rights for Same Use -
8 - Remarks -
BOTH P/D NEAR OR UNDER TRIANGLE RESERVOIR.

RECEIVED
JUN 30 1999
Department of Water Resources

1999 JUN 28 PM 12:07
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED

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

ORDER OF PARTIAL DECREE

For Water Right 55-02008

RECEIVED

OCT 04 1999

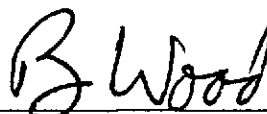
WATER RESOURCES
WESTERN REGION

On April 12, 1999, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 55-02008 is hereby decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED JUN 28 1999



BARRY WOOD
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

1999 JUN 28 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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)
_____)

CERTIFICATE OF MAILING

Water Right(s): 55-02008

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 55-02008 was mailed
on June 28, 1999, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

CHARLES W STEINER
Represented by:
PATRICK D. MADIGAN
PO BOX 2139
BOISE, ID 83701-2139
Phone: 208-336-0700

DIANA DELANEY
Chief Deputy Clerk

RECEIVED

NOV 20 1998

Department of Water Resources
Adjudication Bureau

RECEIVED

OCT 20 1998

Department of Water Resources
Adjudication Bureau

NOV 19 1998

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

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

In Re SRBA

Case No. 39576

Subcase 55-02008

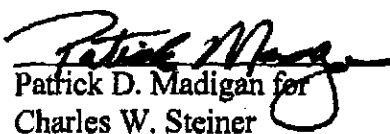
STANDARD FORM 5

STIPULATED ELEMENTS OF A
WATER RIGHT

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

 11/19/98
Patrick D. Madigan for
Charles W. Steiner date

 11/19/98
IDWR Concurrence date

 11/19/98
Attorney for IDWR date

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

DATE: NOV-18-1998
PAGE: A-1

RIGHTS FROM: SOURCE: ROCK CREEK TRIBUTARY: NORTH BOULDER CREEK

RIGHT NUMBER: 55-02008

NAME AND ADDRESS: CHARLES W STEINER
STAR ROUTE
OREANA ID 83659

SOURCE: ROCK CREEK TRIBUTARY: NORTH BOULDER CREEK
LOUISA CREEK ROCK CREEK

QUANTITY: 3.14 CFS

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

USE OF THIS RIGHT WITH RIGHT NO. 55-02152A IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 3.66 CFS.

PRIORITY DATE: 08/31/1908

POINT OF DIVERSION: T07S R02W S30 LOT 2 (SWNW) Within Owyhee County
SESE
S31 NESE

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	04-01 10-31	3.14 CFS
	STOCKWATER	01-01 12-31	0.14 CFS

PLACE OF USE: IRRIGATION Within Owyhee County
T07S R02W S30 NESW 19 Lot 3 (NWSW)10 Lot 4 (SWSW)21 SESW 30
R03W S25 SWNE 32 SENE 14 SENW 10 NESE 21
157 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 403 ACRES IN A SINGLE
THE IRRIGATION OF A COMBINED TOTAL OF 403 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 55-02152A, 55-02208A,
55-04150, 55-10351, 55-10352, 55-10353 & 55-10354.

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

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

DATE: NOV-18-1998

PAGE: A-2

55-02008 (CONT.)

STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

IN THE NEAR FUTURE IDWR WILL RECOMMEND A GENERAL PROVISION FOR THIS SUB-BASIN REGARDING THE INTERCONNECTION OF WATER RESOURCES WITHIN THE SNAKE RIVER BASIN. AN OPPORTUNITY WILL BE PROVIDED AT THAT TIME TO FILE AN OBJECTION WITH THE DISTRICT COURT TO THAT PROVISION. THIS WATER RIGHT WILL BE SUBJECT TO TO SUCH GENERAL PROVISIONS AS THE DISTRICT COURT DETERMINES NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF WATER RIGHTS.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

STOCKWATER, 600 RANGE CATTLE.

CERTIFICATE OF MAILING

I certify that on Nov. 19, 1998, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

☐ Overnight Mail
☐ Regular Mail
☒ hand-delivered

2. Copies to:

Clive Strong
Office of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

☐ Overnight Mail
☐ Regular Mail
☒ hand-delivered
☐ facsimile

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

☐ Overnight Mail
☐ Regular Mail
☒ hand-delivered
☐ facsimile

United States Department of Justice
Adjudication Team
550 W. Fort St., MSC 033
Boise, ID 83724

☐ Overnight Mail
☐ Regular Mail
☒ hand-delivered
☐ facsimile

Patrick D. Madigan
Rosholt, Robertson & Tucker
P.O. Box 2139
Boise, ID 83701-2139

☐ Overnight Mail
☒ Regular Mail
☐ hand-delivered
☐ facsimile

WESTERN REGION

OWNER(S): STERNER

CLAIM NUMBERS 02008 02152A 02208A 04150 10351 10352 53 + 54

AGENT _____ DATE _____

TOTAL ACRES FROM RECOMMENDATION _____

GEOGRAPHIC INFO SYSTEM ACRES _____

READY FOR DECREE ____ (YES) SENT FOR DECREE ____ (YES)

FORM UPDATE: August 3, 1998

RIGHT NO				NE				NW				SW				SE			
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
RECOM																			
GIS																			
RECOM																			
GIS																			

POLYGON CREATED ON 80__

POLYGON # (486) () () _____ UPDATED BY

ATTRIBUTES OF B51-POU.SHP () () () () ()

ATTRIBUTES OF B51-POD.SHP () () () () ()

B51-DBPOU.DBF _____ UPDATED BY

B51-DBPOD.DBF _____ UPDATED BY

RDH GPSTABLE

Presumption Flag: A

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

Comments:

Date: 03/02/1998 User-ID: JSHURTE Subject: RECOMMENDATION OF ACRES & STOCKWATER
THE ACRES RECOMMENDED UNDER THIS RIGHT ARE FOR THE SAME ACRES AS
ORIGINALLY LICENSED. THE LICENSE DID SHOW SEC. 32 IN ERROR SINCE
THE MAP SHOWS THE ACRES LYING IN SEC. 30. THIS IS CONSIDERED AS
AN AMBIGUITY IN THE LICENSE. THE # OF ACRES MAY VARY WITHIN EACH
1/4¹/₄, HOWEVER, THE TOTAL IS THE SAME AND THE 1/4¹/₄'S ARE THE
SAME. THE STOCKWATER USE IS NOT AN EXPANSION - DOMESTIC USE WAS
LICENSED AND IS NO LONGER USED, SO THE STOCKWATER IS CONSIDERED
AN ACCOMPLISHED CHANGE. SEE 55-02152A COMMENTS FOR AN
EXPLANATION OF THE COMBINED USE CONDITION.

Date: 03/04/1998 User-ID: AJU10-DS Subject: AJU10 CONDITION UPDATE
CONDITION CODE(S) H03 H04 ADDED IF NOT ALREADY PART
OF RECORD THRU

Date: 04/15/1998 User-ID: SSHERMAN Subject: NOTICE OF APPEARANCE
NOA FROM PAT MADIGAN REPRESENTING CHARLES W STEINER.

Date: 04/29/1998 User-ID: JSHURTE Subject: TOTAL ACRE LIMIT CHANGED PER NOE FOR 55-04150
THE TOTAL ACRE LIMIT CONDITION WAS CHANGED FOR THIS RIGHT DUE TO
THE ADDITION OF 15 DIFFERENT ACRES TO 55-04150 AS A RESULT OF THE
NOTICE OF ERROR SUBMITTED FOR THAT RIGHT. THE TOTAL ACRES WERE
CHANGED FROM 393 TO 408.

Audit: 04/29/98 JSHURTE

Water Right Number - R55-02008 Prefix Translation: RESEARCH Old (D) Number - 3396
+ - - - - Last Name - - - - + + - First Name - - - + + - - - - Address - - - - - +

*** A - ATTORNEY ***
MADIGAN

PATRICK D

1 - ROSHOLT ROBERTSON & TUCKER
2 - PO BOX 2139
3 -
City- BOISE State- ID Zip- 837012139
Phone - 208-336-0700

*** C - CURRENT OWNER ***
STEINER

CHARLES W

1 - STAR ROUTE
2 -
3 -
City- OREANA State- ID Zip- 83659
Phone - 208-000-0000

*** O - ORIGINAL OWNER ***
BACHMAN

JACOB

1 -
2 -
3 -
City- OREANA State- ID Zip- 00000
Phone - 208-000-0000

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
08/31/1908 14 WESTERN L - LICENSE

+ - - - - Source - - - - + + - - - - Tributary - - - - - +
ROCK CREEK NORTH BOULDER CREEK
LOUISA CREEK ROCK CREEK

+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot Rflg County

07S	02W	30	SW NW	2	(73)	OMYHEE	HATTON RESERVOIR DIV PT
			SE SE		(73)	OMYHEE	ROCK CREEK DIVERSION
			NE SE		(73)	OMYHEE	LOUISA CREEK DIVERSION

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/15 10/15 3.140
04 - STOCKWATER 01/01 12/31 0.140

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
3.140 0.0

+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County
07S 02W 30 NE SW 19.0 01 IRRIGATION (73) OMYHEE
07S 02W 30 NW SW 3 01 IRRIGATION (73) OMYHEE
07S 02W 30 SW SW 4 01 IRRIGATION (73) OMYHEE
07S 02W 30 SE SW 30.0 01 IRRIGATION (73) OMYHEE
07S 03W 25 SW NE 32.0 01 IRRIGATION (73) OMYHEE
07S 03W 25 SE NE 14.0 01 IRRIGATION (73) OMYHEE
07S 03W 25 SE NW 10.0 01 IRRIGATION (73) OMYHEE

Water right number - R55-02008

Prefix Translation: RESEARCH

Town	Range	Section	Tract	Lot	Acres	Place of Use	Description	County
07S	03W	25	NE SE	21.0	01	IRRIGATION	(73) ONLYEE	

Total Acres: 157.0

+ - - Diversion Means - DAM, DITCHES

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

	+	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100	101	102	103	104	105	106	107	108	109	110	111	112	113	114	115	116	117	118	119	120	121	122	123	124	125	126	127	128	129	130	131	132	133	134	135	136	137	138	139	140	141	142	143	144	145	146	147	148	149	150	151	152	153	154	155	156	157	158	159	160	161	162	163	164	165	166	167	168	169	170	171	172	173	174	175	176	177	178	179	180	181	182	183	184	185	186	187	188	189	190	191	192	193	194	195	196	197	198	199	200	201	202	203	204	205	206	207	208	209	210	211	212	213	214	215	216	217	218	219	220	221	222	223	224	225	226	227	228	229	230	231	232	233	234	235	236	237	238	239	240	241	242	243	244	245	246	247	248	249	250	251	252	253	254	255	256	257	258	259	260	261	262	263	264	265	266	267	268	269	270	271	272	273	274	275	276	277	278	279	280	281	282	283	284	285	286	287	288	289	290	291	292	293	294	295	296	297	298	299	300	301	302	303	304	305	306	307	308	309	310	311	312	313	314	315	316	317	318	319	320	321	322	323	324	325	326	327	328	329	330	331	332	333	334	335	336	337	338	339	340	341	342	343	344	345	346	347	348	349	350	351	352	353	354	355	356	357	358	359	360	361	362	363	364	365	366	367	368	369	370	371	372	373	374	375	376	377	378	379	380	381	382	383	384	385	386	387	388	389	390	391	392	393	394	395	396	397	398	399	400	401	402	403	404	405	406	407	408	409	410	411	412	413	414	415	416	417	418	419	420	421	422	423	424	425	426	427	428	429	430	431	432	433	434	435	436	437	438	439	440	441	442	443	444	445	446	447	448	449	450	451	452	453	454	455	456	457	458	459	460	461	462	463	464	465
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QNT USE OF THIS RIGHT WITH RIGHT NO. 55-02152A IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 3.66 CFS.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 393 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 55-02152A, 55-02208A, 55-04150, 55-10351, 55-10352, 55-10353 & 55-10354.

EXP STOCKWATER, 600 RANGE CATTLE.

[illegible]

C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
 - PURSUANT TO SECTION 42-1425, IDAHO CODE.
 C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
 - SECTION 42-1425, IDAHO CODE.
 N05 - THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
 - SHALL NOT EXCEED 13,000 GALLONS PER DAY.
 N08 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
 - STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
 - USE.
 H03 - IRRIGATION PERIOD OF USE IS CURRENTLY ON APPEAL TO THE IDAHO
 - SUPREME COURT. THE SRBA COURT RULED "IRRIGATION SEASON" IS
 - ADEQUATE AND APPROPRIATE TO DESCRIBE THE PERIOD OF USE.
 - APPELLANTS ARGUE A SPECIFIC CALENDAR DESCRIPTION IS NECESSARY
 - TO DESCRIBE THE PERIOD OF USE FOR A WATER RIGHT. IF THE IDAHO
 - SUPREME COURT OVERTURNS THE DECISION OF THE SRBA COURT ON USING
 - "IRRIGATION SEASON" THE SPECIFIC CALENDAR DESCRIPTION SHOWN MAY
 - BE USED.

H04 - POSSIBLE ALTERNATIVE PERIOD OF USE	04/15	10/15
-	SEE EXPLANATORY MATERIAL BELOW.	

+ - - -	- Decree Plaintiff	- - +	+ - - -	- Decree Defendant	- - +	+ - Decree Date
						00/00/0000

Prefix Translation: RESEARCH

Date:	03/02/1998	User Id:	JSHURTE	Subject:	RECOMMENDATION OF ACRES & STOCKWATER	-Comments-
THE ACRES RECOMMENDED UNDER THIS RIGHT ARE FOR THE SAME ACRES AS ORIGINALLY LICENSED. THE LICENSE DID SHOW SEC. 32 IN ERROR SINCE THE MAP SHOWS THE ACRES LYING IN SEC. 30. THIS IS CONSIDERED AS AN AMBIGUITY IN THE LICENSE. THE # OF ACRES MAY VARY WITHIN EACH 1/41/4, HOWEVER, THE TOTAL IS THE SAME AND THE 1/41/4'S ARE THE SAME. THE STOCKWATER USE IS NOT AN EXPANSION - DOMESTIC USE WAS LICENSED AND IS NO LONGER USED, SO THE STOCKWATER IS CONSIDERED AN ACCOMPLISHED CHANGE. SEE 55-02152A COMMENTS FOR AN EXPLANATION OF THE COMBINED USE CONDITION.						
Date:	03/04/1998	User Id:	AJU10-DS	Subject:	AJU10 CONDITION UPDATE	
CONDITION CODE(S) H03 H04 ADDED IF NOT ALREADY PART						
Date:	04/15/1998	User Id:	SSHERMAN	Subject:	NOTICE OF APPEARANCE	OF RECORD THRU
NOA FROM PAT MADIGAN REPRESENTING CHARLES W STEINER.						

04/15/98 SSHERMAN

Court Report Filing		00/00/0000		Field Inspection Made		00/00/0000		Civil Case Number		39576	
Objection Filed Date		00/00/0000		Field Inspection Flag				Old Case Number			
Response Filed Date		00/00/0000		Verified Date				Old Judicial District			
Claim Received Date		01/19/1989		Last Amended Date		08/10/1994		Temporary Right		P	
				Receipt Number		W002028		Water District			
				POU Ownership Flag		Y		Federal/State Indicator		S	
				Name Connector		AND/OR		Presumption Flag		A	
								Notice of Error Flag			
Adjudication Rights Dates and Flags Area											

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APR 14 1998

Department of Water Resources

RECEIVED

APR 17 1998

WATER RESOURCES
WESTERN REGION

Patrick D. Madigan
ROSHOLT, ROBERTSON & TUCKER
P.O. Box 2139
Boise, ID 83701-2139
Telephone: (208) 336-0700
Facsimile: (208) 344-6034

Attorney for Charles W. Steiner

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

NOTICE OF APPEARANCE

The law firm of Rosholt, Robertson & Tucker, P.O. Box 2139, Boise, Idaho 83701-2139,
through Patrick D. Madigan, hereby enters its appearance as counsel for Charles W. Steiner, in
the Snake River Basin Adjudication, Case No. 39576.

Dated this 13th day of April, 1998.

ROSHOLT, ROBERTSON & TUCKER


Patrick D. Madigan

CERTIFICATE OF MAILING

I hereby certify that on this 13th day of April, 1998, a true and correct copy of the **NOTICE OF APPEARANCE** was mailed via U.S. mail, postage prepaid to the following:

Director of IDWR
P.O. Box 83720
Boise, ID 83720-0098

U.S. Dept. of Justice
Environmental & Natural Resources
Division
550 W. Fort St., MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449


Patrick D. Madigan

Clients/steiner/not of appearance

ROSHOLT, ROBERTSON & TUCKER

Chartered
ATTORNEYS AT LAW

Boise Office
1221 W. IDAHO, SUITE 600
P.O. BOX 2139
BOISE, IDAHO 83701-2139
TELEPHONE (208) 336-0700
FAX (208) 344-6034

COPY

Twin Falls Office
142 3rd AVENUE NORTH
P.O. BOX 1906
TWIN FALLS, IDAHO 83303-1906
TELEPHONE (208) 734-0700
FAX (208) 736-0041

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APR 14 1998

April 13, 1998

Department of Water Resources

JOHN A. ROSHOLT
J. EVAN ROBERTSON
JAMES C. TUCKER
GARY D. SLETTE
JERRY V. JENSEN
BRUCE M. SMITH
JOHN K. SIMPSON
PATRICK D. MADIGAN
TIMOTHY J. STOVER
NORMAN M. SEMANKO

Diana Delaney
Clerk of the Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

Re: *Notice of Appearance*

Diana:

Pursuant to our telephone conversation this morning, I have prepared and am filing the enclosed general Notice of Appearance on behalf of Charles W. Steiner. Because his water right claims are located in basin 55 and have not yet been reported by IDWR, there are no subcases to identify. It is my understanding that the attached certificate of service will suffice and that all other SRBA parties shall receive notice through the docket sheet procedure under AO1, Rules of Procedure, Rule 6(e).

Also enclosed is a copy to be conformed and returned to me in the self-addressed stamped envelope provided.

Thank you for your assistance in this matter.

Sincerely,



Patrick D. Madigan

PDM:mh
Enclosure

Presumption Flag: A

Comments: Date: 03/02/1998 User-ID: JSHURTE Subject: RECOMMENDATION OF ACRES & STOCKWATER
THE ACRES RECOMMENDED UNDER THIS RIGHT ARE FOR THE SAME ACRES AS
ORIGINALLY LICENSED. THE LICENSE DID SHOW SEC. 32 IN ERROR SINCE
THE MAP SHOWS THE ACRES LYING IN SEC. 30. THIS IS CONSIDERED AS
AN AMBIGUITY IN THE LICENSE. THE # OF ACRES MAY VARY WITHIN EACH
1/41/4, HOWEVER, THE TOTAL IS THE SAME AND THE 1/41/4'S ARE THE
SAME. THE STOCKWATER USE IS NOT AN EXPANSION - DOMESTIC USE WAS
LICENSED AND IS NO LONGER USED, SO THE STOCKWATER IS CONSIDERED
AN ACCOMPLISHED CHANGE. SEE 55-02152A COMMENTS FOR AN
EXPLANATION OF THE COMBINED USE CONDITION.

Audit: 03/03/98 JSHURTE

SUMMARY OF RECOMMENDATION FOR CHARLES STEINER - BASIN 55

55-02008 - ROCK CREEK & LOUISA CREEK

This right was based on a license with a priority date of 1908. Basically I recommended it for the same lands it was licensed for, only changing the acreage slightly to reflect current irrigated acres in those 1/41/4s. This right was recommended for both sides of Rock Creek due to the original right being from both Rock and Louisa Creek diversions. Total acres licensed = 157.

55-10352 - ROCK CREEK

Original claim was filed for 3-15-1912 based on beneficial use. However, I recommended a priority date of 11-14-1922 based on the idea that the field exam conducted in 1914 under the above licensed right 55-02008 did not mention any irrigation of other ground. The next evidence of irrigation came in a cancelled permit file. The permit had originally been filed for additional lands in the N1/2NE1/4, N1/2NW1/4, Sec. 25. However, due to no proof of beneficial use having been submitted, the permit was cancelled. In the original days of the Dept. the requirement was to file proof of completion of works and proof of beneficial use. If one was filed and the other wasn't, then the permit was cancelled. In this cancelled permit file there was proof of completion of works filed stating that the water had been put to beneficial use 10 years prior to the lands in Sec. 25. However, 10 years earlier would have been 1912 since the proof of completion of works was dated 1922. Because the field exam under 55-02008 was conducted in 1914, and these acres were not mentioned, I used the date of the notarized proof of completion of works as the date of priority for this right, 11-14-1922. Also submitted with this file were the homestead papers of Arthur Corlett which did show his intention to develop this land in Sec. 25. This right was recommended for an additional 71 acres of land irrigated within the same legal as the permit was filed for, N1/2NE1/4, N1/2NW1/4, S.25. These lands are lands that only Rock Creek water could be used to irrigate.

55-04150 - LOUISA CREEK

This right covers what Louisa Creek could have irrigated over and above those acres covered under Right No. 55-02008 for the liveflow (cfs) portion. There is no evidence that more water and acres were diverted &/or irrigated from Louisa Creek between 55-02008 and the building of the Louisa Creek dam in 1931. The lands covered by this right are lands South of Rock Creek that could have been irrigated from the Louisa Creek ditch. The acres in the W1/2NW1/4, and SENW, Sec. 31 are not included due to Lester Buck's affidavit which stated those lands were not irrigated until Triangle first filled in 1967. Those acres are covered under 55-10353 & 55-10354. The priority date is based on the above idea that there is no evidence that these lands were irrigated prior to the license issued under 55-02008 and not until the dam was built in 1931.

55-10351- LOUISA CREEK STORAGE

This right covers the storage right for Louisa Creek Reservoir which was built in 1931. The acres listed in this right are the acres that could have been irrigated via the Louisa Creek ditch and are all South of Rock Creek, except for the acres irrigated in the W1/2NW1/4 and SENW, Sec. 31 per Lester Buck's affidavit as explained above. Evidence of the date this dam was built is also from a cancelled permit 55-02171 which was filed for Louisa Creek dam specifically. This permit was cancelled for the same reason as before - proof of completion of works were submitted but not proof of beneficial use. Louisa Creek Dam was obviously completed in 1931 - per dam safety files also - however, as in many permits in those days, proof of completion of works was submitted and not proof of beneficial use. The proof of completion of works is a signed and notarized affidavit stating the work was completed and other documents from the file noting the dam was completed in 1931.

55-02152A & 55-02208A - ROCK CREEK & LOUISA CREEK LIVEFLOW & STORAGE IN TRIANGLE RESERVOIR

These rights have both been previously licensed and were licensed for 96 acres of land. I have recommended them both for the same 96 acres although they overlap with some of the acres under the earlier rights. The reason for this is due to the possible litigation concerning the following 1967 rights. Since these were licensed for the 96 acres, they should remain so in case the 1967 rights are compromised. These acres were determined based on contour lines rather than on an aerial photo. The earlier right listed above are evidence that more than 96 acres were irrigated at some point prior to these licenses.

55-10353 & 55-10354 - ROCK CREEK & LOUISA CREEK LIVEFLOW & STORAGE IN TRIANGLE RESERVOIR

These rights have been recommended to pick up the additional acres not listed under the previous rights. Especially those acres in the W1/2NW1/4 and SENW, Sec. 31 listed in Lester Buck's affidavit stating that those acres were first irrigated in 1967 after Triangle Reservoir first filled. An ASCS map dated in 1969 does show the ditch from the south headgate flowing around these lands in the NW1/4, Sec. 35 thus indicating these lands were irrigated by then. The 1967 date comes from Lester Buck's affidavit. The additional 31 acres recommended in 55-10353 are acres that needed to be covered from either Rock Creek or Louisa Creek to be sure they were covered by both sources in the end. For instance, the 2 acres in the NESW, S30, and the 3 acres in the NWNE, 1 acre in the SWNE, 1 acre in the NWNW, 3 acres in the SESE, S25, were to cover irrigation from Rock Creek that had not been previously covered. Then, the acres in the NWSW(6), NESW(2), S30, NENW(10) and NESE(5), S25 were listed to cover irrigation from both sources that had not been previously covered. NOTE: The difference in acres for each right comes from one being for liveflow, 55-10353, where many of the acres were previously covered under other rights and the other for storage from Triangle where only 96 acres had been previously covered. The remaining 297 acres for storage are being covered under 55-10354.

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MAR 20 1998

WATER RESOURCES
WESTERN REGION

Jan -
you still believe chuea
accidentally applied for all
of A's water & used the Hatter
description in '79 -

Why then has he carried

that forward & re-applied

in 84 & 89?

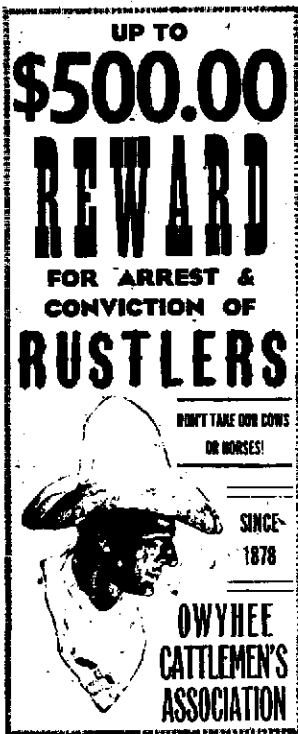
He could have
corrected his MISTAKE.

Don

Thanks for your help -

As always you are
a delight to work with.

Don



WINTERCAMP RANCH TRUST
DON BARNHILL
Hatton Ranch, Idaho
P.O. Box 343 Jordan Valley, OR 97910
(208) 891-2620

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MAR 20 1998

WATER RESOURCES
WESTERN REGION

3/18/98

Jon Schulte

Please find enclosed forms to
respond to notice of Error in
Charles Sterners Water Right Claims

As you are aware I adamantly disagree
with Dept. records suggest non-use of
these claims plus the tremendous expansion
of any actual use which I feel I can
prove to be no more than 96 acres as
documented by your Dept.

All other lands claimed as irrigated
in fact SUB-IRRIGATE naturally and
take NO-IRRIGATION - an issuance of
these additional acres opens up the
possibility of license of therefore transfer to
non-irrigated lands constituting an expansion
of a right non-existent.

I adamantly object to the Steiner Claims of
R550284, R55 02008, R5502152A, R5510351, R5502208A
R55 04150, R55 10352, R55 10353, R55 10354

Please post this in all these files Sincerely, J.

APRIL COPY
TO ALL 9 FILLS NOTICE OF ERROR
PLEASE *Don Barnhill* REPLY

RECEIVED

MAR 20 1998

WATER RESOURCES
WESTERN REGION

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

**YOUR DEADLINE FOR RETURNING A
NOTICE OF ERROR REPLY IS:**

Water right number: *R550284* *R5510352*
R5502008 *R5510353*
R5502152A *R5510354*
R5510351
R55 ~~02208A~~ 02208A
R55 04150

Daytime Telephone Number: *208 891 2620* *541 586 2278*

Evening Telephone Number:

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source): *ALL 9 OF THESE CLAIMS ARE BASED UPON FRAUDULENT ALLEGATIONS OF USE BY IDWR RECORDS ALL OF THESE CLAIMS LACK PROOF OF BENEFICIAL USE AND WERE*
2. Describe the changes you wish to make in the proposed recommendation: *CANCELLED (LICENSE/PERMIT APPLICATIONS ON RECORD) WHILE THIS OWNER OWNED THIS PROPERTY WITH BENEFIT OF PROPER NOTICE TO ALL STAKEHOLDERS ARBITRARILY ISSUED A LICENSE TO THE*
3. Give a brief explanation as to why you disagree with these portions: *LANDS HEREIN CLAIMED FOR 96 ACRES OF ACTUAL USE IN THE LATE 60'S EARLY 70'S BUT WITHOUT APPLICATION FOR SAME BY ANYONE I CONTEND (IDWR RECORDS SUPPORT) A MAXIMUM OF 96 ACRES WAS EVER ACTIVELY IRRIGATED*
I AGREE with this proposed recommendation; *no changes need to be made.*

DATE: *3/19/92*

SIGNATURE: *Don Barnhill*

Please print your name:

DON BARNHILL
PO Box 343
GRAND VALLEY
OREGON
97910

RECEIVED

MAR 20 1998

WATER RESOURCES
WESTERN REGION

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

**YOUR DEADLINE FOR RETURNING A
NOTICE OF ERROR REPLY IS:**

Water right number: *R55 02002*

Daytime Telephone Number: *208 891 2620 SA 586 2278*
Evening Telephone Number:

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source): *THIS IS BASED UPON FRAUDULENT AFFIDAVITS OF SUPPORT NOT TRULY REFLECTING HISTORIC USE AND FURTHER NO BENEFICIAL USE PROOF EVER ESTABLISHED*
 2. Describe the changes you wish to make in the proposed recommendation:
FOR PERMITS ASSOCIATED - FURTHER I OWN DOCUMENTS DISPLAY A MAXIMUM OF 96 ACRES IN 1967 UNDER IRRIGATION FOR THIS ENTIRE RANCH - NOT THE CLAIMED
 3. Give a brief explanation as to why you disagree with these portions:
AMOUNT - THAT LICENSE WAS GIVEN TO ALLIERS WITHOUT BENEFIT OR EVEN AN APPLICATION FOR SAME - THEREFORE I CONTEND AT NO TIME BENEFICIAL USE WAS APPLIED FOR & I OWN ARBITRARY GRANTED 96AC.
- I AGREE with this proposed recommendation; no changes need to be made.

DATE: *3/10/98* SIGNATURE: *[Signature]* *DON BARNHILL*
Please print your name: *PO BOX 343*
JORDAN HILLERY
OWNER
97910

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

13:04:29
09/15/93

PAGE: 1
GENERAL INFORMATION

1
CLAIM NUMBER: A55-02008

LAST: BACHMAN

ADDRESS:

CITY: OREANA

PHONE NUMBER: 208-000-0000

OWNER CODE: O

FIRST: JACOB

STATE: ID ZIP: 00000

LAST: STEINER

ADDRESS: STAR ROUTE

CITY: OREANA

PHONE NUMBER: 208-000-0000

OWNER CODE: C

FIRST: CHARLES W.

STATE: ID ZIP: 83659

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

DATABASE
N

FIELD
EXAMINER

CLAIM NUMBER: A55-02008

CHUCK STEINER

PHONE NUMBER: () - -

9/6/93

TIME: _____ A(____) P(____)

CHUCK STEINER

PHONE NUMBER: () - -

N/A

DIRECTIONS TO PROPERTY / NOTES:

IS TO PROPERTY / NOTES:

A. AJ CLAIM: # A55-02008 PRIORITY DATE: 08-31-1908 STAGE: L
B. WR RECORD: # 55-02008 PRIORITY DATE: 08-31-1908 STAGE: L

C. FIELD EXAM REQUIRED?
DUE TO PRIORITY DATE DISCREPANCY? (Y/N) N
FIELD EXAMINER: *[Signature]*

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(X)

IF YES EXPLAIN.

NOTES:

RECOMMENDED PRIORITY DATE:

08-31-1908

REVIEWED BY

DATE

4-18-98

•

RIGHT	TWP.	RGE.	SEC.
A55-02008	07S	02W	30
A55-02008	07S	02W	31

OTHER AJ CLAIMS WITH SAME AJ POD	A PREFIX	R PREFIX	NONE
	A55-04150		
	A55-10352		
	A55-10353		

SOURCE: ROCK CREEK
LOUISA CREEK

POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.
5 0008	07S	02W	32

OTHER WR RECORDS WITH SAME WR POD

NONE

SOURCE: ROCK CREEK
LOUISA CREEK

TRIB: BOULDER CREEK
ROCK CREEK

FIELD EXAMINER

FIELD EXAM REQUIRED?

DATABASE

	(Y/N)
DOES TO POD DISCREPANCY?	(Y/N)
DOES TO SOURCE DISCREPANCY?	(Y/N)

NOTES:

NOTES:

P.O. incorrect as licensed. Section 32 is not the section
that lies east of Sec. 35. All the maps show section
that lies east of Sec. 32 directly east. The correct section
is acres with Sec. 32 directly east. Sec. 35 has always been
lying to the east of Sec. 35. Therefore, P.O. was the S.E.K., Dec. 30 - Rock Creek.
Due to the Triangle Law. being built in 1965, the P.O. for
Rock Creek became the dam which happens to be in the
S.E.K., J. 30 & the Givings P.O. for Locusa Creek being
in the N.W.S.E., J. 31. State of Change - 1965 (when Triangle Dam
was always been used)
No injury - no other users of Locusa Creek water.

CLAIM NUMBER: A55-02008

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP. RGE. SEC.

171

174

107

$\frac{25}{25} \frac{26}{26} \frac{30}{30}$
 $\frac{25}{25} \frac{26}{26} \frac{31}{31}$
 $\frac{25}{25} \frac{26}{26} \frac{30}{30}$

SE SE SE

Weyher
Weyher
11

DIVERSION NAME

DIVERSION NAME
Rock Creek (Trangle dam)
Lovina Creek (Yellow ditch)
Klathon Dam - diversion

SOURCE: ROCK CREEK

TRIB: BOULDER CREEK

REVIEWED BY:

DATE:

745-81-76

SYSTEM DESCRIPTION:

A. ROOT WATER RIGHT NUMBERS: A55-02008

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
07S	02W	25	NE	SW		STEINER, CHARLES W.	A55-02008 /19.0	55-02008 /15.0	22		19 pullover
07S	02W	25	NW	SW	3	STEINER, CHARLES W.	A55-02008 /10.0	55-02008 /20.0	16		10 "
07S	02W	25	NW	SW		BACHMAN, JACOB					
07S	02W	25	SW	SW	4	STEINER, CHARLES W.	A55-02008 /21.0	55-02008 /30.0	30		21 "
07S	02W	25	SW	SW		BACHMAN, JACOB					
07S	02W	25	SE	SW		STEINER, CHARLES W.	A55-02008 /30.0	55-02008 /30.0	34		30 "
07S	03W	25	SW	NE		STEINER, CHARLES W.	A55-02008 /32.0	55-02008 /25.0	29		32
			SW	NE		STEINER, CHARLES W.	A55-02152A /32.0		23		
			SW	NE		STEINER, CHARLES W.	A55-02208A /32.0				
			SW	NE		STEINER, CHARLES W.	A55-04150 /32.0				
			SW	NE		STEINER, CHARLES W.	A55-10354 /32.0				
07S	03W	25	SE	NE		STEINER, CHARLES W.	A55-02008 /18.0	55-02008 /12.0	34		14
			SE	NE		STEINER, CHARLES W.	A55-02152A /18.0				
			SE	NE		STEINER, CHARLES W.	A55-02208A /18.0				
			SE	NE		STEINER, CHARLES W.	A55-04150 /18.0				
			SE	NE		STEINER, CHARLES W.	A55-10354 /18.0				
07S	03W	25	SE	NW		STEINER, CHARLES W.	A55-02008 /20.0	55-02008 /20.0	40		10
			SE	NW		STEINER, CHARLES W.	A55-02152A /29.0				
			SE	NW		STEINER, CHARLES W.	A55-02208A /29.0				
			SE	NW		STEINER, CHARLES W.	A55-04150 /29.0				
			SE	NW		STEINER, CHARLES W.	A55-10353 /9.0				
			SE	NW		STEINER, CHARLES W.	A55-10354 /29.0				
07S	03W	25	NE	SE		STEINER, CHARLES W.	A55-02008 /7.0	55-02008 /5.0	26.0		21 pullover
			NE	SE		STEINER, CHARLES W.	A55-02152A /36.0				
			NE	SE		STEINER, CHARLES W.	A55-02208A /36.0				
			NE	SE		STEINER, CHARLES W.	A55-04150 /36.0				
			NE	SE		STEINER, CHARLES W.	A55-10353 /29.0				
			NE	SE		STEINER, CHARLES W.	A55-10354 /36.0				
TOTAL ACRES							157.00	107.00	94.00		157

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y () N ()
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED? FIELD EXAMINER POU COUNTY: OHYHEE
DUE TO POU DISCREPANCY? (Y/N) Y

PRESUMPTION FLAG:

NOTES:

Total # of acres recommended same as
licenseal. No change in '14'14 description, only
in the # of acres recommended per '14'14. Difference
in acres per '14'14 from GIS mapping.

RECOMMENDATIONS:

TOTAL ACRES: 157

REVIEWED BY: [Signature]

DATE: 3-6-98

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A55-02008 IRRIGATION	FROM 04-01 TO 11-01	3.140 CFS
A55-02008 STOCKWATER	FROM 01-01 TO 12-31	.140 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		3.140 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
55-02008 IRRIGATION	FROM TO	3.140 CFS
55-02008 DOMESTIC	FROM TO	3.140 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		3.140 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	Y	N
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	Y	N
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	Y	N

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

RECOMMEND TO WR STANDARDS OR OTHER?

Y() N(X)
Y(X) N()

Explain in notes, below.

NOTES:

Wing season of use - 11-15 to 10-15 - Stockwater
season of use not specified in license (was
licensed for domestic - changed to stockwater per
accomplished transfer statute.

Y(☒) N(☐)

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

AJ TOTAL CLAIMED DIVERSION RATE: 3.140 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 3.140 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in notes. **

FLOW MEASUREMENT REQUIRED?

FIELD
DATABASE EXAMINER
N

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

FLOW MEASUREMENT

MEASUREMENT METHOD None Rep'd, SEE ATTACHED CALCULATIONS.

A flow meas. was made at the station above diversion point for Wintecamp Ranch Trust claims, however, a portion of this right also uses the ditch from the dam for a P.P. Capacity of ditch 17.64 cfs

C. ARE OTHER WATER RIGHTS USED? Y(☐) N(☐) IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: A55-02152A/02208A/04150/10351/

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	RATE/ACRE	DIV. VOL.	VOL./ACRE
A55-02008	ROCK CREEK LOUISA CREEK	STEINER, CHARLES W.	3.140	0.020		
A55-02152A	ROCK CREEK LOUISA CREEK	STEINER, CHARLES W.	5.580	0.009		
A55-02208A	ROCK CREEK LOUISA CREEK	STEINER, CHARLES W.			592.00	0.97
A55-04150	LOUISA CREEK	STEINER, CHARLES W.	3.000	0.005		
A55-10353	ROCK CREEK	STEINER, CHARLES W.	5.580	0.020		
A55-10354	ROCK CREEK LOUISA CREEK	STEINER, CHARLES W.			592.00	0.97

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

See overlap review sheet.

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1b. CALCULATIONS

1a. IRRIGATION RATE
ACRES 157 x 0.02 CFS/ACRE = 3.14 CFS
(Taken from p/u review)

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

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

2. IRRIGATION CONSUMPTIVE USE N/A AF/A
CLAIMED CONSUMPTIVE USE = AF/A

ACRES 157 x CONSUMPTIVE VOL. AF/A FOR AREA 3.5 =
TOTAL CONSUMPTIVE USE AF/A

3. IRRIGATION DIVERSION VOLUME N/A surface H₂O
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(X)
BOTH P/D NEAR OR UNDER TRIANGLE RESERVOIR.

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

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	DATABASE EXAMINER	REC. DIV VOL. AF/A	DATABASE EXAMINER	REC. CONS. USE
IRRIGATION	4-15 10-15	3.14	N/A	N/A	N/A	
STOCKWATER	1-1 12-31	.14	"	"	"	

TOTAL FOR THIS RIGHT

0.14

REVIEWED BY:

DATE: 3-6-98

C03- P.O. - addition of Hutton Dam-division
P.O. - Corrected location for Rock Creek C¹⁴ 1/4 OK
just corrected section to 330. Garrison
Creek diversion unchanged historically,
only mapping better now.

C05 - Correction in Dec. from 32 to 30. No change
in POW only error on license.

N05 + N08 - Stockwater limitation to 13,000 gpd.

P041 - E14 - Limiting this right to all other rights
from Rock Creek & Garrison Creek to 393 total
acres since there is some overlap.

See maps & system diagram description
in 55-02152B.

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP
FORFEIT/ABANDON
ADDITIONAL DIV. AMOUNT

ACCEPTED
AS CLAIMED
()
()
()
()

NEEDS
REVIEW
()
()
()
()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 55-02008

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
3.140

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A55-02008	3.140	-	55-02008	3.140
TOTAL CFS		3.140			3.140

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DATABASE
Y

FIELD
EXAMINER

NOTES:

AUTHENTICATION:

SIGNATURE:

NAME OF FIELD EXAMINER: JAN SHURTLE

DATE: 3-6-98

TITLE: WATER RES SUPERVISOR

County: Owyhee
 Stream: Rock and Louisa Creeks
 Amount: 3.14 ccs.ft.
 Use: irrigation and domestic
 Priority: August 21, 1908.

STATE OF IDAHO

Water License No. 3296

WHEREAS, On the 31st day of January, A. D. 1908,

Jacob Bachman

of Oregon, County of Owyhee, State of Idaho, duly made application (No. 4789) to me for a permit to use 6.4 cubic feet per second of the waters of Rock Creek and Louisa Creek,

County of Owyhee, State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the 1st day of February, A. D. 1908, Permit No. 3296 was issued to said applicant for the diversion of said water and providing for the completion of the works of diversion therein described on or before the 1st day of February, A. D. 1911 and for the application to beneficial use of said water on or before the 1st day of February, A. D. 1914, and,

WHEREAS, On the 8th day of December, A. D. 1910,

Jacob Bachman

the holder of said permit, duly made proof of the completion of adequate works for the diversion of 6.4 cubic feet per second of said waters, as evidenced by my Certificate No. 3296 dated September 12, 1911 confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 6.4 cubic feet per second of said water, with date of priority of January 11, 1908, and

WHEREAS, On the 1st day of September, A. D. 1914,

Jacob Bachman

the holder of said permit, duly made proof of the application to beneficial use of 3.14 cubic feet per second of said water

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to Jacob Bachman

of Oregon, County of Owyhee, State of Idaho, the holder and owner of said Permit No. 3296, a perpetual right, dating from August 21, 1908, to the use of 3.14 cubic feet per second of the waters of Rock Creek and Louisa Creek,

in the County of Owyhee and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted from Rock Creek at a point about 200 feet east of west line of the SE₄ of SE₄, Sec. 32, and from Louisa Creek at a point about 200 feet south of S.E. corner of SE₄ of SE₄, Sec. 32, in Twp. 7 S., R. 2 W., S. 1.

and conducted to and upon 157 acres, divided as follows: 30 acres in SE₄ of SW₄, 30 acres in SW₄ of SW₄, 15 acres in NE₄ of SW₄, and 20 acres in NW₄ of SW₄, all in Sec. 32, T. 7 S., R. 2 W., S. 1.; 5 acres in SE₄ of SE₄, 12 acres in SE₄ of NE₄, 25 acres in SW₄ of NE₄, and 20 acres in SE₄ of NW₄, all in Sec. 32, T. 7 S., R. 2 W., S. 1.

for the purpose of irrigation and domestic use, subject, however, to the laws of the State of Idaho, applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source or supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 10th day of September, A. D. nineteen hundred and fourteen.

F. P. King.

(Seal)

State Engineer.

55-2008

REPORT OF ENGINEER

1. State name of applicant and number of permit: No. 3396 Jacob, Bachman
2. State source of water supply: Rock Creek and Louise Creek.
3. Location of point of diversion: 350 feet south of the SW corner of SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec 32, ⁷ south Range 2 west B.M. and 200 feet east of the west line of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Sec, Tp, & range near the center north and south
4. State whether or not the works of diversion are fully completed and in accordance with terms of permit:
They are fully completed.

5. Describe works as they exist, giving dimensions of same as follows:

- (a) Width of conduit at bottom: Three feet
- (b) Width at water line: Five feet
- (c) Depth of water: Eighteen inches
- (d) Grade per mile: Five feet
- (e) Capacity of ditch: Six and one half second feet.

6. State whether or not water has been turned into works of diversion and if so, to what extent:

Six cubic feet

7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each

forty acre tract: On SE $\frac{1}{4}$ SW $\frac{1}{4}$ 30 acres in cultivation, on SW $\frac{1}{4}$ SW $\frac{1}{4}$ ~~30~~ 30 acres in cultivation on NE $\frac{1}{4}$ SW $\frac{1}{4}$ 15 acres under cultivation on the NW $\frac{1}{4}$ SW $\frac{1}{4}$

20 acres in cultivation all in Sec 32, ⁷ s. 2, w. and in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 5 acres in cultivation, in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ 12 acres in cultivation, in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ 25 acres in cultivation and in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 20 acres in cultivation all in Sec

25, TP 7 south Range 3 west B.M.

8. Submit map on enclosed plat, source of supply, point of diversion, route of ditch or ditches and cross hatch lands to be irrigated.

Remarks:

RECEIVED

AUG 12 1914

OFFICE OF STATE ENGINEER

John F. Pethtel

STATE OF IDAHO,

County of Ada

} ss.

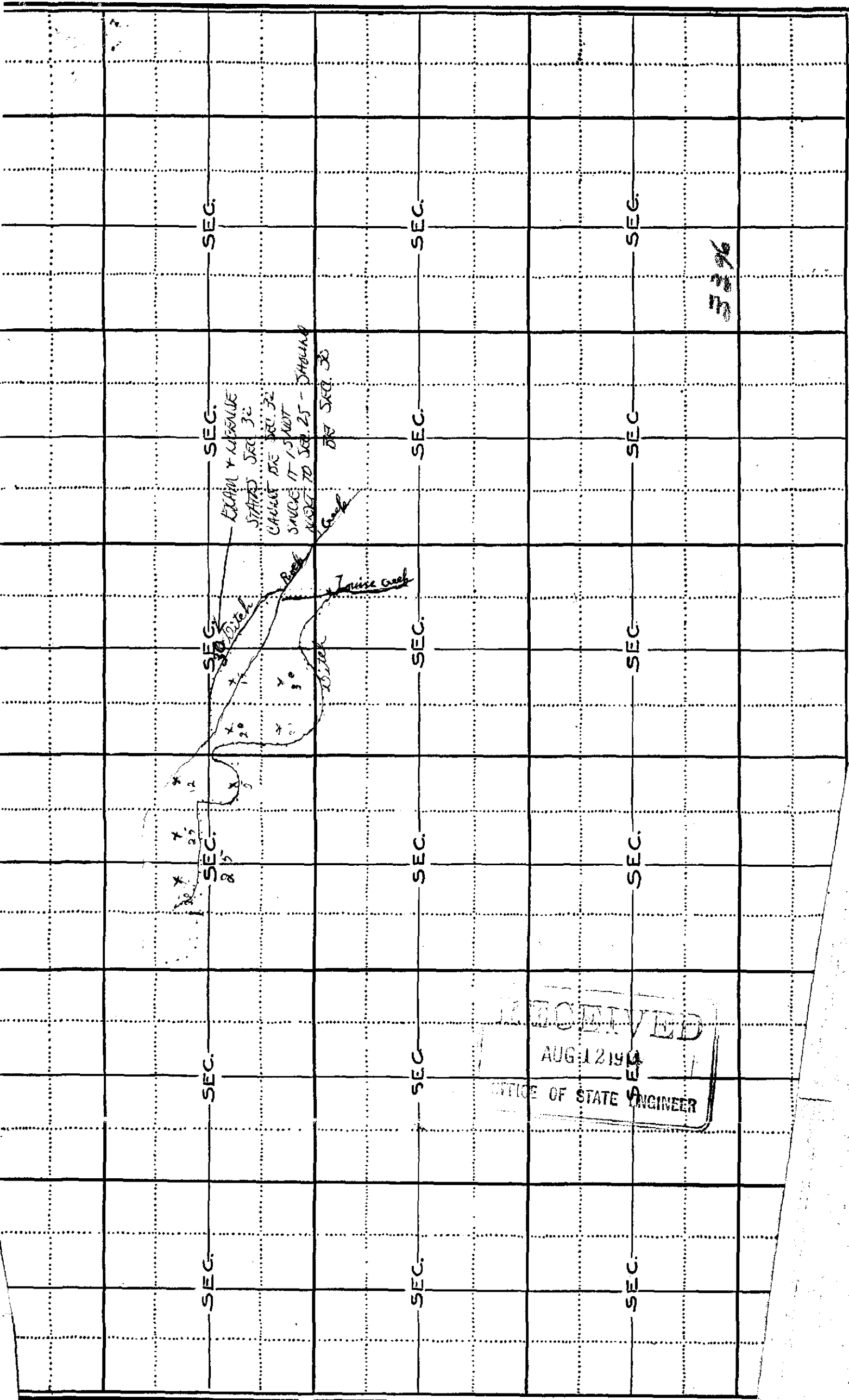
John F. Pethtel, being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this 11th day of August 1914.

My Commission Expires May 9th 1918

W. A. Lindsey
Notary Public.

3396



RECEIVED
AUG 12 1914
OFFICE OF STATE ENGINEER

Proof of Application of Water to Beneficial Use

DEPOSITION OF HOLDER

RECEIVED

Ques. 1. State your name, age, residence, occupation and postoffice address. SEP 4 1914

Ans. James Bushman, age 42 years, Rock Creek, Owyhee County, Idaho,
Farmer and Stock raiser, Post Office, Oreana, Idaho.

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business (if a foreign corporation, give name and postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans. Acting for myself.

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

Ans. 3300, dated February 1, 1908. Priority January 31, 1908.

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

Ans. Rock Creek & Louisa Creek. Point of diversion, 3900 ft. E. of cor.
to sections 25 and 30, on Twp line, Twp 7 S, R 3 W. B.M., thence S 330 ft.
to dam in Louisa creek. On Rock creek opposite junction with Louisa
creek, about 1287 ft. N 15° E, from dam on Louisa creek.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other work by which water is conducted to such place of use.

Ans. Earth dam 12 ft. high, 110 ft. long at top and ditch known as
Bushman ditch. 6 inch iron pipe through dam, 35 feet long emptying into
said ditch, 2 feet wide at bottom, width at water line 5 ft., depth of water
1.5 ft. Length of ditch 3 miles. Capacity over 6 cubic feet.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigation and domestic use. 30 acres in SE 1/4 SW 1/4, 30 acres in
SW 1/4 SW 1/4, 35 acres in NE 1/4 SW 1/4, Sec. 30, T 7 S, R 2 W. B.M.

5 acres in NE 1/4 SE 1/4, 37 acres in S 1/4 NE 1/4, and 20 acres in SE 1/4 NW 1/4,
Sec. 25, T 7 S, R 3 W. B.M. All cultivated land and all under culti-
vation, mostly in timothy and clover.

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

Ans. 0

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

Ans. 1 inch to the acre for 147 acres and 2 inches per acre for
10 acres in SE 1/4 SW 1/4, Sec. 30, T 7 S, R 2 W. B.M.

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. Same person

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

Ans. Ever since issuing of permit have used all water available on above land.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed hereunder.

Ans. None

(Sign) Joseph Bachman

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Silver City,

Owyhee County of Idaho, on this 1st day of September,
A. D. 1914.

R. H. Leonard

Probate Judge



APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Idaho

1. Name of applicant: Jacob Bachman.

Postoffice address: Silver City,

County: Owyhee State: Idaho.

2. The quantity of water claimed is 6.4 cubic feet per second.

3. Source of water supply: Rock creek & Louisa Creek.
County of Owyhee.

4. Location of point of diversion: 3960' E. of cor. con. to 25 36 on Tp. line T. 7 S. B. M. thence S 33° to Dam in Louisa creek and on Rock creek opposite junction with Louisa creek about 1267' N. 15° E. from Dam on Louisa Cr.

5. To be used for:

I. Irrigation and domestic use:

(a) Amount of land to be irrigated: 320 acres.

(b) In the following legal subdivisions: SE 1/4 NW 1/4 & SE 1/4 NE 1/4, NE 1/4 SE 1/4 Sec. 30 T. 7 S. R. 2 W. B. M. and NE 1/4 NW 1/4, SE 1/4 SW 1/4 Sec. 30 and NE 1/4 NW 1/4 Sec. 31 in T. 7 S. R. 2

6. Estimated cost of work: \$2500.00

7. Description of work for diversion:

I. Kind of work: Ditch and Dam.

II. Dimensions of work:

(a) Height of dam 12 feet, length of dam at top 110 feet, length of dam at bottom 100 feet. Material used in construction: earth.

(d) Conduit 6" iron pipe through Dam 35' in. length. ditch, width at bottom 6.00 feet, width at water line 6 feet, depth of water 1.5 feet. Average grade per mile 0.00 feet. Length of conduit is 3 miles, and it crosses the following sections: SE 1/4 30 SW 30 NW 30 NE 31 unsurveyed T. 7 S. R. 2 W. B. M. NE 1/4 NW 1/4 Sec. 30 T. 7 S. R. 2 W. B. M. to land described in 5 I (b) above which point of intended use.

8. Time required for the completion of the construction of such work is 3 years.

9. Time required for the complete application of the water to the proposed use is 3 additional years.

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

Jacob Bachman,

Applicant.

APPROVAL OF STATE ENGINEER.

The number of this permit is 3396.

Date of first receipt of application 4.20 p.m. January 31, 1908.

Recorded in Book 10 Page 3396 Approved February 1, 1908.

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho and hereby grant the same, subject to the following limitations and conditions:

Work to begin on or before April 1, 1908, and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before August 1, 1909.

The whole of said work to be completed on or before February 1, 1911.

The time for proof of beneficial use of water appropriated in accordance herewith, to extend to February 1, 1914.

Witness my hand this first day of February 1908.

Jan. Stephenson, Jr.,
State Engineer.

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, NO. 3396.

Comes now Jacob Bachman, and represents to the State Engineer of the State of Idaho, that he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 3396, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

Southeast quarter of Northwest quarter (SE4 NW4), South half of Northeast quarter (S2 NE4), Northeast quarter of Southeast quarter (NE4 SE4), Section 25, Township 7 South, Range 3 West of Boise Meridian and the Southwest quarter (SW4) Section 30, Township 7 South, Range 2 West of Boise Meridian, making a total of 320 acres.

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Silver City, Idaho, this 25th day of March, 1912.

Jacob Bachman

Date of receipt at Office of State Engineer 9.00 a.m. Mar. 28, 1912.

APPROVAL OF STATE ENGINEER.

I, A. E. Robinson, State Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 3396. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby. Witness my hand this 1st day of April, 1912.

A. E. Robinson
State Engineer.

On proper request of the holder of the above numbered permit, I have this 21st day of January, 1914, extended the time for beneficial use of water thereunder to September 1st, 1914.

P. P. King,
State Engineer.

**RINGERT
CLARK**
CHARTERED
LAWYERS

COPY OF LETTER DATED 10/10/91, FROM, DICK
RINGERT SENT TO DON BARNHILL AFTER DITCH
IN DISPUTE WAS BLOCKED OFF BY DON BARNHILL.

July 14, 1992

William F. Ringert
D. Blair Clark
Andrew M. Harrington
James G. Reid
Jeffrey R. Christenson
James P. Kaufman
Laura E. Burri
David Hammerquist
Daniel V. Steenson

Samuel Kaufman (1921-1986)

Mr. Don Barnhill
c/o Carol P. Gilbert
Oreana Route
Murphy, ID 83650

Re: Water Rights - Rock Creek and Louisa Creek

Dear Mr. Barnhill:

Charles W. Steiner has consulted me regarding the distribution of water through the divider box immediately below the outlet of Triangle Reservoir. You are reported to be the person who removed the divider box, made a cut in the left-hand lateral, and filled the first 30 feet or so of the left hand lateral extending from the divider box.

It is reported to me that you are purchasing the ranch owned by Mrs. Carol P. Gilbert, which receives the water that is released from the Triangle Reservoir.

Mr. Steiner, his son John Steiner, and Lester Buck met with me on July 8 to discuss the situation and to explain the history and operation of the Triangle Reservoir. On July 10 I visited the Triangle Ranch and examined the Triangle dam and some of the main ditches on the Triangle Ranch, as well as the Bachman dam and reservoir on Louisa Creek.

Although I expect to obtain additional information regarding the dam and the ditches and the manner in which they have been operated, for purposes of the Snake River Basin Adjudication, I believe the information I obtained last week, together with a review of maps, aerial photographs, water licenses and notices of claims in the adjudication, is sufficient to conclude that you had no authority to remove the divider box and to cut the bank and then fill in the left-hand ditch, and that you will be liable to Mr. Steiner for the cost of rebuilding the divider box and clearing the ditch, and for crop loss resulting from loss of use of the water before the divider box is replaced and the ditch is cleared.

Based on that conclusion, I have advised Mr. Steiner to install a temporary facility of whatever nature he deems appropriate to properly divide the water that is being released from the Triangle Reservoir between his ranch and the ranch you are purchasing from Mrs. Gilbert.

Mr. Don Barnhill
July 14, 1992
Page 2

The Triangle Dam was constructed pursuant to a verbal agreement between Angelo Giusti, Mr. Steiner's predecessor in interest, and E. P. Lawrence, Mrs. Gilbert's predecessor in interest, in the fall and winter of 1964-1965. According to Mr. Buck, who owned a 10% interest in the Triangle Ranch and was a participant with Mr. Giusti in the agreement, the deal was that Mr. Lawrence would contribute \$65,000.00 toward construction of the dam, and the owners of Triangle Ranch would contribute the use of the land and would manage the construction. The agreement further provided that the storage capacity of the reservoir created by construction of the dam would be divided equally between the two ranches.

After the dam was constructed, Giusti and Buck installed the upper headgate and constructed a ditch extending from that headgate to the west, and they extended that ditch to join up with the old highline ditch that delivered water from Louisa Creek. It appears that the highline ditch might have been enlarged at that time, also.

At the time the Triangle dam was constructed, the Triangle Ranch already had established water rights with 1898 priority in Louisa Creek, and in Rock Creek/Louisa Creek with 1908 priority. The 1898 water right is for 3.0 cfs and includes 900 acre feet of storage, which probably has a later priority date, since the dam on Louisa Creek reportedly was not completed until about 1923 or 1924. The 1908 water right is for 3.14 cfs.

The ditches extending from the outlet of the Triangle Reservoir, or earlier versions of those ditches at approximately the same locations, were used to divert and distribute water under the 1898 and 1908 water rights. Mr. Charles Steiner and Mr. Buck informed me that, insofar as they know, the right-hand ditch was never a part of the delivery system for the Lawrence/Gilbert Ranch, and that water from Rock Creek for that ranch always has been diverted at the Hatten Dam near the west boundary line of Section 30, Township 7 South, Range 2 West, B.M. Water diverted through the two ditches that serve the 1898 and 1908 water rights, to the extent it was not consumed in irrigation on the Triangle Ranch, returned to the channel of Rock Creek and became part of the source of water for the portion of the Triangle Ranch below the Hatten Dam and for the irrigation of the Lawrence/Gilbert Ranch, under whatever flow rights might exist for that ranch.

It is my recollection that Mr. Buck told me that he and Mr. Giusti acquired the Triangle Ranch in the mid-1950's and that

MICROFILMED

SEP 29 1992

Mr. Don Barnhill
July 14, 1992
Page 3

during the entire time of his acquaintance with the ranch the owners of the Lawrence/Gilbert Ranch never did participate in the operation or maintenance of the right-hand ditch below the Triangle dam.

Apparently the basis for your removal of the divider box and blockage of the left-hand ditch is your theory that the Triangle Ranch is entitled to receive water from or through the Triangle dam only when the water level is high enough to supply water through the upper headgate. The theory ignores the fact that the agreement was that the stored water would be divided equally between the two ranches, and ignores the fact that under the 1898 and 1908 water rights the Triangle Ranch is entitled to divert 6.14 cfs at the outlet of the reservoir, because that outlet was substituted for the original points of diversion under those two water rights, when the original points of diversion were obliterated by the construction of the dam.

Also, your theory fails to recognize that the reservoir has been operated from the outset in accordance with the agreement that the water would be divided equally between the two ranches.

It seems to me that in the past the two ranches have been able to operate in a cooperative manner that serves the best interests of both. There probably is some efficiency available by carrying water in the right-hand ditch instead of in the channel of Rock Creek, to the backwaters of the Hatten Reservoir. Without taking into account the comparison of seepage loss from the creek channel as compared to ditch loss in the right-hand ditch, part of the water right for the Lawrence/Gilbert Ranch can be satisfied by return flow from the Triangle Ranch. Apparently these considerations and others were taken into account in the past, and they should be taken into account now. The past methods of operation avoided the necessity for such other technicalities as measuring the natural flow of Rock Creek and the natural flow, combined with storage release, from Louisa Creek, at the points where those waters enter the Triangle Reservoir. As far as I can tell those flows need to be taken into consideration at all times during the irrigation season, because the priorities of those water rights are earlier than the priority of any of the 1965 priorities established by construction of the Triangle Dam.

If you have some substantial evidence to refute what I have discussed above, please send it to me immediately for evaluation and analysis. In the meantime, this letter constitutes formal notice to you that the Triangle Ranch is entitled to the natural

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SEP 29 1992

Mr. Don Barnhill
July 14, 1992
Page 4

flow of Rock Creek and the natural flow and released storage of Louisa Creek, up to a maximum of 6.14 cfs, as well as one-half of the water stored in the Triangle Reservoir, all of which Mr. Steiner is entitled to divert into his two ditches at the outlet of the Triangle Reservoir. If you have a problem obtaining the amount of water to which the Lawrence/Gilbert Ranch is entitled under the agreement covering the Triangle Reservoir, this letter further constitutes formal notice to you to contact me so that efforts can be made to work out the problem, instead of violating Mr. Steiner's property rights by destroying his diversion works and cutting the low bank or filling in his ditch and thus depriving him of water which he is lawfully diverting into his ditches.

I am enclosing copies of Idaho Code § 18-4306 and Idaho Code § 18-7019, and I ask that you carefully analyze these statutes in evaluating your situation at the Triangle Reservoir. I ask you to consider, also, the fact that there is no written easement for whatever interest the Lawrence/Gilbert Ranch might have in the Triangle Dam and in the Triangle Reservoir, which indicates to me that under Idaho law the use of Triangle Ranch property for your interest in the dam and reservoir is under a license, and that license is subject to revocation by the landowner at any time after the holder of the license has had a reasonable opportunity to recover his investment in the facility. The Triangle Dam and Reservoir could very easily be at or near the end of the time period necessary for recovery of the investment.

Unless I hear from you on this matter by July 24, I will assume that you will make no further efforts to disrupt the distribution of water from the Triangle Reservoir and from Rock Creek, and that any differences you might have with Mr. Steiner regarding the legal ramifications of the situation will be handled in the Snake River Basin Adjudication.

Yours very truly,



W. F. Ringert

WFR:am
cc: Charles W. Steiner
John Steiner

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SEP 29 1992

REQUEST ^{LEAD 123 of 124} PAPER DOCUMENTS MADE & GIVEN TO DON
BARNHILL (750 COPIES) PICTURES HE CAME IN &
TOOK PICTURES OF OUR
PICTURES IN FILES.

COMPLETE (EVERY DOCUMENT, PICTURE, ETC.)
OF WATER RESOURCE BOARD FILES REGARDING
WATER FILINGS, RESERVOIR PERMITS, FILINGS &
WORK IN PROGRESS REPORTS, DEPARTMENT AND
PRIVATE COMMUNICATION ETC.

OF TRIANGLE RESERVOIR, AND RELATED WATER
FILINGS

WE REQUEST DOCUMENTATION IN DUPLICATE AND
~~THESE~~ COPIES OF FILE PHOTOS MADE OFF OF
THE FILE NEGATIVES (OR THE PHOTOS)
THEMSELVES - ACTUAL PHOTOS NOT PHOTO
COPIES OF THE PHOTOS; ALSO IN DUPLICATE

THIS REQUEST IS IN PREPARATION FOR
POSSIBLE LITIGATION AND IT IS IMPERATIVE
THAT ALL DOCUMENTS, PHOTOS, REPORTS AND
FILES BE REPRESENTED

Sincerely
J. E. Eismann

FOR RICHARD EISMANN ATTORNEY
NANPA 10A40

467 3100 if any questions
on

THIS REQUEST
REC'D 8/92.

8342383
DON BARNHILL

MICROFILMED
SEP 29 1992



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

May 22, 1992

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

CHARLES W STEINER
STAR ROUTE
OREANA ID 83659

RE: Claims filed in the Snake River Basin Adjudication

CLAIM NO'S. A55-02084, A55-02152A,
Dear Claimants: A55-02208A, A55-04150 - DWYHKE CO.

The Department of Water Resources will be conducting beneficial use and water right claim verification examinations in your area beginning in June. An examination is needed to verify your water use in order to issue a water right license and/or decree.

Information on your permit or claim which may need to be verified includes source of water, type of usage, amount of water used, number of acres irrigated, and legal descriptions of the point of diversion and/or place of use.

In order to expedite these field examinations, which need to be completed this summer in your area, we request that you contact our office at (208)334-2190 within two weeks to make an appointment at a time convenient for you. The amount of time required to conduct these exams depends on the number of water rights you have filed. An approximate time can be given when you call for an appointment.

Although it is not mandatory that you accompany the field examiner, it does insure that an accurate description of your system will be made. If either yourself, or someone familiar with the system, could accompany the examiner it would be appreciated.

In some cases, the date of priority claimed also needs to be verified. Letters were sent to some claimants notifying them that evidence of the date of first use of their water right(s) was required. If you received one of these letters and have questions, we can address those during our examination.

To make an appointment, or if you have any questions or problems with scheduling the exam, please contact one of the following water resource agents:

LINDA WERNER

KAY WALKER

RON HOWERTON

ROXANNE MCCARTHY

MICROFILMED

SEP 29 1992

SPECIALIZING IN
PUBLIC LAND LAWS
AFFECTING
HOMESTEAD, DESERT,
ENLARGED, GRAZING,
TIMBER, STONE, OIL
AND MINING CLAIMS

T. B. CHAPMAN
(25 YEAR GOVERNMENT LAND OFFICE)

APPLICATIONS
EXTENSIONS
DESIGNATIONS
APPEALS AND
FINAL PROOFS

PUBLIC LAND EXPERT

205 MCCARTY BUILDING
BOISE, IDAHO

October 5th 1929.

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

Dear Sir:-

Mr. Jacob Bachmann of Triangle, Idaho made desert entry
Boise, Idaho Serial 01275, with which he filed his ORIGINAL Citizen-
ship Naturalization papers. He informs me that he filed three copies
of said citizenship thereafter with this desert, and subsequent home-
stead filing under Boise serials 013946, 025415, and 025416.

So that the Department has sufficient evidence of his full
citizenship with these case and his ORIGINAL Certificate or evidence
of his naturalization may be returned.

Please return the original to him at Triangle, Owyhee Co., or
to me, for delivery to him, at Boise, Idaho, if all is found regular
so that it may be done, or advise me of any requirement necessary.

Very respectfully,

T. B. Chapman
P.O., Box #985.

12-01275-
013946
025415
025416
RECEIVED L.A.H. - B
OCT 26 1929

*original
naturalization papers*

Oct 9 1929

Department of the Interior,

United States Land Office BOISE, IDAHO,

D.L.No. 2896

Serial No. 01275

Receipt No. 910208

Fees \$ DESERT LANDS.

Comm. \$

Par. Mon. \$ 160.⁰⁰

Test. Fees \$

Initial Paymt. Per Mon. # 40.

Certificate.

July 8, 1912
(Date.)

It is hereby certified that, in pursuance of the act of Congress approved March 3, 1877, as amended by the act of March 3, 1891, entitled "An Act to provide for the sale of desert lands in certain States and Territories,"

JACOB BACHMAN, Orenana,

of Owyhee County, State of Idaho,
has purchased of the Register of this Office, and made payment in full for the land described as follows, to wit:

S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$,

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

Section 25

Township 7 South, Range 3 West, Boise Meridian,
Idaho, containing One hundred sixty Acres,

at the rate of \$1.25 per acre, amounting to Two hundred

Dollars and cents.

Now, therefore, be it known that, on presentation of this Certificate to the COMMISSIONER OF THE GENERAL LAND OFFICE, the said JACOB BACHMAN,

shall be entitled to receive a Patent for the land above described.

Register.

NOTE.—A duplicate of this Certificate is issued to the claimant as notice of the allowance of the entry by the Register and Receiver.

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.

APPROVED

subject to confirmation

By

6-1830

Mch 19, 1913

R. W. G.

Division

SEP 30 1912

RECORDED 9/17/12 OCT 2 1912

NOT COM. S. M.

Pat No 344509
JUNE 27 1913

Confirmed by the Board

June 13 1913

Clerk.

1912

DEPARTMENT OF THE INTERIOR

SERIAL No. 01275

United States Land Office.

Affidavit Supplementing Final Proof of D.L.E. No. 2896.

State of Idaho :
County of Owyhee :

SS.

Jacob Bachman, Lynn Bachman and Jack

Anderson, being severally sworn, each for himself deposes and says; that Jacob Bachman, is the person who made Desert Land Entry No. 2896, serial No. 01275, for the SE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, section 25, T. 7 South, R. 3 West, Boise Meridian; that affiants have personal knowledge of the lands contained in said entry; that all the permanent ditches and laterals have been constructed that are necessary for the irrigation of all the irrigable lands in said entry; that the main ditch conveying water to said entry has a capacity of about two and one-half (2 $\frac{1}{2}$) cubic feet of water per second, is two feet wide at the bottom, from three to three and one-half feet wide at the top, and said ditch is of an average depth of sixteen inches, and has a fall of three inches to each 100 feet; that five laterals have been constructed from said main ditch for the purpose of irrigating said lands in said entry contained; that the capacity of each of said laterals is about one cubic foot of water per second of time; that each of said laterals is one foot in width at the bottom thereof, two feet in width at the top, and is twelve inches deep; that said ditch and laterals will convey water sufficient for the irrigation of all the irrigable lands in said entry.

That on January 31st., 1908, said Jacob Bachman made application for a Permit to appropriate public waters of the State of Idaho, to wit: the waters of Rock and Louisa Creeks, in the amount of 6.4 cubic feet per second, for the purpose of irrigating the lands in said entry contained, and adjoining lands of the area of one hundred sixty (160) acres; that said Application is numbered 4789; that thereupon Permit No. 3396 was issued to said Jacob Bachman by the State Engineer of the State of Idaho, granting said Jacob Bachman the right to appropriate the amount of water applied for from said streams for use upon the lands described in said application, to wit: for use upon the lands embraced in the above entry and upon lands adjoining of the area of 160 acres; said Permit is of record in the office of the State Engineer of the State of Idaho and is hereby referred to; that under said permit said Jacob Bachman has priority by appropriation of the waters of said Rock and Louisa Creeks dating from Jan. 31, 1908, for use upon the lands described in said entry; that on the twelfth day of September, 1911, said Jacob Bachman made proof before the State Engineer of the State of Idaho, of the completion of works of diversion set out and described in the above mentioned application and Permit, and that thereupon a Certificate of Completion of Works was issued by said State Engineer to said Jacob Bachman stating that said works are adequate for diverting and conveying to the place of intended use, to wit: the lands above described, the amount of 6.4 second feet of the waters of said Rock and Louisa Creeks; that proof of the beneficial use of the waters thereby appropriated in accordance with said Permit is not due until Feb. 1, 1914; that said Jacob Bachman has in all respects complied with the terms of his said Permit, and is not in default with the State of Idaho therefor.

That said Jacob Bachman has first and prior right to all the waters of said Louisa Creek by actual diversion and user dating from 1892; that said Jacob Bachman, for the purpose of increasing the supply of water to be used for irrigating the lands in the above entry, has constructed a reservoir in said Louisa Creek of the storing capacity of sixteen acre feet; that said Jacob Bachman, by virtue of actual diversion and use dating from 1892, and by virtue of his filing with the State Engineer of the State of Idaho, dating from January 31st, 1908, owns and controls, and has a clear right to, sufficient water to properly and permanently irrigate all the irrigable lands in the above described entry and that said water is appurtenant to said entry and is being actually used in the irrigation thereof.

Jacob Bachman

Lynn Bachman.

Jack Anderson

I hereby certify that the foregoing affidavit was read by each of said affiants in my presence before said affiant affixed signature thereto; that each of said affiants is to me personally known, and that I verily believe that each of said affiants is a credible witness an the identical person hereinbefore described; that the above affidavit was subscribed and sworn to by each of said affiants, separately, before me at my office in Silver City, Idaho, within the Boise Land District, this 17th. day of June, 1912.

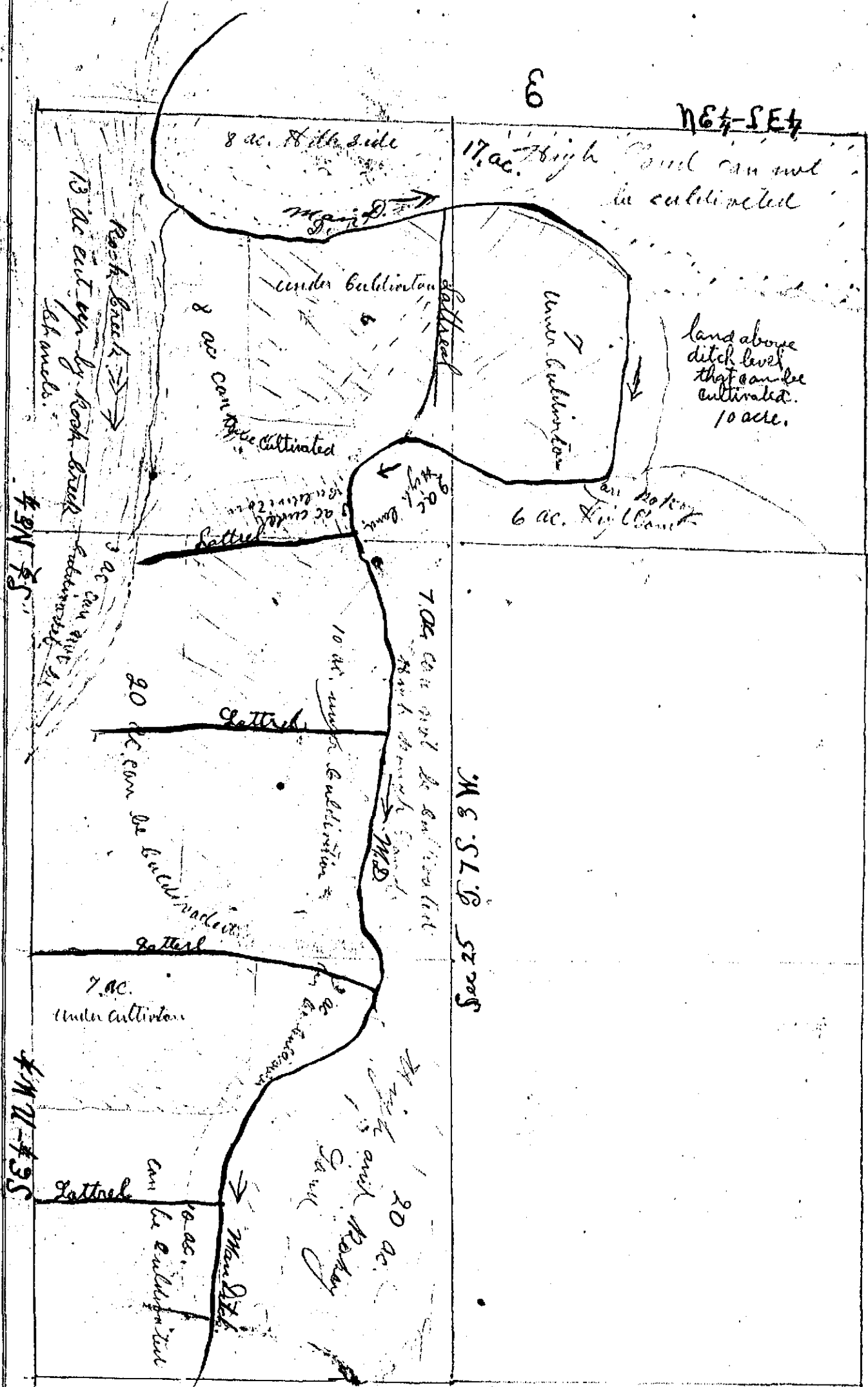
J. R. Farr
.....
Probate Judge.

JUN 18 1912

SERIAL No. 01275

8

N 8 1/4 - S E 1/4



Sec 25 T. 7 S. R. 3 W.

N 1/4 - S 1/4

W

JUL 8 1912

SERIAL No. 01275

No. 4789

A P P L I C A T I O N F O R P E R M I T

To Appropriate the Public Waters of the State of Idaho.

1. Name of applicant: Jacob Bachman,
Postoffice address: Silver City,
County: Owyhee State: Idaho
2. The quantity of water claimed is 6.4 cubic feet per second.
3. Source of water supply: Rock creek & Louisa Creek.
County of Owyhee.
4. Location of point of diversion: 3960' E. of cor. com. to 25 36
on Tp. line T. 7 S. R. 3 W. B. M. thence S 330' to Dam in Louisa
Creek and ^{on} Rock creek opposite junction with Louisa creek about
1287' N.15° E. from Dam on Louisa Cr.
5. To be used for:
 - I. Irrigation and domestic use:
 - (a) Amount of land to be irrigated: 320 acres.
 - (b) In the following legal subdivisions: SE $\frac{1}{4}$ NW4 & S2 NE4,
NE4 SE4 Sec. 25 T. 7 S. R. 3 W. B. M. and N2 SW4, SE4
SW4 Sec. 30 and NE4 NW4 Sec. 31 in T. 7 S. R. 2 W. B.M.

6. Estimated cost of works: \$2500.00

7. Description of works for diversion:

I. Kind of works: Ditch and Dam

II. Dimensions of works:

(a) Height of dam 12 feet, length of dam at top 110 feet, length of dam at bottom... feet. Material used in construction: earth.

(d) Conduit 6" iron pipe through Dam 35' in length... ditch., width at bottom 4 feet, width at water line 5 feet, depth of water 1.5 feet. Average grade per mile is 5.28 feet. Length of conduit is 3 miles, and it crosses the following quarter sections: SE4 30 SW 30 NW 30 NW 31 unsurveyed T. 7 S. R. 2 W. B. M. SE4 NE4 SW4 NW4 Sec. 25 T. 7 S. R. 3 W. B. M. to land described in 5 I (b) above which is the point of intended use.

8. Time required for the completion of the construction of such work is 3 years.

9. Time required for the complete application of the water to the proposed use is 3 additional years.

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

Jacob Bachman,

Applicant.

6. Estimated cost of works: \$2500.00

7. Description of works for diversion:

I. Kind of works: Ditch and Dam

II. Dimensions of works:

(a) Height of dam 12 feet, length of dam at top 110 feet
length of dam at bottom... feet. Material used in construction: earth.

(d) Conduit 6" iron pipe through Dam 35' in length...
ditch.., width at bottom 4 feet, width at water line
5 feet, depth of water 1.5 feet. Average grade per
mile is 5.28 feet. Length of conduit is 3 miles,
and it crosses the following quarter sections: SE4
30 SW 30 NW 30 NW 31 unsurveyed T. 7 S. R. 2 W. B. 1
SE4 NE4 SW4 NW4 Sec. 25 T. 7 S. R. 3 W. B. M. to la
described in 5 I (b) above which is the point of in
tended use.

8. Time required for the completion of the construction of such
work is 3 years.

9. Time required for the complete application of the water to the
proposed use is 3 additional years.

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

Jacob Bachman,

Applicant.

APPROVAL OF STATE ENGINEER.

The number of this permit is 3396.

Date of first receipt of application 4.20 p.m. January 31, 1908

Recorded in Book 10 Page 3396 Approved February 1, 1908.

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho and hereby grant the same, subject to the following limitations and conditions:

Work to begin on or before April 1, 1908, and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before August 1, 1909.

The whole of said work to be completed on or before February 1, 1911.

The time for proof of beneficial use of water appropriated in accordance herewith, to extend to February 1, 1914.

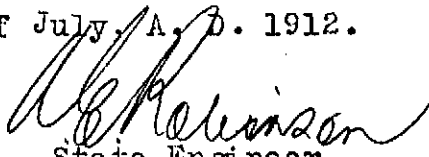
Witness my hand this first day of February, 1908.

Jas. Stephenson, Jr.,
State Engineer.

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

I, A. E. Robinson, the duly appointed, qualified and acting State Engineer of the State of Idaho, hereby certify the above and foregoing to be a full, true and correct copy of Permit to appropriate the public waters of the State of Idaho, No. 3396, as the same appears of record in the office of the State Engineer in Book 10 of Permits at Page 3396.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of my office at Boise, Idaho, this fifth day of July, A. D. 1912.


State Engineer

JUN 3 1912

In the District Court of Valley County, Nebraska, March Term A.D. 1896.

Present: Hon. John R. Thompson Sole Judge SERIAL No. 01275
V. Kokes, Clerk Adam Smith, Sheriff. DE. 2896

Date March 9th 1896.

Jacob Bachmann a Native of Switzerland and at present residing within said State, appeared in open Court, and made application to be admitted to become a CITIZEN OF THE UNITED STATES, and it appearing to the satisfaction of the Court, that he had declared on oath, before John Allan, Clerk of the District Court for Hall County, Nebraska, a Court of Record, having common law jurisdiction, and using a seal, two years at least before his admission, that it was bona-fide his intention to become a citizen of the United States, and to renounce forever all allegiance to any foreign Prince, Potentate, State or Sovereignty whatsoever, and particularly to the Government of Switzerland of which he was heretofore a subject and said applicant having declared on oath, before this Court, that he will support the Constitution of the United States, and that he doth absolutely and entirely renounce and abjure all allegiance and fidelity to every foreign Prince, Potentate, State or Sovereignty whatsoever, and particularly to the Power above named. The Court being satisfied that said applicant has resided within the United States for the term of five years next preceding his admission, without being at any time during the said five years out of the territory of the United States, and within this State one year at least, and it further appearing to the satisfaction of this Court, that during that time he has behaved as a man of good moral character, attached to the principles of the Constitution of the United States, and well disposed to the good order and happiness of the same.

Whereupon, it is Ordered by the Court, That the said Jacob Bachmann be and he is hereby admitted to become a citizen of the United States.

Read, approved, and signed in open Court, this 9th day of March 1896.

.....
Judge 11 Judicial District of
Nebraska.

The State of Nebraska,) ss.
Valley County.)

I, L. R. Bright, Clerk of the District Court in and for said County, do hereby certify that the above is a true and correct copy of the Certificate of Naturalization of Jacob Bachmann as the same appears in the records of my office.

Witness my hand and official seal at Ord, Nebraska, this 27th day of May, 1912.

L. R. Bright
Clerk of the District Court.

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Twp 2

23

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28

Twp 7 S. R. 2 W. 8 M

T 7 S. R 3 W 8 M

Rock Creek

main ditch

Lauren Creek

29

30

31

32

33

34

35

36

37

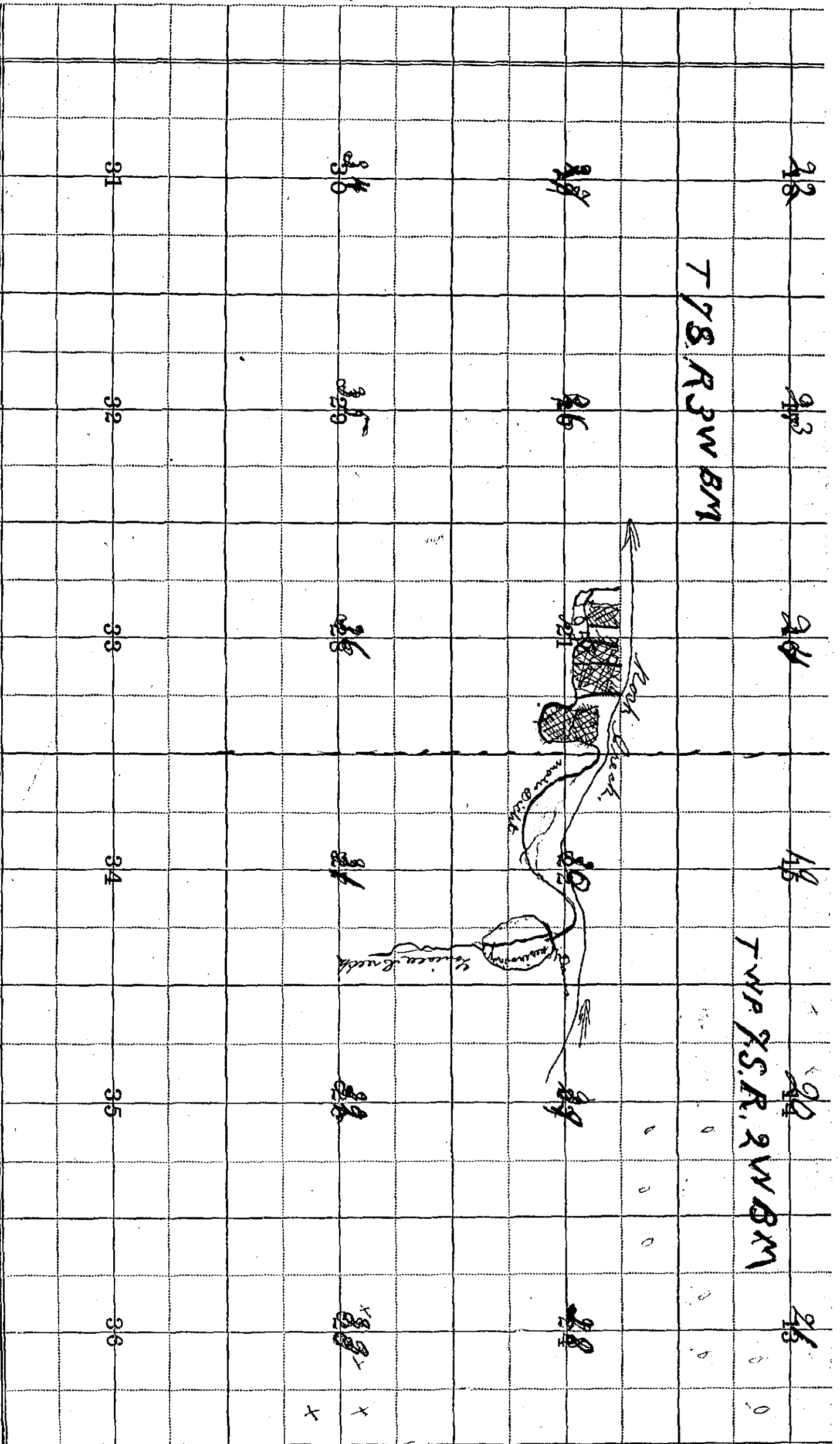
38

39

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x

x



SERIAL NO. 01275

FILED
JUN 27 1916

Township No.

Range No.

4
3
2
1

6

6

7

7

8

9

TWP 2

10

11

12

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2

1

WB-RS.

Boise, Idaho.

May 29, 1912.

Mr. Jacob Bachman,

Oreana, Idaho.

Dear Sir:

This office is in receipt of final proof offered by you on your D. L. E. No. 2896, Serial No. 01275.

The proof is defective in some particulars and must be supplemented by some further evidence.

In the first place, neither you nor your witnesses give the capacity of your ditches nor do you state whether all the permanent ditches and laterals have been constructed that are necessary for irrigation of all the irrigable land in the entry.

It is therefore necessary for you to go before the Probate Judge or come before this office with two witnesses and make an affidavit fully setting forth the facts with respect to the ditches and laterals, showing, if such be the case, that all those needed have been constructed.

Furthermore, the affidavit must show that these ditches and laterals will convey the water for the irrigation of all the irrigable land in the entry.

The proof does not give the amount of water to which you are entitled and your affidavit must fully set this forth.

01275.

The map you have furnished will not serve the purpose. It is necessary to have a map prepared showing the land on a large scale. This map must be drawn approximately to scale. It must show all the main ditches and all the laterals. There must be indicated upon it all the areas of high land, giving the acreage, likewise the area of cultivated land

You state in your proof that you hold the water for the entry by prior appropriation. There is nothing whatever to show when you made this appropriation. If the appropriation were made since the enactment of the State law governing water rights, then you must show that you have a filing with the State Engineer. This must show that you have a permit and that you are not in default with the State.

If the appropriation were made prior to the enactment of the State law and by filing with the County Recorder, then an abstract of title from the County Recorder must be furnished.

You have thirty days within which to comply with these requirements.

I have to suggest, in connection with this matter, that it may be wise for you to secure the services of a competent attorney to prepare your water right and the necessary additional evidence.

The proof cannot go through unless it be perfected in the manner indicated, and as some of these matters are

01275.

often complicated, it is wise to have them handled by some one familiar with the rules on the subject.

We understand you have sent for a certified copy of your naturalization and assume it will arrive in due time.

Yours truly,

Register.

MAY 27 1918

4-372 a.

Form approved by the Secretary of the Interior, May 29, 1908.

DEPARTMENT OF THE INTERIOR.

DESERT-LAND ENTRY.

U. S. LAND OFFICE,

Boise, Idaho.

SERIAL No. 01275

DE. # 2896.

FINAL PROOF. RECEIPT No. 910208

TESTIMONY OF CLAIMANT.

QUESTION 1. State your name, age, residence, occupation, and post-office address.

ANSWER. J. C. Backman, 46 yrs. Rancher,
Orama, Idaho

QUESTION 2. Are you a native-born citizen of the United States, and if so, in what State or Territory were you born, and of what State or Territory are you now a resident citizen?

(If foreign born, certified copy of naturalization certificate must be filed with this proof.)

ANSWER. No. Am a resident citizen of Idaho

QUESTION 3. Give the number and date of the Desert-land Entry, and describe the land for which this proof is made.

ANSWER. 2896. Jan. 20th 1908. S¹/₂ NE¹/₄ SE¹/₄ NW¹/₄
+ NE¹/₄ SE¹/₄ Sec. 26; T7S. R3W. B3M

QUESTION 4. State its situation, the character of the soil, its proximity to water, and what natural streams, springs, or bodies of water are upon or pass through or adjoin it. And if any, do the streams or springs afford natural irrigation? State whether paying crops of any kind have been raised on any part of such land without artificial irrigation.

ANSWER. Rock Creek, Cuyler County, Idaho. Sandy
loam. Rock Creek runs through it. Rock Creek,
No. 7M

QUESTION 5. Do you own and control, or have a clear right to, the use of water sufficient to irrigate the whole of said land and for keeping the same permanently irrigated?

ANSWER. Yes

QUESTION 6. State the source and volume of the water supply, how acquired by you, and how maintained, and at what cost.

(Record evidence of the claimant's right to the use of the water, or other satisfactory evidence, in accordance with local laws, must be furnished.)

ANSWER. Swiss Creek. By priority of appropriation.
Annual use, \$1500

QUESTION 7. State from personal knowledge whether such water has been conducted during any one season upon all the irrigable area of the land for which this proof is made, and whether same has been irrigated and reclaimed from its desert condition to such an extent that it will produce an agricultural crop, or a paying crop of hay.

ANSWER. No.

QUESTION 8. State also the number, dimensions, and carrying capacity of the main ditch or ditches, and also of all the ditches on each legal subdivision of the land which are used in irrigating same; also the cost of the dams and ditches and the amount expended in the aggregate, in compliance with the legal requirements.

(If an expenditure of \$3 per acre of the area of said land has not been shown by annual proofs, an itemized statement of expenditures must be furnished.)

ANSWER. One. 18-15 20 in an bottom, 3 feet on top.
18 in deep. 5 laterals. 1 ft by 1 ft. by 2 ft.
Expended about \$2000

QUESTION 9. State whether you have seen water distributed through and by means of said ditches over all the irrigable area in each legal subdivision for which this proof is made with a view to the proper reclamation thereof, and if so, state the dates when each distribution was made, and the quantity of water per acre used, and the time occupied in making the same, in each and every year.

ANSWER. *Over portions of each subdivision.*

During the irrigation season of - 1909-1910 & 1911. From May 1st to Aug. 1st

QUESTION 10. If there are any high points or uneven surfaces not susceptible of practicable irrigation, state definitely the nature, extent, and aggregate area of same, and the proportion thereof in each legal subdivision of the entry. State whether any entire legal subdivision is not susceptible of irrigation.

ANSWER. *High rocky land. SE $\frac{1}{4}$ NW $\frac{1}{4}$, 20 acres in Southern part. SW $\frac{1}{4}$ NE, 8 acres, Southern part SE $\frac{1}{4}$ NE $\frac{1}{4}$, 25 acres. NE part, NE $\frac{1}{4}$ SE $\frac{1}{4}$, 20 acres. E part*

QUESTION 11. Has any portion of the land been cultivated by actual tillage of the soil? If so, state definitely the number of acres thus tilled, and describe generally the tillage, and briefly state its time, its object, and its result.

ANSWER. *Yes, 29 acres. Plowed, harrowed and seeded. - 1909-1910-1911. To reclaim land and grow crops raised*

QUESTION 12. Has an agricultural crop of any kind other than wild hay been planted or produced on any portion of the land? If so, state the kind of crop planted or raised, the average quantity per acre, and the number of acres employed in the planting and growth of said crop.

ANSWER. *Yes, grain hay, 2 1/2 tons per acre. 29 acres.*

QUESTION 13. If an agricultural crop of any kind can not be produced on one-eighth portion of the land, by actual tillage of the soil, state whether a crop of wild hay of merchantable value has been raised upon said land as a result of actual irrigation, and state the area on which it was raised and the quantity produced per acre.

ANSWER. *Crops can and have been raised on more than one eighth of entry*

QUESTION 14. If there has been no actual tillage of the soil, or no agricultural crop planted or produced, state what climatic conditions adverse to successful agriculture, if any, are prevalent in the region in which this land is located. State fully the effect of such conditions on agriculture.

ANSWER. *No adverse climatic conditions.*

QUESTION 15. If in your judgment actual tillage of the soil would injure or destroy its productive qualities, state definitely your reasons for believing that injury or destruction would result from actual tillage.

ANSWER.

Tillage will not destroy productive qualities of soil

QUESTION 16. If paying crops of any kind have been raised on land adjacent to, or in the vicinity of, said land, without artificial irrigation, describe the same and state the year or years of cultivation, the kind of crop and quantity raised per acre and the conditions which made the production of such crops possible.

ANSWER.

No crops have been raised without artificial irrigation

QUESTION 17. Has any coal or other minerals been discovered on said land, or is any coal or mineral known to be contained therein?

ANSWER.

No

QUESTION 18. Are there any indications of coal, salines, or minerals of any kind on said land? If so, describe what they are.

ANSWER.

No

QUESTION 19. Have you the sole and entire interest in the land for which this proof is made and in the right to the water sufficient to continuously irrigate the same?

ANSWER.

Yes

QUESTION 20. Has any other person, individual, company, or corporation any interest whatever in said land or water appropriation? If so, give the name, residence, and occupation of each such person, the name, business, and locality of any such corporation or company, and the nature, amount, and extent of such interest.

ANSWER.

No

QUESTION 21. Have you made any other desert-land entry, or has any other land embraced in any desert-land entry, in whole or in part, been assigned to you, or have you any interest, direct or indirect, in any other entry under the desert-land act?

ANSWER.

No

QUESTION 22. Describe by legal subdivisions and by number, kind of entry, and office where made, any other entry or filing (not mineral), made by, or assigned in whole or in part to, you since August 30, 1890.

ANSWER.

No entry

*QUESTION 23. If this proof is not submitted within four years from date of entry, state the reason for the failure to make proof within said period.

ANSWER.

The difficulty of myself and witnesses getting out to make proof and back again on account of depth of snow in mountains.

Jacob Bachman
(Sign here, with full Christian name.)

NOTE.—Every person swearing falsely to the above deposition will be punished as provided by law for such offense. (See Sec. 5392 R. S., over.)

*NOTE.—A correct diagram, showing the location of all ditches and improvements, must be furnished with this proof.

I HEREBY CERTIFY that the foregoing deposition was read to or by deponent in my presence before deponent affixed signature thereto; that deponent is to me personally known (or has been satisfactorily identified before me by _____);

(Give full name and post-office address.)

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 Liberty, Cowley County, Iowa, within the Davis land district, this 24th day of May, 1912

J. S. Hear
Parish Judge
(Official designation of officer.)

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, wilfully 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 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 Sec. 1750.)

NOTE.—In addition to the above penalty, every person who knowingly or willfully in anywise procures the making or presentation of any false or fraudulent affidavit pertaining to any matter within the jurisdiction of the Secretary of the Interior may be punished by fine or imprisonment.

[4-372 a.]

4-372 a.

DESERT-LAND ENTRY.

U. S. LAND OFFICE,

NO.

FINAL PROOF.

TESTIMONY OF CLAIMANT.

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NOTATION OF ACTION.

(space below for use in GENERAL LAND OFFICE only.)

Printed by G. P. O. : 1908. Plate-10-08

MAY 27 1912

4-373 a.

Form approved by the Secretary of the Interior, June 15, 1908.

DEPARTMENT OF THE INTERIOR.

DESERT-LAND ENTRY.

Boise, Idaho.

SERIAL No. 01275

U. S. LAND OFFICE,

No.

FINAL PROOF.

TESTIMONY OF WITNESS.

QUESTION 1. State your name, age, residence, occupation, and post-office address.

ANSWER.

George Buchman, 42 yrs. rancher
Orama, Idaho.

QUESTION 2. Are you acquainted with

Jacob Buchman,
who offers proof for land embraced in Desert-land Entry, No. 2896,
made on the 20th day of January, 1908, upon
S¹/₂ NE¹/₄ SE¹/₄ NW¹/₄ & NE¹/₄ SE¹/₄ Sec. 25, T¹/₂ S. R³/₄ W. B³/₄ N.;
how long have you known him, and where does he now reside?

ANSWER.

Yes. All my life. Orama Idaho

QUESTION 3. Have you personal knowledge of this land? State its situation, the character of the soil, its proximity to water, and what natural streams, springs, or bodies of water are upon or pass through or adjoin it; and if any, is any part of the claim naturally irrigated by such stream or spring? State whether paying crops of any kind have been raised on any part of such land without artificial irrigation.

ANSWER.

Yes. Situated on Rock Creek Canyon
County Idaho. Very sandy soil. Rock Creek runs
through it. Rock Creek. No. No.

QUESTION 4. Does the entryman own and control, or have a clear right to, water sufficient to properly and permanently irrigate all the irrigable land for which this proof is made?

ANSWER.

Yes.

QUESTION 5. State the source and volume of the water supply, how acquired, and how maintained.

ANSWER.

James Creek 6.4 second ft.

State of Idaho. Right of way

QUESTION 6. Has water been conducted upon the irrigable land for which this proof is made so as to irrigate and reclaim the same from its former condition to such an extent that it will produce an agricultural crop? If so, give the number, dimensions, and capacity of the main ditch or ditches, and also of all the ditches on each legal subdivision of the land which are used in irrigating the same, and the amount expended in complying with the legal requirements.

(If an expenditure of \$3 per acre of the area of said land has not been shown by annual proofs, an itemized statement of expenditures must be furnished.)

ANSWER.

Yes. One main ditch, 18x20 inches
on bottom. 18 in. deep. 3 ft on top. 5 laterals.
1 ft by 1 ft by 2 ft. Amt. expended \$2500.00

DEPARTMENT OF THE INTERIOR.

DESERT-LAND ENTRY.

SERIAL No. 01275U. S. LAND OFFICE, Boise, Idaho, No. _____

FINAL PROOF.

TESTIMONY OF WITNESS.

QUESTION 1. State your name, age, residence, occupation, and post-office address.

ANSWER. Arthur B. Leonard, 33 yrs. Rancher
Armana, IdahoQUESTION 2. Are you acquainted with Jacob Bachman,
who offers proof for land embraced in Desert-land Entry, No. 2896,
made on the 20th day of January, 1908, upon
S¹/₂ NE¹/₄, SE¹/₄ NW¹/₄ & NE¹/₄ SE¹/₄ Sec 25, T¹/₂S. R³W. B¹N.
how long have you known him, and where does he now reside?ANSWER. Yes. 6 yrs. Armana, Idaho.

QUESTION 3. Have you personal knowledge of this land? State its situation, the character of the soil, its proximity to water, and what natural streams, springs, or bodies of water are upon or pass through or adjoin it; and if any, is any part of the claim naturally irrigated by such stream or spring? State whether paying crops of any kind have been raised on any part of such land without artificial irrigation.

ANSWER. Yes. Situated on Rock Creek, Owyhee County,
Idaho, sandy loam, Rock Creek runs through it,
Rock Creek. No. No.

QUESTION 4. Does the entryman own and control, or have a clear right to, water sufficient to properly and permanently irrigate all the irrigable land for which this proof is made?

ANSWER. Yes.

QUESTION 5. State the source and volume of the water supply, how acquired, and how maintained.

ANSWER. Lower Creek. From a large stream is
almost nothing. By prior appropriation.
By annual use

QUESTION 6. Has water been conducted upon the irrigable land for which this proof is made so as to irrigate and reclaim the same from its former condition to such an extent that it will produce an agricultural crop? If so, give the number, dimensions, and capacity of the main ditch or ditches, and also of all the ditches on each legal subdivision of the land which are used in irrigating the same, and the amount expended in complying with the legal requirements.

(If an expenditure of \$3 per acre of the area of said land has not been shown by annual proofs, an itemized statement of expenditures must be furnished.)

ANSWER. Yes. Our main ditch, dimensions 2 ft an
bottom, 10 in deep, 3 ft an top. 5 laterals, 1 ft by
1 ft by 2 ft. Am^t expended \$1500.⁰⁰

QUESTION 7. Have you seen water distributed through and by means of said ditches over all the irrigable area on each legal subdivision of the land? State the dates when each distribution took place, the duration thereof, and the quantity of water per acre used.

ANSWER. Yes. Season of 1911 - At intervals often enough to raise paying crop. About one inch per acre

QUESTION 8. If there are any high points or uneven surfaces not susceptible of practicable irrigation, state definitely the nature, extent, and aggregate area of same, and the proportion thereof in each legal subdivision. Is any entire legal subdivision not susceptible of irrigation?

ANSWER. High rocky land, 10 acres, in Eastern part of SE $\frac{1}{4}$ NE $\frac{1}{4}$, 15 acres, Eastern part NE $\frac{1}{4}$ SE $\frac{1}{4}$, 6 acres Southern SW $\frac{1}{4}$ NE $\frac{1}{4}$, and 20 Southern part SE $\frac{1}{4}$ NW $\frac{1}{4}$, N.

QUESTION 9. Has any portion of the land been cultivated by actual tillage of the soil? If so, state definitely the number of acres thus tilled, and describe generally the tillage, and briefly state its time, its object, and its result.

ANSWER. Yes. 30 acres. Plowing and sowing grain, 1910-1911 & 1912, to raise hay and grain and crops grown

QUESTION 10. Has an agricultural crop of any kind other than wild hay been planted or produced on any portion of the land? If so, state the kind of crop planted or raised, the average quantity per acre, and the number of acres employed in the planting and growth of said crop.

ANSWER. Yes, grain hay about 3 tons per acre 1911, about 25 acres.

QUESTION 11. If an agricultural crop of any kind can not be produced on one-eighth portion of said land, by actual tillage of the soil, state whether a crop of wild hay of merchantable value has been raised upon any part of said land as a result of actual irrigation, and state the area on which it was raised and the quantity produced per acre.

ANSWER. Hay can and has been tilled

QUESTION 12. If there has been no actual tillage of the soil, or no agricultural crop planted or produced, state what climatic conditions adverse to successful agriculture, if any, are prevalent in the region in which this land is located. State fully the effect of such conditions on agriculture.

ANSWER. There are no ^{adverse} climatic conditions

QUESTION 13. If in your judgment actual tillage of the soil would injure or destroy its productive qualities, state definitely your reasons for believing that injury or destruction would result from actual tillage.

ANSWER. Tillage will not be destructive

QUESTION 14. If paying crops of any kind have been raised on any lands adjacent to, or in the vicinity of, said land, without artificial irrigation, describe the same and state the year or years of cultivation, the kind of crop and quantity raised per acre and the conditions which made the production of such crops possible.

ANSWER.

None have been raised

QUESTION 15. Has any coal or other minerals been discovered on said land, or is any coal or mineral known to be contained therein? Are there any indications of coal, salines, or minerals of any kind on said land? If so, describe what they are.

ANSWER.

No

QUESTION 16. Have you any interest, direct or indirect, in this entry or in the land covered thereby, or in the water supply used in its irrigation?

ANSWER.

No

George Bachman
(Sign here, with full Christian name.)

NOTE.—Every person swearing falsely to the above deposition will be punished as provided by law for such offense. (See Sec. 5392 R. S., below.)

I HEREBY CERTIFY that the foregoing deposition was read to or by deponent in my presence before deponent affixed signature thereto; that deponent is to me personally known (or has been satisfactorily identified

before me by _____);
(Give full name and post-office address.)

that I verily believe deponent to be a credible witness and the identical person hereinbefore described, and that said deposition was duly subscribed

and sworn to before me, at my office, in *Ripon City*,
(Town.)

Cuyahoga County within the _____
(County and State.)

Barber land district, this *24th* day
of *May*, 19*12*

J. S. Herr.
Probate Judge
(Official designation of officer.)

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, wilfully 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 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 Sec. 1750.)

NOTE.—In addition to the above penalty, every person who knowingly or willfully in anywise procures the making or presentation of any false or fraudulent affidavit pertaining to any matter within the jurisdiction of the Secretary of the Interior may be punished by fine or imprisonment.

QUESTION 7. Have you seen water distributed through and by means of said ditches over all the irrigable area on each legal subdivision of the land? State the dates when each distribution took place, the duration thereof, and the quantity of water per acre used.

ANSWER. *Yes. Irrigation season of 1910*

1911.

About one inch per acre

QUESTION 8. If there are any high points or uneven surfaces not susceptible of practicable irrigation, state definitely the nature, extent, and aggregate area of same, and the proportion thereof in each legal subdivision. Is any entire legal subdivision not susceptible of irrigation?

ANSWER. *High land, southern part of SE¹/₄ NW¹/₄, 15 acres*

SW¹/₄ NE¹/₄, southern part 6 acres, SE¹/₄ NE¹/₄, eastern part, 7 acres, and NE¹/₄ SE¹/₄ 35 acres.

710

QUESTION 9. Has any portion of the land been cultivated by actual tillage of the soil? If so, state definitely the number of acres thus tilled, and describe generally the tillage, and briefly state its time, its object, and its result.

ANSWER.

Yes, 28 or 29 acres, plowing, harrowing and seeding, 1910-1911-1913, W. raised hay, produced good crops

QUESTION 10. Has an agricultural crop of any kind other than wild hay been planted or produced on any portion of the land? If so, state the kind of crop planted or raised, the average quantity per acre, and the number of acres employed in the planting and growth of said crop.

ANSWER.

Yes. Grain hay, 2 tons per acre about 25 acres

QUESTION 11. If an agricultural crop of any kind can not be produced on one-eighth portion of said land, by actual tillage of the soil, state whether a crop of wild hay of merchantable value has been raised upon any part of said land as a result of actual irrigation, and state the area on which it was raised and the quantity produced per acre.

ANSWER.

More than 1/8 portion has been tilled and a crop raised

QUESTION 12. If there has been no actual tillage of the soil, or no agricultural crop planted or produced, state what climatic conditions adverse to successful agriculture; if any, are prevalent in the region in which this land is located. State fully the effect of such conditions on agriculture.

ANSWER.

No adverse climatic conditions

QUESTION 13. If in your judgment actual tillage of the soil would injure or destroy its productive qualities, state definitely your reasons for believing that injury or destruction would result from actual tillage.

ANSWER.

Tillage will not destroy productive qualities

QUESTION 14. If paying crops of any kind have been raised on any lands adjacent to, or in the vicinity of, said land, without artificial irrigation, describe the same and state the year or years of cultivation, the kind of crop and quantity raised per acre and the conditions which made the production of such crops possible.

ANSWER.

No crops have been raised without artificial irrigation

QUESTION 15. Has any coal or other minerals been discovered on said land, or is any coal or mineral known to be contained therein? Are there any indications of coal, salines, or minerals of any kind on said land? If so, describe what they are.

ANSWER.

No. No.

QUESTION 16. Have you any interest, direct or indirect, in this entry or in the land covered thereby, or in the water supply used in its irrigation?

ANSWER.

No

Arthur B. Corlett

(Sign here, with full Christian name.)

NOTE.—Every person swearing falsely to the above deposition will be punished as provided by law for such offense. (See Sec. 5392 R. S., below.)

I HEREBY CERTIFY that the foregoing deposition was read to or by deponent in my presence before deponent affixed signature thereto; that deponent is to me personally known (~~or has been satisfactorily identified~~

~~before me by~~ _____);

(Give full name and post-office address.)

that I verily believe deponent to be a credible witness and the identical person hereinbefore described, and that said deposition was duly subscribed

and sworn to before me, at my office, in *Silver City*,

(Town.)

Cheyenne County, Idaho within the _____

(County and State.)

Primer land district, this *24th* day

of *May*, 19*12*

J. S. Haver

Probate Judge

(Official designation of officer.)

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, wilfully 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 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 Sec. 1750.)

NOTE.—In addition to the above penalty, every person who knowingly or wilfully in anywise procures the making or presentation of any false or fraudulent affidavit pertaining to any matter within the jurisdiction of the Secretary of the Interior may be punished by fine or imprisonment.

NOTICE FOR PUBLICATION.

(REGISTER.)

Silver City Nugget.

DEPARTMENT OF THE INTERIOR,

U. S. LAND OFFICE at Boise, Idaho.

February 24, 1912.

NOTICE is hereby given that Jacob Bachman, of
Oreana, Idaho, who, on January 20, 1908, made
Desert Land Entry No. 2896, Serial (Kind of application or entry.), No. 01275, for
S¹/₂ NE¹/₄, SE¹/₄ NW¹/₄, and NE¹/₄ SE¹/₄, Section 25,
Township 7 South, Range 3 West, Boise Meridian,
has filed notice of intention to make Final (If homestead, insert "five year" or "commutation," as case may be.)
Proof, to establish claim to the land above described, before
F. S. Heer, Probate Judge, at
Silver City, Idaho, on the 24th day of
May, 1912.

Claimant names as witnesses:

Arthur B. Corlett, of Oreana, Idaho;
George Bachman, of Oreana, Idaho;
James Joyce, of Murphy, Idaho;
Mathew Joyce, of Murphy, Idaho.

William Bolderston.

Register.

CERTIFICATE AS TO POSTING OF NOTICE.

Boise, Ida. May 28, 1912

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 94
days, having first posted said notice on the 24th day of
February, 1912

Wm Bolderston

Register.

NOTICE FOR PUBLICATION.

(REGISTER.)

18TH FIELD DIVISION
Silver City, N.M.

RECEIVED

DEPARTMENT OF THE INTERIOR,

FEB 26 1912

U. S. LAND OFFICE at Boise, Idaho.

Salt Lake City, Utah.

February 24, 1912.

NOTICE is hereby given that Jacob Bachman, of
Oreana, Idaho, who, on January 20, 1908, made
Desert Land Entry No. 2896, Serial 01275, for
(Kind of application or entry.)
S1 NE1, SE1 NW1, and NE1 SW1, Section 25,
Township 7 South, Range 3 West, Boise Meridian,
has filed notice of intention to make Final
(If homestead, insert "five year" or "commutation," as case may be.)
Proof, to establish claim to the land above described, before
F. S. Hear, Probate Judge, at
(Name of officer.)
Silver City, Idaho, on the 24th day of
May, 1912.

Claimant names as witnesses:

Arthur B. Corlett, of Oreana, Idaho;
George Bachman, of Oreana, Idaho;
James Joyce, of Murphy, Idaho;
Mathew Joyce, of Murphy, Idaho.

William Balderson

Register.

CERTIFICATE AS TO POSTING OF NOTICE.

_____, 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 _____
days, I having first posted said notice on the _____ day of
_____, 19____.

Register.

No information now
in this office war-
ranting field invest-
igation.

(Date)

Chief Field Div.

HOMESTEAD,
DESERT LAND,
TIMBER or STOCK
Entries.

NOTICE FOR PUBLICATION.

(PUBLISHER.)

Silver City Nugget.

DEPARTMENT OF THE INTERIOR,

U. S. LAND OFFICE at Boise, Idaho.

February 24, 1912.

NOTICE is hereby given that Jacob Bachman, of
Oreana, Idaho, who, on January 20, 1908, made

Desert Land Entry No. 2896, Serial, No. 01275, for

(Kind of application or entry.)

S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, and NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 25,

Township 7 South, Range 3 West, Boise Meridian,

has filed notice of intention to make Final
(If homestead, insert "five year" or "commutation," as case may be.)

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

F. S. Heer, Probate Judge, at

(Name of officer.)

Silver City, Idaho, on the 24th day of

May, 1912.

Claimant names as witnesses:

Arthur B. Corlett, of Oreana, Idaho;

George Bachman, of Oreana, Idaho;

James Joyce, of Murphy, Idaho;

Mathew Joyce, of Murphy, Idaho.

William Balderston.

Register.

AFFIDAVIT OF PUBLICATION.

I, W. G. Burroughs
Publisher, of the

(Publisher or foreman.)

Oreana Nugget

(Name of newspaper.)

published wkly at Silver City

(Daily or weekly.)

(Place.)

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

attached, was published wkly in the regular and

(Daily or weekly.)

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

for 5 consecutive weeks, commencing with the

issue dated Mar 28, 1912, and ending with the

issue dated Apr. 25, 1912

W. G. Burroughs

(Signature.)

Subscribed and sworn to before me this 25 day of April, 1912

(Official designation.)

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

Notice for Publication.
(Final Proof.)
DEPARTMENT OF THE INTERIOR
U. S. LAND OFFICE AT BOISE, IDAHO
February 24, 1912
Notice is hereby given that Jacob Bachman of Oreana, Idaho, who, on January 20, 1908, made Desert Land Entry No. 2896, Serial No. 01275, for S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, and NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 25, Township 7 South, Range 3 West, Boise Meridian, has filed Notice of Intention to make Final Proof, to establish claim to the land above described, before F. S. Heer, Probate Judge, at Silver City, Idaho, on the 24th day of May, 1912.
Claimant names as witnesses:
Arthur B. Corlett of Oreana, Idaho
George Bachman of Oreana, Idaho
James Joyce of Murphy, Idaho
Mathew Joyce of Murphy, Idaho
WILLIAM BALDERSTON
Register
First publication Mar. 28, 1912
Last publication Apr. 25, 1912

MAV 27 1912

4-199.

DESERT LANDS.—ACTS OF MARCH 3, 1877, AND MARCH 3, 1891.

SERIAL No. 01275

Department of the Interior,

UNITED STATES LAND OFFICE,

BOISE, IDAHO

No. 2896

JAN 20 1908

It is hereby certified that under the provisions of the act of Congress approved March 3, 1877, entitled "An act to provide for the sale of desert lands in certain States and Territories," as amended by the act approved March 3, 1891, of Isaac Pachman, Silver City, Crooked Co., Idaho, has this day filed in this office his declaration of intention to reclaim the following-described tract of

land, viz:

SE 1/4 NE 1/4, SE 1/4 NW 1/4 and NE 1/4 SE 1/4 Sec. 25,
T. 7 S., R. 3 W.

that he has filed evidence to show that the said tract of land is DESERT LAND as defined in the second section of said act, and that he has paid to the receiver the sum of Forty

40.00 dollars, being at the rate of twenty-five cents per acre for the land above described.

Edward J. Garrett Register.
Receiver.

Certain proof must be made each year for three years, and within four years from the date of this certificate, final proof and payment are, by law, required to be made.

Notice of intention to make final proof must be filed by the claimant with the register and published in a newspaper designated by him for a period of thirty days or in six consecutive issues of said paper—which notice must also contain the names of the witnesses by whom the necessary facts will be established.

NOTICE OF INTENTION TO MAKE PROOF.

DEPARTMENT OF THE INTERIOR,

FEB 5 1912

U. S. LAND OFFICE at Boise Idaho

January 26, 1912

I, Jacob Bachman, of

Oreana, Idaho, who, on January 20th, 1908, made

Desert land Entry, No. 2896, for

the S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 25,

Township 7 South, Range 3 West, Boise Meridian,

hereby give notice of my intention to make Final

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

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

F. S. Heer, Judge of the Probate Court, at

Silver City, Idaho, on the 24th day of

May, 1912, by two of the following witnesses:

Arthur B. Corlett, of Oreana, Idaho.

George Bachman, of Oreana, Idaho.

James Joyce, of Murphy, Idaho.

Matthew Joyce, of Murphy, Idaho.

Jacob Bachman
(Signature of claimant.)

Set for about June 1.

Boise Idaho, Feb. 24, 1912

Notice of the above intention to make proof will be published in the

Telegram.

(Name of newspaper.)

Silver City Idaho

(Place of publication.)

for a period of 5 consecutive weeks, which I hereby designate

as the newspaper published nearest the land above described.

Wm. Baldwin

Register.

RECEIVED
JAN 11 1964
FBI - NEW YORK

100-100000-100000

01275
JAMES EARL RAY
MEMPHIS
TENN

W. G. C. 100-100000-100000

100-100000-100000

DEC 10 1910

4-074b.

SERIAL No. 01275

Form approved by the Secretary of the Interior November 12, 1907.

DEPARTMENT OF THE INTERIOR.

D.E. # 2896

DESERT-LAND ENTRY.

U. S. LAND OFFICE

BOISE, Idaho.

No.

Third YEARLY PROOF.

TESTIMONY OF CLAIMANT.

(Read carefully the instructions on the back hereof.)

I, Jacob Bachman, do solemnly swear that I
(Give full Christian name.)
am the same person
(Insert "same person" or "assignee of"—giving name of original entryman.)
who made Desert-Land Entry, No. 2896, of the S² 7E⁴
SE⁴ 7N⁴ & NE⁴ SE⁴

Section 20,
Township 7 S, Range 3 W, Boise Meridian, containing
160 acres, situated in Cwyler County, Idaho at the
(County and State.)
Boise Land Office, under the Desert-Land
laws of the United States; that I am a bona fide resident citizen of the
State of Idaho; that my post office address is

Silver City, Idaho.; that during the
Third year after making said entry I expended in the necessary
irrigation, reclamation, and cultivation of said land the sum of
Two Hundred fifty and no dollars, being not less than one
dollar per acre of the area thereof, the expenditure of which is fully
set forth in the following items, to wit:

(Cost of materials and labor to be itemized separately.)

Digging 300 rods of ditch at 50¢ per rod.	\$ 150.00
Building Dam.	70.00
Clearing & first plowing of 7 acres @ 7.00 per acre	50.00

Jacob Bachman
(Sign here, with full Christian name.)

NOTE.—Every person swearing falsely to the above affidavit will be punished as provided by law for such offense. (See Sec. 5392, R. S.—over.)

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 the identical person here-
inbefore described; and that said affidavit was duly subscribed
and sworn to before me, at my office, in Silver City
(Town.)
Cwyler County, Idaho, within the Boise
(County and State.)
land district, this 8th day
of December, 1910.

G. S. Haver
Probate Judge
(Official designation of officer.)

com

TESTIMONY OF WITNESS.

(Read carefully the instructions on the back hereof.)

I, Arthur B. Corlett, of Crema, Idaho
(Give full Christian name.) (Give full post-office address.)

do solemnly swear that I am well acquainted with the land hereinbefore described and embraced in Desert-Land Entry No. 2896, made at the

Basis Land Office, by Jacob Pachman, and there was expended in necessary

irrigation, reclamation, and cultivation of the said land during the third year after the date of said entry the sum of \$290.00

dollars in digging ditch, building dam, clearing, first flaring and leveling 7 acres of land
(Here state generally the nature of the improvement.)

as is more specifically set forth in the following items, to wit:

(Cost of materials and labor to be itemized separately.)

<u>Digging 200 rods of ditch at 50¢ per rod.</u>	<u>\$125.00</u>
<u>Building dam.</u>	<u>75.00</u>
<u>Clearing, first flaring and leveling 7 acres.</u>	<u>90</u>

My knowledge in regard to the existence of said improvements was obtained from personal examination, and the values thereof are reasonably stated.

Arthur B. Corlett
(Sign here, with full Christian name.)

NOTE.—Every person swearing falsely to the above affidavit will be punished as provided by law for such offense. (See Sec. 5392, R. S.—over.)

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 credible witness and the identical person hereinbefore described; and that said affidavit was duly subscribed

and sworn to before me, at my office, in Silver City, within the Basis
(Town.)

Cwyher County, Idaho, within the _____
(County and State)

land district, this 8th day

of December, 1910.

F. S. Haver
Probate Judge
(Official designation of officer.)

TESTIMONY OF WITNESS.

(Read carefully the instructions on the back hereof.)

I, George Bachman, of Carana, Idaho,
(Give full Christian name.) (Give full post-office address.)

do solemnly swear that I am well acquainted with the land hereinbefore described and embraced in Desert-Land Entry No. 2896, made at the

Basis Land Office, by

Jacob Bachman, and there was expended in necessary irrigation, reclamation, and cultivation of the said land during the

Third year after the date of said entry the sum of \$270.50

dollars in digging ditch, building dam, clearing first

flawing and leveling 7 acres of land.
(Here state generally the nature of the improvement.)

as is more specifically set forth in the following items, to wit:

(Cost of materials and labor to be itemized separately.)

<u>250.00 of ditch @ 500 per rod.</u>	<u>\$125.00</u>
<u>Building dam.</u>	<u>75.00</u>
<u>Clearing, first flawing & leveling 7 acres</u>	<u>70.50</u>

My knowledge in regard to the existence of said improvements was obtained from personal examination, and the values thereof are reasonably stated.

George Bachman
(Sign here, with full Christian name.)

NOTE.—Every person swearing falsely to the above affidavit will be punished as provided by law for such offense. (See Sec. 5392, R. S.—over.)

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 credible witness and the identical person hereinbefore described; and that said affidavit was duly subscribed

and sworn to before me, at my office, in Silver City

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

land district, this 8th day

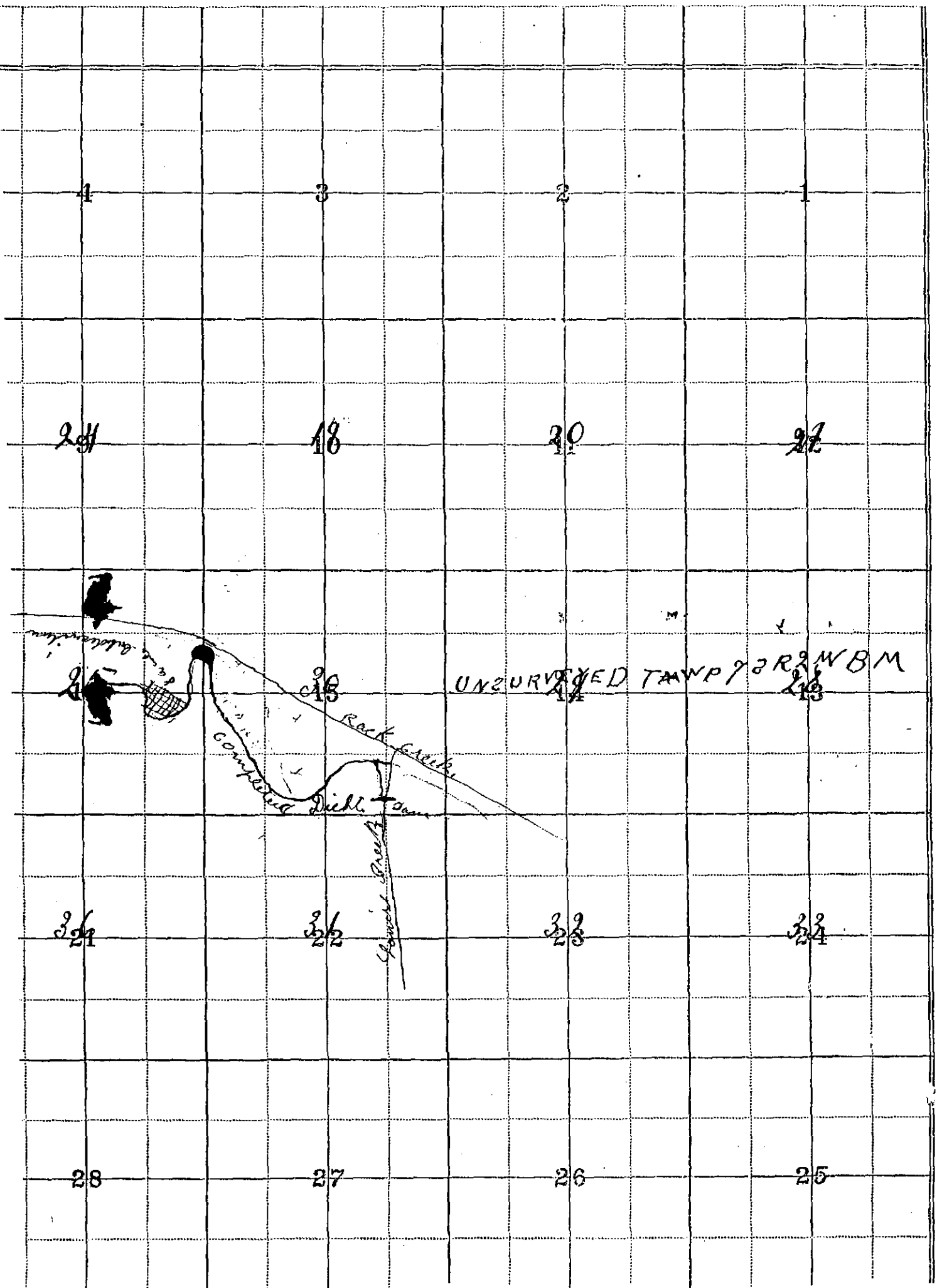
of December, 1910.

F. S. Haver
Probate Judge
(Official designation of officer.)

SERIAL No. 01275-

SERIAL No. ~~0007~~

Range No.



TESTIMONY OF WITNESS.

(Read carefully the instructions on the back hereof.)

I, George Bachman, of Corona, Idaho,
(Give full Christian name.) (Give full post-office address.)

do solemnly swear that I am well acquainted with the land hereinbefore described and embraced in Desert-Land Entry No. 2896, made at the

Basis

Land Office, by

Jacob Bachman, and there was expended in necessary irrigation, reclamation, and cultivation of the said land during the

third year after the date of said entry the sum of \$270.00

dollars in Digging ditch, building dam, clearing first
(Here state generally the nature of the improvement.)

flawing and leveling 7 acres of land.

as is more specifically set forth in the following items, to wit:

(Cost of materials and labor to be itemized separately.)

<u>230.00 of ditch @ 500 per rod.</u>	<u>\$125.00</u>
<u>Building dam.</u>	<u>75.00</u>
<u>Clearing, first flawing & leveling 7 acres</u>	<u>70.00</u>

My knowledge in regard to the existence of said improvements was obtained from personal examination, and the values thereof are reasonably stated.

George Bachman
(Sign here, with full Christian name.)

NOTE.—Every person swearing falsely to the above affidavit will be punished as provided by law for such offense. (See Sec. 5392, R. S.—over.)

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 credible witness and the identical person hereinbefore described; and that said affidavit was duly subscribed and sworn to before me, at my office, in Nihoa County,
(County and State)

Idaho, within the Basin
(Town.)

land district, this 8th day
of December, 1910.

F. S. Laver
Notary Public
(Official designation of officer.)

DEC 16 1909

SERIAL No. 0151

4-074b.

Form approved by the Secretary of the Interior November 12, 1907.

DEPARTMENT OF THE INTERIOR.

DESERT-LAND ENTRY.

U. S. LAND OFFICE

Bonnie, Idaho

No. ✓

2nd

YEARLY PROOF.

TESTIMONY OF CLAIMANT.

(Read carefully the instructions on the back hereof.)

I, Jacob Bachman, do solemnly swear that I
(Give full Christian name.)

am the same person
(Insert "same person" or "assignee of" giving name of original entryman.)

who made Desert-Land Entry, No. 2896 of the S² 7th 18th
SE¹/₄ 7th 18th, 7th 18th SE¹/₄, 8

Section 23,

Township 7 S, Range 3 W, Meridian, containing

160 acres, situated in Angus County, Idaho, at the
(County and State.)

Baise Land Office, under the Desert-Land laws of the United States; that I am a bona fide resident citizen of the State of Idaho;

that my post office address is Silver City, Idaho; that during the

second year after making said entry I expended in the necessary irrigation, reclamation, and cultivation of said land the sum of

Two Hundred Thirty dollars, being not less than one dollar per acre of the area thereof, the expenditure of which is fully set forth in the following items, to wit:

(Cost of materials and labor to be itemized separately.)	
<u>One hundred ten rods of ditch</u>	<u>\$ 35.00</u>
<u>Two hundred fifty rods of fence</u>	<u>120.00</u>
<u>Work on dam</u>	<u>50.00</u>

Jacob Bachman
(Sign here, with full Christian name.)

NOTE.—Every person swearing falsely to the above affidavit will be punished as provided by law for such offense. (See Sec. 5392, R. S.—over.)

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 the identical person here-
inbefore described; and that said affidavit was duly subscribed

and sworn to before me, at my office, in Silver City,
(Town.)

Angus County, Idaho, within the
(County and State.)

Baise land district, this 11th day

of December, 1909.

J. S. Huer
Probate Judge
(Official designation of officer.)

R.

TESTIMONY OF WITNESS.

(Read carefully the instructions on the back hereof.)

I, James Joyce, of Murphy, Idaho
(Give full Christian name.) (Give full post-office address.)
do solemnly swear that I am well acquainted with the land hereinbefore
described and embraced in Desert-Land Entry No. 2896, made at the
Baird Land Office, by
Jacob Bachman, and there was expended in necessary
irrigation, reclamation, and cultivation of the said land during the
second year after the date of said entry the sum of \$ 230.00
dollars in Fencing, digging ditch and
building dam
(Here state generally the nature of the improvement.)

as is more specifically set forth in the following items, to wit:

(Cost of materials and labor to be itemized separately.)

<u>One hundred ten, ords, or more of ditch</u>	<u>\$ 50.00</u>
<u>Fencing part of above land</u>	<u>130.00</u>
<u>Expended on dam</u>	<u>50</u>

My knowledge in regard to the existence of said improvements was
obtained from personal examination, and the values thereof are reasonably
stated.

James Joyce
(Sign here, with full Christian name.)

NOTE.—Every person swearing falsely to the above affidavit will be punished as provided by law for
such offense. (See Sec. 5392, R. S.—over.)

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 credible witness and the identical
person hereinbefore described; and that said affidavit was duly subscribed

and sworn to before me, at my office, in silver Lake
Campana County, Idaho, within the
(County and State)

Baird land district, this 11th day
of December, 1909.

J. H. Haver
Probate Judge
(Official designation of officer.)

TESTIMONY OF WITNESS.

(Read carefully the instructions on the back hereof.)

I, Fritz Schleifer, of Silver City, Idaho
(Give full Christian name.) (Give full post-office address.)

do solemnly swear that I am well acquainted with the land hereinbefore described and embraced in Desert-Land Entry No. 2896, made at the

Bureau Land Office, by Jacob Bachman, and there was expended in necessary

irrigation, reclamation, and cultivation of the said land during the Second year after the date of said entry the sum of \$250.00

dollars in Fencing, digging ditch and labor on same
(Here state generally the nature of the improvement.)

as is more specifically set forth in the following items, to wit:

(Cost of materials and labor to be itemized separately.)

<u>Digging One hundred ten rods of ditch</u>	<u>\$ 85.00</u>
<u>Two hundred fifty rods fence</u>	<u>120.00</u>
<u>Labor on same</u>	<u>45.00</u>

My knowledge in regard to the existence of said improvements was obtained from personal examination, and the values thereof are reasonably stated.

Fritz Schleifer
(Sign here, with full Christian name.)

NOTE.—Every person swearing falsely to the above affidavit will be punished as provided by law for such offense. (See Sec. 5392, R. S.—over.)

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 credible witness and the identical person hereinbefore described; and that said affidavit was duly subscribed and sworn to before me, at my office, in Silver City,

Curlew County, Idaho, within the Bureau
(County and State) land district, this 11th day

of December, 1909.

J. H. Burr
Probate Judge
(Official designation of officer.)

READ CAREFULLY BEFORE PREPARING THE AFFIDAVITS.

The law requires an expenditure of not less than three dollars per acre, for the entire area entered, in the necessary irrigation, reclamation, and cultivation of the land, by means of main canals and branch ditches, and in the permanent improvements upon the land.

During the first year after entry the claimant must file with the Register proof, consisting of his own affidavit and the separate affidavits of two witnesses, taken at the same time and place and before the same officer taking the claimant's acknowledgment, that the full sum of one dollar per acre, for the entire area, has been so expended, and like proof must be made for each year thereafter until the full sum of three dollars per acre has been expended; and at the end of the third year the claimant must file a map or plan showing the character and extent of the improvements.

EXPENDITURES FOR WHICH PROOF WILL NOT BE ACCEPTED.

No proof of expenditure will be accepted unless the expenditure was essential to the actual or ultimate reclamation of the land.

A dwelling house is not essential to reclamation, and no allowance will be made therefor.

Plowing, after the first breaking of the land, seeding land to crops, irrigating, cultivating, and harvesting crops are not items for which proof of expenditure will be accepted.

The cost of windmill or pump will not be allowed unless it is specifically shown that the same was essential to the contemplated mode of irrigation and was not installed for domestic uses.

The cost of material for necessary construction work will not be allowed unless it actually has been applied to that use, and it must be so stated in the affidavit.

The cost of tools, implements, wagons, and repairs to same, used in construction work, can not be computed in the cost of construction.

No expenditure for surveying will be allowed unless it is specifically stated that it was for the purpose of establishing lines and levels of canals and ditches.

EXPENDITURES FOR WHICH PROOF WILL BE ACCEPTED.

Cost of constructing storage reservoir, well, canals, ditches, and maintaining same. The cost of each item must be stated separately and the length, capacity, and location of the ditches and canals must be given.

Cost of water right, if accompanied with certificate of purchase or ownership.

Cost of clearing land, if it is shown to be the first clearing. The extent, character, and location of all clearing must be fully set forth.

Cost of first plowing or breaking. All claim for plowing or breaking must specifically state that it was the first plowing or breaking of the soil, and the area and location of the land broken must be stated.

Cost of fencing necessary to protect the land for the purpose of reclamation, the length, kind, and location to be stated.

Cost of any permanent improvement essential to the reclamation of the land, provided its purpose or use is shown.

BE SPECIFIC. SET FORTH IN DETAIL THE NATURE, CHARACTER, AND PURPOSE OF ALL IMPROVEMENTS, AND STATE COST OF EACH SEPARATELY.

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 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 Sec. 1750.)

NOTE.—In addition to the above penalty, every person who knowingly or willfully in anywise procures the making or presentation of any false or fraudulent affidavit pertaining to any matter within the jurisdiction of the Secretary of the Interior may be punished by fine or imprisonment.

4-074b.

4-074b.

DESERT-LAND ENTRY.

U. S. LAND OFFICE,

NO.

YEARLY PROOF.

Name

Date

Section

Township

Range

NOTATION OF ACTION.

(Space below for use in GENERAL LAND OFFICE only.)

For Sale by Coff & Co., Washington, D. C.

4-074b.

Form approved by the Secretary of the Interior November 12, 1907.

DEPARTMENT OF THE INTERIOR.

CARDED

DESERT-LAND ENTRY.

U. S. LAND OFFICE Boise, Idaho, No. _____

First YEARLY PROOF.
TESTIMONY OF CLAIMANT.

01275

PRESENTED AT O'CLOCK (Read carefully the instructions on the back hereof.)

I, Jacob Bachman, do solemnly swear that I
am the same person
who made Desert-Land Entry, No. 2896, of the SE 1/4, SE 1/4, NW 1/4, and NE 1/4, SE 1/4

Section 20,
Township 7 S, Range 3 W, Boise Meridian, containing
160 acres, situated in Cwyher County, Idaho at the
Boise Land Office, under the Desert-Land
laws of the United States; that I am a bona fide resident citizen of the
State of Idaho; that my post office address is
Silver City, Idaho; that during the

first year after making said entry I expended in the necessary
irrigation, reclamation, and cultivation of said land the sum of
Two Hundred Thirty six dollars, being not less than one
dollar per acre of the area thereof, the expenditure of which is fully
set forth in the following items, to wit:

(Cost of materials and labor to be itemized separately.)

<u>320 fence posts</u>	\$ <u>80.00</u>
<u>1280 pounds fence wire</u>	<u>76.00</u>
<u>Setting 320 posts and attaching wire</u>	<u>80.00</u>

Jacob Bachman
(Sign here, with full Christian name.)

NOTE.—Every person swearing falsely to the above affidavit will be punished as provided by law for such offense. (See Sec. 5392, R. S.—over.)

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 the identical person here-
inbefore described; and that said affidavit was duly subscribed
and sworn to before me, at my office, in Silver City
Cwyher County, Idaho, within the Boise
land district, this 28th day
of September, 1908.

F. S. Hunt
Probate Judge
(Official designation of officer.)

TESTIMONY OF WITNESS.

(Read carefully the instructions on the back hereof.)

I, John H. Hutton, of Crema, Idaho,
(Give full Christian name.) (Give full post-office address.)

do solemnly swear that I am well acquainted with the land hereinbefore described and embraced in Desert-Land Entry No. _____, made at the

Basis

Land Office, by

Jacob Bachman, and there was expended in necessary

irrigation, reclamation, and cultivation of the said land during the

first year after the date of said entry the sum of \$236.00

dollars in purchasing material and fencing
land
(Here state generally the nature of the improvement.)

as is more specifically set forth in the following items, to wit:

(Cost of materials and labor to be itemized separately.)

<u>320 fence posts</u>	\$ <u>80</u>
<u>1280 pounds of fence wire</u>	<u>76.00</u>
<u>Putting 320 posts and attaching wire</u>	<u>80.00</u>

My knowledge in regard to the existence of said improvements was obtained from personal examination, and the values thereof are reasonably stated.

John H. Hutton
(Sign here, with full Christian name.)

NOTE.—Every person swearing falsely to the above affidavit will be punished as provided by law for such offense. (See Sec. 5392, R. S.—over.)

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 credible witness and the identical person hereinbefore described; and that said affidavit was duly subscribed

and sworn to before me, at my office, in Silver Lake
Cwyher County, Idaho, within the Basis
(County and State)

land district, this 28th day of September, 1908.

J. S. Haver
Probate Judge
(Official designation of officer.)

TESTIMONY OF WITNESS.

(Read carefully the instructions on the back hereof.)

I, George E. Hutton, of Orana, Idaho
(Give full Christian name.) (Give full post-office address.)

do solemnly swear that I am well acquainted with the land hereinbefore described and embraced in Desert-Land Entry No. _____, made at the

Baird Land Office, by Jacob Bachman, and there was expended in necessary irrigation, reclamation, and cultivation of the said land during the first year after the date of said entry the sum of \$236.⁰⁰ dollars in purchasing material and fencing land.
(Here state generally the nature of the improvement.)

as is more specifically set forth in the following items, to wit:

(Cost of materials and labor to be itemized separately.)

<u>320 fence posts</u>	<u>\$ 80.⁰⁰</u>
<u>1280 pounds of fence wire</u>	<u>76.⁰⁰</u>
<u>setting 320 posts and attaching wire</u>	<u>80.⁰⁰</u>

My knowledge in regard to the existence of said improvements was obtained from personal examination, and the values thereof are reasonably stated.

George E. Hutton
(Sign here, with full Christian name.)

NOTE.—Every person swearing falsely to the above affidavit will be punished as provided by law for such offense. (See Sec. 5392, R. S.—over.)

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 Jacob Bachman, of Silver City, Idaho.);
(Give full name and post-office address.)
that I verily believe affiant to be a credible witness and the identical person hereinbefore described; and that said affidavit was duly subscribed and sworn to before me, at my office, in Silver City
Owyhee County, Idaho, within the Baird
(County and State) (Town.)
land district, this 28th day of September, 1908.

F. J. Herr
Probate Judge
(Official designation of officer.)

READ CAREFULLY BEFORE PREPARING THE AFFIDAVITS.

The law requires an expenditure of not less than three dollars per acre, for the entire area entered, in the necessary irrigation, reclamation, and cultivation of the land, by means of main canals and branch ditches, and in the permanent improvements upon the land.

During the first year after entry the claimant must file with the Register proof, consisting of his own affidavit and the separate affidavits of two witnesses, taken at the same time and place and before the same officer taking the claimant's acknowledgment, that the full sum of one dollar per acre, for the entire area, has been so expended, and like proof must be made for each year thereafter until the full sum of three dollars per acre has been expended; and at the end of the third year the claimant must file a map or plan showing the character and extent of the improvements.

EXPENDITURES FOR WHICH PROOF WILL NOT BE ACCEPTED.

No proof of expenditure will be accepted unless the expenditure was essential to the actual or ultimate reclamation of the land. A dwelling house is not essential to reclamation, and no allowance will be made therefor.

Plowing, after the first breaking of the land, seeding land to crops, irrigating, cultivating, and harvesting crops are not items for which proof of expenditure will be accepted.

The cost of windmill or pump will not be allowed unless it is specifically shown that the same was essential to the contemplated mode of irrigation and was not installed for domestic uses.

The cost of material for necessary construction work will not be allowed unless it actually has been applied to that use, and it must be so stated in the affidavit.

The cost of tools, implements, wagons, and repairs to same, used in construction work, can not be computed in the cost of construction.

No expenditure for surveying will be allowed unless it is specifically stated that it was for the purpose of establishing lines and levels of canals and ditches.

EXPENDITURES FOR WHICH PROOF WILL BE ACCEPTED.

Cost of constructing storage reservoir, well, canals, ditches, and maintaining same. The cost of each item must be stated separately and the length, capacity, and location of the ditches and canals must be given.

Cost of water right, if accompanied with certificate of purchase or ownership.

Cost of clearing land, if it is shown to be the first clearing. The extent, character, and location of all clearing must be fully set forth.

Cost of first plowing or breaking. All claim for plowing or breaking must specifically state that it was the first plowing or breaking of the soil, and the area and location of the land broken must be stated.

Cost of fencing necessary to protect the land for the purpose of reclamation, the length, kind, and location to be stated.

Cost of any permanent improvement essential to the reclamation of the land, provided its purpose or use is shown.

BE SPECIFIC. SET FORTH IN DETAIL THE NATURE, CHARACTER, AND PURPOSE OF ALL IMPROVEMENTS, AND STATE COST OF EACH SEPARATELY.

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 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 Sec. 1750.)

NOTE.—In addition to the above penalty, every person who knowingly or willfully in anywise procures the making or presentation of any false or fraudulent affidavit pertaining to any matter within the jurisdiction of the Secretary of the Interior may be punished by fine or imprisonment.

4-074b.

4-074b.

DESERT-LAND ENTRY.

U. S. LAND OFFICE,

NO.

YEARLY PROOF.

Name

Date

Section

Township

Range

NOTATION OF ACTION.

(Space below for use in GENERAL LAND OFFICE only.)

For Sale by COPP & Co., Washington, D. C.

"B"

KRI

4-207

UNITED STATES
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE
WASHINGTON

October 17, 1929.

I hereby certify that the annexed copy of paper, is a

true and literal simplification of the original on file
in this office.

IN TESTIMONY WHEREOF I have hereunto subscribed

my name and caused the seal of
this office to be affixed, at
the city of Washington, on the
day and year above written.

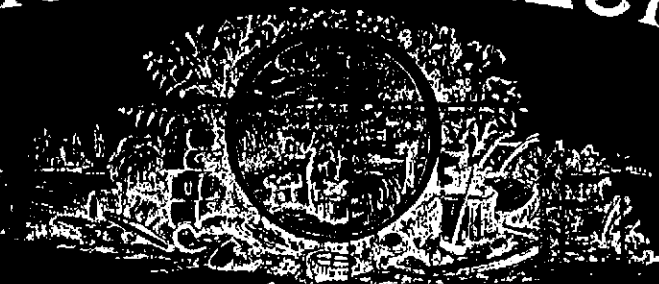
Acting Ass


D. H. Ponder
Commissioner of the General Land Office.

UNITED STATES OF AMERICA.

Certificate of Citizenship

State of
NEBRASKA.



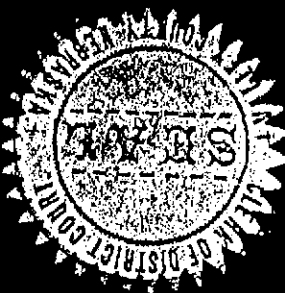
County of
Valley

Be it Remembered, *That on the 9th day of March*
in the year One Thousand Eight Hundred and Ninety *six*, *Jacob Backman*
appeared in the District Court, (the said Court being a Court of Record, having common law jurisdiction, and a Clerk and Seal),
and applied to the said Court to be admitted to become a Citizen of the United States of America, pursuant to the provisions of the
several acts of the Congress of the United States of America for that purpose made and provided; and the said applicant having
thereupon produced to the Court such evidence, made such declaration and renunciation, and taken such oaths as are by the said
acts required.

THEREUPON, It was ordered by the said Court, that the said applicant be admitted, and
he was accordingly admitted by the said Court to be a

Citizen of the United States of America.

IN TESTIMONY WHEREOF, the Seal of said Court is hereunto affixed, at *Ord*
Nebraska on the *9th* day of *March*, 1896
J. H. [Signature] Clerk.



OWENS REPUBLICAN PRINTING CO.

DESERT LANDS.—ACTS OF MARCH 3, 1877, AND MARCH 3, 1891.

Department of the Interior,

UNITED STATES LAND OFFICE,

BOISE, IDAHO

01275

No. 2896

JAN 20 1908 190

It is hereby certified that under the provisions of the act of Congress approved March 3, 1877, entitled "An act to provide for the sale of desert lands in certain States and Territories," as amended by the act approved March 3, 1891,

of Jacob Richman
Silver City, Owyhee Co., Idaho

has this day filed in this office his declaration of intention to reclaim the following-described tract of land, viz:

S¹NE¹ SE¹NE¹ and NE¹SE¹ Sec. 25,
T4 S., R. 3 W.

that he has filed evidence to show that the said tract of land is DESERT LAND as defined in the second section of said act, and that he has paid to the receiver the sum of Forty

_____ dollars, being at the rate of twenty-five cents per acre for the land above described.

Addison J. Smith
Register
Edward J. Lamm
Receiver.

\$ 40 ⁰⁰

Certain proof must be made each year for three years, and within four years from the date of this certificate, final proof and payment are, by law, required to be made.

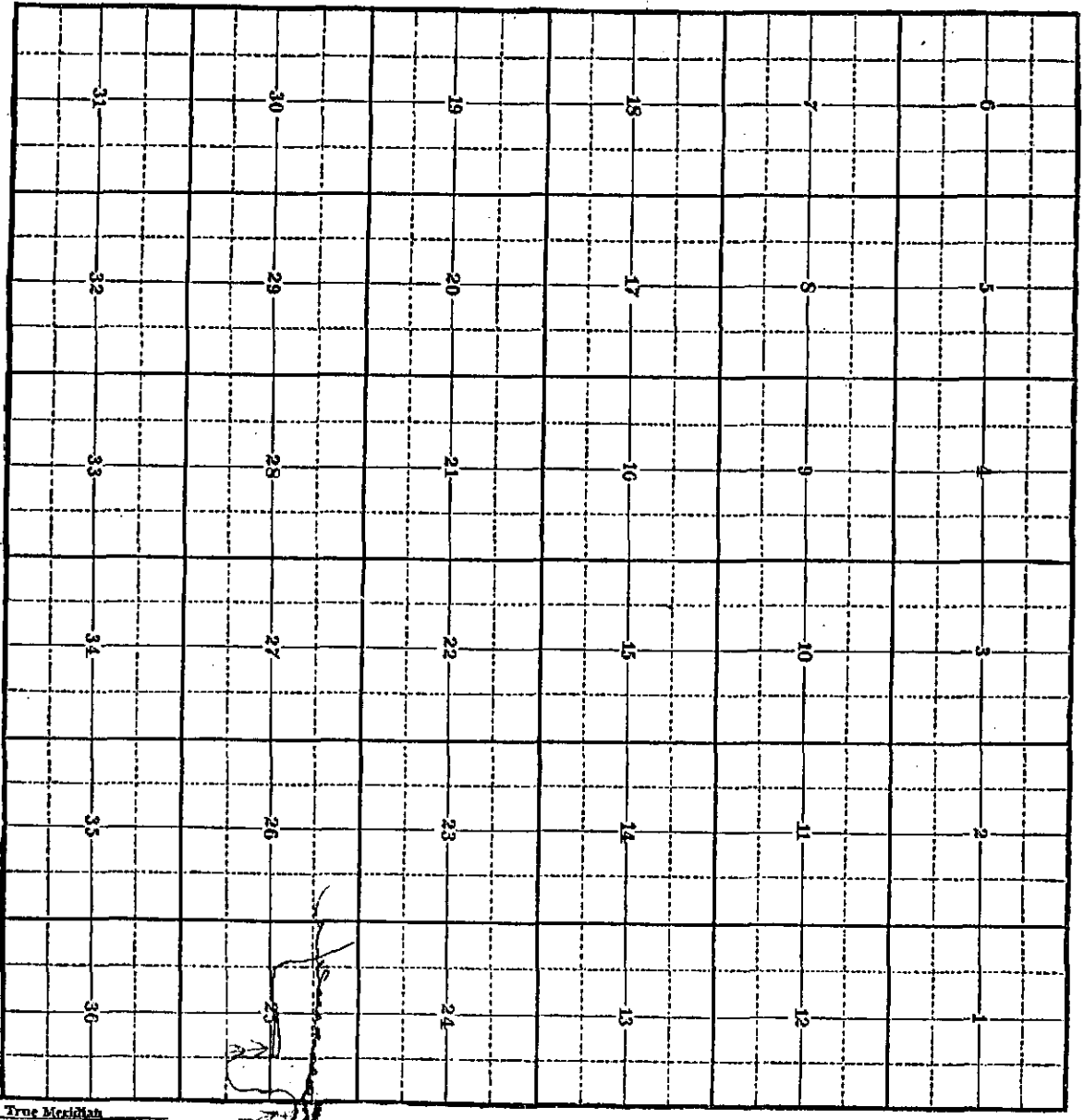
Notice of intention to make final proof must be filed by the claimant with the register and published in a newspaper designated by him for a period of thirty days or in six consecutive issues of said paper—which notice must also contain the names of the witnesses by whom the necessary facts will be established.

01275

[4-590.]

Township 36. Orange Sp. Ma.

Map showing
place of migration



Rock Creek
Duck Creek

60775 LANS OVERTON PAINT, WASHINGTON, D. C.

Scale 80 chains to an inch.
1" = 80 chains

TO BE USED IN ALL ENTRIES SINCE AUGUST 30, 1890

Department of the Interior,

UNITED STATES LAND OFFICE.

01275

I, Jacob Bachman, of Silver City, January 7th, 1908,
 applying to vacate the following described nonmineral public lands, to wit:
The S² of the NE¹/₄ and the SE¹/₄ of the NW¹/₄
and the NE¹/₄ of the SE¹/₄ of Sec. 25
 in Township 7, S, of Range 3, W, T3 M., do
 solemnly swear that since August 30, 1890, I have not acquired title to, nor am I now claiming under
 any of the public land laws of the United States other than the mineral land laws, an amount of
 land which, together with the land above described, will exceed in the aggregate three hundred and
 twenty acres, except

settled upon by me prior to August 30, 1890. Said settlement was commenced

, and my improvements thereon consist of

Jacob Bachman
 (Sign plainly with full Christian name.)

Subscribed and sworn to before me this 7th day of January, 1908, at
 my office in Angles County, in Silver City, Idaho

W. H. Hart
Probated Judge

Incl.

UNITED STATES
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE

WASHINGTON

OCT 25 1929

REPLY PLEASE REFER TO

Boise 01275 "B" LAH

Mr. T. B. Chapman,
205 McCarty Building,
Boise, Idaho.

My dear Sir:

Receipt is acknowledged of your letter dated October 5, 1929, desiring the return of the original certificate of citizenship of Jacob Bachman of Triangle, Idaho. In compliance with your request I herewith transmit to you certificate of citizenship No. 38 issued by the District Court, Valley County, Nebraska, March 9, 1896, in order that you may deliver same to Mr. Bachman.

Very respectfully,

Acting Assistant Commissioner.

10-25-omo

Pat 344509

01275

3-283 b

Boise

ADDRESS ONLY THE COMMISSIONER OF THE GENERAL LAND OFFICE

UNITED STATES
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE
WASHINGTON

OCT 16 1929

IN REPLY PLEASE REFER TO

Boise 01275 "B" LAH

Date of letter October 5, 1929.

344509

Mr. T. B. Chapman,
P.O. Box No. 985,
205 McCarty Bldg.,
Boise, Idaho.

My dear Sir:

Your letter, bearing the date above given, has been received, and is having attention.

Orders for copies, or requests for information, are handled as expeditiously as possible in the order of their receipt.

Should there be any reason why your request can not be complied with, you will be fully advised.

Very respectfully,

Acting Assistant Commissioner.

10-15 rgl

NON-MINERAL AFFIDAVIT.

This affidavit can be sworn to only on personal knowledge, and can not 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 taking the other affidavits required of the entryman.

Department of the Interior,

UNITED STATES LAND OFFICE,

01275

Baize, Idaho

January 11th, 1908

Jacob Bachman, being duly sworn according to law, deposes and says that he is the identical Jacob Bachman who is an applicant for Government title to the S¹/₂ of the NE¹/₄, and the S¹/₂ E¹/₄ of the NW¹/₄ and the NE¹/₄ of the SE¹/₄ of Sec. 25, Township 7 S. of R. 3, W. B¹/₂M

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 the land contains no salt spring, or deposits of salt in any form sufficient to render it chiefly valuable therefor; 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 the mineral land, but with the object of securing said land for agricultural purposes, and that his post-office address is Silver City, Idaho

Jacob Bachman

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 _____), 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 Silver City, within the Baize

land district, on this 11th day of January, 1908

F. S. Hart
Probate Judge

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 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. (Sec. 1750.)

DESERT-LAND ACT OF MARCH 3, 1877, AS AMENDED BY ACT OF MARCH 3, 1891.

AFFIDAVIT OF WITNESS.

No. 2896Land Office at Boise, Idaho,

01275

January 7th, 1908.I, Thomas Spencer, of (town or city) Silver City
County of Cwyler, and State (or Territory) of Idaho.being duly sworn, declare upon oath: That I am a resident of Idahoof the age of 25 years, and by occupation a miner;that my post-office address is Silver City, Cwyler County, Idaho;

that I am well acquainted with the character of each and every legal subdivision of the following described land

embraced in the declaration of Jacob Bachman, viz:the NE 1/4 of the 7E 1/4 and the SE 1/4 of the 7N 1/4 and the 7E 1/4 of the 8E 1/4of Section No. 25, Township No. 7 S, Range No. 3, W, R 7N,containing 160 acres; that I became acquainted with said land by a personal examination of each and everylegal subdivision thereof; that I have been acquainted with it for 15 years last past; that I have frequently

passed over it; that my knowledge of said land is such as to enable me to testify understandingly concerning it; that

the same is desert land with the meaning of the second section of the act of Congress approved March 3, 1877, entitled

"An Act to provide for the sale of desert lands in certain States and Territories;" that said land borders on (state
what stream or body of water, and describe the same) Rock Creek, which isa small stream drying up in the latter part of the seasonand that there is through or upon said land (name and describe all water-courses, springs, or other bodies of
water) two small seepage springs.

that said land is not naturally irrigated or watered, nor overflowed at any season of the year by the fore-

going or any natural stream, spring, or other body of water; that water to irrigate said land can be obtained

from Luna Creek and Rock Creek byditching and fluminga distance of about one mile from said land; that the character of thesoil is a sandy loamthat it produces a natural growth of sage brush and bunch grass

that said land will not, without artificial irrigation, produce an agricultural crop of any kind in amount reasonably remunerative, and that it will not, when unfed by grazing animals, produce native grasses sufficient in quantity to make an ordinary crop of hay in usual seasons; that there are no trees growing on said land, but that the same is devoid of timber; said land does not contain moisture sufficient to produce a natural growth of trees; that the same is essentially dry and arid land, wholly unfit for cultivation without artificial irrigation; that said land cannot be successfully cultivated without being reclaimed by conducting water thereon; that said land has hitherto been unappropriated, unoccupied and unsettled because it has been impossible to cultivate it successfully on account of its dry and arid condition; that it is a fact well known, patent and notorious, that the same will not, in its natural condition, produce any crop; that no portion of said land has ever been reclaimed by conducting water thereon, and that there are no lands in the vicinity of this tract that are or have been cultivated without artificial irrigation. And I further declare that there is not, to my knowledge, within the limits of said land 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 my knowledge, any placer, cement, gravel, or other valuable mineral deposit or salines; 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; and that said land is essentially non-mineral land. And I further declare that I make this affidavit at the request of Jacob Bachman, and that I am not interested in any way or manner, directly or indirectly, present or prospective, in the application or declaration in support of which this affidavit is made, nor in the land itself, nor in any title thereto which may be acquired by said applicant or any other person.

Thomas Spence

Land Office at Bass, Idaho,
January 7th, 1908

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 _____), 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 Idaho City, on this 7th day of January, 1908.

H. S. Herr, Register.
Penabaty Jones, Receiver.

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:

TITLE LXX—CRIMES.—CHAP. 4.

SEC. 5302. 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, wilfully 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).

(4-074.)

U. S. LAND OFFICE

AT

No.

DESERT-LAND ACT, MARCH 3, 1877.

AFFIDAVIT OF WITNESS

190

ec. Idaho, Range.

For Sale by HENRY N. COPE, Washington, D. C.

DESERT-LAND ACT OF MARCH 3, 1877, AS AMENDED BY ACT OF MARCH 3, 1891.

AFFIDAVIT OF WITNESS.

01275

No. 2896

Land Office at Boise Idaho,
January 7th, 1908

I, Willie Krey, of (town or city) Silver City
County of Cwyher, and State (or Territory) of Idaho
being duly sworn, declare upon oath: That I am a resident of Cwyher County, Idaho
of the age of 40 years, and by occupation a Assessor of Cwyher Co.;
that my post-office address is Silver City Idaho;

that I am well acquainted with the character of each and every legal subdivision of the following described land
embraced in the declaration of Jacob Bachman, viz:
the 1/2 of the NE 1/4 and the SE 1/4 of the NW 1/4 and the
NE 1/4 of the SE 1/4

of Section No. 25, Township No. 7 S, Range No. 3 W, B3M
containing 160 acres; that I became acquainted with said land by a personal examination of each and every
legal subdivision thereof; that I have been acquainted with it for 10 years last past; that I have frequently
passed over it; that my knowledge of said land is such as to enable me to testify understandingly concerning it; that
the same is desert land with the meaning of the second section of the act of Congress approved March 3, 1877, entitled
"An Act to provide for the sale of desert lands in certain States and Territories;" that said land borders on (state
what stream or body of water, and describe the same) Rock Creek, which
passes through the North East corner of the
above described land.

and that there is through or upon said land (name and describe all water-courses, springs, or other bodies of
water) two small seepage springs

that said land is not naturally irrigated or watered, nor overflowed at any season of the year by the fore-
going or any natural stream, spring, or other body of water; that water to irrigate said land can be obtained
from Rock Creek and Luvisa Creek, by
ditching and flumming
a distance of one mile from said land; that the character of the
soil is alluvial;
that it produces a natural growth of Sage brush, and bunch grass;

[OVER]

propriated, unoccupied, and unsettled because it has been impossible to cultivate it successfully on account of its dry and arid condition; that it is a fact well known, patent, and notorious, that the same will not, in its natural condition, produce any crop; that no portion of said land has ever been reclaimed by conducting water thereon, and that there are no lands in the vicinity of this tract that are occupied by settlers and cultivated without artificial irrigation. And I further declare that there is not, to my knowledge, within the limits of said land 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 my knowledge, any placer, cement, gravel, or other valuable mineral deposit or salines; 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 my declaration therefor is not made for the purpose of fraudulently obtaining title to mineral land, timber land, or agricultural land, but for the purpose of faithfully reclaiming the land above described by conducting water thereon within three years from date of entry.

My post-office address is

Silver City, Idaho.

NOTES.

1. If residence is in a city, street and number must be given.
- *2. In case the party has been naturalized, a certified copy of his certificate of naturalization must be furnished.
3. When the entry is made on unsurveyed land a correct diagram of the lands applied for must be furnished; also a map which shall exhibit a plan showing the mode of contemplated irrigation as required by section 4 of the said act.

Land Office at

Boise

Idaho

January 7th

1908

I HEREBY CERTIFY that the foregoing affidavit was read to the 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 _____), 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 Silver City, on this 7th day of January 1908.

U. S. LAND OFFICE
REGISTERED AT

Probate Judge

NOTE.—Any person swearing falsely to the foregoing affidavit or to any of the statements therein is guilty of perjury, and will be punished as provided by law for that offence.

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.

TITLE XXXX—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.]

DECLARATION OF APPLICANT.

Jacob Bachman
Silver City, Idaho

JAN 20 1908 190—

Sec. 25, Tp. 7 N., Range 3 W.
March 21, 1908, Act concerning entry.

March 21, 1908, Act concerning entry.

U. S. LAND OFFICE

POISE, IDAHO

No. 2896

Desert-Land Act, March 3, 1877, as Amended by Act of March 3, 1891.

For Sale by HENRY N. COFF, Washington, D. C.

97-81

This affidavit can be made only upon applicant's personal knowledge, and from his own personal examination of the land, and must be subscribed and sworn to by the Register and Receiver of the land district in which the land is situated, or before the Judge or Clerk of a Court of record of the county in which the lands are situated, or any Commissioner of the United States circuit court having jurisdiction over the county in which the lands are situated.

DESERT-LAND ACT OF MARCH 3, 1877, AS AMENDED BY ACT OF MARCH 3, 1891.

DECLARATION OF APPLICANT.

No. 2896

United States Land Office, Boise, Idaho.

January 7th, 1908

I, Jacob Buchanan, of (town or city) Silver City
County of Cwyher, and State (or Territory) of Idaho

being duly sworn, on oath depose and declare: That I am a ~~native-born~~ (or naturalized) citizen* of the United States, of the age of 42 years, and a resident of Cwyher County, Idaho and by occupation a carpenter and farmer; that my post-office address is Silver City, Idaho; that I intend to reclaim a tract of desert land not exceeding one-half section, or 320 acres, by conducting water upon the same within four years from date of entry, in manner as required by the act of Congress approved March 3, 1877, entitled "An Act to provide for the sale of desert lands in certain States and Territories," as amended, by act of March 3, 1891. The land which I intend to reclaim is desert land and is situated in Cwyher county, in the

Boise land district, and is described as follows, to wit: The SE 1/4 of the
NE 1/4 and SE 1/4 of the NW 1/4 and the NE 1/4 of the SE 1/4 of

of Section No. 26, Township No. 7 S, Range No. 3 W BSM, containing 160 acres. I further depose and declare that I have made no other declaration for desert lands nor any other entry under the provisions of said act; that since August 30, 1890, I have not entered under the land laws of the United States, or filed upon, nor do I hold by assignment under the act of March 3, 1891, a quantity of land which, with the tracts now applied for, would make more than 320 acres; that I have made an actual personal examination of each and every legal subdivision of the land above described; that said land borders on (state what stream or body of water and describe the same) Rock Creek,

which passes SE 1/4 of the NE 1/4 of Sec. 26, and passes W the
North of above land. Rock runs nearly dry in August

and that there is through or upon said land (name and describe all water-courses, springs, or other bodies of water)

two small springs, which go dry during the
latter part of the summer.

that said land is not naturally irrigated or watered, nor overflowed at any season of the year by the foregoing or any natural stream, spring, or other body of water; that I expect to obtain my water supply to irrigate said land from Larissa Creek

that the character of the soil is Sandy loam

that said land will not, without artificial irrigation, produce an agricultural crop of any kind in amount reasonably remunerative, and that it will not, when used by grazing animals, produce native grasses sufficient in quantity to make an ordinary crop of hay in usual seasons; that there are no trees growing on said land, but that the same is devoid of timber; said land does not contain moisture sufficient to produce a natural growth of trees; that the same is essentially dry and arid land, wholly unfit for cultivation without artificial irrigation; that said land can not be successfully cultivated without being reclaimed by conducting water thereon; that said land has hitherto been unap-

[OVER.]

that said land will not, without artificial irrigation, produce an agricultural crop of any kind in amount reasonably remunerative, and that it will not, when unfed by grazing animals, produce native grasses sufficient in quantity to make an ordinary crop of hay in usual seasons; that there are no trees growing on said land, but that the same is devoid of timber; said land does not contain moisture sufficient to produce a natural growth of trees; that the same is essentially dry and arid land, wholly unfit for cultivation without artificial irrigation; that said land cannot be successfully cultivated without being reclaimed by conducting water thereon; that said land has hitherto been unappropriated, unoccupied and unsettled because it has been impossible to cultivate it successfully on account of its dry and arid condition; that it is a fact well known, patent and notorious, that the same will not, in its natural condition, produce any crop; that no portion of said land has ever been reclaimed by conducting water thereon, and that there are no lands in the vicinity of this tract that are or have been cultivated without artificial irrigation. And I further declare that there is not, to my knowledge, within the limits of said land 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 my knowledge, any placer, cement, gravel, or other valuable mineral deposit or salines; 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; and that said land is essentially non-mineral land. And I further declare that I make this affidavit at the request of W. C. B. Backman, and that I am not interested in any way or manner, directly or indirectly, present or prospective, in the application or declaration in support of which this affidavit is made, nor in the land itself, nor in any title thereto which may be acquired by said applicant or any other person.

W. C. B. Backman
Land Office at Basis Idaho,
January 7th, 1908

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 _____), 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 Silver City, on this 7th day of January, 1908.

W. C. B. Backman Register.
Property Judge Receiver.

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:

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, wilfully 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. (Sec. 1750).

(4-074.)

U. S. LAND OFFICE

AT

No.

DESERT-LAND ACT, MARCH 3, 1877.

AFFIDAVIT OF WITNESS

190

Sec. Range, Tp. Range

For Sale by HENRY N. COPE, Washington, D. C.

GENERAL LAND OFFICE.

Div. _____

(Land Office)

Serial No. _____

Send Patent to _____

Appearance by _____

Approved for Patenting _____

List No. _____

Patent No. _____

Dated _____, 19 _____

Abstract No. 194

Case No. 39

Confirmed by the Board

June 13 1913

AMH Clerk.

Mch 19 1913 - R.W.P. G
subject to confirmation by B.J.E.H. (Initials.)

'B' LIST NO. 272

to proviso in the Act of Aug. 30, 1838.

ACTION TAKEN. (C)

Cy May 16-08 J.G.A.
1st proof sub. 10-20-09 C.H.
July 28 4th proofs OK J.W.S. - L.

Naturalization
Test sent to patentee
OCT 26 1929 Test + B

To D. Files.
OCT 26 1929

NO. 344509
JUNE 27 1913