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Rock Creek

St. Louis

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: **A55-10352**
Date Received: 8/10/1994
Receipt No: W017904
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

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

83659

2. Date of Priority: MAR 15, 1912

3. Source: ROCK CREEK

Trib. to: BOULDER CREEK

4. Point of Diversion:

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

5. Description of diverting works:
DITCHES AND GRAVITY FLOW FOR FLOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.000		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
INCIDENTAL STOCKWATER

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	03W	25	NE	NE		IRR	11.0
			NW	NE		IRR	28.0
			NE	NW		IRR	32.0
			NW	NW		IRR	29.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	100.0
					Total Acres	100.0

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:
THIS CLAIM IS BASED ON CANCELLED PERMIT NO. 55-02010.
|
NOTICE OF APPEARANCE FROM PAT MADIGAN FOR CHARLES W STEINER.

15. Basis of Claim: BENEFICIAL USE

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: A55-10352
Date Received: 1/27/1993 PAID 8-10-94
Receipt No: 6017904
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

83659

2. Date of Priority: MAR 15, 1912

3. Source: ROCK CREEK Trib. to: BOULDER CREEK

4. Point of Diversion:

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

5. Description of diverting works:
DITCHES AND GRAVITY FLOW FOR FLOOD IRRIGATION.

6. Water is used for the following purposes:

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IRRIGATION	03/15	11/15	2.000		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
INCIDENTAL STOCKWATER

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	03W	25	NE	NE		IRR	11.0
			NW	NE		IRR	28.0
			NE	NW		IRR	32.0
			NW	NW		IRR	29.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	100.0
					Total Acres	100.0

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:
THIS CLAIM IS BASED ON CANCELLED PERMIT NO. 55-02010.

15. Basis of Claim: BENEFICIAL USE

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 Steiner Date: 9-8-93

Date: _____

State of Idaho

County of AOA)
) SS.

Subscribed and sworn (or affirmed) before me this 8th day

of Sept 19 93

Seal

Jan Shurtle
Notary Public

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

1999 JUN 28 PM 12:06

In Re SRBA)
)
Case No. 39576)
)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 55-10352

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

QUANTITY: 1.42 CFS

PRIORITY DATE: 11/14/1922

POINT OF DIVERSION: T07S R02W S30 LOT 02 (SWNW) Within Owyhee County
SWSESE

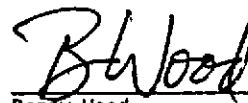
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	1.42 CFS

PLACE OF USE:	Irrigation		Within Owyhee County
	T07S R03W S25	NENE 13.0	NWNE 25.0
		NENW 18.0	NWNW 15.0
	71.0 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
IRRIGATION SEASON. COMBINED RIGHT NOS.: 55-02008, 55-02152A,
55-02208A, 55-04150, 55-10351, 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

RECEIVED

JUN 30 1999

Department of Water Resources

1999 JUN 28 PM 12:06

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

RECEIVED

In Re SRBA

ORDER OF PARTIAL DECREE

OCT 04 1999

Case No. 39576

For Water Right 55-10352

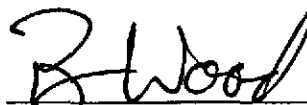
WATER RESOURCES
WESTERN REGION

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 55-10352 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): 55-10352

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 55-10352 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

OWNER CODE: C
NAME & ADDRESS: CHARLES W STEINER
STAR ROUTE
OREANA ID 83659

Water Source: ROCK CREEK
Point(s) of Diversion: T07S R02W S30 Lot02(SWNW) SWSESE

Place of use Legal Description for: IRRIGATION

		NE		NW		SW		SE	
NENE NWNE SWNE SENE		NENW NWNW SWNW SENW		NESW NWSW SWSW SESW		NESE NWSE SWSE SESE			
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac	SUM	
07S	03W	25	: 13 25	: 18 15	:	:	:	TOTAL ACRES	
								71.0	
								71.0	

POU County: Owyhee

Remarks: POU1 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 408 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 55-02008, 55-02152A, 55-02208A, 55-04150, 55-10351, 55-10353 & 55-10354.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag: Presumption Flag:

Comments: Date: 03/01/1998 User-ID: JSHURTE Subject: PRIORITY DATE & ACRE RECOMMENDATION
THE DATE OF PRIORITY WAS ADVANCED TO THE DATE ARTHUR CORLETT
SIGNED THE COMPLETION OF WORKS UNDER A DIFFERENT CANCELLED PERMIT
(CANCELLED FOR FAILURE TO SUBMIT PROOF OF BENEFICIAL USE WHICH
WAS COMMON IN THOSE DAYS). PROOF OF COMPLETION OF WORKS STATED

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

Comments:

Date: 03/01/1998 User-ID: JSHURTE Subject: PRIORITY DATE & ACRE RECOMMENDATION
HE HAD ACTUALLY BEEN USING THE WATER 10 YEARS PRIOR TO THAT ON
THE LAND UNDER THIS CLAIM. HOWEVER, IN A FIELD EXAM IN 55-02008
IN 1914 FOR ADJACENT LAND TO THIS CLAIM, THE FIELD EXAMINER MADE
NO MENTION OF ANY IRRIGATION OF OTHER GROUND. SO, I AM USING THE
DATE THIS AFFIDAVIT WAS SIGNED AND NOTARIZED. THESE ACRES COVER
ONLY THE LAND THAT COULD HAVE BEEN IRRIGATED ON THE CORLETT PLACE
FROM ROCK CREEK - ALL NORTH OF ROCK CREEK.

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 ON 55-04150
THE TOTAL ACRE LIMITER CONDITION WAS CHANGED DUE TO THE ADDITION
OF 15 DIFFERENT ACRES ON 55-04150 AS A RESULT OF THE NOTICE OF
ERROR SUBMITTED FOR THAT RIGHT. THE TOTAL ACRES CHANGED FROM
393 TO 408.

Audit: 04/29/98 JSHURTE

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

AJ0743NP
(00-124)

Water Right Number - R55-10352 Prefix Translation: RESEARCH Old (D) Number -
+ - - - - 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

+ - - Priority Date - - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
11/14/1922 14 WESTERN J - BENEFICIAL USE
+ - - Source - - - - - + + - - - - Tributary - - - - - +
ROCK CREEK NORTH BOULDER CREEK

+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County
07S 02W 30 SW NW 2 (73) OMYHEE HATTON RESERVOIR DIV PT
SW SE SE (73) OMYHEE TRIANGLE RESERVOIR DIV PT

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/15 10/15 1.420

+ - Total Div. Rate - - + + - Total Div. Volume - - + + - Total Consumptive Use - - + + - KW Usage - - +
1.420 1.420 0.0

TwN	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
07S	03W	25	NE NE	13.0	01	IRRIGATION	(73)	OMYHEE	(73)
07S	03W	25	NW NE	25.0	01	IRRIGATION	(73)	OMYHEE	(73)
07S	03W	25	NE NW	18.0	01	IRRIGATION	(73)	OMYHEE	(73)
07S	03W	25	NW NW	15.0	01	IRRIGATION	(73)	OMYHEE	(73)

Total Acres: 71.0

+ - - Diversion Means - DITCHES AND GRAVITY FLOW FOR FLOOD IRRIGATION.

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

Water right number - R55-10352

Prefix Translation: RESEARCH

[illegible]

POU1

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.: 55-02008, 55-02152A, 55-02208A, 55-04150 55-10351, 55-10353 & 55-10354.

[illegible]

No Old Water Right Numbers Found

[illegible]

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

[illegible]

Date: 03/01/1998 User Id: JSURTE Subject: PRIORITY DATE & ACRE RECOMMENDATION
THE DATE OF PRIORITY WAS ADVANCED TO THE DATE ARTHUR CORLETT SIGNED THE COMPLETION OF WORKS UNDER A DIFFERENT CANCELLED PERMIT
(CANCELLED FOR FAILURE TO SUBMIT PROOF OF BENEFICIAL USE WHICH WAS COMMON IN THOSE DAYS). PROOF OF COMPLETION OF WORKS STATED
HE HAD ACTUALLY BEEN USING THE WATER 10 YEARS PRIOR TO THAT ON THE LAND UNDER THIS CLAIM. HOWEVER, IN A FIELD EXAM IN 55-02008
IN 1974 FOR ADJACENT LAND TO THIS CLAIM, THE FIELD EXAMINER MADE NO MENTION OF ANY IRRIGATION OF OTHER GROUND. SO, I AM USING THE
DATE THIS AFFIDAVIT WAS SIGNED AND NOTARIZED. THESE ACRES COVER ONLY THE LAND THAT COULD HAVE BEEN IRRIGATED ON THE CORLETT PLACE
FROM ROCK CREEK - ALL NORTH OF ROCK CREEK.

Date: 03/04/1998 User Id: A-11110-DS Subject: A-11110 CONDITION UPDATE

Date: 05/04/1998 User: ID: A0010 DS Subject: A0010 DS
CONDITION CODE(S) HQ3 HQ4 ADDED IF NOT ALREADY PART

CONDITION CODE(S) 1103 1104 ABOVE IS NOT RELEASABLE
Date: 04/15/1998 User Id: SSSHERMAN Subject: NOTICE OF APPEARANCE

NOA FROM PAT MADIGAN REPRESENTING CHARLES W STEINER -
DATE: 04/15/1998 USE1 ID: 33HENMAN SUBJECT: NOTICE OF AFFIDAVANCE

+ - - Audit Fields - - +

04/15/98 SSHERMAN

+ Adjudication Rights and Flags Area - - - - - +

Court Report Filing Objection Filed Date	Field Inspection Made	Civil Case Number
- 00/00/0000	Field Inspection Flag	- 00/00/0000
- 00/00/0000	Verified Date	- Old Case Number
- 00/00/0000	Last Amended Date	- Old Judicial District
- 08/10/1994	Receipt Number	- Temporary Right
	POU Ownership Flag	- Water District
	Name Connector	- Federal/State Indicator
		- AND/OR
		- Presumption Flag
		- Notice of Error Flag

RECEIVED

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)

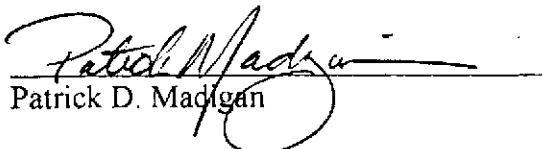
Case No. 39576)

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

AIR' records modified 04-15-1998, so

55-02008

✓ - 02084

✓ - 02152A

✓ - 02208A

✓ - 04150

✓ - 10351

✓ - 10352

✓ - 10353

✓ - 10354

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

RECEIVED

APR 14 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

April 13, 1998

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

Re: *Notice of Appearance*

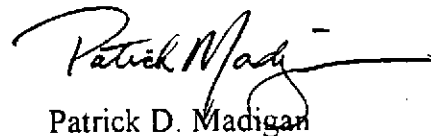
Diana:

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

AJ0749NP
No. R55-10352

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

DATE: 03/02/98
PAGE: 2

Comments: Date: 03/01/1998 User-ID: JSHURTE Subject: PRIORITY DATE & ACRE RECOMMENDATION
HE HAD ACTUALLY BEEN USING THE WATER 10 YEARS PRIOR TO THAT ON
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IN 1914 FOR ADJACENT LAND TO THIS CLAIM, THE FIELD EXAMINER MADE
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DATE THIS AFFIDAVIT WAS SIGNED AND NOTARIZED. THESE ACRES COVER
ONLY THE LAND THAT COULD HAVE BEEN IRRIGATED ON THE CORLETT PLACE
FROM ROCK CREEK - ALL NORTH OF ROCK CREEK.

Audit: 03/02/98 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.

RECEIVED

MAR 20 1998

WATER RESOURCES
WESTERN REGION

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

Why then has he carried
that forward & re-applied

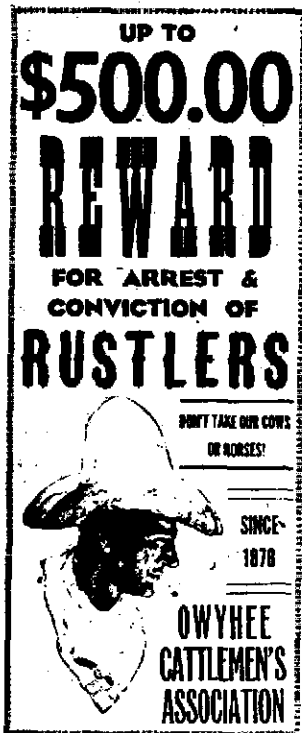
in 84 & 89? He could have
corrected his MISTAKE

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

RECEIVED

MAR 20 1998

WATER RESOURCES
WESTERN REGION

3/18/98

Jon Schute

Please find enclosed forms to
respond to notices of Error in
Charles Stern's Water Right Claims

As you are aware I adamantly disagree
with the 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 licensure of therefore transfer to
non-irrigated lands constituting an expansion
of a right non-existent.

I adamantly object to the Stern Claims of
R550284, R5502008, R5502152A, R5510351, R5502208A
R5504150, R5510352, R5510353, R5510354

Please post this in all these files Sincerely, J. Schute

APPROX COPY
TO ALL 9 FILES NOTICE OF ERROR
PLEASE 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 02308A
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 ALLOCATIONS 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 CONTENDS (IDWR RECORDS SUPPORT) A MAXIMUM OF 96 ACRES WAS EVER ACTUALLY INDICATED
- I AGREE with this proposed recommendation; no changes need to be made.

DATE: 3/19/98 SIGNATURE: DON BARNHILL
Please print your name: DON BARNHILL
PO BOX 343
GRAND VALLEY
OREGON
97910

NOTICE OF ERROR
REPLY

RECEIVED

MAR 20 1998

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: R5510352

Daytime Telephone Number: 2088912620 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 OF IT - IT IS BASED UPON FRAUDULENT INFORMATION FOR USE AS NOTED BY IDWR STATE THIS IS BASED UPON CANCELLED PERMITS FOR LACK OF
2. Describe the changes you wish to make in the proposed recommendation: BENEFICIAL USE & PARTITION THAT LIVED EXAMS MAKE NO MENTION OF ACTUAL IRRIGATION
3. Give a brief explanation as to why you disagree with these portions: FRAUDULENT CLAIM - DOES NOT FIT HISTORICAL USE - 96 ACRES MAXIMUM OF UN PERMITTED USE IN THE 70'S WITHOUT BENEFICIAL USE ESTABLISHED OR ASKED FOR FOR EVEN THAT

 I AGREE with this proposed recommendation; no changes need to be made.

DATE: 3/18/98

SIGNATURE: [Signature]

Please print your name: DON BARNHILL

PO BOX 343

GRAND LARREY WAGON
97910

15:01:17
03/09/98

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

PAGE: 1
GENERAL INFORMATION

LAST: STEINER
ADDRESS: STAR ROUTE
CITY: OREANA
PHONE NUMBER: 208-000-0000
OWNER CODE: C

FIRST: CHARLES
STATE: ID ID ZIP: 83659

CLAIM NUMBER: A55-10352

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS?
CLAIM REMARKS: GEN THIS CLAIM IS BASED ON CANCELLED PERMIT NO. 55-02010.

DATABASE Y
FIELD EXAMINER Y() N()

FIELD EXAMINATION INFORMATION

See A55-02052B

CONTACT PERSON: _____ PHONE NUMBER: () _____
DATE OF FIELD EXAM: ____/____/____ APPOINTMENT MADE: Y() N() TIME: ____:____ A() P()
ACCOMPANIED BY: _____ PHONE NUMBER: () _____
RELATIONSHIP TO CLAIMANT: _____
DIRECTIONS TO PROPERTY / NOTES:

A. AJ CLAIM: # A55-10352 PRIORITY DATE: 03-15-1912 STAGE: J

B. WR RECORD: NO WATER RIGHT RECORD TO MATCH THIS AJ CLAIM

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE? Y() N(☒)D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE? Y() N(☒)E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE? (IF YES, DESCRIBE BELOW) Y() N(☒)

F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?

PROOF OF BENEFICIAL USE SUBMITTED N/A() Y() N()

FIELD EXAM COMPLETED N/A() Y() N()

FIELD EXAM SENT TO STATE OFFICE N/A() Y() N()

LICENSE ISSUED N/A() Y() N()

* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT, USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE OF THE PRIORITY DATE REQUIRED? N/A() Y(☒) N()

* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED, INCLUDING THE ANALYSIS OF THE EVIDENCE.

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY? Y(☒) N()

NOTES:

The date of priority of this right was from an affidavit of proof of completion of works executed by Arthur Corlett under a different permit which was cancelled for failure to submit proof of Bt. Ca common occurrence in the Marysville back were recorded). Proof of completion of works actually stated that the water had been diverted to the prior. However, no information (proof) that this occurred & so the signing of the affidavit was used. Plus on the homestead passed signed

RECOMMENDED PRIORITY DATE:

11-14-1922

REVIEWED BY



DATE 3-2-98

in 1912 it appeared there were 15 acres being irrigated & 23 cleared & irrigated. See homestead papers in file. So, the 1922 date is being recommended.

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

[illegible]

SOURCE: ROCK CREEK

TRIB: BOULDER CREEK

B. WR POINT OF DIVERSION AND SOURCE:

THERE IS NO WATER RIGHT RECORD WITH THE SAME CLAIM NUMBER

SOURCE: NO SOURCE FOR RECORD

TRIB: NO TRIBUTARY FOR RECORD

C. IS THE CLAIMED POOL WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

10. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA?

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM?

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

11. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? *See ATT-02613A*

4. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM?

1. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM

	(DATE OF FIELD EXAM)
--	----------------------

NAME OF EXAMINEE

OTHER (DESCRIBE IN NOTES BELOW)

PD's confirmed during AS exam.

A. ROOT WATER RIGHT NUMBERS: A55-10352 R55-10352

*ALL ACRES
NORTH OF ROCK
CREEK.
per GIS*

B. PQU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
07S	03W	25	NE	NE		STEINER, CHARLES W	A55-10352 / 11.0	-	12.0		13
			NE	NE		STEINER, CHARLES W	A55-10354 / 11.0	-			
			NE	NE		STEINER, CHARLES W	R55-10352 / 13.0	-			
			NE	NE		STEINER, CHARLES W	R55-10354 / 13.0	-			
			NE	NE		STEINER, CHARLES W	A55-02152A / 11.0	-			
			NE	NE		STEINER, CHARLES W	A55-02208A / 11.0	-			
			NE	NE		STEINER, CHARLES W	A55-04150 / 11.0	-			
			NE	NE		STEINER, CHARLES W	A55-10351 / 11.0	-			
07S	03W	25	NW	NE		STEINER, CHARLES W	A55-10352 / 28.0	-	25.0		25
			NW	NE		STEINER, CHARLES W	A55-10351 / 28.0	-			
			NW	NE		STEINER, CHARLES W	R55-10352 / 25.0	-			
			NW	NE		STEINER, CHARLES W	R55-10351 / 3.0	-			
			NW	NE		STEINER, CHARLES W	R55-10353 / 3.0	-			
			NW	NE		STEINER, CHARLES W	R55-10354 / 28.0	-			
			NW	NE		STEINER, CHARLES W	A55-02152A / 28.0	-			
			NW	NE		STEINER, CHARLES W	A55-02208A / 28.0	-			
			NW	NE		STEINER, CHARLES W	A55-04150 / 28.0	-			
			NW	NE		STEINER, CHARLES W	A55-10354 / 28.0	-			
			NW	NE		STEINER, CHARLES W	R55-04150 / 3.0	-			
07S	03W	25	NE	NW		STEINER, CHARLES W	A55-10352 / 32.0	-	33.0		18
			NE	NW		STEINER, CHARLES W	R55-10352 / 18.0	-			
			NE	NW		STEINER, CHARLES W	R55-04150 / 10.0	-			
			NE	NW		STEINER, CHARLES W	R55-10351 / 10.0	-			
			NE	NW		STEINER, CHARLES W	R55-10353 / 10.0	-			
			NE	NW		STEINER, CHARLES W	R55-10354 / 28.0	-			
			NE	NW		STEINER, CHARLES W	A55-02152A / 32.0	-			
			NE	NW		STEINER, CHARLES W	A55-02208A / 32.0	-			
			NE	NW		STEINER, CHARLES W	A55-04150 / 32.0	-			
			NE	NW		STEINER, CHARLES W	A55-10351 / 32.0	-			
			NE	NW		STEINER, CHARLES W	A55-10354 / 32.0	-			
07S	03W	25	NW	NW		STEINER, CHARLES W	A55-10352 / 29.0	-	21.0		15
			NW	NW		STEINER, CHARLES W	A55-02152A / 29.0	-			
			NW	NW		STEINER, CHARLES W	A55-04150 / 29.0	-			
			NW	NW		STEINER, CHARLES W	R55-10351 / 1.0	-			
			NW	NW		STEINER, CHARLES W	R55-10353 / 1.0	-			
			NW	NW		STEINER, CHARLES W	R55-10354 / 16.0	-			
			NW	NW		STEINER, CHARLES W	A55-02208A / 29.0	-			
			NW	NW		STEINER, CHARLES W	A55-10351 / 29.0	-			
			NW	NW		STEINER, CHARLES W	A55-10354 / 29.0	-			

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
			NW	NW		STEINER, CHARLES W	R55-10352 / 15.0	-	/		
			NW	NW		STEINER, CHARLES W	R55-04150 / 1.0	-	/		

ADDITIONAL POU FOUND

TOTAL ACRES		A55-10352		100.00		91.00		71 acres	
		(only acres north of Rock Cr. could have been irrigated under their claim for the Author Corbett homestead,							
		under rights							
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(only acres north of rock Cr. could have been irrigated under their claim for the Outflow Corlett homestead,

rights

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y(☒) N(☐)

* IF YES, COMPLETE OVERLAP REVIEW:

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

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A(☐) Y(☒) N(☐)

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A(☐) Y(☒) N(☐)

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y(☒) N(☐)

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y(☐) N(☒)

CHECK DOCUMENTS USED TO VERIFY POU: ☒ ORTHOPHOTOQUAD, IDWR NO. 1979; ☒ TOPOGRAPHIC QUAD, IDWR NO. 3;
() MAP, IDWR NO. 1987; ☒ ASCS PHOTO; () OTHER 1988

NOTES:

These acres recommended were irrigated under the Corlett affidavit and were irrigated in 1987 per MAP. The ASCS counted them as being irrigated. However, unless more evidence can be submitted I found no evidence of 5 years or more of non-use. All acres are under the alkali & slope down to Rock Creek meaning gravity irrigation can & does occur.

RECOMMENDATIONS:

TOTAL ACRES: 24 N/A()
REVIEWED BY: [Signature] DATE: 3-2-88

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A55-10352 IRRIGATION	FROM 03-15 TO 11-15	2.000 CFS	
TOTAL DIVERSION RATE/VOLUME		2.000 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE?

Y(☒) N(☐)

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A(☒) Y(☒) N(☐)

* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM?

Y(☒) N(☐)

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS?

Y(☒) N(☐)

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS?

Y(☒) N(☐)

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A(☒) Y(☐) N(☐)

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM?

N/A(☐) Y(☒) N(☐)

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A(☒) Y(☐) N(☐)

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM?

N/A(☒) Y(☐) N(☐)

Can use meas. of North ditch in 55-02/52 & station has div. ditch meas.

NOTES:

The north ditch is fully capable of delivering this amount. Wild flow in 1971 - estimate of 60 cfs. Dam safety estimate can carry 22 cfs. The ditch from station reservoir is smaller & it can carry 12.64 cfs (per Manning measurement). Therefore, this might can be carried in the ditch, either at the diversion from bridge or at the diversion at the station dam.

AJ CLAIM TOTAL DIVERSION RATE: 2.000 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? ☒ Y ☐ N

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? ☒ Y ☐ N

* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE? ☒ Y ☐ N

* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM? ☒ Y ☐ N

FLOW MEASUREMENT

MEASUREMENT METHOD See A55-02152B for station SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE 21 x 0.02 CFS/ACRE = 6.42 CFS
(Taken from post review)

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? ☒ Y ☐ N

IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? ☐ Y ☐ N

2. IRRIGATION DIVERSION VOLUME N/A

CLAIMED DIVERSION VOLUME = AF/A

ACRES x DIVERSION VOL. AF/A FOR AREA =

TOTAL DIVERSION VOLUME AF/A

3. IRRIGATION CONSUMPTIVE USE N/A

CLAIMED CONSUMPTIVE USE = AF/A

ACRES x CONSUMPTIVE VOL. AF/A FOR AREA =

TOTAL CONSUMPTIVE USE AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW () OR SEE ATTACHMENT ()

See meas. of station dis in 55-02152B & explain in 55-02152 plus dam safety estimate.

NOTES:

[illegible]

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REC. PURPOSE OF USE	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	03-15 11-15	DATABASE EXAMINER 2.000	DATABASE EXAMINER	DATABASE EXAMINER 0.0
<u>IRRIGATION</u>	<u>4-15 10-15</u>	<u>1.43</u>	<u>N/A</u>	<u>N/A</u>
TOTAL FOR THIS RIGHT				

NON-IRRIGATION USES CLAIMED: INCIDENTAL STOCKWATER

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED () NO - Incidental stockwater
funding from ditches - covered under
other rights

REVIEWED BY: [Signature] DATE: 3-2-98

FLAG: NONE

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

POU1 - E1H - Use of this right with 55-02008, 02152A,
02208A, 04450, 10351, 10353 & 10354 cannot
exceed 393 acres of irrigation. (This is the
total # of acres being irrigated).

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

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: 55-10352

TOTAL DIVERSION RATE OF WR SPLITS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	DATABASE	EXAMINER	CFS	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A55-10352	2.000				1.420	-	
TOTAL CFS		2.000				1.420		

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 DESCRIBED BELOW () OR SEE ATTACHMENT ()?

NOTES:

AUTHENTICATION:

SIGNATURE: _____

DATE: 3-2-98

NAME OF FIELD EXAMINER: _____

TITLE: WATER RIGHTS SUPERVISOR

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED) IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION

COPY INCLUDED
IN FILE?

☒ ORTHOPHOTOQUAD

DATE OF PHOTO

1979

IDMR ID NO.

AAS5556

☒ N()

☐ TOPOGRAPHIC

DATE FIELD CHECKED

IDMR ID NO.

☐ N()

☒ NAPP

DATE OF PHOTO

1987

IDMR ID NO.

AAS555E

☐ N()

☒ ASCS AERIAL PHOTO

DATE OF PHOTO

1988

IDMR ID NO.

AA-1656

☐ N()

☐ ASCS COLOR SLIDE

DATE OF PHOTO

☐ N()

☐ BLM OR USFS AERIAL PHOTO

DATE OF PHOTO

☐ N()

☒ TOWNSHIP SURVEY (GOVERNMENT PLAT)

DATE OF SURVEY

☐ N()

☐ SCS SOIL SURVEY MAP

DATE ISSUED

☐ N()

☐ SUBDIVISION PLAT MAP

DATE OF MAP

☐ N()

☐ OTHER

DATE

☐ N()

☐ OTHER

DATE

☐ N()

☐ OTHER

DATE

☐ N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED) IF ATTACHED, SUPPLY APPROPRIATE INFORMATION PAGES

☒ LICENSING FIELD EXAM *in* A55-02152A

DATE OF FIELD EXAM

☐ WATER RIGHT LICENSE

DATE LICENSE SIGNED

☐ IDMR APPROVED TRANSFER

DATE TRANSFER APPROVED

☒ SYSTEM DESCRIPTION

DATE DRAWN

WRITTEN DESC. in FILE

☒ PHOTOGRAPHS *in* A55-02152A

DATE(S) PHOTOS TAKEN

☐ SPLIT RIGHT REVIEW

DATE REVIEW COMPLETED

☐ HUBBLE ANALYSIS

DATE ANALYSIS COMPLETED

☐ CONVEYANCE LOSS ANALYSIS

DATE ANALYSIS COMPLETED

☒ FLOW MEASUREMENT CALCULATIONS *in* A55-02152A

DATE SYSTEM MEASURED

☐ OTHER

DATE

☐ N()

☒ OTHER AFFIDAVIT FROM

DATE

☐ N()

*ARTHUR CORLETT
DATED 11-14-1922
MAP FROM CANCELLED DRAFT A55-02010
PROOF OF COMPLETION OF WORKS COPY FROM
PERMIT.*

*AFFIDAVIT FROM LESTER BUCK
DATED 9-8-93
HOMESTEAD PAPERS FOR
ARTHUR CORLETT DATED 1912*

*ALL
ATTACHED
TO THIS
RIGHT*

DESCRIPTION OF DIVERTING WORKS - TRIANGLE RANCH - CHUCK STEINER
55-02008, 55-02152A, 55-02208A, 55-04150, 55-10351, 55-10352,
55-10353 & 55-10354

TRIANGLE RESERVOIR

Triangle reservoir is located on Rock Creek with a 29' high dam and 1184 af of storage. Louisa Creek flows into Triangle reservoir in the NENE, S31, T7S, R2W, therefore, Triangle reservoir collects both Rock Creek and Louisa Creek water. The reservoir water is diverted via two headgates - the North headgate and the South headgate.

North headgate - this headgate diverts water to irrigate lands in the SW1/4SE1/4 & SW1/4, Sec. 30, north of Rock Creek, before entering the Hatton diversion reservoir and dam in the NWSW and SNNW, S30. A diversion from the northside of Hatton Reservoir in the NENE, Sec. 25, carries the water to the lands in the N1/2NE1/4 and the N1/2NW1/4, S. 25, aka the Corlett homestead. This ditch continues west to irrigate lands owned by the Wintercamp Ranch Trust under 55-02006, 55-02152B and 55-02208B. There was evidence of a ditch that diverted on the southside of Hatton Reservoir to the lands south of Rock Creek in Sec. 25, T7S, R3W, however, it was not in use at the time of the field exam due to a rockslide covering the ditch.

At the time of this exam there was a ditch which crossed over from the North headgate ditch and diverted water in a westerly direction to irrigate the remaining lands in the SWSE & SW1/4, Sec. 30, south of Rock Creek aka the Bachman homestead.

South headgate - this headgate diverts water south from Triangle reservoir. It divides into two ditches with both heading south to catch ponds and joining in the NENW, Sec. 31 (along with the Louisa Creek ditch described below) and continue as one in a westerly direction irrigating lands in the NW1/4, Sec. 31 and the E1/2SE1/4, Sec. 25. The ditch continues west to a small diversion pond located in the center of the SE1/4, Sec. 25. Water is then dispersed north to irrigate lands in the N1/2SE1/4, S1/2NE1/4, Sec. 25, south of Rock Creek, and west to another small diversion pond in the SENW, Sec. 25. The water continues from this pond in a northwesterly direction to irrigate lands in the SENW, NENW, Sec. 25, south of Rock Creek. These lands in the N1/2SE1/4, S1/2NE1/4, E1/2 NW1/4, Sec. 25 were aka the Bachman homestead.

LOUISA CREEK RESERVOIR

Louisa Creek reservoir is located on Louisa Creek with a 41' high dam and 175 af of storage. The Louisa Creek ditch diverts out of Louisa Creek below the reservoir in the NESE, Sec. 31. It heads north towards Triangle Reservoir, then turns and heads west to where it joins the ditch from the South headgate in the NENW, Sec. 31. See the description of where this ditch then heads and which lands it irrigates as described above under the South headgate.

Proof of Completion of Works made November 14, 1922.
Certificate of Completion of Works issued December 2, 1922.

Permit No. 4632.

CERTIFICATE OF COMPLETION OF WORKS

To All Whom It May Concern:

This is to certify that Arthur B. Corlett of Triangle, County of Owyhee, and State of Idaho, the holder of Permit No. 4632, issued upon Application No. 3328, bearing date of priority of March 11, 1909, authorizing the diversion of two second feet of the waters of Rock Creek, County of Owyhee, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said permit; that said works are adequate for diverting and conveying to the place of intended use two second feet of the waters of Rock Creek, that the point of diversion of said waters is about 60 rods from the NE $\frac{1}{4}$ of Section 25, T. 7 S., R. 3 W., B. M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: NE $\frac{1}{4}$ and NE $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 25, T. 7 S., R. 3 W., B. M.

Witness my hand this 2nd day of December, A. D. 1922.

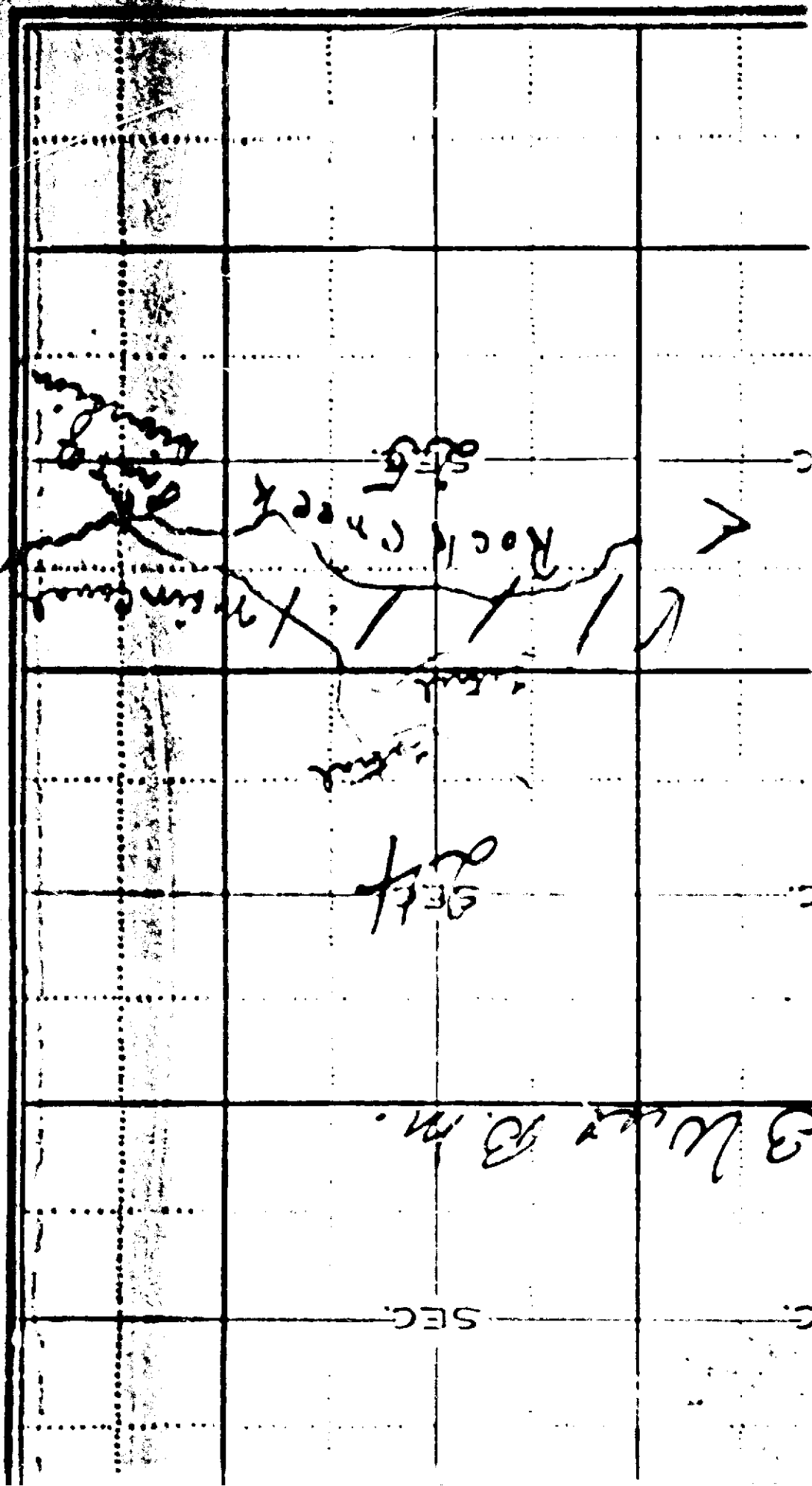
W. G. SWENDSEN,
Commissioner of Reclamation

By Geo. H. Carter,
Assistant.

1 MILE. DRAW PLAN IN INK.

2535

Printed for sale by the Government Printing Co., Boston, U.S.A.



**IN THE MATTER OF ADJUDICATION CLAIMS FILED BY CHARLES STEINER ON THE
ROCK CREEK & LOUISA CREEK FILINGS**

**STATE OF IDAHO
COUNTY OF OWYHEE**

AFFIDAVIT

I, Lester Buck, being first duly sworn, deposes and says: Angelo Giusti purchased the Bachman place, now owned by Charles Steiner, on February 1, 1964 and E. P. Lawrence purchased the Hatton place, now owned by Carol Gilbert in the summer of that same year. In September, 1964, I first spoke with E. P. Lawrence concerning the construction of the Rock Creek/Louisa Creek dam, also known as Triangle Reservoir. I had previously worked for the South Board of Control, Bureau of Reclamation, and suggested we speak with the Gem Irrigation District prior to beginning construction since this area eventually is tributary to the Owyhee River which concerns the Irrigation District due to their water right for Owyhee Reservoir. After this meeting there was a brief discussion on the future division of the water from Triangle Reservoir. It was decided, at the time, that the water would be divided equally between the two parties. This was due to the fact that the building of the reservoir was principally funded by Lawrence with Giusti funding some along with the property upon which the reservoir was planned. The meeting with Gem Irrigation District was held on October 6, 1964 and attached are the meeting notes showing the approval of construction of the dam from the Gem Irrigation District. The agreement included allowing storage water from Louisa Creek to flow down Louisa Creek into Triangle Reservoir to be used from Triangle Reservoir on the lands previously irrigated from both Louisa Creek and Rock Creek.

The reservoir was originally begun shortly after the meeting with Gem Irrigation District, later in October, 1964. This original dam partially failed on December 24, 1964, and was begun again in June, 1965. The reservoir partially filled that summer and some irrigation did occur using the north ditch, which was the first and only ditch from the reservoir at that time. Water was still used as before from Rock and Louisa Creek during the construction of the reservoir.

Improvements required by the state were completed in 1966, and the Triangle reservoir filled to capacity for the first time in the spring/summer of 1967. During that irrigation season approximately 74 additional acres were placed under irrigation located within the W1/2NW1/4 and the SE1/4NW1/4, Sec. 31, Twp. 7S, Rge. 2W. Prior to that date approximately 536 acres were irrigated from the time the Bachman's and Corlett's first owned the property now owned by Charles

Steiner. These 536 acres lie within Sections 30 and 31, Twp. 7S, Rge. 2W, and in Sections 25 and 36, Twp. 7S, Rge. 3W and were irrigated from diversions on both Rock Creek and Louisa Creek prior to any reservoirs being built. The 74 acres added in 1967 were the only additional acres to be irrigated as a result of Triangle Reservoir and were irrigated from the south headgate on the dam, which was completed in 1967. Both the south and north headgates and ditches from Triangle Dam have been used to irrigate the 610 acres since the dam was built.

Lulu Buck
(Signature)

Subscribed and sworn to before me this 9th
day of September, 1993.

Jan Skute
(Notary Public)

Residing at Meridian ID.

My Commission Expires 9-14-94.

Attest:

J. H. Cotton
Secretary

MINUTES OF THE REGULAR MEETING
OF THE GEM IRRIGATION DISTRICT
HELD AT THEIR OFFICE IN HOMEDALE,
IDAHO, OCTOBER 6, 1964.

Members Present: All

The meeting was called to order by President Stansell who presided.

The minutes of the previous meeting were read and approved as read.

Lester Buck appeared before the Gem Irrigation District in behalf of the Angelo Giusti interests in Owyhee County, Idaho to request that the Gem District sanction a reservoir storage permit. This permit would be for beneficial water use on lands owned by Angelo Giusti and Larry Lawrence.

A motion was made by Edward Parr, seconded by R. F. Malmberg and passed unanimously that the Gem Irrigation District would have no objection to the construction of a new reservoir at the confluence of Luisa and Rock Creeks, located in the North East Quarter (NE $\frac{1}{4}$) of the North East Quarter (NE $\frac{1}{4}$) Section 31, Township 7 South, Range 2 West Boise Meridian. The reservoir is to be limited to 700 acre feet of active storage. It is understood that the site is on the property owned presently by Angelo Giusti and the storage water will be used on lands owned by Angelo Giusti and Larry Lawrence.

Motion made by Russell Dines, seconded by Forney Malmberg and passed unanimously appointing the following judges for the December election of the Gem Irrigation District:

Gem Office Precinct #2: Mildretta Adams, Mrs. Clark Maybon, Florence Stimmell; Precinct #3 Homedale American Legion Hall: Dora Uptoh, Emma Henry, Amy Adams. Precinct #2 Wo-He-Lo Club Marsing, Emma Johnstone, Ruby Maxwell, and Anna Moore.

Motion made by Don Parker seconded by Forney Malmberg and unanimously approved to accept the securities put up by the Idaho First National Bank of Homedale, in the amount of \$200,000.00.

The following policies were adopted by unanimous consent of the members representing the New Unit of the Gem District (Forney Malmberg, Ed Parr and Edwin Stansell).

The New Unit Drainage fund will contribute in behalf of (A) tiling of existing drain ditches which are located below the South Canal and above the A canal in the Gem District and are beneficial to land classified as irrigable. Payment will be based on the least amount of the two following alternatives:

(1) 50 cents per lineal foot of tile laid or (2) pay for the gravel purchase, hauling and placing of gravel and laying of the tile. This work is to be done by the South Board of Control crew and charged at their normal rate of hire. If work is done by other than South Board equipment and crew special permission must be received from the board of directors in order to receive a payment from the drainage fund.

(B) On new drains in the New Unit area where tile is to be laid, the drainage fund will contribute one half the estimate cost which would be charged by the South Board of Control for digging an open drain of equal depth with $1\frac{1}{2}$:1 side slopes.

Motion made by Ed Parr, seconded by Russell Dines and passed unanimously authorizing the manager to hire Mr. R. L. Jones of Nampa to audit the accounts for the fiscal year ending Sept. 30, 1964.

Mr. Dick Eismann was present to explain the new action in the Wessling-Gem case. This involves the naming of all the board members who were present at the time the action took place plus the present manager who was not present at that time; and the previous manager, Forrest Thompson. Mr. Eisman is to appear at court October 7, 1964 in relation to the above named.

Treasurer's report was read and approved in the amount of \$29,872.63.

Bills in the amount of \$328.81 were approved ordered paid and vouchers filed.

There being no further business to come before the board, the meeting was adjourned.

Attest:

T. A. Cotton
Secretary

Edwin Stansell
President

MINUTES OF THE STATUTORY MEETING OF
THE GEM IRRIGATION DISTRICT HELD AT
THEIR OFFICE OCTOBER 6, 1964.

Department of the Interior

United States Land Office

BOISE, IDAHO.

HA. #9217- Serial No. 03974

Receipt No. 909747-909845

Certificate.

Homestead.

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

April 11, 1912
(Date.)

It is hereby certified that, pursuant to the provisions of Section 2291, Revised Statutes of the United States,
Arthur B. Corlett

has made payment in full for ~~1/4 NW 1~~ and ~~1/4 NE 1~~

Section 25
Township 7 South, Range 3 West, Boise Meridian,
Idaho, containing 160 acres.

Now, therefore, be it known that, on presentation of this Certificate to the COMMISSIONER OF THE GENERAL LAND OFFICE, the said Arthur B. Corlett

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

Wm. B. Riedersheim, 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

By

Division

Posted in

JUN 14 1912

JUN 13 1912

Pat. No. 282144
JULY 1 1912

6. 6/2
MAR 29 1906

4-369.

Form approved by the Secretary of the Interior November 23, 1906.

DEPARTMENT OF THE INTERIOR.

HOMESTEAD ENTRY.

U. S. LAND OFFICE,

Boise, Idaho.

No. 9217

No. 03974

FINAL PROOF.

RECEIPT No.

909747

TESTIMONY OF CLAIMANT.

RECEIPT No. 909845

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

ANSWER. Arthur D. Leonard, 33 years

Boise, Idaho

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

ANSWER. Yes, State of Michigan

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

03974, at the Boise Land Office on the

11th day of June, 1906, for the

7 1/2 NW 1/4, 7 1/2 NE 1/4

Section 26

Township 7.8, Range 8 W, Boise Meridian?

ANSWER. Yes

QUESTION 4. (a) Are you married or single? ANSWER. Single

(b) If married, of whom does your family consist?

ANSWER. Not married

(c) If a married woman, state whether your husband now has an unperfected homestead entry, and during what time he has resided on this land with you.

ANSWER.

QUESTION 5. (a) When did you first establish actual residence upon this land?

ANSWER. In June, 1906

(b) When was your house built on this land?

ANSWER. October, 1906

(c) Have either you or your family ever been absent from the above described homestead since establishing residence?

ANSWER. No

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

ANSWER. Was absent during the winter months each year, except this last year, for the purpose of earning money, in which I live and improve the homestead

STATE OF IDAHO, COUNTY OF BOISE, ss. I, the undersigned, Clerk of the County of Boise, State of Idaho, do hereby certify that the foregoing is a true and correct copy of the testimony of the claimant, Arthur D. Leonard, as given and sworn to before me on the 11th day of June, 1906.

QUESTION 6. Describe the land embraced in above entry by legal subdivisions, showing fully the character of same, and kind and amount of timber, if any.

ANSWER.

Subdivision.	Acres cultivable.	Acres timbered.	Feet timber.
NW ¹ / ₄ NW ¹ / ₄ Sec 25	40	None	
NE ¹ / ₄ NW ¹ / ₄ " "	40	None	
NW ¹ / ₄ NE ¹ / ₄ " "	40	None	
NE ¹ / ₄ NE ¹ / ₄ " "	25	None	

QUESTION 7. State by subdivisions the number of acres cultivated, kind of crop planted, and amount harvested, each year. How many acres of the claim are now cleared, or broken, and under cultivation? If used for grazing only, state number and kind of stock grazed each year and by whom owned.

ANSWER.

NW¹/₄ NW¹/₄, none. NE¹/₄ NW¹/₄, none. NW¹/₄ NE¹/₄, about five acres, raised hay, about 3 ton per acre. NE¹/₄ NE¹/₄, about ten acres, raised hay, about 3 ton per acre. About 2 acres cleared, and 15 acres cultivated. Balance used for grazing.

QUESTION 8. Describe fully and in detail the amount and kind of improvements on each subdivision. State total value of improvements on the claim.

ANSWER.

Subdivision.	Character of Improvements.
NW ¹ / ₄ NW ¹ / ₄ Sec 25	Fenced
NE ¹ / ₄ NW ¹ / ₄ " "	Fenced
NW ¹ / ₄ NE ¹ / ₄ " "	Quartern, canals
NE ¹ / ₄ NE ¹ / ₄ " "	Fenced

Total improvements \$1500.00

QUESTION 9. Is your present claim within the limits of an incorporated town or selected site of a city or town, or used in any way for trade or business?

ANSWER.

No

QUESTION 10. Are there any indications of coal, salines, or minerals of any kind on the land? If so, describe what they are.

ANSWER.

No

QUESTION 11. Have you ever made any other homestead entry? If so, describe the same.

ANSWER.

No

QUESTION 12. Have you sold, conveyed, or agreed to sell or convey any portion of the land; if so, to whom and for what purpose?

ANSWER. *No*

QUESTION 13. Have you optioned, mortgaged, or agreed to option or mortgage, or convey this land, or any part thereof; if so, when, to whom, and for what purpose and in what amount?

ANSWER. *No*

QUESTION 14. Have you any personal property of any kind elsewhere than on this claim? If so, describe the same, and state where the same is kept.

ANSWER. *No*

QUESTION 15. Describe by legal subdivisions, or by number, kind of entry, and office where made, any other entry or filing (not mineral) made by you since August 30, 1890.

ANSWER. *Made no other filing*

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

NOTE 1.—If applicant is alien born, he should state the fact and file evidence of citizenship in due form, either a certificate of his own naturalization in a court of competent jurisdiction, or, if claiming to be a citizen by virtue of his father's naturalization, and his own minority and residence in the United States at the date thereof, or, if a married woman claiming citizenship by virtue of her husband's nativity or naturalization, then record evidence of the naturalization of the father, or husband, or an affidavit as to the nativity of the latter.

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

NOTE 3.—The officer before whom the deposition is taken should call the attention of the witness to section 5392 of the Revised Statutes (over), and state to him that it is the purpose of the Government, if it be ascertained that he testifies falsely, to prosecute him to the full extent of the law.

I HEREBY CERTIFY that the deponent was examined separately and apart from the other witnesses in the case; that the foregoing deposition was read to or by deponent in my presence before deponent affixed signature thereto; that 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 *Atkinson, Cowley County, Mo.*
(Town, county and State.)

within the *Base* land district,

this *26th* day of *March*, 191*7*

G. S. Lewis
Public Lands Officer
(Official designation of officer.)

FINAL AFFIDAVIT REQUIRED OF HOMESTEAD CLAIMANTS.

I, Arthur B. Corlett, having made a homestead entry of the N¹/₂ NW¹/₄, N¹/₂ NE¹/₄, Section 28, Township 7 S, Range 3 W, Baird Meridian, subject to entry at Baird Land Office, under section No. 2289 of the Revised Statutes of the United States, do now apply to perfect my claim thereto by virtue of section No. of the Revised Statutes of the United States; and for that purpose do solemnly swear that I am a native born citizen of the United States; that I have made actual settlement upon and have cultivated and resided upon said land since the 10th day of October, 1906.

to the present time; that no part of said land has been alienated, except as provided in section 2288 of the Revised Statutes, but that I am the sole bona fide owner as an actual settler; that I will bear true allegiance to the Government of the United States; and further, that I have not heretofore perfected or abandoned an entry made under the homestead laws of the United States, except

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

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

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

that I verily believe affiant to be a credible person and the identical person hereinbefore described, and that said affidavit was duly subscribed and sworn to before me, at my office, in Adair County, Idaho this 26th day of March, 1910.

H. S. [Signature]
Prosecutor
(Official designation of officer.)

MAR 29 1909

DEPARTMENT OF THE INTERIOR.

HOMESTEAD ENTRY.

U. S. LAND OFFICE

Boise, Idaho.

No.

03974

FINAL PROOF.

RECEIPT NO.

TESTIMONY OF WITNESS.

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

ANSWER.

Gust Rasmussen, 38 yrs.

QUESTION 2.

How long have you known the claimant in this case

and the 7 1/2 yrs. 7 1/2 yrs. 7 1/2 yrs.

, Section 26,

Township 7 S., Range 3 W., Boise Meridian,

the land embraced in Homestead Entry No. 03974, made at the

Boise Land Office?

ANSWER.

7 or 8 yrs.

17 yrs.

(b) Is claimant married? ANSWER.

No.

QUESTION 3. Is said tract within the limits of an incorporated town, or used in any way for trade or business?

ANSWER.

No.

QUESTION 4. (a) When did claimant settle upon the homestead?

ANSWER.

In fall of 1906.

(b) At what date did claimant establish actual residence thereon?

ANSWER.

In fall of 1906.

(c) Have claimant and family resided continuously on the homestead since thus establishing residence thereon?

ANSWER.

Nearly so.

(d) Have claimant and family ever been absent from the homestead since thus establishing residence thereon?

ANSWER.

Only for short periods.

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

ANSWER.

Cannot give dates.

Worked out during winter months to earn money to improve homestead.

QUESTION 5. Describe the land embraced in above entry by legal subdivisions, showing fully the character of same, and kind and amount of timber, if any.

ANSWER.

Subdivision.	Acres cultivable.	Acres timbered.	Feet timber.
NW ¹ / ₄ NW ¹ / ₄ Sec. 25	40	None	
NE ¹ / ₄ NW ¹ / ₄ "	40	None	
NW ¹ / ₄ NE ¹ / ₄ "	40	None	
NE ¹ / ₄ NE ¹ / ₄ "	36	None	

QUESTION 6. State by subdivisions the number of acres cultivated, kind of crop planted, and amount harvested, each year. How many acres of the claim are now cleared, or broken, and under cultivation? If used for grazing only, state number and kind of stock grazed each year and by whom owned.

ANSWER. NW¹/₄ NW¹/₄, none, NE¹/₄ NW¹/₄, none,

NW¹/₄ NE¹/₄, none, NE¹/₄ NE¹/₄, 15 acres cultivated
mixed hay, about two tons per acre,
about 25 acres cleared, and 15 acres
cultivated. Balance used for grazing.

QUESTION 7. Describe fully and in detail the amount and kind of improvements on each subdivision. State total value of improvements on the claim.

ANSWER.

QUESTION 7. Describe fully and in detail the amount and kind of improvements on each subdivision. State total value of improvements on the claim.

ANSWER.

Subdivision.	Character of improvements.
NW ¹ / ₄ NW ¹ / ₄ Sec. 25	Fenced.
NE ¹ / ₄ NW ¹ / ₄ "	Fenced.
NW ¹ / ₄ NE ¹ / ₄ "	House, Barn, Cisterns, etc.
NE ¹ / ₄ NE ¹ / ₄ "	Fenced.

QUESTION 8. Are there any indications of coal, salines, or minerals of any kind on the land? If so, describe what they are.

ANSWER. No.

QUESTION 9. Have you any knowledge or information that claimant has sold or contracted to sell, optioned, mortgaged, or agreed to option or mortgage this land? If so, give full details as to whom, for what purpose, and in what amount.

ANSWER. NONE.

DEPARTMENT OF THE INTERIOR

QUESTION 10. (a) Have you personal knowledge, from your own observation, that claimant and his family (if any) actually resided upon and cultivated this land each year in accordance with your above testimony?

ANSWER.

Yes, with the exception of 1907 when I was absent in Alaska

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

ANSWER.

40 or 50 times each year.

QUESTION 11. Are you interested in this claim, or related to the claimant? If so, how?

ANSWER.

No.

Gust Rasmussen
(Sign plainly, with full Christian name.)

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

NOTE 2.—The officer before whom the deposition is taken should call the attention of the witness to section 5392 of the Revised Statutes (below), and state to him that it is the purpose of the Government, if it be ascertained that he testifies falsely, to prosecute him to the full extent of the law.

I HEREBY CERTIFY that the deponent was examined separately and apart from the other witnesses in the case; that the foregoing deposition was read to or by deponent in my presence before deponent affixed signature thereto; that 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 *Siberia, Owyhee County, Idaho*

(Town, county, and State.)

within the *Bain* land district,

this *26th* day of *March*, 19*12*

J. S. Neer
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, 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.

MAR 28 1912

4-369 a.

Form approved by the Secretary of the Interior November 23, 1908.

DEPARTMENT OF THE INTERIOR.

HOMESTEAD ENTRY.

U. S. LAND OFFICE.

Boise, Idaho.

No.

83974

FINAL PROOF.

RECEIPT NO.

TESTIMONY OF WITNESS.

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

ANSWER.

Jacob Bachman, 46 yrs.

Cremora, Idaho

QUESTION 2. (a) How long have you known the claimant, in this case

and the

7 1/2 yrs, 7 1/2 yrs, 7 1/2 yrs

, Section 26,

Township 7 S,

Range 3 W,

Boise

Meridian,

the land embraced in Homestead Entry No. 83974, made at the

Boise

Land Office?

ANSWER.

6 yrs.

9 years.

(b) Is claimant married? ANSWER.

No.

QUESTION 3. Is said tract within the limits of an incorporated town, or used in any way for trade or business?

ANSWER.

No.

QUESTION 4. (a) When did claimant settle upon the homestead?

ANSWER.

October, 1906.

(b) At what date did claimant establish actual residence thereon?

ANSWER.

October, 1906.

(c) Have claimant and family resided continuously on the homestead since thus establishing residence thereon?

ANSWER.

Yes.

(d) Have claimant and family ever been absent from the homestead since thus establishing residence thereon?

ANSWER.

No.

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

ANSWER.

Has been away some of the winter months except the last winter to earn money for the improvement of his homestead

QUESTION 5. Describe the land embraced in above entry by legal subdivisions, showing fully the character of same, and kind and amount of timber, if any.

ANSWER.

Subdivision.	Acres cultivable.	Acres timbered.	Feet timber.
NW ¹ / ₄ NW ¹ / ₄ Sec 25	40	None	
NE ¹ / ₄ NW ¹ / ₄	40	None	
NW ¹ / ₄ NE ¹ / ₄	40	None	
NE ¹ / ₄ NE ¹ / ₄	20	None	

QUESTION 6. State by subdivisions the number of acres cultivated, kind of crop planted, and amount harvested, each year. How many acres of the claim are now cleared, or broken, and under cultivation? If used for grazing only, state number and kind of stock grazed each year and by whom owned.

ANSWER.

NW¹/₄ NW¹/₄, none, NW¹/₄ NE¹/₄,
 None cultivated, ten acres cleared,
 NW¹/₄ NE¹/₄, about five acres cultivated, raised
 hay, two tons per acre,
 NE¹/₄ NE¹/₄, about ten acres cultivated,
 raised hay, two tons per acre,
 25 acres cleared, 15 acres cultivated

QUESTION 7. Describe fully and in detail the amount and kind of improvements on each subdivision. State total value of improvements on the claim.

ANSWER.

Subdivision.	Character of Improvements.
NW ¹ / ₄ NW ¹ / ₄ Sec 25	Fenced
NE ¹ / ₄ NW ¹ / ₄	Fenced
NW ¹ / ₄ NE ¹ / ₄	House, barn & Cattle shed
NE ¹ / ₄ NE ¹ / ₄	Fenced
Total value of improvements	
about \$750.00	

QUESTION 8. Are there any indications of coal, salines, or minerals of any kind on the land? If so, describe what they are.

ANSWER.

None

QUESTION 9. Have you any knowledge or information that claimant has sold or contracted to sell, optioned, mortgaged, or agreed to option or mortgage this land? If so, give full details as to whom, for what purpose, and in what amount.

ANSWER.

None

DEPARTMENT OF THE INTERIOR

UNITED STATES GEOLOGICAL SURVEY

100-1000

QUESTION 10. (a) Have you personal knowledge, from your own observation, that claimant and his family (if any) actually resided upon and cultivated this land each year in accordance with your above testimony?

ANSWER. Yes

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

ANSWER. Continuously, Belmont every day

QUESTION 11. Are you interested in this claim, or related to the claimant? If so, how?

ANSWER. No

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

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

NOTE 2.—The officer before whom the deposition is taken should call the attention of the witness to section 5392 of the Revised Statutes (below), and state to him that it is the purpose of the Government, if it be ascertained that he testifies falsely, to prosecute him to the full extent of the law.

I HEREBY CERTIFY that the deponent was examined separately and apart from the other witnesses in the case; that the foregoing deposition was read to or by deponent in my presence before deponent affixed signature thereto; that 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 Silver Lake, Cuyahoga County, Ohio,
(Town, county, and State.)
within the 26th land district,
this 26th day of March, 1915

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, 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.

NOTICE FOR PUBLICATION.

(REGISTER.)

Silver City Nugget.

DEPARTMENT OF THE INTERIOR,

U. S. LAND OFFICE at Boise, Idaho.

January 26, 1912.

NOTICE is hereby given that Arthur B. Corlett, of
Oreana, Idaho, who, on June 11, 1906, made
Homestead Entry No. 9217, Serial
(Kind of application or entry.)
N1 NE1 and N1 NW1, Section 25,
Township 7 South, Range 3 West, Boise Meridian,
has filed notice of intention to make Final Five Year
(If homestead, insert "five year" or "commutation," as case may be.)
Proof, to establish claim to the land above described, before
F. S. Boer, Probate Judge, at
(Name of officer.)
Silver City, Idaho, on the 26th day of
March, 1912.

Claimant names as witnesses:

Jacob Baughman, of
Gust Raaen, of
James Linahan, of
Jasper Spencer, all of Oreana, Idaho.

William Balderston
Register.

CERTIFICATE AS TO POSTING OF NOTICE.

Boise Idaho April 3, 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 68
days, I having first posted said notice on the 26th day of

January, 1912

Wm Balderston

Register.

NOTICE FOR PUBLICATION.

(REGISTER.)

Silver City Nugget.

FIELD DIVISION, S. L. O.
RECEIVED,

JAN 29 1912

DEPARTMENT OF THE INTERIOR,

U. S. LAND OFFICE at

Salt Lake City, Utah.
Boise, Idaho.

January 26, 1912.

NOTICE is hereby given that Arthur B. Corlett, of
Oreana, Idaho, who, on June 11, 1906, made
Homestead Entry No. 9217, Serial, No. 93974, for
NE 1/4 and E 1/4 NW 1/4 (Kind of application or entry.), Section 35,
Township 7 South, Range 3 West, Boise Meridian,
has filed notice of intention to make Final Five Year
(If homestead, insert "five year" or "commutation," as case may be.)
Proof, to establish claim to the land above described, before
F. S. Keer, Probate Judge, at
Silver City, Idaho (Name of officer.), on the 26th day of
March, 1912.

Claimant names as witnesses:

Jacob Bauelmen, of _____
Gust Raaen, of _____
James Linahan, of _____
Isaper Spencer, all _____, of Oreana, Idaho.

William Elderton

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.

0-1

NO PROTEST against valid-
idity of this entry.

Chief Field Division,
Salt Lake City, Utah.

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

4-348a

Serial No. 03974

NOTICE FOR PUBLICATION.
(REGISTER.)

10TH FIELD DIVISION, S. L. O.
RECEIVED.

JAN 29 1912

DEPARTMENT OF THE INTERIOR,

U. S. LAND OFFICE at

Salt Lake City, Utah,
Boise, Idaho.

January 26, 1912.

NOTICE is hereby given that Arthur E. Corbett, of
Oreana, Idaho, who, on June 11, 1906, made
Homestead Entry No. 9217, Serial No. 03974, for
(Kind of application or entry.)
1/4 NE 1/4 and 1/4 NW 1/4, Section 25,

Township 7 South, Range 3 West, Boise Meridian,

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

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

F. S. Keer, Probate Judge, at

Silver City, Idaho, on the 26th day of

March, 1912.

Claimant names as witnesses:

Jacob Baubman, of

Gust Raaen, of

James Linchum, of

Joasper Spencer, all of Oreana, Idaho.

William Balderton

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.

0-1

NO PROTEST against valid-
ity of this entry.

Chief Field Division,

Salt Lake City, Utah.

NOTICE FOR PUBLICATION.

(PUBLISHER.)

Silver City Nugget.

DEPARTMENT OF THE INTERIOR,

U. S. LAND OFFICE at Boise, Idaho.

January 26, 1912.

NOTICE is hereby given that Arthur B. Corlett, of
Oreana, Idaho, who, on June 11, 1906, made
Homestead Entry No. 9217. Serial, No. 03974, for
N $\frac{1}{2}$ NE $\frac{1}{4}$ and N $\frac{1}{2}$ NW $\frac{1}{4}$, Section 25,
Township 7 South, Range 3 West, Boise Meridian,
has filed notice of intention to make Final Five Year
(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 26th day of
March, 1912.

Claimant names as witnesses:

Jacob Bauchman, of _____
Gust Raaen, of _____
James Linehan, of _____
Jasper Spencer, all, of Oreana, Idaho.

William Balderston

Register.

AFFIDAVIT OF PUBLICATION.

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

Notice for Publication

(Final Proof.)

DEPARTMENT OF THE INTERIOR
U. S. LAND OFFICE AT BOISE, IDAHO

January 26, 1912

Notice is hereby given that Arthur B. Corlett,
of Oreana, Idaho, who on June 11, 1906, made
Homestead Entry No. 9217, Serial No. 03974, for
N $\frac{1}{2}$ NE $\frac{1}{4}$ and N $\frac{1}{2}$ NW $\frac{1}{4}$, Section 25, Township
7 South, Range 3 West, Boise Meridian, has filed
notice of intention to make final five-year proof
to establish claim to the land above described,
before F. S. Heer, Probate Judge, at Silver City,
Idaho, on the 26th day of March, 1912.

Claimant names as witnesses:

Jacob Bauchman
Gust Raaen
James Linehan
Jasper Spencer—All of Oreana, Idaho

WILLIAM BALDERSTON

Register

52-51—First publication Feb. 8, 1912.
Last publication Mar. 7, 1912

I, E. G. Brownough, of the
Silver City Nugget,
(Publisher or foreman.)
(Name of newspaper.)
published weekly at Silver City,
(Daily or weekly.) (Place.)
do solemnly swear that a copy of the above notice, as per clipping
attached, was published weekly in the regular and
(Daily or weekly.)
entire issue of said newspaper, and not in any supplement thereof,
for 5 consecutive weeks, commencing with the
issue dated Feb 8, 1912, and ending with the
issue dated Mar 7, 1912.
E. G. Brownough
(Signature.)

Subscribed and sworn to before me this 7 day of March, 1912

MAR 29 1912

DEPARTMENT OF THE INTERIOR.

Boise Land Office.

SERIAL No. 03974

State of Idaho :
County of Owyhee : SS.

ARTHUR B. CORLETT, being first duly sworn, says that he is the person who made homestead entry No. 03974, at the Boise Land Office on the 11th, day of June, 1906, for the N $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, section 25, Township 7 South, Range 3 West, Boise Meridian.

That at the time of making said entry affiant paid the receiver of the Boise Land Office the sum of Sixteen Dollars and received the receiver's receipt therefor: That said receiver's receipt has been lost by affiant, and for that reason affiant is unable to return said receiver's receipt with the final proof this day made on said Homestead Entry.

Arthur B. Corlett

Subscribed and sworn to before me this 27 day of March, 1912.

F. S. Hurv
Probate Judge.

NOTICE OF INTENTION TO MAKE PROOF.

DEPARTMENT OF THE INTERIOR,

U. S. LAND OFFICE at Boise, Idaho.

January 26, 1912.

I, Arthur B. Corlett, of

Oreana, Idaho, who, on June 11, 1906, made

Homestead Entry No. 9217. Serial, No. 03974, for
(Kind of application or entry.)

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

Township 7 South, Range 3 West, Boise Meridian,

hereby give notice of my intention to make Final Five Year
(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, Probate Judge, at

Silver City, Idaho, on the 26th day of

March, 1912, by two of the following witnesses:

Jacob Baehnen, of Oreana, Idaho;

Gust Rasm, of Oreana, Idaho;

James Lineham, of Oreana, Idaho;

Jasper Spencer, of Oreana, Idaho.

Arthur B. Corlett
(Signature of claimant.)

Boise, Idaho; January 26, 1912.

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

Nugget, Silver City, Idaho.
(Name of newspaper.) (Place of publication.)

for a period of five consecutive weeks, which I hereby designate
as the newspaper published nearest the land above described.

Wm Baaderstrom

Register.

RECEIVER'S RECEIPT, No. 9217APPLICATION, No. 9217

HOMESTEAD.

Department of the Interior,

Receiver's Office, Boise, Idaho.

RECEIVED of

Arthur D. Corlett

the sum

of

Sixteen

dollars

cents;

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

entry of

N² NE⁴ and N² NW⁴of Section 25

in

Township 7 S.of Range 3 W.

under

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

Edward E. Garrett

Receiver.

\$ 16⁰⁰

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

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

Timber land embraced in a homestead, or other entry not consummated, may be cleared in order to cultivate the land and improve the premises, but for no other purpose. If, after clearing the land for cultivation, there remains more timber than is required for improvement, there is no objection to the settler disposing of the same. But the question whether the land is being cleared of its timber for legitimate purposes is a question of fact which is liable to be raised at any time. If the timber is cut and removed for any other purpose it will subject the entry to cancellation, and the person who cut it will be liable to civil suit for the recovery of the value of said timber, and also to criminal prosecution under Section 2461 of the Revised Statutes.

DEPARTMENT OF THE INTERIOR,
United States Land Office.

Boise, Idaho,

June 8th, 1906.

Arthur B. Corlett, being duly sworn according to law, deposes and says that he is the identical Arthur B. Corlett who is an applicant for Government title to the N $\frac{1}{4}$ NE $\frac{1}{4}$ and N $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 25, Tp. 7 S., R. 3 W., B. M.; that by reason of the long distance he is unable to appear at the land office at Boise, Idaho, for the purpose of making entry of the above described land.

Arthur B. Corlett

Sworn to and subscribed before me this 8th day of June, 1906, at my office at Silver City, in Owyhee County, Idaho.

P. H. Leonard

Ex-officio Clerk of the Probate Court.

HOMESTEAD AFFIDAVIT.

Department of the Interior,

UNITED STATES LAND OFFICE,

Boise, Idaho,

June 8th, 1906.

I, Arthur B. Corlett, of Oreana, Idaho,

having filed my application No. 9217, for an entry under section 2289, Revised Statutes of the United States, do solemnly swear that I am not the proprietor of more than one hundred and sixty acres of land in any State or Territory; that I am * a native born citizen of the United States, over the age of twenty-one years;

that my said application is honestly and in good faith made for the purpose of actual settlement and cultivation, and not for the benefit of any other person, persons, or corporation, and that I will faithfully and honestly endeavor to comply with all the requirements of law as to settlement, residence, and cultivation necessary to acquire title to the land applied for; that I am not acting as agent of any person, corporation, or syndicate in making such entry, nor in collusion with any person, corporation, or syndicate to give them the benefit of the land entered, or any part thereof, or the timber thereon; that I do not apply to enter the same for the purpose of speculation, but in good faith to obtain a home for myself, and that I have not directly or indirectly made, and will not make, any agreement or contract in any way or manner, with any person or persons, corporation, or syndicate whatsoever, by which the title which I might acquire from the Government of the United States should inure, in whole or in part, to the benefit of any person except myself, and further, that since August 30, 1890, I have not entered under the land laws of the United States, or filed upon, a quantity of land, agricultural in character, and not mineral, which, with the tracts now applied for, would make more than three hundred and twenty acres, except

Q

and that I have not heretofore made any entry under the homestead laws, except none.

(Sign plainly with full Christian name.)

Arthur B. Corlett

Sworn to and subscribed before me this 8th day of June, 1906, at my office at Silver City, in Owyhee County, Idaho.

R. H. Leonard

Ex-officio Clerk of the Probate Court.

* Here insert statement that affiant is a citizen of the United States, or that he has filed his declaration of intention to become such, and that he is the head of a family, or is over twenty-one years of age, as the case may be. It should be stated whether applicant is native born or not, and if not, a certified copy of his certificate of naturalization, or declaration of intention, as the case may be, must be furnished. (See page 45, circular of January 1, 1890.)

C-4

TO BE USED IN ALL ENTRIES SINCE AUGUST 30, 1890

Department of the Interior,

UNITED STATES LAND OFFICE.

Boise, Idaho,June 8th,, 1906.I, Arthur B. Corlett, of Oreana, Idaho,applying to enter the following described nonmineral public lands, to wit:N $\frac{1}{2}$ NE $\frac{1}{4}$ and N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 25., Tp. 7 S., R. 3 W., B.M.,

in Township _____, of Range _____, 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 none

settled upon by me prior to August 30, 1890. Said settlement was commenced _____
_____, and my improvements thereon consist of _____

Arthur B. Corlett
(Sign plainly with full Christian name.)

Subscribed and sworn to before me this 8th day of June, 1906, at
my office in Owyhee County, in the State of Idaho.

R. H. Leonard
Ex-officio Clerk of the Probate Court.

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,

Boise, Idaho,

June 8th, 1906.

Arthur B. Corlett, being duly sworn according to law, deposes and says that he is the identical Arthur B. Corlett who is an applicant for Government title to the $N\frac{1}{2}$ NE $\frac{1}{2}$ and N $\frac{1}{2}$ NW $\frac{1}{2}$, Sec. 25, Tp. 7 S., R. 3 W., B.M.,

; 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 that the said land is not occupied and improved by any indian, to the mineral land, but with the object of securing said land for agricultural purposes; and that his post-office address is Oreana, Idaho.

Arthur B. Corlett

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~~ has been satisfactorily identified before me by Jacob Bachman), 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 Boise land district, on this 8th day of June, 1906.

R. H. Leonard

Ex-officio Clerk of the Probate Court.

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. (See Sec. 1750.)

HOMESTEAD.

APPLICATION }

No. 9217 }Land Office at Boise, Idaho.June 8th, 1906I, Arthur B. Corlett, of Oreana, Idaho,do hereby apply to enter, under Section 2289, Revised
Statutes of the United States, the N $\frac{1}{2}$ NE $\frac{1}{4}$ and N $\frac{1}{2}$ NW $\frac{1}{4}$,of Section 25, in Township No. 7 South ofRange 3 West, B.M., containing one hundred and sixty acres.Arthur B. CorlettUnited States Land Office Boise, Idaho.I, Harry J. Syme, June 11 1906
Register of the Land Office,do hereby certify that the above application is for Surveyed Lands of the class which the
applicant is legally entitled to enter under Section 2289, Revised Statutes of the United
States, and that there is no prior valid adverse right to the same.Harry J. Syme
Register.

P. R. O.

Boise, Idaho.

No. 9217

Homestead Application.

Arthur B. Corlett
Oreana, Idaho

June 11, 1906

Section 25

Township 7 S.

Range 3 W.

16 - U. S. LAND OFFICE, BOISE, IDAHO.

Filed through Clerk, Probate

Court, at Silver City, Idaho

at 11 a. m. June 11, 1906

Nancy J. Jones Register.

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

97-81

GENERAL LAND OFFICE

Div. *1st*

Boise, Ida.

(Lead Office)

Serial No.

03974

Final Ed. Act May 20, 1862

Send Patent to _____

Appearance by _____

Approved for Patenting

June 26, 1912 C.M.A.
(Initials.)

List No. _____

Patent No. _____

Dated _____, 19

*97
81 Idaho*

'B' LIST NO. 221

ACTION TAKEN *C*

TRANSMITTED PATENT

JUL 8 1912

TO REGISTER & RECEIVER

Pat. 140-2214

July 1, 1912

Wm W. W. W. W. W.