

Scott Rose
Attorney at Law
300 Main Street, Suite 153
Boise, Idaho 83702
(208) 342-2552 Telephone
(208) 342-3669 Fax

USPTO Registration No.: 53,530
Admitted to the Idaho State Bar, Member No.: 4197

RECEIVED
JAN 09 2009
DEPARTMENT OF
WATER RESOURCES

January 7, 2009

Carter Fritschle
Section Manager
IDWR
322 East Front Street
P.O. Box 83720
Boise ID 83720-0098

RE: In Re SRBA
Case: 39576
Claimant: Lightforce USA, Inc.

Dear Carter,

Please find enclosed Exhibits 1 through 21 for your review. These are the documents which I believe provide the priority dates. Please also refer to the USGS Quad Map with the Springs labeled which I provided to you earlier. The claims are also based on the Spring numbers, or creeks as the case may be. Please note it is not possible to locate Spring 6 since the State buried it in reconstructing the hillside. Therefore its location is listed twice. Once in the aliquot part with each of Springs 7 and 8.

Sheep Creek: Section 9

2-17-1908	E1/2	SE1/4	Exhibit 1 and 2
	SW1/4	SE1/4	Exhibit 1 and 2
	SE 1/4	SW1/4	Exhibit 1 and 2

11-21-1910	NW1/4	SE1/4	Exhibit 3
------------	-------	-------	-----------

Spring 1: Section 16

11-25-03 (To ID)	NW1/4	SE 1/4	Exhibit 4
11-28-25			Exhibit 5

Spring 2: Section 16

Spring 1: Section 16

11-25-03 (To ID)	NW1/4	SE 1/4	Exhibit 4
11-28-25			Exhibit 5

Spring 2: Section 16

11-25-1903 (To ID)	NE 1/4	SE 1/4	Exhibit 4
11-28-25			Exhibit 6

Spring 3: Section 16

11-25-1903 (To ID)	SW1/4	NE 1/4	Exhibit 4
11-28-25			Exhibit 5

Grouse Creek:Section 16

11-3-1905	SE1/4	SE1/4	Exhibit 7
11-3-1905	SW1/4	SE1/4	Exhibit 7
11-3-1905	SE1/4	SW1/4	Exhibit 7
11-25-1905	SW1/4	SW1/4	Exhibit 7

Grouse Creek:Section 15

1-17-1912	SW1/4	SW1/4	Exhibit 8 - 15
1-17-1912	SE1/4	SW1/4	Exhibit 8 - 15

Spring 4: Section 15

1-17-1912	SW1/4	NW1/4	Exhibit 8 - 15
-----------	-------	-------	----------------

Spring 5: Section 15

1-17-1912	NE1/4	SW1/4	Exhibit 8 - 15
-----------	-------	-------	----------------

Spring 6: Section 21

9-28-1916	NE1/4	NW1/4	Exhibit 16 - 18
4-1-1927	SE1/4	NW1/4	Exhibit 19 - 21

Spring 7: Section 21

4-1-1927 SE1/4 NW1/4 Exhibit 19 - 21

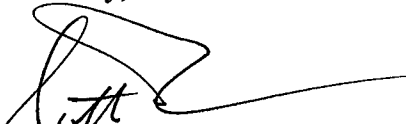
Spring 8: Section 21

9-28-1916 NE1/4 NW1/4 Exhibit 16 - 18

I hope the information provided is helpful towards clarifying the priority dates.

Thank you, Carter.

Sincerely,



Scott Rose

encl.

cc.: Andrea Courtney

The United States of America,

To all to whom these presents shall come, Greeting:

Certificate No. 3920.

WHEREAS,

EDWIN NELSON

has deposited in the GENERAL LAND OFFICE of the United States a Certificate of the Register of the Land Office at Boise, Idaho, whereby it appears that full payment has been made by the said Edwin Nelson

according to the provisions of the Act of Congress of the 24th of April, 1820, entitled "An Act making further provision for the sale of the Public Lands," and the acts supplemental thereto, for the east half of the southeast quarter, the southwest quarter of the southeast quarter, and the southeast quarter of the southwest quarter of Section nine in Township twenty-three north of Range one east of the Boise Meridian, Idaho, containing one hundred sixty acres,

according to the Official Plat of the Survey of the said lands, returned to the GENERAL LAND OFFICE by the Surveyor General, which said Tract has been purchased by the said Edwin Nelson:

NOW KNOW YE, That the UNITED STATES OF AMERICA, in consideration of the premises, and in conformity with the several Acts of Congress in such case made and provided, HAVE GIVEN AND GRANTED, and by these presents DO GIVE AND GRANT, unto the said Edwin Nelson

and to his heirs, the said Tract above described; TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said Edwin Nelson

and to his heirs and assigns forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts, and also subject to the right of the proprietor of a vein or lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law; and there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

In testimony whereof I, Theodore Roosevelt, President of the United States of America, have caused these letters to be made Patent, and the seal of the General Land Office to be hereunto affixed.

GIVEN under my hand, at the City of Washington, the
(SEAL) seventeenth day of February, in the year
of our Lord one thousand nine hundred and eight
and of the Independence of the United States the one hundred
and thirty-second.

By the President:

By

Secretary,

Ex 1

34429.v

United States.)
 To :
 Edwin Nelson.)

THE UNITED STATES OF AMERICA:

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

CERTIFICATE No. 3920.

WHEREAS, Edwin Nelson, has deposited in the General Land Office of the United States a Certificate of the Register of the Land Office at Boise, Idaho, whereby it appears that full payment has been made by the said Edwin Nelson, according to the provisions of the Act of Congress of the 24th. of April, 1820, entitled "An Act making further provision for the sale of the Public Lands" and the acts supplemental thereto, for the

East half of the Southeast quarter, the Southwest quarter of the Southeast quarter and the Southeast quarter of the Southwest quarter of Section Nine, in Township Twenty-three, North of Range One East of the Boise Meridian, Idaho, Containing one hundred Sixty acres, according to the Official Plat of the Survey of the said Lands, returned to the General Land Office by the Surveyor General, which said Tract has been purchased by the said Edwin Nelson.

NOW KNOW YE, That the United States of America, in consideration of the premises, and in conformity with the several Acts of Congress, in such case made and provided, have given and granted, and by these presents do give and grant, unto the said Edwin Nelson, and to his heirs, the said Tract above described:

TO HAVE AND TO HOLD, the same, together with all the rights, privileges, immunities, and appurtenances of whatsoever nature, thereunto belonging, unto the said Edwin Nelson, and to his heirs, and assigns forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches, and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of Courts, and also subject to the right of the proprietor of a vein or lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law; and there is reserved from the lands hereby granted, a right of way thereon for ditches or canals, constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I, Theodore Roosevelt, President of the United States of America, have caused these letters to be made Patent and the seal of the General Land Office to be hereunto affixed. Given under my hand, at the City of Washington, the Seventeenth day of February, in the year of our Lord one thousand nine hundred and Eight, and of the Independence of the United States the one hundred and Thirty-second.

By The President: Theodore Roosevelt.

By M.W. Young, Secretary.

H.W. Sanford, Recorder of the General Land

Recorded, Vol. 736, Page 230.

Office.

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

Filed for record in the office of the Recorder of Idaho County, at the request of G.W. Manning, on the 7 day of April, A.D. 1914, at 1 o'clock P.M.

J.A. Bradbury, County Recorder.

By Emma Bowman,

Deputy.

Fee, \$ 1.00.

Ex 2

Land Patent Image

Quick He

[Home](#) > [Land Patent Search](#) > [Results List](#) > [Land Patent Details](#) > Land Patent Image

Acc./Ser. Nr.: 162778

Patentee: ARTY HOLLENBEAK

Issue Date: 11/21/1910

Image Formats: [Small GIF](#) | [Large GIF](#) | [TIFF](#) | [PDF](#)

Ad

NO
80185 05259.

4-1003-R.

The United States of America,

To all to whom these presents shall come, Greeting:

WHEREAS, a Certificate of the Register of the Land Office at **BOISE, IDAHO,**
has been deposited in the General Land Office, whereby it appears that, pursuant to the Act of Congress of May 20, 1862,
"To Secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of
ARTY HOLLENBEAK
has been established and duly consummated, in conformity to law, for the **WEST HALF OF THE SOUTHWEST QUARTER,**
THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER, AND THE NORTHWEST QUARTER OF
THE SOUTHEAST QUARTER OF SECTION NINE IN TOWNSHIP TWENTY-THREE NORTH OF RANGE
ONE EAST OF THE BOISE MERIDIAN, IDAHO, CONTAINING ONE HUNDRED SIXTY ACRES,

according to the Official Plat of the Survey of the said Land, returned to the **GENERAL LAND OFFICE** by the Surveyor-General:

NOW KNOW YE, That there is, therefore, granted by the **UNITED STATES** unto the said claimant the tract of Land above described;
TO HAVE AND TO HOLD the said tract of Land, with the appurtenances thereof, unto the said claimant and to the heirs and assigns of
the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and
rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws,
and decisions of courts; and there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the
authority of the United States.

IN TESTIMONY WHEREOF, I, **WILLIAM H. TAFT**

President of the United States of America, have caused these letters to be made
Patent, and the seal of the General Land Office to be hereunto affixed.

GIVEN under my hand, at the City of Washington, the **TWENTY-FIRST**
day of **NOVEMBER** In the year of our Lord one thousand
nine hundred and **TEN** and of the Independence of the
United States the one hundred and **THIRTY-FIFTH.**

By the President:

Wm H Taft

Ex 3

1708026

(SEAL)

Accession/Serial #: IDIDAA 000001 HV BLM Serial #: IDIDAA 000001 HV

Note: This record has not been checked against the Legal Land Patent. We don't have an electronic image for this document.

Names

Patentee: IDAHO STATE

Survey

State: IDAHO

Acres: 2880

Metes/Bounds: No

Title Transfer

Issue Date: 11/25/1903

Land Office: Idaho

Cancelled: No

U.S. Reservations: No

Mineral Reservations: No

Authority: March 3, 1863: Idaho Territorial Act (12 Stat. 808)

Document Numbers

Document Nr.: 7031890

Accession/Serial Nr.: IDIDAA 000001 HV

BLM Serial Nr.: IDIDAA 000001 HV

	<u>Aliquot</u> <u>Parts</u>	<u>Sec./</u> <u>Block</u>	<u>Township</u>	<u>Range</u>	<u>Fract.</u> <u>Section</u>	<u>Meridian</u>	<u>State</u>	<u>Counties</u>	<u>Survey</u> <u>Nr.</u>
	W½	16/	22-N	1-E	No	Boise	ID	Adams	
3	W½E½	16/	22-N	1-E	No	Boise	ID	Adams	
	SESE	16/	22-N	1-E	No	Boise	ID	Adams	
	N½	16/	23-N	1-E	No	Boise	ID	Idaho	
2	N½S½	16/	23-N	1-E	No	Boise	ID	Idaho	
	SESE	16/	23-N	1-E	No	Boise	ID	Idaho	
		36/	23-N	1-E	No	Boise	ID	Idaho	
		16/	24-N	1-E	No	Boise	ID	Idaho	
	N½	16/	25-N	1-E	No	Boise	ID	Idaho	
	SW	16/	25-N	1-E	No	Boise	ID	Idaho	
	NWSE	16/	25-N	1-E	No	Boise	ID	Idaho	
1	NENE	16/	22-N	1-E	No	Boise	ID	Adams	

Ex 4

77-618

STATE OF IDAHO)
 County of Idaho) ss. Filed for record in the office of the Recorder of Idaho County at the
 request of Hugh Vigneron on the 3 day of Dec. A.D. 1946 at 11:30 o'clock A.M.

Henry Telcher County Recorder

Fees \$1.00

By Nora Derrig, Deputy

154497 ✓
 STATE OF IDAHO)
 to) ss.
 R. C. WOODRUFF)
 TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

STATE OF IDAHO

Deed No. 6380
 Certificate No. 18476,
 18482, 18483, 18485.

WHEREAS, on the 28th day of November 1925, all that tract or parcel of Public School land of the State of Idaho, hereinafter mentioned and particularly described, was sold in the manner provided by law to R.C. Woodruff of Pollock, State of Idaho, for the aggregate price of One Thousand Nine Hundred Forty and ^{NO}/₁₀₀ DOLLARS.

AND WHEREAS, the said sum of One Thousand Nine Hundred Forty and ^{NO}/₁₀₀ DOLLARS has been fully paid to the proper receiving officer for the State of Idaho, by Thomas J. Carrey, Assignee as shown by the records in the office of the State Board of Land Commissioners the said sum being the whole amount of the purchase price for the said tract or parcel of land hereinafter described.

NOW, KNOW YE, That the said State of Idaho, in pursuance of law in such case made and provided, and in consideration of the premises aforesaid, and of the aforesaid sum of One Thousand Nine Hundred Forty and ^{NO}/₁₀₀ DOLLARS to the said State of Idaho paid, doth by these presents grant, bargain, sell, convey and confirm, in fee, unto the said Thomas J. Carrey his heirs and assigns, all of the said tract and parcel of land situated in the County of Idaho and State of Idaho, and described as follows, to-wit:

The Southwest Quarter of the Northeast Quarter (SW¹/₄NE¹/₄), the North Half of the Southwest Quarter (N¹/₂SW¹/₄) and the Northwest Quarter of the Southeast Quarter (NW¹/₄SE¹/₄), Section Sixteen (16), Township Twenty-three (23) North, Range One (1) East B.M. Containing One Hundred Sixty (160) Acres, More or Less.

To have and to hold the said premises and parcel of land above particularly described, with the appurtenances thereon, unto the said Thomas J. Carrey, his heirs and assigns, in fee simple forever, subject to the provisions of Section 56-504, Idaho Code Annotated, which grants over all lands belonging to the state a right of way for ditches, tunnels and telephone and transmission lines, constructed by authority of the United States; and to the provisions of Section 46-701, Idaho Code Annotated, reserving to the state all mineral rights in lands sold subsequent to the 8th day of May, 1923.

IN WITNESS WHEREOF, I, C.A. Bottolfsen, the Governor of the State of Idaho, have hereunto signed my name and caused the Great Seal of the State of Idaho and the Seal of the State Board of Land Commissioners to be hereunto affixed, this 20th day of December A.D. 1943.

Countersigned:

Geo. H. Curtis
 Secretary of State

C. A. Bottolfsen
 Governor of Idaho and President of State
 Board of Land Commissioners.

"GREAT SEAL OF THE STATE OF "
 "IDAHO ESTO PERPETUA"
 "*****"

Countersigned:
 Robert Coulter
 State Land Commissioner (Int.Rev.\$2.20)

STATE OF IDAHO)
 COUNTY OF ADA) ss.

On this 20th day of December, in the year 1943, before me, a Notary Public in and for said State, personally appeared C.A. Bottolfsen, known to me to be the Governor of the State of Idaho, and George H. Curtis, known to me to be the Secretary of State of Idaho, and Robert Coulter, known to me to be the Land Commissioner of the State of Idaho, who executed said instrument and acknowledged to me that such State of Idaho executed the same.

EX 5

94514

59-124

State of Idaho

To

Lizzie Hoxie

Deed No. 5013

Certificate Nos. 18474-18475
18477-18478
18484-18486

STATE OF IDAHO

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

WHEREAS, on the 28th day of November, 1925, all that tract or parcel of School land of the State of Idaho, hereinafter mentioned and particularly described, was sold in the manner provided by law to Crofford Hoxie, of Pollock, County of Idaho, and State of Idaho, for the aggregate price of Twenty-four Hundred Nineteen and 60/100 Dollars

AND WHEREAS, The said sum of Twenty-four Hundred Nineteen and 60/100 Dollars has been fully paid to the proper receiving officer for the State of Idaho, by

Lizzie Hoxie, widow of Crofford Hoxie, deceased,
as shown by the records in the office of the State Board of Land Commissioners the said sum being the whole amount of the purchase price for the said tract or parcel of land hereinafter described.

NOW, KNOW YE, That the said State of Idaho, in pursuance of law in such case made and provided, and in consideration of the premises aforesaid, and of the aforesaid sum of Twenty-four Hundred Nineteen and 60/100 Dollars, to the said State of Idaho paid, hath by these presents grant, bargain, sell, convey and confirm, in fee, unto the said Lizzie Hoxie, her heirs and assigns, all of the said tract and parcel of land situated in the County of Idaho and State of Idaho, and described as follows, to-wit:

The North Half of the Northeast quarter (NE $\frac{1}{4}$ of NE $\frac{1}{4}$), the Southeast quarter of the Northeast quarter (SE $\frac{1}{4}$ of NE $\frac{1}{4}$), the Northeast quarter of the Northwest quarter (NE $\frac{1}{4}$ of NW $\frac{1}{4}$) and the East Half of the Southeast quarter (E $\frac{1}{2}$ of SE $\frac{1}{4}$) of Section Sixteen (16), Township Twenty-three (23) North, Range One (1) East of the Boise Meridian, containing Two Hundred Forty (240) acres, more or less.

TO HAVE AND TO HOLD the said premises and parcel of land above particularly described, with the appurtenances thereunto, unto the said Lizzie Hoxie her heirs and assigns, in fee simple forever.

IN WITNESS WHEREOF, I, H. C. Baldrige the Governor of the State of Idaho, have hereunto signed my name and caused the Great Seal of the State of Idaho and the Seal of the State Board of Land Commissioners to be hereunto affixed, this 28th day of March, A. D. 1929.

H. C. Baldrige,
Governor.

Great Seal of the
State of Idaho

Countersigned:
Fred E. Lukens, Secretary of State.

State Board of Land Com-
missioners, Idaho. Seal

Countersigned:
I. H. Nash, State Land Commissioner.

State of Idaho

County of Ida

ss On this 28th day of March, A. D. 1929, before me, a Notary Public in and for said State, personally appeared H. C. Baldrige, known to me to be the Governor, and Fred E. Lukens, known to me to be the Secretary of State, and I. H. Nash, known to me to be the Land Commissioner, of the State of Idaho, and acknowledged to me that they, as such Governor, Secretary of State, and State Land Commissioner, of the State of Idaho, and the State of Idaho, executed the foregoing deed.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on the day and year last above written.

Jeanne L. Anderson, Notary Public
State of Idaho

Jeanne L. Anderson,
Notary Public, residing at Boise,
Idaho.

EX 6

H645

3-327

The United States of America.

Homestead Certificate No. 2159Application 7154

TO ALL TO WHOM THESE PRESENTS SHALL COME—GREETING:

WHEREAS, There has been deposited in the General Land Office of the United States a Certificate of the Register of the Land Office at Boise, Idaho whereby it appears that, pursuant to the Act of Congress approved 20th May, 1882, "To Secure Homestead to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of John H. Killion has been established and duly consummated, in conformity to law, for the

North West quarter of the North West quarter of Section twenty one and the South half of the South West quarter and the South West quarter of the South East quarter of Section sixteen in Township twenty three, North of Range one, East of Boise Meridian, contain
ing one hundred and sixty acres.

according to the Official Plat of the Survey of the said Land, returned to the General Land Office by the Surveyor General:

KNOW YE That there is, therefore, granted by the United States unto the said

John H. Killion the tract of land above described:

TO HAVE AND TO HOLD the said tract of Land, with the appurtenances thereof, unto the said

John H. Killion and to his heirs and assigns, forever; subject to

improvements and accrued water rights for mining, agriculture, manufacturing or other purposes, and rights to ditches and reservoirs in connection with such water rights, as may be recognized and acknowledged by the local customs, laws and decisions of Congress and also subject to the right of the proprietor of a vein, or lode, to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law, and there is reserved from the lands hereby granted a right-of-way thereon for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I, Theodore Roosevelt President of the United States of America, have caused these Letters to be made Patent, and the Seal of the General Land Office to be hereunto affixed.

Given under my hand, at the City of Washington, the third day of November, in the year of our Lord one thousand nine hundred and four, and of the Independence of the United States the one hundred and thirtieth.

BY THE PRESIDENT: T. RooseveltBy F. M. McLean Secretary.C. H. Brush

Recorder of the General Land Office.

Records, Vol. 11 Page 165Filed for Record at 3 o'clock P. M., Nov. 15 A. D. 1904.By J. D. Overman Deputy. See 100County Recorder

EX 7

Prepared by G. J. H.



PETITION FOR DESIGNATION

(Act of March 4, 1915)



RECEIVED
U. S. DEPT. OF THE INTERIOR
BOISE, IDAHO
JAN 24 1917
7:00 AM

DEPARTMENT OF THE INTERIOR

UNITED STATES LAND OFFICE AT Boise Idaho No. 021248

To the Secretary of the Interior:

Crofford Horie of Pollock Idaho

having made application for Additional entry under the Act of (Original or Additional.)

February 19, 1909, as amended, for the Dec 27, 1916

SW 1/4 and NW 1/4

Section 15

Township 23 N., Range 1 East, Boise Meridian, respectfully requests that the said lands (together with those embraced in his original entry if present application is for additional entry) be designated as of the class subject to entry under the said act.

(Applicant will answer fully the following questions.)

Question 1. Are you now holding an original entry made under the general homestead laws of the United States? If so describe same.

Answer. Yes 04680 & 017829 for NE 1/4 SW 1/4, NW 1/4 and SW 1/4 Sec. 21 and NE 1/4

Township 23 N., Range 1 East, Boise Meridian, Section 21

(The following questions relate to the lands included in the original entry, if any, as well as to those included in the present application.)

Question 2. Is any portion of the land now under irrigation or susceptible of irrigation from any source? If so give the acreage and location of such lands, state source and volume of water supply and give any other pertinent facts relating thereto.

Answer. 12 acres is susceptible to irrigation, the water to come from Hat Creek. said 12 acres is on the SW 1/4 Sec. 21 Twp 23 N. R. 1 East. Bm

Question 3. Is any portion of the said land under or adjacent to any irrigation ditch or canal? If so state why such lands cannot be irrigated therefrom, and give relation of such lands to said ditch.

Answer. No except my own small ditch.

Question 4. What streams, springs, or bodies of water are upon or near this land and why cannot same be used for irrigating this land?

Answer. Hat Creek runs thru the original entry. The said 12 acres includes all the land in the entire 640 that can be cultivated at all, balance being too steep & rocky.

Question 5. Describe all wells, either ordinary or artesian, on or near this land, giving the elevation of water plane relative to the surface and any other facts which will show the possibility of irrigating this land from underground waters.

Answer. None.

This land contains no water holes essential for production.

(Over)

Ex 8

Question 6. Has this land, or any portion of it, ever been entered under the desert laws, or has any attempt been made to irrigate any portion of it? If so give full particulars.

Answer. No. Have irrigated the 11 acres on my original entry.

Question 7. Is any portion of this land covered with a growth of timber, or does it contain scattering trees of any kind? If so give acreage so covered and describe the trees as to species, height, diameter, and number.

Answer. Just a few scattering bull pine trees not merchantable.

Question 8. Are there any trees on this land which could be sawed into lumber? If so give full particulars as to their location, kind, number of trees, average diameter and height, and estimated feet of lumber which could be sawed therefrom.

Answer. None. This land is chiefly valuable for grazing and the raising of grain crops and is of such a character that excellent meadows are normally required for the support of a family.

Borford F. Davis
(Signature of Applicant.)

We, Arty Hollenbeck, of Pollock Idaho,
and Patrick Dempsey, of Pollock Idaho,
do solemnly swear that we are well acquainted with the above-named affiant and the lands described, and personally know that the statements made by him relative to the character of the said lands are true.

Arty Hollenbeck
(Sign plainly, with full Christian Name.)

Patrick Dempsey
(Sign plainly, with full Christian Name.)

I HEREBY CERTIFY that the foregoing affidavit was read to or by affiants in my presence before affiants affixed signatures thereto; that affiants are to me personally known (~~or have been satisfactorily identified before me by~~);

and that said affidavit was duly subscribed and sworn to before me at North End Idaho this 19 day of Jan, 1917

G. E. Wright

United States Commissioner.

NOTE—The filing of this petition and affidavit does not give the applicant the right to fence or improve the lands, and if the lands are found not to be of the character contemplated by the enlarged homestead act, the erection of improvements on said lands will not confer any right to equitable consideration of the application. After filing an application to enter and petition for designation the applicant cannot exercise his homestead right elsewhere, or file another petition for designation of a separate tract, until the pending application has been finally passed upon by the Land Office, but the application may be withdrawn any time prior to its allowance and applicant may then make a new application for other lands.

C10a

Ex 9

Date 3/24/17

Stock-raising Homestead Law (Act of December 29, 1916.)

DEPARTMENT OF THE INTERIOR

UNITED STATES LAND OFFICE AT LEWISTON, IDAHO.

No. 021248

To the Secretary of the Interior:

Gofford Foxe of *Pollock Idaho*
having made application for *additional* entry under the Act of
December 29, 1916, for the *Original or Additional* *N² NW⁴, SW⁴ Sec. 15*
and N² NW⁴

Township *23 N.*, Range *1 East*, *Born* Section *22*,
respectfully requests that the said lands (together with those embraced in his original entry if
present application is for additional entry) be designated as of the class subject to entry under
the said act.

Question 1. Are you now holding an original entry made under the homestead laws of the
United States? If so describe same.

Answer. Entry No. *04680 + 017829* made *+ June 19*, 19*15*
(Original entry is patented) for *NE⁴ SW⁴, N² SW⁴, SW⁴ Sec. 21*
and NE⁴ Section *21*

Township *23 N.*, Range *1 East*, *Born* Meridian.

Question 2. Is any portion of the land now under irrigation or susceptible of irrigation from
any source? If so give the acreage and location of such lands, state source and volume of water
supply and give any other pertinent facts relating thereto.

Answer *8 acres on SW⁴ Sec. 21, now in alfalfa,*
water from Hat Creek, this land lying adjacent
to said creek.

Question 3. Is any portion of the said land under or adjacent to any irrigation ditch or canal?
If so, state why such lands cannot be irrigated therefrom, and give relation of such lands to said
ditch.

Answer *8 acres as above described from Hat Creek ditch.*

Question 4. What streams, springs, or bodies of water are upon or near this land and why
cannot same be used for irrigating this land?

Answer *Hat Creek flows thru it. The said 8 acres is*
all the land subject to cultivation or irrigation on
the entry.

Question 5. Describe all wells, either ordinary or artesian, on or near this land, giving the
elevation of water plane relative to the surface and any other facts which will show the possibil-
ity of irrigating this land from underground waters.

Answer *None*

Question 6. Has this land, or any portion of it, ever been entered under the desert laws, or
has any attempt been made to irrigate any portion of it? If so give full particulars.

Answer *not to my knowledge - just the 8 acres*
as described.

Question 7. Is any portion of this land covered with a growth of timber, or does it contain
scattering trees of any kind? If so give acreage so covered and describe the trees as to species,
height, diameter, and number.

Answer *about 20 acres of small jack pines and small scrub*
fir trees, not merchantable.

Question 8. Are there any trees on this land which could be sawed into lumber? If so give
full particulars as to their location, kind, number of trees, average diameter and height, and es-
timated feet of lumber which could be sawed therefrom.

Answer *None. No stumpage.*

(Over.)
EX 10

Question 9. Are 640 acres of this land reasonably required for the support of a family?

Answer

Yes.

Question 10. Does this land contain any water holes or bodies of water used by the public for watering purposes? If not so used explain why, and where do you propose to secure water for your own stock. Answer

No. I will water at Hot Creek. The adjoining range is all mountainous and well watered.

Question 11. Is this land chiefly valuable for grazing and raising forage crops, and if so state fully why the land should be classified.

Answer

Yes. Rough in character and rocky on the surface and valuable chiefly for grazing.

Question 12. Give a complete classification of the character of the surface of all this land as it is at the present time.

Answer

8 acres of agricultural land, 20 acres of small growth timber land, 30 acres of rocky waste land, and 580 acres of open bunch grass grazing land.

Question 13. Give the acreage in each legal subdivision which is capable of producing agricultural or forage crops by cultivation?

Answer

8 acres on SW 1/4 Sec. 21.

Question 14. State how much of said acreage on your original entry has been so cultivated for the last five seasons; also the kind, yield and value of the crops so raised.

Answer

8 acres for 5 seasons in Alfalfa Hay. Average crop 16 tons value \$1600.

Question 15. Have the grazing lands above referred to been used for that purpose? If so at what season; and how many head of cattle or other livestock can be maintained on said land throughout the year?

Answer

Yes. Spring and fall range. Will support 50 head of cows or horses.

Question 16. What established public survey corner or corners did you locate to identify or determine the situation of this land you are applying for?

Answer

SE also NE Corner of Sec. 16 Twp. 23 N-R. 1 East. Bradford Notice

We,

Loy O. Hollenbeak

of

Pollock Idaho

and

Patrick Dempsey

of

Pollock Idaho

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

Loy O. Hollenbeak

Patrick Dempsey

I HEREBY CERTIFY that the foregoing affidavit was read to or by affiants in my presence before affiants affixed signatures thereto; that affiants are to me personally known, and that said affidavit was duly subscribed and sworn to before me at Whitebird, Idaho, this *16* day of *March*, 1917.

E. H. Wright
United States Commissioner.

Ex 11

Accession/Serial #: 1034644 BLM Serial #: IDBL 0041589

NamesPatentees: LIZZIE HOXIE,
CROFFORD HOXIESurvey

State: IDAHO

Acres: 320

Metes/Bounds: No

Title Transfer

Issue Date: 2/12/1930

Land Office: Blackfoot

Cancelled: No

U.S. Reservations: Yes

Mineral Reservations: Yes

Authority: December 29, 1916: Homestead Entry-Stock Raising
(39 Stat. 862)Document Numbers

Document Nr.: 041589

Misc. Doc. Nr.: 0

Accession/Serial Nr.: 1034644

BLM Serial Nr.: IDBL 0041589

Aliquot Parts	Sec./ Block	Township	Range	Fract. Section	Meridian	State	Counties	Survey Nr.
SW	15/	23-N	1-E	No	Boise	ID	Idaho	
W½NW	15/	23-N	1-E	No	Boise	ID	Idaho	
N½NW	22/	23-N	1-E	No	Boise	ID	Idaho	

Ex 12

The United States of America,

In all its honors these presents shall come. Greeting:

WHEREAS, a Certificate of the Register of the Land Office at Blackfoot, Idaho, has been deposited in the General Land Office, whereby it appears that, pursuant to the Act of Congress of May 20, 1862, "To Secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of Lizzie Hoxie, widow of Crofford Hoxie, has been established and duly consummated, in conformity to law, for the west half of the northwest quarter and the southwest quarter of Section fifteen and the north half of the northwest quarter of Section twenty-two in Township twenty-three north of Range one east of the Boise Meridian, Idaho, containing three hundred twenty acres,

according to the Official Plat of the Survey of the said Land, on file in the GENERAL LAND OFFICE:

NOW KNOW YE, That there is, therefore, granted by the UNITED STATES unto the said claimant, the tract of Land above described; TO HAVE AND TO HOLD the said tract of Land, with the appurtenances thereof, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States. Excepting and reserving, however, to the United States all the coal and other minerals in the lands so entered and patented, together with the right to prospect for, mine, and remove the same pursuant to the provisions and limitations of the Act of December 29, 1916 (39 Stat., 862).

IN TESTIMONY WHEREOF, I, Herbert Hoover,

President of the United States of America, have caused these letters to be made Patent, and the seal of the General Land Office to be hereunto affixed.

GIVEN under my hand, at the City of Washington, the TWELFTH

day of FEBRUARY In the year of our Lord one thousand nine hundred and THIRTY and of the Independence of the United States the one hundred and FIFTY-FOURTH.

By the President:

By

Herbert Hoover
Viola B. Cough, Secretary.
M. P. LeRoy
 Recorder of the General Land Office.

Ex 13

SERIAL NO.

041589

ICD

100-100000

0000000000

NOTATIONS

RECORD OF CASE

SECTION

THIRSDAY

DATE

TIME

APPROX

3:30

APPROX

10

3:30

DATE

TIME

DATE

NOTATIONS

1-3-52 Applied for Ret. 301 0000

1-8-52 Applied for Ret. 301 0000

1-11-52 Applied for Ret. 301 0000

1-14-52 Applied for Ret. 301 0000

1-17-52 Applied for Ret. 301 0000

1-20-52 Applied for Ret. 301 0000

1-23-52 Applied for Ret. 301 0000

1-26-52 Applied for Ret. 301 0000

1-29-52 Applied for Ret. 301 0000

1-31-52 Applied for Ret. 301 0000

2-3-52 Applied for Ret. 301 0000

2-6-52 Applied for Ret. 301 0000

2-9-52 Applied for Ret. 301 0000

Ex 14

Bureau of Land Management - General Land Office Records

[View Cart](#) | [Contact Us](#)[Search Land Patents](#) | [Search Surveys](#) | [Visitors Center](#) | [FAQ](#)

Land Patent Details

[Quick Help](#) [Bookmarkable](#) [Printer Friendly](#)[Home](#) > [Land Patent Search](#) > [Results List](#) > [Land Patent Details](#)[Help](#)

Accession/Serial #: 547213 BLM Serial #: IDB 0018628

[< previous](#) [next >](#)[Patent Description](#) [Legal Land Description](#) [Document Image](#) [Certified Copy](#)

Names

Patentees: CHARLES GALLOWAY,
JOHN MCGHEE,
WILLIAM GOODALE,
DAVID R BURGESS

Survey

State: IDAHO
Acres: 40
Metes/Bounds: No

Title Transfer

Issue Date: 9/28/1916
Land Office: Boise City
Cancelled: No
U.S. Reservations: Yes
Mineral Reservations: No
Authority: May 20, 1862: Homestead
EntryOriginal (12 Stat. 392)

Document Numbers

Document Nr.: 018628
Misc. Doc. Nr.: 0
Accession/Serial Nr.: 547213
BLM Serial Nr.: IDB 0018628

[Home](#) | [Search Land Patents](#) | [Search Surveys](#) | [Visitors Center](#) | [FAQ](#) | [View Cart](#) | [Contact Us](#) | [Privacy Statement](#) | [Help](#)

Ex 16



Bureau of Land Management - General Land Office Records

[View Cart](#) | [Contact Us](#)[Search Land Patents](#) | [Search Surveys](#) | [Visitors Center](#) | [FAQ](#)

Land Patent Details

[Quick Help](#) [Bookmarkable](#) [Printer Friendly](#)[Home](#) > [Land Patent Search](#) > [Results List](#) > [Land Patent Details](#)[Help](#)

Accession/Serial #: 547213 BLM Serial #: IDB 0018628

[< previous](#) [next >](#)[Patent Description](#) [Legal Land Description](#) [Document Image](#) [Certified Copy](#)

Aliquot Parts	Sec./ Block	Township	Range	Fract. Section	Meridian	State	Counties	Survey Nr.
NENW	21/	23-N	1-E	No	Boise	ID	Idaho	

Note: Legal land descriptions can be used to help find the precise location of the land. For more information, please see our description of the [Rectangular Survey System](#).

[Home](#) | [Search Land Patents](#) | [Search Surveys](#) | [Visitors Center](#) | [FAQ](#) | [View Cart](#) | [Contact Us](#) | [Privacy Statement](#) | [Help](#)

Ex 17

Boise 018628

4-1003-R.

The United States of America,

To all to whom these presents shall come, Greeting:

WHEREAS, a Certificate of the Register of the Land Office at **Boise, Idaho,** has been deposited in the General Land Office, whereby it appears that, pursuant to the Act of Congress of May 20, 1862, "To Secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of **Charles Galloway, assignee, involving the rights of John McGhee, William Goodale, and David R. Burgess.** has been established and duly consummated, in conformity to law, for the **northeast quarter of the northwest quarter of Section twenty-one in Township twenty-three north of Range one east of the Boise Meridian, Idaho, containing forty acres,**

according to the Official Plat of the Survey of the said Land, returned to the GENERAL LAND OFFICE by the Surveyor-General:

NOW KNOW YE, That there is, therefore, granted by the UNITED STATES unto the said claimant the tract of Land above described; TO HAVE AND TO HOLD the said tract of Land, with the appurtenances thereof, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I, **Woodrow Wilson**

President of the United States of America, have caused these letters to be made Patent, and the seal of the General Land Office to be hereunto affixed.

GIVEN under my hand, at the City of Washington, the **TWENTY-EIGHTH**

(SEAL)

day of **SEPTEMBER** In the year of our Lord one thousand
nine hundred and **SIXTEEN** and of the Independence of the
United States the one hundred and **FORTY-FIRST.**

By the President:

By

Woodrow Wilson
M. D. Le Roy, Secretary.

L. B. Lamar
Recorder of the General Land Office.

RECORD OF PATENTS: Patent Number

547213

G-217

Ex 18

Land Patent Details

[Quick Help](#) [Bookmarkable](#) [Printer Friendly](#)[Home](#) > [Land Patent Search](#) > [Results List](#) > Land Patent Details[Help](#)

Accession/Serial #: 547213 BLM Serial #: IDB 0018628

[< previous](#) [next >](#)[Patent Description](#) [Legal Land Description](#) [Document Image](#) [Certified Copy](#)

Aliquot Parts	Sec./ Block	Township	Range	Fract. Section	Meridian	State	Counties	Survey Nr.
NENW	21/	23-N	1-E	No	Boise	ID	Idaho	

Note: Legal land descriptions can be used to help find the precise location of the land. For more information, please see our description of the [Rectangular Survey System](#).

[Home](#) | [Search Land Patents](#) | [Search Surveys](#) | [Visitors Center](#) | [FAQ](#) | [View Cart](#) | [Contact Us](#) | [Privacy Statement](#) | [Help](#)

EX 20

Accession/Serial #: 999501 BLM Serial #: IDB 0025517

Names

Patentee: HARVEY J POTTER

Survey

State: IDAHO

Acres: 40

Metes/Bounds: No

Title Transfer

Issue Date: 4/1/1927

Land Office: Boise City

Cancelled: No

U.S. Reservations: Yes

Mineral Reservations: No

Authority: May 20, 1862: Homestead EntryOriginal (12 Stat. 392)

Document Numbers

Document Nr.: 025517

Misc. Doc. Nr.: 0

Accession/Serial Nr.: 999501

BLM Serial Nr.: IDB 0025517

Aliquot Parts	Sec./ Block	Township	Range	Fract. Section	Meridian	State	Counties	Survey Nr.
SEnw	21/	23-N	1-E	No	Boise	ID	Idaho	

Ex 21

1/6/2009 10:59 AM