

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 A. M. on the 11th day of April, 1938, at Murphy, County of Owyhee, State of Idaho, before R. H. Leonard, Probate Judge, proof will be submitted of the application to beneficial use of 2353 acre feet per annum and 45 cubic feet per second of the waters of Castle Creek in accordance with the terms and conditions of Permit Nos. R-277 & 15223 heretofore issued by the Commissioner of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are T. A. Foreman, Oreana, Idaho.

The use to which said water has been applied is irrigation and domestic.

The amount applied to beneficial use is 2353 acre feet per annum and 45 cubic feet per second.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) W $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 25; NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 26; SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 27; NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 34; NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 35, all in T. 4 S., R. 1 E., B. M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is private ditch.

The right to take water from such works is based upon Permit Nos. R 277 & 15223.

The source of supply from which such water is diverted is Castle Creek.

The date of priority which said user is prepared to establish is March 17, 1931.

R. W. Faris
Commissioner of Reclamation
(March 17—April 7)

AFFIDAVIT OF PUBLICATION

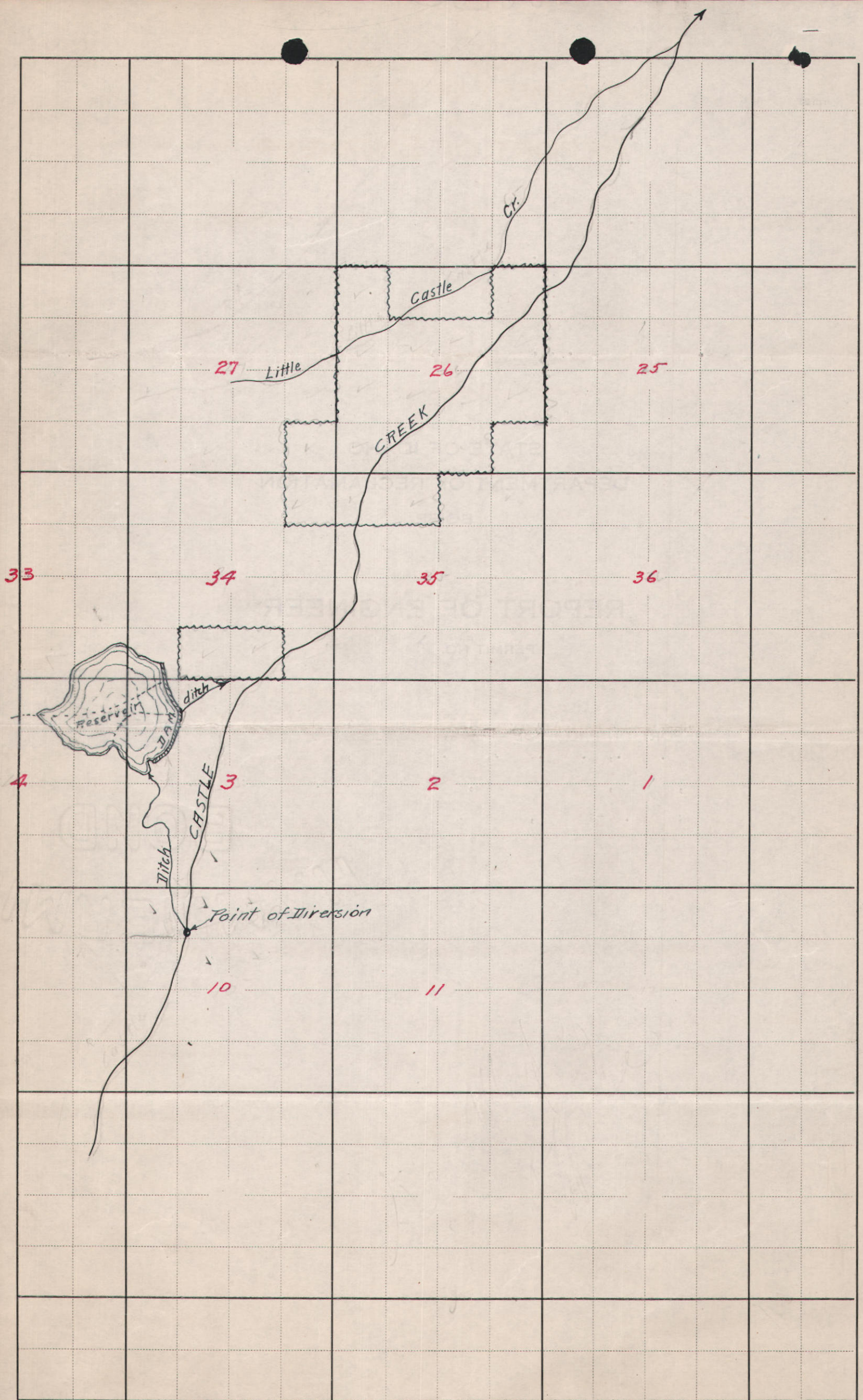
STATE OF IDAHO }
COUNTY OF OWYHEE } ss.

I, Rodney A. Hawes,

printer and publisher of THE OWYHEE NUGGET, published weekly at Bruneau, Owyhee County, Idaho, do solemnly swear that a copy of the notice as per clipping attached, was published weekly in the regular entire issue of said newspaper, and not in and supplement thereof, for 4 consecutive issues, commencing with the issue dated March 17 1938, and ending with the issue dated April 7 1938, that the said newspaper has been continuously published in said county during a period of 78 consecutive weeks prior to the first publication of this notice

Subscribed and sworn to before me this 24 day of April, 1938

Notary Public



NOTICE FOR PUBLICATION

Notice is hereby given that at 10:30 a.m. on the 19th day of July, 1928, at Boise, County of Ada, State of Idaho, at the Department of Reclamation, State House, proof will be submitted of the completion of works for the diversion of 60 cubic feet per second of the waters of Castle Creek, in accordance with the terms and conditions of Reservoir Permit No. 177 and Use Permit No. 15223, heretofore issued by the Commissioner of Reclamation of the State of Idaho.

1. The name of the person or corporation holding said permit is T. A. Foreman.

2. The postoffice address of such person or principal place of business of such corporation is Oreana, County of Owyhee, State of Idaho.

3. The numbers of such permits are 15223 and R 277, and the date set for the completion of such work is July 19, 1928.

4. Said water is to be used for irrigation and domestic purposes.

5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is 60 cubic feet per second.

6. The amount of lands for which said water is available is 760 acres, particularly described as follows:

Township 4 South, Range 1 East, B.M., Section 26: E $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$; Section 27: SE $\frac{1}{4}$ SE $\frac{1}{4}$; Section 34: NE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$; Section 35: NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$.

GEO. N. CARTER,
Commissioner of Reclamation.
may 31—june 21

AFFIDAVIT OF PUBLICATION

Charles Pascoe

I, _____,
publisher of THE OWYHEE NUGGET, published weekly at Bruneau, Owyhee County, Idaho, do solemnly swear that a copy of the above notice, as per clipping attached, was published.....weekly.....in the regular entire issue of said newspaper, and not in any supplement thereof, for.....4.....consecutive issues, commencing with the issue dated May 31 1928, and ending with the issue dated June 21 1928; that the said newspaper has been continuously published in said county during a period of seventy eight consecutive weeks prior to the first publication of this notice.

Subscribed and sworn to before me this 5th day of July, 1928

Notary Public

R-277

NOTICE FOR PUBLICATION
Application for Extension of Time for
Completion of Works Under House
Bill 54, Session Laws of 1925

Notice is hereby given that on the 5th day of May, 1926, at 10 o'clock a.m., a hearing will be held by the State Commissioner of Reclamation or his Deputy at Boise, County of Ada, State of Idaho, for the purpose of receiving any protests, testimony and evidence regarding an application for an extension of time for the completion of works under Permit to Appropriate the Public Waters of the State of Idaho No. R 277. The said protests and evidence may be submitted either orally or by affidavits by any persons owning or in possession of a right to the use of any waters of a stream or source of supply affected by the said extension.

1. The number of the said permit is Reservoir Permit No. 277.

2. The name and postoffice address of the person or persons or corporation holding the said permit or permits are: T. A. Eberman, Oreana, Idaho.

3. The amount of water called for by the said permit or permits is 2353 acre feet for storage from Castle Creek which is tributary to Snake River.

4. This notice is to be published at the expense of the applicant or applicants above named. The publisher is hereby authorized to deliver to the said applicant the Proof of Publication upon payment for the said publication.

DEPARTMENT OF RECLAMATION.

W. G. Swendsen,

Commissioner of Reclamation

AFFIDAVIT OF PUBLICATION

I, Charles Pascoe, publisher of THE OWYHEE NUGGET, published weekly at Bruneau, Owyhee County, Idaho, do solemnly swear that a copy of the above notice, as per clipping attached, was published weekly in the regular entire issue of said newspaper, and not in any supplement thereof, for 2 consecutive issues, commencing with the issue dated April 22 1926, and ending with the issue dated April 29 1926; that the said newspaper has been continuously published in said county during a period of seventy eight consecutive weeks prior to the first publication of this notice.

Charles Pascoe

Subscribed and sworn to before me this 8th day of May 1926.

George R. Jones

Notary Public

R-277

State of Idaho
License and Certificate of Water Right

Water License No. R-277 Amount 1205 acre feet
Water District No. Priority March 10, 1951

THIS IS TO CERTIFY that T. A. FOREMAN of Oreana, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated June 24, 1921; that Permit No. R-277 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 2300 second feet, was issued thereunder on February 10, 1930, showing that said works were completed on the 19th day of July, 1928; and that on the 11th day of April, 1938, T. A. FOREMAN of Oreana, State of Idaho, made proof to the satisfaction of the of Idaho, of the right to use the waters of Castle Creek, a tributary of Snake River, for the purpose of Irrigation and domestic use, under Use Permit No. R-277 of the Commissioner of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 7 of Licenses, at page 3932, on the 2nd day of March, 1939; The right hereby confirmed dates from March 16, 1931;

The Point of Diversion is located in the NE 1/4 NW 1/4, Sec. 3, Tp. 5 S., R. 1 E., B. M. Owyhee County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 1205 acre feet. cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated		
4 S.	1 E	26	NE-NE ¹ / ₄	40	16		
			SW-NE ¹ / ₄	40	8		
			SE-NE ¹ / ₄	40	8		
			NE-SW ¹ / ₄	40	16		
			SW-SW ¹ / ₄	40	40		
			SE-SW ¹ / ₄	40	37		
			NW-SE ¹ / ₄	40	20		
			SW-SE ¹ / ₄	40	10		
		34	NE-NE ¹ / ₄	40	12		
			SW-SE ¹ / ₄	30	16		
		35	NE-NW ¹ / ₄	40	20		
			NW-NW ¹ / ₄	40	38		
		Total number of Acres Irrigated -					241

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho, this 2nd day of March, 1939

JAMES SPOFFORD
Commissioner of Reclamation

(SEAL)

57 2314

State of Idaho

License and Certificate of Water Right

Water License No. 15223 Amount 4.82 sec. ft.
 Water District No. Priority March 16, 1931

THIS IS TO CERTIFY that T. A. FOREMAN
 of Oreana, Idaho, made application for a permit to appropriate the
 public waters of the State of Idaho, dated June 24, 1921; that Permit No. 15223
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
 45 second feet, was issued thereunder on February 10, 1930, showing that said works
 were completed on the 19th day of July, 1928; and that on the 11th
 day of April, 1930,
 T. A. FOREMAN
 of Oreana, State of Idaho, made proof to the satisfaction of the
 Commissioner of Reclamation of Idaho, of the right to use the waters of Castle Creek
 , a tributary of Snake River, for the purpose of irrigation and domestic
 use, under Use Permit No. 15223 of the Commissioner of Reclamation
 and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is
 hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 7
 of Licenses, at page 3931, on the 2nd day of March, 1939;

The right hereby confirmed dates from March 16, 1921;

The Point of Diversion is located S. 20° 20' E. 1540 ft. distant from NW cor. Sec. 10, T. 5 S., R. 1 E., B. M. Owyhee County
 in the NW ¼ NW ¼, Sec. 10, T. 5 S., R. 1 E., B. M. Owyhee County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid,
 is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 4.82
 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated		
4 S.	1 E.	26	NE ¹ / ₄ NE ¹ / ₄	40	16		
			SW ¹ / ₄ NE ¹ / ₄	40	8		
			SE ¹ / ₄ NE ¹ / ₄	40	8		
			NE ¹ / ₄ SW ¹ / ₄	40	16		
			SW ¹ / ₄ SW ¹ / ₄	40	40		
			SE ¹ / ₄ SW ¹ / ₄	40	37		
			NW ¹ / ₄ SE ¹ / ₄	40	20		
			SW ¹ / ₄ SE ¹ / ₄	40	10		
		34	NE ¹ / ₄ NE ¹ / ₄	40	12		
			SW ¹ / ₄ SE ¹ / ₄	50	16		
		35	NE ¹ / ₄ NW ¹ / ₄	40	20		
			NW ¹ / ₄ NW ¹ / ₄	40	38		
		Total number of Acres irrigated-					241

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use
 herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho,
 this 2nd day of March, 1939

JAMES SPOFFORD

Commissioner of Reclamation

(SEAL)

Application for a Permit to Construct the Reservoir

T. A. Foreman

57-2314

And to Store the Unappropriated Waters of the State of Idaho

Application No. R 21640
Permit No. R 277
District No. 14-A

1. Name of Applicant: T. A. Foreman

Postoffice Address: Oreana

County: Owyhee

State: Idaho

I. If applicant is a corporation, give:

- (a) Date and place of incorporation:
- (b) Amount of capital stock: \$
- (c) Amount paid in: \$
- (d) Names and addresses of directors:

II. The financial resources of the applicant are: (a) Cash on hand: \$
(b) Treasury stock: \$ (c) Bonds to be issued: \$
(d) Other resources:

2. Quantity of water to be stored 2353 acre feet per annum.

3. Source of water supply Castle Creek, which is a tributary of Snake River

4. Water is to be used for: irrigation and domestic use

5. The outlet of the proposed reservoir is located

feet distant from the corner of Section , T. , R. ,

B. M., and is in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 3, T. 5 S, R. 1 E B. M., County of Owyhee

6. Fill out either (a) or (b).

(a) The reservoir is located in the channel of

(b) The reservoir is to be filled through the Main Feeder Canal,

which has a width at bottom of 8 ft., width at top of 18 ft., depth of 2.5 ft., average

grade per mile 2.64 ft., capacity 60 cubic feet per second.

7. (a) The area of the high water line of the reservoir is 153.65 acres.

(b) The available capacity of the reservoir is 2353 acre feet.

8. Height of dam: 35 feet; length of dam at top 2940 feet; length of dam at bottom 200 feet.

Material used in dam: earth

9. The estimated cost of proposed reservoir is \$ 25,000.00

10. Amount of land to be irrigated 1333 acres; said land being described in Use Permit mentioned in Paragraph 13 herein, which Use Permit is hereby referred to and made a part hereof.

11. The time required for the completion of such work is five years.

13. The water stored in accordance with this permit will be conducted to the place of use through the canal, constructed under the terms of Permit No. 15223, filed by T. A. Foreman on June 24, 1921.

BE IT KNOWN That the undersigned hereby makes application for permit to construct a reservoir and to store the unappropriated waters of the State of Idaho as herein set forth.

T. A. Foreman, Applicant.

By S. E. Vance, Sr., Agent.

Commissioner of Reclamation
 Date of first receipt at office of ~~State Engineer~~ 1:30 P. M. June 24, 1921.
 Returned to applicant for correction June 27, 1921.
 Corrected application received 11:15 A. M. July 2, 1921.

Commissioner of Reclamation.
Approval of ~~State Engineer~~

The number of this Permit is R 277

Recorded in book R 1 Page 277 Approved July 19, 1921.

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

Bond in the sum of \$ See use Permit 15223 to be filed on or before September 18, 1921.

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

One-fifth of the work above specified to be completed on or before January 19, 1924.

The whole of said work to be completed on or before July 19, 1926.

Beneficial use of water stored in accordance herewith, to be made on or before July 19, 1926

as set out in Permit No. 15223 for the appropriation of the public waters of the State of Idaho, which is hereby referred to and made a part hereof.

Witness my hand this 19th day of July, 1921.

W. G. SWENDSEN,
~~State Engineer.~~
 Commissioner of Reclamation.

Remarks:

STATE OF IDAHO
 DEPARTMENT OF RECLAMATION
 Boise

IN THE MATTER OF APPLICATION FOR)
 EXTENSION OF TIME FOR COMPLETION)
 OF WORKS UNDER RESERVOIR PERMIT)
 NO. 277, UNDER THE PROVISIONS OF)
 HOUSE BILL 54, SESSION LAWS FOR)
 1925.)

ORDER GRANTING EXTENSION
 OF TIME

WHEREAS, Under date of April 18, 1926, T. A. Foreman, the owner of Reservoir Permit No. 277 to appropriate the public waters of the State of Idaho, filed an application in the Department of Reclamation of the State of Idaho, requesting an extension of time within which to submit proof of completion of the works of diversion under said permit, which said application was filed under the provisions of House Bill 54, Session Laws of Idaho for 1925; and

WHEREAS, A public hearing on said application was held at the Department of Reclamation of the State of Idaho on the 19th day of May, 1926, as required by law, and an investigation was made by the Commissioner of Reclamation of the State of Idaho for the purpose of determining whether or not the said extension should be granted; and

WHEREAS, A consideration of all of the information adduced at the hearing, together with records of the Department of Reclamation relating to the said permit and such other facts as are available to the undersigned, Commissioner of Reclamation, it appears that a necessity exists for an extension of time under the said permit; that the applicant has acted in good faith, and that an extension of time should, therefore, be granted for a period of two years; and

WHEREAS, Proof of completion of works under the said permit is due to be made by July 19, 1926:

NOW, THEREFORE, IT IS HEREBY ORDERED, That the extension of time requested in the said application, be, and the same is, hereby granted, and it is further ordered that a certificate evidencing such extension be issued to the permit holder, extending the time within which permit holder shall be required to make proof of completion of works of diversion under said permit to July 19, 1928.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of my office, at Boise, this 25th day of May, 1926.

(SEAL)

W. G. SWENDSEN
Commissioner of Reclamation

By Geo. H. Carter
Assistant.

Permit No. R-277

CERTIFICATE OF COMPLETION OF RESERVOIR
AND RIGHT TO STORE WATER

Amount 2300 Acre feet

Priority 6-24-1921

This is to certify that T. A. Foreman, of Oreana, County of Owyhee, and State of Idaho, the holder of Permit No. R-277, issued upon Application No. R-21640, bearing date of priority of June 24, 1921, authorizing the construction of a reservoir and the right to store the waters of Castle Creek, a tributary of Snake River, County of Owyhee, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works as set out and described in said Permit; that said works are adequate for the storage of 2300 acre feet of water annually; that the location of the outlet of said reservoir is in the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 3, Township 5 S., Range 1 E., Boise Meridian; that a right to store the said waters has been perfected in accordance with the laws of Idaho and is hereby confirmed by the Commissioner of Reclamation and entered of record in Volume 1, of Reservoir Permits, at page 277, records of the Department of Reclamation on the 10th day of February, 1930; that the right hereby confirmed dates from June 24, 1921; and that the amount of water to which said right is, by this certificate, entitled to store annually shall not exceed 2300 acre feet.

Witness the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho, this 10th day of February, A.D. 1930.

S E A L

GEO. H. CARTER
Commissioner of Reclamation.

Proof of Completion of Works made July 19, 1928.
Certificate of Completion of works issued February 10, 1930.

are
LIFE'S RECORDS, OR 1205-SEB:FL

page 3932

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. R-277

This proof is for Beneficial Use

In Water District No.

1. Name of applicant T. A. Foreman

2. Source of water supply: Castle Creek

3. Location of point of ~~diversion~~^{outlet} Is in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 3

T. 5 S., R. 1 E., B. M., County of Owyhee

4. Describe works as they exist, giving dimensions and capacities of same: *Division dam of logs,*

brush & straw 8 ft. high x 30 ft. long. Head gate 4' long x 4' wide x 3' high. delivers to feeder canal 6 ft. wide x 2 ft. deep. Reservoir
dam of earth fill 1600 ft. long x 17 ft. high. Discharge from reservoir is regulated by standard screw stem gate valve.

5. Water is used for: Irrigation and Domestic use

6. State whether or not water has been turned into works of diversion: yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): W $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 25; NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 26; SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 27; NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 34; NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 35, all in T. 4 S., R. 1 E., B. M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? Snake River

Remarks

This examination was made on the

13th

day of

May

1938

(Signed)

John H. Johnson

Examiner.

R-277

T. A. Foreman
Oreana, Idaho

12

Permit No. B-277

Examination for Beneficial Use

County. Owyhee

INSTRUCTIONS TO EXAMINERS

- 1 Always carefully note the location of the point of diversion and accurately plat same.
 - 2 When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same
 3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
 4. If any unusual conditions are discovered, make a plain statement of them under remarks.
 5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions
-

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. R-277

REPORT ON PROOF OF BENEFICIAL USE

to be filed by Feb 24

11.00 fee - covered by 15212

R-277 "

May 1967

N O T E

Plans, specifications, and drawings have been withdrawn from this
file and entered into the Records of Dams file.

Permit No.

~~R-277~~
209

R-277

NOTICE FOR PUBLICATION.

NOTICE OF PROOF AP- PLICATION OF WATER TO BE- NEFICIAL USE

Notice is hereby given that at 10:00
A. M. on the 11th day of April, 1938,
at Lewiston, County of Owyhee, State of
Idaho, before E. H. Leonard, Probate
Judge, proof will be submitted of the
application to beneficial use of 2358 acre
feet per annum and 45 cubic feet per
second of the waters of Castle Creek in
accordance with the terms and condi-
tions of Permit Nos. R-277 & 15223 hereto-
fore issued by the Commissioner of
Reclamation of the State of Idaho.

The name and postoffice address of the
person or corporation holding said per-
mit are T. A. Foreman, Oresma, Idaho.

The use to which said water has been
applied is irrigation and domestic.

The amount applied to beneficial use
is 2358 acre-feet per annum and 45 cubic
feet per second.

The places where said water is used (if
for irrigation, give full and accurate de-
scription of the lands irrigated) W $\frac{1}{2}$
NW $\frac{1}{4}$, Sec. 34, T. 4 N., R. 3 E., Sec. 35; NE $\frac{1}{4}$
NW $\frac{1}{4}$, Sec. 34, T. 4 N., R. 3 E., Sec. 35; NE $\frac{1}{4}$
SW $\frac{1}{4}$, Sec. 34, T. 4 N., R. 3 E., Sec. 35; NE $\frac{1}{4}$
SE $\frac{1}{4}$, Sec. 34, T. 4 N., R. 3 E., Sec. 35; NE $\frac{1}{4}$
NW $\frac{1}{4}$, Sec. 34, T. 4 N., R. 3 E., Sec. 35; all
in T. 4 N., R. 3 E., B. M.

The canal or ditch or
other means by which said water is con-
ducted to the place of use is private
ditch.

The water is diverted from such
works is based on Permit Nos. R 277
& 15223.

The source of supply from which such
water is diverted is Castle Creek.

The date of priority which said user
is prepared to establish is March 17,
1931.

E. W. Paris
Commissioner of Reclamation
(March 17-April 7)

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
COUNTY OF OWYHEE } ss.

I, Rodney A. Lawes,

printer and publisher of THE OWYHEE NUGGET, published weekly at
Bruneau, Owyhee County, Idaho, do solemnly swear that a copy of the
notice as per clipping attached, was published weekly in the regular entire
issue of said newspaper, and not in and supplement thereof, for 4
consecutive issues, commencing with the issue dated March 17 1938,
and ending with the issue dated April 7 1938, that the said
newspaper has been continuously published in said county during a period
of 78 consecutive weeks prior to the first publication of this notice

Subscribed and sworn to before me this 24 day of April, 1938

Notary Public

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO.

PERMIT NO. R-277

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. T. A. Foreman, age 77, residence, Castle Creek, Farming and stockraising, Post Office, Creana, Idaho.

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

Ans. Acting for myself.

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

Ans. R-277 July 19, 1921. March 17, 1931.

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

Ans. Castle Creek. NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 3, Township 5 South of Range 1 East of Boise Meridian.

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

Ans. Foreman ditch from reservoir, one-fourth mile to land, 3 ft. wide on bottom, 4 ft. wide at top and 2 ft. deep, 6 second feet.

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

Ans. Irrigation. 3 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, 16 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, 25 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 14 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ and 12 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 34; 40 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ and 20 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 35; 40 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, 40 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, 8 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, 20 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, 16 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, 8 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, 16 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ and 8 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 26, T. 4 S., R. 1 E., B. M. Cultivated. Produced hay.

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

Ans. 0

R-277

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

Ans. 5 acre feet per acre per annum.

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

Ans. Same person.

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

Ans. Each year, last nine years, when water was available, irrigated 286 acres of land using 5 acre feet per acre, when available.

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

Ans. Adjudicated water right to 205 inches of water from Castle Creek, under Decree of District Court of the Third Judicial District, in and for Owyhee County, State of Idaho.

(Sign) T. A. Foreman

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Murphy, County of Owyhee, State of Idaho, on this 11th day of April, A. D. 1938.

T. H. Leonard

Probate Judge.

My commission expires

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. R-277

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

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

Ans. J. L. Wees Jr., age 35, residence and Post Office address,
Oreana, Idaho. Farming.

Ques. 2. Are you acquainted with T. A. Foreman, the holder of Permit No. R-277? How long have you known him and where does he reside?

Ans. Yes. 25 years

Ques. 3. Have you read or heard read said Permit No. R-277, and are you familiar with its provisions and conditions?

Ans. Yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Castle Creek and
Foreman ditch from reservoir, one-fourth mile to land, 3 ft.
wide on bottom, 4 ft. wide at top and 2 ft. deep, point of diversion
in NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 3, Township 5 South, Range 1 East of Boise Meridian.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. 6 second feet, each year, when water was available, and have
seen ditch full of water.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each sub-division in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvement which have been made as a direct result of said use.

Ans. Irrigation. 3 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, 16 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, 25 acres
in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 14 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ and 12 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 34; 40
acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ and 20 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 35; 40 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$,
40 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, 8 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, 20 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, 16 acres
in NE $\frac{1}{4}$ SW $\frac{1}{4}$, 8 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, 16 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ and 8 acres in
SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 26, T. 4 S., R. 1 E., B. M. Cultivated and produced hay.

R-277

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent

Ans. 0

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Volcanic ash. 5 acre feet per acre per annum.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. Each year, for last nine years, when water was available, have seen ditch full of water and 286 acres of said land irrigated.

(Signed)

J. L. Wees Jr.

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Murphy, County of Owyhee, State of Idaho, on this ~~day of~~ 11th day of April, 1938, A. D. 1938.

W. Leonard

Probate Judge. ~~Notary Public.~~

My commission expires _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. R-277

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

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

Ans. J. L. Wees, age 77, residence and Post Office address, Oreana,
Idaho. Farming.

Ques. 2. Are you acquainted with T. A. Foreman, the holder of Permit No. R-277? How long have you known him and where does he reside?

Ans. Yes. 40 years. He resides on Castle Creek, Owyhee County,
Idaho.

Ques. 3. Have you read or heard read said Permit No. R-277, and are you familiar with its provisions and conditions?

Ans. Yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Castle Creek. Diversion, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 3 Township 5 South,
Range 1 East of Boise Meridian. Ditch one-fourth mile long to land,
3 ft. wide on bottom, 4 ft. wide at top and 2 ft. deep.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. 6 second feet each year when water was available, and have seen
ditch full of water.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each sub-division in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvement which have been made as a direct result of said use.

Ans. Irrigation. 3 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, 16 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, 25 acres
in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 14 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ and 12 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 34; 40
acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ and 20 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 35; 40 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$,
40 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, 8 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, 20 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, 16 acres
in NE $\frac{1}{4}$ SW $\frac{1}{4}$, 8 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, 16 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ and 8 acres in
SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 26, T. 4 S., R. 1 W., B. M. Cultivated and produced hay.

R-277

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent

Ans. 0

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Volcanic ash. 5 acre feet per acre per annum.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. Each year for last nine years when water was available, saw 286 acres of land described herein under irrigation under said permit.

(Signed) J. L. Weer

I hereby certify that the foregoing testimony was read to the above subbscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Murphy, County of Owyhee, State of Idaho, on this ~~day of~~ 11th day of April, A. D. 1938.

T. H. Leonard
Probate Judge. ~~Notary Public.~~

My commission expires _____

JOHN T. HAILEY
COMMISSIONER DISTRICT No. 1
OREANA, IDAHO

ROY R. TILFORD
COMMISSIONER DISTRICT No. 2
HOMEDALE, IDAHO

DAVE BASEY, CHAIRMAN
COMMISSIONER DISTRICT No. 3
GRAND VIEW, IDAHO

J. H. NETTLETON, CLERK

OWYHEE COUNTY

MURPHY, IDAHO

April 29, 1938.

MILO AXELSEN
PROSECUTING ATTORNEY

CLAUDE L. SULLIVAN
SHERIFF

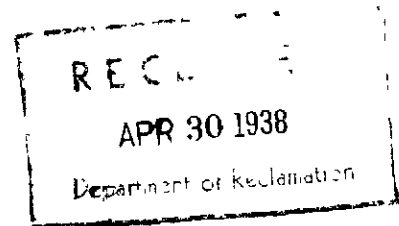
VICTOR C. FORD
TREASURER

R. H. LEONARD
PROBATE JUDGE

GLADYS J. ROSS
SUPT. OF SCHOOLS

O. F. BRUNZELL
ASSESSOR

✓
Re: Permits 15223 & R-277.



Hon. R. W. Faris,
Commissioner of Reclamation,
Boise, Idaho.

Dear Sir:

In response to your letter of April 21st to Mr. T. A. Foreman, a copy of which was received by me, I have secured another affidavit of publication of notice of proof, as requested by you, and herewith enclose the affidavit, and am so advising Mr. Foreman.

Very truly yours,

R. H. Leonard
R. H. LEONARD
Probate Judge.

R-277

April 21, 1968

Re: Permits 15883 & R-277.

Mr. T. A. Foreman
Oreana, Idaho

Dear Mr. Foreman:

This will acknowledge receipt of the depositions of the holder, depositions of two witnesses, and an affidavit of proof of publication from the newspaper, all in connection with beneficial use proofs under the two above permits. Will you please furnish us another copy of the affidavit, so that we may have a copy for our file for each of the above-numbered permits.

Before final action can be taken in this matter, the law requires that a field examination be made by an engineer from this department. We are unable to say just when this examination will be made, since the department has but one field engineer who makes examinations all over the state.

However, Mr. Tolman, Field Engineer for this department, will contact you at the time set for examination so that you may show him over the grounds. After his report is on file in this office you will be further notified as to fees due before the issuance of your licenses.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By

Chief Clerk

JL
cc to R. H. Leonard.

R-277

JOHN T. HAILEY
COMMISSIONER DISTRICT NO. 1
OREANA, IDAHO

ROY R. TILFORD
COMMISSIONER DISTRICT NO. 2
HOMEDALE, IDAHO

DAVE BASEY, CHAIRMAN
COMMISSIONER DISTRICT NO. 3
GRAND VIEW, IDAHO

J. H. NETTLETON, CLERK

OWYHEE COUNTY

MURPHY, IDAHO

April 11, 1938.

MILO AXELSEN
PROSECUTING ATTORNEY

CLAUDE L. SULLIVAN
SHERIFF

VICTOR C. FORD
TREASURER

R. H. LEONARD
PROBATE JUDGE

GLADYS J. ROSS
SUPT. OF SCHOOLS

O. F. BRUNZELL
ASSESSOR

RECEIVED

APR 14 1938

Department of Reclamation

Hon. R. W. Faris, Commissioner,
Department of Reclamation,
Boise, Idaho.

Dear Sir:

Re: Permit No. R-277
T. A. Foreman.

Enclosed find Deposition of Permit Holdre, and
Depositions of two Witnesses on Proof of Applica-
tion of Water to Beneficial Use.

If affidavit of publication of notice has not been
forwarded to you by the publisher, it soon will be.

Very truly yours,


R. H. LEONARD
Probate Judge.

R-277

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO, April 4, 1938

Judge R. H. Leonard
Murphy, Idaho

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. B-277.

DEPOSITION OF PERMIT HOLDER,
DEPOSITIONS OF TWO WITNESSES.

In submitting this proof the following instructions should be CAREFULLY followed out, since failure to do so may result in the loss of rights:

1. On April 11, 1938, the date set for proof, the enclosed forms (one for permit holder and one each for two disinterested witnesses) should be filled out and sworn to, at Murphy, Idaho before R. H. Leonard, Probate Judge.

2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice.

When these have been received, together with report of the examining engineer, if everything is properly executed, you will be further advised as to fees due, etc., before certificate is issued.

Yours truly,

R. W. FARIS

Commissioner of Reclamation.

R-277

March 22, 1938

Re: Permits R-277 & 15223.

Mr. T. A. Foreman
Oreana, Idaho

Dear Mr. Foreman:

This is to advise you that the notice in connection with beneficial use proofs under the two above-numbered permits which you authorized this department to have published in the Owyhee Nuggett was sent to the newspaper on March 15th with instructions to publish the notice once a week for four consecutive weeks prior to April 11, 1938.

About ten days prior to this date two sets of depositions, each set consisting of one for the holder and one each for two witnesses, will be mailed to R. H. Leonard, Probate Judge, at Murphy, Idaho, so that he will have them in ample time for the proofs.

On the date designated you should appear at Judge Leonard's office with two disinterested witnesses who are familiar with the terms of the permits and the works constructed thereunder, for the purpose of executing the depositions.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By

Chief Clerk

jl

R-277

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date March 15, 1936

*R-277
15223*

THE OWYHEE NUGGETT
BrunEAU, Idaho

DEAR SIR:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to April 11, 1936, the date set for proof, the expense of the publication to be paid by the applicant, T. A. Foreman, Oreana, Idaho,

to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice and furnish this office with a copy of the first publication.

Very truly yours,

R. W. FARIS

Commissioner of Reclamation

R-277

NOTICE FOR PUBLICATION
NOTICE OF PROOF APPLICATION OF WATER
 TO BENEFICIAL USE

Notice is hereby given that at 10:00 A. M. on the 11th day of April, 1933,
 at Brown Murphy, County of Owyhee, State of Idaho, before
R. H. Leonard, Probate Judge, proof will be submitted of the
 application to beneficial use of 2353 acre feet per annum and
45 cubic feet per second of the waters of Castle
Creek in accordance with the terms and conditions of Permit Nos. R-277 & 15223
 heretofore issued by the Commissioner of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are.....

T. A. Foreman, Oreana, Idaho.

The use to which said water has been applied is irrigation and domestic.

The amount applied to beneficial use is 2353 acre feet per annum and 45 cubic feet per second

The place where said water is used (if for irrigation, give full and accurate description of the
 lands irrigated) N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 25; NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$,
 SE $\frac{1}{4}$, Sec. 26; SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 27; NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 34; NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$,
 W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 35, all in T. 4 S., R. 1 E., B. M.

The name of the canal or ditch or other works by which said water is conducted to such place
 of use is private ditch.

The right to take water from such works is based upon Permit Nos. R-277 & 15223.

The source of supply from which such water is diverted is Castle Creek.

The date of priority which said user is prepared to establish is March 17, 1931.

R. W. PARIS

Commissioner of Reclamation.

R-277

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date)

(P. O.)

TO THE COMMISSIONER OF RECLAMATION:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
..... *Owyhee Nugget* of *Burman, Ida.*, published in
the county in which the works are situated.

..... *J. A. Foreman*

(In case of canals or other works designed to divert and carry more than 50 cubic feet of water
per second, the following certificate must be signed by a well-known and competent engineer)

I hereby certify that the facts set forth in the attached notice are true.

.....
Engineer.

February 10, 1930.

RE: Permits 15223 - R-277

Mr. T. A. Foreman
Castle Creek, Idaho

Dear Sir:

We are mailing you herewith certificate of completion of works issued on both the above numbered permits, together with receipt for fee paid.

Very truly yours,

GEO. N. CARTER
Commissioner of Reclamation

By
Chief Clerk

CB:G
Incl. 3

R-277

RE: Permit 15223-R-277

Oreana Idaho
Feb 6. 1930

Mr George McCarter

Dear Sir

I am enclosing check in the amount of \$15.60 to cover amount ~~due~~ on water rights for my Reservoir.

To send this money by check is the most convenient way I have to send it.

would come over but our roads is so bad at this time.

yours truly
D. A. Foreman

R-277

February 3, 1930.

RE: Permits 15223 - R-277

Mr. T. A. Foreman
Castle Creek, Idaho

Dear Sir:

The report of our examining engineer on completion of works under your above numbered permit is now on file in this office. This report shows the capacity of the canal to be 45 second feet and the capacity of the reservoir to be 2300 acre feet. The fees due will, therefore, amount to \$15.50 upon receipt of which the certificate of completion of works will be issued you.

Very truly yours,

GEO. E. CARTER
Commissioner of Reclamation

By
Chief Clerk

OB:G

R-277

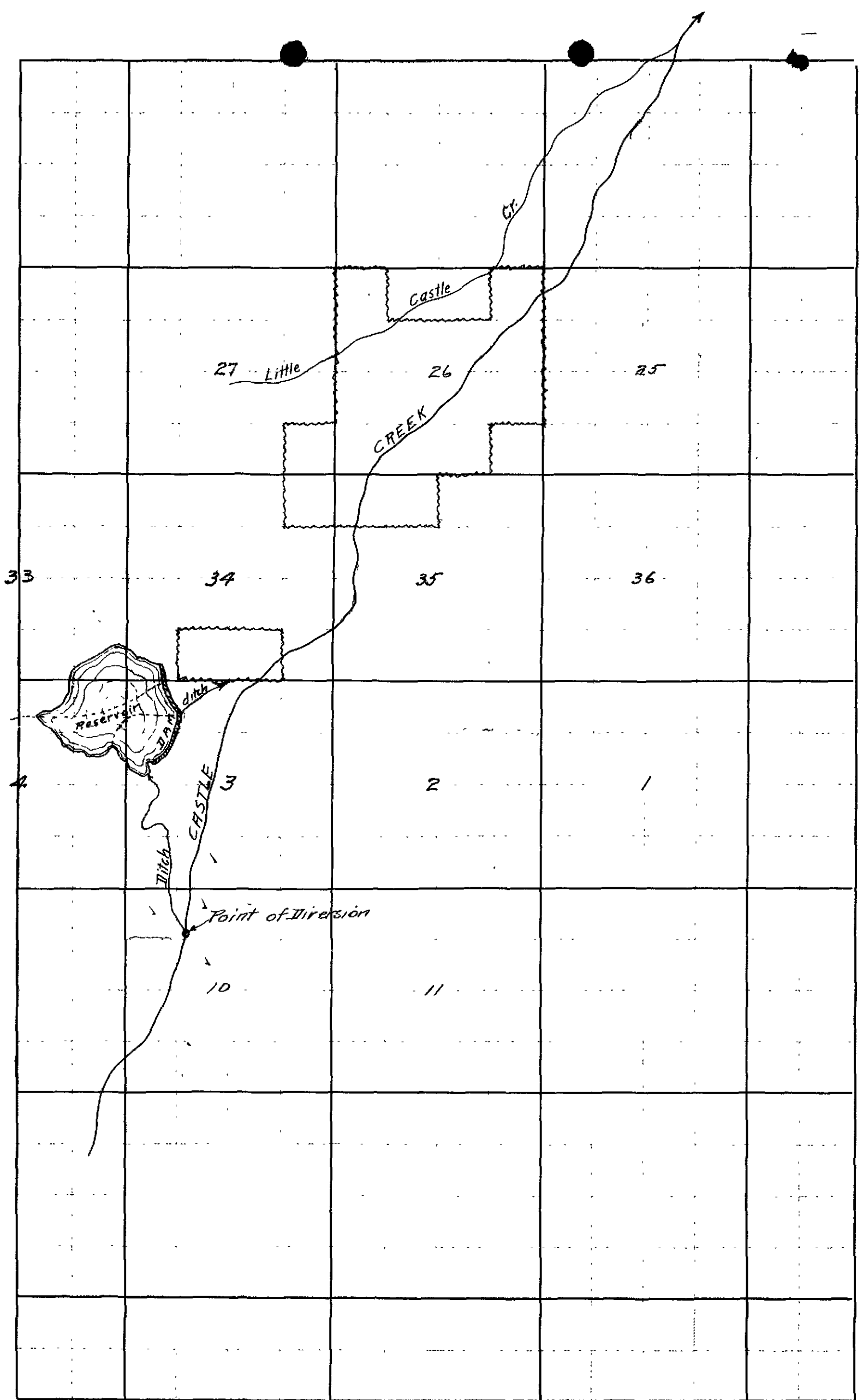
STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. _____

REPORT ON PROOF OF _____

R-277



SCALE: 2 INCHES EQUALS 1 MILE. DRAW MAP IN INK.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 15223-R277

This proof is for COMP. WORKS

In Water District No.

1. Name of applicant: T. A. Foreman

2. Source of water supply: Castle Creek

3. Location of point of diversion: Is in the NW $\frac{1}{4}$ of Section 10

T. 5 S. R. 1 E.B.M. County of Owyhee

4. Describe works as they exist, giving dimensions and capacities of same: Earth dam 250 ft long. Max height 25 feet. 20 ft wide on top. Up stream slope is 3-1 and the lower slope is 2-1. Outlet is by 12" steel pipe controlled by screw stem gate valve at the outlet end of pipe. Discharges into a concrete sump & thence to distribution ditch

5. Water is used for: Irrigation

6. State whether or not water has been turned into works of diversion: yes

List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation):

Twp. 4 S., R. 1 E., B.M., Sec. 26- E $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$; Sec. 27- SE $\frac{1}{4}$ SE $\frac{1}{4}$; Sec. 34- NE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$; Sec. 35- NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? Snake River

Remarks: Storage reservoir of about 150 acres and capacity of about 2500 Acre feet. At time of examination water in reservoir was about 14 ft deep. The fill material is fine lava ash with considerable alkali content, and the down stream slope was saturated for about 200 feet x 7 to 8 feet height adjacent to the outlet gate. Feeder canal 8 ft wide x 20 ft deep. Capacity about 45 Sec Ft.

This examination was made on the 24th day of June 1929

(Signed) Robert H. Dolan Examiner.

R-277

T. A. Foreman
Creana

Permit No. 15223-R277

Examination for COMP. WORKS

County OWYHEE

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion, and accurately plat same.
 2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
 3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads
 4. If any unusual conditions are discovered, make a plain statement of them under remarks.
 5. Always see the holder, if possible, and go over the whole ground with him, and make your report only upon actual existing facts and conditions.
-

August 22, 1921.

Re: Permit No. 14222-T, A. Ferguson.

MESSERS. HESION & HESION
General Agents, National Surety Co.
Boise, Idaho.

Gentlemen:-

Referring to your letter of the 21st inst. would say that, inasmuch as the holder of the above permit submitted satisfactory proof of completion of work, the bonding company is released from further liability under the bond filed in connection with said permit.

Very truly yours,
GEO. H. CARTER
Commissioner of Reclamation.

By _____
Chief Clerk.

R-277

Joel Rathbone, Vice-Chairman

Wm. B. Joyce, Chairman

E. A. St. John, President



National Surety Company

Capital \$15,000,000.00

New York.

LOCAL BOARD

RESIDENT VICE-PRESIDENTS

JOHN D. DALY

JAS. H. HAWLEY

JESS B. HAWLEY

RESIDENT ASST. SECRETARIES

L. W. ENSIGN

FRANK G. ENSIGN

ENSIGN & ENSIGN
(AUTHORITY LIMITED)
GENERAL AGENTS FOR
SOUTHERN IDAHO

HAWLEY & HAWLEY
CONSULTING ATTORNEYS

BOISE, IDAHO

August 21, 1929

Department of Reclamation
State House
Boise, Idaho

Re-Water Permit #15223

T. A. Foreman

Gentlemen:

Mr. Foreman informs us that our bond filed in the above named permit has served its purpose and will no longer be needed. Will you kindly advise us whether or not you can write us advising that our company is relieved from liability under our bond?

Yours very truly,

ENSIGN & ENSIGN
General Agents

By 
The Bond Man

LWE:HB

*We bond more people than any other company in the world
We can and operate New York Indemnity Co., writing surety, fidelity, plate glass, accident, automobile, and other casualty lines.*

R-277

AFFIDAVIT OF PUBLICATION

I, Charles Pascoe, publisher of THE OWYHEE NUGGET, published weekly at Bruneau, Owyhee County, Idaho, do solemnly swear that a copy of the above notice, as per clipping attached, was published ~~anywhere~~ in the regular entire issue of said newspaper, and not in any supplement thereof, for 4 consecutive issues, commencing with the issue dated May 21 1928, and ending with the issue dated June 21 1928; that the said newspaper has been continuously published in said county during a period of seventy eight consecutive weeks prior to the first publication of this notice.

Subscribed and sworn to before me this 9th day of July, 1928. ...1928

Monthly Public

R-277

2025-01-21

PERMIT NO. 15223- R-277

Proof of Completion of Works

DEPOSITION OF HOLDER

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. T. A. Foreman, Castle Creek, Farmer, P.O. Oreana

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business, your position with reference to same, and your authority for appearing in its behalf.

Ans. No

Ques. 3. State number and date of permit, amount of water you are authorized to divert, source, and point of diversion.

Ans. Use Permit No. 15223-Reservoir Permit #277- July 19, 1921- 2353 acre-feet

per annum storage and 60 sec.ft. from Castle Creek; Point of Diversion :

NW¹/₄ of NW¹/₄ Sec. 10, T. 5 S., R. 1 E., B.M.

Ques 4. State purpose for which water is to be used, and, if for irrigation, state the number of acres and give description of the land you intend to reclaim.

Ans. Irrigation, 760 acres, E¹/₂NE¹/₄, SW¹/₄NE¹/₄, NE¹/₄SE¹/₄, E¹/₂SW¹/₄, W¹/₂SE¹/₄, SW¹/₄SW¹/₄,

SE¹/₄NW¹/₄, SW¹/₄NW¹/₄, NW¹/₄NW¹/₄, NW¹/₄SW¹/₄, Sec. 26; SE¹/₄SE¹/₄, Sec. 27; NE¹/₄NE¹/₄, SW¹/₄SE¹/₄,

SE¹/₄SW¹/₄ Sec. 34; NE¹/₄NW¹/₄ and NW¹/₄NW¹/₄, Sec. 35, all in T. 4 S., R. 1 E., B.M.

Ques. 5. State whether or not the water has been turned into your works of diversion, and, if so, when and to what extent.

Ans. Water has been run through the ditch year before last and also this spring.

About 250 inches.

Ques. 6. State whether or not the works of diversion are fully completed, and whether or not they comply in all respects with the terms of the permit.

Ans. Completed to store 1645 acre-feet of water and comply with the terms
of the permit to that extent.

Ques. 7. If the works of diversion do not comply with all the terms of your permit, state fully those particulars in which there is any variance.

Ans. The dam has not been completed to the height stated in the permit

Ques. 8. Give description of works, state dimensions and capacity of each part, and give cost of same.

Ans. Dam completed to the 25 foot contour and ditch is completed to its
capacity of 60 sec.ft., with cement headgate at point of diversion. There is a n
iron pipe enclosed in concrete at the out-let of the dam; a cast iron valve with
cement sump at outlet and a cement sump at the intake with a wire screen over the
top. The ditch leading from the reservoir is completed as shown on permit map.

(Sign here.)

T. A. Foreman

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

County of Ada, State of Idaho, on this 19th

day of July A. D. 1928

Clara M. Cherry

Notary Public.

My Commission expires Apr. 11, 1929

R-277

The Depositions of two Witnesses, in this form, taken separately, required in each case.

Permit No. Use Permit 15223-
Reservoir Permit #277

Proof of Completion of Works

DEPOSITION OF WITNESS

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. S. E. Vance, Boise, Engineer, P.O. Boise, Idaho

Ques. 2. Are you acquainted with T. L. Foreman, the holder of Permit No. 15223- R-277, authorizing the diversion of 60 second-feet of the waters of Castle Creek, at _____ for Irrigation purposes? How long have you known him, and where does he reside?

Ans. About 20 years

Ques. 3. Have you read or heard read said Permit No. 15223 and R-277, and are you familiar with its terms and conditions?

Ans. I have read the permits

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. I am. Sagebrush desert land; would require at least an inch to the acre for profitable cultivation.

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use?

Ans. Works are completed to store 1645 acre-feet of water. The ditch is completed to carry the full amount claimed in the permit.

Ques. 6. Describe the works of diversion as they now exist, and give your estimate of their capacity.

Ans. Dam completed to the 25 foot contour and ditch completed to its capacity- 60 sec.ft., with cement headgate at point of diversion. There is an iron valve with iron pipe enclosed in concrete at the outlet of the dam; a castiron valve with cement sump at outlet and cement sump at the intake with a wire screen over the top.

(Sign here.)

S. E. Vance

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Boise County of Ada, State of Idaho, on this 19th day of July, A. D. 19 28.

Elana M. Brown

Notary Public, Residing at Boise, Idaho.

R-277

The Depositions of two Witnesses, in this form, taken separately, required in each case.

Permit No. 15223-R-277

Proof of Completion of Works

DEPOSITION OF WITNESS

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. J. L. Weese, Oreana, Farming, P.O. Oreana

Ques. 2. Are you acquainted with T. L. Foreman, the holder of Permit No. 15223-R-277, authorizing the diversion of 60 second-feet of the waters of Castle Creek, with storage under Permit 277, at for Irrigation purposes? How long have you known him, and where does he reside?

Ans. About 30 years

Ques. 3. Have you read or heard read said Permit No. 15223-R-277, and are you familiar with its terms and conditions?

Ans. Have read these permits

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. I am Sagebrush desert land; Would require at least an inch to the acre for profitable cultivation. About 300 acres in cultivation.

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use?

Ans. Works are completed to store 1645 acre-feet of water and the ditch is completed to carry the full amount claimed in the permit.

Ques. 6. Describe the works of diversion as they now exist, and give your estimate of their capacity.

Ans. Dam completed to the 25 foot contour and ditch completed to its capacity of 60 sec.ft., with cement headgate at point of diversion. There is an iron valve with iron pipe enclosed in concrete at the outlet of the dam; a cast iron valve with cement sump at outlet and cement sump at the intake with a wire screen over the top.

(Sign here.)

J. L. Weese

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

County of Ada, State of Idaho, on this 19th day of July, A. D. 19 28

Clara M. Brown

R-277

State of Idaho
ENGINEERING DEPARTMENT
BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

T. A. Foreman,
Boise, Idaho.

BOISE, IDAHO,

July 11, 1928

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of completion of works under Permit No. ~~R-277-15825~~

DEPOSITION OF PERMIT HOLDER.

DEPOSITIONS OF TWO WITNESSES.

In submitting this proof the following instructions should be CAREFULLY followed out, since failure to do so may result in the loss of the permit holder's rights:

1. On ~~July 12, 1928~~, the date set for proof of completion of works, the enclosed deposition forms (one for permit holder and one each for two witnesses) should be filled out and sworn to, at ~~Boise, Idaho, at the Dept. of Reclamation, State House.~~

2 When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice.

When these have been received, together with report of the examining engineer, if everything is properly executed, you will be further advised as to fees due, etc., before certificate is issued

Yours truly,

~~GEO. N. CARTER,~~
~~Commissioner of Reclamation.~~

R-277

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

May 29, 1928.

Date

Publisher The Nugget,
Bruneau, Idaho.

DEAR SIR:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **July 19, 1928** the date set for proof, the expense of the publication to be paid by the applicant, **T. A. Foreman, of Oreana, Idaho**, to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice and furnish this office with a copy of the first publication.

Very truly yours,

GEO. H. CARTER,

Commissioner of Reclamation.

R-277

Notice for Publication

Notice is hereby given that at 10:30 A.M., on the 19th day of July, 1928, at Boise, County of Ada, State of Idaho, ~~return at the Dept. of Reclamation, State House~~, proof will be submitted of the completion of works for the diversion of 60 cubic feet per second of the waters of Castle Creek, Ada.

in accordance with the terms and conditions of ~~Reservoir Permit No. 277 and Use Permit No. 15223~~ Reservoir Permit No. 277 and Use Permit No. 15223 heretofore issued by the Commissioner of Reclamation of the State of Idaho.

- The name of the person or corporation holding said permit is T. A. Foreman.
- The postoffice address of such person or principal place of business of such corporation is Creana, County of Owyhee, State of Idaho.
- The number of such Permit ~~is~~ are 15223 and R. 277, and the date set for the completion of such work is July 19, 1928.
- Said water is to be used for irrigation and domestic purposes.
- Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is 60 cubic feet per second.

6. The amount of lands for which said water is available is 760 acres, particularly described as follows:
Twp. 4 S., R. 1 E., B.M., Sec. 26- NE¹/₄NE²/₄, SW¹/₄NE²/₄, NE¹/₄SE²/₄, E¹/₂SW¹/₄, NE¹/₄SE²/₄, SW¹/₄SE²/₄, SE¹/₄NE²/₄, SW¹/₄NE²/₄, NW¹/₄NE²/₄, NW¹/₄SW²/₄, Sec. 27- SE¹/₄SE²/₄, Sec. 34- NE¹/₄NE²/₄, S¹/₄SE²/₄, SE¹/₄SW²/₄, Sec. 35- NE¹/₄NE²/₄, NW¹/₄NE²/₄.

ms mw-10-55-16

*Owyhee
14-a*

Geo. N. Carter,
Commissioner of Reclamation.

R-277

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) .. May 11, 1928

(P. O.) .. Oreana, Idaho

TO THE COMMISSIONER OF RECLAMATION:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
Bruneau Nugget .. of Bruneau, Idaho .., published in
the county in which the works are situated.

J. A. Foreman

(In case of canals or other works designed to divert and carry more than 50 cubic feet
of water per second, the following certificate must be signed by a well-known and compe-
tent engineer.)

I hereby certify that the facts set forth in the attached notice are true.

J. E. Vance, Sr.
Engineer.

840
800 acres

- ✓ $E\frac{1}{2}$ $NE\frac{1}{4}$ $SW\frac{1}{4}$ $NE\frac{1}{4}$ $NE\frac{1}{4}$ $SE\frac{1}{4}$ Sec 26 T.4 S. 1 East
- ✓ $NE\frac{1}{4}$ $NW\frac{1}{4}$ Sec 35 T.4 R.1 East
- ✓ $NE\frac{1}{4}$ $NE\frac{1}{4}$ Sec 34 $SE\frac{1}{4}$ $SE\frac{1}{4}$ Sec 27 T.4 R.1 East
- ✓ $E\frac{1}{2}$ $SW\frac{1}{4}$ $W\frac{1}{2}$ $SE\frac{1}{4}$ Sec 26 T.4 R.1 East
- ✓ $NW\frac{1}{4}$ $NW\frac{1}{4}$ Sec 35 $SW\frac{1}{4}$ $SW\frac{1}{4}$ Sec 26 T.4 R.1
- ✓ $W\frac{1}{4}$ $SE\frac{1}{4}$ $SE\frac{1}{4}$ $SW\frac{1}{4}$ Sec 34 T.4 R.1 East
- ✓ $SE\frac{1}{4}$ $NW\frac{1}{4}$ $SW\frac{1}{4}$ $NW\frac{1}{4}$ $NW\frac{1}{4}$ $NW\frac{1}{4}$ Sec 26 T.4 R.1 East
- ✓ ~~$SE\frac{1}{4}$ $NW\frac{1}{4}$~~ $NW\frac{1}{4}$ $SW\frac{1}{4}$ Sec 26 T.4 R.1 East

E-277

May 14, 1928.

Re: Permit No. 15223.

Mr. T. A. Foreman,
Oreana, Idaho.

Dear Sir:-

Your application for amendment of lands to be irrigated under the above permit has been approved and recorded under the permit in this office. The application is accordingly returned to you, together a copy of the map filed therewith.

Very truly yours,
GEO. H. CARTER,
Commissioner of Reclamation.

Encl.

By _____
Chief Clerk

R-277

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

April 5, 1928

Boise, Idaho,

T. A. Foreman
Crown, Idaho

DEAR SIR:

I enclose herewith blank form upon which to give notice that you are prepared and desire to submit proof of completion of works under your permit No. 15223.

This form should be filled out and mailed to the Department of Reclamation, at least 60 days before the date upon which proof is to be submitted, which proof MUST be on or before July 19, 1928. Upon receipt of the blank properly filled out, notice for publication will be sent to the paper direct from this office, which notice must be published a period of four weeks prior to the date of proof.

The proof may be submitted at any place convenient to you and two witnesses, where there is a notary public or other officer authorized to administer oaths.

The certificate that shall be issued under this proof does not give you a perpetual right to the use of the water for which application is made, as it only confirms the completion of the works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request

Very truly yours,

GEO. H. CARTER

Commissioner of Reclamation.

L-277

February 10, 1930.

RE: Permits 15223 - R-277

Mr. T. A. Foreman
Castle Creek, Idaho

Dear Sir:

We are mailing you herewith certificate of completion of works issued on both the above numbered permits, together with receipt for fee paid.

Very truly yours,

GEO. N. CARTER
Commissioner of Reclamation

By Chief Clerk

CB:G
Incl. 3

R-277

February 3, 1930.

RE: Permits 15223 - R-277

Mr. T. A. Foreman
Castle Creek, Idaho

Dear Sir:

The report of our examining engineer on completion of works under your above numbered permit is now on file in this office. This report shows the capacity of the canal to be 45 second feet and the capacity of the reservoir to be 2300 acre feet. The fees due will, therefore, amount to \$15.50 upon receipt of which the certificate of completion of works will be issued you.

Very truly yours,

GEO. M. CARTER
Commissioner of Reclamation

By
Chief Clerk

CB:G

R-277

PERMIT NO. 15225- 2-277

Proof of Completion of Works

DEPOSITION OF HOLDER

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. T. A. Foreman, Castle Creek, Varner, P.O. Oregon

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business, your position with reference to same, and your authority for appearing in its behalf.

Ans. _____

Ques. 3. State number and date of permit, amount of water you are authorized to divert, source, and point of diversion.

Ans. Use Permit No. 15222-Reservoir Permit #277- July 19, 1922- 2500 acre-feet per annum storage and 60 sec.ft. from Castle Creek; Point of Diversion : NW 1/4 of NW 1/4 Sec. 10, T. 5 S., R. 1 E., B.M

Ques 4. State purpose for which water is to be used, and, if for irrigation, state the number of acres and give description of the land you intend to reclaim.

Ans. Irrigation, 740 acres. NE¹/₄SW¹/₄, SW¹/₄NE¹/₄, NE¹/₄SE¹/₄, E¹/₂SW¹/₄, W¹/₂SE¹/₄, SW¹/₄SW¹/₄, SE¹/₄NE¹/₄, SE¹/₄SW¹/₄, NW¹/₄NE¹/₄, NW¹/₄SW¹/₄, Sec. 26; SE¹/₄SE¹/₄, Sec. 27; NE¹/₄NE¹/₄, SW¹/₄SE¹/₄, SE¹/₄SW¹/₄ Sec. 24; NE¹/₄NE¹/₄ and NW¹/₄NE¹/₄, Sec. 35, all in T. 4 S., R. 1 E., B.M.

Ques. 5. State whether or not the water has been turned into your works of diversion, and, if so, when and to what extent.

Ans. Water has been run through the ditch year before last and also this spring.
About 250 inches.

Ques. 6. State whether or not the works of diversion are fully completed, and whether or not they comply in all respects with the terms of the permit.

Ans. Completed to store 1645 acre-feet of water and comply with the terms of the permit to that extent.

Ques. 7. If the works of diversion do not comply with all the terms of your permit, state fully those particulars in which there is any variance.

Ans. The dam has not been completed to the height stated in the permit

Ques. 8. Give description of works, state dimensions and capacity of each part, and give cost of same.

Ans. Dam completed to the 25 foot contour and ditch is completed to its capacity of 50 sec. ft. with cement headgate at point of diversion. There is a ~~structure~~ ^{structure} enclosed in concrete at the out-let of the dam, a steel lawn valve with cement stump at outlet and a cement stump at the intake with a wire screen over the top. The ditch leading from the reservoir is completed as shown on permit map.

(Sign here.)

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

County of Ada, State of Idaho, on this 19th
day of July, A. D. 1922.

day of July A. D. 1928

Notary Public.

My Commission expires Apr. 11, 1929

R-277

The Depositions of two Witnesses, in this form, taken separately, required in each case.

Permit No. Use Permit 15225-
Reservoir Permit #277

Proof of Completion of Works

DEPOSITION OF WITNESS

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. S. E. Vance, Boise, Engineer, P.O. Boise, Idaho

Ques. 2. Are you acquainted with T. L. Foreman, the holder of Permit No. 15225- R-277, authorizing the diversion of 60 second-feet of the waters of Castle Creek, at _____, for Irrigation purposes? How long have you known him, and where does he reside?

Ans. About 20 years

Ques. 3. Have you read or heard read said Permit No. 15225 and R-277, and are you familiar with its terms and conditions?

Ans. I have read the permits

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. I am. Sagebrush desert land; would require at least an inch to the acre for profitable cultivation.

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use?

Ans. Works are completed to store 1645 acre-feet of water. The ditch is completed to carry the full amount claimed in the permit.

Ques. 6. Describe the works of diversion as they now exist, and give your estimate of their capacity.

Ans. Dam completed to the 25 foot contour and ditch completed to its capacity- 60 sec.ft., with cement headgate at point of diversion. There is an iron valve with iron pipe enclosed in concrete at the outlet of the dam; a castiron valve with cement sump at outlet and cement sump at the intake with a wire screen over the top.

(Sign here.)

S. E. Vance

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

County of Ada, State of Idaho, on this 19th day of July, A. D. 19 28

L. M. Brown

R-277
Idaho

The Depositions of two Witnesses, in this form, taken separately, required in each case.

Permit No. 15223-A-277

Proof of Completion of Works

DEPOSITION OF WITNESS

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. J. L. Woods, Oreson, Farming, P.O. Oreson

Ques. 2. Are you acquainted with W. L. Foreman, the holder of Permit No. 15223-A-277, authorizing the diversion of 60 second-feet of the waters of Castle Creek, with storage under Permit 277, at _____ for Irrigation purposes? How long have you known him, and where does he reside?

Ans. About 20 years

Ques. 3. Have you read or heard read said Permit No. 15223-A-277, and are you familiar with its terms and conditions?

Ans. Have read these permits

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. I am . . . Sagebrush desert land. Would require at least an inch to the acre for profitable cultivation. About 500 acres in cultivation.

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use?

Ans. Works are completed to store 1645 acre-feet of water and the ditch is completed to carry the full amount claimed in the permit.

Ques. 6. Describe the works of diversion as they now exist, and give your estimate of their capacity.

Ans. Dam completed to the 25 foot contour and ditch completed to its capacity of 60 sec. ft., with cement headgate at point of diversion. There is an iron valve with iron pipe embedded in concrete at the outlet of the dam; a cast iron valve with cement sump at outlet and cement sump at the intake with a wire screen over the top.

(Sign here.)

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Boise County of Ada, State of Idaho, on this 15th day of July, A. D. 19 28

Clara M. Brown
R-277

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

April 5, 1928.

Boise, Idaho,

T. A. Forrester,
Oreana, Idaho.

DEAR SIR:

I enclose herewith blank form upon which to give notice that you are prepared and desire to submit proof of completion of works under your permit No. ~~2277~~.....

This form should be filled out and mailed to the Department of Reclamation, at least 60 days before the date upon which proof is to be submitted, which proof MUST be on or before ~~July 19, 1928~~..... Upon receipt of the blank properly filled out, notice for publication will be sent to the paper direct from this office, which notice must be published a period of four weeks prior to the date of proof.

The proof may be submitted at any place convenient to you and two witnesses, where there is a notary public or other officer authorized to administer oaths.

The certificate that shall be issued under this proof does not give you a perpetual right to the use of the water for which application is made, as it only confirms the completion of the works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Very truly yours,

GEO. N. CARTER

Commissioner of Reclamation.

R-277

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

IN THE MATTER OF APPLICATION FOR
EXTENSION OF TIME FOR COMPLETION
OF WORKS UNDER RESERVOIR PERMIT
NO. 277, UNDER THE PROVISIONS OF
HOUSE BILL 54, SESSION LAWS FOR
1925.

ORDER GRANTING
EXTENSION OF TIME

WHEREAS, Under date of April 18, 1926,
T. A. Foreman, the owner of Reservoir Permit No. 277
to appropriate the public waters of the State of Idaho,
filed an application in the Department of Reclamation
of the State of Idaho, requesting an extension of time
within which to submit proof of completion of the works
of diversion under said permit, which said application
was filed under the provisions of House Bill 54, Session
Laws of Idaho for 1925; and

WHEREAS, A public hearing on said application
was held at the Department of Reclamation of the State
of Idaho on the 19th day of May, 1926, as required by
law, and an investigation was made by the Commissioner
of Reclamation of the State of Idaho for the purpose of
determining whether or not the said extension should be
granted; and

WHEREAS, A consideration of all of the informa-
tion adduced at the hearing, together with records of the
Department of Reclamation relating to the said permit and
such other facts as are available to the undersigned,
Commissioner of Reclamation, it appears that a necessity
exists for an extension of time under the said permit;
that the applicant has acted in good faith, and that an
extension of time should, therefore, be granted for a
period of two years; and

WHEREAS, Proof of completion of works under
the said permit is due to be made by July 19, 1928:

NOW, THEREFORE, IT IS HEREBY ORDERED, That the
extension of time requested in the said application, be,
and the same is, hereby granted, and it is further ordered
that a certificate evidencing such extension be issued
to the permit holder, extending the time within which per-
mit holder shall be required to make proof of completion
of works of diversion under said permit to July 19, 1928.

IN WITNESS WHEREOF, I have hereunto set my hand
and affixed the official seal of my office, at Boise, this
25th day of May, 1926.

W. G. SWENDSEN
Commissioner of Reclamation

BY

W. N. Carter
Assistant

R-277

June 9, 1928

Re: Permit No. R-277

MR. T. A. FORBMAN
Oreana
Idaho

Dear Sir:

I will keep in mind the matter of your reservoir permit and as soon as opportunity permits, will either examine the work you have done to date myself or instruct some other representative from this office to make a record of progress to date.

Very truly yours,

Director of Water Resources

CHC:R

R-277

Hon. W. G. Swendsen,
Commissioner of Reclamation,
Boise, Idaho

Dear Mr. Swendsen:

The time for completion of Permit R-277 has been extended by you to July 19, 1928 under your decision of May 25, 1926. I do not want to take any chances about this permit so far as its present condition of completion is concerned. The project will at the present time carry fully 3,000 inches of water and the reservoir will hold over 800 feet, and I should like to have you look it over so if any trouble should ever arise you would know that before July 19, 1928, I actually did have the work completed to that extent. Mr. Hawley advised me that the extension made any final proof unnecessary and I do not question his advice, but I certainly should appreciate your looking over my project so you will actually know the facts in the event anybody should ever raise any question.

Respectfully yours,

T. A. Foreman

R-277

HAWLEY & HAWLEY
ATTORNEYS AND COUNSELORS

JAMES H HAWLEY
JESS B HAWLEY
O W WORTHWINE
SAM S GRIFFIN
JAMES H HAWLEY, JR

OVERLAND BUILDING
BOISE, IDAHO

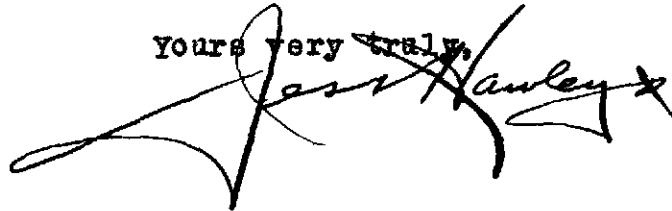
June 1st, 1926

Hon. W. G. Swendsen,
Commissioner of Reclamation,
Boise, Idaho

Dear Mr. Swendsen:

We acknowledge the receipt of
your letter of May 29th enclosing trans-
cript of hearing and order granting
extension in the matter of Permit
R-277.

Yours very truly,

A handwritten signature in dark ink, appearing to read "Jess B. Hawley", with a large, stylized flourish extending from the end of the name.

JBH:lmc

R-277

May 29, 1926

Re: Permit No. R.277

Attention: Mr. Jess Hawley

Messrs: Hawley & Hawley

Attorneys at Law

Boise, Idaho

Gentlemen:

We are inclosing herewith a copy of transcript of hearing in the matter of the extension of time under the above numbered permit, together with order granting such extension and the approval of the Commissioner of Reclamation.

Very truly yours,

W. G. SWENDSEN
Commissioner of Reclamation

By _____
Chief Clerk

CB:HH

ENC:3

L-277

May 28, 1926

Re: Permit No. R-277

Mr. T. A. Foreman

Oreana, Idaho

Dear Sir:-

Inclosed you will find the approval of your application for extension of time under the above numbered permit.

We are also returning you herewith the one dollar bill sent in payment of fees. This request was and error in our letter to you of the 24th inst., as no fees are due for granting an extension. We are also returning your receipted bill for publication.

Very truly yours,

W. G. SWENDSEN
Commissioner of Reclamation

By _____
Chief Clerk

CB:HH

Enc: A. A. E.- \$1.00 bill & R.

R-277

Oreana Idaho

May 26. 1926

Department of Reclamation

Dear Sir-

I am enclosing affidavit
of Publication with \$1.00 as requested

Yours truly
N. A. Foreman

R. 277

Oreana Idaho
May 6. 1926

Department of Reclamation

Dear Sir

I have yours of May 4th in regard to a protest filed against my claim for extension of time on my Reservoir works and I am surprised at any one making protest,

I would be glad if you would tell me whether I must bring some witnesses, and if I will need an attorney.

Yours very truly

T. A. Foreman

NOTICE FOR PUBLICATION

Department of Reclamation of the United States
Bureau of Reclamation
Washington, D. C.
June 1, 1926

Notice is hereby given that on the 5th day of May, 1926, at 10 o'clock a.m., a hearing will be held by the State Commissioner of Reclamation or his Deputy at Boise County, Idaho, State of Idaho, for the purpose of receiving any protests, testimony and evidence regarding an application for an extension of time for the completion of works under Permit to appropriate the Public Waters of the State of Idaho No. R 277. The said protests and evidence may be submitted either orally or by affidavit by any persons owning or in possession of a right to the use of any waters of a stream or source of supply affected by the said extension.

1. The number of the said permit is Reclamation Permit No. 277.

2. The name and postoffice address of the person or persons or corporation holding the said permit or permits are: T. A. Homan, Oreana, Idaho.

3. The amount of water called for by the said permit or permits is 2353 acre feet for storage from Castle Creek which is tributary to Snake River.

4. This notice is to be published at the expense of the applicant or applicants above named. The publisher is hereby authorized to deliver to the said applicant the Proof of Publication upon payment for the said publication.

DEPARTMENT OF RECLAMATION.
W. G. Swendsen,

AFFIDAVIT OF PUBLICATION

I, Charles Pascoe, publisher of THE OWYHEE NEWSLETTER, published weekly at Bruneau, Owyhee County, Idaho, do solemnly swear that a copy of the above notice, as per clipping attached, was published weekly in the regular entire issue of said newspaper, and not in any supplement thereof, for... 2 ...consecutive issues, commencing with the issue dated April 22 1926, and ending with the issue dated April 29 1926, that the said newspaper has been continuously published in said county during a period of seventy eight consecutive weeks prior to the first publication of this notice.

Charles Pascoe

Subscribed and sworn to before me this 8th day of May 1926.

George R. Jones
Notary Public

R-277

May 24, 1926.

Re: Transfer Water Right.

Mr. T. A. Foreman,
Oreana, Idaho.

Dear Sir:-

Upon receipt of the affidavit of publication from
the Owyhee Nugget, ~~affidavit of \$2500~~, the certificate
of transfer will be granted you.

Very truly yours,
W. G. SWENDSEN,
Commissioner of Reclamation.

By _____
Chief Clerk.

R-277

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

IN THE MATTER OF APPLICATION FOR)
EXTENSION OF TIME FOR COMPLETION)
OF WORKS UNDER HOUSE BILL 54,)
SESSION LAWS OF 1925-PERMIT R-277)

TRANSCRIPT OF HEARING

Pursuant to published notice, a hearing was convened on the 5th day of May, 1926, at 10 o'clock A. M., in the office of the Commissioner of Reclamation, State Capitol Building, Boise, Idaho, whereupon the firm of Messrs. Oppenheim and Lampert, representing the holder of Permit No. 16417 and 16360, made appearance and requested a continuation of the said hearing, and upon stipulation of all parties of interest, the said hearing was continued to May 19, 1926, at which time the following appearances were made: Mr. Jess Hawley of Messrs. Hawley and Hawley, appeared as attorney for the applicant and the applicant being present in person, the adverse party not being present or represented by counsel.

The following procedure was had.

Mr. Hawley:

Mr. Commissioner what is the reason that the adverse party is not appearing there this morning?

Commissioner:

Mr. Oppenheim stated to me that they have withdrawn their protest against the extension.

Mr. Hawley:

Is there anything on file in this office to that effect or any other statement?

Commissioner:

No, Mr. Oppenheim verbally made a statement to that effect.

R-277

Mr. Foreman was called as witness, having been sworn, testified as follows:

Mr. Hawley:

Q. Your name and place of residence?

A. T. A. Foreman, residence, Castle Creek.

Q. You are the holder of Permit R-277 and the applicant for the extension of time under it?

A. Yes, sir.

Q. At the time limit for doing one-fifth of the work, had you completed that part of the work?

A. Yes, sir.

Q. What is the present status or condition of the work? Briefly tell the Commissioner.

A. Well the dam is completed to $12\frac{1}{2}$ feet high and the pipe line - cement work - is all in. Completed. And the canal is completed.

Q. How wide and how long is the dam?

A. The dam is 145 feet on the bottom, but it is about 10 feet wider than it should be and the length of it, I couldn't say just offhand. I think Mr. Vance could perhaps.

Mr. Vance. There is a map on file here, showing the dimensions of the dam.

Mr. Hawley:

Mr. Vance is also advised about the width of the outlet canal into the reservoir.

Q. What is the length of the canal?

A. Now I couldn't give the length of it exactly, it is not three-fourths of a mile, but it is around there and the width is 8 feet on the bottom.

Q. How much do you estimate the works lack of completion?

A. Well I think that $1\frac{1}{3}$ more work would complete it. It is now nearly finished and the remainder does not amount to so much.

Q It is necessary for you to have additional time in order to complete the dam?

A Yes

Q Could you possibly complete the dam within the limit of time left?

A No, I could not now.

Q. You are obliged then to have an extension, in order to complete the works?

A Yes, sir.

Q. Now why have you not yet completed the works, so that you would not require an extension?

A. Well it was lack of means, finances, and the first year we didn't get to do any of it.

Q. Why?

A. Just short of means. Money was pretty close. Then we got the surveys ready and the next year we did the first work and the next year was the hard winter and we didn't do any work

Q. Why?

A. It was frozen up too bad. And last year and this, we did the work.

Q. How has the work been carried on and by whom?

A. You mean who is in charge of the work?

A. Yes.

A. Myself and my two sons-in-law.

Q. How was it carried on?

A. With teams and scrappers,

Q. It is largely a home product?

A. Yes, sir.

Q. You are unable, I understand from what you have told me, to do any work on the project during the summer, because you had your stock and your ranch?

A. Yes, we always have to leave off work in the summer.

Q. You were not able to employ a contractor?

A. That was impossible.

Q. You think that you can have the works of diversion completed within two years?

A. I think so, I am sure I can.

Q. Have you any intention, or have ever had any intention, of abandoning the work?

A. No, sir.

Q. Have you done the work as rapidly as your financial condition would permit?

A. Yes, sir, unless I borrowed money, which I do not think a man can do very well. I furnished all my own money and paid everything as I went along. That is how I have carried this work on.

Q. And what benefit will result from your work?

A. Well it will give us water for the land we have no water for.

Q. It will add to the irrigable acreage of your community, the taxable wealth, etc?

A. Yes we will have a big lot of land in cultivation. That is all Mr. Foreman.

Mr. Vance was called as witness, and having been sworn, testified as follows:

Mr. Hawley:

Q. Your name, business and residence.

A. S. E. Vance, Civil Engineer, Licensed, Boise.

Q. What have you had to do with Permit R0277?

A. I made the preliminary surveys, made out the application for permit for Mr. Foreman and finished up the surveys, completed the permit in the Commissioner's office here. I also made

a survey for his reservoir site and for the right-of-way, and right-of-way for the ditch and applied for right-of-way from the United States Land Office and got the same through the Land Office for Mr. Foreman.

Q. Just what had you to do with supervising, planning construction of the work?

A. I made out his plan of dam and of the ditch and set the stakes for the work throughout the entire job and I have been over there two or three times since the work was started and checked up on the work. As you know he does his own supervising. I followed the line of stakes as set out by me.

Q. In your opinion was one-fifth of the work completed within the time limit.

A. Yes, sir. At the end of $2\frac{1}{2}$ years, more than one-fifth of the work had been done.

Q. Describe the dam itself?

A. The dam for the reservoir is of earth material entirely.

Q. How much water will the dam hold at this time.

A. Well the dam will hold a little over 800 acre feet at the present time .

Q. Has there been any intention of abandoning the work and has he proceeded in good faith.

A. Yes, sir.

That is all, Mr. Vance.

Q. Are there any questions, Mr. Commissioner.

Commissioner: No, sir.

Mr. Weiss was called as witness, and having been sworn, testified as follows:

Q. Will you give your name, residence and occupation?

A. J. W. Weiss, Oreana, Idaho, occupation, farmer.

Q. What do you know about the efforts of Mr. Foreman to carry on and complete his project, as described in Permit R0277?

A. I think he did all he possibly could do to comply with the permit. I am quite familiar with the circumstances. He had one-fifth of the work done within the time limit and I think he is acting in good faith.

Q. Has there been any evidence of abandoning the work?

A. No, sir.

Q. Have you personally performed any work on the project?

A. In January of this year I put in the concrete for the outlet.

Q. Could he possibly complete the work in the time left?

A. Not unless he borrowed money.

Mr. Hawley: That would be difficult of course to do.

That is all.

Mr. Vance in your judgment and knowledge of contracting what do you estimate it would cost to reproduce the work done by Mr. Foreman?

A. You mean on a contracting basis? If he had contracted Morrison-Knudsen to construct this work, it would cost up to the present stage about \$15,000.00, although Mr. Foreman used his own horses and did all the work.

Mr. Hawley: That is all.

Mr. Commissioner is there anything you would like in the way of further proof, or is necessary for evidence of good faith of the applicant?

No, sir.

Mr. Commissioner if you desire to make an inspection of the project and will so advise us, we will be glad to show it to you and under the conditions we think that Mr. Foreman is acting in good faith and that the two years extension should be given him so that he can, without putting himself in a hole, carry on and complete the work, and we respectfully ask for the extension of two years.

Commissioner: Very well, gentlemen, if there is nothing further the hearing is adjourned.

May 8, 1926

Re: R-277

Mr. T. A. Foreman
Orama, Idaho

Dear Sir:

I have your letter of May 6 relative to contest of application for extension of time in which to complete your reservoir dam.

Inasmuch as the opposition is represented by attorneys who no doubt will appear at the hearing and possibly employ witnesses, it appears to me that in order to properly safeguard your interests that you should likewise appear at the continued hearing with your attorney and whatever witnesses you may decide would be of value to your side of the case.

Very truly yours,

Assistant Commissioner of
Reclamation

QNC:B

R-277

May 5, 1926.

Re: Permit R-277-T. A. Foreman

Messrs. Oppenheim & Lampert,
Attorneys at law,
Boise, Idaho.

Gentlemen:-

In the matter of extension of time for completion of works under the above numbered permit would say that the time for the hearing has been continued from May 3, 1926, to May 19, 1926, at 10 o'clock A.M., at this office. Such evidence and testimony as may be filed, both for and against granting the extension, will then be carefully considered.

Very truly yours,
W. G. SWENSON,
Commissioner of Reclamation.

By _____
Chief Clerk.

R-277

May 4, 1926.

In Re: Extension-Permit #R277

Mr. T. A. Foreman,
Oreona, Idaho.

Dear Sir:-

In view of the fact that a protest has been made against granting a further extension of time for completion of work under your above numbered permit, the time for the hearing upon the application filed will be continued to May 19, 1926. You should, therefore, appear at this office at 10 o'clock a.m., on that date, and submit such further evidence in support of your application for extension as you may desire.

Very truly yours,
W. C. SWENDSEN,
Commissioner of Reclamation.

By _____
Chief Clerk.

R-277

BENJ. W. OPPENHEIM
J. M. LAMPERT
JAY M. PARRISH
E. O. SMITH

LAW OFFICES OF
OPPENHEIM & LAMPERT
IDAHO BUILDING
BOISE, IDAHO

May 4, 1926

Mr. Warren G. Swendsen
Commissioner of Reclamation
Boise, Idaho

Dear Sir:

In Re--RESERVOIR PERMIT NO. R277,
hearing set for 10 A. M.
May 5, 1926, before Reclamation
Commissioner at Boise.

In re the above we are representing Frank Davis, with water permit No. 16417, and Browns Livestock Company, a corporation, with water permit No. 16360, both of these being from Castle Creek, being the same source of supply for the reservoir under the permit first above mentioned. Our clients enter their protest to the extension of time for the completion of works beyond the five-year period as originally granted under the original permit for construction of said reservoir, and ask that the hearing of said matter be continued to some more appropriate date for all parties concerned to be present and give oral testimony and present affidavits setting forth their objections to the granting of the extension of time as prayed for.

We would also respectfully ask that the undersigned be advised as to the continuance and the date on which any further hearings may be held.

Respectfully yours,

OPPENHEIM & LAMPERT

By *E. O. Smith.*

JML:SJ

R-277

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date . . . April 17, 1928

Owyhee Nugget,
Bruneau, Idaho.

DEAR SIR:

Enclosed you will find notice for publication once a week for ~~four~~ ^{two} consecutive weeks prior to ~~May 5, 1928~~ ^{hearing}, the date set for proof, the expense of the publication to be paid by the applicant, ~~M. E. T. A. Foreman, of Oreana, Idaho~~ ^{hearing/} to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice and furnish this office with a copy of the first publication.

Very truly yours,

W. C. SWENSON,

Commissioner of Reclamation.

Cont- 19th

R-277

Notice for Publication

APPLICATION FOR EXTENSION OF TIME FOR COMPLETION OF WORKS UNDER

~~SENATE BILL 383, SESSION LAWS OF 1921~~

HOUSE BILL 54 SESSION LAWS OF 1925

Notice is hereby given that on the 5th day of May, 1926,

at 10 o'clock, A. M., a hearing will be held by the State Commissioner of Reclamation or his Deputy at Boise, County of Ada, State of Idaho, for the purpose of receiving any protests, testimony and evidence regarding an application for an extension of time for completion of works under Permit to appropriate the Public Waters of the State of Idaho No. R-277. The said protests and evidence may be submitted either orally or by affidavits by any persons owning or in possession of a right to the use of any waters of a stream or source of supply effected by the said extension.

1. The number of the said permit is Reservoir Permit No. 277

2. The name and postoffice address of the person or persons or corporation holding the said permit or permits are:

T. A. Foreman, Oreana, Idaho

3. The amount of water called for by the said permit or permits is 2355 ac.ft. for storage

from Castle Creek which is tributary to Snake River

4. This notice is to be published at the expense of the applicant or applicants above named. The publisher is hereby authorized to deliver to the said applicant the Proof of Publication upon payment for the said publication.

DEPARTMENT OF RECLAMATION.

W. G. Swendsen,

Commissioner of Reclamation.

R-277

April 17, 1926.

Re: Permit R-277.

Mr. T. A. Foreman,
Oreana, Idaho.

Dear Sir:-

Referring to your application for extension of time for completion of reservoir under the above numbered permit would say that May 5th has been set as the date for the hearing at this office and notice for the required two weeks publication has today been mailed to the Owyhee Nugget, at Brunson.

You will not be required to appear on the date set for the hearing, unless a protest be filed, in which case you will be further notified.

Very truly yours,
W. G. SWENDESEN,
Commissioner of Reclamation.

By _____
Chief Clerk.

R-277

Permit No. R-277EXTENSION OF TIME FOR COMPLETION OF WORK UNDER HOUSE BILL 54,
SESSION LAWS OF 1925.STATE OF IDAHO,
County of Ada } ss.T. A. Foreman of Oreana, State of Idaho,
being first duly sworn upon his oath, deposes and says:THAT he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho,
No. R-277:THAT under the terms and conditions of said Permit, Completion of Works thereunder is required by
July 19, 19 26:THAT he has heretofore in good faith performed the following work and taken the following steps to
bring about the completion of the said works described under the said Permit, to-wit:Dam is now completed to 12 1/2 feet height with base provided for full height.
Putlet pipe in place with good concrete headwalls. Feeder canal is built to
reservoir from Castle Creek.THAT he is unable to complete the remainder of the said works and submit Proof of Completion of
Work within the required time for the following reasons, to-wit:On account of unfavorable weather conditions during winter of 1924-1925,
was unable to carry on construction work planned. Made good progress during
winter of 1925-1926 and expect to complete all work during fall and winter of 1926.That on account of other business can only work on dam during the non-irrigation season.WHEREFORE he makes application to the Commissioner of Reclamation to extend the time for Com-
pletion of Works under the said Permit to July 19, 19 28, pursuant to
the provisions of House Bill 54, Session Laws of 1925.T. A. Foreman

Applicant.

Subscribed and sworn to before me this 16th day of April, 19 26.Elma M. Brown

Notary Public.

My commission expires April 11, 1929, 19 .Date of receipt at the office of the Department of Reclamation, APR 16 1926, 19 .

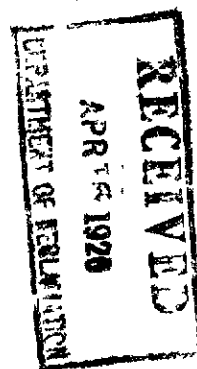
APPROVAL OF COMMISSIONER OF RECLAMATION

WHEREAS, Application for an extension of time for completion of Works under Permit No. ,
has been made by the owner thereof, which application was duly advertised in the
Owyhee Nugget of Braneau, Idaho, for a period of two consecutive
weeks, andWHEREAS, a hearing in regard to the said Application was then duly held at the Department of
Reclamation, Boise, Idaho, on May 5th, 19 26, as specified in the
said advertisement above referred to, and;WHEREAS, after taking into consideration all evidence and testimony introduced at the said hearing it
appears that the owner of the said Permit is entitled to a further extension of time within which to complete
work,NOW, THEREFORE, I, W. G. Swendsen, Commissioner of Reclamation of the State of Idaho, by virtue
of the authority vested in me under House Bill 54, Session Laws of 1925, hereby extend the Time for Com-
pletion of Works under Permit to Appropriate the Public Waters of the State of Idaho, No. R-277,
to July 19th, 19 28.WITNESS my hand this 25th day of May, 19 26.

W. G. SWENDSEN

Commissioner of Reclamation.

Geo. H. Carter
R-277



HOUSE BILL 54

SESSION LAWS OF 1925

GRANTING AUTHORITY TO THE COMMISSIONER OF RECLAMATION TO EXTEND THE TIME WITHIN WHICH THE WORK OR WORKS UNDER THE PROVISIONS OF A PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO SHALL BE COMPLETED, AND DECLARING AN EMERGENCY.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That in addition to the duties and authority prescribed by Section 5570, Compiled Statutes of Idaho, the Commissioner of Reclamation may, upon receipt of an application in such form and setting up such facts as he may designate, requesting an extension of time within which to make proof of completion of works under any permit upon which proof of completion of works is, or may be, required on or before January 20, 1927, extend the time within which such permit holder shall be required to make proof of completion of works upon the said permit or permits, so that the additional time granted shall in no case exceed two years, provided the owner of such permit shall have furnished satisfactory evidence of his good faith, together with a satisfactory showing as to the necessity for such extension of time. *Provided, however,* That upon receipt of such application, and before final action is taken thereon, it shall be the duty of the Commissioner of Reclamation to hold a public hearing at which any and all persons owning or in possession of a right to the use of any waters of a stream or source of supply affected by the said extension, may have an opportunity to be heard, either orally or by affidavits, and *Provided, further,* That it shall be the duty of the Commissioner of Reclamation to cause a notice of such hearing to be published at the expense of the applicant, in a newspaper of general circulation in the county in which the works contemplated by said permit are located, for at least two consecutive issues setting forth the number of the permit, the name of its owner or owners, the amount of water called for in said permit, the source of supply and the time and place when and where such hearing is to be held, *Provided, also,* that no extension shall be granted under the provisions of this act, unless the application for extension herein referred to shall have been filed in the office of the Department of Reclamation at least twenty days in advance of the date when such proof of completion is due.

SEC. 2. Extension of time for completion of works granted under this act shall automatically extend the time for making proof of application of water to beneficial use.

SEC. 3. Since this act is to provide for the present emergency, it shall remain in force and effect only until January 20, 1927.

SEC. 4. An emergency existing therefor, this act shall take effect and be in force from and after its passage and approval.

Approved February 13, 1925.

REGULATIONS

1. An application for Extension of Time for Completion of Works filed pursuant to the terms of House Bill 54, Session Laws of 1925, must be made on the form prescribed by the Department of Reclamation.

2. The names and addresses of all owners of the permit for which an extension of time is requested must be set forth in the application.

3. The hearing provided for by the said House Bill may be held either at some point in the vicinity of the works contemplated under the Permit in question or at the office of the Department of Reclamation at the discretion of the Commissioner of Reclamation.

4. Upon receipt of an Application for Extension duly executed the Commissioner of Reclamation will designate the time and place at which the said hearing will be held and also designate the newspaper in which the said notice of hearing is to be published for two consecutive issues. A formal notice for publication will be forwarded to the said newspaper. The applicant will be required to pay the cost of publication and transmit or cause to be transmitted a duly executed Proof of Publication to the Department of Reclamation prior to the date set for the hearing.

5. The hearing will be conducted in such manner as deemed advisable by the Commissioner of Reclamation or his Deputy.

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

April 1, 1926

Boise, Idaho,

Mr. T. A. Foreman
Odeana, Idaho

DEAR SIR:

I enclose herewith blank form upon which to give notice that you are prepared and desire to submit proof of completion of works under your permit No. R277.

This form should be filled out and mailed to the Department of Reclamation, at least 60 days before the date upon which proof is to be submitted, which proof MUST be on or before July 19, 1926. Upon receipt of the blank properly filled out, notice for publication will be sent to the paper direct from this office, which notice must be published a period of four weeks prior to the date of proof.

The proof may be submitted at any place convenient to you and two witnesses, where there is a notary public or other officer authorized to administer oaths.

The certificate that shall be issued under this proof does not give you a perpetual right to the use of the water for which application is made, as it only confirms the completion of the works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Very truly yours,

W. G. SWENDSEN
Commissioner of Reclamation.

R-277

Copy

STATE OF IDAHO
DEPARTMENT OF REGULATION
BOISE

IN THE MATTER OF APPLICATION FOR
EXTENSION OF TIME FOR COMPLETION
OF WORKS UNDER HOUSE BILL 54.
SESSION LAWS OF 1935-PERMIT B-277

TRANSCRIPT OF HEARING

Pursuant to published notice, a hearing was convened on the 5th day of May, 1936, at 10 o'clock A. M., in the office of the Commissioner of Regulation, State Capital Building, Boise, Idaho, whereupon the firm of Messrs. Oppenheim and Langport, representing the holder of Permit No. 16417 and 16260, made appearance and requested a continuation of the said hearing, and upon stipulation of all parties of interest, the said hearing was continued to May 19, 1936, at which time the following appearances were made; Mr. Jess Hawley of Messrs. Hawley and Hawley, appeared as attorney for the applicant and the applicant being present in person. The adverse party not being present or represented by counsel.

The following procedure was had.

Mr. Hawley:

Mr. Commissioner what is the reason that the adverse party is not appearing here this morning?

Commissioner:

Mr. Oppenheim stated to me that they have withdrawn their protest against the extension.

Mr. Hawley:

Is there anything on file in this office to that effect or any other statement?

Commissioner:

No, Mr. Oppenheim verbally made a statement to that effect.

P-277

Mr. Foreman was called as witness, having been sworn,
testified as follows:

Mr. Hawley:

Q. Your name and place of residence?

A. T. A. Foreman, residence, Castle Creek.

Q. You are the holder of Permit B-277 and the applicant
for the extension of time under it?

A. Yes, sir.

Q. At the time limit for doing one-fifth of the work, had
you completed that part of the work?

A. Yes, sir.

Q. What is the present status or condition of the work?
Briefly tell the Commissioner.

A. Well the dam is completed to 13½ feet high and the
pipe line -- cement work -- is all in. Completed. And the canal is
completed.

Q. How wide and how long is the dam?

A. The dam is 145 feet on the bottom, but it is about
10 feet wider than it should be and the length of it, I couldn't
say just offhand. I think Mr. Vance could perhaps.

Mr. Vance. There is a map on file here, showing the di-
mensions of the dam.

Mr. Hawley:

Mr. Vance is also advised about the width of the outlet
canal into the reservoir.

Q. What is the length of the canal?

A. Now I couldn't give the length of it exactly, it is
not three-fourths of a mile, but it is around there and the width
is 8 feet on the bottom.

Q. How much do you estimate the works lack of completion?

A. Well I think that 1/3 more work would complete it. It
is now nearly finished and the remainder does not amount to so much.

Q It is necessary for you to have additional time in order to complete the dam?

A Yes

Q Could you possibly complete the dam within the limit of time left?

A No, I could not now.

Q. You are obliged then to have an extension, in order to complete the works?

A Yes, sir.

Q. Now why have you not yet completed the works, so that you would not require an extension?

A. Well it was lack of means, finances, and the first year we didn't get to do any of it

Q. Why?

A. Just short of means. Money was pretty close. Then we got the surveys ready and the next year we did the first work and the next year was the hard winter and we didn't do any work

Q. Why?

A. It was frozen up too bad. And last year and this, we did the work.

Q. How has the work been carried on and by whom?

A. You mean who is in charge of the work?

A. Yes.

A. Myself and my two sons-in-law.

Q. How was it carried on?

A. With teams and scrapers.

Q. It is largely a home product?

A. Yes, sir.

Q. You are unable, I understand from what you have told me, to do any work on the project during the summer, because you had your stock and your ranch?

A. Yes, we always have to leave off work in the summer.

Q. You were not able to employ a contractor?

A. That was impossible.

Q. You think that you can have the works of diversion completed within two years?

A. I think so, I am sure I can.

Q. Have you any intention, or have ever had any intention, of abandoning the work?

A. No, sir.

Q. Have you done the work as rapidly as your financial condition would permit?

A. Yes, sir, unless I borrowed money, which I do not think a man can do very well. I furnished all my own money and paid everything as I went along. That is how I have carried this work on.

Q. And what benefit will result from your work?

A. Well it will give us water for the land we have no water for.

Q. It will add to the irrigable acreage of your community, the taxable wealth, etc?

A. Yes we will have a big lot of land in cultivation. That is all Mr. Foreman.

Mr. Vance was called as witness, and having been sworn, testified as follows:

Mr. Hawley:

Q. Your name, business and residence.

A. S. E. Vance, Civil Engineer, Licensed, Boise.

Q. What have you had to do with Permit 20277?

A. I made the preliminary surveys, made out the application for permit for Mr. Foreman and finished up the surveys, completed the permit in the Commissioner's office here. I also made

a survey for his reservoir site and for the right-of-way, and right-of-way for the ditch and applied for right-of-way from the United States Land Office and got the same through the Land Office for Mr. Foreman.

Q. Just what had you to do with supervising, planning construction of the work?

A. I made out his plan of dam and of the ditch and set the stakes for the work throughout the entire job and I have been over there two or three times since the work was started and checked up on the work. As you know, he does his own supervising. I followed the line of stakes as set out by me.

Q. In your opinion was one-fifth of the work completed within the time limit.

A. Yes, sir. At the end of $2\frac{1}{2}$ years, more than one-fifth of the work had been done.

Q. Describe the dam itself.

A. The dam for the reservoir is of earth material entirely.

Q. How much water will the dam hold at this time.

A. Well the dam will hold a little over 600 acre feet at the present time .

Q. Has there been any intention of abandoning the work and has he proceeded in good faith.

A. Yes, sir.

That is all, Mr. Vane.

Q. Are there any questions, Mr. Commissioner.

Commissioner: No, sir.

Mr. Weiss was called as witness, and having been sworn, testified as follows:

Q. Will you give your name, residence and occupation?

A. J. W. Weiss, Orem, Idaho; occupation, farmer.

Q. What do you know about the efforts of Mr. Foreman to carry on and complete his project, as described in Permit 882777

A. I think he did all he possibly could do to comply with the permit. I am quite familiar with the circumstances. He had one-fifth of the work done within the time limit and I think he is acting in good faith.

Q. Has there been any evidence of abandoning the work?

A. No, sir.

Q. Have you personally performed any work on the project?

A. In January of this year I put in the concrete for the outlet.

Q. Could he possibly complete the work in the time left?

A. Not unless he borrowed money.

Mr. Hawley: That would be difficult of course to do,

That is all.

Mr. Vance in your judgment and knowledge of contracting what do you estimate it would cost to reproduce the work done by Mr. Foreman?

A. You mean on a contracting basis? If he had contracted Morrison-Knudsen to construct this work, it would cost up to the present stage about \$15,000.00, although Mr. Foreman used his own agency and did all the work.

Mr. Hawley: That is all.

Mr. Commissioner is there anything you would like in the way of further proof, or is necessary for evidence of good faith of the applicant?

No, sir.

Mr. Commissioner if you desire to make an inspection of the project and will so advise us, we will be glad to show it to you and under the conditions we think that Mr. Foreman is acting in good faith and that the two years extension should be given him so that he can, without putting himself in a hole, carry on and complete the work, and we respectfully ask for the extension of two years.

Commissioner: Very well, gentleman, if there is nothing further the hearing is adjourned.

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

R 277

Mr. T. A. Foreman,
Oreana, Idaho.

Boise, Idaho,
July 20, 1921.

Dear Sir:

I enclose herewith above numbered permit. BE SURE AND NOTE LIMITATIONS AND CONDITIONS OF SAME as given under approval of State Engineer on the third page.

W. G. SWENDSEN,

Commissioner of Reclamation.

R-277