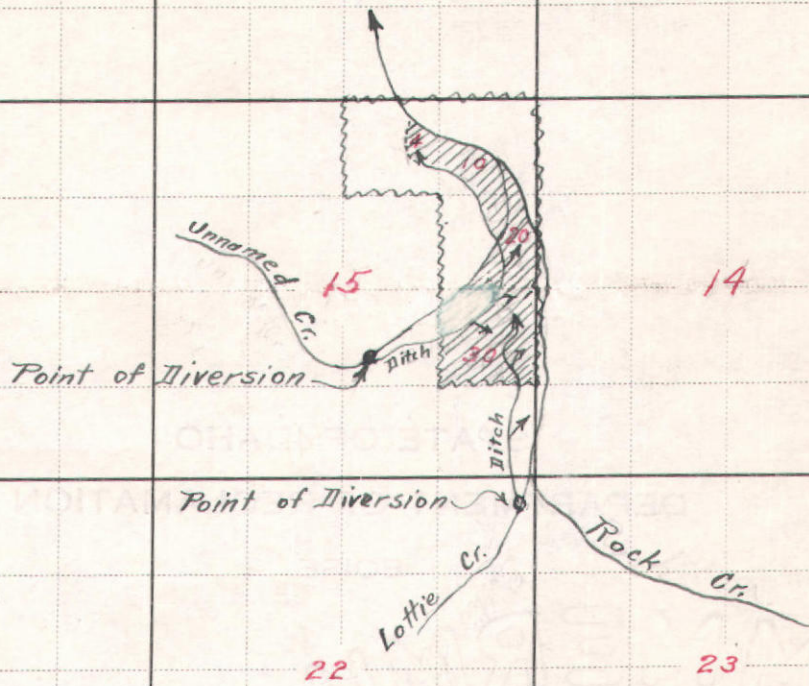




**Notice of Proof of Application of
Water to Beneficial Use**

Notice is hereby given that at 10 A. M. on the 25th day of August, 1923, at Oreana, County of Owyhee, State of Idaho, before Lynn J. Bachman, notary public, proof will be submitted of the application to beneficial use of 3.2 cubic feet per second of the waters of Lottie creek and an unnamed creek, in accordance with the terms and conditions of Permit No. 13130, heretofore issued by the State Engineer of the State of Idaho.

The name and postoffice address of the person holding said permit are, Silas O. Fox, Triangle, Idaho.

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

The amount applied to beneficial use is 3.2 cubic feet per second.

The place where said water is used is the NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 15, Township 8 south, Range 2 west, Boise Meridian.

The date of the priority which said user is prepared to establish is August 15, 1917.

W. G. SWENDSEN,

Commissioner of Reclamation.

First publication July 27

Last publication August 17

AFFIDAVIT OF PUBLICATION

I, Charles A. Hackney, Publisher..... of the

OWYHEE AVALANCHE, a newspaper of general circulation, published weekly at Silver City, Owyhee county, Idaho, established, printed and issued regularly for more than seventy-eight weeks in said town and county before the first insertion of the notice of

Application of Water....., a copy

of which is hereto attached, and which was published in the regular and entire edition of said newspaper and not in any supplement thereof for a period of four..... consecutive weeks, beginning with the issue of July 27, 1923..... and ending with the issue of August 17, 1923.....

Charles A. Hackney

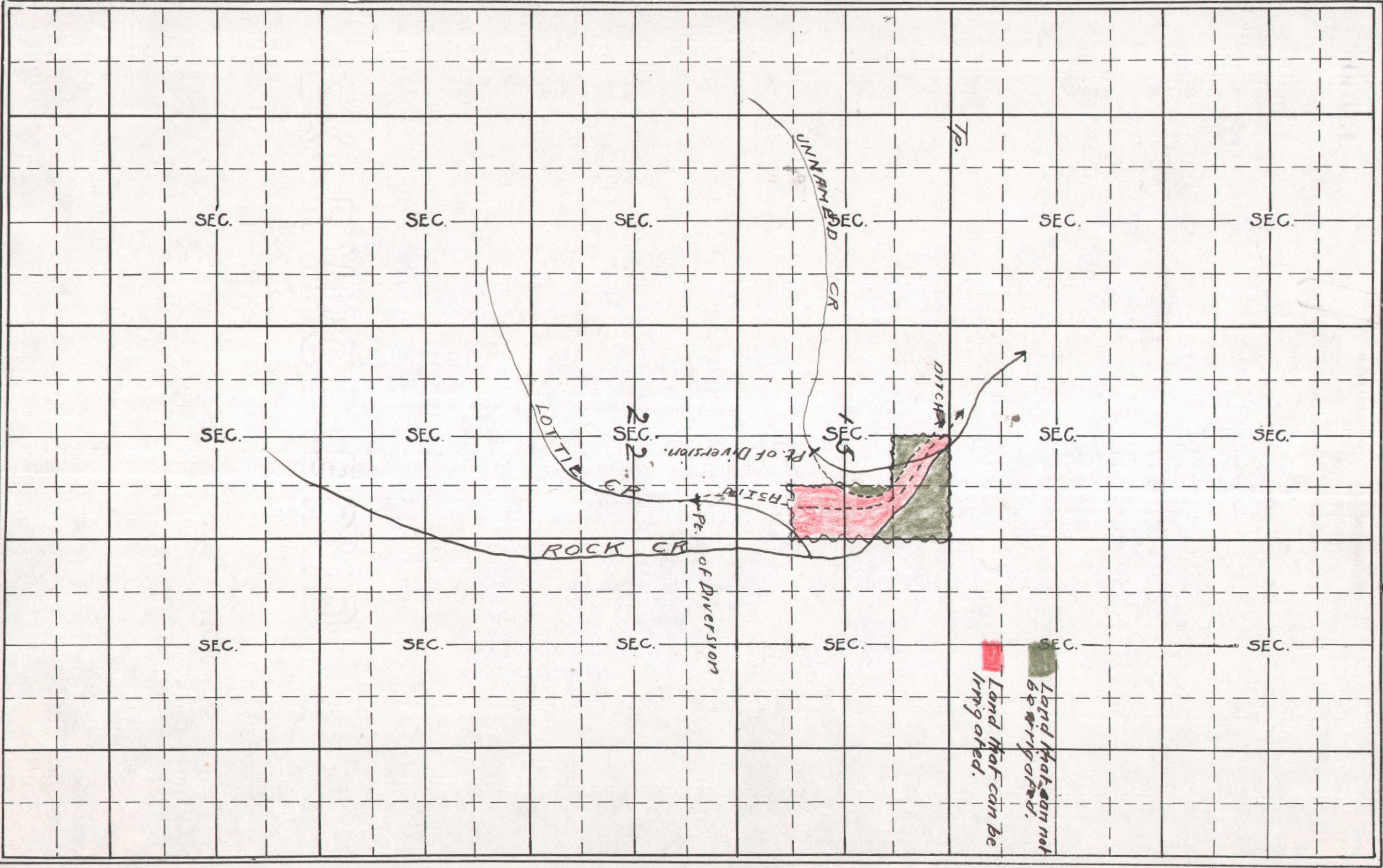
Subscribed and sworn to before me this 18th..... day
of August, 1923.....

W. A. Leonard
Probate Judge

13130

Name of Applicant Silas Fox

SCALE: 2 INCHES = 1 MILE. DRAW PLAN IN INK



13130

State of Idaho License and Certificate of Water Right

Water License No. 13130

Amount 1.28 sec. ft.

Water District No. 54

Priority 8-15-1917

THIS IS TO CERTIFY that Silas O. Fox of Nampa, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated August 15, 19 17; that Permit No. 13130 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 3.2 second feet, was issued thereunder on August 31, 1920, showing that said works were completed on the 18th day of August, 1920; and that on the 26th day of August, 19 23.

Silas O. Fox

of Nampa, State of Idaho, made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of the right to use the waters of Lottie Creek, a tributary of Rock Creek, for the purpose of irrigation and domestic use, under Use Permit No. 13130 of the State Engineer 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 6 of Licenses, at page 3152, on the 11th day of March, 19 24;

The right hereby confirmed dates from August 15, 19 17;

The Point of Diversion is located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 22 and in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 15, Tp. 8 S., R. 2 W., B. M. County of Owyhee.

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 1.28 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
<u>8 S.</u>	<u>2 W.</u>	<u>15</u>	<u>NW$\frac{1}{4}$NB$\frac{1}{4}$</u>	<u>40</u>	<u>4</u>
			<u>NE$\frac{1}{4}$NE$\frac{1}{4}$</u>	<u>40</u>	<u>10</u>
			<u>SE$\frac{1}{4}$NB$\frac{1}{4}$</u>	<u>40</u>	<u>20</u>
			<u>NB$\frac{1}{4}$SE$\frac{1}{4}$</u>	<u>40</u>	<u>30</u>

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 11th day of March, 19 24.

W. G. SWENDSEN.
Commissioner of Reclamation.

(SEAL)

55 2084

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

55-2084

Application No. **18781**
Permit No. **13130**
District No. **54**

1. Name of Applicant: **Silas O. Fox.**

Postoffice address: **Triangle**

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 claimed: **3.2**

cubic feet per second.

3. Source of water supply: **Lettie Creek**

which is a tributary of **Rock Creek.**

4. Location of point of diversion: **No's 1 & 2**

feet distant from the

corner of Section , T. , R. , B. M., and is in the

No. 1 - NE $\frac{1}{4}$ of NE $\frac{1}{4}$

of Section **22** , T. **8 S.** , R. **2 W.** , B. M., County of **Owyhee.**

No. 2 is in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 15, Tp. 8 S., R. 2 W.

5. Water is to be used for **Domestic and Irrigation.**

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section

T. , R. , B. M., in the of Section , T. , R. , B. M.

(b) Amount of power generated:

H. P., under

feet head.

(c) Water is to be returned to

at a point

feet

distant from the

corner of Section , T. , R. , B. M., in the

of Section , T. , R. , B. M.

7. Estimated cost of works: \$ **200.00**

8. Kind of works: **Dam**

9. Height of dam **4** feet; length of dam at top **15** feet; length of dam at bottom **12**

feet; material used in dam

10. Size of headgate: Width **2** feet; height **3** feet.

11. Ditch: Width at bottom **2** feet; width at water line **3** feet; depth of water **1**

feet; dimensions of flume

Diameter of pipe

inches; length of conduit

miles.

Average grade per mile

3 in. to 100 ft.

feet.

12. The time required for the completion of such work is **2**

years.

13. The time required for the complete application of the water to the proposed use is **4**

additional years.

14. The land to be irrigated is described in the following tabulation: See Remarks.

15. (a) Is reservoir to be used? If so, fill in (b) and (c) below.
 (b) Name of reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

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

Silas O. Fox.

Applicant.

By

Agent.

Date of first receipt at office of State Engineer 9:00 A.M. August 15, 1917

Returned to applicant for correction

Corrected application received

APPROVAL OF STATE ENGINEER

The number of this permit is **18180**

Recorded in Book **45** Page **13130** Approved **August 25, 1917.**

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

Bond in the sum of \$ _____ to be filed on or before _____

Work to begin on or before **October 24, 1917** and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before **August 25, 1918**

The whole of said work to be completed on or before **August 25, 1919.**

Beneficial use of water appropriated in accordance herewith, to be made on or before **August 25, 1923.**

Witness my hand this **25th** day of **August, 1917.**

J. H. SMITH .

State Engineer.

Remarks:

14 Twp	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
8 S.	2 W.	15	40	40		40												160	
			Total Number of acres to be irrigated - - - - -																160

Upon proper application of the holder of the above numbered permit, I have this 18th day of August, 1919, extended the time for the completion of works thereunder to the 25th day of August, 1920.

W. G. SWENDSEN

Commissioner of Reclamation

By: S. T. Baer, Deputy.

Proof of Completion of Works made: August 18, 1920.

Certificate issued: August 31, 1920.

Permit No. 13180

CERTIFICATE OF COMPLETION OF WORKS.

TO ALL WHOM IT MAY CONCERN:

This is to certify that Silas O. Fox, of Triangle, County of Owyhee, and State of Idaho, the holder of Permit No. 13130, issued upon Application No. 18781, bearing date of priority of August 15, 1917, authorizing the diversion of 3.2 second feet of the waters of Lottie Creek, County of Owyhee, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 3.2 second feet of the waters of Lottie Creek; that the point of diversion of said waters is in the No. 1-NE¹ of NE¹ of Section 22, T. 8 S., R. 2 W., B. M. No. 2-NW¹ of SW¹ of Section 15, T. 8 S., R. 2 W., B. M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: the NE¹ of NE¹, SE¹ of NE¹, and NE¹ of SE¹, all in Sec. 15, T. 8 S., R. 2 W., B. M.

Witness my hand this 31st day of August, A. D. 1920.

W. G. Swendsen,
Commissioner of Reclamation.

By: S. T. Baer.
Deputy.

License issued for 1.28 second feet

Page 3152

March 11, 1924.

Re: Permit No. 13130

Mr. Silas O. Fox,
Nampa, Idaho.

Dear Sir:

We are enclosing herewith Water License, issued under the above numbered Permit, together with receipt for fees.

Very truly yours,

W. G. SWENDSEN,

Commissioner of Reclamation

Encls.

By
Chief Clerk.

13130

March 3, 1924.

Re: Permit No. 15130.

Mr. Silas O. Fox,
Triangle, Idaho.

Dear Sir:-

The report of our engineer for proof of beneficial use of water under the above permit is now on file. Upon receipt of fees in the sum of \$8.00, license will be issued you.

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

By _____
Chief Clerk.

13130

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

Permit No. 13130This proof is for Beneficial UseIn Water District No. 54

1. Name of applicant: Silas O. Fox
2. Source of water supply: Lottie Creek and unnamed creek
3. Location of point of diversion: Is in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ - 22 & NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 15
T. 8S R. 2 WBM County of Owyhee

4. Describe works as they exist, giving dimensions and capacities of same: Head Gate on unnamed stream of 2" plank 2' wide, 3' high + 4 ft long, Earth & Rock dam, ditch 1.5' wide x 1' deep. Head Gate in sec 22 is of same style and size as above.

5. Water is used for: Irrigating pasture land
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): NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15, Twp. 8 S., R. 2 W., 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? Owyhee River

Remarks:

This examination was made on the 8th day of Nov. 1923

(Signed)

Fred L. Lehman
Examiner.

13130

45
Silas C Fox.

Permit No. 13130

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. 13130

REPORT ON PROOF OF Beneficial Use Water

RECEIVED
JUL 11 1930



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

13/30

September 8, 1923.

Re: Permit No. 13130.

Mr. Silas O. Fox,
Triangle, Idaho.

Dear Sir:-

We are in receipt of depositions and affidavit of publication for proof of use of water under the above permit. These are in regular order and will be held without further action until the report of our engineer can be made, at which time you will be further advised as to fees required before issuing license.

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

By
Chief Clerk.

13130

Notice of Proof of Application of Water to Beneficial Use

Notice is hereby given that at 10 A. M. on the 25th day of August, 1923, at Oreana, County of Owyhee, State of Idaho, before Lynn J. Bachman, notary public, proof will be submitted of the application to beneficial use of 3.2 cubic feet per second of the waters of Lottie creek and an unnamed creek, in accordance with the terms and conditions of Permit No. 13130, heretofore issued by the State Engineer of the State of Idaho.

The name and postoffice address of the person holding said permit are, Silas O. Fox, Triangle, Idaho.

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

The amount applied to beneficial use is 3.2 cubic feet per second.

The place where said water is used is the NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 15, Township 8 south, Range 2 west, Boise Meridian.

The date of the priority which said user is prepared to establish is August 15, 1917.

W. G. SWENDSEN,

Commissioner of Reclamation.

First publication July 27

Last publication August 17

AFFIDAVIT OF PUBLICATION

I, Charles A. Hackney, Publisher of the

OWYHEE AVALANCHE, a newspaper of general circulation, published weekly at Silver City, Owyhee county, Idaho, established, printed and issued regularly for more than seventy-eight weeks in said town and county before the first insertion of the notice of

Application of Water, a copy

of which is hereto attached, and which was published in the regular and entire edition of said newspaper and not in any supplement thereof for a period of four consecutive weeks, beginning with

the issue of July 27, 1923 and ending with

the issue of August 17, 1923

Charles A. Hackney

Subscribed and sworn to before me this 18th day
of August, 1923

W. A. Leonard
Probate Judge

13130

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT No. 13130

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Wilas C. Fox. 39. Triangle Ida.
Rancher & Stockman

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. No.

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

Ans. 13130. Aug 15, 1917. Aug 15, 1917.

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

Ans. Lottie Creek and an unnamed
Stream. No 1 NE 4-NE 4 Sec 22 Twp 8 So R 2 W. B. 22
No 2 NW 4-SW 4 " 15 " 8 So R 2 W. B. 22

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. Dam and ditch with head gate in each ditch
Both capable of carrying 80 inches of water
Lottie Creek Ditch.
Fox Ditch.

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 cultivate or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigation & Domestic.

NE 4-SE 4 10 acres of which 5 acres is cultivated
SE 4-NE 4 6 acres Meadow
NE 4-NE 4 5 " " } water has been
NW 4-NE 4 4 " " } spread over practically
all land in underditch

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

Ans. None.

13130

All in Twp 8 South
Dec 15 1917
Range 2 W. B. M.

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

Ans. 3.2 Cubic feet.

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. I am owner.

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

Ans. Since 1917. By Irrigating
On 25 acres have grown grass, crops
water has been spread over
sage brush.

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 right claimed thereunder

Ans. On the NW 1/4 of NE 4 Sec 15 Twp 8 South
Range 2 West I have used the water of
a small spring.

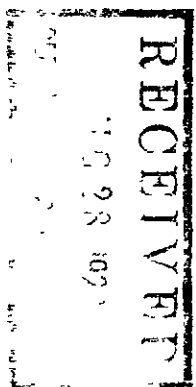
(Sign) Silas E. Fox

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 Creana, County of Coeur d'Alene
State of Idaho, on this 25th day of August A. D. 1923.

Lynn Bachman.
Notary Public
Creana Ida.

13130



13130

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT No. 13130

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. Geo. F. Brown. 44. Creana, Ida.
Stock Raiser & Rancher Creana, Ida

Ques. 2. Are you acquainted with S. O. Fox, the
holder of Permit No. 13130? How long have you known him and where does he reside?

Ans. 5 years. On his ranch.

Ques. 3. Have you read or heard read said Permit No. 13130, and are you familiar with its provisions and conditions?

Ans. Yes. 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. Lottie Creek and an unnamed Creek.
No. 1. NE⁴ of NE⁴. Sec 22. T. 8. S. R-2 W- T3 M.
No. 2. NW⁴ SW⁴ Sec 15 T-8 S, R-2 W- T3 M.

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. 32. I have seen about 80 inches in ^{the ditches}

Ques. 6 State for what purpose water is used and at what place. (If for irrigation, give each subdivision 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 improvements which have been made as a direct result of said use.

Ans. Irrigation & Domestic.

NE⁴ SE⁴. 5 acres cultivated 5 acres natural Meadow
caused by Irrigation

SE⁴ NE⁴ - 6 acres natural Meadow caused by ^{irrigation}

NE⁴ NE⁴ - 5 acres natural Meadow caused by

NW⁴ NE⁴ - 4 acres natural Meadow ^{irrigation}

Water has been turned over most of land
in under ditches to help grass growth

all in Sec 15
Twp 8 S R 2 W.
T3 M.

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

Ans. None

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. Gravelly & Sandy,
3 inches to Acre.

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. In 1923 have seen water in ditches
and growing crops.

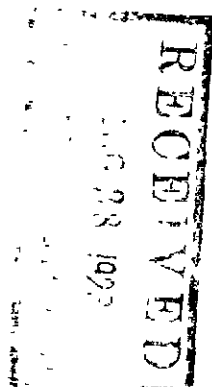
(Sign) Geo F Brown

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 Ardena, County of Owyhee, State of Idaho, on this 25th day of August, A. D. 1923

Lynn Bachman
Notary Public.

My commission expires.....

13130



13130

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT No. 13130

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. J. Donnelly. 58. Creana, Ida
Rancher. Creana, Ida

Ques. 2. Are you acquainted with S. O. Fot., the

holder of Permit No. 13130? How long have you known him and where does he reside?

Ans.

Yes. 20 years. On his Ranch.
Triangle Post Office Address

Ques. 3. Have you read or heard read said Permit No. 13130, and are you familiar with its provisions and conditions?

Ans.

Yes. 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.

Lottie Creek and an Unnamed Stream
No. 1 - NE 4 - SE 4 Sec 22. Twp 8 S - R - 2 West T3M.
No. 2 - NW 4 - SW 4 Sec 15 " 8 S - R - 2 West T3M.

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.

3.2 cubic feet. 130 inches in both ditches.
80 inches in one ditch.
50 inches in both ditches.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each subdivision 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 improvements which have been made as a direct result of said use.

Ans.

Irrigation & Domestic.

NE 4 - SE 4 5 acres plowed in rye. 5 acres Meadow
SE 4 - NE 4 6 acres meadow caused by Irrigation
NE 4 - NE 4 5 " " " " "
NW 4 - NE 4 4 acres " " " "

Water has been turned over practically all
land in under ditches to promote grass growth.

In Dec 15
Twp 8 S - R - 2 West
T3M.

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

Ans. Irrigation only.

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. Mixed character of soils. Some Loam sand & Gravel. 2 inches to acres.

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. For last 3 years have seen growing crops, and water spread over the land.

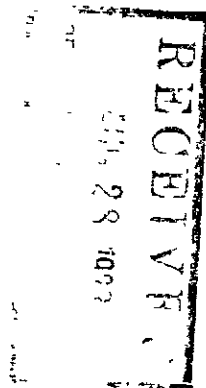
(Sign) J. J. Donnelly

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 Creana, County of Cwyher, State of Idaho, on this 25th day of August A. D. 1923.

Lynn Bachman.
Notary Public.

My commission expires Feb 1924.

13130



State of Idaho

ENGINEERING DEPARTMENT

BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS
AND
PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO,

Aug 1
~~July 17, 1923.~~

Mr. Silas O. Fox,
c/o Mr. Lynn Bachmann,
Oreana, Idaho.

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of completion of
works and beneficial use of water under Permit No 13130

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 August 25, 1923, the date set for proof, the enclosed forms (~~two~~ ^{one} for permit holder and ~~two~~ ^{one} each for two disinterested witnesses) should be filled out and sworn to, at Oreana, before Lynn Bachmann, Notary Public.

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,

W. G. SWANSON,
Commissioner of Reclamation,
State Engineer.

13130

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

DATE.....**July 6. 1923.**

Publisher. Owyhee Avalanche,
Silver City, Idaho.

DEAR SIR:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to
.....**August 25, 1923**....., the date set for proof, the expense of the publication to be paid
by the applicant,.....**Silas O. Fox, of Triangle, Idaho,**..... to whom you should
furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,

W. G. SWENDSEN,

Commissioner of Reclamation.

13130

June 25, 1923.

Re: Permit #13130.

Mr. Silas O. Fox,
Triangle, Idaho.

Dear Sir:-

We are in receipt of notice of proof of beneficial use of water under the above permit. A copy will be mailed to the Owyhee valanche, at Silver City, for the required four weeks publication prior to August 25th, the date set for proof, and deposition blanks will be mailed to Lynn Bachman, the notary public before whom proof is to be made.

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

By
Chief Clerk.

13130

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) June 23, 1923

(P. O.) Triangle, Idaho.

TO THE STATE ENGINEER:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
Owyhee Avalanche of Silver City, published in
the county in which the works are situated.

(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

13130

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 10 a. m. on the 25th day of August, 1923,
at Creana, County of Owyhee, State of Idaho,
before Lynn Bachman, Notary Public, proof will be submitted
of the application to beneficial use of 3.2 cubic feet per second of the
waters of Lottie Creek and Unnamed Creek in accordance with the terms and conditions of
Permit No. 13130 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.....

Wilas. O. Fox, Triangle, Idaho
The use to which said water has been applied is Irrigation and
Domestic

The amount applied to beneficial use is 3.2

The place where said water is used (if for irrigation, give full and accurate description of the
lands irrigated) NW⁴-NE⁴, NE⁴-NE⁴, SE⁴-NE⁴
NE⁴-SE⁴ of Sec 15 Twp 8 South Range
2 West Boise M.

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

The right to take water from such works is based upon Permit No. 13130.

The source of supply from which such water is diverted is Lottie Creek
and an unnamed Creek

The date of the priority which said user is prepared to establish is Aug 15-1917

Aug 25 1923

NE NE - 2 2 - 8 S - 2 W
NW NW - 15 - " "

W. G. Swendsen
Commissioner of Reclamation.

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Silas O. Fox,
Triagle, Idaho.

May 3, 1923.

Dear Sir:

I enclose herewith blank notice of proof of Application of Water to Beneficial Use under your Permit No. 13130...., which kindly fill out and return to me at least 60 days before the date upon which you wish to submit proof. The date of the proof is set out in your permit, and if proof is submitted subsequent to that your priority will be advanced a time equal to the difference of the time between the date proof should have been submitted and date it is submitted.

Yours truly,

W. G. SWENDSEN,
Commissioner of Reclamation.

13130

September 10, 1920

Mr. Silas O. Fox
Triangle, Idaho

Dear Sir:

Re Permit No. 13130

An enclosing herewith Certificate of Completion of Works issued under the above numbered permit, together with receipt for fees.

Very truly yours,

W. G. SWENDSEN

Commissioner of Reclamation

By _____

C. C. W.
R. 5781

13130

Permit No. _____

OFFICE OF STATE ENGINEER

PROOF OF COMPLETION OF WORKS

AFFIDAVIT OF HOLDER

STATE OF IDAHO,

County of Curry } ss.Silas O. Fox

, being first duly sworn, upon his oath deposes and says:

First: That he is the holder and owner of Permit to appropriate the Public Waters of the State of Idaho, No 13130, and that his postoffice address is Triangle
State of Idaho

Second: That the name of the stream from which said water is to be diverted is

Lattis Creek Tributary of Rock Creek

Third: That the points of diversion of said water is

No. 1. NE 1/4 of NE 1/4 Sec 22 Range 2 West B.M. No. 2. NW 1/4 SW 1/4 Sec 15 Twp 8 South Range 2 W.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by Aug 25, 1920.

Fifth: That the use for which said water is intended is Domestic & Irrigation

Sixth: That on the date above mentioned, the works constructed under said permit were (or were not) fully completed and consisted of the following:

I Kind of works: 2 Dams in Creek and 2 Ditches.
(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work:

(a) Height of dam 4 feet, length of dam at top 15 feet, length of dam at bottom 12 feet Material used in construction Earth & Rock

(State whether wood, earth, stone or concrete.)

(b) Capacity of reservoir No acre feet.

(c) Size of headgate: Width 2 feet, height 3 feet.

(d) Conduit Ditch width at bottom 2 ft feet, width at water line 3 ft feet, depth of water 1 feet; diameter of pipe _____ inches; average grade per mile is 12 feet. Length of conduit is 1 1/2 miles.

Seventh: That said works are capable of conducting to the place of intended use

3.2 second feet of water.

Eighth: That water appropriated under said permit is available for 60 acres of land described as follows:

NE 1/4 of NE 1/4 10 Acres.
SE 1/4 of NE 1/4 20 Acres.
NE 1/4 of SE 1/4 30 Acres.

Ninth: Remarks: That

Silas O. Fox

(Sign here)

Subscribed and sworn to before me this 18 day of August, 1920

My commission expires Jan 1st 1921

Justice of Peace
Triangle Idaho

13130

Permit No. 13130

Application for Extension of Time

FOR COMPLETION OF WORKS

Handwritten signature/initials

Silas O. Fox of Triangle
State of Idaho, being first duly sworn, upon his oath deposes and says:

He is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 13130

Under the terms and conditions of said permit, construction work thereunder was required to be completed by Aug 25, 1919

That he has heretofore performed the following work described under said permit:

Constructed about 1/2 of ditches

costing \$ 100.00

THAT he is unable to complete the remainder of the work within the required time, for the following reasons, to-wit:

That your applicant's appl. for
Project Entry has not as yet been
been allowed & he does not wish to
expend any more money until said entry
is allowed.

WHEREFORE, He asks that the State Engineer extend the time for the completion of construction work under said permit, to Aug 25, 1919

And further, deponent saith not.

Subscribed and sworn to before me this 16 day of August, 1919

Charles M. Brown

My commission expires

Notary Public.

Date of receipt at office of State Engineer

COMMISSIONER OF RECLAMATION
APPROVAL OF STATE ENGINEER
W. G. Swendsen, Commissioner of Reclamation

I, W. G. Swendsen, Commissioner of the State of Idaho, hereby extend the time for the completion of construction work under Permit to appropriate the Public Waters of the State of Idaho, No. 13130, to August 25, 1919

Witness my hand this 18th day of August, 1919

13130

W. G. SWENDSEN
Commissioner of Reclamation

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Silas O. Fox
Silas O. Fox
Triangle, Idaho
Triangle, Idaho

Boise, Idaho,
May 6, 1919
MAY 6, 1919

Dear Sir:—

Under the terms of your permit No. 13130 you are required to complete your diversion works on or before Aug 25, 1919. I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

The certificate to be issued under this proof will not give a perpetual right to the use of water for which application was made, as it only confirms the completion of 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.

Yours truly,

W. G. Swendaon,
Commissioner of Reclamation.

13130

State of Idaho
ENGINEERING DEPARTMENT
BOISE

Permit No. 13130.
Mr. Silas O. Fox,
Triangle, Idaho.

Boise, Idaho, August 25, 1917.

Dear Sir:

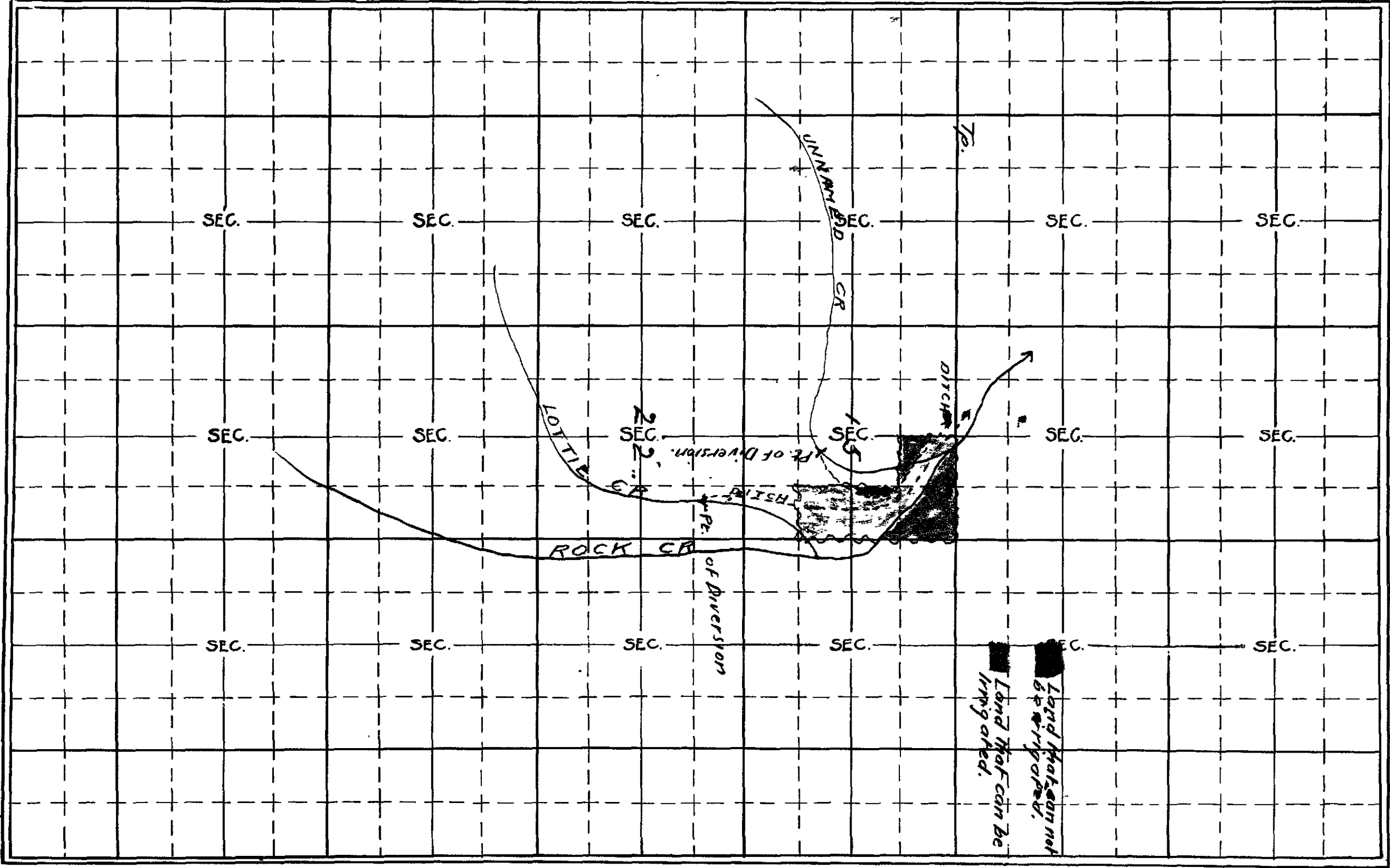
I enclose herewith above numbered permit. BE SURE TO NOTE LIMITATIONS AND
CONDITIONS OF SAME as given under approval of State Engineer on the third page.

J. H. SMITH,
State Engineer.

13130

Name of Applicant: Silas Fox

SCALE: 2 INCHES = 1 MILE. DRAW PLAN IN INK



13/30