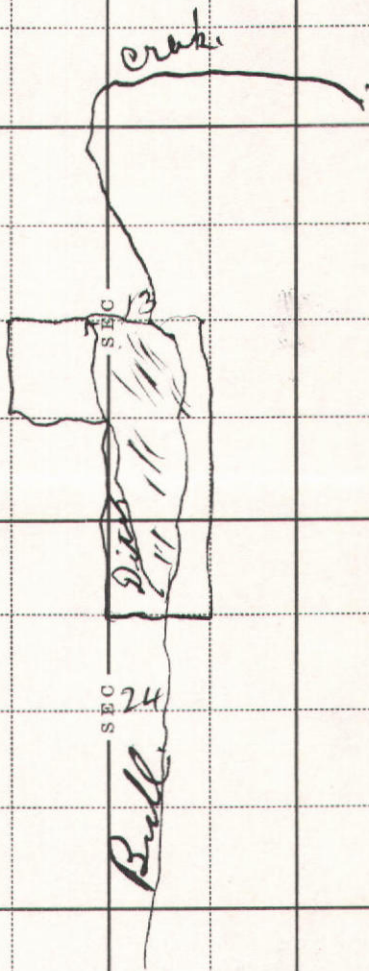
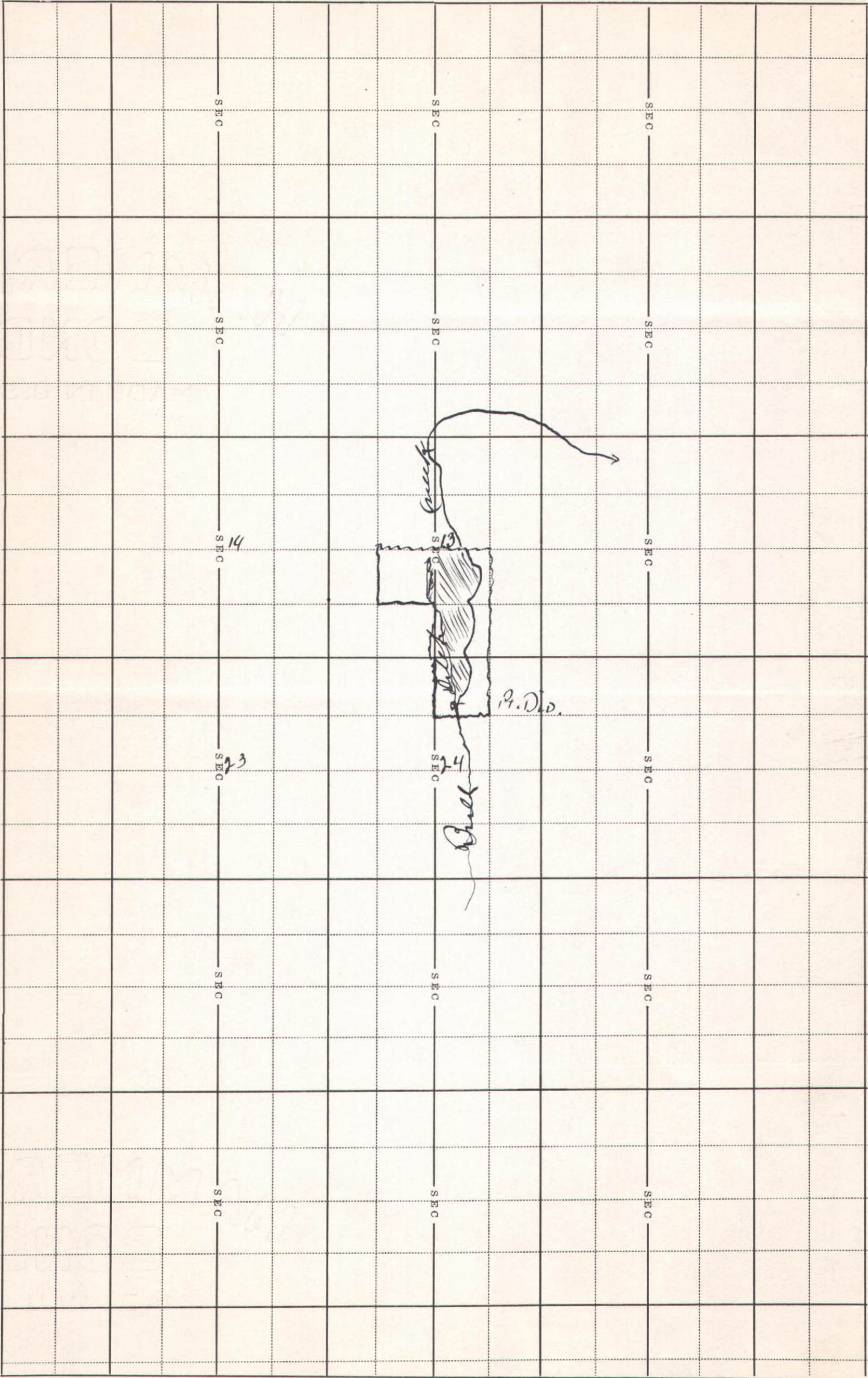
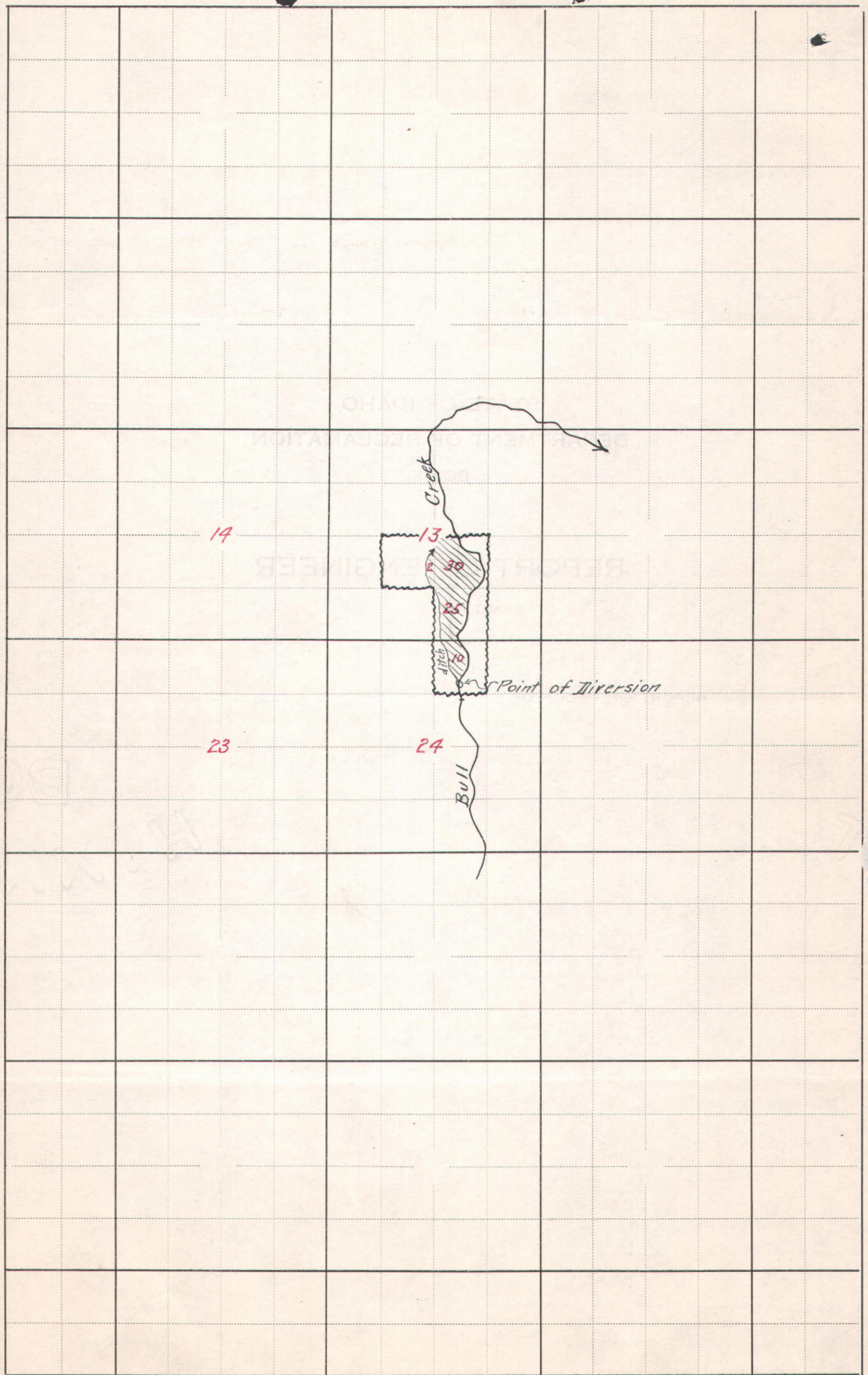


SCALE: 2 INCHES EQUAL 1 MILE. DRAW PLAN IN INK







NOTICE FOR PUBLICATION**Notice of Proof Application of Water to Beneficial Use**

Notice is hereby given that at 10:00 a.m. of the 10th day of December, 1926, at Bruneau, county of Owyhee, state of Idaho, before Charles Pascoe, Notary Public, proof will be submitted of the application to beneficial use of .42 cubic feet per second of the waters of an unnamed stream in accordance with the terms and conditions of Permit No. 15365 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: Chester Tindall, Tindall, Idaho

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

The amount applied to beneficial use is .42 cubic feet per second.

The place where said water is used (in for irrigation, give full and accurate description of the lands irrigated):

S $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ N $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ - W $\frac{1}{4}$ Section 22, Township 15 South, Range 4 East, B. M.

The right to take water from such works is based upon Permit No. 15365

The source of supply from which such water is diverted is in the S $\frac{1}{4}$ NW $\frac{1}{4}$ Section 22, Township 15 South, Range 4 East, B. M.

The date of priority which said user is prepared to establish is May 26, 1926.

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.....5.....consecutive issues, commencing with the issue dated October 28 1926, and ending with the issue dated November 25 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.

Subscribed and sworn to before me this 10 day of December 1926.

Charles Pascoe
Notary Public

15365

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10 a. m. on the 10th day of December, 1926,
at Bruneau, County of Owyhee, State of Idaho,
before Charles Pascoe, Notary Public, proof will be submitted
of the application to beneficial use of .42 cubic feet per second of the
waters of an unnamed stream in accordance with the terms and conditions of
Permit No. 15365 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

Chester Tindall, Tindall, Idaho

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

The amount applied to beneficial use is .42 cubic feet per second

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) SW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 22, T.15 S., R. 4 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

The right to take water from such works is based upon Permit No. 15365

The source of supply from which such water is diverted is in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 22, T.15 S., R.4 E., B.M.

The date of the priority which said user is prepared to establish is May 26, 1926.

~~November 26, 1921~~

W. G. Swendsen,

Commissioner of Reclamation.

SW NW - 22 - 158 - 46
anyline
57-C

15365

Filed - Nov 26 + 21 + 4 yrs = Nov 26 - 1925 + 6 mos =
due - June 10 - 22 - Nov 26 - 1926

NOTICE OF PROOF APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at _____ day of _____, 1926, _____
at _____, _____, State of Idaho,
before _____, _____, _____, _____, _____
of the application for beneficial use of _____
cubic feet per second of the _____
in accordance with the terms and conditions of
Permit No. 15, _____
of the State of Idaho.
The name and postoffice address of the person or corporation holding said permit are
_____, _____, _____, _____, _____, _____, _____, _____, _____, _____
_____ to which said water has been applied is _____
The point applied to beneficial use is _____
The time when said water is used (if for irrigation, give full and accurate description of the lands
irrigated) _____
The name of the canal, ditch or other works by which said water is conducted to such place or use
is _____
The right to take water from such works is based upon Permit No. _____
The source of supply from which such water is diverted is _____
The date of the project which said user is prepared to establish is _____

RECEIVED
OCT 26 1926
DEPARTMENT OF RECLAMATION

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

In the Matter of the Reinstatement)
of Permit No. 15365, Under the }
Provisions of Section 5594, Idaho }
Compiled Statutes }

ORDER REINSTATING PERMIT

WHEREAS, Permit No. 15365 lapsed through failure of the holder to make proof of completion of the works of diversion within the time specified in the Permit, to-wit: June 10, 1922, and;

WHEREAS, On the 6th day of November, 1925, notice to show cause why said permit should not be cancelled, under the provisions of Section 5594, Compiled Statutes of Idaho, was duly served on the holder of said permit; and,

WHEREAS, On the 24th day of December, 1925, the holder filed notice of appearance to offer proof to show that the works of diversion under said permit were fully completed within the time required; and,

WHEREAS, On the 24th day of December, 1925, depositions of the holder and two witnesses were received at the Department of Reclamation showing the said works of diversion were completed within the time required in the permit; and,

WHEREAS, after examination of the depositions, the Commissioner of Reclamation of the State of Idaho, is fully satisfied that the works of diversion were completed as required under the terms of said Permit No. 15365, and that the holder has acted in good faith;

IT IS, THEREFORE, Hereby ordered that said Permit No. 15365 be, and the same is, hereby reinstated, and that a certificate of completion of works be issued to the applicant herein.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of this Department, at Boise, Idaho, this 29th day of December, 1925.

W. G. SWENDSEN
Commissioner of Reclamation

By _____
Assistant

15365

State of Idaho
License and Certificate of Water Right

Water License No. 15365
Water District No. 57-C

Amount .42 sec. ft.
Priority 5-26-1926.

THIS IS TO CERTIFY that **Chester Tindall**,
of **Tindall, Idaho**, made application for a permit to appropriate the
public waters of the State of Idaho, dated **November 26**, 19 **21**; that Permit No. 15365
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
.42 second feet, was issued thereunder on **December 29**, 19 **25**, showing that said works
were completed on the **10th** day of **June**, 19 **22**; and that on the **10th**
day of **December**, 1926,

Chester Tindall,
of **Tindall**, State of **Idaho**, made proof to the satisfaction of the
Commissioner of Reclamation of Idaho, of the right to use the waters of **Bull Creek**
, a tributary of **Bruneau River**, for the purpose of **irrigation and**
domestic use, under Use Permit No. 15365 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 **6**
of **Licenses**, at page **3451**, on the **sixth** day of **August**, 19 **27**;

The right hereby confirmed dates from **May 26**, 19 **26**;

The Point of Diversion is located
in the **NW ¼ NE ¼**, Sec. **24**, Twp. **15 S.**, R. **4 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 **.42**
cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
15 S.	4 E.	13	W ½ SE ¼ NE ¼ SW ¼	80 40	55 2
		24	NW ¼ NE ¼	40	10
					Total 67

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 **sixth** day of **August**, 19 **27**

GEO. N. CARTER.

Commissioner of Reclamation

(SEAL)

APPLICATION FOR PERMIT 51-2081
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. 21834
Permit No. 1536b
District No. 57-C

1. Name of Applicant: Chester Tindall,
Postoffice address: Tindall, 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: .42 cubic feet per second.
3. Source of water supply: unnamed springs which is a tributary of Bull creek
4. Location of point of diversion: feet distant from the
corner of Section , T. , R. , B. M., and is in the SW $\frac{1}{4}$ of NW $\frac{1}{4}$
of Section 22 , T. 15 S. , R. 4 E. , B. M., County of Owyhee
5. Water is to be used for: 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: \$ 100.00
8. Kind of works: ditch
9. Height of dam feet; length of dam at top feet; length of dam at bottom
feet; material used in dam
10. Size of headgate: width feet; height feet
11. Ditch: Width at bottom one feet; width at water line 1.8 feet; depth of water 0.4
feet; dimensions of flume
Diameter of pipe inches; length of conduit one-half ($\frac{1}{2}$) miles.
Average grade per mile 5.28 feet
12. The time required for the completion of such work is one-half years.
13. The time required for the complete application of the water to the proposed use is no additional years.
14. The land to be irrigated is described in the following tabulation: See Remarks.

15. (a) Is reservoir to be used? NO 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.

Chester Tindall Applicant.

By S.E.Vance, Sr. Agent.

Date of first receipt at Department of Reclamation. 10:30 A. M. November 26, 1921.

Returned to applicant for correction.

Corrected application received.

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is 15365
Recorded in Book 54 Page 15365 Approved December 10, 1921.
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 February 9, 1922 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 March 10, 1922.
The whole of said work to be completed on or before June 10, 1922.
Beneficial use of water appropriated in accordance herewith, to be made on or before June 10, 1922.

Witness my hand this 10th day of December, 1921.

W. G. SWENDSEN.
Commissioner of Reclamation.

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	
15	S.4 E.	22					6.	10.6	19.15									37.02	
									1.27									Total number of acres to be irrigated 37.02	
----- S T A T E O F I D A H O DEPARTMENT OF RECLAMATION --																			
In the Matter of the Reinstatement of Permit No. 15365, Under the Provisions of Section 5594, Idaho Compiled Statutes.										ORDER REINSTATING PERMIT									
WHEREAS, Permit No. 15365 lapsed through failure of the holder to make proof of completion of the works of diversion within the time specified in the Permit, to-wit: June 1922, and;																			
WHEREAS, On the 6th day of November, 1925, notice to show cause why said permit should not be cancelled, under the provisions of Section 5594, Compiled Statutes of Idaho, was duly served on the holder of said permit; and,																			
WHEREAS, On the 24th day of December, 1925, the holder filed notice of appearance to offer proof to show that the works of diversion under said permit were fully completed within the time required; and,																			
WHEREAS, On the 24th day of December, 1925, depositions of the holder and two witnesses were received at the Department of Reclamation showing the said works of diversion were completed as required under the terms of said Permit No. 15365, and that the holder has acted in good faith;																			
IT IS, THEREFORE, Hereby ordered that said Permit No. 15365 be, and the same hereby reinstated, and that a certificate of completion of works be issued to the applicant hereupon.																			
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of this Department at Boise, Idaho, this 29th day of December, 1925.																			
W. G. SWENDSEN Commissioner of Reclamation By GEO. N. CARTER Assistant																			

Permit No. 15365
 CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that Chester Tindall, of Tindall, County of Owyhee and State of Idaho, the holder of Permit No. 15365, issued upon Application No. 21834 bearing date of priority of November 26, 1921, authorizing the diversion of .42 second feet of the waters of unnamed springs, 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 .42 second feet of the waters of unnamed springs; that the point of diversion of said waters is in the SW $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 22, T. 15 S., R. 4 E.B.M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: SW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 22, T. 15 S., R. 4 E.B.M.

Witness my hand this 29th day of December, A. D. 1925

W. G. SWENDSEN
 Commissioner of Reclamation

By Geo. N. Carter
 Assistant

AMOUNT PAID TO .42 P. 3451

Proof of Completion of works made December 24, 1925
 Certificate issued December 29, 1925.

STATE OF IDAHO,)
) ss.
 County of Owyhee.)

Chester Tindall 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. 15365.

That he intends to change the point of diversion, as described in said permit, to the following point:

NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 24, T. 15 S., R. 4 E.B.M.

That such change will be made for the following reasons, to-wit:
 That it was a mistake in the filing.

That no one will be injured by such change and that deponent will make such change at his own risk.

And further deponent saith not.

Chester Tindall.

Subscribed and sworn to before me this 3rd day of August 1927.

Charles Pascoe,
 Notary Public.

(Seal)

My commission expires June 27, 1931.

Received and filed for record in the Department Of
 Reclamation at Boise, Idaho, at 9.00 A. M., August 5, 1927.

Geo. N. Carter,
 Commissioner of Reclamation,
 By C.B.

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS OF
THE STATE OF IDAHO NO. 15365.

Comes now Chester Tindall, and represents to the Commissioner of Reclamation of the State of Idaho,

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 15365, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 24, W $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 13,
T. 15 S., R. 4 E. B. M., making a total of 160 acres.

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

Signed at Tindall, Idaho, this 2nd day of August 1927.

Chester Tindall.

Date of receipt at Office of Department of Reclamation Aug. 5, 1927.

APPROVAL OF COMMISSIONER OF RECLAMATION

I, Geo. N. Carter, Commissioner of Reclamation of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 15365. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

GEO. N. CARTER,
Commissioner of Reclamation.

August 9, 1927.

Re: Permits 15365, 15366, 15367, 15368.

Mr. Chester Tindall,

Tindall, Idaho.

Dear Sir:

We are mailing you herewith four Water Licenses issued under the above numbered permits; also receipts for fees paid.

Very truly yours,

GEO. H. CARTER,
Commissioner of Reclamation,

By

Chief Clerk.

B:P.

Enc.

15365

State of Idaho

H. C. BALDRIDGE, GOVERNOR

DEPARTMENT OF RECLAMATION

GEORGE N. CARTER, COMMISSIONER
BOISE

July 21, 1927.

Re: Permit No. 15365.

Mr. Chester Tindall,
Tindall, Idaho.

Dear Sir:-

The report of our field engineer for proof of beneficial use of water under your above permit shows the source of supply to be Bull Creek and not an unnamed stream, as given in the permit. The report also shows the point of diversion in the NW $\frac{1}{4}$ of NE $\frac{1}{4}$, Sec. 24, T.15 S., R. 4 E., B.M. instead of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 22, and the lands irrigated are described as the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 24, the W $\frac{1}{2}$ SE $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 15, instead of the SW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 22, as described in the permit.

3451
In order to correct the record of the permit as to these discrepancies, it will be necessary for you to file an application for amendment of the lands and also an affidavit for change of point of diversion and, in this affidavit, state how the error was made in the name of the source of supply.

Duplicate maps should accompany these papers. Blanks are enclosed herewith.

The fees due before license can be issued amount to \$8.00, which should accompany the application for amendment and point of diversion.

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

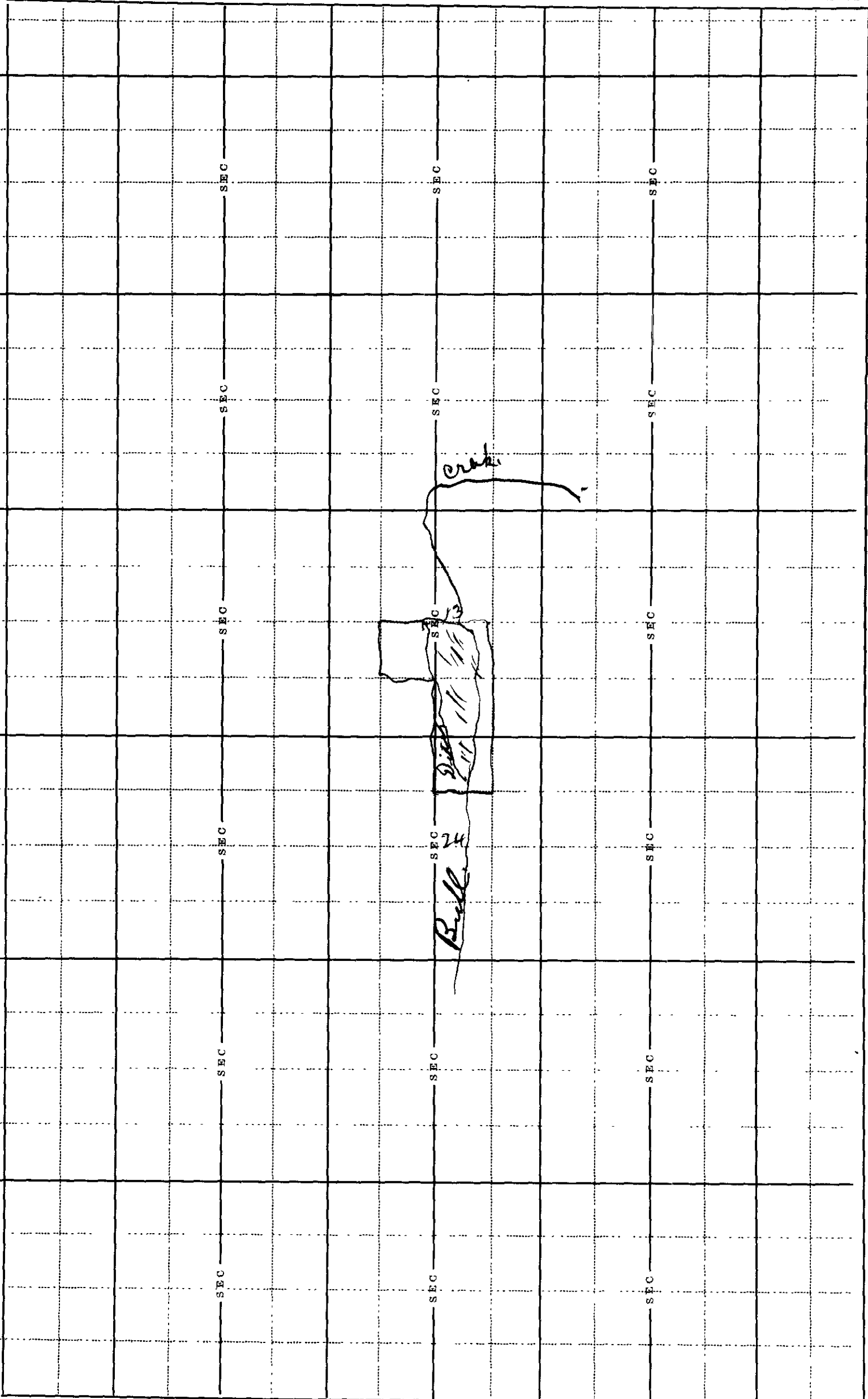
By E. O. Murray
Chief Clerk.

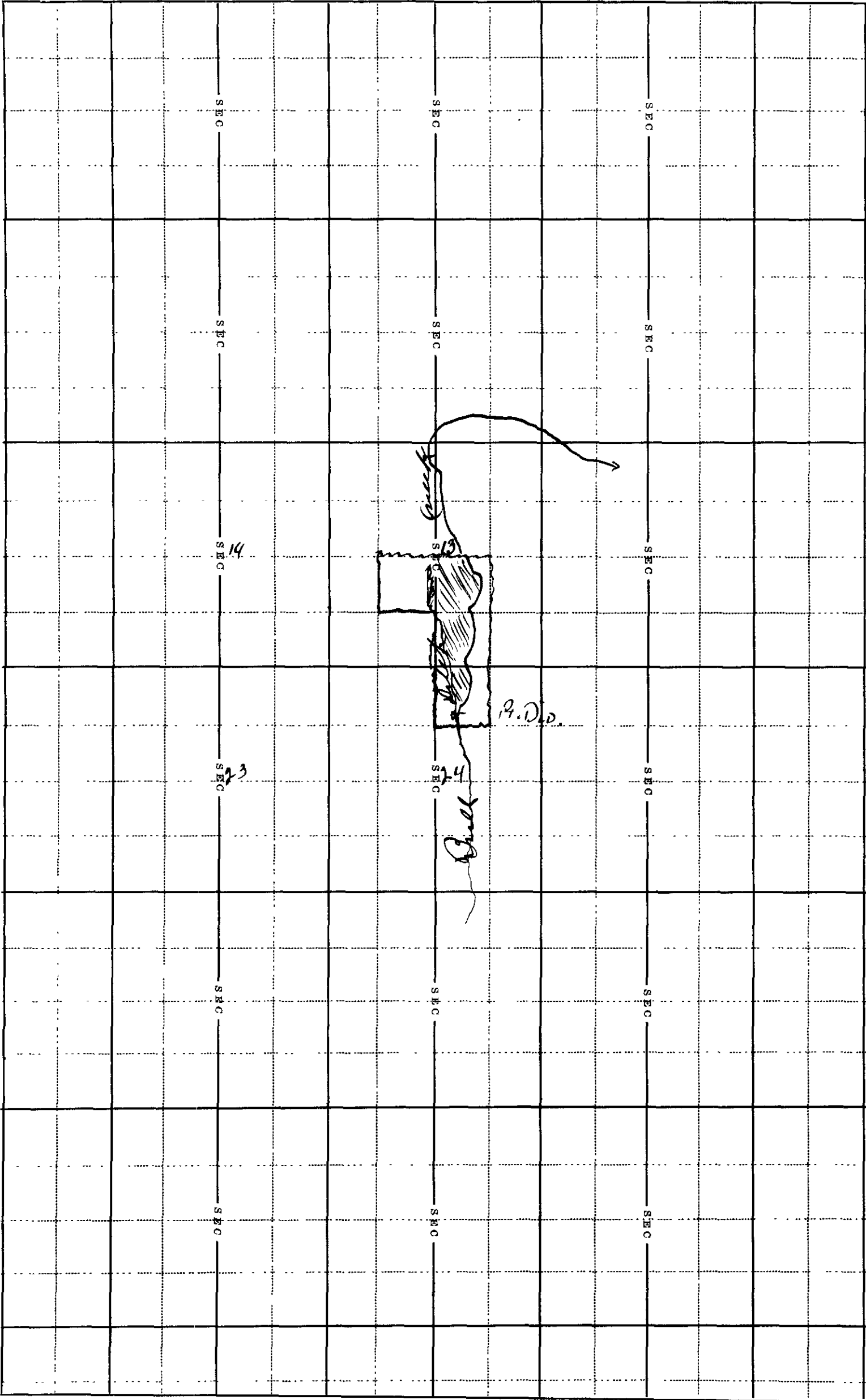
Encl.

*Affidavit Sworn to
will follow.*

15365

*Yours Respectfully
Chester Tindall*





STATE OF IDAHO,

County of Cwyher

} ss.

Chester Tindall

...being first duly sworn, upon his

oath deposes and says:

~~That he is the owner of a decreed water right appurtenant to the following described land to-wit:~~~~as evidenced by the decree dated~~~~day of~~~~in the cause entitled~~

Plaintiff,

vs.

Defendant, brought

~~in the district court of the~~~~Judicial District of the State of Idaho, or~~That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho
No. 15365That he intends to change the point of diversion, as described in said ~~decree or~~ permit, to the following
point:N.W. 1/4 of N.E. 1/4 of Sec 24. T. 15 S., R. 4 E. B. M.That such change will be made for the following reasons, to-wit: That it was
a mistake in the filing.That no one will be injured by such change and that deponent will make such change at his own risk.
And further deponent saith not.

Subscribed and sworn to before me this

3rd

day of

August 1927

My commission expires

June 27-1931

(Over)

15365

Chester TindallCharles Pascoe

Notary Public.

9:00 P.M. Aug. 5-1927
Geo. H. Carter

STATE ENGINEER'S OFFICE

REGULATIONS AS TO CHANGE OF POINT OF DIVERSION

Section 3247 of the Revised Codes provides that a person entitled to the use of water, may change the place of diversion if others are not injured by such change. The Board of Irrigation has adopted the following regulations as to procedure under said section

The person desiring to change point of diversion must file with the State Engineer an affidavit describing his water right, setting forth his intent to change point of diversion and the reasons for such change, together with an averment that no one will be injured thereby and that deponent will make such change at his own risk.

The point to which it is desired to change the place of diversion must be described as follows:

When the amount claimed does not exceed 25 cubic feet per second and point of diversion will be on surveyed land, locate same by giving the legal description of the 40 acre tract in which it will be situated. If upon unsurveyed land, give approximate distance to mouth of stream from which water is claimed or to the mouth of some creek flowing into said stream. Where there is more than one point of diversion, describe each separately and specify the amount claimed from each.

Where the water claimed exceeds 25 cubic feet per second, locate the point to which it is desired to change the place of diversion as follows

If upon or near surveyed land, tie point of diversion by course and distance to section or quarter section corner. If said point will be more than two miles from the corner of a public survey, the tie may be made to the mouth of the stream from which the water is claimed or to the mouth of some creek flowing into said stream.

The affidavit must be accompanied by maps in duplicate, showing the following details

1. If for irrigation and domestic use:
 - (a) Name of applicant.
 - (b) Section, town and range numbers, where public survey has been made.
 - (c) Source or sources of supply.
 - (d) Point or points of diversion.
 - (e) Route of ditch or ditches, including laterals delivering water within one mile of each 160 acre tract of the lands to be irrigated.
 - (f) Lands to be irrigated to be shown by crosshatching, outlining, or coloring
2. If for other than irrigation and domestic purposes:
 - (a) Name of applicant.
 - (b) Section, town and range numbers, where public survey has been made.
 - (c) Source or sources of supply.
 - (d) Point or points of diversion.
 - (e) Route of ditch or ditches.
 - (f) Point or points of use
 - (g) Point or points of return to stream after use

If application is for more than 25 cubic feet per second, the maps must be prepared from actual survey and must be certified to by the engineer in charge of survey, in the following form:

I hereby certify that this map was prepared from an actual survey made by me 191.... and correctly shows position of points indicated thereon.

Engineer.

P. O.

Date..... 191.....

(over.)

Recorded August 6, 1927,
in Book 55 of Permits at
page 15365.

Application For Amendment
To Permit to Appropriate the Public Waters
of the State of Idaho, No. 15365

Comes now Chester Tindall, and represents to the Commissioner of Reclamation of the State of Idaho,

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. 15365, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

N.W. 1/4 NE 1/4 Sec. 24 T. 15 S. R. 4 E. B. M.
N.E. 1/4 SW 1/4 of Sec 13

, making a total of 160 acres.

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

Signed at Tindall Idaho this 2nd day of August 1927
Chester Tindall

Date of receipt at Office of Department of Reclamation AUG. 5, 1927

APPROVAL OF COMMISSIONER OF RECLAMATION.

I, Geo. N. Carter, Commissioner of Reclamation of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to Appropriate the Public Waters of the State of Idaho, No. 15365. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

Geo. N. Carter
 Commissioner of Reclamation.

Over

15365

Effective April 10, 1911

Department of Reclamation

REGULATIONS AS TO AMENDED APPLICATION AND PERMIT

Section 3255 of the Revised Codes, provides for the amendment of a permit as to lands upon which the water is to be used. The permit holder, to avail himself of the provisions of this section, should fill out and file with the Commissioner of Reclamation the application blank found upon the reverse side of the sheet. If there is not sufficient room in such blank for the legal description of the amended list of lands, this may be submitted as an exhibit, proper reference thereto being made in the application.

Before amended permit will be granted applicant must file with the application two maps, showing the following details:

- (a) Name of applicant.
- (b) Section, town and range numbers, where public survey has been made.
- (c) ~~Source~~ or sources of supply.
- (d) Point or points of diversion.
- (e) Route of ditch or ditches, including laterals delivering water within one mile of each 160 acre tract of the lands to be irrigated.
- (f) Lands to be irrigated to be shown by cross-hatching, outlining, or coloring.

If original permit called for more than 25 cubic feet per second, the maps must be prepared from actual survey and must be certified to by engineer in charge of survey, in the following form:

I hereby certify that this map was prepared from an actual survey made by me _____ 19____ and correctly shows position of points indicated thereon.

Engineer.

P. O. _____

Date _____

19____

Recorded August 6, 1927,
in Book 55 of Permits at
Page 15365.

July 22, 1927.

Re: Permit No. 15365.

Mr. Chester Tindall,
Tindall, Idaho.

Dear Sir:-

The report of our field engineer for proof of beneficial use of water under your above permit shows the source of supply to be Bull Creek and not an unnamed stream, as given in the permit. The report also shows the point of diversion in the NW $\frac{1}{4}$ of NE $\frac{1}{4}$, Sec. 24, T.15 S., R. 4 E., S.M. instead of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 22, and the lands irrigated are described as the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 24, the W $\frac{1}{2}$ SE $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 13, instead of the SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 22, as described in the permit.

In order to correct the record of the permit as to these discrepancies, it will be necessary for you to file an application for amendment of the lands and also an affidavit for change of point of diversion and, in this affidavit, state how the error was made in the name of the source of supply.

Duplicate maps should accompany these papers. Blanks are enclosed herewith.

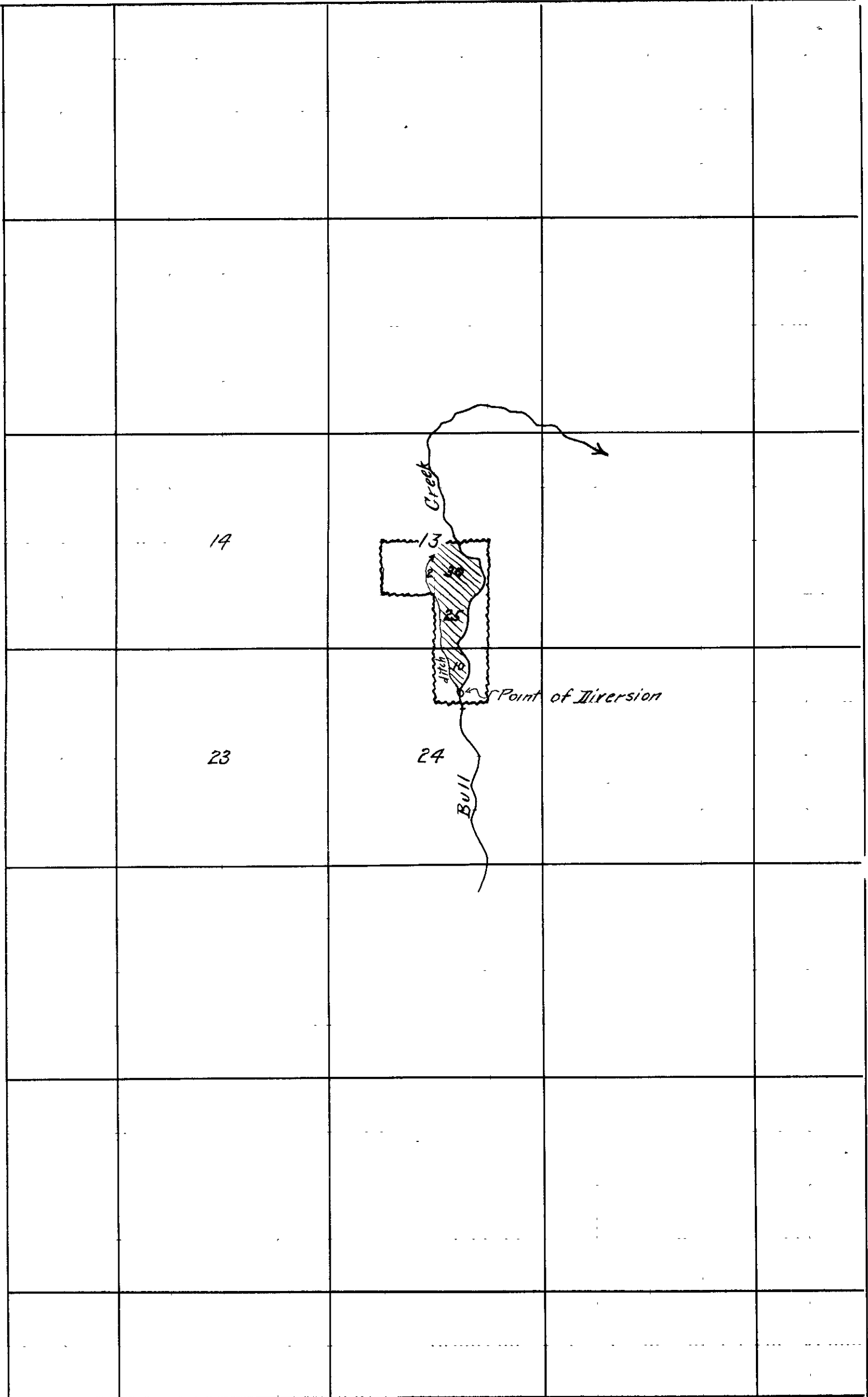
The fees due before license can be issued amount to \$8.00, which should accompany the application for amendment and point of diversion.

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

By _____
Chief Clerk.

Encl.

15365.



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. _____

REPORT ON PROOF OF _____

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

Permit No. **15365**This proof is for **Beneficial Use**In Water District No. **57-C**

1. Name of applicant: **Chester Tindall**
2. Source of water supply: **Hammond Stream (Bull Creek)**
3. Location of point of diversion: Is in the ~~SW 1/4~~ **NW 1/4 NE 1/4** of Section ~~22~~ **24**
T. **15 S.** R. **4 E., B.M.** County of **Owyhee**

4. Describe works as they exist, giving dimensions and capacities of same: *Diversion dam of rocks & earth 40' long x 3' high. no head gate used. Litch 2 ft wide x 1 ft deep*

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): ~~SW 1/4, SE 1/4, NE 1/4, NW 1/4, Sec 22, T. 15 S., R. 4 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? **Bruneau**

Remarks: *The correct description of this farm unit is NW 1/4 NE 1/4 Sec 24, W 1/2 Sec 4 & NE 1/4 SW 1/4 Sec 13*

The source of water is Bull Creek

This examination was made on the **13th** day of **July** 19**27**

15365

(Signed)

Frank H. Edman

Examiner.

Chesyer Tindall
Tindall

Permit No. 15365

Examination for BEN. 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

Dec. 14, 1926.

Re: Permits 15365-6-7-8.

Mr. Chester Tindall,
Tindall, Idaho.

Dear Sir:

We are today in receipt of depositions and affidavit of publication for proof of beneficial use of water under your above numbered permits. These are in proper form and will be held without further action until the examination can be made by our engineer next summer. You will then be further advised as to fees due before issuing license.

Very truly yours,

CLD. H. CARTER,
Commissioner of Reclamation,

By

Chief Clerk.

B:Z

15365

NOTICE FOR PUBLICATION

Notice of Proposed Application of Water to Beneficial Use

Notice is hereby given that at 10 00
a.m. on the 10th day of December, 1926,
at Bruneau, county of Owyhee, state of
Idaho, before Charles Pascoe, Notary
Public, proof will be submitted of the
application to beneficial use of 4
cubic feet per second of the waters of
an unnamed stream in accordance with
the terms and conditions of Permit No.
15365 heretofore issued by the Com-
missioner of Reclamation of the state of
Idaho.

The name and postoffice address of the
person or corporation holding said per-
mit are: Charles Lindgren, Bruneau, Idaho.

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

The amount applied to beneficial use
is 42 cubic feet per second.

The place where said water is used (in
for irrigation, give full and accurate
description of the lands irrigated)

S 1/4 NW 1/4, SE 1/4 N 24 NE 1/4 SW 1/4,
N 24 W 1/4 Section 22 Township 15
South Range 4 East, B M.

The right to take water from such
works is based upon Permit No. 15365.

The source of supply from which said
water is diverted is in the S 1/4 NW 1/4
Section 22, Township 15 South, Range 4
East, B M.

The date of priority when said user
prepared to establish is May 26, 1926.

W. G. SWLNDSEN,
Commissioner of Reclamation
Oct 28, 1926

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 6 consecutive
issues, commencing with the issue dated October 28 1926, and
ending with the issue dated November 25 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 10 day of December 1926

Notary Public

15365

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO.

PERMIT NO. _____

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Chester Tindall; 40; Tindall; stockman; Tindall, 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 self only

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

Ans. 15365; December 10, 1921; May 26, 1926. (Permit was reinstated)

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

Ans. SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 22, T. 15 S., R. 4 E., B.M. Source unnamed
springs rising in description given above

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. Earth and rock ditch; width at bottom 1 ft.; at water line
1.8 ft.; depth .4 ft; length 1 mile

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. 6 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, 10.6 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, 12.16
acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ and 1.27 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 22, T. 15 S., R. 4 E.
Natural meadow. Have improved it so that whereas it furnished ap-
proximately a quarter ton of feed per acre it now produces cut hay
of just about 1 ton per acre.

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

Ans. For irrigation only.

15365

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

Ans. All granted by the terms of the permit

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 the person to whom permit was issued

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

Ans. During the irrigation season, which is normally from May 1 to July 15, for the past seven years I have used all this water

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. None

(Sign) Chester Tindall

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 Bruneau, County of Owyhee State of Idaho, on this 10th day of December A. D. 19 26

Charles Pascoe

Notary Public

My commission expires June 27, 1927

15365

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO.

PERMIT NO. _____

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. William J. Tindall; 72; Tindall; stockman; Tindall, Idaho

Ques. 2. Are you acquainted with Chester Tindall, the holder of Permit No. 15365? How long have you known him and where does he reside?

Ans. Yes; all his life; Tindall, Idaho

Ques. 3. Have you read or heard read said Permit No. 15365, 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. Unnamed springs in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 22, T.15 S., R. 4 E., B.M.

Earth and rock ditch a foot wide on bottom, 1.8 ft. at water line, .4 ft. deep and $\frac{1}{2}$ mile long

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. .42, which I have seen so conveyed.

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 improvements which have been made as a direct result of said use.

Ans. Irrigation; 6 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, 10.6 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, 19.15

acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ and 1.27 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 22, T.15 S., R. 4 E.

A ton of hay is cut now annually when it was less than a fourth before he improved it. I mean a ton per acre

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

Ans. For only irrigation

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. Loam and volcanic ash

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. From May 1 to July 15, usually, each year for the past seven years
I have witnessed the water beneficially applied

(Signed)

William J. Lindall

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 Bruneau, County of Owyhee, State of Idaho, on this 10th day of December, A. D. 1926.

Charles W.

Notary Public.

My commission expires June 27, 1927

15365

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO.

PERMIT NO. _____

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. Charles M. Savage; 66; Grasmere; rancher; Bruneau, Idaho

Ques. 2. Are you acquainted with Chester Tindall, the holder of Permit No. 15365? How long have you known him and where does he reside?

Ans. Yes; 7 years; Tindall, Idaho

Ques. 3. Have you read or heard read said Permit No. 15365, 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. Unnamed springs in SW¹/₄ NW¹/₄ Sec. 22, T.16 S., R.4 E., B. M.
Earth and rock ditch a foot wide on bottom, 1.8 ft. at water
line, .4 ft deep and half a mile long

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. .42 cubic ft. per second, which I have seen safely conveyed
place of use

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 improvements which have been made as a direct result of said use.

Ans. Irrigation. 6 acres in SE¹/₄ NW¹/₄, 19.16 acres in NE¹/₄ SW¹/₄, 10.6
acres in SE¹/₄ NW¹/₄ and 1.27 acres in NW¹/₄ SW¹/₄ Sec. 22, T.16 S., R. 4 E.
He cuts a ton per acres now; it yielded less than a fourth of this
before he improved it.

15365

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

Ans. For 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. Lean and volcanic ash; requires all the water given by the terms of the permit

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. From May 1 to about July 15 each year for the past six years
I have seen the water applied beneficially.

(Signed) Charles M. Savage

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 Bruneau, Idaho, County of Owyhee, State of Idaho, on this 10th day of December, A. D. 19 26

Charles P. ...

Notary Public:

My commission expires June 27, 1927

15365

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE
INSTRUCTIONS
PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO, **November 23, 1926**

Chester Tindall,
c/o Charles Pascoe,
Notary Public,
Bruneau, Idaho.

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 15365

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 December 10, 1926, 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 Bruneau before Charles Pascoe, 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.

GEO. N. CARTER,
Commissioner of Reclamation.

15365

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date October 26, 1926.

The Owyhee Nugget,

Bruneau, Idaho

DEAR SIR:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **December 10, 1926**, the date set for proof, the expense of the publication to be paid by the applicant, **Chester Tindall, of Tindall, 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,

W. G. SWENDSEN,

Commissioner of Reclamation.

15365

The Owyhee Nugget

OFFICIAL PAPER FOR OWYHEE COUNTY

CHARLES PASCOE, EDITOR AND OWNER
BRUNEAU, IDAHO

October 26, 1926

W. G. Swensen, Commr. Reclamation.

Dear Sir:

Mr. Tindall specifically requests for the date indicated as that of hearing here, having at that time matters of business to attend in Bruneau and will bring with him from Tindall the needful witnesses.

Very sincerely,

Charles Pascoe

15365

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10 a. m. on the 10th day of December, 1926,
at Bruneau, County of Cwyhee, State of Idaho,
before Charles Pascoe, Notary Public, proof will be submitted
of the application to beneficial use of .42 cubic feet per second of the
waters of an unnamed stream in accordance with the terms and conditions of
Permit No. 15365 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.....
Chester Tindall, Tindall, Idaho

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

The amount applied to beneficial use is .42 cubic feet per second

The place where said water is used (if for irrigation, give full and accurate description of the lands
irrigated) SW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 22, T.15 S., R. 4 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

The right to take water from such works is based upon Permit No. 15365

The source of supply from which such water is diverted is in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 22,
T.15 S., R.4 E., B.M.

The date of the priority which said user is prepared to establish is May 26, 1926.

~~November 26, 1921~~

W. G. Swendsen,

Commissioner of Reclamation.

15365

SW $\frac{1}{4}$ NW $\frac{1}{4}$ - 22 - T.15 S. R.4 E. B.M.
✓
C. T. C.

1. *Journal of the American Medical Association*, 1997; 278: 1039-1044.

October 23, 1926

Re: Permits Nos. 15365, 15366,
15367, 15368.

Mr. Charles Pascoe
Bruneau, Idaho.

Dear Sir:-

Referring to your letter of the 22nd inst., in which you request blanks for proof under permits Nos. 1536, 1537, and 1538, would say that these permits do not stand in the name of Chester Tindall. However, our records do show permits Nos. 15365, 15366, 15367, and 15368, to have been issued to Mr. Tindall, and we are accordingly mailing you herewith blank notices for proof of beneficial use of water under these permits.

Very truly yours,

J. G. SWENDSEN
Commissioner of Reclamation

By _____
Chief Clerk

CB:HH
Encl.

15365

CHARLES PASCOE
United States Commissioner
BRUNEAU, IDAHO

October 22, 1926

The Reclamation Department
Boise, Idaho.

Gentlemen:

Chester Tindall wants to make proof of application of water to beneficial use upon permits 1536, 1537 and 1538 as soon as the notices can have had the needful publication in The Nugget. Will you kindly send me by return mail, if possible, application blanks that I may make them in duplicate and return to you so that the smallest possible delay may follow? Chester wants to make this proof as early as practicable in December next. He has made proof of completion of works.

Thank you.

very truly yours,

Charles Pascoe

15365

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

In the Matter of the Reinstatement)
of Permit No. 15365, Under the
Provisions of Section 5594, Idaho
Compiled Statutes

ORDER REINSTATING PERMIT

WHEREAS, Permit No. 15365 lapsed through failure of the holder to make proof of completion of the works of diversion within the time specified in the Permit, to-wit: June 10, 1922, and;

WHEREAS, On the 6th day of November, 1925, notice to show cause why said permit should not be cancelled, under the provisions of Section 5594, Compiled Statutes of Idaho, was duly served on the holder of said permit; and,

WHEREAS, On the 24th day of December, 1925, the holder filed notice of appearance to offer proof to show that the works of diversion under said permit were fully completed within the time required; and,

WHEREAS, On the 24th day of December, 1925, depositions of the holder and two witnesses were received at the Department of Reclamation showing the said works of diversion were completed within the time required in the permit; and,

AND WHEREAS, after examination of the depositions, the Commissioner of Reclamation of the State of Idaho, is fully satisfied that the works of diversion were completed as required under the terms of said Permit No. 15365, and that the holder has acted in good faith;

IT IS, THEREFORE, hereby ordered that said Permit No. 15365 be, and the same is, hereby reinstated, and that a certificate of completion of works be issued to the applicant herein.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of this Department, at Boise, Idaho, this 29th day of December, 1925.

W. G. SWENDSEN
Commissioner of Reclamation

By _____
Assistant

15365

December 29, 1925

Re: Permit No. 15365

Mr. Chester Tindall,
Tindall, Idaho

Dear Sir:

Enclosed please
find Order reinstating the above numbered
permit, together with certificate of
completion of works, thereunder, and
receipt for fees paid.

Very truly yours,

W. G. SWENDSEN
Commissioner of Reclamation

By
Chief Clerk

H-Enc.

15365

NOTICE OF APPEARANCE

To W. G. Swendsen

Commissioner of Reclamation

Boise, Idaho

Dear Sir:

Receipt of notice that Permit No. 15365
is held for cancellation, under the provisions of Sec-
tion 5594 Compiled Statutes of Idaho, is acknowledged.

I hereby enter an appearance and will offer
proof to show that the works required thereunder were
fully completed on the date proof of completion of
works was due.

Dated at Bruneau, Idaho, this 24th
day of December, 1925.

Chester Tindall.
Applicant

By _____
Agent

15365

PERMIT No. _____

Proof of Completion of Works

DEPOSITION OF HOLDER

Under Terms of H.B. 53, Laws 1917.

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

Ans. Chester Tindall; 39; Tindall; stockman; Tindall, Idaho

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. Acting for myself only

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

Ans. 15365; Dec. 10, 1921; .42 cubic feet; springs, unnamed, tributary of Bull Creek, in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 22, T. 15 S., R. 4 E.

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 have reclaimed or intend to reclaim.

Ans. Irrigation; 6 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, 10.6 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, 19.15 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ and 1.27 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, T. 15 S., R. 4 E., Sec. 22.

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. All the water allowed by the terms of the permit have been turned into the works and have been used for ten years past

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

Ans. The work was fully completed ten years ago, as long ago as 1915 but am unable to fix the date more exactly

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 work complies fully with the terms of the permitQues 8. Give description of works and state dimensions and capacity of each part as they existed on Dec. 10, 19 21, and give cost of same.Ans. Main ditch is 1 foot wide on bottom; 1.8 ft. wide at water line; .4 ft. deep; is a half mile long and has an average grade per mile of 5.28. Its cost about \$100.00

(Sign here.)

Chester Tindall

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 _____

BruneauOwyheeState of Idaho, on this 24thDecemberA. D. 1925My Commission expires June 27, 1927Charles Pascoe

Notary Public.

15365

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

PERMIT No. _____

Proof of Completion of Works

DEPOSITION OF WITNESS

Under Terms of H B 53, Laws 1917.

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

Ans. Samuel King; 23; Bruneau; farmer; Bruneau, Idaho

Ques. 2. Are you acquainted with Chester Tindall, the holder of Permit No. 15365, authorizing the diversion of .42 second-feet of the waters of unnamed springs, at Tindall, Idaho for irrigation purposes? How long have you known him, and where does he reside?

Ans. Yes; 8 years; Tindall, Idaho

Ques. 3. Have you read or heard read said Permit No. 15365, and are you familiar with its terms and conditions?

Ans. Yes

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. Yes. It is of volcanic ash mostly; he has under water 6 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, 10.6 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, 19.15 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ and 1.27 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 22, T. 15 S. R. 4 E. It requires all the water granted by the terms of the permit

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? If so, when were they so completed?

Ans. Yes; they were completed five years ago when I first saw them

Ques. 6. Describe the works of diversion as they existed on the date stated in answer to Question 5. and give your estimate of their capacity on that date.

Ans. Ditch; half a mile long; 1 ft. wide on bottom; 1.8 ft. wide at water line; .4 feet deep; its average grade to the mile is 5.28 ft.

(Sign here)

Samuel King

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 Bruneau, County

of Cwyhee, State of Idaho, on this 24th day of

December, 1925. A. D. 19125

Charles Pascoe

My commission expires June 27, 1927.

Notary Public.

15365

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

PERMIT No. _____

Proof of Completion of Works

DEPOSITION OF WITNESS

Under Terms of H. B. 53, Laws 1917.

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

Ans. Tellie J. Robertson; 26; Bruneau; cowboy; Bruneau, Idaho

Ques. 2. Are you acquainted with Chester Tindall, the holder of Permit No. 15365, authorizing the diversion of .42 second-feet of the waters of an unnamed spring, at Tindall, Idaho for irrigation purposes? How long have you known him, and where does he reside?

Ans. Yes; 20 years; Tindall, Idaho

Ques. 3. Have you read or heard read said Permit No. 15365, and are you familiar with its terms and conditions?

Ans. Yes

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. Yes; 3 acres in SW₁ NW₁, 10.6 acres in SE₁ NW₁, 19.15 acres in NE₁ SW₁ and 1.27 acres in NW₁ SW₁, Sec. 22, T. 15 S., R. 4 E.; the land is volcanic ash; it requires all the water .42 cubic feet

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? If so, when were they so completed?

Ans. Yes; the works were fully completed at least 10 years ago; and # carry the water safely to places of use

Ques. 6. Describe the works of diversion as they existed on the date stated in answer to Question 5, and give your estimate of their capacity on that date.

Ans. The ditch is 1 ft. wide on the bottom; 1.8 ft. wide at water line; .4 feet deep; is a half mile long and has an average grade of 5.28 to the mile.

(Sign here) Tellie J. Robertson

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 Bruneau, County

of Owyhee, State of Idaho, on this 24th day of

December, 1925 A. D. 19125

My commission expires June 27, 1927

Charles Pascoe

Notary Public.

15365

December 4, 1925.

Re: Permit No. 15365

Mr. Chester Tindall,
Tindall, Idaho.

Dear Sir:-

Referring to your letter of the 28th ult. would say that, if the works of diversion under the above permit were fully completed within the time required, the permit may be reinstated in accordance with instructions accompanying the blanks enclosed. Fee of \$5.00 should accompany the depositions when submitted.

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

By _____
Chief Clerk.

Encl.

15365

Tindall Idaho.
Nov. 28, 1925

Mr. W. J. Swendsen,
Bose Idaho.
Dear Sir:

In Reply to your Letter of Inquiry
about my Water Permit No 15,365. will say I
that perhaps I had lost the opportunity to
make proof and hold the date, it was filed
for, for the reason I over looked making
proof by June 10, 1922, as I was supposed to,
but I have the Ditch completed and the
land all Irrigated, under it. If I can still
make proof and hold same, I would be glad
to make proof of completion of works, and
also of Beneficial use if you think it will
be allowed. I have just made three other Proofs
of completion of works and expect to make
Proof of Beneficial use before Dec. 10, 1926. if I
can I would like to make proof of completion of
works to this permit, soon, and make proof
~~of completion~~ for Beneficial use with the three
15365

other permits - 2 or before Dec-1, 1926.

If you will please inform me what is
best for me to do. I would appreciate some
advice much. If you consider I live fifty
miles from the nearest Commissioner's office
to do this business you will see why I would
like to do it all at once if possible.

Please let me know what I can do
about it.

Yours Respectfully
Chester Lindall.

15365

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

November 6, 1925

Re: Permit No. 15365

To: Chester Tindall

Tindall, Idaho

It appearing to the Commissioner of Reclamation that the terms and conditions of Permit No. 15365, to appropriate the Public Waters of the State of Idaho, have not been complied with as to

Proof of Completion of Works, due June 10, 1922

you are hereby notified in compliance with Sec. 5594, Compiled Statutes of Idaho, that said Permit No. 15365 is hereby held for cancellation.

You are hereby required to show cause before the Commissioner of Reclamation on or before forty days from date of this notice why said Permit should not be cancelled.

Said Permit No. 15365 claims the use of .42 cubic feet per second of the waters of unnamed springs, with point of diversion located SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 22, T. 15 S. R. 4 E. B.M., and was approved Dec. 10, 1921

In Witness Whereof, I have hereunto set my hand and affixed the seal of my office at Boise, Idaho, this 6th day of November, 1925

W. G. SWENDSEN
Commissioner of Reclamation.
By *John H. Butler*
Deputy.

15365

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Mr. Chester Tindall
~~Tindall, Idaho~~

Boise, Idaho,

~~March 6, 1922~~

Dear Sir:—

Under the terms of your permit No. ~~15355~~ ¹⁵³⁶⁵ you are required to complete your diversion works on or before ~~June 15, 1922~~ ^{June 10, 1922}. 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. SWENDSEN.

Commissioner of Reclamation.

15365.

Form No. 9.

State of Idaho

DEPARTMENT OF RECLAMATION

Mr. Chester Tindall,
Tindall, Idaho.

BOISE

March 6, 1922.

Dear Sir:

I enclose herewith blank notice of proof of Application of Water to Beneficial Use under your Permit No. **15365** 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.

15365