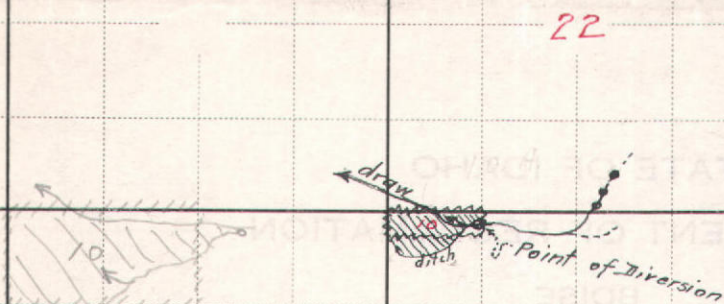




22

27

26

Amended

NOTICE FOR PUBLICATION

Notice of Proof of Application of Water to Beneficial Use

Notice is hereby given that at 10 a.m. on the 20th day of April, 1925, at Mountain Home, County of Elmore, State of Idaho, before A.A. Sessions, U.S. Commissioner, proof will be submitted of the application to beneficial use of 0.2 cubic feet per second of the waters of unnamed stream in accordance with the terms and conditions of Permit No. 14773 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: Ella Hindman, Christopher, Ill.

The use to which said water has been applied is domestic and irrigation of 10 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 27, Township 5 South, Range 10 East, B.M.

The amount applied to beneficial use is 0.2 second feet.

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

10 acres in N $\frac{1}{2}$ of N $\frac{1}{2}$ of NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 27, Township 5 South, Range 10 East, B.M.

The right to take water from such works is based upon Permit No. 14773.

The source of supply from which such water is diverted is a point on unnamed stream flowing through NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 27, Township 5 South, Range 10 East, B.M.

The date of priority which said user is prepared to establish is June 11th, 1920.

W. G. SWENDSEN,

Commissioner of Reclamation.

mar9apr16

AFFIDAVIT OF PUBLICATION

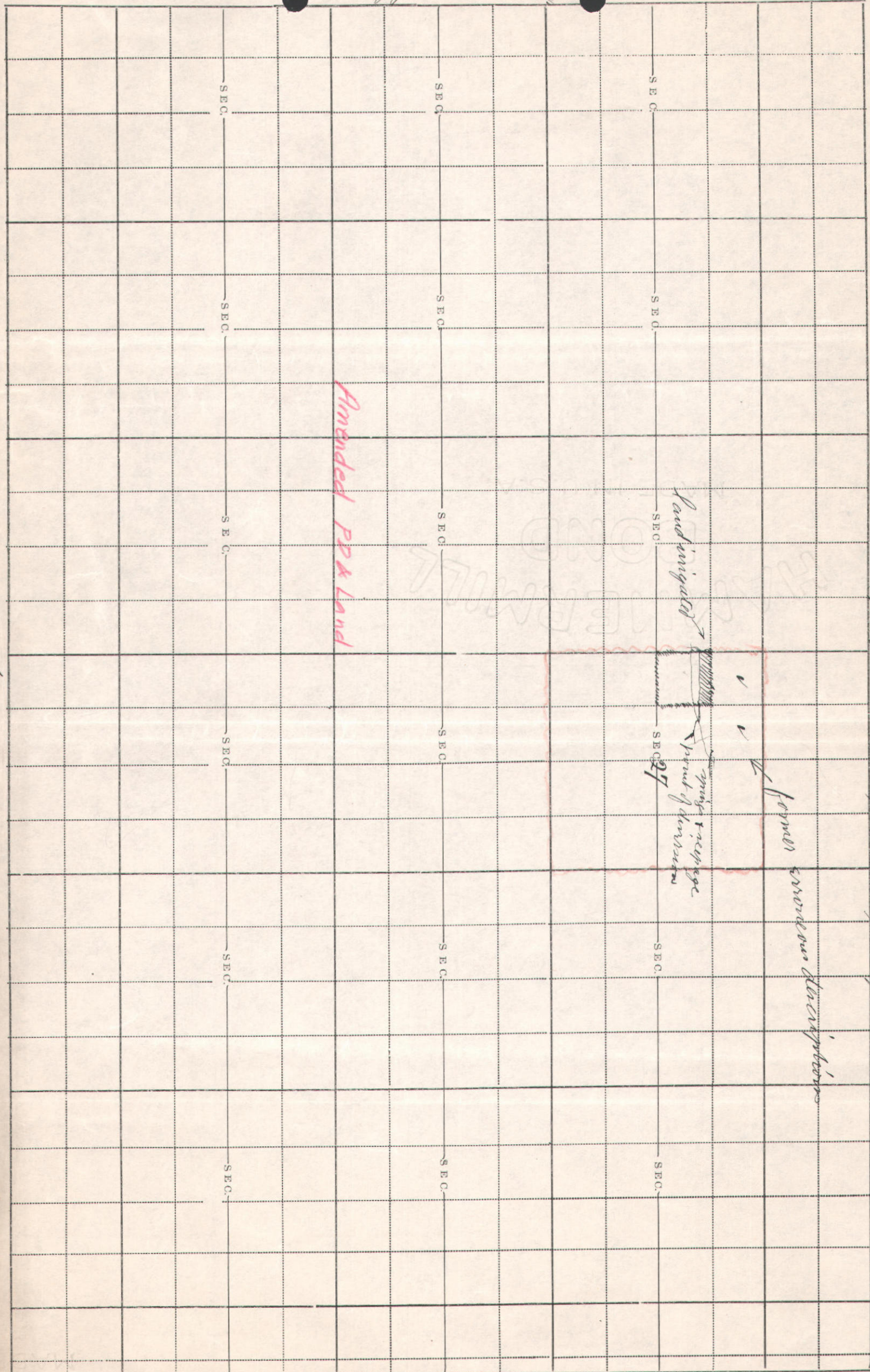
I, Charles Pascoe, publisher of THE OWYHEE NUGGET, published weekly at Bruneau, Owyhee County, Idaho, do solemnly swear that a copy of the above notice, as per clipping attached, was published weekly in the regular entire issue of said newspaper, and not in any supplement thereof, for 5 consecutive issues, commencing with the issue dated March 9 192 5, and ending with the issue dated April 16th 192 5 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 16 day of April 192 5

George R. Jones
Notary Public

14773



North
Sec 27, T 8 North, Range 10 East 12th

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

Notice is hereby given that at 10 a.m. on the 20th day of April, 1925, at Mountain Home, County of Elmore, State of Idaho, before A. Sessions, U.S. Commissioner, proof will be submitted of the application to beneficial use of 0.2 cubic feet per second of the waters of unnamed stream in accordance with the terms and conditions of Permit No. 14773 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: Ella Hindman, Christopher, Ill.

The use to which said water has been applied is domestic and irrigation of 10 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 27, Township 5 South, Range 10 East, B.M.

The amount applied to beneficial use is 0.2 second feet.

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

10 acres in N $\frac{1}{2}$ of N $\frac{1}{2}$ of NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 27, Township 5 South, Range 10 East, B.M.

The right to take water from such works is based upon Permit No. 14773.

The source of supply from which such water is diverted is a point or unnamed stream flowing through NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 27, Township 5 South, Range 10 East, B.M.

The date of priority which said user is prepared to establish is June 11th, 1920.

W. G. SWENDSEN,

Commissioner of Reclamation.

mar9apr16

OFFICIAL PAPER FOR OWYHEE COUNTY

Bruneau, Idaho April 6th

192 5

Ag. Agt. Ella Hindman
1. Water to Beneficial Use

Glenns Ferry, Idaho, Box 311

To Owyhee Nugget Dr.

CHARLES PASCOE, EDITOR AND OWNER

roof (43 l. 5 issues)

\$12 50

14773

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 10 a. m. on the 20th day of April, 1925,
at Mountain Home, County of Elmore, State of Idaho,
before AA Sessions, US Commissioner, proof will be submitted
of the application to beneficial use of 0.2 cubic feet per second of the
waters of an unnamed stream in accordance with the terms and conditions of
Permit No. 14773 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.....

Ella Hindman Christopher M.

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

of 10 acres in the N.W. & N.W. Sec. 27 Twp. 5 S. R. 10 East B.M.

The amount applied to beneficial use is 0.2 second feet

The place where said water is used (if for irrigation, give full and accurate description of the
lands irrigated) is 10 acres in N. & N. of N.W. & N.W. Sec. 27 Twp. 5 S.
R. 10 East B.M.

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

The right to take water from such works is based upon Permit No. 14773

The source of supply from which such water is diverted is a point on unnamed

stream flowing thro N.E. & N.W. Sec. 27 T. 5 S. R. 10 E. B.M.

The date of the priority which said user is prepared to establish is.....

June 11th 1920

no no - 27-55-10 E

- Engle

59

W. C. Swendsen,
Commissioner of Reclamation.

14773

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

PERMIT No. 14773

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. Carl Leingruber - 36 - Glens Ferry, Ida.
Farmer - Glens Ferry, Ida.

Ques. 2. Are you acquainted with Ella Hindman, the

holder of Permit No. 14773, authorizing the diversion of 0.2 second-feet of the waters of

Unnamed Stream, at NE⁴ NW⁴ Sec. 27 T⁴ N. 5th S. 10th E. B. M.
for Irrigation purposes? How long have you known him, and where does he reside?

Ans. Yes. Four years. Christopher, Ida.

Ques. 3. Have you read or heard read said Permit No. 14773, 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. Agricultural land, sandy
0.4 second ft.

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. March 31, 1925.

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. Open ditch 1 ft. wide, 18 in. deep,
over twenty inches - 0.4 second ft.

(Sign here) Carl Leingruber

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 Glens Ferry, County of Elmore, State of Idaho, on this 6th day of Jan.

A. D. 1925
My commission expires April 7, 1926

Albert E. Leingruber
Notary Public.

14773

Name of Applicant *Elva Hindman*

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.
27

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

← *Shoshone*
10 ft. bench
Point of diversion

7.56 R10 E 13 M

State of Idaho

Amount 0.2 sec. ft.
Priority 6-11-20

THIS IS TO CERTIFY that ELLA HINDMAN
of Glenns Ferry, Idaho , made application for a permit to appropriate the
public waters of the State of Idaho, dated June 11, , 19 20 ; that Permit No. 14773
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.2 second feet, was issued thereunder on January 9, , 19 25 , showing that said works
were completed on the 26th day of December, , 19 24 ; and that on the 20th
day of April , 19 25 ,

Richard Kellogg, successor in interest to
BILLA HINDMAN
of Glenns Ferry, State of Idaho, made proof to the satisfaction of the
Commissioner of Reclamation of Idaho, of the right to use the waters of an unnamed stream,
a tributary of Snake River, for the purpose of irrigation and domestic use
under Use Permit No. 14773 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 3306, on the 17th day of September, 1925 ;
The right hereby confirmed dates from June 11, 1920 ;

The Point of Diversion is located

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 0.2 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
5 S.	10 E.	27	NW $\frac{1}{4}$ NW $\frac{1}{4}$	10	10

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 17th day of September, 1925

W. G. SWENDSEN
Commissioner of Reclamation

(SEAL)

1931

Amount 0.1 sec. ft.
Priority 12-15-1922

Oregon-Washington Railroad & Navigation Company

The right hereby confirmed dates from December 15-----, 1922 ;

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 0.1 cubic feet per second.

Description and location of use: At Anderson station in Lot 3, Sec. 26, T.50 N.R.3E.S.M.

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Perm	No. Acres Actually Irrigated

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho,
this 9th day of September, 1925

(SEAL)

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

51-2076

Application No. 21006
 Permit No. 14773
 District No 59

Agreement

1. Name of Applicant: Ella Hindman.

Postoffice address: Glenss Ferry County: Elmore 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: 0.2 cubic feet per second.

3. Source of water supply: unnamed stream which is a tributary of Snake River.

4. Location of point of diversion: feet distant from the
 corner of Section , T. , R. , B. M., and is in the NE $\frac{1}{4}$ NW $\frac{1}{4}$
 of Section 27 , T. 5 S. , R. 10 E. , B. M., County of Owyhee.

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

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: \$ 500.00

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 1 feet; width at water line 2 feet; depth of water 1
 feet; dimensions of flume

Diameter of pipe inches; length of conduit $\frac{1}{8}$ miles.

Average grade per mile 7 feet.

12. The time required for the completion of such work is three years.

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

Ella Hindman. Applicant.

By D. A. Utter. Agent.

Commissioner of Reclamation
Date of first receipt at office of ~~State Engineer~~ 9 A. M. June 11, 1920.

Returned to applicant for correction

Corrected application received

APPROVAL OF ~~STATE ENGINEER~~ ^{COMMISSIONER OF RECLAMATION}

The number of this permit is 14773
Recorded in Book 52 Page 14773 Approved July 10, 1920.
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 September 8, 1920 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 January 10, 1922.
The whole of said work to be completed on or before July 10, 1923.
Beneficial use of water appropriated in accordance herewith, to be made on or before July 10, 1925.

Witness my hand this 10th day of July, 1920.

W. G. Swendsen,
State Engineer.
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	
5 S.	10 E.	27					10												10
			STATE OF IDAHO DEPARTMENT OF RECLAMATION In the Matter of the Reinstatement of) Permit No. 14773, Under the Provisions) of Section 5594, Idaho Compiled Statutes.) <u>ORDER REINSTATING PERMIT</u> WHEREAS, Permit No. 14773 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: July 10, 1923, and, WHEREAS, On the 15th day of December, 1924, 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, 1924, 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 7th day of January, 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 said 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. 14773, and that the holder has acted in good faith; IT IS THEREFORE, Hereby ordered that said Permit No. 14773 be, and the same is hereby reinstated, and that a certificate of Completion of Works be issued to the applicant IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of this ment, at Boise, Idaho this 9th day of January, 1925. W. G. SWENDSEN Commissioner of Reclamation By GEO. N. CARTER Assistant. (SEAL)																

Proof of Completion of Works made December 26, 1924
 Certificate of Completion of Works issued January 9, 1925.

Permit No. 14773
 CERTIFICATE OF COMPLETION OF WORKS.

To All Whom It May Concern:

This is to certify that Ella Hindman of Christopher, County of Franklin, and State of Illinois, the holder of Permit No. 14773, issued upon Application No. 21006, bearing date of priority of June 11, 1920, authorizing the diversion of 0.2 second feet of the waters of an unnamed stream, 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 0.2 second feet of the waters of an unnamed stream; that the point of diversion of said waters is in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 27, Twp. 5 S., R. 10 E., B. M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 10 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 27, Twp. 5 S., R. 10 E., B. M.

Witness my hand this 9th day of January, 1925.

W. G. SWENDSEN
 Commissioner of Reclamation.

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

Richard Kellogg, 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. 14773, by assignment from Ella Hindman and J. E. Hindman,

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

A point about 350 ft. East and 450 ft. South of the Northwest corner of the SE $\frac{1}{4}$ of NW $\frac{1}{4}$ Sec. 27, Tp. 5 South, Range 10 East, B.M.

That such change will be made for the following reasons, to-wit: That an error was made in the description of the land to be watered and the point of diversion, the same being described as being 80 rods North of where it actually lies; that the actual point of diversion is not changed but only the description of the land is corrected; that the error was made in the application and permit and the published notice was in accordance therewith.

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.

Richard Kellogg

Subscribed and sworn to before me this 23rd day of April, 1925.

A. A. Sessions
 Notary Public

(SEAL)

My commission expires Jan. 17th, 1928.

Received and filed for record in the Department of Reclamation at Boise, Idaho, at 9:00 A.M., April 24, 1925.

W. G. SWENDSEN
 Commissioner of Reclamation
 C.B.

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, No. 14773.

Comes now Richard Kellogg, 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. 14773, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

The southwest quarter of the Northwest quarter of Sec. 27, Tp. 5 South, Range 10 East, B.M. and the N $\frac{1}{2}$ of the N $\frac{1}{2}$ of said described lands is the part to be actually irrigated. (That the change hereby applied for is a change in description only and not a change in lands to be irrigated, the original error having been made in the application for water permit.) making a total of 10 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 Mountain Home, Idaho, this 23rd day of April, 1925.

Richard Kellogg

Date of receipt at Office of Department of Reclamation, April 24, 1925.

APPROVAL OF COMMISSIONER OF RECLAMATION

I, W. G. Swendsen, 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. 14773. 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.

W. G. SWENDSEN
Commissioner of Reclamation

AGREEMENT.

This agreement made and entered into this 26th day of December, A. D. 1924, between Ella Hindman and J. E. Hindman, husband and wife, of Christopher, Illinois, hereafter called the vendors, and Richard Kellogg, of Glenns Ferry, Idaho, hereinafter called the vendee, witnesseth:

That, in consideration of the covenants and agreements on the part of the vendee hereinafter contained, the said vendors agree to sell and the vendee agrees to buy, all of that certain piece of land situated in the County of Owyhee, State of Idaho, and particularly described as follows:

That part of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 27, Township 5 South, Range 10 East of B. M. lying north of the right-of-way of the King Hill Irrigation District's lateral No. 12, containing 18.4 acres, more or less, for the sum of \$891.94, lawful money of the United State of America, to be paid as follows:

The said vendee is to pay all past due taxes and water rights now due on said property which is now in the sum of \$291.94; also to pay to the vendor the sum of \$300.00 with interest at the rate of six per cent per annum within three years from date hereof, and the further sum of \$300.00 within five years from date hereof, with interest at the rate of six per cent per annum.

It is expressly agreed and understood by and between the parties hereto that the said vendee is to have immediate possession of said premises; that on the failure of the said vendee to make the payments of taxes and water rights or either of the installment payments when due, or to pay the taxes and water rights as they shall become due during the term of this contract, then and in that case the vendor shall have the right to re-enter said premises and declare this contract forfeit, and shall retain all payments made by the vendee.

It is further agreed and understood by and between the parties hereto that the said vendors, upon receiving the payments heretofore mentioned, shall execute and deliver to the vendee, his heirs or assigns, a good and sufficient deed conveying the title to said property, free and clear from all incumbrances, except King Hill

Irrigation District Charges then remaining unpaid.

It is further agreed by and between the parties hereto ~~that~~ the said vendee shall pay all state and county taxes and all assessments of whatsoever nature, which are or may become due on said property, and that on his failure to do so for such length of time as to jeopardize the right of redemption of said property from any sale by reason of such failure to pay such taxes or assessments, then the said vendor shall have the right to repossess himself of said premises and to declare this contract forfeit.

This contract is executed in duplicate, and shall be binding upon the signers hereof, their heirs, executors, administrators and assigns.

ELLA HINDMAN (L.S.)

J. E. HINDMAN (L.S.)

RICHARD KELLOGG (L.S.)

LIZZIE KELLOGG (L.S.)

Received and filed for record in the Department of Reclamation at Boise, Idaho, at 9:30 A.M., May 27, 1925.

W. G. SWENDSEN
Commissioner of Reclamation
C.B.

LICENSE ISSUE: P. 4. 2 SEC. FT. page 3306
correction p. 4371

MEMO

File: 51-2076
From: Don Shaff *DS*
Date: 3/21/1985
Subject: Data Correction Proof Reading

The license in this file has a note at the top referring to page 4371 of volume 7 of licenses for a correction to this license. At this date no document could be found reflecting this correction. Correspondence and amendments within this file indicate the legal descriptions for the point of diversion and place of use were corrected. The agreement of sale of the land recorded on the permit and the subsequent amendment document these changes. The point of diversion is corrected in the data base as and is probably actually the SENW, Sec. 27, Twp. 5S., Rge. 10E. The place of use is corrected in the data base and is probably actually the SWNW, Sec. 27, Twp. 5S., Rge. 10E.

MICROFILMED

✓
14773

February 11, 1948

Mr. Frank E. Conrad
Glenns Ferry, Idaho

Dear Mr. Conrad:

Permit No. 19567 has a priority date of November 27, 1944 and the Kellogg Permit No. 14773 has a priority date of June 11, 1930. The Kellogg date is therefore earlier, Permit No. 19567 is for 0.45 cubic feet per second.

Generally water can be used any place on a man's farm where it can be put to beneficial use except when it interferes with some one else's right.

No one has a right to use your water as long as it is under your control. Picking it up on your property after you can no longer use it is a matter of right of way which we have no authority to determine.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

K/dm

14773

14773

Box 1
Glen, N.Y.
Dec. 9/1947

Dear Sir
does permit No 19567
~~me~~ W. B. McKeith
Come ahead of
Mrs Lydia Kellogg
permit on same
stream on
Can his son take
permit 19567 &
put it on land
other land
that water was
not file on for this
permit.
When other land
has King Hill

1477-

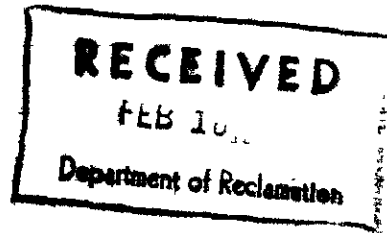
water there is
about 10 or 12 inches
running there grow
sedge & quite running
water
can any one
pick my water
up till it get
off my place
please let
me know by
return mail
or could you
tell me how
much water you
measured when
Mr Keeth gave up
on Permit No 19067
duff filling in 1915

14573

Thanking you
in advance
for information

Yours truly

Frank E. Enroad



✓
14773

January 16, 1948

Mrs. Frank Conrad
Box 421
Glenns Ferry, Idaho

Dear Mrs. Conrad:

We enclose herewith a certified copy of Permit No. 14773; and also a certified copy of the deposition of your husband Frank Conrad, in proof of beneficial use under this same permit.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/dm
Enc.

14773

December 23, 1947

Re: Permit No. 14773

Mr. Hollin McKeeth
Glenns Ferry, Idaho

Dear Mr. McKeeth:

As per your request of December 19th,
we enclose certified copies of the depositions
of Charles Buffington and Frank E. Conrad,
given in connection with beneficial use proof
under Permit No. 14773.

We also enclose Departmental Receipt
No. 20275 for the \$1.50 fee paid therefor.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A
encs.

14773

Glenns Ferry, Idaho
Dec. 19, 1947

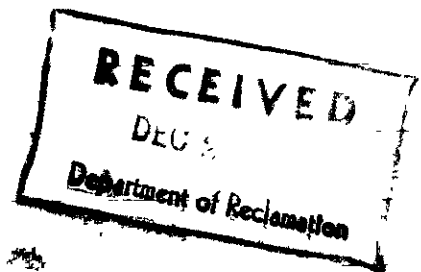
Department of Reclamation,
State House,
Boise Idaho

Dear Sir,

Will you please send me a certified
Copy of the Completion of work and use of
water, for water license no 14773,
recorded in Vol. 6, page 3306

I am interested in the paper that was
signed by Mr Frank Conrad, and also
Hoid Buffington.

Yours truly
Rollin McKeith.



14773

✓
November 25, 1947

Re: Permit and License No. 14773

Mrs. Barbara Conrad,
Box # 421
Glenns Ferry, Idaho

Dear Mrs. Conrad:

Reference is made to some correspondence between yourself and this Department relative to water rights on an unnamed stream tributary to Snake River, with point of diversion in Section 27, Township 5 South, Range 10 East, B.M.

In office letters addressed you on November 3rd and November 6th, respectively, you were advised that there were no other filings of record on such stream except that of V. B. McKeeth, License No. 19567. We have since found that this information was incorrect, due to the fact that some earlier filings were listed in Owyhee County, before Blaine County was created. A recheck of the records discloses the following water filings in that location:

Permit No. 11834, filed by Robert H. Duffy, for one second foot, November 29, 1915, from an unnamed stream, tributary to Snake River, with point of diversion on or near the north line of SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 27, Twp. 5 South, Range 10 East, B.M., for use on the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 28.

License No. 14773, to Richard Kellogg, with priority of June 11, 1920, for 0.2 second foot, with point of diversion in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 27, for use on the N $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 27.

License No. 15720, to V. B. McKeeth, with priority of March 24, 1931, for 0.2 second foot, with point of diversion in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 27, for use in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 21.

License No. 19567, to V. B. McKeeth, with priority of November 29, 1944, for 0.45 second foot, with point of diversion in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 27, for use on land in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 21, and NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 28.

The above licenses are all completed water rights, with priorities as stated. Permit No. 11834 has not yet gone to license, as the final proof has not been made. It can be made at any time, however, if the water has been so beneficially applied, but it will take a later priority date than the original filing date.

We trust that the above will give you the desired information as to filings on this stream.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A

14773

✓

November 25, 1947

Re: License No. 14773

Mr. Hollin McKeeth
Glenns Ferry, Idaho

Dear Mr. McKeeth:

We enclose corrected License No.
14773, and also a certified copy of said license.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A
Encls.

14773

14773

Charles C. Gosssett

April 28, 1945

Messrs. James, Shaw, & James
Attorneys at Law
Coeiding, Idaho

Attention- Mr. A. F. James

Gentlemen:

Reference is made to your letter of April 27th, in which you inquire as to a permit to divert water from an unnamed stream in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 27, Township 5 South, Range 15 East, B.M., "about two miles East of Glenns Ferry and across the river"- possibly in the name of Kellogg or Lish.

We find License No. 14773 in the name of Richard Kellogg, of Glenns Ferry, with priority of June 11, 1920, for two-tenths of a second foot from an unnamed stream, diverted in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 27, Township 5 South, Range 10 East, B.M.- which would appear to be the place you have in mind, as it is located just a short distance East of Glenns Ferry, and across the bridge.

This permit was originally in the name of Ella Hindman, but was assigned to Kellogg, and the license describes the land to be irrigated as 10 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 27, Township 5 South, Range 10 East, B.M. However, there seems to be some question as to the correct description of the land, inasmuch as the depositions in proof of beneficial use show the land as in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ of the section, and amendment to the original land list is recorded giving this latter description.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A

14773

JAMES & JAMES
ATTORNEYS AT LAW
GOODING, IDAHO

A F JAMES
ANDREW F JAMES
Chas. C. Shaw

April 27, 1945

State Reclamation Engineer
Boise, Idaho

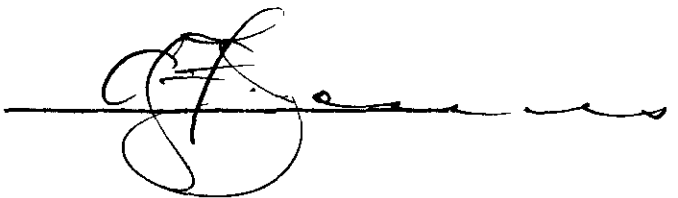
Dear Sir:

Will you kindly check your records and inform us whether or not any permit was ever issued by your Department to divert water out of an unnamed stream situate in the West Half of the Northwest Quarter of Section 27, Township 5 South, Range 15 E.B.M. This land is located about two miles East of Glens Ferry, across the river. If a permit was issued, it was probably issued in the name of a Mr. Kellogg or a Mr. Lish.

Thanking you for an early reply, we remain,

Very truly yours,

JAMES, SHAW & JAMES

BY: 

AFJ:jd



4773

September 17, 1924

Re: Permit No. 14773
Ella Hindman

Mr. Richard Kellogg,
Box 711,
Glenns Ferry, Idaho.

Dear Sir:

Enclosed please find Water
License under the above numbered
permit, together with departmental
receipt for fees paid.

Very truly yours,

W. G. SWENDSEN
Commissioner of Reclamation

By

Chief Clerk

H-Enc.

14773

September 8, 1925.

Re: Permit No. 14773-

Mr. Richard Kellogg,
Box 711,
Chemus Ferry, Idaho.

Dear Sir:-

The report of our examining engineer for proof of use of water under the above permit is now on file here. Upon receipt of fees in the sum of \$2.00, license will issue.

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

By _____
Chief Clerk.

14773

Glenns Ferry Ida
Sept 12 - 25

W G Swendsen

Commissioner Reclamation
 Boise Ida

Dear Sir I am enclosing Po Money
Order for \$2⁰⁰ of Cover Cost of
issuing License on Permit No 14773
yours Truly

Richard Kellogg

Po Box 311

Glenns Ferry
Ida

14723

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

Permit No. **14773**This proof is for **Beneficial Use**In Water District No. **59**1. Name of applicant: **Ella Hindman - R. K. Keweenaw**2. Source of water supply: **Unnamed Stream**3. Location of point of diversion: Is in the **NW 1/4** of Section **27**T. **5 S** R. **10 E.B.M.** County of **Payson**

4. Describe works as they exist, giving dimensions and capacities of same: *Diverts direct from spring branch by dirt dam. Slitch 1 ft wide x 1 ft deep no head gate used*

5. Water is used for: **Irrigation**6. State whether or not water has been turned into works of diversion: *yes*

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): **NW 1/4 Sec. 27; Twp. 5 S., R. 10 E.B.M.**

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

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

Remarks: *This is seepage water from U.S.P.S. ditches and irrigated lands above, & has developed since King Hill Project started*

This examination was made on the *25th* day of *March* 19*25*

(Signed)

[Signature]

Examiner.

14773

Kellogg (Set of Ella Hindman)

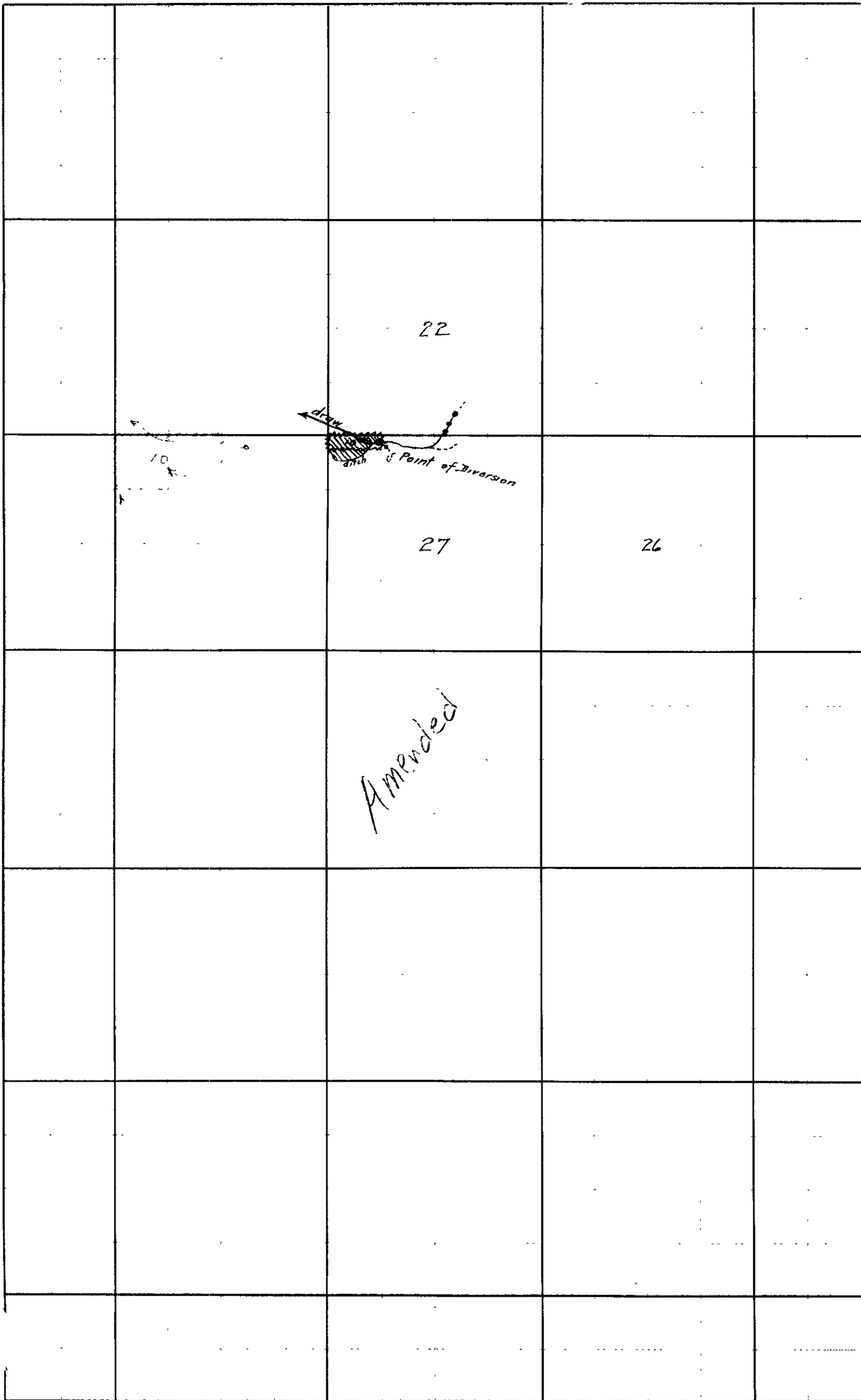
Permit No. **14773**

Examination for **Beneficial Use**

County **CUYAHUE**

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.
-



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

14773

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. _____

REPORT ON PROOF OF _____

June 4, 1925

Re: Permit No. 14773

Mr. Richard Kellogg
Box 711
Glenns Ferry, Idaho

Dear Sir:

Enclosed you will find the agreement between Ella Hindman and J. E. Hindman and yourself, for water right under the above numbered permit, the same having been placed on record under the permit in this office. We are also enclosing receipt for recording fee paid.

The matter of issuing the license will be taken up as soon as the report has been made by our examining engineer, within the next few weeks.

Very truly yours,

W. C. SWENDSEN
Commissioner of Reclamation

By _____
Chief Clerk

CB:KK
Encl.

14773

May 23, 1925

Re: Permit No. 14773

Mr. Richard Kellogg
Glenns Ferry, Idaho

Dear Sir:

On April 24th, we wrote to you relative to having transfer from Hindman to you recorded in this office, in order that license might be issued in your name. As yet we have received no reply to our letter. Thinking that you might have overlooked this we again call your attention to the matter.

Enclosed you will find your approved application for amendment for place of use, together with the affidavit for change of point of diversion and one copy of the map. These have been placed of record in this office.

Very truly yours,

W. G. SWENDSEN
Commissioner of Reclamation

By _____
Chief Clerk

Encl.

14773

April 24, 1925.

Re: Permit No. 14773.

Mr. Richard Kellogg,
Glenns Ferry, Idaho.

Dear Sir:-

We are today in receipt of depositions of yourself and two witnesses in the matter of proof of beneficial use of water under the above numbered permit, together with the affidavit of Ella H. and J. E. Hindman and the affidavit of publication from the Owyhee Nugget; also application for amendment of said permit and affidavit for change of point of diversion, with maps.

If it is you desire to have the license issued in your name when the same is granted, it will be necessary for the transfer to you, or contract between yourself and Mrs. Hindman, to be recorded under the permit in this office.

No further action will be taken in regard to the proof until the examination can be made by our field engineer. You will then be advised as to fees due.

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

By _____
Chief Clerk.

14773

United States of America)
)
State of Illinois) ss.
)
County of Franklin)

Ella Hindman and J. W. Hindman,
her husband, of the City of Christopher, Illinois, each
being first duly sworn, on oath says that in the month of
July, A.D. 1914, a ditch was constructed and immediate use
of water for domestic and irrigation purposes was made of
said water on ten acres in the N¹/₂ of N¹/₂ of NW¹/₄ NW¹/₄, Section
27, Township 5 South, Range 10 East, B.M. in the State of
Idaho; that such water has been in continuous and
uninterrupted use since said last above named date; that
such land benefitted by such water has been used for use
of the live stock, for pasturage, for gardening purposes and
for the growing of alfalfa; that during the times such land
was used for the growing of alfalfa, same produced approximately
four tons per acre, on the average; that Permit No. 14773 was
issued on or about June 11, 1920 for the use of 0.2 cubic feet
per second of the waters of an unnamed stream flowing through
the above described lands, and that during all of said time
from the building of the ditch to the present time, same has
been used in compliance with the terms of the above mentioned
permit.

Ella Hindman
J. W. Hindman

Subscribed and sworn to before me this 13th day of April,
A.D. 1925.

Albia M. Dial

Notary Public.

14773

NOTICE FOR PUBLICATION

Notice of Proof of Application of Water to Beneficial Use

Notice is hereby given that at 10 a.m. on the 20th day of April, 1925, at a certain Home, County of Blaine, State of Idaho, before A. J. Swendsen, U. S. Commissioner, proof will be submitted of the application to beneficial use of 0.2 cubic feet per second of the waters of unnamed stream in accordance with the terms and conditions of Permit No. 14773 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 Ella Hindman, Christopher, Ill.

The use to which said water has been applied is domestic and irrigation of 10 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 27, Township 5 South, Range 10 East, B.M.

The amount applied to beneficial use is 0.2 second feet.

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

10 acres in N $\frac{1}{2}$ of N $\frac{1}{2}$ of NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 27, Township 5 South, Range 10 East, B.M.

The right to take water from such works is based upon Permit No. 14773.

The source of supply from which such water is diverted is a point on unnamed stream flowing through NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 27, Township 5 South, Range 10 East, B.M.

The date of priority which said user is prepared to establish is June 11th, 1920.

W. G. SWENDSEN,

Commissioner of Reclamation.

mar9apr16

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 March 9 1925, and ending with the issue dated April 16th 1925, 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 16 day of April 1925

George H. Jones
Notary Public

14773

[illegible]

North Ave 27, 7th April, Range 10 East 137M

Formel erwidere: Disquisition

Hand ingates

27
SEC

James T. Nichols

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

3

14773

Finished 11³⁰ AM

Permit No. 14773

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. Richard Kellogg, 38 yrs, ex. Glenns Ferry
Farmer, Glenns Ferry, P.O.

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

Ans. _____

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

Ans. No. 14773, dated priority June 11th 1920 date June 11th 1920

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

Ans. Unnamed stream rising on S.E. 1/4 N.W. 1/4 Sec. 27 T. 5 S. R. 10 E. B. M.
and the point of diversion is about 350 ft south and 450 ft east of the N.W. corner thereof.

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. earthen dams taking all the water of the stream south
to the point of diversion and the ditch leading therefrom to
the irrigated land is 18 inches wide and a foot deep and will
carry 25 inches of water, unnamed

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. Water is used for irrig. on and domestic use on
S.W. 1/4 N.W. 1/4 Sec. 27-5-10 and irrigating the N. 1/2 of N. 1/2 of said S.W. 1/4
N.W. 1/4 Sec. 27 1/2 South R. 10 East B.M. The same is cultivated
to alfalfa and garden stuff. 8 1/2 in hay, 1 acre in pasture, and 1/2 in garden.

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

Ans. _____

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

Ans. 10 inches, 0.2 sec. ft.

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. purchase on contract.

14773

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

Ans. *Used since July 1914 said water has been used on described tract of land, in irrigating said land, to the amount of 10 miners inches, and during each season since*

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 whatever, but land can be watered under King Hill Irrigation Dist. ditches which is used to water balance of forty acres.*

(Sign) *Richard Kellogg*

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 *Northern Home*, County of *Elmore* State of Idaho, on this *23rd* day of *April* A. D. 19*25*

A. A. Sessions
Notary Public
State of Idaho

14773

Permit No. _____

Proof of Application of Water to Beneficial Use

DEPOSITION OF WITNESS

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

Ans. Frank E. Conrad, age 38, residence Glenns Ferry Idaho,
occupation farmer Glenns Ferry P.O.

Ques. 2 Are you acquainted with Richard Kellogg, the

holder of Permit No. 14773 How long have you known him and where does he reside?

Ans. Have known him for five years, lives at
Glenns Ferry.

Ques. 3 Have you read or heard read said Permit No. 14773, 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. Springs and seepage in northeast corner of S.E. 1/4 N. 1/4
Section 27 - 5 S. 10 E. B.M.; point of diversion is 350 ft
east and 400 ft. south of northeast corner of described
forty acres; work consist of dam in stream and ditch to land.

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. .05 second feet; about 15 inches I have seen so conveyed.

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. Water is used for irrigation and domestic use on N. 1/4 of
S. 1/4 of N. 1/4 of Sec. 27 5 S. 10 E. B.M. on about 10 acres of land.
Of said use 10 acres are in cultivation to cultivated
meadow land, ponds and garden, various crops.

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

Ans. _____

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. Sandy loam soil of good quality
Am. miles required is at least 1 in. to the acre.

14773

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

Ans. *None.*

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. *I have cleaned out the ditch from 1920 every year to this year, and have seen water used every year during that time on the described 10 acres in growing crops.*

(Sign) *Frank E. Conrad*

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 *Mountain Home*, County of *Elmore*, State of Idaho, on this *23rd* day of *April* A. D. 19*25*

A. A. Sessions

Notary Public.

My commission expires

Jan 17th 1928.

14773

Permit No. _____

Proof of Application of Water to Beneficial Use

DEPOSITION OF WITNESS

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

Ans. _____

*Chas. Buffington, age 62, Glenn Ferry P.O.
and residence, occupation farmer.*

Ques. 2. Are you acquainted with _____, the

holder of Permit No. *14773*? How long have you known him and where does he reside?

Ans. _____

*Have known him for eight years, resides at
Glenn Ferry*

Ques. 3. Have you read or heard read said Permit No. *14773*, 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. _____

*Source of water supply is springs and seepage water
originating in N.E. corner of S.E. 1/4 Sec. 27 T. 50 R. 10 E. B. M.
place of diversion is a point about 350 ft. east and 450 ft. south
of N.W. corner of described lands; the work is a dam and ditch 18 in. wide + 10 deep.*

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

Ans. _____

About 25 inches, have seen 10 inches being so conveyed

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. _____

*Used for irrigation and domestic purposes, on 1/4 Sec. 27 T. 50 R. 10 E. B. M. irrigating 10 acres - cultivated meadow
land and potato field and garden resulting from such*

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

Ans. _____

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. _____

*Sandy loam, good soil, amt. of water required
about 10 inches for 10 acres.*

14773

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

Ans. Sharon

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. Has known water to run on that land, described 10 acres, for 7 or 8 years. Has seen it every year, saw 10 inches running there last year, used on the land for irrigation, under said permit, part of the time.

(Sign)

Chas Buffington

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 Mondaville, County of Elmore, State of Idaho, on this 23rd day of April A. D. 1925

A. A. Sessions

Notary Public.

My comission expires Jan 17th 1928.

14773

April 21, 1925.

Re: Permit No. 14773.

Mr. Richard Kellogg,
P.O.Box 511,
Glenns Ferry, Idaho.

Dear Sir:-

Referring to your letter of the 20th inst. would say that, in checking the notice published with the permit in this office we find the same identical. If the description is wrong, the mistake was made in your original application and an application for amendment should be filed to correct the error. This application should be accompanied by duplicate maps. Forms for such amendment and maps are enclosed.

You will not be required to republish the notice of proof but, when the depositions are submitted, you should file an affidavit setting forth the fact that an error had been made in your permit and that the notice published had been made in accordance therewith.

You should also file an affidavit for the change in point of diversion. The maps filed should show the correct diversion point as well as the correct list of lands to be irrigated.

No change can be made either in the original permit or the certificate of completion issued but the amendments will be placed on record here under the permit and become a part of the same and will be considered the same as the original.

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

By _____
Chief Clerk.

F12-15-2MF

14773

14773

Glenis Ferry
April 20th 1925 Ida

Mr W H Swendsen

Commissioner of Reclamation
Boise Ida

Dear Sir I appeared at W H Home before a session
with four witnesses to day to submit proof
to show beneficial use of water under Permit No
14773 issued to Ella Hindman and we
find that the Rong Sand No's has been
used in Notice of Publication and also
in Certificate of Completion of Works
the Certificate shows the same No's as ~~was~~
when in fact the ditch ~~is~~ ^{is} the water
is on SW $\frac{1}{4}$ of NW $\frac{1}{4}$ Sec 27 Township 5S Range 10 East
BM and the Point of Measurement is on
SE $\frac{1}{4}$ of NW $\frac{1}{4}$ Sec 27 Township 5S Range 10 E BM
Other wise the Certificate of Completion
of Works & the Notice of Publication are
correct what will we have to do
to get this straightened out Please advise
will we have debt again we taken
the Land No for Publication from the
Certificate of Completion of Works Am
Att Copy of Notice to Settler

Yours Truly

Box 311 Glenis Ferry Ida Richard Kellogg

State of Idaho

DEPARTMENT OF RECLAMATION BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO, April 9, 1925.

Ella Hindman, by Richard Kellogg,

c/o A. A. Sessions,

U. S. Commissioner,

DEAR SIR: Mountain Home, Idaho.

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 14773.

DEPOSITION OF PERMIT HOLDER,
DEPOSITIONS OF TWO WITNESSES.

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

1. On April 20, 1925, 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 Mountain Home before A. A. Sessions, U.S. Commissioner.

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. C. SWENSON,
Commissioner of Reclamation.

14773

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

Notice is hereby given that at 10 a.m. on the 20th day of April, 1925, at Mountain Home, County of Blaine, State of Idaho, before A. S. Sessions, U. S. Commissioner, proof will be submitted of the application to beneficial use of 0.2 cubic feet per second of the waters of unnamed stream in accordance with the terms and conditions of Permit No. 14773 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 Ella Hindman, Christopher, Ill.

The use to which said water has been applied is domestic and irrigation of 10 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 27, Township 5 South, Range 10 East, B.M.

The amount applied to beneficial use is 0.2 second feet.

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

10 acres in N $\frac{1}{2}$ of N $\frac{1}{2}$ of NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 27, Township 5 South, Range 10 East, B.M.

The right to take water from such works is based upon Permit No. 14773.

The source of supply from which such water is diverted is a point or unnamed stream flowing through NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 27, Township 5 South, Range 10 East, B. M.

The date of priority which said user is prepared to establish is June 11th, 1920.

W. G. SWENDSEN,

Commissioner of Reclamation.

11094pt16

OFFICIAL PAPER FOR OWYHEE COUNTY

Bruneau, Idaho April 6th 1925

By, Agt. Ella Hindman
Water to Beneficial Use

Glenns Ferry, Idaho, Box 311

To Owyhee Nugget Ar.

CHARLES PASCOE, EDITOR AND OWNER

roof (43 l. 5. issues)

\$12.50

14773

March 11, 1925.

Re: Permit No. 14773-Ella Hindman.

Mr. Richard Kellogg,
Box 311, Glenns Ferry, Idaho.

Dear Sir:-

Referring to notices for proof of beneficial use of water under the above numbered permit would say that one copy has been mailed to the Owyhee Nugget for the required four weeks publication prior to April 20. Deposition blanks, one for holder and one each for two witnesses, will be mailed to the Mr. S. Commissioner at Mountain Home.

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

By _____
Chief Clerk.

14773

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

DATE ~~March 11, 1925~~

Owyhee Nugget,
Bruneau, Idaho.

DEAR SIR:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **April 20, 1925**, the date set for proof, the expense of the publication to be paid by the applicant, ~~Ella Riddman, by Richard Kellogg, of Glenn Ferry, Bonanza~~ 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.

14773

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) March 10th 1925

(P. O.) Glenn's Ferry Idaho Bx 311

TO THE COMMISSIONER OF RECLAMATION:

Boise, Idaho.

Dear Sir:

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

Richard Killogg
assignee of Ella Hindman

(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.

14773

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 10 a. m. on the 20th day of April, 1923,
at Mountain Home, County of Elmore, State of Idaho,
before Ala Sessions, US Commissioner, proof will be submitted
of the application to beneficial use of 0.2 cubic feet per second of the
waters of unnamed stream in accordance with the terms and conditions of
Permit No. 14773 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.....

Ella Hindman Christy, Ill.

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

of 10 acres in the N.W. & NW Sec. 27 Twp. 5 S. R. 10 E. B.M.

The amount applied to beneficial use is 0.2 second feet

The place where said water is used (if for irrigation, give full and accurate description of the
lands irrigated) is 10 acres in N² of N. 2 of N.W. & N.W. Sec. 27 Twp. 5 S.
R. 10 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 unimproved or Hindman ditch

The right to take water from such works is based upon Permit No. 14773

The source of supply from which such water is diverted is a point on unnamed
stream flowing thro. E. 1/4 N.W. Sec. 27 T. 5 S. R. 10 E. B.M.

The date of the priority which said user is prepared to establish is.....

June 11th 1920

245-2111 27-25-10 E.

W. C. Swanson,
Commissioner of Reclamation.

14773

January 9, 1925

Re: Permit No. 14773

Mrs. Ella Hindman
Christopher, Illinois

Dear Madam:

Enclosed you will find order reinstating the above numbered permit, together with certificate of completion of works and receipt for fees paid.

Before the final license can be issued for the perpetual right to the use of the water, it will be necessary for you to submit proof of the beneficial use of the water. Under the terms of the permit this proof is due July 10, 1925.

Sixty days prior to this date you should file your notice of intention to make such proof, upon the enclosed forms, the date for making proof being set far enough ahead to allow for the required five publications of the notice. This notice is required to be published in some paper in the county in which the lands are located.

Very truly yours,

T. G. SWENSON
Commissioner of Reclamation

By _____
Chief Clerk

CB:EK

14773

To W. G. Swendsen,

Commissioner of Reclamation

Boise, Idaho.

Dear Sir:

Receipt of notice that Permit No. 14773
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 Christooher. Ill., this 24th
day of December, 19 24.

Ella Thindman

Applicant

By _____

Agent

14773

Glenns Ferry Ida
Mr W B Swendsen
Commissioner of Reclamation
Boise Ida

Dear Sir I am Returning the Attached Paper
filled out & Witnessed & the fee of \$3.00
With Mrs Hindman Return to me for
forwarding to your office When the
Certificate is issued Will you kindly
address me of it being Mailed to Her
Her address is Mrs Ella Hindman
Christopher Ill as you will Notice on the
Attached Papers Thanking you for Past favors
I am

Yours Respectfully
Richard Kellogg
P.O. Box 311
Glenns Ferry Ida

PERMIT No 14773

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. Ella Hindman- 44- Christopher, Ill.- housewife-

Christopher, Illinois

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

Ans. _____

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

Ans 14773- June 11, 1920- 0.2 cu.ft. per second-of waters of
Unnamed Stream, with point of diversion located NE- NW- Sec. 27, Township
5 South, Range 10 East, Boise Meridian

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 and domestic- 18.4 - Part of SW- NW- Sec. 27, Township 5
South, Range 10 East of Boise Meridian, lying north of the King Hill
Irrigation District's lateral No. 12

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

Ans. Water has been in continuous use since granting of permit

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 Fully completed-March 31, 1921- Comply fully with terms of permit

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. _____

Ques 8 Give description of works and state dimensions and capacity of each part as they existed on March 31, 1921, and give cost of same.

Ans Open ditch one foot wide by 18 inches in depth - \$ 25.00

(Sign here.)

Ella Hindman

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

Franklin, State of Illinois, on this _____ day of

December A. D. 1921

My Commission expires Sept 5 27

[Signature]
Notary Public.

14773

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

PERMIT No. 14773

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. John A. Kellogg - 72 - Glenn Ferry, Idaho
Farmer, Glenn Ferry, Idaho

Ques 2. Are you acquainted with Ella Lindman, the holder of Permit No. 14773, authorizing the diversion of 0.2 second-feet of the waters of

unnamed stream, at NE⁴ NW⁴ Sec. 27 for irrigational purposes? How long have you known him, and where does he reside?

Ans. Donalson Yes, Five years, Christopher, Ill.

Ques 3. Have you read or heard read said Permit No. 14773, 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, Agricultural land, sandy
about 0.4 second ft.

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, March 31, 1921

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. Open ditch - 12 in. wide 18 inches deep
about twenty inches or 0.4 second ft.

(Sign here)

John A. Kellogg

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 Glenn Ferry, County

of Elmore, State of Idaho, on this 6th day of

Jan A. D. 1925

My commission expires April 7, 1926

Albert E. Leergott
Notary Public.

14773

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

PERMIT No. 14773

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. Carl Leingruber - 36 - Pineda Ferry, Ida.
Farmer - Pineda Ferry, Ida.

Ques. 2. Are you acquainted with Elia Hincman, the holder of Permit No. 14773, authorizing the diversion of 0.2 second-feet of the waters of Unnamed stream, at NE⁴ NW⁴ Sec. 27 T⁴W. 5 - South Range 10 E. B. M. for irrigation purposes? How long have you known him, and where does he reside?

Ans. Yes - 7 or 8 years - Pineda Ferry, Ida.

Ques. 3 Have you read or heard read said Permit No. 14773, 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 - 2 1/2 acres of irrigable land - 1/4 sec. 27
0.4 sec. 27

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 - March, 1917

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. Open ditch, 12 in. deep, 100 ft. long
2 in. wide - 100 ft. long

(Sign here) Carl Leingruber

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 Pineda Ferry, County of Elmore, State of Idaho, on this 6th day of June

A. D. 1917

My commission expires July 7, 1918

Robert E. Leung
Notary Public.

14773

STATE OF IDAHO
C. C. MOORE, GOVERNOR
DEPARTMENT OF RECLAMATION
W. G. SWENDSEN, COMMISSIONER
BOISE

December 15, 1924.

Re: Permit No. 14773

Mr. Richard Kellogg,
Box 311,
Glenns Ferry, Idaho.

Dear Sir:

We are enclosing herewith forms for reinstatement of the above numbered Permit, in the name of Ella Handman.

These should be filled out and returned to this office, accompanied by \$5.00, statutory fee for completion of works certificate.

Before this certificate can be issued in your name an assignment of this permit to you must be recorded in this office.

Upon receipt of these papers properly filled out and assignment, together with fees in the sum of \$5.00, a certificate of completion of works will be issued.

Very truly yours,

W. G. SWENDSEN,

Commissioner of Reclamation

By *[Signature]*
Chief Clerk.

E.
Encs.

14773

December 15, 1924.

Re: Permit No. 14773

Mr. Richard Kellogg,
Box 311,
Glenns Ferry, Idaho.

Dear Sir:

We are enclosing herewith forms for reinstatement of the above numbered Permit, in the name of Ella Hindman.

These should be filled out and returned to this office, accompanied by \$5.00, statutory fee for completion of works certificate.

Before this certificate can be issued in your name an assignment of this permit to you must be recorded in this office.

Upon receipt of these papers properly filled out and assignment, together with fees in the sum of \$5.00, a certificate of completion of works will be issued.

Very truly yours,

W. O. SWENDSEN,

Commissioner of Reclamation

By Chief Clerk.

E.
Encs.

14773

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

December 15 1924.

Re: Permit No. 14773

To: Ella Hindman

Glenns Ferry, Idaho.

It appearing to the Commissioner of Reclamation that the terms and conditions of Permit No. 14773, to appropriate the Public Waters of the State of Idaho, have not been complied with as to

Proof of Completion of Works by July 10, 1923.

you are hereby notified in compliance with Sec. 5594, Compiled Statutes of Idaho, that said Permit No. 14773 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. 14773 claims the use of 0.2 cubic feet per second of the waters of Unnamed Stream, with point of diversion located NE 1/4 NW 1/4 Section 27, Township 5 South, Range 10 East, Boise Meridian, and was approved June 11, 1920.

In Witness Whereof, I have hereunto set my hand and affixed the seal of my office at Boise, Idaho, this 15th day of December, 1924.

W. G. SWENSON

Commissioner of Reclamation.

By

Geo M. Carter
Deputy.

14773

14773

Glennis Ferry Ida

Dec 15 - 24

Mr W B Swendsen
Commissioner of Reclamation
Boise

Ida

Dear Sir Received your letter of Dec 13 Replying
to mine of 11th asking for Information Regarding
filling of water right By Ella Hindman to
irrigate the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec 27 Township 5
South Range 10 East Bas Meridian in Owyhee
County I Note in your Answer to Me
that thought Ella Hindman failed to
Make Prog of Completion of Works &
beneficial use of Water in the
diversion Works were Completed in
1923 it would be possible to Renew
this Permit & Make Prog at this time
these Works were Compleat & Water
was used to irrigate this land in
1923 & had been for some 3 or 4
years previous to 1923 Can

14773

you advise Me as to what steps
Would be necessary to Make this
Proof & And get this Permit Reinstated
Would Ella Hindman Have to Make
this Proof or if I Bought this
Land from Her Could I Make
this Proof And what Would be
the Cost to Make the steps
necessary to Making this Proof
And How Much Water did
Ella Hindman fill on
Thanking you for the Informant
already given Me & Trusting
you can furnish Me with the
Informant asked for in this letter
I am sincerely

O. E.
Unmarried
H. C. C.
P. O. 10

Yours Truly
Richard Kellogg
P. O. Box 31
Glenn's Ferry
Idaho

14773

December 13, 1924.

Re: Permit No. 14773.

Mr. Richard Kellogg,
Box 311,
Glenns Ferry, Idaho.

Dear Sir:

Reference is made to your letter of December 11th, asking information regarding water right for the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 27, Township 5 South, Range 10 East, Boise Meridian, in Owyhee County, Idaho.

You are advised that Ella Handman filed on the waters of an unnamed stream to irrigate this land but that the filing has lapsed through failure of the holder to make proof of completion of works and beneficial use of water. If the diversion works were completed in 1923, it is possible to reinstate this permit and make proof at this time.

There are two other rights in good standing upon this stream. Mr. Robert Duffy has certificate for completion of 0.8 second feet and Mr. V. M. McKeeth for 0.2 second feet.

Very truly yours,

W. O. SWENDSEN,

Commissioner of Reclamation

E.

By

Chief Clerk.

14773

1773

Glenn's Ferry Ida
12-14-24

State of Idaho
Dept of Reclamation
Boise Ida

Chief Clerk

Dear Sir Could you give
any information as to whether there
is any record in your office
of J E Hindman & Ella Hindman
filling a Water right seven
years ago for to Water about
of NW 1/4 NW 1/4 Sec 27 Township 6S
R 10 East Bada M. from a
small stream that flows
through the above described
Property I am very Desirous

I gity this Informer as
I am on a Deal With them
to Buy this Property And then
seems to be a guide to this Water
I will give you the following
Information which May be
of some Help to you in
giving me the Informer which
I wished Hinckman's Water
as Part of this Property from
this stream for 6 years to
my Knowledge and for how
much longer before I don't
know about about 2 1/2 years
ago they sold this Piece

14173

A Moved a way since the
 Place Has Come Back to them
 This ~~settled~~ Stream Rises about
 1/2 Mill S E of the Property
 & flows N W ~~across~~ the Place
 Now the Party that Bought them
 and let the Place go back &
 Moved off. No ~~one~~ fanned it
 this last Season and I think
 stated that a Party on below
 on this stream has filled it
 this last Spring & and claims
 this water ~~high~~ ^{high}
 writes me that ~~they~~ filled
 on it but have pulled up

On it what I would like
 to have it is then not proving
 up ~~and that~~ it would
 come the water. Water be forgot
 over and the house of it
 hold then water to it good
 thanking you for any deposits
 you can give me on this as
 I don't want to buy my self
 in to oil and such. Now would
 the land be any value to
 me with out this water.

Yours Respectfully
 Richard Bell
 Henry Tracy
 P.O. Box 311

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Ella Hindman,
Glenns Ferry, Idaho.

Boise, Idaho,
April 6, 1923.

Dear Sir:—

Under the terms of your permit No. **14773**.....you are required to complete your diversion works on or before **July 10, 1923.** 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.

14773

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Permit No. 14773
Ella Hindman
Glenns Ferry, Idaho.
Dear Sir:

Boise, Idaho,
July 16, 1920.

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

W. G. Swendsen
Commissioner of Reclamation.

14773

Name of Applicant: Mr. Hindman

