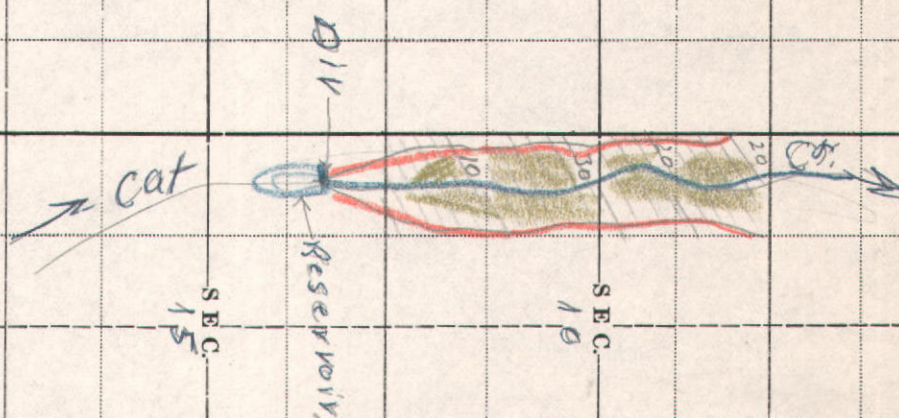


NAME OF APPLICANT Sam B. Bieroth #14229



76586E

14 339

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

Notice is hereby given that at 10 a.m. on the 16th day of April, 1920, at Bruneau, County of Owyhee, State of Idaho, before Charles Pascoe, Notary Public, proof will be submitted of the application to beneficial use of 1.9 cubic feet per second of the waters of Cat Creek in accordance with the terms and conditions of Permit No. 14339 heretofore issued by the State Engineer of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are Samuel B. Biereth; Rowland, Nevada.

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

3. The amount applied to beneficial use is 1.9 cubic feet.

4. The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) NW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 10, Township 16 South, Range 6 East, B M.

5. The date of priority which said user is prepared to establish is October 8, 1919.

W. G. SWENDSEN,

Commissioner of Reclamation.

First publication March 4

Last publication March 25

Affidavit of Publication

STATE OF IDAHO } ss.
County of Owyhee }

Charles Pascoe

being duly sworn, deposes and says that he is the

publisher of The OWYHEENUGGET,
a weekly newspaper published at Bruneau, Idaho;
that the said newspaper is in general circulation in
Owyhee County; that a copy of the above notice, as
per copy attached, was published in the regular
and entire issue of said newspaper for 4
consecutive weeks, beginning with the issue of
March 4 19 20, and ending
with the issue of March 25 19 20.

Subscribed and sworn to before me, his 16th

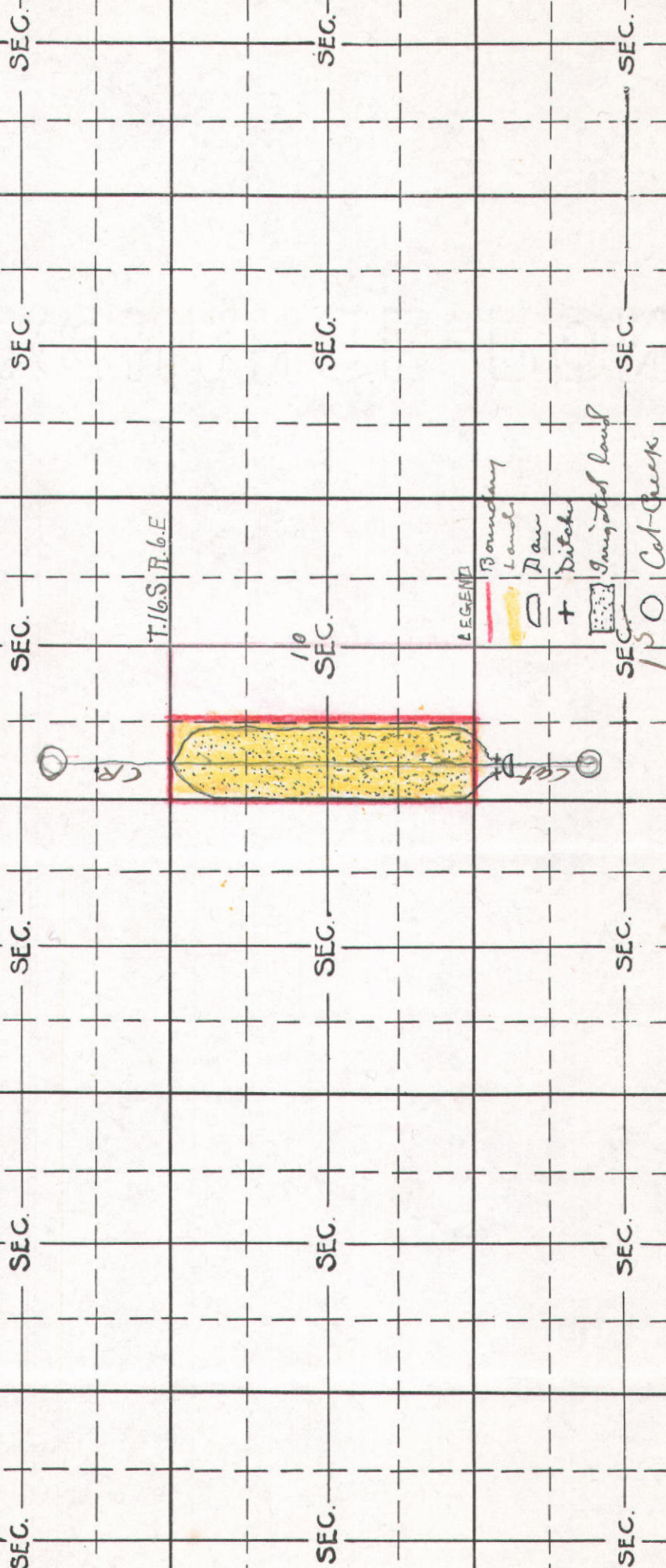
day of April 19 20.

M. E. Reynolds
Notary Public.

14 339

Samuel B. Bieroth, Eganland, Nevada

Samuel B. Bieroth, Eganland, Nevada



14339

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

State of Idaho

License and Certificate of Water Right

Water License No. 14339Amount 1.6 sec. ft.Water District No. 57-G.Priority 10/8/19

THIS IS TO CERTIFY that **SAMUEL B. BIEROTH**
 of **Rowland Nevada**, made application for a permit to appropriate the
 public waters of the State of Idaho, dated **October 8**, 19 **19**; that Permit No. **14389**
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of **1.9**
 second feet, was issued thereunder on **May 19**, 19 **20**, showing that said works
 were completed on the **16th** day of **April**, 19 **20**; and that on the **16th**
 day of **April**, 19 **20**,

SAMUEL B. BIEROTH

of **Rowland Nevada**, State of **Nevada**, made proof to the satisfaction of the
~~Commissioner of Reclamation~~ **Commissioner of Reclamation** of Idaho, of a right to the use of the waters of **Cat Creek**,
 a tributary of **Sheep Creek**, for the purpose of **Irrigation & Domestic use.**
 under Use Permit No. **14339** of the ~~State Engineer~~ **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 ~~State~~
~~Commissioner of Reclamation~~ **Commissioner of Reclamation** of Idaho and entered of record in Volume **5** of Licenses, at page **2737**, on the **8th**
 day of **December**, 19 **20**;

The right hereby confirmed dates from **October 8**, 19 **19**;

The Point of Diversion is located
 in the **NW 1/4 NW 1/4**, Sec. **15**, Twp. **16 S.**, R. **6 E.**, B. M. **County of Owyhee**

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
 aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not
 exceed **1.6** cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
16 S	6 E.	10	NW $\frac{1}{4}$ NW $\frac{1}{4}$	20	20
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	25	20
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	30	30
			SW $\frac{1}{4}$ SW $\frac{1}{4}$	20	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 ~~State Engineer~~ **Commissioner of Reclamation**, affixed at Boise, Idaho, this **8th**
 day of **December**, 1920

W. G. SWENDSEN.

Commissioner of Reclamation ~~State Engineer.~~

By: **S. T. Baer,**
 Deputy.

(SEAL)

State of Idaho
License and Certificate of Water Right

Water License No. 12386Amount 0.6 cfs. ft.Water District No. 57-A.Priority 7/28/15

THIS IS TO CERTIFY that **HAZEL B. OWENS**,
of **Bruneau, Idaho**, made application for a permit to appropriate the
public waters of the State of Idaho, dated **July 28**, 19 **15**; that Permit No. **12386**
was issued under said application; that Certificate of Completion of works, with a carrying capacity of **1.52**
second feet, was issued thereunder on **April 12**, 19 **19**, showing that said works
were completed on the **3rd** day of **April**, 19 **19**; and that on the **10th**
day of **October**, 19 **19**,

HAZEL B. OWENS

of **Bruneau**, State of **Idaho**, made proof to the satisfaction of the
~~State Engineer~~ **Commissioner of Reclamation** of Idaho, of a right to the use of the waters of **Unnamed Stream**,
a tributary of **Jacks Creek**, for the purpose of **Irrigation & Domestic use**,
under Use Permit No. **12386** of the State Engineer, and that said right to the use of said
waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the ~~State~~
~~Engineer~~ **Commissioner of Reclamation** of Idaho and entered of record in Volume **5** of Licenses, at page **2736**, on the **8th**
day of **December**, 19 **20**;

The right hereby confirmed dates from **July 28**, 19 **15**;

The Point of Diversion is located
in the **NE 1/4 NE 1/4**, Sec. **5**, Tp. **10 S.**, R. **2 E.**, B. M. **County of Owyhee**

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not
exceed **0.6** cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
10 S.	2 E.	4	NW 1/4 NE 1/4	42	15
			SW 1/4 NE 1/4	34	15

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 ~~State Engineer~~ **Commissioner of Reclamation**
day of **December**, 19 **20**

(SEAL)

W. G. SWENDSEN
Commissioner of Reclamation ~~State Engineer~~
By: **S. T. Baer**,
Deputy

APPLICATION FOR PERMIT 51-2068

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. 20411
Permit No. 14339
District No. 57-C

1 Name of Applicant: Samuel B. Bieroth.

Postoffice address: Rowland County: Elko State: Nevada.

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: 1.9 cubic feet per second.

3 Source of water supply: Cat Creek which is a tributary of Sheep Creek.

4 Location of point of diversion: feet distant from the
corner of Section , T. , R. , B. M., and is in the NW $\frac{1}{4}$ NW $\frac{1}{4}$
of Section 15 , T. 16 S. , R. 6 E. , B. M., County of Owyhee.

5 Water is to be used for: Irrigation and domestic purposes.

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: Dam & ditches.

9. Height of dam 4 feet; length of dam at top 25 feet; length of dam at bottom 10
feet; material used in dam Earth, rock and sagebrush.

10. Size of headgate: Width 3 feet; height 1 $\frac{1}{2}$ feet.

11. Ditch: Width at bottom 3 feet; width at water line 5 feet; depth of water 1
feet; dimensions of flume

Diameter of pipe inches; length of conduit 2 miles.

Average grade per mile 10 feet.

12. The time required for the completion of such work is $\frac{1}{2}$ 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.

Samuel B. Bieroth. Applicant.

By Charles Pascoe. Agent.

Commissioner of Reclamation
Date of first receipt at office of State Engineer 9:00 A. M. Oct. 8, 1919.

Returned to applicant for correction

Corrected application received

COMMISSIONER OF RECLAMATION
APPROVAL OF STATE ENGINEER

The number of this permit is 14339
Recorded in Book 50 Page 14339 Approved October 18, 1919.
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 December 17, 1919 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 18, 1920.
The whole of said work to be completed on or before April 18, 1920.
Beneficial use of water appropriated in accordance herewith, to be made on or before April 18, 1920.

Witness my hand this 18th day of October, 1919.

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	
	16 S.	6 E.	10					20	25			30	20					95		
A Ditch will be taken out on each side at the Pt. of Diversion. Proof Completion of Works made: April 16, 1920. Certificate issued: May 19, 1920. Permit No. 14339 CERTIFICATE OF COMPLETION OF WORKS. TO ALL WHOM IT MAY CONCERN: This is to certify that Samuel B. Bieroth, of Rowland, County of Elko, and State of Nevada, the holder of Permit No. 14339, issued upon Application No. 20411, bearing date of priority of October 8, 1919, authorizing the diversion of 1.9 second feet of the waters of Cat Creek, County of Owyhee, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 1.9 second feet of the waters of Cat Creek; that the point of diversion of said waters is in the NW¼NW¼ Sec. 15, T. 16 N., R. 6 E., B. M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: NW¼NW¼, SW¼NW¼, NW¼SW¼ and SW¼SW¼ Sec. 10, T. 16 S., R. 6 E., B. M. Witness my hand this 19th day of May, A. D. 1920. W. G. Swendsen Commissioner of Reclamation. By: S. T. Baer. Deputy.																				

STATE OF IDAHO)
(SS
COUNTY OF ADA)

I, E. V. BERG, Commissioner of Reclamation of the State of Idaho, do hereby certify that the Attached is a full, true and correct copy of State License and Certificate of Water Right, Number 14339, as the same appears of Record on page 2737, of Volume 5, of License Records, of the State Department of Reclamation, Boise, Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of my office in Boise, Idaho, this 3rd day of August, 1942.

E. V. BERG
Commissioner of Reclamation

RWT:LOC

14339

STATE OF IDAHO

LICENSE AND CERTIFICATE OF WATER RIGHT

Water License No. 14339
Water District No. 57-C

Amount 1.6 sec. ft.
Priority 10/8/19

THIS IS TO CERTIFY that SAMUEL B. BIEROTH of Rowland, Nevada, made application for a permit to appropriate the public waters of the State of Idaho, dated October 8, 1919; that Permit 14339 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 1.9 second feet, was issued thereunder on May 19, 1920, showing that said works were completed on the 16th day of April, 1920; and that on the 16th day of April, 1920, SAMUEL B. BIEROTH of Rowland, State of Nevada, made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of a right to the use of the waters of Cat Creek, a tributary of Sheep Creek, for the purpose of Irrigation & Domestic use, under use Permit No. 14339 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 5 of Licenses, at page 2737, on the 8th day of December, 1920;

The right hereby confirmed dates from October 8, 1919;

The Point of Diversion is located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 15, Township 16 South, Range 6 E. B. M., County of Owyhee.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 1.6 cubic feet per second.

Description and location of use: Township 16 S., Range 6 E., Section 10,

TWP.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually irrigate
16S	6E.	10	NW $\frac{1}{4}$ NW $\frac{1}{4}$	20	20
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	25	20
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	30	30
			SW $\frac{1}{4}$ SW $\frac{1}{4}$	20	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 8th day of December, 1920.

W. G. SWENDSEN.
Commissioner of Reclamation
By: S. T. Baer, Deputy.

(SEAL)

14339

AUGUST 3, 1942

McNAMARA & ROBBINS
ATTORNEYS AT LAW
Elko
Nevada

Gentlemen:

RE: Permit #10779
Permit #7460
License #14339

We wish to acknowledge receipt of your letter of July 29, in regard to a water right on what is called the Fred B. Hall ranch, located in Owyhee County, Idaho and to which was given us as reference to the above numbered permits and license, which are supposed to be connected therewith.

Our records disclose that Permit #10779 is in the name of W. D. Spratling of Bridge, Idaho and the source of supply of water filed on is Raft River in Cassia County.

Permit #7460 was cancelled by this Department, September 10, 1927 for failure to make proofs. The Status of same is as follows:

Permit #7460

Applicant - Fred B. Hall by
Stanton Park, Agent of Mountain Home,
Idaho, who would be a good man to contact
in regard to securing information.
Filed on May 20, 1911.
Amount of filing - 3.2 c. f. s.
Source - Cat Creek.

The location of point of diversion - Eight miles above the mouth of Cat Creek and approximately two and one-half miles North of the Idaho-Nevada line, unsurveyed land, Owyhee County.

The land to be irrigated is a strip of land averaging one-fourth mile in width and about a mile in length, lying on either side of Cat Creek, and extends from the point of diversion down the Creek. Location - Approximately Township 16 South, Range 5 E. B. M.
Cancelled - September 10, 1927.

14339

-----2 McNamara & Robbins

Our records disclose a water license issued to Samuel B. Bieroth. We are enclosing a Certified copy of this license. This license is for water on Cat Creek, and is the only water right we have on record on Cat Creek. We believe this may be the water right for the land in question. Our Statutory charge for a certified copy of Water License is \$1.50, which you may remit to this Department.

Hoping this information will be of some value.

Very truly yours,

E. V. BERG
Commissioner of Reclamation

By: ROY W. THOMPSON
Deputy Commissioner

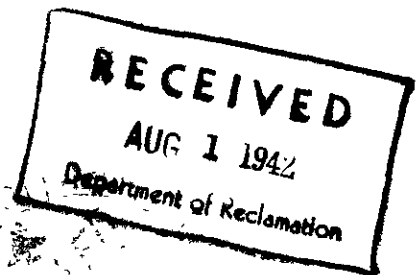
RWT:LOC
Enc: 1

14339

J. M. McNAMARA
JOHN E. ROBBINS
A. L. PUCCINELLI

McNAMARA & ROBBINS
ATTORNEYS AT LAW
ELKO, NEVADA

July 29, 1942



State Engineer of Idaho,
Boise, Idaho.

Dear Sir:--

We represent Bernard Yribarne, the owner of the old so-called Fred B. Hall Ranch, in either Elmore or Owyhee County, Idaho, described as being the $W\frac{1}{2}$ of the $NW\frac{1}{4}$ and $W\frac{1}{2}$ of the $SW\frac{1}{4}$ of Section 10, Township 16 South, Range 6 East, Boise, Meridian.

We are desirous of obtaining information regarding the status of certain water rights which may have been acquired by Fred B. Hall many years ago in connection with the above-described lands. There has been handed to us a receipt dated June 13, 1911, acknowledging receipt of \$1.00 from Fred B. Hall by A. E. Robinson, State Engineer, in payment of filing fee on application for Permit No. 10779.

We also have a letter addressed to Fred B. Hall, dated August 9, 1911, indicating that there was enclosed with such letter Permit No. 7460, issued out of your office for waters of Cat Creek.

Cancelled - Sept 10 - 1927

Our client, Mr. Yribarne, acquired these lands from the Henderson Banking Company, of Elko, Nevada, which corporation in turn had acquired them from S. B. Bieroth, who had acquired them from Fred B. Hall and Bessie Hall, his wife.

At your convenience may we ask that you advise us as to the status of any water rights which may be appurtenant to the lands described, and any fees due you for this service will be promptly paid upon your advices.

Thanking you in advance, we are,

Very truly yours,

McNAMARA & ROBBINS

BY *[Signature]*

John E. Robbins

JER/McF.

14 339

Bridge office - in Ross Room

M. D. Spratling

7460
in Land Trunk originated as a strip of land averaging 1/4 mile
width and about a mile in length lying on either
side of Cat Creek, and extends from the point of diversion
down the creek. Location approx Prop. 16 South
Range 5 Base 12.00

White Starline Park Agent - Mr. Horne

Point of Div - 8 mi above the mouth of Cat Creek
and approx 2 1/2 mi north of the Idaho-Nebraska line
County of Custer.

Filed May 20 - 1911
Amount - 3.2 L. 91
Source Cat Creek

14339

Prime 2739 only valid to line of filing on Cat Creek.

December 21, 1920

Re. Permit No. 14339.

Mr. Samuel B. Bieroth,
Rowland, Nevada,

Dear Sir:

Enclosed herewith is water license issued
under the above numbered permit, with receipt for
fees paid.

Yours very truly,

W. G. SWENDSEN
Commissioner of Reclamation

By _____

WL. R- 6045

14339



D. W. DAVIS, GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

W. G. SWENDSEN, COMMISSIONER

BOISE

September 17,
1920

BUREAU OF WATER RESOURCES
WATER APPROPRIATIONS
CAREY ACT DEVELOPMENT

Re Permit No. 14339 -
Samuel B. Bieroth

Mr. Charles Pascoe
Bruneau, Idaho

Dear Sir:

Upon receipt of fees in the sum of \$8.00
water license will be issued under the above numbered
permit.

Very truly yours,

W. G. SWENDSEN

Commissioner of Reclamation

By C Brown

Please take the above payable to the Commissioner of
Reclamation, Boise, Idaho.

14339

September 17,
1920

Re Permit No. 14339 -
Samuel B. Bieroth

Mr. Charles Pascoe
Bruneau, Idaho

Dear Sir:

Upon receipt of fees in the sum of \$8.00
water license will be issued under the above numbered
permit.

Very truly yours,

W. G. SWENDSEN

Commissioner of Reclamation

By _____

14339

REPORT OF ENGINEER

This proof is for Beneficial UseIn Water District No. 57-C1. State name of applicant and number of permit: Samuel B. Bieroth- Permit 143392. State source of water supply: Cat Creek3. Location of point of diversion: NW¹SW¹ Sec.15, T. 16 S., R. 6 E., B.M.

4. Describe works as they exist, giving dimensions and capacities of same:

Earth and rock dam, 10' H. 135' long.12" G.I. pipe, outlet."2 ditches, 2' B. 1' D. Cap. 1 S.F. each.5. State whether or not water has been turned into works of diversion: Yes.6. Give exact location 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): NW¹SW¹, SW¹SW¹, NW¹SW¹ & SW¹SW¹ Sec.10, T. 16 S., R. 6 E., B.M.NW⁴ NW⁴, 20 A. Cult. SW⁴ NW⁴, 20 A. cult. N⁴ SW⁴, 30 A. cult.
SW⁴ SW⁴, 10 A. cult.

7. Submit map on enclosed plat, showing location and details of above description.

8. How many parties conduct water in this system? One'

9. Give names and amount of each right:

10. What large stream would the water here appropriated finally reach? Snake River.11. Describe the various tributaries en route, from point of diversion to the principal drainage stream: From land to Cat Creek, to Bruneau River, to Snake River.

Remarks:

This examination was made on the 31st day of July 1920.

(Signed)

L.R. Abnett.

Examiner.

Dist. 57-C

Sam'l B. Bieroth
Rowland, Nev.

Permit 14340
14334

15-1656E

Instructions to Examiners

1. Examiners will not be permitted to examine any of the receipts in the office pertaining to this permit. They are to furnish a report of the facts and conditions as they exist, from their own observations and inquiries.
2. Always carefully note the location of the point of diversion, and accurately plat same.
3. Find out how many parties own right in the ditch or canal and give their names and amount of right.
4. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
5. 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.
6. If any unusual conditions are discovered, make a plain statement of them under remarks.
7. 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.

(This report must be sworn to when not made by an attache of the office)

STATE OF IDAHO,

ss.

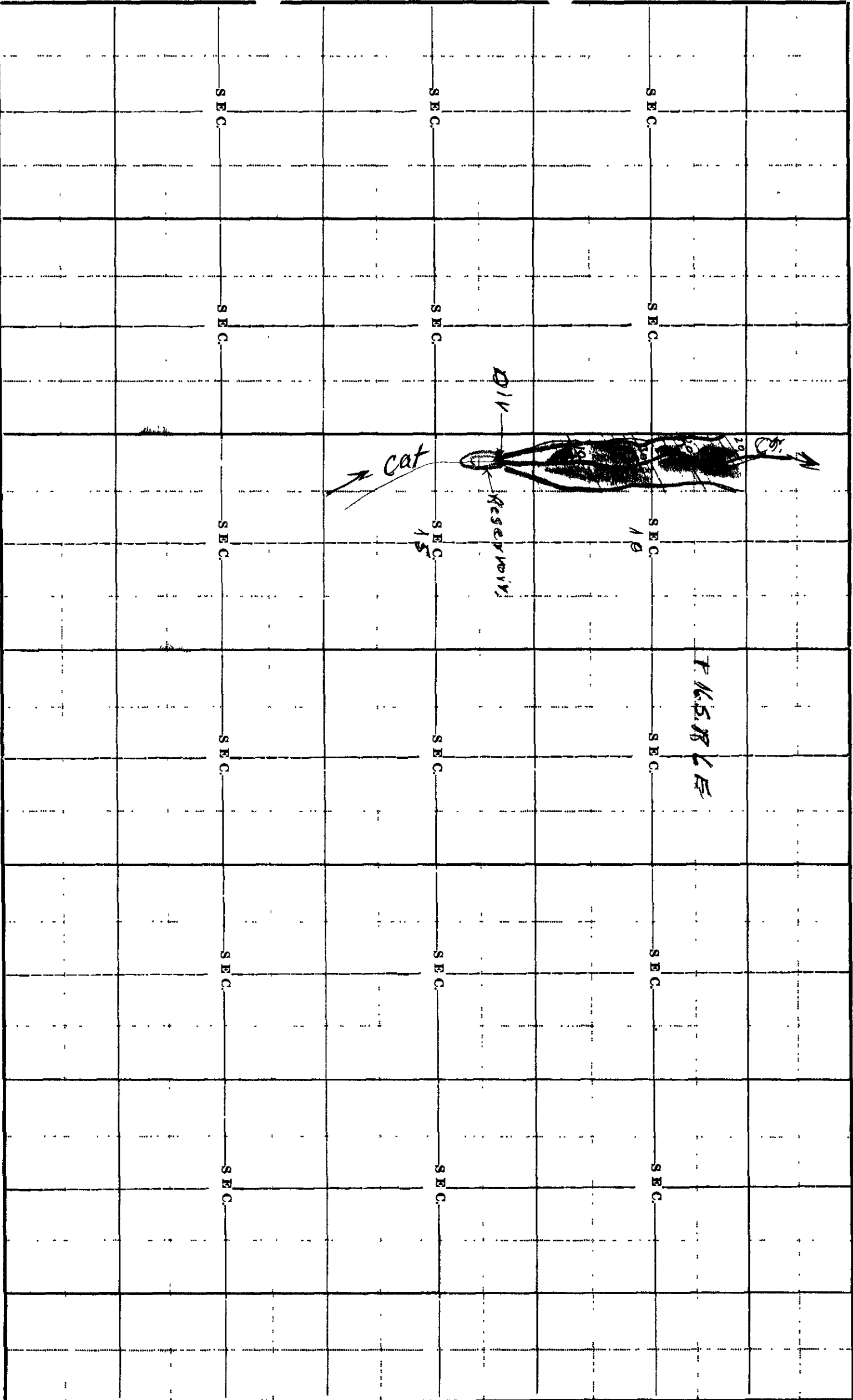
County of _____

_____, being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this _____ day of _____, 19____

My commission expires _____ Notary Public.

NAME OF APPLICANT Sgt. B. E. Ely. Th # 14-29.



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

May 22, 1920.

Re: Permit 14339.

Samuel E. Biebeth,
Rovland, Nevada.

Dear Sir:-

Enclosing herewith certificate of completion of work
issued under above permit, with receipt for fees paid.

Very truly yours,

W. C. SWENDESEN,

Commissioner of Reclamation.

By _____

CCW-R5061

14 3 39

April 17, 1920.

Re Permit 14339- Samuel B. Bieroth.

Mr. Charles Pascoe,
Brunau, Idaho.

Dear Sir:--

We are today in receipt of your letter of the 16th inst., enclosing affidavit and fee for proof of completion of works under the above permit, together with depositions and affidavit of publication for proof of beneficial use of water. The certificate of completion will be issued and mailed to you soon.

As soon as our engineer can make the required examination for the proof of beneficial use of water, you will be further advised as to fees required before issuing license.

Very truly yours,

W. J. SWENSON,

Commissioner of Irrigation.

By _____

14339

CHARLES PASCOE

U. S. COMMISSIONER

BRUNEAU, IDAHO

April 16th, 1920

**The Commissioner of Reclamation
Boise, Idaho.**

**Dear Sir: Enclosed find Proof of Completion of Works and Proof of Application
of Water to Beneficial Use of Samuel B. Biereth, Rowland, Nevada, with my check for
\$5.00 accompanying Proof of Works; also affidavit of publication of Notice.**

Very truly yours,

Charles Pascoe

14339

Permit No.

STATE OF IDAHO
Department of Reclamation

PROOF OF COMPLETION OF WORKS

AFFIDAVIT OF HOLDER

STATE OF IDAHO,

County of Owyhee } ss.

Samuel B. Bieroth

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

First: That he is the holder and owner of Permit to Appropriate the Public Waters of the State of Idaho, No. 14539, and that his postoffice address is Rowland
State of Nevada

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

Third: That the point of division of said water is NW $\frac{1}{4}$ Sec 15, Township 16 South, Range 6 East, B.M.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by April 18, 1920

Fifth: That the use for which said water is intended is irrigation and domestic

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

I. Kind of works: Dam and ditches

(Reservoir, dam, ditch, flume, pipe or otherwise)

II Dimensions of work:

(a) Height of dam 4 feet, length of dam at top 25 feet, length of dam at bottom 10 feet. Material used in construction earth, rock and sagebrush

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir.....acre feet.

(c) Size of headgate: Width 5 feet, height $\frac{1}{2}$ feet.

(d) Conduit ditch width at bottom 5 feet, width at water line 5 feet, depth of water 1 feet; diameter of pipe.....inches, average grade per mile is 10 feet. Length of conduit is 2 miles.

Seventh: That said works are capable of conducting to the place of intended use 1.9 second feet of water.

Eighth: That water appropriated under said permit is available for 95 acres of land described as follows: 20 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, 25 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, 30 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, 20 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 10, Township 16 South, Range 6 East, B.M.

Ninth: Remarks: That.....

Samuel B. Bieroth
(Sign here)

Subscribed and sworn to before me this 16th day of April, 1920

Charles Vaseon

Notary Public.

My commission expires June 27, 1925

14339

Affidavit of Publication

STATE OF IDAHO }
County of Owyhee } ss.

Charles Pascoe

being duly sworn, deposes and says that he is the
publisher of The OWYHEENUGGET,
a weekly newspaper published at Bruneau, Idaho;
that the said newspaper is in general circulation in
Owyhee County; that a copy of the above notice, as
per copy attached, was published in the regular
and entire issue of said newspaper for 4
consecutive weeks, beginning with the issue of
March 4 19 20, and ending
with the issue of March 25 19 20

Subscribed and sworn to before me this 16th

day of April 19 20.

M. E. Reynolds
Notary Public

14 339

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. Sammal B. Bieroth; 62 years; Rowland, Nevada; stockman and rancher;
Rowland, Nevada

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. Acting for myself

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

Ans. 14339; October 18th, 1919; October 8, 1919.

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

Ans. Cat Creek; N W $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 16, Township 16 South, Range 6 East, B.M.

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, rock and sagebrush dam 4 feet high, 25 feet long on top; leading from
it a ditch 3 feet wide on bottom, 5 feet wide at water line; 1 foot deep, conveying
1.9 cubic feet of water to place of use.

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 and domestic; 20 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, 25 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, 30 acres
in NW $\frac{1}{4}$ SW $\frac{1}{4}$, 20 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$; Sec 10, Township 16 South, Range 6 East, B.M.
Cultivated land; all the land is cultivated and yielding good crops of hay;
6-room log house; log barn ample for ten head horses; all fenced with 3-wire
fence.

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

Ans. For irrigation and domestic use only.

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

Ans. 1.9 cubic feet

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

Ans. I am the only person

14339

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

Ans. For nineteen years water has been used on this place, but by myself only for the past three years, and in the quantity recently granted by permit, during May, June, July and August of each of the past three years.

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) Samuel B. Bieroth

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 April A. D. 1920

Charles Parsons

Notary Public

14339

APR 17 1920

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. **Homer Bedell; 47 years; rancher and steerman; Rowland, Nevada**Ques. 2. Are you acquainted with **Samuel B. Biereth**, the holder of Permit No. **14339**? How long have you known him and where does he reside?Ans. **Yes; 13 years; Rowland, Nevada**Ques. 3. Have you read or heard read said Permit No. **14339**, 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. **Oat Creek; NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 15, Township 16 South, Range 6 East, B.M. Earth rock and sagebrush dam, from which ditch 3 feet wide on bottom, 5 feet wide at water line and 1 foot deep conveys the water to the place of use**

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. **1.9 second feet, which I have seen safely conveyed to place of use**

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

Ans. **Irrigation and domestic; 20 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, 25 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, 30 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, 20 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 19, Township 16 South, Range 6 East, B.M. Cultivated land which has enabled holder to erect a fine 6-room log house; large log barn capable to care for a dozen head of stock; is all 3-wire fenced and yields annual crops of fine hay**

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

Ans. **Only for irrigation and domestic use**

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; requires all the water granted—1.9 cubic feet**

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. **During the irrigation of the past three years I have seen as much as 1.9 cubic feet of water applied and safely conducted to place of use**

(Sign) *Horner Bedell*

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 **16th** day of **April**, A. D. 19 **20**

Charles Passer
Notary Public.

My commission expires **June 27, 1920**

14 3 39

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. **William B. Biereth; 28 years; Tindall, Idaho; stockman and rancher; Tindall, Idaho**Ques. 2 Are you acquainted with **Samuel B. Biereth**, theholder of Permit No. **14339**? How long have you known him and where does he reside?Ans. **Yes; all my life; Rowland, Nevada.**Ques. 3 Have you read or heard read said Permit No. **14339**, 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. **Oat Creek; NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 15, Township 16 South, Range 6 East, B.M. Earth, rock and sagebrush dam, from which ditch 3 feet wide on bottom and 5 feet # at water line and 1 foot deep conveys 1. (cubic feet of water to place of use**

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. **All granted in permit of 1. cubic feet—which I have seen conveyed to place of use**

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

Ans. **Irrigation and domestic; 20 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, 25 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, 30 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, 20 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 10, Township 16 South, Range 6 East, B.M. Cultivated land, with large six-room log house, log barn for ten head stock; fenced all around with 3-wire fence, and yielding fine hay crop annually**

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

Ans. **Only irrigation and domestic**

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 formerly sagebrush; requires all the water granted by 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. **For three years past during the irrigation season of each year I have seen 1.4 cubic feet of water applied to the land described**

(Sign) *William B. Pierce*

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 **18th** day of **April** A. D. 19 **20**

Charles Pascoe
Notary Public.

My commission expires **June 27, 1920**

14 3 39

State of Idaho
ENGINEERING DEPARTMENT
BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE

BOISE, IDAHO,

Apr. 2, 1920.

Samuel B. Bieroth,

c/o Charles Pascoe,

DEAR SIR: Brunson, Idaho.

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

DEPOSITION OF PERMIT HOLDER,
14330
DEPOSITIONS OF TWO WITNESSES.

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

1 On-----, the date set for the proof of application of water to beneficial use, the enclosed deposition forms (one for permit holder and one each for two witnesses) should be filled out and sworn to at-----
April 16, 1920

Brunson, before Chas. 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 examining engineer, you will be further advised as to fees due before issuing license.

Yours truly,

State Engineer.
W. G. SWENDSEN,

14 339

January 26, 1920.

Re Permits 14339-14340-14341.

Mr. Charles Foscoe,
Brunnan, Idaho.

Dear Sir:—

We are in receipt of notices for beneficial use of water under the above permits, properly filled out. One copy of each will be mailed to the Owyhee Nugget in time for the required four weeks publication prior to April 15th and deposition blanks will be mailed to you.

At the time these proofs are made, the holders should not overlook making out the affidavits for proof of completion of works, blanks for which were enclosed in our last letter.

Very truly yours,

W. G. SWENDESEN,

Commissioner of Reclamation.

By _____

14339

THE OWYHEE NUGGET

CHARLES PASCOE, EDITOR AND OWNER

BRUNEAU, IDAHO

January 24, 1920

The Commissioner of Reclamation
Boise, Idaho.

Gentlemen: Enclosed are the applications for notice of publication and proof on the date fixed. Hope they are found to be correctly filled.

Very truly yours,

Charles Pascoe

By

Charles Pascoe

JAN 2 1920

14 339

NOTICE FOR PUBLICATION

NOTICE OF PROOF OF APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 10 a. m. on the 16th day of April, 1920,
at Bruneau, County of Owyhee, State of Idaho,
before Charles Pascoe, Notary Public, proof will be submitted
of the application to beneficial use of 1.9 cubic feet per second of the
waters of Cat Creek in accordance with the terms and conditions of
Permit No. 14339 heretofore issued by the State Engineer of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are
Samuel B. Bieroth, Rowland, Nevada
2. The use to which said water has been applied is irrigation and domestic
3. The amount applied to beneficial use is 1.9 cubic feet
4. The place where said water is used (if for irrigation, give full and accurate description of the
lands irrigated) NW¹ NW², SW¹ NW², NW¹ SW², SW¹ SW² Section 10, Township 16 South, Range
6 East, B.M.
5. The name of the canal or ditch or other works by which said water is conducted to such place
of use is _____
6. The right to take water from such works is based upon Permit No. 14339
7. The source of supply from which such water is diverted is Cat Creek
8. The date of the priority which said user is prepared to establish is October 18, 1919

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

57C
14339

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Permit No. 14339
Charles Pascoe,
Bruneau, Idaho.

Boise, Idaho,
October 21, 1919.

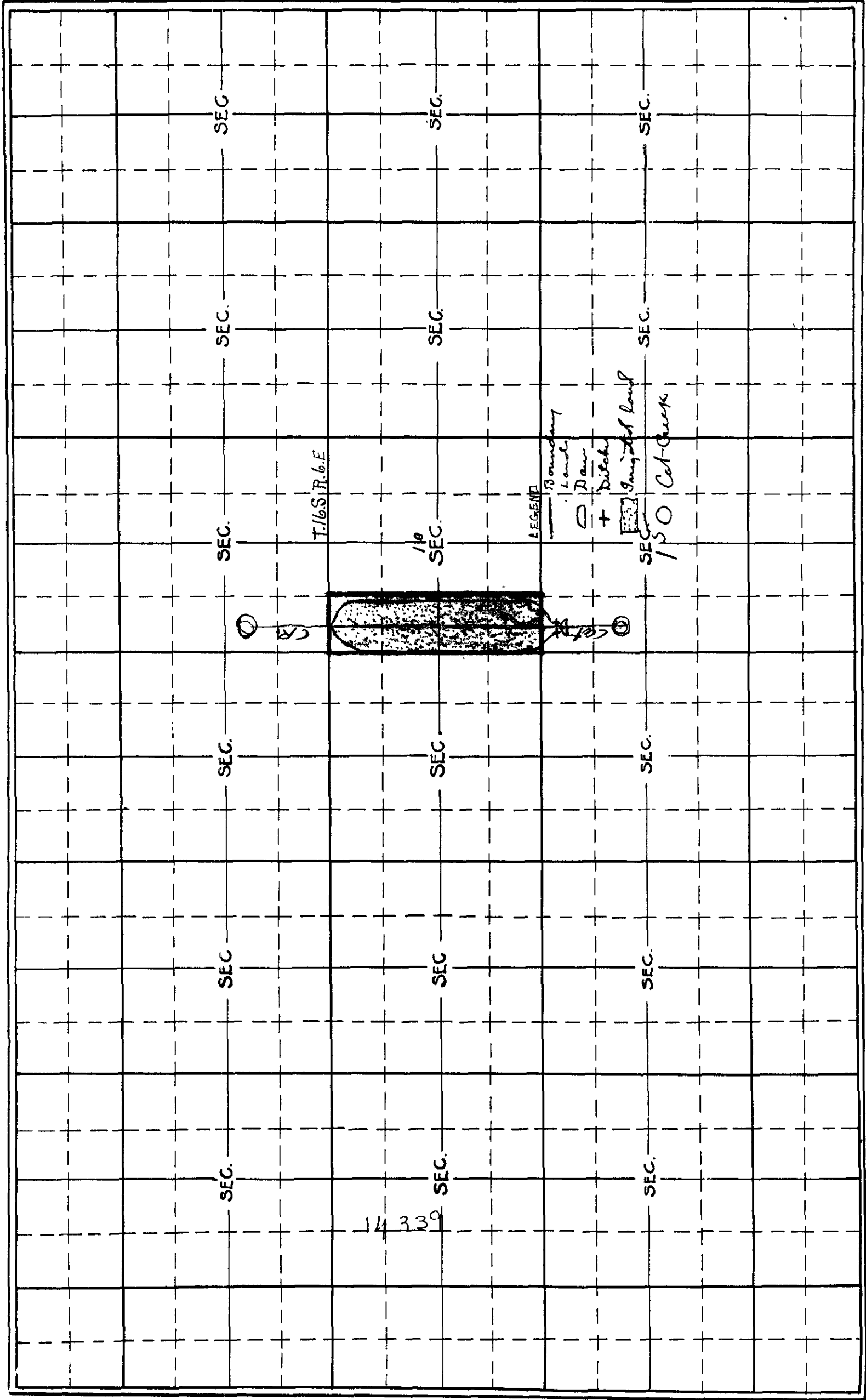
Dear Sir:

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

W. G. Swendsen.
Commissioner of Reclamation.

14 339

Name of Applicant Samuel B. Bieroth, Farland, Nevada



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

THE OWYHEE NUGGET

CHARLES PASCOE, EDITOR AND OWNER

BRUNEAU, IDAHO

October 7, 1919

The Commissioner of Reclamation
Boise, Idaho.

Gentlemen: Enclosed find application of Samuel B. Bieroth for the amount of water and for use upon the land described, with my check for \$1.30.

This property was acquired by purchase, but the former owner neglected to perfect his water right. Former owner's name, Fred B. Hall.

Very truly

Charles Pascoe

P.S.--Mr. Bieroth wants to perfect his right as soon as possible--Completion of Works and Application of Water to Beneficial Use, blanks for the first and notice for publication of the latter step being desired as early as they can be properly submitted.

CP

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